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## COVER MEMO

**DATE:** April 28, 2021

**TO:** Planning and Sustainability Commission

**FROM:** Mindy Brooks, City Planner, Project Manager  
Daniel Soebbing, City Planner

**CC:** Andrea Durbin, Joe Zehnder, Sallie Edmunds

**SUBJECT:** Ezone Map Correction Project for the May 4, 2021 PSC Work Session

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City staff are pleased to be coming back to you for a work session on May 4, 2021 to discuss the Ezone Map Correction Project. This packet includes materials for the work session:

- [Attachment A](#) – Decision Table, there are two amendments for discussion and vote: 1) next round of NRI feature map updates; and 2) fire breaks/trails exemption
- [Attachment B](#) – Feature Map Amendments, Table and Maps
- [Attachment C](#) – 33.430 Zoning Code Amendment

In addition, to respond to questions from PSC, staff are preparing a table and associated maps for each site visit property as well as any person who testified on the project. The table and maps will be posted on May 4 to the project website: [www.portland.gov/bps/ezones/project-documents](http://www.portland.gov/bps/ezones/project-documents). The table will include a summary of testimony, if provided, and summary of resource features, previously adopted policy decisions about what features to protect and the proposed ezone corrections. The table concludes with the status of discussions with the property owners. The maps show the before and after site visit feature mapping and the existing and proposed ezone boundaries. Staff hope this table will make it easier for the public and commissioners to understand proposed ezone boundary changes and property-specific concerns.



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翻訳または通訳 | ការរៀបរយ និង ការបកប្រែ | الترجمة التحريرية أو الشفهية | [Portland.gov/bps/accommodation](http://Portland.gov/bps/accommodation)

## Recommended Agenda for May 4

### 1. Introduction

- a. Review Agenda
- b. Brief Project Proposes
- c. Examples from Testimony
  - i. Site where feature mapping is disputed
  - ii. Site where ezone application is disputed

### 2. Discussion Topic 1 – Feature Map Amendments

- a. Introduction: Update the Natural Resource Inventory to incorporate the results of the site visit feature map corrections.
- b. PSC Discussion
- c. Vote

### 3. Discussion Topic 2 – Zoning Code Amendments

- a. Introduction: Amend 33.430.040.D.9 to allow the exemption to apply to creating fire breaks between vegetation and to expand the allowed trail width from 30 inches to 36 inches. To be consistent between zoning codes, amend 33.475.405.V, items exempt from the River Environmental Overlay Zones, to also expand the allowed trail width from 30 inches to 36 inches.
- b. PSC Discussion
- c. Vote

### 4. Next Steps

- a. July 27 – Final Work Session
  - i. Wetland determinations and protection policy
  - ii. Results of site visits since May 4
  - iii. Other Commissioner proposed amendments
  - iv. Vote on the full package
- b. Commissioner proposed amendments **due on June 30**

### 5. Conclude



**Attachment A: PSC Decision Table**

This table includes staff proposed amendments to maps and codes related to the Ezone Map Correction Project. The table starts with the topics and recommended amendments that staff would like to discuss with PSC at the May 4, 2021 PSC Work Session. There are no consent items in this packet. Staff would like PSC to vote on the discussion items individually.

ID	Discuss	Topic	Explanation	Staff recommendation	Staff rationale	PSC Vote
1	<input checked="" type="checkbox"/>	Site Visit Corrections (Maps)	Site visits have continued since the last PSC work session. Results of site visits in March and April, have resulted in corrections to the maps of streams, tree canopy and steep slopes. These corrections need to be adopted into the Natural Resources Inventory.	<b>Amendment.</b> Update the Natural Resources Inventory in Volume 3 to incorporate the results of the site visit feature map corrections.	Site visits have been conducted to verify the location of streams, tree canopy and steep slopes. The mapping methodology is found in the 2012 Natural Resources Inventory, adopted as factual basis for the 2035 Comprehensive Plan. These feature map corrections will update the Natural Resources Inventory GIS data.  The existing protection policies from the previously adopted 13 resource protection plans will then be applied to the corrected feature maps, resulting in updated ezone boundaries.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4	<input checked="" type="checkbox"/>	Wildfire and Vegetation Management (Code)	Vegetation management to reduce the risk of wildfire is addressed in Title 11 and Title 33; however, some testimony requested changes to the allowances.	<p><b>Amendment A.</b> Amend exemption 33.430.040.D.9, as shown in Attachment C, to allow the exemption to apply to creating fire breaks between vegetation. Also amend 33.430.040.D.9 to increase the allowed trail width from 30 inches to 36 inches.</p> <p><b>Amendment B.</b> Amend exemption 33.475.405.V, as shown in Attachment C, to increase the allowed trail width from 30 inches to 36 inches.</p>	<p><b>Amendment A:</b> The existing exemption allows for non-paved trails that are no more than 30 inches wide to be added within the ezones. The amendment clarifies that this applies to fire breaks as well. In addition, to encourage accessible trails, the allowed trail width is increased to 36 inches, which is the federal ADA trail standard.</p> <p><b>Amendment B:</b> A similar trail exemption exists in 33.475, River Overlay Zones. To maintain consistency between code sections, it is recommended that the exemption in 33.475 also be amended to allow for trails up to 36 inches wide.</p>	<p>Amendment A</p> <input type="checkbox"/> Yes <input type="checkbox"/> No  <p>Amendment B</p> <input type="checkbox"/> Yes <input type="checkbox"/> No

## Attachment B: Site visits conducted since 4-1-2021

PSC Work Session May 4, 2021

Last Name	First Name	State ID	Property Address	Request	Research	Change Date	Change
Issak	Daniel	R269466	1831 SW EDGEWOOD RD	Site visit	Site visit	4/8/2021	Remap forest vegetation
Winchester	Daniel	R331608	11904 SW 12th Pl	Site visit	Site visit	4/8/2021	Reclassify vegetation. Convert from forest to shrubland.
Myers	Brett	R145692	10824 SW 57th Ave	Site visit	Site visit	4/8/2021	Remap forest vegetation
Rawlins	John	R647346	10494 SW 62nd Dr	Site visit	Site visit	4/8/2021	Remap forest vegetation
Chao	Lynne	R552389	3702 SW Sweetbriar	Site visit	Site visit	4/8/2021	Add stream to inventory
Yesser	Darren	R247792	4351 SW Terwilliger Blvd	Site visit	Site visit	4/15/2021	Remap forest vegetation
		R255544	7700 SE 119TH DR	None	GIS	4/21/2021	Remap forest vegetation, create break in forest canopy.
Koon	Craig	R326831	SW Spring St	Site visit	Site visit	4/22/2021	Add stream to inventory
Heltzel	Timothy	R291293	SW Sweetbriar Dr	Site visit	Site visit	4/22/2021	Confirmed stream mapping and verified that stream is still flowing 2 weeks after initial site visit.

