

Appendix 1 to May 15, 2013 Staff Report: May 24, 2011 Staff Report to the Planning Commission and City Council



Joint Planning Commission / City Council Periodic Review Work Session

City Council Chambers

May 24, 2012

6:00 – 8:30 PM

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Joint Work Session Purpose

The City of Pendleton is now in the second phase of its state-approved Periodic Review Work Program. The purpose of the joint work session is to: (a) review last year’s accomplishments; (b) review this year’s adopted Periodic Review work program schedule and tasks; and (c) present some preliminary results, policy options, and next steps.

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I. Last Year’s Accomplishments

Last October, the City Planning Commission recommended approval of – and the City Council adopted - a series of technical memoranda, plan policies and zoning ordinance amendments. The 2012-13 work program builds on these accomplishments. The adopted technical memoranda serve as the basis for most of the work that must be accomplished in Periodic Review Phase 2.

1. Updated Population Projection and Residential Land Needs Analysis

Based on Technical Memoranda 1-2, the City Council adopted the following baseline information:

- 2010 urban area population = 16,687
- Estimated population in 2033 population = 23,950
- New housing units needed over next 20 years = 3,054
- Planned Density: 7 dwelling units per net buildable acre (about 8,000 square feet per unit) – identified buildable land need = 368 buildable acres (55% low density; 25% medium density; 20% high density)
- Public and semi-public land need (schools, parks, institutions) = 102 acres

2. Preliminary Buildable Land Inventory (BLI) and UGB Capacity Estimate

Based on Technical Memoranda 3-4, the Council considered a “preliminary” buildable lands inventory and the following factual statements:

- Land with inventoried natural features was excluded from the buildable lands inventory (BLI)
- There are approximately 725 buildable residential acres within existing UGB – before considering potential infill and redevelopment
- In 2006 the City amended its UGB to meet identified needs for commercial and industrial land
- Based on coordinated and adopted population projection, Pendleton has enough buildable land within its UGB to meet Year 2033 housing and employment needs
- A more detailed buildable lands inventory will be prepared in 2012 in Phase 2 of Periodic Review

3. Natural Features Inventory and Protection Program

Based on Technical Memoranda 6-10, the City Council:

- Adopted a Goal 5 Natural Features Inventory for riparian corridors, flash flood hazard zones, wildlife movement corridors and high bedrock (shallow soils) areas within the Pendleton UGB;
- Adopted Comprehensive Plan Policies to consider and protect most of these natural features;
- Adopted a new *Riparian Corridors Subdistrict* to protect riparian corridors within mapped undeveloped reaches within the UGB (the existing Umatilla River Subdistrict will continue to apply to developed reaches until the ESEE analysis referenced below is completed).
- Adopted policies to consider the economic, social, environmental, and energy (ESEE) consequences of alternative means of protecting “developed” riparian corridors, wildlife movement corridors and locally-significant wetlands prior to adopting land use regulations.

4. Residential Plan and Code Amendments

Based on Technical Memorandum 5, the Council:

- Amended the Comprehensive Plan to include criteria to be applied by the Planning Commission and Council for reviewing comprehensive plan map amendments for Low, Medium and High Density Residential designations;
- Directed staff to apply these policies to buildable land within the UGB (these criteria will be applied in Periodic Review Phase 2); and

- Adopted amendments to Pendleton’s residential zoning districts to achieve adopted housing mix and density objectives.

5. **Historic Program Assessment**

In 2011, the City Council reviewed Technical Memorandum 11: Historic Resources Program Assessment, confirmed the technical information found in that memorandum, and supported recommendations necessary to complete the Goal 5 process for historic resources. Products included:

- A GIS map and spreadsheet of existing historic district and structures;
- Recommended amendments to existing regulations to ensure consistency with state law;
- A list of potentially historic structures for future review;
- Recommendations for consideration of (a) certified local government (CLG) status which would require (b) reviving the Pendleton Landmarks Commission.

II. **Pendleton’s Periodic Review Work Program (2012-13)**

Pendleton’s Periodic Review Work Program has six major objectives / tasks:

1. **Complete the City’s Goal 5 Natural Resources Program**

By taking the following steps:

- (a) prepare and adopt a Local Wetland Inventory (LWI) for the existing UGB and the Industrial Reserve;
- (b) conduct a City-wide ESEE analysis; and
- (c) prepare and adopt a program to protect locally significant wetlands, developed riparian corridors and wildlife movement corridors consistent with the Goal 5 administrative rule.

2. **Complete the Buildable Lands Inventory (BLI)**

Based on –

- (a) the results of the Goal 5 process; and
- (b) updated GIS data from the City; and (c) the Goal 9 (Economy) and 10 (Housing) administrative rules.

Adopt a new Public Facilities (PF) zone to for schools, parks and colleges within residential zones to streamline the development review process.

3. **Prepare and Adopt a Public Facilities Plan (PFP)**

For the existing UGB consistent with the Goal 11 administrative rule; the PFP should also address the provision of services to Industrial Reserve areas.

