

Regulatory Improvement Workplan



Regulatory Improvement Code Amendment Package 8 - Appendix (RICAP 8)

Proposed Work Plan - Appendix

Complete List of RICAP Eligible Items from Regulatory Improvement Request Database

April 2015



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon
Charlie Hales, Mayor • Susan Anderson, Director



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

Tuesday, April 28, 2015

3:00 PM*

1900 SW Fourth Avenue, Second Floor, Room 2500A

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

The City of Portland is committed to providing equal
access to information and hearings.

If you need special accommodation, please call
503-823-7700. (TTY 503-823-6868).

For more information about this project, please contact:

Morgan Tracy, City Planner II
Portland Bureau of Planning
1900 SW 4th Avenue, Suite 7100
Portland, Oregon 97201

Phone: 503-823-6879

Fax: 503-823-7800

TDD: 503-823-6868

Email: morgan.tracy@portlandoregon.gov

Internet: www.portlandoregon.gov/bps/RICAP

Appendix to Proposed RICAP 8 Workplan

List of Items Eligible for RICAP 8

This table lists the items eligible for RICAP 8. As explained more fully in the Proposed Workplan, ideas and requests for regulatory improvement are fed into the Regulatory Improvement Request (RIR) database from a variety of sources, including letters and calls from citizens, and requests from City staff and others. Periodically, staff from the Planning and Sustainability (BPS) and Development Services (BDS) Bureaus review the database to select items eligible for inclusion in a RICAP project. Items that may be included in a RICAP are technical items and those that entail only minor policy changes. Issues that will result in more significant policy changes, or will require significant resources, are directed to other projects.

The 32 items that have been proposed for inclusion in RICAP 8 have been shaded to help readers navigate through the list. Some proposed items may include multiple similar database items, and some database items include multiple issues (e.g. the Tree Code technical fixes). The list is sorted by code section and contains several columns:

- **Line #** - is provided for reference
- **RIR #** - the identification number for the item in the Regulatory Improvement Requests (RIR) database.
- **Item Label** - describes the topic and also indicates items that are part of a bundle
- **Problem Statement** - a description of the problem as it was entered in the database.
- **Requested Action** - the requestor's concept for addressing the problem

NOTE: The text in the "problem statement" and "requested action" columns is verbatim from the database as entered by staff or members of the public. ***These columns do not represent an endorsement of the problem as specifically stated nor a recommended solution by the Bureau of Planning and Sustainability.*** As further research is done on these items, the proposed resolution of each issue may differ from the requested action.

- **Code Section** - cross reference to the section of city code that contains the regulation to be addressed
- **Complexity** - RICAP eligible items are either "minor policy", "clarification", "technical correction", or "consistency change"
- **Rank** - for minor policy items, a rank from negative (12) to positive 12 is assigned based on ranking criteria described earlier in this report.
- **Resource** - the number of dollar signs indicates a magnitude of order (\$) to (\$\$\$\$) for resources required to effectively evaluate, conduct needed outreach and develop solutions to address the regulatory improvement request.

Line #	RIR #	Item Label	Problem Statement: (as 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	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	\$\$
3	809064	Universal Design	The City of Portland should mandate railings beside any type of step; better yet, a 1:12 sloping ramp. Recently built in-fill residences have 1-2 concrete entry steps but no railing. AARP's definition of Universal Design creating spaces that are easy to use by everyone, now and in the future. "Universal Design is about creating an attractive, stylish space that everyone, regardless of age, size, or ability, can live in or visit. A home with Universal Design makes it easier for residents to live in, and for guests to visit now and in the future, even as EVERYBODY'S NEEDS AND ABILITIES CHANGE."	Explore options to either require or incent provision of universal design for 1&2 family new residential development. "Requiring" universal design may conflict with state building code. Note that this is different from full ADA compliance. Will need to evaluate that and explore what other options/incentives may be available.	33.110.	Minor Policy Change	TBD	\$
4	377375	Daycare	Daycare uses are not currently allowed by right as part of public housing developments in Single and Multi-Dwelling zones, though such uses are often a (desired) component of such developments.	Consider allowing, with limits, daycare use by right (as a primary or accessory use) in Single and Multi-Dwelling zones if part of a public housing development (such as a HAP development). Daycare for up to 16 children operated by a certified family childcare provider is already an allowed use in single and multi-dwelling zones.	33.110.100	Minor Policy Change	2.5	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
5	88161	Commercial Parking on Institutional Lots	Several close-in areas and main streets are experiencing a large amount of infill development. Because the commercial lots in these areas are not very deep and because they often have good transit service, on-site parking is neither required nor provided. Since these new facilities still have customers that arrive by car, this can put a stress on the street parking demand in adjoining residential neighborhoods. At the same time, there are open parking areas that are part of schools, churches and other institutions that are not being utilized in these neighborhoods. However, commercial parking in residential areas is prohibited so there is no way to legally allow businesses to access these parking areas for customers or employee parking.	Consider allowing certain commercial parking activities in residential zones as a limited or conditional use. If done as a conditional use, it could be tied into the conditional use requirements of institutions such as schools or churches, and would allow underutilized parking areas to ease the crunch of parking in mixed use areas.	33.110.100	Minor Policy Change	3.3	\$\$
6	861607	Lot Confirmations	There is currently no formal process or direction for BDS to follow when processing Lot Confirmations. These confirmations allow for portions of a site to be sold off, and can affect the development standards for a site, such as building coverage, vehicle area, setbacks, outdoor area, etc. The one portion of the code that discusses when a lot can be developed contains no standards for whether a site can go out of conformance through the lot confirmation process. The property line adjustment process, does contain standards for planners to follow.	Provide a process and a set of standards for reviewing a lot confirmation and how that confirmation may affect development on the site.	33.110.212	Minor Policy Change	8.5	\$\$
7	835465	Lot width exception for flag lots	Flag lots created prior to July 26, 1979 do not meet the lot width requirements of any of Table 110-6. New flag lots have their own set of standards that are not related to traditional lots	Include an exception, or alternative standards, to the table for lots or lots of record that were created as flag lots.	33.110.212	Clarification		\$
8	744420	Lot Confirmation/PLA for Through Lot	Code allows for confirmation of 25 x 100 foot platted lots in R5 zone with flexibility in lot sizes allowed on corner lots. Consider allowing this for through lots since resulting lots would have similar attributes.	Consider allowing creation and development of lots that are 50 feet wide and 1,600 square feet through Lot Confirmation/PLA for through lots.	33.110.212	Minor Policy Change	2.0	\$
9	16784	Vacant lots and demolition of accessory structures	For the purpose of determining buildable skinny lots, questions have arisen as to what is vacant. Accessory structures such as decks and carports, if attached have prevented lot segregations.	Should review this section and see if there are situations where a lot can still be considered vacant if a deck or carport or similar attached non-living area projects into the lot, i.e. can the deck be demolished with the adjoining lot still being considered vacant for 5 years.	33.110.212	Clarification	3.7	\$\$

