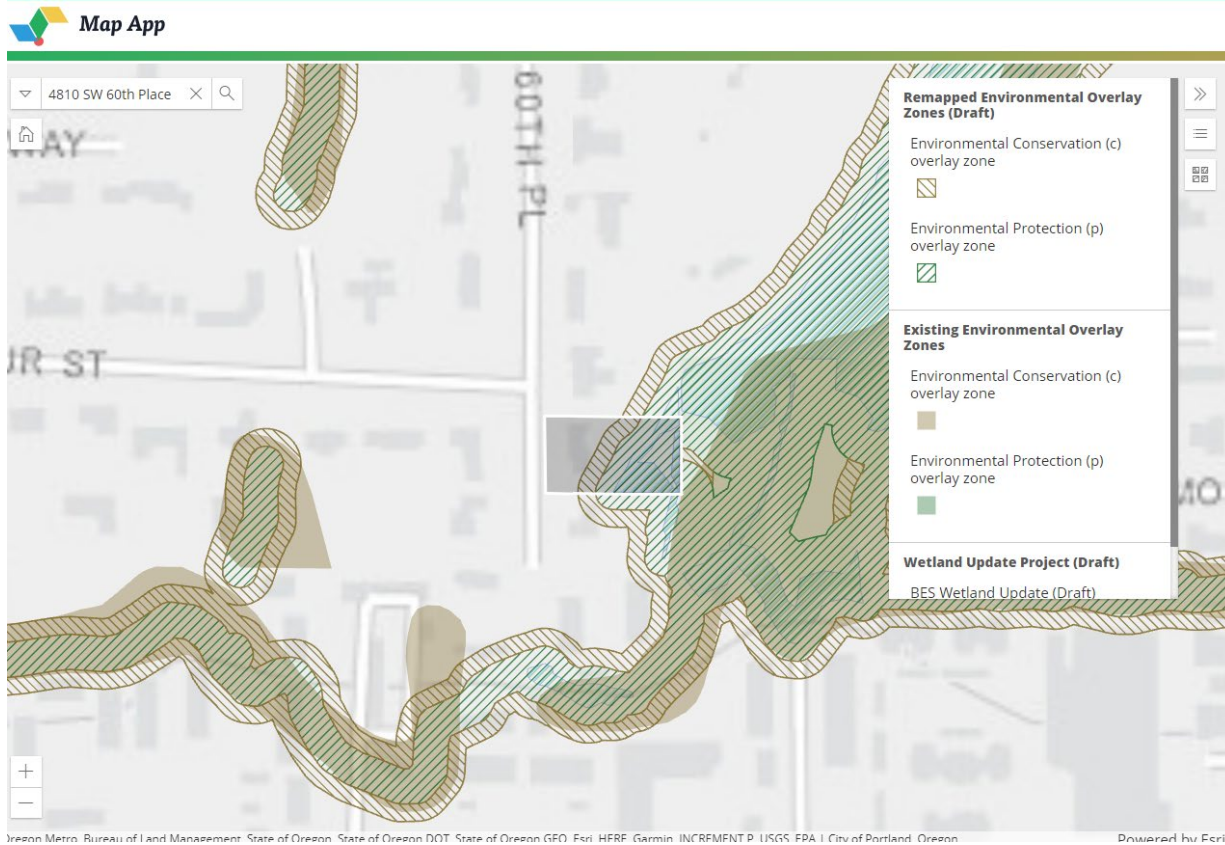


G.1 – 4810 SW 60th Place



Testifier: Kenneth McGhehey

Property Owner: Kenneth McGhehey

Site Visit: No

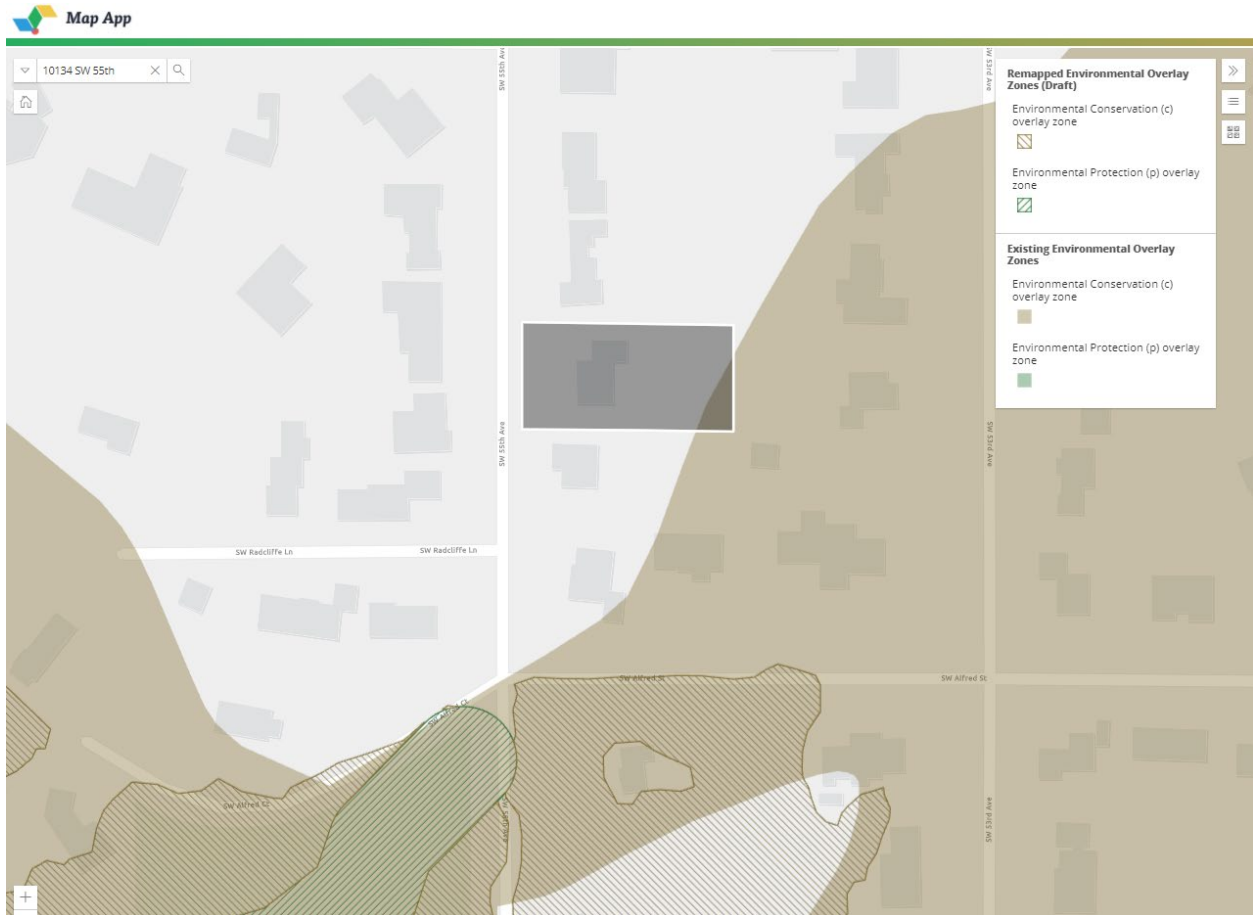
Wetland Determination: The property owner contacted staff and requested wetland a determination in 2021, but project staff did not receive a signed 'permission of access' form. Consultants from SWCA Environmental will only visit sites for which they have received a signed copy of a permission form. A free wetland determination will be offered to verify wetland mapping in 2022. Project staff have contact information for the property owner and will communicate directly with the property owner and all who have requested 2022 wetland determinations to ensure that wetland mapping on their sites is verified.

Description: The lot is 21,450 in size, with an existing 3,015 sq ft structure. The base zone is R10, and the site is potentially dividable into two lots. There is a wetland located on the site. The protection policy is to apply a 'p' zone to the wetland and land within 25 feet and a 'c' zone to land between 25 and 50 feet of the wetland. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met.

Testimony: The application of ezones on the site reduces the property value. Testimony ID 329898

Staff Response: The presence of a wetland and subsequent application of a 'p' zone will reduce the area that could be developed on this lot in the future. This could potentially prevent the lot from being divided and developed further. However, wetlands are a critical water storage and conveyance feature that are necessary for protection of public safety and state law allows protection of these for public health and safety reasons. The wetland is part of a larger complex and would also be regulated by the state if additional development was proposed on the site, even if ezones were not applied.

G.2 – 10134 SW 55th Avenue



Testifier: Kathy Staat McGowen

Property Owner: Kathy Staat McGowen

Site Visit: Not requested

Description: The site is 0.46 acres in size (approximately 19,870 sq ft), with an existing 2,326 sq ft structure. The base zone is R10. The lot is potentially dividable into two buildable lots. Under current zoning, there is a 'c' zone that intersects with the rear corner of the lot. The protection policy is to apply a 'p' zone to streams and wetlands and land within 50 feet of streams and 25 feet of wetlands and to apply a 'c' zone to forest vegetation contiguous to but more than 50 feet from the top of bank of streams. There is a mapped forest patch that intersects with this site, but the forest vegetation is not contiguous to any streams or wetlands. Therefore, the proposal is to not apply any ezones to the site.

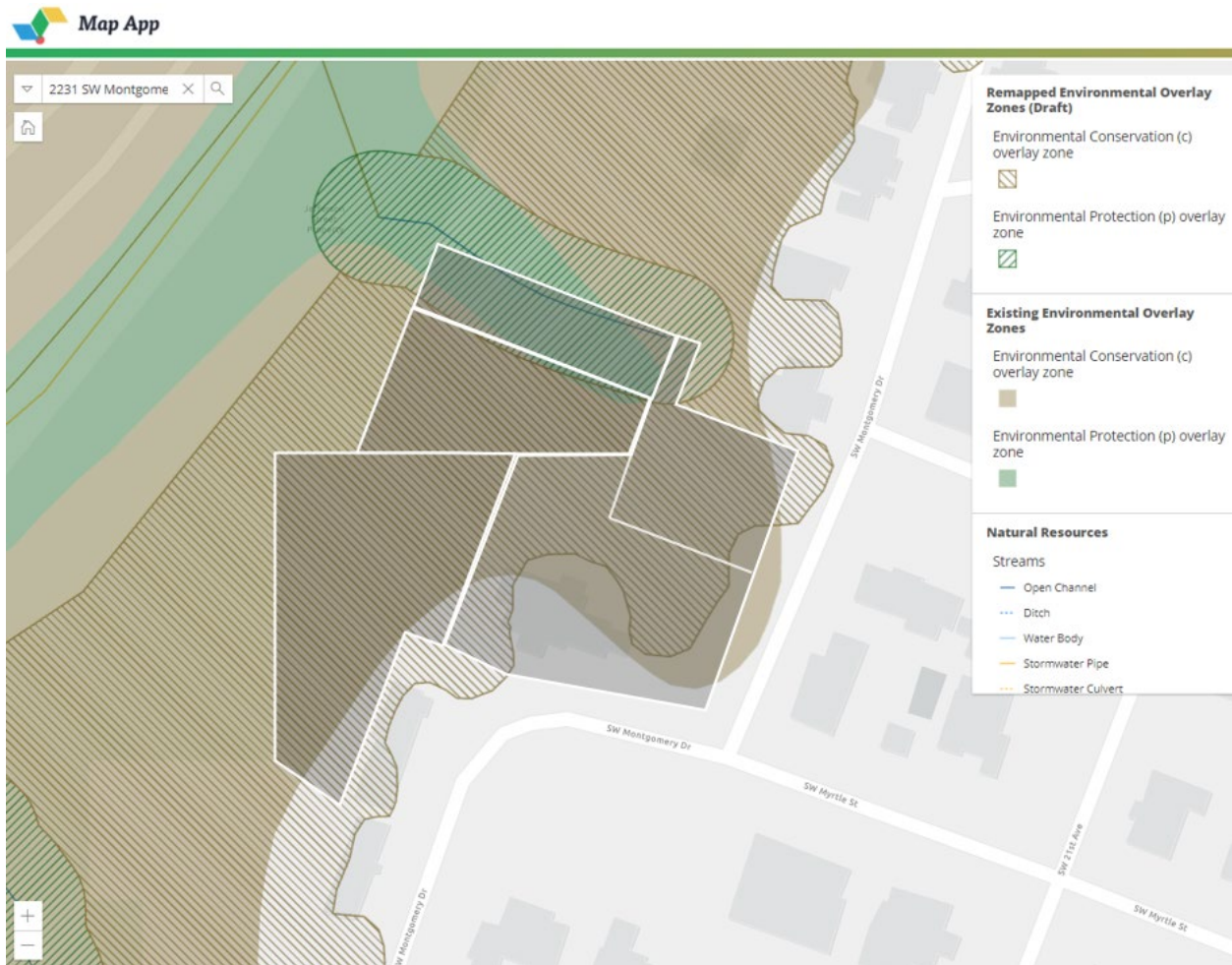
There is, however, a topographic feature near the eastern edge of the site that could potentially be determined to be a drainageway by BES (this has not been confirmed in the field). BES regulations could restrict new development within 15 feet of the drainageway, if present. These

constraints, which are independent and unrelated to ezones, could limit the scope or location of new development on the site.

Testimony: Property owner would like the 'c' zone removed from her property. Testimony ID 329899

Staff Response: The existing 'c' zone is proposed to be removed from this property. The existing ezones would not prevent this lot from being divided and developed further. The proposed change to the ezones likely would not have any impact on divisibility or future development on the site.

G.3 – 2231 SW Montgomery Drive



Testifier: John Rabkin

Property Owner: John Rabkin

Site Visit: September 2, 2021

Description: The site is 0.35 acres (15,246sq ft) in size, with an existing 6,262 sq ft structure. The base zone is R10. The lot is not dividable. The protection policy is to apply a 'c' zone to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams. The conservation zone is being remapped on the site to follow the edge of the forest canopy. The proposed changes to the 'c' zone would not result in a significant increase in the amount of lot that is covered by ezones. The property owner also owns 4 additional vacant lots that are contiguous to the existing, developed lot.

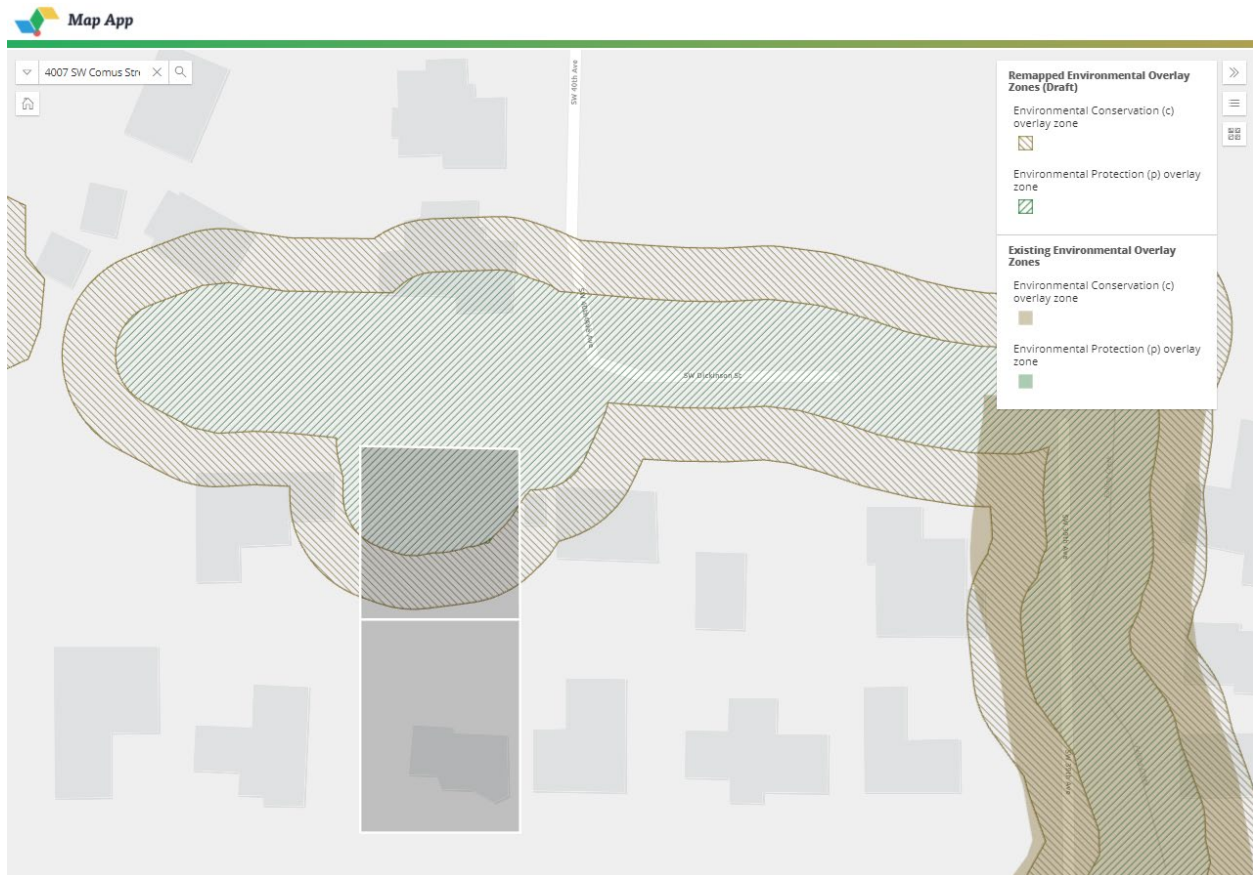
Testimony: The property owner does not agree with 'c' zone being present over the existing lawn, walkways and retaining walls on this lot. Testimony ID 329900

Staff Response: The location of the 'c' zone is based on forest canopy mapping. Because the mapping methodology adopted in 2012 in the Natural Resources Inventory uses tree canopy, it does not matter what is under canopy. The reason why the canopy is used is because it is a proxy for the root zone, which if impacted by development could hurt or kill the tree, and because the canopy is providing a number of important functions like attenuating rainfall, reducing the risk of landslides and erosions, cooling the air and reducing heat island effect, and providing habitat.

There are exemptions in the code that applies to the ezones that allow for the continued use, maintenance and replacement of existing development, such as buildings, structures and lawns. Expansion of buildings or disturbed areas on the lot would be allowed without restriction on portions of the lot that are outside of the ezones or in the transition area (with mitigation). Within the resource area of the ezones, new disturbance area or building expansion would either have to meet standards and be mitigated or be subject to environmental review.

Project staff conducted a site visit with the property owner on September 2, 2021. They reviewed the natural resource mapping on the developed lot and 4 contiguous lots that are under the same ownership. Staff confirmed that the forest canopy was mapped correctly, though some of the mapped forest does encompass portions of the understory that are landscaped, as well as existing retaining walls and other structures. While onsite, staff also reviewed the water feature mapping on the site. Staff found that a stream that was mapped on one of the undeveloped lots does not actually exist. The stream will be deleted from the NRI. Three of the five lots have no access to the right of way and are located on extremely steep slopes. The vacant lots likely could not be developed as currently configured. But a lot line adjustment could allow for the lots to be reconfigured to allow several houses to be built on portions of the lot that is currently developed and on portions of one of the vacant lots that is reasonably flat, and which has direct access to the right of way.

G.4 – 4007 SW Comus Street



Testifier: Dave Salholm

Property Owner: Dave Glenn Salholm Liv Tr and Mary B

Site Visit: No

Wetland Determination: SWCA Environmental visited the site in 2021 and updated the wetland mapping.

Description: The site consists of two lots, one of which is 7,500 sq ft, and which is already developed, and the other is 6000 sq ft and is undeveloped. The developed lot contains a 1,082 sq ft structure. The base zone is R7. There is a stream located to the north of the site and a wetland is located on the undeveloped lot, the mapping of which was verified through a wetland determination. The protection policy is to apply a 'p' zone to the stream and wetland and land within 25 feet and a 'c' zone to land between 25 and 50 feet of the stream or wetland.

Testimony: Property owner requests reduction of the environmental zone on his property or compensation for loss of use and devaluation. Testimony ID 329901

Staff Response: There is a wetland mapped on the northern half of the undeveloped lot. Impacts from new development should be avoided in the area that is immediately adjacent to

wetlands. Wetlands are also regulated at the state and federal level, and development on portions of this lot could potentially be restricted by the state, even without the ezones.

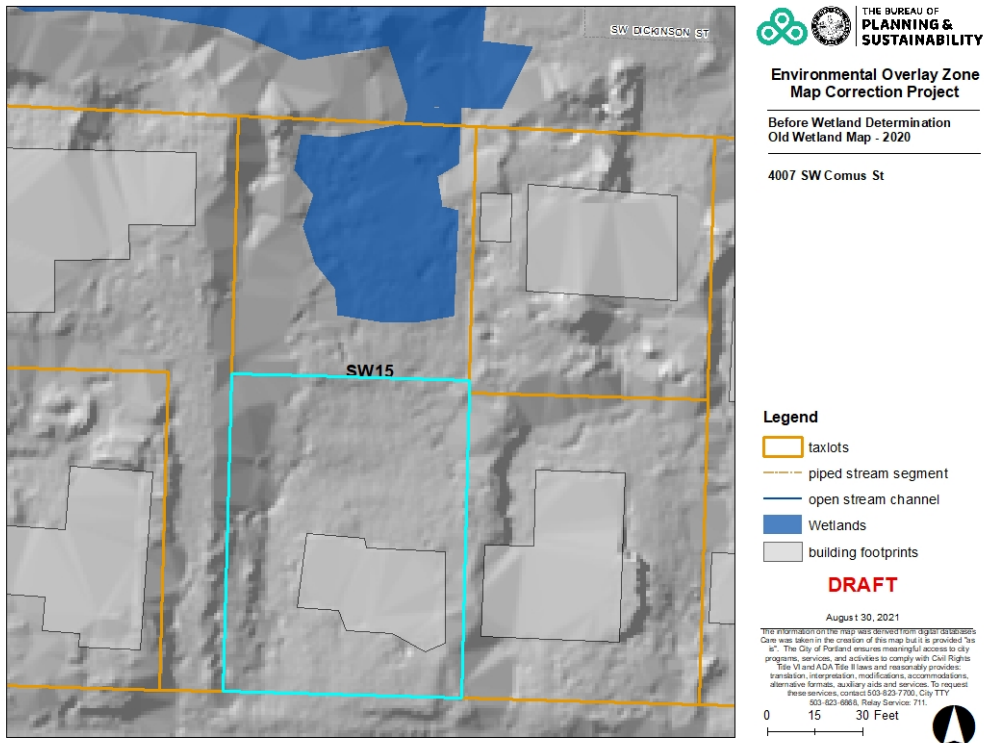
The southern lot is already at maximum density, but the proposed 'p' zone would severely constrain development on the north lot and potentially render it unbuildable in its current configuration. As configured, site access would have to come from SW Dickenson St and cross the wetland, and there is little lot area outside of the resource area of the 'p' zone.

It might be possible to reconfigure these lots to provide space to develop north lot (see maps at end of document). Vehicle access could be provided to the undeveloped lot from SW Comus St by providing an access easement across the developed lot. Such a reconfiguration would either have to meet the standards that apply in the Ezone Code (Chapter 33.430), the Land Division Code (Chapter 33.610) and the Property Line Adjustment Code (Chapter 33.667). If the standards could not be met, a land use review would be required on the site. It is probable that modifications to standards would need to be requested through the Environmental Review Process.

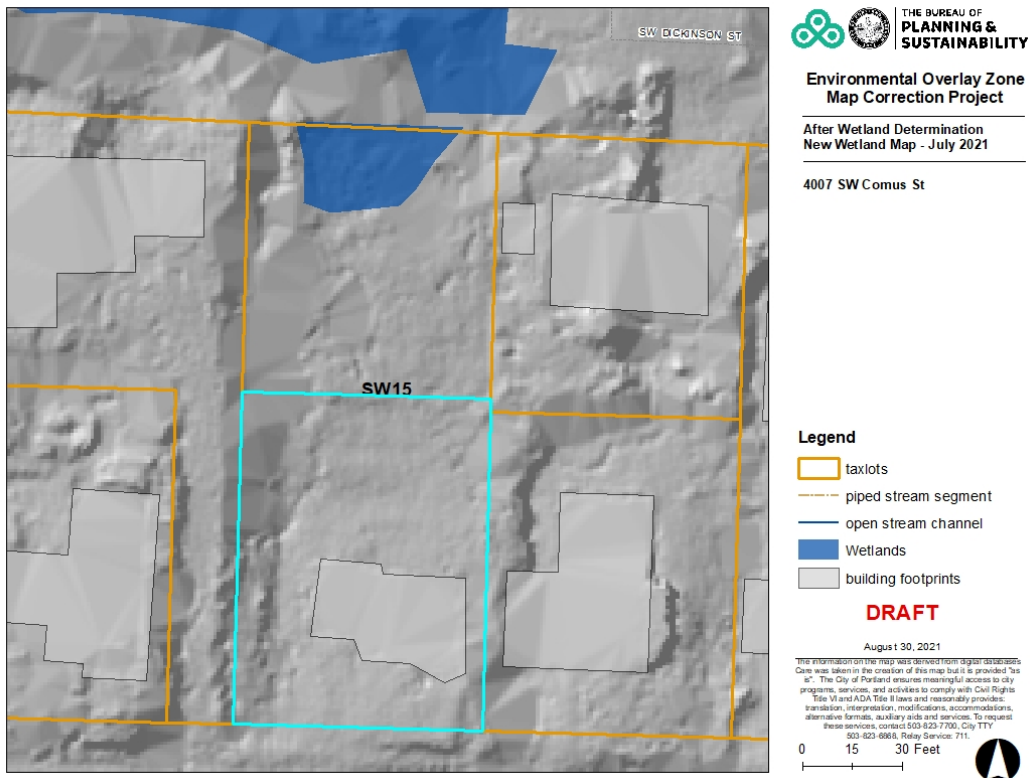
If these lots were reconfigured and developed as described above, the lots could still be developed at the maximum allowed density, but the houses would be closer together and the yards would be smaller than they would be if the lots were developed as they are currently configured and if no ezones or wetlands were located on the lots. The lots are in the 'z' overlay, so they are already excluded from the provisions of the residential infill plan that would otherwise allow for multiple ADUs on R7 lots.

Because the north lot fronts on an unbuilt section of the SW Dickinson St right-of-way, it is possible that a land division, lot line adjustment, or development of the north lot could trigger Title 17 street frontage and right-of-way improvement requirements that are administered by the Bureau of Transportation. New street construction in an ezone would either have to meet the ezone standard or be subject to Environmental Review. Any proposal would also have to address water, sewer, stormwater and other utilities.

Wetland Mapping in January 2021 – Before wetland determination



Wetland Mapping in July 2021 – After wetland determination



Proposed Ezone Mapping Before Wetland Determination



Environmental Overlay Zone Map Correction Project

Before Wetland Determination
Proposed Ezones - January 2021

4007 SW Comus St

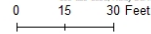
Legend

- taxlots
- Transition Area
- Draft C Zone
- Draft P Zone

DRAFT

August 30, 2021

The information on this 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.



Proposed Ezone Mapping After Wetland Determination



Environmental Overlay Zone Map Correction Project

After Wetland Determination
Proposed Ezones - July 2021

4007 SW Comus St

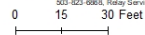
Legend

- taxlots
- Transition Area
- Draft C Zone
- Draft P Zone

DRAFT

August 30, 2021

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**Environmental Overlay Zone
 Map Correction Project**

After Wetland Determination
 Proposed E-zones - July 2021

4007 SW Cornus St



Lot could be developed if the lot line was adjusted to shrink the developed lot and increase the size of the vacant lot. This would allow for a building site that partially extended into the transition area of the ezones. This likely would not be able to meet standards in the ezone code and would only be possible through the Environmental Review process.

