

Commentary is for information only.  
Proposed new language is double-underlined;  
Proposed deleted language is ~~stricken~~.

CB 12-20 DRAFT

**ORDINANCE NO. XX**

**AMENDMENTS TO VOLUME 1, FINDINGS, OF THE GRESHAM COMMUNITY DEVELOPMENT PLAN, REGARDING THE ENVIRONMENTAL OVERLAY PROJECT**

**THE CITY OF GRESHAM DOES ORDAIN AS FOLLOWS:**

**Section 1. Volume 1, Findings, 2.000 Natural Environment, Section 2.200 Physical Constraints is amended as follows:**

<b>Proposed Text Amendment</b>	<b><i>Commentary</i></b>
<p><b>2.220 Soil Constraints</b></p> <p>The suitability of soil type for urban uses is a result of the combination of several factors. Steepness of slope, underlying surficial deposit, hydrologic characteristics and particle size.</p> <p>Gresham soils are moderately deep to deep, usually poorly drained with high silt and clay content. Soil characteristics which post constraints upon urban uses in Gresham include high water tables, slow percolation, low bearing strength, rapid runoff and erosion. One or more of these features may cause constraints upon development. When combined with steep slopes, limiting factors are increased in severity, creating potential hazards to life and property. Steep slopes may also be considered as a limiting factor separate from other soil features. The occurrence of steep slopes alone is a severely limiting factor regardless of soil type.</p> <p>Soils with severe limitations have features such as steep slopes, bedrock near surface, flood hazards, a seasonal high water table or low bearing strength. Major soil reclamation or special construction design are required to overcome the limitations. It is difficult and costly to overcome the limiting factors.</p>	

<p>Soils in Gresham pose severe constraints for urban uses in two distinct ways: Intrinsic soil characteristics unrelated to steepness of slope; and soils which pose constraints only because of steepness of slope (<del>over 15% slope</del>).</p>	<p><i>Updated to reflect the basis of the HGRO</i></p>
<p><b>2.221 Intrinsically Poor Urban Use Soils</b></p> <p>Cascade silt loam and Powell silt loam pose inherently severe constraints for urban uses. Perched high water tables, 18" to 24" from the surface during the rainy season, slow permeability, and wetness are the limiting factors. Differential settling potential exists and special drainage is required to prevent property damage. Even homes without basements require foundation drains. Site drainage must be planned for all developments. Construction practices should minimize vegetation removal and occur during the dry season. <u>Development on</u> <del>At</del> slopes <u>with these soils</u> <del>over 15%, these soils</del> have runoff and erosion problems with potential for mudslides and other earth movement during the rainy season when soils become saturated. Cascade silt loam and Powell silt loam occur throughout the entire southern half of Gresham.</p> <p>***</p>	<p><i>Updated to reflect the basis of the HGRO</i></p>
<p><b>2.222 Soils with Severe Constraints Only on <u>Steeper Slopes Over 15%</u></b></p> <p>Latourell loam and Multnomah silt loam are good for urban development on <u>low to moderate</u> <del>slopes from 0-15%</del>. The soils are deep <u>and</u> <del>well-drained, and suitable for septic tanks</del>. Severe constraints occur only when they are found on steep slopes. These soils extend south from the northern City limits to Johnson Creek in the west and to Burlingame Creek in the east.</p> <p>The Quatama loam soils occur in minor amounts near the northeastern edge of Gresham. <del>The single constraint at slopes under 15% is suitable for septic tanks.</del></p>	<p><i>Updated to reflect the basis of the HGRO</i></p>

**2.251 Physical Constraints in Gresham**

Geologic foundations, soil types, slopes, and hydrologic features combine to create constraints on urban uses. In some cases, constraints may be overcome through design, engineering, and construction practices. In other instances, the risks involved, and the consequences to adjacent land of mitigating the limitations require that land use designations be applied to minimize hazardous conditions.

Within Gresham, the hillsides are the critical element to which most physical constraints are related. Concerning geologic hazards, slopes over 35% are high in potential for landslides and earthquake damage. While it is technically possible to install improvements by engineering for these extremely steep slopes, very steep hillside development involves severe risks. Alteration of hillsides over 35% by vegetation removal, surfacing with impervious material and increasing the bearing load may easily trigger landslides, endangering downslope improvements as well as the steep slope areas. Development of steep hillsides greatly increases the amount and rate of surface runoff, increasing the severity of flooding. Costs and difficulties of installing sewer and water lines in steep hillsides are very high. Septic tanks are completely unsuited for steep hillsides. Ice build-up during freezing temperatures makes access, maintenance, and emergency services delivery virtually impossible.

Improper construction practices, site design and drainage on ~~landslide prone areas~~ hillsides over 15% slope results in erosion and deposition, triggers earthflows and increases flood severity by contributing to surface runoff. Construction or development in areas identified by DOGAMI IMS57 as at High or Moderate Risk for deep-seated landslides or high risk for shallow landslides on slopes over 15% involves severe constraints for urban uses regardless of soil type, and must be appropriately designed and constructed to minimize adverse effects.

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*Updated to reflect the basis of the HGRO*

Deleted:

**Section 2. Volume 1, Findings, 2.000 Natural Environment, Section 2.300 Natural Resources is amended as follows:**

<b>Proposed Text Amendment</b>	<b>Commentary</b>
<p><b>2.370 Resource Conflicts</b> Potential conflicts with preservation of Gresham's significant natural resources have been found and documented in the Inventory of Significant Natural Resources and Open spaces. Similarly, conflicting uses have been identified for other types of natural resources, including mineral and aggregate resources, and outstanding scenic views and sites. A concern for protecting the most important of the community's natural</p>	

resources while accommodating urban development leads to programs which limit conflicting uses to the extent necessary to achieve a balance between these conflicts. Uncontrolled urban development, if allowed to proceed without limits in sensitive areas, conflicts with Statewide Land Use Goal 5, "To Conserve Open space and Protect Natural and Scenic Resources." Uncontrolled development of forested hillsides and sensitive floodplain areas is also in conflict with the intent of Statewide Land Use Goal 7, "To Protect Life and Property from Natural Disasters and Hazards." Regulation of development to minimize the threat of natural hazards therefore results, in many cases, in conservation of Gresham's significant natural resources. Extremely steep slopes (those in excess of 35%) pose severe constraints upon urban uses and should be subject to only minimal alteration or development activity. In addition to benefiting drainage management and preventing hazardous conditions, prohibition of steep slope development protects open space, forested areas, fish and wildlife habitat, and scenic resources. Prohibition of development in sensitive natural areas benefits flood control efforts, reduces flood hazards, improves drainage management, preserves riparian vegetation, and protects fish and wildlife habitat. ~~Total floodplain acreage in Gresham amounts to approximately 560 acres. Roughly half 90% of this acreage, There is floodplain throughout the City in areas adjacent to Johnson Creek, Kelley Creek, Kelly Creek, Beaver Creek, Butler Creek, Hogan Creek, Brick Creek, Brigman Creek, North Fork Johnson Creek, McNutt Creek, Badger Creek, Sunshine Creek, Jenne Creek, and portions of Burlingame Creek, Botefur Creek, Heiny Creek, Fairview Creek and Columbia Slough. 90% of the floodplain is also, have been designated also as significant natural resource areas. Total acreage in excess of 35% slopes has been estimated at 618 acres.~~