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	802897	Setbacks	Clarify that the reduced setback allowed by established building lines is established only by the walls of a primary structure and applies only to additions to the primary structure. The section states that the nonconforming wall serves as the reduced setback line. It does not seem that it would have been the intent of the regulation to allow a reduced setback for mechanical equipment or new detached structures.	State that the nonconforming development is the primary structure and that the reduced setback applies only for additions to the primary structure.	33.110.215	Clarification		\$
11	37030	Height and setbacks in single dwelling zones	The current zoning regulations governing height, building coverage and lot size in the single dwelling residential zones do not provide adequate protection of the character of existing neighborhoods, many of which may contain smaller older homes. These neighborhoods historically limited their larger homes to the larger lots in the neighborhood. The recent trend toward larger homes has resulted in oversized homes being placed on small existing infill lots.	The City of Portland should revisit the zoning code height and lot coverage requirements. The 30 foot height limit has been in place for many years but with the current trend of building large houses on small sites there is a conflict with the new building or remodel project interfacing with the existing fabric of our neighborhoods. Allowing 2250 sq. ft. of lot coverage for a 5000 sq. ft. site combined with building up to the 30 foot height limit creates a massive volume which towers over the adjacent houses. (See attachment for additional information).	33.110.215	Minor Policy Change	2.4	\$\$\$
12	17526	Narrow lot development	The maximum height of 1.5 times width for narrow lots in R2.5 is too restrictive for attached houses, especially in areas transitioning from a higher density zone to a single dwelling zone. Request submitted by phone from Rod Merrick, Architect.	Eliminate the 1.5 maximum height limitation for attached houses and apply the 35' max in the R2.5 zone.	33.110.215	Minor Policy Change	3.7	\$\$\$
13	345940	Setbacks for eaves	Eaves (and other minor projections) are currently allowed to project into the setback 20%. In zones with a 5' side setback where the building is built to the setback line, this translates into a 1' eave. Larger eaves can provide aesthetic quality, protect doors and windows from harsh weather, protect foundation walls from moisture, and provide extra shading to the building.	Allow eaves to project 40% into the required building setback.	33.110.220	Minor Policy Change	3.3	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
14	215249	Land Division Monitoring - Rear Yards	Table 110-3 requires a larger front yard than rear yard in residential zones. Rear yards are often the most appropriate space for an on-site storm water infiltration facility (soakage trench, swale, or drywell). These infiltration facilities require more than five feet of yard depth. Five feet is also not sufficient for a usable yard.	Consider larger rear setbacks, 15 feet or more, to encourage more useful outdoor space, better urban form, and adequate space for on-site stormwater management.	33.110.220	Minor Policy Change	3.8	\$\$
15	572609	Attached Houses on Corner Lots	It is not clear if the new additional development standards for attached houses on corner lots are achieving a better result.	Look at the development approved using the new development standards and consider whether the standards are working or whether use of the alternative option should only be allowed for new development on both lots.	33.110.240	Minor Policy Change	2.3	\$\$
16	346294	Duplexes on Corner Lots in Southwest	From B. Cunningham meeting w/SWNI. The corner lot provision is not consistent with community character in Southwest, due to the corresponding amount of impervious surface and resulting limited room for trees/vegetation that are central to community character	Eliminate corner lot provision in Southwest and other areas like it.	33.110.240	Minor Policy Change	0.5	\$\$
17	144333	Flag Lots	The flag lot regulations require minimum setbacks from all property lines that range from 10 feet (in R7-R2.5 zones) to 15 feet (RF-R10 zones). These setbacks are five feet deeper than those required for side and rear setbacks for non flag lots in these zones. Meeting the deeper setbacks on flag lots is made more difficult by a minimum lot width and depth of only 40 feet, which is less than that required for non flag lots. BDS has been processing an increasing number of Adjustments to the flag lot setbacks, primarily along what would typically be considered side and rear lot lines.	Reconsider the intent of requiring minimum "side" and "rear" setbacks for flag lots that are double those required for adjacent, non flag lot properties. While the minimum width and depth dimensions for flag lots were significantly reduced as part of the Land Division Rewrite, the minimum setbacks were not.	33.110.240	Minor Policy Change	-0.8	\$\$
18	31230	Zero Lot Line Development	When developing under the zero lot line alternative, the zoning code allows eaves to overhang the lot line (with an easement), and windows in walls within 3 feet of the lot line. The Building code does not allow this for fire and safety reasons.	The contradiction between the Zoning Code and Building Code should be resolved.	33.110.240	Minor Policy Change	-1.7	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
19	33400	Multi-Dwelling Building Setbacks	The R2.5 - R7 single-dwelling residential zones allow a 3-foot side or rear setback along lot lines that abut alleys, street lot lines, and flag poles. Similar allowance for reduced setback should be available in the multi-dwelling zones.	Reduce required side and rear building setback, which is currently based upon plane of building wall. The setback requirement ranges from 5 to 14 feet. Reduce the requirement to 3 feet along lot line that abuts alley, street, or flag pole driveway.	33.120.	Minor Policy Change	3.6	\$\$
20	341645	Group Living in Institutional Multi-Dwelling Zones	In Table 120-1, Group Living is identified as an allowed use in the IR zone, with a Footnote 1. Footnote 1b states that in the IR zone Group Living is allowed only if it is a use identified in an Impact Mitigation Plan (IMP). In all other Multi-Dwelling zones, Group Living with 7-15 residents is allowed by right, and those having more than 15 requiring conditional use approval. It doesn't make sense that in the IR zone Group Living in all circumstances requires IMP approval.	Similar to what is allowed in all other Multi-Dwelling zones, consider allowing Group Living uses with 7-15 residents to be allowed by right in the IR zone, and for those with more than 15, allowed if approved through an IMP or as a Conditional Use.	33.120.100	Clarification	2.8	\$\$
21	861487	Land Constraints to minimum density	Single dwelling zones allow several areas to be excluded in the calculation for minimum density, including environmental overlay, flood hazard and potential landslide hazard. Multi-dwelling zones only exempt environmental overlay zones.	Consider making the density calculations more consistent across single and multi-dwelling zones, recognizing that some zones allow more flexibility through adjustments than other zones.	33.120.205	Minor Policy Change	3.5	\$\$
22	778763	Density Transfers and Amenity Bonuses	A recent project in the R2 zone used a combination of amenity bonuses and historic & local density transfers to increase the maximum density on a site from 5 to 12 units. This bonus exceeds the normal maximum for a R1 site. It is not clear whether the city's intent was to allow multiple incentives to more than double the allowed maximum density	Review the intent of these provisions and add language to prohibit the ability to use more than one set of density transfers and amenity bonuses, or create a maximum for all options.	33.120.205	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
23	579145	TDRs from Historic Landmarks	33.120.205.E.4.b allows density or FAR to be transferred from Historic Landmarks to sites within two miles of the Landmark. The intent was to provide an incentive to preserve the Landmark. However, some of the transfers are being made to sites in Historic Districts. The "receiving" sites then have a building that is often way out of scale with the surrounding district. These transfers provide an incentive to preserve one historic resource by degrading another. The possibility of the "receiving" site being a historic district was not considered during development of this code provision. (I worked on it, so I'm to blame.) Also note, that there is similar language in other base zones.	Require that "receiving" sites not be in Historic Districts, or limit the amount of FAR that can be transferred to a site in a Historic District to 1:1. The language should be changed in all affected base zones.	33.120.205	Minor Policy Change	2.5	\$\$
24	240066	Courtyard Housing Competition	Some of the Courtyard Housing Competition designs did not meet the requirement that the height of the building step down to 25 feet when within 10' of the front property line (buildings can go to 3' of front property line but are limited to a 25 foot height in the area between 3' and 10'). This regulations seems to be a remnant of steps to respond to the scale of single dwelling neighborhoods.	Consider eliminating the step down requirement for maximum height in the R1 zone. In areas where the R1 zone is on both sides of the street, or in situations where the buildings front a common green or shared court, the lower height may not be necessary.	33.120.215	Minor Policy Change	3.4	\$\$
25	40979	Multi Dwelling Height Bonuses	The bonus height provisions in Table 120-3 of Chapter 33.120 (City Code) is inconsistent with both the Goose Hollow plan and the Kings Hill Historic District. Application of the 1000 foot radius bonus provision, applied in the Kings Hill Historic District puts two City policies in conflict. The purpose of an Historic district is to preserve the historic value of the district and the purpose of the ht bonus is to encourage re-development. Applied to the same properties the two policies are incompatible.	Eliminate application of the bonus ht provision in an historic district by excepting historic resources from application of the bonus provision.	33.120.215	Minor Policy Change	-0.3	\$\$
