



Zoning Code 101

Planning and Sustainability Commission Briefing
August 11, 2015



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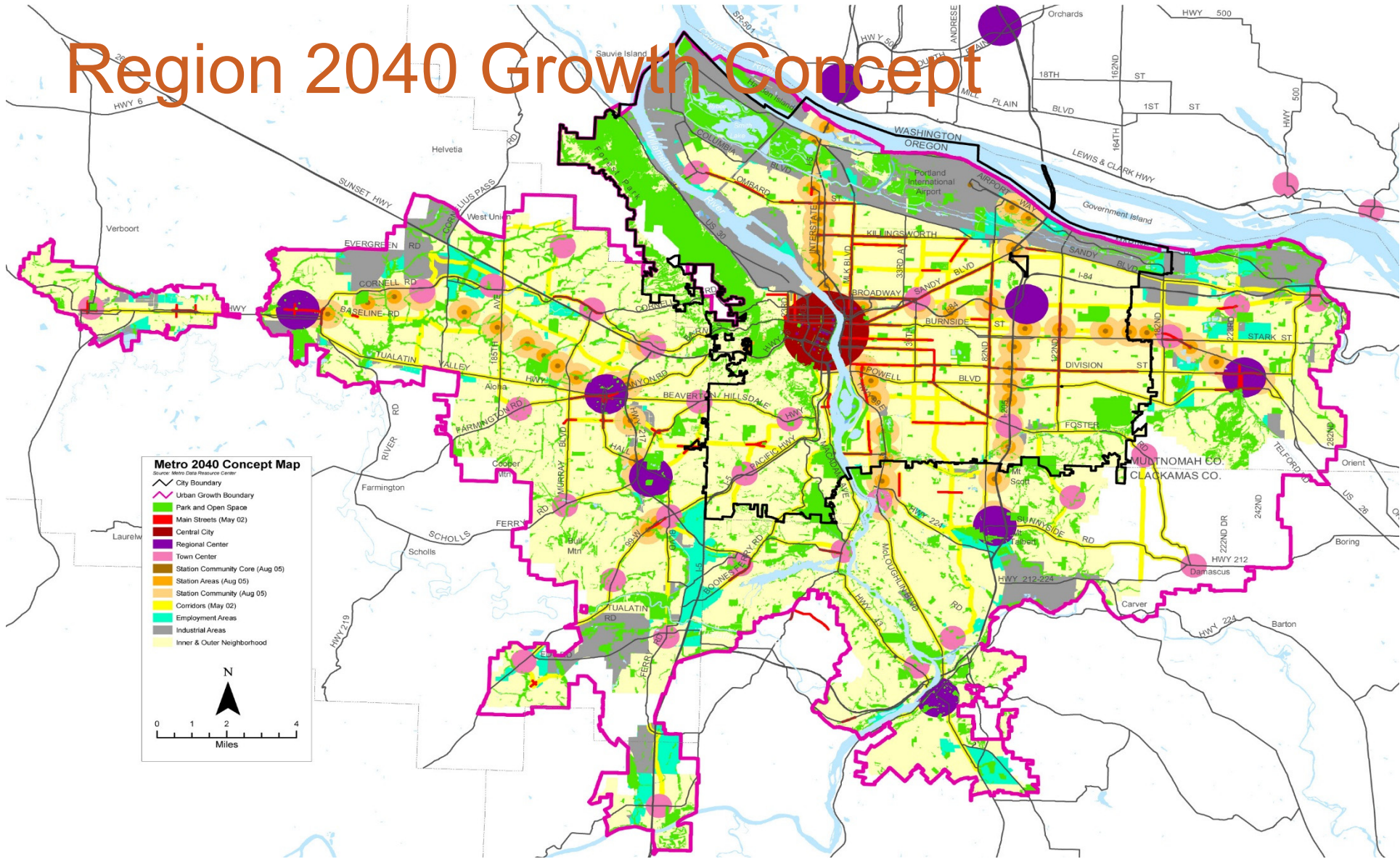
Today's Agenda

- Translating Values into Regulations
- Code-Writing Principles
- Structure of the Zoning Code

Oregon Statewide Planning Goals

1. Citizen Involvement
2. Land Use Planning
3. Agricultural Lands
4. Forest Lands
5. Open Spaces, Scenic, Historic, Natural Resources
6. Air, Water, and Land Resources Quality
7. Natural Disasters and Hazards Area
8. Recreational Needs
9. Economy of the State
10. Housing
11. Public Facilities
12. Transportation
13. Energy
14. Urbanization
15. Willamette Greenway
16. Estuarine Resources
17. Coastal Shorelands
18. Beaches and Dunes
19. Ocean Resources

Region 2040 Growth Concept



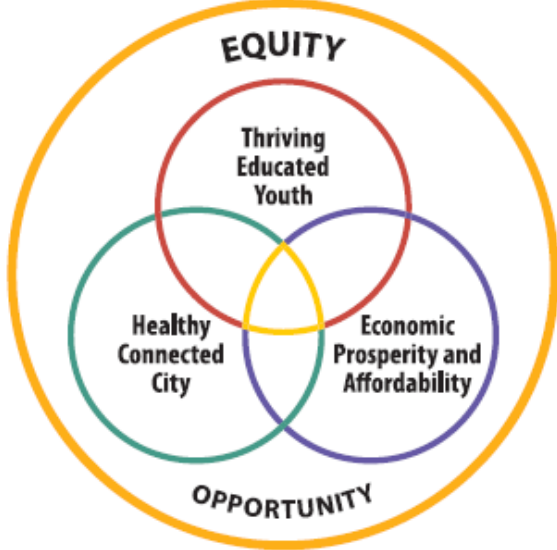









Metro 2040 Concept Map
Source: Metro 2040 Urban Growth Center

- City Boundary
- Urban Growth Boundary
- Park and Open Space
- Main Streets (May 02)
- Central City
- Regional Center
- Town Center
- Station Community Core (Aug 05)
- Station Areas (Aug 05)
- Station Community (Aug 05)
- Corridors (May 02)
- Employment Areas
- Industrial Areas
- Inner & Outer Neighborhood

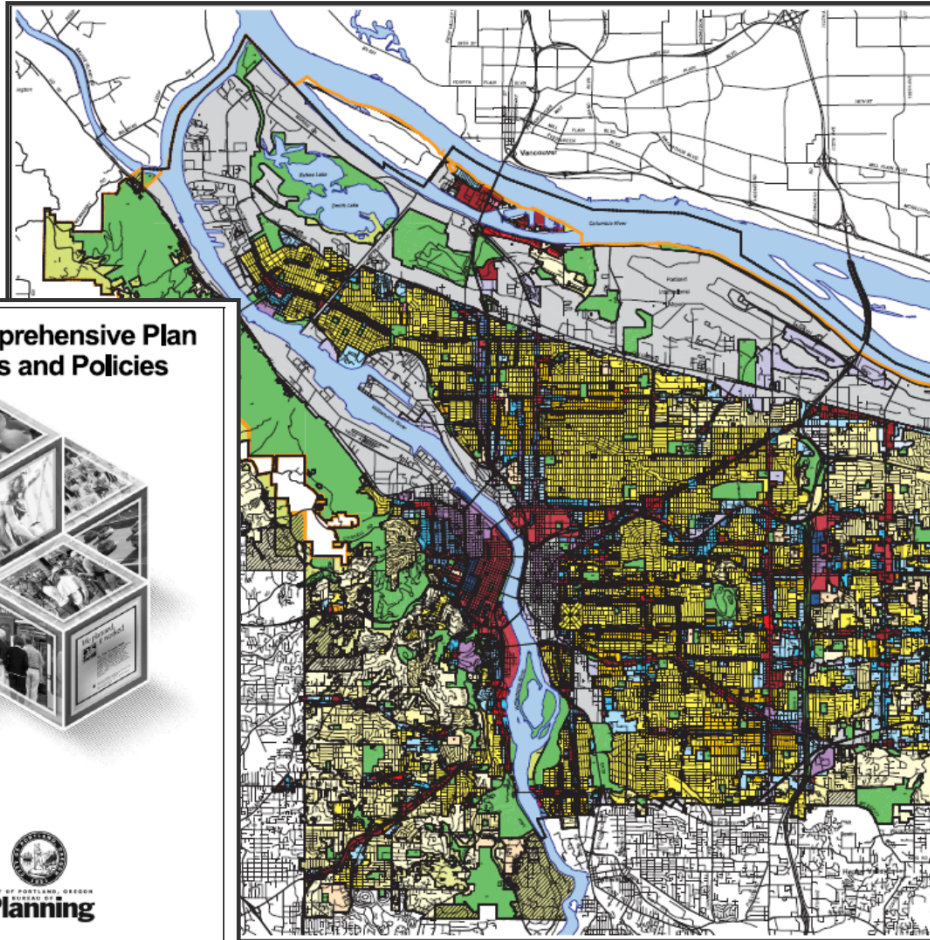
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Portland Plan At-A-Glance

