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MEMORANDUM

TO: Clackamas County Planning Commission
FROM: Joy Fields, Principal Planner
DATE: August 17, 2026
RE: Study Session: Clear and Objective Code Amendment Summary
and Introduction of Draft Amendments (File ZDO-290)

During the Fall of 2025, staff introduced the Clear and Objective Code Amendment project (ZDO-290) to the Planning Commission and had two study sessions to review the initial code audit. Since that time, the consultant team and staff have been working to draft specific code language changes to address the issues identified in the audit. Staff also met with the Board of County Commissioners (BCC) to obtain policy direction on a few key issues.

The purpose of this Planning Commission Study Session is to introduce the draft code amendments prepared by MIG Consultants and staff. The goal is to hear initial feedback before the draft amendments are discussed with the public at two virtual public open houses scheduled for October.

As a reminder, the project is aimed at amending the Zoning and Development Ordinance (ZDO) so that we provide a pathway for applicants to proceed under clear and objective standards for the development of housing in urban and rural residential areas as required by state law.

ZDO-290 is focused on those standards that implement four statewide planning goals related to natural resources and hazards:

- Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces)
- Goal 6 (Air, Water, and Land Resources Quality)
- Goal 7 (Areas Subject to Natural Hazards)
- Goal 15 (Willamette River Greenway)

The project also aims to consolidate overlapping regulations to streamline development review and provide greater clarity for staff and applicants. As discussed in 2025, we are trying to avoid updating the natural resource and

hazard inventories or substantially change the level of protection from development. One exception is for mass movement hazards (i.e., landslides) where the proposal is to adopt updated mapping.

In December, the Planning Commission provided direction for this project and identified several areas where policy guidance was needed from the Board of County Commissioners (BCC). During a policy session on March 17, 2026, the BCC provided the direction that you will see referenced in the summary table provided by MIG and noted in the background found at the top of each of the zoning code sections.

We will be using the attached Public Review Draft Amendment - Summary Table to walk through the proposed changes. Below are the sections that will be the subject of the study session:

1. **River and Stream Conservation Areas (RSCA – ZDO 704)** – Areas adjacent to rivers and streams intended to protect water quality and river habitat outside the Urban Growth Boundary/Metro Service District boundary.

The changes to ZDO 704 include providing a clear mitigation pathway for disturbance to the vegetated buffer and establishing a maximum disturbance area for housing development on existing lots in residential zones. After the public input on the language, the format of the section will be altered to match the format of other sections of the ZDO. Additionally, ZDO 1002.04 River & Stream Corridors is proposed to be repealed and the stream buffer regulations for the rural areas will utilize the standards and inventory maps adopted for ZDO 704.

2. **Willamette River Greenway (WRG – ZDO 705)**: Areas adjacent to the Willamette River intended to protect water quality and habitat.

The vegetative buffer standards are moved to either 704 or 706 as applicable for the location in the WRG. The format of the section will be altered to match the format of other sections of the ZDO.

3. **Habitat Conservation Area Districts (HCA – ZDO 706)**: Mapped wetlands, riparian corridors and wildlife habitat inside the Urban Growth Boundary or Metro Service District boundary.

The changes include merging the Water Quality Resource Area District with the HCAD.

4. **Mineral and Aggregate Overlay (MAO – ZDO 708):** Goal 5 resource that currently limits housing in the impact area unless an analysis and land use review are completed.

While this section may need to be updated in the future, the current regulations establish the Goal 5 protection program for the MAO by clearly and objectively prohibiting housing in the impact area and providing a discretionary review alternative for applicants. Modifying that approach would require substantial amendment and is outside the scope of this project. As a result, no changes are proposed at this time.

5. **Water Quality Resource Areas (WQRA – ZDO 709):** Wetland and riparian corridors inside the Urban Growth Boundary or Metro Service District boundary but outside CCSD#1.

Proposed to be removed once incorporated into ZDO 706. Staff are actively creating maps that reflect the text that determines when a resource is subject to the WQRA standards. In that way, the resources that are regulated based on proximity to a waterway, and the waterway resources regulated based on the size of the drainage basin will continue to receive protection. However, unknown resources found during the development process will no longer be subject to buffer or mitigation requirements.

