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PLANNING COMMISSION AGENDA

Monday, April 8, 2019

6:30 p.m.

DSB Auditorium, 150 Beaver Creek Rd., Oregon City

Contact: Darcy Renhard
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1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

This is an opportunity for attendees to provide comment to an item that is not on the agenda.

4. PUBLIC HEARING

2019-2020 Long Range Planning Work Program	Jennifer Hughes JenniferH@clackamas.us 503-742-4518 Karen Buehrig KarenB@clackamas.us 503-742-4683
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5. OTHER BUSINESS

6. MINUTES†

7. SCHEDULE REVIEW

Planning Commission – see attached schedule

Board of County Commissioners

ADJOURN

† Attachments

Brian Pasko, Chair * Mary Phillips, Vice-Chair * Christine Drazan * Mark Fitz * Louise Lopes * Gerald Murphy * Thomas Peterson * Steven Schroedl * Michael Wilson *

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503-742-4696: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод? | 翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?

Planning Commission Meeting Dates	Agenda Items / Notes
January 14, 2019	Study session / training
January 28, 2019	Z0375-18-C / Z0376-18-ZAP: Washman Comp Plan/Zone Change
February 11, 2019 *5:30 pm	PC/BCC annual dinner / visioning discussion
February 25, 2019	Study session re: Annual Work Program
March 11, 2019	
March 25, 2019	
April 8, 2019	Public meeting re: Annual Work Program adoption
April 22, 2019	
May 13, 2019	
May 27, 2019	CANCELLED – Memorial Day
June 10, 2019	
June 24, 2019	
July 8, 2019	
July 22, 2019	
August 12, 2019	
August 26, 2019	
September 9, 2019	
September 23, 2019	
October 14, 2019	
October 28, 2019	
November 11, 2019	CANCELLED – Veteran's Day
November 25, 2019	
December 9, 2019	
December 23, 2019	Not officially cancelled at this time, but unlikely to meet.



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

April 8, 2019

To: Clackamas County Planning Commission

From: Jennifer Hughes, Planning Director
Karen Buehrig, Long Range Planning Manager

RE: Long-Range Planning Work Program for 2019-20-21

Every year, county Long-Range Planning staff focuses on high-priority projects as outlined in the Long-Range Planning Work Program (Program). The Program is developed by gathering suggestions from staff, other county departments, the Board of Commissioners, the Planning Commission, community groups and/or members of the public, which are then prioritized by staff, and acknowledged by the Board of County Commissioners (BCC) after recommendation by the Planning Commission.

The purpose of the Planning Commission meeting on April 8, 2019 is to provide an opportunity for public testimony on the draft recommendation for the 2019/2020/2021 Long-Range Planning Work Program, and for the Planning Commission to discuss and develop a recommendation on the Program that will be brought forward to the Board of County Commissioners on May 7, 2019.

Public Outreach

The process to select projects for the 2019/20/21 Program began in fall 2018, when the public and county departments were invited to submit ideas by Dec. 17, 2018. This opportunity was publicized through news releases, the county's quarterly newsletter, social media and emails. A discussion was also held at the Community Leaders Meeting in November 2018.

Community outreach about the Planning Commission's April 8th public meeting, and the opportunity for the public to comment, included a news release, social media (Facebook, Twitter and Nextdoor), posting on several county webpages (including the front page), and emails sent to CPOs, Hamlets and all those who submitted suggestions for the 2019/20/21 work program.

Previous Planning Commission Engagement

The Planning Commission was updated on the Program input received to date on February 25, 2019. The specific projects were not discussed, but the Commission members performed a

quick review of the projects list and offered other suggestions they had for long-range planning projects.

Also at this meeting, staff outlined the proposal to create a multi-year work program structured around updating the Comprehensive Plan. Shifting to a multi-year work program provides a framework to show the timelines related to complex projects which span fiscal and/or calendar years. This new approach also provides the public and other interested parties a broader understanding of when the various submitted projects will be addressed, and the duration of the work. Updating the Comprehensive Plan emerged as a priority during the Board of County Commissioners/Planning Commission annual meeting in February, and the new structure of the Program reflects this. Using this format allows staff to capitalize on economies of scale that are gained by focusing on a group of related projects that can be packaged for purposes of outreach, notice and hearings.

Board of County Commissioner (BCC) Priorities

On March 12, 2019, staff presented to the BCC the projects suggested over the past five months for the Long-Range Planning Work Program. During this discussion, the BCC acknowledged support for the multi-year work program structured around updating the Comprehensive Plan. In addition, they confirmed that addressing “Housing” was their top priority. They also indicated that they would like to have a 2-hour Planning Session where they can discuss in greater detail future priorities as they relate to updating the Comprehensive Plan and the associated projects brought forward during the Long-Range Planning Work Program public outreach process.

Alignment with the Strategic Plan

Performance Clackamas is Clackamas County’s strategic plan. This plan has five strategic goals:

- **Build public trust through good government**
- **Grow a vibrant economy**
- **Build a strong infrastructure**
- **Ensure safe, healthy and secure communities**
- **Honor, utilize, promote and invest in our natural resources**

Tied to each goal are several action items. One key action item supporting the goal of “Growing a Vibrant Economy” is addressing affordable housing. Specifically, there is a goal that “by 2022, 2000 units of housing, affordable to a variety of residents, will be developed within Clackamas County, through a combination of public and private partnerships, and appropriate regulatory changes. Of that number, the Housing Authority goal will be to provide 1000 units affordable to households earning 60% of the area median income or less.”

During this current year’s work program, Long Range Planning staff has been participating in the Housing Affordability and Homelessness Task Force. Emerging from the work of the Task Force are recommendations for actions to update the Zoning and Development Ordinance that could facilitate the development of affordable housing. In addition, a housing needs analysis is

currently underway, that will provide current information that can be used as the foundation of updating *Chapter 6: Housing* of the Comprehensive Plan. Finally, 2017 Senate Bill 1051 included items requiring changes to the ZDO related to housing, and it is anticipated that legislation being considered during the current session may also result in additional required amendments related to housing.

Addressing Past Planning Commission Priorities

During the February 25, 2019 Planning Commission meeting, staff were asked to identify previous PC priorities not included in the current year's work program. Last year, the priority item that was not included into Program was Project L-8: Small Scale Manufacturing. This project has been resubmitted this year by the Oak Grove Community Council, and in the current suggested projects is grouped under the "Economics" Comprehensive Plan chapter in Attachment A.

Staffing the Long-Range Work Program

In planning for the 2019/20/21 Program, in addition to oversight by the Planning Director, we will have a planning manager and two teams supporting this work. Planning Manager Karen Buehrig will be overseeing both programs, and allocating her time between both transportation and land use (following a 60/40 split, respectively). For the transportation long-range projects, three staff positions are allocating approximately three-quarters of their time for the Long-Range Planning Work Program items.

For the land use Program projects, currently two staff members have approximately half of their time available for long-range land use projects. This staffing is down from previous years, due to vacancies in the Planning and Zoning Division that will remain unfilled as the result of the reset to the general fund maintenance level funding for Fiscal year 2019/2020. The projects recommended reflect this staffing in the timelines proposed to accomplish the work, and the need to avoid overlapping projects. If the planning programs receive an additional general fund adjustment in 2020/2021, this will further affect the work that can be performed.

Long Range Planning Work Program Recommendation:

Below are the Planning staff recommendations for the 2019/2020/2021 Long-Range Planning Work Program. These recommendations take into account the following:

- Anticipated efforts to update the Comprehensive Plan chapter as related to the associated proposed projects,
- BCC priorities,
- Current initiatives,
- Past Planning Commission priorities, and
- Available staff time and funding for consultants.

Additionally, included is Attachment A which is the list of projects suggested during the public outreach process, and Attachment B, which is a graphic version of the staff recommended work program. Attachment A includes a "level of effort" description for each project. This description provides a qualitative assessment of the project based upon the various factors that

impact the project, for example, needing to hire consultants/subject matter experts, the controversial nature of the request, complexity of the drafting/research needed, and researching and addressing legal concerns. The “level of effort” to complete the project may also be influenced by bundling similar projects together that would potentially reduce duplication of some of the activities (outreach, notice and hearings).

Staff Recommendations: 2019/2020/2021 Long-Range Planning Work Program

General

1. Develop a multi-year work program structured around updating the Comprehensive Plan

Transportation

2. Continue seven of the current Transportation Long Range Projects.
 - a. Several of the transportation projects will require land use planner assistance during the ZDO/Comprehensive Plan amendment adoption process.
3. Add T-29: Transportation Futures Study, if funding is secured
4. Add T-28: Review of Fee-In-Lieu standards

Land Use Planning

5. Add ongoing “Yearly Minor and Time Sensitive Items ZDO Amendments” category
6. Complete ZDO Audit from the current work program
7. Complete Park Avenue Station Area Development and Design Standards from the current work program
8. Complete Short-term rentals in Single-Family Residential Zones from the current work program
9. Add a multi-year update of Comprehensive Plan Chapter 6: Housing
 - a. Create a Housing Issue Paper, including an assessment of projects
 - i. Low-Density Residential Zoning Policies from the current work program;
 - ii. L-13 Housing Strategies;
 - iii. L-14 Protect Neighborhood Character and R-10 Zoning; and
 - iv. L-15 Temporary Dwellings for Care.
10. In FY 20-21 develop an Issue Paper on the actions needed to update Comprehensive Plan Chapter 8: Economics. In FY 21-22 an Issue Paper to provide details on the actions needed to update Comprehensive Plan Chapter 3: Natural Resources and Energy.

ATTACHMENTS:

Attachment A: 2019-2020 Long-Range Planning Work Program: Input Received from Public Outreach

Attachment B: Staff Recommended Long Range Planning Work Program for 2019-20-21



ATTACHMENT A – Update 04/01/19
Department of Transportation & Development
2019-2020 Long-Range Planning Work Program - Input Received from Outreach

The table below is organized by Comprehensive Plan chapter with related projects grouped under the overarching categories established by the Plan. Staff recommends that this structure be considered as a way to focus County efforts in the coming years of the work program and allow the pairing of a general Comprehensive Plan update with consideration of priority projects identified by stakeholders. In addition, for each project in the table, staff has identified the related goals from Performance Clackamas, the County’s strategic plan.

County Strategic Goals: 1) Grow a vibrant economy; 2) Build a strong infrastructure; 3) Ensure safe, healthy and secure communities; 4) Honor, utilize, promote and invest in our natural resources, and 5) Build public trust through good government.

Comprehensive Plan Chapters: 1) Introduction; 2) Citizen Involvement; 3) Natural Resources and Energy; 4) Land Use; 5) Transportation System Plan; 6) Housing; 7) Public Facilities and Services; 8) Economics; 9) Open Space, Parks and Historic Sites; 10) Community Plans and Design Plans; 11) The Planning Process

INTRODUCTION

Every year, county long-range planning staff focus on high-priority projects that have been suggested by staff, other county departments, the Board of Commissioners, the Planning Commission, community groups and/or members of the public. The process to select projects for 2019-20 began in fall 2018, when the public and county departments were invited to submit ideas. This opportunity was publicized through news releases, the county’s quarterly newsletter, the county website, social media and emails.

Timeline: February 25, 2019 -- Planning Commission study session to receive an overview of suggested projects and discuss additional project recommendations from the Planning Commission. March 12, 2019 -- Board of County Commissioners policy session to receive an overview of the input. April 8, 2019 -- Planning Commission public meeting to discuss recommended 2019-20 Long Range Planning Work Program. May 7, 2019 -- Board of County Commissioners policy session for final acknowledgement of the work program.

PROPOSED LONG-RANGE PLANNING PROJECTS

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	Clackamas County <ul style="list-style-type: none">Comprehensive Plan ChaptersZoning and Development Ordinance SectionsCounty Strategic Goals
Chapter 3: Natural Resources and Energy							
L-1	Sandy River Channel Migration Zone Work Group	Require Planning & Zoning to assemble and facilitate a community-based stakeholder work group to review ongoing issues on channel migration zone policies and provide the necessary feedback for county decisions. Proposal assumes Planning & Zoning is the appropriate lead since product will require revisions to the ZDO. Proposed members: Mt. Hood Chamber, Homeowners Associations, Rhododendron CPO, Sandy River Watershed Council and others.	Medium	Jay Wilson – County Dept. of Disaster Management	This proposal may not be timely because efforts are underway at the state level to develop model channel migration zone regulations and, possibly, to seek state legislation on the topic.	1	<ul style="list-style-type: none">CP Chapter 3: Natural Resources and EnergyNew ZDO SectionPerformance Clackamas Goals 2 and 3
L-2	Sandy River Channel Migration Zone	Implement a channel migration zone for the Sandy River and adopt standards for development in the mapped area.	High	Planning Commission	This proposal may not be timely because efforts are underway at the state level to develop model channel migration zone regulations and, possibly, to seek state legislation on the topic.		<ul style="list-style-type: none">CP Chapter 3: Natural Resources and EnergyNew ZDO SectionPerformance Clackamas Goals 3 and 4

