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**FAIRVIEW AREA**  
**COMPREHENSIVE PLAN**

**JUNE, 1979**

Department of Land Conservation and Development

Statewide Highway Division, Metropolitan Section

1111 S.W. Green, Portland, Oregon 97239

FAIRVIEW AREA  
COMPREHENSIVE PLAN

Department of Environmental Quality

1111 S.W. Morrison Street, Portland, Oregon 97239

Department of Fish and Wildlife, Environmental Management Section

1111 S.W. Morrison Street, Portland, Oregon 97239

Metropolitan Services District

211 S.W. Ball Street, Portland, Oregon 97201

City of Wood Village

210 S.W. Yamhill Street, Portland, Oregon 97204

City of Troutdale

1111 S.W. Morrison Street, Portland, Oregon 97239

City of Wood Village

1111 S.W. Morrison Street, Portland, Oregon 97239

City of Troutdale

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City of Troutdale

1111 S.W. Morrison Street, Portland, Oregon 97239

JUNE 1979

AFFECTED AGENCIES

State:

Department of Land Conservation and Development

Oregon State Highway Division, Metropolitan Section  
5821 N.E. Glisan, Portland, Oregon 97213

Department of Transportation, State Historic Preservation  
Office  
525 Trade Street S.E., Salem, Oregon 97310

Department of Environmental Quality  
1234 S.W. Morrison Street, Portland, Oregon 97205

Department of Fish and Wildlife, Environmental Management  
Section  
P.O. Box 3503, Portland, Oregon 97208

Regional:

Metropolitan Services District  
527 S.W. Hall Street, Portland, Oregon 97201

Tri-Met  
520 S.W. Yamhill Street, Portland, Oregon 97204

County:

Multnomah County, Division of Planning and Development  
2115 S.E. Morrison Street, Portland, Oregon 97214

Multnomah County Fire District No. 10  
1927 S.E. 174th, Portland, Oregon 97233

Local:

Reynolds School District  
Route 2, Box 496, Troutdale, Oregon 97060

City of Wood Village  
2055 N.E. 238th Drive, Troutdale, Oregon 97060

City of Troutdale  
104 S.E. Kibling, Troutdale, Oregon 97060

City of Gresham  
150 W. Powell, Gresham, Oregon 97030

Rockwood Water District  
18302 S.E. Stark Street, Portland, Oregon 97233

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COLUMBIA RIVER

Parks and Open Space

ROSE LAKE

ROSE LAKE

Commercial

General Industrial

Low Density Residential

Light Industrial

Light Industrial

Medium Density Residential

General Industrial

Low Density Residential

Planning Area Boundary

Low Density Residential

Public

Low Density Residential

Medium Density Residential

Wood Village

Medium Density Residential

General Industrial










Reynolds High School

Low Density Residential

0 200 800 FEET  
(Scale is Approx.)



# CITY OF FAIRVIEW Comprehensive Plan 6

-  Low Density Residential
-  Light Industrial
-  General Industrial
-  Parks and Open Space
-  Medium Density Residential (more than 6 units per acre)
-  Fairview City Limits
-  Commercial
-  Public
-  Planning Area

Twelvemile Corner

N.E. STARK STREET

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### Number

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- 4 Water System
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- 6 Comprehensive Plan Map
- 7 Zoning Map

Note: All figures follow page 59.

## INTRODUCTION

The Comprehensive Plan describes the city of Fairview's intentions for future development. The plan indicates desired patterns of land use and traffic circulation and plans for the location and development of community facilities.

The plan describes the goals set by local officials and the policies and standards adopted to reach these goals. It also provides a framework for an ongoing planning program.

Citizens and developers can look to the Comprehensive Plan as a statement of intent by public officials for the development of Fairview. City and county officials will also look to the plan in administering all applicable ordinances, such as zoning and subdivision regulations.

Fairview is part of Multnomah County; it cannot be planned independently. The plans and programs of the neighboring cities of Gresham and Wood Village and the County Comprehensive Plan, which is being revised, must also be considered.

It should be emphasized that the plan is not static; rather, it is part of an ongoing process. To be effective, the planning process must be continuous and the plan must be reviewed regularly. The plan will be completely reviewed every 5 years and revised to better reflect the community's changing needs and desires. This plan and the accompanying map cover a geographical area which should be large enough to accommodate all growth anticipated through the year 2000.

The plan is divided into a series of elements, beginning with an "Urbanization" element, which provide the basic objectives, rules, and limitations guiding future development.



Each element contains a brief description of the issues and problems being confronted, the goal to be achieved, and a statement of relevant factual information. Taken together, these element subsections provide the background and basis for the policies which follow. The policies are statements of actions to be taken by the city of Fairview through its City Council with respect to each goal.

Following the policies is an additional element briefly describing how implementation of the policies will affect the future development of the planning area.

"This Plan, each of its elements, and the zoning ordinance shall be opened for amendments that consider compliance with the Goals and Objectives and Plans of the Columbia Region Association of Governments (CRAG) or its successor, on an annual basis and may be so amended or revised more often than annually if deemed necessary by the city council. Annual amendment and revision for compliance with the above regional goals, objectives and plans shall be consistent with any schedule for re-opening of local plans approved by the Land Conservation and Development Commission (LCDC)."

This provision is not to be construed as waiving any legal rights which the city may have to challenge the legality of a regional goal, objective or plan provision.

The Fairview planning area contains a number of jurisdictions which results in a complex planning process. For this reason, the City has adopted what is known as a "complimentary" plan. This approach involves adoption of a plan for the city limits for acknowledgment by the LCDC, with areas outside the city limits, but inside the planning area, being subject to the provisions of the Multnomah County plan.

The City and County have agreed to a common plan for the planning area and depicted these agreed upon designations on the City plan map (Figure 6). The City still maintains a planning interest in portions of the planning area outside the city limits. The adopted planning area agreement between the City and County provides for ongoing coordination planning for the future, consistent with the interests of each jurisdiction.

## CITIZEN INVOLVEMENT

### GOAL

To develop and implement a citizen involvement program to ensure public input to the planning process.

### FACTUAL DATA

The Planning Commission and City Council of Fairview were directly involved in the formulation of this comprehensive plan and the revision of the zoning map for the planning area. Of the 1,040 households in the planning area, 800 responded to an extensive questionnaire about planning issues, a summary of which is presented in Appendix A. Also, public hearings leading to the adoption of the Comprehensive Plan and the revised Zoning Map involved direct citizen participation.

The Citizen Involvement Program was approved by the Land Conservation and Development Commission (LCDC) and its citizen advisory committee. The Planning Commission serves as the Committee for Citizen Involvement. The program is now being implemented.

### POLICY

1. The city of Fairview will implement the Citizen Involvement Program outlined in the following policy statements.<sup>1</sup>

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<sup>1</sup>Appendix B contains the citizen involvement Resolution adopted by the Fairview City Council.

- a. The City Planning Commission is the officially recognized Committee for Citizen Involvement (CCI). The CCI is responsible for the initial public announcement of the planning process and for generating land use policy based upon its own investigation and knowledge, input from the citizenry and input from the city officials and agencies.
- b. Citizen input will occur at public information meetings and informal hearings held during each phase of the planning process by the CCI or other committees formed by the CCI for the purpose of drafting a comprehensive plan.
- c. Meetings and hearings will be publicly announced and conducted according to Oregon State requirements, and will guarantee adequate opportunity for citizen input and review.
- d. The record of all meetings and hearings will be published for general circulation within the planning area and posted for public view at the City Hall and one other location within the planning area.
- e. The CCI will make policy recommendations to the Mayor and City Council, who will reply to the CCI in writing.
- f. The City Council adopts the comprehensive plan and makes all decisions regarding amendment of the comprehensive plan.



- a. Identify agencies that have regulations or existing published information pertaining to each plan element.
- b. Contact identified agencies and obtain pertinent information and/or regulations.
- c. Incorporate information and regulatory data into the data base and draft for each plan element.
- d. Send copy of preliminary drafts of each plan element to the respective agency for review and comment.
- e. Send notice of hearings on the plan to the agencies.
- f. Send a copy of the adopted plan to the agencies.
- g. Maintain oral and/or written communication with all agencies affected by development proposals within the city of Fairview planning area or proposed changes in the plan or its support documents.
- h. Provide the (Metropolitan Services District (MSD) with a mailing list of all agencies involved in the city of Fairview planning process.
- i. Assure MSD access to the city of Fairview Citizen Involvement Program by:
  1. Providing it notice of Committee for Citizen Involvement (Planning Commission) meetings.

2. Providing it access to all information collected or generated by the CCI.
  
4. The citizens of Fairview and any affected governmental units will be given an opportunity to propose plan changes or review and comment on any proposed plan changes in accordance with the following procedures:
  - a. A public hearing on the proposed change will be held. If the change affects an individual parcel, at least 30 days notice of the hearing will be given to all property owners within 500 feet from the boundary of the property where the change is proposed. For textual or other changes affecting general categories of land, public announcement of the hearing will be made. *both 30 & 60 day notice*
  - b. Major revisions (i.e., land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many different ownerships) will require rethinking of the public need expressed in the plan.
  - c. Revisions having little significance beyond the immediate area of the change (minor revisions) will be based on special studies or other information which justifies the public need for the change.

d. The following criteria will be used to establish the justification of a proposed plan amendment or zone change.

- (1) The change is in conformance with the goals and policies of the Comprehensive Plan.
- (2) The change is in conformance with the factors set forth in ORS 215 and any other applicable legislation.
- (3) There is a public need for the change and that public need is best served by changing the classification on that property under consideration.
- (4) A public need will be met by a plan or zone change which is not already met by other available property in the area
- (5) It is necessary to introduce this change into an area not previously contemplated for this use and surrounding property owners should bear the burden of the proposed departure.
- (6) The potential impact upon the area resulting from the change has been considered.

5. The Planning Commission, at its regular monthly meeting, will completely review the plan every five years. Its recommendation(s) will be given to the City Council. If the Planning Commission recommends a plan change, the procedure outlined



in paragraphs 4a through 4d, above, will be followed by the City Council.

6. The procedures for encouraging and obtaining input from, and communicating with, the citizens and public agencies outlined in the Citizen Involvement Program will also be adhered to in future land use planning matters.

## URBANIZATION ELEMENT

### ISSUES AND PROBLEMS

The "planning area" (Figure 1) extends north, from the existing city limits at Sandy Boulevard to the Columbia River. The intervening area includes the Interlachen community on the south shore of Blue Lake, an industrial complex owned by the Hyster Corporation, and Blue Lake (Multnomah County) Park. South of the city the planning area extends to Stark Street. To the west, 201st/202nd Avenue is the boundary. The eastern boundary is in two segments. North of the city, it is a northward extension of the Wood Village/Fairview city limits. To the south, Fairview Avenue (223rd) is the boundary.

The planning area contains active and fallow agricultural lands (primarily north of Sandy Boulevard). Similar to other locations east and west of the planning area, the agricultural land is under an accelerating process of conversion to urban uses (residential and industrial). Preservation of agricultural land is not the issue here. The small parcels of land (totaling 301 acres), surrounded by incompatible urban land uses is no longer conducive to profitable agricultural use over the long term. The Draft Multnomah County Comprehensive Plan has acknowledged this situation in designating the area for urban development.

The Fairview planning area boundary addresses the issue of orderly urban conversion.

The City has adopted a planning area boundary outside the city limits in which the City maintains a planning interest. However, except as indicated in the urban planning area agreement, the City's responsibility is limited to the area within the city limits. For areas outside the city limits, the City plan is reflected in the Rockwood and

Columbia community plans prepared by Multnomah County. Designations from these plans are reflected on Figure 6.

The City of Fairview has long considered the eventual annexation of the Interlachen community and the intervening property. The area has good highway and railroad access, making it suitable for industrial or residential development. Fairview presently has no industrial land. Fairview can best provide the area with public facilities and services (see Public Facilities, page 44-50).

To the south, Fairview is also the most appropriate entity to provide the facilities and services needed to support future residential development. In addition, development in this area will have a substantial impact on the volume of runoff entering Fairview Creek and, consequently, the flood hazard in Fairview. Inclusion of this area in the Fairview planning area will improve the City's ability to influence how the area is developed.

A population projection for the Fairview planning area, based on CRAG's June 1976 population projections for traffic zones to the year 2000, indicates a tripling of the population by the century's end, from about 3,900 to about 8,900.<sup>1</sup> The City of Fairview's 1978 population was 1,850.

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<sup>1</sup>The method used to adapt the CRAG population projections to the Fairview planning area is as follows: The current population for each traffic analysis zone (279, 280, 323, 324, 325, and 326) was matched against existing housing units. The balance of projected population for each traffic analysis zone was apportioned to vacant land planned for residential development inside the Fairview planning area.

The increased population will require more than 3,100 additional dwelling units, which will occupy about 270 acres. Available land holdings in parcels of five or more acres south of Sandy Boulevard total 280 acres. Additional acreage suitable for urban development is available on the agricultural tracts immediately north of Sandy Boulevard. The draft Multnomah County Comprehensive Plan proposes urban use of this acreage. Most of the area is suitable for residential, commercial, or industrial development.

Adequate land areas south of Sandy Boulevard exist to accommodate future commercial and light industrial development. However, there is a need for park land, sites for which must be located, purchased, and developed. Assuming that land north of Sandy Boulevard is available for urban uses, the prospects for park site availability immediately adjacent to residential areas are much higher than if development north of Sandy is prohibited by a "rural" designation.

Comprehensive planning for the cities of Fairview, Wood Village, and Gresham is proceeding at different speeds. There is some possibility for overlap of planning areas and conflicting land use objectives.

#### GOAL

To provide sufficient land to accommodate growth to the year 2000, and provide for the orderly development of this land.

#### FACTUAL INFORMATION

Table 1 presents the projected land use acreages for the planning area. Figure 6 shows the proposed land uses for the planning area.

Table 1  
PLANNING AREA ACREAGES

	<u>Acres</u>	
Total planning area <sup>1</sup> acreage		1,852
Developed area <sup>2</sup>	753	
Unbuildable area <sup>2</sup>	136	
Buildable area	963	
<hr/>		
Year 2000 urban development acreage		1,060
Residential <sup>3</sup>	670	
Commercial	86	
Light Manufacturing	25	
Park/Recreation <sup>4</sup>	87	
I-80N and RR rights-of-way	84	
General Manufacturing <sup>5</sup>	108	
Year 2000 unbuildable acreage		136
Year 2000 future urbanizable acreage		656
Total year 2000 acreage		<u>1,852</u>

<sup>1</sup> Visual survey with area measurement from assessor's map, CH2M HILL, January 1977.

<sup>2</sup> Includes Fairview Lake and shoreline defined on assessor's map--122 acres--and a Fairview Creek channel width of 50 feet in areas north and south of the Fairview city limits--14 acres.

<sup>3</sup> There are no excessive slope or slide hazard areas.

<sup>4</sup> Includes 285 existing acres and 197 acres to meet housing demand to the year 2000 at 50 percent multi-family units (20 units per acre) and 50 percent single-family units (5 units per acre). See Housing Element for further explanation.

<sup>5</sup> Since no parks exist or no specific sites are owned by the city of Fairview or Multnomah County, only the elementary school playground and the high school sports field are indicated on Figure 5. Park acreage on the figure is contained within areas shown for residential development.

<sup>5</sup> Single private industrial holding, includes 48 developed and 60 undeveloped acres. Up to 300 additional acres are available north of Sandy Boulevard. Fairview's share of Multnomah County's projected need for industrial land would be developed out of this acreage.