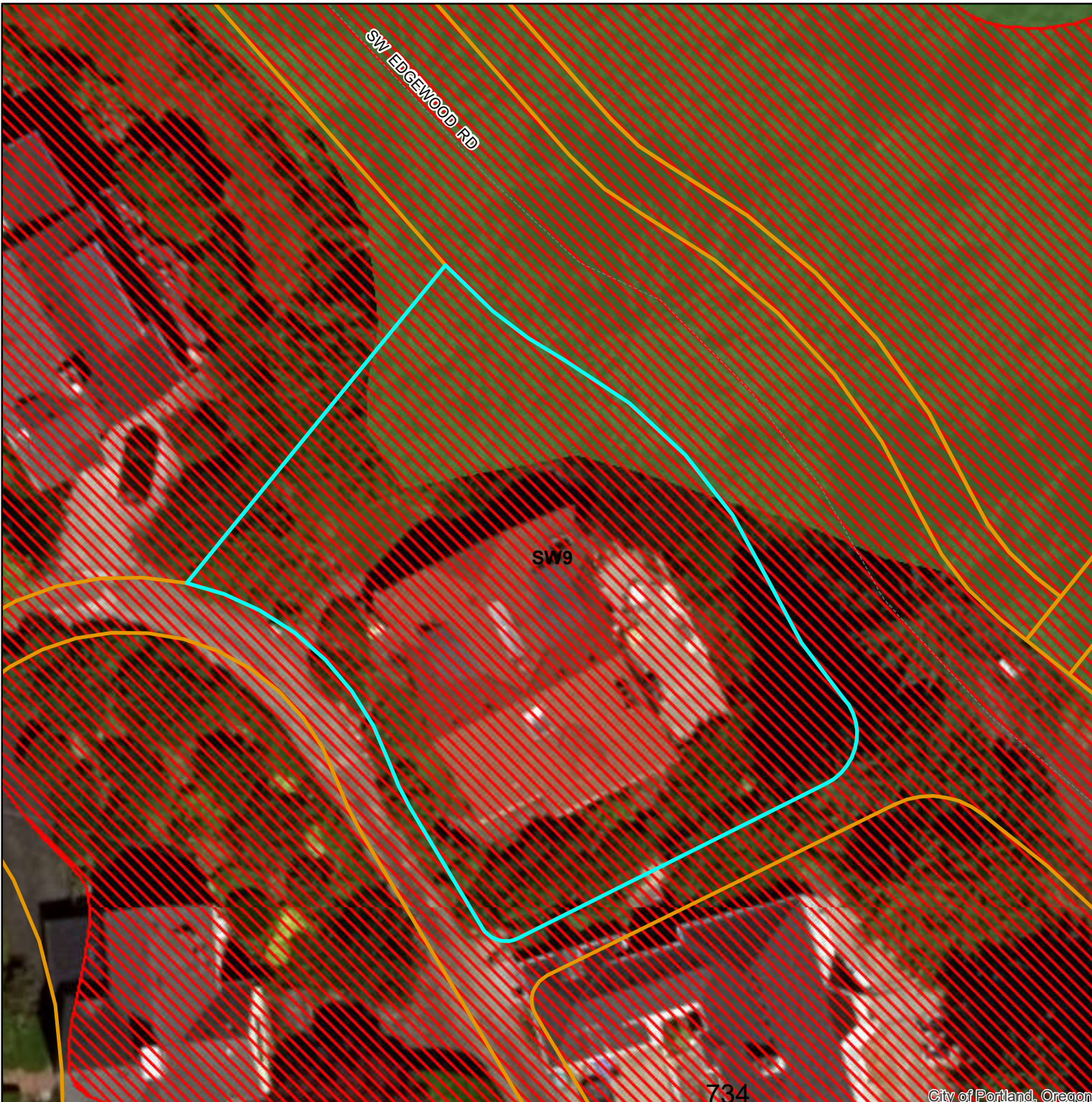










## Environmental Overlay Zone Map Correction Project

### Vegetation and Slope

1831 SW Edgewood



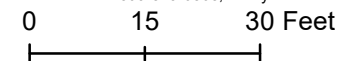
### Legend

-  taxlots
-  steep slopes (25% or more)
-  forest
-  woodland
-  shrubland
-  herbaceous

**DRAFT**

April 6, 2021

The information on the map was derived from digital databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland ensures meaningful access to city programs, services, and activities to comply with Civil Rights Title VI and ADA Title II laws and reasonably provides: translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids and services. To request these services, contact 503-823-7700, City TTY 503-823-6868, Relay Service: 711.





