
MEMORANDUM

Buildable Lands Inventory (DRAFT)

Pleasant/Valley North Carver Comprehensive Plan

DATE October 2, 2018
TO City Project Team
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INTRODUCTION, LEGAL FRAMEWORK AND DATA SOURCES

This memorandum describes the approach and initial results of the Pleasant Valley / North Carver (PV/NC) Comprehensive Plan Buildable Lands Inventory (BLI). The BLI documents the potential buildable urban land supply for the project area, which will be used in the project to plan for future land uses, estimate growth capacity, and support infrastructure analysis. The aim of this inventory is to get a high-level understanding of the amount and type of buildable land in the study area, not the specific development capacity of individual parcels in the area

Legal Framework for a Buildable Lands Inventory

The following section describes Oregon's requirements for a BLI and some key concepts necessary for understanding the BLI. The state's BLI definitions and methods are typically applied to areas that have urban zoning. The PV/NC project area currently has rural zoning – urban zones will be identified over the course of the project. This BLI utilizes the state requirements and adapts them for use in the PV/NC Comprehensive Plan project.

State Statutes and Administrative Rules: Residential Land

Oregon state statute and administrative rules require local governments to produce a local buildable lands inventory as part of preparation of a Housing Needs Analysis. That BLI “must document the amount of buildable land in each residential plan designation.”¹

State statute identifies the following categories of buildable lands:²

¹ OAR 660-008-0010, effective February 14 2012

² ORS 197.296(4)(a), effective 2003

- (A) Vacant lands planned or zoned for residential use;*
- (B) Partially vacant lands planned or zoned for residential use;*
- (C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and*
- (D) Lands that may be used for residential infill or redevelopment.*

It further requires that the local government “demonstrate consideration of:”³

- (A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;*
- (B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and*
- (C) The presence of a single family dwelling or other structure on a lot or parcel.*

The State administrative rules further define buildable land in the context of a Residential BLI as follows:⁴

(2) “Buildable Land” means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered “suitable and available” unless it:

- (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;*
- (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;*
- (c) Has slopes of 25 percent or greater;*
- (d) Is within the 100-year flood plain; or*
- (e) Cannot be provided with public facilities.*

(6) “Redevelopable Land” means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists

³ ORS 197.296(4)(b), effective 2003

⁴ OAR 660-008-0005(2), effective February 14 2012

the strong likelihood that existing development will be converted to more intensive residential uses during the planning period.

State Statutes and Administrative Rules: Employment Land

A similar inventory is required for employment land as part of the preparation of an Economic Opportunities Analysis (EOA). The categories used in the EOA inventory differ from those used for residential lands, and are as follows:⁵

(1) "Developed Land" means non-vacant land that is likely to be redeveloped during the planning period.

(14) "Vacant Land" means a lot or parcel:

(a) Equal to or larger than one half-acre not currently containing permanent buildings or improvements; or

(b) Equal to or larger than five acres where less than one half-acre is occupied by permanent buildings or improvements.

(3) Inventory of Industrial and Other Employment Lands. Comprehensive plans for all areas within urban growth boundaries must include an inventory of vacant and developed lands within the planning area designated for industrial or other employment use.

The application of the above-cited definitions will be coordinated with the housing and employment forecasting work by FCS Group.

Data Sources

The following data was used to create this BLI:

- Parcel data provided by the City, based on Clackamas County Assessor data
- Natural resources data, including FEMA floodplains, local wetlands, protected Water Quality areas, Habitat Conservation Areas (HCA), and areas of landslide susceptibility
- Areas of steep slopes (25% and greater) from Metro's Regional Land Information System (RLIS)
- Areas of transition slopes (15%-25%) from the City
- Natural Gas Pipeline buffers from the City

⁵ OAR 660-009-0005, effective January 1, 2007.

STEPS AND METHODS

Overview

There are three general steps to the BLI.

Step 1 – Identify Physical Constraints

Step 2 – Categorize Land in the Study Area

Step 3 – Calculate Acreage of Buildable Land

This memorandum will address these steps in order, highlighting key assumptions and that influence the analysis.

Step 1: Identify Physical Constraints

Land that is physically constrained per state requirements and definitions is assumed to be unbuildable for the purposes of this inventory. The following types of land were excluded from the BLI:

- Floodway and Floodplain (Special Flood Hazard Area)
- “Conservation Slope” areas, which include area with slopes of 25 percent and greater, potentially Hazardous Analysis Areas (lands within 25 feet of slopes 25 percent and greater), and areas containing potentially rapidly moving landslide hazard areas mapped by the Oregon Department of Geology and Mineral Industries (DOGAMI).
- “Transition Slope” areas, which include land with slopes 15 percent and greater but less than 25 percent
- Local wetlands
- Habitat Conservation Area (HCA)
- Water Quality Resource Area (WQRA)
- Area within 200 feet of a Protected Water Feature or HCA

For this analysis, GIS data for these constraints was clipped to the study area and combined in a geospatial union, in order to account for spatial overlapping of different types of constraints. These constraints were then joined to taxlot data within the study area to determine how much constrained and unconstrained acreage lies within study area taxlots.

The environmental and physical constraints listed above are shown on the maps that follow (Figures 1-3). The combined map of all constraints is shown in Figure 4.

