

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

Introduction

This report describes how the Springwater Plan District (Plan) complies with Title 11 of the Metro Urban Growth Management Functional Plan (UGMFP).

In December 2002, the Metro Council (Ordinance No. 02-969B) brought the Springwater Community Plan area into the Urban Growth Boundary (UGB). Land brought into the UGB is subject to Title 11: Planning for New Urban Areas.

It is the purpose of Title 11 to require and guide planning for conversion from rural to urban use of areas brought into the UGB. It is the intent of Title 11 that development of areas brought into the UGB implement the Regional Framework Plan and 2040 Growth Concept. (3.07.1105 – Purpose and Intent)

All territory added to the Urban Growth Boundary ... shall be subject to adopted comprehensive plan provisions consistent with the requirements of all applicable titles of the Metro Urban Growth Management Functional Plan and, particularly, this Title 11. The comprehensive plan provisions shall be fully coordinated with all other applicable plans. The comprehensive plan provisions shall contain an urban growth plan diagram and policies that demonstrate compliance with the RUGGOs, including the Metro Council adopted 2040 Growth Concept design types. (3.07.1120 – Plan Requirements)

For purposes of this report only, the Springwater Community Plan area is the 1,151.3 acres in Multnomah County brought into the UGB in 2002 (Metro Study Area 6 and part of Study Area 12). There are three areas included in the Springwater Community Plan study area that are not subject to this report (See Figure 1). The area shown in Figure 1 as 2020 Springwater UGB Expansion Area is the area subject to this report.

- Study area 12 of the 2002 UGB expansion included 139 acres on land in Clackamas County (the area east of 252nd Avenue) that originally was being considered as part of the Springwater Community and was included in the study area for analysis purposes. The land was included in the City of Damascus 2004 incorporation and thus is not subject to this Title 11 Compliance Report.
- Unincorporated land (119 acres) found at the northwest corner of the Springwater Community that has been inside the UGB (and the Gresham's Urban Services Boundary) for over 20 years.
- The "Brickworks" site which is 183 acres of designated Heavy Industrial land within the Gresham city limits. It was included in the study area to analyze how the site would work with the UGB expansion area and the appropriateness of re-designating the site or portions of the site as employment or for mixed-uses.

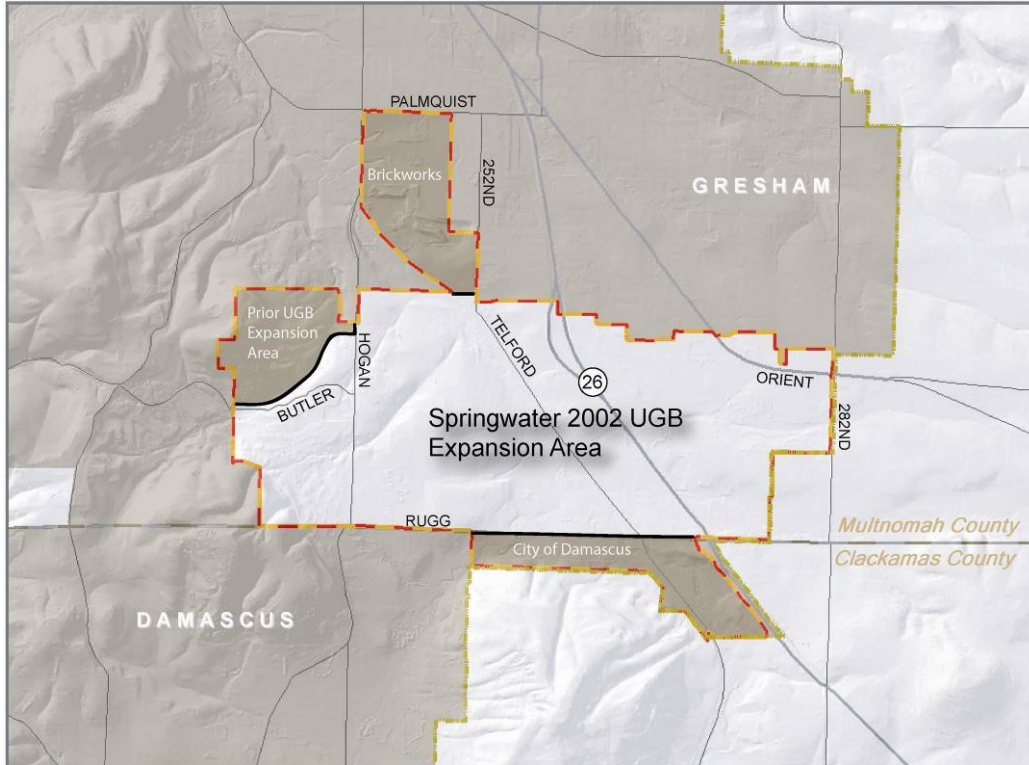


Figure 1 – Springwater Study Area

Title 11 requires the submittal to Metro of the following:

On or before 60 days prior to the adoption of any comprehensive plan amendment subject to this Title 11, the local government shall transmit to Metro the following:

- 1. A copy of the comprehensive plan amendment proposed for adoption;***
- 2. An evaluation of the comprehensive plan amendment for compliance with the Functional Plan and 2040 Growth Concept design types requirements and any additional conditions of approval of the urban growth boundary amendment. This evaluation shall include an explanation of how the plan implements the 2040 Growth Concept;***
- 3. Copies of all applicable comprehensive plan provisions and implementing ordinances as proposed to be amended. (3.07.1130.A Implementation Requirements)***

The City submitted the Planning Commission Draft to Metro on July 29, 2005, and which constitutes a copy of the proposed comprehensive plan amendments and applicable plan provisions and implementing ordinance to be amended. The Springwater Community Plan (CPA 04-8178) consists of the following:

- Springwater Community Plan Summary
- Springwater Natural Resources and ESEE Analysis Report
- Springwater Economic Development Strategy Report
- Springwater Title 11 Compliance Report
- Springwater Goals, Policies and Action Measures

- Springwater Public Facility Plans (water, wastewater, stormwater, parks)
- Springwater Plan District Plan Map
- Springwater Plan District Land Use Development Code
- Springwater Transportation System Plan

This report constitutes the compliance evaluation report. The City has scheduled, at the earliest, an October 4 enactment meeting, so that the 60 days prior provision is met. The City, on May 13, 2005, submitted to Metro an earlier draft of the proposed Comprehensive Plan Amendments, which was at least 45 days prior to the first scheduled hearing (Planning Commission on August 8, 2005).

Section 3.07.1130.B provides a method of extending timelines for adoption of comprehensive plan amendments required by Title 11. No extension of timelines is requested.

Organization

The rest of this report is organized to first show the text of a Title 11 criterion or other applicable provisions or the Conditions of Approval for Ordinance 02-969B (*italicized*); and second provide findings that describe how the proposed comprehensive plan amendments (CPA 04-8178) comply with the specific criterion; and third reach a conclusion as to whether or not the criterion is met.

Section 3.07.1120 Urban Growth Boundary Amendment Urban Reserve Plan Requirements

A – Provision for annexation to a city or any necessary service districts prior to urbanization of the territory or incorporation of a city or necessary service districts to provide all required urban services.

Findings

The Plan lands are currently in unincorporated Multnomah County. The City has an Intergovernmental Agreement (IGA) with Multnomah County (Transition of Planning and Development Services) that provides that the City will be responsible for urban reserve planning (Fourth Amendment 3/11/98). This amendment is to a 1979 Urban Planning Area Agreement that provides for Gresham providing urban services after annexations.

Gresham and Multnomah County also have an IGA specific to Springwater (5/13/04). This IGA established a Gresham and Multnomah County partnership that includes doing the following:

- Create a Springwater Urbanization Plan consistent with Title 11
- Coordinate with Metro, ODOT, Clackamas County, TriMet and the Damascus/Boring Concept Planning project
- Utilize a comprehensive public involvement process
- Address mutual objectives of a jointly adopted resolution which includes addressing the urban/rural edge
- Pursue mutual efforts to develop and implement the financial components necessary to implement the Plan.
- Pursue mutual efforts to amend the Regional Transportation Plan (as needed) and to support funding projects through MTIP and other funding sources

The City provides full city services including water, wastewater, stormwater, fire, police, development and building services, parks and trails, and streets. The City has a current IGA

with Multnomah County (1995) regarding arterial and collector road jurisdiction. The Springwater IGA provides that the 1995 roads IGA would continue to be implemented but also recognized that the City and the County may enter into good faith discussions and negotiations on road jurisdictions.