Legend

-  taxilots
-  Transition Area
-  Draft C Zone
-  Draft P Zone

DRAFT

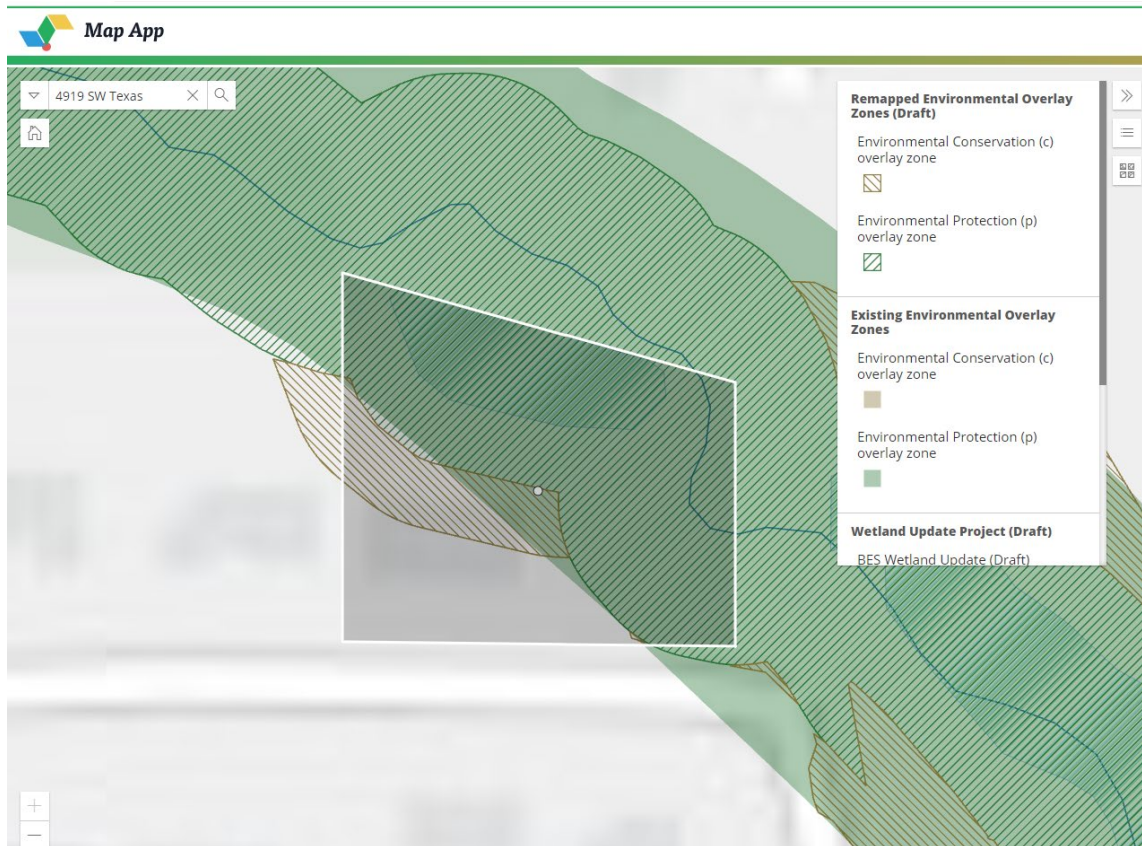
August 30, 2021

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0 15 30 Feet



G.5 – 4919 SW Texas Street



Testifier: David Youmans

Property Owner: David N Youmans Tr and Dana K Via

Site Visit: No

Wetland Determination: Property owner has requested a 2022 wetland determination

Description: The site is 0.39 acres (16,873 sq ft) in size, with an existing 3,422 sq ft structure. The base zone is R7, and the land division standards would allow this lot to be divided into two lots. There is a wetland and a stream located on the site. The protection policy is to apply a 'p' zone to the wetland and land within 25 feet, a 'p' zone to streams and land within 50 feet, and a 'c' zone to land between 25 and 50 feet of the wetland. Existing ezones cover 12,300 sq ft of the lot and the proposed ezones cover 14,000 sq ft of the lot. The expansion is entirely due to wetland mapping. If field verification resulted in the deletion of the wetland from the inventory, the proposed ezones would be reduced to cover less of the site than the existing ezones do. The outer 25 feet at the edge of the ezones is transition area and can be further developed if the standards of 33.430.140 are met. Standards that require setbacks from streams and wetlands would likely preclude any expansion of development footprint in the resource area of the ezones on this site.

Testimony: The property owner contends that because a wetland determination on nearby lots resulted in modifications to wetland mapping on those lots, the wetlands that are mapped on his lot should be removed from the inventory. Testimony ID 329902

Staff Response: All existing development, including buildings, structures, paved areas, and landscaped areas that are permitted and legal or that predate the ezones are vested and are categorically exempt from the ezones. They can be maintained, repaired and/or replaced within their existing footprint without any restrictions from the code that applies to the ezones

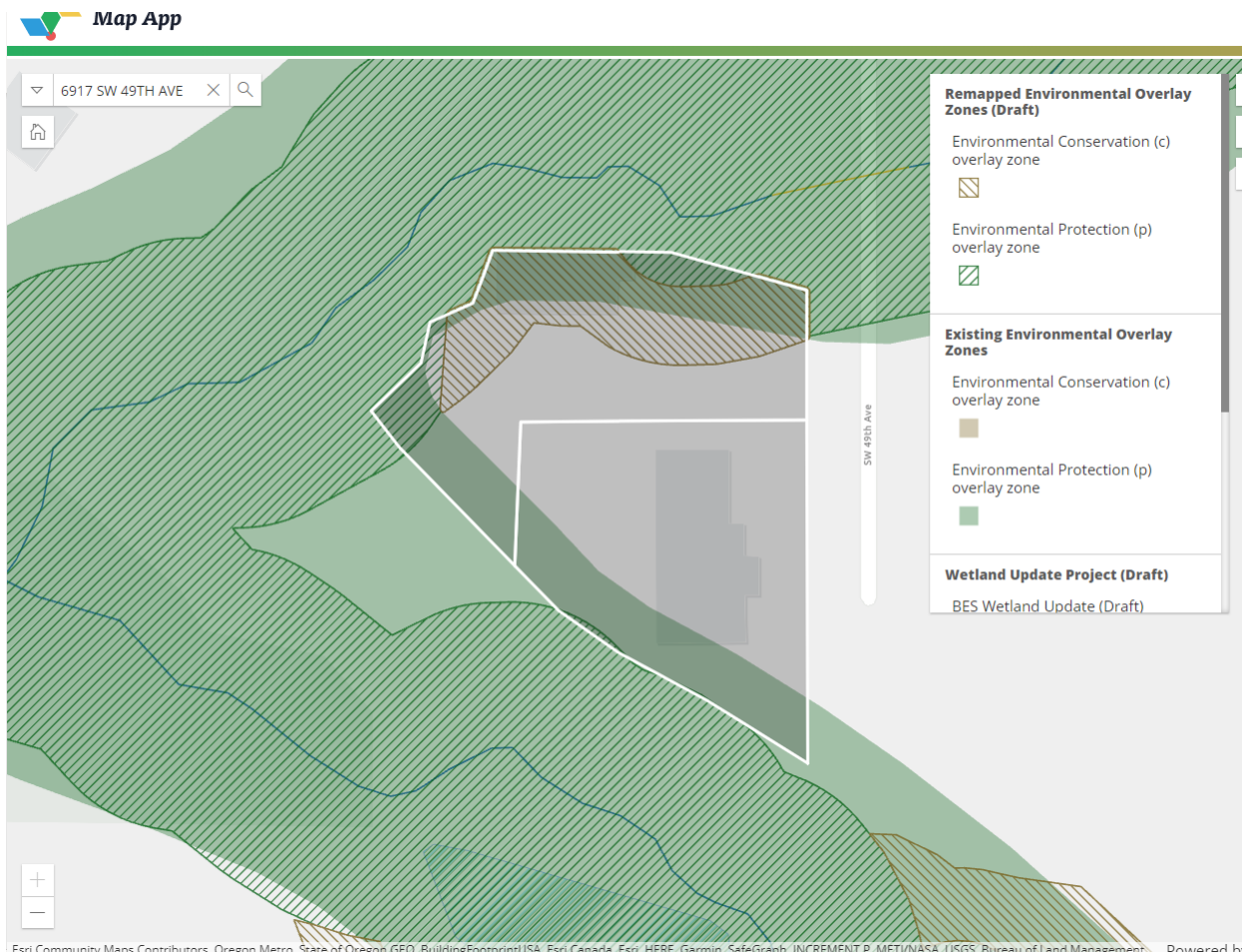
Remote detection methodology suggests that there are potential wetlands on this site. While a wetland determination was conducted by SWCA Environmental on adjacent lots in 2021, the scope of the work that was conducted by their staff did not include this lot. Field staff were working in a location where they could have viewed this lot, but they never walked onto this lot, they never formally characterized the vegetation on this lot, nor did they dig test pits on this lot.

Staff from the BES Wetland Inventory Project have confirmed that a combination of USGS soil data, aerial imagery and Lidar terrain mapping were used as remote indicators to identify a possible wetland on this site. The use of these data sources is consistent with USACE methodology and Oregon DSL Local Wetland Inventory methodology for remote identification of wetlands. All remotely identified wetlands are subject to verification by property owner request.

The 2021 wetland verification field season concluded in May. The owners of 4919 SW Texas St did not contact project staff to request a wetland determination in the 2020 or the 2021 season. After receiving testimony from the property owner in advance of the August 24, 2021 hearing, staff have informed the property owner that they may request a free wetland determination in the 2022 field season. If the wetland mapping is modified through a field verification process, the ezones can be modified, either by amendment while the Ezone Map Correction Project is still ongoing, or if the wetland mapping is modified after the conclusion of the project, the ezones can be modified through a staff-initiated quasi-judicial map error correction process that is free to property owners.

The proposed ezones would constrain this site, making it difficult to divide and develop it further. The existing ezones that are already mapped on this site already impose significant constraints and would likely preclude the possibility of division and additional development outside of the footprint of the existing disturbance area. The wetland is mapped in a location that is already encompassed by the resource area of the existing protection zone.

G.6 – 6917 SW 49th Avenue



Testifier: Dominic Corrado

Property Owner: Dominic Corrado and Maria Corrado

Site Visit: No site visit has been conducted, but project staff have been in communication with the property owner throughout the duration of this project. Staff participated in video chats and phone calls with the property owner, and they communicated by email a number of times. Staff also met in 2020 with staff from BDS to research how an approved land use review would apply to Mr. Corrado's vacant lot if he was to ever attempt to build a house on it.

Wetland Determination: Yes, conducted by SWCA Environmental on April 17th, 2021. Result of wetland determination was the deletion of several wetlands that were mapped on the site and on portions of natural resource tracts that are located to the north and west of the developable lots. Property owner still disputes wetland mapping on neighboring lot that has not yet been field-verified.

Description: The property owner has four lots on this site. Two are buildable lots: One 8,604 sq ft developed lot with a 3,533 sq ft structure, and one vacant and developable lot that is 8,354 sq ft that contains a 600 sq ft garage, and there are two natural resource tracts that can't be

developed. The base zone is R7 and none of the lots can be divided. The property owner has an approved land use review that applies to the vacant lot that vests development on that lot in the existing code with no expiration date (the fact that the LUR approval contains a clause that explicitly states that there is no expiration date is unusual. Most LUR approvals expire within 10 years, unless otherwise specified.)

The proposal for the site is to update the ezones based on current natural resource mapping in order to be consistent with policy proposals throughout the project area. But as long as development complies with the requirements of the approved land use review, no zoning change can impact or restrict development on that lot. The protection policy is to apply a 'p' zone to streams and land within 50 feet of streams and land that is within 25 feet of wetlands. A 'c' zone is applied to land that is between 25 and 50 feet of wetlands. A 'p' zone to 'c' zone conversion has been manually applied by project staff to a portion of the undeveloped lot where future development is likely to occur.

Testimony: The property owner expressed disagreement with the proposed changes to the ezones on his lot, and to the methodology and process by which the Ezone Map Correction Project has been undertaken. He disagrees with the video conference format that is currently being used for PSC hearings and with the 2-minute time allotment that is afforded to people that sign up to testify at hearings. He also disputes the mapping of a wetland on a neighboring lot that has not been field verified. He also argued that the resource mapping techniques that are being employed are inaccurate, and that the provisional remote mapping of wetlands places an undue burden on property owners and impacts property values unfairly, even if BES is offering free wetland determinations to verify wetland mapping in the field. Testimony ID 329903, 329928, 329959, 329960

Staff Response: The approved land use review that applies to the undeveloped lot vests the lot in the zoning maps that were in place at the time of application for the land use review. The vesting effectively exempts the approved development on that lot from any impacts that would be imposed by changes in zoning on the site. None of the proposed changes to the ezones would have any impact at all on the existing development or future development on Mr. Corrado's lots.

The property owner continues to dispute the mapping of a wetland on a neighbor's lot (4919 SW Texas St). While this wetland is located adjacent to a natural resource tract that is owned by Mr. Corrado, all development on that tract would be prohibited by the terms that were stipulated in the approved land use review that applies to these lots (these conditions would apply regardless of whether ezones were mapped on these lots, and they are in no way conditioned on changes to wetland mapping). Also, all portions of Mr. Corrado's tract that are within 50 feet of the wetland are also within 50 feet of a stream; therefore, portions of these lots would be located within a 'p' zone regardless of whether there was a wetland mapped adjacent to that tract. Under current zoning, the entire resource tract is already encompassed by the 'p' zone. The owner of 4919 SW Texas St has requested a wetland determination. BES or their

consultants, SWCA Environmental will visit the site in the 2022 wetland season to verify the wetland mapping.

G.7 – 3352 SW Spring Garden St



Testifier: Erik Swanson (unknown relation to property owners)

Property Owner: Michelle McCabe and Matthew McClenaghan

Site Visit: No

Wetland Determination: Wetland mapping has been field verified through a DSL-concurred wetland delineation.

Description: The site is 0.76 acres (33,300 sq ft) in size, with an existing 1,334 sq ft structure. The base zone is R7, and the site is potentially dividable into four lots. There is a wetland located on the site. The protection policy is to apply a 'p' zone to the wetland and land within 25 feet and a 'c' zone to land between 25 and 50 feet of the wetland. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met.

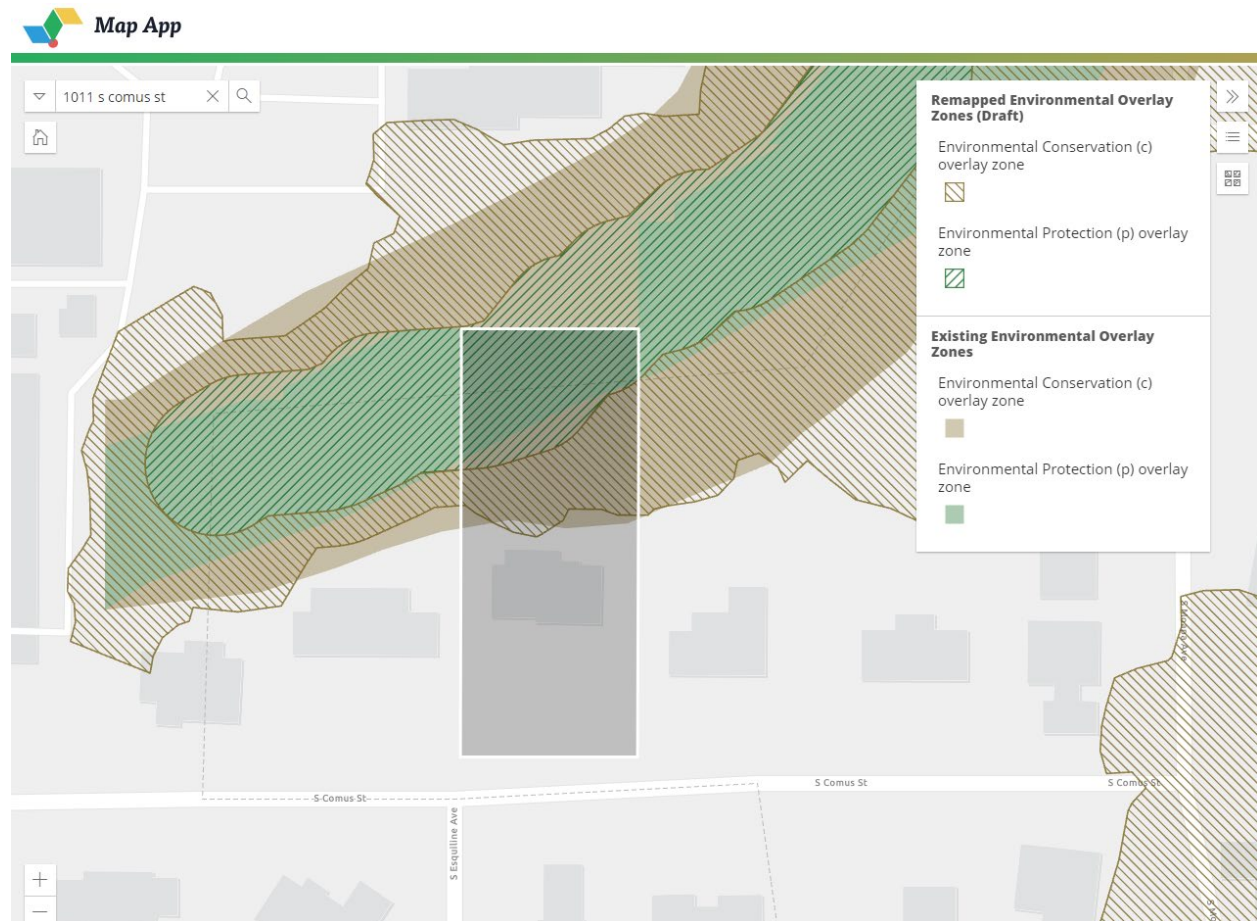
Testimony: The property owner states that the 'c' and 'p' overlays proposed on this site are overly burdensome to this private lot and don't actually protect any significant existing natural resource. Recommends that the environmental zones are only applied in Spring Garden Park and removed from this property. ID 329904

Staff Response: The wetland mapping on the lot has been verified through a DSL-concurred wetland delineation. The proposed ezones on this lot are based entirely on the verified wetland mapping. The options for additional development on this lot are constrained by the proposed ezones. The ezones would not prevent the division of the lot and there could be space for another house to the east of the existing house if the garage was removed or incorporated into the building footprint. Even though additional development on the lot would be possible, the proposed changes to the ezones could limit the total amount of additional development that would be possible and prevent the lot from being divided to the maximum allowed density.

State and Federal regulations that apply to wetlands would potentially limit development on the wetlands even if the ezones were not applied. But the 'p' zone would be a higher level of protection.

Note, that BES has identified a drainageway that overlaps with the wetland on this site. BES Drainageway Reserve requirements would restrict development 15 feet from centerline on both sides of the drainageway. However, since the wetland is generally wider than 30 feet, these regulations could still allow development right up to the edge of the wetland and would not fully protect the riparian area. The proposed 'p' zone would protect this area.

G.8 – 1011 S Comus Street



Testifier: Thomas Hatch

Property Owner: Thomas Hatch and Ann Cleveland

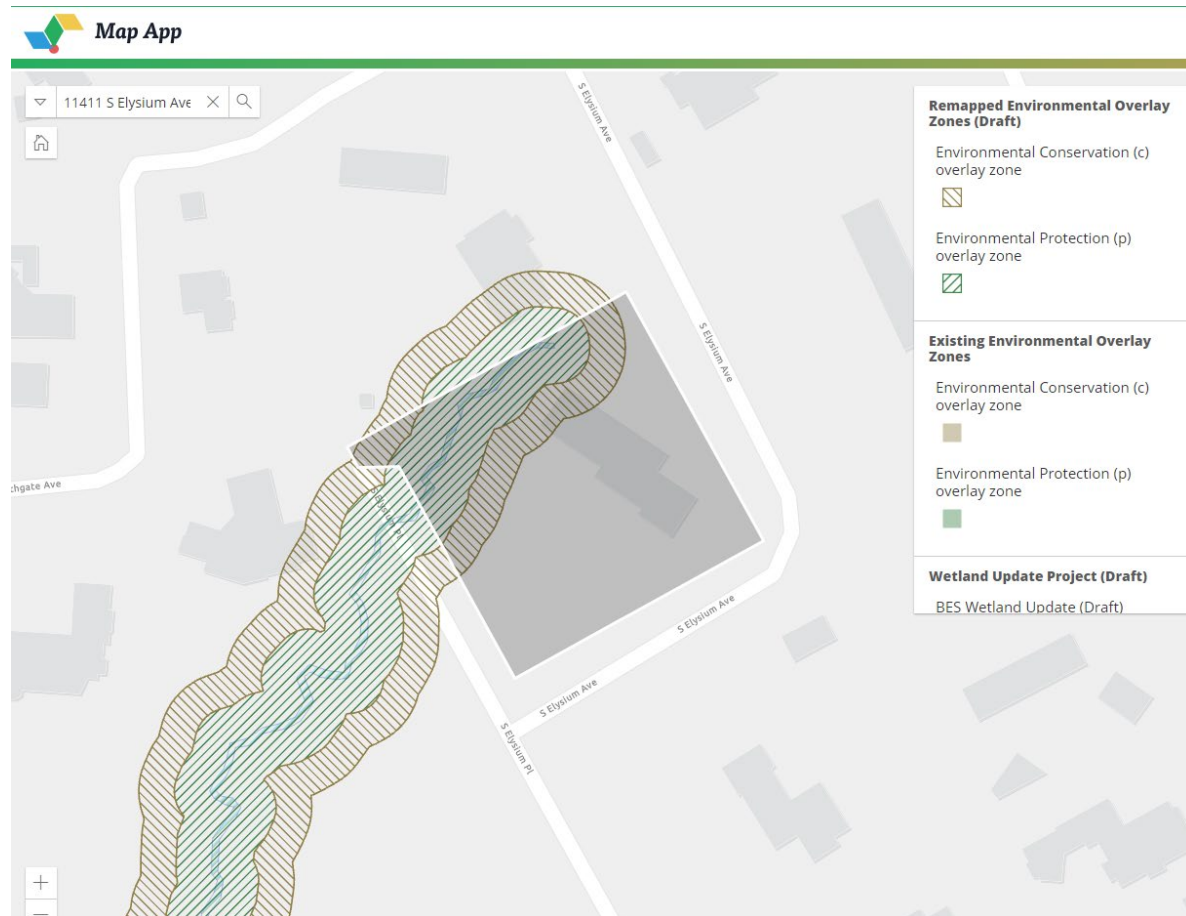
Site Visit: Yes, staff visited the site on 8/25/21 and remapped the environmental zone to follow the tree dripline.

Description: The size is 0.86 acres (37,500 sq ft) in size, with an existing 4,966 sq ft structure. The base zone is R20 and is not dividable. There is a stream and forest vegetation located on the site. The protection policy is to apply a 'p' zone to the stream and land within 50 feet of the top-of-bank and a 'c' zone to land between 50 and 75 feet of the stream and forest vegetation contiguous but more than 50 feet from the top-of-bank of the stream. The outer 25 feet at the edge of the ezones is transition area and can be further developed if the standards of 33.430.140 are met.

Testimony: Property owner contends that the forest mapping is incorrect – it encroaches right up to the house and deck and covers existing rhododendrons. Testimony ID 329913

Staff Response: In response to this testimony, staff conducted a site visit and adjusted the mapped forest to better represent the forest canopy dripline present on the site. As a result of the forest remapping, the 'c' zone will be adjusted. The homeowner appeared to be satisfied by the changes that were made. The proposed ezones align closely with the existing ezones. The changes would likely not have any impacts on this lot.

G.9 – 11411 S Elysium Avenue



Testifier: John van Staveren

Property Owner: Susan and Gary Reynolds

Site Visit: Yes, project staff visited the site on Feb 22, 2021

Wetland Determination: BES WIP staff reviewed the wetland mapping on the site from the public right-of-way on 9-9-2021.

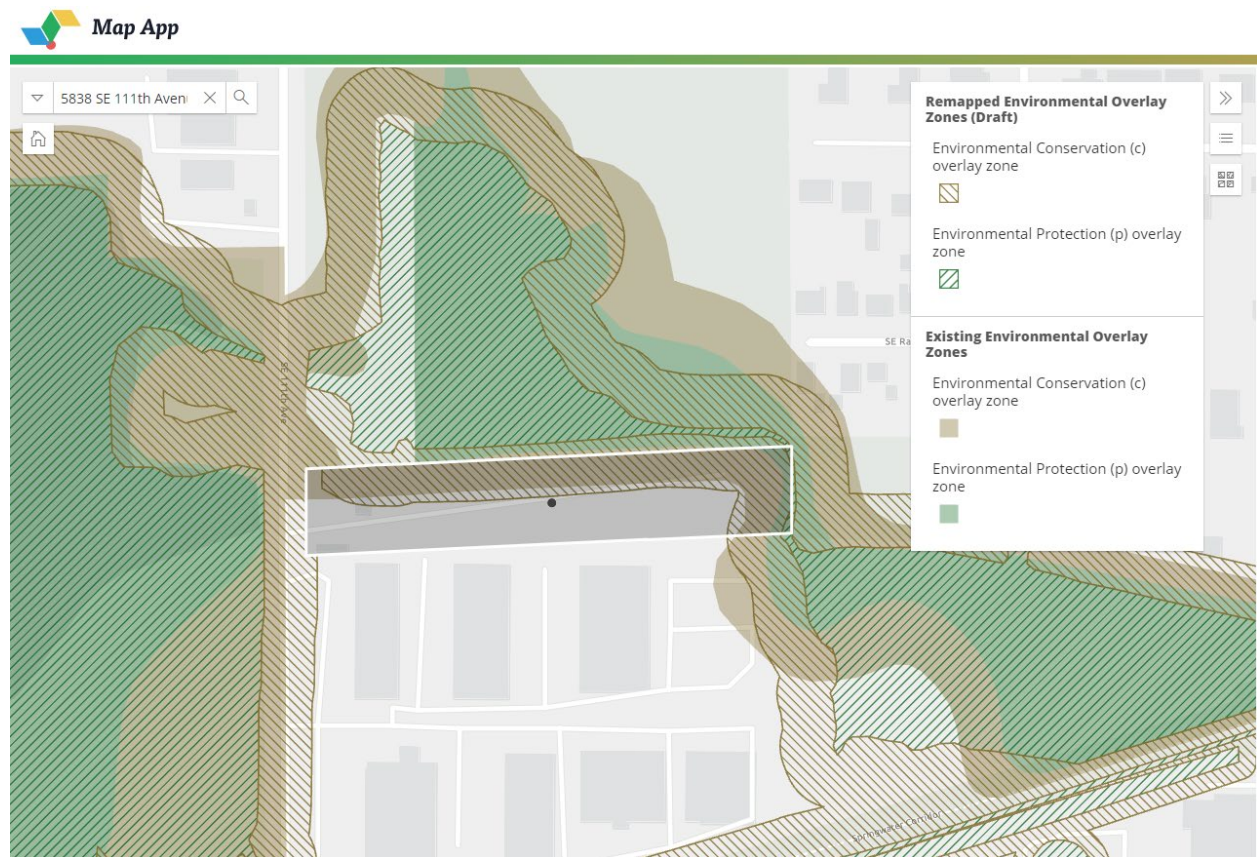
Description: The site is 0.93 acres (40,600 sq ft) in size, with an existing 3,028 sq ft structure. The base zone is R20 and the site is potentially dividable. Mapping indicated is a wetland located on the site. The protection policy is to apply a 'p' zone to the wetland and land within 25 feet and a 'c' zone to land between 25 and 50 feet of the wetland. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met.

Testimony: The submitted testimony is a Wetland Delineation report from Pacific Habitat Services, Inc., which concludes that no wetlands or defined channels are present on this site. Testimony ID 329917

Staff Response: If the wetland delineation is submitted to Oregon Department of State Lands and the US Army Corps of Engineers for their review, and if it receives a concurrence decision from these organizations, it will be used in place of the wetland determination for this site, and the portion of the wetland that falls within the wetland determination study area will be deleted from the inventory.

BES Wetland Inventory Project staff visited the site on 9-9-2021. They observed the area that was mapped as wetland on the site from the street. Based on their observations, they agreed that there was no evidence of a wetland on the site. The wetland will be removed from this property when the wetland data is next updated, prior to City Council hearings. The draft Ezones will be adjusted accordingly. Any changes to wetland mapping that are made can be incorporated into the NRI and draft Ezones by amendment during the City Council hearings.

G.10 – 5838 SE 111th Avenue



Testifier: Jack Benson

Property Owner: Jack Benson Trust

Site Visit: Yes, site visit was conducted on 2/18/21 and staff made manual edits to ezone mapping on 7/12/21 to make sure existing policy was applied accurately to the site.

Wetland Determination: A wetland delineation was concurred by Oregon Division of State Lands and used by BES to refine the wetland mapping. Because there is a state-concurred wetland delineation, no wetland determination is necessary.

Description: The site is 1.92 acres (83,635 sq ft) in size. There are two small buildings at the west end of the lot, and the site is developed with gravel and used for vehicle storage. The base zone is IG2. There is a wetland located at the east end of this site and on the properties to the north, east and west. The protection policy is to apply a 'p' zone to the wetland and a 'c' zone to land within 75 feet of the wetland. The result of the correction is a slight reduction in 'p' zone and an increase in 'c' zone on the site.

