

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: 3/31/2015 **Approx Start Time:** 1:30 pm **Approx Length:** 1 hour

Presentation Title: Planning alternatives for low density residential areas in the Jennings Lodge, Oak Grove and Clackamas Community Planning Organization boundaries.

Department: Planning and Zoning Division

Presenter: Mike McCallister, Planning Director

Other Invitees: Barb Cartmill, DTD Director
Dan Johnson, Asst. DTD Director
Karen Buehrig, DTD Transportation Planning Manager

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Board direction on whether to initiate amendments to the Clackamas County Comprehensive Plan and / or Zoning and Development Ordinance (ZDO) to prohibit or limit upzoning of existing urban low density residential zoned areas.

EXECUTIVE SUMMARY:

This is a continued study session from March 10, 2015. That study session report included a range of potential options to address compatibility and design issues in low density residential areas. This worksheet is intended to supplement that information.

The Board adopted a Planning and Zoning Division work program for 2015-2016 to include Year 4 of the ZDO Audit that includes a review of Section 800 - Special Use Requirements of the ZDO, and consideration of amendments to the Comprehensive Plan and ZDO for a defined geographic area around the Park Avenue Light Rail Station. The Park Avenue Light Rail Station project is contingent on support from property owners in the affected area. The staff agreed to report back to the Board on the progress of those efforts in May or June.

Planning staff is currently in Year 3 of the ZDO audit, and this year's work includes an analysis of the sections of the ZDO that regulate a number of the low density residential design issues (flexible lot size and planned unit developments) raised as concerns at the March 10 study session. While significant revisions to these sections were not envisioned when the work program was developed, amendments can be considered without any change to the adopted work program. It is likely that new restrictions would require mailed notice to owners of property in the affected zones in advance of public hearings, so a decision on whether to consider such amendments should be made soon.

Since the last study session, some opportunities for funding have been identified to support a project of this nature. Metro CET grants will be available this year. Staff attended the information meeting for the grants on March 25, 2015. Also, Portland State University graduate students are soliciting GIS mapping projects. Staff has expressed an interest in this program, which would provide an excellent opportunity to complete a detailed analysis of the parcelization pattern,

density, lot sizes and build-out under current zoning and potential upzoning scenarios to support further policy work in the low density residential areas.

FINANCIAL IMPLICATIONS: The financial implications of this policy discussion are unknown and cannot be determined until the scope of work, if any, is identified by the BCC. In any case, any alternatives which involve amendments to the Comprehensive Plan and / or ZDO require an appropriate level of public outreach and public hearings before the Planning Commission and BCC.

LEGAL/POLICY REQUIREMENTS: The Board has the discretion to initiate amendments to the Comprehensive Plan and ZDO, including any of the alternatives identified in this report.

Other policy considerations include the limited resources of the Planning and Zoning Division. There are no staff or funding resources dedicated to this project at this time and it is not currently included on the 2015-2016 work program. If the Board decides to initiate amendments to the Comprehensive Plan and / or ZDO for this project, the primary policy issue is whether to include it in the 2015-2016 work program or in a future work program.

The potential to complete a GIS mapping project through PSU provides an opportunity for initial analysis and study of this area. Completion of the mapping project would align well with initiating further work in the 2016-2017 work program and the potential to obtain a Metro CET neighborhood grant.

The ZDO audit is in its third year. The audit is moving well, has momentum and benefits the entire County (property owners, businesses, CPO's, etc.). Staff believes the ZDO audit should remain a priority for the Planning and Zoning Division and does not recommend removing it from the work program.

Finally, at the Board's request, a study session is scheduled for April 21, 2015 to discuss recreational marijuana issues. With the implementation and licensing of recreational marijuana as early as January 2016, any time/place/manner restrictions or related ZDO amendments will need to be completed before the end of the year. If the Board is interested in pursuing any amendments, other parts of the existing work program may need to be postponed.

PUBLIC/GOVERNMENTAL PARTICIPATION:

On March 13, 2015, the Planning and Zoning Division staff sent an email to the Jennings Lodge, Oak Grove and Clackamas CPO's notifying them of the date and time of this continued study session. Staff also met with representatives of each CPO on March 17, 2015, to discuss alternatives for moving this issue forward on a future work program, as well as possible CET grant and GIS mapping opportunities. On March 25, 2015, the same CPO's were sent an email directing them to the BCC web page to obtain a copy of the study session materials.