~~Slopes between 15% -35%, Landslide prone slopes with particular soil types, although posing severe constraints upon urban development, are appropriate for low-density uses if planned to overcome the particular constraints and if appropriate construction and site design requirements are followed. Where landslide prone slopes between 15% -35% coincide with natural resources, such as wildlife habitat, a resource use conflict may occur, as discussed in the Inventory of Significant Natural Resources and Open spaces, adopted as an appendix to the Community Development Plan. Special regulations and guidelines for development within areas of 15%-35% slopes/landslide prone areas can minimize resource use conflicts and accommodate urban growth while maintaining important natural resources. Regulations which minimize vegetation removal, preserve open space, and impose erosion and drainage controls are examples of actions which resolve conflicts between development needs and natural resources. In particular, prohibition of large-scale, commercial timber harvesting operations in steep slope areas would conserve soil, stabilize slopes, protect wildlife habitat, and preserve the scenic value of the wooded hillsides in Gresham. The Community Development Code is designed to resolve resource use conflicts in these areas through the establishment of special requirements for development on landslide prone slopes between 15% -35%.~~

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*Updated to reflect current understanding of the stream system*

*Updated to reflect the basis of the HGRO*

**Section 3. Volume 1, Findings, 3.000 The Physical Environment, Section 3.100 Current Land Use Characteristics is amended as follows:**

Proposed Text Amendment	Commentary
<p><b>3.141 Natural Resources and Physical Constraints</b>                      In early 1988, an inventory of natural resource sites and areas affected by physical hazards was compiled. Information in the inventory reflects extensive field observations by natural resource experts, and published data by state and federal agencies. The following description of the special purpose districts addresses development considerations for sites included in this inventory:</p> <p><del>Flood Plain Physical Constraint District</del> <u>Floodplain Overlay District</u>- Development within the 100-year floodplain, as determined by the Federal Emergency Management Agency (FEMA) is restricted where documented natural resource or open space values are also present. In other flood-plain areas, development may be permitted subject to design standards intended to minimize potential flood damage, and based on findings that the capacity of the flood-plain would not be adversely affected. In low-density residential districts, a density transfer credit of two dwelling units for each acre within the flood plain is available.</p> <p><del>Hillside Physical Constraint District 15%-35% Slope</del> <u>Hillside &amp; Geologic Risk Overlay</u> - This special purpose overlay district is found <u>south of Glisan</u> <del>entirely within low density residential land use districts</del>. Special development standards are applied and detailed <u>review of development by a Geotechnical professional is required. Trees are protected for slope stabilization reasons, reports concerning soils and engineering techniques are required.</u> Minimum lot sizes range from 14,000 sq. ft. to 29,000 sq. ft., depending on the degree of slope. <del>Clear cutting of timber within this district is prohibited.</del></p> <p><del>Hillside Physical Constraint District - 35%+ Slopes</del> <u>Highly Sloped Subarea of the Hillside &amp; Geologic Risk Overlay</u> - This district <del>occurs entirely</del> <u>mainly</u> within low density residential land use districts. Property which is entirely within this district may be improved to the extent of one dwelling unit for each existing lot of record. <u>Trees are protected predominantly for slope stabilization but also for aesthetic reasons.</u> A density transfer credit of one dwelling unit per acre within this special purpose district is established. <del>Clear cutting of timber within this district is prohibited.</del></p> <p><del>Natural Resource Overlay District</del> - This district encompasses <u>sites of high wetlands, streams and other waters and buffers around such riparian areas as well as areas of upland habitat in PV/SW and areas in public ownership that were acquired for conservation purposes.</u> natural resource value as identified in the Inventory of Significant Natural Resources and Open spaces. <del>Development within this district is generally limited to uses</del></p>	<p><i>Updated to reflect the overlay name</i></p> <p><i>Updated to reflect the HGRO</i></p> <p><i>Updated to reflect the HGRO</i></p> <p><i>Updated to reflect the basis of the NRO</i></p>

<p>for which there is a documented public need and where alternative sites are not available. A density transfer credit is available for <del>low density and moderate density</del> residential sites lying <del>partially</del> within this district.</p> <p><u>Open space District</u> - This district encompasses sites identified as having significance for open space characteristics, as identified in the Inventory of Natural Resources and Open spaces. Public and private open space areas with this special purpose overlay designation include parks, schools, golf courses, and greenways. Development within this district is limited to community service uses serving a public need and various recreational uses. A density transfer credit is available for low density and moderate density residential sites lying partially within this district.</p>	
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**Section 4. Volume 1, Findings, 5.000 Political Environment, Section 5.320 Special Districts and Agency Involvement is amended as follows:**

<b>Proposed Text Amendment</b>	<b>Commentary</b>
<p><b>Section 5.321 Agency Involvement</b>  ***  <u>LDC GOAL 2 — Land Use Planning</u>  ***  <p style="text-align: center;"><u>Affected Governmental Agencies</u></p> ***  B. State and Federal Agencies</p> <ol style="list-style-type: none"> <li>1. L.C.D.C.</li> <li>2. Oregon Department of Transportation</li> <li>3. Oregon State Highway Parks and Recreation Division</li> <li>4. Department of Environmental Quality</li> <li>5. Oregon Department of Economic Development</li> <li>6. Oregon Department of Fish and Wildlife</li> <li>7. U.S. Corps of Engineers</li> <li>8. <del>U.S. Soil Conservation Service</del> <u>US Department of Agriculture, Natural Resource Conservation</u></li> </ol> <u>Service</u> <ol style="list-style-type: none"> <li>9. Department of Energy</li> </ol>	<p><i>Updated to reflect the appropriate agency names</i></p>

10. U.S. Forest Service 11. U.S. Department of Commerce 12. U.S. Department of Housing and urban Development ***	
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**Section 5. Volume 1, Findings, Appendix 42 Pleasant Valley Plan District Plan is amended as follows:**

