

Final Documents

For

Annexation to the
City of Gresham

MU0205
Ordinance 1604
DOR 26-655-2005
Sec. State: AN-2005-0127

Final to DOR: _____

Signature:

 _____

Date of

Mailing: 5/16/05

Final to Secretary of State: _____

Signature:

 _____

Date of

Mailing: 5/24/05

MU0205

Sent

Received

DOR:

5/16/05

5/20/05

Sec. State:

5/24/05

5/25/05

Assessor:

5/24/05

Elections:

5/24/05

Mapped:

Yes

Address Information:

1N2E36AA -01000

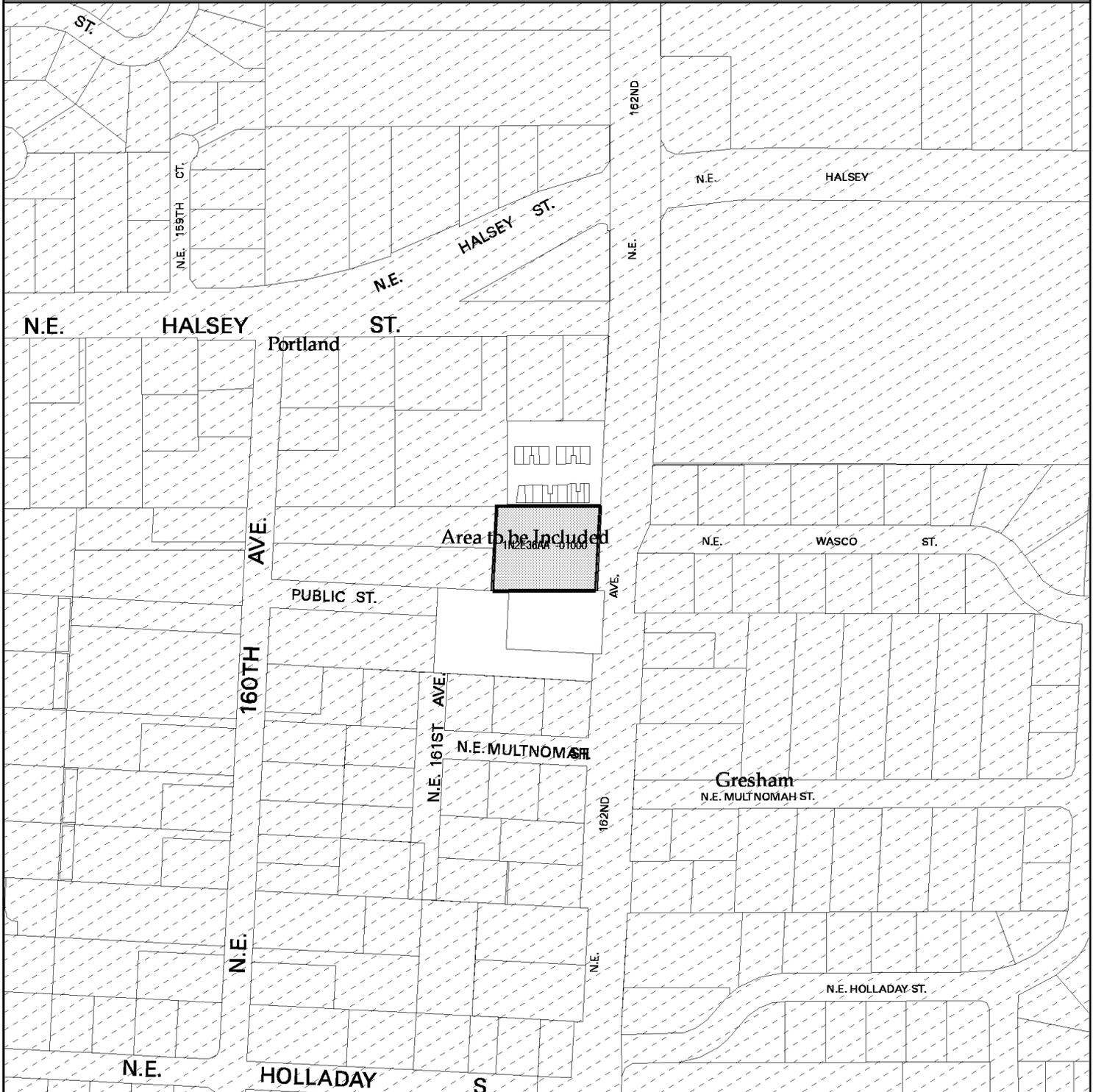
1325 NE 162nd Ave

Proposal No. MU0205

1N2E36AA

Annexation to the City of Gresham

Multnomah Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

METRO

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County lines

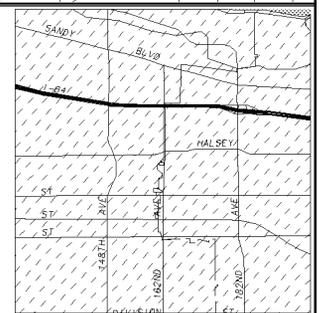
City

Annexation boundary

Urban Growth Boundary

Proposal No. MU0205
CITY OF GRESHAM
Figure 1

Scale: 1" = 250'





May 25, 2005

Metro
Robert Knight
600 NE Grand
Portland, Oregon 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed, as of May 25, 2005, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
ORD NO 2005-62 (C C Service Dist #1)	SD 2005-0075
ORD NO 2005-63 (C River Water Dist)	SD 2005-0076
ORD NO 1604 (City of Gresham)	AN 2005-0127
ORD NO 4349 (City of Beaverton)	AN 2005-0128
ORD NO 4350 (City of Beaverton)	AN 2005-0129

For your records please verify the effective date through the application of ORS 199.519.

Our assigned file number(s) are included in the above information.

Sincerely,

Linda Bjornstad
Official Public Documents

cc: County Clerk(s)
Department of Revenue
ODOT
Population Research Center

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
 PO Box 14380
 Salem, OR 97309-5075
 (503) 945-8297, fax 945-8737

City of Gresham
 % Nikki Peterson
 1333 NW Eastman Parkway
 Gresham, OR 97030-3825

Description and Map Approved
May 20, 2005
As Per ORS 308.225

Description Map received from: METRO
 On: 5/19/2005

This is to notify you that your boundary change in Multnomah County for

ANNEX TO CITY OF GRESHAM

ORD. #1604(AX/PMA04-4064)

has been: Approved 5/20/2005
 Disapproved

Notes:

Department of Revenue File Number: 26-655-2005

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary: Change Proposed Change
 The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

ORDINANCE NO. 1604

AN ORDINANCE APPROVING AN ANNEXATION AND
PLAN MAP AMENDMENT (AX/PMA 04-4064)

The City of Gresham Finds:

A. The council is authorized by ORS Chapter 222 to initiate an annexation upon receiving written consent to annexation from a majority of the electors registered in the territory proposed to be annexed and written consent to annex their land from the owners of more than half of the land in the territory proposed to be annexed.

B. The council has received the necessary "consents" signed by the electors and owners of land, in sufficient numbers to meet the "double majority" annexation requirements listed above and has set the boundary of the territory proposed for annexation as authorized by ORS Chapter 222.

C. The annexation (minor boundary change) also meets the requirements of Metro Code, Chapter 3.09 and Gresham Community Development Code Appendix A1.000.

THE CITY OF GRESHAM ORDAINS AS FOLLOWS:

Section 1. The council approves the proposed annexation described and depicted in Exhibit A attached hereto.

Section 2. The city recorder is directed to file certified copies of the statements of consent, attached hereto as Exhibit B, and this ordinance with Metro.

Section 3. The Gresham Community Development Plan Map (Appendix C) to Volume 2 of the Gresham Community Development Plan) is amended as follows:

State ID # (Tax Lot) T1N R2E 36AA, Tax Lot 1000, in Multnomah County, Oregon,

is changed from the Multnomah County zoning designation of Residential-10 (R-10) to the City of Gresham Plan Map designation of Low Density Residential (LDR).

Section 4. The amendment to the Gresham Community Development Plan Map is attached hereto as Exhibit C.

Section 5. The effective date of this ordinance shall be June 2, 2005.

First reading: April 19, 2005

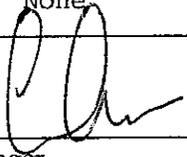
Second reading and passed: May 3, 2005

Yes: Becker, Echols, McIntire, Craddick, Shields, Warr-King

No: Bemis

Absent: None

Abstain: None

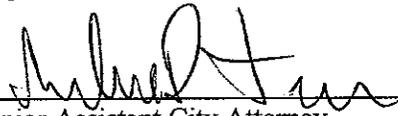


City Manager



Mayor

Approved as to Form:



