

Memorandum

Comprehensive Plan Update

May 19, 2015

To: Land Use Subcommittee
Cc: Project Team, Comprehensive Plan Update CAC
From: Matt Hastie, APG
Re: Land Use Policy Recommendations

DRAFT LAND USE POLICY AMENDMENTS

This memo presents draft proposed policies and strategies related to land use topics discussed by the Land Use Subcommittee at their April 1, April 22 and May 13 meetings. The draft policies presented in this memorandum reflect the most recent comments provided by the Land Use Subcommittee during their May 13 meeting.

Changes to the policies and strategies as originally presented on April 1 are shown as ~~strikeouts~~ for deletions and *italics* for additions.

ACCESSORY DWELLING UNITS

No policy language has been proposed. Feedback received from residents in and around Springdale was strongly opposed to allowing accessory dwelling units in that community. The land use subcommittee recommends there not be a policy allowing ADUs. Narrative will be included in the comprehensive plan to document this recommendation and the rationale behind it.

AGGREGATION

The following new draft policy and strategies are recommended based on direction from the subcommittee.

New Policy: Maintain County parcel aggregation requirements to reduce parcelization, maintain larger lot sizes in farm and forest zones, and help minimize impacts of non-farm and forest uses on surrounding farm and forest production. The County should require aggregated parcels be consolidated into a single parcel as a condition of approval for land use and development permits in order to minimize confusion over the development potential of a property.

Strategies:

~~As part of the aggregation process, require aggregation of individual parcels to be recorded on property deeds and/or documented through other, through the County lot consolidation process and recordation on property deeds, or similar mechanisms to help ensure that future property owners are aware of property development requirements.~~

Work with local realtors to inform them about aggregation requirements and impacts on future property development and division.

RURAL CENTERS

The following updated draft policy language, with changes approved at the May 13 subcommittee meeting, is recommended to implement policy direction from the subcommittee related to requirements to support rural centers and address rural design standards.

Revised policy: Ensure that new commercial and industrial uses within rural centers are small scale and low impact in nature as defined by County code so that these uses will not adversely impact agriculture or forestry uses and will reinforce the rural nature of the community, **while also providing economic and employment opportunities by allowing for the maximum use of floor area for existing lawfully established buildings and parking areas to the extent allowed by State law. Commercial Uses shall serve residents of the rural community and surrounding area but industrial uses need not.**
(Revised from Policy 22, West of Sandy RAP)

[Note: This updated policy also would replace several existing policies and strategies, including the following policy and strategy from the East of Sandy RAP:

13. Encourage and allow commercial and civic uses that serve local needs within rural centers.

STRATEGY: Evaluate whether proposed conditional commercial and civic uses serve local needs through the land use review process.]

Revised policy: Implement design standards regulating commercial and industrial development which reflect and enhance the rural character of rural centers. **Design standards shall be oriented to rural areas and differ from those applied in urban areas of the County. Design standards should include flexibility associated with landscaping, parking or other site and design requirements.** (Revised from Strategy 24.1, West of Sandy RAP)

Revised Strategy (MCFP, Policy 19, Strategy B.2):

2. Design Review Criteria should be maintained related to:
 - a. Identity;
 - b. Site Layout, considering such factors as: climate, privacy, usable outdoor areas, topography, vegetation, natural drainage, use by handicapped (as required under the State Uniform Building Code, O.R.S. 447.210 - 447.310, and all other applicable requirements), and crime prevention;
 - c. Private outdoor spaces;
 - d. Parking;
 - e. Circulation;
 - f. Service and delivery areas;

- g. Entry areas;
- h. Outdoor storage;
- i. Landscaping;
- j. Connection to the street and parking areas;
- k. Building orientation on-site as related to crime prevention;
- l. Safety and privacy;
- m. Preservation of natural landscape;
- n. Architectural design of commercial, and industrial and civic uses that enhances design quality and ensures compatibility with surrounding rural character; and**
- o. Dark sky outdoor lighting**

PERMITTING PROCESSES

The land use subcommittee recommends the following new draft policy and strategy.

New Policy: Ensure that the County's development permitting procedures and requirements are consistent with state planning requirements, while also being fair and equitable to ~~County residents~~ *community members* and minimizing the time and expense required to obtain needed permits.

New Strategy: Periodically review and refine permitting requirements *in consultation with affected community members*, as needed, to simplify requirements and reduce related time and expense for applicants while continuing to ensure consistency with State and County mandates. *Potential refinements shall be based on recurring issues identified by community members.*

TREE PROTECTION

The land use subcommittee recommends the following new draft policies and strategies.

New Policy: Within rural residential and rural center zones, ensure protection ~~or replanting~~ of trees as part of the development approval process to the greatest extent possible *or replanting of trees as a secondary approach for maintaining tree coverage.*

New Policy: Within the Significant Environmental Concern overlay zones, protect the forest canopy from non forest harvest clearings, require reforestation of cleared non-agricultural areas and minimize the amount of landscaping and yard area associated with a dwelling.

Strategies:

Update development requirements as needed to ensure that removal of trees to accommodate new development is minimized and that replanting or replacement of such trees is required where ~~feasible~~ *physically possible*.

Monitor implementation of approved developments to ensure that tree protection or replanting requirements are met *within a specified time period* and that tree removal does not exceed levels approved as part of the development permit. [Note: Land Use Subcommittee members recommend that a specific time period ultimately be incorporated in the County's Development Code and that it be approximately two years and be less than five years.]

Consider expansion of the Significant Environmental Concern Overlay Zone for Views (SEC-v) to the west slope of the West Hills area to protect views from the Tualatin Basin.