



MIKE MCCALLISTER
PLANNING AND ZONING DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS
Policy Session Worksheet

Presentation Date: March 1, 2016 **Approx Start Time:** 10:30 am **Approx Length:** 1 hour

Presentation Title: Long-Range Land Use Planning Work Program

Department: DTD—Planning and Zoning Division

Presenters: Mike McCallister, Planning Director; Jennifer Hughes, Principal Planner

Other Invitees: Barbara Cartmill, DTD Director; Dan Johnson, DTD Deputy Director

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD? None. This is an informational item only.

EXECUTIVE SUMMARY:

Annually the Planning and Zoning Division develops a work program for the following fiscal year. The work program is not a comprehensive list of the division's functions but rather is a list of long-range land use planning projects. Adoption of the annual work program is timed to provide a basis for budget development for the upcoming fiscal year.

To assist in developing the list of potential work program projects, staff reached out to Community Planning Organizations, Hamlets and Villages, cities in the county, other interested parties and other county divisions to solicit suggestions. Staff summarized the suggestions in the attached table.

Five Board-initiated or staff-recommended projects were added to the list as well: Urban and Rural Reserves, ZDO Audit, City of Damascus (if the city votes to disincorporate in May), Marijuana Land Use Regulation Amendments (tentative, depending on outcome of proposed state legislation or urgent changes identified by the Board or staff), and Natural Resource District Amendments. Staff's recommendation is to adopt those five projects as the long-range land use planning work program for 2016-2017. Elements of the requests by MAP-IT and

the Jennings Lodge CPO could be considered as part of the ZDO Audit project either in 2016-2017 or subsequent years but in that context would be scaled back considerably from the submitted requests. See the attached memo from the Planning Director to the Planning Commission for details on the staff recommendation and the significant constraints facing the Planning and Zoning Division in pursuing new community planning initiatives in 2016-2017.

On February 22, 2016, the Planning Commission took public testimony on the work program and made a recommendation to the Board. This recommendation will be formalized in a letter to the Board from the Planning Commission Chair prior to the Board's formal consideration of the work program at the business meeting on March 17, 2016. However, to summarize, the Planning Commission recommends that the Park Avenue Station Area Design Plan be the first priority for 2016-2017 with the five projects recommended by staff rounding out the work program in priority positions two through six.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? X YES NO

What is the cost? Cost is dependent on the number and position classifications of FTE assigned to work program projects. Funding the staff recommendation is estimated to cost approximately \$210,000 in Planner staff time plus a proportional amount of the Planning Director's and Administrative Assistant's time. Funding the Park Avenue Station Area Design Plan in addition to the staff recommendation is unlikely to be possible given current staffing levels (and levels anticipated for at least the first half of the new fiscal year), although the extent of the shortfall is dependent on the scope of the Park Avenue project (e.g., technical advisory committee, policy advisory committee, ODOT coordination, traffic modeling, GIS mapping and graphics, public open houses, code development, public notice, public hearings).

What is the funding source? General Fund

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?

The work program adoption process does not align directly with DTD's Strategic Business Plan. However, all five of the staff-recommended projects are consistent with the Land Use, Development & Permitting purpose "...to provide integrated information, plan review, permitting and inspection services to residents, property owners, businesses and the development community so they can advance their projects in a timely manner consistent with applicable codes, facilitating the pace of economic growth." All six of the Planning-Commission recommended projects are consistent with the Long-

Range Planning purpose "...to provide plan development (updates to the Comprehensive Plan, Transportation System Plan and Zoning & Development Ordinance), analysis, coordination and public engagement services to residents; businesses; local, regional and state partners, and County decision-makers so they can plan and invest based on a coordinated set of goals and policies that guide future development."

- How does this item align with the County's Performance Clackamas goals?

The work program adoption process does not align directly with the County's Performance Clackamas goals. However, the Urban and Rural Reserves project aligns with the goal to Grow a Vibrant Economy by moving the county toward its adopted performance measures related to employment land in the urban growth boundary.

LEGAL/POLICY REQUIREMENTS: There are no identified legal requirements for adoption of the annual long-range land use planning work program. However, it is the County's policy to conduct an annual outreach process and public meetings before the Planning Commission and Board of County Commissioners prior to Board adoption of the work program.

PUBLIC/GOVERNMENTAL PARTICIPATION: Public outreach included a November 9, 2015, notice to Community Planning Organizations, Hamlets and Villages, cities in the county, other interested parties and other county divisions to solicit project suggestions for inclusion in the work program. A second notice on January 21, 2016, provided details of the public meetings and invited testimony on the work program.

The attached written responses were received from the Hamlet of Beavercreek, the chair of the Sunnyside United Neighbors CPO, the Eagle Creek-Barton CPO, the Jennings Lodge CPO and an individual member of that CPO, and the McLoughlin Area Plan Implementation Team (MAP-IT). Five people testified before the Planning Commission, including three members of MAP-IT and the chairs of the Jennings Lodge CPO and the Oak Grove Community Council CPO.

OPTIONS: For the policy session, this is an informational item only. When this item is considered formally by the Board on March 17, 2016, the options will include:

1. Adopt the long-range land use planning work program as recommended by the Planning Commission
2. Adopt the long-range land use planning work program with amendment
3. Continue the matter for further review and consideration at a future date to be determined by the Board

RECOMMENDATION:

For the policy session this is an informational item only. When this item is considered formally by the Board on March 17, 2016, staff anticipates no change in our recommendation to adopt the first five projects on the attached table.