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	Clackamas County <ul style="list-style-type: none"> Comprehensive Plan Chapters Zoning and Development Ordinance Sections County Strategic Goals
L-3	Habitat and Water Quality Protection	<ol style="list-style-type: none"> Add habitat/water quality protection provisions in the floodplain areas. Assess county-wide plan on habitat connectivity, including stream corridors/riparian buffers to create a development code toolkit used by local municipalities, CPOs and Hamlets. 	High	<ol style="list-style-type: none"> Planning Commission City of Sandy 	The floodplain proposal may not be timely because we are awaiting action by the state and federal governments on required habitat protections in the floodplain to address the Endangered Species Act. Staff understands that the timeline for this has been extended to October 2021. It is unclear what role the County should play in providing habitat development standards for cities or how these standards should differ from those already in place for riparian areas. Hamlets and CPOs do not have regulatory authority over development.	2	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy ZDO 703 and 704 Performance Clackamas Goals 3 and 4
L-4	McLoughlin Area Natural Resource Overlays Development and Design Standards	Leverage the land use review process to improve and restore habitat in a coordinated manner to meet multiple state, regional and local land use planning goals. Identify strategies to protect and enhance existing natural habitat.	High	Oak Grove Community Council	This project likely would require a re-evaluation of the County's Statewide Planning Goal 5 program for wildlife habitat, riparian corridors and wetlands. Consultant assistance with technical aspects of the project may be required.	3	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy, 4:Land Use, and 9:Open Space, Parks and Historic Sites ZDO 703, 705, 706, 709, 710, 1002 Performance Clackamas Goal 4
L-5	Natural Resource Preservation Techniques	<ol style="list-style-type: none"> Amend ZDO to require alternatives analysis for development proposed to impact natural resource overlay districts. Amend ZDO 1002.04(A) to require (rather than recommend) that a development plan incorporate a specific number of the natural resource preservation techniques from 1002.04(A) (1-10). Require (rather than suggest) tree preservation as provided for in ZDO 1007.04 on road design, with roads planned around tree groves in order to preserve them. 	Medium	<ol style="list-style-type: none"> Oak Grove Community Council Jennings Lodge CPO 		3 4	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy ZDO 703, 705, 706, 709, 710, 1002, 1007 Performance Clackamas Goal 4
L-6	Solar Infrastructure	<ol style="list-style-type: none"> Prohibit photovoltaic solar power generation facilities on high value farmland in the EFU District Create more robust code policies on solar field installations, to include additional vegetative screening standards. Allow small-scale shared, multi-accessory solar energy systems as an allowed use in rural and resource zones without a conditional use permit. This will align with the launch of the Senate Bill 1547 Community Solar program in 2019. Consider requiring EV charging infrastructure for some commercial developments as part of the land use review process. 	Medium	<ol style="list-style-type: none"> Board of County Commissioners City of Sandy Clackamas County Sustainability & Solid Waste 		2 5A, 5B	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy ZDO 316, 401, 406, 407, 513, 604, 1015 Performance Clackamas Goals 1 and 2
L-7	Tree Canopy Preservation	Amend ZDO to apply building limitations on developments to protect tree canopies for acreage with certain tree densities (based on a percentage of existing tree canopy or number of trees per acre). Require developments with a certain percentage of tree canopy or number of trees per acre be	Medium	Jennings Lodge CPO		3	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy ZDO 1002 Performance Clackamas Goal 4

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	Clackamas County <ul style="list-style-type: none"> Comprehensive Plan Chapters Zoning and Development Ordinance Sections County Strategic Goals
		submitted as a planned unit development. The intent is for at least 20% of the treed land to be preserved in open space tracts in order to protect significant trees.					
L-8	Demonstration of Alternative Design Techniques Considered for Development in Natural Resource Overlay Districts	1. Amend ZDO to require an alternatives analysis similar to that required by a <i>Variance</i> that leverages alternative design techniques to comply with the applicable standards of the natural resource overlay district(s) without sacrificing development potential (e.g., equivalent floor area or dwelling units), and describe why that is not feasible compared to the applicant's preferred design alternative.	High	North Clackamas Urban Watersheds Council		15	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy ZDO 1002 Performance Clackamas Goal 4
L-9	Urban Wetlands Protected Resource Open Space Designation	For open space resources identified on the Comprehensive Plan Land Use Map where only a wetland is present, ZDO Section 1011 Open Space is not applicable. We request that ZDO Section 1011.02(A) be amended to include "wetlands, including recharge areas " so that wetlands may receive the same protections as other protected resource open space in the urban area.	Medium	North Clackamas Urban Watersheds Council		15	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy ZDO: 1011 Performance Clackamas Goal 4
L-10	Oregon Conservation Strategy Local Planning Implementation	A project to create a long range plan to implement the goals of the Oregon Conservations strategy. See Exhibit 15 for more details	High	North Clackamas Urban Watersheds Council	Metro conservation Strategy underway?	15	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy Performance Clackamas Goal 4
L-11	Clackamas County Wildlife Movement Strategy	A critical component of the Oregon Conservation Strategy, this project should create a long range plan to implement the goals of the Oregon Wildlife Movement Strategy to implement connect the Mt Hood National Forest and the contiguous habitat with the Willamette River Greenway.	High	North Clackamas Urban Watersheds Council	Metro and its partners through the Intertwine Alliance are developing a Strategic Action Plan for a Habitat Connectivity Strategy for the greater Portland Area. Much of the work suggested by the North Clackamas Urban Watersheds Councils is being done at the regional level. Additional research is needed to identify when the Metro led work will be complete and the next steps for Clackamas County.	15	<ul style="list-style-type: none"> CP Chapter 3: Natural Resources and Energy Performance Clackamas Goal 4
Chapter 4: LAND USE							
L-12	Green Corridors	Assess the Green Corridor agreement between the County and the City of Sandy to determine additional regulations to adopt in the County Code for development along Hwy 26 to fulfill the intergovernmental agreement.	Medium	City of Sandy		2	<ul style="list-style-type: none"> CP Chapter 4: Land Use and Chapter 5: Transportation System ZDO 316, 401, 513 Performance Clackamas Goal 4
Chapter 6: HOUSING							
L-13	Housing Strategies	Amend the Plan and ZDO to address the results of the housing needs analysis currently underway, implement recommendations expected from the Housing Affordability and	High	Planning & Zoning Division			<ul style="list-style-type: none"> CP Chapter 4: Land Use and Chapter 6: Housing

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	Clackamas County <ul style="list-style-type: none"> Comprehensive Plan Chapters Zoning and Development Ordinance Sections County Strategic Goals
		Homelessness Task Force, and respond to Senate Bill 1051 (2017) as well as any housing legislation passed during the current session of the Oregon Legislature. Consider restricting manufactured dwelling parks from being redeveloped with a different use. Also, the transitional shelter community regulations will sunset on August 28, 2019 unless they are extended through a ZDO amendment.					<ul style="list-style-type: none"> Multiple ZDO Sections (e.g., 315, 824, 825, 839, 842, 843) Performance Clackamas Goals 3 and 5
L-14	Protect Neighborhood Character and R-10 Zoning	<ol style="list-style-type: none"> Modify the ZDO to better protect neighborhoods from up-zoning and incompatible development. Amend the ZDO to implement the Comprehensive Plan goal of protecting the character of existing low density neighborhoods and require that development is compatible with the identified neighborhood character. Adopt a local overlay area that freezes R-10 zoning and has higher standards for zoning approvals or a limitation on the amount of development or infill allowed in the overlay area. 	High	<ol style="list-style-type: none"> Oak Grove Community Council Jennings Lodge CPO 	A project to consider restricting zone changes in Low Density Residential Districts, including R-10, is on the work program for the current fiscal year. Following a policy session with the Board of County Commissioners, the project is on hold pending the outcome of the housing needs analysis.	3 4	<ul style="list-style-type: none"> CP Chapter 6: Housing; Chapter 4: Land Use; Chapter 10: Community Plans and Design Plans ZDO 315 Performance Clackamas Goals 1 and 5
L-15	Temporary Dwellings for Care	Allow temporary dwellings for care only for property owners or heritage landowners. Require removal of temporary dwellings for care prior to title change or sale.	Low	Eagle Creek Barton CPO		6	<ul style="list-style-type: none"> CP Chapter 4: Housing ZDO 1204 Performance Clackamas Goal 3
Chapter 7: PUBLIC FACILITIES AND SERVICES							
L-16	Surface Water	Require an assessment of an actual surface water plan prior to approval of a land use application.	Low	Jennings Lodge CPO	The current process requires a statement of feasibility from the surface water management regulatory authority prior to land use approval. Detailed plan review is done prior to issuance of development permits.	4	<ul style="list-style-type: none"> CP Chapter 7: Public Facilities and Services ZDO 1006 Performance Clackamas Goal - 2
Chapter 8: ECONOMICS							
L-17	Home Occupations	Replace current three-year renewal requirement with a one-year renewal after original approval to ensure all conditions of approval are met and no subsequent renewals. Consider revisions to the home occupation standards.	Low	Planning & Zoning Division	Planning staff has interest in this proposal, but consultation is required with other County work groups.		<ul style="list-style-type: none"> CP Chapter 8: Economics ZDO 822 Performance Clackamas Goals 1 and 5
L-18	Small Scale Manufacturing	Allow certain small-scale manufacturing and production uses in the C-2 and C-3 zones, even when the use necessitates some primary processing of certain raw materials, such as brew-pubs and bakeries.	Low	Oak Grove Community Council	Currently, the C-2 zone allows almost no manufacturing and the C-3 zone does not allow primary processing of raw materials.	3	<ul style="list-style-type: none"> CP Chapter 8: Economics ZDO 510 Performance Clackamas Goal 1
L-19	Marijuana Retail Business Operating Hours	Expand the allowed operating hours for marijuana retailers from 10:00 a.m. to 9:00 p.m. to 8:00 a.m. to 10:00 p.m.	Low	Mario Mamone President, Maritime Cafe		12	<ul style="list-style-type: none"> CP Chapter 8: Economics ZDO 841.05

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	Clackamas County <ul style="list-style-type: none"> Comprehensive Plan Chapters Zoning and Development Ordinance Sections County Strategic Goals
L-20	Kennels	Amend the ZDO to provide greater opportunity to allow dog boarding and dog daycare facilities in rural residential zones	Medium	Mark Fitz, Planning Commissioner			<ul style="list-style-type: none"> CP Chapter 4, Land Use and Chapter 8, Economics; Performance Clackamas Goal 1
Chapter 9: Open Space, Parks and Historic Sites, and Chapter 10: Community Plans and Design Plans							
L-21	Recreational and Open Space	<ol style="list-style-type: none"> Amend the ZDO to expand the conditions where dedications to North Clackamas Parks and Recreation District are required and key sites are selected. Update the Comprehensive Plan to identify lands for open space use. Develop a mechanism to routinely assess land that becomes available on the market for open space and recreation needs. 	High	<ol style="list-style-type: none"> Oak Grove Community Council Jennings Lodge CPO 	The Planning and Zoning Division does not evaluate land for acquisition, nor does it have a source of funding for acquisition. Requiring the dedication of land for parks will raise legal questions, particularly in light of the fact that NCPRD already assesses a systems development charge for new residential development.	3 4	<ul style="list-style-type: none"> CP Chapter 4: Land Use; Chapter 9: Open Space, Parks and Historic Sites; Chapter 10: Community Plans and Design Plans ZDO 702 and 1011 Performance Clackamas Goal 4
L-22	McLoughlin Boulevard Community Design Plan	Develop a community design plan for McLoughlin Blvd.	High	Oak Grove Community Council	The Park Avenue Station Area Development and Design Standards project, currently underway and expected to continue in the next fiscal year, should be completed prior to engaging in other projects along McLoughlin Blvd.	3	<ul style="list-style-type: none"> CP Chapter 4: Land Use; Chapter 9: Open Space, Parks and Historic Sites; Chapter 10: Community Plans and Design Plans ZDO 315, 510, 1000 Sections (associated with design review) Performance Clackamas Goals 1, 2, 3, 4 and 5
L-23	Historic Overlays	Increase regulations and incentives applicable in the Historic Corridor, Historic District, and Historic Landmark overlay zones.	Medium	Oak Grove Community Council		3, 18	<ul style="list-style-type: none"> CP Chapter 9: Open Space, Parks and Historic Sites ZDO 707
L-24	Livability Infrastructure	Identify a mechanism to ensure that livability infrastructure and the necessary funding will be available to support new development. Failing that, large subdivisions or planned unit development applications should not be approved unless the development plan or existing surrounding area has parks, sidewalks and other livability infrastructure.	High	Jennings Lodge CPO		4	<ul style="list-style-type: none"> CP Chapter 4: Land Use; Chapter 9: Open Space, Parks and Historic Sites ZDO 1011, 1012, 1013 Performance Clackamas Goals 2 and 3

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	<div>Clackamas County<ul style="list-style-type: none">Comprehensive Plan ChaptersZoning and Development Ordinance SectionsCounty Strategic Goals</div>
L-25	Public Art Program	Establish a public art program to enhance development livability on private and public lands.		Oak Grove Community Council		16	<ul style="list-style-type: none">CP Chapter 4: Land Use; Chapter 9: Open Space, Parks and Historic Sites; Chapter 10 Community Plans & Design PlansZDO 1011, 1009
Chapter 2: Citizen Involvement and Chapter 11: The Planning Process							
L-26	Public Outreach	<div><div>1. Email CPOs a “Request for Response” for pre-application conferences for development in their boundaries and include the CPO response in the pre-application conference notes provided to the applicant. Require that all Type II and Type III applications include a narrative to address how the proposal complies with all the relevant approval criteria and standards.</div><div>2. Amend the ZDO to add “Clackamas County Planning and CPO’s are planning partners for Clackamas County Planning.”</div><div>3. Change the land use application notification distance in rural areas to ¼ to ½ mile from the subject property.</div><div>4. Develop a program to foster relations between rural areas and County departments so that rural citizens have a voice in regard to public transportation money, etc. Use CPOs as a communication medium, instead of the poorly attended and advertised public hearings process currently in place.</div><div>5. Require a Type III review and expanded notification area for development along the Clackamas River.</div><div>6. Pre-application conference notifications and solicitations of comments for the watershed councils</div></div>	Medium	<div><div>1. Oak Grove Community Council</div><div>2. Eagle Creek Barton CPO</div><div>3. Jana Lombardi (resident)</div><div>4. Redland-Viola-Fischers Mill CPO</div><div>5. Jane Turville (resident)</div><div>6. North Clackamas Urban Watersheds Council</div><div>7. Struloeff</div></div>		<div>3 6 7 8 13A, 13B 15, 17, 19</div>	<ul style="list-style-type: none">CP Chapter 2: Citizen Involvement; Chapter 11: The Planning ProcessZDO 1307Performance Clackamas Goal 5
OTHER							
L-27	Events and Outdoor Mass Gatherings	Amend the County Code to regulate and require permits for certain large events.	Medium	Board of County Commissioners	In 2013, the Board elected to table consideration of these amendments.		<ul style="list-style-type: none">County Code – Title 6 (Public Protection)Goals 3 and 5