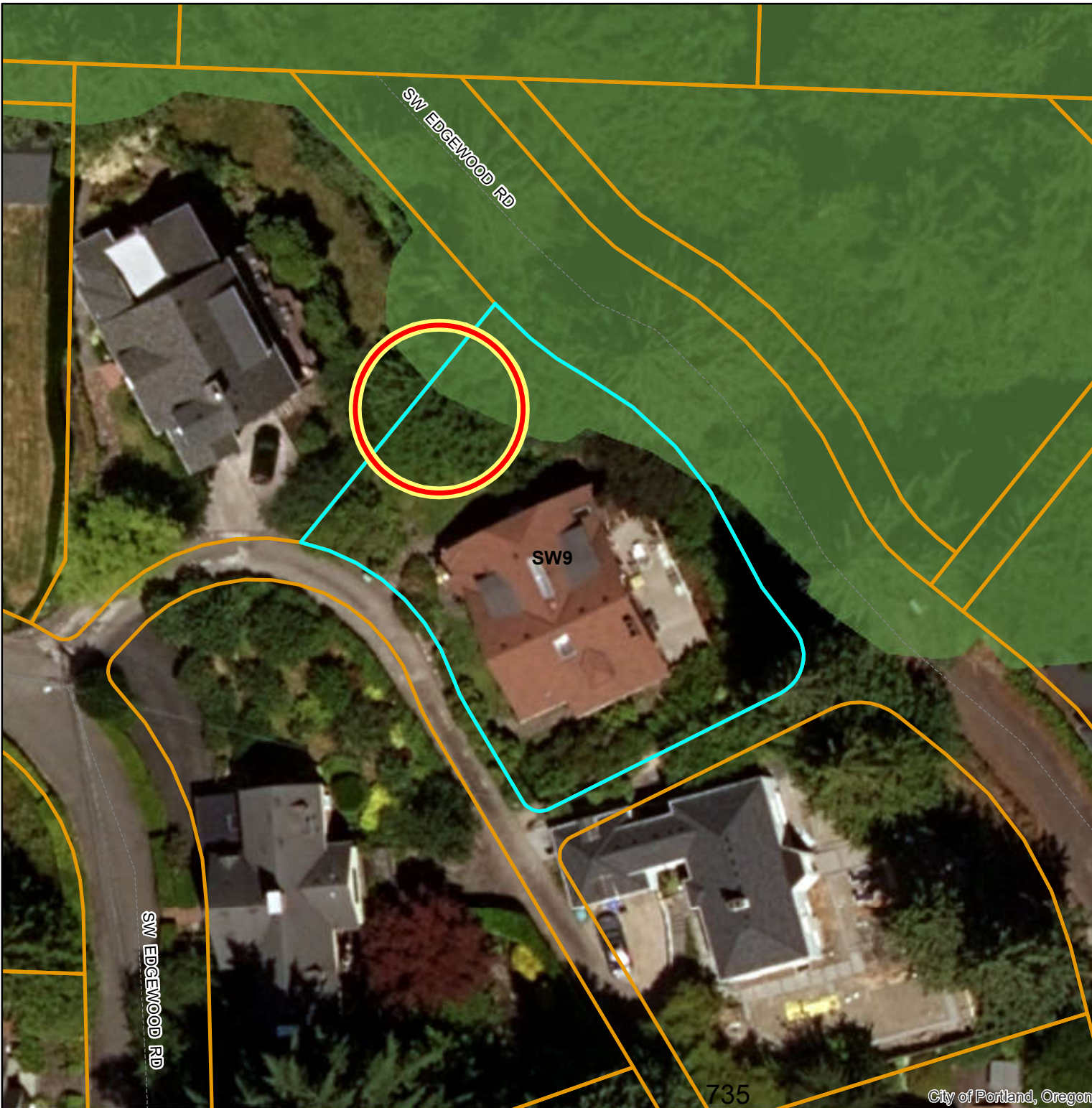


## Environmental Overlay Zone Map Correction Project

### Natural Resources - After

1831 SW Edgewood  
R269466

Remap edge of forest to better  
follow dripline of trees.



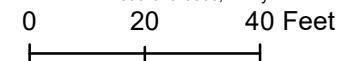
### Legend

-  taxlots
-  forest
-  woodland
-  shrubland
-  herbaceous

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## Environmental Overlay Zone Map Correction Project

### Vegetation and Slope

11904 SW 12TH PL

### Legend

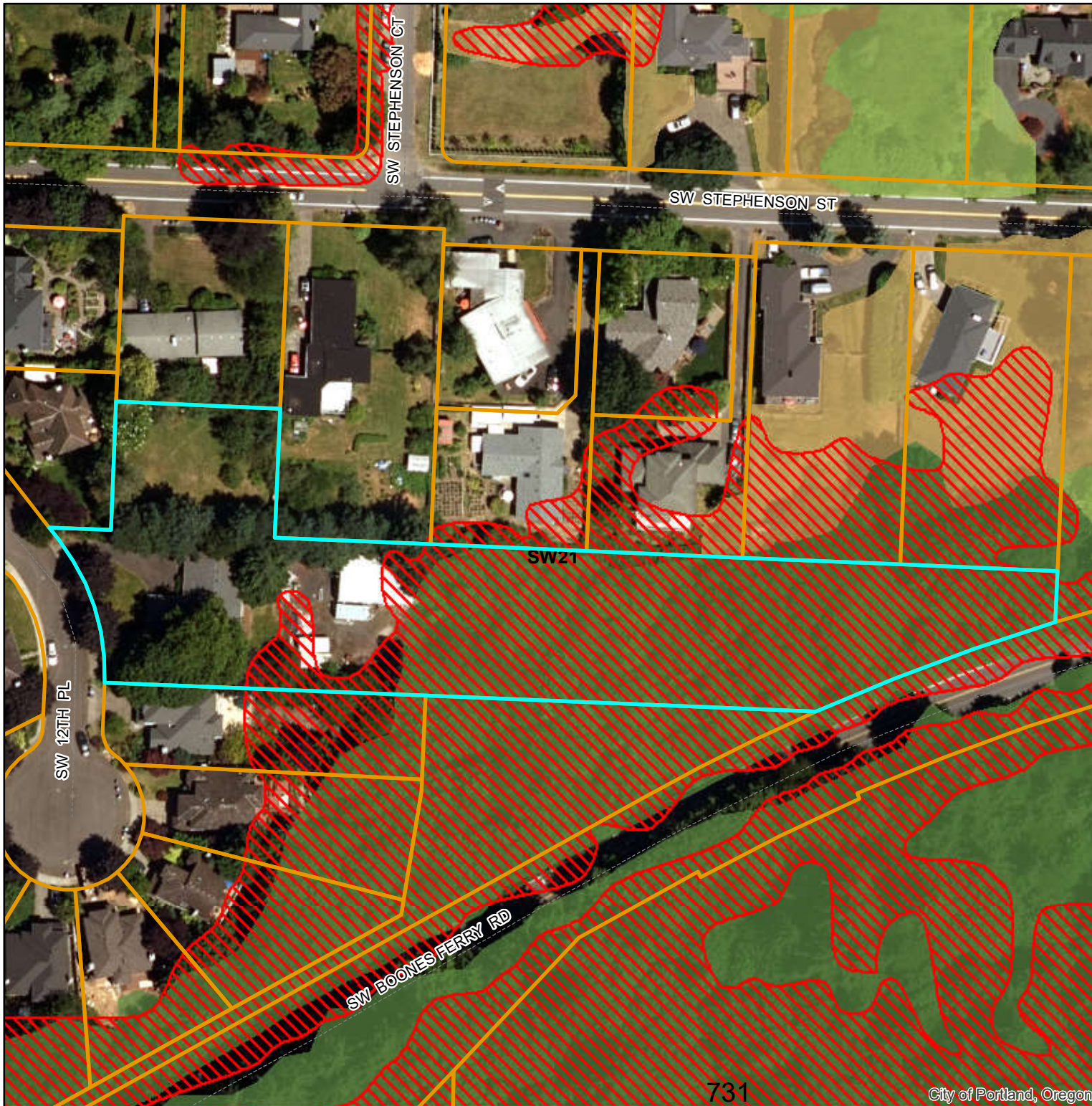
-  taxlots
-  steep slopes (25% or more)
-  forest
-  woodland
-  shrubland
-  herbaceous

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







## Environmental Overlay Zone Map Correction Project

Natural Resources - After  
11904 SW 12th PI  
R331608

Reclassify vegetation as  
shrubland.

### Legend

-  Wetlands
-  piped stream segment
-  open stream channel
-  building footprints
-  forest
-  woodland
-  shrubland
-  herbaceous
-  taxlots