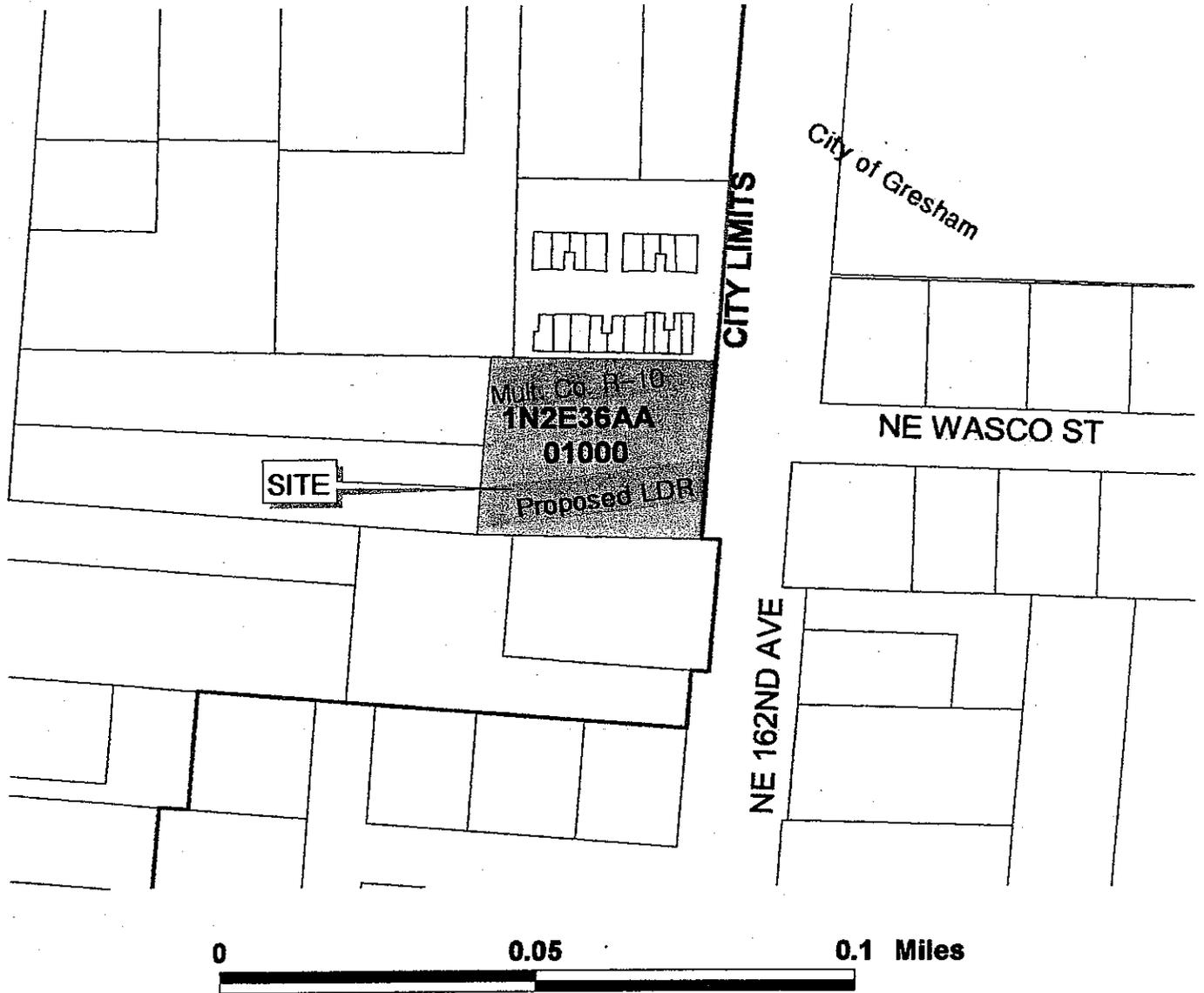
Senior Assistant City Attorney

Exhibit A

**LEGAL DESCRIPTION FOR PROPERTY IDENTIFIED AS
STATE ID# 1N-2E-36AA #1000 and located at 1325 NE 162nd
Avenue**

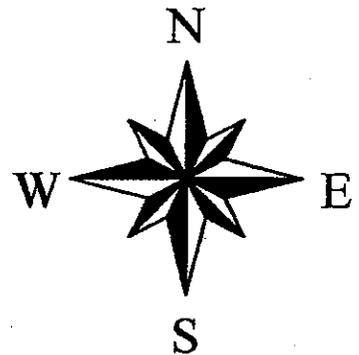
**LOT 8, EXCEPT the East 15 feet thereof, Block A,
Glendoveer Acres, in the County of Multnomah and State
of Oregon.**

EXHIBIT C



File #: AX/PMA 04-4064

Project: Fairview Holdings Annexation



BEFORE THE CITY COUNCIL OF THE
CITY OF GRESHAM

IN THE MATTER OF THE ANNEXATION AND PLAN) Order No. 573
MAP AMENDMENT APPLICATION SET FORTH IN)
GRESHAM FILE NO. AX/PMA 04-4064) AX/PMA 04-4064

A public hearing was held on April 19, 2005, to consider the annexation of territory to the City of Gresham and amending the Gresham Community Development Plan Map.

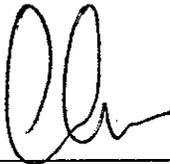
The hearing was conducted under Type IV procedures.

The Council closed the public hearing at the April 19, 2005, meeting, and a decision was made at the May 3, 2005, meeting.

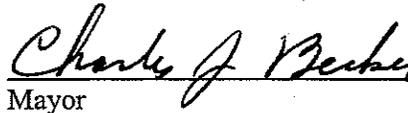
A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of this Order.

The Council orders that the annexation and plan map amendment is approved, and adopts the findings, conclusions and recommendations as stated in the Planning Commission Recommendation Order and attached staff reports.

Dated: May 3, 2005



City Manager



Mayor

**BEFORE THE PLANNING COMMISSION OF THE
CITY OF GRESHAM**

TYPE IV RECOMMENDATION ORDER AX/PMA 04-4064

A public hearing was held on October 25, 2004, upon an application to consider the proposed annexation of property into the City of Gresham, and the proposed assignment of the Transit Low Density Residential (TLDR) land use designation to the site.

The property is located at 1325 NE 162nd Avenue; and is further described as State ID# T1N-R2E-36AA, Tax Lot #1000.

The Planning Commission closed the public hearing at the October 25, 2004 meeting, and a final recommendation was made at the October 25, 2004 meeting.

WES BELL, Chairperson, presided at the hearing.

A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of this Type IV Recommendation.

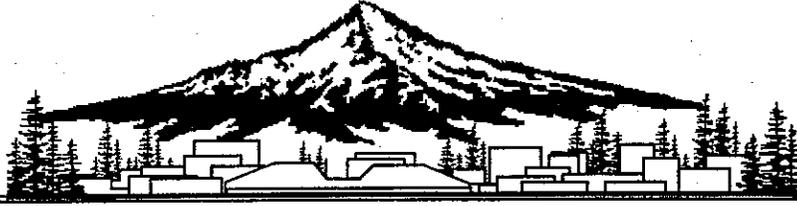
The Planning Commission recommends **APPROVAL** of the proposed Annexation and Plan Map Amendment to the City Council, and adopts the findings, standards, conclusions and recommendations contained in the October 14, 2004 staff report, with the following exceptions/amendments:

Recommend applying a land use designation of LDR in accordance with Section A1.001(b) of the Gresham Development Code.



Chairperson
10/25/04

Date



Community and Economic Development Department
City of Gresham

**SUPPLEMENTAL STAFF REPORT
ANNEXATION AND PLAN MAP AMENDMENT**

TO: City of Gresham City Council

FROM: Gary Miniszewski, AICP, Senior City Planner
(503) 618-2520 / Gary.Miniszewski@ci.gresham.or.us

FILE NUMBER: AX/PMA 04-4064

REPORT DATE: March 30, 2005

HEARING DATE: April 19, 2005

PROPOSAL: The proposal is to annex a .64-acre property to the City of Gresham from Multnomah County, and to assign an LDR (Low Density Residential) Plan designation to the property. The property is currently designated by Multnomah County as R-10 and is located within the Metro Urban Growth Boundary west of 162nd Avenue.

