

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: July 11, 2017 **Approx Start Time:** 1:30pm **Approx Length:** ½ hr

Presentation Title: 2017-2018 Long-Range Planning Work Program Update

Department: Department of Transportation and Development

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

Other Invitees: Barb Cartmill, Director of DTD; Dan Johnson, Assistant Director of Development; Lindsey Nesbitt, Planning Manager; Karen Buehrig, Transportation Planning Supervisor

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Staff respectfully requests that the Board take no action on this matter and allow Planning staff to continue to implement the 2017-18 Long-Range Planning Work Program as approved by the Board on March 16, 2017.

EXECUTIVE SUMMARY:

Background

Since 2012, a long-range land use planning work program has been developed and adopted by the Board of Commissioners as a tool to prioritize and consolidate amendments to the Comprehensive Plan, and Zoning and Development Ordinance (ZDO). With the integration and implementation of Performance Clackamas, the work program has been expanded to include both land use and transportation planning projects.

The Board-adopted 2017-2018 Long-Range Planning Work Program includes four land use projects (LU1-LU4) and six transportation projects (T1-T6) (Attachment 1).

At the June 8, 2017, business meeting, the Board asked for a policy session to discuss changes to the work program for projects related to McLoughlin Boulevard and to marijuana land use regulations. This policy session addresses McLoughlin Boulevard; the session immediately after this addresses marijuana land use regulations.

Projects Related to McLoughlin Boulevard

The adopted work program includes one project related to McLoughlin Boulevard: Project LU4 - Park Avenue Station Area Outreach and Assessment. The project area is within approximately a one-half mile radius of the Park Avenue Light Rail Station. The project includes working with the McLoughlin Area Plan Implementation Team (MAP-IT) to identify, scope and submit a grant application to do the following:

1. Complete outreach on commercial and multi-family design and development standards, and residential protection;
2. Complete a livability assessment of the nearby residential neighborhoods.

The project also includes the staff developing voluntary mechanisms to prevent up-zoning and /or dividing land in low density residential neighborhoods.

A project management team made up of representatives from MAP-IT and County staff has submitted a Letter of Intent (LOI) to Metro for this project, and will submit the final application on June 29, after action is taken by the Board at the business meeting. Metro is scheduled to announce the outcome of the grant proposals in late August.

In the process of reviewing the 2017-18 work program, the BCC considered four options for projects in the McLoughlin Boulevard area (Attachment 2). Those projects included:

1. The Park Avenue Station Area project identified above;
2. A project similar to #1, but for the entire length of McLoughlin Boulevard between the cities of Milwaukie and Gladstone;
3. Implement the MAP guiding principle to “preserve, protect and enhance the current residential neighborhoods while maintaining current densities” through the entire MAP area (unincorporated area between the Willamette River and I-205, south of Milwaukie Expressway and north of Gladstone), and
4. A Comprehensive Plan update for the entire MAP area.

In response to the large scope and projected costs of these projects, and limited staffing resources, as recommended by staff the Board prioritized and adopted the Park Avenue Station Area Outreach and Assessment project (LU4) for 2017-2018, and chose not to act on the other projects at this time. LU4 was selected for several reasons:

- It could be funded by a grant,
- It includes a component of outreach to property owners (commercial, multi-family and residential) to gauge support for amending area land use regulations.
- The outcome and results of the project can be used as a model for similar planning efforts along other segments of the McLoughlin Corridor in future work programs.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? X YES* NO

**In this case, the response reflects the budget for the already-approved 2017-18 work program.*

What is the cost? We have not prepared detailed cost estimates of projects that are not on the approved 2017-18 work program.

What is the funding source? General Fund

The cost depends on the number and position classifications of staff assigned to the projects and the scale of the projects selected for the work program.

STRATEGIC PLAN ALIGNMENT:

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

The work program supports the goal of providing “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 aligns with the following strategic priorities

- Build public trust through good government
- Build a strong infrastructure
- Ensure safe, healthy and secure communities

LEGAL/POLICY REQUIREMENTS:

There are no identified legal requirements for adoption of the annual long-range planning work program.

