

# City of Gresham Environmental Overlay Project

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STAKEHOLDER MEETINGS

OCTOBER 4, 2016



# Agenda

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- ❖ Introductions
- ❖ Presentation (30 minutes)
  - Overview
  - Environmental Zones
  - Floodplain Overlay Zone
- ❖ Questions and Discussion – We want to hear from you!

# Project Overview

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# Project Goals

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- ❖ Clarify, simplify, and, if possible, unify the three environmental codes (HCA, ESRA-PV and ESRA-SW)
- ❖ Update the geoprocessing models (and resulting maps) in order to incorporate new resource data and provide inputs that can be more easily understood by map users
- ❖ Update floodplain code to reflect newer federal guidelines intended to ensure Endangered Species Act considerations are included in floodplain management decisions
- ❖ Revise regulations to be more easily implemented, effectively integrated with development code, and supported by the City's Comprehensive Plan
- ❖ Maintain compliance with Oregon's Statewide Planning Goals and regional requirements
- ❖ Maintain the degree of resource protection currently provided

# A Goal...and a Challenge!

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Maintain the degree of resource protection currently provided

- ❖ Type of natural resources protected (e.g. riparian areas, wetlands, upland habitat)
- ❖ General extent (boundaries) of natural resources and buffers protected
- ❖ Level of protection (code requirements) within the protected areas

# Environmental Zones

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# Habitat Conservation Area (HCA) Overlay District (Section 5.0400)

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- ❖ Implements environmental standards to protect Gresham's streams, wetlands, riparian areas in the existing City
- ❖ Adopted in 2008, largely reflects the original Metro Title 13 safe harbor ordinance language
- ❖ Code language challenging to interpret and implement,
- ❖ Need for simplification and clarification, especially related to:
  - field verification and map update processes
  - interpretation of resource setbacks
  - implementing mitigation options





# Environmentally Sensitive Restoration Area- Pleasant Valley (ESRA-PV) Land Use District (Section 4.1430)

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- ❖ Implements environmental standards to protect streams, wetlands, riparian areas, and upland wildlife habitat in the new community area of Pleasant Valley
- ❖ Based on field work, mapping, and original development code creation conducted between 1999 and 2003 in partnership with the City of Portland
- ❖ Need for simplification and clarification, especially related to:
  - Field identification of resource boundaries,
  - Map revision requirements as they relate to on-the-ground resource changes that occur prior to annexation
  - Implementing mitigation options
- ❖ A lack of clear mapping guidelines has also been a challenge

# Environmentally Sensitive Resource Area-Springwater (ESRA-SW) Land Use District (Section 4.1570)

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- ❖ Implements environmental standards to protect streams, wetlands, riparian areas, and upland wildlife habitat in the new community area of Springwater
- ❖ Based on field work, modeling, and development code creation conducted by a consulting team in 2002-2005
- ❖ User concerns with these code requirements and maps are similar to those in the HCA and ESRA-PV districts

# Alternatives Analysis: Code Issues

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Are three different code chapters necessary? To what degree can we standardize across these sections?

- Focus on individual elements (like mitigation standards)?
- Combine ESRA-PV and ESRA-SW?
- Combine all three?
- What about the Water Quality Resource Areas?

If code sections can't be unified, can technical info be extracted to a guidance document that also provides interpretative commentary?

Do we retain current status of ESRA as land use districts and HCA as an overlay?

What changes would make the code language easier to implement?

# Density Transfer

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Option to balance the need for restrictions on properties in environmental overlays (on-site and off-site credit transfer rates)

HCA allows:

- residential density transfer of up to 50% (allowed to reduce lot size by up to 20%).
- Commercial FAR of 10,000 sq ft per acre
- GCDC 5.0411(B)

ESRA-SW allows:

- residential density transfer of one unit per acre (but the receiving area is capped at 150% of the underlying density)
- Commercial FAR of 10,000 sq ft per acre
- GCDC 4.1591

ESRA-PV allows:

- residential density transfer of one unit per acre (but the receiving area is capped at 150% of the underlying density and allowed to reduce lot size by up to 20%)
- Commercial FAR of 10,000 sq ft per acre
- GCDC 4.1451

# Alternatives Analysis: Map Issues

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Are there three different models to create the buffers necessary? To what degree can we standardize across these areas?

- Combine ESRA-PV and ESRA-SW?
- Combine all three?
- What about the Water Quality Resource Areas?

What changes would make it easier to field verify mapped features and to interpret setback calculations?

How do we incorporate new higher resolution LiDAR data and new floodplain maps?

How do we more easily correct maps when new data becomes available?



# Floodplain

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# Current Need for Floodplain Overlay Update

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- ❖ 2008 lawsuit resulted in judgement that FEMA (Federal Emergency Management Agency) floodplain rules related to the National Floodplain Insurance Program are having negative impacts on salmon, steelhead, and other ESA-listed species.
- ❖ As a result, FEMA required to consult with National Marine Fisheries Service (NMFS).
- ❖ Recently NMFS released a Biological Opinion relaying what NMFS feels FEMA needs to do to reduce potential harm to those aquatic species. NMFS concluded that development in floodplains displaces important salmon habitat functions.



# Current Need for Floodplain Overlay Update (cont.)

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- ❖ Local jurisdictions need to address the “Interim Measures” developed by NMFS
  - ❖ FEMA to direct NFIP participating communities in the 31 counties with ESA-listed salmonids in updating local floodplain code to increase habitat protections.
- ❖ Gresham currently coordinating with Department of Land Conservation and Development (DLCD) and FEMA on interpretation and implementation of those interim measures.
- ❖ Significant overlap between these new floodplain protection needs and our existing HCA and ESRA code.
  - ❖ Gresham will coordinate floodplain code language with environmental overlay language to the extent possible to streamline and simplify habitat protection standards in the City.
  - ❖ Clarification from FEMA expected by Fall 2017, which will inform the Gresham process.

# Example Interim Measures

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Require mitigation for development impacts in floodplain that exceed our existing “balanced cut and fill” requirements

- Mitigating for every tree cut that has a dbh of 6” or greater
- Mitigate fill at a ratio of 2:1 or 1.5:1 (depending on how close to floodway)
- Mitigate for impervious surface by either:
  - Removing an equal amount of impervious surface
  - Infiltrating using LID or green infrastructure practices
  - Providing stormwater detention so that no increase in peak volume or flow occurs
    - Treatment is required to minimize pollutant loading