Proposed Text Amendment	Commentary
<p><b>CHAPTER 2 - ORGANIZATION</b>  ***  <del>Chapter 6. Natural Resources.</del> The Natural Resources chapter documents the State Goal 5 process for Pleasant Valley and provides the foundation for protecting natural resources, and conserving scenic areas and open spaces. The chapter is comprised of four major sections: the Natural Resources Inventory; Significance Determination; the Economic, Social, Environmental and Energy (ESEE) analysis and development code that implements Natural Resources regulatory program. <del>A key strategy to meet the natural resource goals of the Concept Plan is the implementation of an Environmentally Sensitive Restoration Area (ESRA) subdistrict, which is intended to promote compatibility between development and conservation of stream corridors, wetlands, floodplains and forests. The ESRA proposed land use district and development code would amend Volume 3. The report also includes rough costs estimates and funding strategies for preserving and restoration the ESRA.</del>  ***</p>	<p><i>Removed to reflect current situation</i></p>
<p><b>CHAPTER 5 – LAND USE</b>  ***  <b>Future Land Use Patterns</b></p> <p>The Pleasant Valley Plan District provides the basis for a land use plan that is consistent with the goals of the Concept Plan. The central theme of creating an urban community through the integration of land use, transportation, and natural resource protection is reflected by the following key elements of the Plan District:</p> <ul style="list-style-type: none"> <li>• A mixed-use town center as the focus of retail, civic, and related uses.</li> <li>• A variety of housing organized in eight neighborhoods. The variety includes low, medium and high-density housing with standards that guide how variety is planned within neighborhoods.</li> </ul>	

- Planned housing that is 50 percent attached, 50 percent detached, and has an overall density of 10 dwelling units per net residential acre. The estimated housing capacity is approximately 5,000 dwellings.
- Two 5-acre mixed-use neighborhood centers.
- Employment opportunities as provided in the town center, mixed-use employment district, and general employment districts, and as home-based jobs. Employment capacity is estimated at approximately 5,000 jobs.
- A framework for protection, restoration, and enhancement of the area’s streams, flood-plains, wetlands, riparian areas, and major tree groves through the designation of areas as Natural Resource Overlay “environmentally sensitive/restoration areas” (ESRAs).
- Designation of a “neighborhood transition design area” adjacent to the ESRA so that neighborhood development is compatible with adjacent green corridors.
- A new elementary school and middle school located adjacent to 162<sup>nd</sup> Avenue.
- Nine neighborhood parks dispersed throughout and a 29-acre community park centrally located between the utility easements north of Kelley Creek.
- A “green” stormwater management system intended to capture and filter stormwater close to the source through extensive tree planting throughout the valley, “green” street designs, swale conveyance, and filtration of run-off, and strategically placed stormwater management facilities.
- A network of trails including east-west regional trails paralleling Kelley Creek and north-south regional trails following the BPA power line easement.
- A reorganization of the valley’s arterial and collector street system to create a connected network that will serve urban levels of land use and all modes of travel.
- Re-designation of Foster Road from arterial to local street status between Jenne Road and Pleasant Valley Elementary School. The intent is to preserve the two-lane tree-lined character of Foster Road and to support restoration efforts where Mitchell Creek and other tributaries flow into Kelley Creek.
- A network of transit streets that serve three mixed-use centers and seven nodes of attached housing.
- The location of major roads away from important historic resources and “park blocks” that connect the town center to the historic central section of Foster Road.

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**Pleasant Valley Plan District Map And Code**

***Plan District Map***

The Pleasant Valley Plan District Map (Figure 1) will serve as the key regulatory map for land use in Pleasant Valley. The Plan District Map includes the following land use types: residential, mixed use and employment areas, and

*Updated to reflect current situation*



<p><del>park-schools-other overlays, and environmentally sensitive/restoration areas.</del> These land use designations are estimated to provide a capacity for approximately 5,000 dwellings and 5,000 jobs. The housing distribution is planned as a 50/50 split of attached and detached dwellings that average 10 dwelling units per net residential acre. Highlights of the Plan District map include the following.</p> <p>***</p> <ul style="list-style-type: none"> <li><del>Parks, Schools, and Other Overlays.</del> The Plan Map includes <del>five</del><u>four</u> “overlay sub-districts”: Elementary School, Middle School, Neighborhood Park, <u>and</u> Community Park, <del>and Neighborhood Transition Design Areas (NTDA).</del> These overlays are consistent with the designations of the same names that were endorsed on the Concept Plan.</li> </ul> <p>The use of the term “overlay” means that each area has underlying base zoning which is integrated with the standards in an overlay subdistrict. For schools and parks, the base zoning is Low Density Residential. The effect of the overlay is to indicate where a park or school is intended. The Plan District Map overlay does not bind the property to only a park or school use.</p> <p><del>The NTDA is established for the purpose of establishing design guidelines and encouraging (but not requiring) certain uses in the 100 foot wide area adjacent to the Environmentally Sensitive/Restoration Areas.</del></p> <ul style="list-style-type: none"> <li><del>Environmentally Sensitive/Restoration Areas.</del> The ESRA sub-district follows the ESRA designation as it was endorsed on the Concept Plan. The area shown as ESRA will need to be reconciled with the outcome of the Goal 5 ESEE analysis.</li> </ul> <p>***</p> <p><b>Plan District Code</b></p> <p>The draft Pleasant Valley Plan District code implements the Concept Plan map and associated goals, policies, and action measures. The format generally follows that of Gresham’s Community Development Code due to the large area that will be under Gresham’s jurisdiction as lands are annexed.</p> <ul style="list-style-type: none"> <li><del>The Pleasant Valley Plan District is the term used to describe the code chapter and the entire Pleasant Valley area. It has <del>eight</del> <u>seven</u> Sub-districts (zones) that correspond to the Plan District Map. Three Sub-districts (LDR-PV, MDR-PV, HDR-PV) are residential districts. Three Sub-districts are commercial and mixed-use (TC-PV, NC-PV and MUE-PV). <u>A</u><del>The</del> seventh Sub-district is employment (EC-PV), <del>and the eighth Sub-district is environmental (ESRA-PV).</del> A detailed report on <u>the Natural Resource Overlay (NRO) that was originally</u></del></li> </ul>	<p><i>Removed to reflect current situation</i></p> <p><i>Removed to reflect current situation</i></p> <p><i>Removed to reflect current situation</i></p> <p><i>Updated to reflect current situation</i></p>
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<p><u>proposed as</u> the ESRA-PV subdistrict is contained in the Natural Resources chapter. Each of the sub-districts includes a purpose and characteristics section. These statements were originally established as part of the Pleasant Valley Concept Plan Implementation Strategies. They establish a direction for future land uses in each sub-district.</p> <p>***</p> <ul style="list-style-type: none"> <li>• <del>There are five <u>four</u> overlay Sub-districts covering Schools, <u>and</u> Parks, <u>and the Neighborhood Transition Design Areas (NTDA)</u>. The use of the term “overlay” means that each area has underlying base zoning. For schools and parks, the base zoning is Low Density Residential. The effect of the overlay is to indicate where a park or school is intended. This approach does not bind the property to only a park or school use. <u>The NTDA is established for the purpose of establishing design guidelines and encouraging (but not requiring) certain uses in the 100-foot wide area adjacent to the Environmentally Sensitive/Restoration Areas.</u></del></li> </ul> <p>***</p>	<p><i>Updated to reflect current situation</i></p>
<p><b>CHAPTER 6 – NATURAL RESOURCES</b></p> <p><b>INTRODUCTION</b></p> <p>***</p> <ul style="list-style-type: none"> <li>• <b>ESEE Analysis</b> - An ESEE analysis describes the different types of land uses that impact streamside areas, wetlands, and upland forest. Specifically, it analyzes the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit certain <u>activities uses</u> in the significant resource areas (<u>Environmentally Sensitive Restoration Area (ESRA) Natural Resource Overlay</u>).</li> <li>• <del><b>ESRA Funding Strategy</b> — This section provides preliminary costs estimates and strategies for acquisition, conservation easements, habitat restoration and maintenance of ESRA lands. It includes a set of potential funding strategies and a list of federal, state, regional and local programs.</del></li> <li>• <del><b>ESRA Development Code</b> — This is proposed development amendments to Volume 3 — Community Development Code that establishes an environmental land use district for the Pleasant Valley Plan District. This proposed amendment implements the natural resources regulatory protection plan for the identified Goal 5 resources in Pleasant Valley.</del></li> </ul> <p>***</p> <p><b>CHAPTER 9 – UGMFP TITLE 11</b></p> <p>***</p>	<p><i>Updated to reflect current situation</i></p>

