

INTER-BUREAU CODE CHANGE PROJECT LIST

Last Updated October 20, 2022

Lead Bureau	Title/Code Guide/ Program Guide/ Admin Rule	Project Name	Step (1-5)	Project Lead	Reviewers	Next Steps & Key Dates	Online Document/Draft
BDS	Title 24, Title 27	Oregon Structural and Mechanical Specialty Codes	1	Nancy Thorington	Terry Whitehill	Draft ordinance adopting the 2022 Oregon Structural Specialty Code and 2022 Oregon Mechanical Specialty Code based on updated codes from Building Codes Division	
BDS	Title 25	Administrative Provisions	1	Nancy Thorington	Terry Whitehill Dave Tebeau Jim Bechtel	Adopt by reference construction standards for drywells in the 2021 Oregon Plumbing Specialty Code	
BDS	Title 24	Chapter 24.50 - Flood Hazard Areas	1	Nancy Thorington, Jason Butler-Brown	Doug Morgan	Amend Chapter 24.50 update the required compensatory excavation (cut) ratios based on the FEMA Biological Opinion	
BDS	Title 24	Chapter 24.85 - Seismic Regulations	4	Nancy Thorington, Doug Morgan	Amit Kumar	Amend Chapter 24.85 to update seismic upgrade triggers that were deleted when the URM placarding ordinance was repealed. Allow for increase in occupant load by greater of 150 or 10% whichever is higher before a seismic upgrade is triggered. Revise retrofit standards for change of occupancy from R-3 to R-1 or R-2 for Residential Infill Projects.	
BDS	Title 24	Commercial Demolitions	1	Beth Benton / Nancy Thorington	Misc.	Conduct outreach to determine feasibility of creating site control regulations for commercial demolitions.	

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BDS	Title 28	Floating Structures	4	Nancy Thorington/ Dave Tebeau	River Community Advisory Committee; Terry Whitehill	Remove Floating Structures Appeals Board from Title 28 and replace with having a member of the River Community Advisory Committee participate as an SME in Building Code Appeals Board if need arises because Floating Structures Appeals Board has not met in over 10 years; clarify what constitutes an alteration; clean up other code language.	
BDS	Admin Rule	Special Inspection Program Admin Rules	2	Nancy Thorington, Amit Kumar	Various	Rescinded prior version; added temporary rules to BDS website; update drafted to reflect current practices. Being reviewed by City staff, then to be circulated for final internal review, review by City Attorney and public comment. These changes are necessary because the Oregon Building Officials Association (OBOA) discontinued its program of certifying special inspectors, so BDS must create a program for verifying special inspector credentials and ensuring requirements for special inspections are being met.	
BDS	Admin Rule	Fee Refunds and Waivers	on hold	Not assigned	Various; Sherri Peterson	Consolidate policies regarding permit fee waivers and refunds into one Administrative Rule. On hold.	
BDS/BES	Admin Rule	Erosion Control Manual	5	Nancy Thorington	BES, BDS Site Development, BDS Site Inspections	Comprehensive update to manual. First public review draft published October 1, 2021. Lunch and Learn Oct. 11. Review draft also includes proposed changes to Title 10, Erosion and Sediment Control, and a separate administrative rule for BDS enforcement of erosion control requirements. Received comments on first drafts. Reviewing comments and amending. Final review draft out for public comment August 16, 2022. Comments due by September 16, 2022. <u>Effective date November 1, 2022</u>	https://www.portland.gov/bds/news/2022/8/15/provide-your-ideas-final-draft-rules-improve-erosion-control-during-construction
BDS	Admin Rule	Erosion and Sediment Control Enforcement	5	Nancy Thorington	BES, BDS Site Development, BDS Site Inspections	New administrative rule to comply with City's NPDES MS4 permit, which requires escalating fines for violations of Title 10 and the Erosion and Sediment Control Manual. Draft previously out for public comment in fall 2021. No public comments received. Final will be out for final round of public comments August 16 - <u>September 16, 2022. Effective date: November 1, 2022.</u>	https://www.portland.gov/bds/news/2022/8/19/provide-your-ideas-final-draft-rules-address-enforcement-erosion-control-during
BDS	Code Guide	Cannabis Facilities	4	Mieke Keenan	Fire Bureau	ON HOLD Moving from Code guide to Program guide.	
BDS	Code Guide	Fire Rating Eaves	4	John Butler	Plan Review/Inspections	Allowing alternative methods of fire rating close to property lines when accessory structures are converted to habitable space. Draft circulated for 2nd internal review.	

