

IMPACT STATEMENT

Legislation title: *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 L.2.)

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Presenter name: Nancy Thorington

Purpose of proposed legislation and background information:

- A. Amends Chapter 24.55 of the Portland City Code, Residential Demolition Delay – Housing Preservation, to ensure that demolitions of residential structures in areas with a residential Comprehensive Plan Map designation that are on the Portland Historic Resources Inventory are subject to either the Title 24 or the Title 33 demolition delay provisions.

Financial and budgetary impacts:

No additional revenue or expenses are anticipated with the proposed code amendment. The amendment ensures that the covered residential demolitions are subject to either Title 24 or Title 33 demolition delay provisions. No new positions will be required as a result of the proposed amendments.

Community impacts and community involvement:

Very few impacts are anticipated because this ordinance makes the Code consistent with existing practices.

BDS staff presented the proposed amendments to the Development Review Advisory Committee Demolition Subcommittee for review and comment at its March 30, 2016, meeting.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount



**City of
Portland, Oregon**
Bureau of Development Services
FROM CONCEPT TO CONSTRUCTION

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April 27, 2016

187711

To: Mayor Hales
Commissioner Fish
Commissioner Fritz
Commissioner Novick
Commissioner Saltzman

From: Paul L. Scarlett, Director
Bureau of Development Services

PLS

Regarding: Proposed City Code revisions to amend Chapter 24.55 (Residential Demolition Delay – Housing Preservation) to ensure all residential demolitions in areas with residential Comprehensive Plan Map designations are subject to the demolition delay provisions of either Title 24 or title 33.

Background

Portland City Code Chapter 24.55 (Residential Demolition Delay – Housing Preservation) requires a minimum 35-day delay from the time the Bureau of Development Services (BDS) receives a complete demolition permit application for demolitions of residential structures in areas with residential Comprehensive Plan Map designations. There are two exceptions to this requirement: (1) for residential structures that are in such bad repair they are a public nuisance; and (2) for structures that are designated historical landmarks, on the Portland Historic Resources Inventory (HRI) or in historic districts.

While reviewing a recent residential demolition application for a property that was on the HRI, BDS staff discovered that it was possible for a property to be on the HRI but not subject to the demolition delay provisions of Title 33. This occurs when a property is “unranked” because the demolition delay provisions of Title 33 only apply to properties that are Rank I, II, or III per PCC 33.445.520. Many of the properties on the HRI are unranked, which means they are not subject to the delay provisions of either Title 24 as currently written or Title 33. In addition, there are other historic categories that are not included in the existing Title 24 language. This ordinance closes that loophole by including language to ensure that, if the application is not subject to the Title 33 delay, then the Title 24 delay provisions apply. In addition, the ordinance deletes the reference to specific Title 33 provisions and broadens the exemption to cover all structures that are subject to the demolition review or demolition delay review provisions if Title 33.

In order to avoid having any other projects potentially be exempt from any demolition delay, this is being proposed as an emergency ordinance.