Environmental Plan Check [EN2]

Meeting environmental zoning standards

Applications for permits on properties with environmental zoning must comply with the development standards found in PCC 33.430.110 through .170, or be approved through Environmental Review. This handout is designed to help you determine if your project meets environmental development standards. If you cannot meet these standards, you must apply for an Environmental Review. The Bureau of Development Services follows a step-by-step process to determine if your project meets the applicable environmental standards. This procedure is required by City Code, and is known as an Environmental Plan Check. Other zoning requirements of the base zone, additional standards specific to your use, and standards of other overlay zones are not addressed in this handout and checklist.

Environmental Plan Check

The procedure is similar to the plan check required to obtain a building permit. Specific detailed information must be clearly shown on the permit drawings in order to demonstrate that the applicable development standards are met. The Bureau of Development Services staff planner will then review the site plan for compliance with the development standards. An Environmental Plan Check is not a land use review. When working with the standards, keep in mind that they are inflexible standards. This lack of flexibility provides land owners, developers, and neighbors with certainty as to what is required. Environmental Review is required if you cannot meet the standards. The Environmental Review process has more flexibility, but requires a greater level of information. (see handout EN 3)

The application form for an Environmental Plan Check is available from the Development Services Center. Please read this handout before completing the application form.

Development Standards

The standards are clear and measurable criteria that set specific limits on the amount of disturbance that can occur on a site. The standards provide clear requirements for placing roads, utilities, and structures, for erosion control, buffering and other related practices that will minimize impacts to identified natural resources. A checklist of the development standards is attached.

The development standards were written to fit the majority of situations. However, environmental resources are quite variable from site to site, so while the standards may work in the majority of situations there will occasionally be situations where they do not fit or may conflict with one another. The Environmental Review process can be used to address these unique situations.

There are six categories of development standards:

- Development within the Transition Area
- New Development
- Alterations to Existing Development
- Utilities
- Land Divisions
- Resource Enhancement

Your development may fit into one or more of these categories.

If your development extends beyond the 25-foot transition area and can meet the development standards, you must go through an **Environmental Plan Check**. There are additional requirements for this type of Environmental Plan Check:

a) A notice is posted on the site.

b) The Bureau of Development Services sends a notice to the Neighborhood Association.

c) On the site, the proposed development area is staked out and any trees to be removed must be flagged.

Basic procedures for developing a plan that will meet development standards

Step 1: Inventory the Site

Before making any decisions about the location and configuration of structures, driveways, yards and utilities, first make a detailed inventory of the site. You should also consult City environmental resource plans that describe your site area. The application of the environmental zones is based on detailed studies that have been carried out within eight separate areas of the City. The City's policy objectives for these study areas are described in these reports. Each study report identifies the environmental resources and describes the functional values of the resource sites. Functional values are the benefits provided by resources. The values for each resource site are described in the inventory section of these reports.

The site inventory is used to help you understand the opportunities and constraints of the site and to plan the best place for development, while ensuring that the development creates the least disturbance and protects existing resources.

An existing conditions inventory should include:

___ The location and type of existing vegetation

___ The location of existing development

___ The location of wet areas, streams, or ponds

___ The "top of bank", centerline, and/or edge of identified streams and wetlands

___ The location of existing underground utilities

___ Information describing slopes

___ The location of overhead wires

___ The location and extent of rock outcrops or other geologic features

___ A description or plan showing the extent of existing outdoor improvements, such as maintained yards, patios, decks, retaining walls, gardens

___ A description or plan showing the location of any previously undisturbed natural areas, such as a grove of large trees, natural woodlands, or other areas of undeveloped natural vegetation

___ Location of existing easements, roadway, rights-of-ways

Step 2: Plan the Development

Evaluate the resources on your site, and identify locations for development that will disturb as little of the site as possible. You should also refer to the development standards in the Environmental Overlay Zone chapter of the Zoning Code to ensure that your development meets the requirements for the Environmental Plan Check. A Check Sheet is available in the Development Services Center which lists the standards and provides space for you to check off the standards that are met.

Step 3: Prepare an Existing Conditions

Prepare an existing conditions site plan once you have designed a development plan that meets all of the relevant development standards. The Existing Conditions Plan is an extension of your site inventory.

Create a plan using the information that clearly shows the existing site information with the proposed disturbance area. One copy of the Existing Conditions Site Plan must be submitted on an eight and one-half by eleven size sheet for posting and mailing purposes. For the purpose of the Plan Check, it is recommended that larger size plans also be submitted to assist in the review of the proposed development.