Framework for Equity	3 Integrated Strategies	12 Measures of Success
<ul style="list-style-type: none"> Close the gaps Deliver equitable public services Engage the community Build partnerships Launch a racial and ethnic justice initiative Increase internal accountability 		<ol style="list-style-type: none"> 1. Equity and inclusion -/+ 2. Resident satisfaction + 3. Educated youth + 4. Prosperous households + 5. Growing businesses + 6. Job growth -/+ 7. Transit and active transportation + 8. Reduced carbon emissions + 9. Complete neighborhoods + 10. Healthier people - 11. Safer city + 12. Healthy watersheds +
<ul style="list-style-type: none">  PROSPERITY AND BUSINESS SUCCESS  HUMAN HEALTH, PUBLIC SAFETY AND FOOD  DESIGN, PLANNING AND PUBLIC SPACES 	<ul style="list-style-type: none">  EDUCATION AND SKILL DEVELOPMENT  TRANSPORTATION, TECHNOLOGY AND ACCESS  NEIGHBORHOODS AND HOUSING 	<ul style="list-style-type: none">  SUSTAINABILITY AND THE NATURAL ENVIRONMENT  EQUITY, CIVIC ENGAGEMENT AND QUALITY OF LIFE  ARTS, CULTURE AND INNOVATION

Comprehensive Plan



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A. SHORT TERM (Exhibit C)

(This is a summary list of Public Facilities Plan projects. Please refer to each bureau's Public Facilities Plan for detail on each project)

Sanitary Sewer

- I-26 122nd Avenue Trunk
- I-29 Cherry Park Pump Station and Trunk
- J-2 South Mid-County Trunk
- J-3 Holgate Pump Station and Pump Line
- I-23 Burnside Basin Trunk
- J-4 103rd Avenue Trunk
- C-1 Lombard Basin Trunk
- C-2 Broadway Basin Pump Station and Trunk
- I-5 Cully Basin Pump Station and Trunk
- I-7 Cully Basin Trunk
- I-13 Airport Way Pump Station and Trunk
- I-14 Airport Way Pump Station and Trunk
- I-15 Airport Way Pump Station and Trunk
- F-26 Hayden Island Pump Station and Pressure Line

Combined Sewer

- WHE-1025 In-line Storage
- WHE-1240 In-line Storage
- WHE-1131 In-line Storage
- WHE-1232 In-line Storage
- WHE-1102 In-line Storage
- WHE-1160 In-line Storage
- WHE-1268 In-line Storage
- WHE-1221 In-line Storage
- WHE-1128 In-line Storage
- WHE-1118 In-line Storage
- STA-1041 Drainage Sumps
- ATA-3013 In-line Storage
- 13T-5028 Drainage Sumps
- 13T-1227 Drainage Sumps
- 13T-1516 Drainage Sumps
- 13T-1606 Drainage Sumps
- 13T-3506 Drainage Sumps
- 13T-1620 Drainage Sumps
- 13T-1205 Drainage Sumps
- 13T-5404 Drainage Sumps

**Comprehensive Plan
Goals and Policies**


Planning
 Adopted October 1980
 Includes Amendments Effective Through July 2006

Translating Values into Regulations

Value	Example Regulations
Human health - pedestrian-friendly environment	<ul style="list-style-type: none">- Buildings are required to be built to the sidewalk- Parking behind the building- Main entrances at the front- Bike parking
Economic prosperity	<ul style="list-style-type: none">- Limit non-industrial uses in industrial zones
Environmental health	<ul style="list-style-type: none">- Apply environmental zoning and have rules for what can be built in those areas

A Few Code-Writing Principles

- The Zoning Code is not the right tool for every situation
- Clear and objective standards
- 90% code
- Nexus
- Treat similar things in a similar fashion
- Flexibility vs. certainty

Title 33 – Portland Zoning Code

- One of 33 titles in City Code
- Land use regulations – use and development
- Applies to land and water
- Limited application in right-of-way



Purpose Statements

33.110.010 Purpose

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

33.110.215 Height

A. Purpose. The height standards serve several purposes:

- They promote a reasonable building scale and relationship of one residence to another;
- They promote options for privacy for neighboring properties; and
- They reflect the general building scale and placement of houses in the city's neighborhoods.