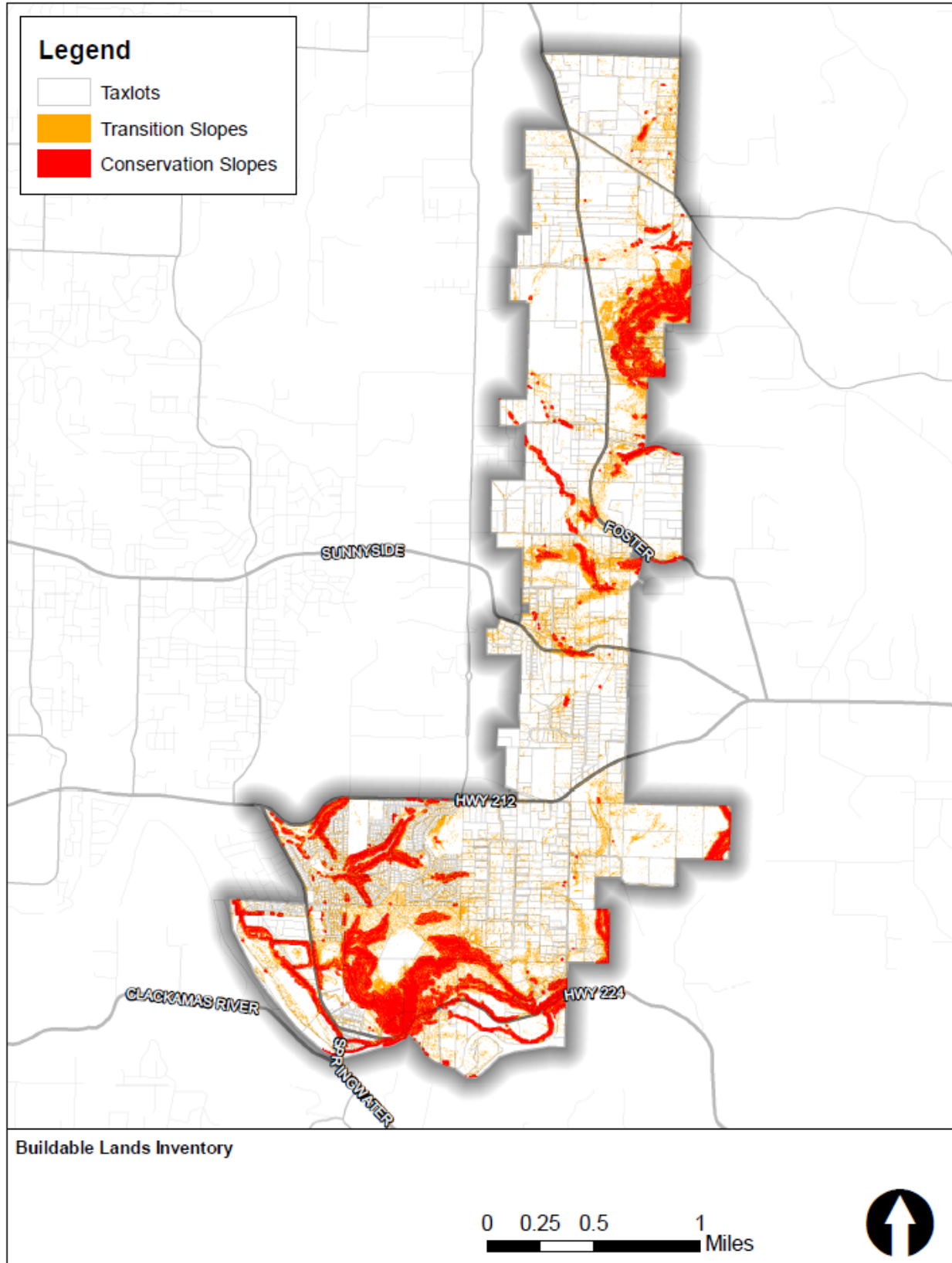
Figure 1. *Physical Constraints – Slopes*

