



Bureau of Planning and Sustainability

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MEMO

DATE: October 11, 2017

TO: Planning and Sustainability Commissioners

FROM: Barry Manning, project manager

CC: Eric Engstrom, Joe Zehnder, Susan Anderson

SUBJECT: Code Reconciliation Project - Title 11 Amendments

At the October 19, 2017 Urban Forestry Commission (UFC) meeting, Bureau of Planning and Sustainability (BPS) staff will provide a briefing on the *Code Reconciliation Project - Proposed Draft*. The proposed draft contains proposed amendments to Title 11, Trees, that are subject to review by and recommendations from the UFC. The proposed draft report is posted online at: <https://www.portlandoregon.gov/bps/article/656658>. Hard copies will be provided at the October 19 meeting. The UFC is scheduled to hold public hearings on the proposal on November 16, 2017.

The Portland Planning and Sustainability Commission (PSC) will also make a recommendation on the proposed amendments as provided by Title 11. The PSC was briefed by BPS staff on October 10, 2017 and will hold a public hearing 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. In general, the project amendments are intended to be technical, and not represent significant changes in policy or development allowances.



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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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The CS and CM zones are currently exempted from tree preservation and tree density standards in Title 11. However, these zones are being superseded by new Commercial/Mixed Use Zones adopted in the 2035 Comprehensive Plan. BPS staff briefed the UFC in April 2017 and presented three alternative scenarios for code changes in Title 11 to address the elimination of the CS and CM zones.

The three scenarios included:

1. Exempt the new/replacement CM2 and CM3 zones in Inner Neighborhood areas, where the new zones allow will 100% lot coverage and provide alternative landscaping options.
2. Exempt areas subject to the Centers Main Street Overlay Zone ("m"), which is an overlay designed to foster active uses and pedestrian orientation, applied in the core area of designated centers.
3. Remove CS and CM exemptions from Title 11 and do not replace them.

Overall, Scenario 1 increased the amount of land being exempted from the code and increased the exempted area in inner neighborhoods; Scenario 2 decreased the amount of exempted area, but changed exempted locations; and Scenario 3 resulted in the greatest land area being subject to tree preservation and density requirements.

Proposed Changes

The [Code Reconciliation Project - Proposed Draft](#) contains amendments that affect development-related aspects of Title 11. The proposed amendments (see p 517 of the proposed draft) eliminate exemptions for the CS and CM zones that are being phased out. BPS staff has received initial support for this approach from some members of the public as well as the Urban Forestry Commission (letter dated September 21, 2017).

More Information and Questions

A summary of some of the most significant or substantive changes proposed in the project, including changes to Title 11, are located on pages 6-9 of the Proposed Draft document. Please contact me at 503-823-7965 (barry.manning@portlandoregon.gov) prior to the meeting if you have any questions or wish to have more details on specific changes proposed.