**Organization**

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***F – A conceptual transportation plan consistent with the applicable provisions of the Regional Transportation Plan, Sections 6.4.4 through 6.4.7 Regional Transportation Plan<sup>1</sup> and that is also consistent with the protection of natural resources either identified in acknowledged comprehensive plan inventories or as required by Title 3 of the Urban Growth Management Functional Plan. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.***

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*Consistency with Title 3 – Title 3 deals with protecting beneficial water uses and functions and values of natural resources in water quality and flood management areas. The Pleasant Valley Plan District has identified and mapped water quality and floodplain areas and incorporated them into the Environmental Sensitive and Restoration Areas (ESRAs). In developing the conceptual transportation plan particular attention was given to both minimizing the number of stream crossings and minimizing the length of those stream crossings – this is reflected in the Pleasant Valley Plan District plan map. In addition the street design standards for stream crossings will utilize Metro’s *Green Streets: Innovative Solutions for Stormwater and Stream Crossings* handbook. The ESRA concept was replaced with a Natural Resource Overlay in 2020 after a further ESEE.*

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***G – Identification, mapping and a funding strategy for protecting areas from development due to fish and wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the Urban Growth Boundary prior to urban development. The plan shall include a preliminary cost estimate and funding strategy, including likely financing approaches, for options such as mitigation, site acquisition, restoration, enhancement, or easement dedication to ensure that all significant natural resources are protected.***

Findings. The proposed Pleasant Valley Plan District includes a natural resource protection plan. The Natural Resources chapter documents the Goal 5 process for Pleasant Valley, and consists of a natural resources inventory (identifying and mapping natural resources areas), a resources significance determination, an Economic, Social, Environmental and Energy (ESEE) analysis of the consequences of resource protection, ~~an ESRA funding strategy and an ESRA draft resource protection standards development code.~~

*Updated to reflect current situation*

*Updated to reflect current situation*

To achieve the goal of creating an urban community integrated with the natural environment, Environmentally Sensitive Restoration Areas (ESRAs) were designated for Pleasant Valley’s green space system. The ESRAs serve as the framework for the protection, restoration and enhancement of the area’s streams, floodplains, wetlands, riparian areas and major tree groves. The Pleasant Valley Plan District established an ESRA sub-district to implement Pleasant Valley’s natural resource goals and to resolve conflicts between development and conservation of natural resources. The natural resources planning efforts included mapping each of the nine identified resource functions and creating an ESRA map. ~~The ESRA development standards apply to those lands identified on the ESRA map.~~ After further review and an updated ESEF analysis in 2020 the ESRA was replaced with Natural Resource Overlay (NRO).

~~“Neighborhood transition design areas” were designated adjacent to the ESRAs so that neighborhood development is compatible with adjacent green corridors. The Pleasant Valley Plan District includes a Neighborhood Transition Design Area overlay sub-district with the purpose of establishing design guidelines and encouraging certain uses in the 100-foot wide area adjacent to the ESRAs.~~

Green development practices, which regulate stormwater management techniques, are included in the Plan District development code. Green development practices are a toolbox of techniques that mimic and incorporate predevelopment hydrology of a site into future development. The intent is to minimize potential adverse impacts of stormwater run-off to water quality, fish and other wildlife habitat, and flooding. The use of green development practices enhance water quality and control the stormwater flow utilizing techniques of retention, infiltration and evapotranspiration to treat runoff and reduce the volume of stormwater.

Conclusion. The Pleasant Valley Plan District has extensively identified and mapped natural resources areas; identified through the State Goal 5 process those natural resources areas to be protected and restored; developed a funding and non-regulatory restoration strategy; and developed development code standards to protect and restore the ESRA areas while providing for urban development in the rest of the Pleasant Valley Plan District area. The proposed comprehensive plan amendments are consistent with this Title 11 section.

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*Metro Conditions of Approval*

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**E. Prior to conversion of the new urbanizable land in this ordinance to urban land available for development, the city shall adopt Urban Growth Management Functional Plan requirements for revegetation and Title 3**

*Updated to reflect current situation*

<p><b>building setbacks from streams and wetlands and address federal requirements adopted pursuant to the Endangered Species Act.</b></p> <p><u>Findings.</u> Title 3 lands were mapped as one of the first inventory efforts in the Concept Plan process. The inventory (which had input from property owners, stakeholders, project teams, Metro staff and state and federal resource agencies) served as the basis for mapping and code work to establish the Environmentally Sensitive Restoration Area (ESRA) sub-district. All Title 3 lands are included in the ESRA sub-district. The ESRA sub-district proposed code is intended to address provisions both for water quality resource area and for natural resource areas. Additionally, both cities have adopted Title 3 so that provisions applicable in the existing city (such as flooding) will also be applied to Pleasant Valley as it urbanizes.</p> <p>At the time Pleasant Valley was brought into the UGB the Federal Government was establishing the 4d rule concerning the “taking” of listed species. At this time it was unclear as to the federal requirements pursuant to the Endangered Species Act. The development of the ESRA through the <i>Concept Plan</i> project and through the State Goal 5 process during the <i>Implementation Plan</i> project was shared with Metro, State and Federal natural resource agencies. The proposed development code is anticipated to closely correspond to the outcome of Metro’s current Goal 5 process and it is presumed that the ESRA code and strategies will help address the federal listing.</p> <p><u>Conclusion.</u> The Pleasant Valley Plan District has addressed the requirements of Title 3 by including the Title 3 lands in the <del>proposed</del> ESRA <u>and subsequent NRO</u> and by applying Title 3 compliance regulations. Doing the Goal 5 process and by developing implementing regulations should help address requirements of the Endangered Species Act listing once those of clarified. This condition of approval is met.</p> <p>***</p>	<p><i>Updated to reflect current situation</i></p>
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**Section 6. Volume 1, Findings, Appendix 43 Pleasant Valley Natural Resources is repealed and replaced as follows:**