We project an average annual demand of about 12 acres for new residential development. The planning area contains land acreage adequate to accommodate projected urban development to the year 2000 without making available land so scarce as to drive land prices unreasonably high. Protection against unreasonable land price inflation will be achieved by not allowing the ratio of undeveloped, buildable land to the land area required for one year's urban expansion to drop below 5:1. CRAG uses an 8:1 ratio for the area contained within the Portland metropolitan area urban growth boundary presented in the CRAG Land Use Framework Element and map. The higher the ratio, the less inflated will be land prices.

#### POLICY

1. A planning area boundary will be defined around the City of Fairview enclosing land area sufficient to accommodate the city's foreseeable land needs (Figure 1). Agreements with the cities of Troutdale and Wood Village and Multnomah County acknowledging the Fairview planning area are contained in Appendix C. Fairview intends to coordinate with these jurisdictions as their comprehensive plans are formulated.
2. The planning area boundary will be adopted by the City Council.
3. Land within the planning area boundary will support a mix of residential, commercial, industrial, and recreation/open space uses.
4. New residential development will generally be of moderate overall density. About half of the new dwelling units will be single-family detached at

an average density of nearly 5 units per acre. Half the new dwelling units will be duplexes, multi-family developments (apartments and condominiums), and mobile homes at an average density of 20 units per acre. Planned unit developments will be encouraged on parcels of land of at least 4 acres (see Housing Policies, page \_\_).

5. Retail and service commercial businesses serving clientele from the planning area and nearby locations will be encouraged to develop in clusterings along Fairview Avenue at Halsey Street and Sandy Boulevard. Off-street parking will be required as directed in sections 3.0133, 4.124, 4.224, and 4.324 of the Zoning Ordinance (Appendix D). Existing commercial establishments not located in areas designated by the Plan for commercial use will be allowed to continue but will not be permitted to expand beyond their present sites.
6. Additional commercial or light industrial development will be sought at two general locations within the UGB. The first location is on land parcels scattered along the I-80N/Union Pacific Railroad/Sandy Boulevard corridor. The second is along the south side of Halsey Street east of Fairview Avenue. These areas are suitable for light industrial development. Site plans for light industrial development proposals will be reviewed by the Planning Commission to evaluate the relationship to adjoining land uses.
7. Suitable sites for parks will be purchased and developed as is feasible.

8. New urban development (e.g., residential subdivisions, commercial, or industrial) may only occur at the same time as or after the site is provided public streets, water, sewerage, and drainage facilities. Such facilities will be in accordance with existing master plans for these facilities (see pages \_\_) and meet city (or county) design standards and have capacity to serve intervening properties in addition to the proposed development.
  
9. The City of Fairview will assume jurisdictional responsibility for providing urban services to the area contained within the planning area boundary (Figure 1). Agreements with Multnomah County and the cities of Gresham, Troutdale, and Wood Village acknowledging the Fairview planning area are contained in Appendix C. Fairview will coordinate with these jurisdictions and the Rockwood Water District as their plans affect the Fairview planning area.
  
10. Urban services (i.e., sewer and water, other services existing) will initially be extended to the area defined for "immediate growth" on Figure 1. The remainder of the planning area, the "Future Urbanizable Area," will receive public sewer and water service when such service extensions can be justified in terms of public need and are approved by the CRAG Board of Directors. The predominant land use anticipated for the future urbanizable area is residential, although industrial development could occur in locations north of Sandy Boulevard.



11. In order to assure orderly development in conformance with the Comprehensive Plan, the city will adopt the following policies for annexation and development within the planning area boundary:

a. Annexation will be permitted if:

- (1) The proposed use of the area to be annexed conforms with the Comprehensive Plan.
- (2) The city is able to provide adequate services for the area including sewer, water, administration, and fire protection.
- (3) The proposal for use of the new area meets city standards for roads, sewers, water and other services.
- (4) The area to be annexed is inside the urban planning area.
- (5) The majority of the area to be annexed is contiguous to the city and represents a logical direction for city expansion.

b. Upon annexation, the land use designation(s) indicated in Figure 6 for the annexation area will supersede the Multnomah County Comprehensive Plan land use designation(s). Zoning in concert with the Fairview Comprehensive Plan will be proposed by the Planning Commission for adoption and enforcement by the city council.

12. The City of Fairview will receive notification from Multnomah County of all proposals for sub-

divisions, major partitionings, and changes to the County Comprehensive Plan and/or zoning ordinance affecting the Fairview planning area. The City of Fairview will notify Multnomah County of any proposed annexations or service extensions beyond its corporate limits. The agreement with Multnomah County acknowledging this notification exchange procedure is contained in Appendix C.

Multnomah County will continue to have planning and zoning responsibility for areas outside the corporate limits of Fairview.

13. It is the intent of the city of Fairview that the Fairview Comprehensive Plan be in compliance with the Multnomah County and CRAG Land Use Framework Plans as well as the statewide land use planning goals and guidelines of the Land Conservation and Development Commission. Letters from CRAG, MSD, and LCDC acknowledging the compliance of the Fairview Comprehensive Plan are contained in Appendix D.
14. The policies of this Comprehensive Plan will be implemented through the Zoning Ordinance of the City of Fairview (Ordinance 1-1968), hereinafter referred to as the Zoning Ordinance and the Subdivision and Land Partitioning Ordinance of the City of Fairview (Ordinance 9-1974), hereinafter referred to as the Subdivision Ordinance.
15. Fairview will coordinate with surrounding cities, special districts and Multnomah County in determining urban service areas and determining immediate growth and future urbanizable areas as outlined the CRAG Land Use Framework Element Rules, Section 8, Urban Growth Management Strategy.

16. Fairview will coordinate with MSD as elements of the Regional Plan are formulated that affect Fairview. This includes use of population projections.

## AGRICULTURAL LANDS ELEMENT

### ISSUES AND PROBLEMS

Fairview is located in an area once predominantly agricultural but now rapidly urbanizing. Land north and south of the incorporated city continues to be used for agricultural purposes. Livestock grazing occurs on land north of Glisan Street and commercial farming (primarily berries) occurs north of Sandy Boulevard.

The future for agriculture in the area is poor due to the small agricultural parcel sizes, increasingly high property taxes, and incompatible neighboring land uses. These factors combine to make agricultural operations economically infeasible or marginal in the face of mounting urbanization pressures.

The draft Comprehensive Plan for Multnomah County proposes urban use of the area north of Sandy Boulevard to the Columbia River.

### FACTUAL INFORMATION

1. Existing land in agricultural use: 301 acres; class II and III soils.
2. Areas south of Sandy Boulevard are classified as urban by Multnomah County and CRAG. The Draft Multnomah County Comprehensive Plan gives an "Urban" designation to the area north of Sandy Boulevard.
3. Urban services provided by the City of Fairview exist or can be easily extended to areas north and south of Sandy Boulevard. See the Public Facilities and Services Element.

4. Multnomah County will maintain zoning administration responsibilities for all planning area locations outside the Fairview city limits.

#### POLICY

1. In accordance with the Planning Area Agreement between the City of Fairview and Multnomah County (Appendix C), Multnomah County will notify the City of Fairview of all proposals for sub-divisions and major partitionings in the county areas and any proposed changes to the County Comprehensive Plan or zoned districts affecting the Fairview Planning Area.
2. The City of Fairview can and should provide public services and facilities to the areas inside the planning area currently zoned for agricultural use. The timing and manner in which services would be provided is described in Urbanization Policies 8 and 12.
3. The Comprehensive Plan does not designate any agricultural land within the planning area. However, use of any agriculturally zoned (F-2) land within the City of Fairview will be in accordance with section 3.10 of the zoning ordinance.

#### LAND USE INTERPRETATION

Agricultural land preservation is not at issue in the Fairview Planning Area. Some land is presently zoned for agricultural use, in city as well as county areas. The policies just presented describe the means for disposition of existing agriculturally zoned land areas. New agricultural land will not be created within the planning area.

OPEN SPACES, SCENIC AND HISTORIC AREAS,  
AND NATURAL RESOURCES ELEMENT

ISSUES AND PROBLEMS

The planning area presently contains much open space, primarily agricultural land and Fairview Lake. As indicated in the Urbanization and Agricultural Lands Elements, much of the open space will be needed to accommodate the urban development projected to the year 2000. In addition, future urban development could cause permanent loss of evidence of the area's early inhabitants.

The planning area has no mineral or fossil fuel resource deposits threatened by urban development; however, wildlife habitats in the area warrant concern. Although Fairview Creek and Fairview Lake are not significant fish habitats, the riparian habitat and wetland areas, particularly around the fringe of Fairview Lake, are becoming increasingly important as urban development eliminates similar habitats.

GOAL

To conserve open space and protect natural and scenic resources.

FACTUAL INFORMATION

1. A rock quarry operates south of Glisan Street, just outside the planning area boundary. The area has no other significant mineral or energy resource deposits.
2. No rare or endangered fish, wildlife, or plants have been observed in the planning area. The most important wildlife habitats are the Fairview Lake

and Fairview Creek riparian areas and the wetland areas around Fairview Lake. See Figure 2. These areas support both migratory and indigenous wildlife.

3. Scenic views of Mount Hood are available at locations north of Sandy Boulevard.<sup>1</sup>
4. Areas in the vicinity of Fairview, Blue Lake, and the Columbia River have been used intensively by former Indian populations and are on the main route followed by early trappers, explorers and settlers. However, no extensive cultural resource surveys have been done here to locate artifacts.<sup>2</sup> No places in the planning area are listed in the National Register of Historic Places.<sup>3</sup>

The Oregon State Historic Preservation Office has suggested that cultural resource surveys be required for all earth-disturbing activities occurring near the culturally sensitive areas indicated on Figure 2.<sup>4</sup>

5. The Columbia River, Blue Lake, Fairview Lake, and Fairview Creek are the primary surface water features in the planning area. Fairview Creek and a few intermittent tributaries drain most of the planning area into Fairview Lake and the Columbia Slough.

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<sup>1</sup>Identified by visual inspection, December 1976.

<sup>2</sup>Letter from the Oregon State Historic Preservation Office, dated December 15, 1976.

<sup>3</sup>Letter from the Oregon State Highway Division, October 29, 1976.

<sup>4</sup>Letter from the Oregon State Historic Preservation Office, Op. Cit

Fairview rests atop a major ground water system that begins at the Cascade foothills and flows north into and crosses under the Columbia River. This ground water is plentiful year-round, is of high quality, and presently supplies all of Fairview's water needs.

## POLICY

1. Preserve riparian and wetland habitat around Fairview Lake and along the Fairview Creek channel. See Fairview Creek flood plain protection policy in the Natural Hazard Areas Element (Policy 1).
2. Require cultural resources surveys for earth disturbing activities within the "area of cultural sensitivity" (Figure 2) in compliance with Public Law 89-665, Executive Order 11593, Public Law 93-291, and the National Environmental Policy Act.
3. See Air, Water, and Land Resources Policy 2 for surface and ground water quality protection policy.

## LAND USE INTERPRETATION

Open space is of particular importance where it coincides with wildlife habitat. In the Fairview planning area it will be preserved as flood plain.

## ALTERNATIVES

1. As an alternative to the cultural resources policy (No. 2), a locally sponsored cultural resources survey of the entire culturally sensitive area (Figure 2) could be undertaken. Specific future development policies could be defined based on survey results.



5. The Columbia River, Blue Lake, Fairview Lake, and Fairview Creek are the primary surface water features in the planning area. Fairview Creek and a few intermittent tributaries drain most of the planning area into Fairview Lake and the Columbia Slough.

Fairview rests atop a major ground water system that begins at the Cascade foothills and flows north into and crosses under the Columbia River. This ground water is plentiful year-round, is of high quality, and presently supplies all of Fairview's water needs.

#### POLICY

1. Require cultural resources surveys for earth disturbing activities within the "area of cultural sensitivity" (Figure 2) in compliance with Public Law 89-665, Executive Order 11593, Public Law 93-291, and the National Environmental Policy Act.
2. See Air, Water, and Land Resources Policy 2 for surface and ground water quality protection policy.
3. The Subdivision Ordinance, Paragraph 31.D2, requiring developers to set aside land for open space and recreational use, shall be followed during consideration of development proposals for areas to be annexed to the City of Fairview.
4. Measures adopted by Multnomah County to protect important habitat in the unincorporated parts of the Fairview planning area shall be adopted by the City of Fairview if these habitat areas are annexed.

## LAND USE INTERPRETATION

Measures to protect the open space and habitat resources of the planning area will affect the presently unincorporated areas since these resources are not available inside the city limits.

## ALTERNATIVES

1. As an alternative to the cultural resources policy (No. 1), a locally sponsored cultural resources survey of the entire culturally sensitive area (Figure 2) could be undertaken. Specific future development policies could be defined based on survey results.

AIR, WATER, AND LAND  
RESOURCES QUALITY ELEMENT

ISSUES AND PROBLEMS

As the extent and intensity of Fairview's urban development increases, so will its air, water and land resource contaminant by-products. Existing systems adequately collect and dispose of the city's solid and liquid wastes. Erosion caused by surface runoff is another source of stream contamination. Fairview has no single, identifiable major industrial air polluters, which leaves internal combustion motor-driven vehicles as the major source of air contaminants. Complete pollutant emissions control on a local level is impossible, however. The vehicle-caused problem is being handled at the Federal level by imposition of emissions restrictions on new cars, and at the local level by the Department of Environmental Quality (DEQ) emissions check which is required upon registration renewal for each vehicle registered within the Metropolitan Service District (MSD).

GOAL

To maintain and improve air, water, and land resources quality by not contributing to contaminant loadings of these resources in excess of Federal- and State-mandated limits.

FACTUAL INFORMATION

Liquid Waste Disposal

All developed portions of the planning area are served by public sewerage systems. A sewer study done in 1970 by CH2M HILL defined a range of alternatives to serve the undeveloped portion of the planning area north of Sandy Boulevard.

All liquid wastes from Fairview and Interlachen are treated by the city of Gresham sewage treatment plant near the intersection of Sandy Boulevard and 201st Street. The treatment plant effluent discharged to the Columbia River must meet National Pollutant Discharge Elimination System (NPDES) permit standards. Liquid wastes from the undeveloped portions of the planning area will also be treated by this facility.

### Solid Waste Disposal

Solid wastes from Fairview are collected by private haulers and disposed of in the St. Johns sanitary landfill in north Portland. The life expectancy of the landfill is 2-1/2 years, assuming no reduction of per capita solid waste deposition. A proposed expansion of the landfill would add up to 10 years to its utility. The Metropolitan Services District (MSD) is pursuing implementation of an areawide solid waste separation/recovery/ recycle program which would also extend the useful life of the St. Johns landfill.

The MSD is currently studying new regional landfill sites.

### Air Quality Control

The Department of Environmental Quality has established emissions standards for cars and trucks. Every vehicle registered within the District must be checked for pollutant emissions each time its registration is renewed.

Active air quality maintenance is also performed by DEQ through its air pollutant discharge permit program. Proposed facilities with air pollutant discharges or associated large parking facilities must receive a permit to pollute the air within limitations set by DEQ.

Fairview is located within an area designated as non-attainment with respect to secondary particulate standards. The Department of Environmental Quality is conducting a data base improvement project for suspended particulates. This is necessary to develop an attainment/maintenance plan for secondary ambient standards in the Portland area and for having an adequate data base to administer the new source review program for sources wishing to locate in this area.

### Noise Pollution Control

Loud, intrusive noise is not considered a problem in Fairview. Existing noise sources are:

1. I-80 N.
2. Union Pacific Railroad tracks paralleling I-80 N.
3. Air traffic to Portland International Airport (PIA).

Residential areas and other noise-sensitive uses are and will continue to be well buffered by distance, topographic relief, structures, and vegetation from the I-80 N and railroad noises.