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	Clackamas County <ul style="list-style-type: none"> Comprehensive Plan Chapters Zoning and Development Ordinance Sections County Strategic Goals
Chapter 5: TRANSPORTATION							
T-27	Trails	Analyze the feasibility and implications of connecting the Springwater Trail to the Mt. Hood bike trail system	High	City of Sandy	This is in the Active Transportation Plan – Rose City to Mt Hood Plan	2	<ul style="list-style-type: none"> CP Chapter 5: Transportation Performance Clackamas Goals 2, 3
T-28	Fee-in-lieu	Amend the fee-in-lieu-of-improvement provisions in ZDO Section 1007.	Low	Transportation Engineering Division			<ul style="list-style-type: none"> CP Chapter 5: Transportation Performance Clackamas Goals 1, 2
T-29	Clackamas County Transportation Futures Study	Develop long-term plan to identify top priority transportation improvements needed on state, regional and local systems in Clackamas County over the next 50 years. The plan will forecast major population, economic, environmental and technology changes to help inform what investments or actions are required to meet those needs.	High	Clackamas County Coordinating Committee (C4), BCC	Priority for C4	9	<ul style="list-style-type: none"> CP Chapter 5: Transportation Performance Clackamas Goal 2
PROPOSALS NOT SUITED FOR THE LONG-RANGE PLANNING WORK PROGRAM							
N-30	Capital Improvements	<ol style="list-style-type: none"> We have 2 very dangerous and heavily used intersections – Beaver creek Road/Leland Road/Kamrath Road and Beaver creek Road/Steiner Road/Yeoman Road. How to minimize the risk at these 2 intersections would be helpful. We still have what we call “car eating ditches” in the Beaver creek area. Continuing the excavating and improvement of these ditches would be helpful. So many of our roads have very little if any shoulders. Once Clackamas County has access to road maintenance funds, we would appreciate safer roads with usable shoulders. Left hand turn lane from Beaver creek Road traveling south onto Yeoman/Steiner Roads 		Hamlet of Beaver creek	Capital construction projects, rather than planning projects	10	
N-31	Capital Improvements	<ol style="list-style-type: none"> Realign dangerous intersection of Judd Rd. and Hwy. 211, any improvements. Some kind of signal is needed- backup on Judd has taken up to 1.5 Hours to get up Judd and cross intersection when traffic is diverted from highway, which happens frequently. Turn lane from Hwy. 224 (east) at Amisigger Rd., and from Amisigger onto Hwy 224. Review speed limit on Eagle Creek Rd.;-consensus was 45 MPH. Realign intersection of Currin Rd. and Eagle Creek Rd., site distance. Improve narrow lane width on rural roads 		Eagle Creek Barton CPO	Capital construction projects, rather than planning projects	6	
N-32	Capital Improvements	Explore alternative improvement options at Highway 26 and 362 nd Drive, options with traffic signal or round-about improvements at the intersection of Highway 211 and 362 nd Drive, and address design concerns with the curve in 362 nd Drive.		City of Sandy	Capital construction project, rather than planning project	2	

#	Project	Description	Level of Effort to Complete	Source of Proposal	Staff Comments	Exhibit Number	Clackamas County <ul style="list-style-type: none"> Comprehensive Plan Chapters Zoning and Development Ordinance Sections County Strategic Goals
N-33	Firwood Intersection	Address design concerns with intersection of Firwood Road and Highway 26, including the potential reconfiguration of the slip lane and ingress/egress to the gas station.		City of Sandy	Capital construction project, rather than planning project. Project is currently in the Transportation System Plan.	2	
N-34	Milwaukie UGMA	Update the Urban Growth Management Agreement between the County and the City of Milwaukie		City of Milwaukie	This proposal can be addressed through the regular work of the Planning and Zoning Division, rather than as a long-range work program item.	11	
N-35	Public Art	Create a program to fund and install public art.		Oak Grove Community Council	It is not clear how this would fit within the scope of the long-range land use planning program.	3	
N-36	Capital Improvement	Change Johnson Road – Stafford Road intersection to a right turn only from Johnson Road coupled with a roundabout at the Stafford/Childs intersection.		Stafford-Lower Tualatin Valley CPO	Capital construction project, rather than planning project. Road Safety Audit recently completed for area. Suggestions are for capital project design.	14	
N-37	Implement Safe Routes to Schools projects in rural areas	Building off the success of changes around the school in Damascus to improve safety for accessing the school, other areas with rural schools should also have similar low cost improvements.		Brian Pasko, Planning Commissioner	The County currently works with schools to develop Safe Routes to Schools plans that have specific investments and recommended changes to improve safety around both urban and rural schools.		
N-38	Transportation Planning in Carver	Transportation planning that looks closely at Carver and Hwy 224 through the community.		Mark Fitz, Planning Commissioner	Happy Valley has transportation planning responsibilities for Carver and a project is underway. Below is a link to the project https://www.happyvalleyor.gov/business/planning-division/pleasant-valley-north-carver-comprehensive-plan/		
N-39	Capital-Improvement	Repair Borgse Rd west of 222 on east-bound side nd - Need speed sign to slow down traffic regarding roadway hazards		Thomas Adams	Capital construction project, rather than planning project.	20	

ATTACHMENT B: Staff Recommended Long-Range Work Planning Work Program for 2019/2020/2021
(Aligned with Comprehensive Plan)

Comprehensive Plan Chapters (As Applicable)	Projects	Current Fiscal Year	FY 2019-2020				FY 2020-2021				FY 21-22	FY 22-23	FY 23-24
			July-Sept 2019	Oct-Dec 2019	Jan-Mar 2020	April-June 2020	July-Sept 2020	Oct-Dec 2020	Jan-Mar 2021	April-June 2021	July 2021-June 2022	July 2022-June 2023	July 2023-June 2024
	NEW - Yearly Minor and Time Sensitive ZDO Amendments												
	18-19 LU-1: ZDO Audit												
3. Natural Resources													
4. Transportation	18-19 T-2: Damascus Area Transportation Needs												
	18-19 T-4: Arndt Road Goal Exception												
	18-19 T-5: SAPIFA												
	18-19 T-6: Rhody Sidewalks												
	18-19 T-7: Barton Park Complex Master Plan												
	18-19 T-8: OGLO Bridge												
	18-19 T-9: Transit Development Plan												
	NEW - T-29: Transportation Futures Study												
	NEW - T-28: Fee In Lieu of (FILO) Sidewalks Review												
6. Housing	18-19 L4: Short term rentals in Single Family Residential areas												
	Update Comprehensive Plan Chapter 6: Housing												
	18-19 L5: Low Density Residential Zoning Policies (Pending housing needs analysis study)												
	NEW - L-13: Housing Strategies												
	NEW - L-14: Protect Neighborhood Character and R-10 Zoning												
	NEW - L-15: Temporary Dwellings for Care												
8. Economics													
	18-19 L-2: Park Ave Development and Design Standards												

NEW ITEM: PRIORITY #3 / NATURAL RESOURCES

NEW ITEM: PRIORITY #1 / HOUSING

NEW ITEM: PRIORITY #2 / ECONOMICS

Key			
	Work by Transportation Planning Staff		Issue papers will provide additional details on implementation considerations such as costs, direct and indirect effects, possible community response and consistency with local and regional standards. Projects suggested through the work program outreach process are grouped with the related Comprehensive Plan Chapter and will be evaluated as a part of the issue paper. This will provide the Planning Commission and BCC more information about the project before a decision is made to move forward
	Work by Land Use Planning Staff		
	Work by required by both Transportation and Land Use Planning Staff		
	Projects listed in BLACK, with a number starting with 18-19, are currently on the FY 18-19 work program.		Projects listed in RED are from Attachment A: 2019-2020 Long Range Planning Work program-Input Received from Outreach

**EXHIBIT LIST
IN THE MATTER OF
2019-2020 Long-Range Planning Work Program**

<i>Ex. No.</i>	<i>Date Received</i>	<i>Author or source</i>	<i>Subject</i>	<i>Proposed Project</i>
1	12/28/18	Jay Wilson	Disaster management of Sandy River	L1
2	11/6/18	City of Sandy	Land use & transportation improvements	L2, L3, L6, L12, T27, N32, N33, N35
3	12/14/18	Oak Grove Community Council	Project requests	L4, L5, L14, L7, L18, L21, L22, L23, L26, N35,
4	12/10/18	Jennings Lodge CPO	Proposals for Planning work	L5, L7, L14, L16, L21, L24
5A	12/26/18	Eben Polk, CC Sustainability	Electronic vehicle charging	L6,
5B	12/17/18	CC Sustainability	Small scale solar	L6
6	12/16/18	Eagle Creek/Barton CPO	Work program ideas	L15, L26, N31,
7	09/12/18	Jana Lombardi	Stafford area notifications	L26
8	12/17/18	Redland/Viola/Fischers Mill CPO	Transportation funding distribution rural vs. urban	L26
9	01/19	Clackamas County	Transportation futures overview FAQs	T29
10	11/7/18	Beavercreek CPO	Intersection issues in Beavercreek area	N30
11	10/02/18	City of Milwaukie	Update Milwaukie UGMA	N34
12	12/6/18	Mario Mamone	Marijuana dispensary hours	L19
13A	1/21/19	Jane Turville	Design & notice standards along Clackamas River	L26
13B	1/3/19	Jane Turville	Development along Clackamas River	L26
14	10/2/18	Stafford-Lower Tualatin Valley CPO	Stafford & Johnson Road improvements	N36
15	2/21/19	North Clackamas Urban Watershed	Notification Policy/Natural Resource Overlay Districts/Urban Watersheds – Oregon Conservation Strategy/Wildlife Movement Strategy	L8, L9, L10, L11, L26
16	03/11/19	Oak Grove Community Council	Establish a public art program	L25

**EXHIBIT LIST
IN THE MATTER OF**

[illegible]

Date: December 28, 2018

From: Jay Wilson, Department of Disaster Management

To: Lorraine Gonzales, Planning and Zoning Division

Subject: Proposal for Long Range Planning with stakeholder group from the upper Sandy River communities on Channel Migration Zone (CMZ) Policies

Issue: Since the January 2011 Sandy River flood, the County has sought to address CMZ hazards as the primary risk along the upper Sandy and Zig Zag Rivers. New scientific studies and advanced mapping have provided hazard and risk awareness but specific policies are needed to address risk reduction and loss avoidance for public safety, infrastructure, and habitat protection. Currently the Board is seeking CMZ policy development from the State of Oregon, with federal agency involvement. Currently, Oregon Solutions is convening CMZ policy review sessions with support from the Oregon Department of Land Conservation and Development.

Purpose: Requesting that the Planning Commission facilitate a community-based stakeholder work group to review ongoing issues on CMZ policies and provide the necessary feedback for County decisions.

Composition: Representatives from the Mt Hood Chamber, Homeowners Associations, Rhododendron CPO, Sandy River Watershed Council, and others.

Meetings: Recommendation for monthly meetings in order for public engagement during the state's review of CMZ policies to meet the Board's request for assistance. Potential for new legislation is likely.

Staffing: Because most of the expected policies will be based around Land Use and Zoning, we recommend the County lead be affiliated with the Planning Commission, but there can be additional support from County staff, such as Disaster Management, Development and Transportation, Public and Government Affairs, WES, and Tourism.

Function: This stakeholder group would convene to review and discuss implications of CMZ policies and represent their concerns and preferred alternatives to the Planning Commission. Possible policies include hazard disclosure, regulation of future and/or existing development, infrastructure protection, bank stabilization, code enforcement, liability, habitat protection, and disaster recovery planning.

Timing: The timing of any stakeholder deliberation and findings should be aligned with state CMZ policy review and coordinated with the Board's consideration of the CMZ policy findings from the state and possible Legislative actions. The next state CMZ policy meeting is March 13, 2019.

Outcomes: Desired outcomes are for due process of CMZ policy considerations, public transparency, and improved trust between the County and community stakeholders.

November 6, 2018

Clackamas County DTD
Planning & Zoning Division
ATTN: Lorraine Gonzales
150 Beaver Creek Road
Oregon City, OR 97045

RE: 2019-2020 Long Range Planning Work Program

Lorraine Gonzales,

At the City Council work session on November 5, 2018 the City of Sandy reviewed the documents associated with the Clackamas County Planning and Zoning Division Work Program and created a prioritized suggestion list. We understand the list we provide will be evaluated by County staff, but we hope that serious consideration is given to our project ideas. Here is the list forwarded by Sandy City Council with numbers corresponding to priority:

Land Use

1. Assess the Green Corridor agreement to determine additional regulations in the County Code to adopt for development along Highway 26 to fulfill the agreement.
2. Assess county-wide plan for habitat connectivity, including stream corridors/riparian buffers. This evaluation could create a development code toolkit for local municipalities, CPOs and Hamlets to consider using for development.
3. Amend the existing County development code to create more robust code policies on solar field installations, including additional vegetative screening standards.

