



# EZONE SCENARIOS

Columbia Corridor and Industrial Lands

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Environmental Planner



THE BUREAU OF  
**PLANNING &  
SUSTAINABILITY**



## Oregon Land Use Planning Goal 5

- Ezones are natural resource protections created to comply with Goal 5
- Citywide compliance was complete as of 2004



## Metro Title 13: Nature in Neighborhoods

- Title 13 was implemented by Metro in 2010
- Goal 5 programs in Metro region now must comply with Title 13
- Portland deemed in compliance in 2012
- Portland + Metro 2013 IGA: Commitment to update Ezone mapping in Columbia Corridor and to apply natural resource protections in North Reach



## FEMA Biological Opinion

- Portland must adopt natural resource protections and limits on development within floodplains to protect threatened and endangered fish species

# Some Ezone Basics

How Ezones Protect Resources:

1. Limits on creation of new disturbance areas.
2. Required mitigation for new disturbances or new development within existing disturbance area.
3. Setback standards from the edge/bank of wetlands, streams and other water features.

In the Conservation Zone:

There are setback standards and disturbance area limits that can be **reduced** or **adjusted** by Environmental Review.

In the Protection Zone:

**No adjustments** or **variances** are allowed.

The P Zone is effectively a **no build** area!



# Why are Ezones Being Updated?

Improved Technology and Site Visits



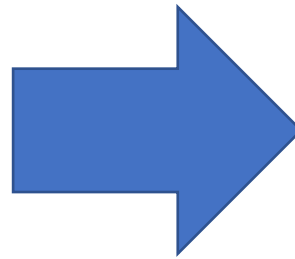
Aerial Imagery



LiDAR Terrain Mapping



Site Visits



More Detailed and Accurate Natural Resource Feature Mapping



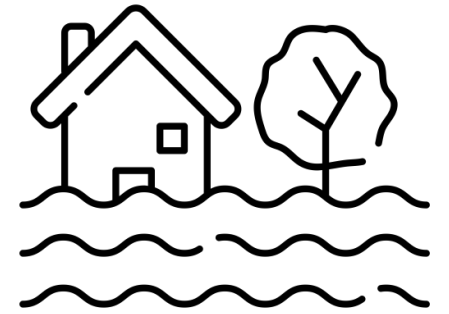
Vegetation



Wetlands

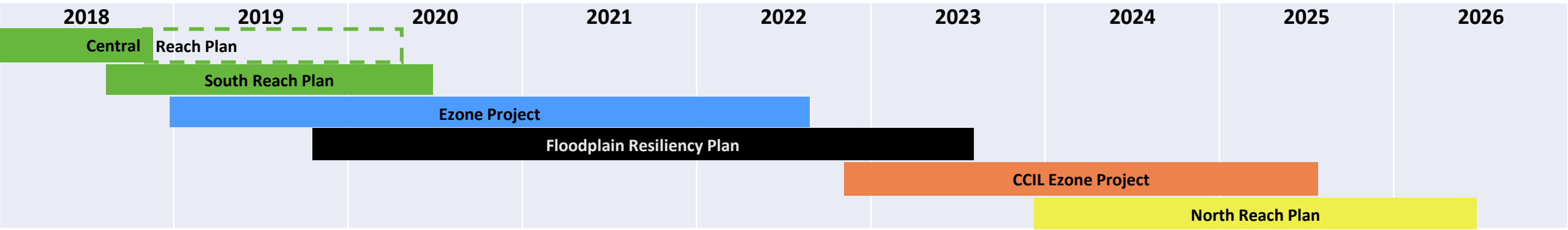
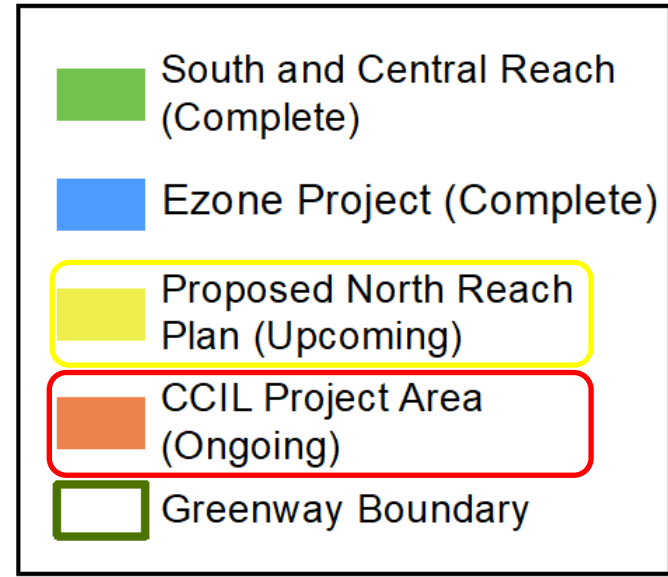
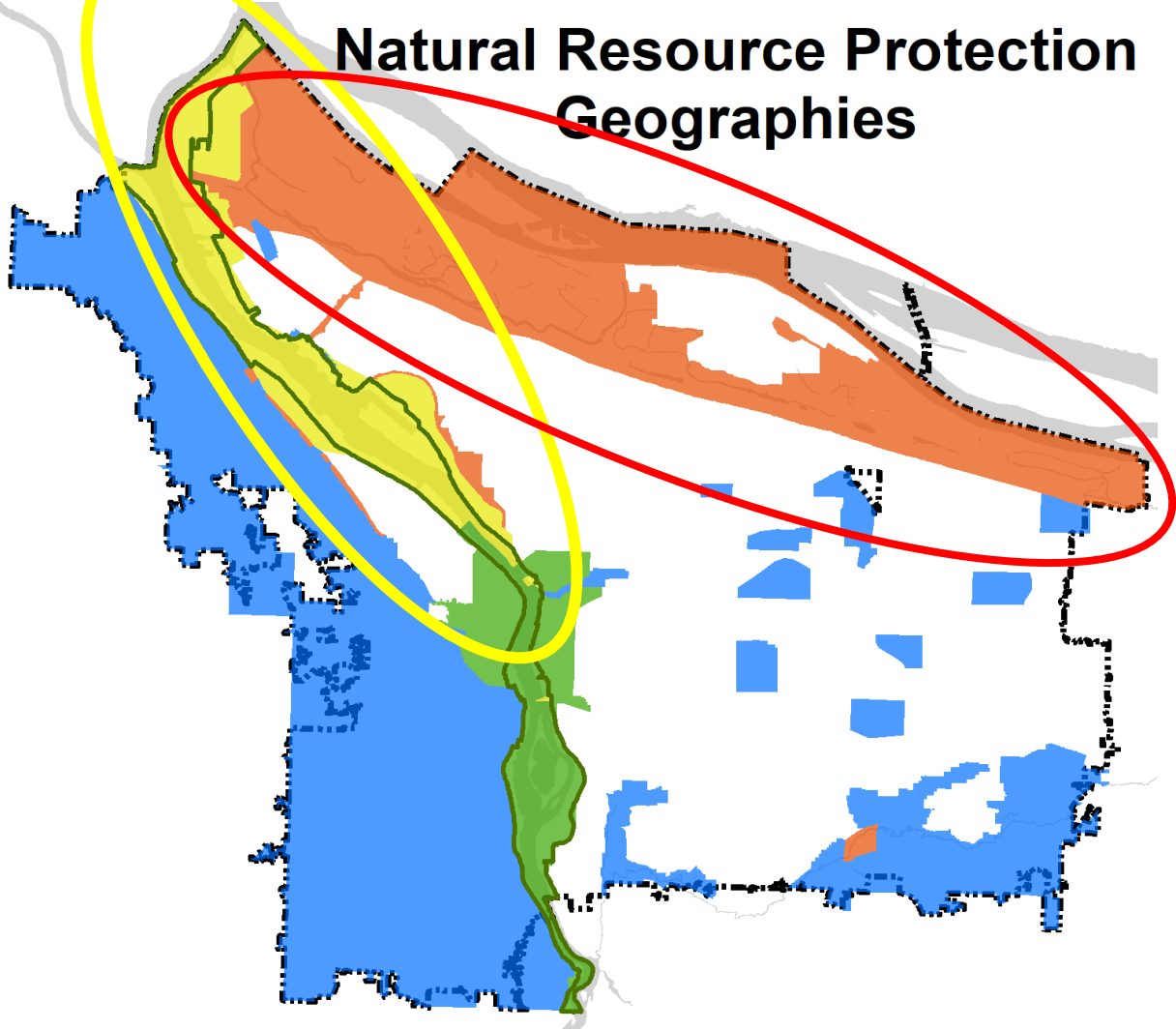


Streams



Floodplains

# Natural Resource Protection Geographies





# What Resources are Located in the CCIL Project Area?



- Network of heavily managed sloughs, streams, and drainage channels
  - Existing development, including vehicle lots and buildings are often located within feet of stream banks.
- Wetlands
  - Many degraded, seasonally saturated areas in fields or other vegetated areas.
  - Fringe wetlands or mitigation wetlands connected to sloughs and streams.
- Vegetation that surrounds streams/sloughs/wetlands
  - Forested riparian fringes.
  - Small wildlife habitat areas.
  - Low structure shrubs or herbaceous vegetation.

## What Resources are Located in the CCIL Project Area?



**All of these features, degraded as they may be, provide important habitat for, or contribute ecosystem services that support threatened, endangered, or locally critical wildlife species.**

**They also provide ecosystem services that capture and retain stormwater, filter pollutants, reduce erosion, and moderate urban heat island effect.**





# Discussion



# NATURAL RESOURCE INVENTORY UPDATE




RIPARIAN CORRIDORS AND WILDLIFE HABITAT | CITY OF PORTLAND, OREGON



PROJECT REPORT  
ADOPTED BY CITY COUNCIL, OCTOBER 3, 2012  
ORDINANCE NO. 185657

AMENDED BY CITY COUNCIL MAY 25, 2022  
EFFECTIVE OCTOBER 1, 2022  
ORDINANCE NO. 190834

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City of Portland, Oregon  
Sam Adams, Mayor - Susan Anderson, Director



## Natural Resource Inventory

- Portland's adopted methodology for mapping natural resources.
- Intended to be consistent with State of Oregon and Metro requirements for natural resource protections.
- Ranking system for determining relative values or Riparian Resources and Wildlife Habitat.
- Includes inventory of Special Habitat Areas, for threatened and endangered species.