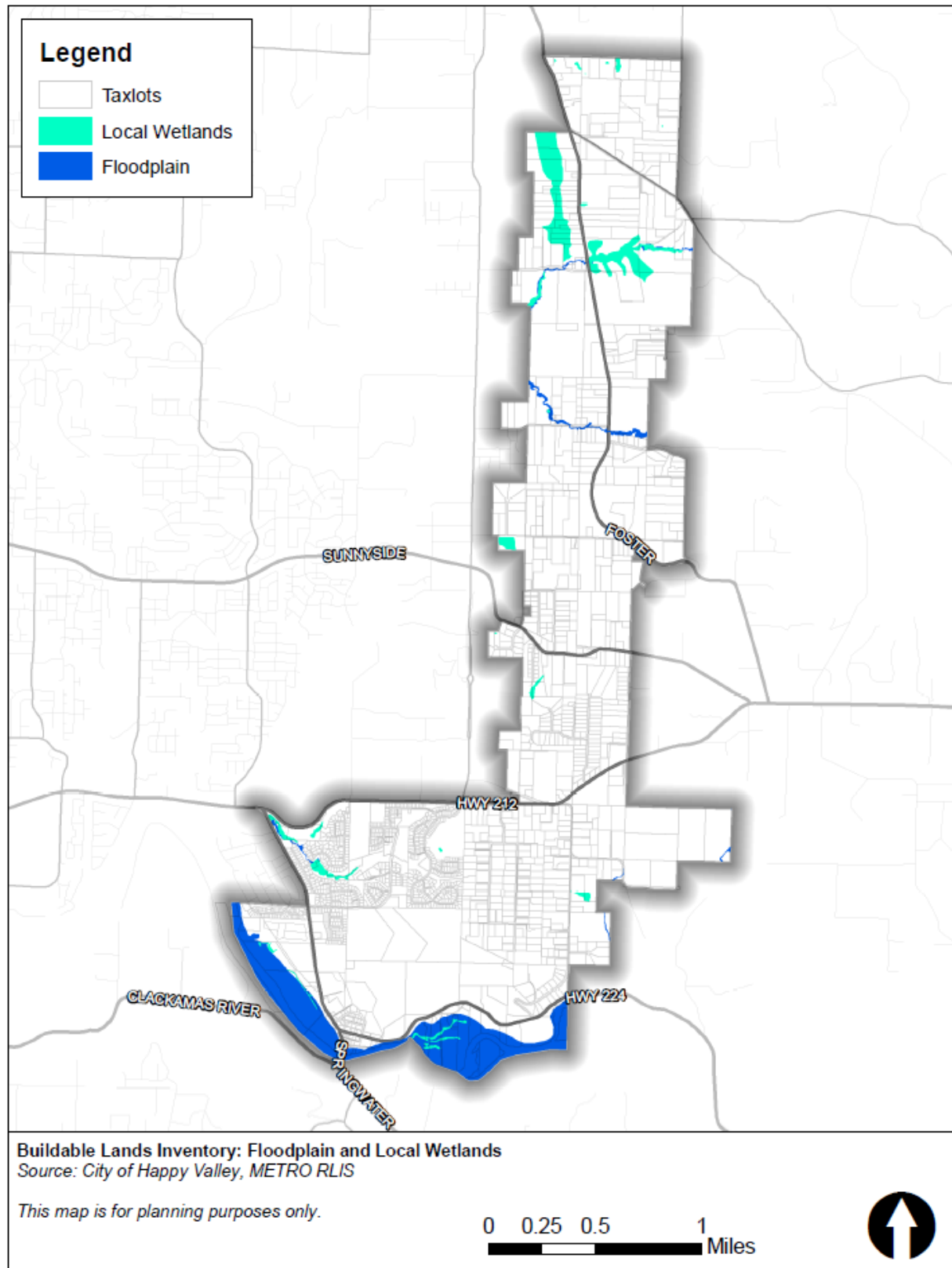
Figure 2. *Physical Constraints – Wetlands and Floodplains*

