

Environmental Overlay Zone Map Correction Project



Planning and Sustainability Commission Project Briefing July 14, 2020

Acknowledgements

Bureau of Planning and Sustainability

Bureau of Environmental Services

Bureau of Development Services

Portland Parks and Recreation

Property Owners

THANK YOU!

Presentation Topics

1. What are Ezones
2. Project Purpose
3. History of Ezones
4. Who's Impacted
5. How Properties are Impacted*
6. Big Changes
7. Public Engagement
8. Schedule



Family enjoying the Columbia Slough

Summary of Project

1. Purpose of environmental overlay zones

- to protect streams, wetlands, flood areas, steep slopes, forests and wildlife habitat.
- to protect the resources to protect people and homes from risk of landslides and floods and support healthy neighborhoods.

2. Purpose of this project

- To correct the boundaries of the environmental overlay zones to better align with existing natural resources.

3. Why is the project needed

- The overlay zones were applied 20-30 years ago and the technology has improved greatly revealing that the resources we intended to protect are not always protected. This project is fixing that.

Environmental Overlay Zones

Conservation zone (c)

Allows some **new** private development that is sensitive to the natural resources

Protection zone (p)

- Prohibits most **new** private development
- Allows new stormwater outfalls, levees, pump stations, public streets and similar infrastructure – with mitigation



Environmental Overlay Zones

- **Key things to know in both c and p zone:**
 - Setbacks from streams and wetlands
 - Maintain and repair your existing house, driveway and deck
 - Maintain your yard
 - Remove dead/dangerous trees and trees near your house
 - Trees that are removed must be replaced

Purpose of Ezones



Reduce the risk of flooding



Reduce the risk of landslides



Protect at-risk species



Protect habitat for endangered species

Project Purpose

To correct the location of the environmental overlay zone (ezone) boundaries across the city to better align with:

- Rivers, streams and sloughs
- Wetlands
- Flood areas
- Forests
- Steep slopes
- Fish and wildlife habitat



Kelly Creek Restoration

Scope of the Project

What is included in the project?

- Zoning Map Amendments
- Zoning Code Clarifications
- Natural Resource Data

What is not included in the project?

