



RICAP 10

Regulatory Improvement Code Amendment Package 10

May 30, 2024 City Council hearing

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**PLANNING &
SUSTAINABILITY**

Agenda

- RICAP background
- What's in RICAP 10?
- Invited testimony: Planning Commissioner
- Q & A
- Public testimony
- Continue to June 13, 2:45 p.m. time certain

What is RICAP?

- **RICAP packages help ease regulatory burdens and make the code easier to understand, while implementing the Comprehensive Plan.**
- **Ongoing program** to maintain the zoning code
- Amendments address a **variety of topics and geographies**, which are packaged together for efficiency
- Focus on **technical and minor policy changes** (medium and major policy requests are assigned to other projects)
- Work plan is based on items in an **online database** of amendment requests (currently has 450 items)
- Fair and transparent item **selection criteria**

Types of amendments

In the scope of RICAP

Beyond the scope of RICAP

Type of Amendment	Description	Example
Technical	Incorrect or outdated references Grammatical errors and inconsistencies Clarifications Code Conflicts	RICAP Item # 49 – Update references to state-regulated childcare facilities and clarify that they are not subject to home occupation regulations.
Minor Policy	Minor (slight) change to adopted policies.	RICAP Item # 47 – Allow home occupations with employees/customers on a site with an accessory dwelling unit.
Medium Policy	Medium changes to adopted policies.	Idea – In multi-dwelling zones, expand the allowance of retail uses beyond sites that abut Civic and Neighborhood corridors.
Major Policy	Major (most important, most widespread, most consequential) change to adopted policy.	Idea – Allow retail uses in all residential zones.



RICAP selection criteria

1. Variety of stakeholders
2. Geographic applicability
3. Degree of impact
4. Regulatory Improvement



Regulatory Improvement Code Amendment Package 10 (RICAP 10)

Recommended Draft

May 2024

portland.gov/ricap10



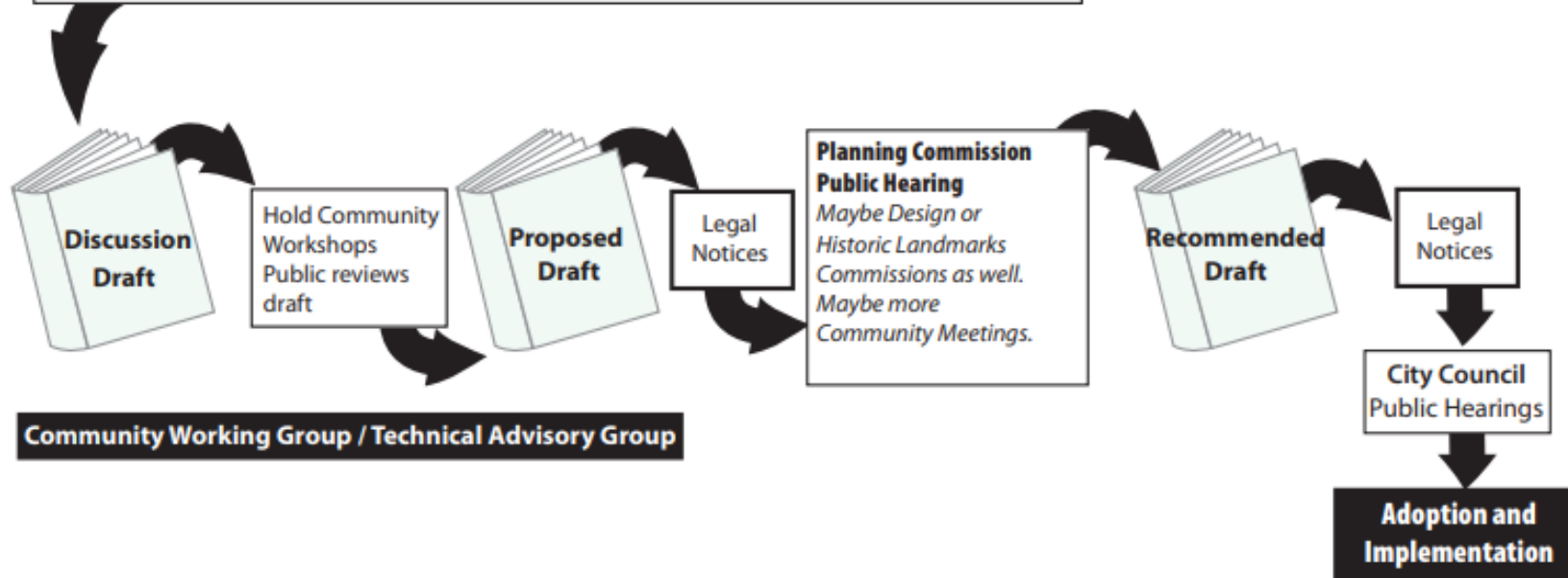
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Legislative Process