<b>Proposed Text Amendment</b>	<b>Commentary</b>
<p><b>To be inserted at the end of the appendix</b></p> <p><u>In 2020, a comprehensive re-review of the Environmental Overlays resulted in the Pleasant Valley’s Natural Resources being protected by the Natural Resource Overlay. The Goal 5 and UGMFP Titles 3 and 13 Compliance Report and ESEE Analysis attached hereto outlines process by which the NRO was determined and its compliance with Goals 5, 6 and 7 and Titles 3 and 13.</u></p>	<p><i>Updated to reflect current situation</i></p>

**Section 7. Volume 1, Findings, Appendix 44 Springwater Community Plan Summary Report is amended as follows:**

Proposed Text Amendment	Commentary
<p>***</p> <p><b>Section 3</b></p> <hr/> <p><b>Concept Plan</b></p> <p>***</p> <p><b>3.3 CONCEPT PLAN OVERVIEW</b></p> <p>***</p> <p><i>Environmentally Sensitive Resource Areas</i></p> <p>The Concept Plan identifies over one third of the land in the study as environmentally sensitive. All critical lands have been identified, including the critical habitat located around Johnson Creek and its tributaries. These are areas that are anticipated to have a range of protection, from lightly limited development to City purchase for protection and enhancement. The Concept Plan places a high emphasis on resource protection and habitat connectivity.</p> <p>***</p>	<p><i>Updated to reflect current situation</i></p>

## Section 4

### Springwater Community Plan

#### 4.1 INTRODUCTION

This section of the report summarizes the Springwater Community Plan. The Plan provides recommendations regarding the unincorporated Multnomah County Springwater area (both the 2002 UGB expansion area and the pre-2002 UGB expansion area), a 1,272 acre area. The Plan also includes a study area commonly known as the Brickworks Site, approximately 159 acres of Heavy Industrial (HI) land inside the existing City of Gresham with Springwater Plan District designations. Such designations were made subsequent to the overall Springwater Plan adoption for the UGB expansion area within Multnomah County. The Brickworks Site analysis is included as Section 4.9 of Appendix 44, Volume 1 of the Gresham Community Development Plan. The legislative process for adoption of a comprehensive plan amendment to apply the Springwater Plan District to the Brickworks Site is being done in two phases. Phase I involves the properties proposed to be RTI-SW, NC-SW, LDR-SW and THR-SW and associated ESRA-SW. Phase II involves the properties to the south of Phase I and are those parcels owned by Mutual Materials currently improved with a manufacturing plant and clay mining as described in the first paragraph of Section 4.9.1. For clarity purposes, where Appendix 44 has specific site descriptions, data and maps, only the Phase I descriptions, data and maps will be included. When the legislative process for Phase II resumes, Appendix 44 will be edited so that all of the Brickworks site descriptions, data and maps including Phase II are provided. The Plan does not include the portion of the study area in Clackamas County (139 acres) as it is now part of the newly incorporated City of Damascus. After further review and an updated ESEE analysis in 2020 the ESRA was replaced with Natural Resource Overlay (NRO).

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#### 4.4 NATURAL RESOURCES

##### 4.4.1 Background

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The work of the Natural Resource team used this goal as a basis for developing the Environmentally Sensitive Resource Areas (ESRAs). After a thorough inventory of resources in the study area, the work team presented its findings through a series of inventory maps at public meetings. Local residents made additions and corrections to the maps. This information, combined with extensive field studies conducted by the project team, formed the basis for assigning significance levels to each resource in the study area. The final ESRA was determined through an Environmental, Social, Energy, and Economic (ESEE) study to determine where urban development in

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resource areas should be allowed, limited, or prohibited. The ESRA was replaced in 2020 with Natural Resource Overlay after an updated ESEE.

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#### **4.4.3 Summary of Proposed Plan Element**

The ESRA forms the green infrastructure around which other Plan elements were developed. The intent of protecting and enhancing the natural resources in Springwater is not only to preserve and protect the natural resources in the area to recognize their contribution to the environmental and ecological health of the watershed and the region, but to maintain these areas as amenities for future employees and residents of Springwater.

Selected characteristics of the ESRA include:

- The ESRA designation is applied to 200 feet from top of bank on both sides of Johnson Creek and associated tree groves, locally significant wetlands, or unique habitats; to locally significant wetlands, to tributary reaches (100 feet from top of bank on both sides) and associated tree groves (within 150 feet of top of bank).
- Wetlands, riparian habitat, and upland habitat offering both opportunities for protection of high value resources and opportunities for enhancement of degraded resources
- Habitat migration routes along the waterways and between the buttes
- Implementation strategies including planning-level project cost, funding strategies, regulatory and incentive options, and enhancement priorities

In addition to defining the ESRA, the team identified key objective elements of the environmentally sensitive resource areas management. These measures are intended to allow the entire planning area to be more ecologically sustainable, to improve the aquatic habitat through healthy streams with cool, clear water, and allow continued wildlife migration within and beyond Springwater. The measures include:

- Restoring the headwater wetlands of McNutt Creek and riparian habitat along the tributaries of Johnson Creek
- Retaining undeveloped land as green wildlife corridors between the buttes and major tributaries of Johnson Creek
- Protecting the mature forests and riparian habitat within the five-creek confluence area in the southeastern part of the study area
- Preserving the integrity of large stands of mature forests such as the Hogan Cedars grove

*Updated to reflect current situation*



Specific projects, project costs, and potential funding sources to achieve these objectives are identified in the Springwater Natural Resources Report.

The Natural Resource Overlay replaced the ESRA and covered substantially the same area.

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**4.5.3 Summary of Proposed Plan Element**

Key features of the transportation element of the Plan are:

- Create a network of arterial, collector, neighborhood, connector, and local streets that accommodate travel demands and provide multiple routes for travel. Key new street extensions and connections include:
  - One (or two) new east-west arterial connections from 242<sup>nd</sup> Avenue to Telford Road between Rugg Road and 252<sup>nd</sup> Avenue
  - Phased improvements to provide access to US 26, including a new at-grade controlled intersection in the northern part of Springwater (intersection with a new collector) that ultimately will be a grade separated bridge crossing after an interchange with an new arterial is constructed at the southern part of Springwater
  - A new street connection to Orient Drive around the east side of the existing Gresham neighborhoods
- Upgrade existing streets and design all new streets to accommodate biking and walking, with special pedestrian amenities on transit streets. Upgrade intersections with safety issues identified as part of the inventory work.
- Provide regional and community transit service on key roads in Springwater, with direct connections to Gresham, Sandy, Clackamas regional center, Damascus, the Columbia Corridor, and downtown Portland. Transit streets include 242<sup>nd</sup> Avenue, Orient Drive, and US 26.
- Provide a logical and connected street system that connects directly to community destinations while also avoiding the ~~ESRA NRO~~ where possible. Plan for a local street system that complements the arterial and collector street system and meets regional connectivity requirements within the residential areas of the plan.
- Provide for direct and convenient access to employment centers that lead to regional facilities, and reduce the possibility of traffic intrusions into neighborhood and rural areas.
- Use Green Street designs that are an integral part of the stormwater management system and provide walkable, tree lined streets.
- Plan for a long-term arterial connection from Hogan Road to US 26 north of the Springwater Corridor Trail, to serve long-term regional mobility needs.