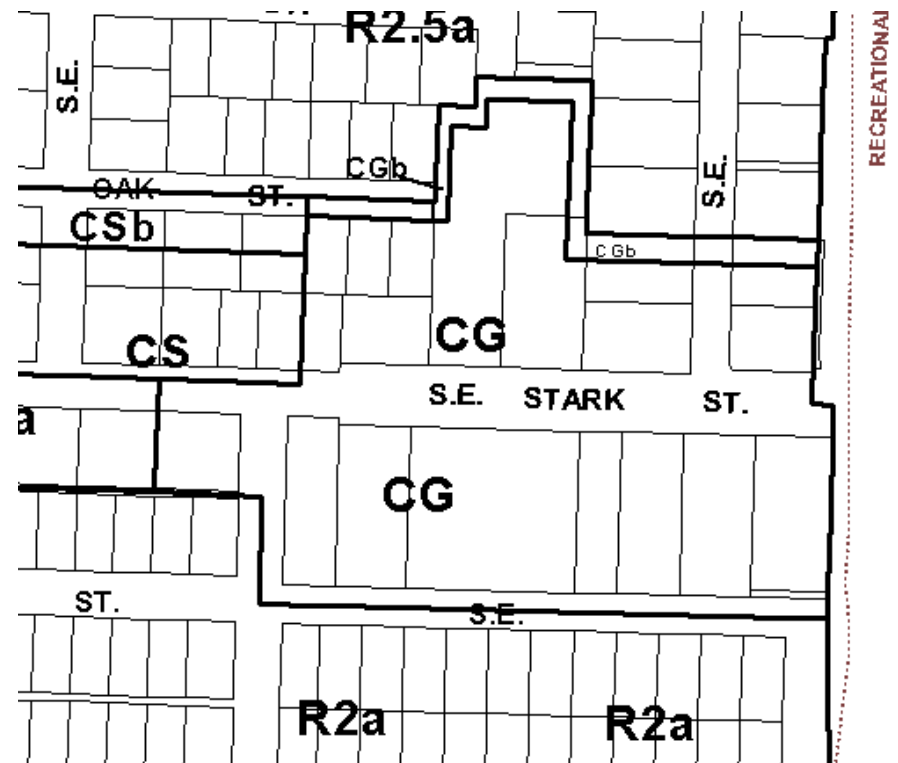
Zoning Code: Basic Code Structure

- Base Zones (100's)
- Additional Use & Development Regulations (200's)
- Overlay Zones (400's)
- Plan Districts (500's)
- Land Divisions & Planned Development (600's)
- Code Administration & Procedures (700's)
- Land Use Reviews (800's)
- Reference (900's)

100's – Base Zones

All sites in Portland (and the urban pockets) have a base zone.

- 33.100 Open Space zone
- 33.110 Single-dwelling zones
- 33.120 Multi-dwelling zones
- 33.130 Commercial zones
- 33.140 Employment and Industrial zones



Zoning Names and Symbols: Base Zones

<u>Symbol</u>	<u>Full Name</u>	<u>Symbol</u>	<u>Full Name</u>
OS	Open Space	CN2	Neighborhood Commercial 2
RF	Residential Farm/Forest	CO1	Office Commercial 1
R20	Residential 20,000 (sf)	CO2	Office Commercial 2
R10	Residential 10,000 (sf)	CM	Mixed Commercial/Residential
R7	Residential 7,000 (sf)	CS	Storefront Commercial
R5	Residential 5,000 (sf)	CG	General Commercial
R2.5	Residential 2,500 (sf)	CX	Central Commercial
R3	Residential 3,000 (14.5-21 DU/Ac)	EG1	General Employment 1
R2	Residential 2,000 (21.8 – 32 DU/Acre)	EG2	General Employment 2
R1	Residential 1,000 (43 - 65 DU/Acre)	EX	Central Employment
RH	High Density Residential	IG1	General Industrial 1
RX	Central Residential	IG2	General Industrial 2
IR	Institutional Residential	IH	Heavy Industrial
CN1	Neighborhood Commercial 1		

100's – Base Zones

The Base Zone chapters identify the **uses** that are allowed in each zone, and describe the **general development standards** for each zone.