6. **Protection of natural features (ZDO 1002):** Mapped areas of natural resources and natural hazards including steep hillsides, open spaces and the lower elevations where deer and elk migrate during the winter (winter range).

These sections are getting major updates to either be removed if covered by a different section of the ZDO or to have standards established. For example, the Deer and Elk Winter Range is currently protected as feasible and will need to have standards established to have a clear and objective way to consider impacts to the Goal 5 resource.

7. **Hazards to safety (ZDO – 1003):** Mapped areas of mass movements and landslides, soil hazard areas, floodplain, and fire hazards.

These sections are getting major updates that include adopting updated landslide maps, incorporating the steep slope standards from ZDO 1002, and repealing sections that are either covered by a different section of the ZDO or more appropriately addressed outside the ZDO.

8. **Surface Water Management (ZDO – 1006):** Standards that ensure developers comply with the requirements of the applicable surface water authority, or department, when new hard surfaces are proposed.

The proposed changes include modifying the process so the current regulations are adequately reflected in the preliminary surface water management plan to give the applicable authority enough information to determine if their respective requirements can be met as proposed.

9. **Open Space (ZDO 1011):** Mapped areas indicated as Open Space on Comprehensive Plan Map IV-6, North Urban Area Land Use Plan Map, or on the Mt. Hood Community Plan Map.

This entire section is proposed to be removed. Portions of the section will be moved while others will be repealed.

The goal of the study session is to allow the Planning Commission to learn more about these proposed changes and to discuss whether the Planning Commission has concerns or questions about the draft amendments. One lens that we hope the Planning Commission will apply is to consider whether the draft amendments

- Achieve the intent of being clear and objective
- Avoid substantially altering the level of protection except as specifically proposed for the adoption of new landslide hazard maps



TO: Project Management Team

FROM: MIG

RE: Public Review Draft Amendments – Summary Table
Clackamas County Code Update

DATE: July 31, 2026

The following table summarizes the Public Review Draft amendments delivered to Clackamas County. The Public Review Draft package includes revised drafts of all ZDO sections developed during Phase 1 and Phase 2 of the project. MIG revised the drafts based on County staff’s comments and edits delivered between July 13-21, 2026. We have included two versions of each ZDO section: (1) a “clean” copy that only shows the proposed amendments, without margin comments; and (2) a copy with margin comments retained. Comments that were previously addressed by MIG or County staff have been resolved. Remaining comments either explain MIG’s approach to the latest revisions, indicate where County action is needed, or indicate where sections may be revisited after public review.

ZDO Section	Proposed Approach (from Spring 2026)	Relevant BCC Direction	Notes
704 – River and Stream Conservation Area (RSCA)	- Revise standards to create a C&O path. - Relocate buffer requirements from Section 705 WRG, for areas outside the UGB/MSD. - Consolidate ZDO 1002.04 River & Stream Corridors into ZDO 704.	Continue use of the County’s existing adopted stream inventory. Repeal discretionary water quality standards for streams not on the adopted inventory.	A few items either need revisiting or County action after public review.
705 – Willamette River Greenway (WRG)	- Relocate buffer requirements to Section 704 and 706, using the proposed 150-foot / 100–150 foot framework. - Align more closely with Goal 15. - For remaining standards, offer an alternative C&O path for housing development within the UGB and RR zones.	N/A	A few items either need revisiting or County action after public review.
706 – Habitat Conservation Area District (HCAD)	- Consolidate WQRAD into HCAD. - Relocate buffer requirements from Section 705 WRG, for areas inside the UGB/MSD.	Continue use of the County’s existing adopted stream and wetland inventories. Repeal	Several items either need revisiting or County action after public review. Mostly