Testimony: The property owner states his opposition to any application of ezones on this lot and believes that the existing uses of the property should be unimpacted by the ezones because the property owner claims that it has been disturbed and maintained as a gravel lot for at least 40 years. The property owner has stated that he was unaware of the 1993 process that adopted

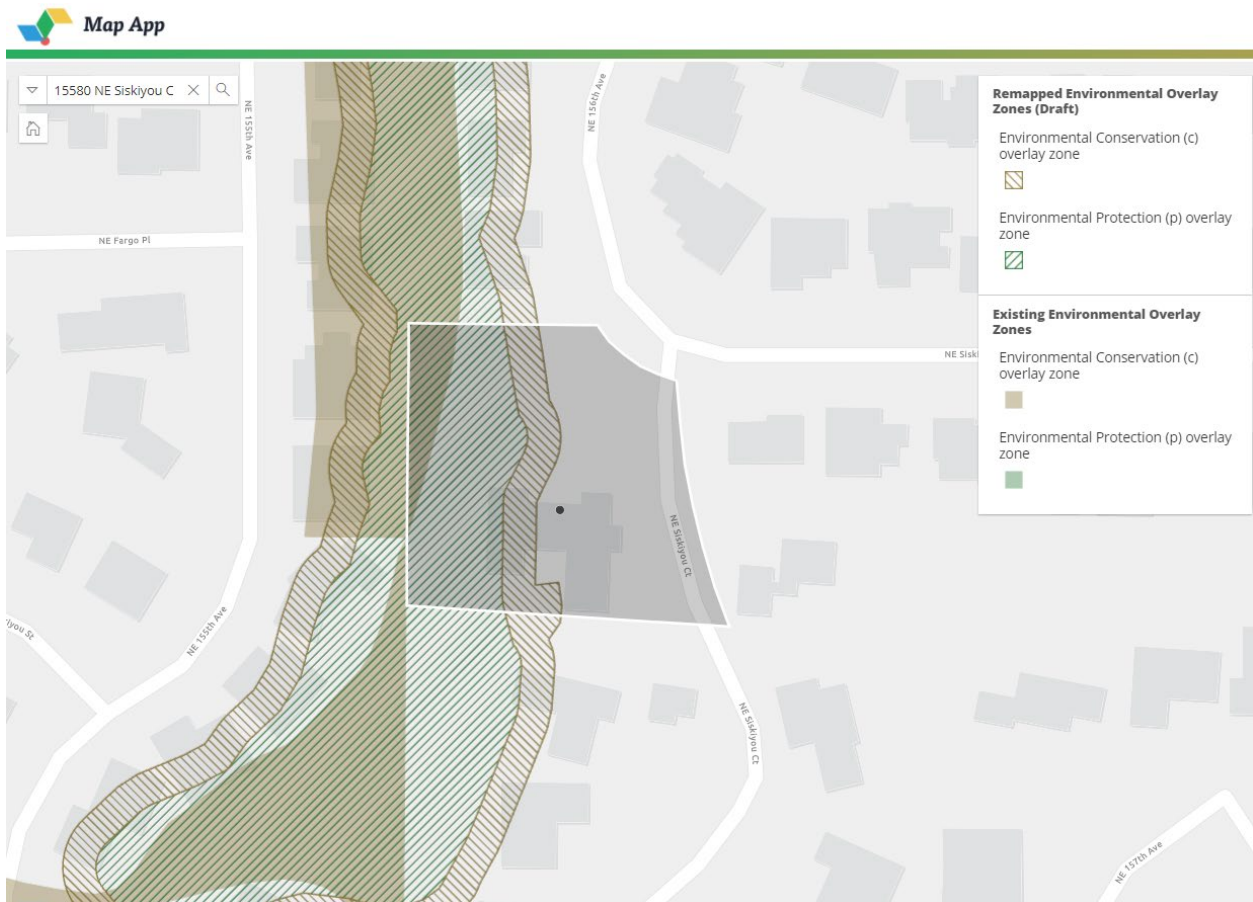
and implemented the existing ezones. The testimony also includes a letter from Hathaway Larson/Christopher P. Koback. In conversation with staff regarding this site, the property owner has stated that they want maximum flexibility on the site for additional development. They are concerned that both the existing and the proposed ezones could potentially limit their ability to build structures or pave portions of the lot that are encompassed by the Ezones. Testimony ID 329918

Staff Response: As a result of the site visit and staff review of the proposed ezone mapping on the site, a 25-foot strip of proposed conservation zone was manually removed from the western edge of this property along the right of way. This ezone was extending across the street from a mapped wetland to the west. Staff determined that it was not appropriate to apply a 'c' zone to this edge of the lot, because to do so would be inconsistent with the policy that was adopted when the existing Ezones were applied to this site.

Though there are existing and proposed ezones that apply to the northern and eastern edges of the property, all legal existing uses and disturbance areas are vested and can stay, be maintained and be replaced in the current footprint. Continued use of the lot as a graveled vehicle storage area would not be restricted by the existing or proposed ezones. New development, such as new buildings, could be allowed on the site through standards described in 33.430.140. For new development on an undisturbed industrial zoned lot, the standards would allow up to 50% or 1 acre, whichever is larger, of the site to be developed. Within an existing disturbance area, additional development would be allowed, even if it exceeds 50% of the lot area or 1 acre as long as the proposed new development didn't extend outside of the area that had already been disturbed on the site, and as long as mitigation was proposed on the site that could meet standards (33.430.140.D.2). If proposed buildings could not meet standards, they could be allowed through Environmental Review. If portions of the lot that are in the ezones were proposed to be converted into paved vehicle areas, this might not be able to meet standards, and could potentially be subject to Environmental Review.

The requirements for mitigation of new impacts in the resource area of the ezone and/or the potential requirement for an Environmental Review that may be necessary for new buildings or paved vehicle areas in the ezones, could make new development on the site more difficult or costly.

G.11 – 15580 NE Siskiyou Court



Testifier: Donald Bowerman on behalf of the property owners

Property Owner: William and Margret Bitar

Site Visit: Yes, 9/28/20, changed top of bank mapping on branch of Columbia Slough

Wetland Determination: Yes, SWCA Environmental conducted a wetland determination at the request of the property owner in the spring of 2021.

Description: The site is 1.07 acres (46,609 sq ft) in size, with an existing 5,778 sq ft house. The base zone is R7 and the site is potentially dividable. There is a stream and a wetland on the site. The protection policy is to apply a 'p' zone to the wetland, stream, and land within 25 feet; and a 'c' zone to land between 25 and 50 feet of the wetland and stream. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met. The mapping of the wetland on the site has been field verified. The wetland is located within an area that is bounded by the top of bank of the stream.

Testimony: The submitted testimony calls into question the determination of the feature on this property as a wetland. It also contends that the ezone Map Correction Project is not a "true up" and is actually a "large expansion" of ezones. In the testimony, it is also contended that the area

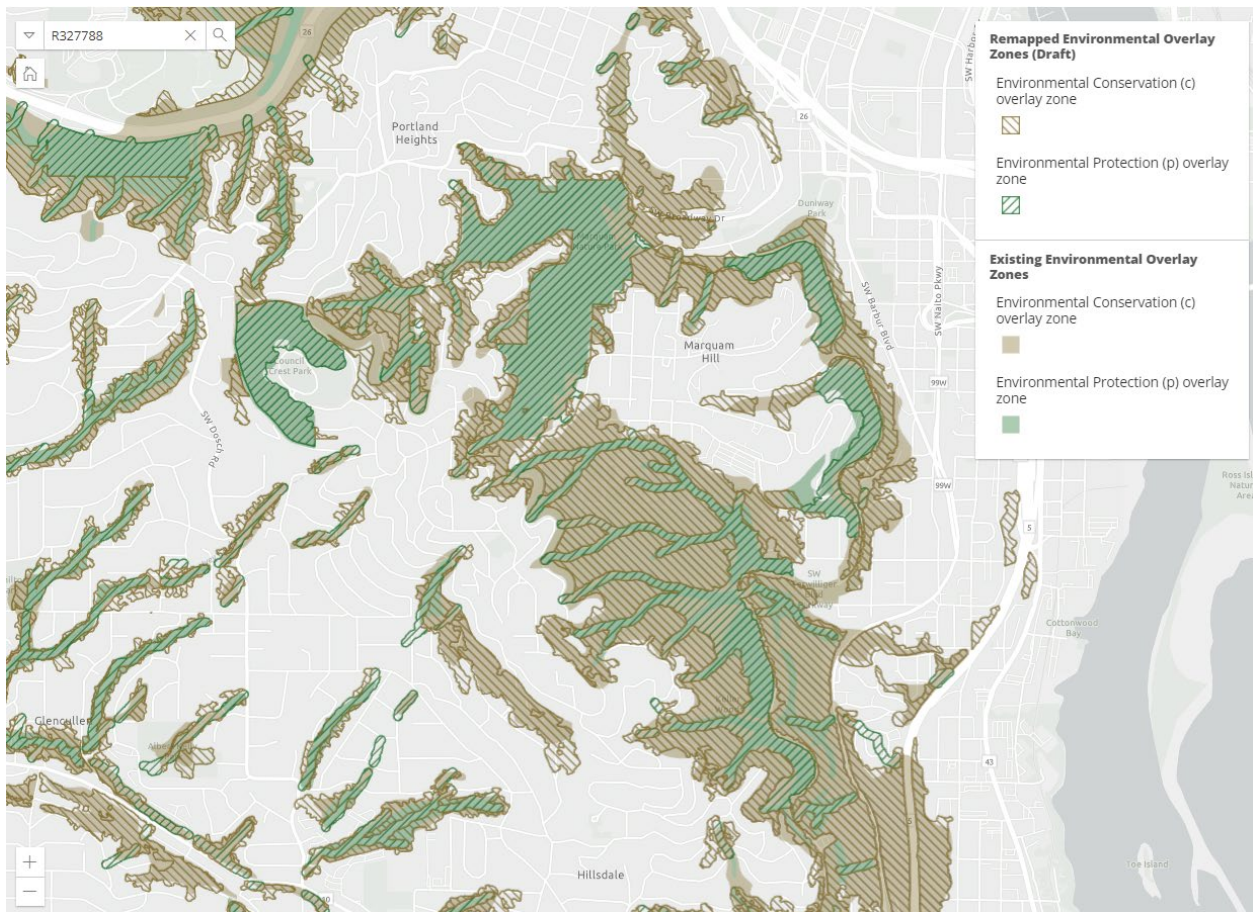
that is mapped as a wetland should be restricted to a narrow portion of the stream channel in which regular stream flow can be observed. Testimony ID 329925

Staff Response: The standard application of 'p' zones to wetlands and streams is consistent citywide policy to protect water storage and flow, which is particularly important for Wilkes Creek which is the only remaining open cold-water input to the Columbia Slough. The existing house and associated structures can stay, be maintained and repaired, and be replaced in the current footprint. This site is large enough to be divided and there is sufficient space outside of the proposed ezones for residential development if the lot was divided to create one or more new lots fronting NE 156th Ave. It would also be possible to build an ADU or other structure in the area to the north of the existing house without a land division.

The top-of-bank of Wilkes Creek has been mapped by Bureau of Planning and Sustainability GIS staff through the application of a computer model to Lidar terrain mapping. The mapping protocols that apply to streams stipulate that the 'p' zones that apply to streams in resource site EB15 should extend 25 feet from the top-of-bank, and that the 'c' zone should apply to land between 25 and 50 feet of the top-of-bank. The same mapping protocols apply to wetlands on the site. Whichever feature extends further onto the site, the mapped stream or the mapped wetland, will determine how far the proposed ezones extend onto the site.

Both the stream bank mapping and the wetland mapping are subject to field verification. The wetland has been field verified by staff from SWCA Environmental in the spring of 2021. If the property owner contends that the wetland mapping is not correct, they may hire a private consultant to conduct a wetland delineation on the site. If the results of a wetland delineation conflict with the results of the SWCA wetland determination and the Oregon DSL concurs with the delineation, the results will supersede the WIP wetland mapping. Similarly, if the property owner conducts a stream bank survey and follows approved methodology that is defined in Portland Zoning Code (33.930.150), the survey results will supersede the mapped top-of-bank on the site. The proposed ezones can be adjusted to reflect any changes to wetland or stream bank mapping, either by amendment at City Council hearings, or by using the Map Error Correction process (33.855.070.A) after the Ezone Map Correction Project has concluded.

G.12 – Marquam Nature Park



Testifier: Roger Brown on behalf of Friends of Marquam Nature Park

Property Owner: Portland Parks and Recreation

Site Visit: Not requested. Portland Parks staff provided data and information to BPS.

Description: The site is over 200 acres of undeveloped park land. The base zone is OS. There are streams, wetlands and forest canopy on this site. The protection policy varies between the northern and southern portions of the park. In the northern portion, the protection policy is to apply a 'p' zone to land within 50 feet of streams, 25 feet of wetlands, and to all forest vegetation in Marquam Hill Park. In the southern portion, the protection policy is to apply a 'p' zone to all land within 50 feet of streams and wetlands, and a 'c' zone to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams.

Testimony: Friends of Marquam Nature Park recommends that BPS designate the entire southern portion of the Marquam Nature Park (i.e., south of SW Marquam Hill Road within Resource Site No. SW10), and adjoining natural areas, as 'p' zone, to be consistent with the northern portion of the Marquam Nature Park and other west-side natural area parks. ID 329926

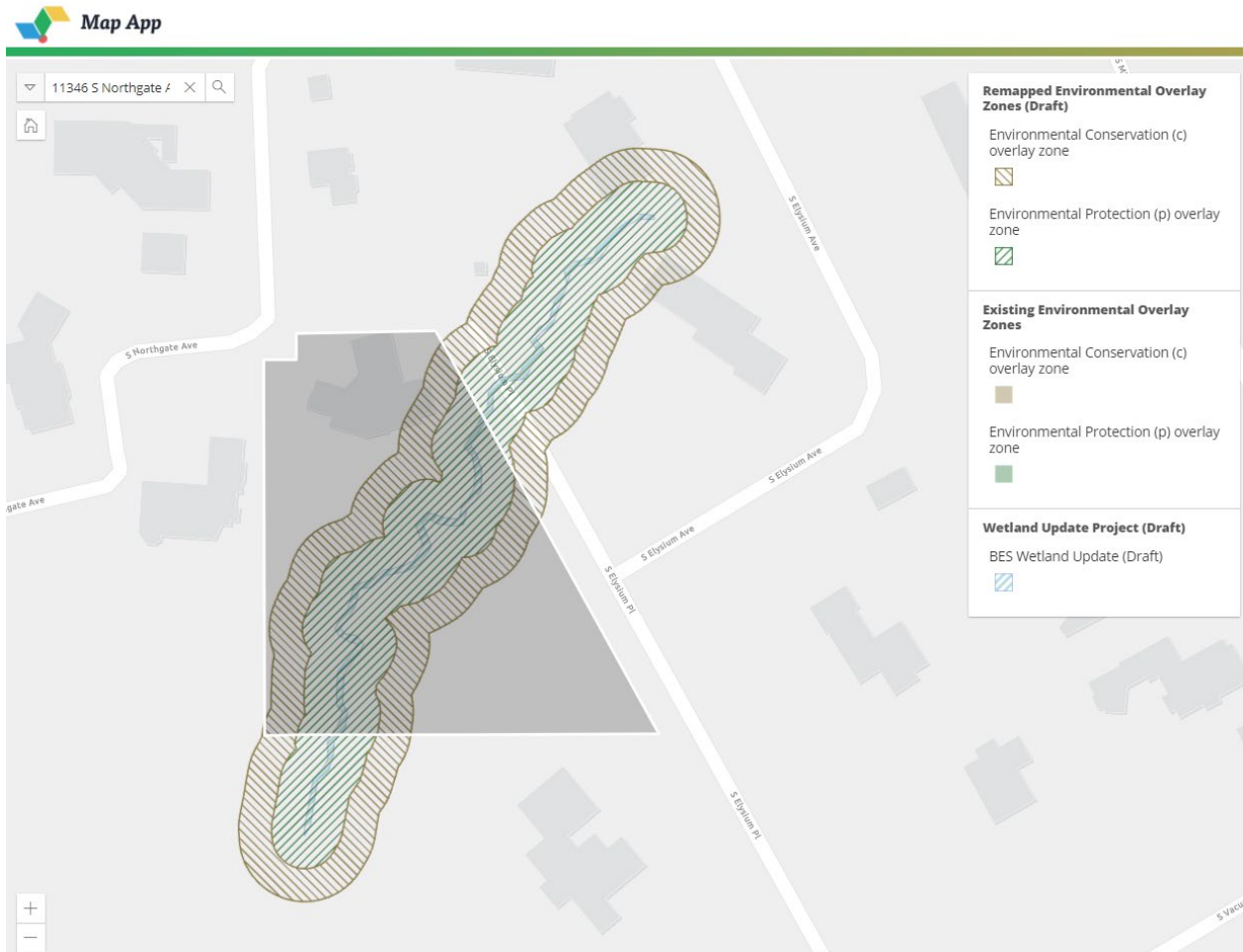
Staff Response: The difference between ezone mapping in the northern portion of the park versus the southern is due to the fact that the two portions of the park are located in different resource sites, in which different resource protection policies were adopted. The resources, themselves, in the northern portion of the park are virtually indistinguishable from the resources in the southern portion of the park; both areas contain large swaths of mid-seral stage Western Hemlock Forest vegetation on moderate to steep slopes that are crossed by a series of headwater streams.

Although many Portland parks that are managed as natural areas do have a policy of applying a 'p' zone to the entire park, the policy that applies to the southern portion of Marquam Park is different. It applies 'p' zone to streams, wetlands and riparian areas and 'c' zone to forests. Note that the ezone maps that are proposed in the Ezone Map Correction Project would result in an increase in the overall 'p' zone coverage in the park. The testifiers are requesting that the 'p' zone coverage be expanded further in the park, beyond what is currently proposed. A change from 'c' to 'p' zone would require a Measure 56 notice be sent to the owners of any lots on which significant changes to draft ezones are proposed before the next hearing so those property owners have a chance to testify on the updated proposal.

For parks that are managed as natural areas, such as the Marquam Nature Park, there is little functional difference between the application of a 'c' zone or a 'p' zone to the park. Operations in the park largely consist of vegetation management and maintenance of existing trail systems. Most vegetation management activities that are carried out by park staff and volunteers would be allowed by exemption in either the 'c' or the 'p' zone, and there are exemptions that allow for the continued use and maintenance of existing disturbance areas, such as trails, provided that the area of disturbance does not increase.

The main activity that the Parks Bureau would be likely to propose in Marquam Nature Park that wouldn't be allowed by exemption is new trail building. Because most public trails that the Parks Bureau builds and maintains, such as the Marquam Nature Trail, exceed the width that is allowed by standard, the Parks Bureau would be required to undergo Environmental Review for most new trail construction, regardless of whether it is in a 'c' or a 'p' zone. In some limited circumstances, the Environmental Review process could be made to be more complicated if the 'p' zone was expanded because the Parks Bureau would have to demonstrate that proposals can meet more stringent approval criteria for new disturbance areas in the 'p' zone than they would for new disturbances in the 'c' zone.

G.13 – 11346 S Northgate Avenue



Testifier: Dana Krawczuck on behalf of property owners

Property Owner: Paul Francis and Jennifer Johnson

Site Visit: Yes, 2-22-2021

Wetland Determination: Not requested. There is an Oregon Department of State Lands-concurred jurisdictional stream and wetland located downstream. The concurrence decision notes that the wetland continues upstream.

BES WIP staff visited the site on 9-9-2021. They viewed the area that is mapped as wetlands from the S Elysium right-of-way. They were able to identify features that appeared to be seeps and wetlands. If the property owners request a wetland determination, SWCA consultants can visit the site to field-verify the wetland mapping.

Description: The site is 1.61 acres (70,132 sq ft) in size, with an existing 3,460 sq ft structure. The base zone is R20 and the site is dividable into up to three lots. There is a wetland located on the site. The protection policy is to apply a 'p' zone to the wetland and land within 25 feet and a 'c'

zone to land between 25 and 50 feet of the wetland. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met.

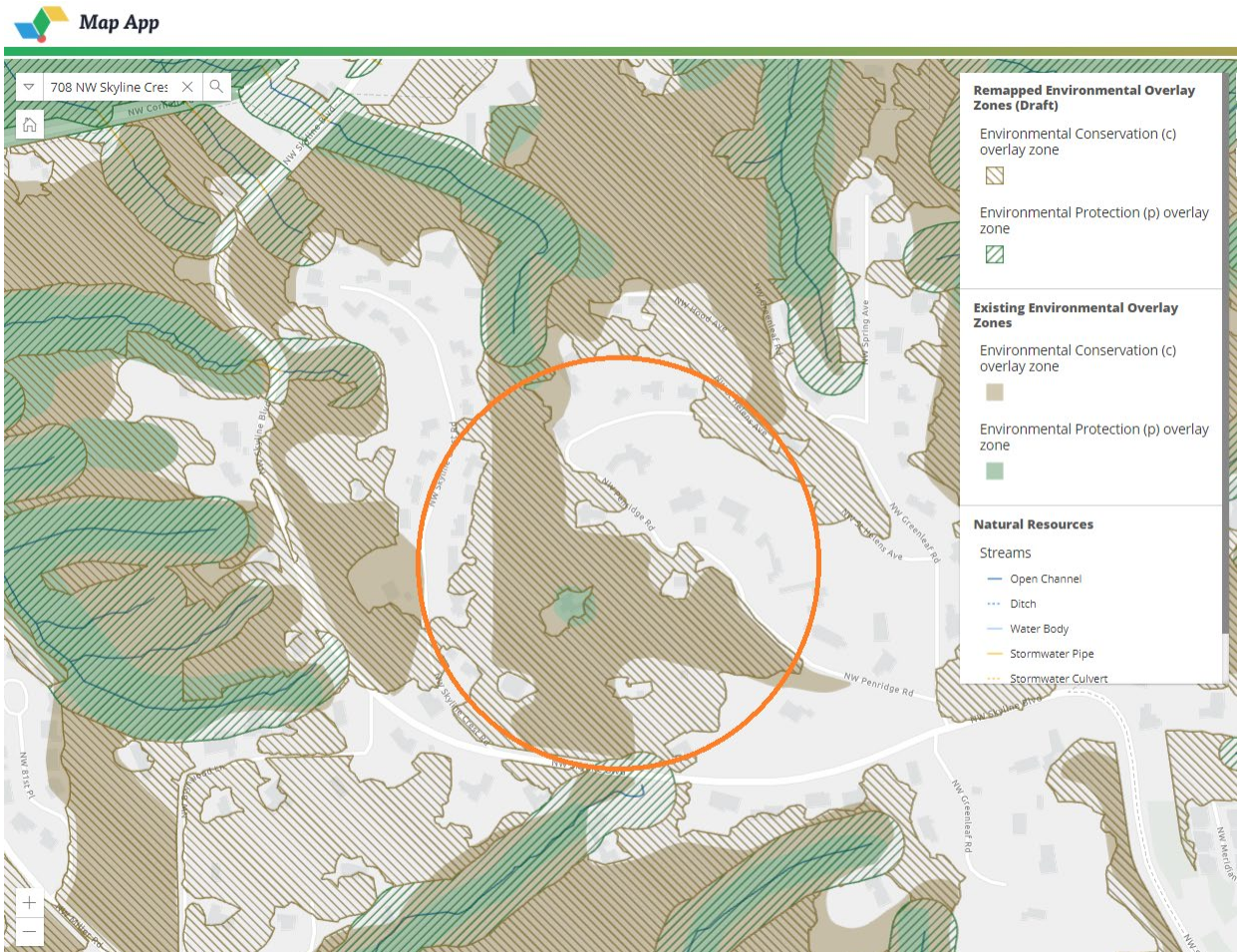
Testimony: The testifier (acting on behalf of the property owners) requests that the proposed 'c' and 'p' zone overlays be removed from this property due to lack of evidence and lack of Goal 5 basis for the designation. Testimony ID 329927

Staff Response: The submitted testimony references an older version of the Proposed Draft documents instead of the updated As Amended version dated July 2021. The updated version includes the results of the Wetland Inventory Project (WIP) wetland determinations and data that has been added to the WIP as a result of Oregon DSL concurrences of wetland studies that were performed by third parties. The updated WIP data includes a newly mapped wetland that has been included in the wetland data that has been posted on the Ezone Map App since January of 2021. A free wetland determination will be provided to the property owner in spring 2022 if the property owner asks for one and provides permission for consultants to access their site.

Staff from the BES Wetland Inventory Project reviewed the wetland mapping on the site from the S Elysium St right-of-way on 9-9-2021 and confirmed that there are probable wetlands on the site. Lacking permission to access the lot, staff did not do a full wetland determination.

The site is dividable into up to 3 lots, with the existing house remaining on one of those lots. Because of the ezones, adjustments would be needed to allow for lots to be created that wouldn't be able to meet the minimum lot size standard in the land division code that applies to the R20 base zone. The lots would need to be configured to avoid impacts to the 'p' zone, and the resource area of the ezones would need to be put into a natural resource tract that would remain under the joint ownership of the owners of the lots. The portions of the lot that are in the 'c' zone are fully developable because the entire 'c' zone on this lot is transition area. The footprints of the 2 additional buildings could extend into the transition area without restriction and still meet standards, though if any trees or native vegetation was removed, mitigation would be required.

G.14 – Cornell Mountain



Testifiers: Robin Abadia (neighbor, 708 NW Skyline Crest Road), Cassandra Dickson (neighbor, 638 NW Skyline Crest Road)

Additional Properties Impacted:

- 7306 W/ NW Penridge Road, owned by Randall S. Carlson and Barbara Carlson (have not testified)
- 7324 SW/ NW Penridge Road, owned by Kevin Dale and Genevieve Krietemeyer (have not testified)
- 7324 NW Penridge Road, owned by Lynne Osmundsen and Blake Osmundsen (have not testified)
- 7226 NW Penridge Road, owned by Charles and Karen Mauro (have not testified)
- 7260 NW Penridge Road, owned by Jason Nims and Maria Bezattis (have not testified)
- 7026 NW Pendrige Rd, owned by Leonard Carr and Hester Carr (have not testified)
- 456 NW Skyline Blvd, owned by Lauren Hirsh (has not testified)

Site Visit: Yes, 8/27/21, 6/17/21, 8/19/2020, 2/11/2020, 4/3/2019, 3/17/2019, 2/17/2019

Description: This area includes multiple lots, under the ownership of several different people. The impacted lots include a 1.17 acre (50,965 sq ft) undeveloped lot, a 0.92 acre (40,254 sq ft) undeveloped lot, a 4.56 acre (198,634 sq ft) lot with an existing 4,043 sq ft structure, a 0.54 acre (23,371 sq ft) developed lot with an existing 3,299 sq ft structure and other adjacent lots. The base zone is R20 and several of the lots are potentially dividable. There is a stream mapped to the north and forest vegetation on the site. The largest of the lots has an existing conservation easement that would preclude any further development or division of the site beyond the home that has already been built there. The protection policy is to apply a 'p' zone to the stream and land within 100 feet of the top-of-bank of the stream and a 'c' zone to forest vegetation contiguous to but more than 100 feet from the top-of-bank of streams.

Testimony: The testifiers both contend that the 'p' zone should be expanded to protect Cornell Mountain due to its unique habitat features, steep slopes, watershed benefits, and function as a wildlife corridor. Testimony ID 329930 and 329941

Staff Response: Staff agree that Cornell Mountain is a unique and important natural resource feature in Portland. However, this is a correction project and applying a 'p' zone to the entire Special Habitat Area would be a change to the protection policy and would impact the proposed zoning and future development capacity of several properties. Whether the proposal is to apply 'p' zone or 'c' zone on these lots, any proposed development or land division would be required to limit impacts to natural resources and to mitigate for the removal of trees or native vegetation.

Some Commissioners asked that staff explore how a higher level of protection could be applied to Cornell Mountain. The requested change would convert roughly 16 acres that are located in the proposed conservation zone to protection zone. One of the largest lots that would be impacted is 4.56 acres in size and is developed with a single house. While it is technically dividable according to the land division code that applies to the R20 base zone, the lot is in a conservation easement that would protect the resources on the lot and prohibit additional development, regardless of the application of ezones to the lot. But there are two vacant dividable lots and two developed dividable lots that are in the proposed 'c' zone, and which would be placed entirely within the 'p' zone if the requested change was implemented. A change from 'c' to 'p' zone would require a Measure 56 notice be sent before the next hearing so those property owners have a chance to testify on the updated proposal.

The additional maps show the draft ezones as currently proposed, and how a 'p' zone could be applied to the Special Habitat Area. Note that staff have included 'p' to 'c' zone conversions, following the methodology laid out in the As Amended Proposed Draft, to ensure that adequate space exists on the four vacant or dividable lots for additional development. Throughout the citywide project area, staff have applied similar conversions, where possible, to portions of lots that would otherwise have 70% or greater 'p' zone coverage to ensure that there is buildable space for new development or land divisions on all privately owned lots.

Staff have conducted site visits with owners of several of the lots on which changes have been requested. The owners of the lots that would be most impacted by the requested changes are not among the people who have testified.

Draft Ezones – As Currently Proposed



THE BUREAU OF
**PLANNING &
SUSTAINABILITY**


Environmental Overlay Zone Map Correction Project

Cornell Mountain
Proposed Ezones

NW Penridge and
NW Skyline Crest

Legend

 taxlots

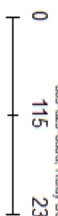
 Draft C Zone

 Draft P Zone

DRAFT

August 30, 2021

This information on this map was derived from digital orthorectified data. 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. For request: 503-923-6888, Relay Service: 711.



