



Memo

Date: February 9, 2024

To: Planning Commissioners

From: JP McNeil, City Planner

Shannon Buono, Senior Planner

cc: Patricia Diefenderfer and Sandra Wood

Re: Regulatory Improvement Code Amendments Package (RICAP 10)

On February 27, 2024 the Planning Commission will hold a hearing on the Regulatory Improvement Code Amendment Package 10 (RICAP 10). RICAP 10 includes approximately 80 minor policy and technical amendments to the zoning code.

Staff Recommendation

Staff proposes that the Planning Commission recommend that City Council:

- Adopt the RICAP 10 Proposed Draft.
- Amend Title 33, Planning and Zoning, as listed in the Proposed Draft. The amendments include minor policy changes and technical clarifications to land use regulations.
- Amend Policy 2.20 of the 2035 Comprehensive Plan.
- Amend the Zoning Map to remove the Special Street Setbacks along the six streets identified on the map included with Item #75.
- Repeal six ordinances related to Special Street Setbacks (Ordinances 148846, 152147, 95283 148449, 110507, and 151240). This action is related to Item #75.

Key elements of RICAP 10

The package contains 83 proposed zoning amendments. The amendments fall within the following topic areas:

- **Housing production**
 - Ground floor and ground floor façades
 - Design Overlay Zone and Design Review
 - Historic resources



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portland.gov/bps
1810 SW 5th Avenue, Suite 710, Portland Oregon, 97201 | phone: 503-823-7700 | tty: 503-823-6868

The City of Portland is committed to providing meaningful access. To request translation, interpretation, modifications, accommodations, or other auxiliary aids or services, contact 503-823-7700, Relay: 711.

- **Economic development**
 - Central City
 - Home occupations
 - Temporary activities

- **Regulatory reduction**
 - State / local law compliance
 - Land use review process
 - Miscellaneous regulatory cleanup

Purpose and Background

Purpose

- The Regulatory Improvement Code Amendment Packages are an ongoing series of technical and minor policy improvements to the City's land use regulations. Each package contains subject-matter focus areas that are the focus of the project and other miscellaneous amendments. RICAP addresses simpler technical matters, clarifications, and refinements to the existing zoning code. Issues that require major policy changes are not addressed through RICAP; rather, they are evaluated through separate legislative projects.

Background

- Portland's current Zoning Code was adopted in 1990. Over time, changing needs, new laws and court rulings, new technology and innovations, and shifting perceptions necessitate that the City's regulations be updated and improved.
- The Regulatory Improvement program began in 2002 and was designed to provide an ongoing vehicle for technical and minor policy amendments to the City's regulations. From 2003 through 2016, the City Council adopted 11 packages of amendments; however, in 2016 the program was suspended due to budget limitations.
- In 2022, a renewed focus on providing opportunities for continuous improvement of the City's zoning regulations came out of discussions of the Permitting Improvement Task Force. These discussions identified the value of the RICAP program, leading the City Council to approve the budget to reinstate the program starting in fiscal year 2022-2023. Council further directed the Bureau of Planning and Sustainability to address zoning issues related to housing with this regulatory improvement package.

Outreach and Engagement

- Staff attended meetings during the Discussion and Proposed Draft phases, hosted by the following stakeholder and interested party groups: North Portland Neighborhood Services/Northeast Coalition of Neighborhoods (joint meeting), Southeast Uplift, Southwest Community Services, the Design Commission, Historic Landmarks Commission, and Development Review Advisory Committee.
- Project documents have been shared on the RICAP 10 project website: portland.gov/bps/planning/ricap10
- Public notice for the Planning Commission hearing was sent on January 22, 2024, and the [BPS MapApp](#) was opened for testimony to the Planning Commission on January 31, 2024.



Issues

This is a package of minor policy and technical changes. In our conversations with stakeholder groups, none of the individual items have generated much discussion. Many community members have expressed appreciation that the RICAP program has been restarted, as continual maintenance of regulations is good practice.

The most likely issue that could arise is about amendments that were **not** included in RICAP 10 from those advocating for those changes.

Planning Commission Schedule (tentative)

2/27/24 Briefing and Hearing
3/12/24 Work Session
4/9/24 Recommendation

Related Projects and Background Info

RICAP 10 follows closely on the heels of the Housing Regulatory Relief project, which was adopted by the City Council on January 31. Many items included with that package had their origins in the early work plan items for RICAP 10. The [Housing Regulatory Relief Project](#) made strategic changes to zoning code to help reduce the cost of building housing in Portland.

For more information

Webpage: portland.gov/bps/planning/ricap10

Contact project staff:

JP McNeil, Project Manager
503-823-6046
Jason.McNeil@portlandoregon.gov

Shannon Buono, Senior Planner
503-823-7662
Shannon.Buono@portlandoregon.gov