Anticipated Time Frame – 1 to 3 Years

Public Outreach (possible events)

- Kick-off Open House
- Announcements in Local Media
- Visioning Workshops
- Neighborhood Walks
- Brochures
- Urban Design Workshop
- Contacting Stakeholder Organizations and Leaders
- Surveys
- Community Meetings
- Mailings



code-dev_legislative_process 10/06/10



RICAP 10

Public involvement summary

Workplan Phase

- Visits to Development Review Advisory Committee (DRAC) and the DRAC Policy Subcommittee
- Workplan published July 2023

Discussion Draft Phase

- Discussion Draft published for public comment November 1, 2023
- Presented to : NPNS, SEUL, SWCS
- Five written public comments submitted

Proposed Draft and Planning Commission Phase

- Proposed Draft published January 31, 2024
- Presented to Design Commission, Landmarks Commission, DRAC
- Nine pieces of written testimony and one oral testifier at Feb. 27 PC hearing



RICAP 10

Project focus

- 83 Zoning Code amendments
- Amendments fall into 3 themes:



Housing production



Economic development



Regulatory reduction



RICAP 10

Minor policy changes and technical amendments

	Minor policy change	Technical amendment
Housing production		
Ground floor items	1	10
Design Overlay Zone	4	9
Historic resources	2	5
Economic development		
Central City	3	12
Home occupations	5	0
Temporary activities	4	1
Regulatory reduction		
State/local compliance	0	4
Land use review process	2	0
Miscellaneous regulatory clean-up	8	13
Total	29	54





Housing production

Ground floor (Items # 1-11)

Easier to use development standards for homeowners and developers

Design Overlay Zone (Items # 12-24)

Adding flexibility in the "d" overlay

Historic resources (Items # 25-31)

Easier to implement rules for historic resources





Ground floor

Item # 5 Ground floor windows in stairwells:

Clarify that glass stairwells are a qualifying window feature for meeting ground floor window standards.



Design Overlay Zone

Item # 13 Fence and retaining wall exemption:
Exempt fences and retaining walls from the design overlay zone chapter.



Historic resources

Item # 26 Historic resources overlay exemption—ADA:

Clarify that alterations to meet ADA requirements in districts are allowed in districts when “historic” rather than “existing” materials are not destroyed.



Economic development

Central City (Items # 32-46)

Clarifies and eases some regulations in the Central City Plan District

Home occupation (Items # 47-51)

Provides flexibility for running small home businesses

Temporary construction activities (Items # 52-56)

Provides flexibility for builders during construction





Central City

Item # 33 Floor area ratio (FAR) for Basic Utilities: Exempt Basic Utilities uses from the minimum FAR standard



Home occupations

Item # 48 Home occupation customers and employees: Allow home occupations to have up to 15 customers per day and one employee.





Temporary activities

Item # 53 Staging area distance:

Remove the 500-foot distance limit for temporary construction staging areas.



Regulatory reduction

State compliance (Items # 57-60)

