



# ENVIRONMENTAL OVERLAY ZONE MAP CORRECTION PROJECT

City Council Meeting  
May 18th, 2022

**Daniel Soebbing**  
Environmental Planner



THE BUREAU OF  
**PLANNING &  
SUSTAINABILITY**

# The Amended Ezone Project Ordinance Package Incorporates April 14<sup>th</sup> Amendments:

1. Amendment to the Septic Standard
2. Technical Amendments: Natural Resource Inventory Special Habitat Area Criteria
3. Minor and Technical Zoning Code Amendments
4. Minor and Technical Amendments to Comp Plan and Comp Plan supporting documents
5. Edits to Natural Resource Data and Manual Conversions from p zone to c zone

# The Amended Ordinance Package includes:

1. An amended Ordinance to Adopt the Ezone Project, amend the Zoning Code and Zoning Maps, and other related directives
2. Amended Findings that reflect amendments that were approved by City Council on April 14<sup>th</sup>
3. 20 Exhibits, including the Ezone Project report, supporting documents, and amended versions of previously adopted plans

# Exhibits to Ezone Ordinance

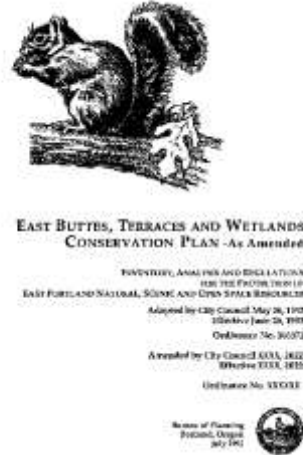
Exhibit A – Findings of Fact

Exhibits B through K – Ezone Project Documents

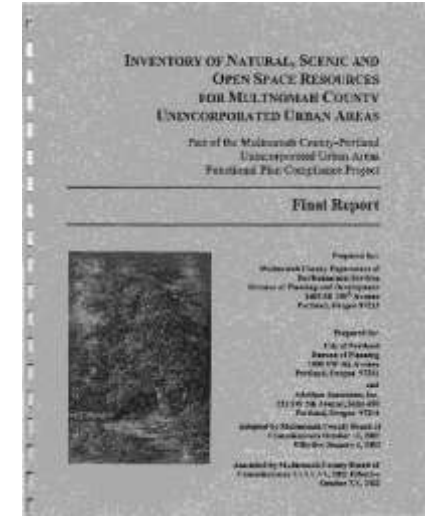


# Exhibits to Ezone Ordinance (Continued)

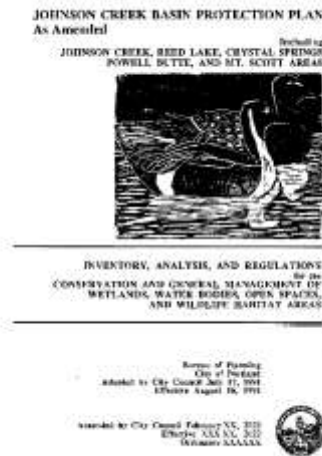
**Exhibit L** East Buttes, Terraces, and Wetlands Plan – As Amended



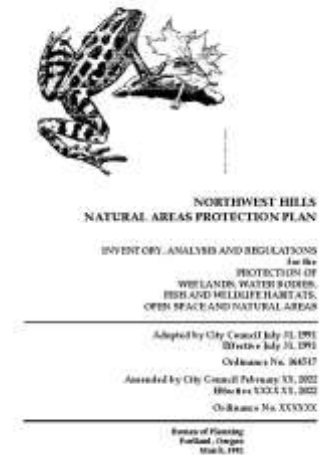
**Exhibit M** ESEE for Multnomah County Unincorporated Areas – As Amended



**Exhibit N** Johnson Creek Basin Natural Resource Protection Plan - As Amended

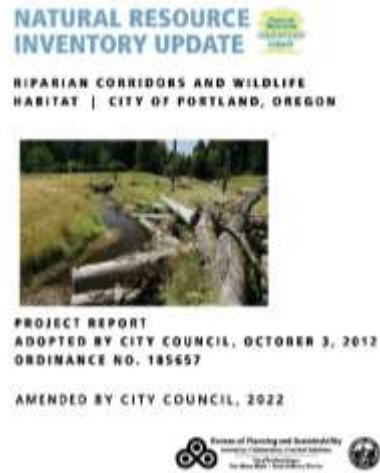


**Exhibit O** NW Hills Natural Areas Protection Plan – As Amended



# Exhibits to Ezone Ordinance (Continued)

**Exhibit P** Natural Resource Inventory  
-As Amended



**Exhibit Q** BLI Constraints Map  
- Ezones



**Exhibit R** BLI Constraints Map – Streams, Rivers, Flood Area, Steep Slope



**Exhibit S** BLI Constraints Map – Vegetation



# Exhibits to Ezone Ordinance (Continued)

**Exhibit T** Table that Explains the Relationship Between Previously Adopted Natural Resource Protection Plans and the Ezone Project

**Exhibit U** An Amended Comprehensive Plan Table that Lists Adopted Natural Resource Protection Plans. The Ezone Project is Being Added to the List





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# ENVIRONMENTAL OVERLAY ZONE MAP CORRECTION PROJECT

City Council Hearing #2  
April 14<sup>th</sup>, 2022

**Daniel Soebbing**  
Environmental Planner



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SUSTAINABILITY**

# Environmental Overlay Zones

## Ezones protect important natural resources

### Conservation zone (c)

- Typically applied to forest vegetation
- Allows some **new** private development that is sensitive to the natural resources

### Protection zone (p)

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



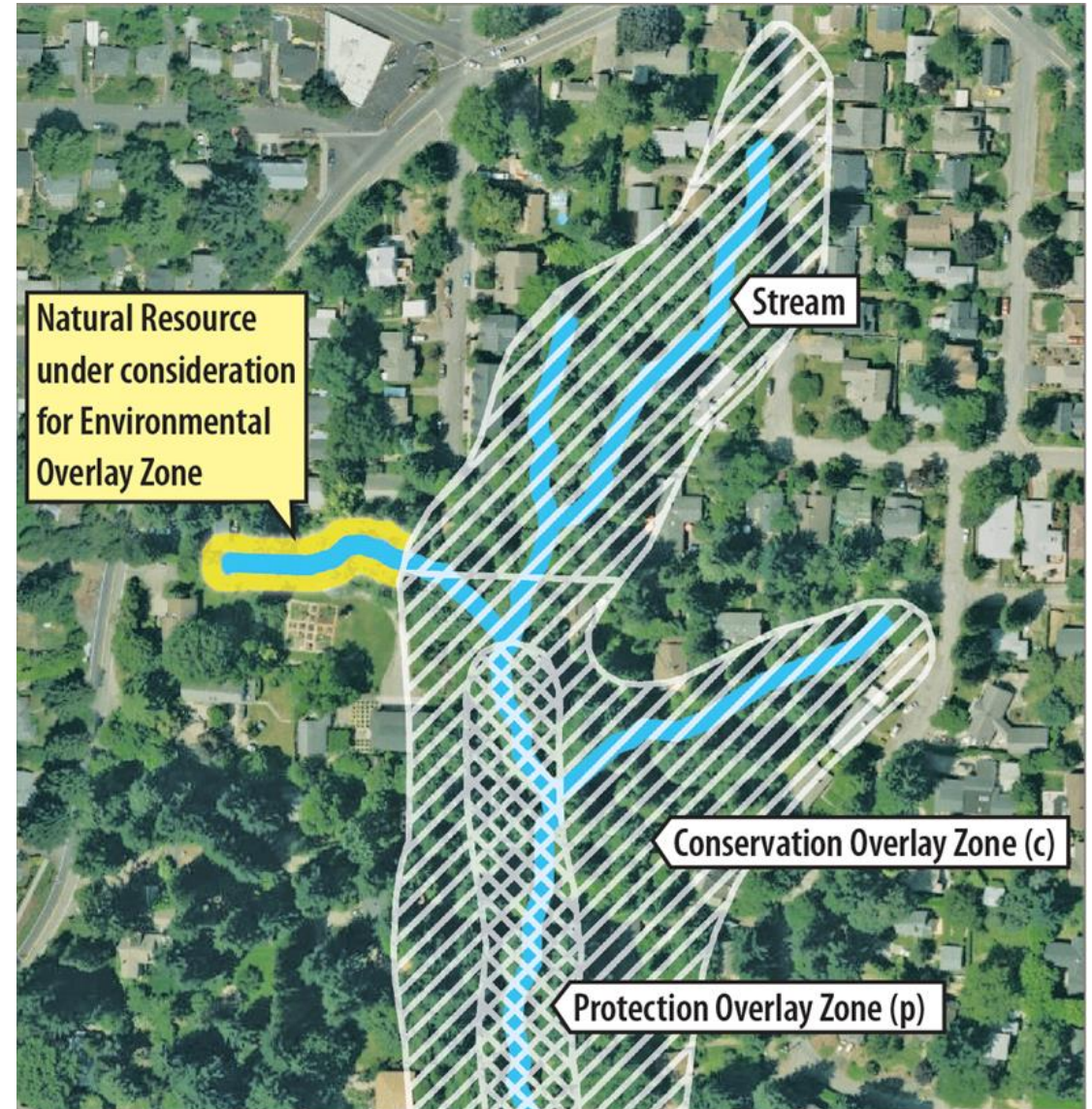
# Why the ezones need to be corrected

## Policy Basis

- State Land Use Planning Goal 5: Natural Resources, Scenic and Historic Areas
- Metro Title 13: Nature in Neighborhoods
- 2035 Comprehensive Plan

Natural Resource Inventory (NRI) was adopted in 2012. The NRI included features that were missed when the ezones were adopted over the last 30+ years.