The City has an established Urban Services Boundary (USB). The USB establishes the geographical limits of where the City provides, or will provide after annexation, city-supplied urban services. A recent ordinance (CPA 04-1480) amending the USB to include the lands covered by the Title 11 compliance report was passed by the Council and became effective on June 3, 2005. This ordinance also established a new annexation goal to “provide for the orderly and efficient annexation of Pleasant Valley, Springwater and subsequently planned new community urban areas.” This ordinance also updated the City’s annexation approval code to be consistent with the Metro 3.09, including allowing for the expedited annexation process. Criterion includes “For Springwater, the adopted Springwater Plan District Plan Map shall apply” and adopted Public Facility and Transportation System Plans shall apply. As is discussed elsewhere in this report the Plan includes public facility and transportation system plans.

Conclusion

The City is engaged in the urban reserve planning for Springwater and will provide city-supplied urban services to Springwater after annexations as provided for in agreements with Multnomah County. As the City is a full service city no additional agreements with other urban service providers are necessary. The City has included Springwater in its USB and has annexation code provisions that can allow for annexations after the comprehensive plan amendments are adopted and effective. The Plan is consistent with this criterion.

B – Provision for average residential densities of at least 10 dwelling units per net developable residential acre or lower densities that conform to the 2040 Growth Concept Plan design type designation for the area.

Findings

The Metro Order that brought Springwater into the UGB only anticipated residential acreage west of Hogan Road (Inner Neighborhood) and potentially along Hogan Road (Corridor). The Plan does provide for residential acres west of and along Hogan Road but it also provides for some residential acreage east of Hogan Road. Findings and conclusion regarding 2040 Growth Concept Plan design types are found in response to Condition B of *General Conditions Applicable to All Land Added to UGB* found later in this report.

The 2002 UGB expansion added just less than 1,300 acres of land. 1,151 acres of the expansion is within the portion of Multnomah County to be governed by the City, and is such the subject of this title 11 compliance. The table below details the amount and distribution of land within the Plan both within the 2002 UGB expansion and the area that was in the UGB prior to the 2002 expansion.

Table 1: Springwater Buildable Land Analysis – Gross Acres by Classification

Plan Sub-District	Plan Data Estimate Prior UGB Expansion Area	Plan Data Estimate 2002 UGB Expansion	Plan Data Estimate Total
ESRA	66.2	304.8	371.0
Parks		33.6	33.6
VLDR-SW	54.0	43.1	97.1
VLDR-SW (Private Open Space) ¹		105.1	105.1
LDR-SW		99.4	99.4
THR-SW		43.5	43.5
NC-SW		7.4	7.4
VC-SW		23.3	23.3
RTI-SW		106.8	106.8
IND-SW		384.2	384.2
Total Acres	120.1	1,151.3	1,271.5

¹ Comprised entirely of Persimmon Golf Course lands - not expected for development

Of the 1,151.3 acres of land within the lands subject to Title 11, protected environmental lands, and land set asides for infrastructure and parks (Gross to net reduction), 552 acres were determined to qualify as “Net Buildable”. Table 2, below, describes the allocation of these lands

Table 2: Springwater Buildable Land Analysis – Gross to Net Assumption

Plan Sub-District	Description	Gross Buildable Acres	Gross to Net Calculation ²	Net Buildable Acres
VLDR-SW (Prior UGB Expansion Area)	Very Low Density Residential	54.1	22%	42.2
VLDR-SW (2002 UGB Expansion Area)	Very Low Density Residential	43.1	22%	33.6
LDR-SW	Low Density Residential	99.4	22%	77.5
THR-SW	Townhouse Residential	43.5	22%	33.9
NC-SW	Neighborhood Commercial	7.4	22%	5.8
VC-SW	Village Commercial (mixed use)	23.3	22%	18.2
RTI-SW	Industrial	106.8	22%	83.3
IND-SW	RSIA Industrial	384.2	22%	299.7
Total Acres		761.9		594.3

² Gross-To-Net of 22% is based on the 25% standard presented by Metro in the 2002-2022 Urban Growth Report: A Residential Land Need Analysis Final Report - December 2002 Page 20 Appendix A, Item #3, Ordinance 02-969. The 3% discount represents land deducted in Table 1 to account for parks.

With the proposed comprehensive plan and implementing ordinances the area will have a capacity for 1,456 total dwellings at buildout occupying 145.1 net acres of buildable residential land. Accordingly Springwater achieves the Metro standard of an overall average density equal to or greater than 10 dwelling units per net residential acre of land with an average of 10.04 Units per Net Residential Buildable Acre (NRBA).

Table 3, below summarizes the residential density assumptions for the Springwater Plan District:

Table 3: Springwater Buildable Lands Analysis - Summary of Residential Development Capacity 2002 UGB Expansion Area

New Dwelling Capacity	Net DU Per Residential Acre	Net Residential Land Acres	Dwelling Units
VLDR-SW	3.63	33.62	122
LDR-SW	7.26	77.55	563
THR-SW	17.42	33.93	591
VC-SW		NA = MU Land ⁴	180
Total New Units			1,456
New Net Residential Land Acres		145.1	
<i>Dwelling Units per Net Residential Buildable Acre</i>			10.04

⁴ The residential component of the mixed-use village will be stipulated in the master plan requirement for certainty of capacity.

Conclusion

The proposed comprehensive plan amendments are consistent with this criterion. The residential density, as stated above averages 10.04 units per net buildable residential acre of land.

C – Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by ORS 197.303. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.

Findings

The City’s approach to providing a diversity of housing in Springwater is closely tied to meeting housing needs related to the industrial and employment districts. Springwater was originally seen as only having housing on the west side of Hogan Road and perhaps along the Hogan Road corridor. Residential development on the west side of Hogan Road is limited by the existing golf course development, slopes and stream areas. A small lot (attached and detached) sub-district (THR-SW) is proposed along the corridor in the non-sloped and non golf course areas and larger lot single family housing (VLDR-SW, LDR-SW) elsewhere. Some housing is proposed on the west side of Hogan Road. This will support the Village Center and provide some nearby housing for industrial and employment districts. These areas are not well suited for industrial development due mainly to topography and natural resources.

Five key housing types are proposed for Springwater (see Table 4 for Housing Range):

1. Large Lot Single Family Detached Housing (Average 12,000 square foot lots).
2. Standard Single Family Detached Housing (Average 6,000 square foot lots)
3. Small Lot Single Family Detached Housing
4. Townhouse Single Family Attached Housing
5. Attached housing in Mixed Use Buildings in the Village Center

Table 4 Springwater Buildable Lands Analysis – Housing Range			
Plan Sub-District	Net Buildable Acres	Assumed Residential Lot Size	Dwelling Units
VLDR-SW (2002 UGB Expansion Area)	33.6	12,000	122
LDR-SW	77.5	6,000	563
THR-SW	33.9	2,500	591
VC-SW ¹	12.7	0 ¹	396
			1,672
			(216)
Total	157.7		1,456

¹ 1,000 square foot unit size applied for potential capacity for mixed-use housing development

Key issues related to housing choice addressed by the Springwater Plan District include:

- A focus on executive housing opportunities primarily on or near steeper slopes. Topography and streams along with the proximity to the Persimmons Golf Course provides an opportunity provide some housing opportunities for upper management and executives related to the Springwater industrial and employment areas.
- Locating small lot (attached and detached) housing along Hogan Avenue, a 2040 Corridor and planned primary transit route. This small lot housing is also located near the Village Center along two collector streets, one of which will provide local transit circulation service. The units provide additional housing to support the industrial and employment districts.
- Locating standard lot detached housing north and near the Village Center on those lands that are more constrained by slope and stream corridors than other areas in Springwater. And which will have limited access to US 26 as the planned future access is at the southern section of part of Springwater.
- Allowing and promoting housing over commercial (mixed-use buildings) in the Village Center to help create a lively pedestrian district.
- Planned and existing housing units, coupled with an anticipated 15,000 employees, are intended to provide necessary support for the Village Center. The Village Center has been identified as an important amenity for attracting industries to Springwater.