- Policy changes



Mt Tabor

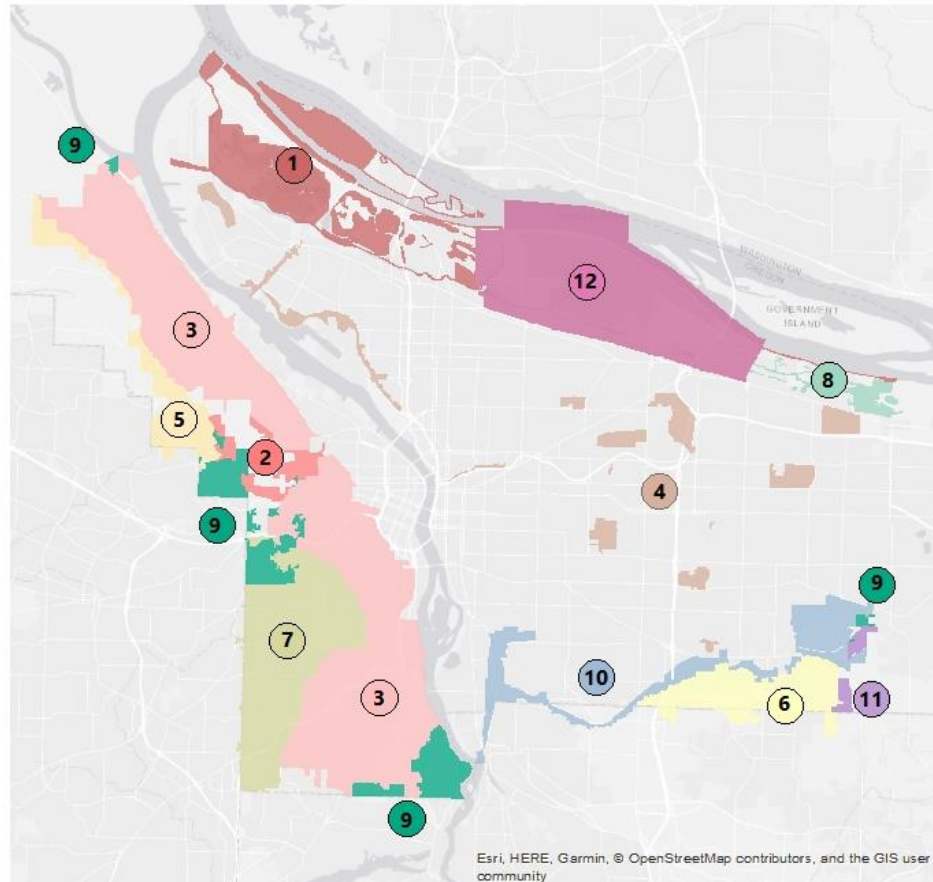
Policy Basis



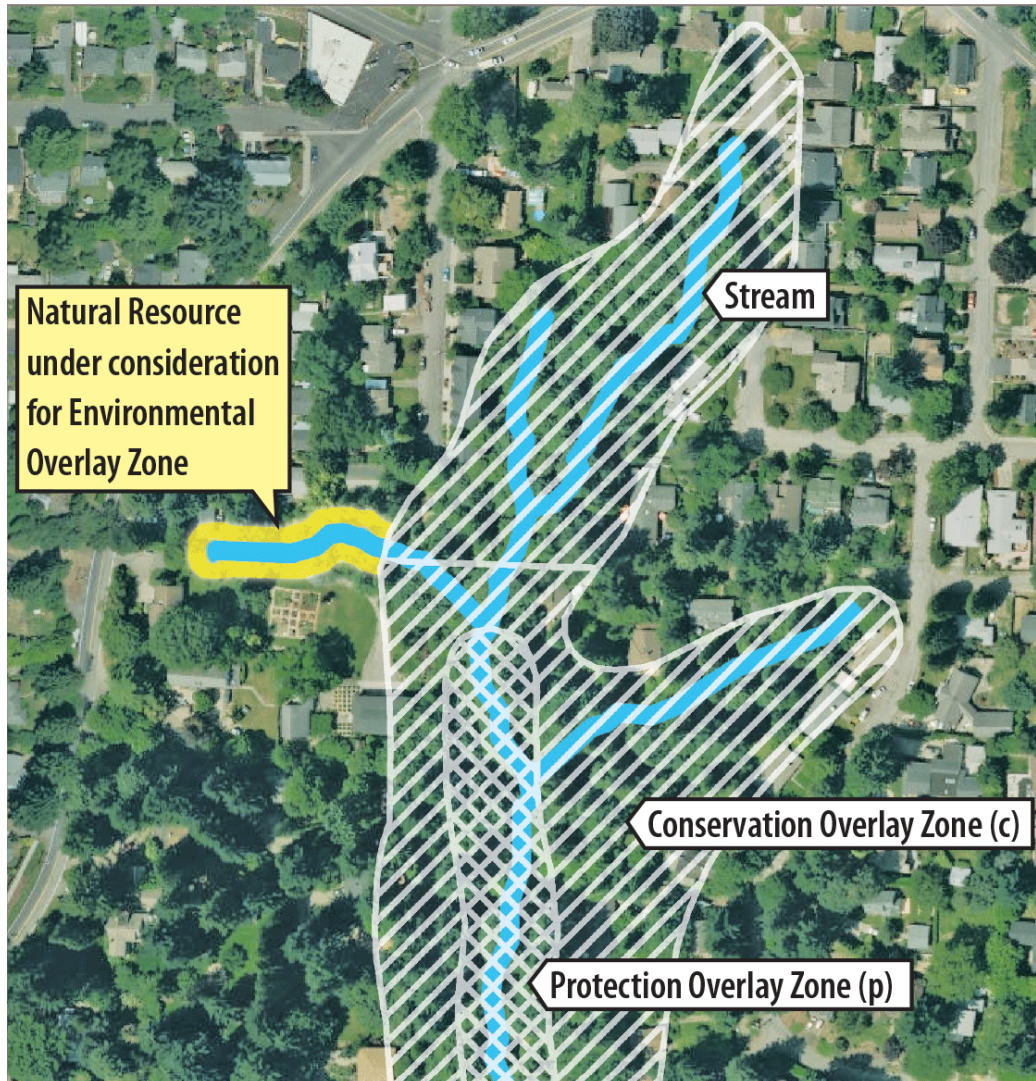
History of Ezones

- 1989**
Columbia Corridor Industrial Area 1
- 1991**
Balch Creek Watershed Protection Plan 2
- 1992**
Northwest Hills Natural Areas
Southwest Hills Natural Areas 3
- 1993**
East Buttes, Terraces and Wetlands 4
- 1994**
Skyline West Conservation Plan 5
- 1997**
Boring Lava Domes / Johnson Creek 6
- 1999**
Fanno Creek and Tributaries 7
- 2000**
Columbia South Shore 8
- 2002**
Multnomah County Unincorporated 9
- 1991, '97, '01, '03**
Johnson Creek Basin 10
- 2004**
Pleasant Valley District Plan 11
- 2010**
Middle Columbia Corridor 12
- 2012**
Natural Resource Inventory Adoption ●
- 2018 - 2020**
E-Zone Map Correction Project ●

City of Portland, OR
30 Years
 Actively Conserving Natural Resources



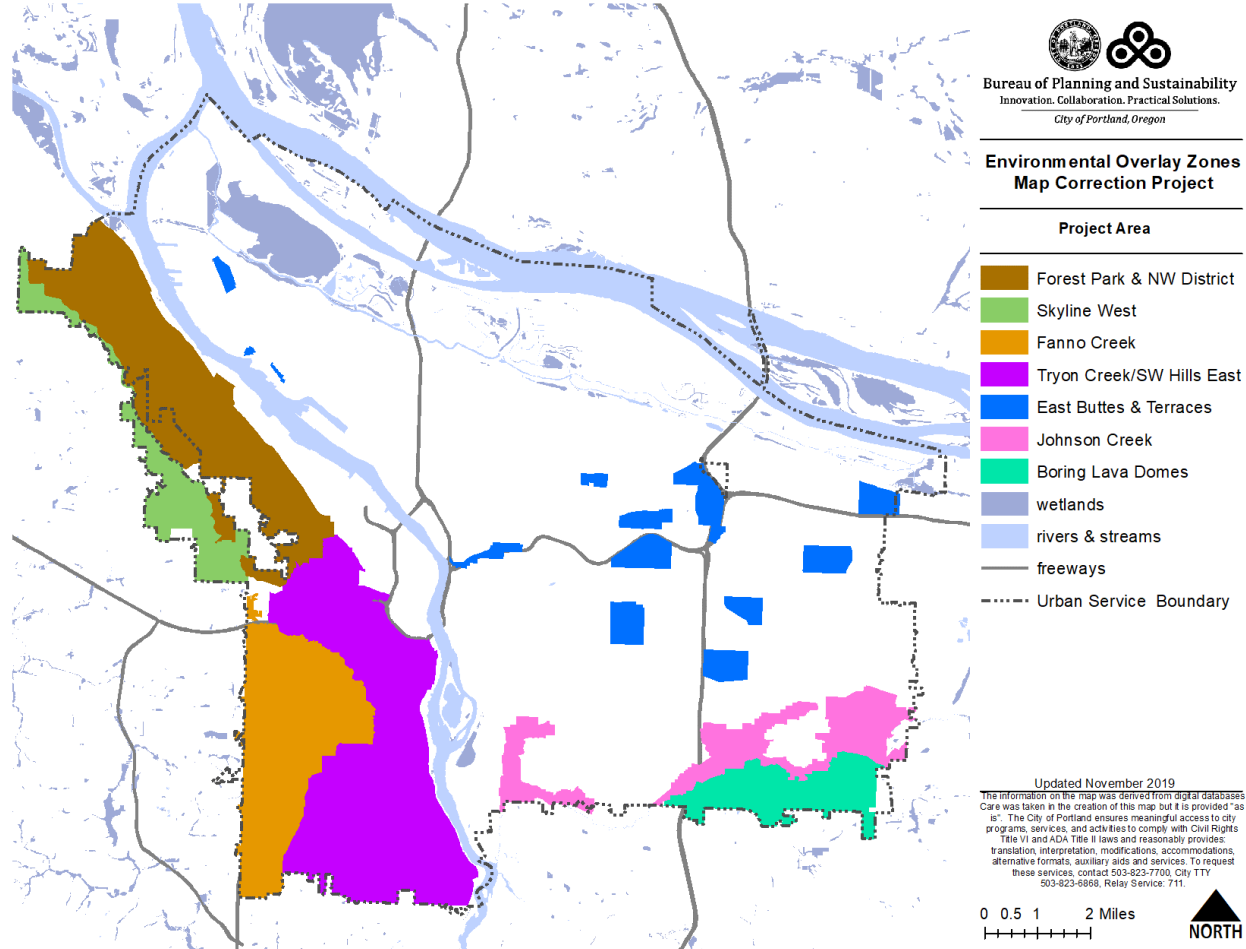
History of Ezones



Project Area

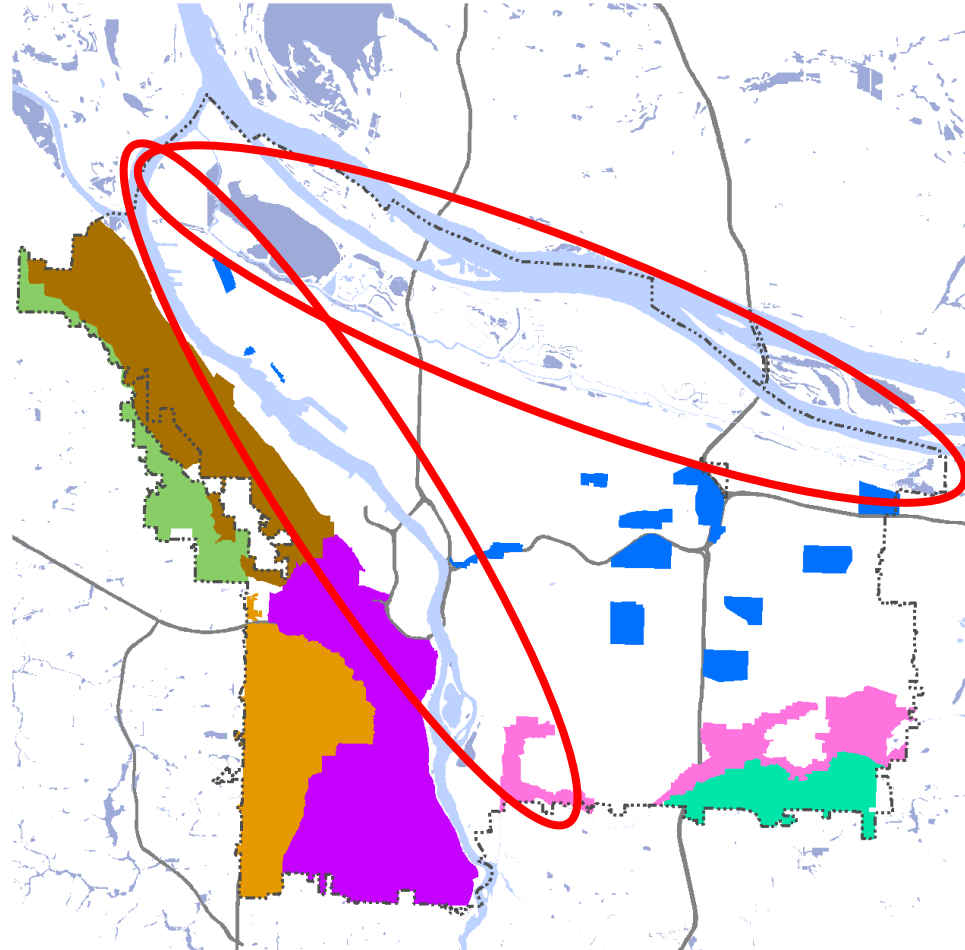
Properties in these areas may have changes to ezones