ATTACHMENTS:

- Planning Director Memo to Planning Commission (4 pages)
- Table: 2016-2017 Long-Range Land Use Planning Work Program with Attachments (46 pages)

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Jennifer Hughes at 503-742-4518 or jenniferh@clackamas.us
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MIKE MCCALLISTER
PLANNING AND ZONING DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

February 17, 2016

To: Clackamas County Planning Commission

From: Mike McCallister, Planning Director

RE: Planning and Zoning Division Long-Range Planning Work Program for 2016-2017

Background

Annually the Planning and Zoning Division develops a work program for the following fiscal year. The work program is not a comprehensive list of the division's functions but rather is a list of special projects. However, in evaluating the availability of staffing resources, it is important to bear in mind the scope of the division's day-to-day responsibilities, which include providing public service in the permits lobby and through the public service phone line/email account, processing land use applications, intergovernmental coordination, contract planning services for the cities of Damascus, Estacada and Gladstone and providing staff support for projects funded by other county divisions. Adoption of the annual work program is timed to provide a basis for budget development for the upcoming fiscal year.

Your meeting on February 22, 2016, will provide an opportunity for public testimony regarding the work program. Following testimony, the Planning Commission will be asked to prioritize the projects and make a recommendation on the work program. That recommendation will be forwarded to the Board of County Commissioners for final consideration and approval at a public meeting scheduled for March 17, 2016.

Public Outreach

Public outreach included a November 9, 2015, notice to Community Planning Organizations, Hamlets and Villages, other interested parties and other county divisions to solicit project suggestions for inclusion in the work program. A second notice on January 21, 2016, provided details of the public meetings and invited testimony on the work program.

Proposed Projects

Attached is a table that summarizes the projects submitted for consideration for the 2016-2017 work program. It is divided into three sections: staff-recommended projects, community suggestions and community suggestions applicable to other county divisions. Staff will present this information in more detail during your February 22, 2016, meeting. The Planning Commission or individual Commissioners also may recommend other projects for consideration.

A total of 32 projects have been submitted for consideration to date, including:

- 5 projects proposed by staff
- 3 projects proposed by the Eagle Creek-Barton CPO
- 1 project proposed by the McLoughlin Area Plan Implementation Team (MAP-IT)
- 15 projects proposed by the Jennings Lodge CPO, 6 of which also are proposed by CPO member Carol Mastronarde
- 4 projects proposed by the Hamlet of Beavercreek
- 4 projects proposed by Sunnyside United Neighbors CPO chair Martha Waldemar

Refer to the table attachments 1 through 7 for additional details.

Work Program Considerations

Adoption of the final work program requires consideration of the Planning and Zoning Division's ability to complete projects given our limited budget (all projects rely on general fund dollars) and staffing resources. Considerations include:

1. Urban and Rural Reserves Project: The BCC recently initiated a project to re-evaluate one urban reserve area and three rural reserve areas. Staff has commenced work, and this project is expected to continue through April 2017. In addition to consultant support, staff estimates that this project will require 0.4 FTE of division planning staff next fiscal year.
2. Retirements and Training of New Employees: The Planning and Zoning Division currently employs 13 planners with a total FTE of 12.2. This represents a recent reduction of 0.75 FTE due to the retirement of a Planner 1 in January. Two Senior Planners (1.5 FTE) have indicated they will retire in May and June, respectively, reducing the division's planner FTE to 10.7. The good news is that it appears the division will be able to hire as many as four new planners over the coming months (vacant senior planner position, as well as three new Planner 1 positions to backfill for recent and anticipated retirements). The bad news is that the staff turnover will strain the division's work capacity in the next fiscal year. It takes time to recruit and hire new staff; existing staff resources will be required to train and mentor the new planners; and realistically it will take three to six months before new planners can independently provide public service, process land use applications, and contribute to project work. The bottom line is that the recent and pending retirements will result in a loss of three experienced planners and a near 20-percent reduction of the planning staff, and the transition period to hire and train new planners will reduce the capacity of the division to complete long-range planning projects.

3. **Current Workload and Public Service Activity Levels:** Overall, activity levels are up: more phone calls, more counter contacts, more applications. The division's primary mission is to provide excellent public service, and the county has a legal obligation to process land use applications in state-mandated time frames. Assuming activity continues to be high—and with a typical increase in development activity during the warmer months—staff anticipates that day-to-day planning tasks will require staffing resources that would otherwise be available for project work.
4. **Implementation of New Marijuana Land Use Regulations:** Since the adoption of new marijuana land use regulations in December, the Planning and Zoning Division has spent considerable time implementing the new regulations, processing land use compatibility statements and land use applications and responding to customer service inquiries. As the state begins to issue recreational marijuana licenses, activity at the county level may well increase.
5. **Other Projects in DTD Requiring Planning and Zoning Division Support:** There are several projects housed within the Transportation Engineering Division of the Department of Transportation and Development that will require Planning and Zoning Division staff resources in 2016-2017. This is due largely to potential amendments to the ZDO and Comprehensive Plan related to these transportation projects.
 - Clackamas Regional Center Connections Project
 - Monroe Neighborhood Street Design Plan
 - Walk & Bike The Villages at Mt. Hood Planning Project
 - Lolo Pass Road Access Alternatives Study

Recommendation

The division anticipates having only 1.7 FTE available to assign to long-range planning projects in the next fiscal year. This is based on the need for 3 FTE to fulfill public service duties and 6 FTE for land use application processing, contract planning services and other day-to-day responsibilities. Therefore, staff recommends that the 2016-2017 long-range planning work program include only projects 1 through 5 from the attached table: Urban and Rural Reserves, ZDO Audit, City of Damascus, Marijuana Land Use Regulation Amendments and Natural Resource District Amendments.

To the extent work is not required for the City of Damascus, Marijuana Land Use Regulation Amendments and Natural Resource District Amendments—or to the extent that new staff is hired and trained more quickly than anticipated—additional staffing resources should be redirected to the ZDO Audit to allow progress on that project to continue at a quicker pace. Some elements of the MAP-IT request for the Park Avenue Station Area can be considered as part of the ZDO audit work (e.g., removing the maximum residential density standard in the C-3 District, revising building and site design standards).