ORS 197.303 is a State planning statute that defines “needed housing.” Needed housing in general is the housing types shown to be needed within an urban growth boundary. Additionally, it means, but is not limited to, attached and detached single-family housing and multiple family housing for both owner and renter occupancy, government assisted housing, manufactured dwellings parks, and manufactured dwelling on single lots within single-family dwelling subdivisions.

All of these “needed housing” types except for manufactured dwelling parks are proposed for Springwater. Government assisted housing is not a function of zoning or permitted uses. The City does allow special needs housing and elderly housing as community service uses in the Springwater residential districts.

Demonstrable measures that provide a diversity of housing include:

- Permitting the following housing types in the three proposed residential sub-districts. The proposed VLDR-SW and LDR-SW will allow single family and manufactured homes on individual lots. The LDR-SW will allow duplexes and both the VLDR-SW and LDR-SW will allow accessory dwellings. The THR-SW allows attached and detached single family on small lots and accessory dwellings in conjunction with the detached single family dwellings.
- Attached Housing is allowed in the mixed-use Village Center (VC-SW). Housing opportunities are focused on mixed-use buildings.
- Provisions for planned developments to allow an alternative of clustering of units in part to preserve open spaces.
- Provisions for elderly and special needs housing in all residential districts.

Conclusion

The Plan has demonstrable measures to provide diversity of needed housing in single family, townhouse and mixed-use sub-districts. The City is in compliance with Title 7 and measures utilized within the existing city boundaries will also be utilized in Springwater. The proposed comprehensive plan amendments are consistent with this criterion.

D – Demonstration of how residential developments will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80% of area median incomes for rental as defined by U.S. Department of Housing and Development for the adjacent urban jurisdictions¹. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges and other fees are collected, and other exercises of the regulatory and zoning powers.

Findings

The Springwater Plan includes homeownership and rental housing opportunities for households at or below median household income. For households at or below \$37,107, the median household income for Gresham according to the estimate by the 2003 American Community Survey, the proposed mixed-use attached units in the Village Center and the detached and attached small lot units in the THR-SW sub-district are considered affordable.

According to HUD guidelines, housing is affordable if annual mortgage payments are no more than 26 percent of the household's annual income². In Gresham, that would equate to \$804 per month. Fannie Mae contends that affordable housing should be dependent on the household's total debt, not just mortgage debt, and recommends a range of 35% to 41% of monthly gross income to determine the range of housing affordability. Both Fannie Mae and HUD consider the following assumptions to be standard lending practices when determining affordable home prices: 30 year mortgage, 6.75 annual interest rate, 90 percent financed. Based on these assumptions, the Fannie Mae mortgage calculator (<http://www.fmcals.com/tools-tcc/fanniemae/calculator>) was utilized to determine a range of affordable home prices. Homes selling between \$77,886 and \$133,521 are considered affordable for those at or below median household income. Table 5 below specifies the affordable home selling prices.

¹ Statistics for analyzing affordable housing are based on current Gresham homeownership markets.

² From the Witch Hazel Village Community Plan, June 30, 2003.

Table 5. Affordable Homeownership Prices

% of Mortgage Debt	Actual Dollars of Mortgage Debt	% of Other Debt	Actual Dollars of Other Debt	Affordable Monthly Payment	Home Sales Price
26%	\$804	0%	\$0	\$1,113	\$133,521
26%	\$804	9%	\$278	\$835	\$100,142
26%	\$804	n/a	N/A	\$804	\$96,433
26%	\$804	15%	\$464	\$649	\$77,886

1. Fannie Mae recommends affordable housing based on household debt ranging from 35% to 41%.
2. Standard lending practices = 30 year mortgage at 6.75% annual interest rate and 90% financing.
3. The Fannie Mae mortgage calculator was utilized to identify the range of affordable housing.

The types of housing that would represent viable development opportunities, based on the local housing market are small lot, town home and condominium housing³. Each of these housing types has product that can be found within, or below, the high-end (\$133,521) price for affordable housing. The THR-SW and VC-SW sub-district provide for these housing types.

Affordable rental housing is defined by Metro as affordable for households at or below 80 percent of the area median household income. For Gresham, this equates to \$29,686 as the affordable rental housing income limit. Assuming affordable rent payments do not exceed 30 percent of monthly income, a family of four could afford a monthly rent of \$742.⁴ A review of rental listings for Gresham indicates that apartment units, at rents ranging from \$550 to \$900, would provide affordable renting housing for Springwater⁵. The VC-SW housing designations provided by the Plan would allow apartment dwelling units as part of a mixed-use building.

According to Metro's report "Damascus/Boring Concept Plan Affordable Housing Analysis" (May11, 2005), both attached single-family and high and medium density multi-family housing can be affordable to residents based on HUD affordability standards. In fact, the report states that attached single family (which is allowed under the THR-SW zone at 15 units/acre) is the only owner-occupied housing type affordable to households in the region earning 100% of the region's median household income. The report also states that high density and medium density multi-family residential units (allowed under the VS-SW zone) can be made affordable to households making between 51-80% of the region's MHI (starting at \$33,951/year) or more.

³ RMLS listings were reviewed for Gresham homeownership market.

⁴ This calculation was extrapolated from 2004 HUD income guidelines.

⁵ www.rent.com rental listings were reviewed for Gresham rental housing market.

Conclusion

The Plan provides affordable rental and homeownership opportunities. The proposed comprehensive plans amendments are consistent with this criterion.

E – Provision for sufficient commercial and industrial development for the needs of the area to be developed consistent with the 2040 Growth Concept design types. Commercial and industrial designations in nearby areas inside the Urban Growth Boundary shall be considered in comprehensive plans to maintain consistency.

Findings

The Plan includes four sub-districts to accommodate commercial and/or industrial development. The four sub-districts are Village Center, Neighborhood Commercial, Industrial and Research and Technology Industrial and are summarized below. See Table 6 for employment density assumptions:

Village Center-SW (VC-SW)

This sub-district is intended to be gathering place for employees and residents of Springwater. It will contain a mix of retail, office, civic uses, and housing opportunities in a pedestrian oriented area. It will serve the daily needs of the local neighborhood and the adjacent employment areas. It shall be served by a multi-modal transportation system with good access by vehicular, pedestrian, bicycle, and when appropriate, transit traffic.

Neighborhood Commercial-SW (NC-SW)

This sub-district is to provide for small to medium sized shopping and service facilities and limited office uses adjacent to the existing residential neighborhoods to the north and the adjacent planned industrial district. It is located at the intersection of a planned arterial and collector street.

Industrial-SW (IND-SW)

This sub-district provides a wide range of uses, including all the targeted industries such as advance materials, specialized software applications, recreational equipment and technology, and corporate headquarters as well as many traditional industrial uses. The prohibited uses include those that are heavy, traditional industrial uses (tanneries, metals manufacturing, chemical plants). Large format retail is restricted to ensure the availability and vitality of the lands for industrial uses. Warehousing and distribution are permitted only as accessory. The IND-SW zoning is located east of Telford Road and has about 424 gross buildable acres.

Metro's title 4 RSIA Industrial land protection standards were considered integral to this sub-district. Limits are placed on retail commercial and professional services that cater to daily customers by limiting such uses to no more than 3,000 square feet for a single use, and to no more than 20,000 square feet for multiple uses in single building or multiple buildings that are part of the same development project.