PUBLIC/GOVERNMENTAL PARTICIPATION:

The work program was adopted after an outreach process and public meetings before the Planning Commission and the Board of County Commissioners. No additional outreach has been completed since that time.

OPTIONS:

If the Board is interested in amending the 2017-18 work program, staff would ask that it also consider the scope of any new or amended projects, as well as what other project(s) to reduce or remove in order to align the program with budget and staffing resources for the fiscal year that begins on July 1, 2017.

Policy options include:

1. Make no changes to the approved 2017-18 Long-Range Planning Work Program.
2. Direct staff to make specified changes to the work program.
3. Direct staff to research amended or new projects for consideration at a future date to be determined by the Board, along with the possible impact on already-approved projects.

RECOMMENDATION:

Staff respectfully requests #1 -- that the BCC make no changes to the approved 2017-18 Long-Range Planning Work Program.

ATTACHMENTS:

- **Attachment 1:** Planning and Zoning Division Long Range Planning Work Program Overview: July 1, 2017 – June 30, 2018
- **Attachment 2:** Planning Options for the McLoughlin Area for the 2017-18 Long Range Planning Program

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____

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



Planning & Zoning Division Long-Range Planning Work Program Overview

July 1, 2017 – June 30, 2018

LAND USE PROJECTS

#	Name	Description	Action Needed
LU1	Zoning and Development Ordinance (ZDO) Audit	<ul style="list-style-type: none"> Review and update Sections 802, 804-810, 813-815, 817-825, 827, 829-841, 901-904, 1001, 1005-1010, 1012-1021 as part of the multi-year project to review the entire ZDO Review allowing exceptions to maximum 4,000-square-foot building size in Rural Tourist Commercial (RTC) zone Consider near-term design standards provisions for commercial and multi-family development, as requested by the McLoughlin Area Plan Implementation Team (MAP-IT) 	<ul style="list-style-type: none"> Research Write/revise code Public notice and outreach Public hearings (Planning Commission, Board of Commissioners) Adopt text amendments to ZDO and, as needed, Comprehensive Plan
LU2	Floodplain Regulations	Develop Zoning and Development Ordinance (ZDO) and Comprehensive Plan amendments to address FEMA mandates in response to a Biological Opinion issued by the National Marine Fisheries Service to protect endangered species.	<ul style="list-style-type: none"> Review and adapt model ordinance Write/revise code Public notice and outreach Public hearings (Planning Commission, Board of Commissioners) Adopt text amendments to ZDO and Comprehensive Plan
LU3	Transitional Housing	Develop ZDO and Comprehensive Plan amendments to set up review processes to allow for transitional housing that will permit the county to respond to the needs of homeless people through transitional shelters, tiny houses or other low-income types of housing.	<ul style="list-style-type: none"> Research Coordinate with Health, Housing and Human Services Write/revise code Public notice and outreach Public hearings (Planning Commission, Board of Commissioners) Adopt amendments to ZDO and Comprehensive Plan
LU4	Park Ave Station Area* Outreach & Assessment <i>*About ½ mile radius of the Park Avenue Light Rail Station; to be defined</i>	<ul style="list-style-type: none"> Work with McLoughlin Area Plan Implementation Team (MAP-IT) to identify, scope and submit grant application(s) for a consultant for: <ul style="list-style-type: none"> Outreach on commercial and multifamily design and development standards, and residential protection Livability assessment of residential neighborhoods Develop a voluntary mechanism to prevent up-zoning and/or dividing land in low-density residential neighborhoods (including, but not necessarily limited to, the Park Ave Station area). 	<ul style="list-style-type: none"> Work in partnership with MAP-IT to: <ul style="list-style-type: none"> Identify grant options Develop scope of work Research Technical assistance Research on voluntary mechanisms Toolkit preparation, Public outreach and public notice