Requested Change to Ezones on Cornell Mountain – With 'p' to 'c' Conversions



Environmental Overlay Zone Map Correction Project

Cornell Mountain
Requested Change to Ezones

NW Penridge and
NW Skyline Crest

Legend

 taxlots

Proposed Ezone

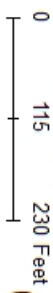
 'c' zone

 'p' zone

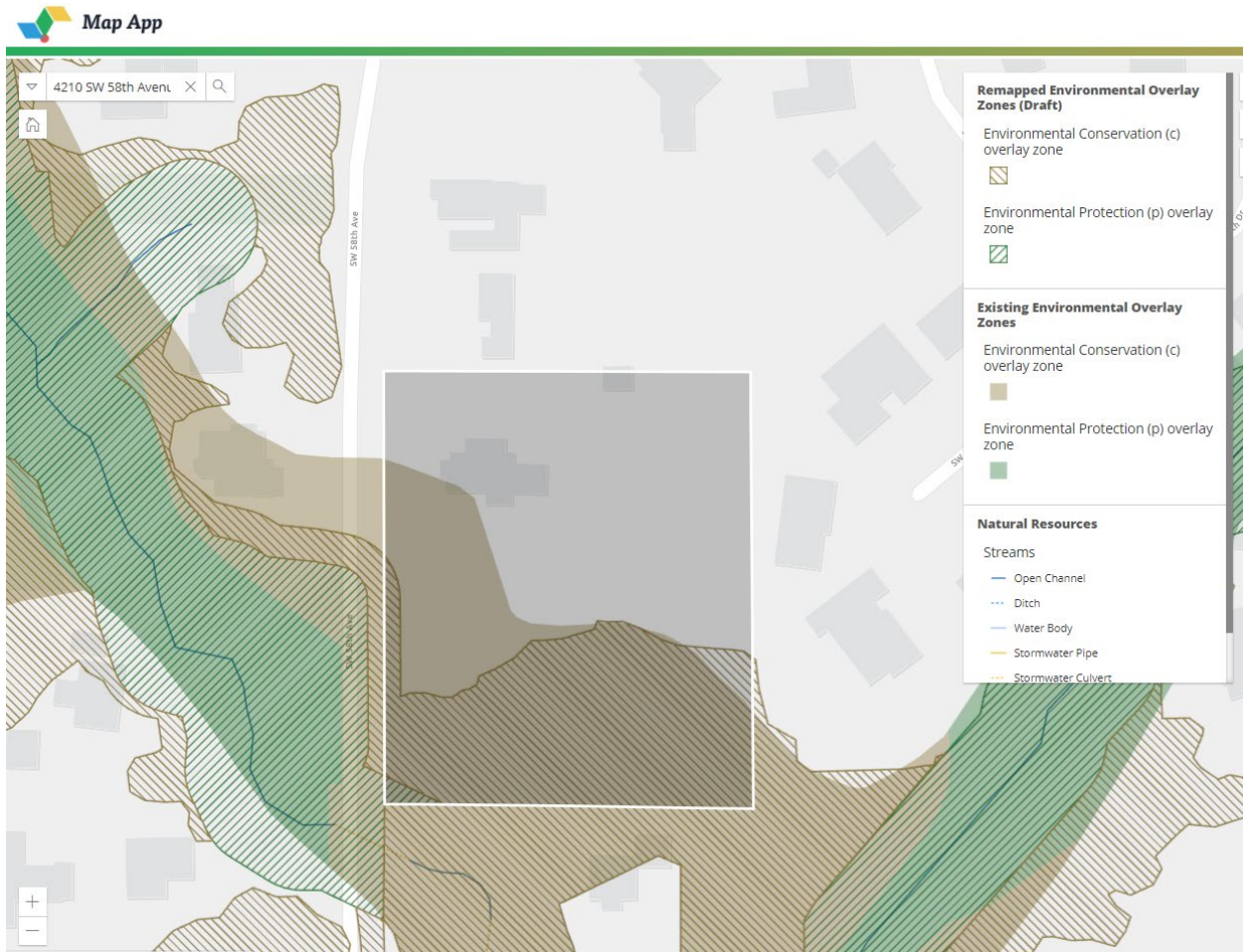
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August 30, 2021

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G.15 – 4210 SW 58th Avenue



Testifier: Devin Holmes

Property Owner: Devin and Christine Holmes

Site Visit: Yes, 1/16/2020, 12/3/2020

Description: The site is 2.17 acres (94,525 sq ft) in size, with an existing 2,846 sq ft structure. The base zone is R20 and the site is potentially dividable. This site has forest canopy, woodland canopy, and herbaceous vegetation contiguous to the stream to the southwest. The protection policy is to apply a 'c' zone to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams extending to 200 feet from top of bank, to apply protection zone to streams and land within 50 feet of the top of bank of streams, and to apply a protection zone to wetlands and land within 25 feet of wetlands, and a conservation zone to land between 25 and 50 feet of wetlands.

Testimony: The property owner states that he supports the Environmental Overlay Zone Map Correction project overall. However, he is concerned that the ezone determinations are not as

objective or formulaic as explained. He is also disputing the current proposed mapping on his lot. Testimony ID 329931

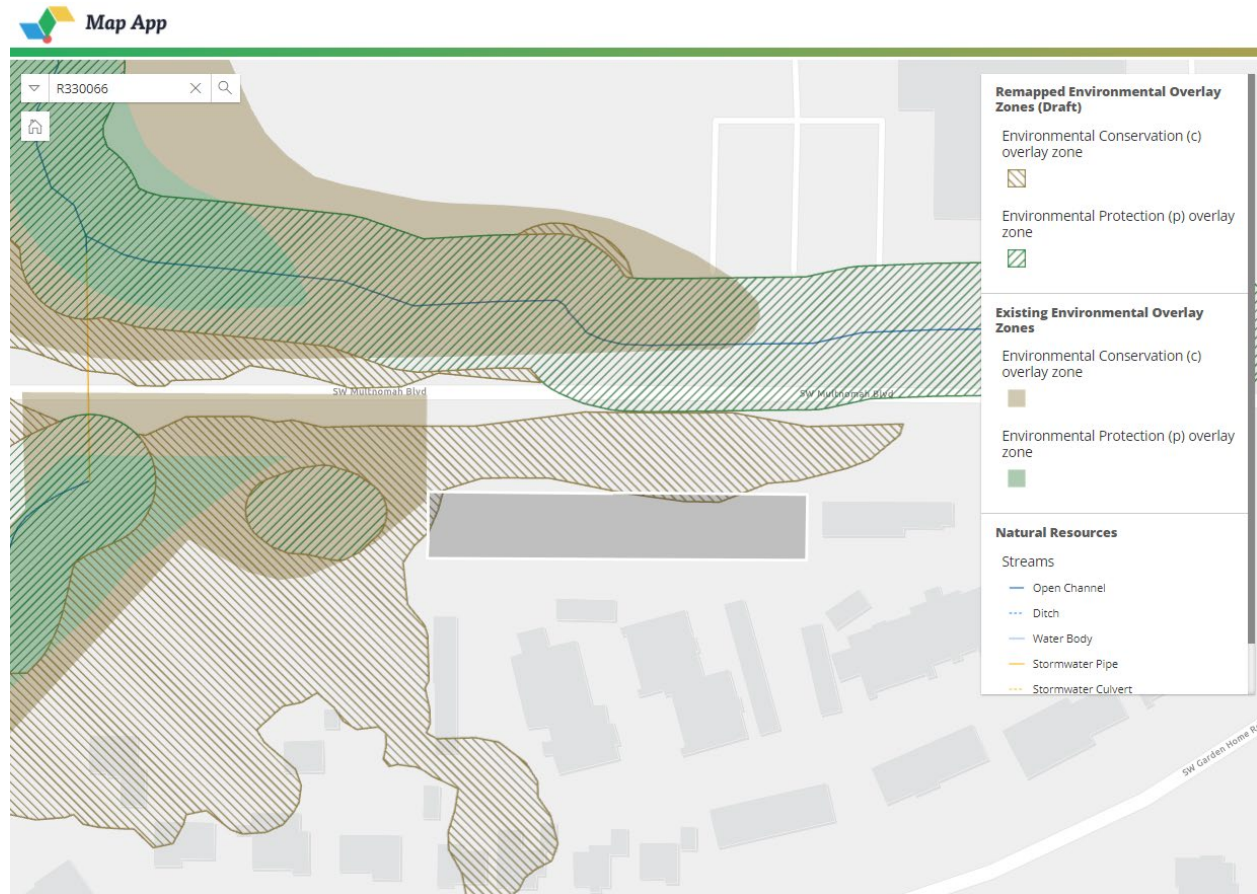
Staff Response: The feature definitions and mapping protocols are detailed in the Natural Resources Inventory, adopted in 2012 as factual basis for the Comprehensive Plan update, and were approved by Metro as meeting the Urban Growth Management Functional Plan, Title 13 Nature in Neighborhoods, requirements. Staff are using the feature definitions and mapping protocol to correct the maps of vegetation, streams and wetlands.

The 'c' zone on the site is based on forest canopy that is contiguous to a stream. Forests are patches of vegetation ½ acre in size or larger with at least 60% tree canopy coverage. The patch is mapped as the edge of the tree canopy. On site staff have confirmed where the forest canopy exists on the site and the 'c' zone follows that canopy.

Project staff followed up with the property owner to discuss the feature mapping on his site. The property owner had requested a third site visit to correct vegetation mapping on the site. The property owner thought that the narrow (~5 ft wide) strip of conservation zone that runs along the west lot line was being applied due to incorrectly mapped forest vegetation. Staff explained that there is no forest vegetation mapped in that location. The strip of conservation zone extends onto the property because there is a wetland that is mapped on the lot that is located across the street from his lot. The edge of the wetland is right at the edge of the street. A protection zone extends 25 feet from the edge of the wetland, and a conservation zone covers the area between 25 and 50 feet of the wetland. The location of the wetland in close proximity to his lot is the reason for the strip of conservation zone on the edge of his lot. Once this was explained to the property owner, he said that he understood, and that he no longer wished to dispute the proposed ezone mapping on his lot or to have another site visit.

Staff believe that the issues that were raised in this testimony are no longer of any concern to the property owner.

G.16 – 7933 WI/SW 40th Avenue



Testifier: Matthew Robinson on behalf of contract purchaser for this property (Gemma Family Investments LLC)

Property Owner: Frog and Toad LLC

Site Visit: No

Description: The site is 0.33 acres (14,314 sq ft) in size and is undeveloped. The base zone is RM1. There is forest canopy adjacent to and on this site that is contiguous to a stream and wetland that are located to the west. The protection policy is to apply a 'c' zone to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met.

Testimony: On behalf of the contract property purchaser, the testifier requests that the 'c' zone be removed from this site in order to provide for the most efficient use of the site for residential development. Testimony ID 329933

Staff Response: The edge of the transition area of the 'c' zone intersects with the west and north edges of this lot. This would not have any impact on the potential development of the site. If site development required the removal of trees or native vegetation in the transition area

of the 'c' zone, mitigation would be required. Other standards in 33.430 would not be applicable to the site and would impose no restrictions or limitations on site development.

Property owners may request a site visit to verify that natural resources are being mapped correctly on the site.

G.17 – Various Resource Sites

Testifiers:

Barrett Streu and Rachel Streu, owners of 3608 SW Hillside Dr
Yoann Foucher and Laurence Juthy, owners of 3616 SW Hillside Dr
Mike Kutter and Marti Kutter, owners of 3586 SW Hillside Dr
Hugh Givens and Deb Givens, owners of 3612 SW Hillside Dr
Marilyn Cover, owner of 3707 SW Sweetbriar
DrKathy Prosser and Steve Prosser, owners 3819 SW Sweetbriar Dr
Kevin Pendergast, owner of 3835 SW Sweetbriar Dr
Dave Fitzpatrick, owner of 6423 SE 74th Ave
Eugene Yeboah, 2944 SE Tibbetts St
Sarah Dandurand and Dwayne Thomas, owners of 7321 SE Ellis St
Prashant Kakad, 2200 SE Ivon St
Lisa Haggerty, owner of 22695 SW Eno Pl, Tualatin OR
Tiffany Rohani and Reyaz Rohani, owners of 10425 SW 43rd Ave
Lynne Chao, owner of 3702 SW Sweetbriar Dr
Matt Bolt and Gail Bolt, owners of 3509 SW Council Crest Dr
Alex Cooley and Katie Cooley, owners of 3718 SW Sweetbriar Dr
Andrew Markell and Kate Markell, owners of 3921 SW Sweetbriar Dr
Chris Baier, owner of 3052 NE 66th Ave
Russ Black and Joan Black, owners of 3852 SW Greenleaf Dr
Keph Sherin, 5300 Parkview Dr, # 1031, Lake Oswego
Laurali Hudgins, 11434 NE Fremont Ct
Stephen Gerould, owner of 3307 SW Dosch Rd
Kristine Dukart-Harrington and Laurie Dukart-Harrington, owners of 260 SW Nancy Cir,
Gresham, OR
Audra Oakley, 333 NW 4th Ave, #517
Laura Swingen and Carole Bertrand, owners of 2420 NW 119th Ave
Daniela Schlechter, owner of 9933 N Syracuse Street

Craig Koon - Submitted testimony separately in which he stated that he supports this group of testifiers and that he shares their concerns.

Testimony: Two letters of group testimony were submitted by Lynne Chao. The first was dated 8/23/21 and was signed by 25 people. The second was submitted 9/10/21 and was signed by 38 people. However, there was significant overlap of signees on the two letters, with a total of 39 unique signees between the two. In addition to these 39 signees, Craig Koon submitted separate testimony in which he stated that he supports the testimony submitted by Lynne Chao. The submitted group testimony requests that the Commission consider a number of issues, not all of which are specific to features or ezone application. Only testimony that is related to feature mapping or application of ezones is included here. Please see the Testimony ID 329934 and 329970 for other comments.

Overarching feature mapping or ezone application comments:

1. Collect new computer LiDAR mapping data for Portland Metro, Metro West, Portland Hills
2. Review the Environmental Overlay Zone Maps Correction Project's written report's criteria for each resource site is correctly applied to the mapping before finalization of project
3. Cross-check that known streams, water resources and wetlands on the existing maps are found and not missed on the proposed maps
4. When missing streams are located, notify neighbors upstream and downstream so that site visits can be scheduled, and streams can be mapped continuously
5. Continue to inventory natural resources when discovered through regular field work after project's completion with City Council. Quarterly periodic review of the inventory would inform future updates and/or amendments to the mapping project
6. Apply ezones protection zoning to isolate forest patches with 60% tree canopy and 1/2 acre or more.
7. Apply protection 'p' zone to all steep slopes that are greater than 25% in all resources sites.
8. Apply consistent policy. There is not consistency in adopting "existing adopted" natural resource conservation plans and environmental reports of all affected resource areas. Policy favors some resource areas (by including reports) while redacting and/or omitting reports of other resource areas. By doing so, policy favors some resource areas natural resources over other resource areas natural resources.
9. Apply consistent policy to all significant public parks throughout all resource sites.

Site Specific Comments:

Lowell Creek FC3 (forest between Dosch Road / Dosch Court /Sweetbriar Drive): The letter expresses concern that 'p' zones are shrinking in this area along steep slopes in forested areas and requests closer review of this area.

Marquam Park (SW9 and SW10): The testifiers request consistent policy for protection of Marquam Park with 'p' zone.

River View Natural Area (SW17 and SW23): The testimony contends that full 'p' zone protection should apply for the entire River View Natural Area.

East Buttes & Terraces (EB11): The letter requests that the definition of steep slope in the EB11 resource site (40% or greater) be modified so that it is consistent with the definition of steep slopes as defined in the project written report (Volume 1 Part A), which defines steep slopes as slopes 25% or greater.

Fanno Creek (FC4 and FC7): The testimony requests that resource sites FC4 and FC7 apply 50 feet of 'p' zone to riparian areas adjacent to streams instead of 25 feet.

Fanno Creek (FC13): The testimony requests that resource sites FC13 apply 50 feet of 'p' zone to areas adjacent to wetlands instead of 25 feet.

Fanno Creek (FC1-FC13): Apply greater protection to Fanno Creek FC1-FC13 with Metro Title 3.

Forest Park and Northwest District (FP1, FP2, FP6, FP8, FP11, FP12, FP14, FP16, FP21): The testimony requests that the above listed resource sites apply 50 feet of 'p' zone to riparian areas adjacent to streams instead of 25 feet, especially due to the steep slopes prominent in these areas.

Terwilliger Parkway (SW10): Include Terwilliger Parkway as a significant park in SW10's written criteria due to Terwilliger Parkway's recent elevated status.

Staff Response: The Ezone Map Correction Project is using the best available science and technology to correct the maps of features (streams, steep slopes, etc.) and apply the existing protection policies to those features. Staff have thoroughly reviewed all resources site existing protection policies and resulting proposed 'p' and 'c' zone applications.

Going forward, the citywide Natural Resources Inventory (NRI) is updated continuously. For example, any time there is a state-concurred wetland delineation report, the NRI is updated to reflect that information. When new LiDAR is available from Metro, the slope maps will be updated. However, this does not automatically change the ezone maps. The location of the ezones can be change through a Type II land use review (as described in the cover memo, item E). The city could consider periodic ezone corrections, through the quasi-judicial process, that would bring the ezones in alignment with the most current feature mapping. PSC could recommend that City Council explore this option and what staffing would be needed.

Because this is a correction project, staff have not proposed to apply ezones to isolated forest patches, unless there are existing policies (e.g., forests along Terwilliger Blvd), nor have staff proposed to increase the level of protections for steep slopes. Trees in isolated forest patches are addressed under Title 11 and steep slopes are address by the landslide hazards map. In some resource sites, ezones are also applied to steep slopes, e.g., Rocky Butte.

The testifiers referred to the redacting of reports. Project staff believe that this is a misunderstanding of the Ezone Project proposals. The proposals include repealing and replacing several natural resource protection plans that were adopted in compliance with State Land Use Planning Goal 5. The plans that would be repealed and replaced are currently listed in Chapter 33.430 of the Portland Zoning Code. If these plans are replaced by the Ezone Project, it will no

longer be necessary to list them in 33.430, thus they were crossed out in the proposed code changes. There are other plans that are listed in 33.430 that are not being removed. This is because they contain resource sites that are not in the Ezone Project area. The plans that apply to Johnson Creek and the Northwest Hills include several resource sites that are primarily industrial in nature. These resources sites were excluded from the Ezone Project area, and the portions of the documents that pertain to the industrial areas will remain in effect. But new versions of the documents will be adopted that will exclude other resource sites that are being repealed and replaced. Similarly, the plans that apply to resource sites in the Columbia Corridor area were not included in the Ezone Project, and the plans that pertain to them will not be repealed and replaced by the Ezone Project proposals.

The testifiers requested that 'p' zones be applied to all parks. The policy decisions that apply to many parks that are maintained as natural areas are to apply 'p' zones to all of the resources in the park, there are other parks that had different policy decisions. The Ezone Project is intended to just be a map correction project, and the proposals are not intended to change existing policy.

Lowell Creek FC3 (forest between Dosch Road / Dosch Court /Sweetbriar Drive): The 'p' zone is being applied to the corrected feature mapping. There are both areas of increase and decrease to 'p' zone coverage based on where streams area located. The width of *existing* 'p' zones fluctuates throughout resource site FC3. On average, the *existing* 'p' zone covers the area that is within 50 feet of streams, but in various locations the width grows and shrinks in a seemingly arbitrary fashion. The mapping protocols that are employed in the Ezone Project are intended to apply clear, consistent and understandable mapping rules that are applied to specific resources in a way that adheres to the existing resource protection policy as much as possible. In some cases, the switch from the more arbitrary mapping decisions that were made in previous natural resource protection plans to the application of standardized mapping rules will result in increases or decreases in the area that is covered by the ezones, but the overall protection policy is retained.

Marquam Park (SW9 and SW10): See response in Attachment G.12

River View Natural Area (SW17 and SW23): A consistent policy is being applied to Riverview Natural area. Within the natural area itself the 'p' zones are expanding slightly to more accurately follow streams, wetlands and slopes; 'c' zones are applied to contiguous forest canopy. The mapping protocol that is proposed by the Ezone Map Correction Project is consistent with existing policy that applies to Resource Site SW17. Expansion of the 'p' zone to cover the entire forested area would be significantly different than adopted policy.

East Buttes & Terraces (EB11): The GIS model that produces the ezones is applying a 'p' zone to forested steep slopes >25% as is requested in the testimony. The document mapping methodology is in error and staff will fix it to match the GIS model

Fanno Creek (FC4 and FC7): The existing protection policy for FC4 and FC7 is to require development to be setback 25 feet from streams and wetlands, which is effectively a 'p' zone, and to require that trees and native vegetation be maintained within 50 feet of streams and wetlands, except within approved disturbance areas (i.e., yards). The application of a 'p' zone to streams plus land within 25 feet and the application of 'c' zone to land between 25 and 50 feet of streams, matches the existing protection policies.

The PSC recently voted to apply a consistent wetland protections of 'p' zone on wetlands and land within 25 feet and 'c' zone on land between 25 and 50 feet of wetlands in resource sites that didn't previously have wetland protection policies. The mapping protocols that apply in these resource sites are consistent with this decision.

Fanno Creek (FC13): PSC recently approved the new wetland policy to apply a 'p' zone to wetlands and land within 25 feet and a 'c' zone to land between 25 and 50 feet of wetlands. This new policy would apply to resource site that have no existing protection policy for wetlands, including FC13.

Fanno Creek (FC1-FC13): The testimony included a request to apply a wider area of protection to streams and wetland in these resource sites. The request would not be consistent with adopted policy and it would cause a significant increase in the amount of protection zone that is mapped on a large number of private lots. Forest Park and Northwest District (FP1, FP2, FP6, FP8, FP11, FP12, FP14, FP16, FP21): This correction project is using the existing protection policies adopted for each resources site. Some resource sites have a lower level of protection for streams; however, there is always 50 feet of combined 'c'/'p' zone around all streams throughout the city. Changing the policy to apply 50 feet of 'p' zone around all streams would be a change to existing policies.

In all of these resource sites, a 'p' zone is applied to all of the resources that are located within Forest Park, consistent with existing policy. However, on privately-owned lots outside of Forest Park, 'p' zones are limited to streams and wetlands and land within 25 feet of streams or wetlands. Although this is less protection than within public parks, it is consistent with current policy because the standards require new disturbance areas to be set back from streams and wetlands .

Note – If the PSC would like to consider treating all streams consistently and applying a 'p' zone to land within 50 feet in all resource sites, this will require a new thorough review to determine if this would result in additional sites becoming undividable or unbuildable and therefore staff would need to apply the 'p' to 'c' zone conversion. Staff continue to recommend this project remain a *correction* project and allow future area plans to consider increases to the protections for streams and steep slopes.

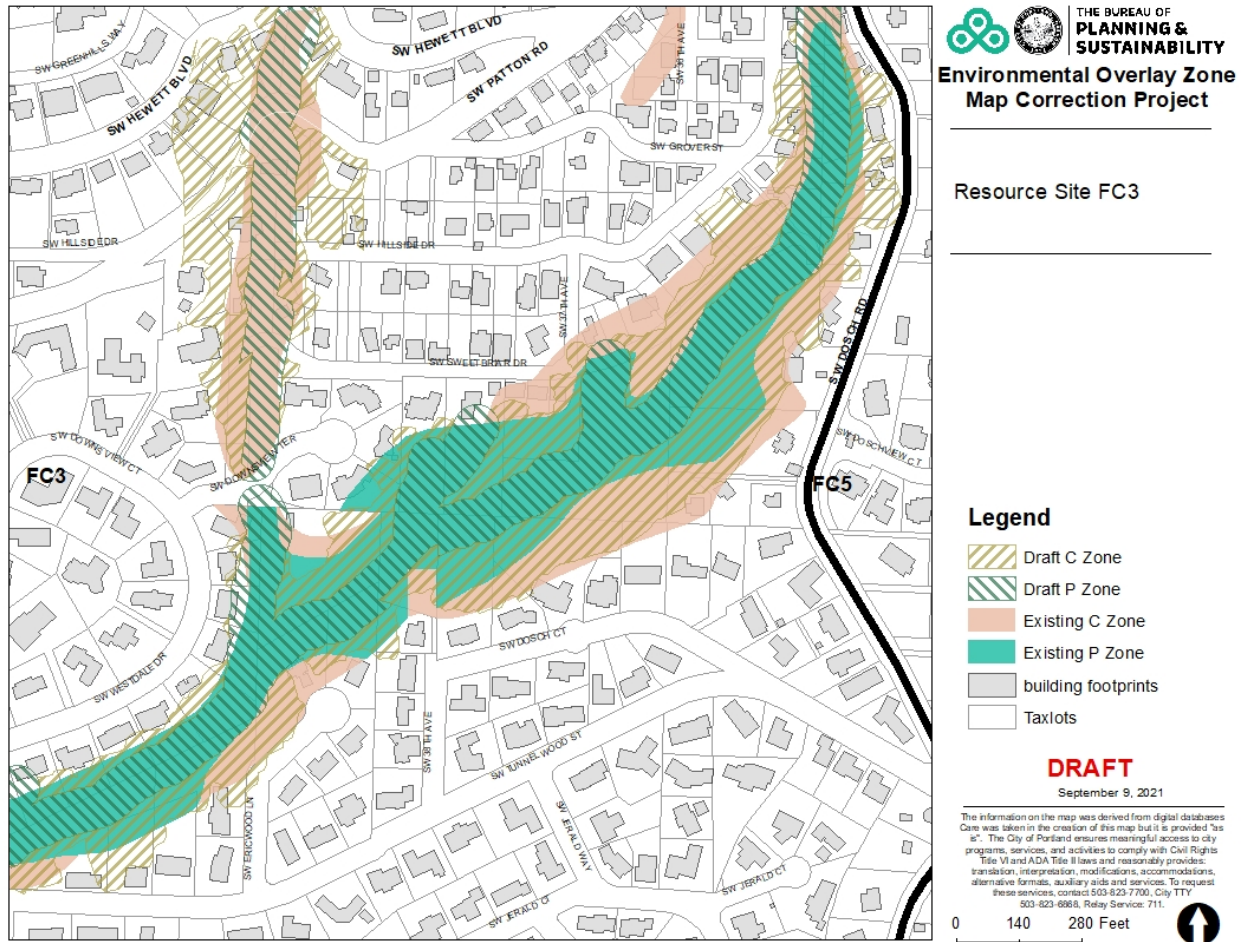
Note that any of the requested changes from 'c' to 'p' zone would have significant impacts on a number of sites. If these changes were implemented in the ezone mapping protocols, it would

require a Measure 56 notice to be sent to each affected property before the next hearing to allow those property owners to have a chance to testify on the updated proposal.