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



# Scope of Project

## What is included in the project?

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

## This is not intended to be a policy project.

- Proposed ezones are consistent with adopted policy.
- The lines are being adjusted to cover resources that were previously missed.



*Mt Tabor*

# Public Engagement

- Site Visits: 600+
- Wetland Determinations 260+
- At least 3 separate letters were mailed to owners of every affected property between 2018 and 2020.
- Staff attended 36 community meetings
- Staff held 6 drop-in hours
- Staff held 3 open house events
- PSC Held 3 public hearings



# Potential Amendments

1. Amendment to the Septic Standard
2. Technical Amendments: Natural Resource Inventory Special Habitat Area Criteria
3. Minor and Technical Zoning Code Amendments
4. Minor and Technical Amendments to Comp Plan and Comp Plan supporting documents
5. Edits to Natural Resource Data and Manual Conversions from p zone to c zone

# Amendment 1 (Ryan)

## 1. Amendment to the Septic Standard

- *Amend the draft septic system standard (33.430.155) to apply to both new and replacement septic systems*
- *Includes technical clarifications to assign an environmental review process for septic systems that cannot meet standards*
- *Clarifies which approval criteria apply when environmental review is required.*



# Amendment 2 (Rubio)

## **2. Technical Amendments: Natural Resource Inventory (NRI) Special Habitat Area Criteria**

- *Minor technical updates to the NRI*
- *Align terminology and special habitat area mapping criteria with the adopted Airport Futures NRI and terminology that is used elsewhere in the NRI.*
  - *Add Grassland-associated species list that was omitted when the SHA Upland habitat criteria was incorporated into the NRI*
  - *Amend table header labeling for SHA At-Risk Species*

# Amendment 3 (Rubio)

## 3. Minor and Technical Zoning Code Amendments

- *Amend zoning code Index of Symbols, Ezone Code (33.430), and Pleasant Valley Code (33.465) to reflect new color representations for c zone, p zone and Pleasant Valley Natural Resource Overlay zone (v).*

 c_or	Environmental Conservation Overlay Zone
 p_or	Environmental Protection Overlay Zone
 v_or	Pleasant Valley Natural Resources Overlay Zone

- *Amend Pleasant Valley Natural Resource Protection Plan Area to align with the edge of the Urban Services Boundary (USB)*
  - *USB which was changed in 2018 with adoption of the 2035 Comp Plan*

## Amendment 4 (Rubio)

### **4. Minor and Technical Amendments to Comp Plan and Comp Plan supporting documents**

- *Add the Ezone Project to the list of Natural Resource Protection Plans in the Comp Plan*
- *Update Ezone and NRI maps that are part of the factual basis of the Buildable Lands Inventory and the Comp Plan*

## Amendment 5 (Rubio)

### **5. Edits to Natural Resource Data and Manual Conversions from p zone to c zone**

- *Ezone Project staff are proposing changes to ezone mapping in 52 locations.*
- *These proposed changes were made as a result of site visits and/or staff review of draft ezone mapping on specific sites.*
- *These edits are shown in detail in the provided "Edits to Natural Resource Mapping and Manual Conversions" memo (dated 4/6/22)*

# Addendum to Amendment 5 (Rubio)

## **Additional Edits to Natural Resource Mapping on 9 Sites**

- *Project staff were asked to review draft ezones natural resource mapping on 15 Water Bureau facilities.*
- *Request came in after amendment package was filed.*
- *Staff identified 9 sites where edits are proposed to natural resource mapping.*
- *The vegetation edits are consistent with other edits that have been made throughout the duration of the Ezone Project.*

# Summary of Amendments

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# ENVIRONMENTAL OVERLAY ZONE MAP CORRECTION PROJECT

City Council Hearing  
February 16, 2022

**Daniel Soebbing**  
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# Policy Basis

**State Land Use Planning**  
**Goal 5: Natural Resources,  
Scenic and Historic Areas**

**Metro Title 13: Nature in  
Neighborhoods**



# Purpose of Ezones



Protect at-risk species



Protect habitat for endangered species

# Purpose of Ezones



Reduce the risk of flooding



Reduce the risk of landslides

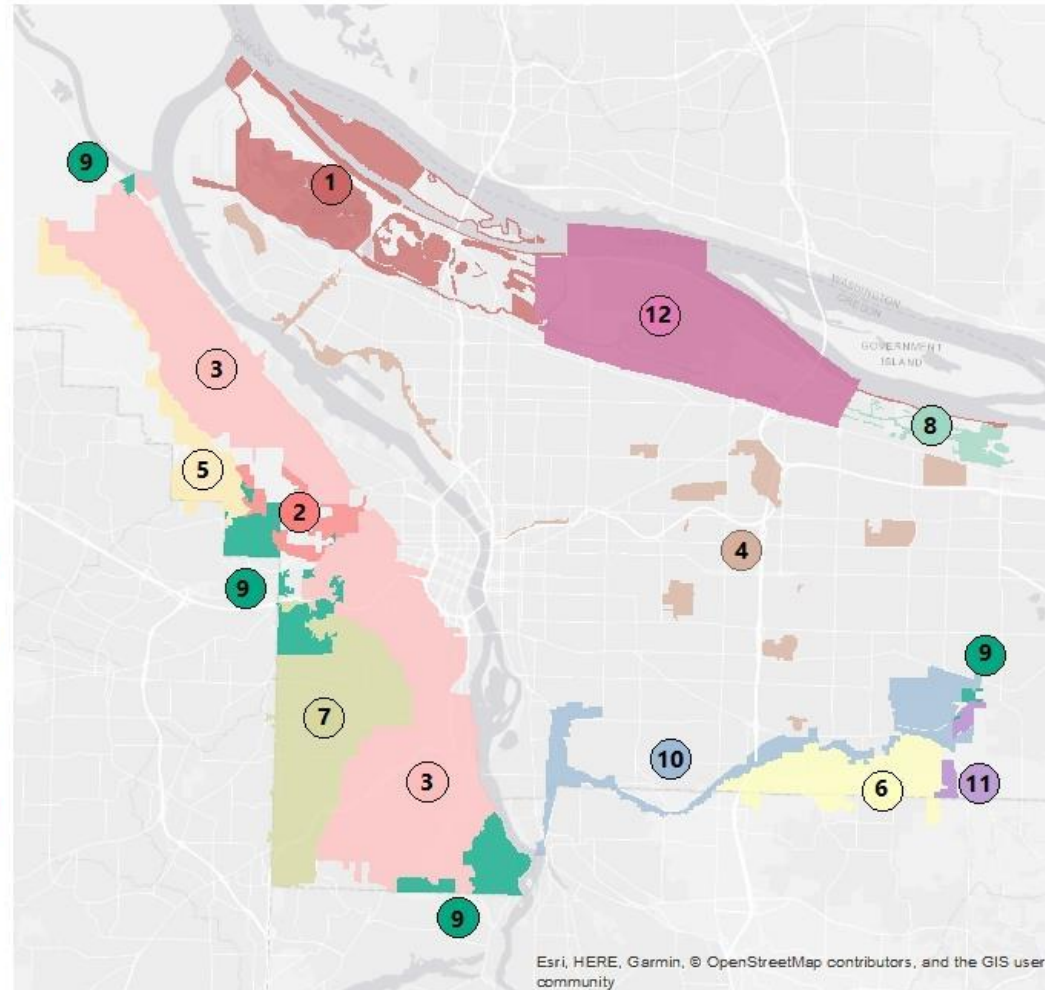
# History of Ezones

City of Portland, OR

## 30 Years

Actively Conserving Natural Resources

- 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 ●



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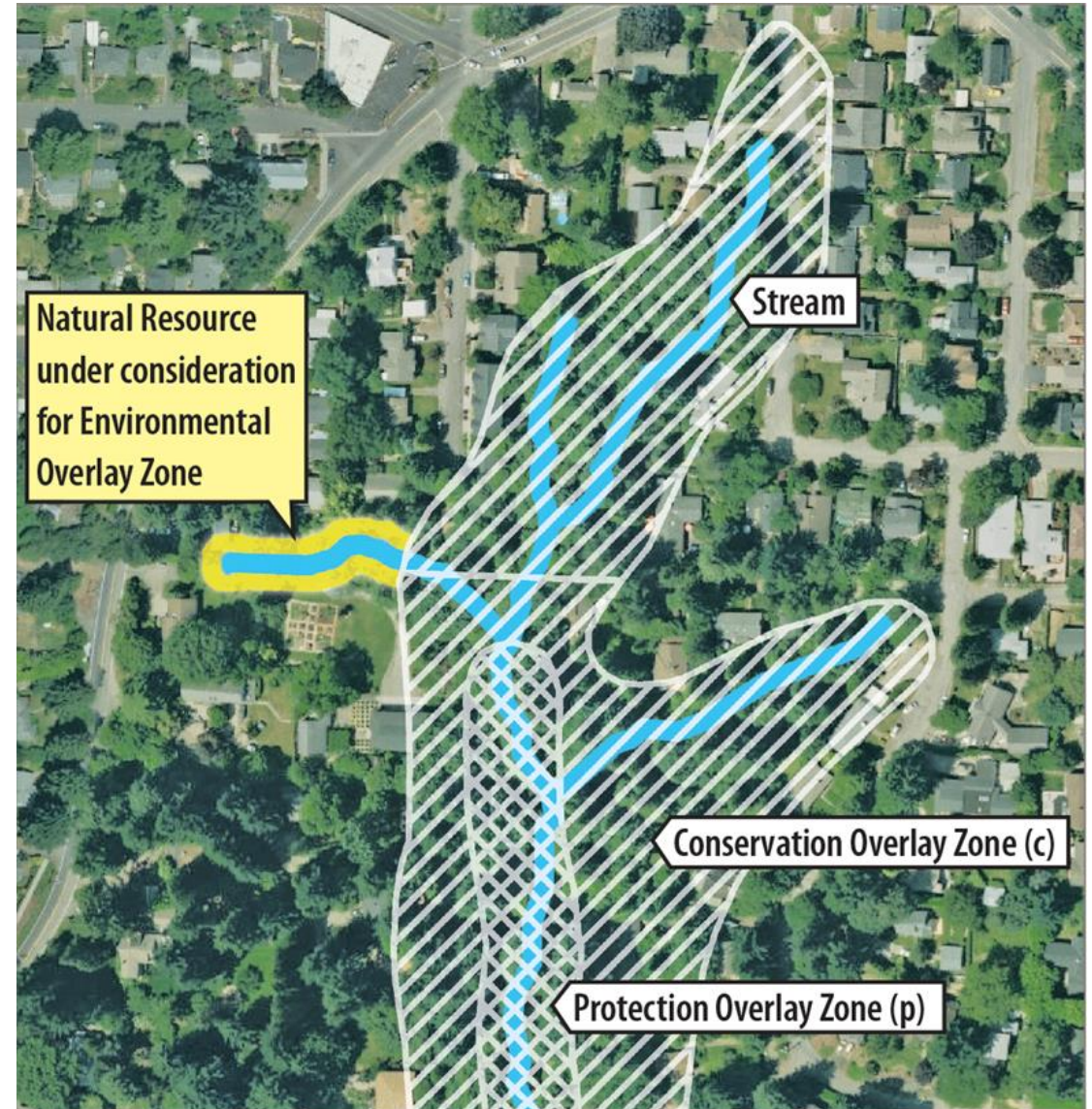
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# Why the ezones need to be corrected

Natural Resource Inventory (NRI) was adopted in 2012.

The NRI included features that were missed when the ezones were adopted over the last 30+ years.

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



# Scope of Project

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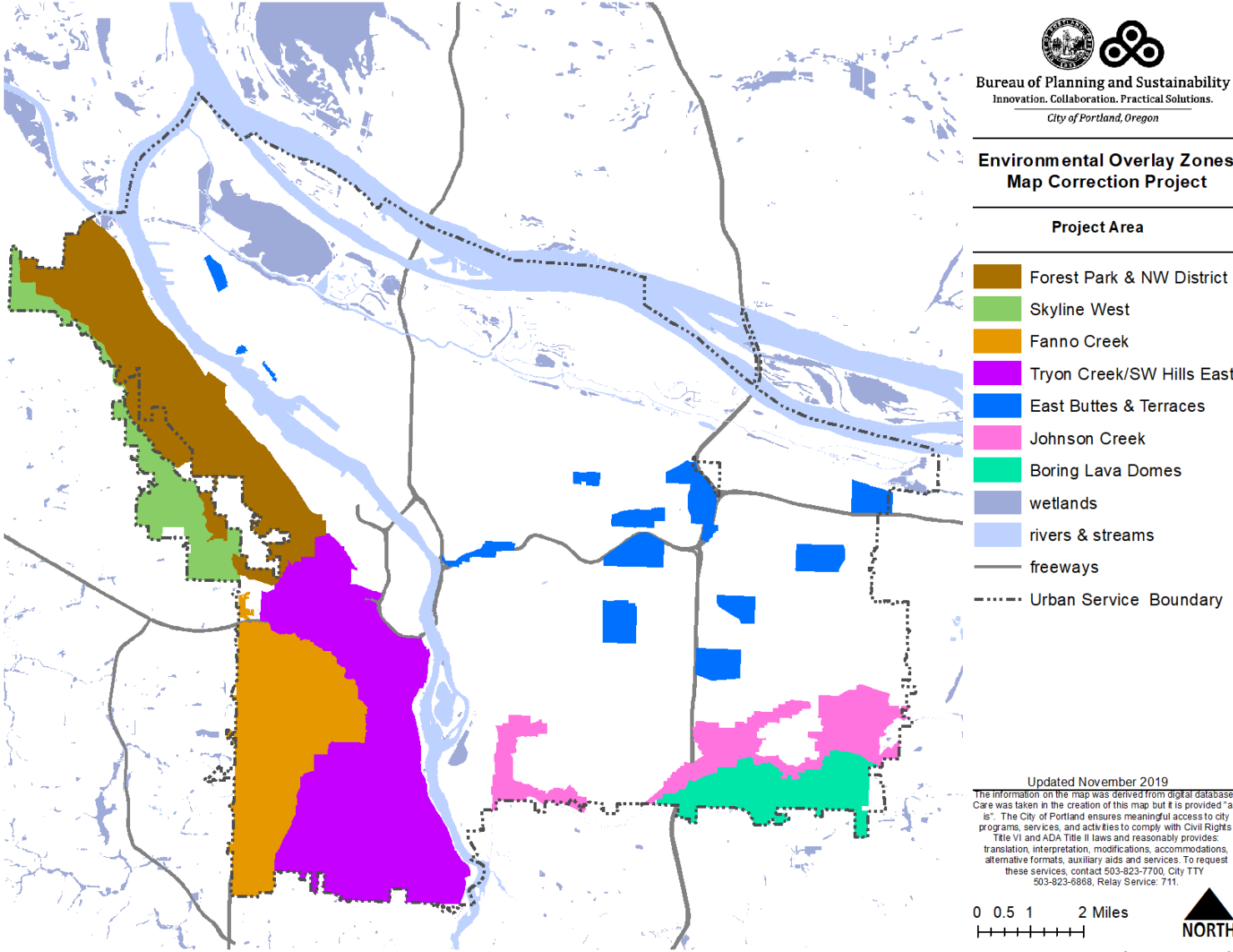