26	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
27	240060	Courtyard Housing Competition	Several Courtyard Housing submissions, including the first place winner contain 12 foot long driveways off of the shared court. This is currently not allowed, as driveways currently need to be at least 18 feet or less than 5 feet long. This provision is intended to prevent cars from parking and blocking sidewalks. This is not an issue when a shared street is proposed, because the entire street is also a pedestrian area.	Consider waiving the minimum/maximum driveway setbacks for projects that provide access off of a shared court.	33.120.220	Minor Policy Change	0.5	\$\$
28	34588	Setbacks in multi-dwelling zones	The purpose statement in 33.120.220, Setbacks states that one of the purposes of setbacks is to provide larger setbacks in the front yard. However, many of the zones actually allow a smaller setback in the front yard than they do in the side and rear.	Modify or eliminate the purpose statement related to front yards so that the purpose statement matches what is actually allowed in the zoning code	33.120.220	Minor Policy Change	1.0	\$
29	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	\$\$
30	352621	Main Entrance standards for Multi-dwelling Development	Currently there are standards that require main entrances face a street for houses, attached houses and duplexes in all zones, and for any commercial tenant space in a Commercial zone that is located adjacent to a Transit Street. It is not required for multi-dwelling developments. As a result, multi-dwelling developments often face all entrances to the interior of the site, or off to the side adjacent to a private vehicle area or side lot line; reducing interaction with the public street.	Consider incorporating a main entrance standard that requires at least one entrance to face the public street for multi-dwelling development in multi-dwelling and commercial zones.	33.120.231	Minor Policy Change	5.0	\$\$
31	240095	Courtyard Housing Competition	Many courtyard housing projects propose to have the garage be the dominating frontage orienting to the courtyard (i.e. shared street) tracts. This is contrary to the basic principles that emerged from the competition.	Consider adding regulations that require porches, balconies and /or living space to front onto the courtyard tracts.	33.120.232	Minor Policy Change	2.3	\$\$
32	235876	Courtyard Housing Competition	Many of the courtyard housing designs integrated their rooftops into overall landscaping and open spaces for the project. However, gardens on rooftops and/or eco-roofs would not qualify toward minimum landscaping requirements in the zoning code.	Allow or clarify that eco-roofs can qualify toward landscaping and outdoor area requirements.	33.120.235	Minor Policy Change	-0.5	\$\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
33	733107	Wall Mounted Mechanical Equipment	City Zoning Codes contain screening requirements for mechanical equipment mounted on the roof of a building or on the ground in many zones. Recently, there has been an increase in options to mount small-scale mechanical equipment such as heat-pumps on the sides of the buildings, closer to where they may be needed. The current base zone codes, design, and historic resource overlay zone codes do not address these types of equipment and the city has not adopted a consistent policy on these. While this type of equipment can be more efficient than larger roof or ground equipment, they can be harder to cover or screen without affecting their efficiency or warranty.	The city should consider potential screening standards and review criteria applicable for wall-mounted mechanical equipment.	33.120.250	Minor Policy Change	6.0	\$\$
34	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	\$\$
35	861427	New Tree Regulations	Title 11 consolidated the various tree regulations into a new chapter. These regulations were approved April 2011 but did not go into effect until January 2015. Once they became effective, BDS staff noted some inconsistencies in the code and the need for further clarification. They have compiled a list of about a dozen issues that should be clarified	Clarify tree code issues that have caused problems with interpretation upon implementation in January.	33.120.265	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	635338	Amenity Bonus Provisions	Applicants using amenity bonuses for existing development do not achieve the desired intent of the regulations. Some of the amenity bonuses (outdoor recreation facilities) are tied to project valuation. It is not clear how to implement this provision when someone is adding units to an existing development. The cost of the project to add units is relatively low compared to what it would cost to build the whole project. In addition, if nonconforming upgrades are not triggered, it is not clear whether an applicant would meet all development standards or would need to ask for an adjustment.	Consider use of amenity bonuses only for new development, limit the bonuses that apply to alterations or state how they are to be applied to alterations.	33.120.265	Minor Policy Change	2.5	\$\$
37	603168	Amenity Bonus with Existing Development	Some applicants choose to use the amenity bonus provisions to existing development. It is not clear how to ensure all of the development standards are met if the proposal does not trigger nonconforming upgrades and some of the bonus provisions refer to project cost. The project cost for an addition may be substantially less than it would be for new development.	Either allow amenity bonus provisions to be used only with new development or clarify whether the site needs to be brought into conformance with all development standards. Clarify whether the overall development cost includes the value of the existing development.	33.120.265	Minor Policy Change	1.8	\$\$
38	346730	Community Gardens	Update the Amenity Bonus' in Multi-dwelling Zones to include community gardens	Update the Amenity Bonus' in Multi-dwelling Zones to include community gardens and/or explore other zoning incentives for the provision of community gardens	33.120.265	Minor Policy Change	0.8	\$\$
39	215611	Amenity Bonuses	The amenity bonuses do not provide any incentive to build greener projects. Revisit (and update as necessary) the amenity bonuses (33.120.265) to encourage/facilitate more green building technologies.	Increase amenity bonus allowed for solar hot water heating, and add other green building features to the bonus list. Also, review existing solar hot water heating standard and confirm it is up to date with current technology, and that it can easily be implemented the way it is written. (Tax incentives are generally not given out until the solar system is installed, but in order to receive the bonus this must be documented at the time of permit review.)	33.120.265	Minor Policy Change	3.1	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
40	240096	Courtyard Housing Competition	Some of the courtyard housing competition designs included zero setbacks for a portion of the interior lot lines. This allowed for greater flexibility in house designs, but did not necessarily reduce privacy.	Modify the zero lot line provisions to provide more flexibility for private outdoor spaces between units. Ideas include requiring the double setbacks along only a portion of building walls or stipulating outdoor rooms of certain dimensions between units.	33.120.270	Minor Policy Change	2.1	\$\$
41	34614	Attached Duplexes	Although attached duplexes are allowed in multi-dwelling zones through the alternative development options, it is not clear whether attached duplexes fall under base zone design standards or not. They are defined as a residential structure type under 33.910 but not for BZDs	Need to decide whether attached duplexes should be subject to base zone design standards (bzds) similar to houses and duplexes or whether they fall under multi-dwelling development.	33.120.270	Clarification	3.4	\$\$
42	587796	Industrial Uses in Commercial Zones	Table 130-1 includes variations of L, L/CU and CU for industrial uses, all of which refer to footnote 5. It is unclear how the footnote should be read for each circumstance. If CU is listed, is the use a CU regardless of size? Does the 10,000 square foot limit come into play? The mention of Utility Scale Energy Production specifically further complicates the footnote by making it seem that this use is a conditional use and others are allowed under 10,000 square feet. This was not the intent.	Break out the footnotes as in 33.140.100.B with clear language applying to what is allowed as a limited use and which requirements apply to conditions uses.	33.130.100	Clarification	4.0	\$\$
43	745766	Commercial zone setback projections	Clarify what is allowed a full projection into required setbacks in commercial zones. Wheelchair ramps are mentioned specifically as allowed in street setbacks, but it seems they would be allowed a full projection into other setbacks if they were no more than 2-1/2 feet above the ground.	Use parallel language for projections in residential zones. Also see setback projections in 33.140.	33.130.215	Consistency Change	<i>(incl in RICAP 7 issue)</i>	\$
44	671999	Minimum C zone setbacks	The code requires a minimum setback based on the height of a building wall and five feet of L3 landscaping when a commercial zone abuts a residential zone. Commercial zones can be developed with single dwelling development and the setback and screening are out of character and excessive.	Allow a five foot setback with no screening required when commercially zoned property adjacent to residential zones is being developed with single dwelling development.	33.130.215	Minor Policy Change	3.0	\$
45	33096	Maximum Transit Street Setbacks	Service stations and auto repair uses cannot meet the maximum transit street setback standards, and generally are not the type of uses that foster a pedestrian environment. They often need adjustments when being built or expanded. Well placed landscaping often does a better job at creating a pedestrian amenity in this case.	Provide an exception to the Transit Street Setback standards for these type of vehicle related uses (TBA - Tire, Battery, Auto Svc), since their location doesn't help the pedestrian environment by being close to the street.	33.130.215	Minor Policy Change	5.6	\$\$