Other properties may have ezones too, but no changes are proposed














Other Project Areas

The Columbia Corridor and Willamette River will be addressed through separate projects

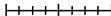



Bureau of Planning and Sustainability
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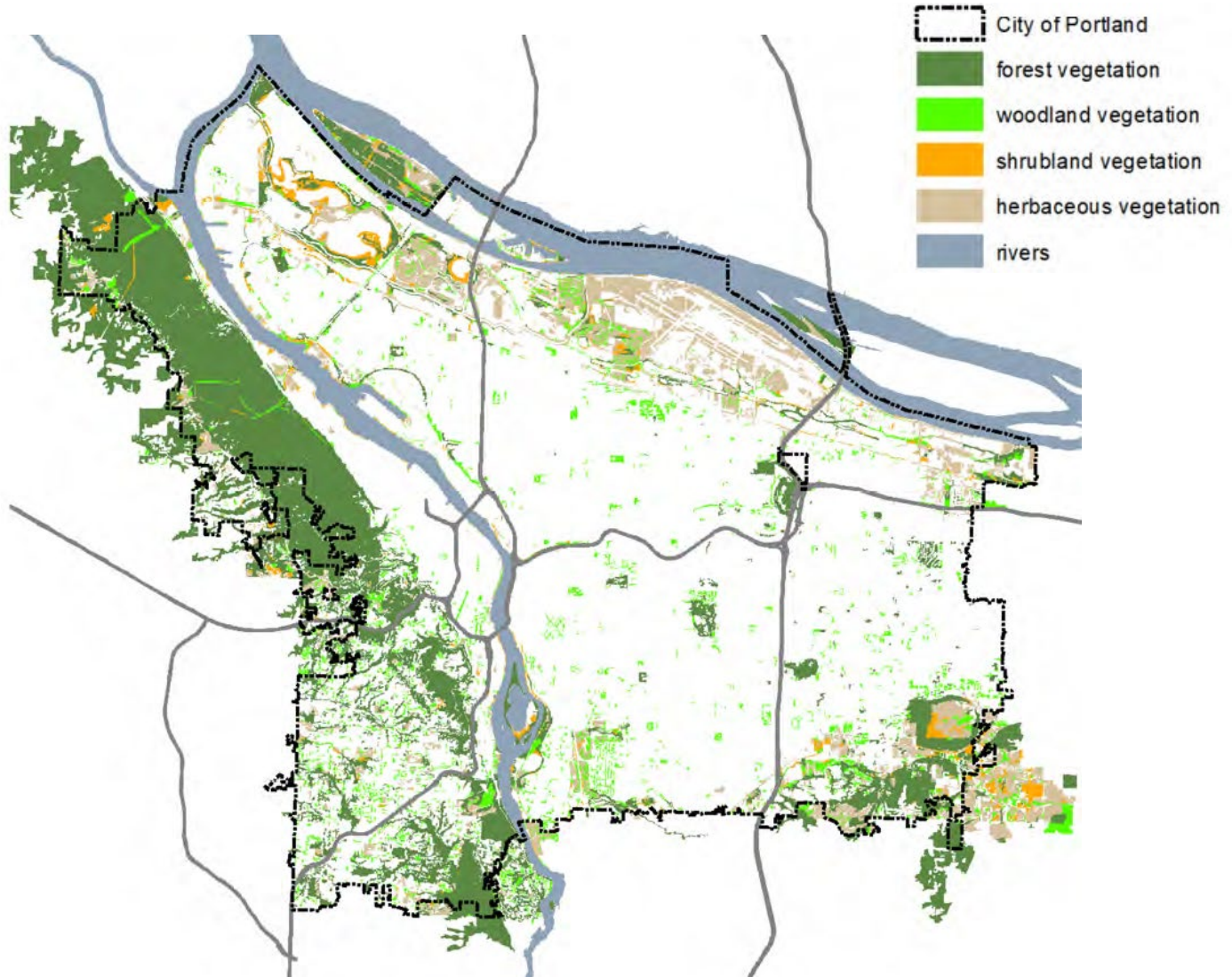
Environmental Overlay Zones Map Correction Project

Project Area	
	Forest Park & NW District
	Skyline West
	Fanno Creek
	Tryon Creek/SW Hills East
	East Buttes & Terraces
	Johnson Creek
	Boring Lava Domes
	wetlands
	rivers & streams
	freeways
	Urban Service Boundary

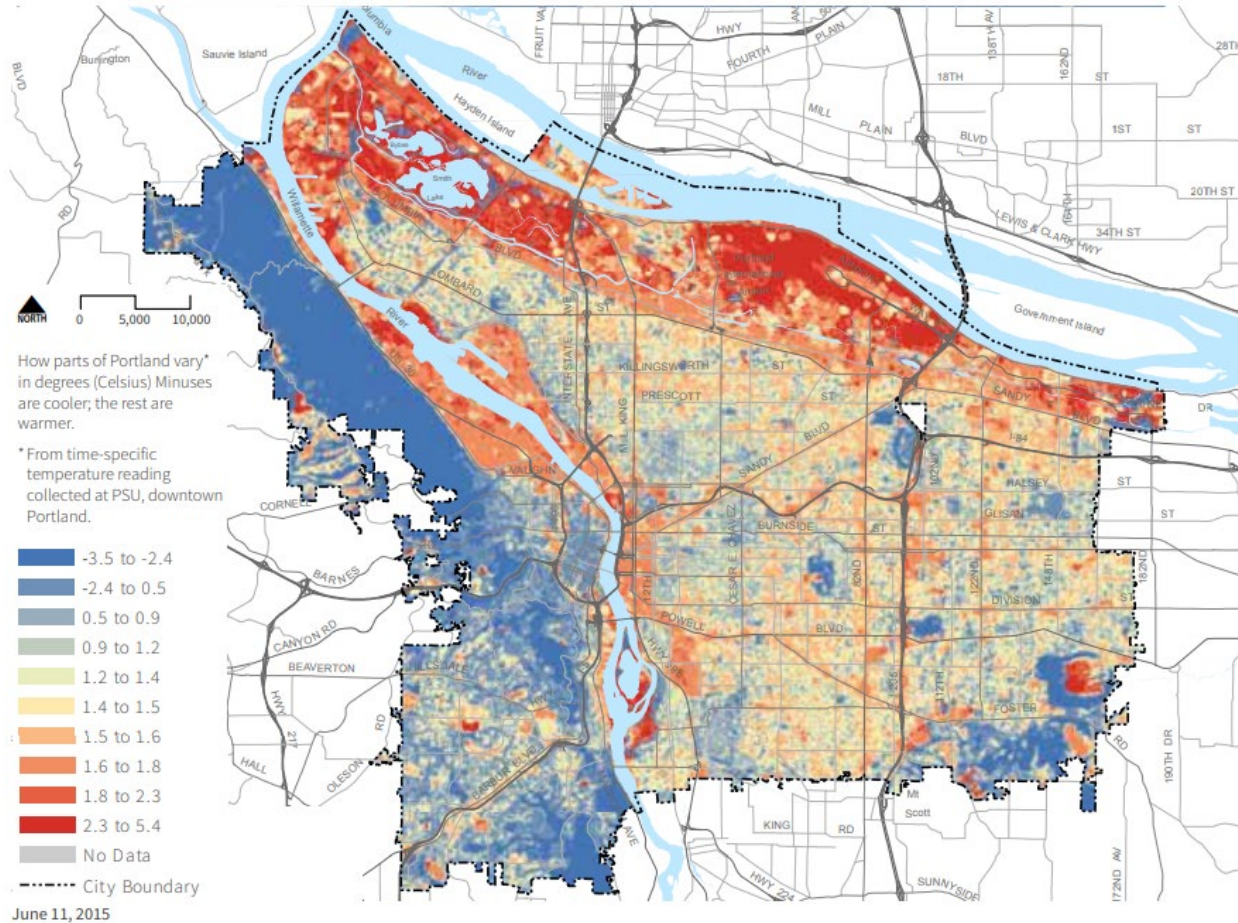
Updated November 2019
The information on the map was derived from digital databases. Care was taken in the creation of this map but it is provided "as is". The City of Portland ensures meaningful access to city programs, services, and activities to comply with Civil Rights Title VII and ADA Title II 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.