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# Project Area

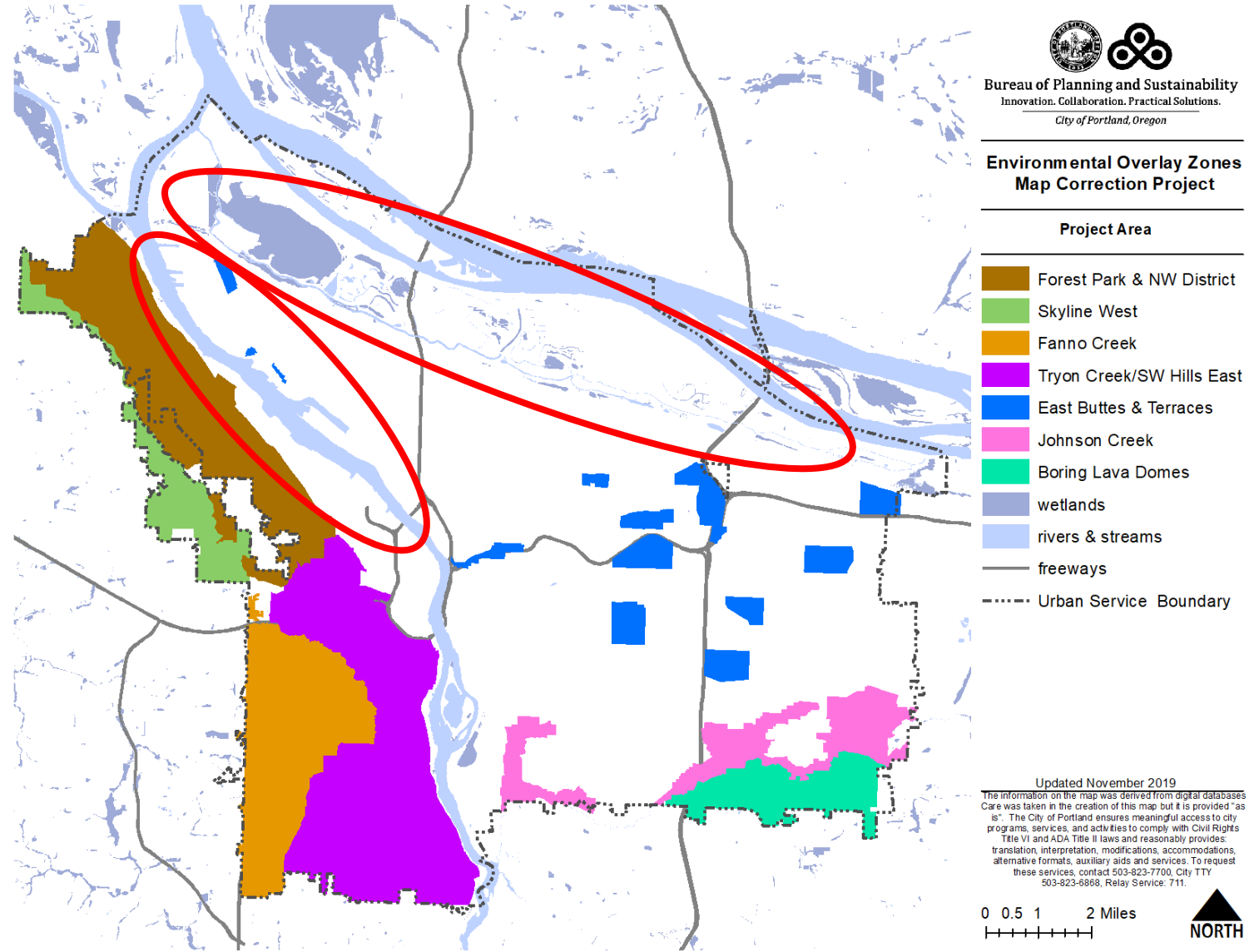
The colored areas are where the ezones are being remapped



# Future Project Area

There are also ezones in the Columbia Corridor and other industrial areas, including the area near St Helens Rd.

These areas will be addressed in a later project.

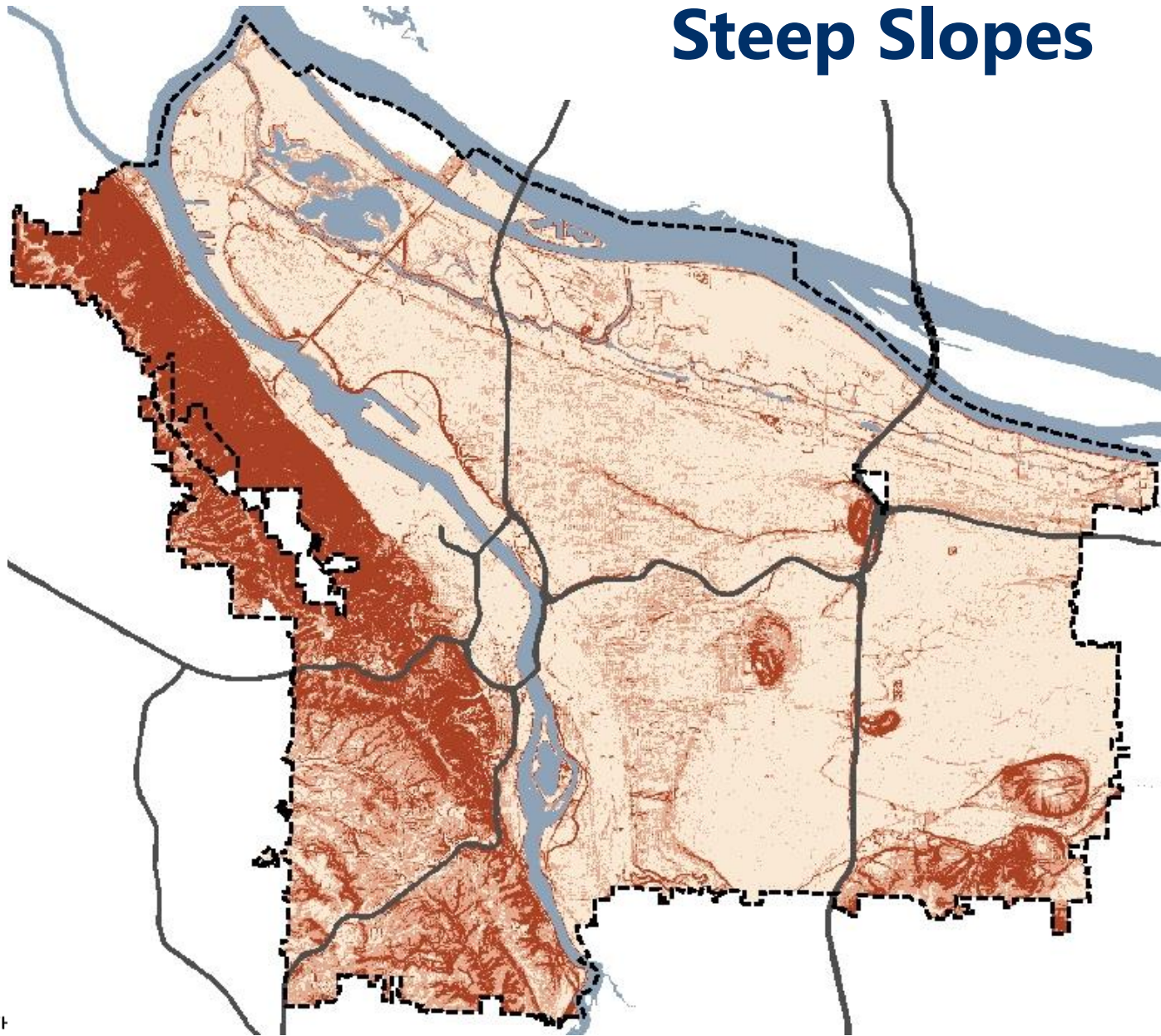


# Stream and Wetland Policy

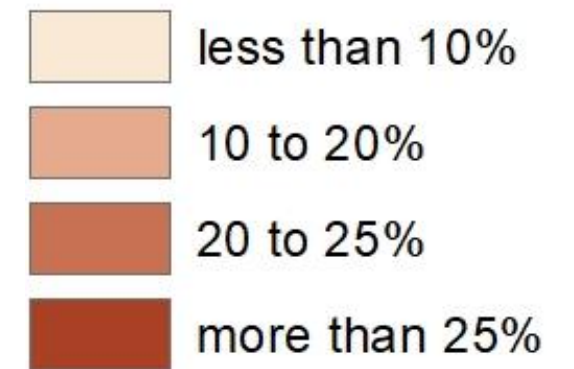
- In the past, streams and wetlands were usually in 'p' zones, but the plans were not consistent in all parts of the City.
- The PSC voted to amend the project proposals to apply a minimum protections to streams and wetlands in all parts of the project area:
  - At minimum, 25 feet of p zone