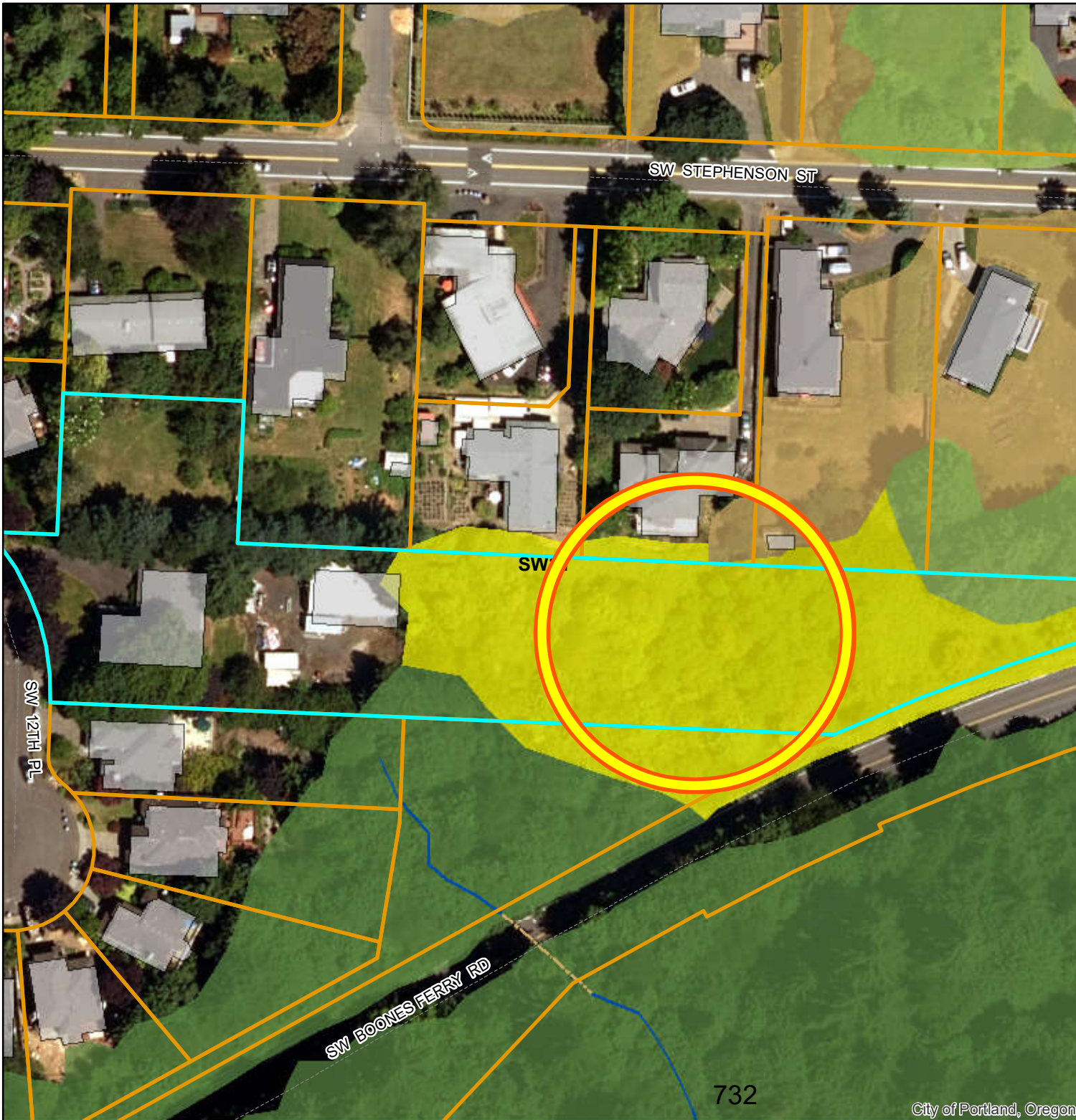
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April 9, 2021

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Feet













## Environmental Overlay Zone Map Correction Project

### Vegetation and Slope

10824 SW 57th Ave



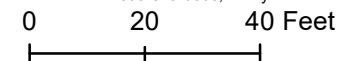
### Legend

-  taxlots
-  steep slopes (25% or more)
-  forest
-  woodland
-  shrubland
-  herbaceous

**DRAFT**

April 6, 2021

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







## Environmental Overlay Zone Map Correction Project

Natural Resources - After  
10824 SW 57th Ave  
R145692

Remap forest vegetation to  
follow the dripline of the forest  
canopy.

### Legend

-  Wetlands
-  piped stream segment
-  open stream channel
-  building footprints
-  forest
-  woodland
-  shrubland
-  herbaceous
-  taxlots

**DRAFT**

April 9, 2021

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Title VI and ADA Title II laws and reasonably provides: translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids and services. To request these services, contact 503-823-7700, City TTY 503-823-6868, Relay Service: 711.

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Feet













## Environmental Overlay Zone Map Correction Project

### Vegetation and Slope

10494 SW 62nd Dr

### Legend

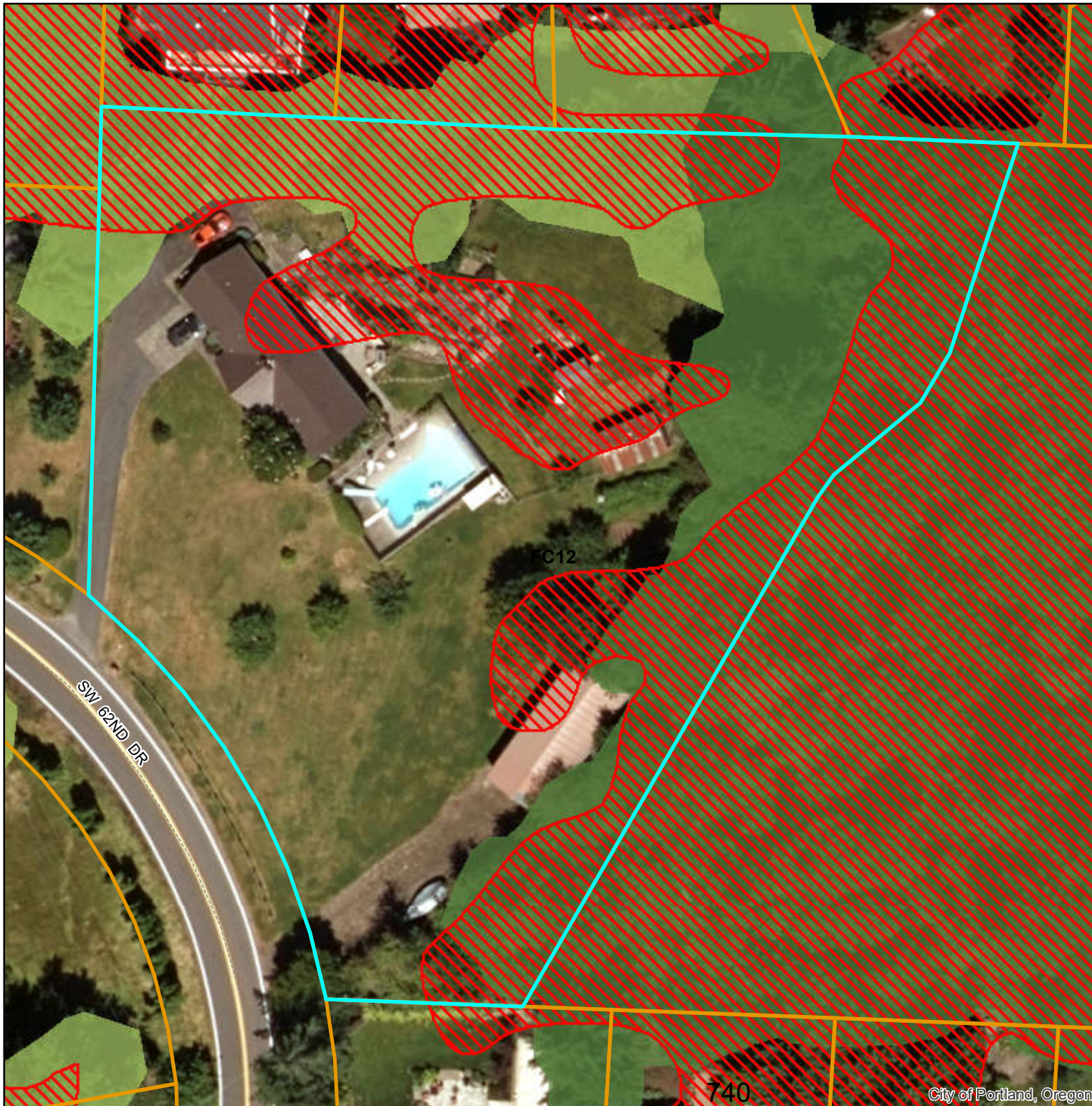
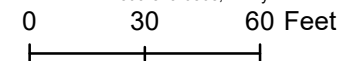
-  taxlots
-  steep slopes (25% or more)
-  forest
-  woodland
-  shrubland
-  herbaceous