100's – Development Standards

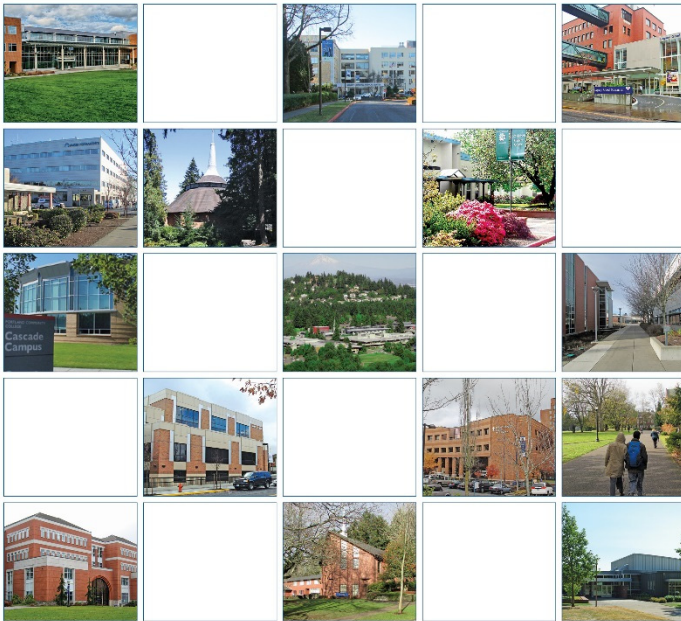
**Table 110-3
Summary of Development Standards In Single-Dwelling Zones**

Standard	RF	R20	R10	R7	R5	R2.5	
						detached See 33.110.240.C	attached
Maximum Height (See 33.110.215)	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	35 ft.	35 ft.
Minimum Setbacks							
- Front building setback	20 ft.	20 ft.	20 ft.	15 ft.	10 ft.	10 ft.	10 ft.
- Side building setback	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	5 ft.	0/5 ft
- Rear building setback	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	5 ft.	5 ft.
- Garage entrance setback (See 33.110.220)	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.
Required Outdoor Area							
- Minimum area	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	200 sq. ft.
- Minimum dimension (See 33.110.235)	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	12 ft. x 12 ft.	10 ft. x 10 ft.

Amendments to Base Zone Regulations

- Employment Land
- Mixed Use
- Campus Institutions

Campus Institution Zoning Project
EARLY IMPLEMENTATION OF THE 2035 COMPREHENSIVE PLAN
DISCUSSION DRAFT - JULY 2015





Comments on the Discussion Draft accepted through September 14, 2015.

DD → PD → REC → A
Discussion Draft → Proposed Draft → Recommended Draft → Adopted Plan

July 2015
www.portlandoregon.gov/bps/pdxcompplan

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City of Portland, Oregon
Charlie Hale, Mayor - Susan Anderson, Director



200's – Additional Use and Development Regulations

- Development standards and review requirements for specific situations regardless of zone.
- Common application of regulations in this section:
 - Accessory Dwelling Units (33.205)
 - Landscaping and Screening (33.248)
 - Parking and Loading (33.266)