Staff recognizes the concern and enthusiasm of the community leaders who have submitted suggestions for work program consideration; however, due to the constraints identified above, staff cannot recommend new community planning initiatives at this time. Staff believes that the projects we are recommending for inclusion represent the best use of limited resources due to the widespread applicability (ZDO Audit, Natural Resource District Amendments) or critical timing (Urban and Rural Reserves, City of Damascus, Marijuana Land Use Regulation Amendments) of these projects.

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 1: STAFF-RECOMMENDED PROJECTS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
1	Urban and Rural Reserves	Re-evaluate one urban reserve area and three rural reserve areas	Public outreach per Public Involvement Plans drafted and submitted to the state for review; analysis, mapping and writing of revised findings, as needed; Planning Commission and BCC public hearings; adoption of amendments to the Comprehensive Plan	Board of County Commissioners	0.4	The Board already has initiated this project. Work is expected to continue through April 2017. The Public Involvement Plans and some analysis will be completed by a consultant (currently in the process of being hired).
2	Zoning and Development Ordinance Audit	Multi-year project to review and update the entire ZDO (<i>See Attachment 1</i>)	Research; code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO and Comprehensive Plan	Staff	0.9	<p>The Board first authorized this project in 2012, and it has been part of the approved work program in each subsequent year. However, work was suspended in July 2015 when staff resources were redirected to the adoption of marijuana land use regulations. The audit, originally envisioned with a five-year timeline, is approximately half complete. Assuming that this project continues to be included in the work program, it is likely to be completed in June 2019.</p> <p>The overarching goal of the audit is to reorganize, streamline and clarify the county's land use and development regulations. This project has the potential to improve the customer experience for virtually everyone who does business with the division, as well as increase the efficiency of the division's operations. Proceeding with this work as quickly as possible is important for two key reasons. First, many longtime employees in the division are likely to retire over the next two to five years. Their institutional knowledge is important, both in conducting the audit and in administering regulations that will remain unnecessarily complex until the audit is complete. Second, the structure of the audit was designed so that each year's work would build upon the prior year's work. With the audit only partially complete, the inconsistencies and lack of user friendliness in the ZDO have become even more apparent. Just one example: the consolidation of commercial and multifamily site and building design standards in one code section, in anticipation of further audit work, has resulted in a section that is 56 pages long—for just this one element of design review.</p>

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 1: STAFF-RECOMMENDED PROJECTS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
3	Application of County Comprehensive Plan and ZDO to City of Damascus/Urban Growth Management Agreement Boundary Discussions with City of Happy Valley	<p>If the City of Damascus disincorporates:</p> <ul style="list-style-type: none"> • Apply the county's Comprehensive Plan and ZDO to the area formerly within the city limits • Consider amendments to the county's UGMA with the City of Happy Valley 	Public notice and outreach; Planning Commission and BCC public hearings; adoption of the county ZDO and Comprehensive Plan for the area previously within the Damascus city limits; meetings with City of Happy Valley; drafting and adoption of revised UGMA	Staff	0.2	The need for this project is contingent on the outcome of the May 17, 2016, vote on disincorporation. Although this project would require resources in the short-term, long-term it will be more efficient for the Planning and Zoning Division to administer one ZDO rather than two. Also, Damascus has "opted out" of most marijuana-related uses and has not adopted marijuana land use regulations. If the city disincorporates, the opt-out will no longer apply, and marijuana uses will be unregulated at the local level if the city's ZDO remains in force. In many substantive ways, the Damascus ZDO and Comprehensive Plan are consistent with the county's; however, they do not include amendments made by the county to our ZDO and Plan over the last 11 years. The City of Happy Valley may have interest in annexing areas currently in the City of Damascus, and amending the UGMA between Happy Valley and the county is a likely first step.
4	Marijuana Land Use Regulation Amendments	Consider whether there is a need for refinements to the recently adopted ZDO provisions for regulating marijuana-related land uses	Evaluate current regulations; consult with BCC on desired changes; code writing; Planning Commission and BCC public hearings; adoption of amendments to the ZDO	Staff	0.1	The division has begun administering the new marijuana regulations and processing applications for marijuana-related land use permits and as more experience is gained, there may be a need identified for refinements to the regulations. In addition, marijuana legislation is under consideration in the current session of the Oregon Legislature and the Oregon Health Authority is going through administrative rulemaking on medical marijuana. Either of these state efforts may result in the need for ZDO amendments.
5	Natural Resource District Amendments	Revise ZDO provisions for the EFU, TBR and AG/F Districts for consistency with changes in state law since 2014	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of amendments to the ZDO (depending on the scope of the proposed amendments, the adoption process may be less complex)	Staff	0.1	The county cannot be less restrictive than state law in these zones but may be more restrictive. In effect this means that new restrictions passed by the state must be implemented even if they are not in the ZDO; however, this creates administrative difficulties. Where the state lessens restrictions, the county must amend the ZDO in order to implement the changes. Previously the Board has expressed a commitment to be no more restrictive than state law in these zones. For the foregoing reasons, staff supports regular updates to the ZDO for these zoning districts.