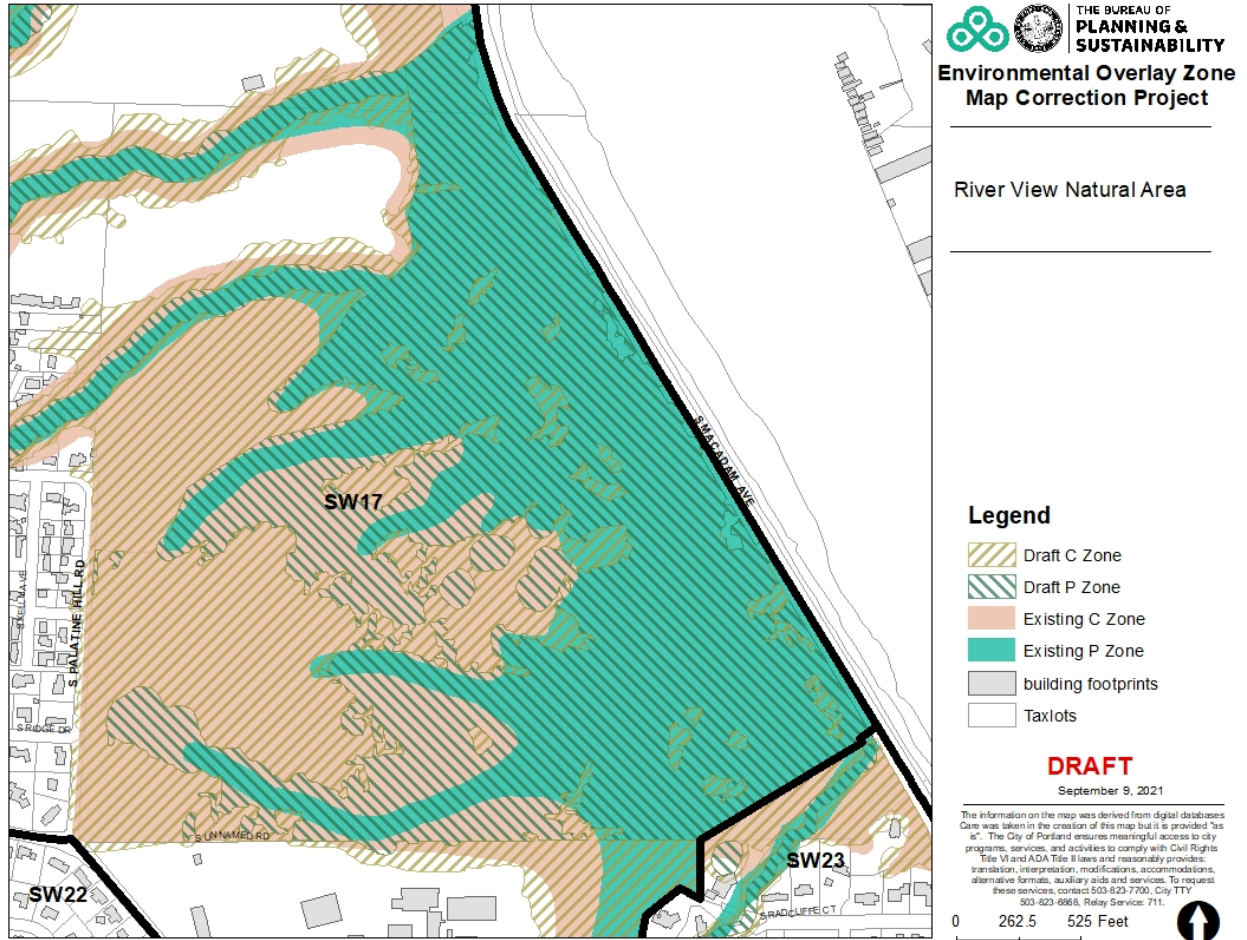
Terwilliger Parkway (SW10): See G.31

Additional Maps:

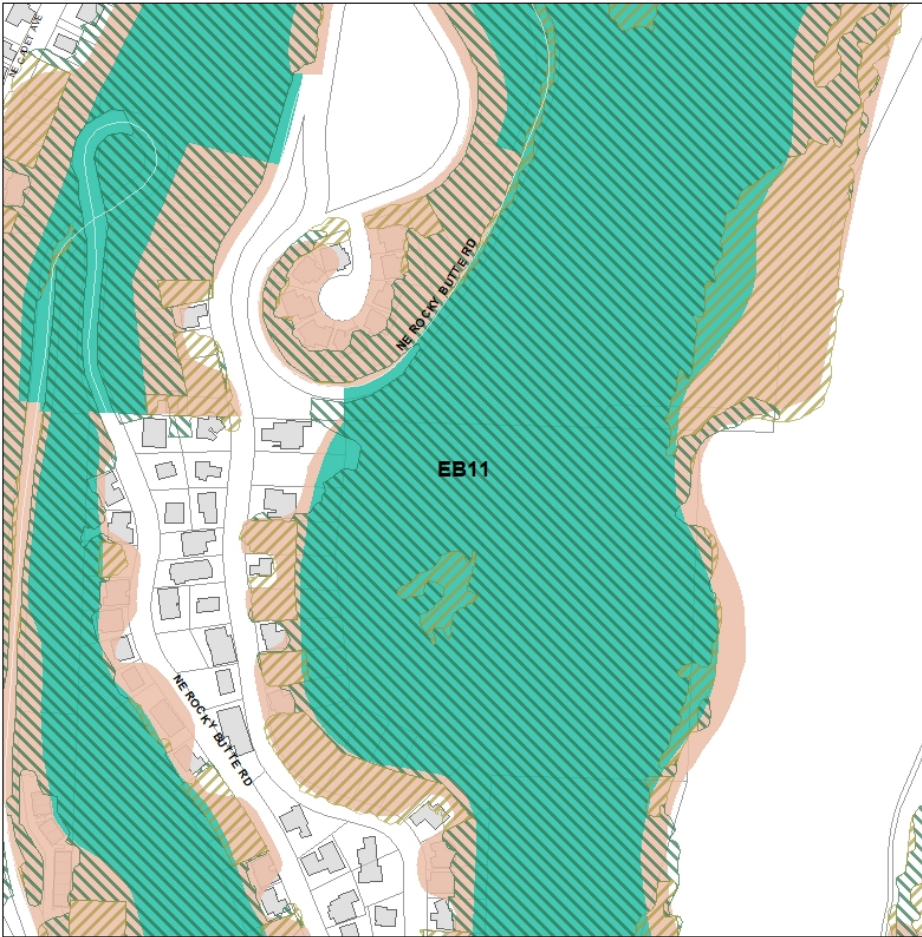
Proposed Ezones Overlayed with Existing Ezones in Resource Site FC3



Proposed Ezones Overlayed with Existing Ezones in Riverview Natural Area









Proposed Ezones Overlayed with Existing Ezones in Resource Site EB11




**THE BUREAU OF
PLANNING &
SUSTAINABILITY**
**Environmental Overlay Zone
Map Correction Project**

Resource Site EB11

Legend

-  Draft C Zone
-  Draft P Zone
-  Existing C Zone
-  Existing P Zone
-  building footprints
-  Taxlots

DRAFT

September 9, 2021

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0 135 270 Feet



Proposed Ezones Overlayed with Existing Ezones in Resource Site FC7




**THE BUREAU OF
PLANNING &
SUSTAINABILITY**
**Environmental Overlay Zone
Map Correction Project**

Resource Site FC7

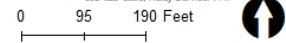
Legend

-  Wetlands
-  Draft C Zone
-  Draft P Zone
-  Existing C Zone
-  Existing P Zone
-  building footprints
-  Taxlots

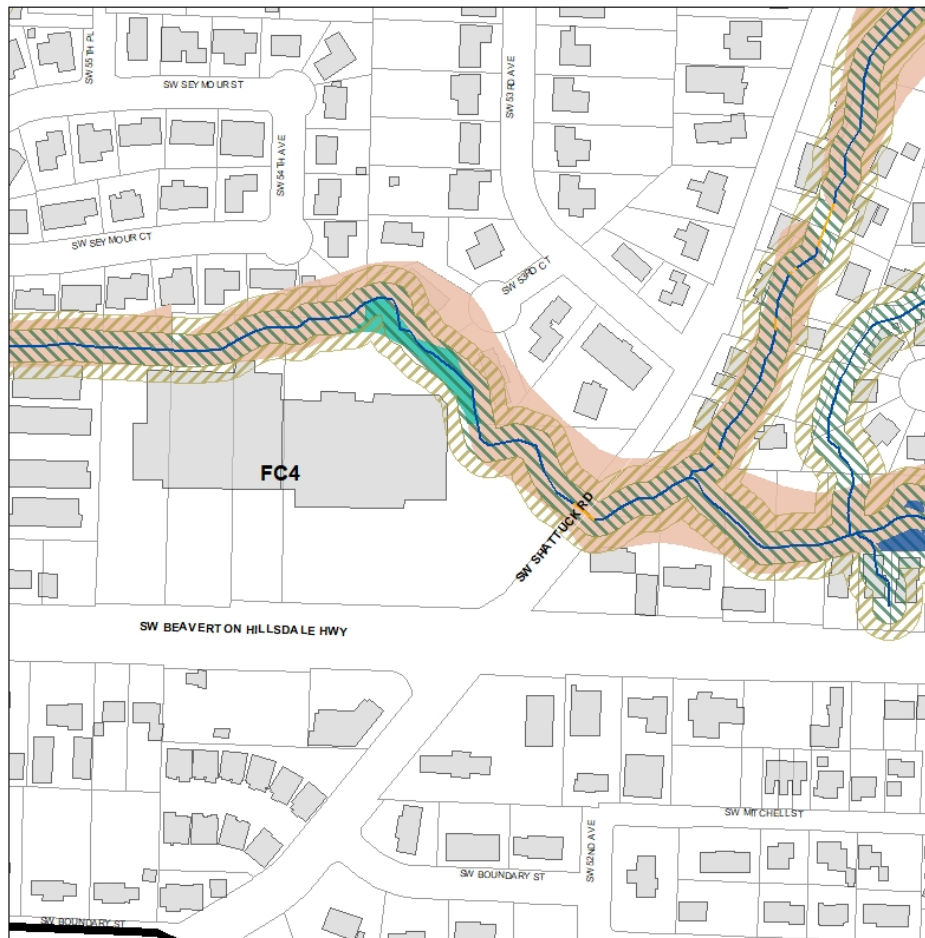
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September 9, 2021

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Proposed Ezones Overlayed with Existing Ezones in Resource Site FC4




**THE BUREAU OF
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SUSTAINABILITY**
**Environmental Overlay Zone
Map Correction Project**

Resource Site FC4

Legend

-  Wetlands
-  Draft C Zone
-  Draft P Zone
-  Existing C Zone
-  Existing P Zone
-  building footprints
-  Taxlots

DRAFT

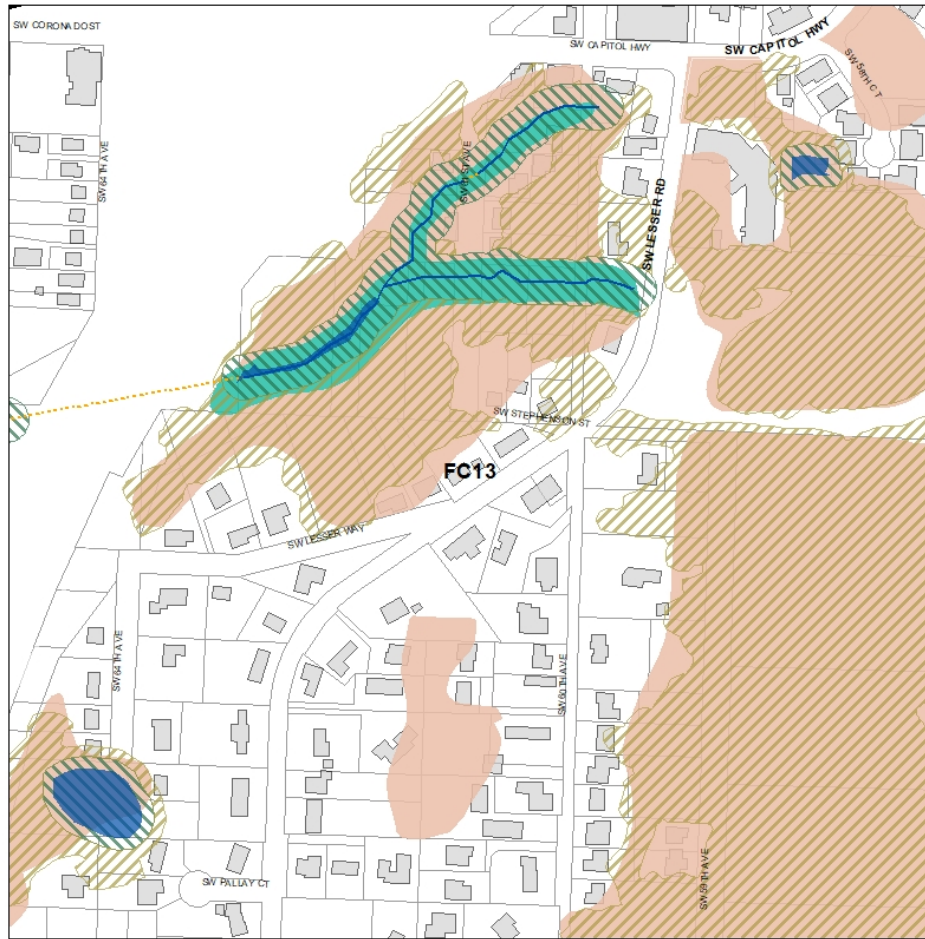
September 9, 2021

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0 95 190 Feet



Proposed Ezones Overlayed with Existing Ezones in Resource Site FC13




**THE BUREAU OF
PLANNING &
SUSTAINABILITY**
**Environmental Overlay Zone
Map Correction Project**

Resource Site FC13

Legend

-  Wetlands
-  Draft C Zone
-  Draft P Zone
-  Existing C Zone
-  Existing P Zone
-  building footprints
-  Taxlots

DRAFT

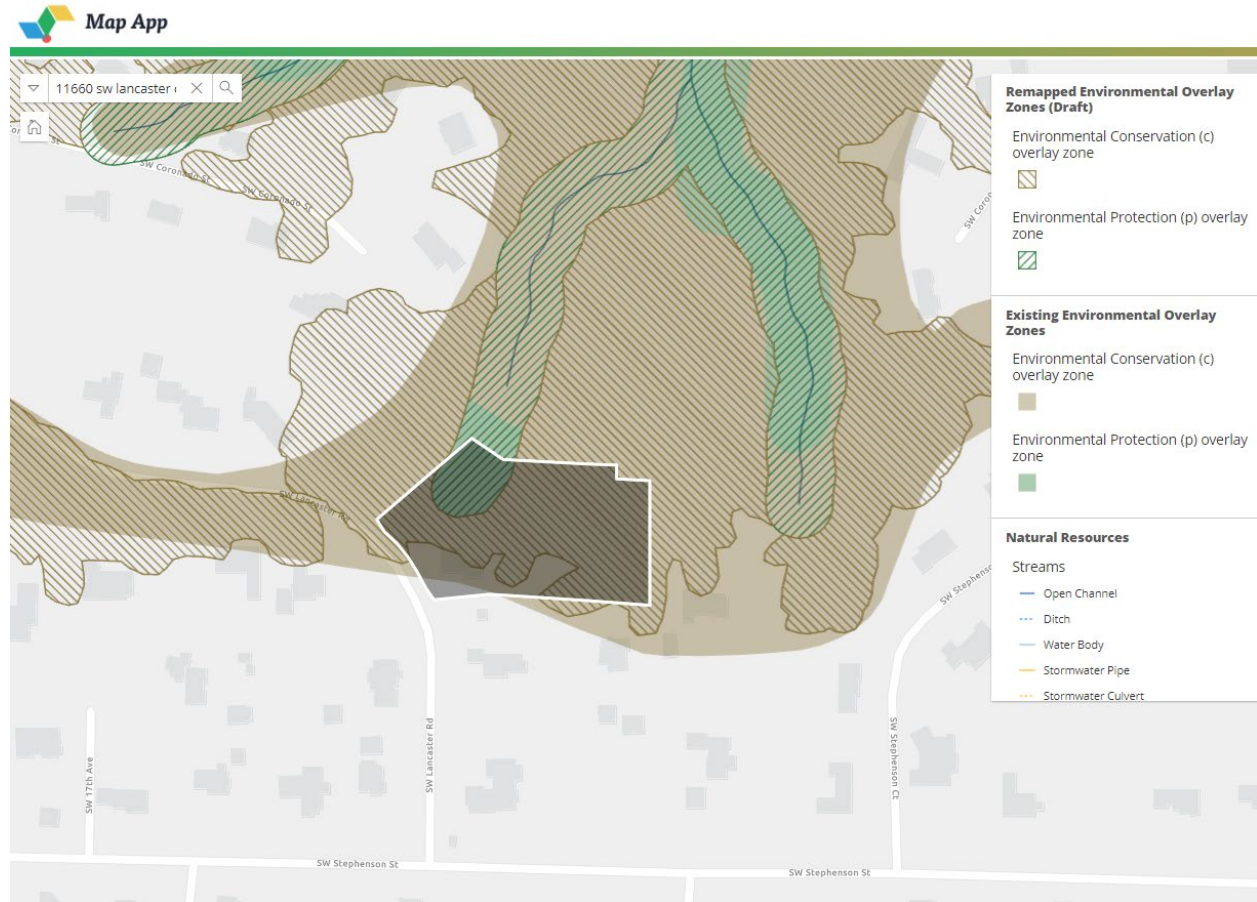
September 9, 2021

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0 137.5 275 Feet



G.18 – 11660 SW Lancaster Road



Testifier: Douglas W Kinnaird

Property Owner: Anne Jaqua Trust

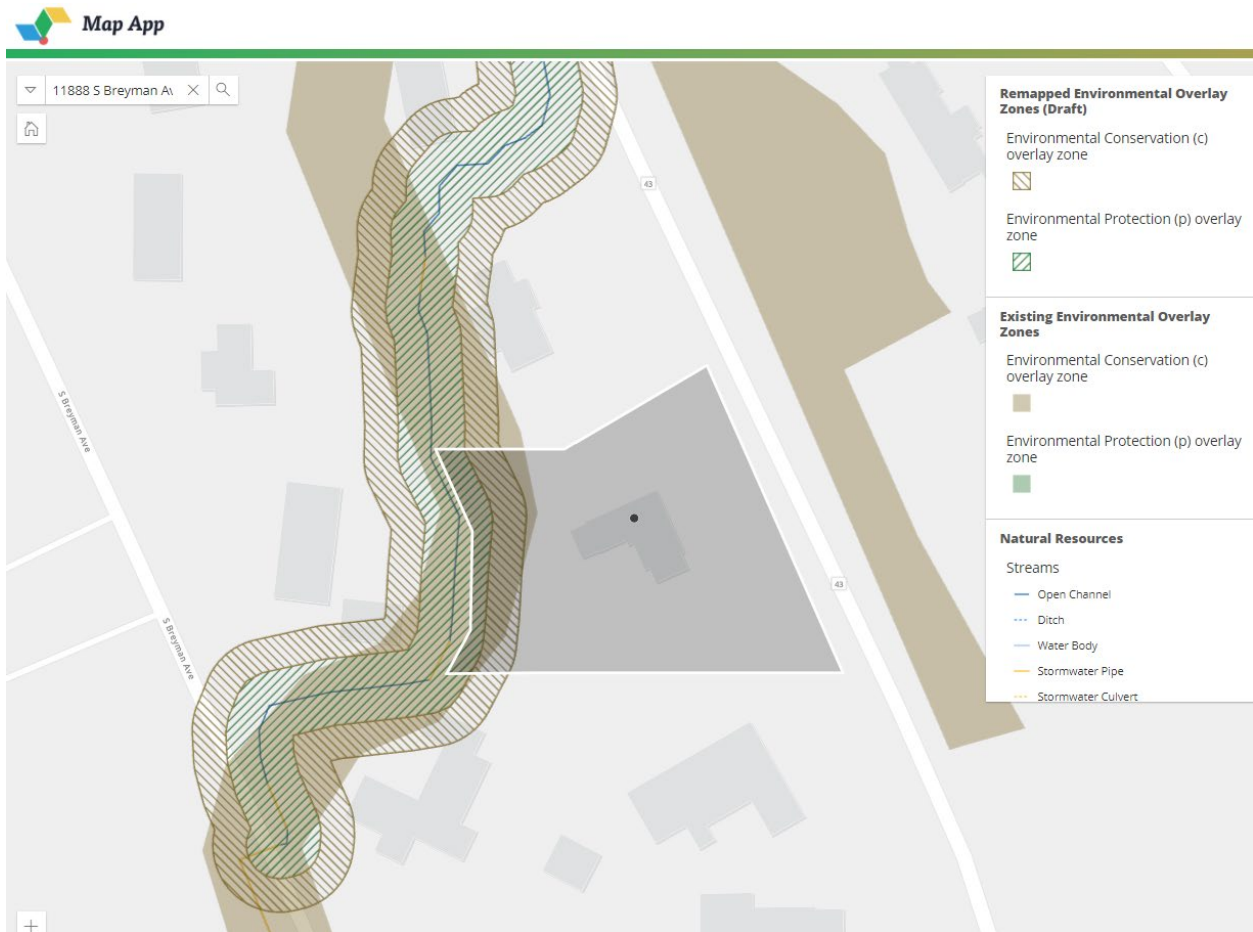
Site Visit: Yes, staff visited the site on 8/27/21.

Description: The site is 1.69 acres (73,616 sq ft) in size with an existing 4,890 sq ft structure. The base zone is R20 and the site is potentially dividable. There is a stream and forest vegetation located on the site. The protection policy is to apply 'p' zone to streams and land within 50 feet of the top-of-bank of streams and 'c' zone to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams.

Testimony: The testifier supports expansion of environmental protection in this area but also requests a minor correction to the configuration of 'c' zone at the southern edge of the property. Testimony ID 329937, 329936, and 329935

Staff Response: Staff visited the site on 8/27/21 and determined that the 'c' zone should be modified slightly to exclude trees that are separate from the forest patch. If the proposed ezones are adopted on this site, the overall ezone coverage would be reduced from its current extent under *existing* zoning.

G.19 – 11888 S Breyman Avenue



Testifier: Michael C. Robinson on behalf of the owners

Property Owner: Leslie Goss and Sam Gruener

Site Visit: Yes, staff visited the site on 2/25/2020 and confirmed presence and location of the stream. Staff have returned to the neighborhood on multiple occasions and have confirmed flow in portions of the stream that are upstream from the subject property during relatively dry parts of the year.

Description: The site is 1.06 acres (46,174 sq ft) in size with an existing 4,295 sq ft structure. The base zone is R20 and the site is potentially dividable. There is a stream and forest vegetation located on the site. The protection policy is to apply 'p' zone to streams and land within 25 feet of the top-of-bank of streams and 'c' zone to land between 25 and 50 feet of the top of bank of streams. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met.

Testimony: The property owner disagrees with the designation of this feature as a stream and requests that the ezones not be remapped on this property. They also question why the City of Portland doesn't conduct surveys to pinpoint the locations of streams with the greatest possible

precision. In previous testimony, the property owners also stated a concern about their ability to manage vegetation if portions of the existing 'c' zone on their lot are changed to 'p' zone. They noted that a number of trees on their lot were damaged in a recent windstorm. Testimony ID 329938

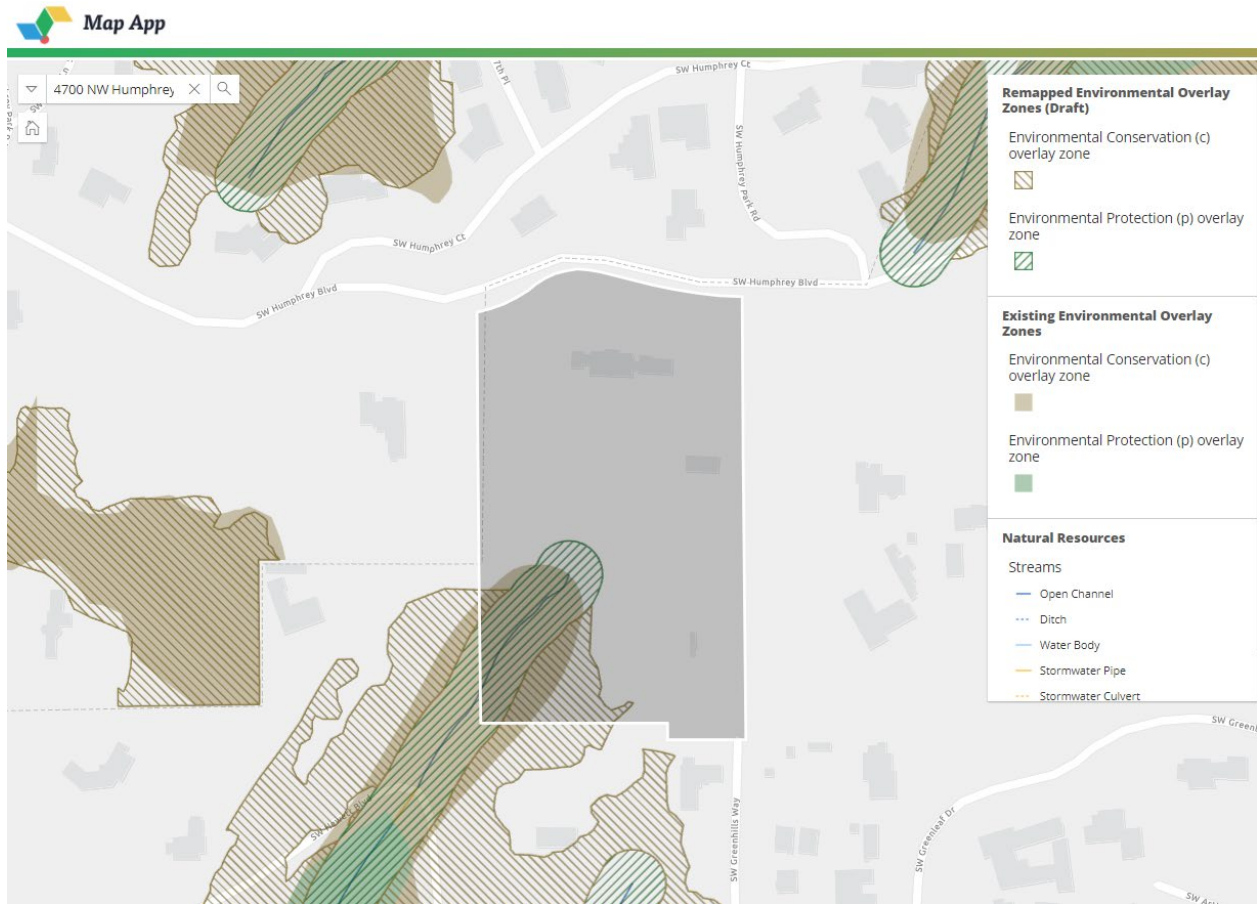
Staff Response: Staff visited the site after multiple days with no rain and observed flow in the stream. Although the stream is altered by the road, development, and pipes, it still meets the definition of stream per the Natural Resources Inventory adopted in 2012 as factual basis for the Comprehensive Plan Update. A stream is a channel, bed and bank, that carries flow for at least weeks to months during the rainy season. The property owner has argued that the channel meets the definition of roadside ditch because the channel is located along the street for some distance. A roadside ditch is a channel that is created and maintained for the purposes of managing stormwater flow from the street. A stream channel that was moved or altered by the construction of a street is not a roadside ditch.

Existing legal disturbances, such as yards or fences, can be maintained; and vegetation can be changed within the disturbance are as long as invasive species are not planted. The site could be divided, and new development could occur outside of the ezones or within the transition area if the standards of 33.430.140 are met. With the proposed changes to the ezones, the majority of the lot remains outside of the ezones.

The testimony included the question of why streams are not mapped using surveying techniques. The basis of the adopted Natural Resource Inventory stream data is LIDAR, combined with data that was obtained through field verification and modifications to reflect the location of mapped pipes, culverts and stormwater infrastructure. The City of Portland contracts with the US Army Corps of Engineers to acquire a highly spatially accurate LIDAR dataset with horizontal resolution of one foot and vertical resolution of less than one foot. Portland receives updates to LIDAR data at regular intervals. Field verification is offered by request to ensure that features that are mapped as streams meet the NRI definition and that the remote mapping is accurate.

Exemptions and standards that apply to tree and vegetation management do not differentiate between the protection and conservation overlays. If a tree meets an exemption and needs to be removed, property owners can do so, regardless of whether it is located in a 'c' or a 'p' zone. Trees can also be pruned and trimmed, as necessary, within both the 'c' and the 'p' zones, provided that property owners follow permitting requirements.

G.20 – 4700 SW Humphrey Blvd



Testifier: Jamie Howsley (on behalf of the property owner)

Property Owner: 4700 SW Humphrey LLC

Site Visit: Not requested

Description: The site is 5.97 acres (260,053 sq ft) in size with 11,172 sq ft of existing building area. The base zone is R20 and the site is potentially dividable. There is a stream, riparian area, forest canopy and herbaceous vegetation on the site. The protection policy is to apply 'p' zone to streams and land within 50 feet of the top-of-bank of streams and 'c' zone to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams extending to 200 feet from top of bank.

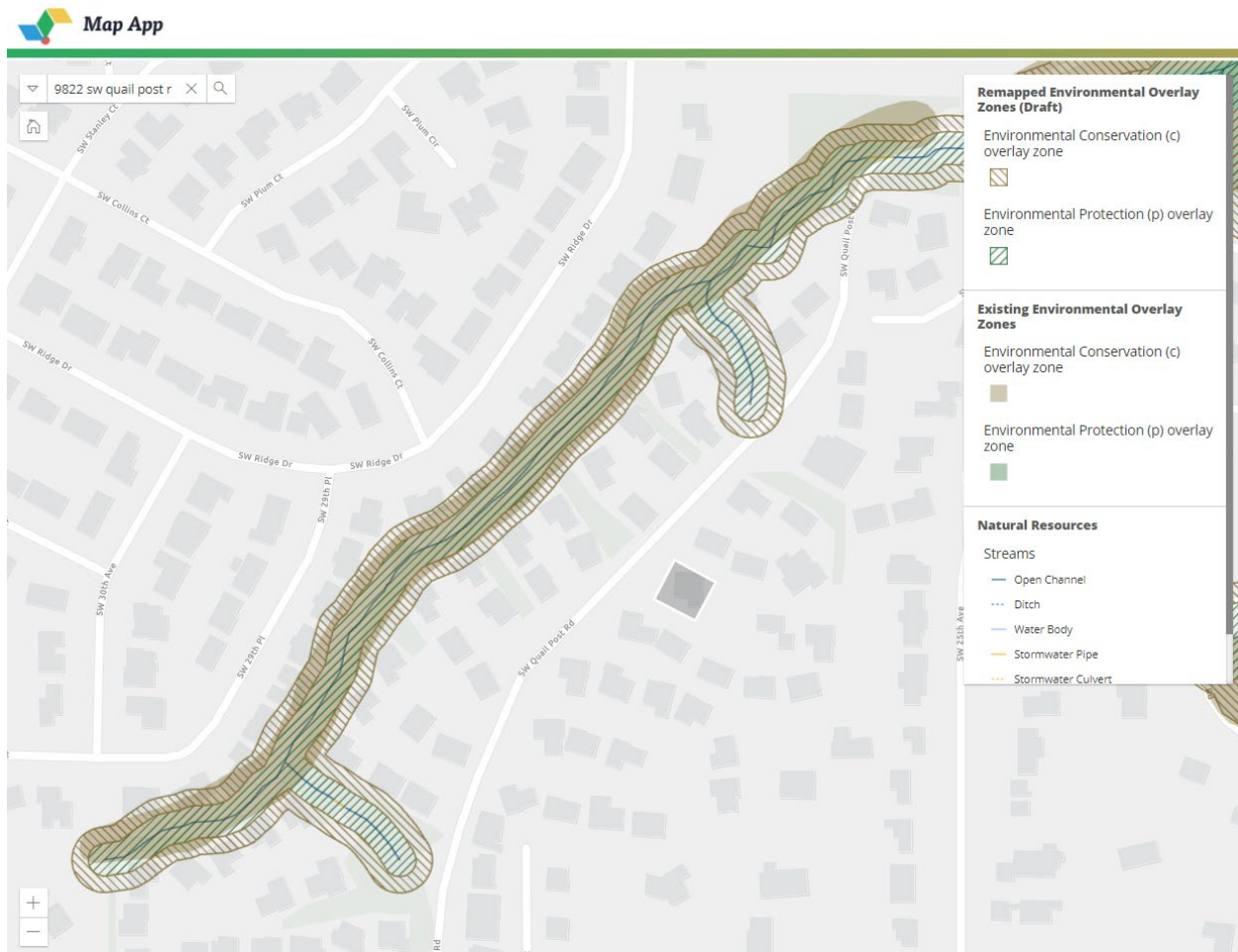
Testimony: The testimony requests that the existing 'c' zone remain in its current configuration and that the proposed 'c' zone modification and addition of 'p' zone be withdrawn. The testifier also contends that the project does not adequately balance the need for expanded housing opportunities or quantify impacts to housing. Testimony ID 329939

Staff Response: The location of the 'c' zone is based on forest canopy that is contiguous to the stream. If the forest canopy is not mapped correctly, it can be corrected based on a site visit.