*Updated to reflect current situation*

*Updated to reflect current situation*



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## Urban Growth Management Functional Plan (UGMFP) Title 11 Compliance Report

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### Organization

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***F. A conceptual transportation plan consistent with the applicable provisions of the Regional Transportation Plan, Sections 6.4.4 through 6.4.7 Regional Transportation Plan<sup>2</sup> and that is also consistent with the protection of natural resources either identified in acknowledged comprehensive plan inventories or as required by Title 3 of the Urban Growth Management Functional Plan. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.***

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*Consistency with Title 3 – Title 3 deals with protecting beneficial water uses and functions and values of natural resources in water quality and flood management areas. The Springwater Plan District has identified and mapped water quality and floodplain areas and incorporated them into the ~~Environmental Sensitive and Restoration Areas (ESRAs) Floodplain and Natural Resource Overlays~~. In developing the conceptual transportation plan particular attention was given to both minimizing the number of stream crossings and minimizing the length of those stream crossings – this is reflected in the Springwater Plan District plan map. In addition the street design standards for stream crossings will utilize Metro’s Green Streets: Innovative Solutions for Stormwater and Stream Crossings handbook.*

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***G. Identification, mapping and a funding strategy for protecting areas from development due to fish and wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the Urban Growth Boundary prior to urban development. The plan shall include a preliminary cost estimate and funding strategy, including likely financing approaches, for options such as mitigation, site acquisition, restoration, enhancement, or easement dedication to ensure that all significant natural resources are protected.***

### Findings

*Updated to reflect current situation*

The proposed Plan includes a natural resource protection plan. A Goal 5 ESEE analysis has been completed and is part of the proposed comprehensive plan amendments. The process included a natural resources inventory (identifying and mapping natural resources areas), a resources significance determination, an Economic, Social, Environmental and Energy (ESEE) analysis of the consequences of resource protection, an Environmentally Sensitive Resource Area (ESRA-SW) funding strategy and ESRA-SW resource protection standards in the development code. The Springwater Plan District established an ESRA-SW sub-district to implement Springwater’s natural resource goals and to resolve conflicts between development and conservation of natural resources. The ESRA-SW development standards apply to those lands identified on the ESRA-SW map. After further review and an updated ESEE analysis in 2020 the ESRA was replaced with Natural Resource Overlay (NRO).

The mapped and regulated areas include Johnson Creek and its tributaries; wetlands (including those identified in a Local Wetland Inventory), associated floodplains, and sloped areas (25 %+).

Green development practices are included in the Plan District development code. Green development practices are a toolbox of techniques that promote sustainable building practices. They include regulations that mimic and incorporate predevelopment hydrology of a site into future development. The intent is to minimize potential adverse impacts of stormwater run-off to water quality, fish and other wildlife habitat, and flooding. The use of these green development practices enhance water quality and control the stormwater flow utilizing techniques of retention, infiltration and evapotranspiration to treat runoff and reduce the volume of stormwater.

Conclusion

The Springwater Community Plan has:

- Extensively identified and mapped natural resources areas.
- Identified through the State Goal 5 process those natural resources areas to be protected and restored.
- Developed a funding and non-regulatory restoration strategy.
- Developed development code standards to protect and enhance the ~~ESRA~~ NRO areas while providing for urban development in the rest of the Springwater Plan District area.

The proposed comprehensive plan amendments are consistent with this criterion.

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***J. An urban growth diagram for the designated planning area showing, at least, the following, when applicable:***

*Updated to reflect current situation*

<ol style="list-style-type: none"> <li>1. <i>General locations of arterial, collector, and essential local streets and connections and necessary public facilities such as sanitary sewer, storm sewer, and water to demonstrate that the area can be served;</i></li> <li>2. <i>Location of steep slopes and unbuildable lands including, but not limited to, wetlands, floodplains and riparian areas;</i></li> <li>3. <i>General locations for mixed-use areas, commercial and industrial lands;</i></li> <li>4. <i>General locations for single and multi-family housing;</i></li> <li>5. <i>General locations for public open space, plazas and neighborhood centers, and</i></li> <li>6. <i>General locations or alternative locations for any needed school, park or fire hall sites.</i></li> </ol> <p>Findings</p> <p>The Springwater Plan District Plan Map (Plan Map) serves as the basic urban growth diagram and includes most of the applicable elements listed above including general locations of streets; the environmental areas (<u>ESPANRO</u>); land use areas (mixed, commercial, office, industrial and residential) and open space, trails and parks.</p> <p>***</p>	<p><i>Updated to reflect current situation</i></p>
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**Section 8. Volume 1, Findings, Appendix 45 Springwater Community Plan Report – Natural Resource Report:**

	<b>Commentary</b>
<p><b>To be inserted at the end of the appendix</b></p> <p><u>In 2020, a comprehensive re-review of the Environmental Overlays resulted in the Pleasant Valley’s Natural Resources being protected by the Natural Resource Overlay. The Goal 5 and UGMFP Titles 3 and 13 Compliance Report and ESEE Analysis attached hereto outlines process by which the NRO was determined and its compliance with Goals 5, 6 and 7 and Titles 3 and 13.</u></p>	<p><i>Updated to reflect current situation</i></p>

**Section 9. Volume 1, Findings, Appendix 46 Springwater Community Plan Annexation and Development Strategies is amended as follows:**

<b>Proposed Text Amendment</b>	<b>Commentary</b>
<p>***</p> <p><b>ANNEXATION STRATEGIC TOOL</b></p> <p>***</p>	

<p><u>Module components:</u></p> <p>The module database will utilize data including the following information:</p> <ol style="list-style-type: none"> <li>1. Current Data <ol style="list-style-type: none"> <li>a. Parcels and Tax Assessor's Data</li> <li>b. Current Housing Units</li> <li>c. Total Assessed Value</li> <li>d. Number of Registered Voters</li> </ol> </li> <li>2. Data Calculated from Plan's Implementation <ol style="list-style-type: none"> <li>a. New Housing</li> <li>b. New Commercial Space</li> <li>c. New Employment</li> <li>d. New Parks</li> <li>e. Open space Protected</li> <li>f. New Impervious area</li> <li>g. Future Assessed value</li> <li>h. System Development Charges</li> </ol> </li> <li>3. Estimated Costs to the City <ol style="list-style-type: none"> <li>a. Cost of Sewer</li> <li>b. Cost of Water</li> <li>c. Cost of Storm Drainage</li> <li>d. Cost of acquisition and development of Parks</li> <li>e. <del>Cost of Open space Acquisition or Compensation (ESRA implementation)</del></li> </ol> </li> </ol> <p>***</p>	<p><i>Updated to reflect current situation</i></p>
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**Section 10. Volume 1, Findings, Appendix 47 Kelley Creek Headwaters Urbanization Plan Findings is amended as follows:**