0 0.5 1 2 Miles
 NORTH

Vegetation in Portland

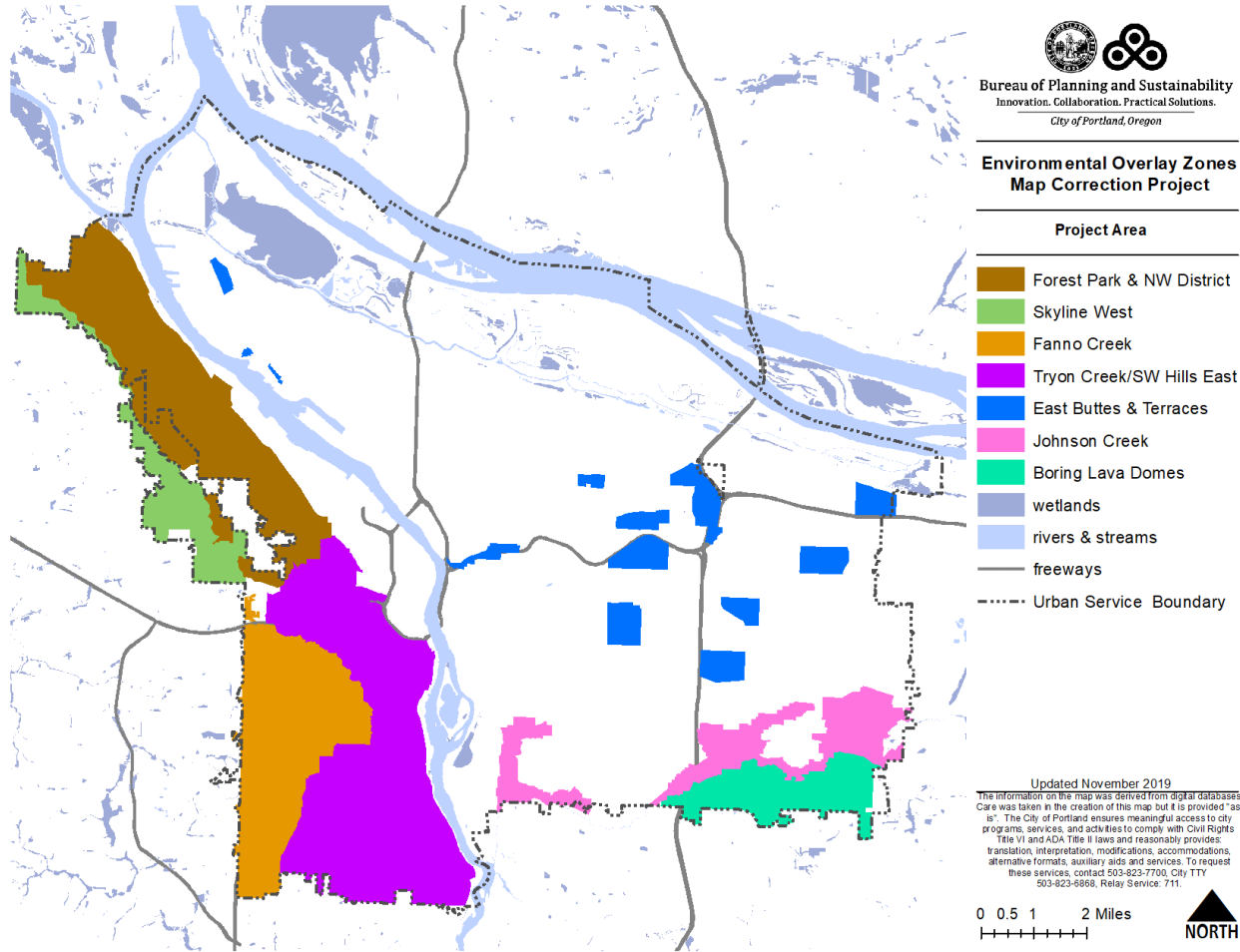


Heat Island Map



What is the Impact?