Jet aircraft approaching PIA from the east or departing to the east generally pass directly over the planning area. The noise problem is one of annoyance rather than violation of noise standards for aircraft operations established by the Federal Aviation Administration. The frequency of annoyance will increase as PIA air traffic increases. Countering the aircraft noise prospects are FAA and Port of Portland (PIA owner/operator) prescribed flight paths and operating procedures designed to minimize exposure of areas to excessive noise. There is also the prospect of quieter aircraft. Fairview's role in controlling aircraft-generated noise, however, is limited

to registering complaints with the Port of Portland. Future industrial use in the northern portion of the planning area could become an additional noise source. In most instances, distance and existing dikes or natural topographic relief will protect existing and future noise-sensitive uses from exposure to noise.

#### POLICY

1. All residences and businesses must be connected to the public sewerage system. Residences or businesses presently in locations not served by public sewers may continue to use DEQ-permitted septic systems until public sewers become available.
2. Every effort will be made to maintain sewerage facilities in a condition promoting peak system operating efficiency.
3. Proposed developments within the Fairview planning area potentially affecting surface or ground water quality will be referred to the DEQ for a water pollutant discharge permit. If a private industry elects to discharge liquid process wastes to the public sewerage systems, the cost of using collection and treatment facilities will be charged to that industry.
4. Present solid waste collection and disposal practices will be continued. An effective areawide solid waste resource recovery program will be supported.

5. Present DEQ air quality maintenance programs will be supported. Proposed developments within the Fairview planning area potentially affecting air quality will be referred to the DEQ.
6. New development shall not be approved where such development will violate noise standards adopted by the Department of Environmental Quality, DEQ.

#### LAND USE INTERPRETATION

The policies stated above will have no noticeable short-term effects on land use. However, the secondary (long-term) effects will be significant. In particular, the location, design capacity and time of construction of future sewer lines will be major determinants of the pattern and density of new development. Also, preservation of air quality may require the DEQ to place additional limitations on new development or even prohibit some types.

## NATURAL HAZARD AREAS ELEMENT

### ISSUES AND PROBLEMS

A small portion of the Fairview planning area contains natural conditions which could potentially require that limitations be placed on any future development in these areas. Figure 2 shows these areas and indicates the limits of the Fairview Creek 100-year flood plain identified at this time.

### GOAL

To protect life, property, and natural resources from natural disasters and hazards.

### FACTUAL INFORMATION

Fairview Creek traverses the planning area from south to north, extending from south of Stark Street in the City of Gresham to Fairview Lake. Descriptions and maps of the 100-year flood plain inside the city and in the area north of Sandy Boulevard prepared by the U.S. Department of Housing and Urban Development for its flood insurance program and the Army Corps of Engineers are available at the Fairview City Hall for use by builders and developers.

The Fairview Creek drainage basin lies entirely within the rapidly developing Fairview/Gresham/Wood Village area. Continued development of the area, further reducing the amount of pervious ground surface, without adequate provisions to prevent further increase in the amount of surface runoff to Fairview Creek, will increase the potential for destructive flooding in the City of Fairview and reduce the developable land area north of Sandy Boulevard.



The Soil Conservation Service "Inventory and Soil Evaluation" for the planning area indicates the presence of three soil series having the common characteristic of poor drainage due in part to slopes of less than 3 percent:

1. "Sauvie silty clay loam, protected," has a slope of 2 percent or less and a water table no more than 1 foot below the surface. It is found most commonly around the Fairview Lake shoreline and in bands stretching east and west of Fairview Lake across the planning area.
2. "Wollent" soils slope at 3 percent or less with the water table 1 foot or less below the ground surface. In areas east of Fairview Creek and south of I-80 and across Fairview Avenue from the Multnomah Kennel Club, this series is very common.
3. "Aloha" series soils also have poor slope (3 percent or less) for adequate drainage. Its poor drainage character is aggravated by a hardpan layer 30 to 40 inches below the ground surface which causes water to perch or flow at this level rather than percolating to deeper soil strata. Aloha soils are found in the same areas as Wollent soils.

These soil series inhibit development because they are wet and therefore have lower bearing strength. Development may occur in these areas, but foundation design must respond to the lower bearing strength and must also incorporate drainage facilities to prevent wet basements. The Aloha soil hardpan should pose little or no difficulty for foundation excavation.

## POLICY

1. Flood Plain Development: Development of flood plain areas will be in accordance with Department of Housing and Urban Development Flood Insurance Program guidelines and the city's flood plain development resolution (Appendix F). Open space is the preferred use in these areas.
  
2. Wet soils area development: Development can occur in these areas only after the load-bearing capacity of soil has been determined. Foundation design must adequately respond to weak bearing soils.

## LAND USE INTERPRETATION

Land within the study area can be developed for the uses indicated on the Comprehensive Plan Map (Figure 4), except where limited by flood plain development regulations (Policy No. 1).

## RECREATIONAL NEEDS ELEMENT

### ISSUES AND PROBLEMS

The planning area has one grade school playground, one high school athletic field, and no parks. Blue Lake Park occupies 153 acres north of the planning area; however, it is a regional facility. As such, it cannot be considered a local park for the planning area, and was not recorded as such in a 1971 inventory of parks in Multnomah County. The planning area needs parks. There are limited site opportunities, and local means to acquire and develop park sites are extremely limited.

### GOAL

To satisfy the recreational needs of the citizens of the Fairview area and visitors.

### FACTUAL INFORMATION

In its 1971 report, "Oregon Outdoor Recreation," the Oregon State Highway Division, Parks and Recreation Department, indicated high-density recreation areas within or near urban centers to be of highest priority for development based on current and projected statewide deficiencies. The report further indicates deficiencies of 2,565, 2,565, and 9,956 acres by 1985 of neighborhood, community, and city-wide parks, respectively for Multnomah, Clackamas, and Washington Counties.

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<sup>1</sup>Multnomah County Planning Commission, Multnomah County Park Sites, updated July 1971.

Outdoor recreation facility standards for urban areas recommended by the State Parks and Recreation Department and acreage requirements for the Fairview planning area are as follows:

		Acres Needed		
		<u>1975</u>	<u>1985</u>	<u>2000</u>
Neighborhood park	2.5 acres/1000 persons	6.0	9.0	14.0
Community park	2.5 acres/1000 persons	6.0	9.0	14.0
Regional park	10.5 acres/1000 persons	<u>26.0</u>	<u>38.5</u>	<u>59.5</u>
TOTALS		38.0	56.5	87.5

Fairview presently has no city parks or recreation facilities, except for the 2.0-acre grade school playground and the 20-acre athletic field at Reynolds High School near 201st Street and Halsey Avenue.

The Multnomah Kennel Club operates a dog racing track, grandstand, and clubhouse facility northeast of the Glisan Street/ Fairview Avenue intersection on the edge of the planning area. The race track operates during the dog racing season which lasts from June until September. The city of Fairview has no direct influence over the dog track operations.

Few sites within the planning area are of adequate size while also having aesthetic value and good location to be considered for neighborhood and city-wide park and recreation facility development. Potential park sites are: (1) between Interstate 80, Halsey Street, the PP&L powerlines and the present west city limits; (2) adjacent to the eastern edge of the Reynolds High School athletic field; and (3) southeast of the Glisan/201st Avenue intersection. The area between the west city limits and the PP&L powerlines offers the greatest potential. The parcel contains 23 acres of gently

rolling land plus an additional 8.5 acres under the powerlines. The site is large enough to accommodate a community park development, has interesting terrain features and natural flora, offers a potential productive use of the land resource under the powerlines, and is located within walking distance (1/2 mile) of most residences in the planning area. The site is highly accessible for pedestrians from city streets dead-ending at the city line as well as for motorists from Halsey Street. Noise from trucks on Interstate 80 does intrude on the park-like ambiance of the site, however.

The second park site opportunity, adjacent to the Reynolds High School athletic fields, contains nearly 5 acres of flat land bordered on the east by a tree and brush margin. The primary attribute of this site is the potential to increase public access to the high school athletic facilities. The park site can be developed as a lawn for sitting and picnicking. Access to the site from Halsey Street is good.

The third potential site, an abandoned quarry east of the Glisan/201st Avenue intersection, could be used both as a park site and a water storage area for Fairview Creek flood control. The quarry is part of a 39.5-acre parcel extending along the south side of Glisan Street (outside the planning area boundary) for 2,600 feet. The land is flat with scattered trees and bushes along the southern border. The excavation site dominates the western half of the parcel. Water collects in part of the excavation; the water level varies throughout the year. The USGS 7.5 "Camas" quadrangle shows the main stem of Fairview Creek passing adjacent to the quarried grounds.

A potential for nature study and foot path development exists along Fairview Creek north of Sandy Boulevard. Such a development is compatible with flood plain development and is consistent with CRAG's adopted regional greenway plan, The Urban Outdoors.

## POLICY

1. Enforce the public-purpose land dedication requirement placed upon subdivision developers (Paragraph 31.02, Subdivision Ordinance).
2. As public funds permit, acquire park sites in advance of actual need to assure the availability of adequate, properly located sites.
3. Seek park sites with joint-use potential, i.e., adjacent to schools and community centers, as part of a bicycle route or as a major path (trail) system.
4. Explore the potential for joint park development with some or all of the following jurisdictions: Wood Village, Gresham, Reynolds School District, and Multnomah County.

## LAND USE INTERPRETATION

The potential park development described above would occupy 67 acres. This, combined with the 20 acres of Reynolds High School athletic fields, will give the planning area a total of 87 acres of park and recreation land. The total area equals the acreage recommended by State standards.

## ECONOMIC ELEMENT

### ISSUES AND PROBLEMS

Fairview presently is a residential community with local employment limited to shops and businesses serving the residents of Fairview and others. As expressed in the Household Survey, its citizens want to maintain this character, but recognize the need to provide industrial sites throughout the Portland metropolitan area where conditions warrant. They also desire compact commercial development.

### GOAL

To diversify and improve the Fairview area economy.

### FACTUAL INFORMATION

Commercial development now occupies about 12 acres within the planning area. Commercial development is presently located along Fairview Avenue at Halsey, Cedar, Sandy, and Stark and at the intersection of 201st Avenue and Glisan. Fairview's existing zoning limits additional commercial development to a 12-acre strip along the north side of Halsey extending east from Fairview Avenue for 1,770 feet.

There are 20 acres of land zoned for commercial use and 37 acres zoned for light industry within the incorporated city of Fairview. The 20 commercial acres have been increased by this plan to 33 for future commercial development. Considering the desires of the citizens as expressed in the survey, these areas can adequately support commercial development to serve local clientele.

A one-hundred-acre parcel in the northeast corner of the planning area is presently zoned by Multnomah County and used for general industrial development. Most of the land north of Interstate 80 between the planning area and the Sandy River is occupied or owned by industrial concerns. The undeveloped portions are being held for future expansion, development of compatible industry, or as a buffer to other types of development.

The Draft Multnomah County Comprehensive Plan designation of "urban" for the area north of Sandy Boulevard makes up to 300 acres within the Fairview Planning Area boundary potentially developable for industrial uses. The Fairview area share of regional industrial land would be located in this area. The amount of land involved, undetermined at this time, would be based on industrial development studies undertaken by agencies such as Multnomah County, the Port of Portland, the Bonneville Power Administration, and the Oregon State Department of Economic Development.

#### POLICY

1. Encourage commercial development commensurate with the retail sales and service needs of planning area residents and other residents of the local area.
2. Focus commercial development at sites in the vicinity of Fairview Avenue at Halsey Street (Figure 6).
3. All commercial development will have off-street parking.
4. Existing commercial establishments located in areas the Plan designated as noncommercial will be permitted to continue but not to expand.



5. Light industrial uses will be allowed at locations indicated on Figure 4 along Sandy Boulevard.
6. Future general industrial development within the planning area will be limited to the area north of Sandy Boulevard.
7. The Planning Commission will review the site plan of each proposed industrial development in order to evaluate the compatibility of vehicular access, signs, lighting, building placement, noise, and landscaping with adjoining uses.
8. All industrial uses which abut residential uses will be screened from the residential uses. Where possible, access to industrial uses will be prohibited from residential streets.
9. All commercial and industrial development will occur in accordance with policies set forth in the "Urbanization Element" of this Plan.
10. As regional needs for commercial and industrial land are formulated, Fairview intends to coordinate the Fairview Plan with the regional needs.

#### LAND USE INTERPRETATION

Commercial and industrial land uses could eventually occupy nearly 300 planning area acres.

## HOUSING ELEMENT

### ISSUES AND PROBLEMS

Fairview is a residential community located in the fast-growing east Multnomah County area. Its present housing stock is generally of good quality, although there are some substandard dwellings. Planning area forecasts would more than double the population during the last quarter of this century. The problem faced is how and where to supply the projected housing need by the year 2000 while maintaining livability.

Less than 50 acres of uncommitted, developable land exists within the existing city limits. However, this land is zoned for commercial use, leaving Fairview with virtually no opportunity to achieve its housing goal and policy objectives within the city limits. Therefore, Fairview is looking towards its planning area for the space to supply the projected housing need.

### GOAL

To provide for the housing needs of the citizens of Fairview.

### FACTUAL INFORMATION

The planning area housing stock consists of the following:<sup>1</sup>

Single-family units	817
Mobile home units	605
Duplex and multi-family units	198
Total number of planning area dwellings	<u>1,620</u>

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<sup>1</sup>Bureau of the Census, 1970 Block Statistics, Portland Urbanized Area, updated by field survey, CH2M HILL, December 1976.

The housing stock is in good condition. The 1970 census data shows that all planning area dwellings have plumbing facilities; a field survey indicates 24 houses to be in need of extensive repainting or major repairs to the roof, foundation, or structure. Only 5 residential structures appeared to be in poor enough condition to warrant demolition. These 29 dwellings constitute less than 2 percent of the present housing stock.

Of the 403 acres (205 acres in the city) currently developed for residential use, 22 (13 acres in the city) support duplex and multi-family development. Multi-family residential development is any residential development exceeding the density of 4 to 5 units per acre as provided in areas zoned R 7.5, allowing 7,500 square foot lots as the smallest sites for single family, detached housing. Existing multi-family residential development is well located adjacent to Halsey Street, between the 6th Street and Fairview Avenue entrances to the city's core residential area. Traffic generated by apartment dwellers seeking access to the regional arterial street system and local, convenience commercial establishments does not pass through the lower density residential area to the north.

Future residential development within the planning area must consist of a mixture of housing types (i.e. single-family, multi-family, and mobile homes). Multi-family development should most appropriately occur adjacent to arterial streets (i.e. Sandy Boulevard, Halsey Street, Glisan Street, 201st Avenue, and Fairview Avenue south of Halsey Street (see Figure 6), public transportation routes, and commercial areas. A combination of these conditions would greatly increase site suitability for a form of higher intensity residential use.

The planning area population is projected to increase from about 3,900 in 1976 to about 8,900 by the year 2000<sup>1</sup>. At an average household size of 2.4 persons, 2,100 new dwelling units would be required by the year 2000. Projecting the present 1.1 single-family to multi-family dwelling unit mix into the future, 1,050 single-family units and 1,050 multi-family units (including mobile homes) would be built. The single-family units would require about .230 acres and, the multi-family , at 20 units per acre, units would occupy about 37 acres. On an average annual basis, about 10 acres would be developed for 44 single-family houses (on predominately 7,500 square foot parcels), and about 2 acres for 44 multi-family units.

Fairview recognizes that mobile homes are an important source of housing affordable to low income households. Over 600 mobile homes exist within the planning area at this time, only 100 fewer than the number needed by the year 2000 to maintain the present housing mix. Along Sandy Boulevard between Fairview and 201st Avenue is the largest concentration of mobile homes in Multnomah County. The Fairview area has provided its share of mobile homes and is not encouraging any further such development at this time.