# Natural Resource Inventory - Riparian Resource Rankings

## High Ranking =

- Wetlands and forested streams/sloughs.
- Forest or woodland  $\leq 50'$  of streams/sloughs/wetlands.

## Medium Ranking =

- Land within 50' of streams/sloughs/wetlands.
- Streams/sloughs with no riparian forest.
- Grassland/Shrubland  $\leq 100'$  of streams/sloughs/wetlands.
- Forest/Woodland  $\leq 200'$  of streams/sloughs/wetlands.
- Vegetation in floodplain outside of levees.

## Low Ranking =

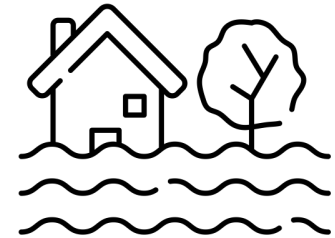
- All floodplain outside of levees.
- Forest vegetation between 200-780' from water features.



Vegetation



Wetlands

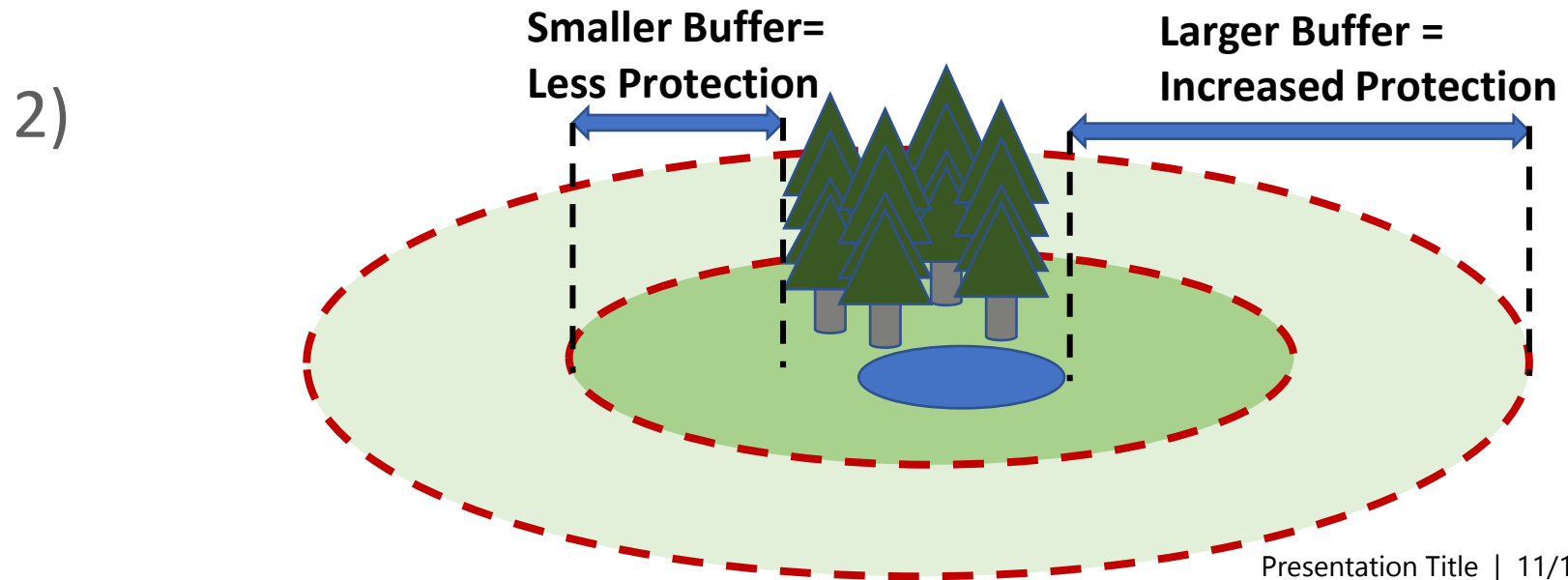
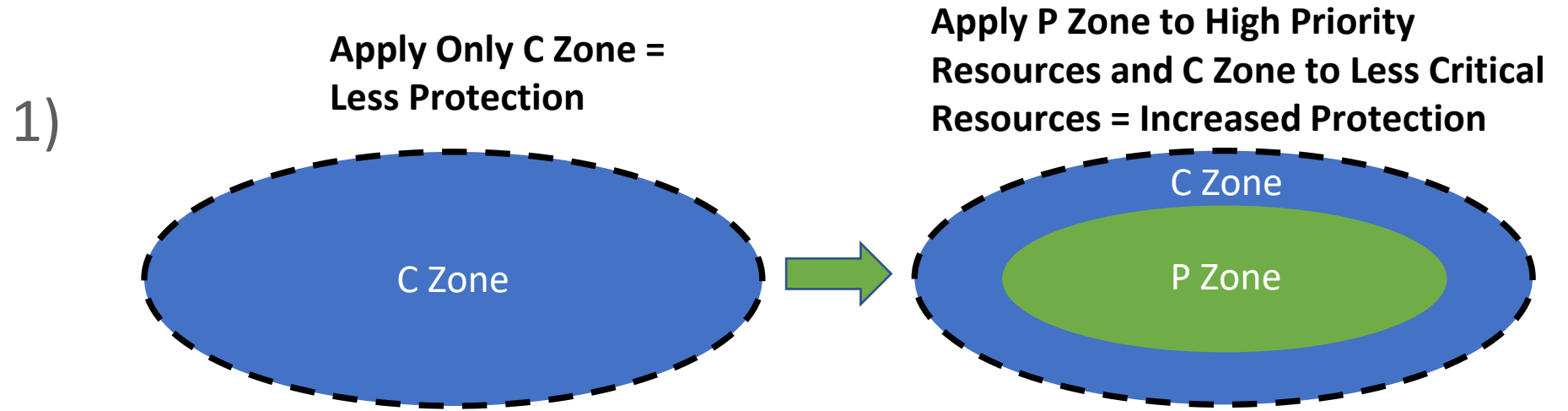


Floodplains



Streams

# There are two ways to adjust natural resource protections:





# Ezone Scenarios Summarized

	Conservation Zone	Protection Zone
<b>Minimum Compliance Scenario</b>	High Value Riparian Resources. 30' buffers around water features.	Streams, Sloughs, and most wetlands. No Buffers.
<b>Climate Resilient Scenario</b>	High and Medium Value Riparian Resources.	All Streams, Sloughs, and Wetlands. 25' Buffers.
<b>Maximum Resource Protection Scenario</b>	High, Medium, and some Low Value Riparian Resources.	All Streams, Sloughs, and Wetlands. 50' Buffers.

# Minimum Compliance Scenario – In Detail

- high value resources
- medium value resources
- low value resources

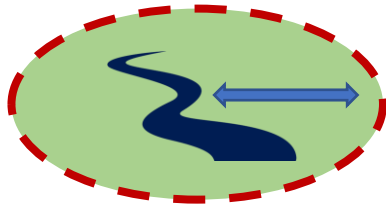


- Apply c zone to all **High** Value NRI Riparian Resources. No ezones applied to Medium or Low Value Riparian Resources.
- **Streams and Sloughs** – Apply p zone within top of bank.
- **Wetlands** – Apply p zone to wetlands located in the floodplain or in close proximity to streams and sloughs. Apply c zone to isolated wetlands that aren't in the floodplain.
- **Buffers** – Minimal 30' c zone buffers surround all streams, sloughs, and wetlands. Buffers may not be large enough to setback new development from important water features, but the features themselves could not be filled or built upon in most cases.
- **Special Habitat Areas** – Application of p zone to some, c zone to others. The application of ezones to SHAs is intended to be consistent with existing ezones and **uniform across all three ezone scenarios**.



# Climate Resilient Scenario – In Detail

- high value resources
- medium value resources
- low value resources

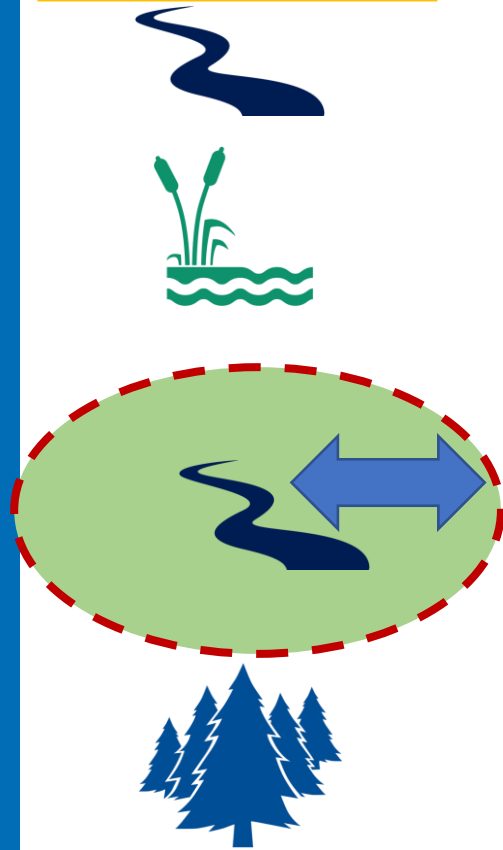
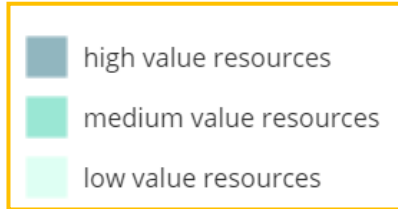


- Apply c zone to all **High** and **Medium** Value NRI Riparian Resources. No ezones applied to Low Value Riparian Resources.
- **Streams and Sloughs** – Apply p zone within top of bank.
- **Wetlands** – Apply p zone to all wetlands
- **Buffers** – 25’ p zone buffers around all streams, sloughs, and wetlands would ensure a mandatory setback for new development and alterations to existing development.
- **Special Habitat Areas** – Application of p zone to some, c zone to others. The application of ezones to SHAs is intended to be consistent with existing ezones and **uniform across all three ezone scenarios.**





## Maximum Protection Scenario – In Detail



- Apply c zone to all **High** and **Medium** NRI Riparian Resources, and **Low-Ranking Forest** or **Woodland** Vegetation.
- **Streams and Sloughs** – Apply p zone within top of bank.
- **Wetlands** – Apply p zone to all wetlands
- **Buffers** – 50' p zone buffers around all streams, sloughs, and wetlands would ensure a mandatory setback for new development and alterations to existing development.
- **Special Habitat Areas** – Application of p zone to some, c zone to others. The application of ezones to SHAs is intended to be consistent with existing ezones and **uniform across all three ezone scenarios**.