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	352548	Pedestrian Standards in Commercial and Employment Zones	In Commercial Zones, and in EG1 and EX the area between a building and a street is required to be hardscaped for use by pedestrians, or landscaped to the L1 standard. However, except for the EG1 zone, all zones do not have a minimum building setback. Is the intent to force a minimum building setback to accommodate L1 landscaping or useful hardscaping? If so, how deep should it be? In addition, this provision is not listed in the Pedestrian Standards for Multi-dwelling zones; therefore was the intent not to have it apply for residential development? Finally, do the trees use to meet the L1 landscaping so close to the street property line interfere with street trees?	Re-consider applicability of landscape or hardscape standards between the building and the street to situations where a building setback of a minimum depth (5'?) is voluntarily provided. Consider exempting these provisions for 100% residential development.	33.130.240	Minor Policy Change	0.0	\$\$
47	346738	Exterior display of goods	Currently exterior display of goods other than plants and produce are not allowed in CN, CO, CM, CS, and CX zones. Therefore, small market goods similar to public markets are not allowed in that zone except under the temporary activities chapter 33.298, which precludes permanent public markets in these zones.	Consider allowing exterior display of goods other than plants and produce in one or more of the commercial zones where it is currently not allowed.	33.130.245	Minor Policy Change	4.0	\$\$
48	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	\$\$
49	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-feet 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	\$\$
50	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
51	666028	Community Design Standards	The Community Design Standards are focused on development that looks like N/NE neighborhoods and should be more flexible to other areas. They do not work well with exterior alterations in C/EX zones. Some of the buffering requirements seem at cross-purpose with exterior finish requirements. Some of the CDSs are more permissive than the base zones.	Update Community Design Standards to work better citywide, clarify requirements for alterations in C/EX zones and make consistent with base zones.	33.218.	Minor Policy Change	8.0	\$\$\$
52	352578	Community Design Standards	The Community Design Standards are applied city-wide in the "d" overlay zone, and they are tailored to a particular aesthetic of inner east Portland neighborhoods and, for traditional and/or craftsman architecture. They are not context sensitive. In addition, they are organized by zone, not by building type, though several types of uses (and therefore building types) are allowed within some zones. The applicability of the standards is not development specific. Finally, they are very prescriptive, and do not offer any flexibility.	Consider revising the Community Design Standards to a) be organized by building or development type instead of zone, b) be context sensitive and have different standards for different geographic areas of the city OR provide options of different context-sensitive standards for the applicant to use at their discretion, and c) within the standards themselves, offer a menu of options to choose from to comply with the standard.	33.218.	Minor Policy Change	7.0	\$\$\$
53	220206	Community Design Standards and Antennas	The Community Design Standards were written prior to the proliferation of Radio Frequency (RF) facilities, including monopoles, building and other structure mounted facilities. There is only a more general standard that covers all roof mounted equipment, but it doesn't apply to facilities mounted directly to the sides of buildings, etc. As a result, in certain design areas and conservation districts, monopoles and many building mounted facilities can go up without any additional oversight to the design of the installation	Consider creating Community Design Standards that are specific to regulating the installation of Radio Frequency (RF) facilities, both as monopoles and as building mounted facilities.	33.218.	Minor Policy Change	2.2	\$\$
54	31247	Community Design Standards	When the Community Design Standards were first implemented, there were few other design regulations for residential buildings (especially single family residences) in the base zones. Since then, the base zone design standards and land division design standards have been implemented. These standards have made some of the community design standards, duplicative, obsolete or sometimes conflicting. An example is with the regulation of attached garages.	Eliminate duplication of base zone design standards within the community design standards.	33.218.	Minor Policy Change	5.0	\$\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
55	433755	Community Design Standards and Adjustments	There have been instances where an applicant will choose to pursue an adjustment to a base zone standard in order to meet the community design standards in d overlay zones and in conservation districts. When community design standards cannot be met, the intended alternate mechanism is design review or historic design review. By pursuing an adjustment (which does not require that the entire development proposal be looked at holistically, just the impacted area), the higher design intent is circumvented. The most common example of this is a side setback adjustment to accommodate the required dimensions of a front porch, especially on lots 25' wide.	Prohibit adjustments to other, non-community design standards in order to meet the community design standards.	33.218.015	Minor Policy Change	3.8	\$\$
56	660645	Community Design Standards	Code seems to discourage slider windows by stating that window need to be vertical or square, but does not explicitly state that sliders are not allowed. This leads to arguments about whether a horizontal slider window is one window or two and might encourage a band of individual lutes above a slider.	Explicitly state that horizontal slider windows cannot be used to meet the Community Design Standards.	33.218.100	Minor Policy Change	4.3	\$
57	64344	Front Setbacks in e-zones	The Environmental development standards (33.430.140.N) generally state the maximum front setback is the same as the minimum setback required by the base zone. For sites in the Southwest Community Plan area and in conservation districts, the setback for primary buildings is based on the setbacks of primary buildings on the lots that abut each side of the site. The primary structure may be no closer to the front lot line than the adjacent primary structure that is closest to the front lot line, and no farther from the front lot line than the adjacent primary structure that is farthest from the front lot line; in no case may the structure be set back from the front lot line more than 25 feet. These standards create conflict where the base zone requires a minimum setback of 10 feet or less, but existing structures on adjacent lots are in excess of 10 feet from the front lot line. Because the E-zone development standards are in the 400s and the Comm Design Standards are in the 200s, BDS/LUS will apply the e-zone front setback standard in such situations, with no Design Review required.	The Code should clarify how the regulations should apply in such situations.	33.218.100	Clarification	1.6	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
58	33358	Community Design Stds.	The standard requires stairs (other than those leading to a main entrance) to be at least 40 feet from all streets. This seems impracticable for single dwelling zones, especially on corner lots. It seems more appropriate for multi-dwelling structures. Also, what does 40 feet from "all streets" mean? The edge of right of way? The edge of street paving?	Code change to make this only apply to multi-dwelling structures, and clarify that it is measured from the street lot line.	33.218.100	Minor Policy Change	3.0	\$
59	32691	Community Design Standards & flag lots	Community Design Standards, Flag Lots: Flag lots are already exempt from many of the base zone design standards and conformance with the Community Design standards, required through 33.405 often adds confusion.	Due to the limited visibility of flag lots from the street, development on flag lots should be exempt from the Community Design Standards.	33.218.100	Minor Policy Change	2.7	\$\$
60	32661	Community Design Standards	Community Design Standards: Requirements for specific exterior siding versus existing siding on building can conflict. In some cases, a type of siding that is consistent with the existing architectural style of the building is not allowed, and requires design review (e.g. shakes on an old English style). The requirement is also not always consistent with architectural or historical heritage of the area.	Reconsider the exterior siding requirements. Consider applying instead the same siding requirements included in 33.218.130.B and C, et al., which specifically exclude some exterior materials, but otherwise allow exterior materials that visually match the appearance of existing exterior materials.	33.218.100	Minor Policy Change	3.4	\$\$
61	753380	Community Design Standards	Sections 33.218.110.C.2.b and 33.218.140.D.2.b include buffering requirements when a development is across a local service street from a RF-R2 zone. Vehicle area are restricted in that buffer unless the site only includes access on that street. The standard does not take into account possible limitations that may occur on the alternate street such as a narrow frontage or PBOT requirements. This can force a development into design review solely because of its location of the driveway.	Amend the standard to provide an opportunity to allow the vehicle access when it cannot be provided on the non-local street due to too narrow of a frontage or restrictions on access from other agencies.	33.218.110	Minor Policy Change	0.3	\$\$
62	251955	Community Design Standards	For exterior alterations of residential structures and for detached accessory structures in Single-Dwelling, R3, R2 and R1 zones, the Community Design Standards require shiplap or clapboard siding to have a reveal of 3 to 6 inches. This seems overly prescriptive. Applicants proposing a reveal that visually matches that of siding on existing structures on the site, but which doesn't meet the 3 to 6 inch standard, must go through Design Review.	Reevaluate the requirement that shiplap or clapboard siding have a reveal of 3 to 6 inches. The emphasis when using such siding should be that it visually matches the appearance (and placement) of such siding on existing structures on the site.	33.218.120	Minor Policy Change	3.3	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
63	781642	Fences and Community Design Standards	This item is created from RIR 683624 to address larger issue identified in item. In RH, RX, C and E zones, residential development is allowed to waive the standards for 33.218.140 and apply the standards for R3, R2, and R1. These standards do not include many items that are beneficial for pedestrian access and street orientation on the commercial main streets where these zones occur. The current standards allow development that is not in keeping with the more intense zone.	-Requested Action taken from original RIR- Allow targeted portions of section 140 to be waived by exclusively residential buildings, but not the entire thing. Specifically, buildings on transit streets or in pedestrian districts should need to address sections A and B, and perhaps the entire section. I am unsure why this waiver was allowed, but it does not meet the desires of the community I live in and I would guess any of the other neighbors in the City of Portland	33.218.140	Minor Policy Change	5.0	\$\$
64	683624	Fencing requirement clarification	Section 33.218.140 has no effect on residential developments. This has allowed fencing to separate a building from a transit street in a pedestrian district. This is exactly the sort of thing that the Community Design standards were supposed to be preventing. This language: The standards of this section apply to development of all structures in RH, RX, C, and E zones. These standards also apply to exterior alterations in these zones. For proposals where all uses on the site are residential, the standards for the R3, R2, and R1 zones may be met instead of the standards of this section. Where new structures are proposed, the standards of Section 33.218.110, Standards for R3, R2, and R1 Zones, may be met instead of the standards of this section. Where exterior alterations are proposed, the standards of Section 33.218.130, Standards for Exterior Alteration of Residential Structures in Residential Zones, may be met instead of the standards of this section Is basically allowing a developer who is using their property for only residential uses to avoid the entire language in the section. The other section makes no mention of addressing the street, reinforcing corners, etc.	Allow targeted portions of section 140 to be waived by exclusively residential buildings, but not the entire thing. Specifically, buildings on transit streets or in pedestrian districts should need to address sections A and B, and perhaps the entire section. I am unsure why this waiver was allowed, but it does not meet the desires of the community I live in and I would guess any of the other neighborhoods in the City of Portland	33.218.140	Minor Policy Change	3.5	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
65	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-thrus separately and provide for reduced standards.	33.224.050	Minor Policy Change	2.9	\$\$
66	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	\$\$
67	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	\$\$
68	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	\$\$
69	845365	Landscaping code	Landscape plant list does not have enough options of plant species that are compatible with stormwater management facilities. We encourage applicants to use place their lined stormwater facilities in the setback and use them to meet landscape requirements, however there are few planting options that are currently on both lists.	Propose updating both the zoning code and SWMM plant list with more options that work for both (e.g. evergreen shrubs)	33.248.030	Minor Policy Change	TBD	\$\$
70	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
71	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	\$
72	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	\$\$\$
73	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 non conforming use. New residential construction could still be prohibited.	33.258.050	Minor Policy Change	1.8	\$\$
74	822807	Nonconforming Density	The nonconforming chapter provides a distinctions between re-establishing nonconforming situations that are accidentally destroyed versus intentionally destroyed. However, the code for nonconforming residential densities does not contain a provision about how these situations should be addressed. BDS staff typically follow the interpret the code to not allow nonconforming densities to be re-established if they are intentionally destroyed.	Clarify or establish the standard for re-establishing nonconforming residential densities that have been intentionally destroyed.	33.258.060	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
75	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	\$\$
76	215631	Nonconforming Development Upgrades	Green features added to a site may have more beneficial impact than some of the items listed on the Nonconforming Development Standards upgrade list (33.258.070.D). For example, adding an eco-roof to an existing building may have a more significant impact on reducing stormwater runoff then adding landscaping buffers into a parking lot where all of the stormwater is already directed to catch basins.	Allow some green building features to be added to an existing project in lieu of meeting other Zoning Code Standards on the Nonconforming Development Upgrade list.	33.258.070	Minor Policy Change	1.0	\$\$
77	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	\$
78	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	\$\$\$
79	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
80	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	\$\$
81	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	\$\$
82	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	\$
83	762065	Parking for Community Service Uses	The Community Service use category is one the broader use categories in the Code, encompassing a wide variety of very different uses. Most of these institutional uses go through a Conditional Use, and as part of that review, the appropriate amount of parking for the use is typically established. However, unlike most other Institutional uses in Table 266-2, the minimum and maximum parking ratios cannot be determined as part of the Conditional Use review.	Amend Table 266-2 to establish the minimum parking ratio for Community Service uses at 1 space per 500 square feet, or per CU or IMP approval; and the maximum parking ratio to be 1 space per 196 square feet, or per CU or IMP approval.	33.266.110	Minor Policy Change	3.3	\$
84	726583	Parking and Loading	33.266.110 and Table 266-2 more specifically requires that group living uses provide 1 space per for residents. The number of residents is not feasible to review during plan check (is it based on max occupancy, or proposed occupancy, or some other nebulous factor?) and the number may also fluctuate (bringing the site in and out of conformance).	Rather than basing the parking on a fluid factor (occupants), parking requirements should be tied to the physical development. Suggest using bedrooms as the defining factor, as converting space to additional bedrooms requires a building permit review, and is a quantifiable and static component of a building development.	33.266.110	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
85	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	\$\$
86	765139	Residential Parking	The residential parking code should be revised to allow homeowners to retain the use of their driveways when they convert garages to other uses without having to go through the adjustment process.	Eliminate the 10 ft parking setback requirement.	33.266.120	Minor Policy Change	5.0	\$\$
87	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	\$\$
88	302445	Residential Parking Limits	Oversized residential lots (larger than 50' x 100') are common in East Portland. Residents are adding large concrete parking pads to Required Driveways in order to park and store multiple (up to 30) vehicles, facilitating illegal vehicle repair and vehicle sales. Per 33.266.150: "The regulations of this section are INTENDED to reinforce community standards and to promote an attractive residential appearance in the City's neighborhoods. The size, number and location of parked and stored vehicles in residential zones are regulated in order to preserve the appearance of neighborhoods as predominantly residential in character. . . ."	Add to 33.266.120(3), Front Yard Restrictions: "In single-dwelling zones the maximum total width of all Required and Non-Required vehicle parking spaces allowed within the front lot line shall be no wider than 20 feet on any lot over 50 feet wide."	33.266.120	Minor Policy Change	1.5	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
89	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 affected 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	\$\$
90	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	Resource
91	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	\$\$
92	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	\$
93	34583	Parking and Loading	Current regulations allow non-required parking to be in a setback if it is directly behind a required parking space. This allows people to park along a driveway behind a garage. However, if the garage is converted to living space, the driveway cannot be used as the replacement parking, since it is in the setback. Adjustments to this standard are often granted, and other elements of the code provide assurance that front paving is limited to reduce clutter	Modify regulations to allow parking associated with a house, attached house or duplex to be located within the front setback.	33.266.120	Minor Policy Change	4.9	\$\$
94	33089	Parking Regs	Front yard paving for duplexes in multi-dwelling zones - Why is the exemption only for ONE 9-foot driveway? It should be for two 9-foot driveways since there are two dwelling units.	Change the code to say they get two 9-foot wide driveways by right.	33.266.120	Minor Policy Change	4.3	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
95	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 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	\$\$
96	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	\$\$
97	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	\$\$\$

