

ORDINANCE No. 187711

*Amend Building Regulations Code to ensure all residential demolitions covered under the existing residential demolition delay provisions of Section 24.55.200 are subject to the demolition delay provisions of either Title 24 or Title 33 (Ordinance; amend Code Section 24.55.200)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Bureau of Development Services (BDS) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. BDS administers Portland City Code (PCC) Title 24, Building Regulations.
3. PCC Section 24.55.200, Residential Demolition Delay – Housing Preservation, requires a minimum 35-day notice and delay period from the time BDS receives a complete application for a residential demolition permit to demolish a residential structure in an area with a residential Comprehensive Plan Map designation.
4. PCC Subsection 24.55.200 L.2. exempts from these demolition delay requirements structures that are designated historical landmarks, are on the Portland Historic Resources Inventory (HRI) or are in historic districts. These structures are governed by the demolition review and demolition delay review provisions of Title 33 (Zoning Code). However, certain residential structures on the HRI are not subject to the demolition review or demolition delay review provisions.
5. In order to ensure that all demolitions of residential structures in areas with a residential Comprehensive Plan Map designation are subject to either the Title 24 or the Title 33 demolition delay provisions, it is necessary to amend Subsection 24.55.200 L.2.

NOW, THEREFORE, the Council Directs:

- a. Portland City Code Section 24.55.200, Residential Demolition Delay – Housing Preservation, Subsection L.2., is amended as follows:

24.55.200 Residential Demolition Delay - Housing Preservation.

- L. Exceptions to demolition delay.**

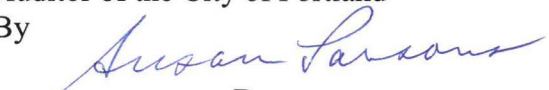
2. The provisions of this Section (24.55.200) do not apply to applications for building permits for demolition, of structures that are ~~designated historical landmarks, on the Portland Historic Resources Inventory, or in historic districts~~ subject to the demolition review or demolition delay review provisions of Title 33. In these situations, the provisions of Title 33, Planning and Zoning, apply to the application. Any application not subject to the demolition review or demolition delay review provisions of Title 33 are subject to the demolition delay provisions of this Section (24.44.200).

Section 2. The Council declares that an emergency exists because delay could cause certain residential demolitions to be exempt from any demolition delay; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: MAY 04 2016

Commissioner Dan Saltzman
Prepared by: Nancy Thorington, BDS
Date Prepared: April 27, 2016

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

Agenda No. **187711**
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Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman <i>Mayor Charlie Hales</i> COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>Charlie Hales</i></p> <p>Position 1/Utilities - Fritz <i>[Signature]</i></p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman <i>Dan Saltzman</i></p> <p>Position 4/Safety - Novick <i>[Signature]</i></p> <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Bureau of Development Services Bureau Head: Paul L. Scarlett <i>P. Scarlett</i></p> <p>Prepared by: Leanne Torgerson Date Prepared: 4/11/16</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances <i>Toni</i></p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date 4/27/16 <i>5/4/2016</i></p>	<p>CLERK USE: DATE FILED <u>APR 26 2016</u></p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 20 minutes (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	_____	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	