



MULTNOMAH COUNTY
LAND USE AND TRANSPORTATION PROGRAM
1600 SE 190TH Avenue Portland, OR 97233
PH: 503-988-3043 FAX: 503-988-3389
<http://www.co.multnomah.or.us/landuse>

Staff Report to the Board of County Commissioners

Burlington and Springdale Rural Community Plan and Ordinance Amendments Case File # PC-10-009 and PC-10-010

I. Introduction and Purpose

The proposed Burlington and Springdale Community Plans amend the West Hills Rural Area Plan, East of Sandy River Rural Area Plan, and Multnomah County Code Chapters 33 and 35. The proposed ordinance incorporates plan policies and zoning code amendments needed to complete planning for the communities consistent with the Oregon Administrative Rules for Unincorporated Communities (OAR Division 22) and each community's preferences. The Oregon Administrative Rules (OAR's) provide supporting legislation for counties to plan for communities that are developed to a greater extent than is allowed on rural land. This task involved public outreach to the communities, inventorying of land uses, and drafting of a community plan, policies, and zoning code amendments.

Due to the characteristics of the Burlington and Springdale Communities, staff has determined that the communities are most appropriately designated as Rural Communities. This is further detailed in Section II of the staff report below. Specific provisions for Rural Communities require that counties adopt zoning designations for the uses within the area. The type and extent of specific uses permitted are subject to provisions outlined in the OAR. As part of this process, staff proposes amendments to the West Hills Rural Area Plan, East of Sandy River Rural Area Plan, and Multnomah County Code Chapters 33 and 35 to incorporate policies and zoning code amendments needed to complete planning for these communities consistent with the Oregon Administrative Rules for Unincorporated Communities (OAR Division 22). These amendments are detailed in the proposed ordinance.

Section II of this staff report also includes a brief summary of the State Rule. Section III includes information about the planning process undertaken for this project, and Section IV includes information on the Community Outreach process. Full copies of the plan document for the communities are attached to the Ordinance as exhibits. The plan document includes findings and data from the community inventory and community input received and is intended to support the proposed policy amendments for the West Hills Rural Area Plan and East of Sandy River Rural Area Plan.

II. State Rule- Division 22

Through the Unincorporated Communities Rule, the State has acknowledged that some communities have developed outside of urban growth boundaries to an extent that they are not entirely rural in nature. The Unincorporated Communities Rule requires that established communities outside of urban growth

boundaries be designated as either an Urban Unincorporated Community or one of three rural types of unincorporated communities. An Urban Unincorporated Community contains over 150 permanent residential dwellings and a mixture of land uses, and is served by a community sewer and water system. Rural Unincorporated Communities are, defined as one of the three following types:

1. Resort Communities- established primarily for recreation and resort purposes.
2. Rural Communities- consisting primarily of permanent residential dwellings, with at least two other land uses present (such as commercial, industrial or public uses).
3. Rural Service Centers- consisting primarily of commercial or industrial uses. They provide goods and services to the surrounding rural area and to persons travelling through the area.

The state Unincorporated Communities Rule requires that counties adopt land use and zoning measures specific to unincorporated communities in order to ensure that cumulative development in the communities will not:

- Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, or
- Exceed the carrying capacity of the soil or of existing water supply resources and sewer services, and
- Adversely affect agriculture or forestry uses.

The Unincorporated Communities Rule limits the types of land that can be included in an officially designated Unincorporated Community. Lands identified as “exception areas” (i.e., rural lands that are zoned for commercial, industrial or residential use, not farm or forest use) can be included if they have historically been considered part of the community. The land included must represent a “contiguous concentration” of commercial, industrial, public use, or residential land. Residential land to be included must be of a greater density than residential exception lands that are outside of identified Unincorporated Communities. Land zoned for farm or forest use may only be included in the Unincorporated Community if it is adjacent to exception lands included in the community boundary and was occupied on October 28, 1994 (the date of the Unincorporated Community Rule) by one or more of the following public uses - church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility. The Rule further limits this by allowing only the portion of the lot or parcel that is occupied by the public use(s) to be included in the Unincorporated Community boundary, and requiring that the remainder of the property must continue to be planned and zoned as farm or forestland.

Staff has conducted an inventory of the community identifying the land uses, lot sizes and services within the community, and identifying the boundary as recognized under the current Rural Center designation for the Burlington and Springdale Communities. This is all documented and included in the community plan documents. As previously mentioned, staff has determined that both the Burlington and Springdale communities are most appropriately designated as Rural Communities. As defined above, the Burlington and Springdale communities both consist primarily of permanent residential dwellings, with some commercial, industrial and public uses.

III. Plan Process

Multnomah County Land Use Planning staff formulated a process preparing for the Burlington and Springdale Unincorporated Community Plans and completing the unincorporated community planning requirements for the State Rule. The process included public outreach that consisted of a series of three public meetings held for each community, development of web pages for each community that included information on the project and process as well as serving as a resource to download electronic copies of the project documents, mailed property owner notifications, emailed notifications to interested parties lists, and

distribution of community surveys to gather community input. The results of these meetings and community involvement are discussed below and are provided in the plan document.

As part of the planning project, the following tasks were undertaken. The findings of the task are included and further addressed in the plan document.

- Identified the community boundary recognizing the extent of the established Rural Center zoning boundary
- Inventoried and analyzed data and information about the community related to the existing land uses, available public services, parcel sizes, and current plan policies and zoning regulations
- Reviewed the characteristics of the community and existing zoning regulations for consistency with the State Rule

In addition to the above tasks, the County engaged in an extensive public process to involve residents and landowners in the unincorporated community planning effort.

IV. Public Outreach and Community Input

The public outreach program for the project included a number of different methods including mailed and emailed notification, conducting a community survey, and holding community meetings. These meetings included staff presentations and community input sessions. Results from these meetings were that the citizens are generally happy with their communities and enjoy the neighborhood, and they want to preserve the community as it is. Concerns raised by the community for Springdale included ensuring adequate water service, increases in traffic, drainage and run-off, off-street parking and the use of the Springdale Community Building. For Burlington, the community concerns raised included septic requirements and small lots, lack of services such as a grocery store, desire for a gas station and restaurant in the community, concerns with traffic on Highway 30, expansion of the community boundary, and lack of transportation alternatives especially bus service in particular.