Photo

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## Environmental Overlay Zone Map Correction Project

Natural Resources - After  
10494 SW 62nd Dr  
R647346

Remap forest vegetation to  
follow the dripline of the forest  
canopy.

### Legend

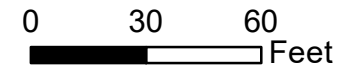
-  Wetlands
-  piped stream segment
-  open stream channel
-  forest
-  woodland
-  shrubland
-  herbaceous
-  taxlots

**DRAFT**

April 9, 2021

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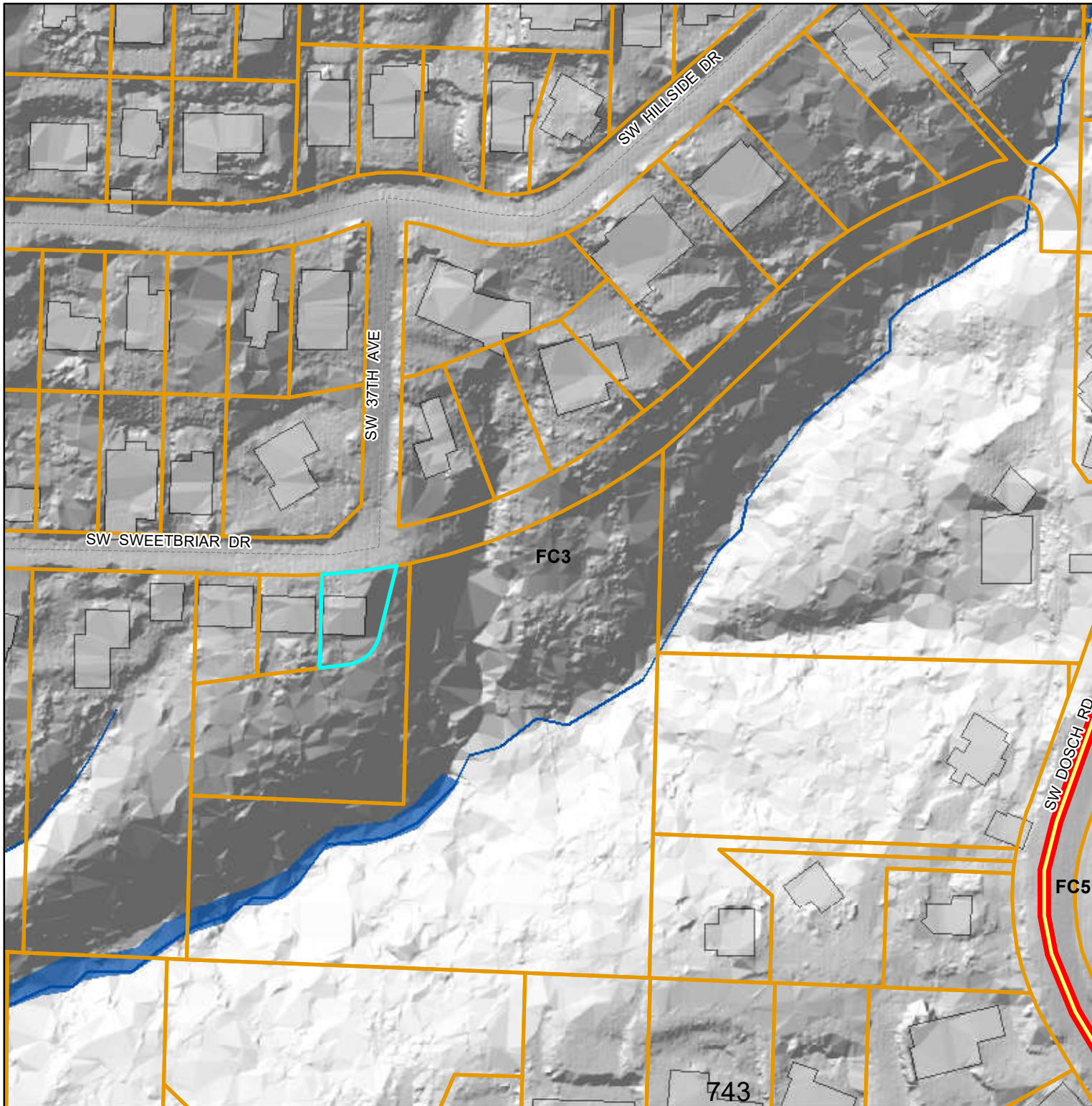




**Environmental Overlay Zone  
Map Correction Project**

**Water Features**

**3702 SW Sweetbriar**



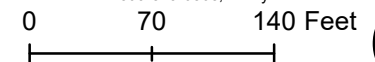
**Legend**

-  taxlots
-  piped stream segment
-  open stream channel
-  Wetlands
-  building footprints