OPTIONS:

1. Direct staff to initiate an amendment to the Comprehensive Plan and / or ZDO to consider amendments to prohibit or restrict upzoning of low density residential areas.
2. Direct staff to develop concepts for a project for consideration in the 2016-2017 Work Program, including pursuing the mapping project from PSU.

3. Take no action. Do not initiate any amendments at this time. Consider and prioritize this project as part of future work program requests.

RECOMMENDATION: In light of the availability of other resources to provide additional analysis and current/future pressures on the current work program, the Planning and Zoning Division staff respectfully requests the Board to direct staff to develop concepts for a project for consideration in the 2016-2017 Work Program, including securing mapping assistance from PSU.

ATTACHMENTS INCLUDED WITH INITIAL STUDY SESSION WORKSHEET:

1. Memo from Mike McCallister, Planning Director, with Background Information, 2-27-2015.
2. Gladstone Urban Growth Management Area map
3. Milwaukie Urban Growth Management Area map
4. Map of the Study Area (oversized map)

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval M. B. Cartmill 3-25-15

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Mike McCallister @ 503-742-4522



MIKE MCCALLISTER
PLANNING AND ZONING DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

February 27, 2015

To: Board of County Commissioners

From: Mike McCallister, Planning Director

RE: Study Session Memo / Low Density Residential Areas in the Jennings Lodge, Oak Grove and Clackamas Community Organization boundaries

The purpose of this memo is to provide background information to accompany the Study Session Worksheet for March 10, 2015 (1:30 pm agenda item).

The study area for purposes of this Study Session include the areas designated Low Density Residential within the Jennings Lodge, Oak Grove and Clackamas CPO's boundary (west of I-205). The study area is bounded by the Willamette River on the west, I-205 to the east, City of Milwaukie to the north and City of Gladstone to the south. The zoning in this area includes the single-family residential zones ranging from R-7 to R-30.

1. Comprehensive Plan Designation: Areas designated "Low Density Residential" on the Comprehensive Plan are planned primarily for single-family residential development.

2. Zoning Districts / Minimum Lot Sizes: The Urban Low Density Residential (ULDR) zoning districts (Section 315 of the ZDO) implements the Low Density Residential Comprehensive Plan Designation. There are eight urban low density residential zoning districts with lot sizes ranging from 2,500 to 30,000 square foot lot sizes (R-2.5, R-5, R-7, R-8.5, R-10, R-15, R-20 and R-30). Only the R-7 thru R-30 zones can be applied in the subject area. The R-2.5 and R-5 zones are limited to the Clackamas Regional Center Area and specific corridors.

3. Design Standards: The ZDO includes a number of design standards to provide flexibility in the creation of new lots or parcels in urban low density residential districts.

Flexible Lot Size Standards: The flexible lot size standards allows for the creation of a lot or parcel smaller than the minimum lot size of the underlying zoning district. This standard does not allow the total number of lots to exceed the maximum density standard of the underlying zoning district. In effect, the newly created lots must average the minimum lot size. In the R-7 thru R-30 zoning districts, the smallest lot or parcel

permitted is 80 percent of the minimum lot or parcel size in the underlying zoning district (For example a flex lot in the R-7 zone may be no smaller than 5,600 square feet; the R-10 zone at least 8,000 square feet).

Planned Unit Developments: A PUD is required under two circumstances for development in the urban low density residential zoning districts. First, a PUD is required for any site larger than one acre and where 10 percent or more of the site is designated Open Space on the Comprehensive Plan. Second, a PUD is required for any development that includes attached single family dwellings on more than 20 percent of the proposed lots. A PUD may be proposed for any other partition or subdivision at the applicant's discretion. The design standards for PUD's are intended to encourage a creative approach in developing land, allow for design flexibility, preservation and use of open space and protection of natural features. All PUD's must include a minimum of 20% of the gross site area in open space. There is no minimum lot size for PUD's in the urban low density residential zoning districts. However, the maximum density standard may not be exceeded.

4. Residential Housing Types: The housing types permitted in the ULDR zoning districts include detached single family dwellings and attached single family dwellings. Attached single family dwellings are allowed on up to 20 percent of the lots in a subdivision and 100 percent of the lots in a planned unit development. Two-family and three family dwellings (duplex and triplex) may be allowed if approved through a conditional use permits subject to certain density standards.

5. Zone Change Policies and Review Procedure: A zone change application is required to change the zoning from one ULDR zoning district to another ULDR residential district (i.e. R-10 to R-8.5). A zone change requires review by the County land use hearings officer at a public hearing.