The disturbance area includes any proposed development including fences, structures, utilities, decks, driveways, lawns, maintained gardens, and any areas where you propose to remove native vegetation. It also includes areas needed for stockpiling materials, grading, installing utilities and maneuvering equipment during the construction period. If a portion of the site has already been disturbed, show existing and proposed disturbance area and label them.

The plan should include the following:

___ Fences

___ Structures

___ Utilities

___ Decks

___ Driveways

___ Grading

___ Zoning boundaries

___ E-zone with transition line

___ Vegetation to be removed;

___ Stockpiling areas;

___ Equipment maneuvering areas;

___ Fencing marking limits of disturbance;

___ Location, size and species of trees over 6 inches in diameter;

___ Wetlands and streams on or near the site;

___ Topography;

___ Erosion control measures (silt fences, sediment barriers, etc.).

Step 4: Prepare a Development Plan

The Development Plan should be clear and easy to read. It should show all the information needed for the staff person to determine that your proposed development meets each of the applicable development standards.

The plan should include the following:

___ Proposed development with dimensions and building elevations

___ All property lines with dimensions and total lot area

___ North arrow and scale of drawing

___ Adjacent streets, access (driveways) curbs, sidewalks, and bicycle routes

___ All trees greater than 6 inches in diameter, measured 5 feet above the ground, in areas to be disturbed

___ Easements and on-site utilities

___ Proposed development with all dimensions and building elevations

___ Distance of proposed development to the property line

___ Location of all adjacent buildings

___ Location of zone boundaries

___ Boundaries of the resource area and the transition area

___ Proposed grading (new contours or cross section showing where contours will be altered)

___ Pavement

___ Landscaping

___ Stockpile areas

___ Staging areas

___ Stormwater management

___ Erosion control methods

Step 5: Submit the Plans & Application

When you have completed your Existing Conditions Plan and Development Plan, submit them to the Permit Center along with building permit drawings, the attached application form, and any other information needed for the permits. An additional fee besides the regular building permit fee will be charged for the Environmental Plan Check process. Some activities, such as building a fence, that do not usually require a building permit must go through the Environmental Plan Check process to get a Development Permit.

Step 6: Stake the Site, Public Notices, and Site Inspection

If you have proposed development that extends into the resource area of the site, limited public notice is required. A ***posting notice, mailed notices, and site inspection*** are required to ensure that the plans accurately depict the proposed development on the site.

Posting Notice: If your plans are determined to be complete you will receive a posting board when you submit your plans. A copy of the notice and the development plan must be posted at the site. One posting board is required for each 600 feet of street frontage. Place the posting board on the site, within 10 feet of the street. Do not place the sign in the public rights-of-way.

First Mailed Notice: Upon determining that your plans are complete, the Bureau of Development Services will send a "First Notice of Development in an Environmental Zone" to the local Neighborhood Association.

Site Inspection: You are also required to stake or flag the site to show the limits of the disturbance area and the outlines of all buildings and paved areas. All trees with a diameter larger than 6 inches that you propose to remove must be flagged. Fluorescent or similarly high visibility tape should be used for flagging and staking. Inspectors will visit the site to verify accuracy of the site plan. The inspector will submit a confirmation report which will detail compliance or noncompliance with each of the Environmental Zone Requirements on the checklist. The staff planner will contact the applicant if requirements are not met. If the requirements are not met, the applicant will need to make changes to the plan and/or the site before the plan check can be processed.

Second Mailed Notice: After the inspection, if all standards have been met, the staff planner will send out a "Notice of Intent to Approve Building Permit in an Environmental Zone." The notice is sent to the local Neighborhood Association. Interested persons may object to the approval of a permit by writing and specifically identifying errors or concerns. The objections must be received within 14 days of the mailing date of the notice of intent approve the permit.

Building Permit Approved by Planning: If no comments are received by the planner, the Bureau of Development Services will approve the plans. The Bureau of Development Services approval does not mean that a permit is ready. Permits are not issued until all other relevant City agencies have approved the plans.

For more Information

Additional handouts are available about the Environmental Review procedure (see handout EN3) from the Development Services Center.

For more information visit or call the Planning and Zoning staff at the Development Services Center at 1900 SW 4th Ave, Suite 1500, 503-823-7526

Information is subject to change, for current Portland Zoning Code visit www.portlandonline.com/zoningcode