# Ezone Scenarios Summarized

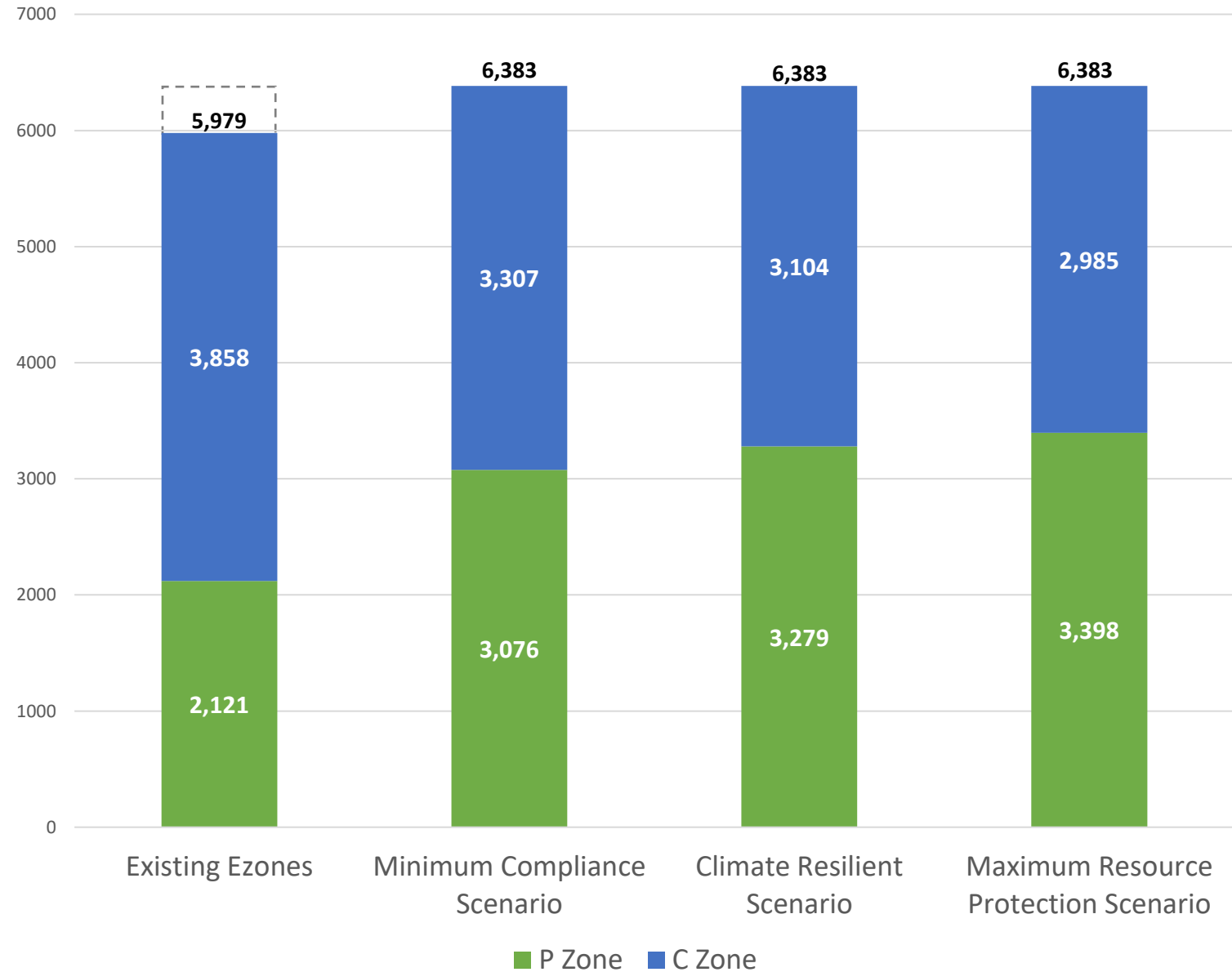
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<b>Maximum Resource Protection Scenario</b>	High, Medium, and some Low Value Riparian Resources.	All Streams, Sloughs, and Wetlands. 50' Buffers.

# High Value Riparian Resources



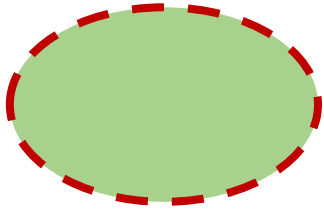
**Areas where Forest or Woodland Intersects with Streams, Sloughs, Wetlands, <100'**