APPLICANT: Jim Raze, Fairview Holdings LLC

REPRESENTATIVE: Chris Cocker

LEGAL DESCRIPTION: State ID# T1S R2E 36AA, Tax Lot 1000

LOCATION: 1325 NE 162nd Avenue

EXHIBITS: A. Staff Report and Exhibits for 12/7/04 Council Hearing

RECOMMENDATION: **City Council approve the Annexation and Plan Map Amendment to Low Density Residential**

A. Background:

Last fall the applicant requested that the City of Gresham annex the subject property and apply the Gresham Comprehensive Plan Map designation TLDR, Transit Low Density Residential to the property. The present County land use zone designation is Residential-10 (R-10). No site development was proposed at that time.

The Planning Commission reviewed the annexation and plan map amendment request October 25, 2004, and recommended the City Council approve the annexation, however they recommended that the City Council designate the property Low Density Residential (LDR) instead of the higher density district, Transit Low Density Residential. On December 7, 2004, the City Council reviewed the Planning Commission recommendation in light of the applicant's proposal. At that time the City Council terminated the proceedings. On January 18, 2005, Council Order 569 was presented to Council on its consent agenda to take final action on the termination of the proposal. Prior to Council's action on the Order, Mr. Raze requested that Council Order No. 569 be pulled from the consent agenda. Mr. Raze then requested that the City Council reconsider his proposal if he changed his map amendment request from TLDR to LDR. The Council unanimously decided to pull the consent agenda item and directed staff to reschedule and re-notice a public hearing to a future council date. This report addresses the most recent proposal by Mr. Raze for a plan map amendment from R-10 (County Designation) to LDR in conjunction with the annexation request.

B. Site and Vicinity Description:

The subject property is a .64 acre site located immediately west of the current City limits boundary, on the west side of 162nd Avenue. The site is rectangular in shape and approximately 150 feet wide (north-south) by 200 feet deep (east-west). 162nd Avenue is presently a 40' wide road with no curbs or sidewalks with two vehicular travel lanes and two bike lanes. It is presently classified as an arterial but presently does not meet the right-of-way width and improvement standards for that classification. When the subject property is considered for development, the City will then require appropriate right-of-way widening and street improvements.

A single-family dwelling was recently removed from the property. It was located near the front boundary in the center of the site. A shop/garage building remains in the northwest corner of the site. Adjacent uses, land use designations and jurisdictions consist of the following:

North: Multiple Family Condominium units designated MFR (Multiple-Family Residential). The condominium units are under Multnomah County jurisdiction.

South: Single-family dwellings on two oversize lots designated SFR (Single Family Residential). The two lots are under Multnomah County jurisdiction.

East: Single-family dwellings on urban subdivision lots designated TLDR (Transit Low Density Residential). This subdivision is under the City of Gresham's jurisdiction.

West: Single-family dwellings on oversize lots designated R-10 (Residential – 10,000 square foot maximum lot size). These lots are under the City of Portland's jurisdiction.

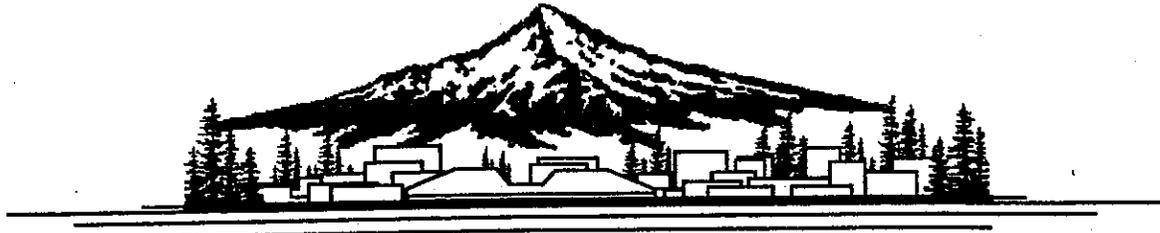
C. Summary of Findings and Recommendation:

The proposed annexation request meets the approval criteria found in the Community Development Code for annexation proposals. These criteria include: 1) conformance to the policies of the Community Development Plan; and 2) it is economically and technically feasible to provide City services to the subject property. The proposal will also provide for a logical extension of City services that presently exist within the 162nd Avenue right-of-way (i.e. sewer line in 162nd Avenue). A Rockwood Water District water line is in the 162nd Avenue right-of-way.

The proposed Community Development Plan Map amendment complies with the Plan Map amendment approval criteria of the Community Development Code. The requested LDR, Low Density Residential, Plan Map designation would be consistent with lands designated LDR within the City of Gresham west of 162nd Avenue and south of the site. Based on the Planning Commission's findings, 162nd Avenue is not a transit street, and therefore they concluded that the application of the Transit Low Density Residential designation to this site is not appropriate.

Based on the findings and considerations described in the original staff report for the annexation and the findings of the Planning Commission for the Plan Map Amendment to LDR, staff recommends approval of the annexation request and the Community Development Plan Map amendment to the City's LDR District.

End of Staff Report



*Community and Economic Development Department
City of Gresham*

**TYPE IV STAFF REPORT
ANNEXATION AND PLAN MAP AMENDMENT**

TO: City of Gresham Planning Commission

FROM: Gary Miniszewski, AICP, Senior City Planner
(503) 618-2520 / Gary.Miniszewski@ci.gresham.or.us

FILE NUMBER: AX/PMA 04-4064

REPORT DATE: October 14, 2004

HEARING DATE: October 25, 2004

PROPOSAL: The proposal is to annex a .64-acre property to the City of Gresham from Multnomah County, and to assign the Transit Low Density Residential (TLDR) Plan District designation to the property. The property is currently designated by Multnomah County as R-10 and is located within the Metro Urban Growth Boundary west of 162nd Avenue.