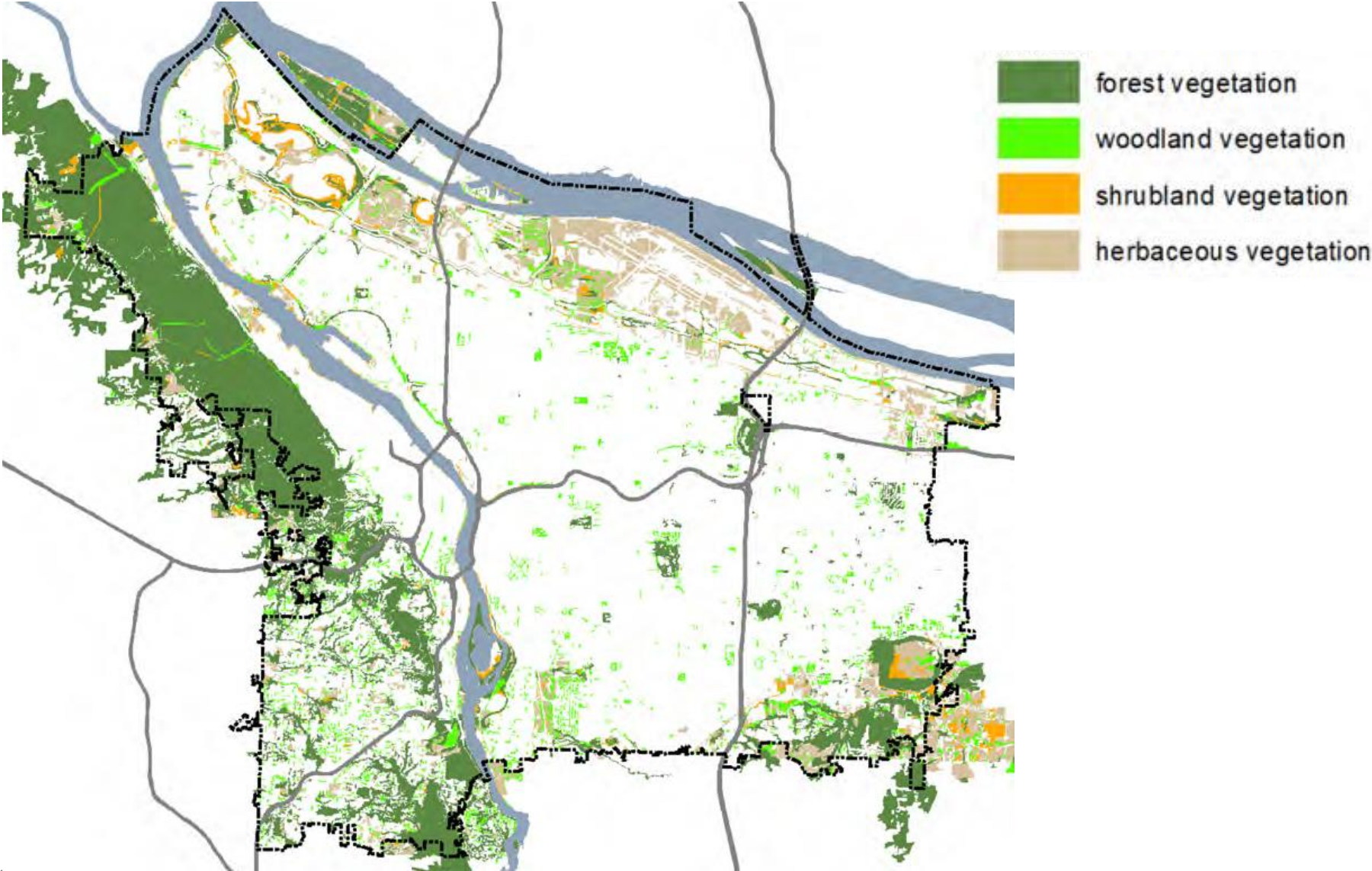
# Steep Slopes



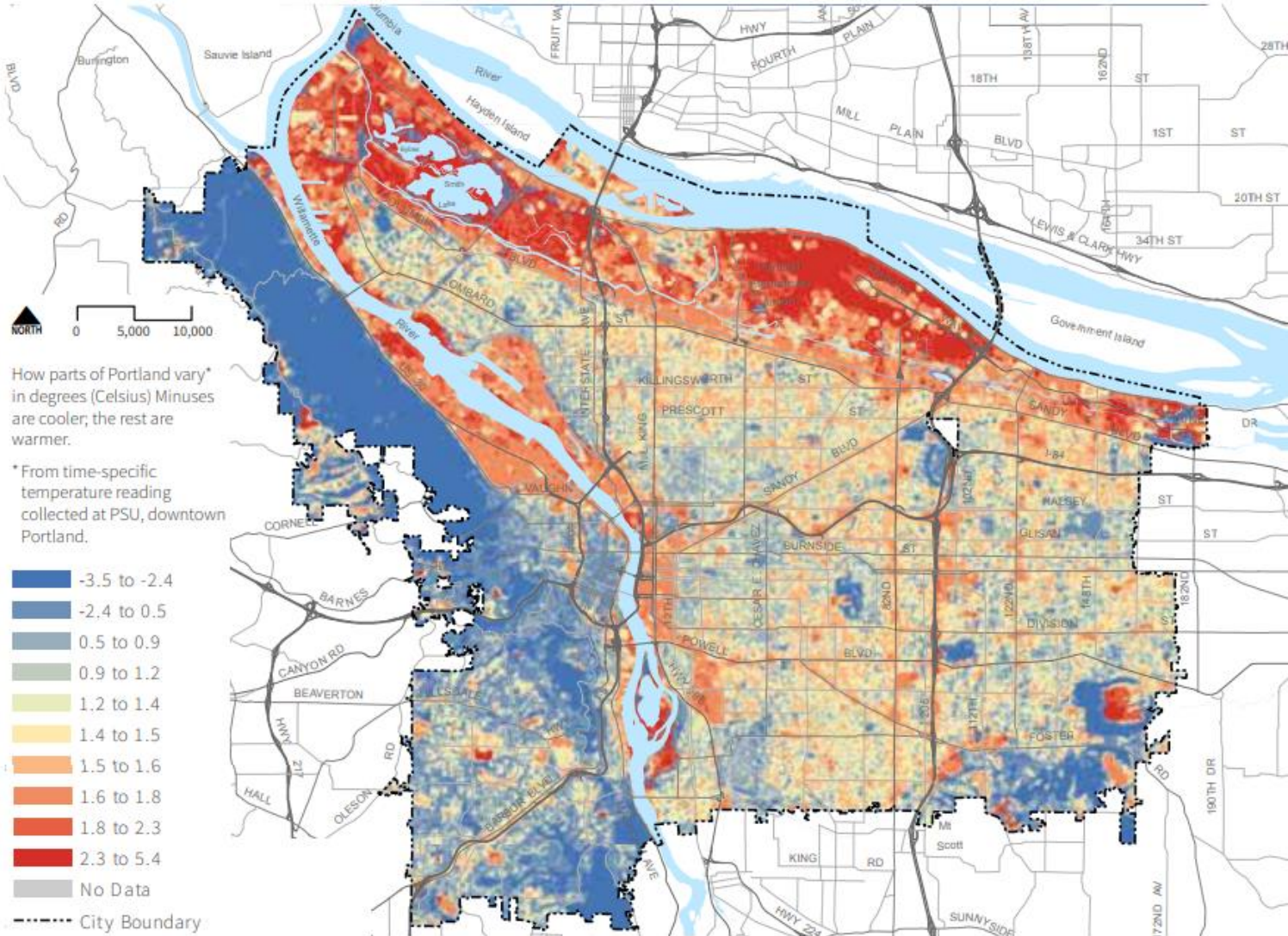
## Percent Slope



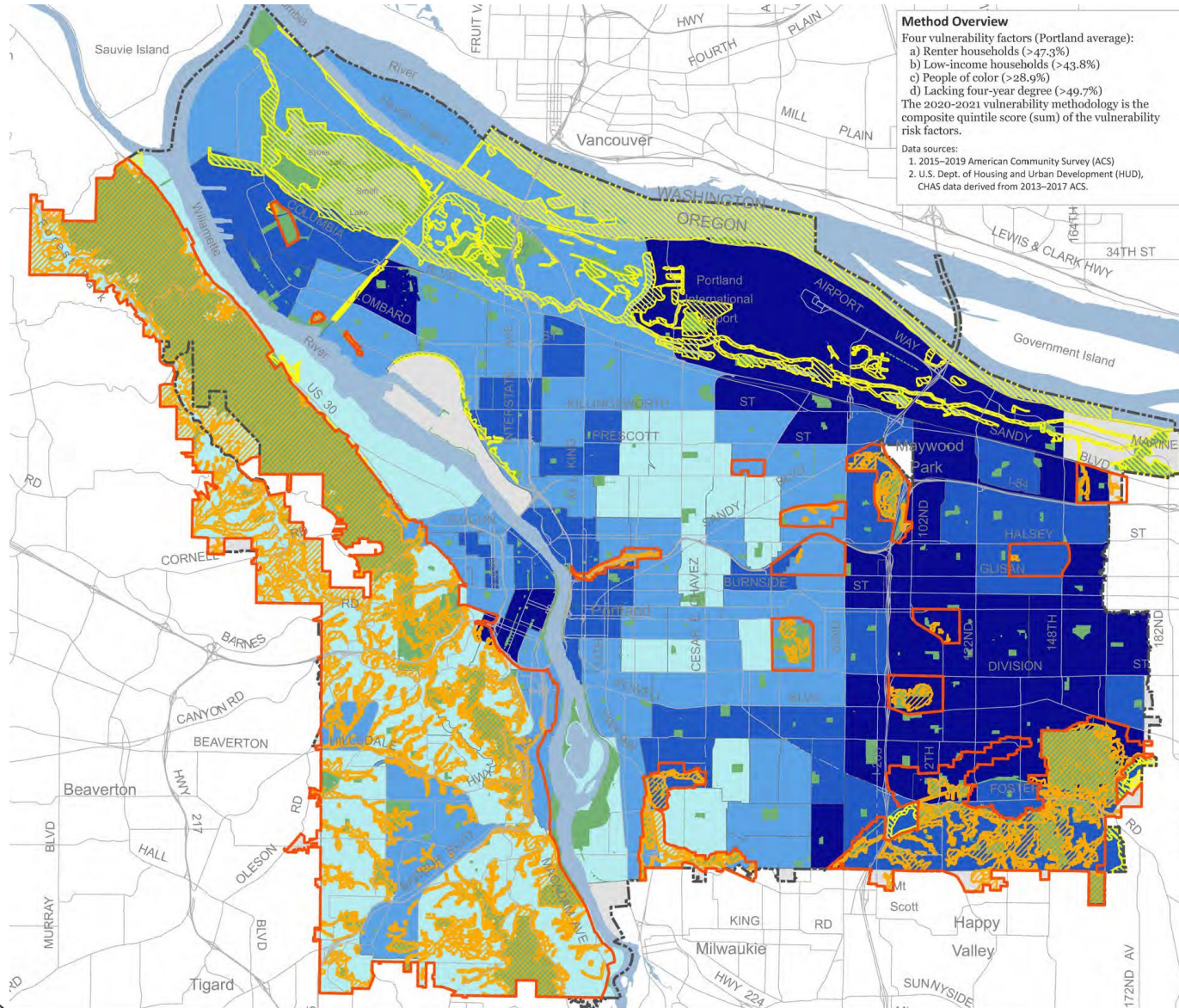
# Vegetation in Portland



# Heat Island Map



# Vulnerability Analysis



- Portland Urban Service Boundary
  - ▭ Ezone Project Area
  - ▨ Existing Ezones
  - ▨ Proposed Ezones
  - ▭ Parks and/or Natural Areas
- Economic Vulnerability Risk Assessment**
- 13 - 16 (most vulnerable)
  - 10 - 12
  - 5 - 9
  - 0 - 4 (least vulnerable)



# The Impact to Individual Lots

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.





# Project Impacts on Individual Properties

## Ezone Coverage on Lots

- Ezones Increasing: 7,334 lots
- Ezones Shrinking: 4,706 lots

No ezones today, but have proposed ezones: 3,280

Have ezones today, but do NOT have proposed ezones: 931

# Public Engagement

- Site Visits: 600+
- Wetland Determinations 260+
- Site visits are still being offered
- 16,838 postcards sent to property owners
- Staff attended 36 community meetings
- Staff held 6 drop-in hours
- 24,714 letters sent to property owners, renters and lessees
- Staff held 3 open house events
- PSC Held 3 public hearings

# Testimony at the PSC

- 3 Public Hearings – July 2020, February 2021, August 2021
- 388 pieces of written testimony were submitted, and dozens of people testified by phone or video conference
- Majority of testimony was in opposition to the project (common concerns on next slide)
- Supporters include neighborhood associations, Portland Audubon, groups that support natural areas.
  - There were some who are in favor of natural resource protections who feel the Ezone Project should go further: larger areas of protection around streams and wetlands
- Before the first hearing, lots of testimony about feature mapping. Project staff offered site visits.

# Anticipated Testimony Themes

- Stronger protections for natural resources.
- Expand protection zones around streams/wetlands
- Overlay zones may prevent future expansions on lots or prevent land divisions.