~17,000 properties have proposed changes to the overlay zones



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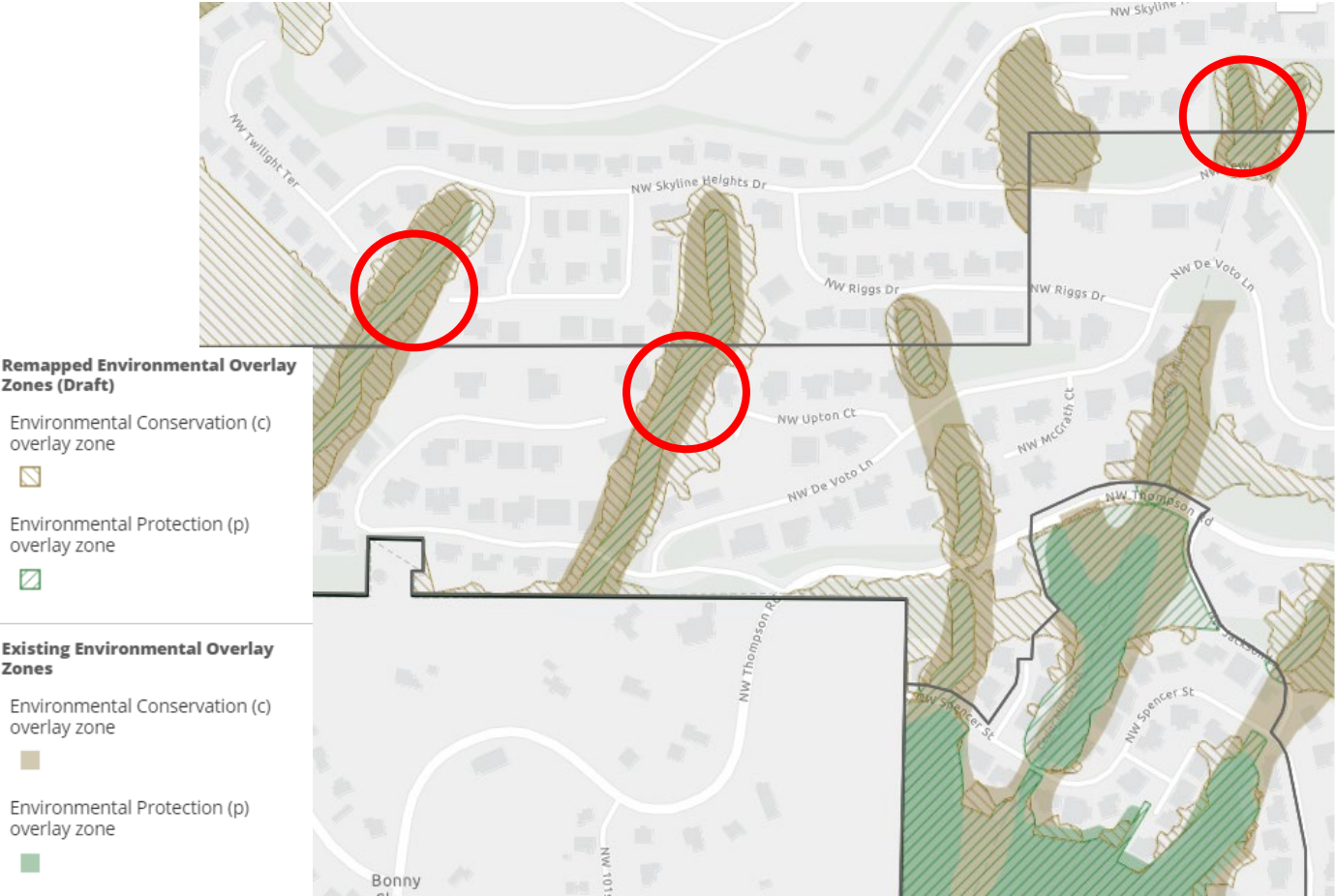
What's the Impact?

	Existing	Proposed
p zone acres	7,903.6	9,112.1
c zone acres	5,180.4	4,507.0
total p/c zone acres	13,084.0	13,619.2

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What's the Impact?



What's the Impact?

Portions of houses, driveways or other structures in environmental overlay zones can be maintained, repaired and in most cases, replaced. New or expanded houses typically need a permit.

Laws, gardens, play structures and fences can be maintained, repaired and in most cases, replaced. New or expanded yards in the ezones typically require a permit.

Floodplain areas are protected by Title 24.50 and if located near a stream or wetland are also typically protected by the ezones.



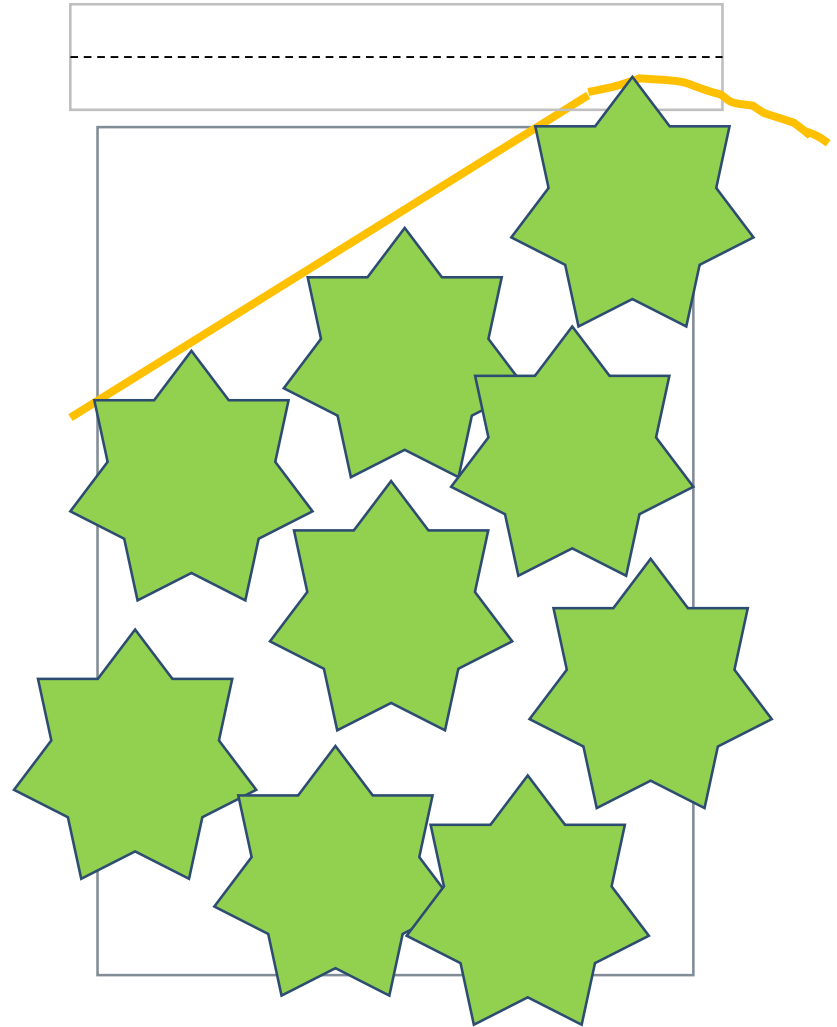
Trees more than 6 inches in diameter at breast-height (4.5') in environmental overlay zones may be removed in limited situations with a permit.

Wetlands store water, reduce flood risk and support fish and wildlife. New impacts to wetlands typically require a permit.

Rivers, streams and sloughs store and move water, reduce flood risk and provide habitat for fish and wildlife. New impacts to waterbodies typically require a permit.

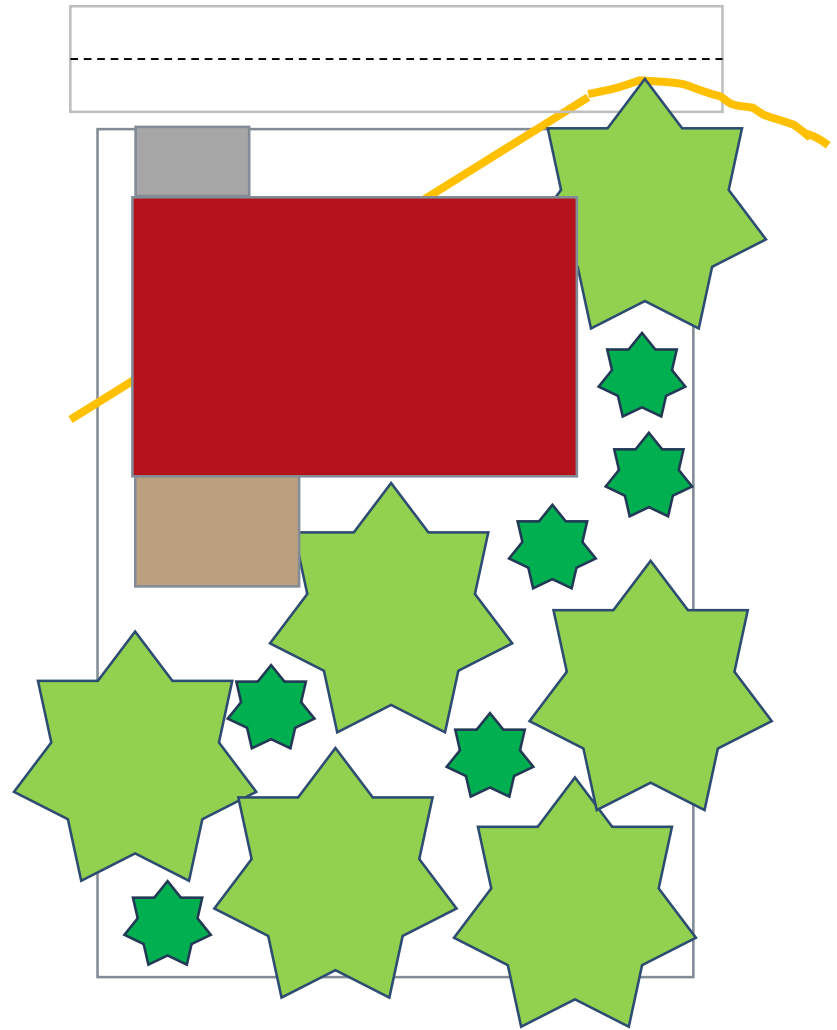
What's the Impact?