A zone change application is subject to the applicable policies in the Comprehensive Plan and zone change criteria in Section 1202 of the ZDO. The primary Comprehensive Plan policies applicable to this type of zone change are included in Policy 11.0 (Policies 11.1 – 11.7) in Chapter 4 of the Comprehensive Plan. The policies are identified below.

Policy 11.0: Zoning of Immediate Urban Low Density Residential areas and conversion of Future Urban areas to Immediate Urban Low Density Residential shall include zones of 2,500; 5,000; 7,000; 8,500; 10,000; 15,000; 20,000, and 30,000 square feet (R-2.5 through R-30). The following factors guide the determination of the most appropriate zone:

11.1 Physical site conditions such as soils, slope, and drainage:

a. Land with soils subject to slippage, compaction or high shrink-swell characteristics shall be zoned for larger lots.

b. Land with slopes of:

Less than 20 percent shall be considered for the R-2.5 through R-8.5 zoning districts.

20 percent and over shall be considered for the R-10 through R-30 zoning districts.

c. Land with hydrological conditions such as flooding, high water table or poor drainage shall be zoned for larger lots.

11.2 Capacity of facilities such as streets, sewers, water, and storm drainage systems.

11.3 Availability of transit: Land within walking distance (approximately one-quarter mile) of a transit stop should be zoned for smaller lots implemented by the R-2.5, R-5, R-7, and R-8.5 zoning districts.

11.4 Proximity to jobs, shopping, and cultural activities: Areas in proximity to trip generators shall be considered for smaller lots implemented by the R-2.5, R-5, R-7, and R-8.5 zoning districts.

11.5 Location of 2,500- and 5,000-square-foot lots: Location of 2,500 and 5,000 square foot lots, implemented by the R-2.5 and R-5 zoning districts, may be allowed in Corridor design type areas and where permitted by Community and Design Plans located in Chapter 10.

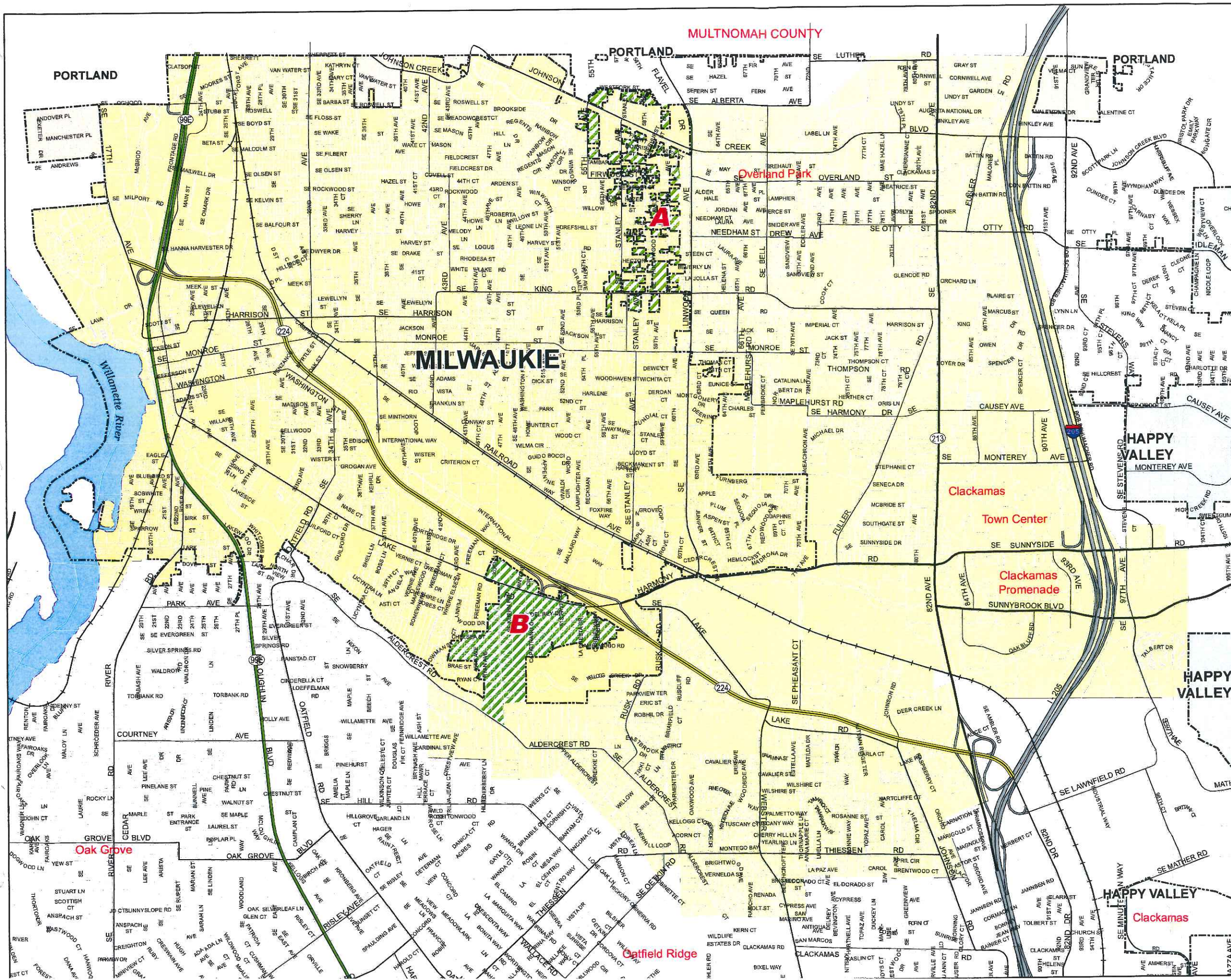
11.6 Need for neighborhood preservation and variety: Areas that have historically developed on large lots where little vacant land exists should remain zoned consistent with the existing development pattern. Otherwise, unless physical or service problems indicate to the contrary, areas of vacant land shall be zoned for lots of 8,500 square feet or smaller.

