

INTER-BUREAU CODE CHANGE PROJECT LIST

Last Updated June 18, 2020

Lead Bureau	Title/Code Guide/ Program Guide/ Admin Rule	Project Name	Step (1-5)	Project Lead	Reviewers	Next Steps & Key Dates	Online Document/Draft
BDS	Title 11	Trees in Development Situations	2	Emily Sandy	BPS, Parks-Urban Forestry	Examine whether to remove exemption from tree preservation and planting for some commercial and industrial zones and reduce threshold for inch-per-inch mitigation fee in lieu of preservation from 36" to 20". Community engagement to begin in March 2020, draft proposal to be published in June, 2020, with a return to Council in October, 2020	https://www.portlandoregon.gov/bds/80501
BDS	Title 32	Sign Code Amendments Phase I	3	Mieke Keenan Mike Liefeld	Sign Team	Code organization and code clean up amendments to align regulations with current processes, eliminate duplicative code, and consolidate similar regulations into the same chapter for easier code navigation. Phase II will address sign policies.	
BDS	Title 29	Tiny Houses on Wheels	2	Megan Greenauer Mieke Keenan Terry Whitehill	Various	BPS is working on T33 code amendments to address affordable housing. The scope of the amendments may include tiny houses on wheels. This would likely require conforming amendments to T29 and T24. Direction anticipated in February/March.	
BDS	Title 24	FCC Shot Clocks	3	Nancy Thorington	Various	Draft amendments to Title 24 to require intake appointment and specify timelines for permit issuance and finalization for small wireless facilities per FCC Rule and Order; BDS staff met with wireless carriers in 2019 to address open permits on existing sites and discuss draft code language and is meeting internally to finalize draft language	
BDS	Title 24	Administrative Provisions	2	Nancy Thorington	Terry Whitehill Doug Morgan Amit Kumar	Adopt administrative provisions for implementing the State Building Codes based on State Building Codes Division determination that the administrative provisions of State Building Codes do not apply (except for scoping provisions) to local jurisdictions that have their own building permitting and inspection program (temporarily on hold while BDS decides what approach to take and works with Building Codes Division to determine best approach)	

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BDS	Title 24	Amend Chapter 24.55 - Demolitions	4	Mike Liefeld, Nancy Thorington, Jeremy Russell	Beth Benton	Revise demolition regulations based on lessons learned during first year of implementing new site development regulations for demolition of 1-4 units and their accessory structures. BDS will draft administrative rule changes first (see below), then make changes to the code to ensure consistency between the two. The new code language will be clearer, eliminate redundant provisions that are elsewhere in the code, delete language that is unnecessary or better suited for the administrative rules. Two meetings of the Demolition Subcommittee are currently scheduled for May 27th and June 2nd.	
BDS	Resolution	Extend SDC Waiver for ADUs for Three Months	5	David Kuhnhausen, Dave Tebeau, Nancy Thorington	David Kuhnhausen	On June 3, 2020, the City Council adopted a resolution extending the existing SDC waiver for accessory dwelling units that had an intake date prior to July 31, 2018 due to the impacts of COVID-19. The current waiver was set to expire June 30, 2020. The resolution extends that date to September 30, 2020. The project must receive final inspection approval and certificate of occupancy by September 30th. If the deadline is not met, the applicant has two options: 1) to pay the SDCs that are owed prior to calling for the final inspection; or 2) to submit a recorded covenant that prohibits the use of the ADU or any other structure on the property as an accessory short-term rental for a period of 10 years from the date of permit final inspection. This 10-year covenant requirement mirrors the existing language in Portland City Code Section 17.14.070.F, which applies to applications for ADUs with an intake date on or after August 1, 2018. This resolution is addressing the challenges some permittees are experiencing with getting their projects completed by June 30th because of BDS's reprioritization of inspections and difficulty getting contractors due to COVID-19.	