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	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	\$\$
99	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	\$\$
100	240076	Courtyard Housing Competition	The infill design project created an option to allow fence screening instead of the 5' landscape buffer for driveways and parking areas. This option was limited to small infill projects providing 5 or fewer parking spaces. Many of the courtyard designs proposed 6 to 12 units, so the option is not available to these types of projects.	Consider expanding the allowance for a fence to be used instead of the 5 foot landscape strip, so it could apply to a larger number of infill projects that are still small in scope.	33.266.130	Minor Policy Change	1.8	\$\$
101	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	\$\$
102	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
103	750113	Long term bike parking standards	Typical bike racks for long-term bicycle parking have different dimensions than those used for short-term. PBOT has example racks that work well for long-term bicycle parking, but are often spaced closer than two feet because they are staggered.	Consider changing the 2 foot dimension to something that would work for typical racks and look more closely at writing standards that work well for wall-mounted racks given they are often used for long-term bicycle parking.	33.266.220	Minor Policy Change	4.8	\$\$
104	207770	Short Term Bicycle Parking	Currently, light rail stations and transit centers are not required to have short term bicycle parking (i.e. bike racks).	Consider requiring some amount of short term bicycle parking at light rail stations and transit centers.	33.266.220	Minor Policy Change	0.0	\$
105	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	\$\$
106	678156	Loading Space Requirements	Parking spaces for cars are required to be designed so that vehicles can enter and exit the site in a forward motion. The exception to this requirement is for parking areas of up to two spaces that front a local service street. In such situations, the forward ingress/egress is not required. Standard B loading spaces are 9' x 18', the same size as a car, yet in all cases are required to be designed so that they can enter and exit the site in a forward motion. vehicles	Consider applying the exception of forward ingress/egress along a local service street to Standard B loading spaces when located in a vehicle area that has two or fewer spaces.	33.266.310	Minor Policy Change	7.0	\$
107	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
108	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	\$\$\$
109	108182	Radio Frequency Transmission Facilities	Section 33.274.030.A exempts changes to certain previously approved RF facilities from conditional use review and the regulations of Chapter 33.274 if, in part, the changes "do not create a significant change in visual impact." This is a discretionary criterion, not an objective standard.	This discretionary criterion should be modified into an objective standard.	33.274.030	Minor Policy Change	1.5	\$\$
110	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	\$
111	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
112	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	\$\$
113	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	\$
114	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	\$\$
115	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 non-broadcast 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 non-broadcast 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	\$

