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April 30, 2015

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Board of County Commissioners
Clackamas County

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Members of the Board:

Adoption of Zoning and Development Ordinance 252
Amendments to the Rural Residential, Future Urban Residential,
Mt. Hood Community Plan Residential, and Non-Urban Commercial Zoning
District Provisions of the Comprehensive Plan and the ZDO

Purpose/Outcome	Amend the Comprehensive Plan and the Zoning and Development Ordinance
Dollar Amount and Fiscal Impact	None
Funding Source	NA
Safety Impact	None anticipated
Duration	Indefinitely
Previous Board Action/Review	Board of County Commissioners held a policy session on March 25, 2015, and a public hearing on April 8, 2015
Contact Person	Jennifer Hughes, 503-742-4518
Contract No.	None

BACKGROUND:

The Planning and Zoning Division is in the midst of a five-year work program to "audit" the Zoning and Development Ordinance (ZDO). The intent is to complete, by the end of the five-year work program, a comprehensive review and proposed amendments for every section of the ZDO. This third year of the work program has focused, in part, on provisions related to the rural residential, future urban residential, Mt. Hood Community Plan residential, and non-urban commercial zoning districts, resulting in the consideration of amendments to these provisions. Also included is a proposal to amend the Comprehensive Plan to ensure consistency with the ZDO.

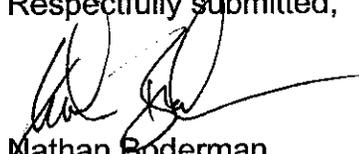
The amendments proposed for adoption by Ordinance were considered previously by the Board at a policy session and a public hearing and remain largely unchanged from the draft included in the Board's public hearing packet. In preparing the final documents for adoption, staff made housekeeping changes for consistency (e.g., standardizing

formatting, updating citations). In addition, the Board approved three substantive changes to the hearing draft, all of which have been incorporated in the final draft:

- Adopt a 40 percent lot coverage limitation for all lots in the Recreational Residential District. (Currently the standard is 20 percent and is applied only to lots in subdivisions platted prior to September 16, 1974.)
- Allow crop farming as a primary use in the Recreational Residential District on lots larger than five acres. (Currently farming is not a permitted use in the RR District.)
- Table the amendments to the provisions that allow exceptions to the maximum commercial use floor area standard in the Rural Commercial District, as well as the proposed addition of exception provisions in the Mountain Recreational Resort and Rural Tourist Commercial Districts. This change was made at staff's request and was detailed in Attachment A to the staff report for the public hearing.

RECOMMENDATION: Staff recommends the Board adopt the attached ordinance.

Respectfully submitted,



Nathan Boderman
County Counsel

ORDINANCE NO. ZDO-252

An Ordinance amending Chapters 4, 6 and 10 of the Clackamas County Comprehensive Plan and Sections 106, 202, 315, 510, 601, 604, 707, 711, 804, 805, 813, 819, 823, 825, 827, 838, 902, 903, 1005, 1006, 1009, 1010, 1012, 1013, 1014, 1015, 1016 and 1102 of the Clackamas County Zoning and Development Ordinance (ZDO); adopting Sections 316, 317 and 513 of the ZDO; and repealing Sections 305, 306, 307, 308, 309, 310, 312, 314, 504 and 505 of the ZDO

WHEREAS, the approved work program for the Planning and Zoning Division includes a five-year audit of the Clackamas County Zoning and Development Ordinance (ZDO) intended to updated, streamline and clarify the County's land use regulations; and

WHEREAS, the third year of the ZDO audit is focused in part on the rural residential, future urban residential, Mt. Hood Community Plan residential and non-urban commercial zoning districts, resulting in a proposal to amend the related ZDO provisions; and

WHEREAS, an on-going process of amendments to the Zoning and Development Ordinance is necessary to clarify provisions and maintain consistency throughout the Ordinance and respond to changes in statutes and public input; and

WHEREAS, amendments to the Comprehensive Plan are necessary to ensure continued consistency between the Comprehensive Plan and the ZDO; and

WHEREAS, it is a policy of the Board of County Commissioners to provide excellent public service to citizens and the development community, streamline permitting processes, encourage sound land use and development and improve the Comprehensive Plan and ZDO as necessary; and

WHEREAS, the proposed amendments are consistent with the Clackamas County Comprehensive Plan, the Statewide Planning Goals and Guidelines and the Metro Urban Growth Management Functional Plan; and

WHEREAS, after a duly-noticed public hearing on March 9, 2015, the Clackamas County Planning Commission recommended approval of amendments to the Comprehensive Plan and ZDO; and

WHEREAS, the Board of County Commissioners held a public hearing on April 8, 2015, and orally approved a modified version of the Planning Commission's recommendation; now therefore;

The Board of Commissioners of Clackamas County ordains as follows:

Section 1: Chapters 4, 6 and 10 of the Clackamas County Comprehensive Plan are hereby amended as shown in Exhibit A, hereto attached.

Section 2: Sections 106, 202, 315, 510, 601, 604, 707, 711, 804, 805, 813, 819, 823, 825, 827, 838, 902, 903, 1005, 1006, 1009, 1010, 1012, 1013, 1014, 1015, 1016 and 1102 of the Clackamas County Zoning and Development Ordinance (ZDO) are hereby amended; Sections 316, 317 and 513 of the ZDO are hereby adopted; and Sections 305, 306, 307, 308, 309, 310, 312, 314, 504 and 505 of the ZDO are hereby repealed, as shown in Exhibit B, hereto attached.

Section 3: This ordinance shall be effective on June 1, 2015.

ADOPTED this 30th day of April, 2015

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary