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MEMO

DATE: September 28, 2017
TO: Planning and Sustainability Commissioners
FROM: Barry Manning, Project Manager
CC: Eric Engstrom, Joe Zehnder, Susan Anderson
SUBJECT: Code Reconciliation Project

At the October 10, 2017 Planning and Sustainability Commission (PSC) meeting, BPS staff will provide a briefing on the **Code Reconciliation Project – Proposed Draft**.

The Proposed Draft is attached, and the document is also posted online at <https://www.portlandoregon.gov/bps/72600>. Public notices about the proposed Zoning Code amendments were mailed to interested parties and property owners subject to state notice requirements beginning the week of September 18, 2017. The PSC is scheduled to hold public hearings on the proposal on October 24, 2017.

Background

The [2035 Comprehensive Plan Early Implementation Zoning Code Amendments](#) was adopted by Portland City Council in 2016 and included major changes to the Portland Zoning Code, Title 33. Portland City Council also adopted changes to the Zoning Code in December 2016 as part of the [Inclusionary Housing Zoning Code Project](#). Both of these code amendment efforts resulted in changes that affect other chapters and sections of the Zoning Code and other city titles that reference zoning. The 2035 Comprehensive Plan Code Reconciliation Project amends the zoning code and other city titles to provide greater consistency with the newly adopted regulations and correct code references.

Proposed Changes

This **Code Reconciliation Project – Proposed Draft** contains amendments to [Title 33, Planning and Zoning](#), [Title 32, Signs and Related Regulations](#), [Title 18, Noise Control](#), and [Title 11, Trees](#).



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1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

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Many of the proposed amendments are technical, in that they replace references to existing Commercial zones with the most equivalent new Commercial/Mixed Use zone adopted by Portland City Council as part of the 2035 Comprehensive Plan. The amendments also update the adopted mixed use zones approach to development bonuses with the approach established by the Inclusionary Housing Project.

Because the new 2035 Comprehensive Plan zones are not always a direct replacement for current zones, and because some development parameters have changed (including Inclusionary Housing related standards), the amendments may sometimes result in changes that have policy implications or shift development allowances.

In addition, the amendments weave in references to new Campus Institutional (CI) zones adopted with the 2035 Comprehensive Plan. They also update regulations in plan districts and other code Chapters for Employment and Industrial (E and I) zones and uses that are consistent with changes to Employment and Industrial base zones adopted with the 2035 Comprehensive Plan.

For Title 33, some of the most substantial changes occur in:

- Plan districts, where Inclusionary Housing bonuses are either added or existing bonuses are converted to the IH approach and new base zone limits on retail and residential in E and I zones are applied.
- The Buffer overlay zone, which is being eliminated and replaced with enhanced setback standards in E and I zones for interface with residential zones.
- Conditional use transportation approval criteria, which is being updated citywide.
- Other sections of the zoning code that are amended to better implement the 2035 Comprehensive Plan policies and prior directions.

The proposed amendments also affect development-related aspects of Title 11, Title 32, and Title 18, Noise Control. The amendments generally assign the new zones to existing regulations (Title 32 and Title 18) and also eliminate exemptions for the CS and CM zones that are being phased out (Title 11).

The Planning and Sustainability Commission has purview regarding changes to Title 32 and Title 11, and may receive testimony on these issues. Title 11 will also be considered by the Urban Forestry Commission on November 16, 2017; the Urban Forestry Commission also has purview and will also make a recommendation on Title 11 changes. Title 18 will be reviewed by the Noise Review Board on November 8, 2017; the PSC does not have a formal role for review on the noise code issues.

More Information and Questions

A summary of some of the most significant or substantive changes proposed are located on pages 6-9 of the Proposed Draft document and a summary table follows in the document on pages 10-18. Please contact me at 503-823-7965 or barry.manning@portlandoregon.gov prior to the meeting if you have any questions or wish to have more details on specific changes proposed.