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BDS	Code Guide	Seismic Upgrade Analysis	1	Amit Kumar, Nancy Thorington	Doug Morgan Amit Kumar	Code guide to clarify how to prepare an occupancy matrix to compare proposed occupant loads with the 2004 occupant loads and conduct permit history research	
BDS	Code Guide	Habitable Space Standards for Existing Elements within One and Two Family Dwellings	5	Jody Orrison	Terry Whitehill	Revise existing code guide to clarify ceiling height calculations	
BDS	Code Guide	Commercial Code Guide for use of Fiber Reinforced Plastic (FRP) material	5	Lisa Buellesback, Terry Whitehill	BDS Structural Reviewers	Update completed to existing Commercial Code Guide for use of Fiber Reinforced Plastic (FRP) material for rooftop screening applications to increase allowable height of FRP material screening from 10 feet to 18 feet.	Link to updated Code Guide on FRP Material for Rooftop Screening: https://www.portland.gov/sites/default/files/2022/frp-code-guide-update-
BDS	Code Guide	Residential Code Guide for Four Story Structures	5	Natalie Didion	BDS Life Safety Reviewers	Update completed to existing Residential Code Guide for Four Story Structures to meet current code standards and conditions and adding clarifying language to be more specific about requirements.	Link to updated ORSC – Chapter 1: Four Story Structures Regulated Under the ORSC Code Guide: https://www.portland.gov/bds/documents/orsc-chapter-1-four-story-structures-regulated-under-oregon-residential-specialty
BDS	Code Guide	Commercial Code Guide for Fire Sprinklers Requirements	5	Natalie Didion	BDS Life Safety Reviewers	Update to existing Commercial Code Guide for Fire Sprinklers Requirements to meet current code standards and conditions and adding a new condition for when sprinklers are required.	Link to updated OSSC Chapter 9: Fire Sprinkler Requirements For Existing Buildings With a Residential Fire Area Code Guide: https://www.portland.gov/bds/documents/osscc-chapter-9-fire-sprinkler-requirements-existing-buildings-residential-fire-area
BDS	Program Guide	Residential and Commercial Solar Projects	3	Mieke Keenan Amit Kumar	Permitting Services, Inspections Land Use, Fire	ON HOLD: Consolidate the existing RS and CO program guides into one guide that includes guidance on the prescriptive and engineered process. Process improvement discussions are currently underway.	

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BDS	Handout	Floating Structures handout regarding applicable regulations	1	Dave Tebeau/ Nancy Thorington	River Community Advisory Committee; Sherri Peterson	Confusion exists regarding which regulations apply to floating structures, when permits are required, when structural reviews are required, and other issues identified by the River Community Advisory Committee. BDS staff will meet with the River Community Advisory Committee and draft the handout. [This is a placeholder; <u>no work is currently being done on this project</u> .]	
BPS		Anti-Displacement Action Plan (ADAP)	2	Tom Armstrong		The Anti-Displacement Action Plan ADAP is a joint effort between the City and the community to coordinate policies and actions that promote equitable development and reduce the harmful impacts of involuntary displacement on residents, businesses and cultural organizations. Staff is working with the Anti-Displacement Coalition to support a civic leadership curriculum and public workshops in 2022.	https://www.portland.gov/bps/adap
BPS	Zoning Map / Title 33	Columbia Corridor Industrial Lands Ezones Project	2	Jeff Caudill		This project will adjust the location of environmental overlay zones in the Columbia Corridor and other industrial areas to match stream, wetland and other wildlife habitat locations. Staff is currently offering site visits to property owners to confirm resource locations. Interested individuals can sign up for updates on this project.	https://www.portland.gov/bps/planning/environmental-planning/industrial-ezones
BPS	Ordinance / Future Code & Title 29 amendment	Build/Shift: Climate and Health Standards for Existing Buildings	1	Vinh Mason (BPS) / in support - Beth Benton (BDS) for T29		A collaborative effort between BPS and a community team called the Build/Shift Collective to further climate justice initiatives. The intent is to establish minimum climate and health standards for Portland's existing residential and commercial buildings to reduce carbon emissions and provide healthier, more resilient housing. The group briefed the PSC on 1/25/22 and is convening working groups made up of impacted building owners and residents. Those interested should sign up for email updates. Title 29 amendment to provide for maximum allowed interior temperatures for rental properties, temp standard in development.	https://www.portland.gov/bps/climate-action/building-standards