## Ezone Coverage of High Value Riparian Resources in CCIL Area (Acres)





# Medium Value Riparian Resources

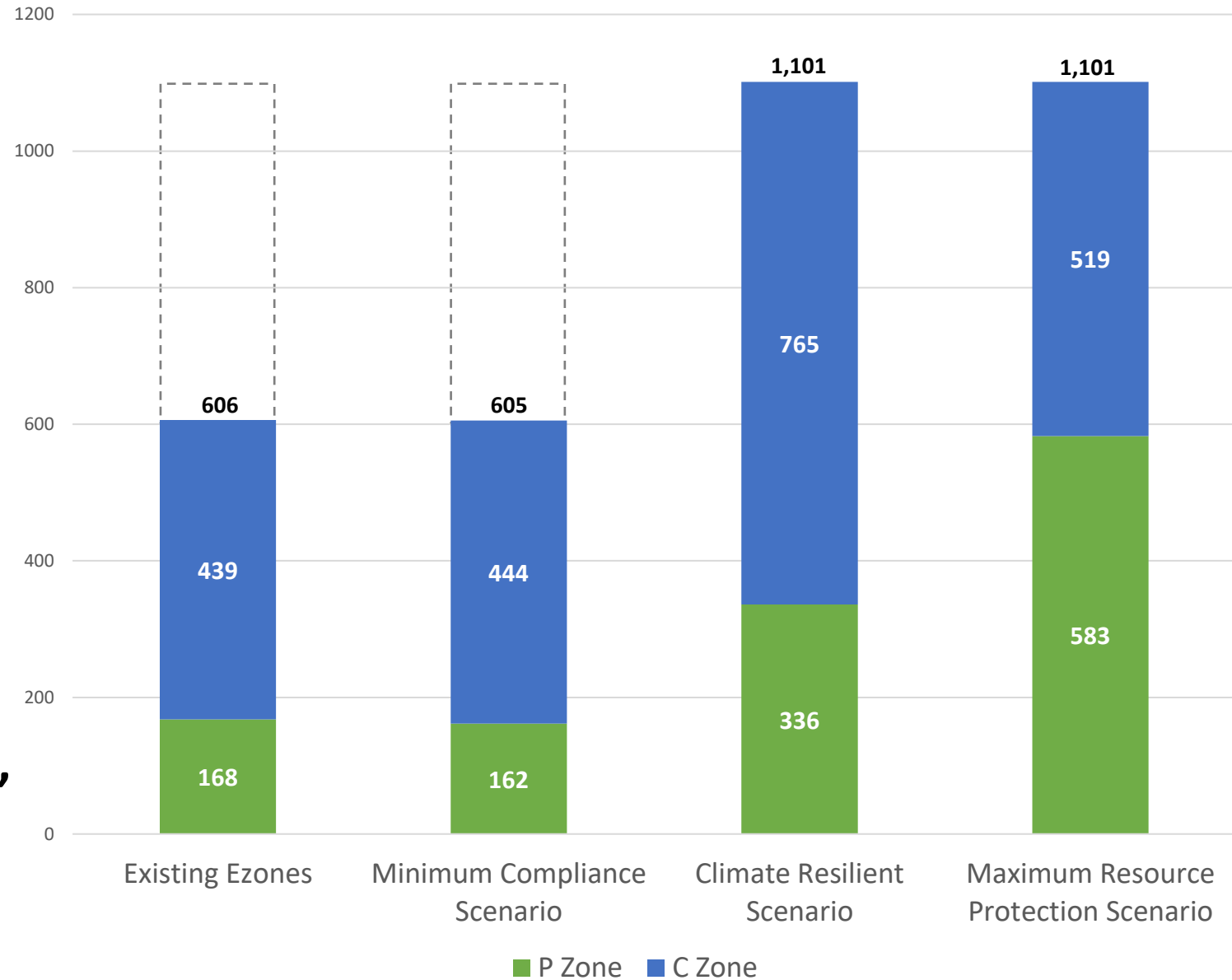


All land within 50' of  
Streams/Sloughs/Wetlands

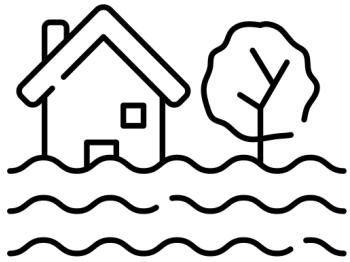


Herbaceous/Shrubland/Forest 50-200'  
from Streams/Sloughs/Wetlands

## Ezone Coverage of Medium Value Riparian Resources in CCIL Area (Acres)



# Low Value Riparian Resources

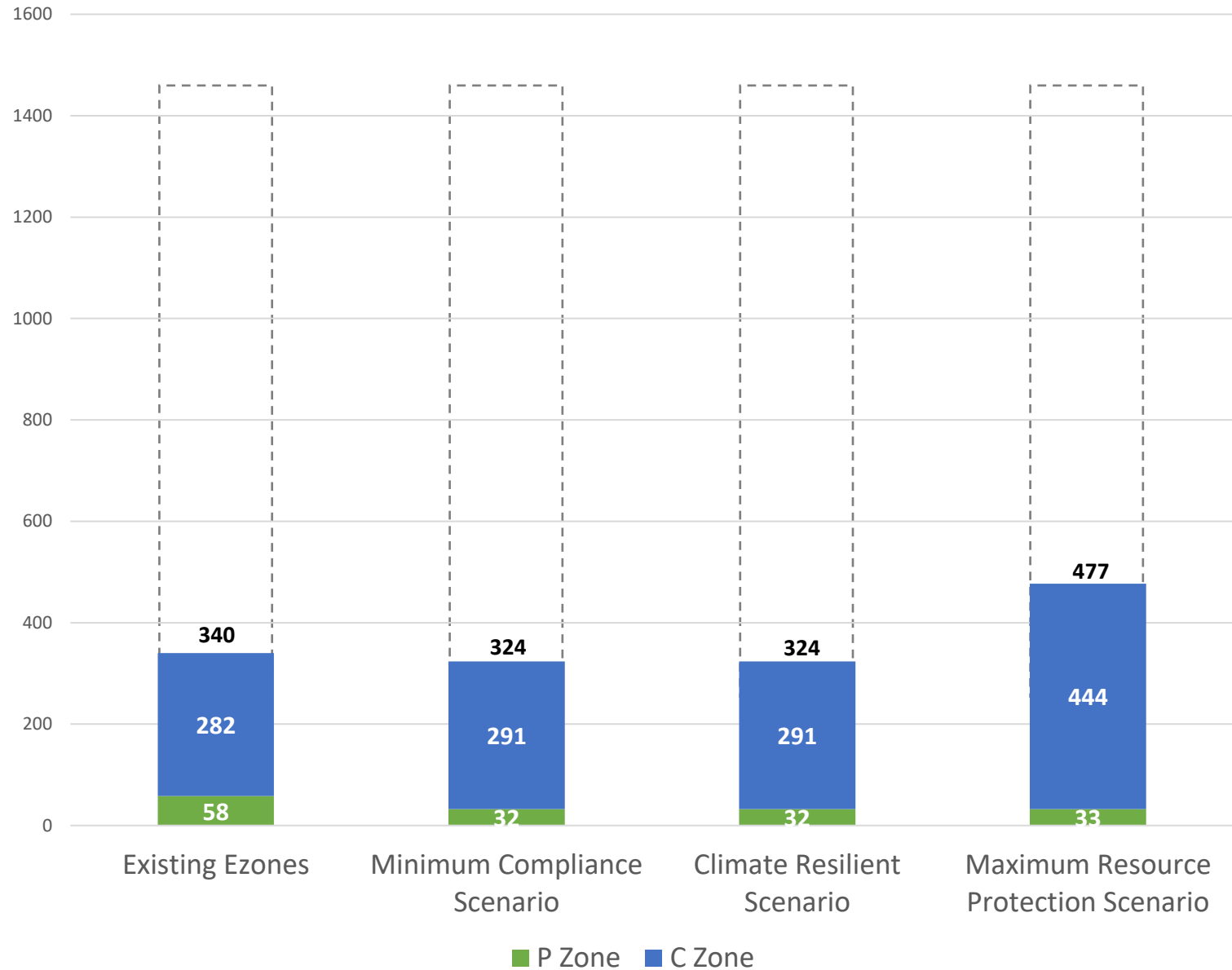


Entire Floodplain Outside of Levees



Vegetation contiguous to streams, up to 780' away.