Proposed Text Amendment	Commentary
<p><b>Section 2: Metro Title 11 Compliance Report</b></p> <p>***</p> <p><b>Title 11 Section 3.07.1120: Planning for Territory Added to the UGB</b></p> <p>***</p>	

**C. Provision for average residential densities of at least 10 dwelling units per net developable residential acre or such other densities that the Council specifies pursuant to section 3.01.040 of the Urban Growth Management Functional Plan.**

Findings

The first urbanization planning effort was conducted from 2003 through 2005 for an area that included both KCH and the ~~future proposed~~ City of Damascus. Clackamas County, Metro, Damascus area residents, and the cities of Happy Valley and Gresham participated in this effort. The result was the Damascus/Boring Concept Plan (DBCP) which was found by Metro to meet Title 11. DBCP included the KCH area. In regard to KCH, the plan proposed:

- Very low density residential (Less Dense Residential) at flatter locations near Regner Rd.
- Hilltop locations were recommended to develop at no more than 1 unit per acre (Transition Areas).
- Steeper areas, public open space areas, and riparian areas (Habitat Conservation Areas) near creeks were identified as Conservation Areas where development would generally not be allowed.
- DBCP indicated that development of KCH (Area 13) according to the above designations would yield 48 additional residential units.

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Since the KCH transportation plan does not propose any regional arterial streets, or trails that are not now part of the RTP, or other major transportation facilities, the plan is consistent with the RTP and no amendments to the RTP are needed. Also, any transportation improvements occurring within ~~the Natural Resource Overlay or Habitat Conservation Area or Title 3 Water Quality Resource Area~~ will be subject to the requirements of the Natural Resource Habitat Conservation Area (HCA) Overlay (NRO) District standards. In addition, green development practices will be utilized to help mitigate the impacts of stormwater runoff from impervious surfaces. Green practices and the Natural Resource Overlay HCA overlay are discussed in Section 5 of this appendix.

Conclusion

This criterion is satisfied.

**H. Identification and mapping of areas to be protected from development due to fish and wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation, including, without limitation, all ~~Natural Resource Habitat Conservation Areas, Water Quality Resource Areas, and Flood Management Areas~~. A natural resources protection plan to protect fish and wildlife habitat, water quality enhancement areas, and natural hazard areas shall be completed as part of the comprehensive plan and**

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<p><b>zoning for lands added to the Urban Growth Boundary prior to urban development. The plan shall include zoning strategies to avoid and minimize the conflicts between planned future development and the protection of <u>Natural Resource Areas</u>, <del>Habitat Conservation Areas, Water Quality Resource Areas, Flood Management Areas, and other natural hazards areas.</del> The plan shall also include a preliminary cost estimate and funding strategy, including likely financing approaches, for options such as mitigation, site acquisition, restoration, enhancement, and easement dedication to ensure all significant natural resources are protected.</b></p> <p><u>Findings</u> A natural resources protection plan is found in Section 5 of this appendix. The following natural features have been identified, mapped and proposed for protection:</p> <ul style="list-style-type: none"> <li>• Title 13 Habitat Conservation Areas (UGD Maps 2A &amp; 2B)</li> <li>• Title 3 Water Quality Resource Areas (UGD Map 2B)</li> <li>• Areas with steep slopes of 15% and greater (UGD Map 3)</li> </ul> <p>The Habitat Conservation Areas and Water Quality Resource Areas <del>were proposed to be</del> <u>will be</u> protected with the City's Habitat Conservation Area Overlay <del>District Overlay</del> <u>and after a 2020 ESEE Analysis the Natural Resource Overlay</u>. This overlay is in compliance with Metro's Title 13 <del>Model Ordinance</del>. <u>Steep sloped areas (15% +) Landside prone areas</u> will be protected with the Hillside <del>Physical Constraint District</del> <u>&amp; Geologic Risk Overlay</u>. In addition to these <del>zoning</del> requirements, water quality will be protected through green development practices for stormwater management. The above protection strategies are discussed in greater detail in Section 5 of this appendix.</p> <p>Approximately 45% (100 acres) of KCH has already been acquired by Metro for habitat protection. Because of this large area that has already been acquired for open space, the City is not proposing any additional acquisitions. The City will however:</p> <ol style="list-style-type: none"> <li>1. <del>Include the KCH area into its volunteer based habitat restoration efforts as the area annexes into the City;</del></li> <li>2. <del>Seek grants and donations to be used for projects should opportunities arise; and</del></li> <li>3. <del>Consider, where possible, combining restoration projects with City utility projects in order to minimize costs.</del></li> </ol> <p><u>Conclusion</u> This criterion is satisfied. ***</p>	<p>Updated to reflect current situation</p> <p>Updated to reflect current situation</p> <p>Removed to reflect current situation</p>
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**~~K. An urban growth diagram for the designated planning area showing, at least, the following, when applicable:~~**

**~~7. General locations of arterial, collector, and essential local streets and connections and necessary public facilities such as sanitary sewer, storm sewer, and water to demonstrate that the area can be served;~~**

**~~8. Location of steep slopes and unbuildable lands including, but not limited to, wetlands, floodplains and riparian areas;~~**

**~~9. General locations for mixed-use areas, commercial and industrial lands;~~**

**~~10. General locations for single and multi-family housing;~~**

**~~11. General locations for public open space, plazas and neighborhood centers, and~~**

**~~12. General locations or alternative locations for any needed school, park or fire hall sites.~~**

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#### Findings

Urban Growth Diagram maps have been developed as part of the urbanization plan and are contained in Section 3 of this appendix. They cover the applicable elements of the above list. They include:

- Location of major streets and other needed public facilities;
- Location of ~~steep slopes (15%+)~~ landslide prone areas;
- Location of Natural Resource Habitat Conservation Areas that includes riparian areas near streams;
- Proposed low density residential (single family) development designation for all properties.
- Location of Metro owned open space parcels; and
- Conceptual locations of regional trails.

No mixed use areas, commercial and industrial lands were identified on the 2040 Metro 2040 Concept Map for KCH and none were determined to be needed. No schools, parks or police/fire facilities were determined to be needed.

#### Conclusion

This criterion is satisfied.

**L. A determination of the zoned dwelling unit capacity of zoning districts that allow housing.**

#### Findings

The development potential for Kelley Creek Headwaters was calculated in a range of three estimates – high, medium and low for the privately owned land (excludes Metro owned land). These estimates began by first deducting 20% of the acreage for roads and other public facilities in order to calculate the capacity on a “net

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density” basis. Then it assumed the amount of development allowed within the various slope ranges of the Hillside & Geologic Risk Overlay ~~Hillside Physical Constraint District~~, given the proposed LDR-7 zoning, as shown in the table below:

Further assumptions were made below under each estimate regarding the amount of NRO/HCA that would be developed and the amount of density, on a 1 unit per acre basis, that could be transferred from the 35% + slopes to the lower slopes. Although development of 235% and greater slopes is generally prohibited by the Hillside & Geologic Risk Overlay ~~Physical Constraint District~~, this density transfer is allowed to be transferred to lower slopes.