The site is dividable into up to 13 lots, with the existing house remaining on one of those lots. Because of the ezones, adjustments would be needed to allow for lots to be created that wouldn't be able to meet the minimum lot size standard in the land division code that applies to the R20 base zone. The lots would need to be configured to avoid impacts to the resource area of the 'p' zone, but development in the resource area of the 'c' zone could be approved through Environmental Review. Any portion of the resource area of the ezones that would not be included in the approved disturbance area of the newly created lots would be required to be put into a natural resource tract that would remain under the joint ownership of the owners of the lots or a future HOA. The footprints of the new buildings could extend into the transition area without restriction and still meet standards, though if any trees or native vegetation was removed, mitigation would be required. With the proposed changes to the ezones, the majority of the site would remain outside of the ezones.

The Housing Capacity study was provided to PSC for the February 9, 2021 work session and can be found in [efiles](#), Attachment F. The study found that the corrections to the ezones could result in a loss of approximately 550 housing units; however, citywide there is a surplus of 201,000 housing units (source: 2035 Comprehensive Plan) and the Residential Infill Project adopted in July 2020 added another 25,000 potential housing units. So while there may be impact to housing capacity on individual lots, there will still be a surplus in housing capacity citywide after the ezones are corrected.

G.21 – Quail Park Association



Testifier: John Gibbon, member of the Quail Park Homeowner’s Association Board of Directors and Watershed representative for Markham Neighborhood Association

Property Owners: Many property owners (including the testifier)

Site Visit: Yes, staff visited the site on 5/1/19 and 3/25/21 and confirmed intermittent streams are present.

Wetland Determination: Yes, wetland determination was conducted in 2021. As a result, wetlands that had previously been mapped in the stream riparian area were removed from the wetland inventory.

Description: The Quail Park neighborhood consists of approximately 95 individually owned taxlots, all of which have a base zone of R7. There are intermittent streams, riparian areas, forest canopy and woodland canopy on this site. The protection policy is to apply a ‘p’ zone to streams and land within 25 feet of streams and wetlands and to apply a ‘c’ zone to land between 25-50 feet of streams and wetlands.

Testimony: The testifier is concerned that expansion of ezones within the Quail Park neighborhood will impose unjustified risks and costs onto him and his fellow homeowners. The testifier suggests that rigorous and ongoing outreach to impacted property owners guiding them on environmentally sound maintenance would better serve to protect a resource instead of applying environmental zoning. Testimony ID 329947, 329943, 329942

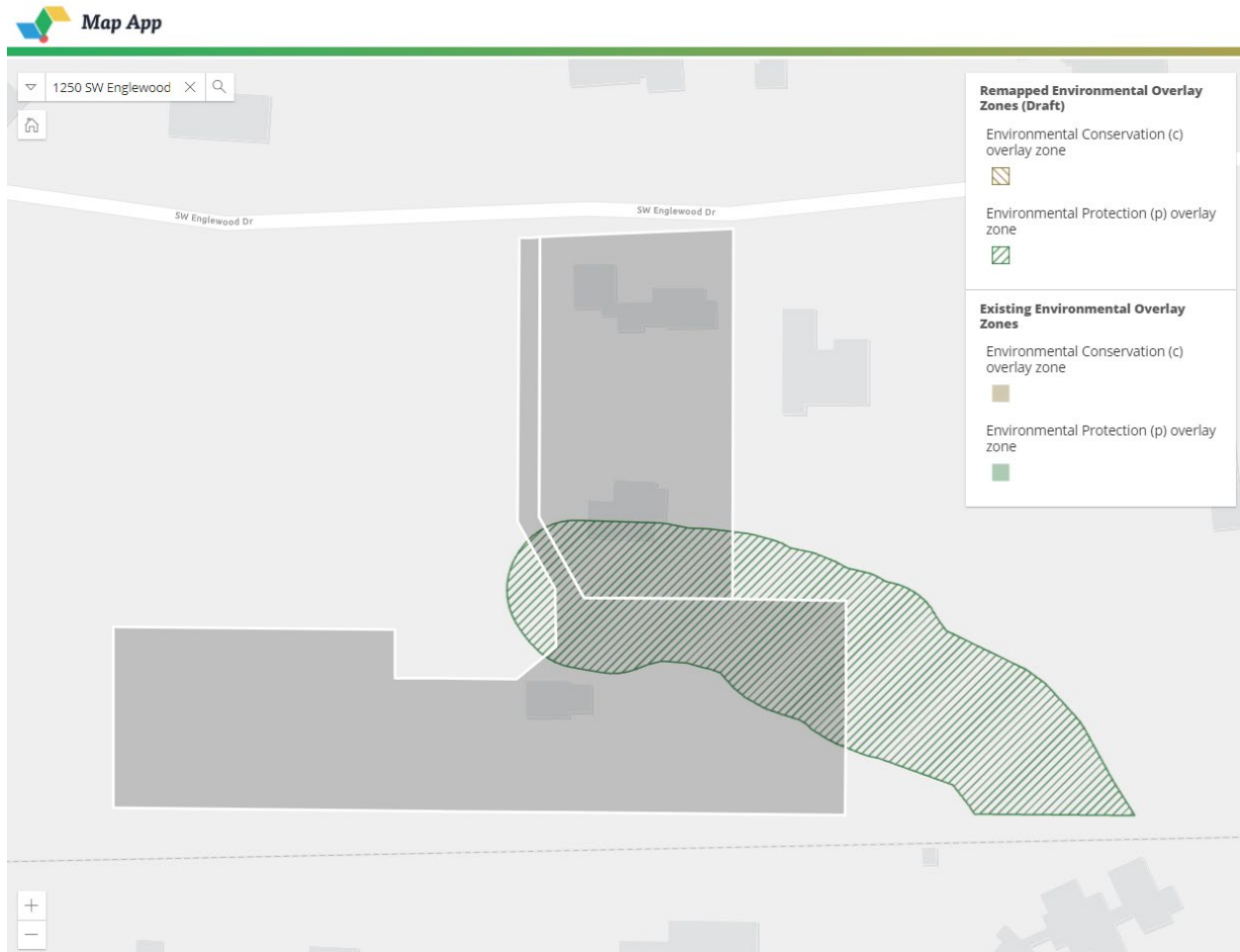
Staff Response: Staff have visited the site on multiple site visits and confirmed that the streams that are mapped on the site meet the NRI definition of seasonal or perennial streams. They are features with defined beds and banks and they appear to have consistent flow in the wet season. These streams appear to be heavily modified through past development when the subdivision was created and built out, and through modifications that were approved in an Environmental Review to mitigate erosion that was caused by the 1996 flood. But despite the impacted nature of the streams, they still provide important ecosystem functions including the drainage and movement of stormwater, and habitat and water quality.

In addition to 'Quail Creek' and the two smaller tributaries that flow into it, there are other drainage features on the site that are ephemeral in nature, and which are not mapped as streams in the NRI. If BES determined that these ephemeral features are drainageways, BES would require new development to be set back at least 15 feet.

The flow of Quail Creek continues offsite in surface channels that pass through a culvert under SW Lancaster Rd, to the east. It is an upper headwater tributary of Tryon Creek, with which it forms a confluence several hundred feet to the east of the Quail Park subdivision. Tryon Creek is a fish-bearing stream. It contains a healthy population of cutthroat trout, and it could provide habitat for salmon and steelhead when the culvert under Highway 43 is replaced. New development in the riparian area of Quail Creek should either be avoided, or its impacts should be mitigated to avoid activities that would have negative consequences for downstream ecosystems.

When project staff met with representatives of the Quail Park HOA, the major concerns that were expressed were regarding their ability to continue to maintain landscaping on the site, maintenance of a number of existing buildings that are located in close proximity to streams, concerns about managing or removing dangerous trees in the stream riparian area, and the potential replacement of an existing community pathway that runs along the stream. The removal of hazardous trees under the supervision of a certified arborist is allowed by exemption. Maintenance of existing buildings and landscaped areas is allowed by exemption. Maintenance of the existing riverside pathway would also be exempt, as long as there were no significant changes to the layout or construction materials. Changes to the pathway that go beyond maintenance or replacement would be subject to Environmental Review, but they would likely be approvable, even within the 'p' zone, as long as adequate mitigation was proposed and if the proposal could demonstrate that it would provide a public benefit (which they could, as long as the pathway is a publicly accessible trail).

G.22 - 1250 SW Englewood Drive



Testifier: Karen Rafnel

Property Owner: Karen Rafnel and Dennis Harris

Site Visit: Yes, 8/24/20

Wetland Determination: Consultants from SWCA Environmental conducted a wetland determination in 2021 and verified wetland mapping on the site.

Description: The site consists of two lots, both under the same ownership. The northern lot is 0.92 acres (40,073 sq ft) with 4,782 sq ft of existing building area. The southern lot is 1.90 acres (82,764 sq ft) with 660 sq ft of existing building area. The base zone for both is RF. There is a wetland on this site. The protection policy is to apply 'p' zone to wetlands and land within 50 feet of wetlands.

Testimony: The property owner disagrees with the western 90-100 feet of the proposed new p-zone on this site and believes that it should not be designated as a wetland. The owner contends that application of the p-zone in this area will adversely impact their ability to maintain and alter the existing gravel road, loading pad, flag road for the southern lot, and firetruck

turnaround. The property owner also contends that they have been unable to review the soil and plant data that were used to make a wetland determination on the site. Testimony ID 329945.

Staff Response: The wetland mapping on the site was field verified in accordance with the protocols that have been employed in the Wetland Inventory Project. At the request of the property owner, Bureau of Environmental Services staff provided data sheets and maps that were produced by SWCA staff as a result of the onsite wetland determination. These records were transmitted as email attachments to the property owner on July 22, 2021.

The wetland determination data sheets note the existence of wetland hydrology, redoximorphic soil conditions that indicate seasonal saturation, and hydrophytic plant dominance in two of the six study plots that were tested by SWCA staff. The results of the field sampling were used to modify and verify the wetland mapping on the site. Wetland mapping was adjusted or deleted in areas where wetlands were not confirmed to be present, and they were retained in locations where wetland mapping was field verified. The wetland appears to be the headwater of a tributary that flows into Tryon Creek.

Property owners that disagree with wetland mapping that has been field verified may conduct an independent wetland delineation on their property. If the results of a wetland delineation conflict with wetland mapping in the Natural Resource Inventory, and if the Oregon DSL concurs with the results of the delineation, the results will supersede the previous wetland determination and the wetland inventory will be modified accordingly.

All existing development is vested and categorically exempt from the code that applies to the ezones. Continued maintenance and use of the gravel driveway and other gravel vehicle areas on the site would be exempt, even though the driveway does intersect with a proposed protection zone. Similarly, existing buildings, utilities, and landscaped areas would not be impacted by the proposed ezones. All existing developed areas that were permitted and legal at the time of their construction are categorically exempt from the code that applies to the ezones. Expansion of the driveway footprint or replacement of the existing gravel driveway with a paved surface within the resource area of the 'p' zone would likely not be able to meet exemptions.

The property owner referenced a Type III land use review that approved a two-lot partition in 2004. Assuming that the land use review approval has not expired, development on the site can proceed according to the terms and conditions that were stipulated therein. The southernmost lot contains an existing agricultural building. There is ample space on this lot outside the resource area of the 'p' zone to add a house or additional building, or to add an expansion onto the existing building. The proposed ezones would not prevent the development of this lot. If the land use review approval was conditioned on the construction of new driveways, new vehicle maneuvering areas or new structures, and if it was necessary for these new structures or vehicle areas to be built in areas that intersect with the resource area of the proposed 'p' zone, their construction would likely be subject to an environmental review.



**Environmental Overlay Zone
Map Correction Project**

**Water Features - January 2021
Before Wetland Determination**

1250 SW Englewood Dr

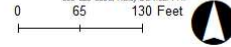
Legend

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

DRAFT

July 21, 2021

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**Environmental Overlay Zone
Map Correction Project**

**Water Features - July 2021
After Wetland Determination**

1250 SW Englewood Dr

Legend

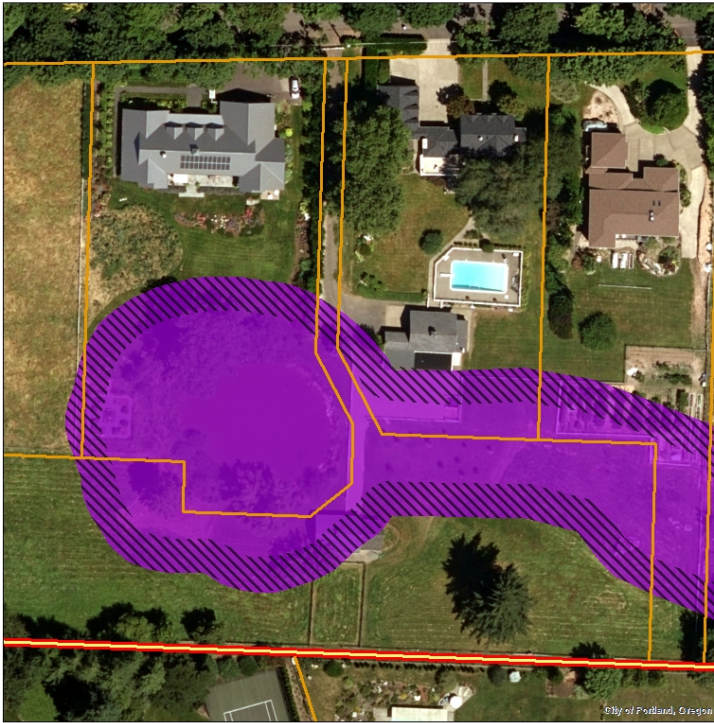
- taxlots
- piped stream segment
- open stream channel
- wetlands_pdx_wip_210713
- building footprints

DRAFT

July 21, 2021

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**Environmental Overlay Zone
Map Correction Project**

Draft Ezones - July 2021
Before Wetland Determination

1250 SW Englewood Dr

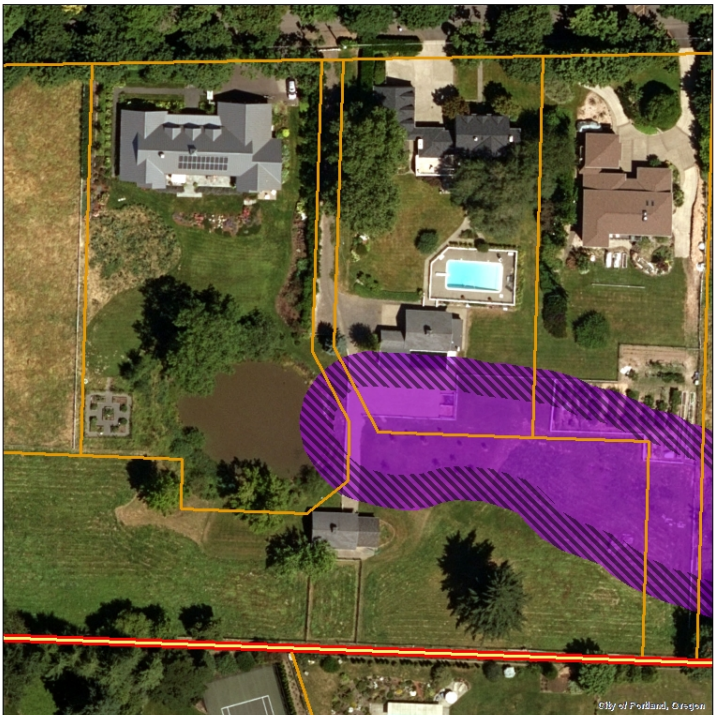
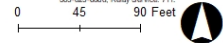
Legend

- taxlots
- Transition Area
- Draft C Zone
- Draft P Zone

DRAFT

July 22, 2021

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**Environmental Overlay Zone
Map Correction Project**

Draft Ezones - July 2021
After Wetland Determination

1250 SW Englewood Dr

Legend

- taxlots
- Transition Area
- Draft C Zone
- Draft P Zone

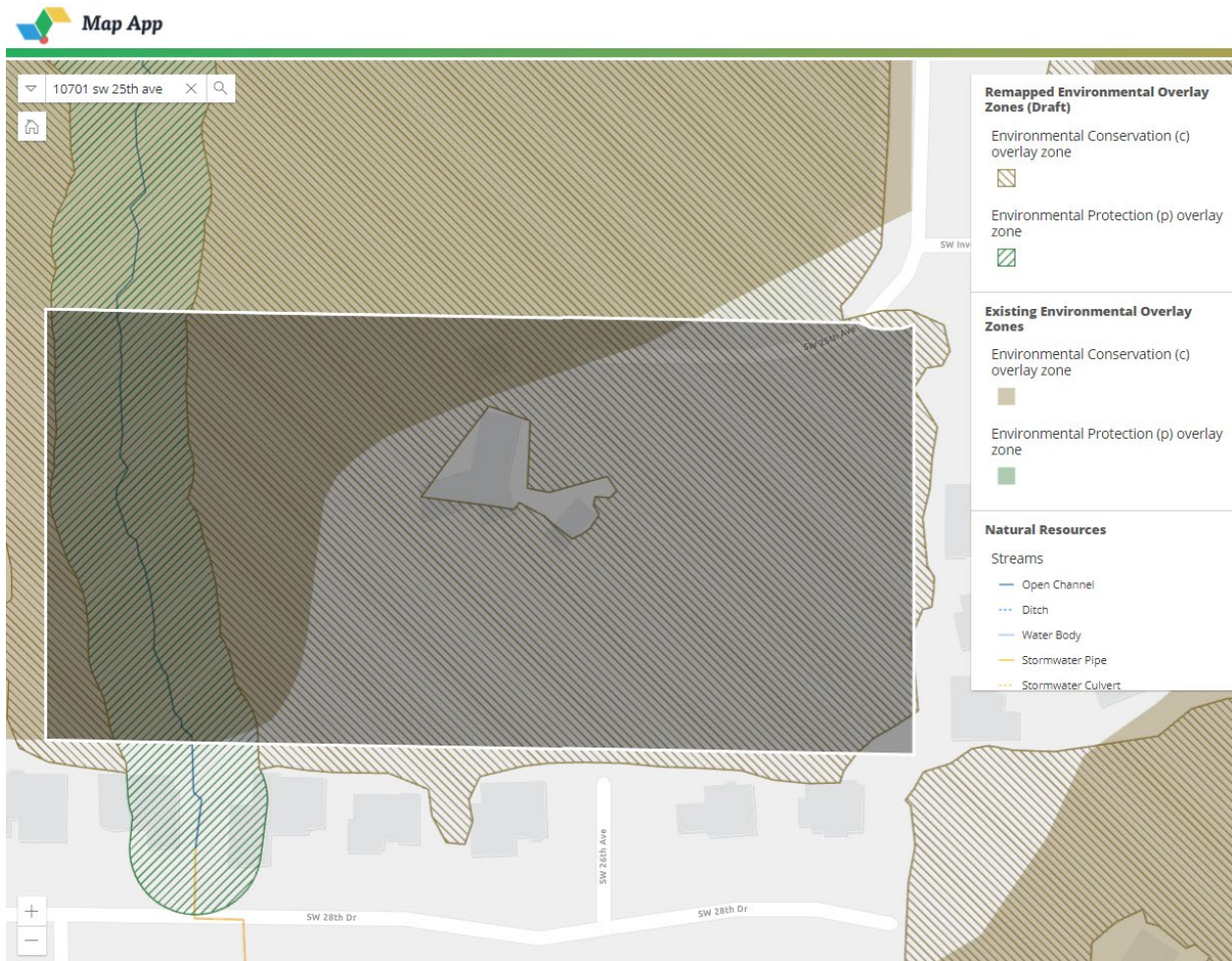
DRAFT

July 22, 2021

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G.23 - 10701 SW 25th Ave



Testifier: Laurie Rutenberg and Gary Schoenberg

Property Owner: Laurie Rutenberg and Gary Schoenberg

Site Visit: BPS staff have offered to conduct a site visit to review the natural resource mapping on the site. The property owners have entertained the option of a site visit multiple times, but never agreed to one. Staff have explained that a site visit could potentially result in edits to vegetation mapping on the site, which could impact how much of the site is encompassed by proposed ezones. The most likely location where vegetation edits could be made is in the area near the existing house.

Description: The site is 4.96 acres (216,058 sq ft) with approximately 3,202 sq ft of existing development. The base zone is R10, and the site is dividable. The land division standards would allow this lot to be divided into up to 22 lots at maximum density if no street is required to be created. However, the property owners have obtained preliminary approval through BDS for a 17-lot subdivision of this property, including a new public street. When public streets are required by PBOT as a condition of approval of a land division, the maximum density calculation changes, and the maximum number of lots that is allowed to be created is reduced. In order to

finalize their subdivision and develop their site according to the terms of their LUR approval, the property owners need to file for final plat by 2024 and finish the development by 2029. If they fail to meet the conditions that were laid out in their LUR approval, they would have to start over on the land division and development approval process.

There is a stream, riparian area, and forest canopy on this site. The protection policy is to apply a 'p' zone to streams and land within 50 feet of streams and a 'c' zone to forest contiguous to and more than 50 feet from streams. Under the existing zoning maps, roughly one third of the site is covered by ezones. If the proposal is adopted, the ezones will expand to cover the majority of the site. Most of the lot area that would be covered by proposed ezones would be 'c' zone, which is developable with mitigation.

Testimony: Do not expand the ezones on the site because it will impact the ability to subdivide the site in the future and will decrease property value. Don't change ezone mapping on this site because ezones would prevent the owners from building houses that would help to reduce the citywide housing shortage. Honor the existing land use decision by maintaining the ezones in their current location. Property owners requested a detailed economic analysis of the financial impacts of changing zoning on this specific property. Oral Testimony 8/24/21 PSC Hearing. Testimony ID #329969

Staff Response: The property owners have a land use review approval that would allow them to create a 17-lot subdivision on their site. But there are conditions of approval that could impact how development on the site could move forward. If the conditions are not met, there are potential impacts that could affect future development on the site. These situations are described below.

In discussions with the property owners, staff have learned that the main issue that is preventing them from moving forward with their final plat is the requirement that they remove all buildings from the site prior to final plat approval. The property owners are living in the house that is located on the site, and they are not planning to vacate their home at this time. They have had difficulty identifying developers that are interested in purchasing the site and moving forward with final plat approval and development. The property owners are concerned that they will be unable to satisfy the conditions of the final plat approval using their own financial resources within the specified timeframe.

If the draft ezones are adopted as proposed on the site, future development could proceed according to three possible scenarios:

1. **The property owners could follow the steps that are outlined in their approved land use review.** They could build a 17-lot subdivision or sell the lot to someone else, who could complete the subdivision according to the terms of their LUR approval. They would need to apply for a final plat in 2024, at the latest, and they would need to move forward with permitting and site development no later than 2029 (the timeline for their final plat approval was extended by an act of City Council that granted extra time for the

recipients of LUR decisions because of delays and hardships that were caused by Covid-19).

If they follow these steps, they will remain vested in the code and the zoning maps that were in place when they applied for their land use review. They can proceed with clearing the vegetation within the approved lots and the public street, they can install the required utilities, and they can build out the homesites. If they follow this track, no Environmental Review will be required and no mitigation for impacts to resources will be required, other than those that were stipulated in their LUR approval conditions.

2. **The property owners could obtain their final plat within the specified timeline but fail to move forward with site development by 2029.** If this happens, the land division will still be complete, and the 17 lots that were approved in the LUR decision will exist as separately developable lots. The number of the lots and the size of the lots will be set, but the *vesting* of the development approval would no longer be valid. If at that point, the property owners wanted to develop the site, they would be subject to whatever code and zoning maps were in place at the time, including the ezones. Development of the road and each of the lots would either have to meet standards or be subject to Environmental Review and/or other conditions of approval. Additional mitigation for the impacts of development would likely be required if the site was developed. Mitigation plantings could be installed in the natural resource tract. But the final plat itself would not expire if the property owners obtain approval by 2024. The number of lots, the lot sizes, and the lot layouts would be permanent, even if the LUR decision expired.
3. **If the property owners do not obtain their final plat by 2024, all aspects of the LUR approval will expire.** Any future development on the site would be subject to current zoning. Because the majority of the lot would be covered by ezones if the proposed ezone maps are adopted, any land division would likely not be able to meet the standards in the ezone code and would thus be subject to Environmental Review. Environmental Reviews are negotiated processes with uncertain outcomes. With mitigation, it is possible that the development could be approved on the site with a footprint that would be similar to what was previously approved for the 17-lot subdivision. But it is also possible that a new subdivision on the site would occupy less area than the previous subdivision did. Depending on the proposed layout, the lot sizes and the number of lots in the subdivision could be reduced to minimize the impacts to the natural resources on the site. There are additional conditions of approval that would likely come into play again as part of the new land use review, such as requirements to build public streets and utilities, that complicate site development. These requirements are separate and unrelated to ezones, and they can have a significant impact on how sites can be laid out and developed.

The property owners have requested a detailed financial analysis of the potential impacts of the proposed changes to the ezones on this specific lot. While economic considerations are one of the four key ESEE factors that are required to be weighed when determining how and if Goal 5 protections should be applied to resources, the ESEE analysis is intended to be used at a planning level scale. The ESEE decisions apply to entire resource sites, which typically consist of dozens or hundreds of lots. Project staff have not attempted to quantify the market value of individual lots, or how the resource protections could impact that value. Such a detailed, lot-by-lot analysis is beyond the scope of this project and it would have been beyond the scope of the previous resource protection plans that have previously been adopted in the City of Portland.

The ESEE analysis that is included in the project report focuses on the citywide impacts to land supply that are imposed by applying ezones to resources. An analysis of the impacts of resource protection on an individual lot would inherently involve the estimation of land values based on fluctuating real estate prices in a local market and it would require specific assumptions to be made about the possible results of a hypothetical Environmental Review, the outcomes of which would be uncertain and variable, and would at least partially be based on site-specific factors that are unrelated to ezones.

The property owner questioned the impact of the ezone project on the Portland housing supply. They noted that there is currently a shortage of *existing* housing in the City. Analysis that was prepared for the 2035 Comprehensive Plan demonstrated that the existing residential land supply could produce more than 200,000 new housing units if it was fully built out. The analysis demonstrated that there was surplus of at least 120,000 units more than what would be needed to meet 2035 growth projections. Since the adoption of the Comp Plan in 2018, there have been changes to the residential zoning code that were implemented with the adoption of the Better Housing by Design Project and the Residential Infill Project. These changes have increased the residential land surplus beyond what was projected in 2018. Project staff have conducted an analysis to estimate the impacts that the proposed ezones could have on the supply of buildable land citywide. Staff found that the change from the existing to the proposed ezones could result in an estimated reduction of approximately 550 housing units. The reduction in the number of buildable units that would result from the proposed changes to the ezones would not have a significant impact to the overall supply of buildable residential land in Portland.