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 2: COMMUNITY SUGGESTIONS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
6	Eagle Creek Rural Industrial Zoning	Review area enclosed by Hwy 211, Old Eagle Creek Rd., Folsom Rd., and Hwy 224 for possibility of rural light industry. Also both sides of Old Eagle Creek Rd., which is already used in this manner. <i>(See Attachment 2)</i>	Comprehensive Plan Amendment and Zone Change; may include the need to designate a new unincorporated community under state law; public notice and outreach; Planning Commission and BCC public hearings	Eagle Creek-Barton CPO	2.0 (could be combined with Project #8)	The complexity of this project depends on two key factors: whether there is landowner support and whether the identified sites have a historical commitment to industrial uses. Zone changes to rural industrial are subject to restrictive provisions of state law.
7	Solar Power in Farm and Forest Zones	Investigate solar power as a use in farm, timber, and forest land. <i>(See Attachment 2)</i>	Unknown without further discussion with the CPO	Eagle Creek-Barton CPO	Unknown, project scope needs refinement	State law regulates commercial solar power generating uses in the EFU, TBR and AG/F Districts. In other zones, this use is a conditional use under the ZDO. The ZDO allows solar power as an accessory use in all zones (e.g. rooftop solar on a dwelling to provide power equal to use on the subject property).
8	Eagle Creek Rural Commercial Zoning	Re-establish rural commercial center for Eagle Creek. <i>(See Attachment 2)</i>	Comprehensive Plan Amendment and Zone Change; may include the need to designate a new unincorporated community under state law; public notice and outreach; Planning Commission and BCC public hearings	Eagle Creek-Barton CPO	2.0 (could be combined with Project #6)	The complexity of this project depends on two key factors: whether there is landowner support and whether the identified sites have a historical commitment to commercial uses. Zone changes to rural commercial are subject to restrictive provisions of state law.

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 2: COMMUNITY SUGGESTIONS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
9	Park Avenue Station Area Design Plan	<p>Implement development and design standards for the light rail station area at the intersection of McLoughlin Blvd. and Park Ave. <i>(See Attachment 3)</i></p> <p>Key elements of the request include:</p> <ul style="list-style-type: none"> • Require or encourage more specific mixtures of uses • Reduce onsite parking requirements • Adopt urban design standards that currently apply in the Clackamas Regional Center • Allow higher density residential development • Strengthen landscaping standards • Revise regulations to support walking and biking as alternatives to driving 	<p>Technical and stakeholder advisory groups; public meetings, outreach and notice; code writing; Planning Commission and BCC public hearings; adoption of text amendments to the Comprehensive Plan and ZDO</p>	<p>McLoughlin Area Plan Implementation Team (MAP-IT)</p>	<p>Minimum 2.0</p>	<p>Last year the Planning Commission recommended that this project be included in the Planning and Zoning Division's work program and that work on the ZDO Audit be scaled back accordingly. The Board of County Commissioners ultimately approved continued coordination between staff and MAP-IT and asked that MAP-IT conduct outreach to gain support from landowners in the proposed design plan area. If landowner support was forthcoming, staff was to return to the Board for further discussion of the scope of the project. Staff has not been apprised of any landowner outreach efforts that may have occurred.</p> <p>If a developer is identified who is interested in pursuing a project in the station area, Metro has a transit-oriented development grant program that could provide a funding opportunity.</p>
10	Protection of Natural Features	<p>Amend ZDO 1002 standards for tree protection and add mitigation requirements for tree removal <i>(See Attachment 4, page 1)</i></p>	<p>Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO</p>	<p>Jennings Lodge CPO</p>	<p>NA, could be added to ZDO Audit project</p>	<p>ZDO 1002 has not yet been comprehensively reviewed as part of the ZDO Audit. <u>Staff's recommendation is that this suggestion be considered when other ZDO environmental regulations are audited in 2017-2018 or 2018-2019.</u> <i>(See Attachment 1)</i></p>
11	Roads and Connectivity	<p>Amend ZDO 1007 standards to prohibit subdivisions from significantly increasing traffic on local streets serving low density residential areas <i>(See Attachment 4, page 4)</i></p>	<p>Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO</p>	<p>Jennings Lodge CPO</p>	<p>NA, could be added to ZDO Audit project</p>	<p>ZDO 1007 has not yet been comprehensively reviewed as part of the ZDO Audit. <u>If this suggestion is adopted as part of the work program, it can be considered when ZDO 1007 is audited in 2016-2017.</u> Staff is concerned that approval of residential subdivisions would be problematic under the suggested framework because areas zoned for low density residential land divisions often are served by local streets, some of which even have been "stubbed" for the sole purpose of extending them to serve additional development in the future. <i>(See Attachment 1--Work on ZDO 1007 may begin this fiscal year but will not be complete by June 30.)</i></p>

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 2: COMMUNITY SUGGESTIONS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
12	Preserving Existing Trees as Part of Development	Amend the ZDO to strengthen provisions related to the preservation and planting of trees <i>(See Attachment 4, page 4 & Attachment 5)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO	Jennings Lodge CPO and Carol Mastronarde	1.0	Staff's recommendation is that the existing tree preservation and protection standards in the ZDO be audited when other ZDO environmental regulations are audited in 2017-2018 or 2018-2019. <i>(See Attachment 1)</i> However, this suggestion seems beyond the scope of the audit. The county dedicated considerable resources to the development of an urban tree ordinance in 2010, an effort that proved contentious and ultimately resulted in only modest amendments to the ZDO.
13	Ensure that the Comprehensive Plan is Carried Out	Amend the Comprehensive Plan and the ZDO to: change the way that the low density residential zoning district policies are applied in the context of a zone change; implement all goals and policies of the Plan not currently implemented by the ZDO; directly apply Plan goals and policies as approval criteria to all land use decisions; and revise ambiguous ZDO language <i>(See Attachment 4, page 6 & Attachment 5)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO	Jennings Lodge CPO and Carol Mastronarde	Multi-year project, 1.0 FTE per year	Evaluating each Comprehensive Plan policy to determine how or if it is currently implemented by the ZDO and then drafting and considering ZDO revisions would be a substantial undertaking requiring significant staff resources. Applying the Plan goals and policies directly to all land use decisions would increase both the burden on applicants and the ambiguity applicants would face in whether their proposal would be approved. By law, certain applications cannot be subject to the Plan as a direct approval criterion, so applicable Plan policies would have to be incorporated explicitly in the ZDO. Conducting a public involvement process to build consensus on revisions to ambiguous ZDO language would vary in complexity depending on whether revisions would apply countywide or only in targeted areas.
14	Protecting Existing Neighborhoods, Neighborhood Character	Amend the ZDO to: establish a mechanism to determine the character of each existing neighborhood where development is proposed; determine whether further development can be done and still protect that neighborhood's character; and apply discretionary approval criteria to subdivision applications to ensure that the character of the neighborhood is protected <i>(See Attachment 4, page 6)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO	Jennings Lodge CPO	Unknown, project scope needs refinement	There are legal concerns with the part of the proposal that seems to suggest empowering neighborhood representatives to define the character of the neighborhood. The scope of this project would be partially determined by the number of individual neighborhoods defined.