- Base zone = R7
- Site = 70ft x 100ft
- C zone = forest on steep slopes
- 3,500 sq ft disturbance allowed
- $3,500 \text{ sq ft} - 600 \text{ sq ft} = 2,900 \text{ sq ft}$ disturbance allowed in c zone



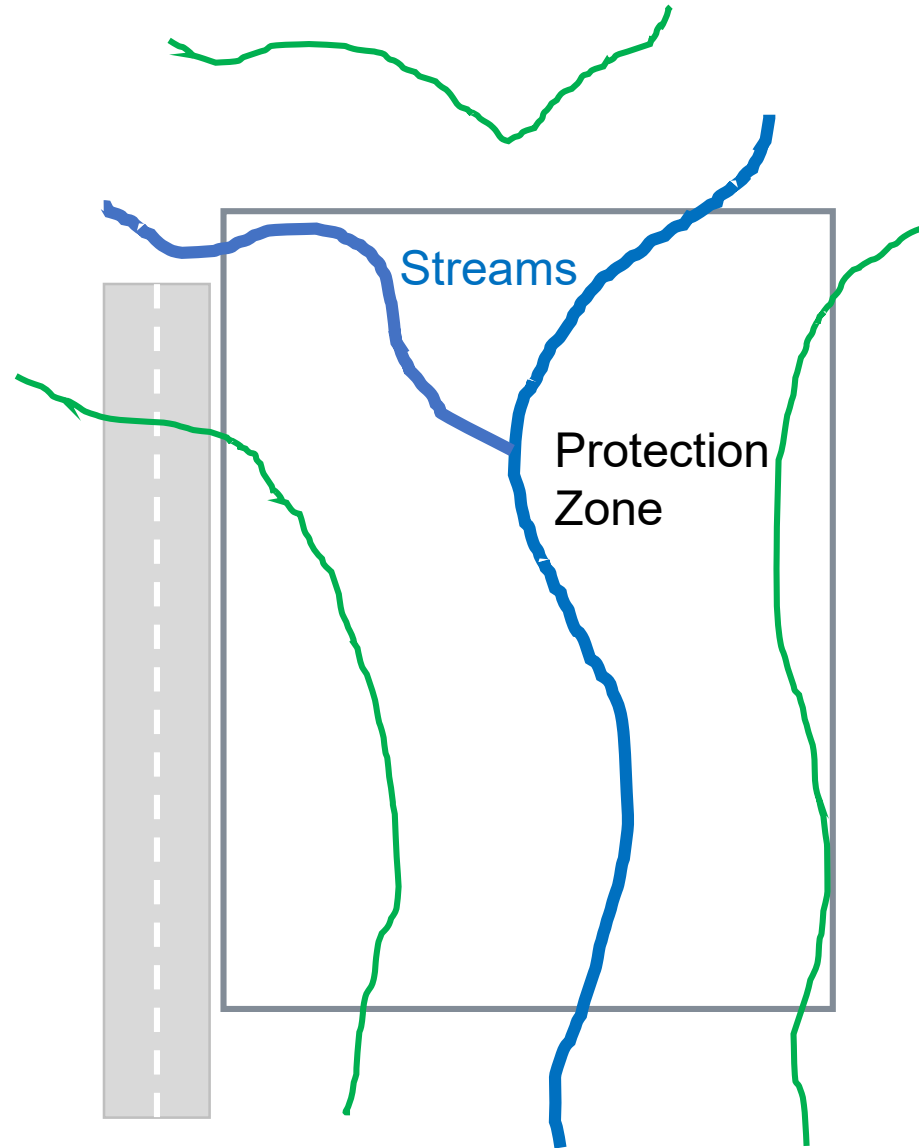
What's the Impact?

- 30ft x 65ft house
- 15ft x 20ft deck
- 12ft x 8ft driveway
- Total impacts = 2,346 sq ft
- Front setback are reduce to limit impacts on the resources
- 3 trees removed
- Mitigation is tree and shrub planting in the c zone