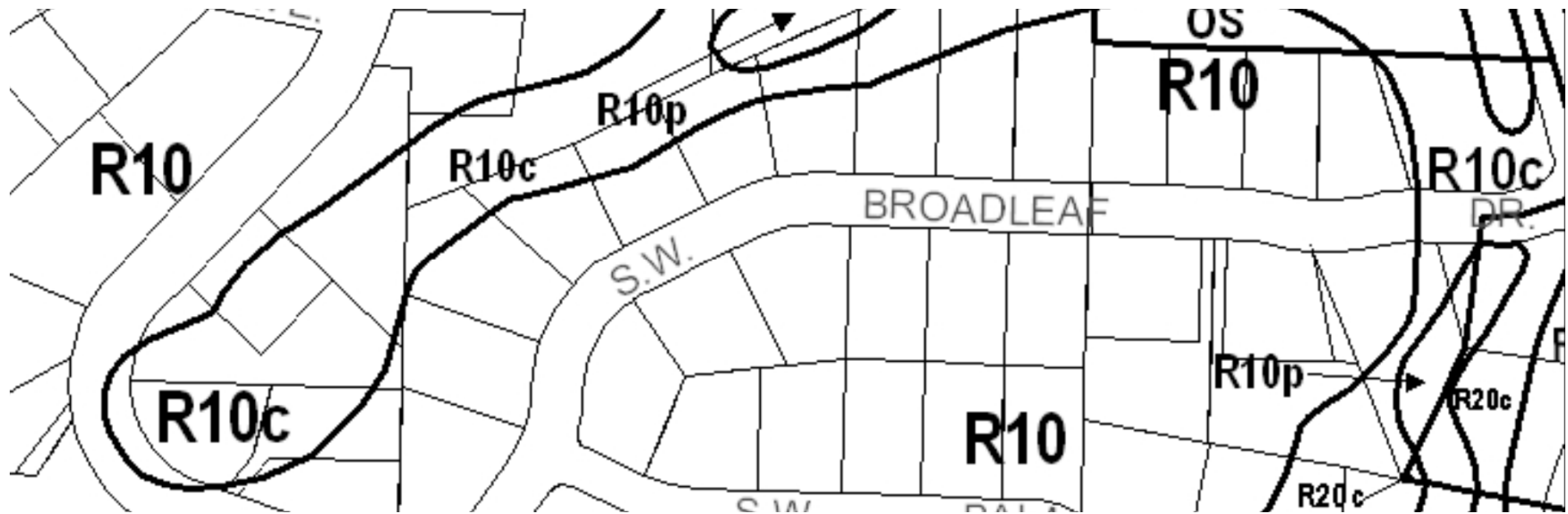


400's – Overlay Zones

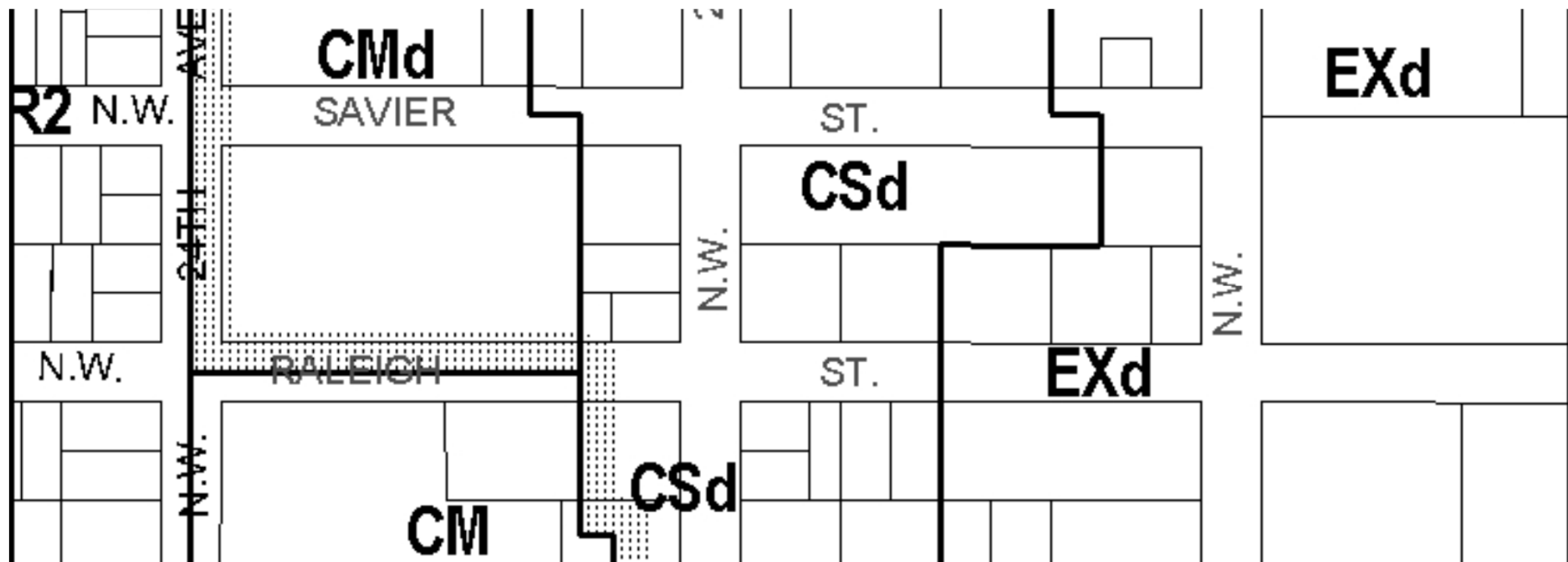
Regulations that address specific subjects that may be applicable in a variety of areas in the city. Examples:

- Environmental zones
- Design zone
- Scenic zone





Environmental overlay zones: conservation (c) and protection (p)



Design overlay zone (d)

Overlay Zones Names and Symbols

<u>Symbol</u>	<u>Full Name</u>	<u>Symbol</u>	<u>Full Name</u>
a	Alternative Design Density	c	Environmental Conservation
b	Buffer	p	Environmental Protection
d	Design	j	Main Street Node
g	Greenway River General	m	Main Street Corridor
i	Greenway River Industrial	h	Aircraft Landing
n	Greenway River Natural	x	Portland International Airport Noise Impact
q	Greenway River Water Quality	s	Scenic Resource
r	Greenway River Recreation	v	Pleasant Valley Natural Resources
f	Future Urban	No Symbol	Historic Resource Protection

“Two-Track” System

- Design Overlay:
 - Community Design Standards; or
 - Design Review (discretionary)
- Environmental Overlay:
 - Environmental Standards; or
 - Environmental Review (discretionary)

500's – Plan Districts

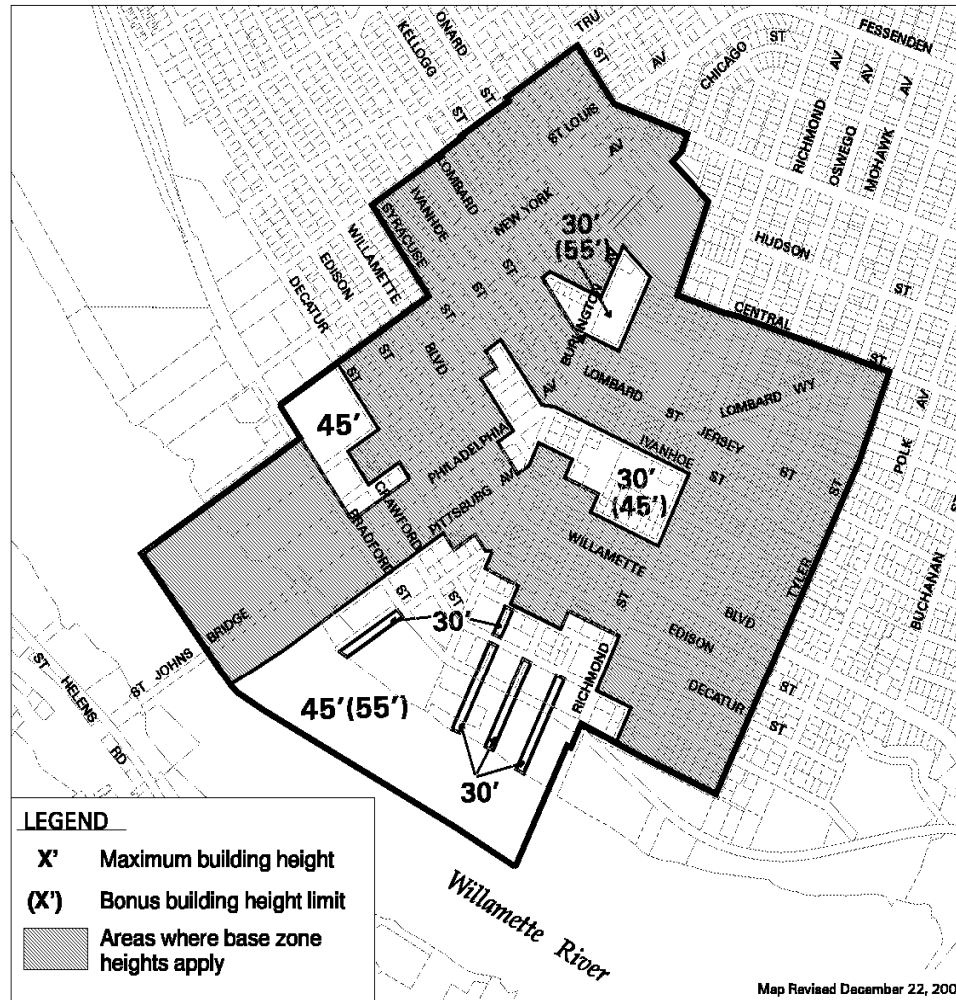
Regulations tailored to a specific areas of the city with unique characteristics.

Examples:

- Central City Plan District
- Gateway Plan District
- St. Johns Plan District



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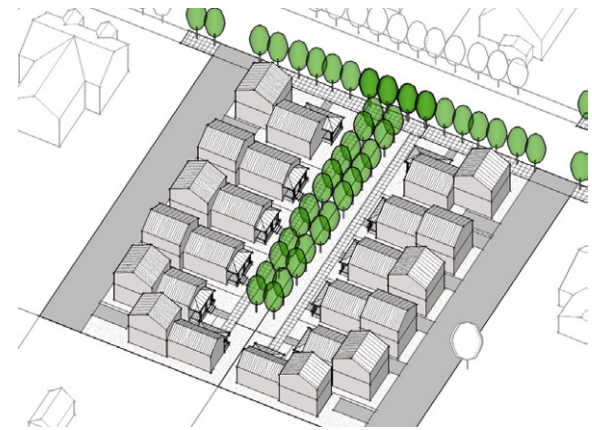


Map 583-2

St Johns Plan District Maximum Heights

600's – Land Divisions and Planned Developments

- Land Division regulations govern proposals for the division of land into parcels or lots.
- Planned Development regulations allow flexibility in lot size, housing type, and development standards for innovative and creative development



700's – Code Administration and Procedures

The rules and regulations for administering the Code including:

- Rules for implementing the code
- Descriptions of the different procedure types
- Details concerning application requirements, staff-level processing, review bodies, public hearings and appeals.



Land Use Reviews – Procedure type vs. Reviews

Procedure Types

- Type I, II, IIx, III, IV
- Procedure type determines timeline, public notice area, decision maker and appeal process
- Decision maker can be staff, the Hearings Officer, and in some cases, City Council

Land Use Reviews

- Design Review, Conditional Use Review, Adjustment Review
- Discretionary; not all of the approval criteria are objective
- Provide opportunity for public involvement

PROCESS TYPE based on level of discretion and potential impacts	I	II	IIx	III	IV	Comprehensive Plan Map Amendment & Goal Exception
Neighborhood notice required before application		★ ₁	★ ₂	★ ₂		
Pre-application conference required				★	★	★
Public notice required, opportunity to comment	★	★	★	★	★	★
Notice to property owners, distance from site (in feet)	100	150	150	400	400	400
Notice to recognized organizations distance from site (in feet)	Within proximity of site	400	400	1,000	1,000	1,000
Length of comment period (in days)	30	21	30	21 ₃		
120-day review period applies	★	★	★	★	★	
Decision by case planner	★	★	★			
Decision by hearings body or City Council (public hearing required)				★ planner recommends to hearings body	★ City Council makes final decision	★ hearings body recommends to City Council
Estimated timeframe, (given complete application, without appeal, in months)	2 ½	2	3	4	3 ½	5
Opportunity for local appeal		★ to hearings body	★ to hearings body	★ to City Council		

1 For some design reviews

2 For land divisions, planned developments, and some design reviews

3 Comment period may be longer, as comments are accepted up to and at time of hearing.

800's – Land Use Reviews

Procedural requirements and approval criteria for the most common land use reviews, including:

- Adjustments
- Conditional Use Reviews
- Conditional Use Master Plans
- Design Reviews
- Historic Reviews
- Zoning Map Amendments



Approval Criteria...

- Set the bounds for the issues that must be addressed in the review
- If all approval criteria are met, the review will be approved
- A proposal can comply with criteria with mitigation measures or limitations
- Mitigation measures and limitations become conditions of approval
- The burden is on the applicant to show they have met the criteria

900's – General Terms

Section of the Zoning Code that provides references for understanding code language and applications of code requirements to specific situations, including:

- Definitions
- Use Categories
- Measurements



Terms

- Uses are either:
 - Allowed / Limited / Conditional / Prohibited
- Development Standards
- Prohibited vs. Not allowed
- Discretionary vs non-discretionary
- Land Use Review apply approval criteria
- Procedures (Type I, II, IIx, III, IV)
- Land Use Reviews (AD, CU, ZC, DZ, EN, etc.)



Questions?



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Planning

- Long-range planning involves developing policy and implementation tools (usually regulatory) to address community vision and changing conditions.
- Legislative process
- BPS
- PSC makes recommendations to Council



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Development Review

- Development review involves applying regulations and procedures to building and land use proposals.
- Land use reviews are processed through quasi-judicial procedures.
- BDS Staff, Hearings Officer, Design Commission, and Landmarks Commission