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 2: COMMUNITY SUGGESTIONS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
15	Creating Parks and Open Space	Amend the ZDO to: require subdivision developers to dedicate land for parks and open space; and adopt a means of identifying and developing new open space opportunities. Private land on the market should be assessed for its suitability in meeting the open space and recreation needs of people in particular communities. <i>(See Attachment 4, page 8 & Attachment 5)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the Comprehensive Plan and ZDO	Jennings Lodge CPO and Carol Mastronarde	Unknown, project scope needs refinement	This proposal raises Constitutional takings concerns. Currently new single-family dwellings in the North Clackamas Parks and Recreation District are assessed a system development charge that is intended to reflect the impact of that home on the need for parks. Open Space is a Statewide Planning Goal 5 resource. Goal 5 imposes requirements and limitations on designating new open space resources.
16	Zone Change Restrictions or Overlay Areas	Amend the Comprehensive Plan to implement restrictions on zone changes in certain low density residential urban areas. <i>(See Attachment 4, page 8)</i>	Comprehensive Plan text revisions; public notice and outreach; Planning Commission and BCC public hearings; adoption of amendments to the Plan	Jennings Lodge CPO	Unknown, project scope needs refinement	The CPO has suggested several alternative approaches. The scope of this project depends, in part, on the selected approach. For example, down-zoning existing R-10 properties is likely to be more complex and contentious than adopting more restrictive policies for up-zoning from R-10 to R-8.5 or R-7.
17	Traffic Safety	Amend ZDO Section 1007 to require developers to make offsite improvements to the transportation system and to give more weight in development decisions to community experience regarding local traffic and traffic safety <i>(See Attachment 4, page 9 & Attachment 5)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO	Jennings Lodge CPO and Carol Mastronarde	NA, could be added to ZDO Audit	This proposal raises Constitutional takings concerns. There also are legal concerns with empowering the community as experts on traffic congestion and safety. <u>If this suggestion is adopted as part of the work program, it can be considered when ZDO 1007 is audited in 2016-2017.</u> <i>(See Attachment 1--Work on ZDO 1007 may begin this fiscal year but will not be complete by June 30.)</i>
18	Land Use Application Processes	Amend the ZDO to: require property to be posted with a sign when it is the subject of a land use application; and require developers to submit a storm water plan as part of their application <i>(See Attachment 4, page 10)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO	Jennings Lodge CPO	NA, could be added to ZDO Audit	Property posting was considered and rejected as part of the ZDO audit work in 2013-2014. ZDO 1006 and 1008 have not yet been comprehensively reviewed as part of the ZDO Audit. <u>If the storm water plan suggestion is adopted as part of the work program, it can be considered when ZDO 1006 and 1008 are audited in 2016-2017.</u> <i>(See Attachment 1--Work on ZDO 1006 and 1008 may begin this fiscal year but will not be complete by June 30.)</i>

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 2: COMMUNITY SUGGESTIONS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
19	Development Restrictions	Prohibit development within 500 feet of a wetland <i>(See Attachment 4, page 10)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the Comprehensive Plan and ZDO	Jennings Lodge CPO	1.0	This proposal raises Constitutional takings concerns. Wetlands are a Statewide Planning Goal 5 resource. Goal 5 imposes requirements and limitations on developing new wetland regulations.
20	Asbestos	Amend the ZDO to dictate the procedure for proper removal of asbestos, where it exists at construction sites, and require compliance as part of the construction permit. <i>(See Attachment 4, page 10)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the ZDO	Jennings Lodge CPO	0.3	The Planning and Zoning Division has no expertise in asbestos removal. If the county were to undertake a new regulatory program related to asbestos, it would likely be outside the ZDO and administered by a different county division.
21	Historic Structures	Amend the ZDO to protect structures and trees older than 75 years <i>(See Attachment 4, page 10)</i>	Code writing; public notice and outreach; Planning Commission and BCC public hearings; adoption of text amendments to the Comprehensive Plan and ZDO	Jennings Lodge CPO	1.0	Historic resources are a Statewide Planning Goal 5 resource. Goal 5 imposes requirements and limitations on designating new historic resources or revising applicable regulations. State law requires owner consent for the designation of a historic structure.
22	Home Owners Associations	Provide a means other than homeowners' associations to maintain storm water systems and landscaping approved as part of developments or provide a means by which the county would ensure homeowners' associations continue to meet their maintenance obligations <i>(See Attachment 4, page 11 & Attachment 5)</i>	Dependent upon the approach taken	Jennings Lodge CPO and Carol Mastronarde	0.3	Staff concurs that there have been problems with homeowners' associations becoming defunct as the years pass. However, this project would require the county and/or the surface water management district to take on a new responsibility by either monitoring and enforcing HOA compliance or maintaining the facilities. Legal and financial issues would have to be addressed.
23	Ombudsman	Create a county staff ombudsmen or office to help CPOs review and respond to land use applications <i>(See Attachment 4, page 11)</i>	Create a new staff position or reassign existing staff	Jennings Lodge CPO	1.0 each year that the position is funded	There may be legal concerns with county staff essentially acting as land use consultants for citizens, potentially in opposition to applicants or other citizens.

