

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR

MULTNOMAH COUNTY, OREGON

In the Matter of Amending the)
Urban Planning Area Agreement)
Between Multnomah County and)
the City of Portland BCC 3-88)

RESOLUTION
#88-158

WHEREAS, in August, 1979, Multnomah County and the City of Portland adopted an Urban Planning Area Agreement in compliance with State Statutory requirements for coordination of inter-jurisdictional planning functions; and

WHEREAS, one of the goals of the Agreement is the orderly conversion of urbanizable land to urban uses; and

WHEREAS, as a means of accomplishing that goal, the terms of the Agreement call for the City to assign comparable land use designations to annexed properties as outlined within the general categories of land uses given in Table I; and

WHEREAS, past experience using those general land use categories has resulted in some uncertainty of the outcome of the Plan and zone conversion process; and

WHEREAS, elimination of that uncertainty by adoption of a more specific conversion table or chart that lists each County zoning district with the corresponding closest equivalent City zone and plan map designation would ensure an orderly transition of planning functions for annexed land; and

WHEREAS, the City of Portland adopted such a chart on June 22, 1988 as an amendment to the Urban Planning Area Agreement (Ordinance 160964); and

WHEREAS, Support for refinement of the plan and zone conversion process has been expressed by Community Planning Groups, Neighborhood Associations, Business Organizations, City and County Planning Staffs, and Department of Land Conservation and Development representatives; and

NOW, THEREFORE BE IT RESOLVED the Board of County Commissioners directs that the Portland/Multnomah County Comprehensive Plan Map Designation and Zone Conversion Chart attached as Exhibit A is adopted and substituted for Table I in the Multnomah County-City of Portland Urban Planning Area Agreement, as shown in Exhibit B and Table I shown in Exhibit C is repealed.

Approved the 6th day of September, 1988.



Gladys McCoy
Gladys McCoy
Multnomah County Chair

Laurence Kressel
Laurence Kressel,
Multnomah County Counsel

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EXHIBIT A

PORTLAND/MULTNOMAH COUNTY COMPREHENSIVE PLAN MAP DESIGNATION AND ZONE CONVERSION CHART

<u>MULTNOMAH COUNTY</u>		<u>PORTLAND</u>	
<u>Zones</u>		<u>Zones</u>	<u>Comprehensive Plan Map Designations</u>
<u>Base zones</u>			
Areas with farm/forest or residential zoning outside the Urban Growth Boundary (UGB)		FF nr	Farm & Forest with a Natural Resource Overlay (nr) Zone
Areas with commercial zoning outside the UGB		C4	Neighborhood Commercial
F2, MUA-20, RR, SR, LR-40, R-40, LR-30, R-30, MUF-19 inside the UGB		FF	Farm and Forest
UF-10, UF-20 inside UGB (Urban Future)		1	
RC within the UGB (Rural Center)		C4	Neighborhood Commercial
LR-20, R-20 Low Density Single-Family Residential		R20	Limited Single-Family Residential
LR-10, R-10 Low Density Single-Family Residential		R10	Low Density Single-Family Residential
LR-7, R7 Low Density Single-Family Residential		R7	Medium Density Single-Family Residential
R-7.5 Low Density Single-Family Residential		R7+GPD	Medium Density Single-Family Residential within the Glendoveer Plan District (GPD)

¹Reviewed through a quasi-judicial review initiated by the Director.

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Portland/Multnomah County Comprehensive Plan Map Designation and Zone Conversion Chart

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<u>MULTNOMAH COUNTY</u>		<u>PORTLAND</u>	
<u>Zones</u>		<u>Zones</u>	<u>Comprehensive Plan Map Designations</u>
LR-5	Low Density Single-Family Residential	R5	High Density Single-Family Residential
MR-4, MR-3 ²	Medium Density Multi-Family Residential	R3	Townhouse Multi-Family Residential
HR-, A-2 ²	High Density Multi-Family Residential	R2	Low Density Multi-Family Residential
HR-1, A1B ²	High Density Multi-Family Residential	R1	Medium Density Multi-Family Residential
BPO	Business & Professional Office	C5	Limited Commercial
LC, C4, SC ³	Local Commercial & Strip Conversion	C4	Neighborhood Commercial
GC, EC, C2, NC, C3	Commercial (General, Extensive, & Neighborhood)	C2	General Commercial
LM, GM, M2,	Manufacturing	GI-2	General Industrial

² Portland Neighborhood Commercial Comprehensive Plan designation and C4 zone will be applied to annexed properties with owner documented County approved conditional use retail operations in County Multi-Family zones. Limited Commercial Comprehensive Plan Map designation and C5 zone will be applied to owner documented County approved conditional use offices in County Multi-Family zones.