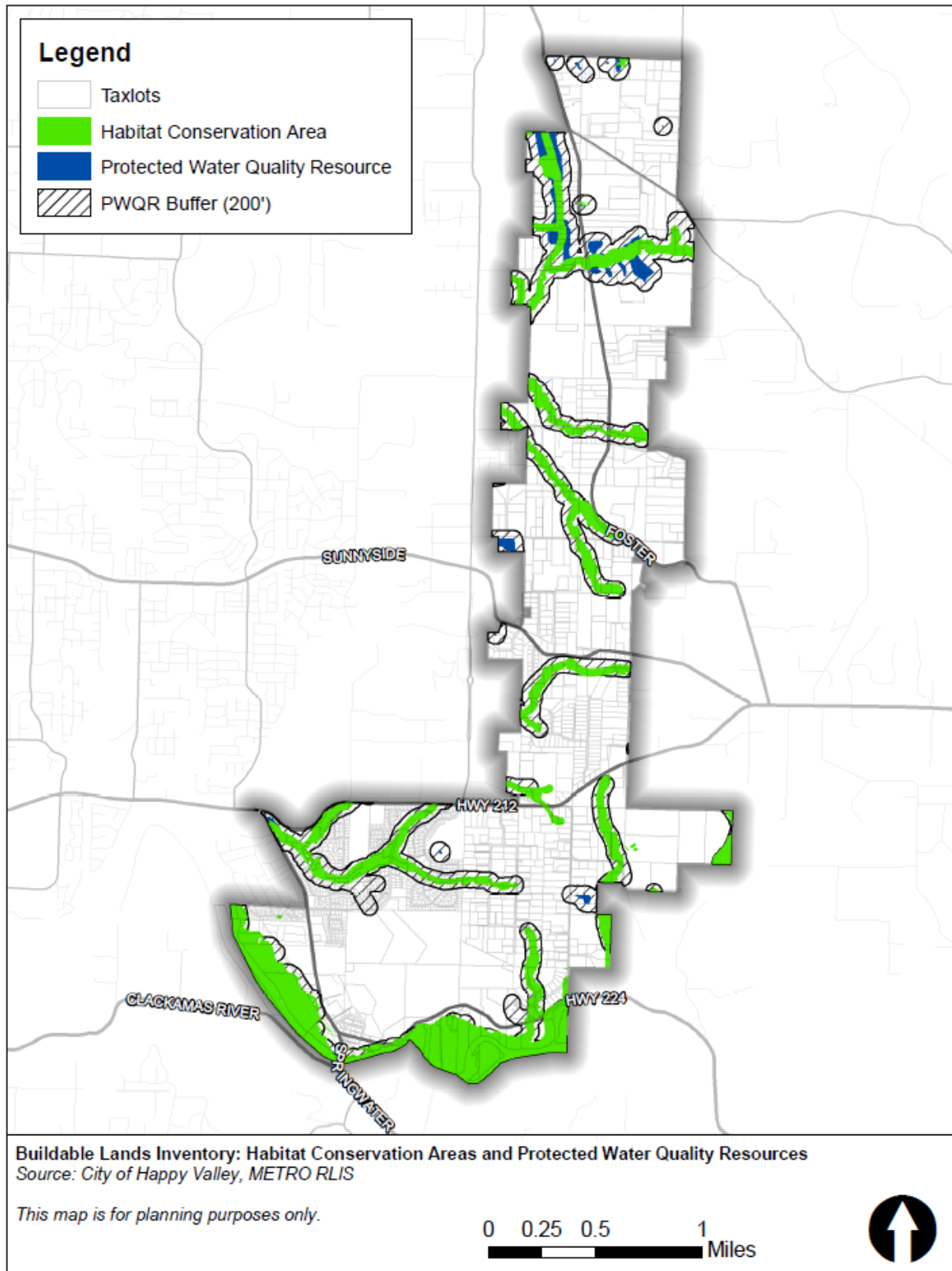
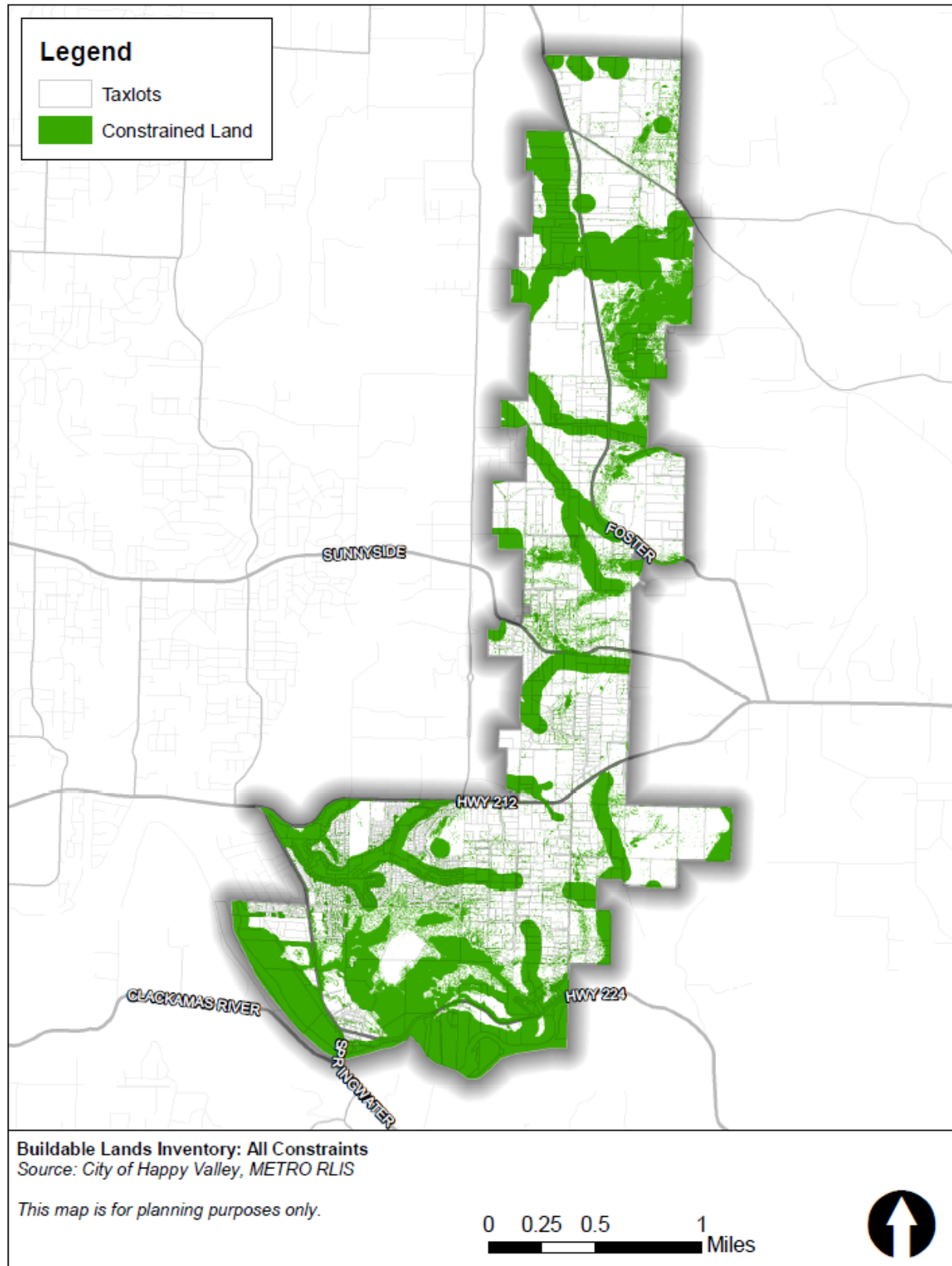
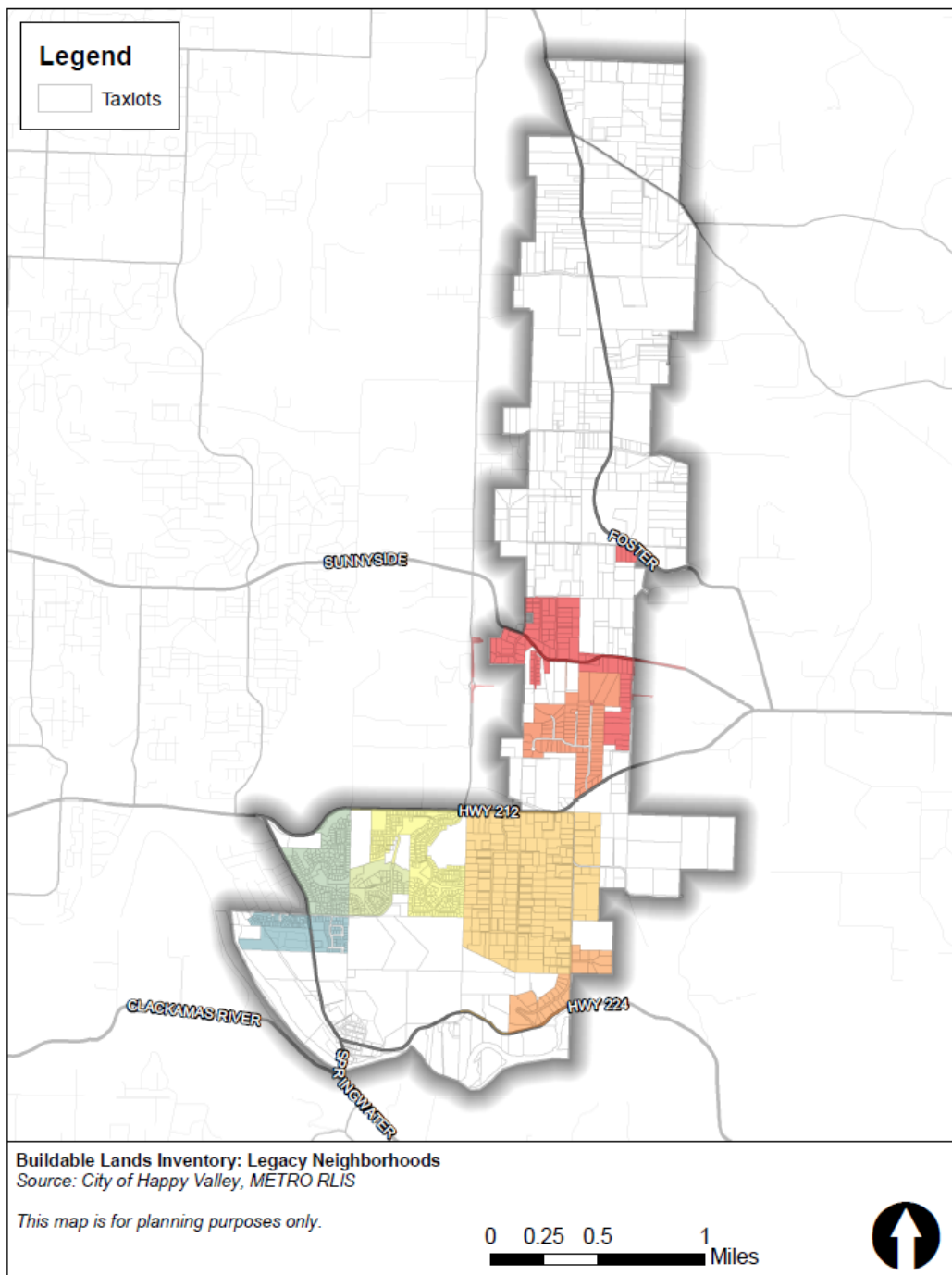
Figure 3. *Physical Constraints – Habitat Conservation and Water Quality Resource Areas*