**2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 2: COMMUNITY SUGGESTIONS**

	Project Name	Project Summary	Scope of Work	Proposed By	Estimated FTE	Staff Comments
24	McLoughlin Corridor Plan	Clarify the width of the McLoughlin Corridor versus the distance used by developers to apply for zone changes in that area (<i>See Attachment 4, page 11 & Attachment 5</i>)	NA	Jennings Lodge CPO and Carol Mastronarde	NA	The McLoughlin Corridor Design Plan applies to land with certain Comprehensive Plan designations (none of which are low density residential designations) within 650 feet of McLoughlin Blvd. This is distinct from the zone change criteria that apply when a developer wants a zone change from one low density residential zone to another (e.g., R-10 to R-8.5). One of these criteria states that land within walking distance (approximately ¼ mile) of a transit stop should be zoned for smaller lots. There is no relationship between the width of the McLoughlin Corridor Design Plan area and the transit stop standard. It is not clear how the requested clarification would be addressed as a work program project.

2016-2017 LONG-RANGE LAND USE PLANNING WORK PROGRAM
SECTION 3: COMMUNITY SUGGESTIONS APPLICABLE TO OTHER COUNTY DIVISIONS

	Project Name	Project Summary	Proposed By	Staff Comments
25	Code Enforcement	Add more staff to Code Enforcement so they can deal with problems in a shorter time period than 5 years or more. <i>(See Attachment 6)</i>	Martha Waldemar	This suggestion relates to a county function outside the scope of the Planning and Zoning Division. Project would be within the scope of the Code Enforcement Division.
26	Code Enforcement	Give more clout to the Code Enforcement staff so that they can deal with infractions in a timely manner. <i>(See Attachment 6)</i>	Martha Waldemar	This suggestion relates to a county function outside the scope of the Planning and Zoning Division. Project would be within the scope of the Code Enforcement Division.
27	Sidewalks	Install the sidewalks along the west side of SE 122 nd Ave. & SE 132 nd Ave. from Sunnyside Rd. down to Summers Lane and have them completed before 2017 ends. We really prefer before 2016 ends. <i>(See Attachment 6)</i>	Martha Waldemar	This suggestion relates to a county function outside the scope of the Planning and Zoning Division. Project would be within the scope of the Transportation Engineering Division.
28	Traffic Signal	Install a traffic signal at the intersection of SE 122 nd Ave. and SE Mather Rd. <i>(See Attachment 6)</i>	Martha Waldemar	This suggestion relates to a county function outside the scope of the Planning and Zoning Division. Project would be within the scope of the Transportation Engineering Division.
29	Code Enforcement	A more active, effective, and meaningful Code Enforcement program <i>(See Attachment 7)</i>	Hamlet of Beaver creek	This suggestion relates to a county function outside the scope of the Planning and Zoning Division. Project would be within the scope of the Code Enforcement Division.
30	Road Improvements	Shoulders on rural roads <i>(See Attachment 7)</i>	Hamlet of Beaver creek	This suggestion relates to a county function outside the scope of the Planning and Zoning Division. Project would be within the scope of the Transportation Engineering Division.
31	Electronic Communications	More electronic communications from the County to the CPOs/Hamlets/Villages vs. snail mail to include links to various activities <i>(See Attachment 7)</i>	Hamlet of Beaver creek	Many land use communications already occur electronically. The Planning and Zoning Division can contact the Hamlet to find out if there are other land use communications they would like to receive electronically. This suggestion also seems to relate to county functions outside the scope of the Planning and Zoning Division. Project may be within the scope of Public and Government Affairs.
32	Automated Financial Transactions	Automate Hamlets' impressed checking and trust account transaction processes <i>(See Attachment 7)</i>	Hamlet of Beaver creek	This suggestion relates to a county function outside the scope of the Planning and Zoning Division. Project would likely be within the scope of the Finance Department.

Zoning and Development Ordinance Audit: Completed and Proposed Phases

Audit Phase	Fiscal Year	Topic	Primary ZDO Sections Audited	Status
1	2012-2013	<ul style="list-style-type: none"> • Industrial Zoning Districts 	601-604, 606	Completed 9/9/13
2	2013-2014	<ul style="list-style-type: none"> • Urban Residential Zoning Districts • Urban Commercial Zoning Districts • Procedures 	301-304, 311, 313, 501-503, 507-509, 1201, 1301-1305, 1401, 1402, 1501, 1502, 1600, 1602-1608, 1700-1704, 1706, 1707	Completed 10/13/14
3	2014-2015	<ul style="list-style-type: none"> • Rural Residential Zoning Districts • Rural Commercial Zoning Districts • Development Review Process • Criteria for Discretionary Permits 	305-310, 312, 314, 504, 505, 1101, 1102, 1104-1107, 1202-1206	Completed 6/1/15
4	2015-2016	<ul style="list-style-type: none"> • General Provisions and Exceptions • Development Standards--excluding protection of natural features, hazards to safety, and historic protection sections 	901-904, 1001, 1005-1010, 1012-1021	Suspended for Marijuana Land Use Regulations Project—Work Planned to Resume February, 2016