Research and Technology Industrial-SW (RTI-SW)

This sub-district is intended to provide industrial and related employment opportunities in office buildings. Primary uses include knowledge-based industries (graphic communications, creative services), research and development facilities, professional services primarily serving industrial businesses and workers, and medical facilities. The design will create pedestrian friendly areas and utilize green development practices. Development can take advantage of the views and access to creeks in the area. Its proximity to the Springwater Trail, Village Center, and Village Center Loop trail provides amenities. The RTI-SW sub-district is located west of Johnson Creek

in the southern portion of Springwater (south of McNutt Road) and is about 149 gross acres of developable land.

Metro’s title 4 Industrial land protection standards were considered integral to this sub-district. Limits are placed on retail commercial and professional services that cater to daily customers by limiting such uses to no more than 5,000 square feet for a single use, and to no more than 20,000 square feet for multiple uses in single building or multiple buildings that are part of the same development project.

Plan Sub-District	Net Buildable Acres	Assumed Square Feet Per Unit³	Assumed Floor Area Ratio	Employment Land Building Square Feet	Square Feet Per Employee	Jobs
VC-SW (Employment Portion)	5.5		0.50	118,820.8	350	339
RTI-SW	83.3		0.55	1,995,797.2	350	5,702
IND-SW	299.7		0.35	4,568,860.3	500	9,138
Total	594.3					15,330

Springwater was brought into the UGB primarily for the development of employment lands and as a place that could provide some “shovel-ready” land in a relatively short time period.

The proposed mix of Industrial and Research & Technology Industrial sub-districts in Springwater was based on findings made in the Springwater economic development needs analysis. These findings included:

- Springwater needed to be more diverse than depending on traditional manufacturing anticipated by the RSIA designation
- National trends require a different way of thinking about “primary jobs”. Some companies that fall under manufacturing categories actually contain large numbers of non-manufacturing employees whereas others closely associated with manufacturing, such as Research and Development and Product Design, are classified as professional services.
- Some portion of new industrial development will be absorbed by existing space in Gresham.
- Research and Technology Industrial in office buildings can cover a broad spectrum of design, use and land requirements. A large category of these uses do not require face-to-face contact. Corporate centers, call centers and other related professional uses are in demand but may have no specific interest in downtown or town center locations.

The economic development analysis recommends target industries for Springwater (short, medium and long term). The targeted industries were developed based on consideration of:

- Existing regional industries and their support services as revealed by an analysis of historical and projected employment patterns in the region
- Interviews with local economic development and industry professionals

- National growth trends and current market conditions
- A review of published reports and industry clusters studies completed by other researchers and economic development organizations for the region and the state
- The limitations and advantages presented by the Springwater site

The targeted industries included:

- Advanced Metals
- Medical Devices
- Specialized Software Applications
- Forestry & Agricultural Biotechnology
- Recreational Equipment/Recreational Technology
- Corporate Headquarters
- Professional Services
- Renewable Energy Technology

The economic development analysis concluded that these targeted industries could be accommodated with the proposed mix of industrial and office sub-districts.

The IND-SW sub-district has many of the site attributes associated with RSIA. These include:

- Excellent arterial access (planned) that includes phased improvements to US 26 (two crossings are planned – a northern over crossing and a southern interchange) and a new arterial that will traverse the industrial area connecting to the new US 26 interchange and a potential arterial connection to Boring/Damascus.
- Some mix of 20+ acre sites that provide opportunities to be aggregated into large developments generally in a square or rectangular configuration
- Flat lands
- Ability to create an industrial district of 250 to 300 acres.

The Research and Technology Industrial district is somewhat separated from the RSIA Industrial district by the mainstem of Johnson Creek and the Springwater Corridor Trail. It will be connected to the RSIA Industrial district by a planned collector street (that ultimately will be built as an overcrossing US 26) and by a planned arterial street that will eventually connect to Rugg Road along the southern boundary of Springwater and the Research and Technology Industrial district. It will be served by Hogan Avenue that will be improved to a four lane arterial and is a planned primary transit route. Hogan Avenue will also be a main corridor to the Damascus/Boring Concept Plan area. The site has more slope than normally associated with industrial development but is suitable for office development.

The Village Center will be designed to meet the needs of future area industries, businesses, and residents. It will also be a key amenity and attraction for industrial and office development. As recommended by the economic development analysis it will be a walkable, mixed-use district, including medium density housing, retail, and commercial areas. The market assessment indicated the planned industrial and employment and new residential districts along with nearby existing residential neighborhoods will be sufficient to support the retail portion. The size of the Village Center is large enough to support a specialty grocery store, but it will not directly compete with the existing Gresham Regional Center or planned Damascus and Pleasant Valley Town Centers.

The small Neighborhood Commercial center provides an amenity to the nearby existing residential neighborhoods (which are currently underserved) and the planned industrial district. It is small in scale and intended to provide a variety of daily retail and service needs.

Conclusion

The economic development analysis conducted for Springwater recommends the four commercial and industrial sub-districts. It concludes that these are sufficient for the needed commercial and employment development in Springwater and are necessary for the successful economic development of nearly 15,000 jobs. The proposed comprehensive plan amendments are consistent with this criterion.

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 Plan⁶ 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.

Findings

The Springwater Plan District proposes a Springwater Transportation System Plan that will amend the City's current Transportation System Plan (TSP). The proposed TSP amendments document the planning framework, policies and strategies, system inventory and assessment, and forecast and alternatives, which have resulted in a conceptual transportation system plan. The conceptual transportation system plan consists of the following:

- Motor Vehicle Plan including Functional Street Classifications
- Transit Plan
- Bicycle and Pedestrian Plan
- Street Cross Sections
- Freight Master Plan
- US 26 Improvements
- Street Project List Including Costs and Funding Strategies
- Local Street Connectivity Map

Section 6.6.4 (RTP) Transportation System Analysis Required for Local Plan Amendments concerns "city comprehensive plan amendments that would recommend or require an amendment to the Regional Transportation Plan." The Springwater Plan District will require amendment to the RTP as it proposes new regional arterials, transit service, and multi-use trails. Potential RTP amendments include:

- Upgraded Hogan Avenue to 4 lane arterial
- A new 4 lane arterial from Orient Drive to an upgraded 4 lane arterial Rugg Road
- A new east-west collector street
- Upgraded 2 lane collector Teleford, 252nd Avenue, and 282nd Avenue
- Design and access improvement to US 26
- Multi-use Village Center Loop and Employment Loop Trails

⁶ Although the language of this Title 11 section refers to "Title 6 of the Urban Growth Management Functional Plan" Title 6 no longer concerns Transportation. Instead transportation elements have been moved to Title 6 Regional Transportation Plan. Specifically (as stated in section 6.3 -- Demonstration of Compliance with Regional Requirements) are 6.4.4 through 6.4.7, 6.6., 6.6.3 and 6.7.3. Section 6.6 (6.6.3) deals with amendments to the RTP which are not part of the proposal and thus are not applicable to this Report. Section 6.7.3 deals with Project Development Requirements and is not applicable for a Conceptual Transportation Plan and this Report.

The Transportation System Analysis section of the Springwater TSP summarizes the modeling analysis that was used and that resulted in the proposed conceptual transportation plan. It is more completely documented in the Springwater Appendices. The City conducted the transportation system analysis for Springwater using the Metro regional travel demand model. The results of the analysis include identifying regional strategies, local transit, pedestrian and bike improvements, appropriate modal splits; improvements to the street system including connectivity standards, traffic calming methods and the need for significant capacity improvements in the Plan District. A separate (TGM Grant) project Springwater US 26 Concept Design and Access Study was completed for the Springwater plan. It recommends a phased approach to improvements as the land develops for industrial and other urban uses. At build-out there will be two new crossings. One is the north collector facility which will ultimately be bridged over US 26 but in earlier phases will be an at-grade controlled intersection. The second is a southern arterial that will be a full interchange.

Section 6.4.5 (RTP) Design Standards for Street Connectivity describes that the design of local street systems should be such to keep through trips on arterial streets and provide local trips with alternative routes. In general, the section requires a map and provides guidance to landowners and developers on desired street connections. It also requires street connectivity standards that provide full street connections at no more than 530 feet except where streets cross Title 3 water, in which case the average spacing is 800 to 1,200 feet. In water crossing situations the larger spacing is to be interspersed with pedestrian accessways at no more than 530 feet when feasible.