Figure 4. *All Constraints and Study Area Taxlots*

There are several existing subdivisions in the southern part of the study area, identified in Figure 5 as “Legacy Neighborhoods.” They are delineated based on a review of parcel boundaries – the neighborhoods may be somewhat greater or lesser in extent than shown here. These neighborhoods are considered developed, though they may experience infill and redevelopment over time as the study area builds out. Such neighborhoods may have “Covenants, Conditions, and Restrictions” (CCRs) that limit the type or amount of infill development.

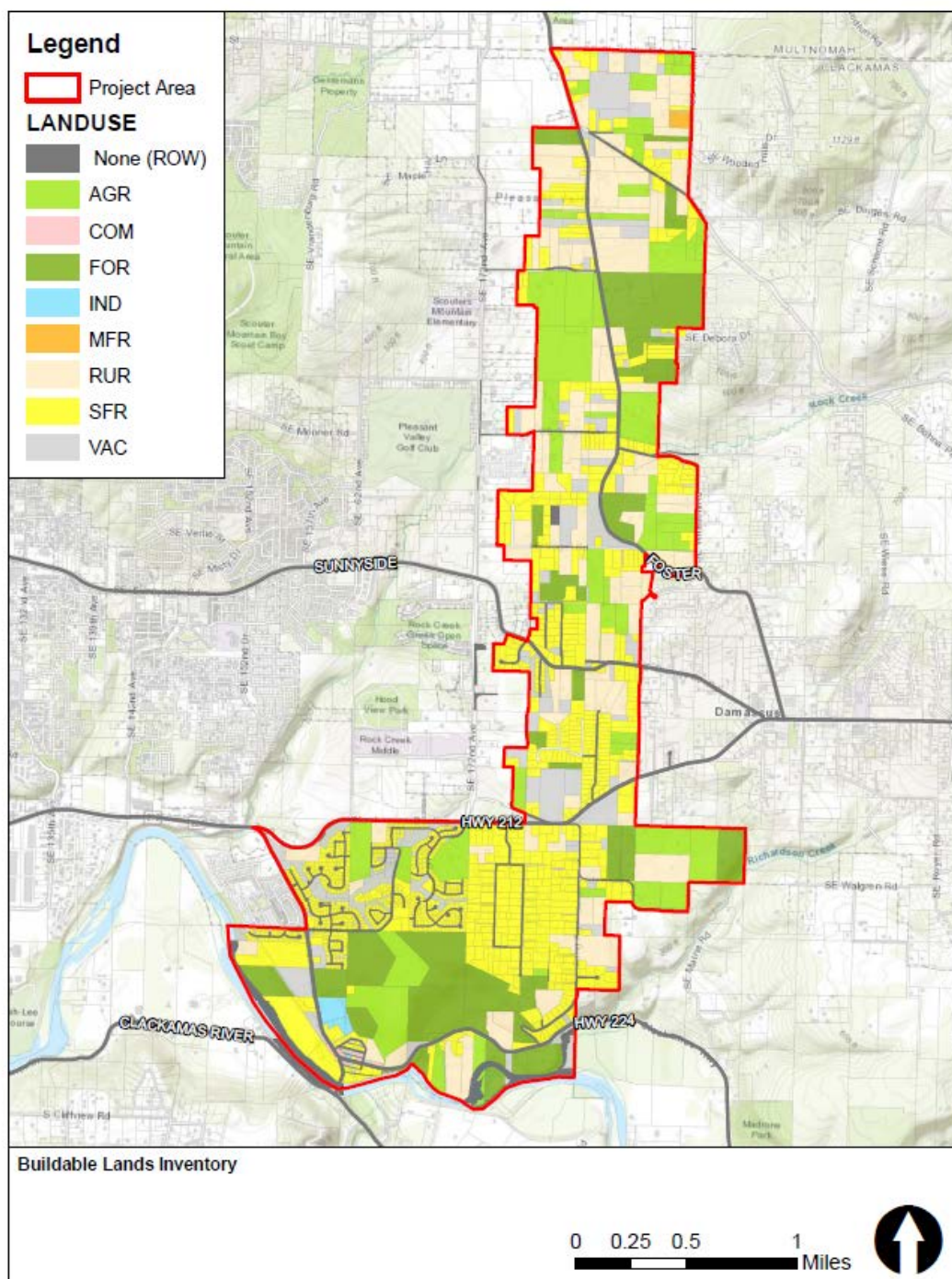
Figure 5. *Legacy Neighborhoods*



Step 2: Categorize Land in Study Area

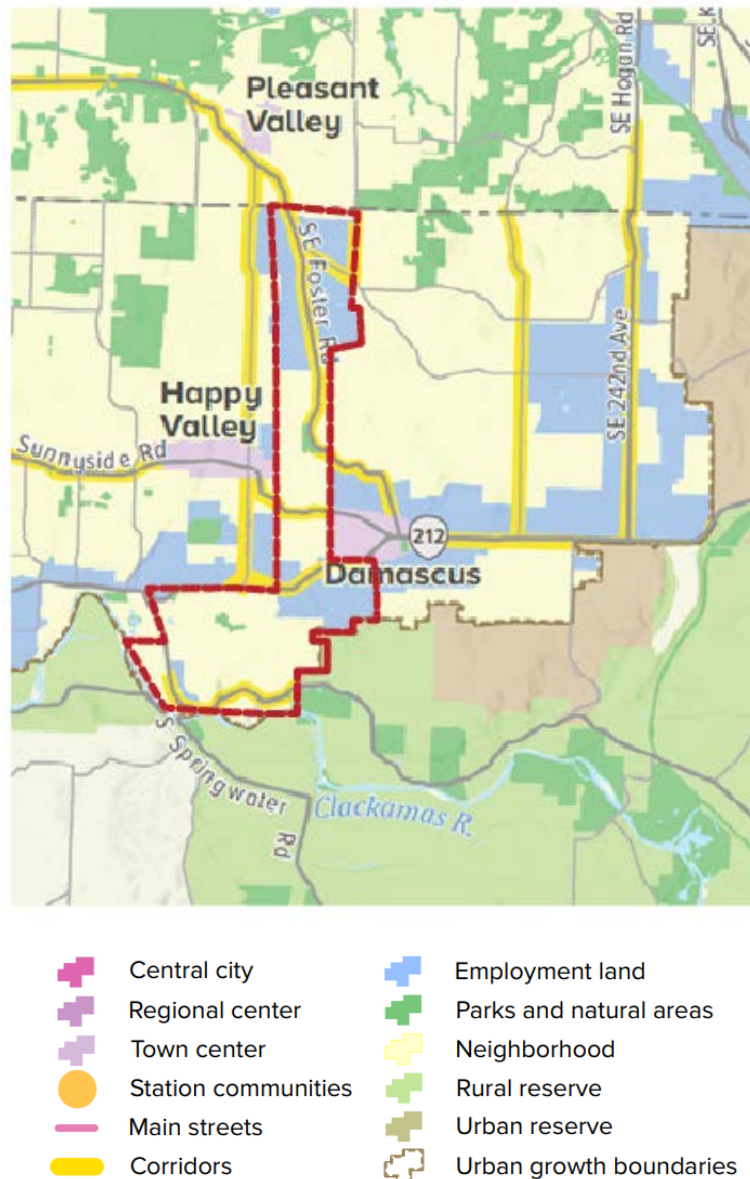
The study area does not currently have urban residential or employment zoning – Clackamas County rural designations will continue to apply until the adoption of the Pleasant Valley / North Carver Comprehensive Plan by the City of Happy Valley. Figure 6 shows existing land use, per the county tax assessor’s data, to provide a sense of what exists within the study area today.