By the year 2000 there would be a total of 3,700 dwelling units occupying about 670 acres of land within the planning area. The dwelling unit total includes a vacancy factor of 5 percent.

The planning area contains over 670 buildable acres, 300 of which are north of Sandy Boulevard in two blocks of about

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<sup>1</sup>CH2M HILL computation based on CRAG 1976 Traffic Zone population forecasts. (See footnote on page 8.)

100 acres each and two blocks of about 50 acres. Of the 370 acres south of Sandy Boulevard, 230 acres are in a large block between Halsey and Glisan Streets. Within the Fairview city limits are only 74.5 developable acres, of which 61.5 are vacant and zoned for residential use. A 22.5 acre tract annexed to the southwest corner of the city 31 May 1978, and included in the developable residential acreage, is committed to the development of 74 residential units and a 3.5 acre park. (See Appendix L for a detailed description of housing needs, opportunities, and projections within the present city limits.)

The Department of Housing and Urban Development defines a low-income household eligible for assisted housing as a household whose income is less than 81 percent of the local area median household income. There are no household income statistics specific to Fairview. For Multnomah County, the 1970 Census of Population shows a median household income of \$10,138. Eighty-percent of the median is \$8,110. Approximately 35 percent of all Multnomah County households earn less than this amount annually. It is evident from the county statistics that there is a need to assure the availability of low-cost housing throughout the county. The primary source of low-cost housing in the Fairview planning area will continue to be existing older homes vacated by households purchasing new, more expensive houses. However, some new housing priced for low-income households will need to be built as part of the 2,480 additional dwellings.

#### POLICY

1. Encourage multi-family and single-family housing development as about a 1:1 ratio to maintain housing stock diversity.
2. Encourage multi-family housing development along Sandy Boulevard, Halsey Street, Glisan Street, 201st Avenue, and Fairview Avenue south of Halsey Street.

3. Participate in the Housing Opportunities Plan (HOP) for the Portland region. (See Appendix J.)
4. Where single-family housing is to be developed, encourage small to medium lot sizes (7,500 to 10,000 square feet).
5. New residential development will occur in accordance with the policies for urbanization stated in the "Urbanization Element" of the Plan.
6. The Fairview Planning Commission will review all subdivision requests within the planning area to ensure policy enforcement. When the proposed subdivision is located outside the Fairview City Limits, the Fairview Planning Commission will advise the Multnomah County Planning Commission as to the acceptability of the proposal vis-a-vis the Fairview Area Comprehensive Plan.
7. Planned Unit Developments (PUD) will be encouraged on parcels of land of at least 4 acres. PUD design and development will be in accordance with the PUD Ordinance (Ordinance 2-1979). (See Appendix G.)
8. Develop a "Mobile Home" zone in the Zoning Ordinance allowing mobile homes outright and preserving existing mobile home land use within the city and in areas annexed to the city.

#### LAND USE INTERPRETATION

Housing will continue to be the primary land use within the planning area. Adherence to urbanization and housing policies will channel most new housing development into the areas and

at the densities desired. All of the presently undeveloped land in the planning area south of Sandy Boulevard will become residential areas. If the average density of new housing development drops below about 4.1 units per acre, some land north of Sandy Boulevard may be required for residential use.

PUBLIC FACILITIES AND  
SERVICES ELEMENT

ISSUES AND PROBLEMS

Pressures to develop sites now in agricultural or grazing use within the planning area are being manifested in proposals for residential subdivision developments. Comprehensive planning seeks to determine when and where such developments can best occur to conserve land, air, water, and energy resources.

Urban development, as defined by LCDC and CRAG, cannot occur without adequate provision of urban facilities and services, i.e., police protection, fire protection; sanitary facilities; storm drainage facilities (if needed), etc.

GOAL

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve planning area development.

FACTUAL INFORMATION

Developed portions of the planning area are presently served by the following public facilities and services:



<u>of</u>	<u>Area Served</u>		<u>Purveyor</u>	<u>Remarks</u>
<u>Ice</u>	<u>In City</u>	<u>County</u>		
Police	o	o	Multnomah County <i>City of Fairview</i>	Present service felt inadequate by Fairview citizens for both traffic control and crime prevention.
Fire	o	o	Fire District #10	
Sanitary Sewerage	o	(see remarks)	Collection system - Fairview  Treatment facility - Gresham	
Storm	o	o	City of Fairview and Multnomah County	Required of developers by city and county subdivision ordinances.
Planning, Zoning, Subdivision Control	o	o	City of Fairview, within the city limits. Multnomah County elsewhere	
Health Services	o	o	Multnomah County	Medical Access Center located at 12240 N.E. Glisan. Hospital referrals made here if necessary.
Recreation		o	Multnomah County	Blue Lake County Park is <del>the</del> <sup>the</sup> <del>only park</del> <sup>within</sup> the planning area. <i>Some other under development within city limits.</i>
Governmental Services	o	o	City of Fairview. Multnomah County for areas outside city limits.	
Water	o	o	Fairview provides its own water. Water for county areas provided by Rockwood Water District.	

## Sewerage Facilities

The developed area of the incorporated city is served by sewers as shown in Figure 3. Fairview owns and maintains these facilities. A recent evaluation of the sewer lines<sup>1</sup> indicated their good condition. Infiltration and inflow were not considered excessive. The Fairview Sewer Study prepared in 1970 by CH2M Hill,<sup>2</sup> proposes an interceptor and trunk sewer configuration for all the planning area except the western half of the large parcel bounded by Halsey Street, Glisan Street, 201st Avenue and Fairview Avenue. (The City of Gresham has a sewerline in 201st Avenue which services this area.)

In 1977, the Columbia Region Association of Governments (CRAG) completed an Areawide Waste Treatment Management Study, in accordance with Section 208 of PL 92-500, for the Portland urban area. The study proposed a regional plan for sewerage facilities in the east Multnomah County area of Fairview, Gresham, Troutdale, and Wood Village. Wastewater from the City of Fairview would continue to be treated at the Gresham Sewage Treatment Plant, about one mile northwest of Fairview.

The City of Gresham is under contract to treat Fairview wastewater. Fairview pays its share of treatment and bonded indebtedness costs for the service.

The interceptor sewer in Sandy Boulevard connecting the Fairview sewer system to the Gresham Sewage Treatment

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<sup>1</sup>Infiltration/Inflow Study, City of Fairview, Oregon, CH2M Hill, (Job Number: P ).

<sup>2</sup>The Fairview Sewer Study is available at the Fairview City Hall and in the CH2M Hill, Portland office library (Job Number: P6482.0).

Plant is owned jointly by the cities of Fairview and Gresham. Fairview will assume sole ownership when it annexes the area west to 205th Avenue.

### Water Facilities

Fairview owns and operates its own water system, including 4 well sources of supply, a 1.0 million gallon storage reservoir, distribution piping, pumps, valves, and hydrants. Figure 4 illustrates the system. A letter to the Portland Boundary Commission, contained in Appendix I, describes the water system and its operation in greater detail.

Storage capacity, storage elevation, and well pumping capacity are the factors limiting the area to which Fairview can provide water and the number of customers that can be served within that area. The very extensive ground water system underlying much of east Multnomah County is, for Fairview's needs, an unlimited water source. The present storage and pumping capacity is adequate to serve a population of about 2,600 and should serve well into the 1980's. Areas under 180 feet elevation are serviceable presently.

To accomodate future population and service area growth, the city is in the process of locating and acquiring a reservoir site at a higher elevation and is looking into expanding well source pumping capacity by purchasing local, private high yield wells (over 1,000 gallons-per-minute) capable of being adapted to municipal use.

Public water service to areas outside the city limits, but within the planning area is currently provided by the Rockwood Water District.

## Electrical Energy

The plan recognizes the need for power transmission facilities in the planning area. Transmission lines are required to transmit power to areas of use and to provide reliable service by using alternative sources. Bulk power substations are required to provide a reliable source of power for distribution substations. Distribution substations and related lines are required to provide a reliable source of power for service to the customer. Additional facilities and modifications to existing facilities are required to meet the public need for energy due to population growth, conservation of energy, changes in energy source, and consumption and reliability requirements.

### POLICY

1. Coordinate existing sewer plans for the Fairview planning area with Multnomah County sewerage planning.
2. Develop and adopt water and storm sewer plans for the planning area. Coordinate these plans with Multnomah County water system and storm drainage planning.
3. No urban development shall occur without provision of public facilities and services.
4. Public facilities and services shall only be provided in areas (1) designated for urban development by the Comprehensive Plan map (Figure 5); (2) indicated by the CRAG regional facilities plans to be within Fairview's jurisdiction; and (3) in accordance with policies set forth in the Urbanization Element of the Comprehensive Plan.

5. Wherever possible utility facilities will be developed in a manner not dividing privately-owned parcels of land.
6. Development of the various types of public facilities and services will be coordinated to most effectively direct development to the areas and at the intensities desired.

#### LAND USE INTERPRETATION

The implementation of policies for public facilities and services, together with the "Urbanization" policies, will limit potential land consumption.

## TRANSPORTATION ELEMENT

### ISSUES AND PROBLEMS

Fairview is highly dependent on the private automobile because employment and major shopping destinations (for goods other than groceries) are located outside the planning area, and because available transportation options (bus, walking, bicycle) have limited utility for these kinds of trip demands. Traffic congestion caused by home-to-work-to-home automobile will increase in the future, although it is not a problem now. Traffic to and from the Multnomah Kennel Club on Fairview Avenue creates traffic congestion on Halsey Street, Fairview Avenue, and Glisan Street (in the planning area). Fairview has virtually no control over this problem, however.

Potential pedestrian access to locations within the planning area is frustrated by the lack of sidewalks in all but the more recently developed residential subdivisions and mobile home courts. The incorporated city of Fairview does not have sidewalks.

The Fairview planning area is part of east Multnomah County. The entire area is experiencing serious traffic problems due to the lack of adequate north-south arterials with access to Interstate 80 and conflicts between local and intra-state traffic movement patterns.

### GOAL

To provide and encourage a safe, convenient, and economical transportation system.

FACTUAL INFORMATION

Principal streets through the planning area are:

1. North-South  
201st Avenue  
Fairview Avenue
  
2. East-West  
Marine Drive  
Sandy Boulevard  
Interstate 80N  
Halsey Street  
Glisan Street

Daily vehicle uses (A.D.T.) and capacities for the following roadways were provided by the Oregon State Highway Division, Metropolitan Section:

	<u>ADT 1975</u>	<u>Capacity</u> <sup>1</sup>
Sandy Boulevard		
West of Fairview Avenue	4,900	15,200
East of Fairview Avenue	1,400	9,000
Banfield Freeway I-80N		
West of Fairview Avenue	16,000	66,000
East of Fairview Avenue	20,000	66,000
Halsey Street		
West of Fairview Avenue	5,300	10,900
East of Fairview Avenue	3,300	9,000
Fairview Avenue		
Glisan to Halsey	8,200	10,900
Halsey to I-80 Sandy	4,300	9,000
I-80 to Marine Drive Sandy	2,400	8,500

<sup>1</sup>Capacities are for roadways having heavy congestion with tolerable delays--level of service "D". A "D" service level implies heavy congestion with tolerable delays.

Four-way stop signs provide traffic control at the intersection of Fairview Avenue and Halsey Street, which is the most congested point in the planning area.

The planning area's arterial street system is adequate for present traffic volumes, and with the possible exception of Fairview Avenue from Glisan to Halsey Streets should have adequate capacity through the planning period.

Tri-Met runs three bus routes through the planning area. They are described in the following table.

<u>Route #</u>	<u>Terminal</u>	<u>Planning Area Streets</u>	<u>Peak Frequency</u>	<u>Midday Frequency</u>
18 Troutdale	Troutdale-Down- town Portland	Halsey	20-30 min.	1 hr.
74 Boring/ Sandy/ Troutdale	Troutdale- Sandy	Halsey, Fair- view, First, Cedar	Approx. 1 hr.	2 hrs.
91 Banfield Flyer	Multnomah Kennel Club- Downtown Portland	Fairview, Halsey	3 min.	--

Tri-Met is planning a major express bus terminal facility for a yet-to-be-determined location in the Fairview, Gresham, Wood Village area.

Bikeways for recreational use and for commuting to employment centers are in the conceptual stage. CRAG's adopted Columbia-Willamette Region Bikeway Plan (December 1974) shows four routes to or through the planning area. The table below briefly describes each route.



<u>Route Name</u>	<u>Terminal</u>	<u>Planning Area Streets</u>	<u>Comments</u>
Marine Drive	East Delta - Troutdale Park	Marine Drive	Recreational route, but serves Reynolds Aluminum and Troutdale Airport
Halsey	Downtown Portland - Troutdale	Halsey	Commuter route to Reynolds H.S., industrial park near 181 St., Gateway District, Troutdale
Glisan	Downtown Portland - Fairview	Glisan	Commuter route to Gateway District
Fairview Avenue	Blue Lake Park - Gresham	Fairview Avenue (Alternative route follows PP&L powerlines near 202nd)	Commuter/recreational route crossing bikeways at Halsey, Glisan, Stark, Division, and Powell

The Halsey Street Bikeway is part of a proposal to rebuild Halsey Street recently submitted by Multnomah County to the State Highway Division.

### POLICY

1. Develop and maintain a transportation system based on a functional mix of automobile, mass transit, bicycle, and pedestrian modes of travel for energy conservation and efficiency.
2. Make full use of the existing road network.
3. Roadways within the planning area will be classified as and meet the specifications of "arterial," "collector" or "minor" as described in Section 25, Fairview Subdivision Ordinance.

4. New street development must conform to the policy for urbanization of the planning area found in the "Urbanization Element" of this Plan.
5. Sidewalks will be constructed in accordance with paragraph 34.05 of the Subdivision Ordinance. Maintenance, if any, will be the responsibility of the immediately adjacent property owner.
6. Fairview will continuously participate in transportation and circulation systems planning for the East Multnomah County area, and seek to maintain a transportation and circulation system functional for both local and area-wide transportation requirements.

#### LAND USE INTERPRETATION

The transportation and circulation policies will have an immediate impact on land use. However, in concert with "Urbanization" policies, the pattern of land development will be kept compact.

## ENERGY CONSERVATION ELEMENT

### ISSUES AND PROBLEMS

Energy conservation is an issue in which the land use planning role is to organize land uses in a manner which minimizes energy use for housing and transportation. "Local government can assume the role of making information available on energy conservation and the feasibility of pursuing alternative energy sources such as solar."

### GOAL

To use land use planning and land development controls to conserve energy.

### FACTUAL INFORMATION

Fairview produces none of its own energy supply and has no fossil fuel resources. The city is reliant upon electricity for 26 percent of its residential energy requirement, natural gas 16 percent, and fuel oil 58 percent.<sup>1</sup> Electricity is the predominant <sup>means</sup> ~~fuel~~ for space heat, with electricity used to provide hot water to 88 percent of all households.<sup>2</sup>

Its energy sources and annual energy consumption are as follows:

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<sup>1</sup>Michael N. Weinstein & Associates, Energy-Housing Information Base, CRAG Regional Energy Analysis, Columbia Region Association of Governments, June 1977.

<sup>2</sup>Ibid.

	<u>Purveyor</u>	<u>Consumption</u>
Electricity	Portland General Electric	8 million kilowatt hours (1975) <sup>1</sup>
Natural Gas	Northwest Natural Gas Company	<del>19,063</del> therms (1976) (1 therm = 100,000 BTU's) <sup>2</sup> 175 cust. avg. of 800 per yr = 140,000

Portland General Electric Company and Northwest Natural Gas Company indicate continued ample availability of electricity and natural gas to the area in the foreseeable future.

The city's existing pattern of land use is basically energy-efficient. High density housing is located near Halsey, the principal access street; commercial uses are clustered principally at the Halsey Street/Fairview Avenue intersection. Although these are within walking distance of many residences, the lack of a safe, designated pedestrian pathway discourages foot access. The lack of employment opportunities in the area encourages automobile commutes to distant employment centers.

## POLICY

1. Support programs for household energy conservation.

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<sup>1</sup>Letter from Portland General Electric Company dated April 2, 1976.

<sup>2</sup>Phone conversation with *John F. Smith* ~~Al Craig~~ of Northwest Natural Gas, ~~January 27,~~ 1977. *W*  
Aug 13, 84

2. Pattern land use in the planning area to:
  - a. Place the highest intensity uses (e.g., commercial, multi-family housing) nearest the major area access routes (e.g., Halsey Street);
  - b. Create compact development patterns to reduce the costs for and efficiency of energy supply facilities; and
  - c. Cluster retail sales and service offices adjacent to residential areas to reduce the walking or driving necessary to satisfy daily household needs.
3. Support development of well-defined, safe pedestrian and bicycle paths and street crossings from residential areas to schools, parks and recreation centers, and public buildings (e.g., City Hall, post office, library).
4. Support Multnomah County's efforts to plan and develop bicycle commuter routes in east Multnomah County.
5. Follow a program of phased development of new residential areas while encouraging infill development to make maximum and most efficient use of existing or newly created energy transmission facilities.
6. Support recycling and energy-recovery programs in solid waste disposal at the individual and city-wide levels.

7. Modify the Zoning Code when necessary to enforce land use patterns, building forms or siting practices which in common practice will reduce energy consumption or improve energy use efficiency.
8. Support use of mass transit (Tri-Met) and car-pooling when possible for work and shopping trips.

#### LAND USE INTERPRETATION

The energy conservation policies stated above have been incorporated in the land use patterns proposed for commercial and residential development in the planning area. See Figure 5.

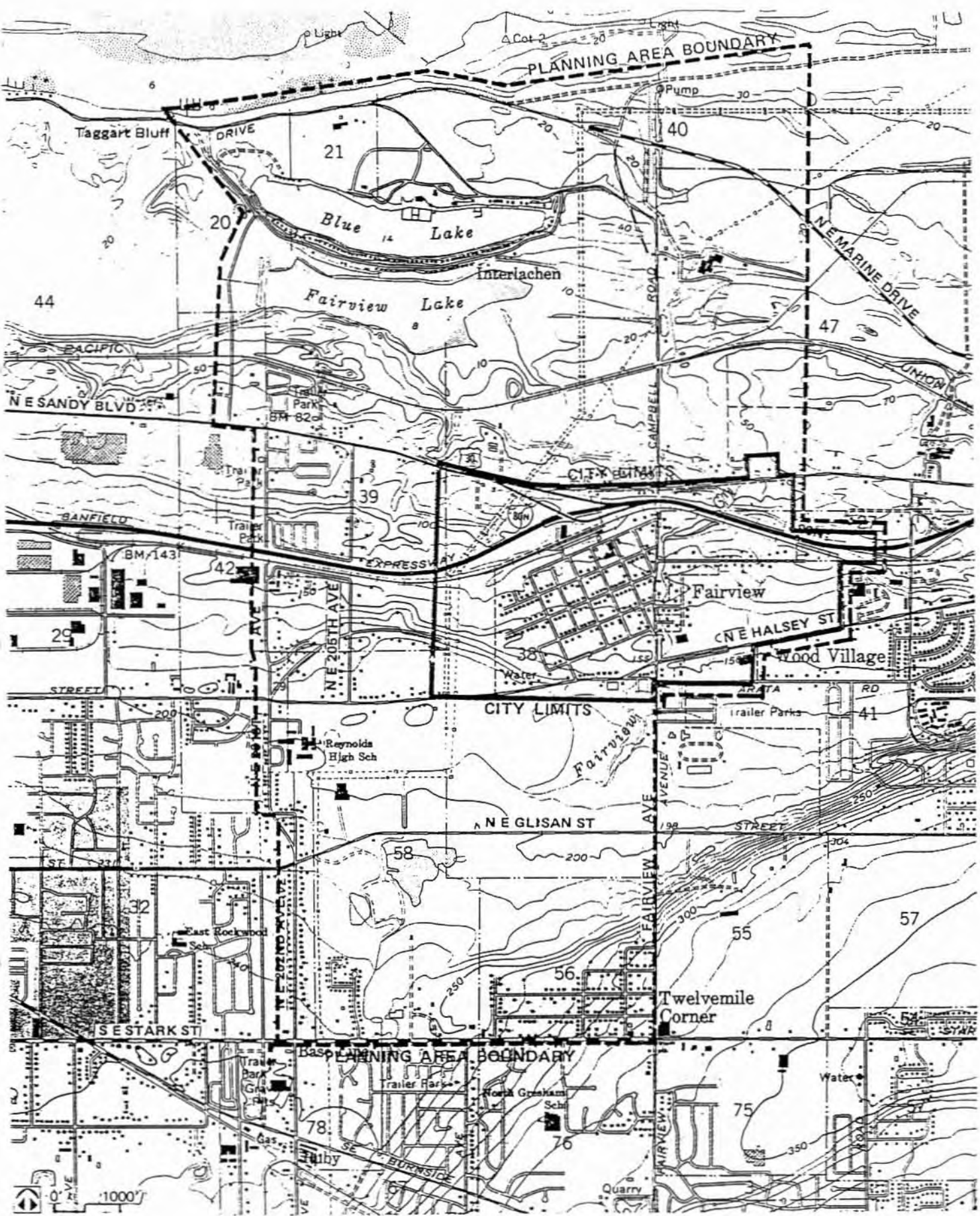
COMPREHENSIVE PLAN  
LAND USE CLASSIFICATIONS

The land use classifications used on the comprehensive plan map (Figure 6) are defined below:

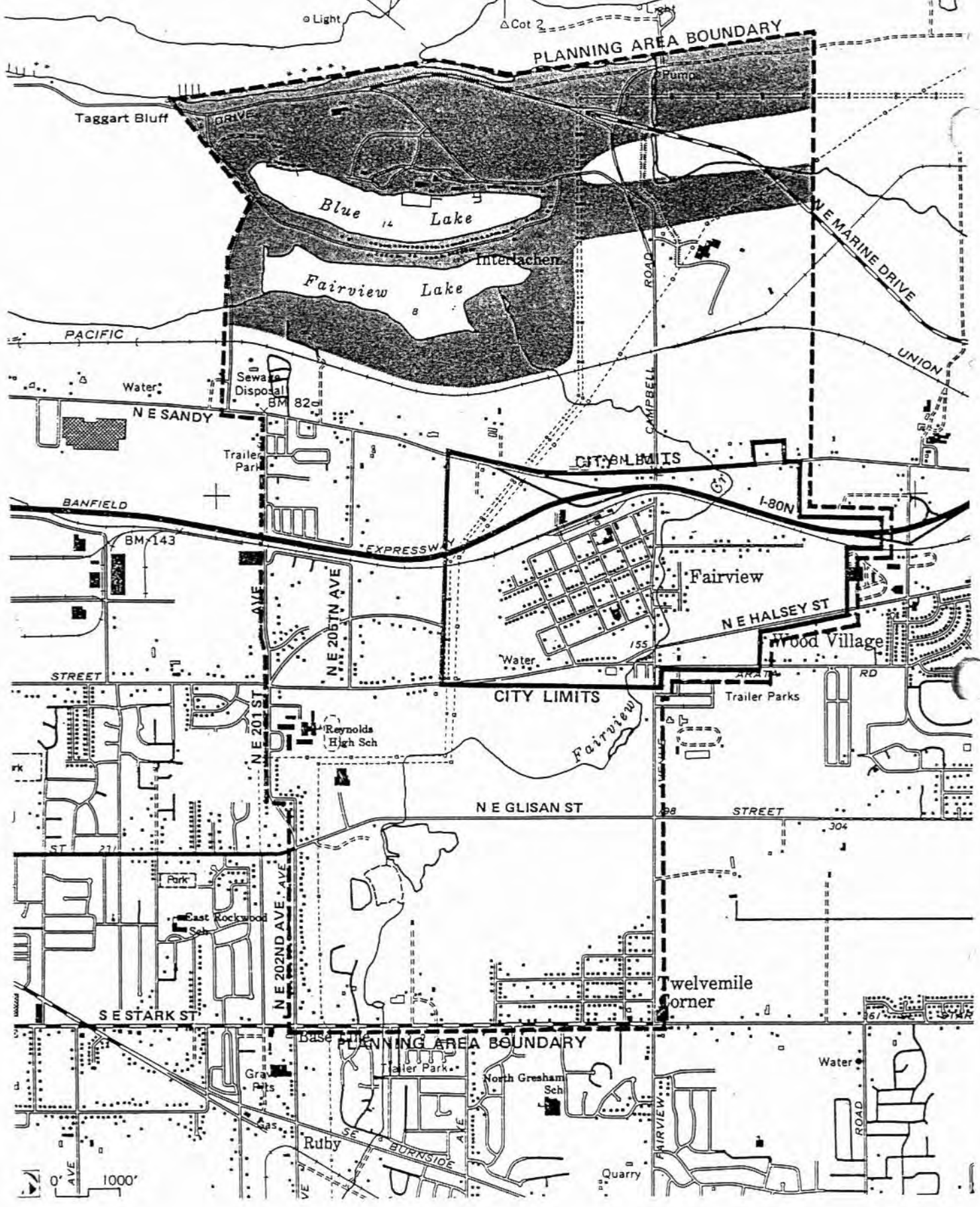
- o Low Density Residential: Proposes single-family detached housing units on lots of at least 7,500 square feet as the primary use. The maximum average density would be about 5 units per acre. Corresponds to zone classifications: 5-R, R-10, and R-7.5.
- o High Density Residential: Proposes medium and higher density housing occupying less than 7,500 square feet per unit as the principal use. Duplex, multi-family, and mobile homes are the types of housing encouraged for these areas. Corresponds to zone classifications: R-4, A-2, and A-1-B.
- o Commercial: Encourages development of commercial businesses in these areas. Corresponds to zone classifications: C-2, C-3, and C-4.
- o Public Uses: Schools and city hall.
- o Industrial: Encourages industrial development in these areas. Corresponds to zone classifications: M-2, M-3, and M-4.
- o Parks and Open Space: Public parks and areas within the 100-year floodway as defined by the Corps of Engineers.

Note: Land use classifications for areas outside the Fairview City limits are only recommendations. The Multnomah County Comprehensive Plan and zoning will regulate land use in these areas until such time as they are annexed to the City of Fairview.