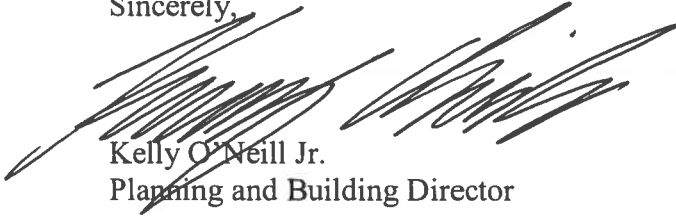
Transportation

1. Explore alternative improvement options at Highway 26 and 362nd Drive, explore options with traffic signal or round-a-about improvements at the intersection of Highway 211 and 362nd Drive, and address design concerns with the curve in 362nd Drive.
2. Address design concerns with the intersection of Firwood Road and Highway 26, including the potential reconfiguration of the slip lane and ingress/egress to the gas station.
3. Analyze the feasibility and implications of connecting the Springwater Trail to the Mt. Hood bike trail system.

Please forward me dates and times for meetings on this topic with the Clackamas County Planning Commission and the Board of County Commissioners so that Sandy City Council may have representation at those meetings. Receiving applicable meeting dates at least two weeks in advance would be preferred so that attendees may plan accordingly.

If you have any questions, please call me at 503-489-2163 or email me at koneill@ci.sandy.or.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly O'Neill Jr.", written over a horizontal line.

Kelly O'Neill Jr.
Planning and Building Director

CC: file

Bill King, Mayor

Jeremy Pietzold, City Council President

Scott Horsfall, City Councilor

John Hamblin, City Councilor

Jan Lee, City Councilor

Carl Exner, City Councilor

Kim Yamashita, City Manager



Oak Grove Community Council

December 14, 2018

Dear Ms. Gonzales,

In response to the Planning Division's annual call for long-range land use and transportation planning projects for the 2019-20 fiscal year, the OGCC (Oak Grove Community Council) requests the county's consideration of the projects on the following pages. Projects I to IV were sourced from the *McLoughlin Area Plan Phase II* and identified in the BCC-approved document *The Five Components of the McLoughlin Area Plan*.

We additionally request that some very specific amendments to the Zoning and Development Ordinance be considered by staff, the Planning Commission, and the Board of County Commissioners to improve public participation in the land use planning and development review processes, and to enable certain small-scale manufacturing and production uses in *Community Commercial* and *General Commercial* districts.

At the December 5, 2018 OGCC general business meeting, a motion was made to submit this document to the county for consideration of long-range land use and/or transportation planning projects for the 2019-20 Long-Range Planning Work Program. Except for one abstention the motion was unanimously approved.

Respectfully,

Baldwin van der Bijl
Chair Oak Grove Community Council

3416 SE Naef Rd, Oak Grove, OR 97267
Cell: 503-360-5593
vanderbijl@comcast.net



OGCC 2019-20 Long Range Planning Requests

Summary

Details and reasons for 2019-20 fiscal year project requests from the Oak Grove Community Council.

During the summer of 2017, meetings of the Jennings Lodge CPO and the Oak Grove Community Council included activities for members to vote for their top priorities for the near term projects and programs from the McLoughlin Area Plan Phase II. New projects I-IV received the most votes during these exercises. Projects V-VIII arise from our experience reviewing land use applications, and Projects IX and X from a series of discussions with prospective investors, entrepreneurs and feedback from the general public.

Existing Projects

Park Avenue Station Area Development and Design Standards

Lake Oswego-Oak Grove Bicycle/Pedestrian Bridge Feasibility Study

New Projects

I. Neighborhood Affordability and Development Compatibility Standards for Urban Low Density and Medium Density Residential Districts

Summary: The first project, described in the MAP Phase II report as modify the existing Zoning and Development Ordinance to better protect neighborhoods from up-zoning and incompatible development, received dozens more votes than the second place project. This reflects our community's deep, shared concern about the impacts we're observing due to the ongoing

regional housing affordability crisis that is leading to gentrification of lower and middle class neighborhoods, and the displacement of our neighbors. Due to existing rules in our Zoning and Development Ordinance, most new development is incompatible with existing neighborhoods and priced out of reach of the lower and middle class households who are most in need of reasonably priced housing options close to employment centers, services and high quality public transportation. The McLoughlin Area Plan calls for inclusive, safe and healthy neighborhoods that meet the needs of all of our residents, no matter their ability or socioeconomic strata.

Description: Modify the existing Zoning and Development Ordinance to better protect neighborhoods from up-zoning and incompatible development

The community vision maintains current designations for low-density housing. To protect the existing character of the residential neighborhoods within the MAP area, this program is intended to ensure compatible and desirable development in existing neighborhoods. There are two primary land use tools available for ensuring compatible character. First and foremost is zoning. Zoning is relatively straightforward to administer and it provides a great degree of certainty to both developers and neighbors. Zoning tools largely control the footprint and intensity of the development, and have limited ability to affect visual character.

Zoning tools that are most successful include:

- Lot size
- Lot coverage
- Floor area ratios (FAR)
- Maximum percentages of impervious surface

The second tool, design guidelines, can be used to influence style and aesthetics of new housing. Design guidelines can be administered in a clear and objective fashion to address elements such as building materials, the amount of wall space covered by windows and doors, building heights, and orientation on the lot.

II. McLoughlin Boulevard Community Design Plan Framework Plan

Summary: The second project, described as Develop a community design plan for McLoughlin Boulevard, is intended to follow up the Park Avenue Station Area Development and Design Standards project currently underway. We envision this project resulting in a framework plan where the community helps identify future nodes/activity centers on McLoughlin Boulevard to complement the Community Engagement Framework Plan that will be delivered by the Park Avenue project. This will enable efficient rollout of future node planning projects, with geographical boundaries and key amenities or sites identified for nodes in advance, allowing for a coordinated series of projects over time, as market conditions enable redevelopment at each node. Amendments to the ZDO may result to protect the future nodes, by changing some incompatible uses to restricted or limited, or requiring conditional use reviews to mitigate impacts of incompatible uses - those uses that conflict with the goals and policies of the Corridor design type in the Comprehensive Plan.

Description: Develop a community design plan for McLoughlin Boulevard

The McLoughlin Area Plan establishes a community supported vision for McLoughlin Boulevard. The next steps should include the creation of a design plan which would include design standards and guidelines, revised street sections and potentially form-based codes. Presently, McLoughlin Boulevard functions as one long corridor of similar auto-oriented character. A design plan helps to emphasize and develop distinct places along the corridor. Part of the design plan may include establishing locations where travel speeds are slower and activity clusters are planned. Details regarding where redevelopment efforts should focus, where streetscape improvements should be prioritized and where other public investments are most likely to leverage private investment will be determined in the design plan. The design plan should be developed by Clackamas County in partnership with the MAP committee or an advisory committee, the community and area businesses.

III. McLoughlin Area Parks and Recreation Assets Framework Plan

Summary: The third-ranked project seeks to support the North Clackamas Parks and Recreation District by helping to identify and implement measures to leverage new development and redevelopment to increase parkland, urban plazas, wildlife corridors and recreational trail assets throughout the McLoughlin Area. This is also envisioned as a framework plan and amendments to the ZDO to expand the conditions where dedications to NCPRD are required and key sites are selected. Planning and public participation for development of specific sites will be coordinated by NCPRD.

Description: Acquire property and/or develop new parks and open spaces

The North Clackamas Parks and Recreation District (NCPRD) is responsible for coordinating acquisition of park land and developing parks and trails in the area, and will be an essential partner in acquiring new property for parks and open spaces. A District Master Plan, adopted in 2004, guides the work of NCPRD and covers the MAP study area. An update to the District Master Plan is on the horizon; the McLoughlin community should partner with NCPRD to ensure future plans for parks are included in the update. Assembling funds will be the most challenging task in this strategy. Metro is another potential partner opportunity. Examples of improved park and open space amenities include:

- Improved boat ramps.
- Increased parking options for river access.
- Improved neighborhood park accessibility by foot, bicycle, or public transit within a half-mile radius of residences, to provide easy access to green space especially for children and senior adults.
- Create community parks to serve a larger geographic area that may include large sports fields, skateparks, dog parks, tennis courts, and community pools.

IV. McLoughlin Area Natural Resource Overlays Development and Design Standards

Summary: The fourth-ranked project could easily be combined with the previous project as there are many mutual goals for each. Where the previous project seeks the acquisition or transfer of capital assets, this project seeks to leverage the land use review process to improve

and restore habitat in a coordinated manner to meet multiple state, regional, and local land use planning goals. Part of the unique identity of the McLoughlin Area - perhaps its brand - is the prevalence and integration of natural areas and abundant wildlife with the built environment. The existing ZDO does not protect or enhance the unique identity or valuable characteristics of our natural spaces, in favor of an easy-to-administer set of homogenous guidelines for the entire urban unincorporated area. As population growth and resulting development pressures continue, these natural areas are at increased risk of decimation, with predictable negative impacts to endangered species and all other wildlife. This project envisions amendments to the ZDO to require additional design considerations for new development and redevelopment to support increased buffers for natural resource overlay districts (WQRA, HCA, WRG, FMD and SBH), standards to reestablish safe movement of wildlife between disconnected islands of habitat, evidence-based standards to reduce impacts of transportation facilities and turf-lawns upon water quality resources.

Description: Identify strategies to protect and enhance existing natural habitat

The McLoughlin area benefits from a rich ecology. It is home to salmon-bearing waterways, quality wetlands and upland forests. The natural environment is a defining characteristic and a main reason that many people call the area home. As the McLoughlin corridor is revitalized and new buildings are constructed, protection of natural habitat, and its functions regarding water quality and wildlife, will continue to gain importance. This plan suggests development of a habitat friendly development program. Without any negative impact to property owners, the County can work with them to make it as easy as possible to implement environmentally sensitive development solutions. The first step is to define habitat areas. These are typically divided into riparian (water related) and upland habitat. The Metro regional government and Clackamas County have developed a detailed inventory of existing conditions that can form the base of this assessment stage. The County should then develop guidelines to help owners minimize impacts from development. Use of the guidelines is typically voluntary. However some jurisdictions have succeeded in offering incentives such as fee waivers to encourage their utilization. Guidelines for habitat friendly development typically include:

- Clearing and grading.
- Site development.
- Low-impact development techniques.
- Ongoing maintenance.

V. Amend ZDO: Send “Request for Response” to Active CPOs for Pre-Application Conferences

We request that CPOs be issued an email “Request for Response” for pre-application conferences in their boundaries and that the CPO’s response be included in the pre-application conference notes provided to applicants, as are other county, regional and state agencies, such as Oak Lodge Water Services and Clackamas Fire District. Such notification would allow CPOs to submit comments expressing their hopes and concerns about specific sites or proposals before the development review process begins. Once submitted for development review, most projects are too far along to be significantly influenced by feedback from the public. The pre-

application conference represents the last realistic opportunity for the public to affect the trajectory of a land use proposal to improve compatibility of resulting development. How an applicant chooses to leverage the CPO's response is up to them, but this affords CPOs the opportunity to put information in front of an applicant before a land use review is underway.

VI. Amend ZDO: Require Applicant Narrative for Type II/III Land Use Reviews

We request that all applications that require Type II and Type III reviews must include a narrative addressing how the proposal complies with all of the relevant approval criteria and standards. The primary function of CPOs is to review land use applications and submit recommendations to the county, pursuant to State Land Use Goal 1, Citizen Involvement. CPOs consist of volunteer boards and membership, and are often not well-versed in land use law. When we receive applications that do not include a narrative, it can be very time-consuming and challenging for these volunteers to identify how a proposal - often delivered only in the form of a hand-drawn site plan - complies with all of the relevant approval criteria. Given that an applicant is supposed to know what approval criteria are applicable to their proposal and how their proposal addresses these criteria, it seems appropriate to require a narrative describing that compliance be provided with the application. This will improve a CPO's efficiency with respect to interpreting a project's compliance with approval criteria and enable recommendations that can better address a project's shortcomings in meeting relevant approval criteria.

VII. Amend ZDO: Require Alternatives Analysis for Development Proposed to Impact Natural Resource Overlay Districts

For development in Natural Resource Overlay Districts (*HCA, WQRA, WRG, SBH, FMD*, etc.) and those subject to the Tree ordinance (ZDO 1002.04), amend the ZDO to require submittal of one or more *design alternatives* that leverage as many recommended design techniques as needed to meet the intent of the standards (a "code-compliant" proposal), and then to describe why recommended design techniques are not feasible (the applicant's "preferred alternative"). This is consistent with the requirements for *Variance* requests, where an applicant must show a design alternative that does not utilize the requested variance and explain why approving the variance results in a proposal that does a better job of meeting the intent of the standard. Similarly, an application that proposes to encroach into a natural resource overlay or buffer, or that proposes to remove mature trees, should be required to demonstrate why it is not feasible to incorporate the low-impact design techniques recommended in the ZDO to protect those features.

VIII. Amend ZDO: Additional Protections for Historic Overlay Districts

For land divisions of properties in the *Historic Corridor, Historic District* and *Historic Landmark* Overlay districts, resources (such as accessory structures or heritage trees) associated with the primary Historic Resource on a site should be afforded the option of protection via shared-ownership tracts, or by easements or dedications to the Parks department. Presently, to be protected, associated resources must be moved to the same lot the primary resource will

occupy after land division; resources that cannot be moved are offered no protection and the overlay is reduced to the boundaries of the one lot that contains the original historic resource. Historic resources that are demolished or redeveloped should maintain non-intrusive easements for public access to view the resources and/or interpretive markers that identify resources' historic significance and provide the public with a sense of connection with our valuable historic and cultural resources. Divisions of *Historic Landmarks* should retain the historic designation on all resulting parcels, and the resulting development should pay tribute to the culturally significant resources of the original Landmark, perhaps with architecture, resource preservation or other techniques. Due to the voluntary nature of the *Historic Landmark* ordinance, we should seek to balance new requirements with incentives to better protect the historic resources and the economic sustainability of their preservation.