## Ezone Coverage of Low Value Riparian Resources in CCIL Area (Acres)



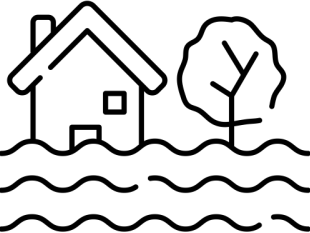
# Discussion



Vegetation



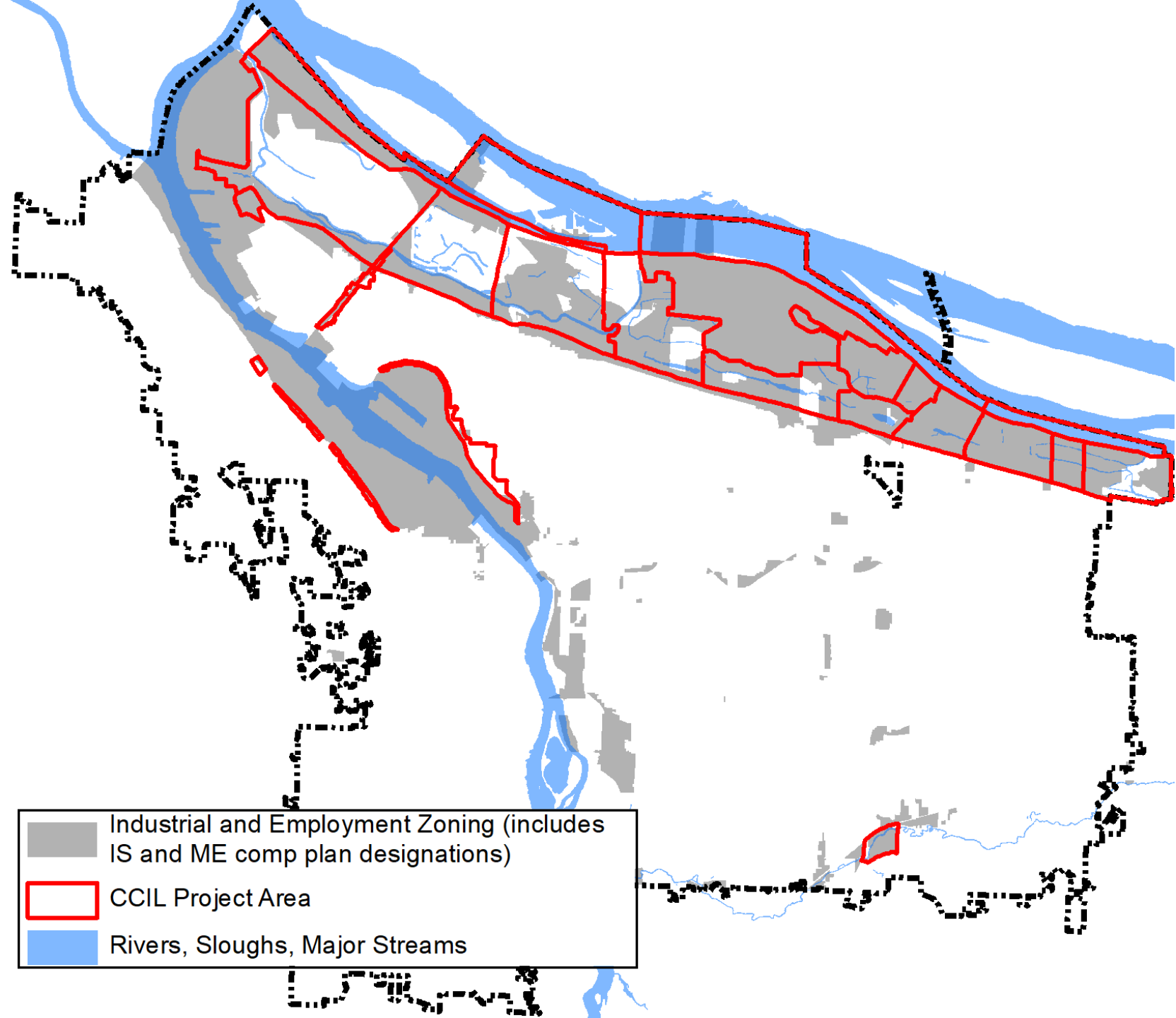
Wetlands



Floodplains



Streams

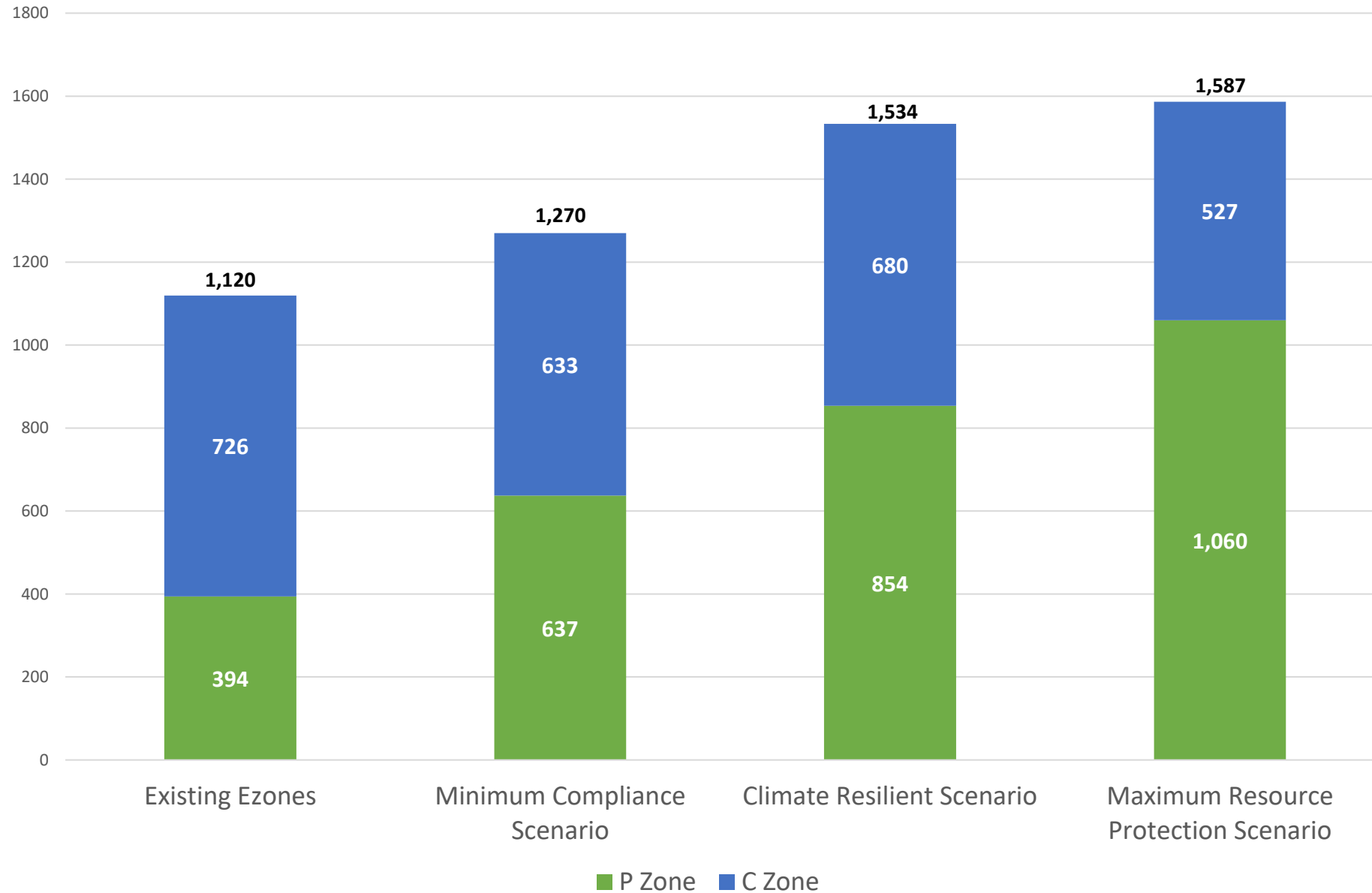


Total CCIL Project Area =  
**15,769 Acres**

Area of Taxlots that are Zoned  
Industrial/Employment in CCIL Project  
Area = **6,700 Acres**

- Industrial and Employment Zoning (includes IS and ME comp plan designations)
- CCIL Project Area
- Rivers, Sloughs, Major Streams

# Ezone Coverage of Industrial/Employment Taxlots in CCIL Area (Acres)





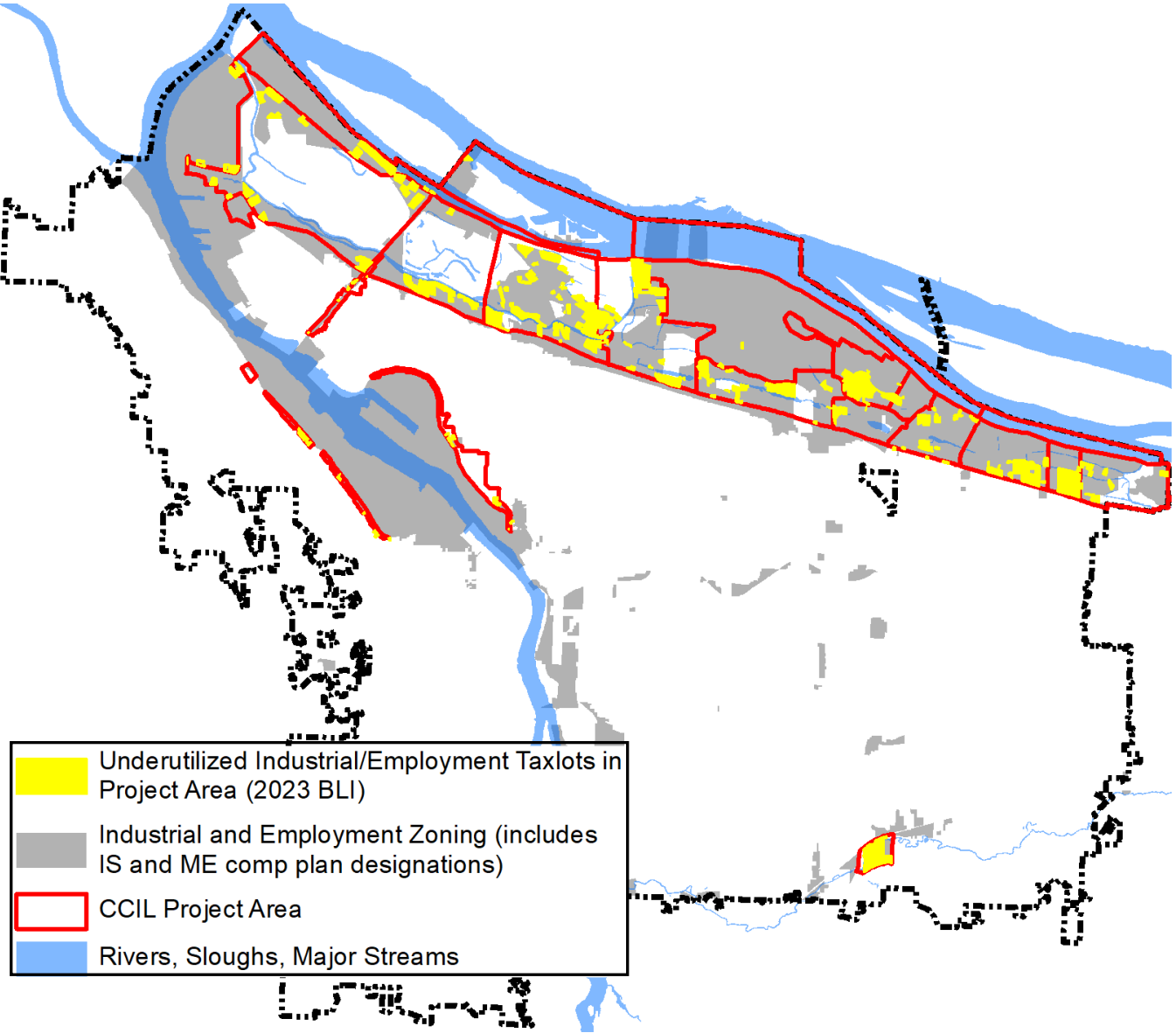
# Buildable Lands Inventory (BLI)

Area of Taxlots that are Zoned Industrial/Employment in CCIL Project Area = **6,700 Acres**

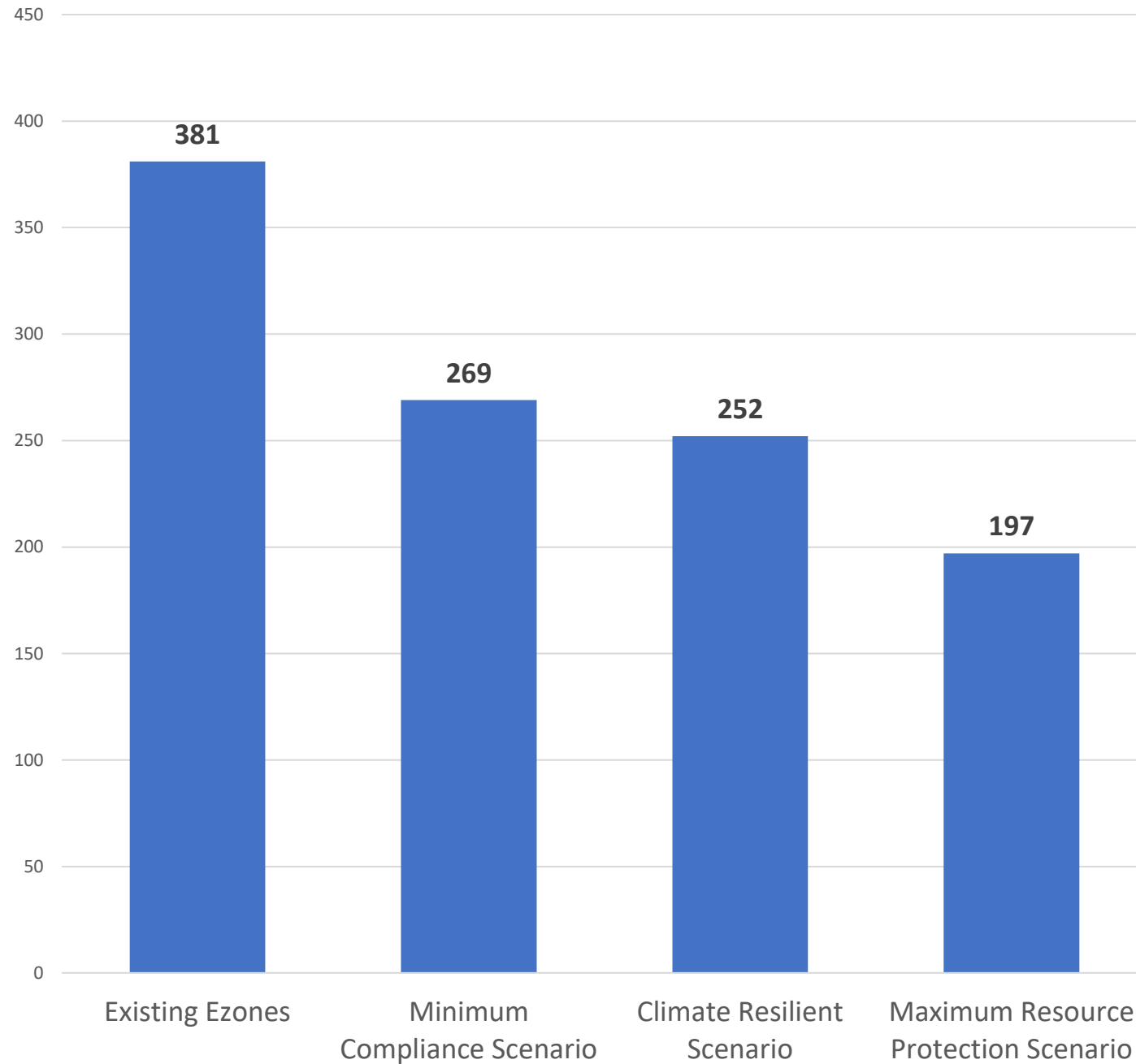
Citywide Industrial/Employment Sites that are Developable = **1,680 Acres**