TRANSPORTATION PROJECTS

#	Name	Description	Action Needed
T1	Safe Routes to Schools (SRTS)	Develop SRTS action plans for four schools in order to increase safety for children, parents and others going to and from schools.	<ul style="list-style-type: none"> • Education and outreach • Research and analysis • Writing plans
T2	Arndt Road Extension Goal Exception	Develop a goal exception to support the crossing of the Molalla River in relation to the Board of County Commissioners goal to provide access from I-5 to the city of Canby.	<ul style="list-style-type: none"> • Complete cost estimate for Arndt Rd extension to Kerr Parkway in Canby • Discuss cost estimates and viability of identifying funding with city • Update goal exception for alignment <ul style="list-style-type: none"> ▪ Write amendments ▪ Public notice and outreach ▪ Public hearings
T3	Monroe Neighborhood Street Design Plan	Respond to concerns raised by the Planning Commission in order to complete this project and add it to the Comprehensive Plan.	<ul style="list-style-type: none"> • Coordinate with city of Milwaukie on traffic modeling of diverters • Survey right-of-way survey • Study storm drainage study • Traffic modeling; • Public notice and outreach • Public hearings (Planning Commission and BCC) • If needed, adopt amendments to Comp Plan
T4	Development Review Performance Measures	Research impacts of implementing additional performance measures for sidewalks, bikeways, transit and safety.	<ul style="list-style-type: none"> • Include safety performance measures in Transportation Safety Action Plan (TSAP) project development • Review past six months of development review applications • Public outreach, notice and hearings if amendments are needed
T5	Damascus Area Transportation Needs	Review current plans for transportation projects on county roads in unincorporated Clackamas County area formerly in the city of Damascus and outside Happy Valley's planning jurisdiction, and identify or develop needed projects to include in the county's Transportation System Plan (TSP).	<ul style="list-style-type: none"> • Research and assess projects currently in former city's and current county plans • Identify needed projects • Amend CIP and TSP • Public notice and outreach • Public hearings (Planning Commission and Board of Commissioners) • Adopt Comp Plan amendments
T6	Stafford Area Preliminary Infrastructure Feasibility Analysis	Study potential demands that various levels of urban growth would have on sewer, water, storm water and transportation infrastructure in the Stafford area, and how those demands would impact the neighboring cities. Use this data to recommend appropriate future jurisdictional responsibility of areas within Stafford.	<ul style="list-style-type: none"> • Scope project • Hire consultant • Research and analysis • Identify demands of various levels of urban growth • Recommend appropriate future jurisdictional areas of responsibility

ATTACHMENT 2

TABLE 1B: Planning Options for the McLoughlin Area for the 2017-18 Long Range Planning Work Program						
	Project Name/Summary	Proposed By	Area to be Planned	Key Elements of Current Plan/Zoning	Key Elements/Constraints of the Proposal	Estimated FTE
1	<p>Development and Design Standards for the Park Avenue Station Area: Zoning and Development Ordinance amendments to introduce new development and design standards for the Park Avenue Station Area, focused at the intersection of McLoughlin Blvd and Park Ave.</p> <p><i>*This overlaps with Project 4 on Table 1 but reflects the full request from MAP-IT/Oak Lodge Community Council rather than the smaller project recommended by staff and the Planning Commission.</i></p>	McLoughlin Area Plan Implementation Team (MAP-IT) with letter of support from Oak Grove Community Council	<ul style="list-style-type: none"> Commercial and multifamily areas within walking distance from the Park Avenue High Capacity Transit Station Walking distance appears to be defined as within ½ mile of the station. Commercial and multifamily zones within ½ mile of the station are General Commercial, High Density Residential and Medium Density Residential. 	<p>General Commercial zone:</p> <ul style="list-style-type: none"> Applies to both sides of McLoughlin Blvd. for almost the entire length of the station area Allows: <ul style="list-style-type: none"> All office uses All medical clinic uses All retail uses All commercial service uses Manufacturing, except primary processing of raw materials Multifamily housing/condominiums at 25 units per acre Mixed-use development <p>High Density Residential zone:</p> <ul style="list-style-type: none"> Applies to approximately 6 acres at the northeast edge of the station area adjacent to the City of Milwaukie Allows multifamily housing/condominiums at 25 units per acre <p>Medium Density Residential zone:</p> <ul style="list-style-type: none"> Allows multifamily housing/condominiums at 12 units per acre Provides a buffer between General Commercial along McLoughlin Blvd and Low Density Residential to the east and west 	<ul style="list-style-type: none"> A neighborhood plan is not proposed. Zone changes are not proposed. Prohibition of currently permitted uses is not proposed. Many of the requested design standards elements are already required or will be proposed as part of the ZDO audit in the next several months. The majority of development in the station area predates current design standards. Existing development is protected by state nonconforming use law and may continue and in some cases undergo alteration or expansion without complying with new station area provisions. Some of the suggested amendments have the potential to cause concern for property owners or residents. Examples include requiring new development to be mixed-use (e.g., a new restaurant allowed only if provided in conjunction with housing), allowing housing density to increase with a reduced parking standard in exchange for mixed-use development, and requiring all new development to include parks or open space. 	0.50 – 1.0

