



Bureau of Planning and Sustainability
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MEMO

DATE: April 13, 2017
TO: Portland Urban Forestry Commission
FROM: Barry Manning, BPS
CC: Eric Engstrom, BPS; Jenn Cairo, PP&R
SUBJECT: Briefing on Code Reconciliation Project

Staff from Bureau of Planning and Sustainability will brief the Urban Forestry Commission on the [2035 Comprehensive Plan Code Reconciliation Project](#) and potential Title 11 issues at your meeting on April 20, 2017. Staff seeks Commission feedback, but will return with a proposal and seek formal Commission recommendation at a later date.

Background

City Council recently adopted a slate of new Commercial/Mixed Use zones (33.130) that replace the city's existing Commercial zones in the zoning code. Title 11 currently references zones in development situations that will no longer exist, and will be replaced by similar zones which are not direct replacements. The BPS Code Reconciliation Project (CRP) is currently combing through the zoning code (Title 33), and other city Titles, to "reconcile" code references and make minor technical and minor policy changes so that the codes will function properly together when effective in early 2018. The CRP will propose changes that will need approval of various bodies such as the Urban Forestry Commission, Planning and Sustainability Commission (PSC), and ultimately City Council by the end of 2017.

Problem Statement

Section 11.50.040 exempts certain Commercial (and other) zones altogether in development situations. Most of the exempted zones are on the list because they allow 100% building coverage on a lot, and require no landscaping. Two exempted zones, CS (Storefront Commercial) and CM (Mixed Commercial/Residential), will no longer exist in the code. The question is: should any of the new replacement Commercial/Mixed Use zones be similarly exempted because they retain characteristics that make them similar to CS and CM, and reflect a similar policy intent for the exemption - 100% lot coverage, no landscaping, etc.?



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Scenario Options Being Considered

BPS is considering a few different options for changes to Title 11 to address the changes in the base zones. These include the following, but others may also be considered:

1. Replace the references to the CS and CM zones with the most similar new zones. This approach would replace the CS and CM zone references with other Commercial/Mixed Use zones in which 100% lot coverage is allowed. These are the CM2 and CM3 zones in the "Inner Neighborhood" Pattern Area, as described in the Comprehensive Plan. These zones, although they require landscaping, allow for 100% lot coverage, and allow for eco roofs or other "urban green" approaches to meet the landscaping requirements.
2. Replace the references to the CS and CM zones with zones that are intended for most urban "main street" situations. The new Commercial/Mixed Use zones are different from the existing zones in that they are applied broadly in situations across the city. To enhance intense pedestrian-oriented main street development in the core are of newly adopted centers, a new Centers Main Street Overlay Zone (33.415) is being applied. This overlay is applied in limited areas where more intensive commercial/mixed use development is desired.
3. Eliminate the reference to CS and CM zone exemptions and do not replace them with new zone references. This approach would simply eliminate these zones from the exempted list. Development that covers 85% or more of the site area, which is allowed in many Commercial/Mixed Use zones, would still be exempted as per the current Title 11.

Staff met with the Commission's policy subcommittee to share this information on April 13th, and will bring more information, including maps and data, to the Commission for discussion on 4/20/17.

Next Steps

- BPS staff will meet with the Urban Forestry Commission on 4/20 to brief you on these issues and hear your feedback.
- BPS staff will develop a Discussion Draft proposal and release that for public comments in Summer 2017.
- BPS staff will develop a Proposed Draft based on comments from the Discussion Draft, and return to the Urban Forestry Commission as well as the PSC in late Summer/early Fall for their final recommendations to City Council.

Please contact me with any questions prior to the meeting.