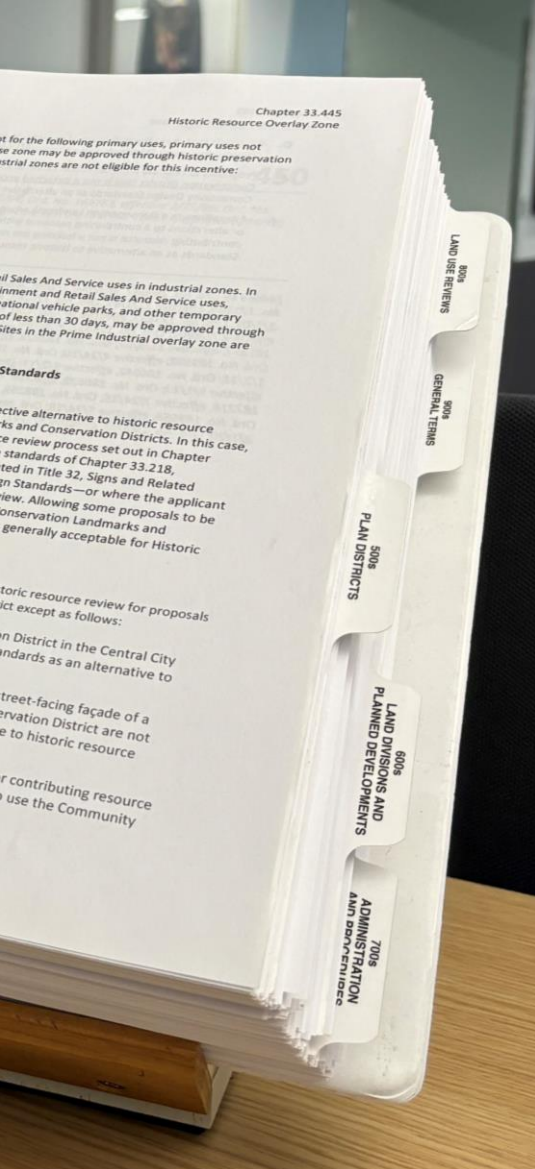
Aligns the zoning code with new laws to eliminate confusion

Land use review process (Items # 61-62)

Gives flexibility to property owners and developers responding to changing market conditions

Miscellaneous regulatory (Items # 63-83)

Cleans up, provides consistency, and eliminates outdated code





State compliance

Items # 57-60 Compliance with state rules for:

- Converting hotels to shelters or affordable housing
- Childcare facilities
- Manufactured homes
- Land use review timelines for affordable housing projects



Land use reviews

Item # 62 Posting for land use reviews: Clarify the maximum number and location of signs that must be posted on sites going through a Type III and IV land use review



NOTICE OF PUBLIC HEARING

Type IV Land Use Review
Blanchet House Demolition

CASE FILE LU 21-02963 DM AD

WHEN Monday June 14, 2021 @ 1:30 PM

WHERE **ONLINE:** Link to hearing is available at [Historic Landmarks Commission | Portland.gov](#)

HOW **TO TESTIFY:** Follow instructions on the Historic Landmarks Commission agenda & email the planner at Tim.Heron@portlandoregon.gov

1ST REVIEW BY HISTORIC LANDMARKS COMMISSION

WHEN Wednesday June 30, 2021 @ 2:00 PM

WHERE **ONLINE:** Link to hearing is available at [Current Council Agenda | The City of Portland, Oregon \(portlandoregon.gov\)](#)

HOW **TO TESTIFY:** Follow instructions on the Portland City Council agenda & email the Council Clerk at cclerk@portlandoregon.gov

2ND REVIEW BY PORTLAND CITY COUNCIL

LAND USE REVIEW TYPE DM - Demolition Review; AD - Adjustment Review

PROPOSAL Type IV Demolition Review for the Blanchet House of Hospitality at 340 NW Olisan Avenue to demolish the existing building. The Blanchet House is a Contributing Building in the National Register Japantown Christown Historic District. Additionally, a Type I Adjustment is requested to waive PCC 33.465.330.A.2, which states that a demolition permit cannot be issued until a permit for a new building on the site has been issued that replaces the historic resource if demolition is approved.

REVIEW APPROVAL CRITERIA 33.805 Adjustment Review
33.848.070 Demolition Review

SITE ADDRESS 340 NW OLISAN ST.

ZONING DESIGNATION Cnd, Central Commercial with design overlay

FURTHER INFO Available online at [Signage, Landmarks Commission | Portland.gov](#) or contact the planner listed below at the Bureau of Development Services.

QUESTIONS? BOB CONTACT: Tim Heron, City Planner
(503) 823-7725 / Tim.Heron@PortlandOregon.gov
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Miscellaneous regulatory cleanup

Item # 70 Convenience stores:

Discontinue regulating convenience stores differently than other Retail Sales and Service uses

City Council Action

The Planning Commission recommends that City Council:

- **Adopt the RICAP 10 Recommended Draft.**
- **Amend Title 33, Planning and Zoning, as shown in the Recommended Draft.**
- **Amend Policy 2.20 of the 2035 Comprehensive Plan.** Related to Items #80 and #83 to dissolve the Adjustment Committee.
- **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.





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Planning Commission Amendment

River Industrial Uses: Allow non-river dependent uses in the River Industrial zone on a specific site owned by a public agency on lots within that site that do not have river frontage.