The proposed transportation system plan is intended to meet these standards. The connectivity plan generally provides for connections every 300 feet for pedestrians and bicycles and every 530 feet for automobiles. It provides for protection of residential neighborhoods from potential traffic impacts at the northern edge of Springwater where a planned industrial district abuts an existing residential district. The 530 foot standard for street connections is not provided where the street crossing would impact streams and wetlands (Title 3 and Goal 5 resources). In these cases pedestrian “foot bridges” provide the extra connectivity when greater street spacing is required due to water crossings. Springwater is essentially a “greenfield” setting – the existing network of streets is rural and an entirely new network of connections will be needed to create the Plan District’s vision of a new, urban and employment community.

The proposed street design cross sections are all “green streets.” The guidelines and cross sections of Metro’s *Green Streets* are used for those cross sections.

Section 6.4.6 (RTP) Alternative Mode Analysis. This section deals with improvements in non-SOV mode share. The Springwater proposed TSP includes a transit plan that shows regional and community bus service and transit streets. The land use types and densities along the proposed transit streets are transit supportive (village center, townhouse residential, and office employment center). The Village Center will have strong pedestrian linkages to the adjacent residential areas to its north and the adjacent office employment areas to its south. The bicycle and pedestrian system connects neighborhoods to the village center, to the office and industrial areas and to multi-use trails and transit stops.

As the Springwater TSP will amend each City’s existing TSP, existing strategies found in those TSPs will also apply the Springwater.

Section 6.4.7 (RTP) Motor Vehicle Congestion Analysis. This section deals with how motor vehicle congestion is modeled and with regional motor vehicle performance measures. This section is not an applicable provision for Title 11 compliance but rather is an applicable provision for the City-wide TSPs.

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). 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.

Preliminary cost estimates and funding strategies consistent with OAR Chapter 660, Division 11. Preliminary cost estimates and funding strategies were developed as part of creating the TSP and are consistent with OAR Chapter 660, Division 11. The Springwater TSP includes:

- Preliminary cost estimates
- A project and funding plan that includes a list of projects and description, cost, timing, jurisdiction, and likely funding sources for each project
- A discussion of funding strategies including grants, developer exactions, and transportation impact fee assessments

Conclusion

The Springwater TSP describes a conceptual transportation system including street functional classifications and design, pedestrian and bike plans, transit plans, connectivity and other local street design issues consistent with RTP, Title 3 considerations and preliminary costs, and likely funding strategies for needed improvements. The proposed comprehensive plan amendments are consistent with the criterion.

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 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.

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 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.

H. A conceptual public facilities and services plan for provision of sanitary sewer, water, storm drainage, transportation, parks and police and fire protection. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies including likely financing approaches.

Findings

The proposed Plan includes a Public Facilities Plan (PFP) for sanitary sewer (wastewater), water, storm drainage (stormwater management) and parks (including open spaces and trails). The Springwater PFP specifically addresses the requirements of OAR Chapter 660, Division 11. For each element it includes an inventory and general assessment of the existing public facilities; a list of the significant public facility projects needed to support the proposed land uses; a rough cost estimate of each project; written descriptions and general location map of the proposed public facilities; goals, policies and future action measures; a statement of who will provide the services; estimates of when the projects would be needed; and a discussion of existing funding mechanism and a likely funding strategy for each facility.

The PFP also evaluated the TSP to be consistent with the State OAR and that work was incorporated into the proposed TSP. The Springwater PFP amends the current citywide PFPs.

Interviews with the police and fire/safety agencies did not identify the need for additional police or fire facilities.

Conclusion

The Public Facilities Plan (PFP) establishes a framework for how urban services will be developed and maintained with the implementation of the Plan. The PFP is consistent with

OAR Chapter 660, Division 11. The proposed comprehensive plan amendments are consistent with this criterion.

I. A conceptual school plan that provides for the amount of land and improvements needed, if any, for school facilities on new or existing sites that will serve the territory added to the UGB. The estimate of need shall be coordinated with affected local governments and special districts.

Findings

Springwater land is within the Gresham/Barlow School District. Project staff worked with the District to determine Plan needs. The district has projected that new residential development in Springwater would add 1,150 to 1,500 new elementary and middle school students. This would require a new elementary and a new middle school. An elementary school requires 10 acres and a middle school requires 20 acres; but if sited together they could be on a 25 acre site.

The District did not identify a specific site but rather expressed a desire for a site near future students in Springwater. The part of Springwater proposed as RSIA industrial (east of Telford Road) does not permit schools. However, other non-RSIA industrial lands would permit schools under the City's community services development procedures that will be applied to the Plan. This provides adequate opportunity to site the schools, combined or separate.

Conclusion

A conceptual school plan has been developed in coordination with the Gresham/Barlow School District and is included in the proposal. The proposed comprehensive plan amendments are consistent with this criterion.

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

- 1. 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;***
- 2. Location of steep slopes and unbuildable lands including, but not limited to, wetlands, floodplains and riparian areas;***
- 3. General locations for mixed-use areas, commercial and industrial lands;***
- 4. General locations for single and multi-family housing;***
- 5. General locations for public open space, plazas and neighborhood centers, and***
- 6. General locations or alternative locations for any needed school, park or fire hall sites.***

Findings

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 (ESRA); land use areas (mixed, commercial, office, industrial and residential) and open space, trails and parks.

The PFP has maps for each of the public facilities listed in 1 (plus parks and trails) that show how the area can be served. The TSP also has maps that show the different transportation facilities (streets, pedestrians and transit) and how the area can be served. As noted earlier, a specific conceptual location has not been sited but schools can occur in non-industrial areas. No needed fire or police facilities have been identified.

Conclusion

The applicable items listed in the section have been mapped and are included in the proposed Plan. The proposed comprehensive plan amendments are consistent with this criterion.

K. The plan amendments shall be coordinated among the city, county, school district and other service districts.

Findings

Development of the Springwater Community Plan included representatives of related jurisdictions and entities. Representatives of the City of Gresham, Metro, Multnomah County, and Gresham-Barlow School District served in active planning roles on work teams and/or on the Springwater advisory group known as the Community Working Group. Additionally the project has been coordinated with the Damascus/Boring planning effort with Springwater project staff participating on Damascus/Boring work teams and advisory groups.

Conclusion

The Plan amendments have been coordinated among the appropriate agencies. The proposed comprehensive plan amendments are consistent with this criterion.

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

I. General Conditions Applicable to All Land Added to UGB

A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (“UGMFP”), section 3.07.1120 (“Title 11 planning”) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years. Specific conditions below identify the city or county responsible for each study area.

Finding

The City has an Urban Planning Agreement with Multnomah County that gives the City planning responsibilities for urban reserve planning. The City also has IGA (Gresham Contract #1897) with Multnomah County specific to the Springwater project that establishes a partnership with Multnomah County in developing an urbanization Plan for Springwater. The IGA established the City as the lead in the urbanization planning project. Study areas 6 and 12 (partial) in Multnomah County are the 2002 UGB expansion area included in the proposed Springwater Plan.

The Metro ordinance establishing the Springwater UGB expansion became effective on March 5, 2003. Specific condition A.1 requires completion of Title 11 planning within four years as an exception to this general condition. Adoption of the Plan is expected to be complete and effective by December 1, 2005 which is well before March 5, 2007 (4 years from March 5, 2003). As detailed in the compliance report the proposed Springwater comprehensive plan amendments are consistent with Title 11.

Conclusion

Through the adoption of the proposed Plan, the City will have completed the Title 11 planning within the time period established for Springwater. The proposed comprehensive plan amendments are consistent with the condition.

B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit N of this ordinance to the planning required by Title 11 for the study area.