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	769756	Permit Ready Houses	The permit ready houses program was instigated in 2004/2005 to provide an opportunity for better designed homes on skinny lots. A special chapter section was created in the code, two pre-approved plans were initially developed with BDS staff to help administer the program. With budget cuts, this program was cut, and the plans are no longer offered. BDS does not intend to re-establish the program. However, there is still a zoning code chapter for this program	Remove Chapter 33.278, Permit Ready Houses, since this chapter is no longer administrated by the city or BDS.	33.278.	Minor Policy Change	0.3	\$\$
117	262353	Permit Ready Houses	When using the Permit Ready Housing provisions of Chapter 33.278, adjustments or modifications to any development standard is prohibited. Not allowing adjustments/modifications further limits opportunities to use the Permit Ready house plans.	Consider allowing adjustments and modifications to development standards that are site-related, such as setbacks, and that do not change the physical configuration of the permit ready house itself (such as height, footprint, etc). The original intent of prohibiting adjustments or modifications was to prevent applicants from changing the physical features of the house itself.	33.278.300	Minor Policy Change	-2.0	\$
118	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	\$\$
119	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
120	732799	Alternative Design Density Overlay Zone	A overlay (33.405.070.C) Flag Lots averaging 2,500 sf: Use of the "a" requires that either the Community Design Standards are met or Design Review is required when using 33.405.070.C Flag Lots averaging 2500sf. CDS in R2 requires primary buildings must not be set back from the front lot line more than 25 feet. This cannot be met on the flag lot, therefore, DZ is required and must be concurrent with the land division. There is no way to ever meet CDS on the flag lot. DZ will always be required. But code gives the impression that CDS could be used.	DZ doesn't make sense on the flag lot given its visibility from the street. Clarify that 33.405.070.D doesn't apply when using 33.405.070.C or make the code clear that a DZ will always be required for use of that development option.	33.405.	Minor Policy Change	4.8	\$\$
121	34594	'a' overlay provisions	Section 33.405.050 allows a bonus density in some zones if someone is willing to go through a Type III Design Review. This requires a hearing with the Design Commission. The hearing is a major disincentive to use this section and it is never invoked.	Consider allowing a less intense review for small projects that may seek a bonus density, similar to how land divisions are reviewed (i.e a proposal with under 10 units would only need a type II Design Review)	33.405.050	Minor Policy Change	3.6	\$\$
122	34744	Flag lots	Applicants have been able to use the flag lot provision in the 'a' overlay for R2.5 and R2 to create duplexes on the flag lot. The code currently states that 'attached and detached' dwellings are allowed, while the rest of our code distinguished development between houses, attached houses and duplexes.	Clarify this section to either state that only attached or detached HOUSES are allowed or change it to allow duplexes if that is the intent.	33.405.070	Minor Policy Change	-0.3	\$
123	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	\$\$\$
124	508202	Drive thru's in buffer overlay zone	Drive-thru's 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- thru's in buffer overlay zone; or2)include amplified noise from drive- thru's 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	\$
125	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
126	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	\$\$
127	31224	Design Review in EXd	The EX designation was intended to be an "industrial" zone that allows greater flexibility, and is now a mixed-use zone where Design Review is required. For remaining industrial uses, the d overlay creates situations where a minor alterations, such as a loading dock, requires Design Review.	Consider allowing minor alterations changes in the EXd zone to occur without the need for Design Review. Potential Outcomes 1. Decreases cost, time and complexity of reviews for minor projects.	33.420.	Minor Policy Change	1.6	\$\$\$
128	352574	Community Design Standards	In the Central City and Gateway Plan Districts where the "d" overlay is mapped, all exterior alterations must go through discretionary design review; Community Design Standards are not allowed to be used. For small alterations like vents/door window-replacement with different materials/roof-top mechanical equipment and other minor alterations, this can be a lengthy and expensive process prior to building permit issuance	Consider allowing the use of Community Design Standards for smaller alterations in the Central City and Gateway Plan Districts. At the same time, add/refine Community Design Standards that pertain to these types of alterations. For example, if vents are allowed to use Standards, add a Standard that addresses vents.	33.420.025	Minor Policy Change	1.5	\$\$
129	33497	Design Review	Standard public street improvements are exempt from DZ, but private streets and standard stormwater facilities are not.	Consider creating a similar exemption from Design Review for standard private street or stormwater improvements.	33.420.041	Minor Policy Change	4.3	\$\$
130	835457	Rooftop ductwork	Clarify if rooftop ductwork is subject to design review or eligible for design review exemptions.	Require rooftop ductwork to meet the height, setback and exterior finish provisions of 33.420.045.M.	33.420.045	Clarification		\$
131	781641	IRd and Design Review	33.420.045.K identifies when development in the IR zone is exempt from Design Review. The intent of these exceptions was that Design Review is only required for development that is part of a proposed or approved Impact Mitigation Plan. Development not requiring a Conditional Use is specifically exempted. However, K.2 only exempts "expansions or alterations" that don't require a Conditional Use from Design Review. "New development" that doesn't require a Conditional Use that is proposed on lots that have been removed from an IMP boundary are still subject to Design Review.	So as to be consistent with the intent that development in the IR zone that does not require a Conditional Use is exempt from Design Review, reword 33.420.045.K.2 to read, "Development that does not require conditional use review under 33.815.040."	33.420.045	Clarification		\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
132	481956	Parks and Open Areas Design Review Exemption for Non-Conditional Uses	In "d" overlays, new development and alterations to existing development require design review. "Development" includes all structures in and on the ground, including swimming pools, tennis courts, etc. Some Parks and Open Areas uses and associated development are allowed by right depending on the zone, and others require a conditional use review. In the design overlay zone, the code currently exempts development associated with Parks and Open Areas that did not also require a conditional use review from design review (33.420.045.I.)	On behalf of constituent: Discontinue design review exemption for development associated with Parks and Open Areas uses that do not require a conditional use review. Require design review for all development and alterations to new development for Parks and Open Areas uses (in design overlay zones) regardless if they are a conditional use or not. Alternately, increase the threshold for types of alterations that trigger a conditional use review in chapter 33.815.	33.420.045	Minor Policy Change	-0.8	\$\$
133	377805	Design Review	Mechanical equipment added to the roof of an existing building is exempt from design review and historic design review if the building is at least 45 feet tall (and other specified requirements are met). Rooftop mechanical equipment placed behind the parapet of an existing building less than 45 feet tall requires design review/historic review, even when the equipment is not visible.	Consider exempting from design review/historic review rooftop mechanical equipment placed behind the parapet of an existing building less than 45 feet tall if the equipment is not visible. Potentially, this would apply in lower density areas where views of the equipment from surrounding taller structures is not an issue.	33.420.045	Minor Policy Change	4.0	\$\$
134	32606	Design Review exemptions	Design Review: Changes to existing structures that are required by building code. Consider exempting from design review changes to existing structures that are required by building code, with potentially a limit on the maximum value of such changes. An example is an existing exterior stairway to a building in a nonresidential zone that must be rebuilt per Building Code to include a landing. The project has a cost less than \$10,000, but ends up triggering a design review.	Expand the list of exemptions to design review to include exterior alterations required by building code.	33.420.045	Minor Policy Change	1.6	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
135	813066	Community Design Standards	The footnote in Table 420-1 states there are no maximum limits on the use of the Community Design Standards for "proposals where any of the floor area is in residential use." It is not always clear how this footnote should be applied, or what its intent is. We have had an example where a "proposal" included one existing house on the site, but the rest of the site was to be developed with commercial buildings. The City Attorney has advised that as the footnote is written, this proposal would be allowed to use the community development standards if there was an addition (of any size) proposed for the house. It is questionable that this is consistent with the intent of the footnote.	Clarify what the state requirements are for when a proposal containing residential floor area can use the Community Design Standards in lieu of a discretionary Design Review, and refine the language in the footnote so that it is clear when "proposals" containing residential floor area are exempt from the limits of Table 420-1.	33.420.055	Minor Policy Change	4.8	\$\$
136	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 a lot 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	\$\$
137	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	\$\$\$
138	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	\$\$\$\$
139	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
140	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	\$\$
141	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	\$\$
142	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
143	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	\$\$
144	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	\$\$
145	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	\$\$
146	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
147	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	\$\$
148	34735	Relocating a Historic Resource	Relocating a building requires the same process as the demolition of a building (i.e a demo permit is required for the site where the building is being removed). If plans for that site are not on file, the moving of the building is subject to the same demolition delay procedures as a demo. This is especially frustrating for someone wishing to move a historic resource, because they may also be subject to demolition review or demolition delay review.	Provide a mechanism to simplify the code and process for someone wishing to move a historic resource from one site to another.	33.445.	Minor Policy Change	2.1	\$\$\$
149	33057	Signs in Historic Districts	The current sign code requires Historic Design Review for all signs in Historic Districts regardless of size. Many of these signs are for small businesses. This review adds time and cost to the permitting process. These small signs are routinely approved. In non- historic design zones signs less than 32 sq ft are exempt from design review.	Provide an exemption from Historic Design Review for signs not larger than 8 sq ft in Historic Districts. This will still meet the intent of the design guidelines without putting an undue burden on small businesses. The exemption should only apply to non-illuminated wall & projecting sign and should not apply to any historic properties or landmarks. The district where this would have the largest impact would be the Alphabet Historic District in northwest.	33.445.320	Minor Policy Change	5.0	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
150	31552	Transit Streets	Existing CG zoning and transit street designation along parts of Sandy may no longer be relevant. Metro has assigned a main street designation on Sandy as far east as 82nd and in the Parkrose area.	Revisit current zoning and transit street designation of part or all of Sandy Boulevard, Create incentives for property owners to "upzone" from General Commercial to Commercial Storefront along Sandy.	33.460.	Minor Policy Change	2.4	\$\$
151	836114	Update Pleasant Valley Overlay Notice	The EN plan check notice and review procedures (33.465.420) within the Pleasant Valley Overlay Zone were modeled after the notice and review procedures in 33.430.430. However, they have not been updated along with 33.430.430, resulting in a cumbersome and outdated notification process described in the code.	Update PV code to match e-zone.	33.465.	Consistency Change		\$
152	861071	Pleasant Valley Overlay Zone	The Pleasant Valley Natural Resource Overlay zone created a new "v" overlay which was intended have regulations that included elements of both the environmental 'c' and 'p' zones. However, several exemptions of the 'v' overlay were intended to be consistent with the base environmental zones. When the 'c' and 'p' zones were amended the next year, the exemption allowing gardens and other activities with non-native plants was expanded in the environmental zones but not in Pleasant Valley. It is not clear if this was intended.	Review the Pleasant Valley Natural Resource Overlay and determine if the exemption for gardens should be added to the zone to be consistent with other environmental overlay zones.	33.465.080	Consistency Change		\$
153	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	\$\$
154	276702	View Corridor from Rose Garden to Mt. Hood	The view corridors and the building heights that protect the corridors may need to be reviewed or fine-tuned to preserve their utility.	Review view corridors and building heights to ensure their continued relevancy	33.480.040	Minor Policy Change	-1.0	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
155	660662	Albina Plan District Parking	Reference pre-dates other parking provisions and makes plan district more restrictive when it is meant to be more permissive.	Clarify that parking minimum reductions are allowed in addition to other minimum parking exceptions.	33.505.220	Minor Policy Change	2.3	\$\$
156	754086	Include code reference in plan district maps	It is not always clear what sections of the zoning code a map is intended to illustrate. This is especially true in plan districts such as Central City that have multiple maps.	Plan district maps should include a reference to the code section that applies. Put code standard reference on maps.	33.510.	Clarification		\$
157	754059	Clarify Plan District Maps	There are many instances where a map indicating a feature or standard of a plan district is split into three areas. The legends for each area (i.e. map 1 of 2 and 2 of 2) do not always contain the same information, which can lead to confusion in interpretation.	If a plan district has three maps for a single standard because of the size of the plan district, include all of the symbols on all the maps rather than just the ones on the map. This would help clarify whether a particular site is affected by the code section.	33.510.	Consistency Change		\$
158	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	\$\$
159	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	2.8	\$
160	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	\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
161	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	\$\$
162	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	\$\$
163	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
164	789784	NW District FAR bonus for affordable housing	The height and floor area bonus provision for affordable housing in the Northwest plan district contains a requirement that an applicant provide a letter from PDC certifying the affordable housing component. PDC does not have this capability anymore, and this may need to be changed to the Portland Housing Bureau	Amend paragraph E.3 so that the certification is done by the Portland Housing Bureau who has the resources to certify and monitor.	33.562.230	Clarification		\$