IX. Small scale manufacturing and production in the Community Commercial and General Commercial districts.

Summary: We are requesting amendments to the use table in Section 510 (*Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts*) to permit certain small-scale manufacturing and production uses in the Community Commercial and General Commercial districts. We expect these changes to unlock economic opportunities for small commercial hubs and corridors throughout the unincorporated county. Small-scale brew-pubs and bakeries are presently restricted in the *Community Commercial* (C-2) and *General Commercial* (C-3) districts when they involve "primary processing of raw materials" which can include ingredients such as malts and yeasts. Uses such as breweries and bakeries are restricted in *Community Commercial* districts when they distribute their products, even if only to other nearby local businesses, which is a very common business model for small-scale breweries (e.g., distribute through local bars and restaurants) and bakeries (e.g., distribute through local cafes). A recently published report by *Smart Growth America (Made in Place: Small-Scale Manufacturing & Neighborhood Revitalization)* details how small-scale manufacturing - including breweries and bakeries - can help revitalize and enhance prosperity for economically depressed areas, such as the downtown Oak Grove commercial node. During the inaugural July 2017 *Historic Trolley Trail Fest* in downtown Oak Grove, member after member of the community filled out suggestion cards stating that they want to see a bakery or a brew-pub in downtown Oak Grove. Several prospective investors have recently expressed interest in developing brewpubs in downtown Oak Grove only to be disillusioned by unsupportive land use regulations. There is a tremendous volume of opportunity here locked behind a small set of revisions to the ZDO.

Description: Amend the ZDO to allow certain small-scale manufacturing and production uses in the C-2 and C-3 districts, even when the use necessitates some primary processing of certain raw materials, such as brew-pubs (breweries with a retail/restaurant space that may include some distribution of beverages) and bakeries (a bakery with a retail/restaurant space that may include some distribution of its prepared food products). Additional details can be furnished upon request.

X. One Percent for Art

Summary: Increase opportunities for public art installations and displays in the Oak Grove/McLoughlin Area by creating a county/urban area public art fund. Several cities in Oregon and across the United States have adopted an ordinance for “1% for Art” that levies a fee upon large scale development projects in order to fund and install public art. Due to the dearth of civic and public spaces in the Oak Grove/McLoughlin Area, there are relatively few opportunities for public art installations. This project should also result in updated development standards that help identify locations that are appropriate for public art installations, and create incentives and/or requirements for dedicating space for public art installations.

Jennings Lodge CPO 12-10-2018 Proposals for Planning Work

A. Meaningful Analysis/Input on Storm Water Plans *Before* County Approvals

Currently, development applications are only required to have a statement from a jurisdictional surface/storm water authority that essentially *some type* of surface water system is *feasible* - **no jurisdictional assessment of an *actual* surface or storm water plan is required before the County makes a decision on the application.** Storm water planning is an integral and important part of an overall land use development plan, and can create local flooding and other negative consequences if not handled properly from the outset, so **it *shouldn't* be left to be settled *after* the County approves an application.** We ask for a **requirement in the Zoning Ordinance that jurisdictional storm water authority comments on the actual storm water plan proposed** (not just a statement of general feasibility) **be submitted either *with* the application, or *before* the public hearing, to provide for meaningful analysis and public input on storm water plans that may be pertinent to the County's overall approval of a land use application.**

B. Protect Neighborhood Character and R-10 Zoning

Our community puts a high priority on protecting neighborhood character as part of development, and ensuring that development will be consistent with the surrounding neighborhood character. **We ask that (1) language be added to the Zoning Ordinance that specifically implements the Comprehensive Plan Chapter 4 goal of protecting the character of existing low density neighborhoods** [and provides for neighborhoods to have input into defining the character of their particular neighborhood]; and **requires that development is compatible with the identified neighborhood character.** We also ask for **(2) a local overlay area that freezes residential R-10 zoning and has higher standards for zoning approvals; and/or a limitation on the amount of development or infill allowed in the overlay area(s).**

C. Require That Development Plans Incorporate Natural Resource Preservation Techniques

We request that (1) 1002.04 (A) be amended to *require* (rather than suggest) that a development plan *must* incorporate a specific number of the natural resource preservation techniques from 1002.04 (A) 1-10. And that (2) the Zoning Ordinance be amended to *require* (rather than suggest) tree preservation as provided for in ZDO Subsection 1007.04 on road design, with roads planned around tree groves in order to preserve them.

D. Preserve Current Canopies Tree

To preserve the tree canopy for current and future residents of communities *inside the urban growth boundary*, we ask for language in the Zoning Ordinance that requires: **(1) building limitations on developments to protect tree canopies for acreage with certain tree densities** (acreage with over a specified percentage of tree canopy or number of trees per acre); and **(2) that developments must be submitted as a planned unit developments if the proposed development has acreage containing over a certain percentage of tree canopy or number of trees per acre**, so that at least 20% of the treed land is preserved in open space tracts in order to protect and save significant trees.

E. Ensure Livability Infrastructure to Support New Development

No major developments should be added to neighborhoods without the appropriate livability infrastructure in place (or funding) to support them - it is contrary to good planning to do otherwise. In addition, large proposed developments should contribute positively to the communities around them. Our experience has shown that system development charges (SDCs) alone aren't sufficient to make this happen. **We ask that a mechanism be identified to ensure that such infrastructure and the necessary funding will be available to support new development. Failing that, large subdivisions or PUD applications should not be approved** unless the development plan or existing surrounding area has parks, sidewalks and other livability infrastructure. We previously provided one type of mechanism: a formula incorporated into the Zoning Ordinance by which large subdivisions must provide a certain amount of park land or open space as part of subdivision development.

F. Identify New Opportunities for Recreational & Open Space

New open space opportunities must continue to be identified and developed beyond what is currently on Comprehensive Plan Map IV-6. In order to update that map, **a mechanism needs to be identified to routinely assess land that becomes available on the market for its suitability in meeting the open space and recreation needs of current and future residents in the local communities.**

Eben-

Building off of the document you forwarded earlier today (2017 City of Portland Electric Vehicle Strategy), it would be more appropriate to request a specific change to the ZDO if we, as a County, had a specific strategy or plan that gave guidance on a suite of implementation tools on the topic of Electric Vehicles.

I would think we would want to update Comprehensive Plan Chapter 3: Natural Resources and Energy to reflect direction for the Sustainability Plan, or other plans first. After that, we would update the ZDO to implement the direction of the plan. It is challenging to make small changes to the ZDO out of context of the larger picture.

Does that make sense?

Karen

From: Polk, Eben

Sent: Wednesday, December 26, 2018 12:27 PM

To: Hughes, Jennifer <jenniferh@co.clackamas.or.us>; Gonzales, Lorraine <LorraineGo@co.clackamas.or.us>

Cc: Buehrig, Karen <KarenB@co.clackamas.or.us>

Subject: another planning program suggestion

Lorraine,

Can I add another suggestion to look at during the upcoming work program? This one does not have as much detail behind it.

Karen, I'd love to know what you think as well about this: I'd like the County to consider requiring EV charging infrastructure for some commercial developments, in the land use process.

Thanks,

Eben Polk

Clackamas County Sustainability & Solid Waste Program • 503-742-4470 • epolk@clackamas.us

From: Hughes, Jennifer

Sent: Thursday, December 20, 2018 5:43 PM

To: Gonzales, Lorraine <LorraineGo@co.clackamas.or.us>

Cc: Buehrig, Karen <KarenB@co.clackamas.or.us>; Trevisan, Claire <CTrevisan@co.clackamas.or.us>; Polk, Eben <EPolk@co.clackamas.or.us>

Subject: FW: Solar Suggestion for Planning Commission Work Program

Lorraine,

See attached for a work program suggestion from the Sustainability Office to be added to our draft list.

Jennifer Hughes | Long Range Land Use Planning Manager
Clackamas County Planning and Zoning Division | 150 Beaver Creek Road | Oregon City, OR 97045 | 📞: 503-742-4518

The Planning and Zoning Division public service/permits lobby is open Monday through Thursday from 8:00 a.m. to 4:00 p.m. and Friday from 8:00 a.m. to 3:00 p.m. The public service telephone line at 503-742-4500 and email account at zoninginfo@clackamas.us are staffed Monday through Friday from 8:00 a.m. to 5:00 p.m.

The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your [feedback](#). We appreciate your comments and will use them to evaluate and improve the quality of our public service.

From: Trevisan, Claire

Sent: Monday, December 17, 2018 9:47 AM

To: Hughes, Jennifer <jenniferh@co.clackamas.or.us>

Cc: Polk, Eben <EPolk@co.clackamas.or.us>

Subject: Solar Suggestion for Planning Commission Work Program

Hi Jennifer,

Per our conversation the other week, Eben and I have drafted a suggestion for the 2019-2020 work program related to small scale shared solar.

I am not familiar with what the process looks like from here, but please let us know any refining that is needed and what we can do to assist you, Clay, Martha, etc. in this effort.

Thanks,
Claire

Claire Trevisan, Rural Energy & Climate Specialist

Resource Assistance for Rural Environments (RARE) AmeriCorps Member

Pronouns: She/Her/Hers

Clackamas County Sustainability & Solid Waste

150 Beaver Creek Rd, Oregon City, OR 97045

503-742-4456

www.clackamas.us/sustainability

Planning Commission Long-range Work Program Suggestion

On behalf of Clackamas County's Sustainability and Solid Waste office, I propose allowing small-scale shared, 'multi-accessory' solar energy systems as an allowed use in rural and resource zones without a conditional use permit. Currently, any solar array on a property that is sized to provide more than the demand at that property, would be treated as a utility project and require a conditional use permit. To outright allow "small-scale shared solar energy systems" will require a definition to be created and standardized. The definition may be created based on system capacity, system dimensions, number of electric customers served, and/or other characteristics. Additionally, this effort would require an amendment to the current exclusion of energy source development on RA-1, RA-2, RRFF-5, FF-10, and FU-10-zones.

This change is important to include on the 2019-2020 Work Program because the state legislature of Oregon will launch its Senate Bill 1547 Community Solar program in 2019. The program mandates Investor-Owned Utilities (IOUs) allow solar energy systems sized 25 kW to 3 MW be tied into the grid and their electric output shared through net-metering to multiple residential and small commercial customers. The purpose of this program is to promote renewable energy generation in Oregon and increase access to solar for all customer types (renters, low income residents, etc). This aligns with County goals for supplemental energy source development and conservation as well as with the Board's renewed commitment to combatting climate change.

The current requirement of a conditional use permit for non-accessory solar energy systems regardless of system size puts an unnecessary time and financial burden on small-scale projects that could be a part of the Community Solar program. These small-scale projects likely would involve a group of neighbors coming together around an agreed upon project, so there is less need for a land use review. However, it is also expected that some projects in the Community Solar program will be larger-scale solar energy systems (1-3 MW) and thus still require a conditional use permit. This is why it is important that the ZDO is amended to distinguish the review process for energy systems based on size rather than rate structure, program participation, or other factors. Overall, this change would allow small-scale solar energy systems as an allowed use in rural and resource zones to encourage the development of solar energy systems by avoiding unnecessary costs and review.

The actions needed for this effort would likely include: research, writing and revising code, and the adoption of ZDO amendments – likely for ZDO 316, 401, 406, 407, 513, and 604.

Lorraine,

At the last Leaders Meeting they gave us until December 15th to get our ideas for Long Range Planning.

At the Dec.13, 2018 meeting of the Eagle Creek Barton CPO these were our recommendations, all passing unanimously.

ZDO Changes:

1. Add verbiage; Clackamas County Planning and CPO's are planning partners for Clackamas County Planning.
2. Section 1201; allowing additional housing for Temporary Care for only property owners or heritage landowners.
3. Remove Temporary care dwellings before title change or sale.

Transportation:

1. Realign dangerous intersection of Judd Rd. and Hwy.211, any improvements. Some kind of signal is needed- backup on Judd has taken up to 1.5 Hours to get up Judd and cross intersection when traffic is diverted from highway, which happens frequently.
2. Turn lane from Hwy. 224 (east) at Amisigger Rd., and from Amisigger unto Hwy 224.
3. Review Speed limit on Eagle Creek Rd.-consensus was 45 MPH.
4. Realign intersection of Currin Rd. and Eagle Creek Rd., site distance.
5. Improve narrow lane width on Rural roads.

Planning:

1. Revisit 1996 property zoning; TBR, EFU, RRF10, RFF5, Light Industrial, Commercial, Areas on Eagle Creek road

Thank You,
Brent Parries
Chairman

Eagle Creek Barton Community Council

P O Box 101

Eagle Creek Oregon 97022

eaglecreekchttps://sites.google.com/a/eaglecreekbarton.com/www/po@gmail.com

Hi Jennifer and Lorraine!

Katie Wilson gave me your contact info when I approached her about an idea I had. I live in the Stafford Hamlet area. When someone puts in a permit application, it requires notification of properties within 500 feet. Because of the parcel sizes in this area, that might include 1 adjacent property, despite the fact that the permit might affect the immediate surroundings.

It seems ineffective to have the same notification requirements for urban areas (higher density, where maybe 20 people would be notified) as rural areas. My proposal is to change the notification for rural areas to 1/4 to 1/2 mile. Even with this change, it might only notify a handful of people, but it would be better than none.

We've had a number of proposals in the area where no one knows about something proposed, unless the CPO holds a meeting about it (or sends an email about it). In one instance a few years, a large sports complex proposal wasn't known about by any of the adjacent neighborhoods. There also does seem to be a lack of reliability with the postcard notifications - I'm not sure if they don't arrive, or they're so small/unobtrusive that they're being tossed out inadvertently.

Thank you so much for your time to read my suggestion!