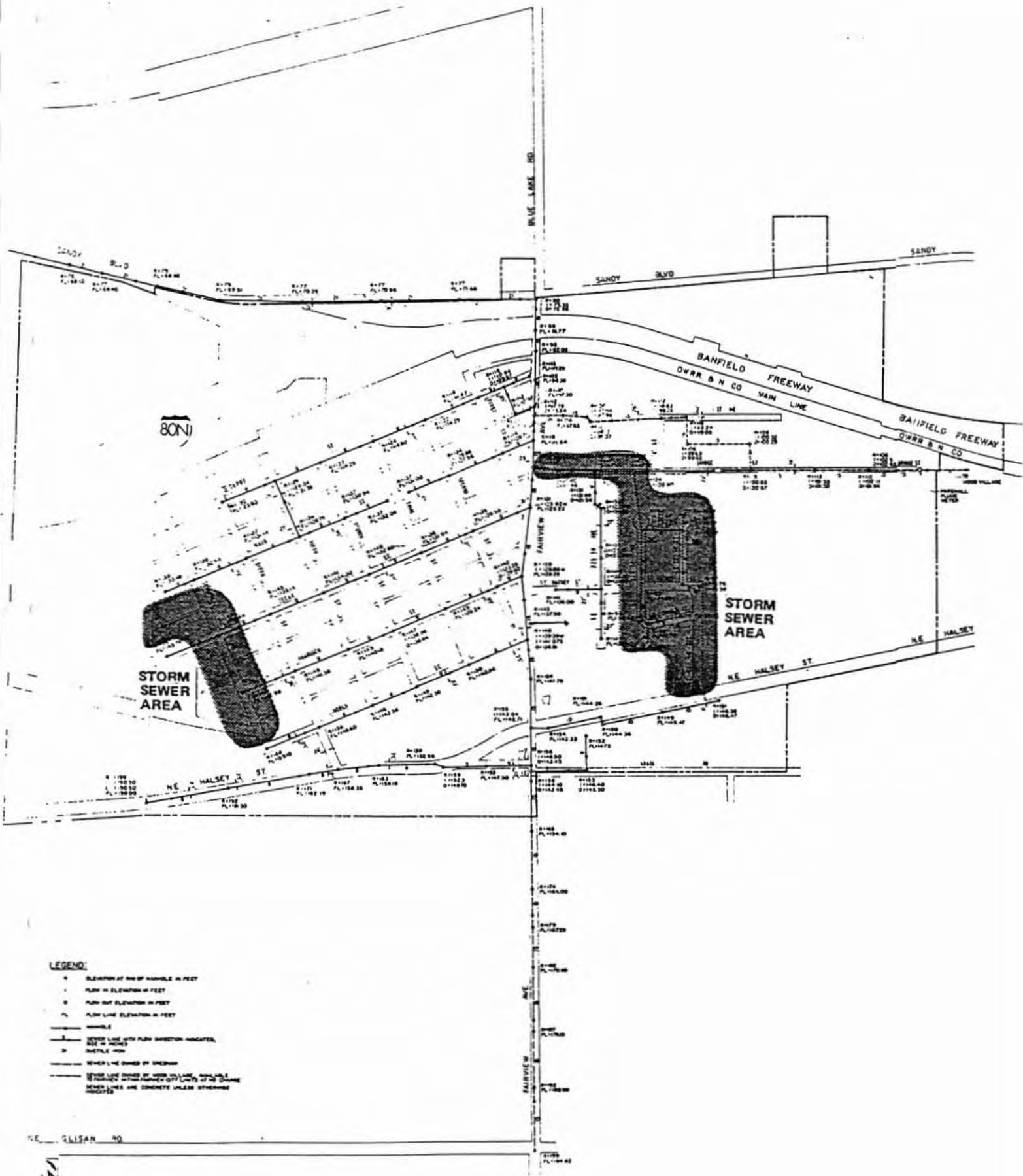




Planning Area 1



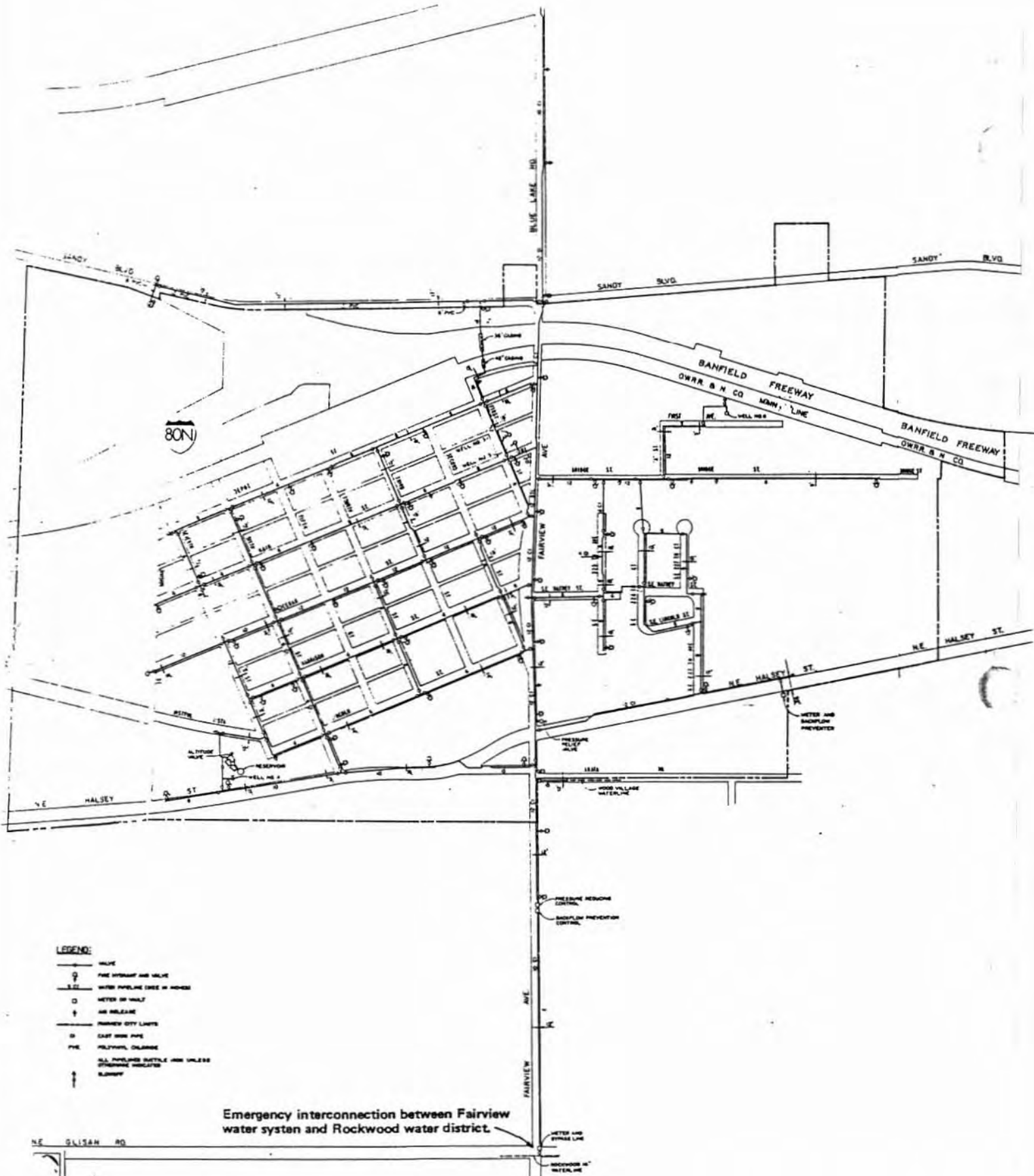
Area of Cultural Sensitivity 2



**LEGEND:**

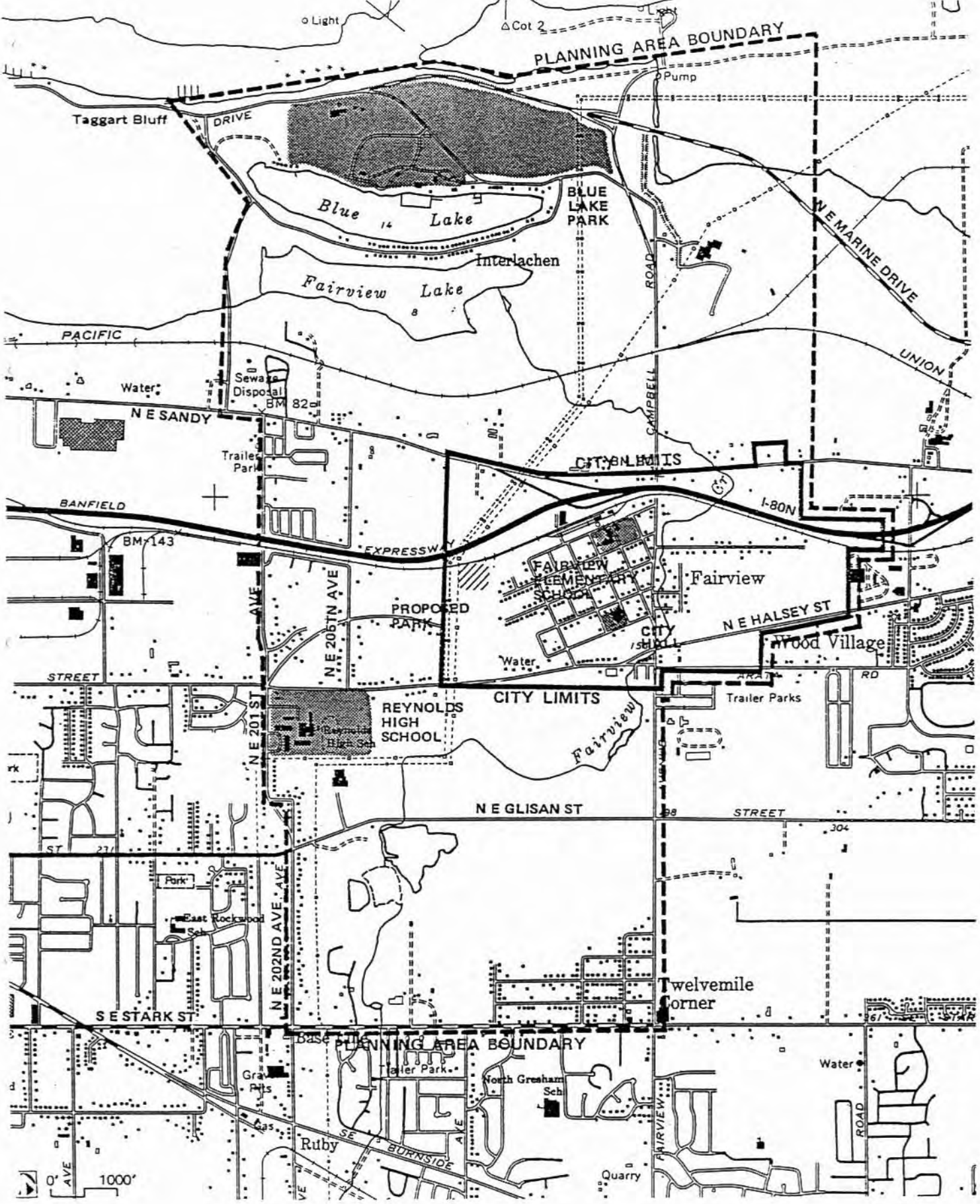
- ELEVATION AT TOP OF MANHOLE IN FEET
- FLOW IN ELEVATION IN FEET
- FLOW OUT ELEVATION IN FEET
- PL FLOW LINE ELEVATION IN FEET
- MANHOLE
- SEWER LINE WITH FLOW DIRECTION INDICATED, SIZE IN INCHES
- MANHOLE WITH ARROW OFF CURB TO BE SQUARE
- SEWER LINE OWNED BY SHERMAN
- SEWER LINE OWNED BY USER OR LAND, DISPOSABLE
- SEWER LINE WITH ARROW OFF CURB TO BE SQUARE
- SEWER LINES ARE CONCRETE UNLESS OTHERWISE NOTED

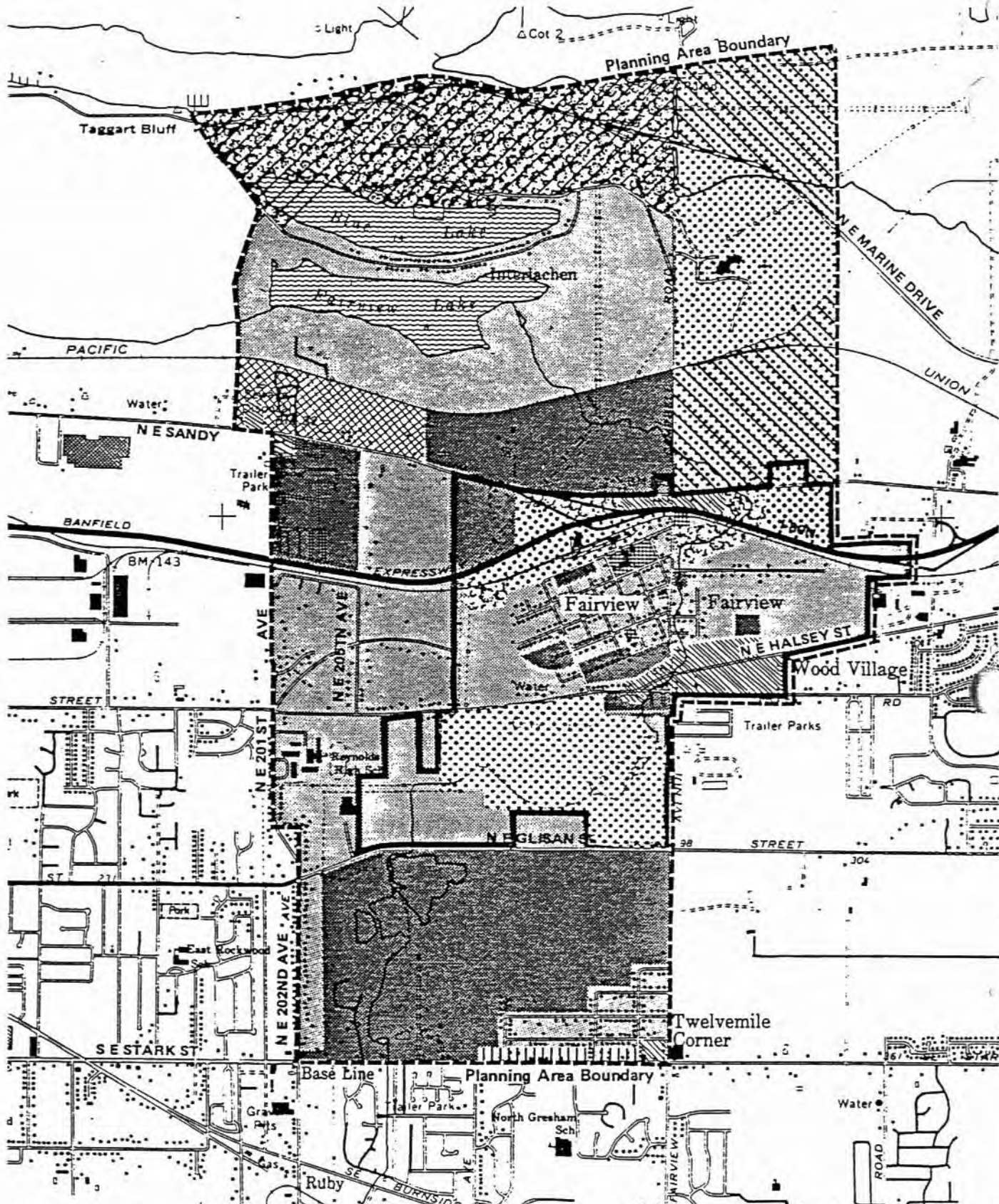
Sanitary Sewer System



- LEGEND:**
- VALVE
  - FIRE HYDRANT AND VALVE
  - WATER PIPELINE (SIZE IN INCHES)
  - METER OR VALVE
  - ↑ AIR RELEASE
  - TOWNERS CITY LIMITS
  - CAST IRON PIPE
  - PVC POLYVINYL CHLORIDE
  - ALL PAVEMENTS (SETTABLE AND UNLESS OTHERWISE INDICATED) SURFACE

Emergency interconnection between Fairview water system and Rockwood water district.





0' 1000'

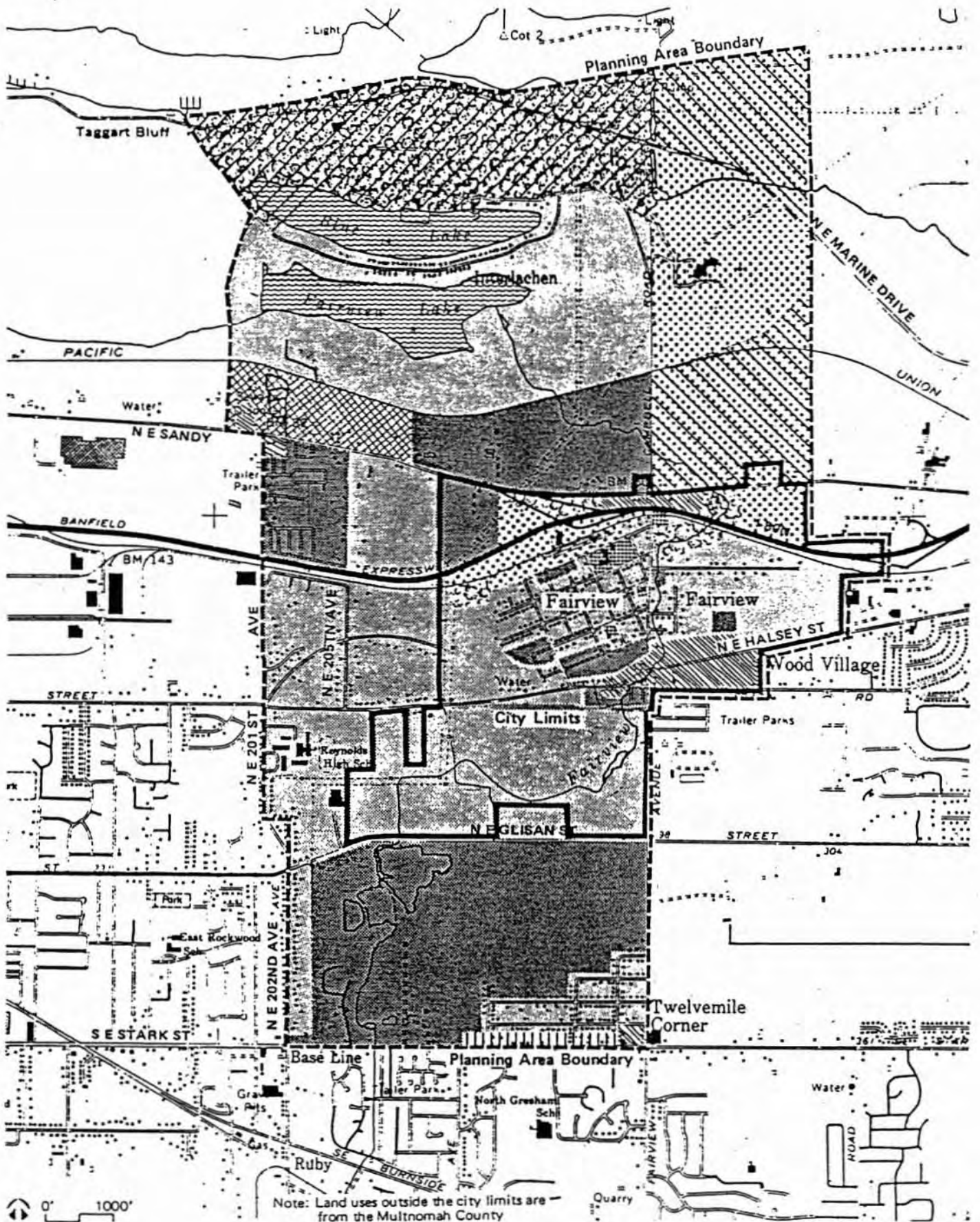
- ||| Strip Conversion
- Urban Future
- Low Density Residential
- Medium Density Residential (more than 6 units per acre)
- Commercial
- Public

Note: Land uses outside the city limits are from the Multnomah County Comprehensive Plan

- Significant Environmental Concern
- Light Industrial
- General Industrial
- Parks and Open Space
- Fairview City Limits
- Planning Area