APPLICANT: Jim Raze, Fairview Holdings LLC

REPRESENTATIVE: Chris Cocker

LEGAL DESCRIPTION: State ID# T1N R2E 36AA, Tax Lot 1000

LOCATION: 1325 NE 162nd Avenue

EXHIBITS:

- A. Vicinity Map
- B. Area Plan Map Land Use Designations
- C. Applicant's Narrative
- D. Development Engineering Comments
- E. Transportation Planning Comments

RECOMMENDATION: Staff recommends the Planning Commission recommend approval of the Annexation and Plan Map amendment to the City Council.

SECTION I BACKGROUND INFORMATION

A. Description of Proposal:

The applicant requests annexation of the property to the City of Gresham and to apply a Gresham Comprehensive Plan Map designation of TLDR, Transit Low Density Residential, to the property. The present County land use zone designation is Residential-10 (R-10). No site development is being proposed at this time.

Under Metro's Ordinance for Annexation, the Planning Commission review of this application is not required. However the Planning Commission's review of this annexation and plan map amendment application is required under the City's procedures and criteria. The Planning Commission review of the annexation and plan map amendment will be in the form of a recommendation to the City Council. On December 7, 2004, the City Council will review the Planning Commission recommendation, the findings contained in this report, and additional findings regarding compliance with relevant code criteria.

B. Site and Vicinity Description:

The subject property is a .64-acre site located immediately west of the current city limits boundary, on the west side of 162nd Avenue. The site is rectangular in shape and approximately 150 feet wide (north-south) by 200 feet deep (east-west). The configuration of the subject lot is shown on attached Exhibit A. 162nd Avenue is presently a 40' wide road with no curbs or sidewalks with two vehicular travel lanes and two bike lanes. It is presently classified as an arterial but currently does not meet the right-of-way width and improvement standards for that classification and present intensity of use.

The single-family dwelling on the property was recently removed. It was located near the front boundary in the center of the site. A shop/garage building remains in the northwest corner of the site. The site slopes gently downward from south to north with a variety of native and cultivated vegetation. Site topography ranges from approximately 268 feet at the southern boundary to approximately 256 feet at the northern boundary. There are numerous deciduous and conifer trees of regulation size at the site (more than 6 trees). Many of the deciduous trees are landscape trees that were planted near the dwelling site. A number of Douglas fir trees occur along the front and southern boundary. Most of the trees and shrubs are located along the southern boundary of the site. The southwest corner of the site has a thick tree canopy and is overgrown with shrubs and blackberry vines.

Adjacent uses, land use designations and jurisdictions consist of the following:

North: Multiple Family Condominium units designated MFR (Multiple Family Residential). The adjoining condominium units and properties north of them are under Multnomah County jurisdiction.

South: Two oversized lots with single-family dwellings designated SFR (Single Family Residential). The two lots are under Multnomah County jurisdiction.

East: Single-family dwellings on urban subdivision lots designated TLDR (Transit Low Density Residential). This subdivision is under the City of Gresham's jurisdiction.

West: Single-family dwellings on oversized lots designated R-10 (Residential – 10,000 square feet). These lots are under the City of Portland's jurisdiction.

C. Summary of Findings and Recommendation:

The proposed annexation request meets the approval criteria found in the Community Development Code applicable to annexation proposals. These criteria include:
1) Conformance to the policies of the Community Development Plan, 2) it is economically and technically feasible to provide City services to the subject property.

The proposed Community Development Plan Map amendment complies with the Plan Map/text amendment approval criteria of the Community Development Code. These include conformance to applicable Community Development Plan policies and the Metro Urban Growth Management Functional Plan.

The requested Transit Low Density Residential (TLDR) Plan Map designation would be consistent with the existing TLDR Map designations for those portions of residential development within the City and adjacent to the site.

The proposal would provide for a logical extension of City services that presently exist within the 162nd Avenue right-of-way.

Based on the considerations described in the findings section of this report, staff recommends approval of the annexation request and the Community Development Plan Map amendment.

SECTION II APPLICABLE COMMUNITY DEVELOPMENT CODE PROCEDURES

Section 11.0205 Type IV Procedure

Section 11.0211 Development Permit Application

Section 11.0213 Referral and Review of Development Permit Application

Section 12.0001 Community Development Plan Map Amendments

Appendix A1.001 Annexation Procedures

Appendix A1.010 Annexation Approval Criteria

**SECTION III
APPLICABLE COMMUNITY DEVELOPMENT PLAN POLICIES**

Policy 10.311 Residential Land Use
Policy 10.320 Transportation System
Policy 10.320.1 Street System (Trafficways)
Policy 10.330 Public Facilities and Services
Policy 10.331 Water Service
Policy 10.332 Sanitary Sewer Service
Policy 10.333 Surface Water Management
Policy 10.335 Fire and Police Protection
Policy 10.410 Growth Management

**SECTION IV
FINDINGS OF FACT**

The proposed annexation and plan map amendment are consistent with all applicable criteria and policies of the Community Development Plan/Code, as indicated in the following findings:

A. Community Development Code Procedures:

1. Section 11.0205-Type IV Procedure. This proposal will be considered by both the Planning Commission and the City Council at public hearings in accordance with the provisions of this section. This section includes provisions for public notification, which are followed by staff as part of the processing of this application. Interested persons may participate in the public hearing process.

No written comments have been received from interested persons as of the date of this staff report.

2. Section 11.0211-Development Permit Application. Staff has reviewed this application and finds that it includes the basic information needed to address the applicable approval criteria.

3. Section 11.0213-Referral and Review of Development Permit Application. This application has been routed to affected City, County and State agencies for review and comment. Received comments are referenced in this report.

4. Appendix A1.001 & A1.010, Annexation Procedure and Approval Criteria.

Appendix A1.001(A) of the Community Development Code requires an annexation request to be processed under the Type IV legislative procedure, with supplements or modifications required by State law. The Type IV procedure requires review by both the Planning Commission and City Council at public hearings.

