



THE BUREAU OF
**PLANNING &
SUSTAINABILITY**

Date: March 22, 2024

To: Planning Commissioners

From: JP McNeil, City Planner

CC: Shannon Buono, Senior Planner
Sandra Wood, Principal Planner
Patricia Diefenderfer, Chief Planner

Re: RICAP 10 Item #76 – River Industrial Overlay Zone Amendment

The Planning Commission is expected to make its recommendation on the Regulatory Improvements Code Amendment Package 10 (RICAP 10) on March 26, 2024. At the March 12 Planning Commission work session, the Commission directed staff to conduct further outreach to environmental interests regarding one item and to return with a modified proposal.

This memo describes a potential amendment the Commission could move. The amendment narrows the applicability of Item #76, which adds an exception to the use restrictions for river frontage sites in the River Industrial Zone.

This proposal does not change the base zone. The current code contains a use restriction in the River Industrial overlay zone that limits uses on sites (all lots within an ownership) with river frontage to river-dependent or river-related uses. The Proposed Draft included a new exception that would allow non-river dependent and non-river dependent uses on lots in the River Industrial overlay zone that do not have river frontage and are owned by a public agency. This amendment proposes to further limit the exception to one publicly owned lot that is shown on Map 440-2.



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Limiting the exception to just this one lot represents a smaller policy shift than an exception that applies to all publicly owned sites in the River Industrial overlay zone. Both the Port of Portland and Willamette Riverkeepers are supportive of this approach.

The shaded text below shows the proposed amendment language.

Proposed amendment: Amend 33.440.100.B

33.440.100 Use-Related Restrictions

B. Use restrictions.

1. River Recreational zone. Primary uses in the River Recreational zone are limited to recreational uses which are river-dependent or river-related.
2. River Industrial zone.
 - a. In the River Industrial zone, river-dependent and river-related primary uses are allowed by right on sites that front the river.
 - b. Primary uses that are not river-dependent or river-related are allowed by right on sites that front the river when:
 - (1) The non-river-dependent or non-river-related use is located entirely on lots within the site that do not have river frontage; and
 - (2) The site is owned by a public agency.
 - (3) The site is shown on Map 440-2.
 - c. Primary uses that are not river-dependent or river-related may be allowed on sites that front the river if they are approved through greenway review. They must comply with the approval criteria of 33.440.350.B. below.
 - d. There are no special use restrictions on sites that do not have river frontage.
- 3.-4. [No change]

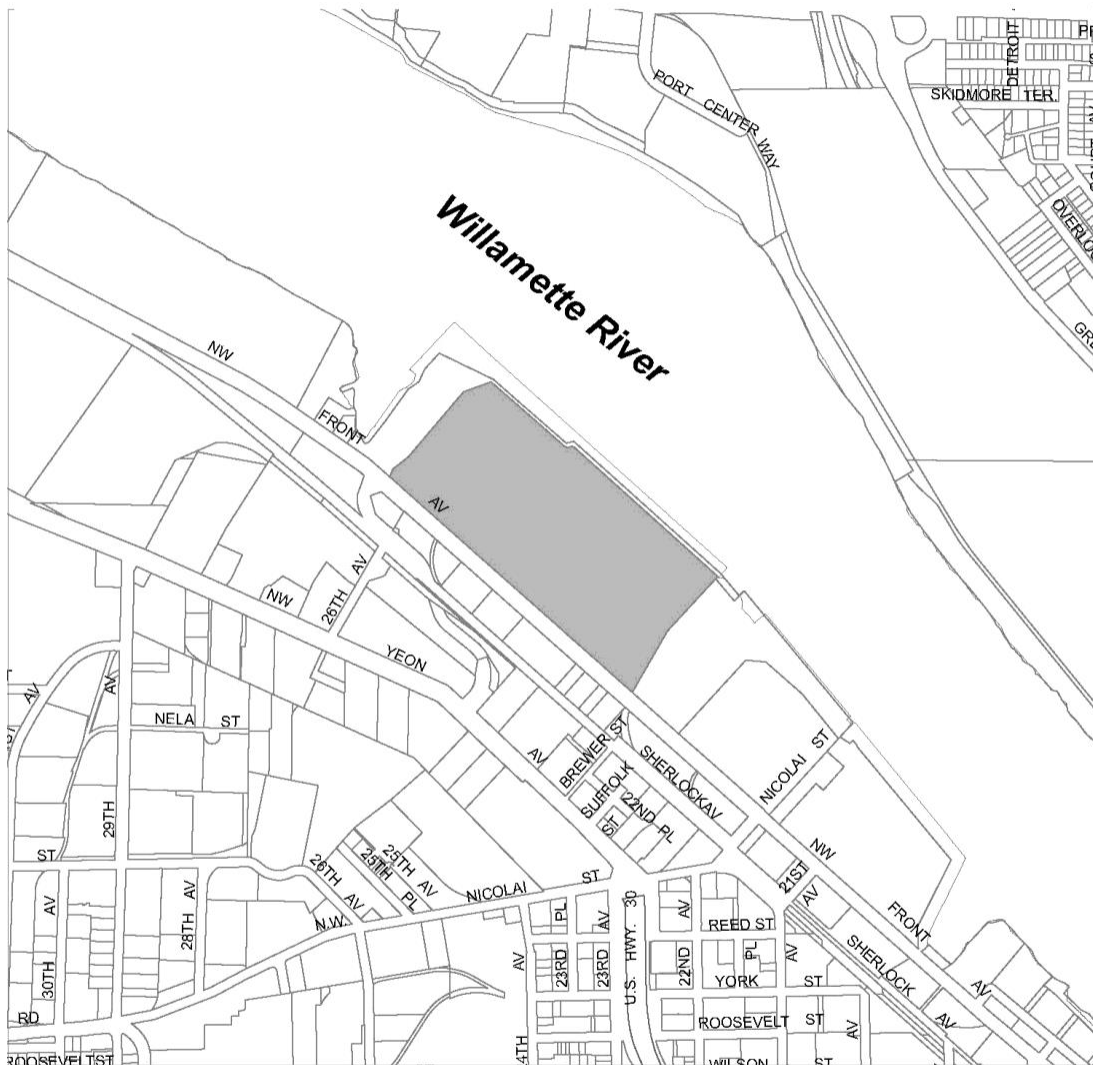


Add Zoning Map 440-2:

River Industrial Public Agency Exception

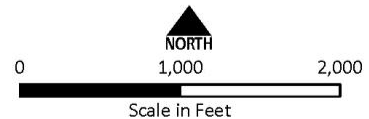
Map 440-2

Map revised Xxxxx X, 20XX



Legend

-  Taxlots
-  Property where Public Agency Exception applies



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