



MEMORANDUM

TO: Planning Commission
FROM: David Levitan, AICP Senior Planner
MEMO DATE: December 30, 2015
WORK SESSION: January 6, 2016
SUBJECT: South Cooper Mountain Local Wetland Inventory Work Session
(CPA 2015-0008)

Purpose of Work Session

The purpose of this work session is to discuss the Local Wetland Inventory (LWI) for the South Cooper Mountain Annexation Area (SCMAA). This city-initiated amendment (CPA 2015-0008) would add the LWI for the area to Volume 3 (Statewide Planning Goal 5 Resource Inventory Documents) of the City of Beaverton Comprehensive Plan. The amendment is scheduled for a public hearing before the Planning Commission on January 27, 2016.

Background

The planning area for the citywide LWI prepared in 2000 included several areas of unincorporated Washington County that were within the Urban Growth Boundary (UGB) and the city's Urban Service Boundary (USB) as of 2000. However, it did not include the South Cooper Mountain Annexation Area (SCMAA), the 544 acre planning area that was brought inside the UGB in 2011 and annexed into the city in 2013. As such, the city is required to prepare a LWI for the SCMAA, which must be reviewed and approved by DSL and added to Volume 3 of the city's Comprehensive Plan via a Comprehensive Plan Amendment. The purpose of this work session is to review the draft LWI with the Planning Commission in advance of its scheduled January 27, 2016 public hearing to adopt the LWI into the Comprehensive Plan.

The South Cooper Mountain Annexation Area LWI that was prepared is attached as Exhibit 1. This report documents the regulatory requirements, methodology, and results of the inventory.

Local Wetland Inventories: Role and Requirements

Role: The role of the LWI is to support planning level decision making and is not intended to replace more detailed site level wetland delineation work that may be needed for compliance with local, state, or federal regulations governing the protection of wetlands and surface waters. A detailed project specific wetland delineation report for wetlands identified in the LWI is typically required prior to site development and is subject to approval by the Department of State Lands (DSL).

Requirements: Statewide Planning Goal 5 requires that local governments maintain inventories and create protection programs for the state's natural resources. OAR 660-023 establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources. The process to comply with Goal 5 follows three main steps:

Step 1: Inventory natural resources and determine which resources are significant.

The LWI for the SCMAA was prepared in concert with the South Cooper Mountain Community Plan, which was adopted by the city in early 2015 and covers 22 tax lots that make up the 544 acre planning area. Following a review of background materials, LWI field work for the SCMAA was conducted in March 2013, with site access granted to 7 of the 22 tax lots to allow for reconnaissance level wetland mapping. In addition, 5 property owners hired their own wetland consultants to conduct wetland investigations, which have been reviewed by the city and/or DSL and which have been incorporated into the LWI report and maps.

A summary of the wetland inventory results is found in Table 2 of the LWI (Exhibit 1). As indicated, there are 4 known wetlands; 10 probable wetlands; and a non-jurisdictional detention pond totaling an estimated 47.53 acres. Of the 4 known wetlands, 3 were determined to be locally significant.

Wetland functions were evaluated for wetlands greater than one-half acre using the Oregon Freshwater Wetland Assessment Methodology (OFWAM). OFWAM results were used to determine if any of the wetlands in SCMAA qualify as “locally significant wetlands” in accordance with criteria set forth in OAR 141-086-0350. Following DSL guidance, probable wetlands were not included in the evaluation of locally significant wetlands. It was determined that three wetlands in SCMAA met locally significant wetlands criteria. The three locally significant wetlands are identified as W-A, W-C and W-H in the LWI Report¹ and comprise approximately 24 acres of the total 47.53 acres of wetlands included in the SCMAA LWI.

Riparian corridors and upland wildlife habitat in SCMAA include regional resources included in Metro’s Urban Growth Management Functional Plan (UGMFP) Title 13: Nature in the Neighborhoods, as well as those inventoried during development of the SCM concept and community plans.

Step 2: Complete an economic, social, environmental and energy (ESEE) analysis; or in the case of regional resources, comply with UGMFP Title 13 requirements.

To comply with Goal 5, cities are required to prepare an economic, social, environmental, and energy (ESEE) analysis that evaluates the potential tradeoffs associated with managing significant natural resources and their impact areas (those areas surrounding the significant resource where development activities could adversely affect the resource).

The ESEE analysis for SCMAA evaluates three scenarios for each type of conflicting use- whether it should be allowed, limited, or prohibited within the resource and its impact area - and a net effect is calculated for each conflicting use, factoring in not just the environmental consequences of each protection scenario, but also the economic, social, and energy consequences.

For the SCMAA, five conflicting use categories were evaluated based on the permitted uses in the SCM Community Plan:

- Residential development;
- Limited civic and commercial development;
- Parks, open space and trails;
- Transportation facilities; and
- Public and private facilities

¹ South Cooper Mountain Annexation Area, Local Wetland Inventory, David Evans and Associates, Inc. September 2015.

Overall, the ESEE analysis determined that as it relates to the 3 significant wetlands within the SCMAA, the “limit” scenario offers the greatest net benefit for all 5 use categories, and as such a protection program that limits conflicting uses is the most appropriate for the SCMAA. The analysis determined that the protection program should seek to avoid impacts where possible; support the clustering of residential development away from resources; and recognize that private and public facilities and utilities and transportation uses may require a greater degree of flexibility.

In addition to wetlands, the SCMAA includes riparian corridors and upland wildlife habitat, which were identified in the Metro Title 13 Resource Inventory and the South Cooper Mountain Resource Inventory and the protection of which are governed by Title 13 of the Metro Urban Growth Management Functional Plan. As such, the city’s consultants (Angelo Planning Group) also completed an analysis of the planning area’s compliance with Title 13 for riparian corridors and upland wildlife habitat. The Goal 5 ESEE and Title 13 compliance analysis is included within Exhibit 2.

Step 3: Develop a program to protect significant natural resources.

Beaverton’s existing Goal 5 program relies primarily on programs established by the Tualatin Basin Partners, including Clean Water Services (CWS), to protect and enhance natural resources. The City also employs other tools to help protect and conserve significant resources identified in natural resource inventories, such as flexible development standards (e.g. planned unit developments) and tree protection requirements.

An overview of existing programs is provided on pages 8-9 of the ESEE report attached as Exhibit 2. Program recommendations to implement the “limit” scenario are found on pages 28-29 of the ESEE report. As indicated, a program that limits conflicting uses should accomplish the following objectives:

- Avoid impacts where possible. Where impacts cannot be avoided require mitigation for resource impacts to help ensure that lost ecosystem services are replaced to the extent possible.
- Support the clustering of residential development away from resources so that the economic and social benefits of providing housing are accomplished in conjunction with environmental benefits of protecting resources.
- Recognize that the Private and Public Utilities and Facilities and Transportation use categories may require a greater degree of flexibility to allow for the crossing of resources and the temporary impacts associated with underground utilities.

Public Review and Next Steps

The draft LWI has been reviewed by DSL and the Department of Land Conservation and Development (DLCD), whose comments have been incorporated into the draft report that is attached as Exhibit 1. State law also requires that the city hold a public meeting to review the draft LWI with property owners. This meeting is scheduled for January 14 at the Scholls Heights Elementary School library. The city also posted the draft LWI on the city website on January 5, 2016 and is taking public comment until January 26, the day prior to the Planning Commission’s public hearing.

EXHIBITS

- Exhibit 1. South Cooper Mountain Local Wetland Inventory, Public Review Draft
- Exhibit 2. South Cooper Mountain ESEE Analysis and Title 13 Compliance Report