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BPS	Report	Economic Opportunities Analysis	1	Tom Armstrong		BPS is beginning an update to the Economic Opportunities Analysis (EOA). The EOA analyzes and forecasts growth in Portland's industrial and business sectors to determine a 20-year supply of developable land for businesses and jobs. Project staff briefed the PSC on 2/22/22. BPS released a draft report indicating market trends in April, 22, and took comments through May 30. Staff briefed the DRAC Policy subgroup on 5/16. Interested individuals can still sign up for updates through the website.	https://www.portland.gov/bps/eoa
BPS	Title 33	Lower Southeast Rising Area Plan	2	Bill Cunningham BPS, Bryan Poole PBOT		This plan will assess land use, infrastructure, and transportation issues in portions of Brentwood-Darlington, Mt Scott-Arleta, Woodstock, and Lents. Issues will include commercial/housing opportunities and stabilization, and alternative transportation. Project is jointly led by BPS/PBOT. The online open house for the draft proposals closed 7/11/22. Staff gave an overview to DRAC on 6/16. The Public Advisory Committee last met on 9/26. Check the website for updated information on the open house and materials.	www.portland.gov/bps/lower-se-rising
	Comp Plan & Title 33	Parkrose Community Plan	2	Bill Cunningham	None	BPS is supporting the Historic Parkrose Neighborhood Prosperity Initiative (NPI) on a community led plan in conjunction with PBOT and ODOT. The plan will focus on displacement, job needs, unsafe conditions on Sandy, and disaster preparedness. Initial discussions were held in 2021 and a Public Review Draft of the Parkrose Community Plan was released in April, 2022. Online open houses were held on 4/9 and 4/14. Staff is reviewing public input. The plan has been released in July, and was presented to the PSC on 7/26/22. More info is available on webpage.	www.portland.gov/bps/parkrose-community-plan
BPS	Title 33 Guideline	South Portland Historic Design Guidelines	4	Brandon Spencer-Hartle	Hillary Adam	An update to the existing guidelines that apply to the South Portland Historic District. Guidelines will replace the Lair Hill Conservation District Guidelines. The Proposed Draft was released on 6/6/22. The Landmarks Commission held a hearing on the proposal on 7/11, a work session on 8/8, and made a recommendation. The Recommended Draft has been released and the City Council will hold a hearing on 11/2/22. Information on providing testimony is available on the website.	www.portland.gov/bps/sphd-guidelines

