



Odor Code Update Project

Planning
Commission

September 10, 2024

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City Planner

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THE BUREAU OF
**PLANNING &
SUSTAINABILITY**

Agenda

Presentation

- Staff proposal
- Brief summary of Proposed Code Changes
- Commercial and Industrial Uses

Planning Commission Discussion



Staff Proposal

Staff proposes that the Planning Commission recommend that City Council (*Planning Commission purview*):

- **Adopt this report**
- **Amend Title 33, Planning and Zoning as shown in the Proposed Draft.** The amendments remove the odor regulations from the Zoning Code and delete requirements to document compliance with Chapter 33.262 Off-Site Impacts at the time of building permit review.

The proposal also recommends that City Council (*Outside of Planning Commission purview*):

- **Amend Title 29, Property Maintenance, as shown in the Proposed Draft.** The amendments add the odor regulations to Title 29 to be complied with once a building is occupied.

Project goal & approach

The Odor Code Update Project will update Portland's off-site odor regulations with amendments to Title 33, Planning and Zoning, and Title 29, Property Maintenance. The amendments recognize that odor standards are inherently subjective and challenging to enforce but are still necessary for some uses that have the potential to produce noxious odors.

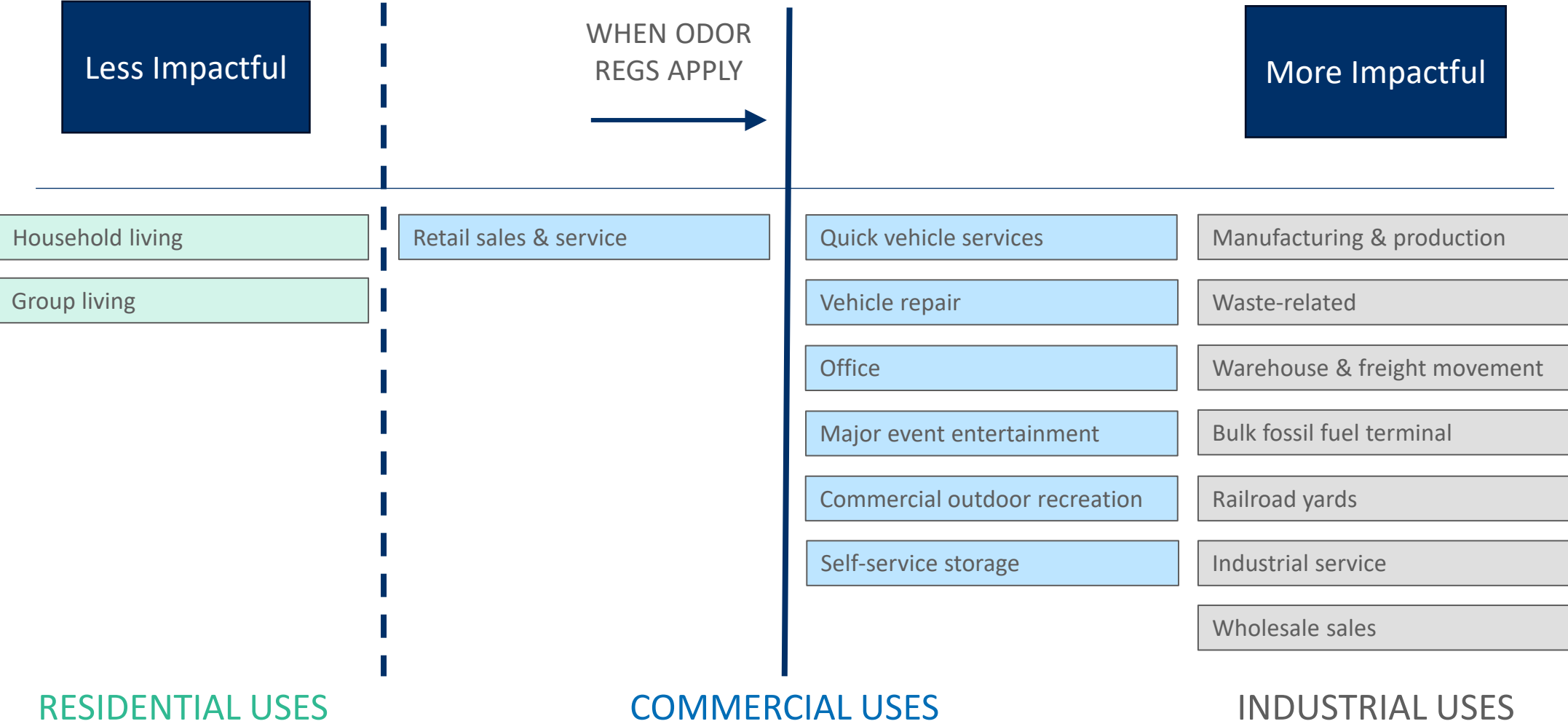
Changes to Title 33 (Planning Commission and City Council purview)

- **Move the odor standard** from Title 33 (Planning and Zoning) to Title 29 (Property Maintenance).
- **Eliminate requirements for documentation in advance** of compliance with Off-Site Impacts rules.

Changes to Title 29 (City Council purview)

- **Exempt Retail Sales and Service** uses from the odor regulations.
- **Set new parameters** for enforcement of the odor rules.

Spectrum of impacts & odor rule applicability



Resolution for future RS&S complaints



- **No City Code Compliance Involvement**
- **Mediation:** Private services are available to work out solutions between businesses and neighbors when problems do arise
- **Civil lawsuit:** A last case scenario is to take the matter to court, which can be a way to help resolve more intractable civil property disputes



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