11.7 Density average: To achieve an average of 7,500 square feet or less per lot in low density Future Urban areas when conversion to Immediate Urban low density residential occurs, the R-10 zone shall be limited to areas with 20 percent slope and greater. Flexible-lot-size land divisions and other buffering techniques shall be encouraged in those areas immediately adjacent to developed subdivisions with lots of 20,000 square feet or more to protect neighborhood character, while taking full advantage of allowed densities.

In summary, Policy 11.0 requires consideration of a number of physical site characteristics (soil types, slopes, flooding, high water tables and drainage), capacity of services (sewer, water, storm drainage and transportation adequacy), geographic proximity (i.e. walking distance) to transit and transit stops, jobs, shopping and cultural activities and historical parcelization (lot sizes) and development patterns. The policies are intended to promote efficient use of residential land. All the policies are considered, weighed and balanced in the evaluation of a zone change application in order to determine the appropriate zoning district and minimum lot size.

6. Sewer and Surface Water Districts: Public sewer and surface water in this area is provided by the Oak Lodge Sanitary District and CCSD No. 1
7. Water Districts: Public water in this area is provided by Oak Lodge Water District and Clackamas River Water District.
8. Transportation Facilities: The study area is served by four significant north – south transportation corridors; McLoughlin Blvd is a Principal Arterial and Oatfield Road, River Road and Webster Road are all Minor Arterials. The area is served east to west by four Minor Arterial roads including Oak Grove Blvd, Thiessen Road, Roots Road and Jennings Avenue.
9. Transportation System Plan Findings: The Transportation Systems Plan (TSP) includes a variety of transportation system improvement projects for the Study Area. Travel model analysis completed in 2013 as a part of the TSP update project found that all of the intersections and segments in this study area would meet the transportation performance standards with the implementation of Tier 1 (20-year Capital Improvement Projects).
10. Prior Zone Change Activity: In the last 10 Years, 8 zone change applications have been approved in the study area from an R-10 zoning district to a higher density (R-8.5 or R-7) urban low density residential district.

MILWAUKIE Urban Growth Management Agreement Area



Legend

Milwaukie Urban Growth Management Agreement (UGMA) Area

Dual Interest Area (DIA)*
*Milwaukie DIA, Areas 'A' & 'B'

Per UGMA, adopted July, 1990

City of Milwaukie
City of Happy Valley
City of Portland



November 2013
2,000 1,000 0 Feet
Scale = 1:23,000



GEOGRAPHIC INFORMATION SYSTEMS






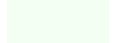

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Department of Transportation & Planning, www.clackamas.us
150 Beaver Creek Rd, Oregon City, OR 97045 503-742-1500

GLADSTONE

Urban Growth Management Area

Legend

-  UGMA
-  UGB
-  Gladstone
-  Johnson City
-  Oregon City
-  West Linn
-  Unincorporated Clackamas County within the UGMA