Finding

The December 2002 Metro 2040 Growth Concept map Springwater designations included three design types:

- The area east of Hogan Road (242nd Avenue) as Regionally Significant Industrial Areas (RSIA). RSIA are industrial areas with site characteristics that are relatively rare in the region that render them especially suitable for industrial use.
- The area directly adjacent to Hogan Road was designated as a Corridor. Corridors are along good quality transit lines, feature a high-quality pedestrian environment, convenient access to transit and a density recommendation of 25 persons per acre.
- The rest of the lands were designated as Inner Neighborhood. Inner Neighborhoods are residential areas accessible to jobs and neighborhood businesses with smaller lot sizes with a density recommendation of 14 persons per acre.

In developing this Plan, some land was found to be unsuitable for industrial or employment uses however, most of the developable lands have been designated for employment related uses.

The Springwater Community Plan represents a greater level of detailed planning, site analysis, and setting community goals than had been done at the time it was brought into the UGB and Metro 2040 Growth Concept Design designations were applied.

The major steps in the planning process were:

- Inventory of base conditions and projections of land-use, transportation, natural resources and infrastructure needs
- Market analysis evaluating current market conditions and trends impacting economic development of industrial uses, village center characteristics and housing needs
- Initiation and carrying out of public process to gain input and provide information.
- Establishment of an advisory group, the Community Working Group (CWG), a 23 member group representing a diversity on interests including Springwater residents and property owners; neighborhood associations; business owners; developers; school districts; fire, police and other urban services providers; elected and appointed officials; and environmental and livability organizations
- Establishment of project goals
- Development of four scenario plans
- Evaluation of the scenarios and preparation of a draft Concept Plan
- Endorsement of final draft Concept Plan
- Development of comprehensive plan amendments to establish the Springwater Plan District

This planning process has resulted in a Springwater Plan that is different than the original UGB 2040 Design types. Revisions to the 2040 Growth Concept Design designations based on this greater level of planning are recommended as follows:

- The land east of Telford Road and 262nd Avenue shown on the plan map as IND-SW will remain as RSIA.
- There are two areas east of Telford/262nd Avenue that are changed from the original RSIA designation. One is a small area of sloped land southeast of Palmbled/262nd and

Telford that is proposed as LDR-SW and would be Inner Neighborhood. The second is a small commercial area near Orient Drive that is proposed as NC-SW and would be Employment. Employment areas include various types of employment and some residential development with limited commercial uses and recommended density of 20 persons per acre.

- The land generally between Hogan Avenue and Telford Road/262nd Avenue and just to the south of McNutt Road that is proposed as RTI-SW would be Industrial.
- The Corridor designation along Hogan Avenue would remain and would encompass the Village Center, the THR-SW sub-district where it abuts Hogan Avenue and the OFF-SW sub-district where it abuts Hogan Avenue.
- The rest of the land, including the LDR-SW, VLDR-SW and the THR-SW sub-districts that are not on the Hogan corridor would be Inner Neighborhood.

The major change to 2002 UGB 2040 Growth Concept design types is to the land between Hogan and Telford that was designated as RSIA but which is proposed to be a mix of inner neighborhood, industrial, employment and a nodal extension of corridor.

- The area directly east of Hogan Avenue (and shown as VLDR-SW and LDR-SW) that is proposed as Inner Neighborhood is characterized by diagonally flowing tributaries (Botefuhr and Brigman creeks) of Johnson Creek. The land between the two tributaries has a dense forest canopy with slopes between 5 to 10% in some areas and 10 to 25% slopes in much of the area. There is also some area of greater than 25% slope. The rest of the Inner Neighborhood area is on 5 to 15% or higher slopes with only a small amount of less than 5% slope.
- These two tributaries and sloped land near Johnson Creek make it impractical to plan a new arterial street to serve this area. Planned access to US 26 will be limited to the south interchange. However, the area will have good access to the Industrial district via the planned north collector.
- The small section of LDR-SW on the east side Johnson Creek is an area with slopes of 5 to 25% and is thus proposed for Inner Neighborhood.
- The residential areas will support the Village Center, providing an evening presence (as opposed to the daytime presence of the industrial and office districts). The combination of steep slopes, natural resources (two tributaries and extensive forested canopy) and as residential will support the Village Center and provide housing for the future employment and industrial areas and is more compatible with the natural resources it is appropriate for Inner Neighborhood.
- The Village Center is proposed as an extension of the Corridor district as a nodal area. The Village Center will be a mixed-use development that will develop at transit supportive densities and thus consistent with the existing corridor designation.
- The Research and Technology Industrial area is proposed as an Industrial district. Although there are significant clusters of less than 5% slopes there is a considerable area of 5 to 10% and 10 to 15% slopes associated with McNutt Creek and Sunshine Creek. Slopes, natural resources and flood plain associated with the west side of Johnson Creek prevent the possibility of aggregating a large parcel for RSIA type development. Nor will the area have direct visibility to US 26. It will have access to US 26 at the southern interchange via a planned arterial that will connect to Rugg Road at the southern edge of Springwater.
- The Research and Technology Industrial district will provide many of the same uses as the RSIA Industrial district but also for targeted industries such as a corporate headquarters and professional services and is intended to accommodate forms of future industrial uses. The economic development analysis found the business services are

“dramatically underrepresented in Gresham” and said it is a “key to the recruitment of new industries of all types”. Linking this sector to the Village Center would reinforce the Village Center and help attract other small businesses. Retail and professional service uses that cater to daily customers in the Research and Technology Industrial district are limited to 5,000 square feet per use and 20,000 square feet for multiple uses. Although slope and access constraints make this area unsuitable for RSIA development its economic development potential for corporate headquarters and for professional, scientific and technical services and limits on retail and professional services use make it appropriate for Industrial.

- The small (six plus acre) Neighborhood Commercial district located near Orient Drive at the northern limit of Springwater will provide for small to medium sized shopping and service facilities and limited office uses. It is adjacent to the existing residential neighborhoods to the north and the adjacent Springwater Industrial district. Retail and service uses are limited in size and primarily cater to workers and nearby residents. As an example retail stores are limited to 10,000 square feet, restaurants to 3,500 square feet, a grocery store to 35,000 square feet, and professional services to 5,000 square feet. It is appropriate for Employment.

Conclusion

The Springwater planning process in its inventory and needs assessment phase applied the 2040 Growth Concept Plan designations as adopted in 2002. However, in subsequent planning process it was found that some land was unsuitable for the RSIA designation mainly related to slope, environmental constraints and access and visibility to US 26. Additionally it was found that this same area was more suited for Inner Neighborhood, Corridor, Industrial and Employment designations. This was mainly for economic development purposes and to take advantage of site characteristics. Title 11 expects the detailed level of planning that has occurred with the community over the past 18 months. It is appropriate that the 2040 Growth Concept Plan Map be refined based on this planning effort and it is recommended that the changes outlined in the findings above be applied as the 2040 Growth Concept Plan Map is updated after the Springwater Plan is adopted. This condition is met.

C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area.

Finding

The City and Multnomah County entered into an IGA (Gresham Contract #1897) effective in May 2004. The IGA specifically provides that “County shall continue to apply interim protection standards in Metro Code Title 11 UGMFP and in the Conditions of Ordinance 02-969B.”

Conclusion

Multnomah County is applying the interim protection standards and this condition is met.

D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansion of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

Finding

The Springwater expansion area is bounded to the west and north by the existing city of Gresham. It is bounded to the south by the Damascus 2002 UGB expansion, an area that is

now part of the City of Damascus. The only non-UGB area adjacent to Springwater is unincorporated Multnomah County lands to the east. The aforementioned City/County IGA has the following agreement concerning Rural/Urban Edge Planning: “D.1 Consistent with the joint objectives of the aforementioned resolutions, City and County will coordinate development of a permanent hard rural/urban edge between the Springwater UGB boundary and the unincorporated rural Multnomah County to the east that are part of the West of Sandy River Rural Area Plan. D.2 Actions necessary to accomplish a hard rural/urban edge will be included in the Plan for Springwater and the amended West of Sandy River Rural Area Plan.” Pursuant to this IGA the City would recommend no change to the UGB on the east side of Springwater.

Conclusion

Springwater is surrounded by lands within the UGB on its west, north, and south sides. The City and the County have established a hard urban/rural edge at the east boundary of Springwater. The City recommends no change to the UGB adjacent to Springwater. This condition is met.