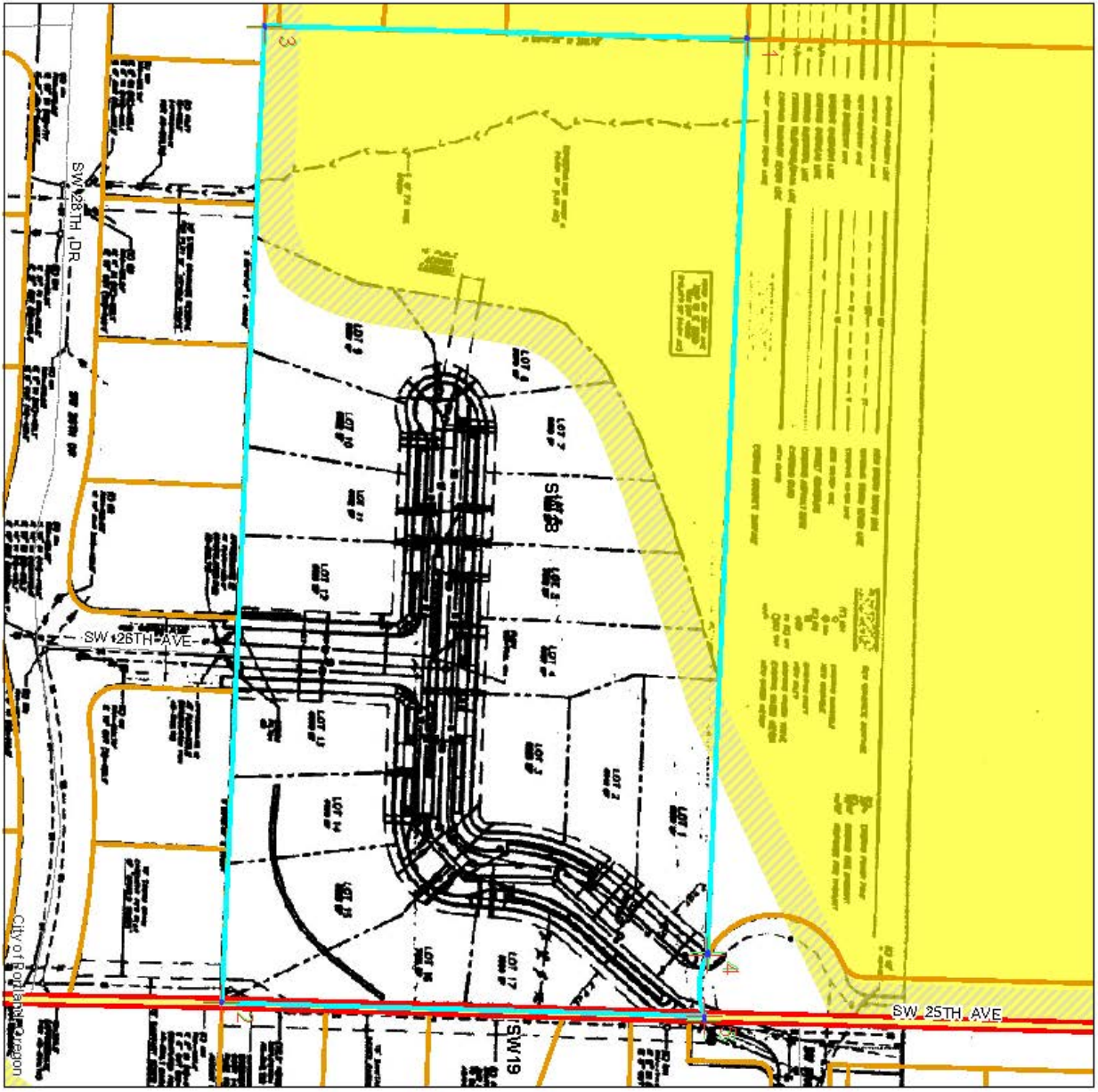
Though project staff have not attempted to calculate the potential financial impacts of ezones in individual properties, staff have tried to ensure, on a site-by-site basis, that resources are mapped correctly and that the ezones are applied consistently. Staff have used two different methodologies to do site-by-site analysis:



1. The first is to conduct site visits at the request of property owners. Staff often find that reviewing sites from the ground can reveal small errors in vegetation mapping or can call attention to breaks or gaps in the forest canopy that wouldn't otherwise be apparent in the aerial imagery. Edits to vegetation mapping can result in changes to how ezones are mapped on a particular site. Staff have offered to conduct a site visit at 10701 SW 25th to

review the resource mapping on the site, but the property owners have not yet availed themselves of the offer.

2. The other site level analysis that staff have employed is the 'p' zone to 'c' zone conversion process. Staff have systematically reviewed the proposed application of ezones to ensure that they are not being applied in a way to would prevent dividable or vacant lots from having a reasonable economic development value. On lots where the mapping protocols would cover 70% or more of the lot in 'p' zone, staff followed a standard process that is detailed in the project report to convert some lot area to 'c' zone. But in this case, the property owners are requesting a complete removal of proposed ezones from an area of a lot where natural resources have been mapped and where the mapping protocols and existing policy call for ezones.

Existing Ezones Overlaid on Preliminary Plat



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City of Portland, Oregon

**Environmental Overlay Zone
Map Correction Project**

Existing Ezones

LUR Site Plan

Legend

- taxlots
- Transition Area
- Existing C Zone
- Existing P Zone
- Scenic Overlay

LUR_SitePlan.jpg

Value

High : 255


Low : 0

DRAFT

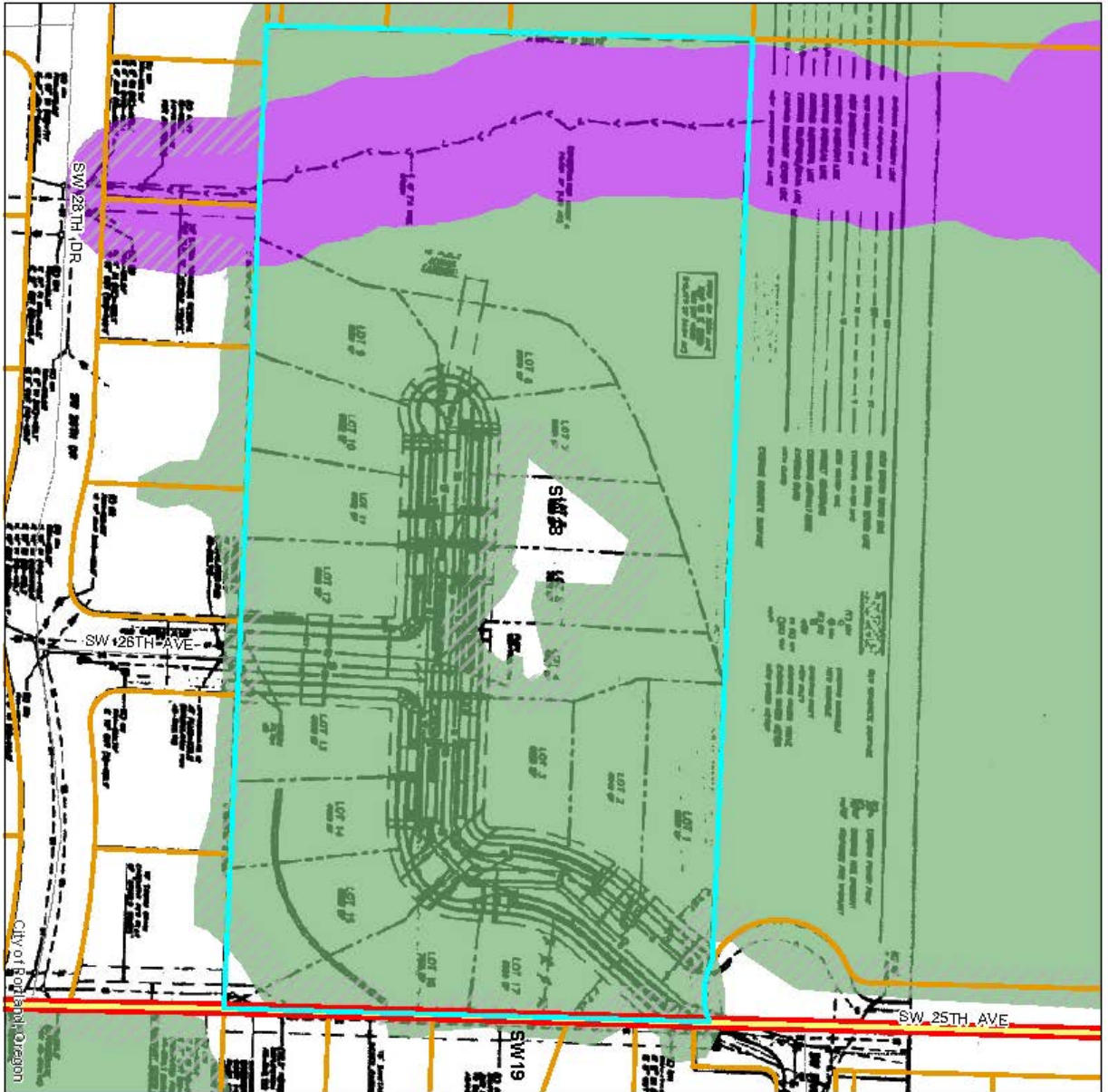
February 16, 2021

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0 60 120 Feet



Proposed Ezones Overlaid on Preliminary Plat









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Environmental Overlay Zone Map Correction Project

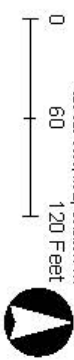
Draft Ezones
LUR Site Plan

- Legend**
-  taxlots
 -  Transition Area
 -  Draft P Zone
 -  Draft C Zone
- LUR_SitePlan.jpg**
- Value**
- High : 255
 - Low : 0

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February 16, 2021

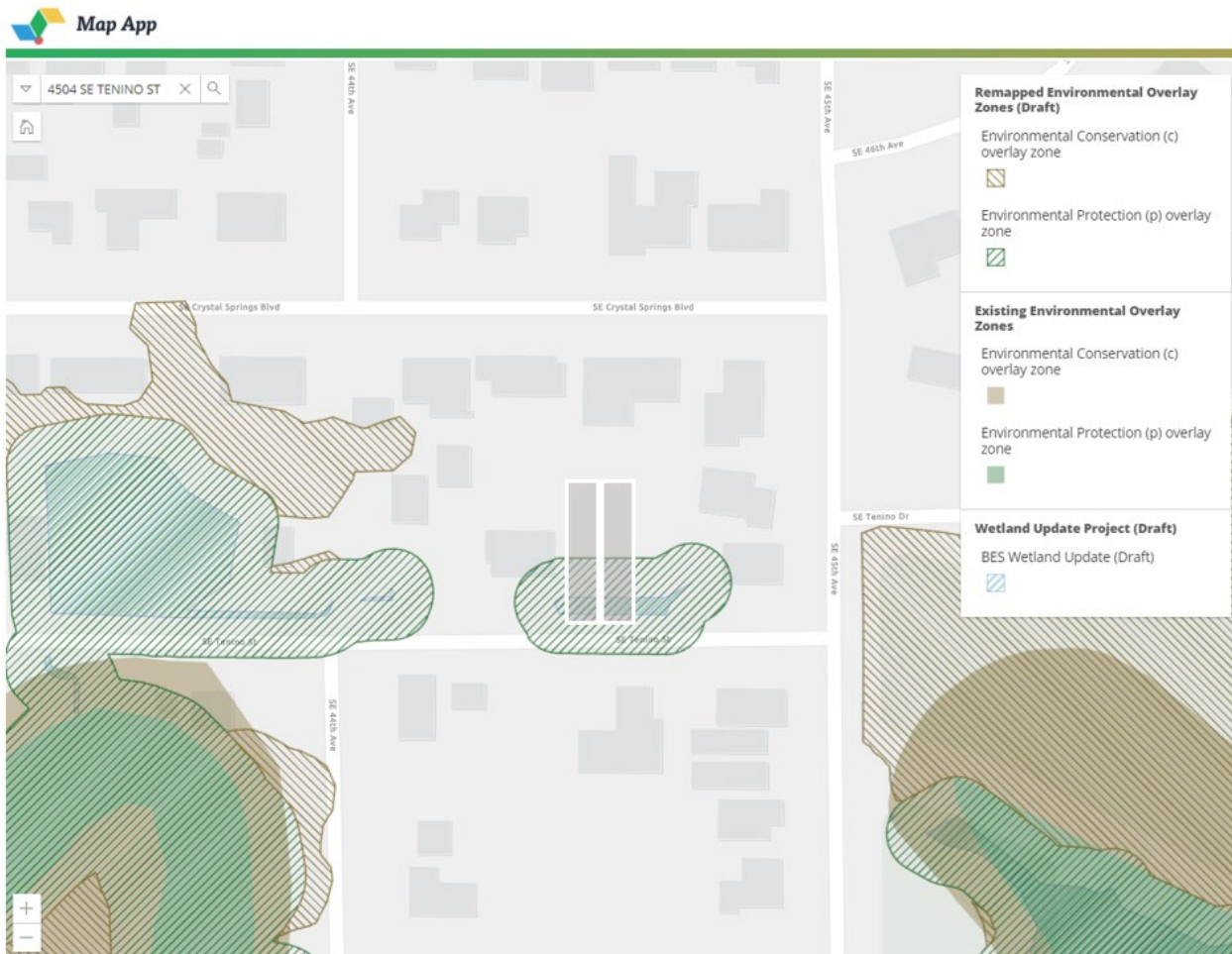
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Aerial View of 10701 SW 25th Ave



G.24 - 4504 SE Tenino Street



Testifier: Amanda Spencer

Property Owner: Amanda Spencer

Site Visit: 2/17/21 and 9/1/21

Wetland Determination: Yes, a wetland determination was conducted in Spring 2021. Wetland mapping on the site was confirmed.

Description: The testifier owns two adjacent lots on SE Tenino Street. Each lot is 2500 sq ft and both are vacant. The base zone is R5 and the lots are not further dividable. BES staff confirmed the presence of a wetland in the right-of-way at the front of the lots. While the wetland on the sites has been impacted by development of the road and nearby residences, there is a significant and important hydrologic connection to the wetlands and springs to the east and west of the site. The existing protection policy is to apply 'p' zone to wetlands and land within 30 feet of wetlands.

Testimony: The property owner strongly objects to the proposed change because the parcels are surrounded by existing residential development, the proposal limits the developability of the lots and therefore impacts available housing, the owner believes it is not a natural feature, and

because the change would decrease the value of the properties (which the owner purchased as an investment). Testimony ID 246845 and 329967; oral testimony 8/24/2021

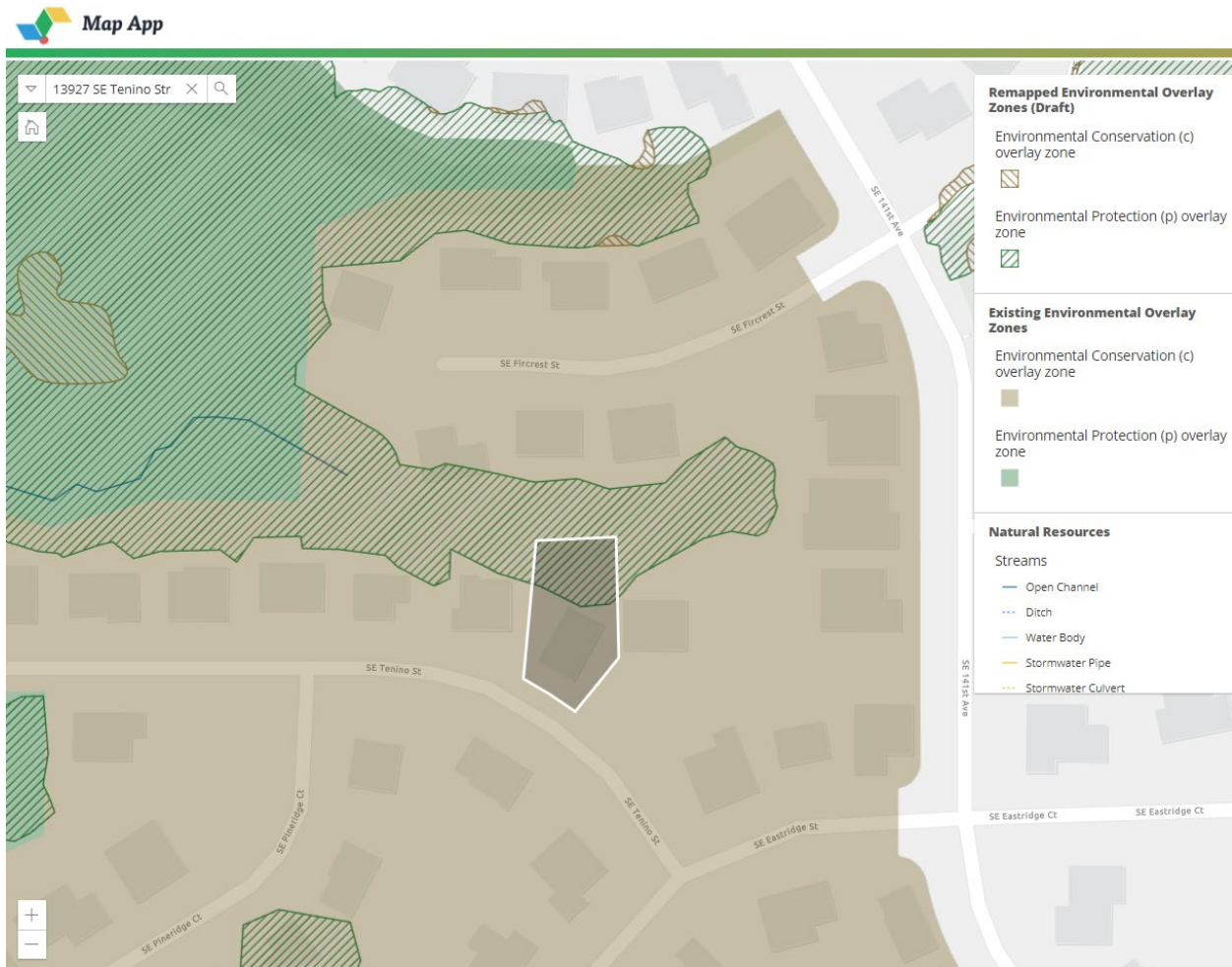
Staff Response: Project staff and wetland scientists from the Bureau of Environmental Services met with the property owner to discuss the wetland feature and the proposed ezones that would apply to it. There is an identified wetland that is located in the right of way in front of the property owner's lot. The wetland is a part of a complex of wetlands that receive a constant flow from seeps and springs that flow out of the hillside to the north of SE Tenino St in the block that is located to the west of SE 45th Ave. The wetlands are perennially saturated with water, and on multiple visits to the site, staff confirmed that there is surface water that is visibly flowing through the wetland complex, even late in the particularly dry summer of 2021. Much of the wetland and spring system has been altered by past development in the area, but the wetlands are naturally occurring and are not constructed wetlands. Though heavily impacted and disturbed, the wetlands in the complex still retain significant natural function, providing groundwater and runoff storage and recharge, filtration of pollutants and limited wildlife habitat. It is appropriate to apply the 'p' zone to these wetlands to ensure that their functions are not impaired by future development, and that if they are impacted, that the impacts are mitigated.

The wetland and the other associated wetlands that are located along SE Tenino St are connected by a series of open channels, pipes and culverts to the side channel of Johnson Creek, which is located to the southwest of the site - just over 300 feet away from 4504 SE Tenino St. The water that flows through the wetland complex serves as a critical cold-water input that discharges directly into the creek.

Studies of Johnson Creek have demonstrated that it contains multiple runs of threatened or endangered salmon and steelhead. Portions of Johnson Creek are suitable spawning grounds for these species, but the stream channel has been significantly impacted by early 20th Century WPA projects, that straightened and armored the stream channel with concrete and rocks. Agricultural, residential, commercial and industrial development along Johnson Creek has further impacted the stream and degraded the quality of habitat by removing trees and other vegetation that could shade the stream and moderate the water temperatures. While salmon and steelhead runs continue to survive in Johnson Creek, elevated water temperatures make these fish more and more reliant on cold-water inputs in the stream system that provide refugia for them as they move through increasingly inhospitable reaches of the stream.

While development in the 'p' zone is generally precluded, property owners are always allowed reasonable economic development of lots that they own. One of the few circumstances in which development may be allowed to cross a stream or a wetland in the resource area of a 'p' zone is when the property owner can demonstrate that it is the only reasonable way to access a property in which development is proposed. However, new development on private property in the resource area of the 'p' zone cannot meet standards. If the proposed 'p' zone is applied in this location and if the property owner wishes to develop these lots, they would have to seek approval through the Environmental Review process, and they would have to propose mitigation for the impacts to the wetlands.

G.25 - 13927 SE Tenino Street



Testifier: Sandra Lohstroh

Property Owner: Sandra and Bret Lohstroh

Site Visit: Not requested

Description: The lot is 0.18 acres (7,697 sq ft) with 3,370 sq ft of existing development. The base zone is R10, and the lot is not further dividable. There is forest canopy on the northern portion of this site that is contiguous to the stream to the west. The entire site is steeply sloped (25% or greater). The protection policy is to apply 'p' zone to forest vegetation on steep slopes contiguous but more than 40 feet from the top-of-bank of streams.

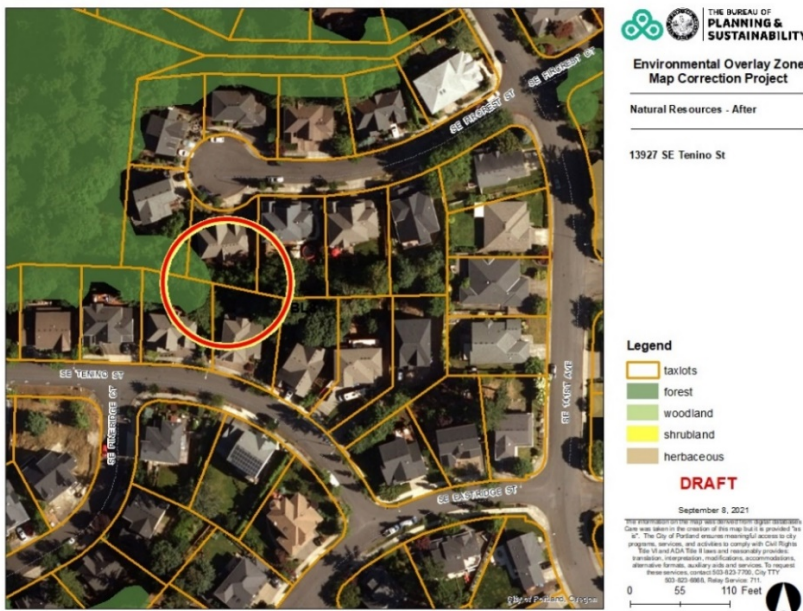
Testimony: The property owners request that the City not change their yard from 'c' to 'p' zone and contend that this change is a "land-grab," that it devalues their land, and that they would not have purchased this property had they known about the environmental zoning. Testimony ID 329955

Staff Response: Upon reviewing the natural resource mapping on this site, staff noted that there is a clear gap in the forest vegetation that is located just to the west of this lot. Noting this gap, it is clear that there are two separate patches of vegetation; a large multi-acre patch to the west of this lot, and the smaller area of vegetation that intersects with this lot. The smaller patch is less than one half acre in size. The minimum patch size that is mapped in the NRI is 1/2 acre. Because it does not meet the definition of a NRI forest patch, the area of vegetation that intersects with this lot will be removed from the NRI. With this change, no draft ezones will be proposed on this site.

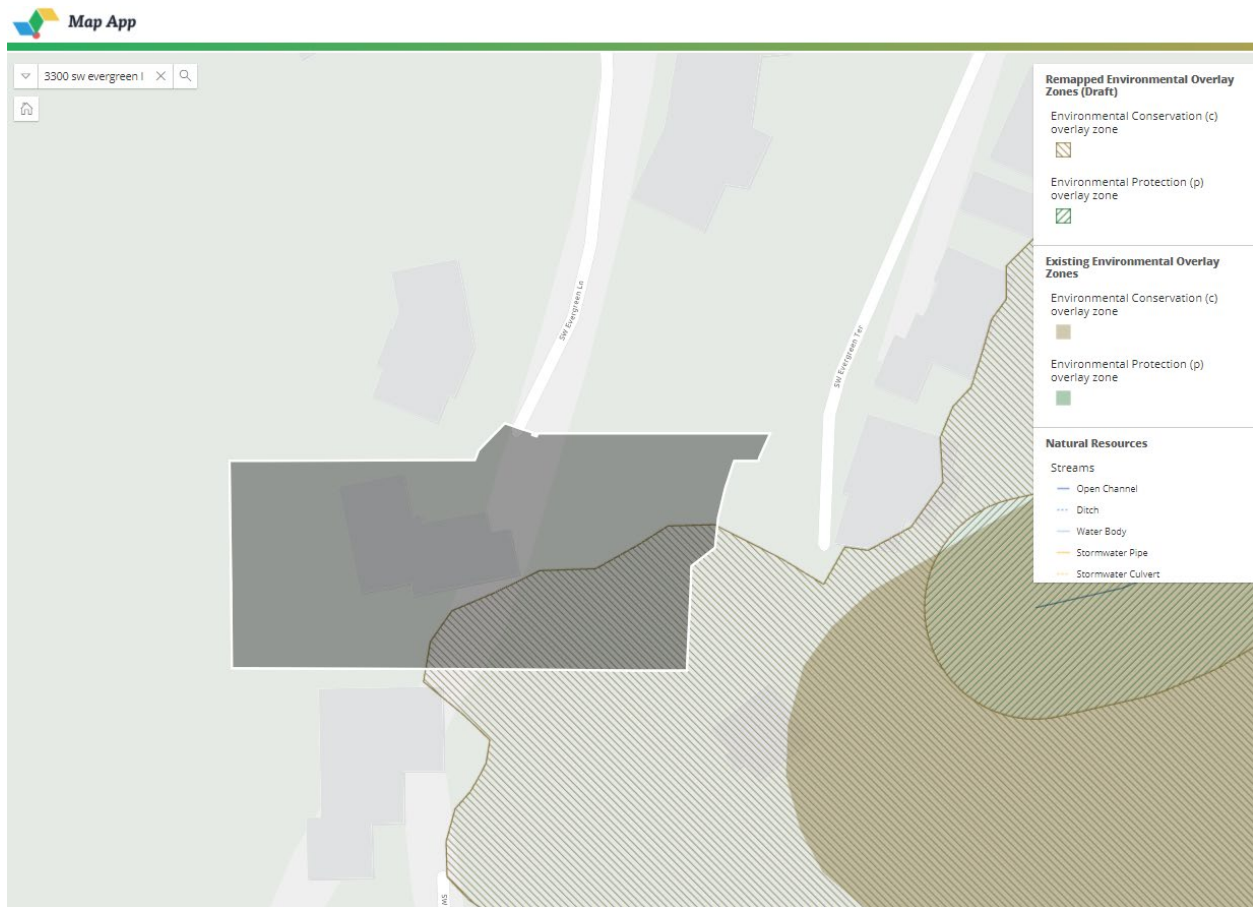
Natural Resource Mapping – Before Edits



Natural Resource Mapping – After Edits



G.26 - 3300 SW Evergreen Lane



Testifier: James Cameron

Property Owner: Claudia L Cameron Tr

Site Visit: Not requested

Description: This site is 0.50 acres (21,657 sq ft) with 2,829 sq ft of existing building area. The base zone is R7 and the site is potentially dividable into up to three lots. There is forest vegetation on the eastern side of this lot that is contiguous to the stream located to the east. The protection policy on this site is to apply a 'c' zone to forest vegetation contiguous but more than 50 feet from the top-of-bank of streams.