- Will overlays make it difficult to sell property in the future or impact property value?
- Will the expansion of ezones will prevent Portland from meeting housing needs?
- I want to remove trees that are close to my house or manage vegetation to reduce fire risks.
- Ezones help protect resources that make us resilient to impacts of climate change.

# Take Home Messages

- Ezones protect streams, forests, and wetlands.
- Ezones are being remapped using improved technology.
- Ezones are natural resource protection program that is required by State Planning Goal 5
- Staff have conducted three and a half years of public outreach, including over 600 site visits
- Existing development is exempt from ezone regulations.
- New or expanded development is allowed within limits.

# Project Report

**Volume 1, Part A-B:** Zoning Code Amendments, Map Amendments, Summary of Results

**Volume 2, Part A – G:** Resource Site Reports

**Volume 3, Part A-C:** Natural Resources Inventory, Compliance Report, References, and Appendices

Ezone Map App: [www.portlandmaps.com/bps/ezones/#/map](http://www.portlandmaps.com/bps/ezones/#/map)

# Project Timeliness – Why Now?

- Good government (more accurate zoning maps are a good thing)
- Adopted 2035 Comp Plan policy direction
- Public interest (a large constituency asking for this over 10+ years)
- Relationship to Middle Housing maps

The written record is located at: [Portland.gov/bps/ezones/psscsummary](https://portland.gov/bps/ezones/psscsummary)

Written testimony that is submitted through the Ezone Map App can be reviewed at:  
[Portlandmaps.com/bps/testimony](https://portlandmaps.com/bps/testimony)

Submit requests for Ezone Project site visits by 5:00 PM on February 23, 2022

The deadline to complete site visits is March 16, 2022

To request a site visit, contact project staff:

Email – [ezone@portlandoregon.gov](mailto:ezone@portlandoregon.gov)

Voicemail – 503 823 4225

Proposed amendments will be posted on [Portland.gov/bps/ezones](https://portland.gov/bps/ezones) on April 6





