



Bureau of Planning and Sustainability

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## MEMO

**DATE:** October 17, 2017  
**TO:** Planning and Sustainability Commissioners  
**FROM:** Barry Manning, project manager  
**CC:** Eric Engstrom, Joe Zehnder, Susan Anderson  
**SUBJECT:** Code Reconciliation Project

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At the October 24, 2017 Planning and Sustainability Commission (PSC) meeting, the Commission will hold a public hearing on the *Code Reconciliation Project – Proposed Draft*.

Bureau of Planning and Sustainability staff briefed the PSC on the Proposed Draft on October 10, 2017 and the report was distributed prior to the meeting. The document is also posted online at <https://www.portlandoregon.gov/bps/72600>.

### Background

The [2035 Comprehensive Plan Early Implementation Zoning Code Amendments](#) was adopted by Portland City Council in 2016 and included major changes to the Portland Zoning Code, Title 33. Portland City Council also adopted changes to the Zoning Code in December 2016 as part of the [Inclusionary Housing Zoning Code Project](#). Both code amendment efforts resulted in changes that affect other chapters and sections of the zoning code and other city titles that reference zoning. The 2035 Comprehensive Plan Code Reconciliation Project amends the Zoning Code and other City titles to provide greater consistency with the newly adopted regulations and correct code references.

### Proposed Changes

The Proposed Draft contains amendments to [Title 33, Planning and Zoning](#), [Title 32, Signs and Related Regulations](#), [Title 18, Noise Control](#), and [Title 11, Trees](#). The PSC has purview regarding changes to Title 33, 32 and Title 11, and may receive testimony on these issues. Title 11 will also be considered by the Urban Forestry Commission on November 16, 2017. Title 18 will be reviewed by the Noise Review Board on November 8, 2017.

Many of the proposed amendments are technical, in that they replace references to existing Commercial zones with the most equivalent new Commercial/Mixed Use zone adopted by Portland



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City Council as part of the 2035 Comprehensive Plan. The amendments also update the adopted mixed use zones approach to development bonuses with the approach established by the Inclusionary Housing Project. Because the new 2035 Comprehensive Plan zones are not always a direct replacement for current zones, and because some development parameters have changed (including Inclusionary Housing related standards), the amendments may sometimes result in more significant changes that have policy implications or shift development allowances.

Information about the most significant changes was included in the September 27, 2017 staff memo to PSC, and was discussed at the October 10, 2017 PSC briefing.

### **Issues from the October 10, 2017 Briefing**

Staff briefed the PSC on October 10, 2017 and highlighted several of the changes within the proposal that are the most substantial. Commissioners raised questions or sought more information about several topics, listed below. Staff will bring additional information on October 24 to discuss the issues of interest to Commissioners, time permitting. A follow up work session is also scheduled for November 14, 2017, if necessary.

1. Applying the CR Zone more broadly
  - Consider a mechanism to allow CR zone to be applied through zones changes or Comprehensive Plan amendments.
2. Plan District Floor-Area-Ratios
  - Identify if any plan districts might be under developing due to FAR limitations.
3. LOS as approval criteria
  - Reconsider use of LOS as an approval criterion in land use reviews.
4. Affordable Commercial Bonus
  - Provide info on Prosper Portland program parameters and administrative rule development.
5. Title 11, Trees – CS and CM zone exemptions
  - Provide more detail on tree code implications for development.
6. Code references to administrative rules
  - Insert references to the various administrative rules in zoning code.
7. Buffer overlay zone
  - Provide information on how development area is impacted by proposed changes.
8. Title 32, Sign Code changes
  - Provide additional information on grandfathering of and changes to existing signs.



### **Additional Staff Amendments**

Staff will propose a few additional amendments for PSC to consider at the October 24 hearing. These amendments respond to requests for code changes from other City bureaus and agencies as well as some additional clean-up items identified by BPS staff.

### **More Information and Questions**

A summary of some of the most significant or substantive changes proposed are located on pages 6-9 of the Proposed Draft document and a summary table follows in the document on pages 10-18. Please contact me at 503-823-7965 or [barry.manning@portlandoregon.gov](mailto:barry.manning@portlandoregon.gov) prior to the meeting if you have additional questions or wish to have more details on specific changes proposed.