This application is being processed under the Type IV procedure.

Appendix A1.001(B) This section requires the City to assign a Comprehensive Plan map designation to an annexed property if no City designation closely resembles the County designation. The Plan Map amendment may be initiated by the City or by the petitioner.

Neither the City's TLDR district nor any other of its districts closely resembles the current County R-10 (Residential -10) designation of the site. Therefore, a Plan Map amendment is needed. The applicant has elected to initiate the application requesting that the site be designated TLDR (Transit Low Density Residential). Although both the R-10 and TLDR Districts are low density residential in nature, the TLDR designation better addresses the city's Comprehensive Plan and Transportation System Plan requirements for this site. The TLDR designation would better address the Metro 2040 Functional Plan by locating higher intensity residential districts near transit facilities and complementary land uses. This same designation has already been applied to properties within the City Limits of Gresham that are adjacent to the subject site; therefore, the extension of this District north to this site, seems logical (see page 7 of applicant's narrative, Exhibit C).

Appendix A1.001(C) gives the Council the authority to refer an annexation request to the voters for approval if the Council concludes that it would have a significant impact on the City. The Council can consider this procedural option when they review the application. It is not anticipated, given the relatively small size of the property, that referral to the voters would be necessary.

Appendix A1.001(D) gives the Council the authority to terminate an annexation proceeding at any time. The Council can consider this option when they review the application.

5. Annexation Criteria

Appendix A1.010 lists the approval criteria for an annexation request. A decision regarding an annexation request is to be based on the following:

(a) The proposal conforms to the Gresham Community Development Plan or substantial changes have occurred which render the Plan inapplicable to the annexation.

Findings: Satisfied. This proposal conforms to the applicable policies of the Community Development Plan as described further in this staff report.

(b) The territory lies within the Gresham Urban Services Boundary.

Findings: Satisfied. Policy 10.410, Growth Management, of the Gresham Community Development Plan indicates that those areas outside the city limits, but within the Urban Growth Boundary (UGB), and capable of being served with City services are also within the Gresham Urban Services Boundary. Since the subject site is within the

U.G.B. and capable of being served with all required City services, it is automatically considered within the Urban Services Boundary.

(c) It is economically and technically feasible to service the territory.

Findings: Satisfied. The Development Engineering and Transportation Planning staff findings indicate that it is technically feasible to serve this site with public facilities. Conditions of Approval will be applied to the City's approval of any subdivision development proposed in the future. The conditions will include requirements for the applicant to extend City public facilities through the site and to construct the facilities to City standards. Since it will be the responsibility of the applicant rather than the City's responsibility to construct the public facilities, it is also economically feasible to service the subject site.

6. Plan Map Amendment Criteria

A Plan Map amendment is normally processed under the Type III development permit procedure. However, since it is associated with a Type IV permit (annexation request), both proposals are being processed collectively under the highest numbered procedure identified by the code (per Section 11.0207.B). Subsection 12.0001(A)(3) sets forth the approval criteria for a Plan Map amendment proposal. An applicant must demonstrate that:

(a) The proposed designation is consistent with the applicable policies and implementation strategies of the Community Development Code. The applicant must demonstrate that the proposed designation complies with the appropriate locational criteria identified in the Community Development Code.

Findings: Satisfied. Conformance with the applicable policies/strategies of the Community Development Plan is adequately addressed in the applicant's narrative (pages 9-20, Exhibit C). Staff concurs with these findings.

(b) The proposed designation will not negatively impact existing or planned public facilities and services.

Findings: Satisfied. Public facilities are currently available to the site. These include water, sanitary sewer, stormwater and street access. As indicated by the City Development Engineering and Transportation Planning comments (Exhibits D & E), a development constructed in conformance with the proposed plan designation will not have any significant negative effects on existing or other planned public facilities and services. More specific service needs and new street improvements will be determined at such time that development is proposed at the subject site, and when development of adjoining underdeveloped properties is proposed.

(c) The applicant shall demonstrate compliance with one of the following criteria:

(i) *A mistake was made in the current designation. The applicant must identify a specific error made during the adoption process of the Community Development Code that, if it had been brought to the attention of the council, would have influenced the council's decision of the appropriate designation; or*

(ii) *The site is suitable for the proposed development and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed land use designation and its potential uses vary. The factors to be used in determining suitability are parcel size and location.*

Finding: Satisfied. The application demonstrates compliance with criterion "(ii)".

The site is suitable for development allowed under the Transit Low Density Residential (TLDR) designation; it has no intrinsic physical limitations and it is in close proximity to existing transit facilities as described by the applicant (page 22 of Exhibit C). The subject property is being annexed into the City of Gresham from the County. Because of the proximity of the subject site to adjacent City properties designated TLDR, the factors that helped to determine the designation of the adjacent lands to TLDR also apply to this site. Regarding scarcity of appropriately designated alternative sites within the vicinity, the applicant has addressed this criterion in their narrative (top of page 22, Exhibit C).

(d) *The proposed designation is consistent with the Metro Urban Growth Management Functional Plan.*

Findings: Satisfied. Compliance with the Metro Functional Plan titles is discussed further in this staff report.

B. Conformance with Community Development Plan Policies:

The following are the Community Development Plan policies that apply to this proposal. Each policy is followed by findings that describe how this proposal complies with it.

Policy 10.012 General Plan Requirements and Features Implementation Strategies

Policy 1

The community Development Plan Map will reflect the plan policies and apply land use categories in the following manner:

1. *Transit Low Density Residential. Areas in close proximity to transit service and deemed appropriate for single-family detached and attached dwellings, manufactured homes and two-unit attached dwellings with a development density of 10-20 units per acre and manufactured dwelling parks at a development density of 7-14 units per acre.*

Policy 10.311 Residential Land Use

Policy 1: It is the City's policy to provide affordable housing opportunities to all residents (current and potential) and to allow for flexibility in the type, location, and density of housing.

