

IMPACT STATEMENT

Legislation title: * Amend Zoning regulations to implement the 2035 Comprehensive Plan through the Code Reconciliation Project (Ordinance; Amend Title 33).

Contact name: Barry Manning

Contact phone: 503-823-7965

Presenter name: Barry Manning

Purpose of proposed legislation and background information:

- The Code Reconciliation Project amends the zoning code and other city titles to provide greater consistency with adopted regulations and to correct code references. The project is necessary for proper implementation of the recently adopted 2035 Comprehensive Plan, which takes effect in May.
- The 2035 Comprehensive Plan Early Implementation Zoning Code Amendments was adopted by City Council in 2016 and included major changes to the Zoning Code. During the same week Council also adopted Inclusionary Housing. Both projects made changes that affect the zoning code and other city titles that reference zoning. This ordinance reconciles these two actions, and better integrates those new codes with other parts of the City Code.
- The Code Reconciliation Project amends Title 33, Planning and Zoning, and other city titles. Public hearings on Title 33 were conducted by Planning and Sustainability Commission.
- Many of the amendments are technical – for example references in code to existing Commercial zones are replaced with the most equivalent new Commercial/Mixed Use zones (C/MU). The changes also incorporate the new Campus Institutional (CI) zones, and align regulations with Employment and Industrial (E & I) zones. Some changes have policy implications or change development allowances because the new C/MU zones are not direct replacements for the current zones.

Financial and budgetary impacts:

- The amendments to city code are not expected to have a significant impact on city finances or budgetary matters. The amendments are largely technical and will improve code clarity.

Community impacts and community involvement:

- The 2035 Comprehensive Plan included substantial public involvement. The Code Reconciliation Project builds on that process and is largely technical, and hence has not generated significant community involvement, except on specific issues. Community members have been selectively engaged on these issues as described below.

- The legislation changes aspects of development code, including changes to Title 33, Zoning. These codes apply across the city and the impacts and benefits in changes to development regulations will be shared across the community by property owners, neighbors, and businesspeople.
- During prior public testimony, concerns were expressed about changes in the Buffer overlay zone, primarily from neighbors abutting areas where the overlay is applied. The Buffer overlay was proposed for removal and replacement with base zone standards in Employment and Industrial zones. The Planning and Sustainability Commission (PSC) agreed with staff recommendations regarding changes to the Buffer overlay zone and new standards. City Council received additional testimony regarding the Buffer overlay zone at a public hearing, and amended the Planning and Sustainability Commission's Recommended Draft to retain the Buffer overlay zone in Title 33.
- During prior public testimony, concerns were expressed about the impact of Self-Service Storage facilities in pedestrian and transit oriented areas. The PSC asked staff to explore ways to respond to testimony about Self-Service Storage uses, and limit the negative impacts of such uses on pedestrian and transit oriented areas. Staff developed a proposal that was supported by the PSC and is included in their recommendations.

100% Renewable Goal:

- The adopting ordinance authorizes the Bureau of Planning and Sustainability to develop and administer rules and guidelines for energy efficient buildings that will be used in review of Planned Developments in Commercial/Mixed Use zones.

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

MOTION RECORD – CODE RECONCILIATION PROJECT (Barry Manning)

March 21, 2018 agenda:

286 Amend Zoning regulations to implement the 2035 Comprehensive Plan through the Code Reconciliation Project (Ordinance introduced by Mayor Wheeler; amend Title 33)

287 Amend Tree, Noise and Sign regulations to effectively implement Portland City Code through the Code Reconciliation Project (Ordinance introduced by Mayor Wheeler; amend Title 11, 18 and 32)

March 21, 2018, Items 286 & 287

Motion to adopt staff technical amendments to Title 33 and Maps in staff memo dated March 21, 2018: Moved by Wheeler and seconded by Fish. Vote not called.

Written record closed 3/23/18 at 5:00 pm.

Continued to April 11 at 3:30 pm. Time Certain

April 11, 2018, Items 350 & 351

1. Motion to adopt items 1 & 2 in staff April 10, 2018 memo:

(1) 33.410 amend the recommendation to remove the deletion of 33.410 and retain the Buffer overlay zone in the zoning code.

(2) 32.34.020A amend the recommendation to remove the deletion and retain the related Buffer overlay regulations in Title 32 and renumber the section.

Moved by Fritz and seconded by Fish. Vote not called.

2. Motion to adopt proposed amendments 3-6 and 8-13 in staff April 10, 2018 memo:

Moved by Fish and seconded by Fritz. Vote not called.

3. Motion to adopt proposed amendment 7 regarding Affordable Commercial Space Administrative Rule in staff April 10, 2018 memo: Moved by Fritz and seconded by Fish. Vote not called.

Continued to April 25, 2018 at 2:00 pm Time Certain.

April 25, 2018 – Items 398 & 399

398: Motion to accept Substitute Ordinance [including exhibits]: Moved by Saltzman and accepted by Fritz.

Commissioners voted as follows:

Yeas: Saltzman, Eudaly, Fritz and Fish. Wheeler absent.

399: Motion to accept Substitute Ordinance [including exhibits]: Moved by Saltzman and accepted by Fritz.

Commissioners voted as follows:

Yeas: Saltzman, Eudaly, Fritz and Fish. Wheeler absent.

Substitute Ordinances continued to May 24, 2018 at 2:00 PM Time Certain.