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BPS	Policy/Title 33	West Portland Town Center Plan	4	Joan Frederiksen		An inclusive Plan for the area around the Barbur Transit Center to anticipate town center development needs and limiting displacement. The project includes development of a plan district map and regulations. PSC held hearings and work sessions during fall 2021 and Design Commission recommended approval of the plan's character statement on 3/3. PSC made recommendation on 6/14/22. Recommended Draft released on 9/6 with City Council hearing held on 10/12/22. Testimony closed on 10/14. Council has a work session scheduled on 10/27.	www.portland.gov/bps/wpdx-town-center
BPS	Policy/Title 33	South Portland Area Planning (Ross Island Bridge)	1	Kevin Bond	Hillary Adam	Refining land use, circulation and urban design along SW Naito and around the Ross Island Bridgehead Project in coordination with PBOT and is part of BPS' SW Corridor Inclusive Communities. Staff provided several briefings and an online public event on 10/20/20. Presentation of this is available on website. Following the failure of the Metro transportation bond, PBOT is putting the bridgehead realignment project on hold , but BPS staff has released a draft land use plan 8/22 in compliance with a Metro grant obligations. The project will remain on hold pending future funding.	https://www.portland.gov/naito-mainstreet
BPS	Title 33	Floodplain Resilience Plan	3	Jeff Caudill		Updates the floodplain regulations throughout the city including the Willamette River to ensure new development addressess flood risk, doesn't jeopardize endangered species, and ensure ability to obtain flood insurance. The project would align with new FEMA guidelines. A Proposed Draft was released on 8/30/22 with the PSC hearing on 9/27/22. Testimony is currently closed, but PSC work sessions are scheduled for 10/25 and 11/22.	https://www.portland.gov/bps/environmental-planning/floodplain-project
BPS	Title 33	Environmental Overlay Zone Map Correction Project	5	Daniel Soebbing	Morgan Steele	Updates zone maps of Environmental overlay zones citywide. On 5/25/22 the City Council voted to adopt the Ezone mapping project. The adopted changes to the map and resultant code changes were effective on 10/1/22. <i>(Note, this project will be removed from the list next month, due to its implementation.)</i>	https://portland.gov/bps/ezones

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BPS	Title 33	Fossil Fuels Zoning Project	5	Tom Armstrong		Code amendments restrict the expansion of Fossil Fuels terminals. This project, approved in 2016, was appealed to the Oregon Supreme Court and referred back to City Council. Council adopted the new ordinance on 12/18/19. The revised decision was appealed again and heard by LUBA on 7/14/20. LUBA remanded back to the city for additional findings. City Council held a hearing on 6/30/22 and readopted the ordinance on 8/24/22 under emergency declaration effective 8/31/22. This decision has again been appealed by a variety of groups, with a LUBA decision expected in early 2023.	https://portland.gov/bps/fossil-fuel-zoning
BPS / PBOT	Title 33 +	Montgomery Park to Hollywood Transit and Land Use Strategy	2	Barry Manning (BPS) Kate Drennan (PBOT)		A joint PBOT/BPS project to explore options for a successful transportation and land use strategy potentially involving streetcar between Montgomery Park and the Hollywood TC. A Discussion Draft for the NW portion of the study area was released and public comment closed on 4/22/22. DRAC was given a briefing on 2/17/22. Staff are now reviewing comments. A Proposed Draft is anticipated in Fall 2022.	https://portland.gov/bps/mp2h
BPS	Title 33 and other Titles	Electric Vehicle Ready Code Project	3	Ingrid Fish, Phil Nameny (BPS)	Kim Tallant, Tom Soppe (BDS)	The project seeks to expand opportunities for electric vehicle (EV) charging, by looking at EV infrastructure requirements focusing on multi-dwelling development. State building code established minimum requirements of 20% EV-ready for new multi-family/commercial building effective 7/1/22, and DLCD passed rules increasing percentages for local jurisdictions to 40% for mixed use/multi-dwelling developments with at least 5 dwelling units. EV code project proposes a 50% requirement for new parking associated with these developments. A briefing with DRAC was held on 4/21/22. The PSC held a hearing on 9/13/22 and a work session on 10/11. A second work session an potential recommendation with a couple amendments is scheduled for 10/0/25. The Recommended Draft is anticipated for release late 2022.	www.portland.gov/bps/ev-ready