# Comprehensive Plan 6

REV 11/19/80



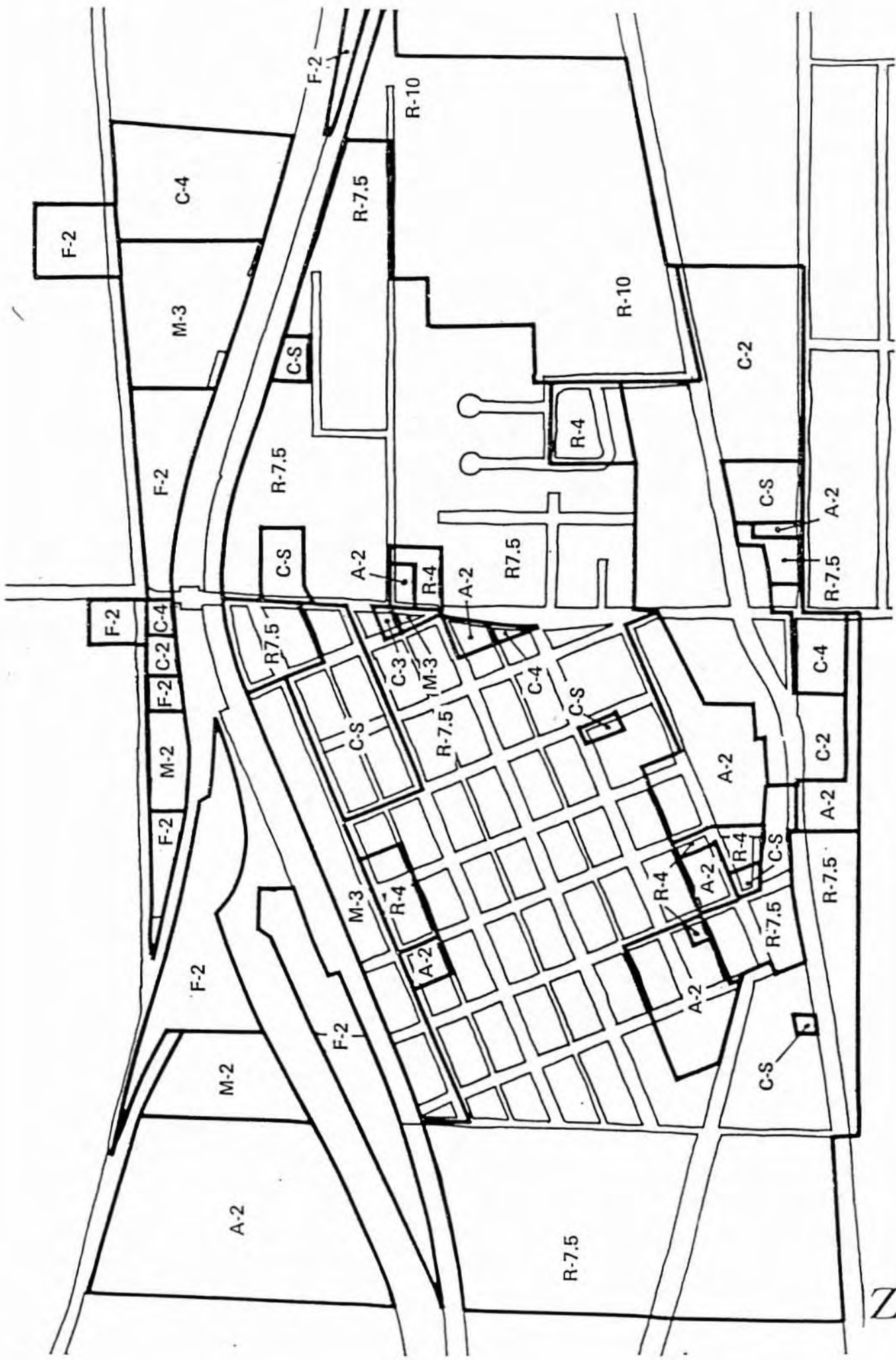
0' 1000'

Note: Land uses outside the city limits are from the Multnomah County Comprehensive Plan

- |  |                                     |
|--|-------------------------------------|
| Strip Conversion   | — Significant Environmental Concern |
| — Urban Future   | ⊗ Light Industrial                  |
| ▨ Low Density Residential                                    | ⊙ General Industrial                |
| ▩ Medium Density Residential<br>(more than 6 units per acre) | ⊘ Parks and Open Space              |
| ▧ Commercial   | ▬ Fairview City Limits              |
| ▨ Public   | — Planning Area                     |

# Comprehensive Plan 6

August 13, 1960



- F-2 Agricultural
- R-10, R-7.5 Single Family Residential
- R-4 Two-Family Residential
- Apartment-Residential
- Local Commercial
- C-3 Retail Commercial
- C-2 General Commercial
- M-3 Light Manufacturing
- M-2 General Manufacturing
- C-S Community Service



# CITY OF FAIRVIEW FINAL LOCAL REVIEW ORDER

## I. INTRODUCTION

ORS 197.640 requires cities and counties to review their comprehensive plans and land use regulations periodically and make changes necessary to keep plans and regulations up to date, in compliance with statewide planning goals, and coordinated with the plans and programs of state agencies. Local governments must adopt findings in the form of a local review order responding to four periodic review factors, and enact necessary measures to bring their plan and regulations into compliance with the periodic review factors. This proposed local review order provides findings and recommends amendments to the City of Fairview's Comprehensive Plan and land use ordinances in order to satisfy the periodic review requirements of ORS 197.640 and OAR 660, Division 19, "Periodic Review."

Policy 5 of the Citizen Involvement element of the Comprehensive Plan states that the planning commission will completely review the Comprehensive Plan every 5 years. This periodic review order also serves to satisfy that element of the Comprehensive Plan.

## II. BACKGROUND INFORMATION

1. The City of Fairview's plan and land use ordinances were adopted and amended as follows:

Zoning Ordinance: Ordinance 1-1968 of February 21, 1968

Subdivision and Partitioning Ordinance: Ordinance 9-1974 of November 20, 1974

Planned Development District: Ordinance 2-1979 of March 21, 1979

Zoning Ordinance Amended to Implement Proposed Comprehensive Plan: Ordinance 2-1980, adopted April 16, 1980

Comprehensive Plan Adopted as Revised: Resolution of September 17, 1980

Design Review Ordinance: Ordinance 7-1980, adopted November 19, 1980

2. The City's Comprehensive Plan and land use ordinances were acknowledged to be in compliance with the statewide planning goals on July 10, 1980.
3. The following amendment to the Comprehensive Plan was made before the January 1, 1982, legislative enactment of the post-acknowledgment amendment process. Therefore, this amendment was not submitted to the Department of Land Conservation and Development (DLCD) and thus is not considered acknowledged at this time. The City believes that the amendment complies with the goals and has included it with this order so that it can now be reviewed for compliance with the statewide planning goals:

Ordinance 6-1980: redesignated 116 acres south of N.E. Halsey Street from low density residential to general industrial.

4. The following amendments were made subsequent to the enactment of the post-acknowledgment amendment process and have been reviewed by DLCD:

Ordinance 1-1983: redesignated 2.87 acres of land from medium density residential to general industrial.

Ordinance 3-1985: redesignated 3 acres southwest of the intersection of Barr Road and Fairview Avenue from medium density residential to commercial.

Ordinance 3-1987: redesignated 35.43 acres south of N.E. Halsey Street and east of N.E. 205th from low density residential to medium density residential.

Ordinance 16-1986: redesignated 7.173 acres between Sandy Boulevard and the Union Pacific Railroad tracks from light industrial to medium density residential.

### III. PERIODIC REVIEW FINDINGS AND CONCLUSIONS

1. On August 28, 1987, the Director of DLCD sent the City of Fairview notice that the periodic review submittal would be due on February 29, 1988.

2. On March 17, 1988, the City requested an extension of the 6-month deadline for preparing the periodic review in order to incorporate the results of Public Facilities Plan studies scheduled to be completed in mid-1988. In a letter dated March 16, 1988, the Director of DLCD extended the deadline until October 31, 1988.
3. Delays in completing the Capital Improvement Program studies necessitated requesting extensions of the deadline for completing the periodic review until August 1, 1990.
4. The City Planning Commission (which functions as the Committee for Citizen Involvement for the Comprehensive Plan) held public meetings on the periodic review on January 12, 1989, and March 7, 1989.
5. The periodic review was the subject of public hearings on November 1, 1988; October 18, 1989; and July 18, 1990.
6. There are four factors under OAR 660-19-055 through 057 that must be addressed in the local periodic review of the Comprehensive Plan and implementing ordinances. These apply to the City of Fairview as follows:

## **FACTOR ONE SUBSTANTIAL CHANGE IN CIRCUMSTANCES**

### **SUBFACTOR ONE-A: MAJOR UNANTICIPATED DEVELOPMENT OR EVENTS**

**Applicable Rule:** OAR 660-19-057(1)(a)

"Major developments or events which have occurred that the acknowledged plan did not assume or anticipate or major developments or events which have not occurred that the acknowledged plan did assume or anticipate. Local periodic review findings must describe any occurrences such as the construction or decision not to build a large project like a major reservoir, a regional shopping center, a major energy or transportation facility; a significant change in the local government's natural resources or economic base; significant consecutive decline in population growth rate; failure or inability to provide public facilities in accordance with the plan, etc."

**Findings.** The Fairview City Planning Commission, City staff, and elected officials have reviewed numerous studies, published data, and City and County records. They have concluded that the only major unanticipated development or events that need to

be assessed in the periodic review in Subfactor One-A are the urban services agreement with Portland, Multnomah County, and Gresham, and subsequent large-scale annexations to the City of Fairview.

The agreement established urban service areas for the jurisdictions in East Multnomah County and provided the basis for furnishing urban services, including water, sewers, and drainage, in efficient units. Fairview's current urban planning area boundary and the City's Public Facilities Plan are based on the urban services agreement.

Fairview has continued the program of annexation anticipated by Policy 11 of the plan's urbanization plan. Fairview's annexations and changes to the planning area boundary have added 1,370 acres of land to the City since acknowledgment in 1980. Fairview's planning area has also changed as a result of annexations by Fairview, Gresham, and Wood Village. These planning area changes, not anticipated in the acknowledged plan, have added 391 acres to the planning area, which now covers 2,243 acres. The effect of planning area changes on the supply of developable land is discussed below under Subfactor One-B.

Fairview's current 20-year Public Facilities Plan (PFP) is being prepared for the entire urban planning area. The PFP is consistent with the urban services agreement and has been coordinated with the County, Wood Village, Portland, and Gresham. The PFP is discussed in more detail in Subfactor One-B and is appended to this order.

#### **Conclusion, Subfactor One-A**

Neither the urban services agreement nor the changes in the planning area boundary since 1980 were anticipated in the acknowledged plan. These unanticipated developments have been considered in Fairview's Public Facilities Plan and in the City's Assessment of other periodic review factors (see below, Subfactor One-B and Factors 2, 3, and 4).

#### **SUBFACTOR ONE-B: CUMULATIVE EFFECTS**

"Cumulative effects resulting from plan and land use regulation amendments and implementation actions on the acknowledged plan's factual base, map designations, and policies which relate to statewide goal requirements.

- (a) For local governments responsible for plans inside urban growth boundaries, periodic review findings must describe the cumulative effects of plan and land use regulation amendments and implementation actions on the overall urban land supply for the plan's chosen (usually 20 years) time frame; on the amount of vacant buildable land remaining for needed housing and economic

development; on the provision of public facilities and services to meet development needs identified in the plan; on the protection of Willamette Greenway values and resources; on the amount of vacant especially suited, water-dependent coastal shoreland areas; and on other specific statewide planning goal matters that the Director includes on the local government's periodic review notice."

**Findings.** As part of this periodic review and in conjunction with its Capital Improvements Plan, Fairview has updated its inventory of developable land and its land use projections for the 1988 to 2008 period. As Table 1 shows, in 1988, Fairview's planning area included approximately 700 developed acres and 482 unbuildable acres (transportation rights-of-way and water areas), leaving 1,064 vacant acres.

<b>Table 1 Planning Area Acreages</b>			
	Existing <sup>a</sup> (1988)	Additional at Buildout	Total at Buildout
Residential	278	+494	772
Commercial	22	+26	48
Industrial	88	+511	599
Parks/recreation/public <sup>b</sup>	312	0	312
Subtotal developed area	700	+1,031	1,731
Unbuildable area	482 <sup>c</sup>	33 <sup>d</sup>	515
Vacant area	1,064	(1,064)	0
Planning area total	2,246		2,246

<sup>a</sup>Based on aerial photo taken in spring 1986.  
<sup>b</sup>Includes Blue Lake Park, Park Cleone, Handy/Nechocokee Park, Reynolds High School, City Hall, Fairview Elementary School, and marina/boat ramp (in construction 1989).  
<sup>c</sup>Roads and water areas.  
<sup>d</sup>Includes 33 additional nonbuildable acres for proposed I-84 interchange and north-south arterial.

After taking into account the Comprehensive Plan changes proposed below (see Factor Two), the planning area includes developable lands projected to have the land uses shown in Table 1 at buildout.

Unbuildable land will increase by 33 acres (to 515 acres) because of the construction of the proposed I-84 interchange and new north-south arterial.

Assuming four units per acre for areas designated low density in the Comprehensive Plan and eight units for lands designated medium density, and assuming 2.5 people per household (the current average for Multnomah County), the developable lands designated residential on the Comprehensive Plan could house an additional 7,390 people at buildout (sometime after the end of the planning period in the year 2008).

The population within Fairview's planning area was estimated to be 2,618 in 1986 (based on aerial photo count of residential units, and assuming a vacancy rate of 2 percent and existing average household size of 2.64 persons). Portland State University Center for Population Research and Census reports that the population of the City of Fairview grew only 9.2 percent (from 1,749 to 1,910) over the 1980 to 1987 period (a period that included annexations), or about 1.3 percent annually (figures are not available for the planning area). Over the 1980 to 1985 period, urbanized East Multnomah County grew at an average annual rate of approximately 1.7 percent (Economic Development Services, *An Economic Development Study for the Urbanized East Multnomah County Area: Summary Report*, 1987, p. 3). Given the recent growth rates of the City and urbanized East Multnomah County, the acreages of land designated residential by the Comprehensive Plan appear sufficient to house likely population growth.

Lands designated commercial in the Comprehensive Plan include 22 acres of existing commercial use and 26 acres of new commercial use by the year 2008. Lands designated light and general industrial in the plan include 88 acres of existing industrial use and 511 acres of new industrial use by the year 2008. Three hundred and twelve acres are designated for public, parks, and recreational uses.

In summary, after completing the Comprehensive Plan change described in Factor Two, the Comprehensive Plan will provide for sufficient lands designated residential, commercial, and industrial for Fairview's projected needs through the year 2008.

Fairview has completed and updated a drainage master plan (CH2M HILL, 1986 and 1988), a 20-year Public Facilities Plan (PFP), and master sewer and water plans (Cooper Consultants, 1989). These studies support the provision of urban services to all industrial, commercial, and residential properties within the planning area. The capital improvements to the water system will take place in two 5-year phases. The sewer system improvements will take place over 20 years; however, the collection system improvements would be completed within the first decade. The PFP studies also examine options for financing the capital improvements, including various mixes of public and private financing.

Fairview is not located adjacent to the Willamette Greenway or the coast. Therefore, the requirements related to those issues are not applicable to this analysis. No other statewide planning goal matters were identified by DLCD or need to be considered in this review.

## **Conclusion, Subfactor One-B**

The City has reviewed the cumulative effects of plan and land use regulation amendments and implementation actions, in particular, Fairview's annexations. The City concludes that the existing and annexed areas provide the City and the planning area with an adequate supply of vacant buildable land for residential, commercial, and industrial uses. The City also concludes that its Public Facilities Plan will adequately provide public facilities and services to meet the development needs identified in the plan.