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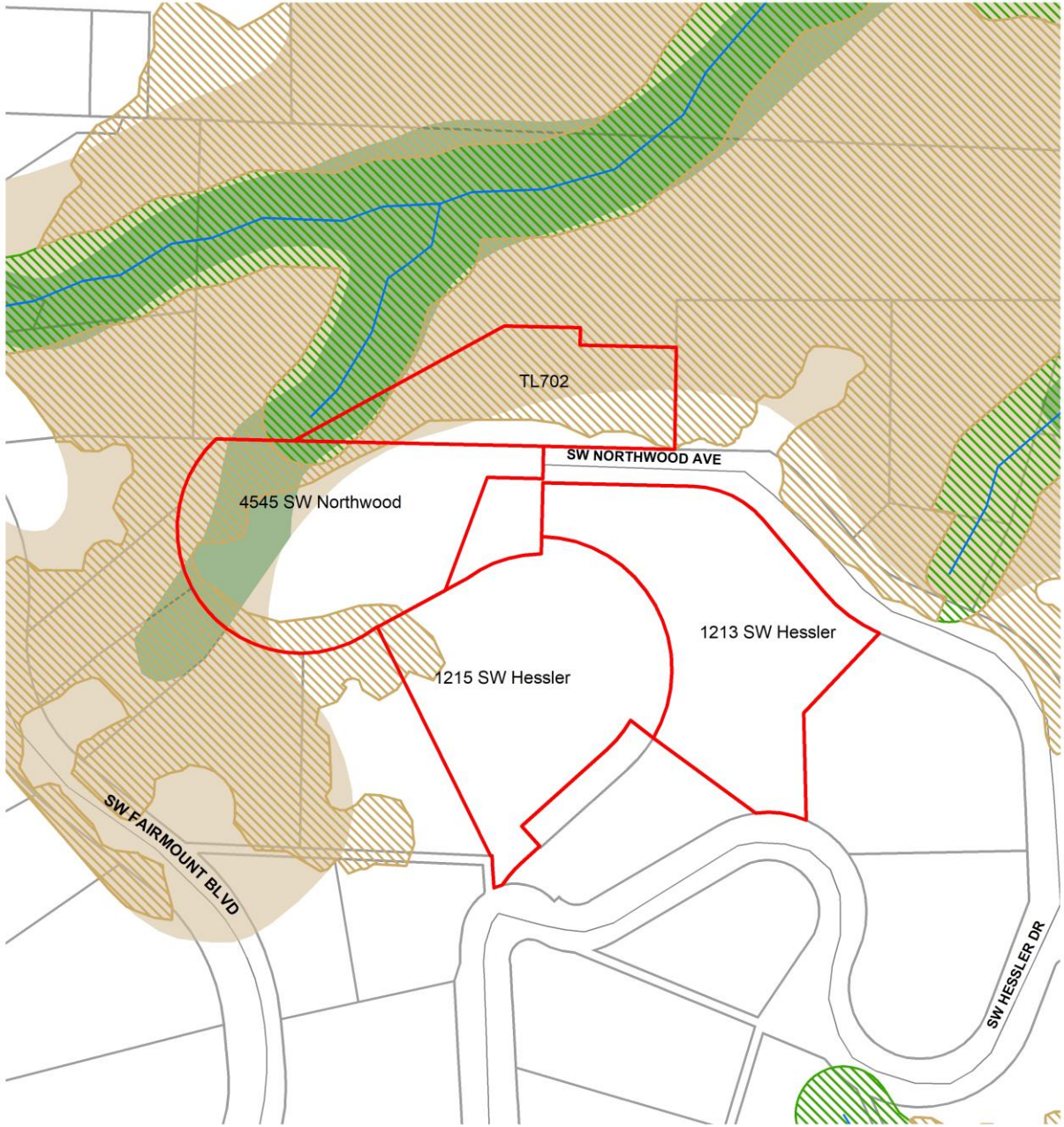
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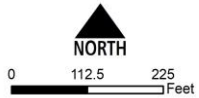
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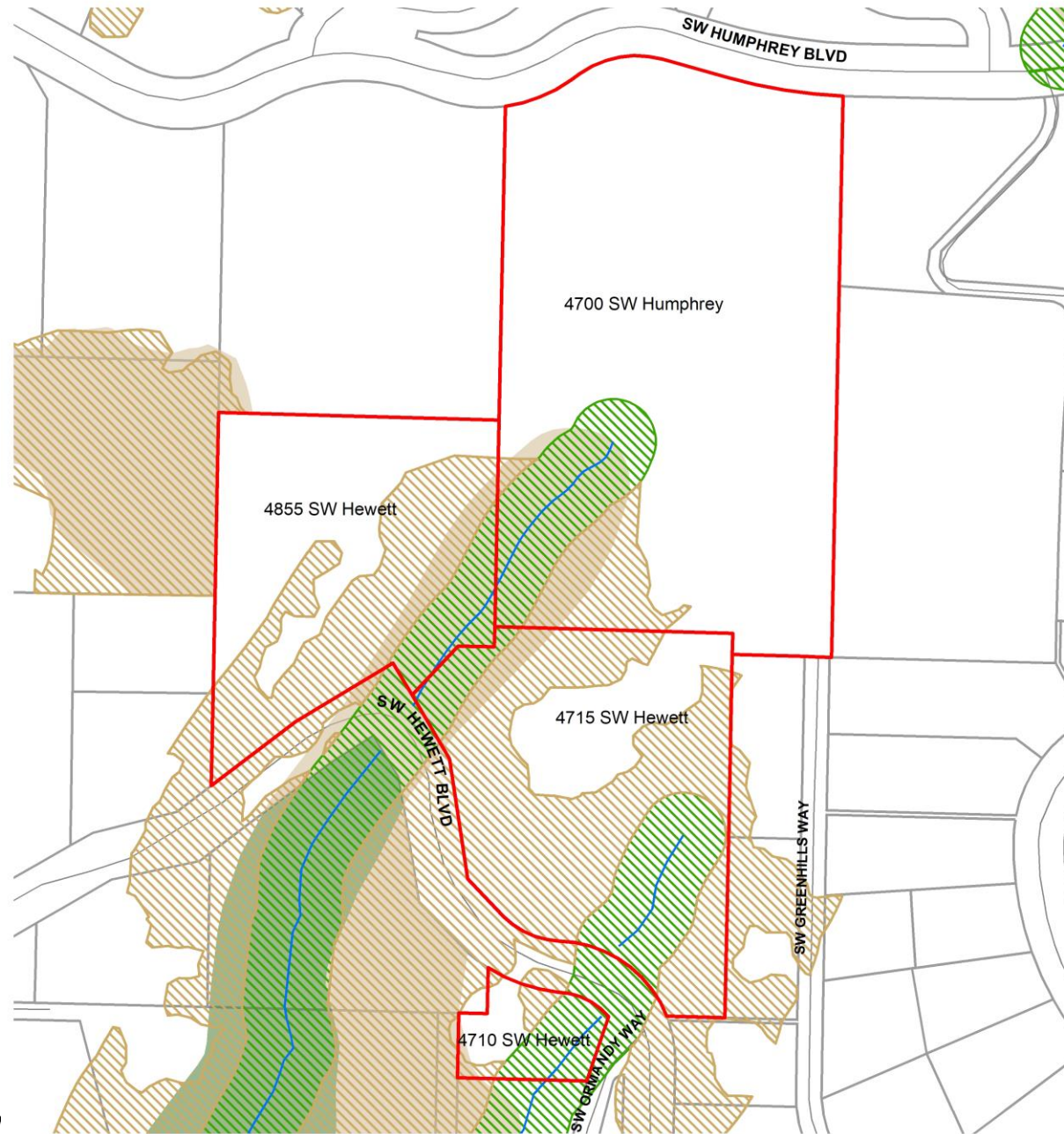
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- Legend**
- Proposed Conservation Zone
  - Proposed Protection Zone
  - Existing Conservation zone (c)
  - Existing Protection zone (p)
  - Streams
  - Streets
  - Taxlots
  - Urban Service Boundary



## Existing and Proposed Environmental Overlay Zones



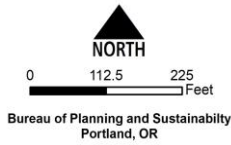
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# 10701 SW 25th Ave



- Legend**
- Proposed Conservation Zone
  - Proposed Protection Zone
  - Existing Conservation zone (c)
  - Existing Protection zone (p)
  - Streams
  - Streets
  - Taxlots
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# 10701 SW 25th Ave

- Legend**
- Proposed Conservation Zone
  - Proposed Protection Zone
  - Existing Conservation zone (c)
  - Existing Protection zone (p)
  - Streams
  - Streets
  - Taxlots
  - Urban Service Boundary



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# 1250 SW Englewood Drive



- Legend**
- Proposed Conservation Zone
  - Proposed Protection Zone
  - Existing Conservation zone (c)
  - Existing Protection zone (p)
  - Streams
  - Streets
  - Taxlots
  - Urban Service Boundary



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# 1250 SW Englewood Drive



## Environmental Overlay Zone Map Correction Project

Water Features - July 2021  
After Wetland Determination

1250 SW Englewood Dr

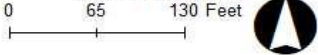
### Legend

- taxlots
- piped stream segment
- open stream channel
- wetlands\_pdx\_wip\_210713
- building footprints

**DRAFT**

July 21, 2021

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# 4919 SW Texas Street



- Legend**
- Proposed Conservation Zone
  - Proposed Protection Zone
  - Existing Conservation zone (c)
  - Existing Protection zone (p)
  - Streams
  - Streets
  - Taxlots
  - Urban Service Boundary

**NORTH**

0 112.5 225 Feet

Bureau of Planning and Sustainability  
Portland, OR



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# Overall Impacts

<b>Table 1: Comparison Existing and Proposed Ezones</b>			
	<b>'c' zone acres</b>	<b>'p' zone acres</b>	<b>Total acres</b>
<b>Existing</b>	5276.3	7903.6	13,179.9
<b>Proposed</b>	4212.6	9115.4	13,328.1
<b>% Change</b>	<b>-20.2%</b>	<b>+15.3%</b>	<b>~2%</b>