Audit Phase	Fiscal Year	Topic	Primary ZDO Sections Audited	Status
5	2016-2017	<ul style="list-style-type: none"> • General Provisions and Exceptions (carry over from 2015-2016) • Development Standards--excluding protection of natural features, hazards to safety, and historic protection sections (carry over from 2015-2016) • Special Use Requirements—to include consideration of kennels and uses not currently addressed adequately by the ZDO 	802, 804-810, 813-815, 817-825, 827, 829-841, 901-904, 1001, 1005-1010, 1012-1021	<ul style="list-style-type: none"> • Propose to Complete Work Carried Over from 2015-2016 • Propose to Complete Audit of Special Use Requirements <u>if staff resources allow</u>
6	2017-2018	<ul style="list-style-type: none"> • Special Use Requirements (carry over from 2016-2017 if necessary)—to include consideration of kennels and uses not currently addressed adequately by the ZDO • Special Districts and related development standards (open space, historic overlay, mineral and aggregate overlay and airport overlay zones) 	701, 702, 707, 708, 711, 712, 713, 802, 804-810, 813-815, 817-825, 827, 829-841, 1004	<ul style="list-style-type: none"> • Propose to Complete Work Carried Over from 2016-2017 if necessary • Propose to Complete Audit of Special Districts (open space, historic overlay, mineral and aggregate overlay and airport overlay zones only) • <u>If staff resources allow</u>, audit work for additional special use districts proposed to begin but is not anticipated to reach the public hearing and adoption stage

Audit Phase	Fiscal Year	Topic	Primary ZDO Sections Audited	Status
7	2018-2019	<ul style="list-style-type: none"> • Special Districts and related development standards (Floodplain Management, River and Stream Conservation Area, Willamette River Greenway, Habitat Conservation Area, Water Quality Resource Area and Sensitive Bird Habitat overlay zones) • Definitions • Final editing, reorganization and renumbering of the ZDO 	201, 202, 703, 704, 705, 706, 709, 710, 1002, 1003	<ul style="list-style-type: none"> • Propose to Complete Audit of Special Districts not addressed in prior year • Propose to Complete Audit of Definitions • Propose to Conclude the Audit with final editing, reorganization and renumbering of the ZDO

From: Rogalin, Ellen
Sent: Wednesday, December 30, 2015 2:50 PM
To: Gonzales, Lorraine
Cc: McCallister, Mike
Subject: Suggestions from Eagle Creek - Barton CPO

I believe the email below is in response to your request for input for the 2016-17 work program . . .

Ellen Rogalin | Community Relations Specialist
Clackamas County Dept. of Transportation & Development
150 Beaver Creek Rd., Oregon City, OR 97045
503-742-4274 | ellenrog@clackamas.us
My office hours: 9am – 6pm, M-F

----- Forwarded message -----

From: Eagle Creek Barton C P O <eaglecreekcpo@gmail.com>
Date: Wed, Dec 30, 2015 at 1:17 PM
Subject: Suggestions
To: akyle@clackamas.us

Eagle Creek Barton Community Council
P O Box 101
Eagle Creek Oregon 97022
[eaglecreekchttps://sites.google.com/a/eaglecreekbarton.com/www/po@gmail.com](https://sites.google.com/a/eaglecreekbarton.com/www/po@gmail.com)

Amy,
These were some of the suggestions that the Community Council came up with pertaining to Zoning/ Planning or changes to the ZOD.

The original "E" mail that was sent to me was lost by me and I am sending this to you so it might get to the correct area.

New business: Our main consideration was to respond to opportunity to provide recommendation to the County Commissioners on purposed zoning changes.

We all approved sending a letter with these recommendations.

1. That county review area enclosed by Hwy 211, Old Eagle Creek Rd, Folsom Rd and Hwy 224 for possibility of Rural light industry. Also both sides of Old Eagle Creek Rd which is already used in this manner.

2. Investigate Solar Power as a use in farm, timber and forest land. (We will be discussing this use at our January meeting.)
3. Re-establish rural commercial center for Eagle Creek.

Thanks,

Brent Parries

Chairman
Eagle Creek/ Barton CPO

MCCLOUGHLIN AREA PLAN IMPLEMENTATION TEAM (MAP-IT)
DESIGN SUBCOMMITTEE
25 November, 2015

Planning and Zoning Division
Clackamas County

On behalf of the McLoughlin Area Plan Implementation Team (MAP-IT), we are requesting that a project to implement *development and design standards for the Park Avenue Station area*, located at the intersection of McLoughlin Boulevard and SE Park Avenue, be included in the Planning Department's annual work program for the coming 2016-17 fiscal year.

As part of directing our subcommittee to make this request, MAP-IT expressed concern that the area surrounding the Park Avenue Station Area is the only area surrounding a high-capacity transit station in the region - and perhaps even in the nation - that has not seen corresponding zoning changes to leverage the substantial public infrastructure investment.

This request is the result of more than a year of work in which the MAP-IT *Design Subcommittee* has identified a suite of *urban development policy objectives* consistent with the *McLoughlin Area Plan*. There is a great deal of information available to share and discuss with County Planning staff and with the community (see attachment). Presentations were given to MAP-IT monthly to show progress and collect feedback, and information sessions and interactive workshops were held with the Jennings Lodge and Oak Grove community planning organizations. At the conclusion of this process MAP-IT voted to support the request stated above.

We understand that a previous request to include Park Avenue Station Area planning in the work program was postponed because of other priorities. At this time we wish to re-iterate that request and ask to be made one of the work program's top priorities.

We are ready to make whatever resources we have available to planning staff as this effort moves forward.

Feel free to call upon us if there are any questions or requests.

Sincerely,

Nathan Burton, Chair
Design Subcommittee

Joseph Edge, member
Chips Janger, member

Cc: Ed Gronke, chair, MAP-IT
Jennifer Harding, vice-chair, MAP-IT
MAP-IT members

ATTACHMENT

Goals for the *Development and Design Standards for the Park Avenue Station Area* include:

Park Avenue Station Area Objectives

These objectives are specific to commercial and multi-family zoned properties within walking distance from the Park Avenue High Capacity Transit Station. These objectives may be applied to areas designated as MAP Activity Centers in the future.