E. Each city or county with land use planning responsibility for a study area included in the UGB shall adopt provisions in its comprehensive plan and zoning regulations – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery - to ensure compatibility between urban uses in an included study area and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

Finding

A major purpose of the aforementioned Gresham/Multnomah IGA is to “join in a common strategy to support the timely development of Springwater and the creation of a permanent and thriving urban/rural edge.” This edge is located at the east extent of Springwater, partly along 282nd Avenue where adjoining lands are MUA-20 (Mixed Use Agricultural) and partly along EFU (Exclusive Farm Use) zoned land west of 282nd Avenue. Elements of the plan that support this agreed purpose and this condition include:

- Designating all of the Springwater land at this edge as Industrial. There was consideration during the scenario alternatives evaluation to have a neighborhood commercial area on 282nd Avenue. However, this alternative was not selected as evaluations indicated that there is less conflict between farm operational practices and industrial users as opposed to urban residential and commercial uses. Industrial uses are less likely to be concerned about noise, hours of operation (early morning, late night), and odor and field burning/aerial spraying than residential or commercial users. Additionally, industrial users are less likely to cause problems to rural farm users such as trespassing, vandalizing and theft than urban residential or commercial users.
- The current MUA-20 lands are separated from Springwater by 282nd Avenue. The current EFU lands will be separated from Springwater by a proposed community street. Buildings with street frontage in the Springwater Industrial development will have a required setback.
- The designation of 282nd Avenue as a collector rather than as an arterial street. Additional access management controls will be applied to the west side of 282nd Avenue so that Springwater development will not access off of 282nd Avenue. These actions reduce the conflict between commuter traffic to Springwater and the rural traffic.
- Routing northbound traffic from the south (Damascus) to connect to US 26 west of 282nd Avenue. This will also lessen conflicts between Springwater commuter traffic and rural traffic on 282nd Avenue.

Conclusion

The industrial designation at the edge, separation between Springwater and rural area by streets and building setback, and the classification and access control of 282nd Avenue help ensure the compatibility between Springwater and the adjoining mixed agricultural and exclusive farm zoned lands. This condition is met.

F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (“RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit N). If the Council places a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.

Finding

As detailed in General Condition ‘B’ the Springwater Planning process has resulted in a finding that while most of the area shown as RSIA on Exhibit N should be retained some of the area shown as RSIA is better suited for Inner Neighborhood, Corridor and Employment designations.

The proposed Industrial-SW (IND-SW) sub-district will apply Title 4 for RSIA lands. This is appropriate as the area will have access and visibility to US 26. The IND-SW limits retail and profession service uses that cater to daily customers to occupy no more than 3,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy no more than 20,000 square feet. The IND-SW also limits the division of 50 acre or more lots. Both of these provisions are provided in Title 4 (3.07.420) regarding RSIA. Also findings are made in this report that the proposal is consistent with specific conditions that apply to the RSIA.

The proposed Research and Technology Industrial-SW (RTI-SW) sub-district will apply Title 4 for Industrial lands. The RTI-SW will limit square footage of single retail and professional services uses to 5,000 square and to multiple outlets to 20,000 square feet (as provided for in Title 4 for Industrial).

The proposed Neighborhood Commercial-SW (NC-SW) sub-district will apply Title 4 for employment lands. This sub-district generally allows small and medium sized retail uses with retail stores limited to 10,000 square feet, restaurants to 3,500 square feet, a grocery store to 35,000 square feet, and professional services to 5,000 square feet.

Conclusion

The proposed IND-SW sub-district applies Title 4 for RSIA, the proposed RTI-SW applies Title 4 for Industrial and the proposed NC-SW sub-district applies Title 4 for Employment and this condition is met.

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 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.

Finding

Metro has not adopted a Goal 5 program and therefore LCDC has not considered or found Metro's Goal 5 program in compliance with the State Goal 5 rules. Therefore the part of this condition that applies is "the city ... shall consider any inventory of the regionally significant Goal 5 resources adopted by resolution of the Metro Council in the city's ... application of Goal 5 to its Title 11 planning."

The Springwater planning for natural resources began with an inventory and needs analysis. As is stated in the natural resources report that is part of the comprehensive plan amendments: "These sources included: "1. Metro's baseline information for riparian and wildlife resources, *specifically Metro's adopted regionally significant habitat inventory* ... The planning team found this inventory for Metro's Goal 5 resources needed refining to better understand the possibilities after future development. The areas that were misinterpreted or in a few cases overlooked in Metro's high-level air photo evaluation were corrected through ground-level observation ... consistent with Metro's inventory, the project found most of the riparian areas and waterways are assumed to be regionally significant." The inventory was the basis for the Goal 5 ESEE analysis that was done for Springwater.

Conclusion

The natural resources planning for Springwater specifically included Metro's adopted regionally significant Goal 5 resources as indicated in the Natural Resources report. This condition is met.

H. Each city and county with land use planning responsibility for a study area included in the UGB shall provide, in the conceptual transportation plan required by Title 11, subsection 3.07.1120F, for bicycle and pedestrian access to and within school sites from surrounding area designated to allow residential use.

Finding

No specific place in Springwater was designated a school site (consistent with the Gresham/Barlow School District's direction) but the need for future elementary and middle school was identified. The proposed Springwater development code would allow schools in the residential, mixed-use, and employment Springwater sub-districts but not in the industrial sub-district. This means that any school sited would be west of Telford Road. The Springwater TSP includes a bicycle and pedestrian plan that details that all arterial, collector and important local connecting streets will have bicycle lanes and sidewalks. Additionally it details an off-street trails system that also provides for bicycle and pedestrian traffic. This system of arterials, collectors, important local connectors and off-street trails will provide good student access from the residential sub-districts to any school site located west of Telford Road. In addition all local streets that will have sidewalks which enhance future access to a school and any school site proposed in the RTI-SW would require an additional access plan for connections between the school site and adjacent residential areas.

Conclusion

Bicycle and pedestrian access to school sites will be provided by future arterial, collector, local connectors and local streets as well as off-street trails. The condition is met.

A. Study Areas 6 (partial), 10 (partial), 11, 12, 13, 14, 15, 16, 17, 18 and 19 (partial)

1. Clackamas and Multnomah Counties and Metro shall complete Title 11 planning for the portions of these study areas in the Gresham and Damascus areas as shown on Exhibit N within four years following the effective date of this ordinance. The counties shall invite the participation of the cities of Gresham and Happy Valley and all special districts

currently providing or likely to provide an urban service to territory in the area. If a portion of the area incorporates or annexes to the City of Happy Valley or the City of Gresham prior to adoption by Clackamas and Multnomah Counties of the comprehensive plan provisions and land use regulations required by Title 11, the Metro Council shall coordinate Title 11 planning activities among the counties and the new city pursuant to ORS 195.025.

Finding

As was noted earlier, the City has an Urban Planning Agreement with Multnomah County that gives the City planning responsibilities for urban reserve planning. The City also has an IGA (Gresham Contract #1897) with Multnomah County specific to the Springwater project that establishes a partnership with Multnomah County in developing an urbanization plan for Springwater. The IGA established the City as the lead in the urbanization planning project. The study area 6 and 12 (partial) in Multnomah County is the 2002 UGB expansion area included in the proposed Springwater Plan.

Additionally the City has an agreement with Metro to participate in the Clackamas County and Metro-led Damascus/Boring Concept Plan project that involves 2002 UGB expansion areas covered under these special conditions. The City is actively participating in the Advisory Committee, the Land Use Work Team, the Transportation Work Team, and the Natural Resources Work Team.

The Metro ordinance establishing the Springwater UGB expansion became effective on March 5, 2003, with the four year date being March 5, 2007. The current hearing scheduled is to have, at the latest date, an enactment ordinance on November 1, 2005, with an effective date 30 day later.