ZDO Section	Proposed Approach (from Spring 2026)	Relevant BCC Direction	Notes
	Targeted amendments for fully C&O path.	discretionary standards for unmapped streams and wetlands.	related to edits made by staff.
708 – Mineral and Aggregate Overlay (MAO)	Add a C&O compliance option for residential development in Rural Residential zones. Apply a minimum setback from the Extraction Area in lieu of the discretionary approval criterion.	N/A	Per Joy: Staff have decided to leave this section as it is and not edit it with this project.
709 – Water Quality Resource Area District (WQRAD)	Repeal this section and instead apply protections through Section 706 (HCAD) and related surface water management provisions.	Continue use of the County’s existing adopted stream and wetland inventories. Repeal discretionary standards for unmapped streams and wetlands.	Updated commentary box per Jennifer’s comment.
1002 – Natural Features	1002.01 – Hillsides: Repeal this subsection and consolidate applicable slope standards into Subsection 1003.02. Remove discretionary scenic preservation standards. 1002.02 – Tree Removal: No amendments proposed. Consider reviewing alongside Subsection 1002.03 in a future process. 1002.03 – Trees and Wooded Areas: No amendments proposed. Recommendation is to defer amendments to a future process. 1002.04 – River and Stream Corridors: Remove and consolidate with Section 704 RSCA. 1002.05 – Deer/Elk Winter Range: - Add an alternative C&O review option for residential development in RR zones and Unincorporated Communities.	1002.03: Direct staff to develop future C&O upland tree protection regulations either through expansion of this project or a subsequent effort. 1002.04: Continue use of the County’s existing adopted stream inventory. Repeal discretionary water quality standards for streams not on the adopted inventory.	Joy added some protections for significant natural areas and wetlands pulled over from Section 1011 Open Space.

ZDO Section	Proposed Approach (from Spring 2026)	Relevant BCC Direction	Notes
	○ Limit the extent of habitat disturbance and fragmentation by requiring development be placed close to roads, clustering of structures, and consolidated driveways. ● 1002.06 – Mt. Hood Resource Protection OS: ○ Consolidate Open Space regulations in ZDO sections 1011.01-02 that apply to Mt Hood wetlands. ○ Require a wetland boundary determination unless the proposed development is 200+ feet from the mapped wetland. ○ C&O path allows no development within 100’ of the verified wetland boundary. Discretionary path retains existing requirements for development within 100’. ○ Require preservation of undeveloped areas via dedication, HOA, or easement (consistent with ZDO 1011). ● 1002.07 – Significant Natural Areas: No amendments proposed. ● 1002.08 – Significant Landforms and Vegetation: Remove subsection. ● 1002.09 – Resource Protection Areas in the VR 4/5 and VR 5/7 Districts: No amendments proposed.		
1003 – Hazards to Safety	● 1003.02 – Mass Movement Hazard Areas / Steep Slopes: ○ Consolidate with Hillsides standards. ○ Adopt latest DOGAMI mapping. ○ Specify how steep slopes are identified/calculated. ○ Limit the steep slope standards (20%+) to land divisions, to require creation of buildable lots. Remove or reduce standards primarily related to protecting hillside aesthetics, including the cap on lot coverage.	● 1003.02: Replace the existing landslide hazard maps with new mapping available from DOGAMI. ● 1003.05: Repeal the general regulations for unmapped “fire hazard	Staff wants to reorganize this section now that the rest of 1003 is repealed. Additional County action is also needed after public review.

ZDO Section	Proposed Approach (from Spring 2026)	Relevant BCC Direction	Notes
	○ Create a C&O certification option as an alternative to a Geotech report. • 1003.03 – Standards for Flood Hazard Areas: Remove section, since it is redundant to ZDO 703. • 1003.04 – Standards for Soil Hazard Areas: ○ Create a C&O certification option as an alternative to the discretionary standards. ○ Adopt latest DOGAMI mapping. • 1003.05 – Standards for Fire Hazard Areas: Remove section and rely on other regulations for fire protection.	areas” and rely on other ZDO standards.	
1006.06 – Surface Water Management and Erosion Control	• Remove or narrow standards that overlap with regulations of other surface water management regulatory authorities. Rely on the service provider letter process to verify compliance with applicable surface water management requirements.	N/A	Needs policy direction from County, based on surface water authority input, regarding level of detail and timing of SPL.
1011 – Open Space and Parks	• Remove whole section. Consolidate certain sections (e.g., Mt. Hood wetland standards) into other ZDO sections.	N/A	• Joy relocated portions to 1002. • For 1011.05, <i>Sunnyside Village Park Design Standard</i>, Jennifer suggested relocating it to ZDO 315. Staff will need to make that change following public review.
1103 – Open Space Review	• Remove whole section.	N/A	No changes.