- Require or encourage more specific mixtures of uses
 - Encourage increased development intensity and better utilization of land
 - Allow higher-intensity development that can grow to support an 18-hour/7-days-a-week community
 - Keep housing above the ground floor of most buildings
- Support small businesses that serve neighborhood needs and decrease the need for motor vehicle trips
 - Encourage development that will support walking as the most attractive choice for trips under one half mile in distance that originate or terminate within the Station Area
 - Requirements for providing smaller ground-floor storefront spaces
 - Expand use types to include emerging local entrepreneurial endeavors
 - Allow some additional neighborhood-serving uses for Multi-use developments not presently permitted by ZDO's, such as commercial daycare, libraries, public education facilities, community centers
 - Provide pathways to *further*-reduced parking requirements for developments in the Station Area designed to leverage non-automobile trips
- Leverage proximity to transit station to attract employers, higher-wage jobs, and car-free residents
 - Add jobs to the corridor
 - Given proximity to transit station and changing demographic/market-preferences, allow the market to respond to demand for housing.
- Allow for community input on large-site redevelopment in the Station Area
 - Design Commission review required for large sites

Corridor Objectives

These objectives apply to the Park Avenue Station Area, but we would eventually like to see these applied to the entire McLoughlin Boulevard Commercial Corridor.

- Clarify ambiguous definition of mixed-use/multi-use developments
 - Apply industry standard definition of "mixed use" and include by reference the County's definition for "multi-use developments"
 - Explicitly allow mixed-use as a primary permitted use for Corridor commercial district, without conditional use review
- Apply County's existing urban area design standards to the McLoughlin Commercial Corridor
 - Standards for internal/private street design, building setbacks and orientation to streets
 - Standards for buildings and structured parking adjacent to pedestrian facilities

- Standards for internal site access and circulation, ground floor active uses, and buffering higher-intensity uses from adjacent low-density residential districts
- Reduce or eliminate existing disincentives to mixed-use developments
 - Increase allowed supply of housing along Corridor to reduce infill pressure on urban low-density residential districts, increase customer base for existing and new businesses, and allow the market to better respond to current consumer housing preference trends
 - Provide pathway to reduced parking requirements for developments specifically designed to leverage non-automobile trips
 - Simplify site and building design standards and ensure consistency between use-types (retail, office, residential, mixed-use, etc)
 - Allow pathway for deviation from standards when it facilitates the preservation and reuse of an existing structure in conjunction with new development
- Strengthen landscape standards to support habitat, increase tree canopy, reduce water use and maintenance, and improve quality
 - Sustainable, habitat-quality landscaping
 - Restore/increase the tree canopy
 - Enhance attractiveness of surface water management
 - Establish a Corridor Theme of *Integration with Nature*
 - Increased incentives for increasing contiguous/coordinated protected habitat
- Enhance comfort and security for bicycle travelers
 - Improve bicycle accommodations
 - Reduce conflicts with motor vehicles and pedestrians
 - Eliminate design review requirement for wall-mounted bicycle storage
 - Encourage improved accommodations for bicycle users (parking, shower/changing facilities, etc)
- Support role of designated Nodes/Activity Centers as the community's "Downtowns"

Overall Goals/Objectives

- Create clear and vibrant activity clusters or centers
- Significantly improve mixed use development potential
- Significantly increase residential use capacity
- Reduce overall parking requirements
- Improve and increase bike parking requirements
- Increase building presence and transparency
- Ensure compatibility of resulting character across use types and sizes of project sites developed
- Clarify ZDO intent and definitions of desired character
- Implement building design and material standards to ensure overall quality
- Encourage housing affordability mix in new development
- Protect existing natural character: trees, topography, habitat
- Ensure parks and/or open space included in new development

MCCLOUGHLIN AREA PLAN IMPLEMENTATION TEAM (MAP-IT)

25 November, 2015

Board of Commissioners

Clackamas County

Re: Enclosed request to Planning and Zoning Division

Honorable Chair Ludlow and Commissioners:

Enclosed is a request being submitted to the County Planning and Zoning Division to include planning for the Park Avenue Station area as part of their work program for the 2016-17 fiscal year. A similar request made earlier this year was denied at that time because of the need to develop regulations for the growth, production, processing and sale of marijuana in the unincorporated areas of the County. We realized that this was a more appropriate use of the limited resources available.

The Park Avenue Station Area has been a subject of discussion at regular meetings of MAP-IT since before the MAX Orange Line went into operation. The Committee believes that reexamining the current zoning and development opportunities is becoming more urgent, with light rail in operation and developers indicating interest in areas around the new light rail stations in Clackamas County.

The enclosed request from the Design Subcommittee of MAP-IT was unanimously approved at the MAP-IT meeting of November 3, 2015. The core of the proposal is to eliminate or ease existing restrictions and disincentives in the ZDO that we believe are preventing private investment in the Park Avenue Station Area. In addition, as intensity of development increases relative to what we see on McLoughlin today, our proposal seeks to balance that increased scale with amenities that will restore the land, invite neighbors to visit and shop, reduce vehicular trips and solidify a marketable identity for our area. Our intent is for all existing uses to be protected and allowed to remain and thrive, but landowners would also finally have the opportunity to invest in higher-intensity mixed-use developments that meet the demands of today's housing and jobs markets as well as the expectations of today's investors. Long-term, this should lead to greatly increased property values and tax bases, a win-win situation for all involved.

Since we assume that financial constraints may still be a problem, we would propose that the \$15,000 the county has set-aside for MAP-IT (specified for public outreach) be utilized to cover part of the cost of the public meetings required in this

effort. We would also be happy to assist in exploring other grant opportunities to fund this effort.

We urge you to seriously consider this request when it is presented to you, and to contact us if you have any questions.

Thank you for supporting our efforts thus far.

Ed Gronke, Chair

Jennifer Harding, Vice Chair

Cc: MAP-IT Committee