MEMO | CITY OF GRESHAM
Department of Environmental Services
Urban Design & Planning Department

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To: Planning Commission

From: Environmental Overlay Project Team

Date: September 14, 2020

Re: Environmental Overlay Project (EOP) Draft Code

The Environmental Overlay Project (EOP) is a Council Work Plan project that will simplify, clarify, and streamline Gresham Development Code sections related to overlays for floodplains, environmentally sensitive areas, and geologic hazards. The work of this project does not significantly change the overall level of protection for natural resources such as streams, wetlands, and priority upland habitat areas. The overall acreage of riparian buffers and protected upland resources is similar to existing acreage of protections provided by current code standards.

Background

Gresham is required to meet Federal, State, and Regional regulations for ensuring natural resources are protected and that development is allowed where it will not create hazards for the community. The City's Development Code defines how these protections are implemented and address:

- Floodplains
- Wetlands, waterways, and habitat
- Hillsides, steep slopes, and related geological hazards.

In 2018, Development Code sections and maps related to Floodplains were updated. The City now has draft updates to code sections and associated maps for the remaining natural resources noted above, namely:

- 5.0200: Hillside Physical Constraint Overlay District *(Renamed to Hillside and Geologic Risk Overlay, "HGRO")*
- 5.0400: Habitat Conservation Area (HCA) *(Superseded by new section, 5.0700)*
- 4.1430-4.1454: Pleasant Valley Environmentally Sensitive Restoration Area (ESRA-PV), *(Superseded by new 5.0700)*
- 4.1570-4.1594: Springwater Environmentally Sensitive Resource Area (ESRA-SW) *(Superseded by new 5.0700)*
- 5.0700 Natural Resource Overlay (*New).*

This work builds upon and supports previous local and regional planning efforts to balance environmental, development, and livability goals expressed through dozens of community planning stakeholder workshops that resulted in the current HCA overlay and the ESRA-PV and ESRA-SW land use districts.

Project Deliverables

Updated Maps

The Floodplain Overlay District (Floodplain) and the Hillside Physical Constraint Overlay District (Hillside) are areas where code requirements aim to reduce risks associated with natural hazards. A map of Floodplain areas within Gresham was updated in 2019 to reflect new data from Federal Emergency Management Agency (FEMA)-approved floodplain surveys. With this project the Hillside map is also

updated using new State of Oregon Department of Geology and Mineral Industries (DOGAMI)-generated landslide hazard data.

In addition, the draft code and maps under review propose that boundaries for riparian and habitat protection areas (HCA, ESRA-PV and ESRA-SW) within the City, Springwater and Pleasant Valley be defined using one methodology; when originally defined, the boundaries in each area were established using different methodologies.

Updated Code

The following highlights identified issues addressed through the proposed code updates.

Consolidation of Districts

A single Natural Resource Overlay (NRO) District has been created and combines what are currently three different districts:

- HCA overlay in the current city limits
- ESRA-PV zone in Pleasant Valley
- ESRA-SW zone in Springwater.

Natural Resource Overlay (Currently HCA, ESRA-PV, ESRA-SW)

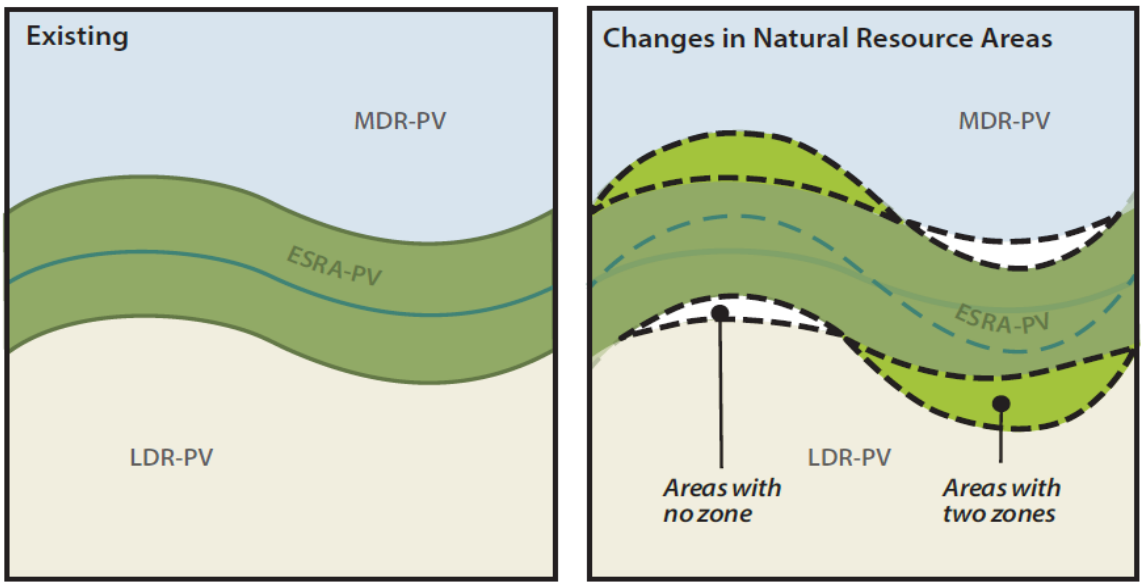
The NRO areas address requirements of Statewide Planning Goal 5 Metro Titles 3 and 13 that protect natural resources such as jurisdictional streams and wetlands.

The following summarizes improvements that have been integrated into the draft code and maps:

- Mapping data on natural resources has been updated to be more accurate and integrated into a new model that can be easily updated when necessary.
- The HCA boundary is now easier to determine and less costly to field verify.
- The Local Wetland Inventory does not cover large areas in the southern half of the city, including Pleasant Valley and Springwater. There are resources that need to be captured and protected. In areas that do not currently have a Local Wetland Inventory, the City can require the determination of whether wetlands are present with future development.
- Updated code language creates clear and objective standards to support residential development. It also increases mitigation options for single family development with a cash-in-lieu option managed by the city.
- In Pleasant Valley and Springwater, Environmentally Sensitive Restoration Areas (ESRAs) are converted from “zones” to “overlays”. Zones are areas where development is generally not allowed and conservation is the primary allowed use. As natural resources such as streams and wetland change over time, adjusting the “zone” boundary independently results in:
    - gaps where the ESRA is no longer but there is no underlying land use, *or*
    - an area where there is a defined land use that now has a natural resource protection zone over it, which is conflicting.

  Converting what are currently ESRA zones to “overlays” is beneficial in that it:
    - eliminates the potential problem of gaps or overlapping of a natural protection zone on a defined land use,
    - creates consistency between the city and the Pleasant Valley and Springwater Plan areas, and
    - allows for shifting of a boundary as the natural resources evolve over time without changing underlying land uses.

Figure 1: Example ESRA zone boundary and stream migration consequence



Hillside and Geologic Risk Overlay (HGRO)

This overlay regulates development on steep slopes and landslide prone areas to ensure its design minimizes hazards to life, property, and water quality.

The following summarizes improvements that have been integrated into the draft code and maps:

- Uses higher resolution slope data to capture landslide deposits and both deep and shallow landslide susceptibility
- Improves the clear and objective nature of a geotechnical review
- Refines standards as to when a geotechnical review is required
- Gives clear and achievable disturbance areas for land divisions
- Ensures geotechnical recommendations are represented in final development.

Timeline

September: Public Outreach (Neighborhood Coalition, Developers, Watershed Councils, Planning Commission, Urban Forestry Subcommittee, general public)
October: Beginning the legislative process
November: Planning Commission Hearing
December: City Council Hearing