Testimony: The testifier is opposed to the proposed expansion of the 'c' zone on this property, stating that it limits his ability to use or improve the property and does not make a significant contribution to the quality of the natural environment. He also states that the proposal limits his ability to implement fire protection measures. Testimony ID 329952

Staff Response: The proposed 'c' zone on the lot would allow for the expansion of the development footprint on the site or a land division and new development with mitigation for

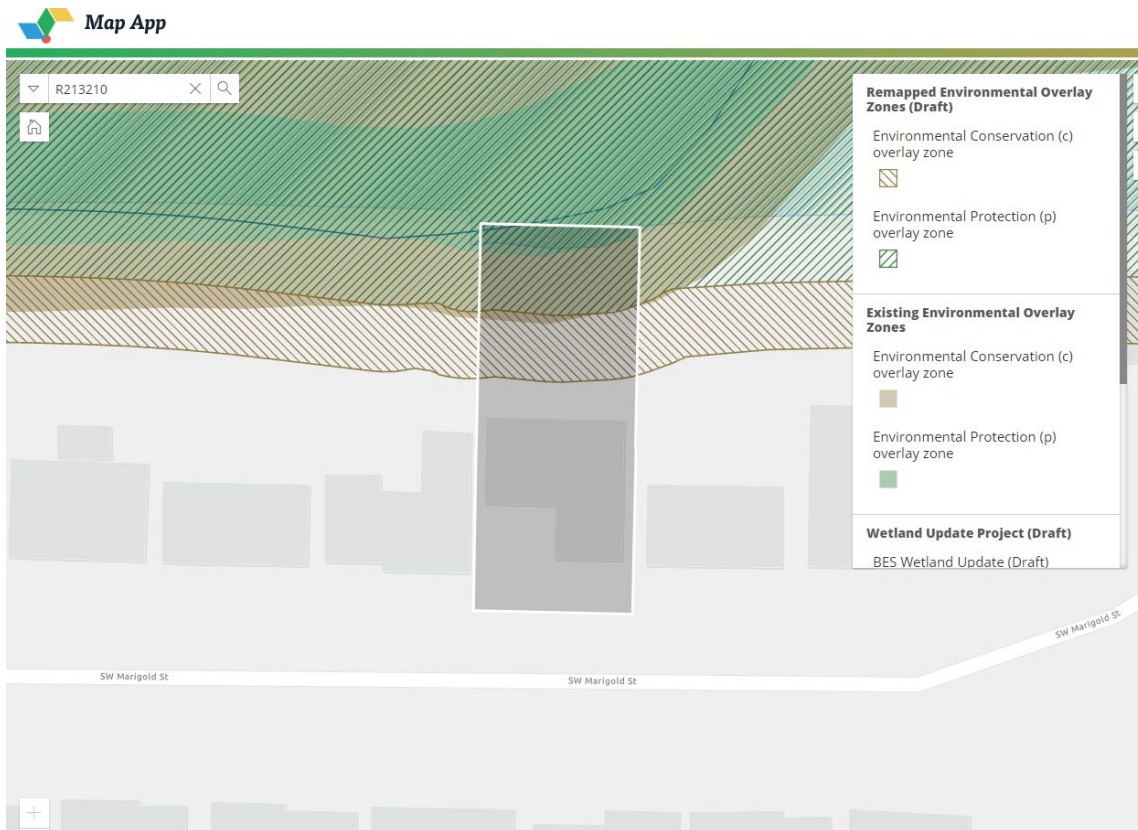
impacts to resources in the 'c' zone. Maintenance of existing disturbance areas, such as existing lawns and landscaping, are exempt.

The ezones do not prevent property owners from implementing fire protection measures on their property. Exemptions allow for:

- removal of flammable invasive vegetation and ladder fuels, such as ivy, clematis and blackberry,
- removal of any tree that is located within 10 feet of a building or attached structure,
- trimming or pruning of any tree or vegetation within 10 feet of a building or attached structure, and
- because the lot is located in a designated Wildfire Hazard Area, the pruning of any coniferous tree that is located within 30 feet of the house.

In the ezones, pruning of deciduous trees that are greater than 10 feet from a building, or coniferous trees that are greater than 30 feet from a building would be allowed by permit. There is also a proposed amendment that would add an exemption to allow property owners to clear a fire break on their lot of up to 36 inches in width, provided that no trees are removed. Property owners can also use the Environmental Review process to propose additional measures to protect their lots from the risk of wildfire that would not be able to meet the standards and exemptions in the code that applies to the ezones (Chapter 33.430).

G.27 – 3315 SW Marigold Street



Testifier: Antonie Jetter

Property Owner: Antonie Jetter and Michael Wallisch

Site Visit: Project staff conducted a site visit and met with the property owners on site in June of 2019 to discuss the draft ezones. Michael Wallisch submitted a second request for a site visit to project staff in 2021. Following the receipt of the second site visit request, staff contacted Michael by phone and email to discuss the proposed ezones. Staff provided maps that showed the location of the verified wetland mapping on the site and explained that the ezone mapping is based primarily on the location of the mapped wetlands. At the end of the phone conversation, Michael said that he was no longer interested in scheduling a second site visit.

Wetland Determination: Yes. Property owners requested a wetland determination. SWCA Environmental visited the site in 2021 and verified the wetland mapping.

Description: The lot is 8,100 sq ft in size, with an existing 2,300 sq ft structure. The base zone is R7, and the site is not dividable. There is a wetland there intersects with a portion of the lot near the rear lot line. The protection policy is to apply a 'p' zone to the wetland and land within 25 feet and a 'c' zone to land between 25 and 50 feet of the wetland. On this site, the 'c' zone is the transition area and can be further developed if the standards of 33.430.140 are met.

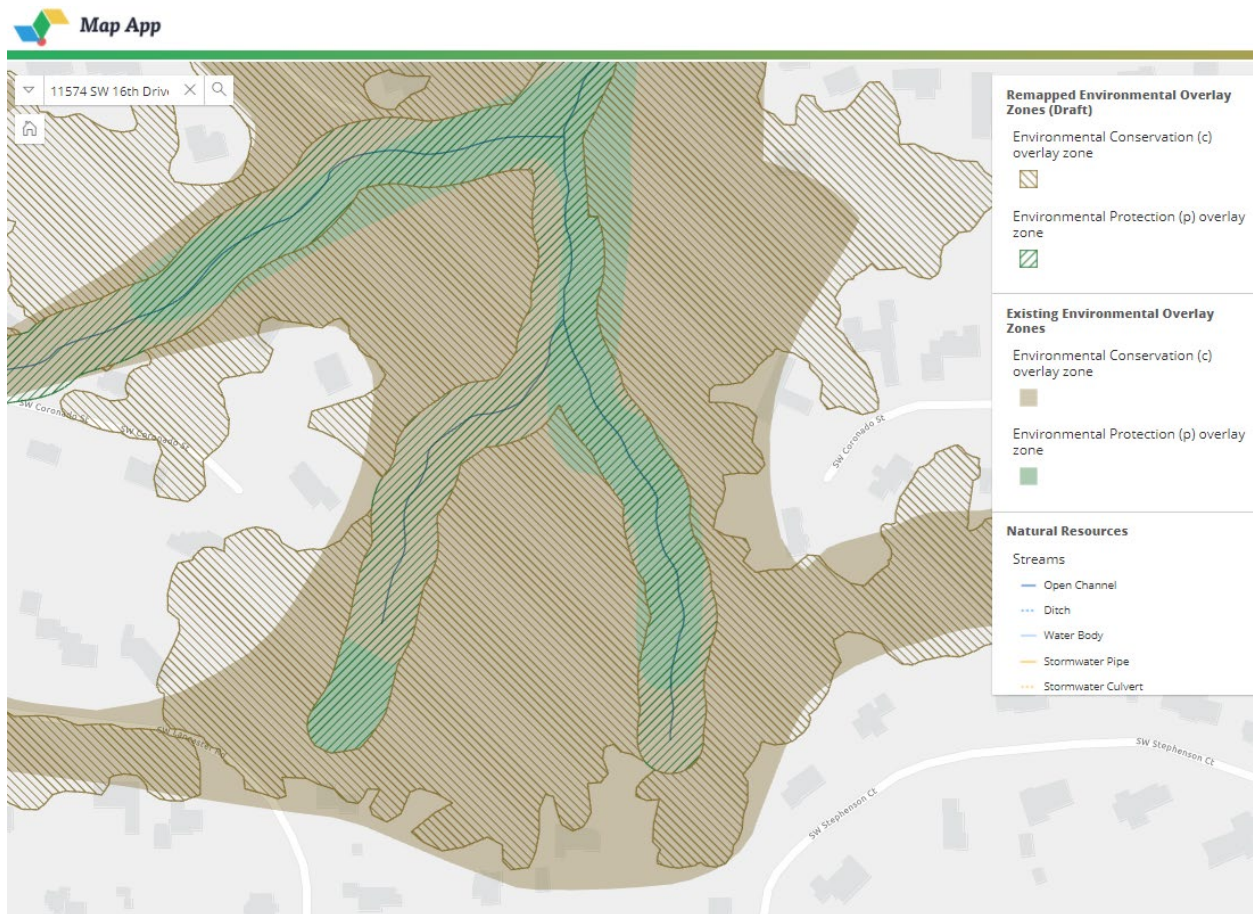
Testimony: This lot is a near a proposed station location for the proposed lightrail line that would run in the Barbur Blvd right of way. Because the lot is so close to the proposed station, it should be allowed to develop to a higher density. The proposed ezones would prevent the

property owners from building an ADU in their back yard. The property owners believe that the resources in the natural area behind their house have degraded and that the resources are not of a quality justifies protection, when weighed against the need for increased housing density. They note the presence of rodents and mention that the Parks Bureau does little to maintain the natural area behind their house. Testimony ID 329929

Staff Response: The proposed ezones would impose constraints on new development within about 30 feet of the rear lot line. The edge of the proposed ezones are approximately 25 feet closer to the house than the location of the existing ezones. These changes reflect updated mapping of streams and wetlands that intersect with the rear lot line.

The 'c' zone on the lot would be transition area and it could be fully developed. But any proposed new development in the proposed 'p' zone would not be able to meet standards. It would be possible to build a small, detached ADU between the existing house and the edge of the protection zone that could meet the ezone standards. But the structure would need to be located close to the existing house, and the size of a possible building footprint would have to be limited to avoid impacts to the 'p' zone. It would also be possible to expand the footprint of the existing building and to partition off a portion of the interior space to create an internal ADU.

G.28 - SW Lancaster Road and SW Coronado St



Testifier: Kari Hallenburg (owner of 11574 SW 16th Drive, which is located to the west of this area and has no existing or proposed ezones)

Property Owner(s): Many (see staff response below)

Site Visit: Not requested

Description: The testifier identified a large area between SW Lancaster Road and SW Coronado Street, which consists of many individually owned lots. The base zone in this area is primarily R20. This area includes streams and forest canopy. The protection policy is to apply a 'p' zone to streams and land within 50 feet of the top-of-bank, and a 'c' zone to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams.

Testimony: The testifier describes the biological importance of this area and strongly encourages the maximum environmental protection in order to protect wildlife, tree canopy and health of streams in this area. Testimony ID 329944

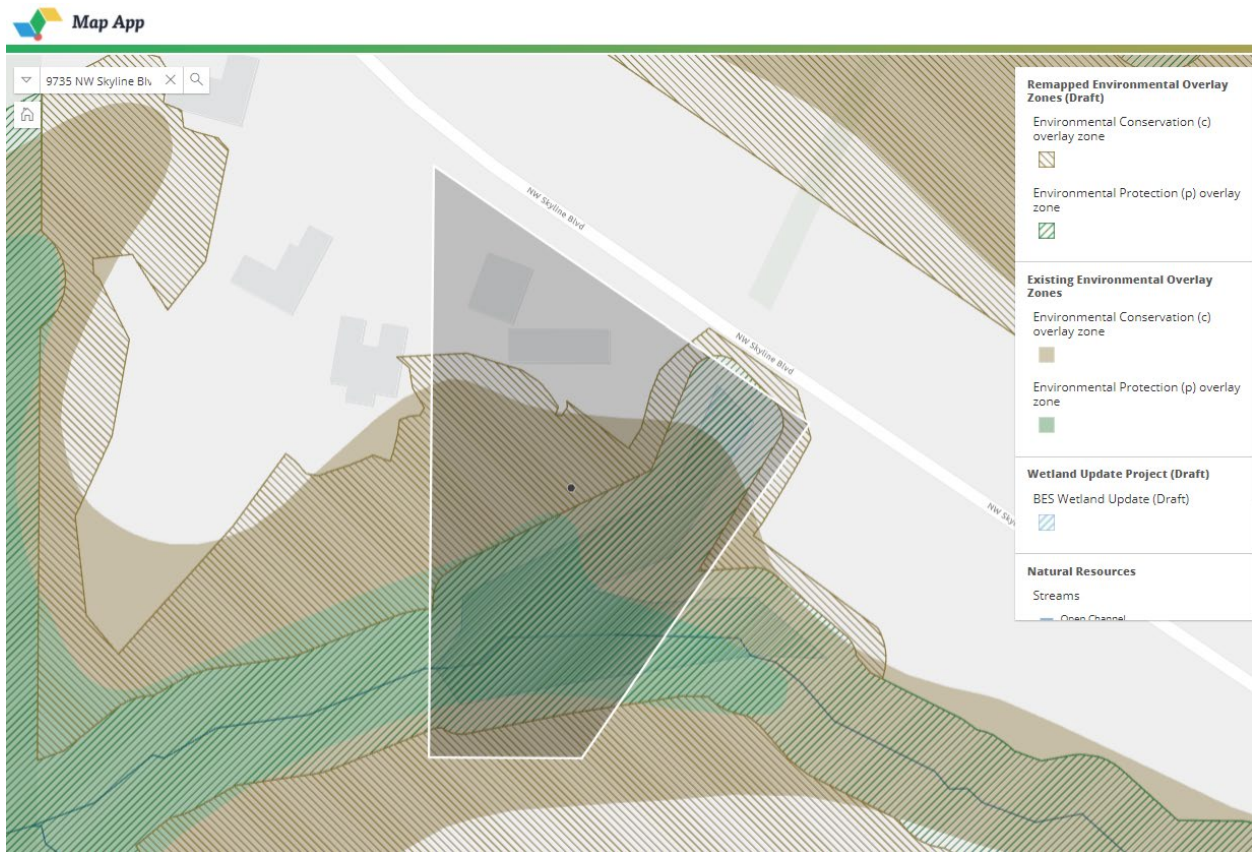
Staff Response: The policy for SW21, the resource area that applies to this area, applies 'p' zone to land with 50 feet of the top-of-bank of a stream and 'c' zone to contiguous forest vegetation. Note that overall 'p' zone coverage is expanding to better protect the streams in this area.

If the protection policy is modified in this area to apply 'p' zone to all contiguous forest vegetation in addition to streams and land within 50 feet of streams, between approximately 7 and 40 properties would be impacted by the change. The specific number of properties impacted would depend on the extent to which the modified 'p' zone policy would be applied in this area (i.e., just in the immediate area identified in the testimony versus a broader area that would be based on the natural resource features present).

If the proposed zoning was changed from 'c' to 'p' zone, it would affect several vacant or dividable lots that have extensive 'c' zone coverage under the current proposal. If the areas of proposed 'c' zone were to become 'p' zone, this would make it impossible for the owners of these lots to get approval to add new development or expand the existing development footprint. Staff would have to manually convert portions of some lots from 'p' to 'c' zone to allow for future development on these lots.

It appears that only one potentially impacted property owner has testified (Douglas Kinnaird, see G.18). Per his testimony, he does generally support expansion of environmental protection in the area near stream headwaters, but he does not speak to the idea of applying 'p' zone to the entire forested area. The other potentially impacted property owners have not testified. If the proposed zoning was changed from 'c' to 'p' zone, Measure 56 notices would be required to be sent to each of the affected property owners before the next hearing to allow those property owners to have a chance to testify on the updated proposal.

G.29 - 9735 NW Skyline Blvd



Testifier: Kim and Mike Johnson

Property Owner(s): Kim and Mike Johnson

Site Visit: Yes, site visit was conducted on 7/9/2020

Description: This property is 2.14 acres (93,218 sq ft) with 4,044 sq ft of existing building area. The base zone is RF and the site is not dividable. There is a wetland, a stream, riparian area, and forest canopy on this site. The protection policy for the site is to apply a 'p' zone to streams and wetlands, to land within 50 feet of streams, and to land within 25 feet of wetlands. Apply a 'c' zone to land between 25 and 50 feet from wetlands, and to forest contiguous to but more than 50 feet from the top-of-bank of streams.

There is a scenic 's' overlay that covers portions of the property that are within 100 feet of the right of way. The proposal for this site includes a slight modification to the 's' overlay in the area where it intersects with a mapped wetland.

Testimony: The property owners contend that the proposed changes will impact their ability to protect their home from wildfires and that the proposal will make managing their land more difficult and costly. They request that the ezones be set back a minimum of 30 feet from any existing structures for fire protection. Testimony ID 329964

Staff Response: The proposed ezones do not come within 30 feet of the house on this site. The outer 25 feet at the edge of the ezones is transition area and can be further developed if the standards of 33.430.140 are met. Mitigation for impacts to native vegetation in the transition area would be required. If trees are removed in the transition area, this could be mitigated by planting trees elsewhere in the ezones, at a location of the property owner's choosing.

The ezones do not prevent property owners from implementing fire protection measures on their property. Exemptions allow for:

- removal of flammable invasive vegetation and ladder fuels, such as ivy, clematis and blackberry,
- removal of any tree that is located within 10 feet of a building or attached structure,
- trimming or pruning of any tree or vegetation within 10 feet of a building or attached structure, and
- because the lot is located in a designated Wildfire Hazard Area, the pruning of any coniferous tree that is located within 30 feet of the house.

In the ezones, pruning of deciduous trees that are greater than 10 feet from a building, or coniferous trees that are greater than 30 feet from a building would be allowed by permit. In addition to pruning that is allowed by exemption, up to 5 trees can be pruned by permit per 10,000 sq ft of lot area per year. There is also a proposed amendment that would add an exemption to allow property owners to clear a fire break on their lot of up to 36 inches in width, provided that no trees are removed.

If the property owners wish to undertake vegetation management or other fire prevention measures that would exceed what is allowed by standards and exemptions, they may be able to do so through the Environmental Review process.

G.30 - NW Red Cedar Court #25 (R541487)



Testifier: Kim and Mike Johnson

Property Owner(s): Kim and Mike Johnson

Site Visit: Yes, site visit was conducted on 7/9/2020

Description: This property is 1.37 acres (59,677 sq ft) with no existing building area. The base zone is RF and the site is not dividable. There is riparian area on this site that extends from the stream to the southwest and forest canopy that is contiguous to that stream. The protection policy for this site is to apply a 'p' zone to land within 50 feet of streams and a 'c' zone to forest contiguous to but more than 50 feet from the top-of-bank of streams.

Testimony: The property owners contend that the mapping of the existing 'c' zone is not accurate and provides a survey of their site for comparison. They oppose the change in ezones, stating that it adds additional cost and challenges for development, and they question the benefit of the proposed changes overall. They also note that development on the site will require the installation of a septic system, and that the location of the 'c' zone on the site could affect future site plans. Testimony ID 329963

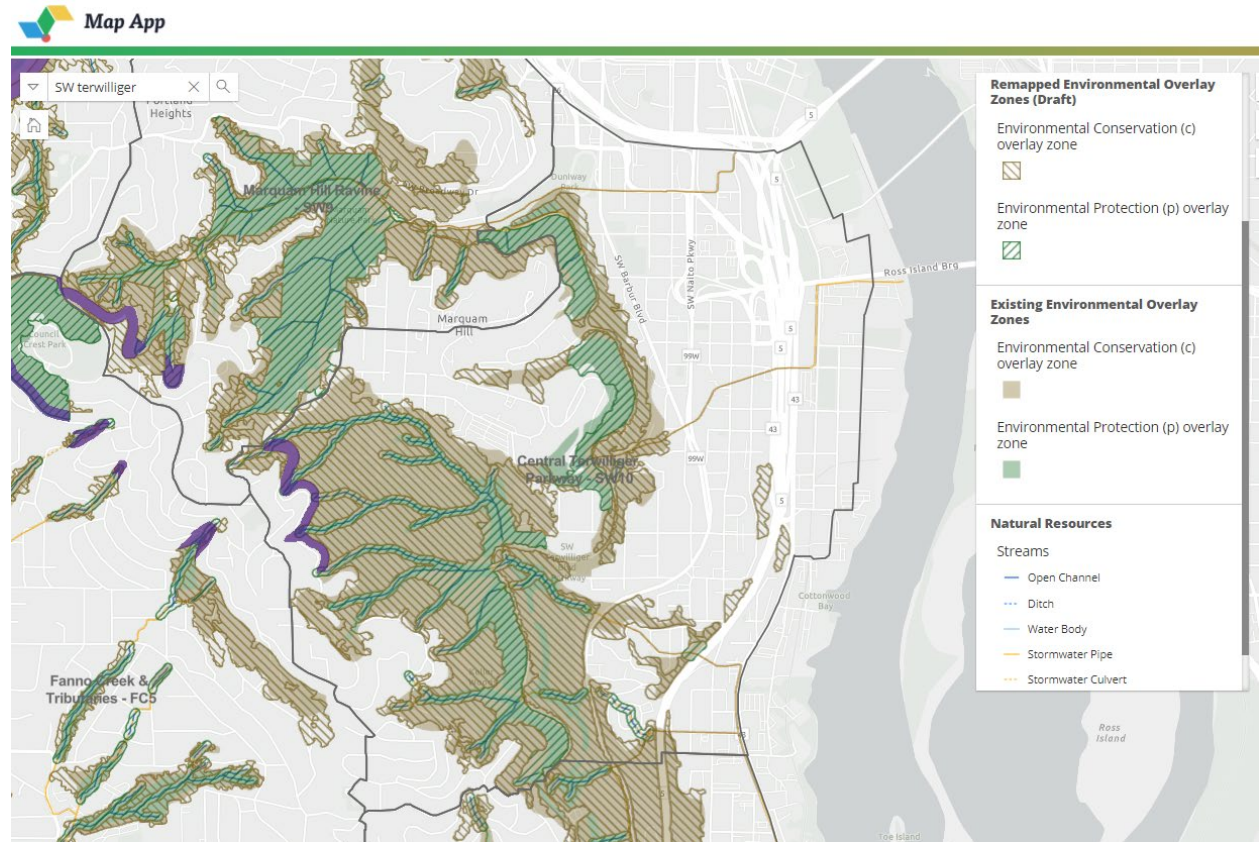
Staff Response: The property owners provided an existing conditions survey and plat sheet for this property, both of which refer to a "conservation easement" on this property. Per the Skyview

Estates No. 2 plat (sheet 9), this is a private conservation easement with further information provided on the recorded deed and maintenance agreement (recorded as County document number 2003-232109). Note that this private conservation easement is not the same as the ezones, which explains why the configuration does not match the existing 'c' zone overlay.

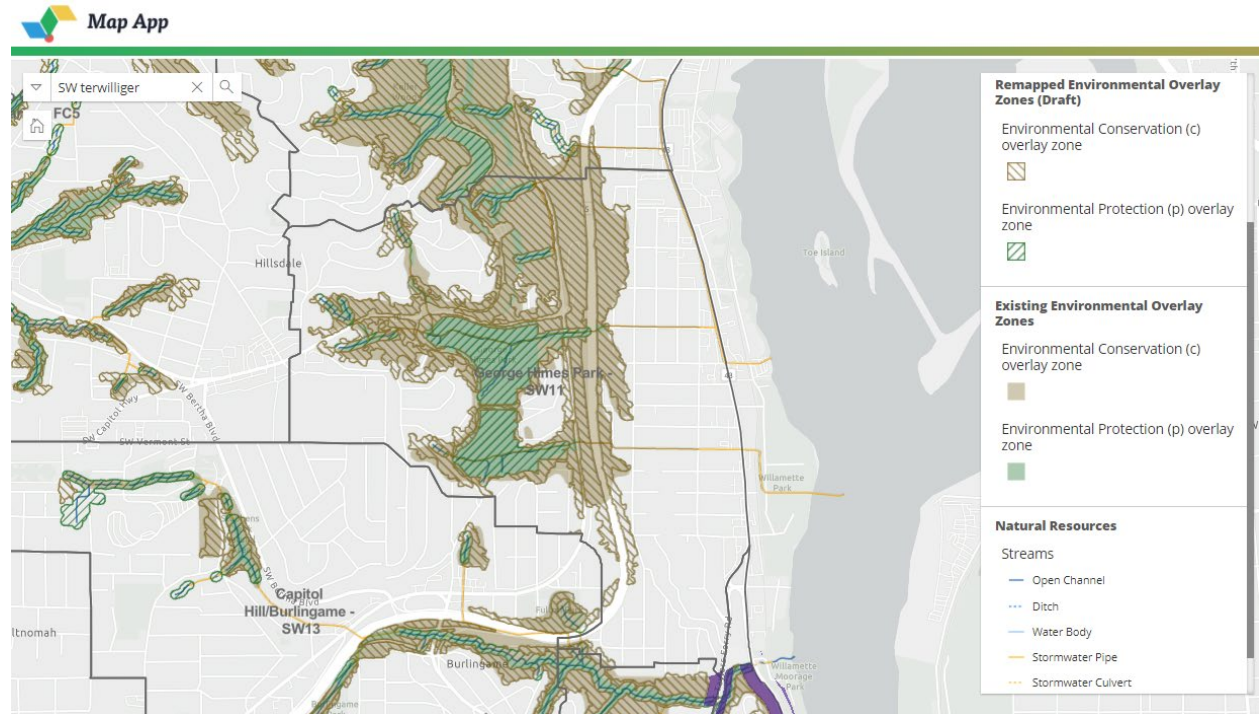
The proposed ezone changes on this site are minimal and unlikely to impact developability of the lot. The amount of 'p' zone is decreasing at the back of the lot and the 'c' boundary will increase in one area but decrease in another. Note that the outer 25 feet at the edge of the ezones is transition area and can be further developed if the standards of 33.430.140 are met.

If proposed development, including septic drain fields, was proposed to extend into the resource area of the 'c' zone or the conservation easement on the site, it would likely not be able to meet the ezone standards and be subject to Environmental Review, and/or the proposed development might not be allowed by CC&Rs pertaining to the conservation easement. The Ezone Map Correction Project is proposing new standards and exemptions for the replacement of failing septic systems on developed lots, where no provision for replacement drain fields was made at the time of development. But these standards would not apply to new development.

G.31 – Friends of Terwilliger SW10



SW11



Testifier: Robin Vesey on behalf of Friends of Terwilliger

Property Owner(s): Portland Parks and Recreation, Oregon State Board of Higher Education, Columbia Land Trust, others

Site Visit: Project staff visited portions of Terwilliger Blvd with staff from the Parks Bureau in 2019. They reviewed natural resource and ezone mapping in the area and verified that the project proposals are consistent with existing policy. Project staff have also visited a number of privately owned lots that front on or are located in close proximity to Terwilliger Blvd between 2019 and 2021.

Description: Terwilliger Parkway is a linear park that extends south from downtown through the west hills, ending near Capitol Hwy and George Himes Park. It spans resource areas SW10 and SW11. The protection policy for SW10 is to apply 'p' zone to streams, wetlands, land within 50 feet of wetlands and the top-of-bank of streams, and forest vegetation on steep slopes contiguous to and east of SW Terwilliger Blvd right-of-way. In SW10, 'c' zone is applied to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams, forest vegetation on steep slopes contiguous to SW Barbur Blvd or Interstate 5 right-of-way, and to forest vegetation in the EX base zone. The protection policy for SW11 is to apply 'p' zone to streams, wetlands, land within 50 feet of wetlands and the top-of-bank of streams, and forest vegetation in George Himes Park that is contiguous to but more than 50 feet from the top-of-bank of streams. In SW11, 'c' zone is applied to forest vegetation contiguous to but more than 50 feet from the top-of-bank of streams and extending to 100 feet from the top-of-bank as well as forest vegetation on steep slopes contiguous to SW Terwilliger Blvd, SW Barbur Blvd and Interstate 5 right-of-way.

Testimony: Friends of Terwilliger request four actions:

1. Include Historic Terwilliger Parkway as a significant park in SW10 because it was recently listed on the National Register of Historic Places
2. Apply 'p' zone to all significant public parks including Terwilliger Parkway and Marquam Nature Park
3. Adopt Southwest Hills Resource Protection Plan - 1992
4. Apply 50 feet of 'p' zone to all riparian areas

Testimony ID 329971

Staff Response:

The Ezone Map Correction Project is using the best available science and technology to correct the maps of features (streams, steep slopes, etc.) and apply the *existing* protection policies to those features. Staff have thoroughly reviewed all resources site existing protection policies and resulting proposed 'p' and 'c' zone applications. Because this is a correction project, staff have not proposed to apply ezones unless there are existing policies dictating their application.

The Ezone Map Correction Project is intended to correct mapping for protection of natural resources. The adopted policies protect the forests, streams and natural areas that are located along Terwilliger Blvd. The existing protection policies align with the goals of the Terwilliger Parkway Corridor Plan.

The Southwest Hills Resource Protection Plan is one of the background documents of the Ezone Map Correction Project. If the Ezone Project is adopted, the resource protection decisions would replace the Southwest Hills Resource Protection Plan. The proposal is to replace Southwest Hills Plan, not to redact it. A number of past resource protection plans will be replaced if the Ezone Project is adopted while other plans will be partially replaced.

The Terwilliger Parkway Corridor Plan was part of the background information that was incorporated into the Southwest Hills Resource Protection Plan. Project proposals will not replace this document, however, many of the proposals that were contained therein are reflected in current zoning and in the project proposals. The plan called for the preservation of mature forest canopy along the street. These protections are reflected in the application of 'c' and 'p' zone to the forested area near the street. And there are a number of 'scenic view corridors' that protect viewpoints along Terwilliger Blvd that already exist, and which are not being changed by the Ezone Project proposals.

If the PSC would like to consider treating all streams consistently and applying a 'p' zone to all land within 50 feet of streams in all resource sites, this will require a new thorough review to determine if this would result in additional sites becoming undividable or unbuildable and therefore staff would need to apply the 'p' to 'c' zone conversion. Staff continue to recommend this project remain a *correction* project and allow future area plans to consider increases to the protections for streams.

Note that any of the requested changes from 'c' to 'p' zone would have significant impacts on a number of sites. If these changes were implemented in the ezone mapping protocols, it would require a Measure 56 notice to be sent to each affected property before the next hearing to allow those property owners to have a chance to testify on the updated proposal.