4. **Prepare and Adopt Commercial and Residential Plan Map Amendments**

By –

- (a) Refining commercial site suitability needs for various types of commercial development opportunities; and
- (b) Re-designating land within the UGB to meet identified commercial land needs consistent with the Goal 9 administrative rule.
- (c) Applying adopted residential plan designation criteria to buildable land within the UGB to create complete residential neighborhoods with buildable High and Medium Density Residential areas.

5. Review the City's Historic Preservation Program

By –

- (a) Applying for Certified Local Government (CLG) status from the State Historic Preservation Office (SHPO) and reinvigorating the Pendleton Landmarks Commission.
- (b) Updating the City's historic landmarks inventory; and
- (c) Amending the historic preservation ordinance to comply with state law.

6. Implement an effective public and agency outreach program

To ensure an inclusive and fully coordinated review and adoption process as called for in Statewide Planning Goals 1 (Citizen Involvement) and 2 (Land Use Planning).

III. Progress Report, Policy Options & Next Steps

1. Goal 5 Natural Resources Program

Working with Pendleton Community Development and Oregon Department of State Lands (DSL) staff, Winterbrook Planning prepared a draft property owner notification letter and authorization card for City staff to mail to affected property owners. In March and April of 2012, Winterbrook conducted field inventories and participated in an open house in Pendleton. Winterbrook has begun wetland GIS mapping necessary to meet DSL requirements for a Local Wetlands Inventory (LWI). Winterbrook will complete the draft LWI for DSL review by June 30, 2012. It is anticipated that it will take approximately six months for DSL to complete its review of the draft LWI.

Based on LWI field work, Winterbrook has determined that *most* locally-significant wetlands are located within existing riparian corridors and floodplains that are *already* protected by the City's adopted the Riparian Corridor Subdistrict or the Umatilla River Subdistrict, and/or the 100-year floodplain. Therefore, the presence of locally-significant wetlands on Pendleton's buildable land supply is expected to be relatively minor.

Policy Considerations & Next Steps

Over the next six months, Winterbrook will be preparing an ESEE Analysis for alternative programs (regulations) to protect (a) wetlands outside of riparian corridors, (b) riparian corridors in already developed areas (mapped in 2011), and (c) wildlife movement corridors (associated with intermittent streams mapped in 2011). Based on this analysis, City staff will recommend a “limited protection program” for these resources that balances conservation and development objectives. The Planning Commission and City Council will then hold public hearings to (a) adopt the LWI, and (b) consider the ESEE Analysis and policy recommendations prior to adoption – anticipated in January 2013.

2. Final Buildable Lands Inventory

Technical Memorandum 3.1 Final Buildable Lands Inventory – summarizes buildable lands within the Pendleton UGB. This inventory considers: (a) vacant buildable land, (b) partially developed land, and (c) redevelopable land. The *preliminary* BLI (which considered only large vacant parcels) identified 725 acres of buildable residential land within the Pendleton UGB; the *final* BLI (which includes small vacant parcels, and accounts for infill and redevelopment potential) identifies 1,049 buildable residential acres.

Policy Considerations & Next Steps

After considering comments from Planning Commissioners and City Councilors at the May 24, 2012 work session, Community Development staff will draft an ordinance adopting the 2012 BLI as part of the Pendleton Comprehensive Plan. Public hearings are anticipated later this August.

3. Multi-Family Comprehensive Plan Map Amendments

In October 2011 the Council adopted the suitability criteria for designating Medium and High Density Residential areas. In general, we have determined that most of Pendleton’s existing high and medium density residential land has relatively poor access with relatively steep slopes. Technical Memorandum 5.1 summarizes these adopted policies and provides tables and maps showing areas that qualify for potential Comprehensive Plan Map amendments.

Policy Considerations & Next Steps

Based on comments from Planning Commissioners and City Councilors at the May 24, 2012 work session, Winterbrook will work with Community Development staff to prepare Comprehensive Plan Map amendments for Planning Commission and City Council review later this August.

4. Commercial Plan Map Amendments

Over the next few months, Winterbrook will review the relationship between the 2006 Pendleton Economic Opportunities Analysis (EOA) and the 2011 Downtown Plan.

Technical Memorandum 5.3 will identify any inconsistencies between these documents and recommend possible amendments to the EOA and the Pendleton Comprehensive Plan necessary to achieve consistency. Winterbrook will also prepare suitability criteria for four types of commercial plan designations – and apply these criteria to the City’s existing buildable land supply.

Policy Considerations & Next Steps

Winterbrook anticipates completing this work program item by July 1, 2012. The Planning Commission and City Council will be alerted to any major policy issues in advance of public hearings that will be scheduled in August 2012.

5. “Public” Zoning District and Map Amendments

Technical Memorandum 5.2 includes tables and maps showing publicly owned properties within the Pendleton UGB.