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BDS	Admin Rule	Special Inspection Program Admin Rules	4	Nancy Thorington, Amit Kumar	Various	Rescinded prior version; added temporary rules to BDS website; update drafted to reflect current practices. Being reviewed by City staff, then to be circulated for final internal review, review by City Attorney and public comment. These changes are necessary because the Oregon Building Officials Association (OBOA) discontinued its program of certifying special inspectors, so BDS must create a program for verifying special inspector credentials and ensuring requirements for special inspections are being met.	
BDS	Admin Rule	Fee Refunds and Waivers	2	Emily Sandy	Various; Sherri Peterson	Consolidate policies regarding permit fee waivers and refunds into one Administrative Rule. Draft in development.	
BDS/BES	Admin Rule	Erosion Control Manual	2	Emily Sandy	BES, BDS Site Development, BDS Site Inspections	Comprehensive update to manual. First public review draft to be published by July 2020.	
BDS	Admin Rule	Sewer Capping Notification	4	Emily Sandy	BES Nonconforming Sewer Group, BDS Site Development; Sherri Peterson	For situations where property owners cap a private party sewer, transfer notification responsibilities from BDS to property owner. Retain 180 day delay for plumbing permit, but add 270 day delay where guest does not have public sewer available. Public comments were due Wednesday, March 4. Final rules will be adopted jointly by the Directors of BDS and BES after <u>consideration of comments received</u> .	More information, including a fact sheet, can be found here: https://www.portlandoregon.gov/bds/article/752788 ;
BDS	Admin Rule	Property Maintenance Regs: Title 29	4	Beth Benton, Nancy Thorington	Megan Greenauer and Steve Kass; PCD Staff; Various Bureaus BPS, PHB; various community stakeholders.	Drafting Permanent Admin Rules for Title 29 Amendments adopted by Council in the Fall of 2019 (re: Insect and Rodent Harborage, Lead-based Paint, Interior Dampness/Mold, and ERIP; currently finalizing stakeholder input with a revised goal to publish Admin Rule(s) for public comment in May 2020.	
BDS	Admin Rule - Permanent	Demolitions	4	Mike Liefeld, Nancy Thorington, Jeremy Russell	Beth Benton	Draft permanent rules that incorporate the existing temporary rule language, eliminate unnecessary provisions, conform to existing practices, clarify what documentation is necessary at permit intake and during inspections, revises the inspection process based on input from stakeholders, and makes other changes recommended by the Demolition Subcommittee and state, local and federal agency stakeholders. The draft rules e circulated to the Demolition Subcommittee prior to the first scheduled meeting were reviewed and discussed at the May 27 and June 3, 2020 meetings. The subcommittee recommended approval of the draft, which will be presented to DRAC at its June 18, 2020 meeting. The rule will be an exhibit to proposed changes to the demolition ordinance (see above).	

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BDS	Code Guide	Canabis Facilities	1	Jay Shoemaker Mieke Keenan	Fire Bureau	Update the existing code guide to incorporate changes to the 2019 OSSC and OMSC and BDS specific code interpretations and exceptions.	
BDS	Code Guide	Fire Rating Eaves	4	John Butler	Plan Review/Inspections	Allowing alternative methods of fire rating close to property lines when accessory structures are converted to habitable space. Draft circulated for 2nd internal review.	
BDS	Code Guide	Office Space/Occupant Load Calculations	4	Nancy Thorington/ Jody Orrison	Terry Whitehill Doug Morgan Amit Kumar	Clarify and develop criteria for occupant loads for flexible office space for purposes of egress, seismic upgrades and plumbing fixture counts. BDS is working with BOMA representatives on the language for the Code Guide and will meet with BOMA representatives in the next week or so to discuss final language for the Code Guide.	
BDS	Code Guide	Seismic Upgrade Analysis	1	Amit Kumar, Nancy Thorington	Doug Morgan Amit Kumar	Code guide to clarify how to prepare an occupancy matrix to compare proposed occupant loads with the 2004 occupant loads and conduct permit history research	
BDS	Code Guide	Habitable Space Standards for Existing Elements within One and Two Family Dwellings	5	Jody Orrison	Terry Whitehill	Revise existing code guide to clarify ceiling height calculations	
BDS	Policy	Records Management Project	4	Mieke Keenan/ Archives Office	Divisions Managers	The City Archives office is in the process of updating record retention schedules, citywide. The project moves from bureau-based schedules to one based on document type. Similar document types will be grouped based on topic rather than the bureau generating the document. This will reduce the number of schedules in the City from thousands to hundreds reducing overall administration needs.	
BDS	Handout	Floating Structures handout regarding applicable regulations	1	Dave Tebeau/ Nancy Thorington	River Community Advisory Committee; Sherri Peterson	Confusion exists regarding which regulations apply to floating structures, when permits are required, when structural reviews are required, and other issues identified by the River Community Advisory Committee. BDS staff will meet with the River Community Advisory Committee and draft the handout.	
BPS	Title 33	CC2035 Readoption	4	Rachael Hoy	?	CC2035 updates the regulations that apply within the Central City as part of the Central City plan district. On 3/16/20, the Oregon Court of Appeals remanded the CC2035 plan, originally in effect in 7/2018. The City Council held a hearing and took additional testimony on 5/28/20. The written record was held open until 6/4. The Council will hold a work session and consider amended findings on 7/2 with a vote the following week. Anticipated new effective date is 8/1/20.	https://beta.portland.gov/bps/cc2035