**DRAFT**

April 6, 2021

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743










## Environmental Overlay Zone Map Correction Project

Natural Resources - After  
3702 SW Sweetbriar  
R552389

Add stream to inventory

### Legend

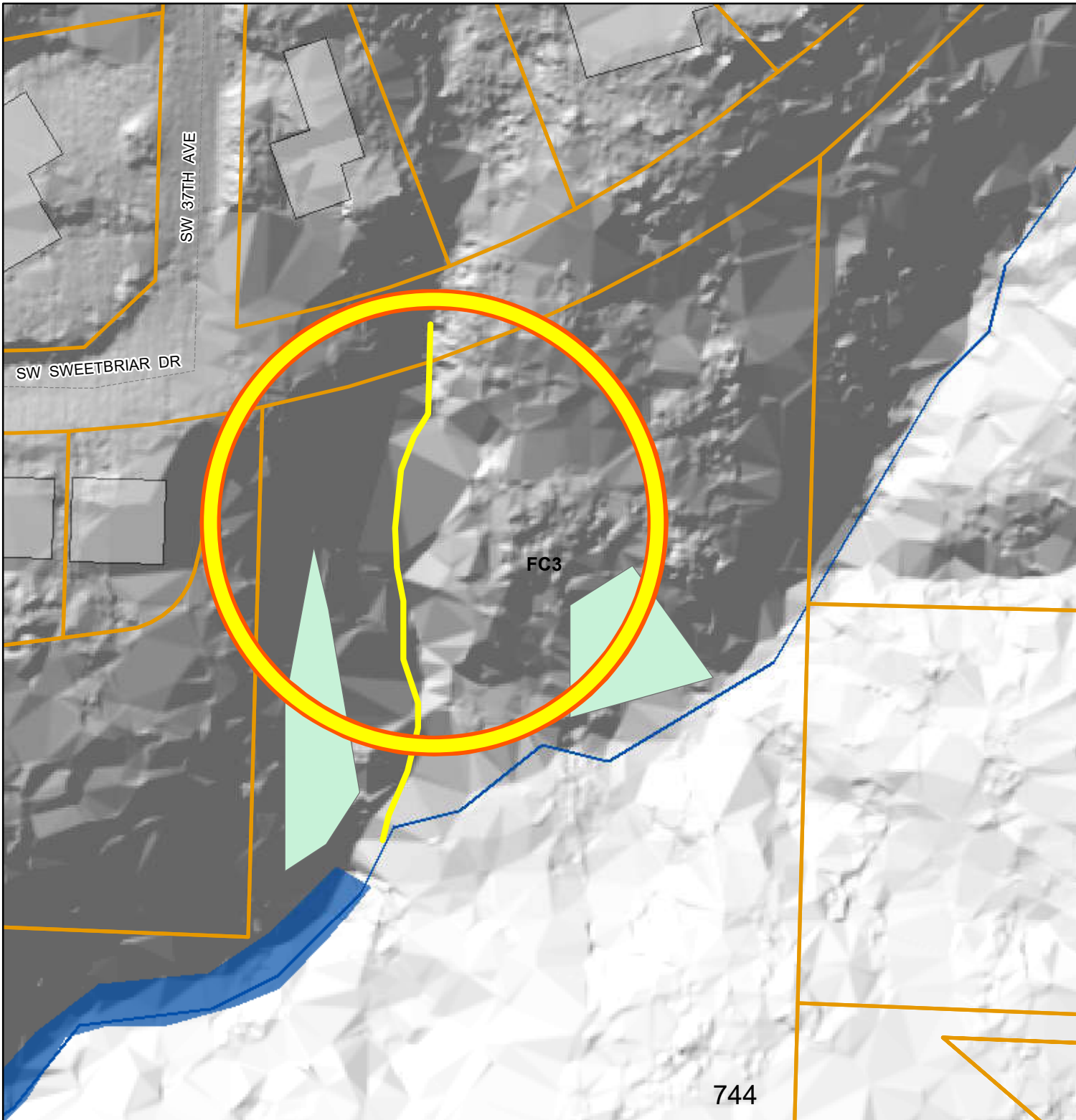
-  StreamEdit\_3702SWSweet
-  PossibleWetlandFeatures\_
-  Wetlands
-  piped stream segment
-  open stream channel
-  building footprints
-  taxlots

**DRAFT**

April 9, 2021

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0 30 60  
Feet







## Environmental Overlay Zone Map Correction Project

Natural Resources - Before  
4351 SW Terwilliger Blvd  
R247792

Explanation:

### Legend

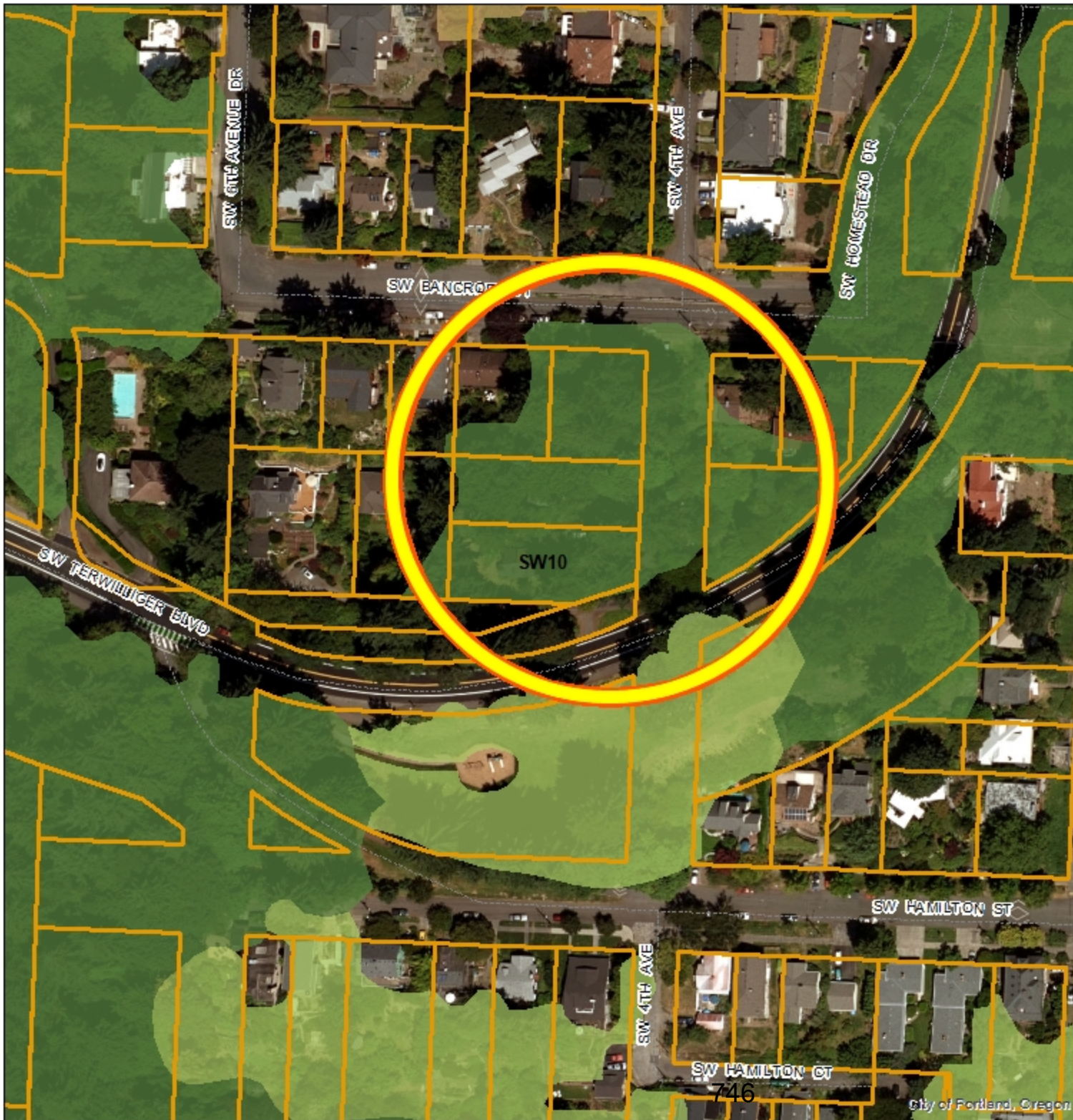
-  forest
-  woodland
-  shrubland
-  herbaceous
-  taxlots

**DRAFT**

April 15, 2021

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0 80 160  
Feet







## Environmental Overlay Zone Map Correction Project

Natural Resources - After  
4351 SW Terwilliger Blvd  
R247792

Explanation: Edit forest vegetation mapping to reflect break in forest canopy that was observed during site visit. All trees to the west of the break are separate and not part of the larger forest patch.

### Legend

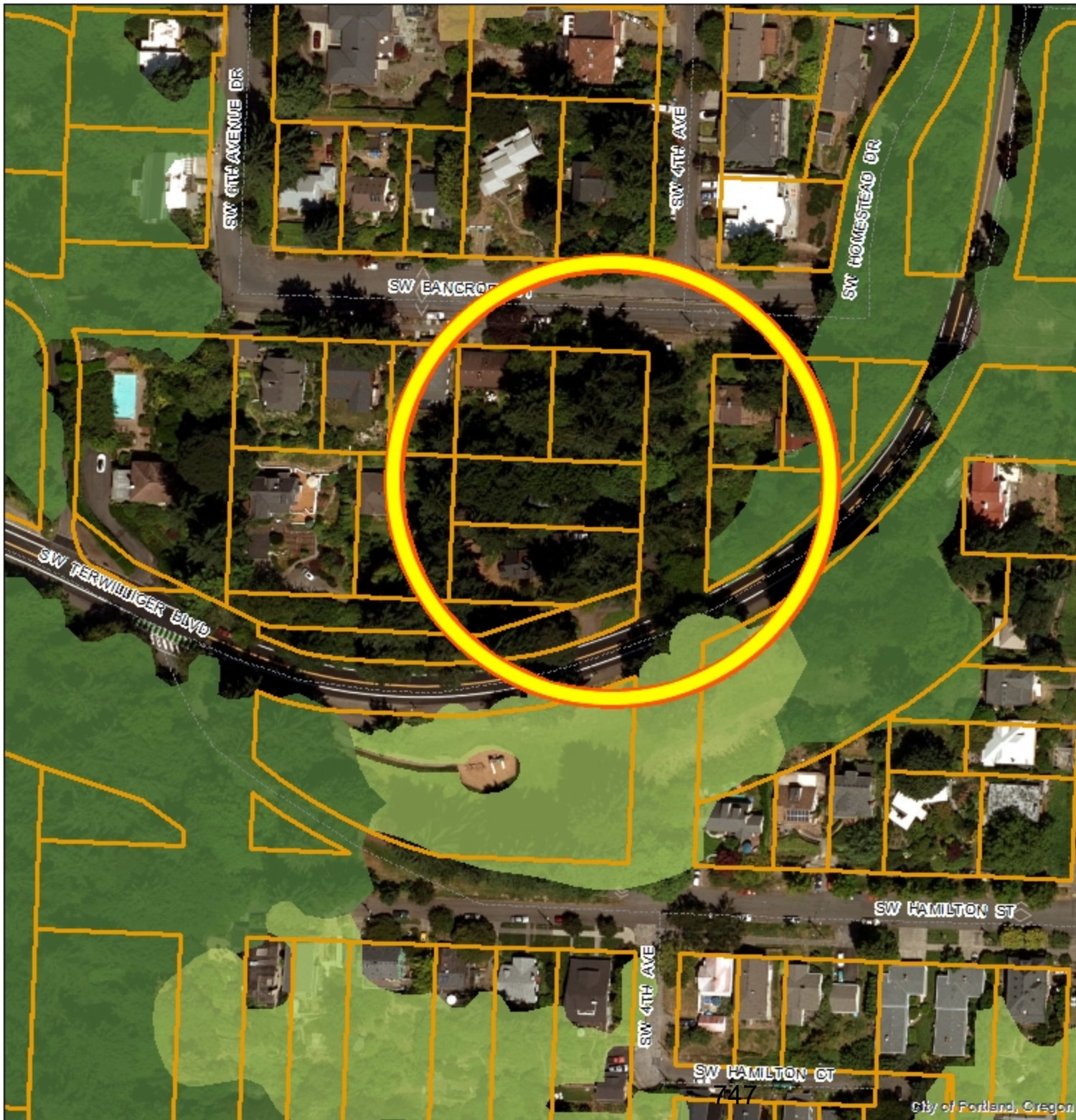
-  forest
-  woodland
-  shrubland
-  herbaceous
-  taxlots

**DRAFT**

April 15, 2021

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0 80 160  
Feet







## Environmental Overlay Zone Map Correction Project

### Ezones Before

7700 SE 119TH DR  
R255544

### Explanation:

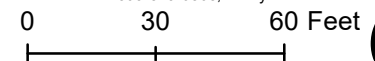
### Legend

-  taxlots
-  Draft C Zone
-  Draft P Zone
-  Draft S Zone

**DRAFT**

April 20, 2021

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## Environmental Overlay Zone Map Correction Project

### Natural Resources - After

7700 SE 119TH DR  
R255544

**Explanation: Delete forest designation from single line of trees and create a break in forest canopy. The break will cause a number of properties to the east to come out of the c zone.**

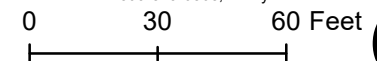
### Legend

-  taxlots
-  piped stream segment
-  open stream channel
-  Wetlands
-  building footprints
-  forest
-  woodland
-  shrubland
-  herbaceous