Policy Considerations & Next Steps

Based on this map, Community Development staff will prepare a new “Public” zoning district for Planning Commission and City Council review later this August. The intent is to streamline the approval process for improvements to public uses such as parks and schools. The Planning Commission and City Council should confirm Community Development staff’s recommendation that a “Public” designation makes sense for Pendleton before staff devotes the time and effort to prepare zoning amendments.

Policy Considerations & Next Steps

6. Public Facilities Plan

The Public Facilities Plan will include a tables and maps describing sanitary sewer, water and storm drainage improvements necessary to serve land within the UGB and Industrial Reserve. The City has hired an engineering consultant to identify projects necessary to serve the UGB during the 20-year planning period. Winterbrook will use this technical information to prepare a “Public Facilities Plan” that identifies the location, timing and costs of these projects for review by the Planning Commission and City Council.

Policy Considerations & Next Steps

The draft Public Facilities Plan will be reviewed through the public hearing process prior to adoption – anticipated in May of 2013.

7. Historic Preservation Plan

Technical Memorandum 11 (adopted in 2011 and attached for your review) includes a review of Pendleton's existing historic inventory, and the City's existing historic preservation policies and land use regulations. The 2011 memorandum also includes recommendations for updating the City's historic preservation program by: (a) seeking "Certified Local Government" (CLG) status for the (now defunct) Pendleton Landmarks Commission; (b) updating Pendleton's Historic Inventory; and (c) amending Pendleton's historic preservation ordinance to comply with state statutes.

- Working with Kuri Gill, CLG Coordinator for the State Historic Preservation Office (SHPO), Architectural Historian Woodruff Minor prepared Technical Memorandum 11.1 describing the process for obtaining Certified Local Government (CLG) status for local Landmarks Commissions. This memorandum also describes the obligations and benefits associated with the CLG status.
- Technical Memorandum 11.2 (forthcoming) recommends changes to Article XIV Historic Conservation Subdistrict of the Pendleton Zoning Ordinance to comply with state statute regarding public notice and property owner consent for inclusion in local historic inventories.
- During the week prior to this work session, Mr. Minor will have spent a week in Pendleton reviewing historic sites and structures identified in Technical Memorandum 11 for *potential* inclusion in the Pendleton Historic Inventory. He plans to meet with (among others) local historian and City Councilor Keith May regarding the historic inventory. His report and recommendations will be incorporated into Technical Memorandum 11.3 and will be available for public review by July of this year.

Policy Considerations & Next Steps

Winterbrook and Community Development staff would appreciate direction from the Planning Commission and City Council regarding *whether* to seek CLG status for a revived and well-qualified Pendleton Landmarks Commission.

If there is interest in pursuing CLG status, this new body would be charged with (a) promoting local historic preservation efforts, (b) working with property owners to identify potential historic sites and structures for inclusion in the Pendleton Historic Inventory, (c) reviewing proposed amendments to the City's existing Historic Conservation Subdistrict, (d) reviewing requests to alter or demolish inventoried historic sites and structures, and (e) providing recommendations to SHPO for National Register nominations for properties in Pendleton.

Later this August, Winterbrook will complete Technical Memorandum 11.2: Recommended Amendments to the Pendleton HC Subdistrict and Technical Memorandum 11.3: Recommended Changes to the Pendleton Historic Resources Inventory. As noted above, the Historic Landmarks Commission is the logical body to review these proposals *if* this body is revived and trained to meet CLG standards. Otherwise, the amendments would be reviewed by the Planning Commission.

In either case, the City Council will be asked to adopt amendments to the HC Subdistrict to comply with state law – as described in Technical Memorandum 11.2. Essentially, these amendments will ensure property owner consent prior to inclusion of historic structures on the Pendleton Historic Inventory, and provide a process for consultation with property owners prior to demolition of historic properties.

IV. Direction Requested of the Planning Commission and City Council

As we move through the work session agenda items, Community Development Staff would appreciate informal direction from the Planning Commission and City Council regarding the following Periodic Review issues:

1. The 2012 Buildable Lands Inventory

Are there major concerns with Technical Memorandum 3.1: Final Buildable Lands Inventory that should be addressed before the public hearing process begins later this August?

2. Residential Land Comprehensive Plan Map Amendments

Last year the City Council adopted criteria stating that High and Medium Density Residential Plan designations should be located on relatively flat land, with direct access to arterial or collector streets, near commercial centers. Winterbrook has identified areas that should be re-designated for High and Medium Density residential use based on these criteria. Are there major concerns with Technical Memorandum 5.1 that should be addressed before formal comprehensive plan map changes are considered by the Planning Commission in August?

3. Public Land Comprehensive Plan Map Amendments

Technical Memorandum 5.2 identifies public land that would be subject to a new “Public” zoning district. Does it make sense to prepare a new “Public” zone that allows public uses such as public offices, schools and parks?

4. Historic Resources

Should Pendleton work with the State Historic Preservation Office (SHPO) to achieve Certified Local Government (CLG) status? Should Pendleton implement existing plan

policies calling for an Historic Landmarks Commission? Should Pendleton consider changing the existing historic resources inventory to account for (a) demolitions and (b) possible additions with property owner consent?