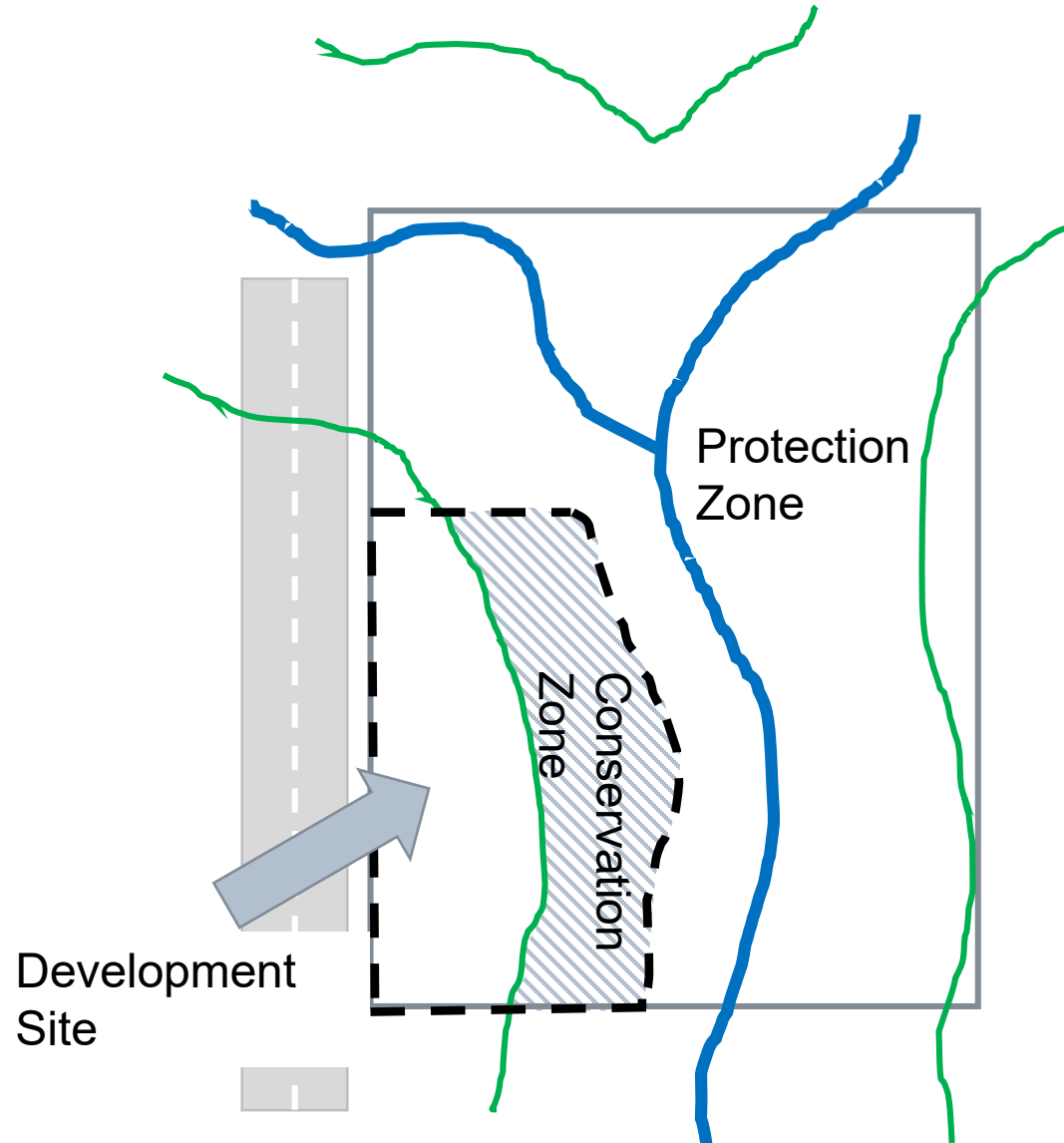
Conversion: Protection to Conservation

- More than 70% of an undeveloped or dividable site is covered by a protection overlay zone.
- New development on the lot might be impossible through development standards.
- It would also be difficult to build on the lot through development review.



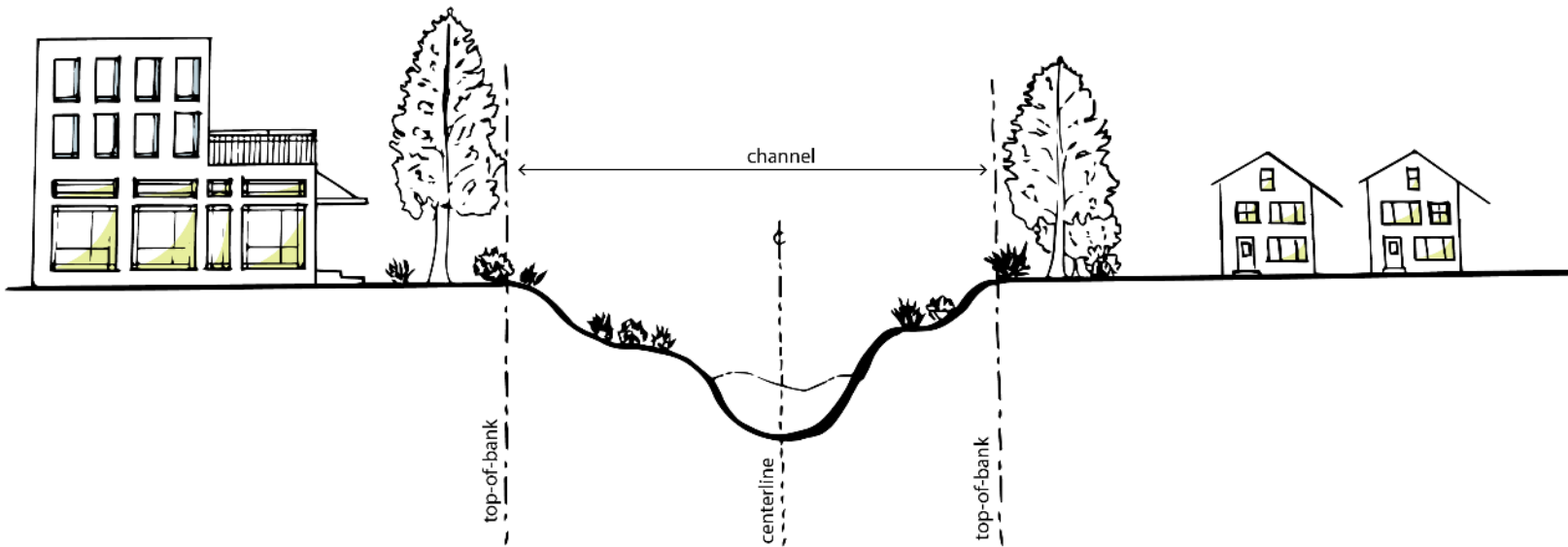
Conversion: Protection to Conservation

- Convert an area to conservation zone to create a future building site.
- Maintain at least 25 feet of separation from streams and wetlands.
- The combined area of conservation zone and area outside the overlay can be developed using standards.



The Biggest Changes

With this project
ALL streams and wetlands will be in the
protection zone



The Biggest Changes

- **130 acres of wetlands citywide**
- Wetlands are areas where water is present long enough to support wetland plants
- You can request the City perform a **FREE** wetland determination to verify the presence and extent of the wetland
- A **protection overlay zone** will be applied to wetlands