Best,
Jana Lombardi

Dec 17, 2018

Lorraine, I realized in my first submission misstated the disparity in rural/city spending. Please accept this substitute. Thanks. Martin Meyers

I am responding to the County's September 19, 2018 request for input on long range transportation and planning goals.

The rural areas of the County received just .5% of the money the County received from the State under its 2017 public transportation bill. Of the almost \$40 million received, just around \$240,000 is scheduled to be used in unincorporated areas, according to presentations made at a C4 meeting some months back. This is the case while almost 50% of the County's population lives in unincorporated areas. While it makes sense for money earmarked for public transportation go to more urban areas where population is concentrated, it is indefensible that the disparity is so great.

Incorporated areas have great advantages over unincorporated areas. Among other things, cities have staff and the organization to prepare the necessary applications and long term projects needed to exploit these types of opportunities. The unincorporated areas must rely on County staff for this. Citizens in the unincorporated areas have, for many reasons, lacked a common voice to call for such projects, a situation I hope is being remedied as CPOs find new callings and a more common voice.

A general County goal therefore should be to foster the relationships between rural areas and the various County departments such as public transportation, specifically through their CPOs. Outreach through public hearing and presentations seem to be poorly advertised and from my experience, poorly attended. CPOs, because of their structure and position in the County hierarchy, could make for much better mediums for communication in both directions.

A specific long term goal would be for more of future State public transportation monies to be spent in the rural areas. Greater bus service is one option, but a more reasonable goal might be the type of door to door public transportation services that are now being offered by cities such as Sandy and others. This is where the needy and elderly are given a public option at subsidized rates, to call for transportation direct from their place of residence and then later back to it. County residents in certain urban areas have this option, why can't it be brought to the rural areas too, where the need may arguably be greater? I have heard this may be because each such trip might be more expensive than those made in urban areas. To this I say the overall disparity between public transportation expenditures in urban versus rural areas entirely justifies the greater cost per trip.

This will take a coordinated effort by the rural areas and County transportation officials to qualify for State moneys next time they're available. Seeing this happen should be one of the County's long term goals.

I am copying Katie Wilson and Rick Cook on this, as we are right now working to facilitate greater coordination between the rural areas, CPOs and Hamlets, and the County, consistent with this request.

Thank you,

Martin Meyers
Chair, Redland-Viola-Fischers Mill CPO
C4 CPO Alternate

Clackamas County *TRANSPORTATION 2070*

PROPOSAL -- *Clackamas County and its 16 cities* propose to develop a long-term plan to identify top priority transportation improvements needed on state, regional and local systems in Clackamas County over the next 50 years. The plan will forecast major population, economic, environmental, and technology changes to help inform what investments or actions are required to meet those needs. **Duration: 2 years**

The 2013 State Legislature funded a similar project in Washington County, which allowed the county to better understand and address long-term transportation needs.

STATE FUNDING REQUEST -- **\$2.5 million**. This project will only be possible with state funding because the county and cities have large transportation maintenance and improvement deficits that HB2017 only begins to remedy.

TASKS -- *Clackamas County and its cities, ODOT, Metro and TriMet* will identify expected changes and begin planning to work with and enhance those changes to meet local and regional long-term transportation needs. The proposed project will include six main tasks:

1. **Identify** predicted future population and employment growth.
2. **Consider** major issues related to all transportation systems (including motorized vehicles, freight, transit, bicycles and pedestrians), such as:
 - a. Future traffic on major corridors (e.g., I-205, OR 212/Sunrise Expressway, US 26, Highway 43, Highway 99E, etc.)
 - b. Regional connections, urban-rural connectivity, and telecommuting
 - c. Seismic resiliency and climate change adaptation
3. **Anticipate** major changes in the economy and in technology.
4. **Utilize** scenario planning to manage the uncertainty involved in long-term planning.
5. **Select** the highest priority transportation improvements that serve multiple needs.
6. **Implement** survey research, focus groups, online public engagement and other strategies to involve all segments of the community from across the entire county.



RATIONALE -- *The next 50 years* will see meaningful change in transportation systems. By 2070, experts anticipate full implementation of autonomous and connected vehicles. During the same 50 years, population and employment growth will expand developed areas of Clackamas County beyond the Metro Urban Growth Boundary, creating a need for new transportation facilities and systems.



If ODOT, Metro, TriMet, Clackamas County and the cities fail to anticipate and adjust to these rapid changes, it will adversely affect the attractiveness of the county and its cities as a place to live and grow a business, as well as hamper mobility in the increasingly populated urban and rural areas between the Willamette River and Mt. Hood.

With several highly important state transportation facilities traversing Clackamas County, growing cities, and integration with the Portland metropolitan area, the county is ideally located to support long-term growth in the transportation system for our residents and our region. But long-term needs should be studied now, and can only happen with state funding support.

Nov 7, 2018

Hey Lorraine,

Can we add more information to our list?

For safety issues, at the Beavercreek/Steiner/Yeoman Roads intersection, we REALLY need a left hand turn lane from Beavercreek Road traveling south onto Yeoman/Steiner Roads. There is room and it would go a long way to help the safety and flow of the intersection, school children, residents and commuters. It is our highest priority.

Thanks a million!

Tammy Stevens

From: Tammy Stevens [<mailto:tsr@bctonline.com>]
Sent: Tuesday, October 30, 2018 12:36 PM
To: Gonzales, Lorraine <LorraineGo@co.clackamas.or.us>
Cc: Hamlet Board <board@beavercreek.org>
Subject: RE: Planning & Zoning Work Program 2019-2020 Fiscal Yr

Hey Lorraine:

We discussed The Hamlet of Beavercreek's 2029-20 long-range land use and/or transportation planning project wish list and would like to submit the following:

1. We have 2 very dangerous and heavily used intersections – Beavercreek Road/Leland Road/Kamrath Road and Beavercreek Road/Steiner Road/Yeoman Road. How to minimize the risk at these 2 intersections would be helpful.
2. We still have what we call “car eating ditches” in the Beavercreek area. Continuing the excavating and improvement of these ditches would be helpful.
3. So many of our roads have very little if any shoulders. Once Clackamas County has access to road maintenance funds, we would appreciate safer roads with usable shoulders.

Thanks again,

Tammy Stevens
The Hamlet of Beavercreek
503.632.3552

Hello Lorraine –

The City of Milwaukie is in the process of updating its Comprehensive Plan including the section related to growth management. The current growth management section sets City policy for how we coordinate with the County regarding land that is subject to our mutual Urban Growth Management Agreement (UGMA). As part of the first block of work on the Comprehensive Plan, we addressed growth management policies and “pinned down” an initial draft set of policies. I shared these with Martha a couple of months ago. Over the next nine months we are working on a variety of other policy packages including housing, natural resources, energy conservation and climate change, public facilities, etc. In July of 2019, we will move into what we are calling the synthesis stage where we expect to resolve conflicts and identify map changes. During the late fall of 2019, we anticipate holding hearings and adopting an updated plan.

I’m providing that background because as part of the adoption of the plan, we would like to adopt an updated UGMA at the same time. Current policies state that the 1990 agreement is “incorporated in the Comprehensive Plan”. Given this language, we are anticipating a need to address the agreement as a part of the plan update.

We request that you allocate staff (and Planning Commission) time to participate in the process of updating the Milwaukie UGMA. I anticipate that we will want to set the stage for this work in the spring and begin serious discussions in the summer. The City would like to see stronger policies and implementation measures to encourage annexation of property that is subject to the UGMA prior to development or redevelopment. The approach is described in the draft policies that were provided to Martha.

Let me know if you have any questions or if you would like a copy of the draft policies.

Thanks for the opportunity to comment.

Denny

Dennis Egner, FAICP
Planning Director

City of Milwaukie
6101 SE Johnson Creek Blvd | Milwaukie, OR 97206
T 503.786.7654 | F 503.774.8236
Community Development 503.786.7600

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*Maritime Café, Inc.
17417 SE McLoughlin Blvd.
Gladstone, OR 97267
503 305-8307*

Clackamas County Planning Commission
150 Beavercreek Rd.
Oregon City, OR 97045

December 6, 2018

Dear Commissioner Schrader,

We the owners of the cannabis dispensaries located within unincorporated Clackamas County, propose that we be allowed to open at 8:00 am and close at 10:00 pm. Currently, dispensaries within unincorporated Clackamas County operate from 10:00 am to 9:00 pm. Whereas, cannabis dispensaries within the cities of Clackamas County operate from as early as 7:30 am and close at 10:00 pm. We request that the Clackamas County Commissioners consider making our proposal a part of the Planning Commissions work for the upcoming work year.

The marijuana retail business has gone through considerable changes and become more competitive since 2015 when the County first issued Time, Place, and Manner regulations for cannabis dispensaries. At that time there were only four (4) dispensaries within the County and they were all located within unincorporated Clackamas County. Currently, there are a total of 10 cannabis dispensaries within unincorporated Clackamas County: five (5) dispensaries on McLoughlin Blvd.; two (2) on 82nd Drive; two (2) on Highway 212; and one (1) on highway 26. Additionally, Cities within the County now have a total of 14 cannabis dispensaries: Oregon City - 10; Molalla 2; and Milwaukie 2.

We the owners of the cannabis retail businesses located within unincorporated Clackamas County believe that our businesses need equal operating hours as our competitors in the adjacent cities of Clackamas County. The shorter hours we operate has put us at a competitive disadvantage. We miss all the early and late shoppers that drive by our closed dispensaries to go to open dispensaries in Oregon City or nearby SE Portland. Also, longer operating hours for our dispensaries will increase our revenues and provide greater tax revenues for Clackamas County, tax revenues that are currently going to several cities within the County.

We, the owners of the Clackamas County marijuana dispensaries are in agreement on the necessity and urgency of our request.

Sincerely,

Mario Mamone
President, Maritime Cafe

January 21, 2019

Hi Jennifer,

Thanks for your note and follow up note. I received both. I'm a grant writer by trade and when a list of them is due, I often have to put everything else aside to meet those deadlines!

I certainly appreciate your note and apologize for any confusion my letter caused.

My concern focuses on the Clackamas River, particularly the environmental impacts of development activity along the river. I would like to see rules changed so that when development happens on property that directly abuts the river, design review includes opportunities for the public to know about the development and have opportunity for comment. The property across the river from where I live was a type of Design Review that limited notification to 300' from the actual new building and allowed design review decision-making to be left to staff only.

I believe that the river is important enough that decisions about what is built along it should not be limited to staff decision-making but should include a public hearing and adequate time for comment. Public input should happen early in the process so that individuals who are planning the new structure are not given an undue financial or time burden because they find out after the thing is designed that the public has issues with it. You have indicated a Type III review would do this and I would like to see all development from east of Estacada down to Clackamette Park have this designation.

As far as expansion of notification, I would encourage notifying all landowners whose property abuts the Clackamas on either North or South banks that lie directly across from or downriver from the proposed development to be notified. Those downriver are the ones most affected by any environmental issues.

Regarding the scope of work that would trigger extended notification, that gets a bit trickier. For instance, if my husband and I decide to build a goat barn that looks out over the river, should that trigger a public hearing? I guess I would encourage the idea that, if a structure is built behind a specified setback from the floodplain (no building in the floodplain at all) or if the structure can be seen by individuals on the river, or if the structure may potentially house environmentally dangerous activities or materials, then the public should have the right to know about it and the opportunity to weigh in and express concerns (or support). So, in my goat barn scenario, if it is out of the floodplain (setback TBD), not visible from the river, and not designed to have environmentally hazardous storage or activities, it would not need a public hearing. However, if it was within a specific setback from the floodplain, could be seen from the river or was designed so that when we cleaned out the goats the dirty straw and sawdust could potentially wash down toward the river and contaminate the river during a flood, we would have to have public comment on that. For me, it's not necessarily a scale thing but an impact thing, if that makes sense.

My take on things is that it is a privilege to live on the river and own land here. Only a handful of people who live in Clackamas County have that privilege. So, with it comes

responsibility. Other areas have homeowner associations or gated communities that dictate what you can do with the house and land that you own there. People still move there and abide by those rules. I don't see why living on the river should be any different. If you have some special rules to abide by because you are lucky enough to be here, so be it. If you don't want to abide by those rules, don't buy land on the river.

That's way overly simplistic and I know its a lot more complicated than that. But the reality is that it is special and that responsibility for river health should be a particular part of our lot because we are here.

I appreciate your taking time to delve a little further into my concerns and hopes for what may come from considering these options. Thank you also for letting me know about the April 8th meeting and putting me on the Planning Commission list. I will certainly plan to attend. As I told Dan, I would like to be part of the solution when I come up with concerns. Thanks for giving me that opportunity.

All the best,
Jane

Regarding your question about
On Jan 18, 2019, at 1:18 PM, Hughes, Jennifer <jenniferh@co.clackamas.or.us> wrote:

Hi Jane,

I sent the email below to the address on your business card, but I realized later that perhaps I should have sent it to the address at the bottom of your January 3rd letter, so here it is!

Jennifer

Jennifer Hughes | Long Range Land Use Planning Manager
Clackamas County Planning and Zoning Division | 150 Beavercreek Road | Oregon City, OR 97045 | 📞: 503-742-4518

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The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your [feedback](#). We appreciate your comments and will use them to evaluate and improve the quality of our public service.

From: Hughes, Jennifer
Sent: Tuesday, January 15, 2019 5:56 PM
To: 'jane@waggingtale.com' <jane@waggingtale.com>

Cc: Johnson, Dan <danjoh@clackamas.us>

Subject: Your Request for Revisions to the Clackamas County Zoning and Development Ordinance

Hi Jane,

Department of Transportation and Development Director Dan Johnson, whom you spoke with after the BCC Business Meeting last week, passed your January 3rd letter on to me. I am part of the staff team that is pulling together proposals for potential inclusion on the Long Range Planning Work Program for next fiscal year. Dan mentioned to me that you are interested in changing the notification distance for land use applications. Your letter does not mention this specifically, so I'd like to clarify.

