

## CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

### Study Session Worksheet

Presentation Date: June 8, 2010                      Time: 10:30 a.m.                      Length: 1 hour

Presentation Title: Sustainability Amendments to the Zoning and Development Ordinance

Department: Department of Transportation and Development

Presenters: R. Scott Pemble and Kay Pollack

### POLICY QUESTION

Should work to amend the Zoning and Development Ordinance (ZDO) to "support and encourage green standards for development, planning and infrastructure," as stated in the *Action Plan Framework for a Sustainable Clackamas County*, approved by the BCC in November 2008, continue as outlined in this worksheet?

### ISSUE & BACKGROUND

In February 2008, the Board of County Commissioners (BCC) adopted a *Resolution for a Sustainable Clackamas County*, followed in November 2008 by adoption of an *Action Plan Framework for a Sustainable Clackamas County*. The *Action Plan* includes direction to "support and encourage green standards for development, planning and infrastructure," and to include provision of incentives and guidelines in the County Comprehensive Plan and ZDO. In addition, one of the BCC's 2009 Goals was to "Modify County Code to support sustainable development."

Based on this direction, Planning Division staff has assessed the County's Comprehensive Plan and Zoning and Development Ordinance (ZDO) relative to sustainability, and identified elements to consider.

The incremental and phased scope of work has been divided into two phases:

- Phase 1: Clarify and re-organize the ordinance to be more explicit about what we are already doing and add proven concepts from other jurisdictions. Staff has identified amendments based on successful practices in comparable jurisdictions that we believe will be achievable, and is working with in-house reviewers on draft ZDO language.
- Phase 2: Research, discuss with the public and craft language for additional amendments that may result in more visible and/or dramatic sustainability impacts. Coordination with other County departments, divisions, initiatives and projects, including street trees and the tree ordinance will continue.

Prior to Planning Commission review, staff will publicize and discuss the proposals with CPOS/Hamlets/Villages, chambers of commerce, the Economic Development Commission, the Development Liaison Committee, and other interested community and business groups. If the BCC desires, an additional study session will be held prior to hearings.

The Scope of Work description below summarizes the elements of Phase 1 and Phase 2.

## **Phase 1: Suggested Ordinance Changes For Immediate Consideration**

Current proposed amendments include a combination of broadening what is *allowed*, offering *incentives* and increasing *requirements* relative to several types of land uses and development standards, as follows.

- Revise the roads and circulation portions to achieve higher quality multimodal facilities and add access, block size and street connectivity standards.
- Revise surface vehicle and bicycle parking and loading area requirements in a new section that would incorporate most parking requirements currently scattered throughout the ZDO;
  - Reduce the minimum-sized parking space;
  - Allow on-street parking, where available, to count towards minimum requirements;
  - Increase the percentage of parking that may be reduced for shared parking; and
  - Reduce some loading area requirements.

Numerous individual sections would have conforming amendments, as their parking standards are consolidated.

- Amend building and site design standards for commercial, industrial, institutional and multi-family projects and for conditional uses, to direct site development and building design to occur in a more sustainable manner that is compatible with both the natural environment and desired urban form. Proposed amended standards include: building orientation to fronting streets, on-site circulation, on-site pedestrian-supportive improvements, location and design of parking and loading areas, outdoor lighting, solar orientation and access.
- Revise landscaping standards:
  - Limit turf lawn and non-native or non-drought-tolerant vegetation,
  - Enable green roofs,
  - Require higher efficiency irrigation systems and practices,
  - Increase parking lot landscaping requirements,
  - Strengthen standards for swales within parking and loading areas,
  - Reduce the amount of impermeable pedestrian area that may count as landscaping, and
  - Allow space for food gardening in multifamily developments to count towards required landscaping.
- Condense and clarify existing solar access regulations to make them easier to administer. Delete the section that provides for solar access permits. Revise existing residential solar design standards to eliminate *requirements* to remove trees while still *allowing* tree removal for solar access. These standards apply to urban land divisions and all structures requiring a building permit.
- Enable solar energy, wind energy and rainwater collection apparatus in residential zoning sections; and establish setbacks exceptions for them. Enable electric vehicle charging stations in numerous zone sections.

- Expand opportunities and establish or modify standards for urban agriculture, including livestock in residential zones, produce stands in residential zones, and farmers markets in commercial, industrial or mixed use zones or at institutional uses.
- Consolidate and simplify proposed amended development standards.

**Phase 2: For Future Consideration**

These items were based on action plan items and require considerable more development prior to proposing as amendments.

- Require and develop standards for street trees and on-site planting to achieve yet-to-be-specified canopy coverage at maturity.
- Support increased use of alternative modes of transportation through land use policies such as higher density along corridors and around centers, a mixture of uses and creating walkable neighborhoods.
- Create a program for developments to receive special recognition for achieving a prescribed level of sustainability, based on a “menu” of options.
- Develop incentives for green development practices, e.g. increasing Floor Area Ratio (FAR), Transferable Development Rights (TDR), and bonus density provisions for commercial, industrial, institutional and conditional uses.
- Limit impervious surface area and increase minimum landscaping area requirements.
- Enable or promote community gardens and farmers’ markets on county lands.
- Add amendments to direct and support further sustainability work in the ZDO.
- Eliminate redundancy and potential for conflict between individual zone sections and development standards sections.

**QUESTION(S) PRESENTED FOR CONSIDERATION**

1. Are there elements that the BCC would like staff to add, remove or change from the current scope of work as described above?
2. Would the BCC like an update on the process after the public outreach and before the amendments are presented to the Planning Commission?

**OPTIONS AVAILABLE**

1. For Question 1, add, remove or change elements from the current scope of work. Minor changes to the scope of work can easily be absorbed. Significant additions to the scope of work may result in increased staff time, which has budgetary implications and could lengthen the time before public hearings are held and any approved amendments take effect. Significant deletions from the scope of work may reduce the impact of the ordinance amendments on encouraging sustainable development practices.
2. For Question 2, whether to hold another study session before hearings commence.

Another study session would also allow staff to report the stakeholders' responses and give the BCC and the public another opportunity to review the issues before they go to public hearing.

**RECOMMENDATIONS**

For Question 1, accept the staff list of topics for Phase 1 work. If needed, discuss Phase 2 work as part of updating of the Action Plan for a Sustainable Clackamas County.

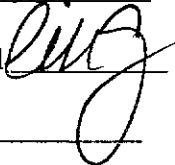
For Question 2, unless substantive issues arise during the review, staff recommends proceeding with hearings after public outreach is completed.

**SCHEDULE FOR STUDY SESSION**

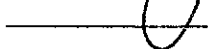
Division Director/Head Approval



Department Director/Head Approval



County Administrator Approval



For information on this issue or copies of attachments, please contact Kay Pollack @ 503-742-4513