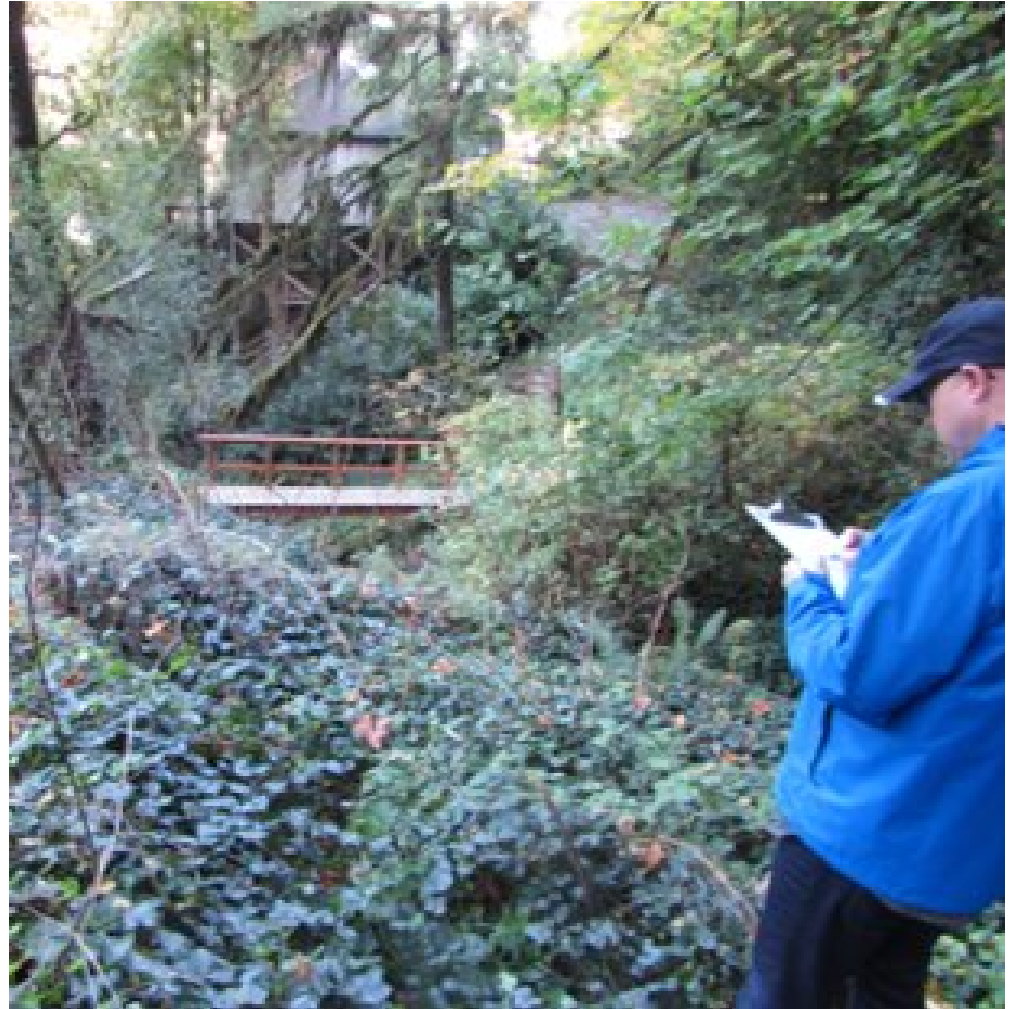
Public Engagement

July 2018 – June 2019	16,838 postcards sent to property owners
Aug 2018 – Oct 2019	Staff attended 36 neighborhood meetings
Sept 2018 – Nov 2019	Staff held 6 drop-in hours
Nov 2019	24,714 letters sent to property owners
Dec 2019 – Jan 2020	Staff held 3 open house events

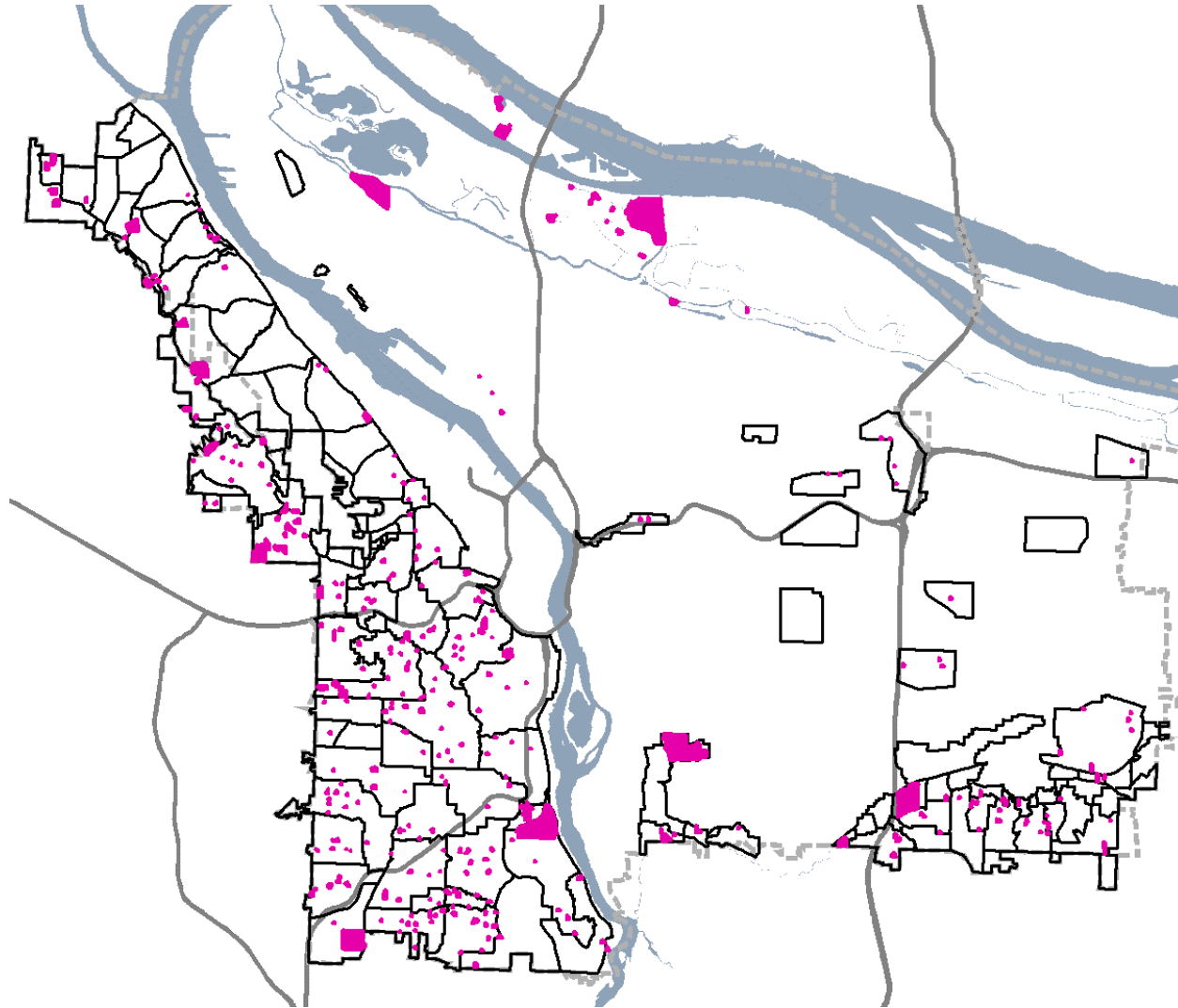
To date staff have conducted more than 400 site visits

Site Visits

- Mailings, meetings and the online map encouraged property owners to request site visits.
- Site visits allow project staff to ground truth natural resource data.



Site Visits



Site Visits

- Most site visits result in corrections of vegetation mapping
- Sometimes field staff make corrections to stream mapping



Public Engagement

Frequent concerns expressed by property owners during site visits:

1. Overlay zones may prevent future expansion or additions to home
2. Overlays may make it difficult to subdivide and may reduce number of developable sites on lot
3. Impacts to property value and taxes. Will overlays make it difficult to sell property in the future?



Take Home Message

Ezone Purpose: The environmental overlay zones are intended to protect streams, wetlands, flood areas, steep slopes, forests and wildlife habitat.

Project Purpose: Because the overlay zones were applied a long time ago, they don't always follow the actual resources. This project is fixing that.

Types of Environmental Overlay Zones:

Conservation 'c' zone – Allows some new development that is sensitive to the natural resources

Protection 'p' zone – New development is mostly not allowed in the p zone

Key Points:

You can maintain and repair your existing house, driveway and deck.

You can maintain your yard and fence.

You can remove dead/dangerous trees and trees near your house.

You must replace trees that are removed.

Project Report

- **Volume 1A:** Summary of Results
- **Volume 1B:** Zoning Code and Map Amendments
- **Volume 2, Part A – G:** Resource Site Reports
- **Volume 3:** Natural Resources Inventory
- **Volume 4:** Compliance Report
- **Volume 5:** Reference and Appendices
- **Ezone Map App:** www.portlandmaps.com/bps/ezones/#/map/

Schedule

- **June 30** – Measure 56 Notice
- **July 14** – PSC Briefing
- **July 28** – PSC Hearing
- **August 25** – Work Session (*tentative*)
- **September 8** – Work Session/Recommendation (*tentative*)
- **Winter/Spring 2021** – City Council Hearings and Decisions

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The next slides to be used if there are questions about
Goal 5 and Title 13

Compliance

Compliance with Oregon's Statewide Land Use Planning Goals:

Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 6 – Air, Water and Land Resources Quality

Goal 7 – Areas Subject to Natural Hazards



Barred Owl, Fanno Creek Watershed

Q&A

Land Use Planning Goal 5 – natural resource, compliance 2002



Metro Title 13 – natural resources, compliance 2012



Steelhead in Crystal Springs at Reed College