³ Portland Neighborhood Commercial Comprehensive Plan Map designation and C4 zone will be applied to annexed sites in County Local Commercial or Strip Conversion Zones where: (1) the primary on-site retail use is allowed in the City C4 zone; and (2) the site is 40,000 square feet or less; and (3) the site does not abut a site with a General Commercial Comprehensive Plan Map designation and C2 zone or abuts a site with General Commercial Comprehensive Plan Map designation and C2 zone on one side. The General Commercial Comprehensive Plan Map designation and C2 zone will be applied where: (1) the primary on-site use is not allowed in the City C4 zone; or (2) the site is larger than 40,000 square feet; or (3) the site abuts sites with General Commercial Comprehensive Plan Map designations and C2 zones on two or more sides of the property. Properties are not considered abutting if separated by a street or other right-of-way.

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<u>Zones</u>		<u>Zones</u>		<u>Comprehensive Plan Map Designations</u>
M3, M4	(Light, General, & Medium)			
HM, M1	Heavy Manufacturing	HI		Heavy Industrial
TLR-5	Transit Low Density Single-Family Residential	R5+t		Transit (t) High Density Single-Family Residential
TMR	Transit Medium Density Multi-Family Residential	R2+t		Transit (t) Low Density Multi-Family Residential
THR	Transit High Density Multi-Family Residential	RH+t		Transit (t) High Density Multi-Family Residential
TLC	Transit Local Commercial	C4+t		Transit (t) Neighborhood Commercial
TNC	Transit Neighborhood Commercial	C3+t		Transit (t) Local Commercial
TGC	Transit General Commercial	C3+t	1/6	Transit (t) Local Commercial
TO	Transit Office	C5+t		Transit (t) Limited Commercial
TLM	Transit Light Manufacturing	GE-2+t		Transit (t) General Employment
<u>Overlay Zones</u>				
SEC	Significant Environmental Concern	SEC	7	Significant Environmental Concern
NI	Noise Impact	n		Noise

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<u>Zones</u>		<u>Zones</u>	<u>Comprehensive Plan Map Designations</u>
PD, RPD	Planned Developments		not mapped; continues as an approved PD
CS	Community Service		if open space, then OS; otherwise corresponding Comprehensive Plan Map designation will be applied
HP	Historic Preservation		Historic & Conservation Districts, Buildings, and Landmarks Designations
LF	Landing Zone (Airport)	1	Landing Field
WRG	Willamette River Greenway	ri,rd,rr, rn	Willamette River Greenway Overlay Zones ⁴
	Design Review	sr	Site Review

⁴ Willamette River Greenway Overlay Zones will be assigned in accord with the Willamette Greenway Update adopted by Ordinance No. 160237 on November 5, 1987.

EXHIBIT B

MULTNOMAH COUNTY - CITY OF PORTLAND

URBAN PLANNING AREA AGREEMENT

Multnomah County, and the City of Portland, enter into this agreement in order to satisfy the statutory requirements for coordination and for the orderly conversion of urbanizable land to urban uses.

WHEREAS; Multnomah County and the City of Portland have a mutual interest in coordinated comprehensive plans, compatible land uses and coordinated planning of urban facilities:

WHEREAS; the successful coordination of land use decisions within the urbanizable area of the County can best be accomplished through the exchange of relevant information on land use issues before binding decisions are made; and

WHEREAS; information exchanges should concentrate on issues that may have a significant impact on each party and should not entail cumbersome procedural requirements that may increase the time necessary to expedite decision-making; and

WHEREAS; in order to reach these objectives, it is necessary to identify a site-specific Urban Planning Area within which both the County and the City may formally review and comment on each other's land use actions, and a process by which land use conflicts in these areas may be resolved:

NOW, THEREFORE, the parties hereto agree as follows:

- I. The Urban Planning Area of the City of Portland shall be defined to include the area designated on Exhibit "B" of this agreement. The provisions of this agreement will include those unincorporated lands within this boundary. Urban Planning Area boundaries may be amended at any time by consent of both parties.
- II. The County will provide full notification to the City for any proposed legislative changes to the County Comprehensive Plan or its implementation ordinances, and any quasi-judicial or administrative decision pursuant to the Comprehensive Plan that may substantially affect the City. The County will provide a reasonable response time and include any responses within the record of the action. The specific actions requiring notification and the allowed response time will be

identified in the Administrative Procedures agreement. (Section X below)