Figure 6. *Assessor's Land Use Classification*

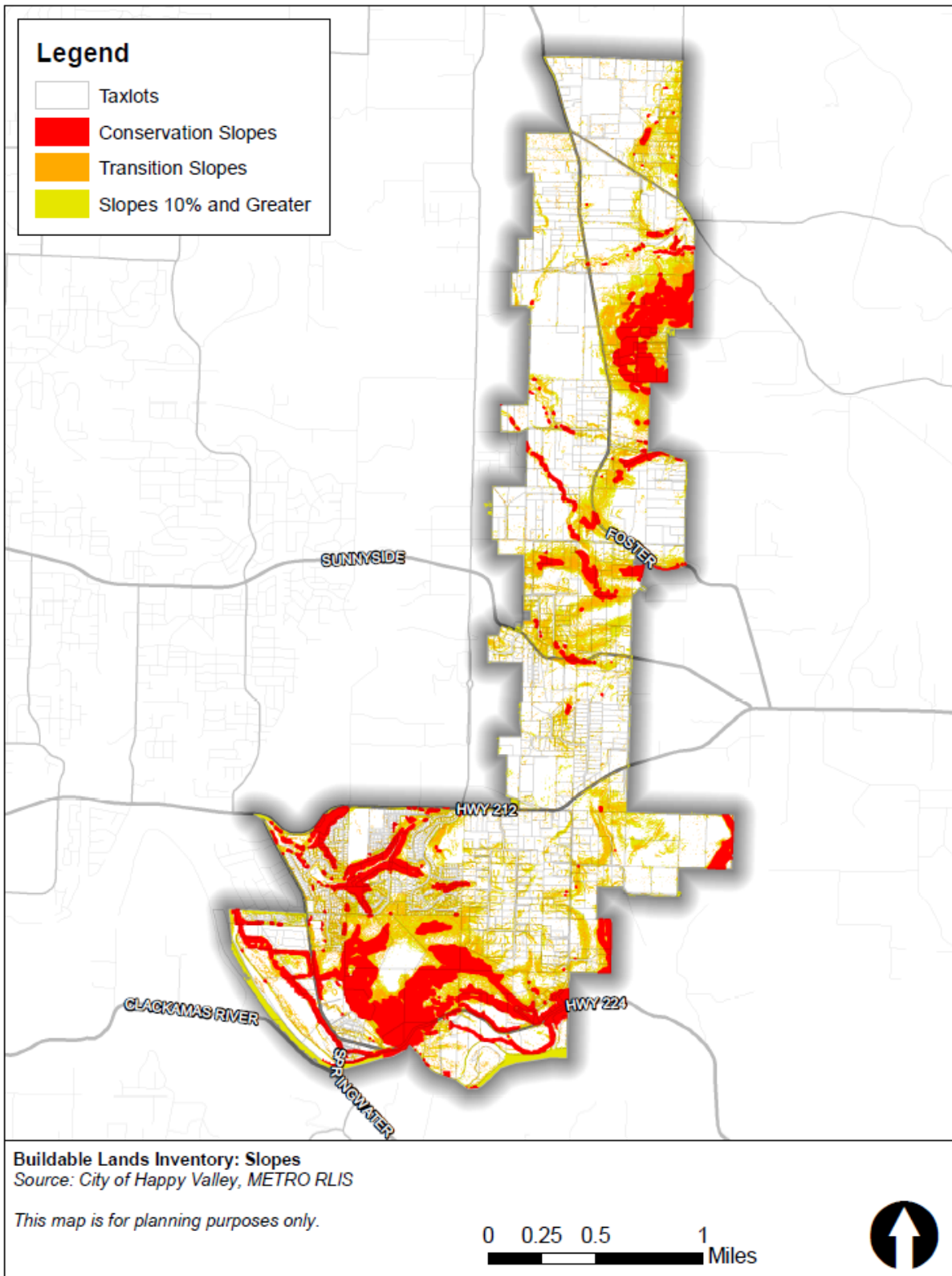


For a general indication of planned future uses in the area, we can look to the Metro 2040 Growth Concept, which is shown in the map below with an overlay of the generalized project study area. The study area contains employment land and residential land, though it does not encompass either of the two town centers seen on the map.

Figure 7. *Metro 2040 Growth Concept (Study area vicinity)*



Later steps of this planning effort will examine whether the employment designations shown in the Metro 2040 Growth Concept are appropriate for the plan area. The amount of buildable land in each Metro 2040 designation is presented in Table 3 at the end of this memo. One important factor in industrial land is contiguous flat area – costs per square foot for industrial land rarely justify the site work needed to flatten steep slopes. Figure 8 shows the slopes of 10% and above within the planning area.

Figure 8. *Slopes 10% and Greater, Transition Slopes, and Conservation Slopes*

Study area parcels were classified into five categories for the purpose of this BLI: Vacant, Partially Vacant, Developed-Constrained, Developed and Other.

- Vacant parcels have no development today (a building value of zero) and have some amount of unconstrained land.
- Partially Vacant parcels have development today but have enough developable area to further subdivide or accommodate infill. Parcels are considered to have enough developable area if they have more than a half-acre of unconstrained land.
- Developed-Constrained parcels have development today but are not suitable for additional development because they have less than a half-acre of unconstrained land.
- Developed parcels are not suitable for future subdivision or infill development because they have development and are less than a half-acre in size.
- Other parcels include roadways, private open space that is part of existing subdivisions, and publicly owned space.

Table 1 summarizes this classification of study area parcels by number, overall acreage, and unconstrained acreage.

Table 1. Classification of Study Area Parcels

Classification	Parcels	Total Acres	Unconstrained Acres
Vacant (no building value)	206	675	352
Partially Vacant (more than half-acre unconstrained land)	525	1453	984
Total Buildable Lands	731	2128	1336
Developed-Constrained (less than half-acre unconstrained land)	140	246	30
Developed (total size is less than half-acre)	746	131	69
Total Not Buildable Lands	886	377	99
Other (public facilities and open space)	64	213	79

Step 3: Calculate Acreage of Buildable Land

The third and final step in a BLI is to calculate and examine the amount of buildable land in the study area. Buildable lands are the unconstrained portions of those parcels that are considered Vacant or Partially Vacant. Parcels are not considered buildable if they were classified as Developed-Constrained, Developed, or Ignored, per the above definitions.