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BPS	Title 33	Shelter to Housing Continuum (Part 2)	3	JP McNeil (BPS)		Following up on the adoption of the first Shelter to Housing Continuum project in 2021, this project is making small changes related to the development standards for outdoor shelters to remove some regulatory barriers. These include reducing some perimeter setbacks, and clarifying the applicable development standards for outdoor shelters. A Proposed Draft of these changes was released on 9/2/22, and the PSC held a hearing on 10/11/22. Testimony is now closed and a work session and recommendation is anticipated on 11/8/22.	https://www.portland.gov/bps/planning/s2hc
	Title 33, Title 3	Planning Commission Code Amendments	2	Shannon Buono (BPS)		This project is proposing to rename the current Planning & Sustainability Commission to the Planning Commission. In addition to the rename, the duties of the Commission will focus on land use planning and the Comprehensive Plan. A separate project may consider a potential Sustainability Commission. A Proposed Draft of the change will be released on 10/27/22 at which point the Map App will be open for testimony. The PSC will hold a public hearing on 11/8/22	https://www.portland.gov/bps/planning/pc-amendments
BPS	Programs and policy changes	Smart City PDX	1	Kevin Martin / Christine Kendrick/ Hector Dominguez (BPS)		Smart City PDX is a series of measures intended to develop policies to use data and technology responsibly to support a healthier, safer, more, affordable and prosperous Portland for everyone. These measures are being developed with the community, private and public sector partners and other City of Portland staff. Projects include air quality sensing, addressing the digital divide and COVID, and maintaining open data. Recent updates include a draft report of the Surveillance Technologies Policy. See website for updates and more information.	www.smartcitypdx.com

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BPS	Programs and fee changes	Clean Air and Healthy Climate Proposal	3	Kyle Diesner		<p>The Clean Air and Healthy Climate Proposal is a program to raise money to support pollution reduction programs. The revenue would be invested in programs that reduce greenhouse gas emissions, improve local air quality and enhance community health.gases, and one on the largest emitters of hazardous air pollution. A tentative proposal and fee estimator was released in December 2020, but was tabled by Commissioner Rubio pending more outreach and industry discussion. Stakeholder meetings have been held over the past several months, and the PSC was briefed on 10/12/21. Focus is currently on clean air protection feel. Initial fees were adjusted. Comments period closed on 11/19/21.</p> <p>Note: This item has been placed on hold pending further discussions. No City Council hearing date has been set.</p>	www.portland.gov/bps/climate-action/healthy-climate
BES	ENB-4.30 BES Title 10 Discharge Enforcement Administrative Rules	Authority for enforcement of erosion control requirements for sites that do not have a development permit.	5	Alice Coker and Adrienne Aiona	BES Environmental Compliance, BDS Erosion Control	<p>BES provides enforcement of Title 10 erosion control regulations for sites engaged in ground disturbing activities that do not require a development permit, for example, landscaping work. We are updating this administrative rule along side the updates to Title 10 and the Erosion and Sediment Control Manual being led by BDS. Public comment opened on 8/16 and will close 9/16. An announcement was provided at the 8/18 DRAC meeting. Final rule is awaiting Director signature and is anticipated to be in effect by 10/21/22.</p>	portland.gov/bes/ENB4-30.
BES	BES Rate Study	BES Rate Study	2	Ken Bartocci		<p>This will be an independent assessment of the Bureau's existing sanitary sewer and stormwater rates, stormwater discount program, system development charges and other fees. The study will result in possible revisions to certain rates, charges, and fees with a focus on providing clarity, equity, and affordability. Anticipated public comment period beginning in first and second quarters of calendar year 2023. Anticipated completion of rate study is in May 2024.</p>	

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BES	<p>BES code and rule related to rates, fees, and charges:</p> <p>PCC Chapter 17.32</p> <p>PCC Chapter 17.33</p> <p>PCC Chapter 17.36</p> <p>ENB-4.05</p> <p>ENB-4.06</p> <p>ENB-4.09</p> <p>ENB-4.16</p> <p>ENB-4.18</p> <p>ENB-4.27 "1</p>	Rate Study - Code a	1	Adrienne Aiona, Glen Laube, Alice Coker	BES Systems Development, BES Business Services, Others	<p>BES is performing a comprehensive review and update of its existing sanitary sewer and stormwater rate and fee setting practices. The results of this effort may require the bureau to update its codes and rules containing policies regarding sanitary sewer and stormwater rates, stormwater discounts, system development charges, and connection charges.</p> <p>Anticipated scheduled for code and rule work:</p> <p>Project scoping and policy development: September 2022 - April/May 2023</p> <p>Public Review: May/June 2023</p> <p>Code/rule adoption: July 1, 2023 to align with FY23-24 rate ordinance</p>	