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BPS	Title 33	Land Use Approval Extension	3	J P McNeil	Kim Tallant	In light of the potential economic slowdown due to COVID19, this project extends the time period before a land use approval or pre-application conference notes are expired. The proposal also extends the time period that lower Inclusionary Housing limits will apply outside the Central City. PSC held a hearing on 5/26/20 and made a recommendation, including some amendments which impact the validity of pre-application conferences. The City Council will hold a hearing on 7/8/20. Testimony should be sent directly to the City Council or Council Clerk, not through the Map App.	https://beta.portland.gov/bps/edep
BPS		Anti-Displacement Action Plan	1	Andrea Pastor		The focus of this project is to identify the chronic economic disparities that lead to displacement, and to develop a task force to aid in the implementation of local anti-displacement policies. The task force will begin meeting in July 2020. In light of recent events and the impact of COVID 19 on the most vulnerable communities, the task force schedule has been accelerated.	
BPS	Title 33	Residential Infill Project (Update Single-Dwelling Zoning Regulations)	4	Morgan Tracy	Kristin Cooper	The project will allow a wider range of housing types within single dwelling zones, while limiting overall floor area of houses. City Council held a rescheduled hearing on 6/3/20. The hearing was continued until 6/11 for those who signed up. Written testimony was kept open until 6/11. Council will deliberate on 6/18. See website for details, and the most recent amendments.	https://beta.portland.gov/rip
BPS	Title 33	Design Overlay Zoning Amendments (DOZA)	3	Lora Lillard/ Phil Nameny	Kara Fioravanti, Gina Tynan	DOZA updates the design guidelines and design overlay zone regulations that apply citywide. The Planning & Sustainability (PSC) and Design Commissions held a joint hearing on 10/22/19. Testimony was closed on 11/15. Both Commissions are currently deliberating amendments to Proposed Draft. PSC held the most recent work session on 6/9/20 and Design Commission work session is on 6/18. A joint recommendation is expected in summer 2020.	https://beta.portland.gov/bps/doza
BPS	Title 33	Historic Resources Code Project	2	Brandon Spencer-Hartle	Hillary Adam	This project updates code for designating and regulating historic resources. Proposed Draft to PSC anticipated in August 2020. PSC briefing tentatively scheduled for 9/8 and a public hearing tentatively scheduled on 9/22/20.	https://beta.portland.gov/bps/hrpc

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BPS	Title 33 Guideline	South Portland Historic Design Guidelines	1	Brandon Spencer-Hartle	Hillary Adam	An update to the existing guidelines that apply to the South Portland Historic District. A Community Advisory Group (CAG) is meeting monthly with staff to guide development of this proposal, although some meetings were postponed due to COVID19.	https://beta.portland.gov/sphd-guidelines
BPS	Policy/Title 33	West Portland Town Center Plan	2	Joan Frederiksen		An inclusive Plan for the area around the Barbur Transit Center to anticipate light rail and future development. Community feedback from the online survey and the 3/4/20 open house will be incorporated the proposed plan. The next Community Advisory Group (CAG) meeting will be online in June, as the April meeting was cancelled. A briefing overview was held with the Planning and Sustainability Commission on 6/9/20, and a <u>Discussion Draft of the plan is anticipated in July</u> .	https://beta.portland.gov/wpdx-town-center
BPS	Policy/Title 33	SW Naito-Gibbs (Ross Island Bridgehead) Refinement Plan	1	Joan Frederiksen	Hillary Adam	Refining land use, circulation and urban design along SW Naito and around the Ross Island Bridgehead Project in coordination with PBOT. First Open House occurred on 2/25/20 and will help to inform a preferred alignment. Check website for future <u>engagement</u> .	https://beta.portland.gov/naito-mainstreet
BPS	No policy or regulation changes	Willamette River Greenway Inventory Update	4	Debbie Bischoff		An update to environmental resources along the river. PSC's recommended inventory will be reviewed concurrently with the River Plan/South Reach Plan (see below).	https://beta.portland.gov/south-reach
BPS	Policy/Title 33	River Plan/South Reach	3	Jeff Caudill	Morgan Steele	Plan provides updated vision, map and code for river overlays south of the Central City.. PSC held a work session on 5/12/20. Reopening hearing for public testimony on 6/23/20. Also held a public Q&A on 6/11 to aid developing a design character statement for Macadam Ave. A subsequent PSC hearing and recommendation is scheduled for 6/23. The Design Commission will hold a separate hearing on 7/16 to discuss <u>changes in design guideline applicability</u> .	https://beta.portland.gov/south-reach
BPS	Title 33	Environmental Overlay Zone Map Correction Project	2	Mindy Brooks		Updates zoning maps of Environmental overlay zones citywide. Staff have resumed site visits. A PSC briefing is scheduled for 6/23, with the release of the Proposed Draft, and the PSC <u>hearing is scheduled for 7/28/20</u> .	https://beta.portland.gov/ezones
BPS	Possible Title 33	Expanding Opportunities for Affordable Housing	3	Nan Stark		Provides rezoning and code changes to allow institutions to provide affordable housing. City Council held their hearing on 5/14/20 and requested amendments on 5/21. Vote was anticipated 6/10/20 as emergency ordinance but was postponed due to death of Mayor's mother.	https://beta.portland.gov/ah-grant