Policy 2: It is the City's policy to establish locational criteria for different housing types; to require a planned approach to the development of multiple unit housing through a process which requires site design review and encourages design compatibility with established residential areas; to employ buffering and screening standards to facilitate compatibility between different housing types; and to maintain the livability of existing neighborhoods by providing a full range of urban services.

Policy 3: It is the City's policy to permit alternative housing types such as zero lot line housing, houseboats, manufactured homes, and accessory dwelling units, and to adopt special criteria under which these forms of housing would be permitted.

Findings: Satisfied. The Plan Map amendment and annexation requests are consistent with the above policies because the proposed TLDR designation and annexation would provide an opportunity for development of additional low density housing in the northwesterly portion of the City. The proposed redesignation would provide .64 acres of residential property with an estimated housing opportunity of 12 attached single-family dwelling units. The requested Transit Low Density Residential Plan Map designation allows for the development of a variety of housing types at higher densities. The proposed housing would be on smaller lots possibly with common walls, thus being more affordable to new homeowners. The applicant provides added discussion addressing compliance with the above policies (pages 13 and 14 of Exhibit C).

Policy 10.319.1

Policy 1: The City will permit and encourage land use types and intensities of use which support creation of transit supportive development along the City's transit streets, accommodate forecast growth and are otherwise consistent with the Urban Growth Management Functional Plan and the 2040 Growth Concept Map.

Policy 2: The City will seek to create a mix of complementary land uses within easy walking distance of mixed use districts and neighborhoods along the City's transit streets.

Implementing Strategies:

1. ***The city shall seek to identify commercial and residential parcels within or partially within 360 feet of transit corridors where corridor land use districts can be applied.***

2. ***Corridor districts define minimum and maximum residential and commercial densities and may allow mixed uses. Corridor land use districts include the Transit***

Low Density Residential (TLDR), Corridor Multi-Family (CFM), Corridor Mixed Use (CMU), Moderate Commercial (MC) and Community Commercial (CC) Districts.

Findings: Satisfied. The City of Gresham has applied the Transit Low Density land use designation to properties further south of the site and along a one-quarter mile stretch of 162nd Avenue. The subject site is located within 360 feet of Halsey, a transit street. As seen on Exhibit B, the TLDR designation was applied to both the east and west sides of the street for those properties within the cities limits. Other complementary land use districts, such as commercial uses, are within walking distance of the subject site to Halsey Street. The applicant provides added discussion addressing compliance with the above policies (see pages 17 and 18 of Exhibit C).

Policy 10.320 Transportation System

Policy 1: Develop and promote a balanced transportation system that provides a variety of travel choices and reduces reliance on automobiles.

Policy 2: Plan, implement, and maintain an efficient transportation system.

Policy 3: Provide a transportation system that maximizes accessibility to and within regional centers, town centers, transit corridors, station areas, and employment centers.

Policy 4: Provide a safe transportation system.

Policy 10.320.1 Street System (Trafficways)

Policy 1: Provide a street system that accommodates a variety of travel options.

Policy 2: Develop a street system that meets current needs and anticipated future population growth and development.

Policy 3: Provide a street system that maximizes accessibility within the community.

Policy 4: Ensure a safe street system.

Findings: Satisfied. The above policies would be satisfied with the inclusion of the site within the City along with the requested Plan Map designation. This would facilitate development of the site utilizing an existing street system (162nd Avenue) and it could facilitate the future extension of 160th Avenue, connecting it with the subject site to the northeast. A future street plan will be required when this site develops so as to determine the best method for completion of the local street system within this area.

As indicated in the applicant's narrative, the annexation and placement of the TLDR District on the subject parcel (similar to other properties in the city limits in the immediate area) supports the use of nearby transit and bicycle facilities, and therefore demonstrates promotion of transportation alternatives.

Development of the subject property would likely not impact 160th Avenue until such time as a future street plan is adopted and implemented extending 160th to the site. The relatively small amount of additional traffic from development of the subject property under the requested TLDR Plan Map designation (a net increase of 8 dwellings) would not have a significant impact on 162nd Avenue, causing congestion and unsafe driving conditions. Potential traffic impacts resulting from development of the site and possible mitigation measures will be reviewed by the City as part of a future street plan and subdivision application. This subject is further discussed in the attached September 30, 2004 memo attached as Exhibit E.

Policy 10.330 Public Facilities and Services

It is the City's policy that development will coincide with the provision of adequate public facilities and services including access, drainage, water and sewerage services.

The Development Engineering Division found that there are adequate existing public facilities and services available to the site. The Development Engineering Division has no objection to the proposed Annexation/Plan Map Amendment. The impacts of the specific development proposal will be considered at the time a subdivision/design review application is processed.

Policy 10.331 Water Service

It is the policy of the City to provide municipal water service to all users within the corporate boundaries of Gresham.

The proposed Annexation/Plan Map Amendment is within the Rockwood Water PUD service area. There is an existing 8-inch looped system that has capacity to serve the proposed development.

Policy 10.332 Sanitary Sewerage Service

It is the policy of the City to provide sanitary sewerage service to all users within the Gresham sanitary sewer drainage basin.

Findings: Satisfied. There are existing facilities available to serve any future development under the proposed Annexation/Plan Map change. The point of connection is the 8" sewer in NE 162nd Avenue, to the north of the subject property. The existing sewer line has the available capacity to accommodate 12 additional dwelling units.

Policy 10.333 Surface Water Management

It is the City's policy to establish a drainage management system which controls the amount and rate of surface water runoff; protects property from runoff related damage; and controls pollution of receiving streams.