ATTACHMENT 2

TABLE 1B: Planning Options for the McLoughlin Area for the 2017-18 Long Range Planning Work Program						
	Project Name/Summary	Proposed By	Area to be Planned	Key Elements of Current Plan/Zoning	Key Elements/Constraints of the Proposal	Estimated FTE
2	McLoughlin Corridor Plan: Provide for employment and housing in the corridor	Commission Chair Bernard	The McLoughlin Corridor is currently defined by the Comprehensive Plan as commercial and multifamily zoned land within 650 feet of the McLoughlin Blvd right-of-way.	<p>General Commercial zone:</p> <ul style="list-style-type: none"> • Applies to both sides of McLoughlin Blvd. for almost the entire length from Milwaukie to Gladstone • Allows: <ul style="list-style-type: none"> ➢ All office uses ➢ All medical clinic uses ➢ All retail uses ➢ All commercial service uses ➢ Manufacturing, except primary processing of raw materials ➢ Multifamily housing/condominiums at 25 units per acre ➢ Mixed-use development <p>Special High Density Residential zone:</p> <ul style="list-style-type: none"> • Applies to only one site in the corridor • Allows multifamily housing/condominiums at 60 units per acre <p>High Density Residential zone:</p> <ul style="list-style-type: none"> • Applies to only a few sites in the corridor • Allows multifamily housing/condominiums at 25 units per acre <p>Medium Density Residential zone:</p> <ul style="list-style-type: none"> • Allows multifamily housing/condominiums at 12 units per acre • Provides a buffer between General Commercial along McLoughlin Blvd and Low Density Residential to the east and west 	<ul style="list-style-type: none"> • The proposal is to provide for employment and housing in the McLoughlin corridor. • The General Commercial zone already permits housing and virtually all employment uses except heavy industry. To date, however, the market has favored retail and service commercial uses on McLoughlin Blvd. Issues for consideration include: <ul style="list-style-type: none"> ➢ Increasing allowed housing density in the General Commercial District ➢ Requiring mixed-use development in the General Commercial District (e.g. housing and office, office and retail) ➢ Rezoning General Commercial sites for housing or mixed-use development ➢ Rezoning General Commercial sites for office, medical, and light industrial uses in lieu of the typical retail and service uses that are predominant on McLoughlin Blvd. ➢ Upzoning existing multifamily sites to allow higher density housing ➢ Allowing commercial development in multifamily zones to permit or require mixed-use residential and commercial on those sites • Existing development is protected by state nonconforming use law and may continue and in some cases undergo alteration or expansion without complying with new Corridor provisions. 	1.5