**DRAFT**

April 20, 2021

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









## Environmental Overlay Zone Map Correction Project

### Natural Resources - After

SW Spring St  
R326831

Explanation: Add stream to NRI

### Legend

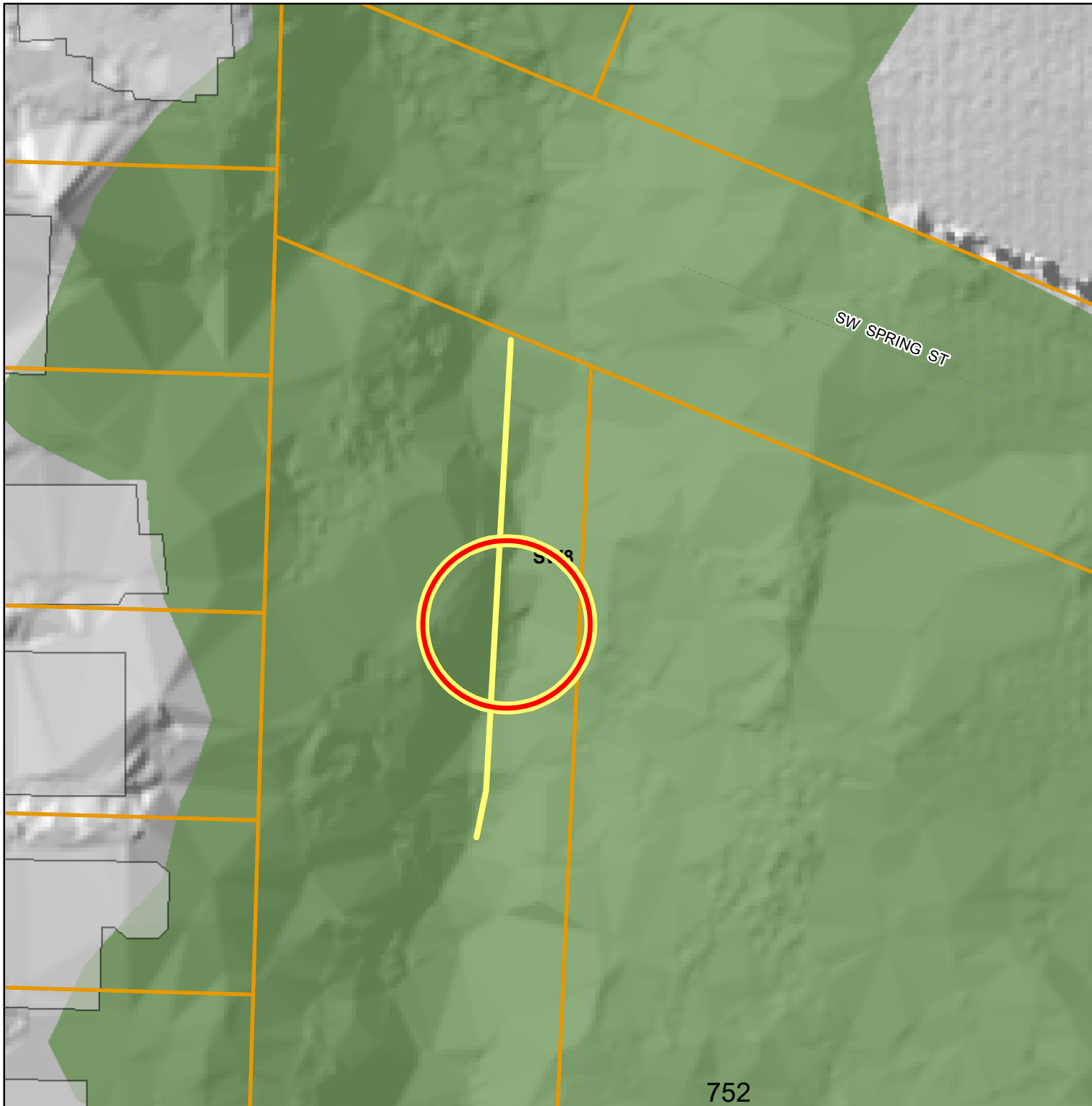
-  StreamEdit\_SWSpringSt
-  taxlots
-  piped stream segment
-  open stream channel
-  Wetlands
-  building footprints
-  forest
-  woodland
-  shrubland
-  herbaceous

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0 20 40 Feet





**Attachment C: Wildfire and Vegetation Management****May 4, 2021**

On April 13, 2021, PSC discussed this amendment. There was general support for the addition of fire breaks to the zoning code exemption. It was suggested that the allowed trail width be increased from 30 inches to 36 inches to be ADA compliant. The code amendment on page C-2 includes the increased trail width.

Issue: Vegetation management to reduce the risk of wildfire is addressed in Title 11 and Title 33; however, some testimony requested changes to the allowances for additional tree removal.

Staff Recommendation: Amend the commentary in 33.430.080.C.7.a(3) and 8 to clarify the exemptions for tree removal and pruning. Commentary will be adopted as legislative intent. And amend 33.430.080.D.9. to allow the exemption to apply to creating fire breaks between vegetation.

Summary: Staff prepared memos to PSC on August 25, 2020 (Topic F) and January 29, 2021 (Topic B) that provided a description of the concerns raised in the testimony and responses from staff.

BPS has collaborated with Portland Fire and Rescue (PF&R) over many years to make sure the city's codes allow for appropriate vegetation management to reduce the risk of wildfire. Overall, the existing exemptions of 33.430.080.C.7 and 8 are consistent with the recommendations of PF&R:

- Removal of any trees within 10 feet of buildings and structures; or removal of any trees that are certified by an arborist as dead, dying and dangerous (tree replacement is required)
- Pruning any trees and shrubs within 10 feet of buildings and structures
- Pruning in accordance with Title 11
  - Pruning coniferous trees within 30 feet of structures if within a wildfire hazard zone
  - Pruning to abate an immediate danger
- Removal of invasive plants and planting of native plants anywhere in the overlay zone (areas of bare soil must be replanted to prevent erosion)

A handout was produced by BPS, BDS, PF&R and Urban Forestry that explains the existing regulations and what types of vegetation management is allowed per the regulations. The handout was included in the January 29, 2021 memo to PSC. Because this handout was an explanation of existing regulations, there was no "compromise" between bureaus, as was suggested in testimony.

Testimony received on February 23, 2021 requested that the Title 11 allowance for tree pruning in a Wildfire Hazard Zone be expanded to include all trees, not just coniferous, and extended to 100 feet from structures. These requests have been forwarded to Urban Forestry to be considered in the upcoming update to the Title 11, Tree code.

Working collaboratively with PF&R, BDS and Parks, staff are recommending an amendment to the existing exemption, 33.430.080.D.10, which allows non-paved trails the ezones as long as no trees greater than 6 inches are removed and the trail is at least 15 feet from water bodies. Staff recommend extending this existing exemption to allow fire breaks in additional to trails. PSC commissioners also recommend increasing the allowed trail width from 30 inches to 36 inches to meet federal ADA trail standards. To maintain consistency in the code, staff recommended also increasing the allowed trail width in 33.475.405.V, exemptions from the river environmental overlay zone. PF&R supports these amendments.



**33.430.080 Items Exemption From These Regulations**

The following items, unless prohibited by Section 33.430.090, below, are exempt from the regulations of this chapter. Other City regulations such as Title 10, Erosion Control, and Title 11, Trees, must still be met. When no development or other activities are proposed that are subject to the development standards or review requirements of this chapter, tree removal or pruning allowed under the exemptions below is subject to the tree permit requirements of Title 11, Trees.

D. The following new development and improvements:

10. Trails and fire breaks meeting all of the following:

- a. ~~The trails or fire breaks~~ must be confined to a single ownership or be within a public trail easement;
- b. ~~Trail widths~~ must not exceed ~~30~~36 inches, ~~For trails,~~ stair width must not exceed 50 inches, and trail grade must not exceed 20 percent except for the portion of the trail containing stairs;
- c. Plant trimming must not exceed a height of 8 feet and a width of 6 feet as shown in Figure 430-2;
- d. No native trees 6 or more inches in diameter and no native shrubs larger than 5 feet tall may be removed;
- e. ~~The trails or fire breaks~~ must not be paved; and
- f. ~~The trails or fire breaks~~ must be at least 15 feet from the top of bank of all water bodies.

**33.475.405 Items Exempt From These Regulations**

The following items are exempt from the River Environmental overlay zone regulations:

V. Trails meeting all of the following:

1. [No change]
2. Trail width does not exceed ~~30~~36 inches, stair or ramp width does not exceed 50 inches, and trail grade does not exceed 20 percent except for the portion of the trail containing stairs;
- 3.-6. [No change]