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BPS	Title 33	Fossil Fuels Zoning Project	5	Tom Armstrong		Code amendments restrict the expansion of Fossil Fuels terminals. This project, approved in 2016, was appealed to the Oregon Supreme Court and referred back to City Council. Council adopted the new ordinance on 12/18/19, effective under emergency. The revised decision was appealed again and will be heard by LUBA in summer 2020.	https://beta.portland.gov/fossil-fuel-zoning
BPS / PBOT	Title 33 +	Montgomery Park to Hollywood Transit and Land Use Strategy	1	Barry Manning		A joint PBOT/BPS project to explore options for a successful transportation and land use strategy potentially involving streetcar between Montgomery Park and the Hollywood TC. A consultant team has been selected Initial open house was held on 3/2. A working group has been selected and held their 2nd virtual meeting on 6/10/20. Additional public workshops tentatively scheduled for Summer 2020.	https://beta.portland.gov/mp2h
BES	ENB-4.34 (Source Control Manual)	Comprehensive update of BES Source Control Manual	3	Matt Criblez	Various	Update to 2016 Source Control Manual to clarify requirements to protect sanitary and storm from commercial and industrial pollutants. The purposes of this revision are to improve readability, update requirements to meet current local, state, and federal requirements, and to improve protections of storm and sanitary assets, groundwater, and surface water. This will include requirements for Operations & Maintenance of built facilities, requirements for food cart pods, and a section devoted to enforcement of the SCM. Draft for public review anticipated in May/June 2020. In-person briefing provided to DRAC in Jan. 2020.	
BES	PCC Chapter 17.38	Revisions to PCC chapter 17.38 to support implementation of the BES Stormwater Management Manual and Source Control Manual	3	Adrienne Aiona		Revising Chapter 17.38 to update language to better match current terminology including definitions and gender neutral language. Reorganizing some language to better align with implementation practices. Removing some specific details that remain in administrative rules. Anticipated to go to Council in Summer 2020. Currently out for a public comment period from 5/18 to 6/19. Hosted 3 webinar-style information sessions; advertized in the Portland Business Journal and Daily Journal of Commerce; posted notice on the City, BES and BDS main webpages; and emailed notifications to PUB, CUB, and intersted members of the public.	www.portlandoregon.gov/bes/2020SWMM

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BES	ENB-4.01 (Stormwater Management Manual)	Comprehensive update of the SWMM.	3	Adrienne Aiona	Various	The Stormwater Management Manual (SWMM) contains requirements and guidance for stormwater management in the right-of-way and on private property. It applies to development activities that construct or alter impervious area. The SWMM was last updated in 2016. This is a comprehensive update that impacts policies, site investigations, and engineering design. There will be minimal impacts to small projects including most single family homes. Engineered facilities will be changing in size, some will be smaller, some will get bigger. DRAC received an in-person briefing on this proposal in Sept. 2019. Currently out for a public comment period from 5/18 to 6/19. Hosted 3 webinar-style information sessions; advertized in the Portland Business Journal and Daily Journal of Commerce; posted notice on the City, BES and BDS main webpages; and emailed notifications to PUB, CUB, and intersted members of the public.	www.portlandoregon.gov/bes/2020SWMM
BES	BES Rate Study	BES Rate Study	2	Ken Bartocci		This will be an independent assessment of the Bureau's existing sanitary sewer and stormwater rates, stormwater discount program, system development charges and other fees. The study will result in possible revisions to certain rates, charges, and fees with a focus on providing clarity, equity, and affordability. Anticipated public comment period in Q2 2021. Anticipated completion of rate study is in May 2022.	
BES	ENB-4.05 (System Development Charges Administrative Rules)	Revisions to ENB-4.05 (Systems Development Charges Administrative Rules)	3	Sherri Peterson		The goal of this rulemaking is to provide clarity on how BES calculates sewer and stormwater System Development Charges (SDCs) for development. To support the consistent application of SDC methodology, BES proposes to add specific occupancy types not previously explicit in rule and to more generally update the SDC calculation methodology descriptions to make transparent existing business practices. The public comment period will open on June 15 of 2020.	www.portlandoregon.gov/bes/ENB4-05
PBOT / BPS	Title 17	Bicycle Parking Project	5	Sarsah Figliozzi and Liz Foreman	Grace Jeffreys	New code was effecitve on 3/1/20 Adopted report available online at link shown.	https://www.portlandoregon.gov/transportation/70440