The resulting estimates are:

- High Estimate = 180 Units  
Assumptions: 20% of NRO/HCA is developed, 100% of density is transferred from 35%+ slopes to lower slopes
- Medium Estimate = 160 Units  
Assumptions: 10% of NRO/HCA is developed, 50% of density is transferred from 35%+ slopes to lower slopes
- Low Estimate = 140 Units  
Assumptions: 0% of NRO/HCA is developed, 0% of density is transferred from 35%+ slopes to lower slopes

For purposes of the urbanization plan, the estimated dwelling unit capacity is the medium estimate of 160 units.

Conclusion

This criterion is satisfied.

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**Metro Conditions on Addition of Land to UGB (Ordinance No. 02-969B)**

**1. General Conditions Applicable to All Land Added to UGB**

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***G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open spaces) to Title 11 planning, each city and county with land use planning responsibility for a study area***

*Updated to reflect the overlay names*

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<p><b><i>included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (“LCDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider any inventory of regionally significant Goal 5 resources adopted by resolution of the Metro Council in the city or county’s application of Goal 5 to its Title 11 planning.</i></b></p> <p><u>Findings</u>  Title 13 was adopted as part of the Functional Plan by Metro Council in order to implement the Goal 5 provisions of Title 3. Title 13 was then acknowledged by LCDC to meet Statewide Planning Goal 5 on January 5 2007. Gresham adopted the HCA, Habitat Conservation Area (HCA) overlay on December 16, 2008 in order to comply with Title 13. The regulations of this overlay are based on the Metro Title 13 Model Ordinance. As shown on the UGD maps, this overlay will be applied for habitat protection purposes to the Title 13 Habitat Conservation Areas as they are defined and classified by Title 13 and the Model Ordinance. <u>The NRO designation adopted in 2021 is also in compliance with Title 13.</u></p> <p><u>Conclusion</u>  This condition is satisfied.  ***</p>	<p><i>Updated to reflect current situation</i></p>
<p><b>Section 3: Urban Growth Diagram</b>  ***  It is estimated that applying the above designations to KCH would provide a development capacity of approximately 160 units.  ***  <u>In 2021 after a 2020 ESEE analysis the new Natural Resource and Hillside an Geologic Risk Overlays were applied to Kelley Creek Headwaters.</u></p>	<p><i>Updated to reflect current situation</i></p>
<p><b>Section 5: Protection of Natural Resources</b>  ***  <u>In 2021 after a 2020 ESEE analysis the new Natural Resource and Hillside an Geologic Risk Overlays were applied to Kelley Creek Headwaters.</u>  ***</p>	<p><i>Updated to reflect current situation</i></p>

**Section 11. Volume 1, Findings, Appendix 48 Urban Forestry Management Plan Summary Report is amended as follows:**

Proposed Text Amendment	Commentary
<p>***  <b>Tree Canopy</b>                      ***  <i>Urban Canopy</i>                      ***</p> <p>It is important to note how Gresham’s forested buttes and dense riparian corridors heavily influence the citywide canopy coverage figure of 28 percent. For example, Map 1 illustrates how the Gresham Butte and Kelley Creek Headwaters neighborhoods both contain approximately 70 percent canopy cover within their boundaries. By removing the natural areas within these two neighborhoods, as well as other publicly designated natural areas citywide (i.e.g. <u>Natural Resource Areas</u> <del>Habitat Conservation Areas</del>), the 28 percent citywide canopy coverage figure is reduced to approximately 22 percent, as shown in Table 2.</p> <p>***</p>	<p><i>Updated to reflect current situation</i></p>

**Section 12. Volume 1, Findings, Appendix 50 Gresham Butte Scenic View Overlay District is amended as follows:**

Proposed Text Amendment	Commentary
<p>***  <b>Background</b>                      ***</p> <p>Since the adoption of Section 2.353 in the 1980s, there have been numerous changes to the Community Development Code that served to address the issues of both residential density on Gresham Butte and tree removal that are mentioned in Section 2.353 noted above.</p> <p>In 1999, the Gresham Butte Plan District was adopted which altered the residential density on the upper 95 acres of the Butte to a minimum average one acre lot size. Prior to 1999, there were also additional development restrictions surrounding development on slopes in excess of 15% that restricted density on these steeper slopes and also required geotechnical analyses for development. The requirements, found in the Hillside &amp; <u>Geologic Risk Overlay</u> <del>Physical Constraint District (HPCD)</del>, have been amended several times since initial adoption, but the basic requirements for reduced densities and geotechnical <del>studies</del> <u>reviews</u> remain.</p>	<p><i>Updated to reflect current situation</i></p>

Tree regulations found in the Development Code provide regulations about both tree plantings and removals. These regulations also have undergone several changes since the adoption of the ESEE analysis found in Section 2.353; the most recent review being a comprehensive revision to the tree regulations found in the Development Code that is expected to be concluded in 2015.

**Inventory Process**

Site Determination: Gresham Butte has long been an iconic visual resource within the city; a largely natural forested area characterized by open space, lower density residential development and some community service uses. Map 1 depicts an aerial view of the Butte. The Butte is subject to the HGRO/HPCD regulations because of its steep slopes, and portions are subject to the Natural Resource Overlay/Habitat Conservation Area Overlay District that serves to protect wildlife and fish habitat areas.

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**Gresham Butte as a Visual Resource**

Visual Resource

The visual resource is defined as those properties on Gresham Butte that are of an elevation of 500' or higher with the southern boundary being the existing saddle trail as shown in Map 3. The entire resource area is subject to the Hillside & Geologic Risk Overlay/Physical Constraint District which was designed to protect properties with slopes of 15% or higher and those subject to landslides.

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**ESEE Analysis**

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**Prohibiting and Limiting Certain Special Use Reviews**

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**Environmental:**

Cemeteries, schools (along with their accessory uses), water storage facilities, major stormwater treatment facilities, substations and telephone switching stations all tend to be uses that take up a fair amount of land area, necessitating grading and clearing of parcels upon which they are located.

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The area proposed to be affected by the GBSV Overlay District also is subject to the Hillside & Geologic Risk Overlay ~~Physical Constraint District (HCPD)~~; with portions of the Butte also being subject to the Natural Resource Overlay ~~Habitat Conservation Area (HCA) overlay~~. The NRO ~~HCA~~ areas are shown in Map 4. Both of these districts were designed to protect environmentally sensitive lands that are either steeply sloped or subject to landslides or to provide habitat for upland species, wetland species or both. Disallowing new cemeteries, new water storage facilities, major stormwater treatment plants, substations and switching stations would actually provide a benefit to the overall environment of the Butte by eliminating the impacts to these sensitive lands.

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*Updated to reflect the overlay names*