ATTACHMENT 2

TABLE 1B: Planning Options for the McLoughlin Area for the 2017-18 Long Range Planning Work Program						
	Project Name/Summary	Proposed By	Area to be Planned	Key Elements of Current Plan/Zoning	Key Elements/Constraints of the Proposal	Estimated FTE
3	<p>Neighborhood Protection: Implement Guiding Principle D5 of the McLoughlin Area Plan Vision Framework (MAP Phase 1)</p>	Commissioner Savas	Low Density Residential neighborhoods in the area covered by the McLoughlin Area Plan, which is the unincorporated urban area between the Willamette River and I-205, south of the Milwaukie Expressway and north of the City of Gladstone	<ul style="list-style-type: none"> • Low Density Residential land may be divided consistent with current zoning. For example, an R-10 lot of 20,000 square feet may be divided into two lots if the proposal complies with various approval criteria related primarily to infrastructure and environmental constraints. • Lot sizes may be varied as long as the total number of allowed lots is not increased. For example, an R-10 lot of 20,000 square feet may be divided into two lots where one is 12,000 square feet and the other is 8,000 square feet. • Low Density Residential land may have its zoning changed in some cases. Criteria are found in the Comprehensive Plan and generally favor higher density closer to transit stops, jobs, shopping and cultural activities and lower density on sites with significant environmental constraints. • Development of single-family lots is subject to limited design standards (setbacks, building height, lot coverage, minimal architectural standards). 	<p>The proposal is to implement Guiding Principle D5 of the McLoughlin Area Plan Vision Framework (MAP Phase 1), which is: <i>Preserve, protect and enhance the current residential neighborhoods while maintaining current densities.</i></p> <p>Staff has identified several options:</p> <ol style="list-style-type: none"> 1. Provide a voluntary mechanism for preventing upzoning and/or division of land. A property owner could voluntarily restrict development potential on their land through, for example: <ul style="list-style-type: none"> ➤ A deed restriction, ➤ Homeowners' association with CC&Rs, or ➤ A county-imposed zoning overlay <p>Staff could create a toolkit of sample documents, instructions and examples for property owners interested in establishing voluntary private restrictions through deed restrictions or CC&Rs. A county-imposed overlay zone would not guarantee long-term protection because a future owner could apply to remove the overlay. In addition, Metro regulations limiting downzoning of residential land could be a barrier.</p> <ol style="list-style-type: none"> 2. Prohibit upzoning of Low Density Residential land in the area. Requires amendment of the Comprehensive Plan. <u>Notice to affected property owners is recommended.</u> 3. Prohibit varying of lot sizes and flag lots. For example, an R-10 lot of 20,000 square feet could only be divided if each resulting lot was 10,000 square feet and each lot had frontage on a street. <u>Notice to affected property owners is mandatory.</u> Owners of properties no longer eligible for division could file Ballot Measure 49 (2007) claims against the county for which the county may be liable for payment of lost property value unless the new restriction is waived. In addition, Metro regulations limiting de facto downzoning of residential land through new development standards could be a barrier. 4. Prohibit land divisions of Low Density Residential land in the area. This would require amendment of the Comprehensive Plan policies for Low Density Residential areas and downzoning of large lots so that divisions are impermissible. <u>Notice to affected property owners is mandatory.</u> Owners of downzoned properties could file Ballot Measure 49 (2007) claims against the county for which the county may be liable for payment of lost property value unless the new restriction is waived. In addition, Metro regulations limiting downzoning of residential land could be a barrier. 	0.05 to 0.15 depending on the option(s) selected

ATTACHMENT 2

TABLE 1B: Planning Options for the McLoughlin Area for the 2017-18 Long Range Planning Work Program						
	Project Name/Summary	Proposed By	Area to be Planned	Key Elements of Current Plan/Zoning	Key Elements/Constraints of the Proposal	Estimated FTE
4	<p>McLoughlin Area Plan Comprehensive Plan District: Comprehensive Plan update to introduce a new Plan District for the geographic area identified by the McLoughlin Area Plan</p> <p><i>*This is Project 16 on Table 1.</i></p>	McLoughlin Area Plan Implementation Team (MAP-IT) with letter of support from Oak Grove Community Council	The area covered by the McLoughlin Area Plan, which is the unincorporated urban area between the Willamette River and I-205, south of the Milwaukie Expressway and north of the City of Gladstone	The area contains at least 13 zoning districts, including residential, commercial, industrial and open space zones.	<ul style="list-style-type: none"> • The proposal is to adopt Comprehensive Plan issues, goals and policies that seek to implement the Community Values and Guiding Principles of the McLoughlin Area Plan and other content within the MAP Phase 1 and 2 reports. • Amendments to the ZDO are framed as possible but not inevitable, and it's not clear if these would occur as part of this project or a subsequent one. • In the absence of implementing ZDO language, the Comprehensive Plan provisions would apply to zone changes, variances and conditional uses but would have no impact on design review, land divisions or building permits. • The McLoughlin Area is significantly larger than any urban area for which the county has previously undertaken a Community/Design Plan effort. 	4 (2 FTE for 2 years)