Findings: Satisfied. The proposed Annexation/Plan Map Amendment is within the Columbia Slough Drainage Basin/Sump area. There are existing public drainage facilities in NE 162nd Avenue. The existing public stormwater system is adequate for existing conditions. Any additional stormwater conveyed to the public system will require the existing system to be upgraded to accommodate the additional run-off.

The proposed development/annexation of Tax Lot 1000 is feasible, with several viable stormwater system options that will not negatively impact the existing stormwater system. The soils in the area are good for shallow and deep infiltration and have historically been successfully used for infiltration. The proposed stormwater system includes water quality pre-treatment prior to an on-site sub-surface (deep sump) system for infiltration and retention. Another viable stormwater system includes an open swale for water quality, and shallow infiltration for detention and retention. Either system will provide adequate drainage facilities for the proposed site at maximum density.

Development Engineering concludes that the impacts of the proposed annexation will not negatively impact the existing stormwater system.

Policy 10.335 Fire and Police Protection

It is the policy of the City of Gresham to provide adequate and cost-effective fire and police protection which ensures a safe living environment and is responsive to the needs of the citizens of Gresham.

Findings: Satisfied. The City will provide police service to the site after it is annexed. The Gresham fire department presently serves the site and the Gresham Police Department presently serves properties to the south and directly east of 162nd Street. Both departments will be able serve the site within a reasonable response time. Both departments will have an opportunity to review any future subdivision development proposal for the property.

Policy 10.410 Growth Management

Policy 1

It is the policy of the City to promote an orderly growth pattern within its financial capabilities to provide services and facilities while seeking to exercise land use controls in future service areas.

Policy 2

It is the City's policy to deliver services within the Gresham Urban Service Area by means of annexation to Gresham or, on an interim basis, through alternative approaches that are demonstrated to be in the best long term interest of both the City and future service areas.

Findings: Satisfied. These policies will be satisfied because the proposed annexation/Plan Map amendment would provide for a logical extension of the Urban Services Area and City

boundary from 162nd Avenue to the west. Many lots further south of the subject site are already included in the City limits and provided City services. Designation of the site to TLDR, Transit Low Density Residential would be consistent with the TLDR designations of other residential properties east and west of 162nd Avenue and south of the subject site.

C. Consistency with Metro's Urban Growth Management Functional Plan

The Metro Urban Growth Management Functional Plan was approved on November 21, 1996 by the Metro Council. It became effective on February 19, 1997. The purpose of the plan is to implement the Regional Urban Growth Goals and Objectives (RUGGO) and the 2040 Regional Growth Concept. The Functional Plan must be addressed whenever a Comprehensive Plan map or text amendment is proposed at the local government level.

The following responses address compliance with the Metro Functional Plan.

Title 1 – Accommodation of Growth. This Title requires changing local plans, if necessary, to increase permitted densities to assure sufficient capacity for the 2040 Growth Concept. The subject request would redesignate the land use designation of the site from Multnomah County R-10 (Residential 10) to City of Gresham TLDR, Transit Low Density Residential. The proposal is consistent with the intent of this Title since it will substantially increase the potential housing opportunities on the site (from a possible density of 4 units/acre to 12 units/acre) and contribute to meeting regional housing goals.

Title 2 – Regional Parking Policy. This Title regulates the amount of parking permitted by local jurisdictions for various land uses. Any future single family development proposal for this site will be required to meet the single-family parking standards of the City's Community Development Code. The City parking requirements have been found to conform to the Title 2 single-family parking requirements.

Title 3 – Water Quality and Flood Management Conservation. This Title is not applicable to this proposal. The site is not affected by a designated Metro Water Quality and Flood Management Area. Water Quality and Flood Management Areas are shown on the Title 3 UGM Functional Plan Map. This site is not designated as such on the Title 3 Map.

Title 4 – Retail in Employment and Industrial Areas. This Title is not applicable to this proposal. This proposal relates to the transit low-density residential land use category only and does not involve commercial or industrial uses.

Title 5 – Neighbor Cities and Rural Reserves. This Title defines Metro's policy regarding areas outside of the Urban Growth Boundary. Since this site is within the Urban Growth Boundary this Title does not apply.

Title 6 – Regional Accessibility. This Title recognizes the link between mode split, levels of congestion, street design and connectivity in creating a transportation system that functions and supports the desired regional land use concept. The Title intends to establish an interconnected road system in undeveloped areas in order to reduce trips and encourage alternative modes

(transit, bicycle, pedestrian) of travel. The proposed annexation, comprehensive plan redesignation, and subsequent development of the site will be required to conform to all the Gresham Transportation System Plan and thereby provide for additional road connections and transportation mode choices in conformance with this Title.

Title 7 – Affordable Housing. This Title recommends, but does not require, that local jurisdictions implement tools to encourage development of affordable housing. This proposal is consistent with this Title because this action will allow a higher housing density than is allowed by the current Multnomah County Comprehensive Plan and zoning designations for this site. Also, urban housing at a 10 to 20 units/ acre density required in the TLDR District will be more affordable than suburban low density housing (at a maximum of 4 units/acre). This is due to the typically smaller lot sizes created in the TLDR District and the high possibility for the development of attached single-family housing (common wall dwelling on separate lots).

Titles 8, 9 and 10 require compliance, performance measures and definitions for implementation of the Functional Plan by local jurisdictions, and are therefore not applicable.

In summary, the proposal is supportive of all of the relevant titles of the Functional Plan.

SECTION V CONCLUSION

The proposed annexation and Plan Map amendment application is consistent with applicable criteria and policies of the Community Development Plan as indicated by the findings contained in Section IV of this staff report.

SECTION VI RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of this annexation proposal and Plan Map amendment to the City Council.

End of Staff Report