- III. The City will provide full notification to the County of any proposed annexations, capital improvement plans, or major extra-territorial service extensions into the County. The City will provide a reasonable response time and include any responses within the record of the action.
- IV. Lack of response to any proposal submitted for review by either party will be considered "no objection" to the proposal.
- V. Both the County and the City will extend a good faith effort to reconcile any differences that may emerge from this information exchange. Where any difference involve compliance with LCDC statewide goals or MSD goals, objectives or plans, both the City and County will seek resolution of said differences through the appropriate agency.
- VI. The City has identified the following specific land-use conflicts between its Draft Comprehensive Plan and the County Comprehensive Plan for the designated Urban Planning Area of this agreement:
 - 1. The County's land use classification in the West Hills' area is inconsistent with the adopted Regional Land Use Framework Plan.
 - 2. The County's land use classification in the Barbara Welch Road area is inconsistent with the adopted Regional Land Use Framework Plan.Further specific land use or policy conflicts may be identified by the City during the remaining development of its Comprehensive Plan.
- VII. With the exception of the conflicts mentioned in VI above, as well as any identified during the remaining development of the City's Comprehensive Plan, the City accepts the County's land use designations within the Urban Planning Area, subject to the following conditions:
 - 1. At the time annexation, the City will retain the right to assign any one of its land use designations within the category of land use assigned by the County. These categories shall be defined as single-family residential, multiple-family residential, commercial, industrial, open space, and farm and forest. Table I translates City and County land use designations into these categories.
 - 2. The City reserves the right to amend the Plan and/or rezone land to a different category after annexation through established due process procedures, involving full public notification and supported by legally sufficient reasons.

VIII. The following additional issues of concern have been identified:

1. The land use classification for Western Hayden Island is currently undergoing study. Re-evaluation of the Regional Urban growth Boundary and land use designations may be appropriate upon completion of the study.
2. The Sunset Highway Corridor is presently under consideration as a future transit corridor. Were this to occur, re-evaluation of the land use pattern with respect to the transit corridor would be needed.
3. Urban development of vacant land in the Mt. Scott area creates a demand for improvements to transportation facilities affecting both the City and County. A more coordinated approach to planning and funding of transportation improvements in this area should be developed.
4. County and City policies regarding subsurface sewage disposal differ. County Utilities Policy 37 allows approval of subsurface sewage disposal systems for new development in urban areas, based on approval by the Department of Environmental Quality. A proposed City Sanitary and Stormwater Facilities policy states: "Discourage the development of on-site, subsurface waste disposal systems on lots smaller than two acres in size." This problem is currently being addressed as part of the MSD 201 Facilities Plan.

IX. The City and County have agreed on the location of an Urban Services boundary suitable and appropriate for provision of future City services and eventual annexation to the City. For purposes of this Agreement, the Urban Services boundary shall constitute the City's Urban Planning Area boundary. The City shall also be responsible for the preparation of the Public Facilities Plan within this Boundary. There may be instances where the cities of Gresham and Portland make minor adjustments to the eastside Multnomah County Urban Services Boundary. These adjustments shall reflect the intent of each city's urban service policy by consent of both cities under the conditions listed below:

1. Adjustments are limited to contiguous property within approximately 400 feet of the Urban Services Boundary.
2. The adjustment will improve the efficiency of urban services.
3. The adjustment may include property which has been recently partitioned or subdivided.
4. Adjustments may occur wherever an emergency threatens public health, safety and welfare.

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WRG	Willamette River Greenway	ri,rd,rr, rn	Willamette River Greenway Overlay Zones ⁴
	Design Review	sr	Site Review

⁴. Willamette River Greenway Overlay Zones will be assigned in accord with the Willamette Greenway Update adopted by Ordinance No. 160237 on November 5, 1987.

In those areas of Multnomah county where the Metropolitan Urban Growth Boundary and Portland's Urban Services Boundary are coterminous, amendments to the Urban Growth Boundary will be cause for similar amendments to the Urban Services Boundary.

The maps "Exhibit B" of the Intergovernmental Agreement are hereby replaced with the attached "Exhibit 1" and "Exhibit 2", detailed Boundary of Eastside Multnomah County Urban Services Boundary, attached to this Agreement and incorporated by this reference.

- X. The City and County agree to develop Administrative Procedures and to provide adequate administrative staff to carry out the provisions of this agreement. The administrative Procedures will be adopted not later than the City's compliance date of June 30, 1980, and will include a process for resolution of land use and policy conflicts, and for amendments to the Urban Planning Area boundary.

Adopted, June 1979, Ordinance No. 147923
Amended, December 1986, Ordinance No. 159286

EXHIBIT C

<u>Category</u>	<u>County Designation</u>	<u>City Designation</u>
Single-Family	Low Density Residential	Low Density Single-Family Medium Density Single-Family High Density Single-Family Attached Residential
Multi-Family	Medium Density Residential High Density Residential	Low Density Apartments Medium Density Apartments High Density Apartments
Commercial	Office Local Commercial Neighborhood Commercial General Commercial Extensive Commercial Strip Conversion	Neighborhood Commercial General Commercial Downtown Commercial
Industrial	Light Manufacturing General Manufacturing Heavy Manufacturing	Downtown Manufacturing Labor Intensive Manufacturing Light Manufacturing General Manufacturing Heavy Manufacturing
Farm and Forest	Multiple Use Agriculture Agriculture Multiple Use Forest Commercial Forest Rural Residential Rural Centers	Farm and Forest
Open Space	Open Space & Recreation Waterfront Recreation	Open Space

TABLE I