Conclusion

Multnomah County has entered into an IGA providing for Gresham to lead the Springwater Plan effort. The Plan is scheduled to be effective on December 1, 2005 well before the four year period that ends on March 5, 2007. Gresham was invited by Metro and Clackamas County to participate in the Damascus/Boring Concept Plan project and is an active participant in the main advisory committee and several of the functional work teams. This condition is met.

2. In the planning required by Title 11, subsections A and F of section 3.07.1120, Clackamas and Multnomah Counties shall provide for annexation to the Tri-met district of those portions of the study areas whose planned capacity for jobs or housing is sufficient to support transit.

Finding

According to the TriMet District the Springwater Community Plan area is already within the District's boundary. A transit plan that was developed in coordination with TriMet is included in the Springwater TSP.

Conclusion

Springwater is in the TriMet District and this condition is met.

3. In the planning required by Title 11, Clackamas County shall ensure, through phasing or staging urbanization of the study areas and the timing of extension of urban services to the areas, that the Town Center of Damascus, as shown on the 2040 Growth Concept Map (Exhibit N) or comprehensive plan maps amended pursuant to Title 1 of the UGMFP,

section 3.07.130, becomes the commercial services center of Study Areas 10 and 11 and appropriate portions of Study Areas 12, 13, 14, 17 and 19. Appropriate portions of these study areas shall be considered intended for governance by a new City of Damascus. The Damascus Town Center shall include the majority of these areas' commercial retail services and commercial office space. Title 11 planning for these areas shall ensure that the timing of urbanization of the remainder of these areas contributes to the success of the town center.

This condition regards Clackamas County and the Damascus Town Center and is thus not applicable to the Springwater comprehensive plan amendments.

4. In the planning required by Title 11, Clackamas and Multnomah Counties shall provide for separation between the Damascus Town Center and other town centers and neighborhoods centers designated in Title 11 planning or other measures in order to preserve the emerging and intended identities of the centers using, to the extent practicable, the natural features of the landscape features in the study areas.

Finding

City staff with the Springwater Plan project has participated and provided information to the Damascus/Boring Concept Plan project. One result of that participation is that the Springwater Plan was part of the alternatives maps and the evaluation of those maps to arrive at a proposed Damascus/Boring hybrid concept plan. This means that the location of the Damascus Town Center can take into account neighborhood commercial land proposed for Springwater.

Two commercial areas are proposed for Springwater. A small 5.6 net acre site is proposed at the north edge of Springwater near Orient Drive. It is intended to provide local services to the planned Industrial district and the existing Gresham residential district to the north. Floor area is restricted (3,500 sq. ft. for restaurants, 5,000 for offices, 10,000 for retail and 35,000 for grocery). Its size, limited floor area and location would not affect the identity of the Damascus Town Center. The other commercial area is an 18.9 net acre "Village Center". The Village Center is a mixed-use area allowing housing above retail and commercial space. It is located on Hogan Avenue north of McNutt Creek and the proposed Office district and about 1,800 feet north of the Clackamas County line. Its primary purpose is to provide amenity for the Springwater industrial and employment districts. The planned residential districts along with nearby existing City residential neighborhoods will support the village center. Generally office and clinic uses are limited to 10,000 square foot footprint and retail to a 35,000 square foot print (with the intent of a grocery store). Its location, size and orientation to Springwater will not affect the identity of the Damascus Town Center.

Conclusion

The Springwater planning effort has been coordinated with the Damascus/Boring Concept Plan effort to inform and ensure that neighborhood commercial areas in Springwater will not affect the identity of the Damascus Town Center. The two commercial areas planned for Springwater are limited in scale, at significant distances from the County line (and Damascus city limits), and are oriented towards Springwater and thus will not affect the Damascus Town Center identity. The condition is met.

5. If, prior to completion by Clackamas County of Title 11 planning for the Damascus Area, the county and Metro have determined through amendment to the 2000 Regional Transportation Plan to build the proposed Sunrise Corridor, the county shall provide for

the preservation of the proposed rights-of-way for the highway as part of the conceptual transportation plan required by subsection G of section 3.07.1120 of Title 11.

This condition regards Clackamas County and the Damascus Area and is thus not applicable to Springwater comprehensive plan amendments.

6. Neither Multnomah County nor, upon annexation of the area to the City of Gresham, the city shall allow the division of a lot or parcel in an area designated RSIA to create a smaller lot or parcel except as part of the lot/parcel reconfiguration plan required in Condition 7.

Finding

The City and Multnomah County entered into an IGA (Gresham Contract #1897) effective in May 2004. The IGA specifically provides that “County shall continue to apply interim protection standards in Metro Code Title 11 UGMFP and in the Conditions of Ordinance 02-969B.” That would include this Condition.

Land, when annexed into the City, will be designated as one of the Springwater land use sub-districts. The proposed Industrial-Springwater sub-district that implements RSIA includes the Title 4 provisions concerning the division of lots or parcels. This means that, once in the City of Gresham, no land divisions will occur except as provided by Title 4.

Conclusion

Multnomah County is currently enforcing Title 11 interim protection standards and these conditions of approval. Gresham will impose Title 4 land division restrictions upon annexation of RSIA lands. This condition is met.

7. Multnomah County or, upon annexation of the area to the City of Gresham, the city, as part of Title 11 planning, shall, in conjunction with property owners and affected local governments, develop a lot/parcel reconfiguration plan for land designated RSIA that results in the largest practicable number of parcels 50 acres or larger.

Finding

The requirements of this condition do not fall within that which the City could accomplish through the use of regulation. Accordingly, it is not possible to point to any regulation that will ensure compliance with this condition. The City cannot require landowners to combine their properties for sale or development.

The City has made significant strides in accomplishing land assembly. This task predominately falls under the responsibility of the City’s economic development and outreach efforts. The City is devoting significant staff time to encourage land owners to work together to assemble larger parcels.

The Springwater economic development research notes there are several examples of property owners’ agreements, which can be effective in land assembly, and in both giving control to a group of property owners and in providing simpler negotiations and potential purchase process for a potential buyer/end user. An example of this is Real Estate Investment Trusts (REIT).

One step that the City has taken is a “Brokers Forum”, to help property owners in the Springwater area to consider land assemblage along with other issues that relate to future sales

of property. A second forum will be scheduled focusing on the land assembly strategies, such as a REIT, that property owners may want to consider.

Action measures that will help achieve land assemblage are part of the proposed Economic Development Goal (10.802). They include conducting a parcel-level inventory of all industrial zoned land to create “land briefs” for each parcel and to prepare a list of brokers and owners based on the inventory and to continue to schedule meetings of these brokers and owners.

Additionally, the City has created a strategy for annexation and development that should prove beneficial in creating usable pieces of land. The Springwater area has been broken up into 14 modules, as shown in figure 2 below. Any one of these would be logical annexation modules, and logical extensions of public services. Therefore, as annexation potentials develop, the City has the ability to quickly calculate whether the double majority exists in any module, and if it does, what can be expected for providing services and developing property.

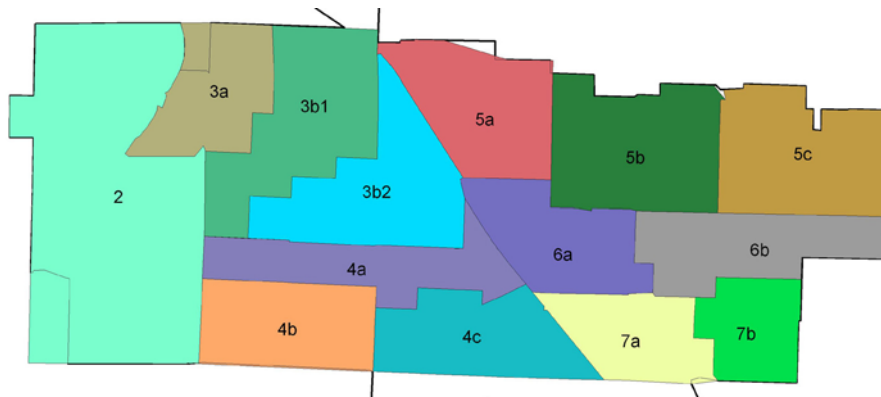


FIGURE 2. ANNEXATION MODULES