After Constraints are Factored in, BLI = **1,044 Acres**

CCIL Project Area Contains **78%** of Citywide BLI Industrial/Employment Area



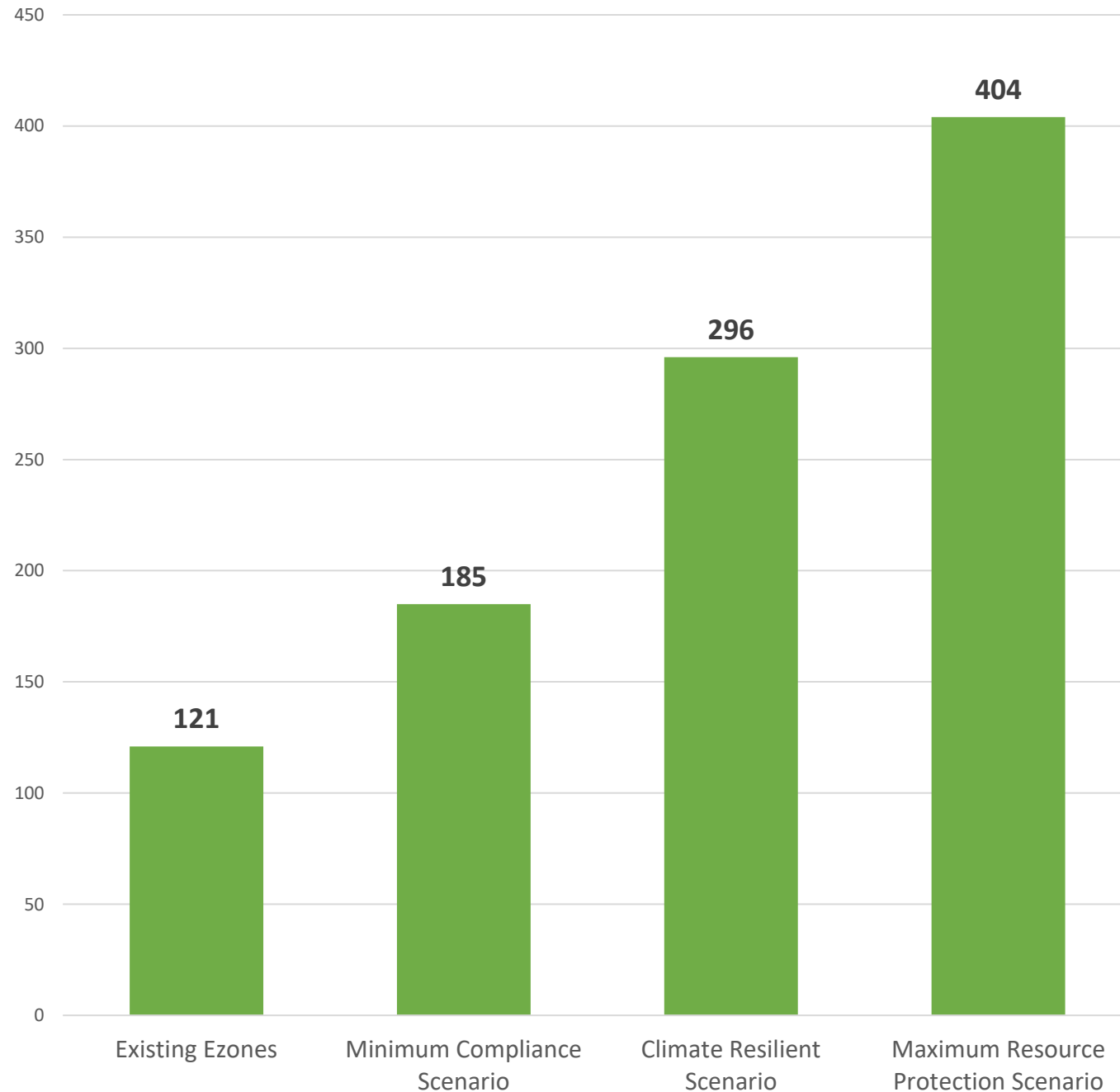
## Sites Where Conservation Zone $\geq$ 33%



## Conservation Zone Constraint

- The BLI treats the c zone as a constraint if it covers 33% or more of a site.
- If the BLI determines that a site has development capacity AND c zone coverage  $\geq$  33%, it deducts 50% of the capacity that the site contributes to the citywide total.

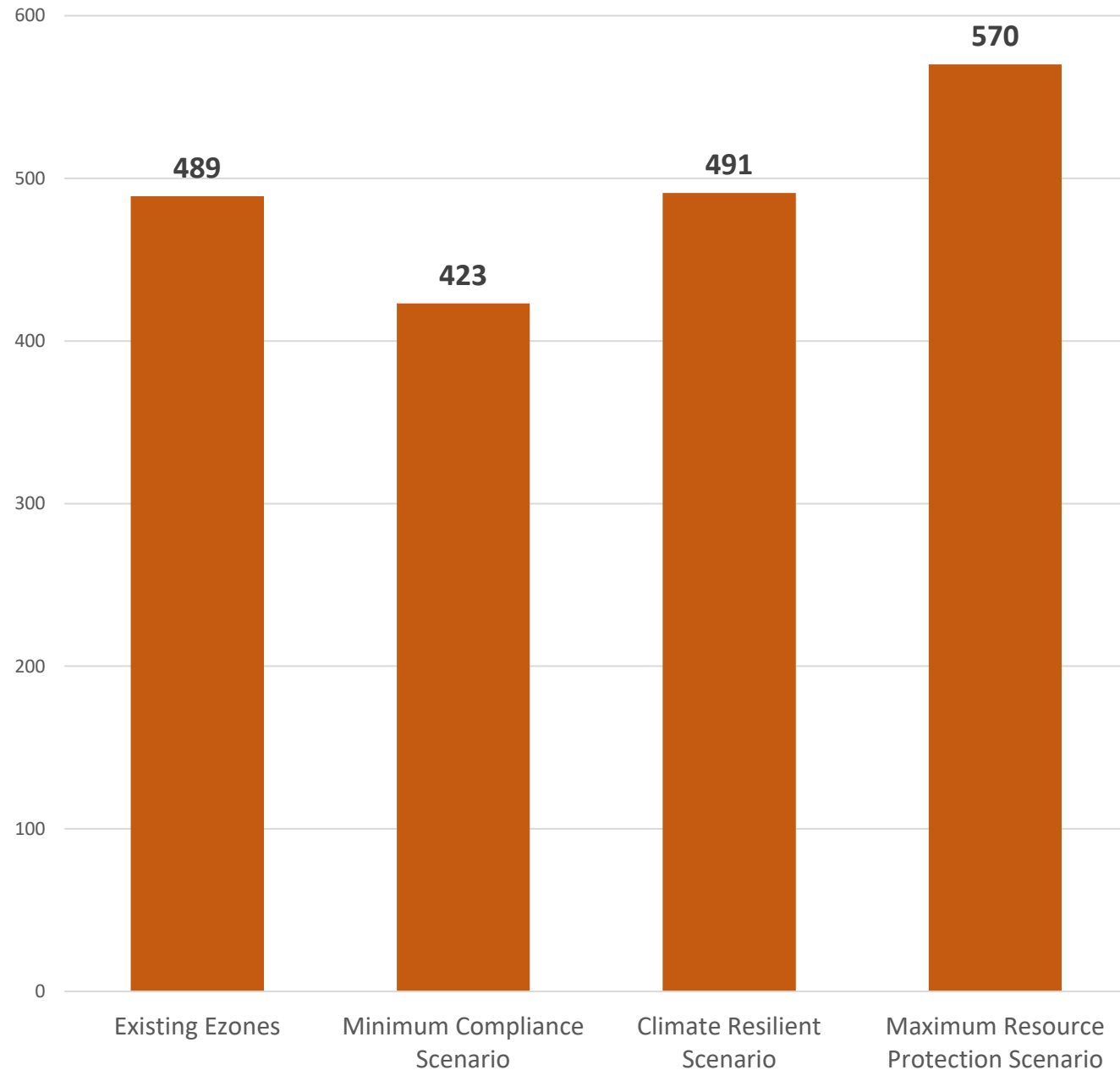
## Sites Where Protection Zone $\geq$ 33%



### Protection Zone Constraint

- The BLI treats the p zone as a constraint if it covers 33% or more of a site.
- If the BLI determines that a site has development capacity AND c zone coverage  $\geq$  33%, it deducts 100% of the capacity that the site contributes to the citywide total.

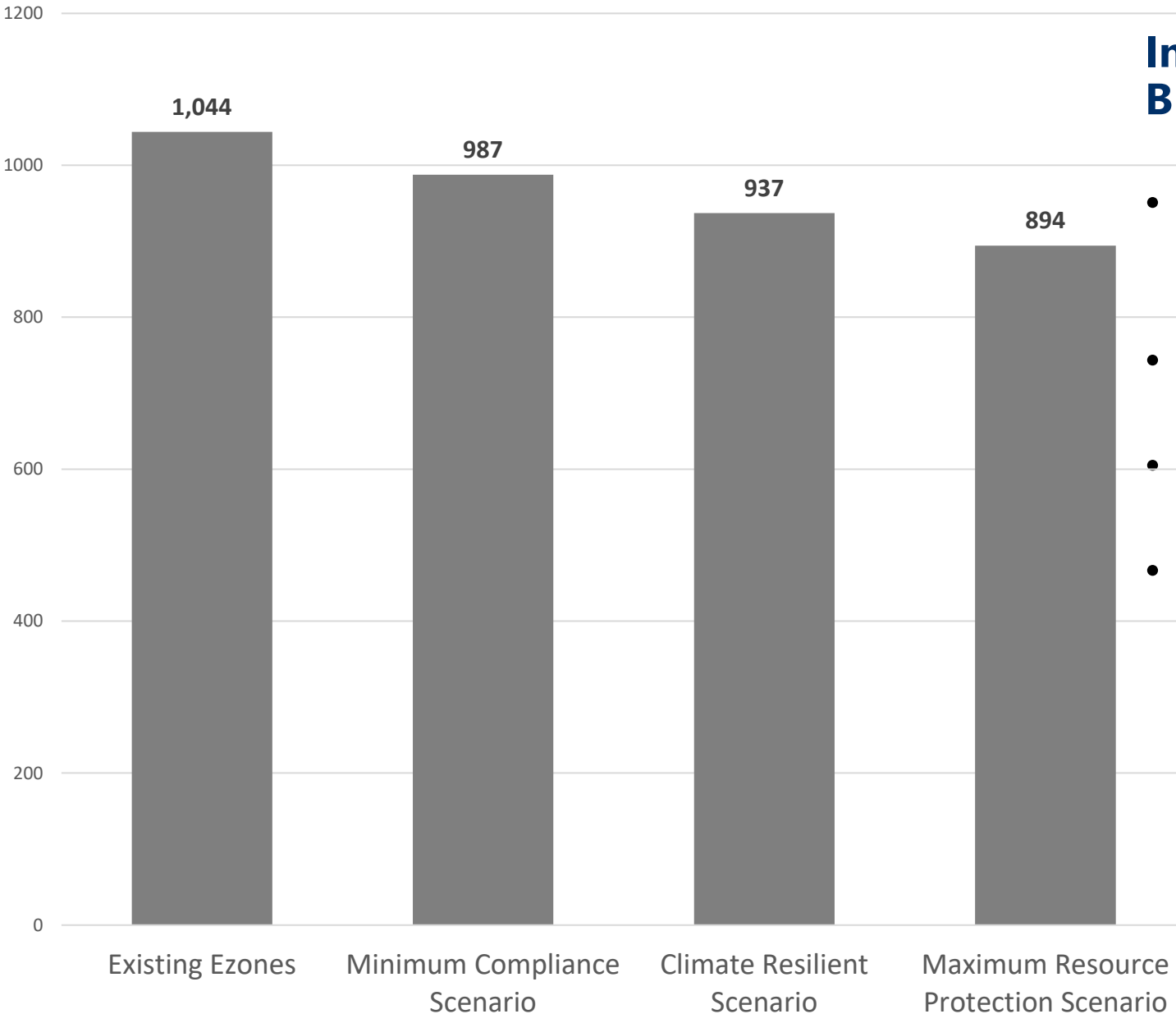
## Sites where Either Conservation Zone $\geq$ 33% OR Protection Zone $\geq$ 33%