The amount of buildable land must also be adjusted to account for land needed for public facilities. For the purposes of this analysis, it is assumed that 30% of unconstrained land will be needed for public facilities, including streets, major infrastructure easements, schools, parks, and churches/fraternal organizations.⁶

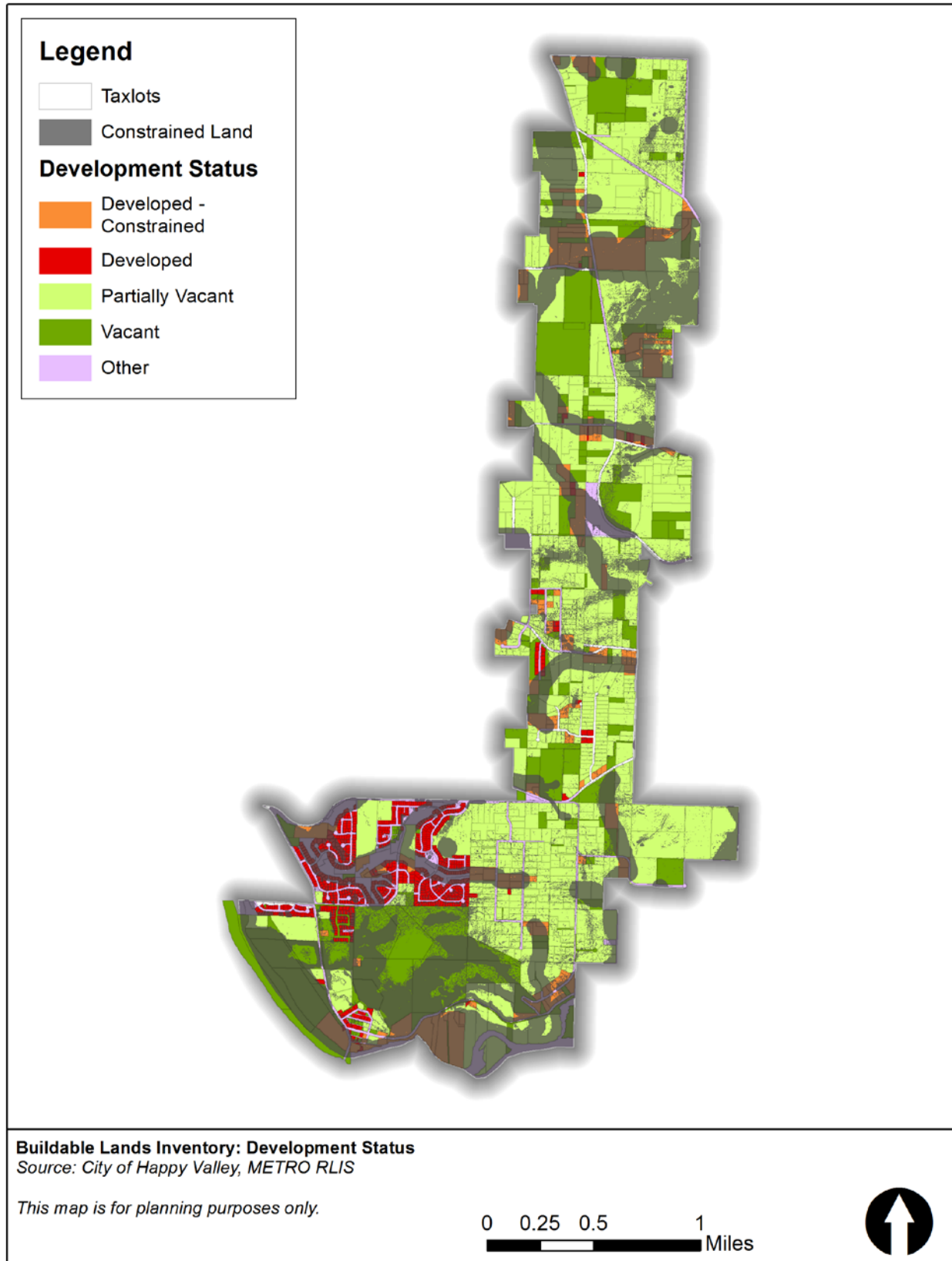
Table 2 presents the amount of gross buildable land in the study area by parcel size. The 30% deduction for public facilities is applied to arrive at the net buildable land in the study area. This data is depicted in map form in Figure 9.

*Table 2. Buildable Lands by Parcel Size
Acres of Unconstrained Land, 30% Deduction for Public Facilities*

	Vacant		Partially Vacant		Total	
Parcel Size	Gross	Net	Gross	Net	Gross	Net
0 to 0.5 acre	10	7	0	0	10	7
0.5 to 1 acre	15	11	98	68	113	79
1 to 3 acres	43	30	322	225	365	256
3 to 5 acres	46	32	202	141	248	173
5 to 20 acres	109	76	256	179	365	255
20+ acres	129	90	106	74	235	164
Total	352	246	983	688	1336	935

⁶ This assumption is based on the City of Damascus Buildable Land Inventory (2013). The percentage was adjusted down from 33% to 30% to account for the fact that some existing public streets and parks were classified as Ignored parcels in Step 2 of this analysis, and therefore already deducted from the BLI.

Figure 9. Land Classification and Constrained Lands



Buildable Lands by Metro 2040 Growth Concept Designations

For the purpose of assessing the supply of land compared to the projected need over the planning horizon, the amount of buildable land (unconstrained acres) in each Metro 2040 Growth Concept designation is presented in Table 3. This land inventory can be used to generally assess the supply of land as currently designated by this regional vision in comparison to the forecasted need.

Table 3. Gross Buildable Lands by Metro 2040 Growth Concept Designation

Metro 2040 Designation	Taxlot Size			Total
	<1 Acre	1-5 acres	>5 Acres	
Neighborhood	102	400	284	785
Employment	8	40	5	53
Industrial	11	159	288	458
Regionally Significant Industrial	2	14	24	40