October 2005

1:16,000

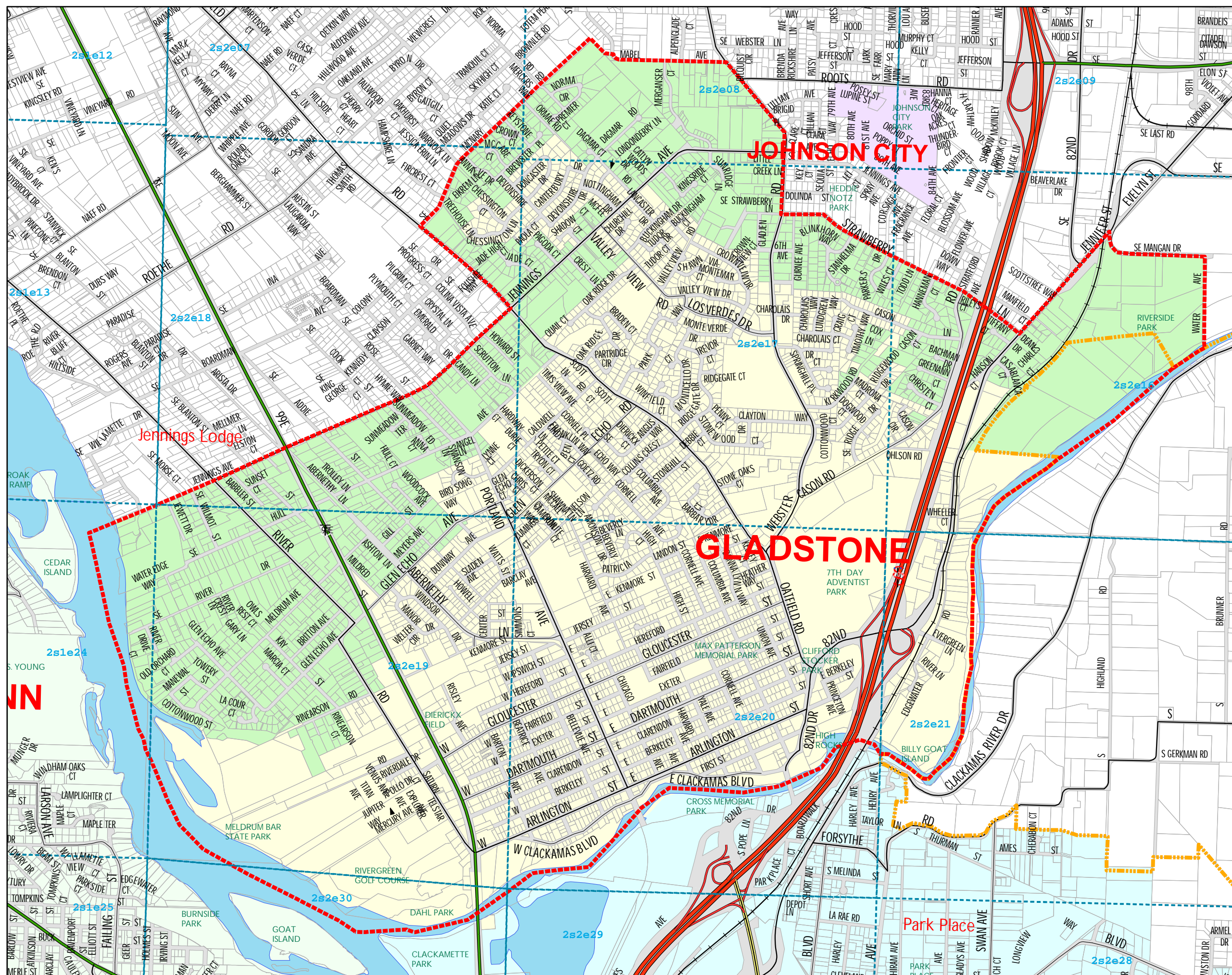


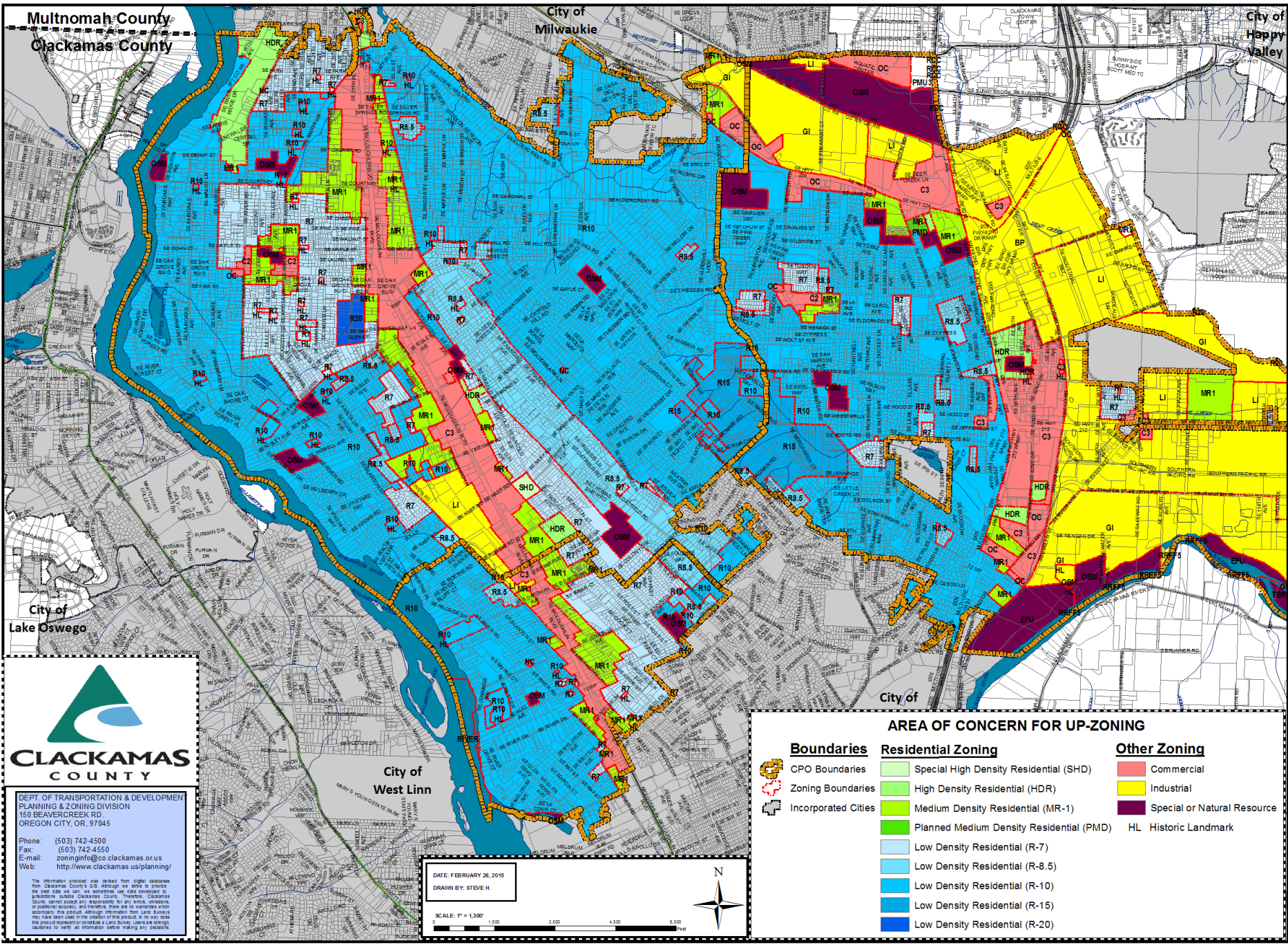
CLACKAMAS COUNTY

GEOGRAPHIC INFORMATION SYSTEMS

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Multnomah County
Clackamas County


City of Milwaukie

City of Happy Valley

City of Lake Oswego

City of West Linn

City of



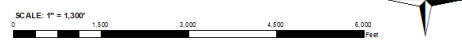
CLACKAMAS COUNTY

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DATE: FEBRUARY 26, 2015
DRAWN BY: STEVE H.



AREA OF CONCERN FOR UP-ZONING

Boundaries	Residential Zoning	Other Zoning
CPO Boundaries	Special High Density Residential (SHD)	Commercial
Zoning Boundaries	High Density Residential (HDR)	Industrial
Incorporated Cities	Medium Density Residential (MR-1)	Special or Natural Resource
	Planned Medium Density Residential (PMD)	HL Historic Landmark
	Low Density Residential (R-7)	
	Low Density Residential (R-8.5)	
	Low Density Residential (R-10)	
	Low Density Residential (R-15)	
	Low Density Residential (R-20)	