## Sites with Either C or P Zone Constraint

- Number of sites that have either a c or p zone constraint.
- Not equivalent to # sites with c zone constraint plus # sites with p zone constraint because some sites have both.
- Nearly all of these sites have at least one other constraint in addition to the Ezones.

# BLI Citywide Industrial Development Capacity (Constrained Acres)



## Impact of Scenarios on Citywide Industrial BLI Acreage

- Current BLI of Industrial/Employment sites is **1,044 acres**.
- Minimum Compliance Scenario = **-56 acres (5%)**.
- Climate Resilient Scenario = **-107 acres (10%)**.
- Maximum Resource Protection Scenario = **-149 acres (14%)**.





# THE BUREAU OF **PLANNING** & **SUSTAINABILITY**

**Daniel Soebbing**

Environmental Planner

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Ezone basics (presentation, Q&A) 20 min

Proposed Changes (presentation, Q&A) 20 min

Are the key assumptions clear? What questions do you still have about e-zones? What elements are confusing?

Ezone Mapping Scenarios (presentation, Q&A) 30 min

Do you the three scenarios provide a range of options? Do you think there is something missing, how could that work in the scenarios?

Break 5 min

Map Review (CWG discussion groups with maps) 30 min

Do you understand the maps? What elements are confusing?

Scenario Results (share highlights from groups and discuss) 30 min

Are the key assumptions clear? What elements are confusing? Do you have any outstanding questions or concerns we haven't yet discussed?

# Ezone Map Correction Project

- Adopted in 2022.
- Applied p zone to **ALL** wetlands/streams
- Buffers
  - ~1/2 of project area 25' p zone buffer + c zone between 25-50' around **ALL** streams/wetlands
  - ~1/2 of project area, 50' p zone buffer around **ALL** streams/wetlands
- Conservation Zone applied to contiguous forest vegetation (medium value riparian resources and some forest patches with no riparian value).

## ENVIRONMENTAL OVERLAY ZONE MAP CORRECTION PROJECT

**VOLUME 2, PART D:**  
Fanno Creek, Natural  
Resources Inventory and  
Protection Decisions

Recommended Draft,  
As Amended

May 2022



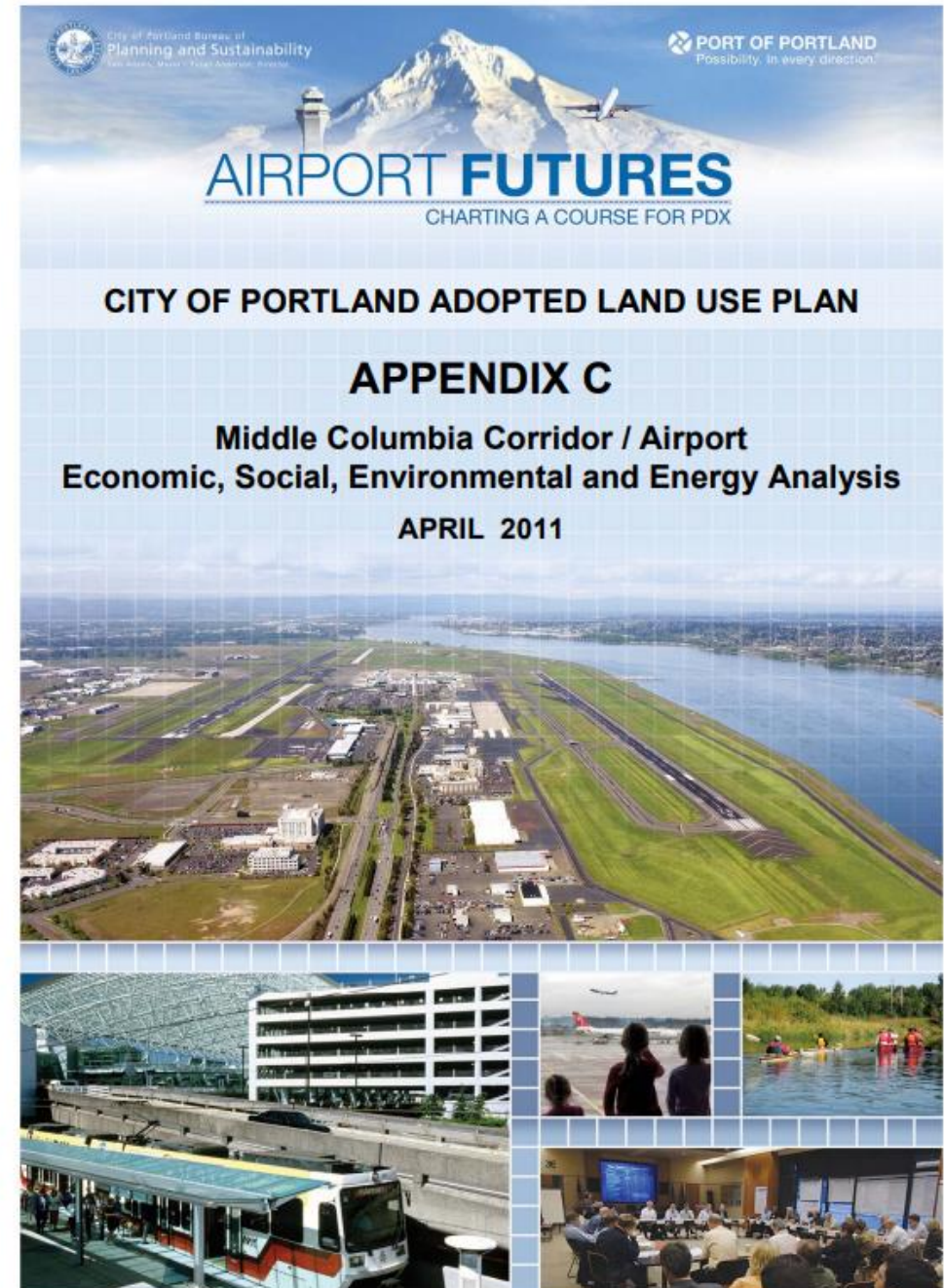
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# Middle Columbia/Airport Futures

- Adopted in 2011.
- Applied p zone to **ALL** streams/sloughs/wetlands
- Buffers recommendations
  - 50' p zone buffer around **ALL** streams/sloughs/wetlands
  - 50-75' c zone buffer around **ALL** streams/sloughs/wetlands
- Conservation Zone applied to High Value Riparian Resources.