165	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	\$\$
166	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	\$\$
167	33713	Tree Removal in Rocky Butte Plan District	Rocky Butte Plan District contains tree removal exemptions that are more strict than those contained in environmental zones (i.e. trees can only be removed w/in 5' of building footprint rather than w/in 10') However, 33.570.040.B states that tree removal in an environmental overlay zone is subject to environmental review instead of tree review. Since the environmental chapter has different standards, this creates an inconsistency, especially since the removal of the tree wouldn't necessarily cause an environmental review.	The inconsistency between the Rocky Butte standards and the Environmental Overlay standards should be cleaned up. One possibility is to change 33.570.040.B to say that the tree removal in environmental zones are subject to the environmental regulations of Chapter 33.430, rather than saying subject to Environmental Review.	33.570.040	Minor Policy Change	1.9	\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
168	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...(continues)	33.610.	Minor Policy Change	-2.3	\$\$
169	861500	Street Dedication for Common Greens	In the single-dwelling zones, any new street proposed as part of a land division requires that 15% of the site area be taken out of calculations for density, regardless of the type or size of streets. This means that smaller common greens and pedestrian connections result in the same loss of site area as a full street, even though they commit to using less land. This can cause a disincentive to proposing these types of streets.	Consider an alternative mechanism for calculating density for smaller street proposals such as common greens and pedestrian connections.	33.610.100	Minor Policy Change	4.75	\$\$
170	33430	Land constraints to Minimum Density	There are sites, proposed for land divisions that are currently zoned for a single-dwelling density that cannot be achieved due to natural constraints and lack of services. The most common problem is related to minimum density and stormwater disposal. Adjustments to minimum density are prohibited. The applicants should not be forced to request Comprehensive Plan Map and Zoning Map Amendment Reviews (fee \$23,255) to "downzone" the property.	Consider the following solutions: (1) remove prohibition of Adjustment to the minimum density standard or (2) create Land Division exception to minimum density standard based upon carrying capacity of land and services.	33.610.100	Minor Policy Change	7.6	\$\$
171	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 stree 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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
172	215266	Land Division Monitoring - Alleys	In several situations, the Zoning Code requires that lots that abut an alley must have access from the alley. This can be a problem when the alley is unimproved and the applicant is then required to make the improvements, especially if the lot is mid-block and fences or other structures have been built in the alley right-of-way.	Study ways to help finance these alley improvements.	33.610.200	Minor Policy Change	1.3	\$\$
173	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	\$\$
174	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	\$\$
175	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	\$\$\$
176	861481	Street Dedications And Density	In single-dwelling zones land divisions only remove an area from the density calculation when a new street is created. In multi-dwelling zones, all street dedications affect density calculations, including when a strip is added to an existing right-of-way.	Consider using a consistent methodology for density calculations in single and multi-dwelling zones when PBOT requires a partial dedication to widen a street.	33.612.100	Minor Policy Change	5.25	\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
177	813854	Planned Developments	33.638.100.I.4. describes how to transfer development within a site on split zoned sites. For RH, RX, C or EX zones, the total number of dwelling units is calculated in terms of "floor area". The base zones don't prescribe floor area, but do use FAR. However, in C zones, FAR does not include residential development. There are two ways to interpret this standard: simply use the FAR that applies to the site (ignoring the fact that it is not applied to residential) or calculate the amount of floor area that would be allowed based on height and setbacks (ignoring that other development requirements could affect the maximum size of the building, e.g. stormwater, parking).	The initial intent is unclear, as similar language appeared in the 1991 code (although it referred to FAR - but residential development was still excluded from FAR in the base zones)Clarify the calculation methodology. It may be more appropriate to develop a different methodology to address the resultant decrease in number of allowed units when doing a split zoned PD.	33.638.100	Minor Policy Change	1.3	\$\$
178	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	\$\$
179	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	\$\$
180	31138	Seeps and Springs	The new Land Division Code Rewrite regulations regarding seeps and springs are more restrictive than current environmental zone regulations. The environmental zones should continue to protect environmental resources the city deems significant.	Reexamine regulations regarding seeps and springs .Potential Outcomes1. Ensures that the new seeps and springs language will not result in situations where protections are stricter outside environmental zones that within such zones.	33.640.	Minor Policy Change	3.1	\$\$
181	835446	Protection of Wetlands in land divisions	Chapter 33.640 requires protection of these features located outside of e-zones as part of the land division review. The regulations do not specifically state that wetlands are required to be protected. However, based on the definitions of "seep or spring" and "stream", we have interpreted the requirement to include seep or spring fed wetlands and wetlands associated with a stream.	Clarify that wetlands are protected.	33.640.100	Minor Policy Change	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
182	52156	Streams Boundary	Setting the boundary of tract for a stream, via a Land Division Review, is difficult when there is not a well defined stream/drainageway (shallow. with no defined top-of-bank).	Amend Section 33.640.200.A.1 to allow applicants the option of either defining the edge of the stream by using the top-of-bank definition or through a wetland delineation, prepared by an environmental scientist.	33.640.200	Minor Policy Change	3.6	\$\$
183	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	\$\$
184	240092	Courtyard Housing Competition	The City does not have a clear policy to allow alternative paving products such as grasscrete and other grass-grid products as private street or alley surfacing.	Allow these surfaces to be used for private streets (including shared courts) and alleys.	33.654.	Minor Policy Change	2.6	\$\$
185	309755	Planting strips	Per a recent inPortland 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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
186	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	\$\$
187	214982	Land Division Monitoring - Street Ownership	The code allows two units on a corner lot in a single dwelling zone. The common green allows for the creation of a large number of corner lots on one site, which undermines the density regulations.	Consider placing an upper limit on the corner lot density bonuses that may be used in a single project (for example a 150% cap).	33.654.120	Minor Policy Change	4	\$\$
188	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	\$
189	26128	Common Greens	An applicant is proposing use of common green (non-vehicle, private street) in R5 zone to create multiple corner lots. Corner lots may be built with duplexes with extra unit not counting towards density maximum. Was the common green provision envisioned to be used in this manner?	Restrict the creation of common greens when they are used to create corner lots and the common green street frontage is not needed for vehicle or utility access.	33.654.120	Minor Policy Change	3.8	\$
190	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	\$\$\$
191	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
192	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	\$\$
193	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	\$\$\$
194	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	\$\$
195	845362	PLA approval criteria	The approval criteria for utilities is poorly worded and hard to apply.	PLA approval criteria should be updated to ensure that we can prevent utility conflicts (sanitary sewer and stormwater) when property lines are adjusted.	33.667.300	Minor Policy Change	6.75	\$
196	813876	Property Line Adjustments	There have been several instances where property line adjustments still create irregular lot lines, especially with some lower density zones where the 36 foot width is less of an issue but the minimum lot size requirements dictate that additional appendages get created. This issue also comes up in some land divisions.	Consider developing more stringent standards that require resulting lot lines to run perpendicular from the street for a certain distance to avoid 'dog legs' and other property oddities that are invisible on the ground. Also consider drafting more discretionary criteria to land division criteria to prevent this type of lot.	33.667.300	Minor Policy Change	1.3	\$\$
197	740193	Lot Consolidations	Lot Consolidation reviews (Ch 33.675) are processed as a Type 1x procedure. A land use review is intended to be a discretionary processes however this review has no approval criteria and only requires the planner to address whether standards are met. it is non-discretionary.	the requirement to process a Lot Consolidation as a Type 1x should be changed so that this is a non-discretionary administrative procedure similar to a PLA.	33.675.	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
198	33007	Replat	We need a process for replatting and vacating lot lines. None is specified in the code, and there are no approval criteria. This comes up a lot with street vacations, and the need to replat lots and vacate lot lines so there are no landlocked lots remaining after a street vacation.	Create a new process for replatting existing lots that is between a Property Line Adjustment and a Land Division in its complexity.	33.675.	Minor Policy Change	4.3	\$\$
199	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	\$\$
200	666035	Neighborhood Contact	The neighborhood contact requirements are encouraged and used more often to give neighborhood associations a chance to have a voice in a development proposal, but there are no requirements that a developer makes any changes based on the feedback.	The intent of neighborhood contact requirements should be clarified to limit false expectations.	33.700.025	Minor Policy Change	6.5	\$\$
201	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	\$\$
202	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	\$\$
203	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
204	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	\$\$\$
205	794211	Posting Notices for Type III Land Use Reviews	It is not clear whether for Type III land use reviews that the site needs to be posted with information regarding City Council hearings. For appeals to City Council, per 33.730.030.H it appears that only a mailed notice is required, and not a posting. (There is no language about what need to be done for CP ZC applications that go to Council.) However, 33.730.080, which identifies the required contents of the posting notice, refers more generally to hearings and the need to identify the date of the hearing. Additionally, this section states the posting notice cannot be removed "before the hearing," but doesn't specify which hearing.	For the appeal of Type III land use reviews to City Council, anyone who testified at the hearing (in writing or in person) before the Hearings Officer, Design Commission or Landmarks Commission will already have received a mailed notice of the Council hearing, so an additional posting notice at the site doesn't seem necessary. Likewise, for CP ZC hearings before Council, anyone who received a notice of the Hearings Officer hearing, as well as anyone who testified at the Hearings Officer hearing, will receive a notice of the Council hearing, so again, an additional posting of the site doesn't seem necessary. Furthermore, for appeal hearings, it would be difficult to accommodate the 30-day posting requirement within the required 120-day review period.	33.730.030	Clarification		\$
206	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
207	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	\$\$
208	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	\$\$\$
209	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	\$\$
210	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	\$
211	32698	Comprehensive Plan Map Amendments	Comprehensive Plan Map Amendments: The code indicates that net loss of potential housing units is based on the maximum density allowed by the zoning designation, but is not clear when the zoning and Comprehensive Plan do not match.	Clarify whether the legislative intent in calculating the no net loss of potential housing units was to base it on the current zoning or on the Comprehensive Plan Map designation.	33.810.050	Minor Policy Change	5.4	\$
212	25131	Housing Pool	Housing Pool issues: The review criteria used to subtract units from the housing pool is difficult to meet in all but the most extreme cases. See criteria 33.810.060.C.	Eliminate or alter the limitation on who may use housing pool units.	33.810.060	Minor Policy Change	5.9	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
213	25129	Housing Pool	Adding viable housing units to the housing pool has been difficult due to the covenant requirement for adding units to the pool located in 33.810.060.B.1. In addition, it is difficult to use approval criteria 33.810.050.A.2.b.(7) because of this same covenant requirement. Residential units, once constructed tend to remain a residential use with or without the covenant. Although the inventory has tripled over the years, the increase could have been much higher if the covenant requirement was not in place.	Eliminate requirement for the covenant in 33.810.060.B.1, and in 33.810.050.A.2.b.(7) so that units can more easily be added to the pool. This item should be done in conjunction with RIR 25131 so that addition and subtraction from the pool is an easier process.	33.810.060	Minor Policy Change	5.9	\$\$
214	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	\$\$
215	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	\$\$
216	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	\$
217	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
218	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	\$\$
219	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	\$\$
220	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	\$\$
221	262363	Design Review	Apart from projects that are in the Central City and close-in neighborhoods, all other projects in Design zones are processed through a Type II review, regardless of the project's size or dollar value. This results in reviewing large projects under a limited 28-day time, which is not practical for either City staff or neighborhood associations who want to meet, and discuss the proposal, and get comments back to BDS.	Consider processing design reviews outside of the Central City and close-in neighborhoods as a Type IIx when over a certain dollar value. The Type IIx would increase the public review period from 21 days to 30 days, and the time in which the decision is due from 28 days to 42 days (from date of complete application).	33.825.025	Minor Policy Change	4.5	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
222	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	\$\$
223	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Resource
224	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	\$\$
225	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	\$\$
226	13593	IR Zoned Property for Non-Institutional Uses	When IR-zoned property used by an institution is sold to a non-institutional use, the property remains zoned IR. The IR zoning is not conducive to other uses.	We should include an option so that a sale of a property zoned IR to a non institutional buyer who could not use or did not want the IR zoning could revert to previous zoning without going through a Type III zone change and Comp Plan amendment.	33.855.030	Minor Policy Change	3.7	\$\$\$
227	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	\$\$\$