You've requested that all development applications for land abutting the Clackamas River be changed to a status that requires general public notification with scheduled public hearings. Automatic public hearings would be Type III reviews, but notice distances do not change under that process. It would be helpful if you could clarify what notice distance you are requesting beyond the 300 feet from the subject property lines that currently applies in the urban area. Also, a number of land use applications (e.g., floodplain development permits) may apply to single-family dwellings or related outbuildings. Are you requesting public hearings for those as well, or is your proposal confined to more intense development?

These additional details will be helpful in ensuring that staff accurately describes your proposal in our summary materials for work program consideration. Also, you can be assured that you will now be included on the notice list for the Planning Commission public meeting to consider the work program, tentatively scheduled for April 8.

Jennifer

Jennifer Hughes | Long Range Land Use Planning Manager
Clackamas County Planning and Zoning Division | 150 Beaver Creek Road | Oregon City, OR 97045 | ☎: 503-742-4518

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January 3, 2019

Clackamas County Commissioners
Clackamas County
2051 Kaen Rd.
Oregon City, OR 97045

RE: Proposed development located at 11650 SE Capps Rd.; Permit #Z0387-18-D.

Dear County Commissioners,

Please accept this letter as background and a more in-depth testimony than my 3 minutes of testimony will allow at today's Commissioner's Business Meeting. My purpose for both written and verbal testimony is to make two requests of you. They are:

1. I request that the Clackamas County Commissioners put a hold on the permit being granted for the property located at 11650 SE Capps Rd., Clackamas County Staff Decision Z0387-18-D.
2. I request that the Clackamas County Commissioners work with me and other interested parties to change the Clackamas County Zoning and Development Ordinance and the Planning Department processes which govern land and development directly adjacent to the Clackamas River. I request that development and planning decisions made for land abutting the Clackamas River be changed from Type 2, which allows all decisions to be made entirely by planning staff to Type 1, which triggers public input for development.

My neighbor John Niemeyer spoke with you before the holidays regarding an industrial development being proposed on the site located at 11650 SE Capps Rd., Clackamas, OR. The proposed development consists of a large warehouse building on what is currently land owned by Clackamas County. We are not opposed to this building on this site. However, we are opposed to the location of this extremely large warehouse building being constructed directly adjacent to the river's floodplain. The proposed location includes a retaining wall that is proposed on the edge of what is unbuildable steeply sloping fill. Together, the location of the building and this wall create significant potential environmental hazards to the river as well as sets a extremely undesirable precedent for building and development proximity to the river and floodplain, both of which are sensitive environmental areas and necessary for flood management.

My neighbor John Niemeyer appealed the staff's decision to grant this permit. The appeal hearing took place on Thursday, December 27th. Prior to the start of the hearing, the Hearings Officer Mr. Fred Wilson stated that his decisions would be based on if the staff had followed the letter of the zoning and design review code when making their recommendations. With this understanding, the hearing commenced.

My neighbor John presented testimony as did I and one other neighbor. In all, seven neighbors in opposition to the development as it currently stands were in attendance. What we discovered is that, because the project was deemed Type 2 Design Review, input from adjacent property owners within 300 ft. of the site's property line was allowed but all decisions are made by staff. Staff rebuttal to my testimony was that I really had no rights to input because my property (directly across the river from the west portion of the site) does not fall within the 300 ft.

boundary. Because of the Type 2 Design Review status, the only responsibility of planning staff is to inform <300 ft. adjacent property owners of development decisions. Type 2 puts all decision-making options in the hands of planning department staff. Additionally, the site does not abut land zoned agricultural or timber, resulting in only a very cursory environmental impact review. The zoning allocation does not seem to recognize the Clackamas River as important enough to trigger environmental impact reviews under the Type 2 Design Review designation.

During the hearing, staff referenced a geo-tech report that was not included in the packet sent to my neighbor John Niemeyer. In reviewing the packet sent to me by planning staff, I could not find a geo-tech report either. Additionally, when the hearings officer asked about review of the Habitat Conservation areas, staff said that a meeting had taken place and that all environmental concerns and habitat concerns had been addressed at that time. Again, no one knew about this meeting or was invited to attend because, well by golly, it's a staff decision.

The hearing has been extended for one week (until Friday, January 4th) because staff had failed to share a letter in opposition from the Board of Directors of the Clackamas River Basin Council (CRBC) with the applicant, VLMK Engineering. At the time of the hearing, staff had also not delivered the CRBC's letter (as well as an opposition letter that I wrote) to the hearings officer, to which the letter was addressed. Both letters are attached for your review.

This extension has given time for John to examine the geo-tech report and his findings are attached. John's notes speak for themselves. The extension also allowed me to dig a little deeper into who attended the land use/environmental impact meeting. Staff shared with me the attendance sheet which shows that the meeting consisted of three representatives from VLMK (the applicant), two Clackamas County Planning Department staff (a Development Review Coordinator and a Land Use Planner) and a representative from Choyce Peterson, a Corporate Tenant Consulting Firm. Again, Type 2 Design Review processes allow land use and environmental impact reviews to be done by staff with input from the applicant and the applicant's representative. No other input is required.

My deep fear, and I believe it is John's too, is that the hearings officer can only make his decision based on if the staff followed the code properly. The staff may very well have followed the letter of the code. But, if the code that is applied does not reflect the physical site and its environment, then potentially harmful decisions are made that can significantly damage the beauty, habitat/wildlife diversity and environmental health of the Clackamas River. The code that the staff has followed allows them to treat the site as if it is a typical industrial tract, surrounded on all four sides by similar development. This is the approach that the staff has taken and there is nothing in the code they have followed that keeps this approach from occurring now or in the future.

This is just plain wrong. The Clackamas River is owned by all Clackamas citizens. It is vital to our environmental, economic and societal health and well-being. It is not an edge. It is a seam that ties plots of land together as neighbors, just as a street does. What happens on one side of the river impacts the other side, regardless of zoning and land use. Additionally, to have codes that call out development of lands adjacent to agricultural or timber use to trigger more robust environmental review and NOT include lands directly abutting the Clackamas River just makes no sense at all. The Clackamas is as vital to our county's economic stability as farming or harvesting timber. Please review the attached Oregonian Op-Ed of December 29, 2018 by Bill Monroe to gain a further appreciation of the unique and vital economic contribution of the Clackamas.

These concerns prompt me to address you today verbally and in this letter to ask that we begin working together to change the way that development along the Clackamas River is addressed by the County Planning Department. Changes should include:

1. All development along the river should be Type 1 or have the status that requires general public notification, with scheduled public hearings.
2. Development decisions for site abutting the Clackamas River should NEVER be Type 2 staff only.
3. Zoning governing what is considered environmentally fragile or important to our economy should include properties abutting the Clackamas River.

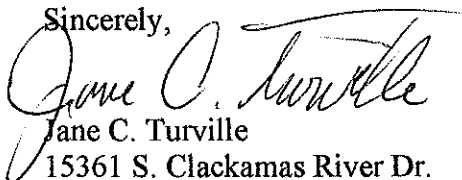
I understand that these kind of changes take time. I am willing to pursue this and work with you, County staff, CRBC members, neighbors and property owners to begin the process that leads to our rules and codes reflecting the importance of our strongest and most valuable natural resource, the Clackamas River.

Meanwhile, I respectfully request that, as the owner of the property at 11650 SE Capps Rd., you step in as representative of the people of Clackamas County and request that the permit #Z0387-18-D be put on hold until sufficient public input and environmental review by competent agencies such as the CRBC has been achieved. I was told by staff that the only ones who have the authority to place the permit on hold is the applicant. As the owner of the land and representatives of the public, I ask you request this and, if denied, supersede their and place the permit on hold.

Please understand that no one is in opposition to the applicant moving ahead and building a warehouse on this site. We are only asking that recognition of the important role the Clackamas River plays in the environmental, economic and societal health of our community be reflected in the final design of this site. This can only be achieved when all who are impacted by development on the river have their voices heard.

Thank you for your time and consideration.

Sincerely,


Jane C. Turville
15361 S. Clackamas River Dr.
Oregon City, OR 97045
jcturville@gmail.com

October 2, 2018

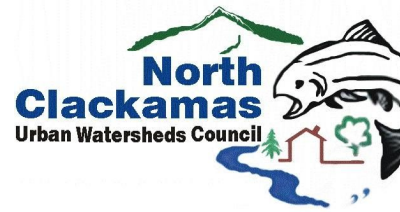
Need to change Johnson Road-Stafford Road intersection:

Suggest Right Turn Only from Johnson Road, coupled with Roundabout at Child's Road-Stafford Road;
Left Turn Lane added
for South bound Stafford Road to Johnson Road.

Len Schaber
Stafford-Lower Tualatin Valley CPO

North Clackamas Urban Watersheds Council

2416 SE Lake Rd • Milwaukie, OR 97222
coordinator@ncuwc.org • www.ncuwc.org



Ms. Gonzales,

In response to the Planning Division's annual call for long-range land use and transportation planning projects for the 2019-20 work program, the North Clackamas Urban Watersheds Council requests the County's consideration of the following proposals:

I. **Project Title:** Pre-Application Conference Notifications and Solicitation of Comments for Watersheds Councils

Project Description: Watersheds Councils have a vested interest in water quality protection and enhancement. Stormwater infrastructure and development of lands proximal to water quality resources or habitat conservation areas - which help protect water quality resources - are significant contributors to the water quality protection challenges facing County residents and Watersheds Councils in the urban area of the county. Development proposals offer the most significant remaining opportunities to implement stormwater controls in the urban watersheds. The Pre-Application Conference represents the most logical step in the land use application review workflow to provide applicants with information that could result in substantial site revisions to proposed conceptual designs. At this early stage, applicants have not yet committed financial resources towards "substantially complete" designs, and it is far less disruptive for an applicant to consider alternatives that may provide a mutual benefit to the applicant and community. Presently, Watersheds Councils are only notified of land use applications that propose a *HCA Map Verification*, and only after an application has been accepted as complete; it is up to Watersheds Councils to actively monitor the county's website to track applications for all other land use proposals and to determine which applications are within their boundaries. The County only accepts comments relating to the final review and decision on the land use application, by which point the proposed design is "substantially complete" and it is costly and disruptive for an applicant to consider new design alternatives.

We request that recognized Watersheds Councils:

- A. be solicited for comments to be included in pre-application conference packets for proposed Type II and Type III procedures within 500 feet of a FMD, HCA, WQRA or WRG, or for any subdivision proposal within the OWEB-recognized Watershed Council boundaries; and
 - B. are notified of all applications requiring Type II and Type III reviews within 500 feet of a FMD, HCA, WQRA or WRG, or for any subdivision proposal within the OWEB-recognized Watershed Council boundaries.
- II. **Project Title:** Demonstration of Alternative Design Techniques Considered for Development in Natural Resource Overlay Districts
- Project Description:** The natural resource overlay districts in place today account for a limited quantity of real estate, but are the entire quantity of protected natural resource areas in our County. We therefore believe these overlay districts must offer strong protections for the natural resources they cover. For development on lots within or abutting lots within certain natural resource overlay districts and defined buffers (*FMD, HCA, WQRA, WRG, et al.*) or regulated by *ZDO Section 1002 Protection of Natural Features*, a list of Alternative Design Techniques are recommended to avoid impacts to the protected resources without unlawfully restricting use of the land. When those techniques are "not feasible," applicants may consider designs that "minimize" impacts to protected resources. Presently, these alternative design techniques must be "considered" by the applicant, but it is not required to demonstrate why an applicant concludes

that it is not practicable to leverage those techniques to result in a lower-impact development. To better balance property rights with the need for critical protections, we request amendments to the zoning and development ordinance for development proposing any encroachment into buffers intended to protect resources in the natural resource overlay districts (*FMD, HCA, WQRA, WRG, et al.*) or regulated by *ZDO Section 1002 Protection of Natural Features*, to require an alternatives analysis similar to that required by a *Variance* that leverages alternative design techniques to comply with the applicable standards of the natural resource overlay district(s) without sacrificing development potential (e.g., equivalent floor area or dwelling units), and describe why that is not feasible compared to the applicant's preferred design alternative.

III. **Project Title:** Urban Wetlands Protected Resource Open Space Designation

Project Description: For open space resources identified on the Comprehensive Plan Land Use Map where only a wetland is present, ZDO Section 1011 *Open Space* is not applicable. We request that ZDO Section 1011.02(A) be amended to include "*wetlands, including recharge areas*" so that wetlands may receive the same protections as other protected resource open space in the urban area.

IV. **Project Title:** Oregon Conservation Strategy Local Planning and Implementation

Project Description: A project to create a long range plan to implement the goals of the *Oregon Conservation Strategy*. The Oregon Conservation Strategy is a State-level overarching plan to conserve Oregon's fish and wildlife, and their habitats. It combines the best available science and conservation priorities with recommended voluntary actions and tools for all Oregonians to define their own conservation role.

The Strategy identifies priority conservation issues:

- A. Strategy Species – 294 species of greatest conservation need
- B. Strategy Habitats – 11 native habitats of conservation concern
- C. Conservation Opportunity Areas – 206 priority conservation areas across the state
- D. Key Conservation Issues – 7 statewide threats affecting Oregon's fish and wildlife

Actions and outcomes for this project include amendments to the *Comprehensive Plan, Zoning and Development Ordinance*, and *Clackamas County Code*, as needed to satisfy the following objectives:

- A. Utilize the priorities in the Conservation Strategy to administer funds and programs, manage lands, develop or revise management plans, monitor species, and restore habitats.
- B. Develop an "Adopt a Conservation Opportunity Area" program, allowing local organizations to assist with reporting on ongoing or recommended priority actions in a Conservation Opportunity Area.
- C. Consider where conservation easements or land acquisition are most strategically needed, or what other tools may be most effective in achieving desired outcomes.
- D. Promote fish and wildlife habitat connectivity among Conservation Opportunity Areas and other priority landscapes, such as the Willamette River Greenway.