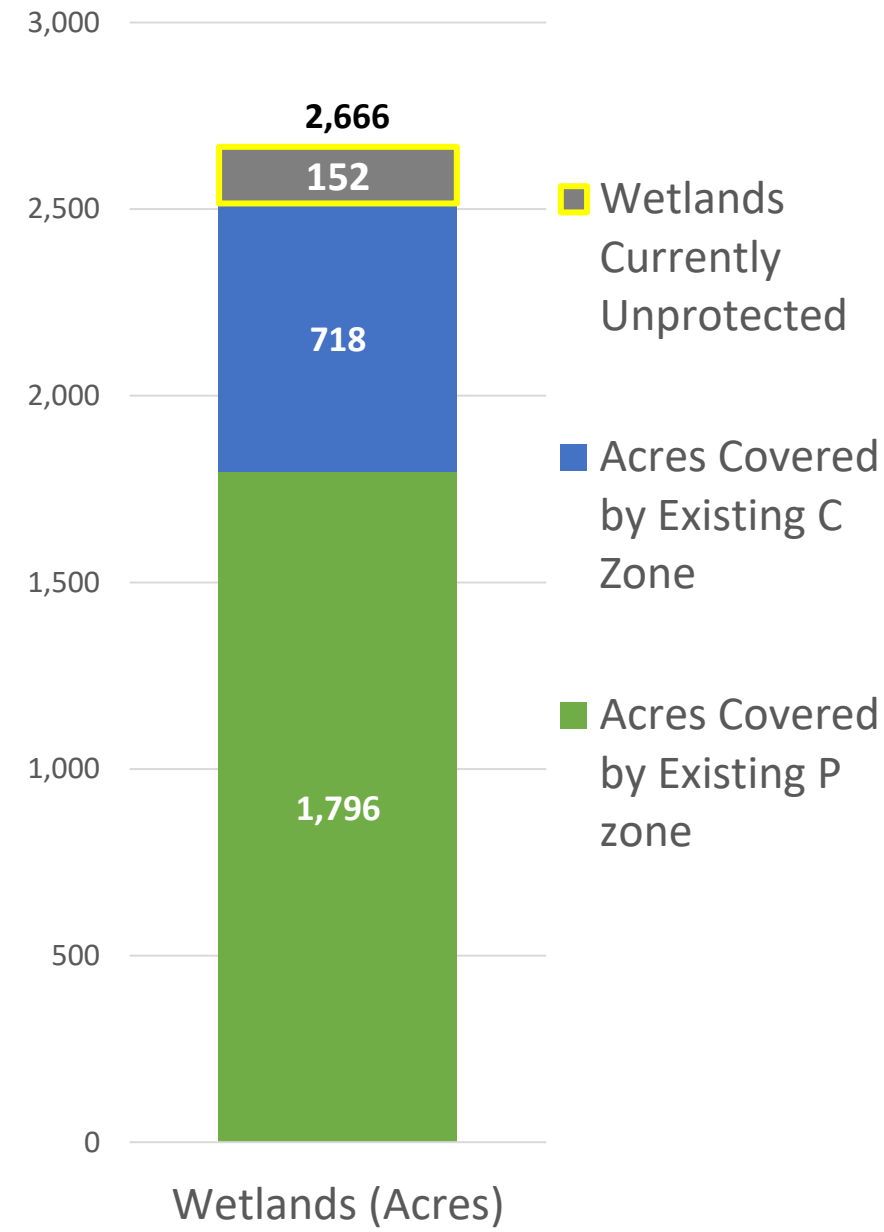


# Wetlands? Under whose authority?

- **Sackett v. EPA**
  - Recent US Supreme Court case invalidated Clean Water Act “Waters of the USA.”
  - In response, recent EPA rulemaking withdrew federal protection for wetlands not connected to navigable waters.
- **Oregon Removal Fill Law (1967)**
  - Predates Clean Water Act. **Not** affected by Sackett.
  - Administered by Oregon DSL.
  - Applies to all wetlands as defined by US Army Corps of Engineers, including many that are no longer under Clean Water Act protection.
  - Wetland mapping for recently completed Ezone Project and CCIL Ezone Project consistent with USACE and DSL.

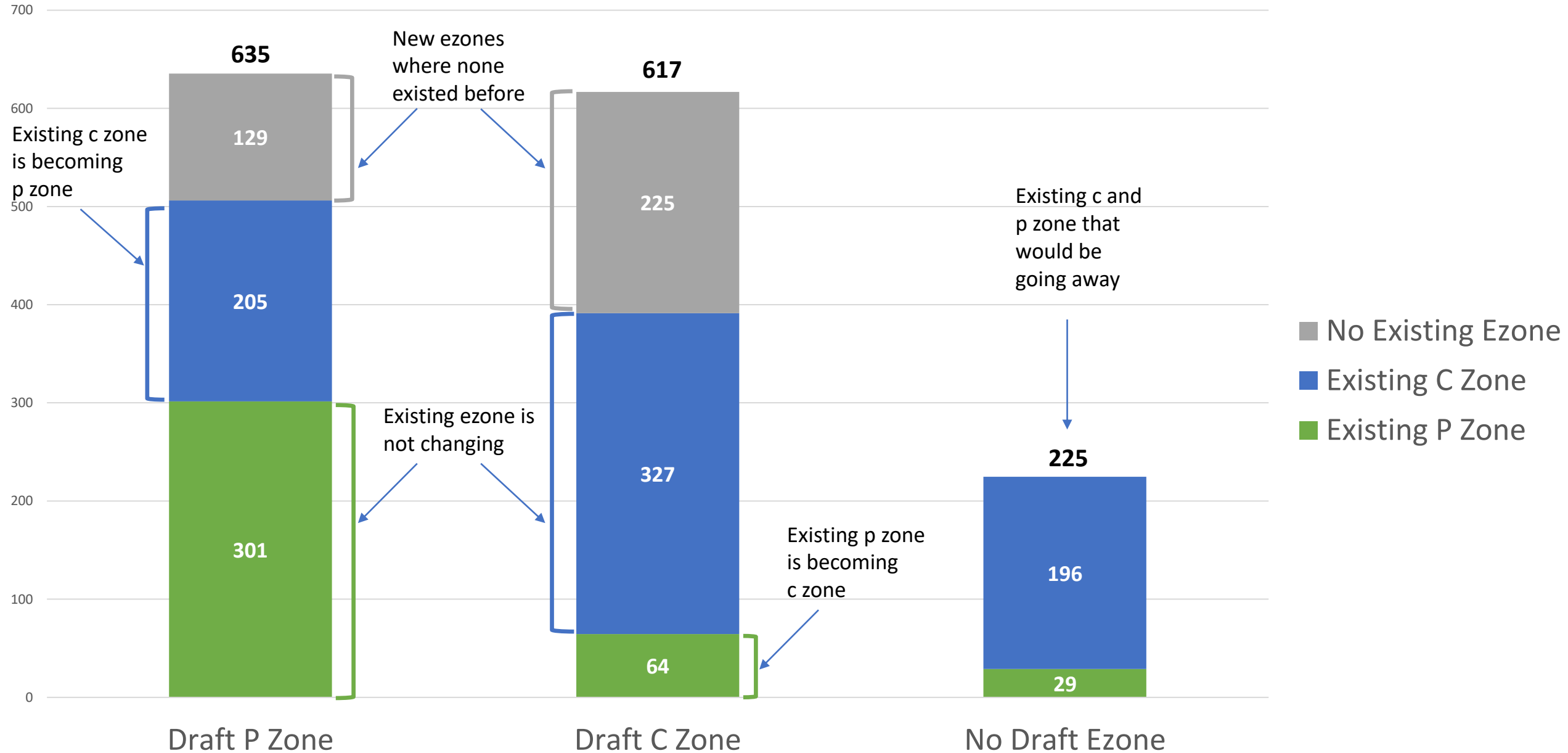


# Wetlands in CCIL Ezone Project Area - Protected vs Not Protected (acres)



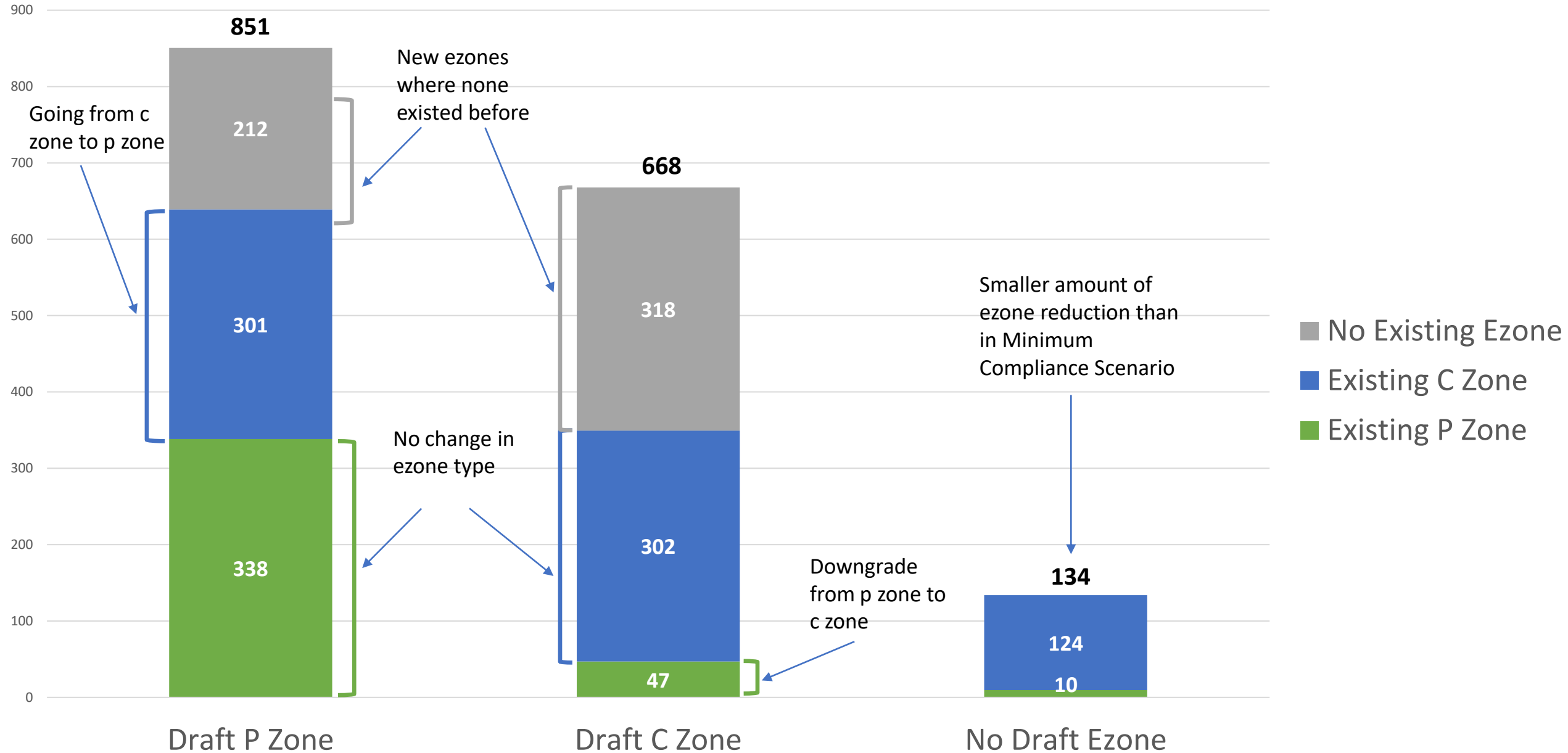
# Minimum Compliance Scenario

Industrial and Employment Taxlot Area (including Comp Plan IS and ME)



# Climate Resilient Scenario

Industrial and Employment Taxlot Area (including Comp Plan IS and ME)



# Maximum Resource Protection Scenario

Industrial and Employment Taxlot Area (including Comp Plan IS and ME)