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	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	\$\$\$
229	788146	Definitions	Definitions of seep and spring state that the water must discharge into a channel. If there is no channel and it is a wetland, the land division code will not protect these waterbodies. Furthermore, the HO has issued a decision that even through the water flowed to a channel it then flowed to a catch basin which he deemed not a waterbody and therefore did not require protection.	Amend the definitions to protect seeps and springs present on land division and planned development sites.	33.910.	Clarification		\$
230	746399	Clarify definition of eave	Now that eaves are not included in building coverage, applicant have been proposing very large eaves. It is hard to argue about what is an eave and what is a covered area.	Consider including a maximum eave size of three feet.	33.910.	Minor Policy Change	5.3	\$
231	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	\$\$
232	845363	Definitions Drainageway	BES will be updating the definition of "drainageway" in Title 17 in the coming year (2015/16) and request that the definition of "drainageway" in Title 33 be updated to be consistent.	Update the drainageway definition in Title 33 to match definition in Title 17	33.910.030	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
233	799788	Hazardous Substance Definition	The definition of Hazardous Substances has essentially been the same since the zoning code rewrite of 1991, and it refers to documents and sources that are over 20 years old. These sources may have been updated	Research the Hazardous Substance definition an update or revise any of the references that may now be out of date.	33.910.030	Technical Correction		\$
234	674475	Multi-dwelling	The multi-dwelling zones allow single-family types of development (eg, houses, duplexes, manufactured homes) which is identified as "multi-dwelling development" in the zoning code. However, the building code treats the structures as single-family and the single-family building code applies to the structures, AND TRACS is set up to process these developments as individual SF permits (subtype is Single Family Dwelling). If one were to do a search for new multi-dwelling development, these structures would be missed because they are identified as SF, yet they have the same impact as a new apartment or large subdivision. The East Portland school district has asked the city to track these properties because they come with a sudden and LARGE influx of new children that can result in over population at some schools and the need to bus children to other schools with capacity. It's possible that the problem isn't the zoning code definition but instead the way the project is set-up in TRACS; in any event, there needs to be better correlation between building code and zoning code descriptions and how the permits are set-up in TRACS and the new ITAP system so this kind of development can be better tracked.	revise definition of development types to match building code, or include a method to track single family developments in the multi-family zones in TRACS and ITAP	33.910.030	Minor Policy Change	<i>Tracking Issue</i>	N/A
235	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
236	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	\$\$
237	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	\$\$
238	61816	Housing Types	The Code applies different standards to similar structures (attached houses and attached-house-like apartments and condo townhomes; and two-unit attached housing projects and duplexes). The distinction is based solely on the form of ownership. This issue is most apparent with the following standards: Front facade windows Front facade garage limitations Street access from front yard vs. rear access Number of curb cuts allowed by PDOT Front yard paving Front entrance locations Landscaping	We need to modify the definitions and housing type descriptions so that these similar housing types are reviewed under the same standards. This might involve a new term, or a re-chunking of existing standards.	33.910.030	Minor Policy Change	4.6	\$\$\$
239	60133	Covered Parking and FAR	Covered parking in conjunctions with residential projects counts towards overall floor area ratio (FAR). This can create a disincentive to projects with structured parking because it takes away from potential living area. It also penalizes small infill sites. Please look at reducing the FAR contribution of covered parking in RH and RX zones	allow covered parking to not count towards FAR in RH and RX zones or, as in the Northwest District Plan, only count 50%	33.910.030	Minor Policy Change	3.6	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
240	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	\$\$\$
241	32370	Building Wall Measurements	Measurements: Building wall height determines the side setback from an R-zoned lot in a C [& E] zone. This relates to Tables 130-4 and 140-5. The Code does not tell us how to measure building wall height.	Define "building wall height".	33.910.030	Clarification	2.3	\$\$
242	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	\$\$
243	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
244	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	\$\$
245	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	\$\$
246	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	\$
247	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	\$\$\$
248	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	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
249	283026	Crematorium	Crematoriums have historically been placed in the Community Service Use Category along with columbarium's 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	\$\$
250	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	Resource
251	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.	T32	Minor Policy Change	-0.5	\$\$
252	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.	T32	Minor Policy Change	-1.8	\$\$
253	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.	T33	Technical Correction	1.8	\$\$
254	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.	T33	Clarification	7.0	\$\$\$
255	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.	T33	Clarification	8.2	\$\$

Line #	RIR #	Item Label	Problem Statement: (as defined by the requestor)	Requested Action: (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
256	648443	Original Art Mural	The Original Art Mural Program was set up in 2009 with the limitation that it be used only on the walls of buildings. This was to alleviate concern that specific walls could be built to hold signs. Since its implementation, there have been many requests to use the program to paint murals on non-building walls such as retaining or stair walls, non-building walls at schools (tennis backstops), or walls within public rights-of-way. Since they cannot use this program, they are forced to either go through the RACC approval process, or permit it as a sign.	Consider expanding the program to allow original art murals to be placed on non-building walls.	T4	Minor Policy Change	1.5	\$\$
257	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	T4	Minor Policy Change	2.0	\$\$
258	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.		Minor Policy Change	0.5	\$\$