V. **Project Title:** Clackamas County Wildlife Movement Strategy

Project Description: A critical component of the *Oregon Conservation Strategy*, this project should create a long range plan to implement the goals of the *Oregon Wildlife Movement Strategy* to connect the Mount Hood National Forest and contiguous habitat with the Willamette River Greenway and contiguous habitat, including connections through the urban part of the County utilizing existing Habitat Conservation Areas, Water Quality Resource Areas, Floodplain Management Districts, lands with steep slopes or hazardous soils that are not suitable for development, designated or planned Greenways, natural areas, parklands, public and privately

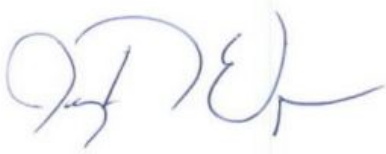
owned conservation parcels and tracts, public rights-of-way, and any other lands identified as or suitable for use as wildlife linkages. The Goals of the *Oregon Wildlife Movement Strategy*:

- A. Maintain and improve existing conditions suitable for natural movement of animals across the landscape.
- B. Improve safety for the traveling public.
- C. Provide a venue for interagency cooperation and collaboration on wildlife movement issues in Oregon.
- D. Develop guidance and recommendations for stakeholders to address wildlife movement issues in Oregon.

Actions and outcomes for this project include amendments to the *Comprehensive Plan, Zoning and Development Ordinance, and Clackamas County Code, Clackamas County Roadway Standards, and Transportation System Plan*, as needed to satisfy the following objectives:

- A. Document existing/historic wildlife travel patterns using data available from Metro, ODFW, and NGO's such as The Nature Conservancy, the Xerces Society, public Oregon universities, and other available resources;
- B. Identify and prioritize opportunities for reducing habitat linkage fragmentation;
- C. Identify road crossings in need of priority treatment to reduce wildlife mortality and private property damage and personal injury resulting from conflicts between the traveling public and wildlife;
- D. Assess culverts and bridges for wildlife connectivity;
- E. Implement policies and non-lethal procedures for separating/protecting domestic animals and humans from natural predators and other wildlife using the travel corridors, and vice versa;
- F. Introduce roadway and bridge construction policies that minimize or mitigate traffic noise and vibration;
- G. Identify wildlife travel obstructions requiring mitigation (major obstructions with a distant horizon for removal or redevelopment); and
- H. Identify and implement land use policies that support defragmentation of travel corridors (e.g., buffers around HCA to restrict fences, grading/paving, and accessory structures, nonnative plants and lighting; codes that restrict use of pesticides, herbicides, traps/snares; allow density transfers from sites with HCA/WQRA to Centers and Corridors; others)

Respectfully,



Joseph P. Edge
Board President, North Clackamas Urban Watersheds Council

Cc: Neil Schulman, Executive Director, North Clackamas Urban Watersheds Council
Cc: NCUWC Issues and Opportunities Committee



March 11, 2019

To: Jennifer Hughes, Planning Director
Clackamas County Planning and Zoning Division
150 Beaver Creek Road Oregon City, OR 97045

RE: Supplemental information about project request *N-35 Public Art*

Ms. Hughes,

In response to staff comments in the 2019-20 Long Range Planning Work Program projects list for project N-35 (Public Art), the Oak Grove Community Council (OGCC) Board of Directors is providing the following information to supplement the original request from the OGCC.

For background, this request is in response to the Oak Grove Blvd storage building decision (Z0235-17). The Hearings Officer applied a condition of approval requiring the applicant to install a mural on a long blank wall visible from a public street (*Z0235-17 Decision, Conditions of Approval II.11. "The applicant will install a mural on the south façade."*). While we appreciate the Hearings Officer concurring with our requested condition as one means of complying with ZDO 1005.04(E), we are concerned that despite this precedent, because there is no development or design standard to support such a specific condition - a mural is but one of many possible means of addressing this standard - such a condition could be successfully appealed and overturned by a future applicant. Additionally, without a formal process defined or referenced by the land use ordinance, there is no standard by which to guarantee substantial compliance of the resulting public art with respect to content, scale, media, access, and maintenance.

As envisioned by the OGCC, the requested project would be to define a public art program such as described below:

- The County would levy a 1% fee or surcharge on the project cost of approved development to a public art fund, perhaps divided into different funds for distinct regions of the county, or even limited to the area of the County within the Portland Metro Urban Growth Boundary, depending on the recommendations of staff following the public process to define the program.
- This fee would be applicable to development that must comply with *ZDO 1005 Site and Building Design* pursuant to 1005.02 (*"institutional, commercial, and industrial*

development; multifamily dwellings; and developments of more than one two- or three-family dwelling”).

- Development standards would need to be drafted and adopted for
 - public art installations, generally,
 - art facing a public street, plaza, or park,
 - art in the public right of way, and
 - where public art is required, encouraged, or prohibited.
- Standards would also need to be adopted to regulate use of the public art fund including requirement for a public process approved by a body such as the Clackamas County Arts Alliance or Regional Arts and Culture Council.

Creation of a public art program and fund may cross over to other County departments and require amendments to County Code other than the Zoning and Development Ordinance, but we see a substantial component of the program being developed by or in collaboration with Long Range Planning staff.

Thank you for the opportunity to supplement our original request with these additional comments.

Respectfully,

Joseph P. Edge
Chair, Oak Grove Community Council

March 16, 2019

Jennifer Hughes

Clackamas County Planning Director

We are rural Clackamas County residents. We are writing this letter in regards to the Comprehensive **Plan Document Dated March 12, 2019. Under L-25 Change 2 Citizen Involvement #3 change the land use application notification distance in rural areas to ¼ to ½ mile from subject property.**

Currently residents living within 750 feet of the proposed change of land use are notified. While that may be enough distance in cities or suburban areas, in rural Clackamas County that is not enough notification distance for neighbors. The notification area needs to be changed to ½ mile. Our surrounding immediate neighbors (5) encompass 89 acres, not including our 5 acres.

Recently in our community, we have a land use change happening that neighbors knew nothing about. The only way we found out was 1 resident told another. The timelines for responding to the notification passed and we had no way to ask questions or express concerns. The change was very alarming to the community. We speak specifically about the marijuana farm at 15171 S. Spangler Road Oregon City OR. 97045. We are still in the reactive mode rather in a proactive mode. Very unsettling.

We realize the expanded notification could create more work for staff members to notify property owners. However, in the long run this engages and respect the rights of property owners. Property owners have a right to have a voice in changes made to community which is part of the comprehensive plan public outreach goals.

We highly encourage that the distance for notification of property changes be expanded from 750' to 2630' or ½ mile.

Thank you for reviewing this letter

Tom and Janet Miller

15515 S. Spangler Road, Oregon City, OR. 97045



March 17, 2019

Re: Appeal of staff decision to deny land use application Z0561-18

Mr. Glasgow, et al.,

The Oak Grove Community Council Board of Directors wishes to reaffirm our position expressed in a letter to Mr. Riederer dated December 18, 2018 (*Re: Z0561-18 2323 S.E. Creighton Ave.*) that was referenced in the original Record of Decision, dated February 14, 2019.

In addition, during our meeting on March 7, we reviewed the Record of Decision, and we concur with the recommendation of the Historic Resources Board and the staff findings in support of the decision to deny this application. The specific design of the solar panel equipment installation proposed (and implemented) by the applicant does not meet the letter of the relevant approval criteria in ZDO Section 707.

We would like to express to staff that this is one example of the conflicts we expect to encounter increasingly with historic preservation efforts in the coming years, and is one reason why we have requested a project be added to the *2019-20 Long Range Planning Work Program* to update and modernize the Historic Resources ordinance. An important element of a voluntary historic resources land use ordinance is the assurance that preservation is economically viable for the owner. Absent economic viability, the owner has no incentive to preserve the historic resource.

There are many public policy reasons to support preservation of our disappearing historic resources, and there are many public policy reasons to support widespread deployment of distributed energy capture and generation equipment, such as solar panels on residential structures. For the purposes of amending the Historic Resources ordinance, we would like to see the public offered an inclusive opportunity to weigh in on the balancing of these priorities in the light of increased redevelopment - threatening our dwindling supply of historic resources - and in light of the rapidly growing market for new technologies including residential solar - creating opportunities to improve economic viability of preserving historic resources. In short: to achieve the former, we may need to accept the latter.

However, we need to trust that the land use authority will exercise its judgment in accordance with Oregon law, by rendering decisions based on findings of fact as to whether a proposal is consistent with the applicable approval criteria and development standards. In this case, we reiterate that we concur with the staff findings that the proposal is not consistent with the currently adopted Zoning and Development Ordinance. The original decision to deny is correct as a matter of fact and law and should be upheld, and the appeal should be denied.

Respectfully,

Joseph P. Edge
Chair

Valerie Chapman
Vice Chair

Cc: Ms. Jennifer Hughes, Planning Director

- Comprehensive Plan Document Dated March 12th, 2019, under L-25-Chapter 2: Citizen involvement, #3 change the land use application notification distance in rural areas to ¼ to ½ mile

Dear Commissioner Ken Humberston, thank you for your efforts to expand the notification distance for land use applications in rural areas. I would like to express my desire to expand the notification distance to ½ mile or 2630 ft. During the recent land use decision on the huge Marijuana grow at 15171 S. Spangler Road it was revealed the current notification distance was wholly inadequate for the impact this business would have on the larger community. I live on Carus Rd. directly north of the grow site and would only be notified if the distance was extended to ½ mile. I realize this will create more work for the staff but the long-term benefit to our communities who are notified and involved with the changes in their neighborhood will be well worth the investment. Thank you for your consideration of this matter.

Respectfully,
Mark Struloeff

Renhard, Darcy

From: Thomas Adams <tomseline2520@gmail.com>
Sent: Tuesday, March 19, 2019 12:18 PM
To: Gonzales, Lorraine
Subject: Planning Commission Suggestion

To. Senior Planner Lorraine Gonzales:

Emailing in case I don't make it to the meeting, 6:30 Monday, April 8th.

My ongoing complaint is getting Borges Rd fixed west of 222nd about a half mile, going thru the creek bottom area. Going thru on east-bound side especially.

Nor are there any signs to warn or to slow down for the risky roadway.

Heavy Trucks have sunk parts of road causing dangerous vehicle pitching in downhill direction.

With a Paving machine and crew, they could easily level-up the roadway in a half-day operation.

Need to get it done. Everyone who uses Borges will appreciate it!

Clackamas Resident, Kingswood Heights

tomseline2520@gmail.com or 503-328-8428

Have a pleasant day, :-) Thomas Adams



Virus-free. www.avast.com

[Spam Email](#)
[Phishing Email](#)

Archived: Monday, April 8, 2019 10:26:29 AM
From: Lorraine Hubbard
Sent: Fri, 5 Apr 2019 08:03:37
To: Hughes, Jennifer
Subject: 15171 s Spangler Oregon City marijuana processing
Importance: Normal

I support expanding the land use notification distance to 1/2 mile & also putting up signage of pending land use changes so neighbors know about it.....

Thank you. Lorraine Hubbard

Sent from my iPhone

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BEGIN-ANTISPAM-VOTING-LINKS

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

Teach CanIt if this mail (ID 04XUD3Aep) is spam:

Spam Email: <https://mhub.clackamas.us/canit/b.php?c=s&i=04XUD3Aep&m=92edfafcd555&rlm=base&t=20190405>

Phishing Email: <https://mhub.clackamas.us/canit/b.php?c=p&i=04XUD3Aep&m=92edfafcd555&rlm=base&t=20190405>

END-ANTISPAM-VOTING-LINKS

Archived: Monday, April 8, 2019 10:26:31 AM
From: [Diane Castro](#)
Sent: Fri, 5 Apr 2019 09:23:51
To: Hughes, Jennifer
Subject: Comprehensive Plan Document Dated March 12, 2019, under L-25-Chapter 2: Notification Distance
Importance: Normal

Dear Ms. Hughes,

I have lived in my home at 15520 S Carus Road, Oregon City, since 1992. I raised my family on this property and have enjoyed a wonderful quality of life at this residence. I have no intention of moving from this property and my home, and my kids are intent on keeping this home and property in the family for future generations.

My concern came to light when the marijuana project at 15171 S Spangler Road came about with zero notification to surrounding properties that were beyond the existing 750' notification distance, although my property would be impacted by this project due to my proximity to the Spangler Road property. I was notified about the Spangler project by a concerned neighbor who had heard it from another concerned neighbor.

In the below map you can see how the current 750' notification represents a minimal number of the neighboring property owners because of the large acre size of the surrounding properties. You can quickly see that ¼ of a mile or 1315' would still not represent many of the neighboring property owners. However, the large red square that encompasses the outer edges of the below photo represents the 2630' or ½ mile notification distance which would have a larger neighbor notification coverage, including my property as well as the local Carus elementary school.

I am fully aware of the fact that this creates more work for staff to have to notify more neighboring properties with this expanded notification distance, but in the long run, it also engages and respects the neighboring property owners rights to have a voice in the changes that are made in their communities, which is part of the comprehensive plan public outreach goals. As a neighboring property with the intent to have future generations living in this area for decades to come, these notifications are crucial and will have a significant long-term impact to the area for these future generations. The long-term benefit of this additional work to notify surrounding property owners far outweighs the immediate cost.

Thank you for your thoughtful and sincere consideration of my request and the future impacts of the livability in the surrounding areas.

Kind regards,

Diane Castro
15520 S Carus Road
Oregon City, OR 97045



NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.
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[Phishing Email](#)