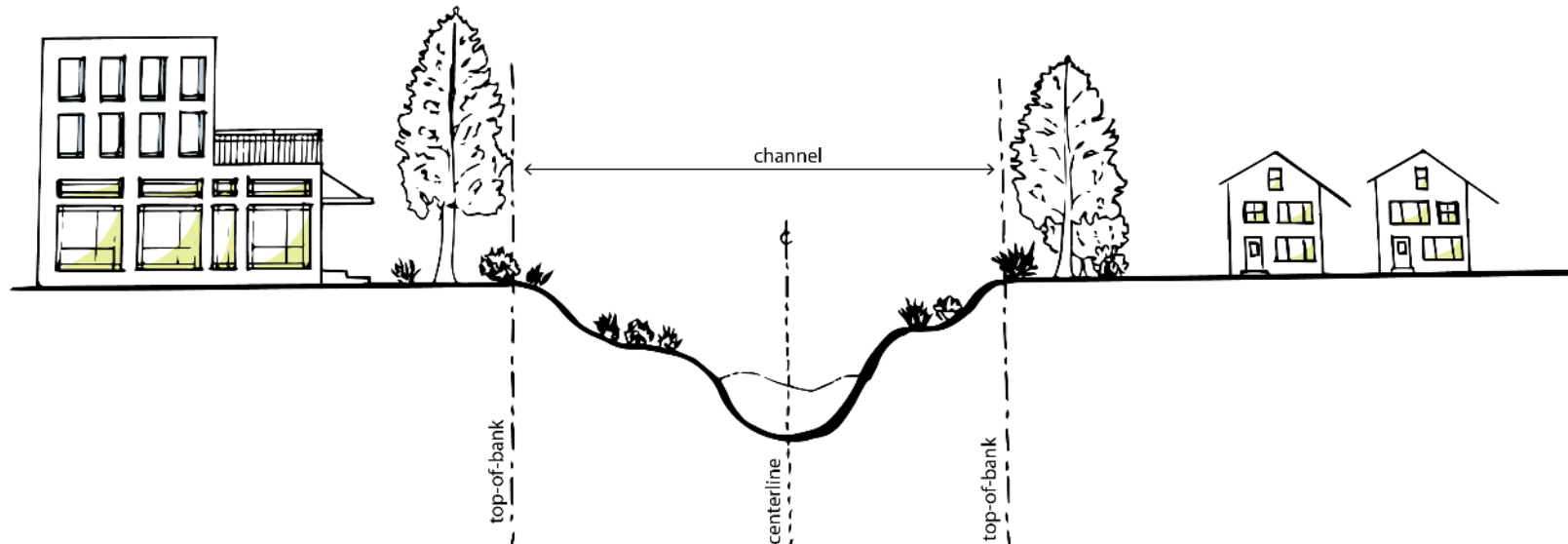
# Agenda

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



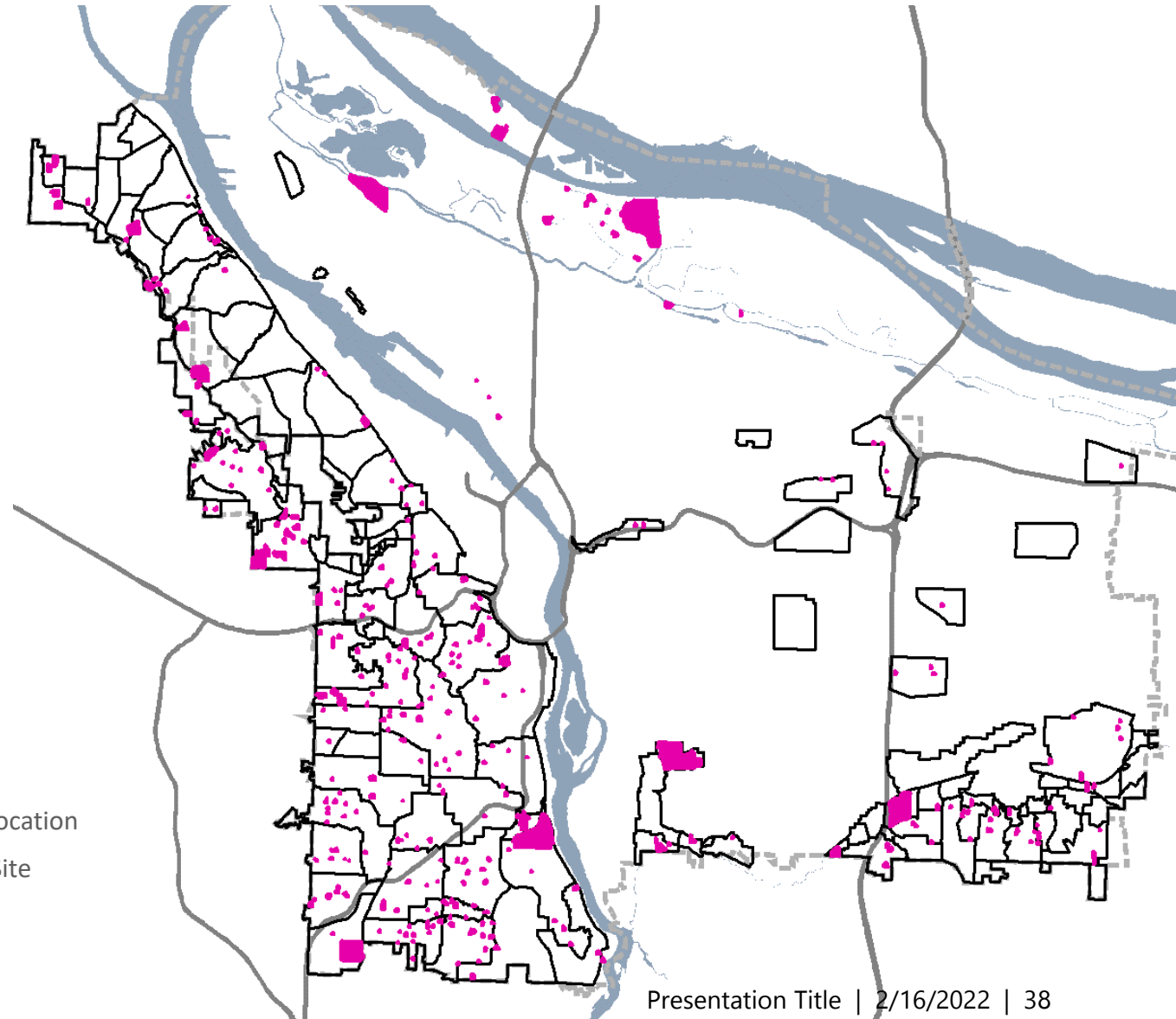
# The Biggest Changes

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



# Site Visits

- To date staff have conducted more than 600 site visits and BES has conducted more than 260 wetland determinations
- Site visits allow project staff to ground truth natural resource data.
- Most site visits result in corrections of vegetation mapping, rarely changes to stream mapping



# How are Properties Impacted?

This slide overlays the proposed ezones with the existing ezones.

Many of the changes are minor corrections to the edge of the forest canopy.

But there are lots that are getting ezones that never had them before, and there are lots from which ezones are being removed.



# Ezone 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*

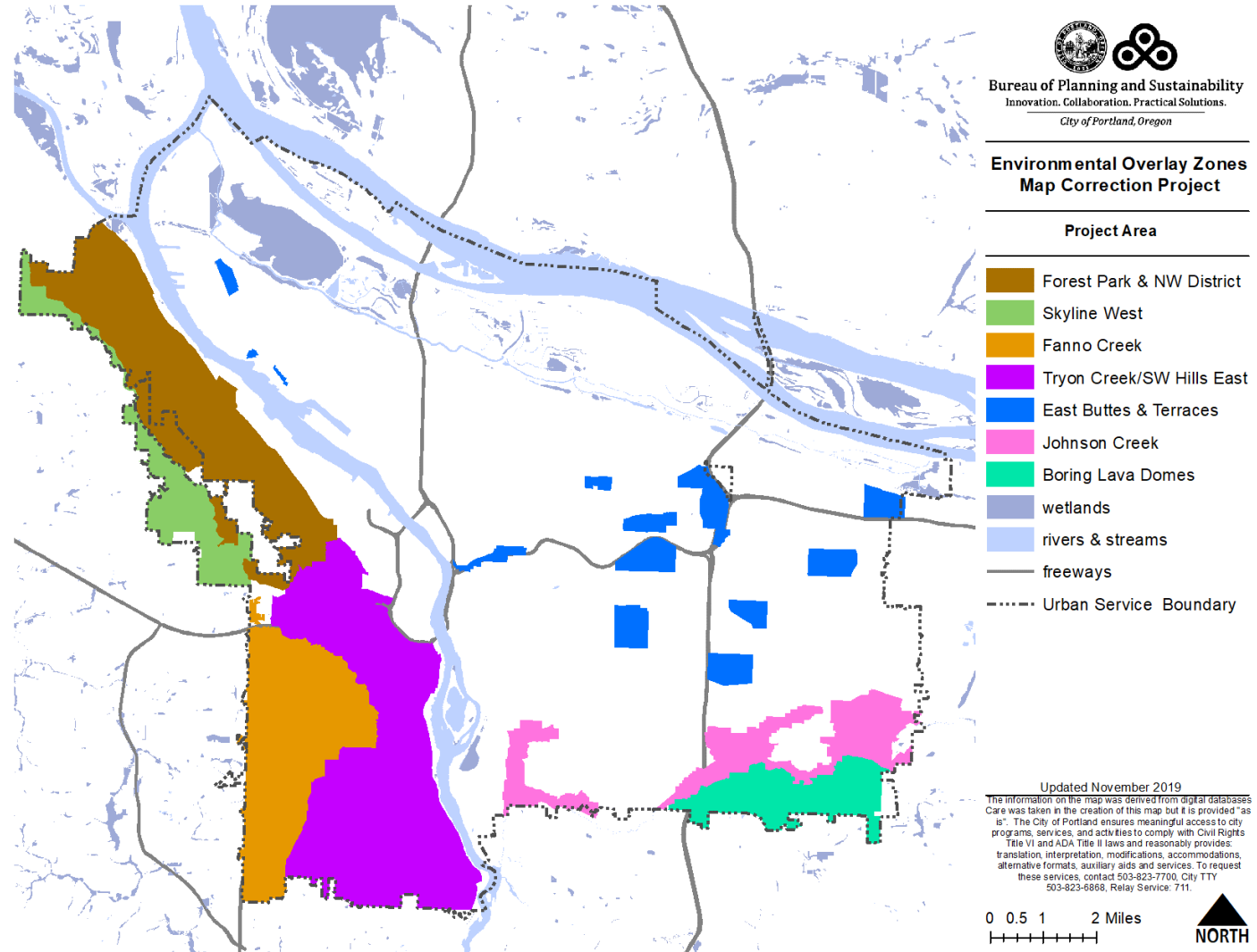


# Environmental Overlay Zones

- 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

# Who is Impacted by the Ezone Project?

~17,000 properties in the project area have existing or proposed ezones.



# Stream and Wetland Policy

- In the past, streams and wetlands were usually in 'p' zones, but the plans were not consistent in all parts of the City.
- The PSC voted to amend the project proposals to apply a minimum protections to streams and wetlands in all parts of the project area:
  - At minimum, 25 feet of p zone,
  - and c zone between 25-50'.