## **SUBFACTOR ONE-C: DECISION TO DELAY OR NOT CARRY OUT PLAN POLICIES**

**Applicable Rule: OAR 660-19-057(1)(c)**

"Oversight or a decision by the local government to delay or not carry out plan policies which relate to a statewide planning goal requirement. Local periodic review findings must describe why, for example, policies requiring a citizen involvement program evaluating a revised inventory of natural hazards, or a date-specific, overall revision of the plan, etc., have not been completed."

**Findings.** Policy 5 of the Citizen Involvement element of the plan calls for a complete review of the plan by the planning commission every 5 years. As noted above, the planning commission has not carried out a complete review of the plan since it was adopted in 1980, primarily because of the burden on limited staff of work associated with annexation and related planning activities. More recently, review has been delayed while studies supporting the City's capital improvements plan are completed. With this periodic review, the City is completing the review required by the plan. In the future, the City expects to keep to the 5-year review schedule contemplated by the plan, or more often, if circumstances dictate an earlier review.

The DLCD notice pointed out that the City needs to carry out the policy of the Comprehensive Plan as follows:

"Confirm that Fairview has developed a mobile home zone consistent with Policy 8, p. 42 of the City's plan to develop such a zone (See DLCD staff report dated October 25, 1979, page 15). Also, note that subsequently the legislature has passed new requirements regarding mobile homes. (These are detailed later in this notice.)"

The City has prepared a draft ordinance regulating mobile and manufactured homes and mobile home parks. The ordinance is consistent with the Comprehensive Plan and new legislative requirements. It allows for mobile home parks as a permitted use

in designated zones, and also provides for manufactured homes on individual lots in all residential areas, subject to certain requirements. The draft ordinance has been submitted to DLCD for review and is scheduled for a public hearing and city council action in August 1990.

### **Conclusion, Subfactor One-C**

Although the mobile home zone has not yet been established, significant progress has been made and the City plans to establish the zone within 6 months.

With this periodic review, the City expects to return to the 5-year review schedule specified in the Comprehensive Plan. The City's local review order finds no other policies related to goal requirements that have not been carried out. Therefore, the requirements of this subfactor are satisfied.

### **SUBFACTOR D: AVAILABILITY OF NEW INVENTORY INFORMATION**

#### **Applicable Rule: OAR 660-19-057(1)(d)**

"Incorporation into the plan of new inventory material which relates to a statewide goal made available to the jurisdiction after acknowledgment. Local periodic review findings must list what applicable state or federal reports have been made available to the jurisdiction after acknowledgment containing new inventory material, for example, on groundwater availability, air quality, big game habitat, census information, soil surveys, natural hazards, etc., and describe what steps, including any amendments to the plan's factual base, policies, map designations and land use regulations, have been taken in response to this information."

**Findings.** The City obtained and reviewed all inventory material identified in the DLCD periodic review notice and other material relevant to statewide planning goals. The City finds that this information applies to the plan as follows:

#### **Oregon Department of Transportation**

**Statewide Comprehensive Outdoor Recreation Plan (SCORP).** According to ODOT Parks Division, new SCORP data for the Portland metropolitan area will be available in the spring of 1989. The City of Fairview will review the data when they become available and consider appropriate changes to the plan or land use ordinances at that time.

**State Parks Inventory Updates.** There are no state parks located within the Fairview planning area, nor are any planned. This inventory item is not applicable to Fairview.



**Highway Division.** The 1989-1994 Six-Year Highway Improvement Program issued August 1988 was reviewed, and transportation planners at ODOT and Multnomah County were contacted.

ODOT plans a series of improvements to I-84 between N.E. 181st Avenue and the Sandy River, including the widening of I-84 through Fairview from four to six lanes and an interchange in the vicinity of 207th Avenue. Environmental review and final alignment location for the interchange will not be completed until mid-1989. Construction is planned to begin in 1993 and will last 2 to 3 years.

In conjunction with the interchange, Multnomah County plans to provide a north-south arterial connection to the Glisan Street area and south to Powell Boulevard. Multnomah County's Master Transportation Planning Process has determined that this new street, in order to meet transportation demand in the year 2005, must be a five-lane arterial street.

Also in conjunction with the new interchange, Sandy Boulevard will need to be upgraded to urban standards between the interchange and 223rd Avenue. This improvement is not listed in ODOT's Six Year Improvement Program.

Fairview will continue to monitor and participate in the planning for these improvements (fulfilling Policy 6 of the Transportation element of the Comprehensive Plan), and will review the need for plan or land use regulation modifications when more definitive information is available. Although the City plans to postpone any Comprehensive Plan changes to most of the land surrounding the interchange and arterial until more complete information is available, the City is proposing to redesignate 23.5 acres of land on the northeast side of the interchange from low density residential to light industrial (see below, Factor 2).

The ODOT Region 1 Planning Representative was also contacted about aggregate resource inventories. He stated that ODOT's concern is primarily that existing aggregate supplies be protected for their useful life in order to assure an adequate supply of aggregate for road and highway needs. Fairview's one aggregate source, located just north of Glisan Street adjacent to Fairview Creek, has been completely mined and reclamation is now under way. The gravel pit is permitted by the Community Services Overlay Zone of the zoning ordinance.

ODOT's Gorge Program Coordinator was contacted to determine whether any of the Columbia Gorge Scenic Area activities, including the restoration of the Columbia Gorge Scenic Highway, would affect Fairview. According to the Gorge Program Coordinator, the Columbia Gorge Scenic Highway plans (and other elements of the Columbia Gorge Management Plan) extend only as far west as the Sandy River (i.e., outside the Fairview planning area).

**Aeronautics Division.** The State of Oregon Aeronautics Division provided the City with a map of Portland Troutdale Airport Imaginary Surfaces and a Model Airport Overlay Zone. Portions of the City of Fairview are located beneath the Airport Imaginary Surfaces established to protect aircraft landing and taking off from the Troutdale Airport. The City recognizes the need to regulate land uses that might affect air safety, and it has drafted an Airport Overlay Zone based on the model provided by the Aeronautics Division as part of a general revision of the zoning ordinance. The revised zoning ordinance is scheduled for public hearing and city council action in August 1990.

At the recommendation of the Aeronautics Division, the City also contacted the Port of Portland to acquire data on loudness contours surrounding Portland International Airport. According to the Portland International Airport 1988 Noise Abatement Annual Report, portions of Fairview are within the 55-Ldn noise contour for 1986 and 1987, and smaller areas north of Blue Lake are within the 60-Ldn contour. The report also states that the 55-Ldn contour expanded slightly across Fairview in the direction of Wood Village from 1986 to 1987. In developing the Airport Overlay Zone mentioned above, the City plans to examine the issue of noise-sensitive areas and consider whether any regulation is needed to limit uses in noise-sensitive areas or require noise abatement measures.

#### **Oregon Department of Environmental Quality**

The 1987 Air Quality Annual Report was obtained and current air quality data for the Portland metropolitan area were reviewed. The 1987 report showed that the metropolitan area continued to exceed standards for fine particulates (PM<sub>10</sub>), carbon monoxide, and ozone. The City's development criteria ordinance (Ordinance 8-1988 of November 16, 1988) amended the zoning ordinance to add a section on air quality using DEQ standards. No other amendments to the plan policies, standards, or implementing ordinances based on analysis of this information are necessary.

The current Semiannual Water Quality Assessment Report was reviewed and relevant data were used in preparing Fairview's 20-year Public Facilities Plan.

DEQ's December 13, 1988, list of *Facilities Notified of Proposed Listing on DEQ Inventory of Confirmed Releases* was also reviewed. It showed no sites within the Fairview planning area.

DEQ provided the City with a map of sensitive groundwater areas, which shows that portions of the City are located over sensitive groundwater areas. The City has used this knowledge in the development of its Public Facilities Plan (Water and Sewer elements) and will reflect it in its consideration of underground storage tanks, storm drainage, and protection from hazardous spills. The City is currently developing a groundwater protection ordinance based on Portland's ordinance.

## **Economic Development Department**

The City reviewed the *Economic Development Study for the Urbanized East Multnomah County*, prepared by Economic Development Services, Inc., for the City of Gresham. This report contains the most current data and analysis of economic factors for Fairview and surrounding areas. The information in the report has been used in preparing the City's response to Goal 9 and Goal 10 (see below).

## **Portland State University**

The Center for Population Research and Census was contacted for current estimates of Fairview's population. The *Official Population Estimates for Oregon Counties and Cities, July 1, 1978 to July 1, 1987* estimated that the City of Fairview's population was 1,910 in 1987 (1,895 in 1986). Population estimates are not available from PSU for the planning area. The Comprehensive Plan covers the entire planning area, so the PSU information is useful only in comparison with other data for the entire planning area. However, as part of the Public Facilities Plan studies, Cooper Consultants and ECO Northwest developed population estimates for the planning area. These estimates were based on National Planning Data and on a count of residences in a recent aerial photograph of the Fairview area. This analysis estimated the population of the Fairview planning area to be 2,618 in 1986.

## **U.S. Fish and Wildlife Service**

Information on wetlands was taken from the National Wetlands Inventory Map. The City conducted a reconnaissance of the wetland areas shown on the National Wetlands Inventory Map as well as of other natural areas identified on the map and in aerial photographs. This reconnaissance identified some wetland and riparian areas for which additional information is needed in order to identify their importance. These areas were designated 1-B on the Goal 5 worksheets (appended to this notice). These areas will be designated as within the significant environmental concern overlay of the City's zoning ordinance until further information allows a definition of their value.

**Other.** Senator Glen Otto has proposed a loop extension of the light rail system of N.E. Halsey near the Multnomah Kennel Club. This proposal is in its very early stages. Fairview will continue to monitor this proposal and will consider the need to modify the plan or ordinances if and when the proposal develops further.

**Conclusion.** This periodic review order has considered the applicable inventory information as noted above and as proposed in the attached plan amendments. When the amendments are adopted, the City will comply with Subfactor One-D.

## SUBFACTOR ONE-E: OTHER ISSUES

### Applicable Rule: OAR 660-19-055(4)

"Nothing in subsections (3)(a)-(d) of this rule is meant to limit or prevent any person from raising other issues or objections involving the 'substantial change in circumstances' factor set forth in subsection (2)(a) of this rule as long as such concerns are submitted consistent with the requirements of OAR 660-19-065."

### Applicable Rule: OAR 660-19-057(1)(e)

"Consistency of the plan and land use regulations with new or amended statutes adopted since acknowledgment. Local periodic review findings must address new statutes adopted since acknowledgment and explain how the plan and land use regulations continue to meet the statutory requirements."

The DLCD periodic review notice pointed out two areas that Fairview's periodic review should address: changes in the National Flood Insurance Program and new and revised Oregon statutes.

### Findings

**National Flood Insurance Program.** Fairview was notified by the Federal Emergency Management Agency (FEMA) in September 1986 that changes in federal regulations governing the National Flood Insurance Program (NFIP) would necessitate revisions in local ordinances that were adopted to establish eligibility in NFIP.

Fairview has complied with the new FEMA regulations by implementing a new floodplain ordinance (Ordinance 5-1987, as amended by Ordinance 10-1987). The ordinance was reviewed and approved by FEMA before it was passed by city council. ✓  
The City plans to incorporate the floodplain regulations into the City zoning ordinance as an overlay zone during the City's planned general revision of the zoning ordinance.

**New and Revised Statutes.** The following new or revised statutes were adopted by the Oregon legislature since Fairview's Comprehensive Plan was acknowledged.

### ORS 197.295-197.313--Needed Housing

197.480 - SITING OF MANUFACTURED DWELLING PARKS

This statute states that "needed housing" also means "(a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple family hous-

ing for both owner and renter occupancy and manufactured homes; and (b) Government assisted housing."

**Finding.** With the implementation of the new mobile home ordinance (see Subfactor One-C), the City will allow, as an outright permitted use, all needed housing types (including attached and detached single-family and multifamily housing and mobile homes for both owner and renter occupancy) in the appropriate zone. The City does not discourage or discriminate against government-assisted housing.

#### **ORS 197-732--Goal Exceptions**

This statute revises requirements for taking an exception to goals. The amended exception requirements have been incorporated into Goal 2 and the Goal 2 rule (OAR 660-04-000).

The Fairview plan and land use regulations do not contain any exceptions or cite standards for exceptions under Goal 2, OAR 660, Division 4, or ORS 197.732. The City is not proposing any new or amended goal exceptions at this time. Because there are no conflicting standards in the plan or regulations or proposed amendments to them, the City concludes that the requirements of Goal 2, the goal 2 rule, and ORS 197.732 do not require changes to the City's plan or regulations.

#### **ORS 197.752--Lands Available for Urban Development**

ORS 197.752(1) states that lands within urban growth boundaries shall be available for urban development concurrent with the provision of key urban facilities and services in accordance with locally adopted development standards. ORS 197.752.(2) states that, notwithstanding ORS 197.752(1), lands not needed for urban uses during the planning period may be designated for agriculture, forestry, or other nonurban uses.

Policy 8 of the Urbanization element of the Fairview Comprehensive Plan states that:

"New urban development (e.g., residential subdivisions, commercial, or industrial) may only occur at the same time as or after the site is provided public streets, water, sewerage, and drainage facilities. Such facilities will be in accordance with existing master plans for these facilities and meet city (or county) design standards and have capacity to serve intervening properties in addition to the proposed development."

The City's experience with recent urban development suggests that this language of the Comprehensive Plan does not adequately reflect the development process. In the Public Facilities Plan, joint City/developer financing and implementation of basic services (water, drainage, and sanitary services) is contemplated. The City expects that in

some cases, basic urban services will be provided in conjunction with development and may be financed in part by the developer. In other cases, sewer or water lines may be in place to within a short distance from the site proposed to be developed. All development must ultimately connect to City services. Therefore, the City proposes to modify the first sentence of Policy 8 to read:

"New urban development (e.g., residential subdivisions, commercial, or industrial) may only occur when the site is provided with public streets and it is determined that water, sanitary sewerage, and, if required, drainage facilities are available to the premises before or in conjunction with development. All new residences and businesses must connect to the public sewerage system unless the development can demonstrate economic hardship and can meet all applicable state and federal water quality standards through alternate means."

The Comprehensive Plan and zoning ordinance designate land not needed for urban uses as parks and open space.

#### **ORS 227.175--Application Fees and Consolidated Procedures**

ORS 227.175(1) requires the a city "shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service."

**Finding.** By resolution 23-1987, the City adopted a new fee schedule for planning and development services. This fee schedule was based on City staff's assessment of the cost of providing those services.

ORS 227.175(2) requires that a city establish a consolidated procedure by which an applicant may apply at one time for all permits or zone changes needed for a development project. The procedure is subject to the 120-day time limit set out in ORS 227.178.

**Finding.** The City's zoning ordinance has been revised to meet the requirements of ORS 227.175(2). The revised zoning is scheduled for public hearing and the city council action in August 1990.

ORS 227.175(3)-(6) requires at least one public hearing; approval based on compliance with the Comprehensive Plan; provisions for notice to the applicant and other interested parties; notice to mobile home park tenants at least 20, but no more than 40 days before a hearing on a proposed zone change for the mobile home park they reside within; and approval or denial of an application for a permit without a hearing if notice and appeal provisions are provided to those persons who would have had a right to notice if a hearing had been scheduled or who are adversely affected by the decision.

**Finding.** The City's zoning ordinance has been revised to meet the requirements of ORS 227.175(3)-(6). The revised zoning is scheduled for public hearing and city council action in August 1990.

#### **ORS 227.178--Final Action on Permit or Zone Change Applications Within 120 Days**

ORS 227.178 requires a city to take final action on a permit or zone change application, including all appeals, within 120 days of receipt of a complete application. This time requirement does not apply to an acknowledged Comprehensive Plan amendment or adoption of a new land use regulation.

**Finding.** The City's zoning ordinance has been revised to meet the requirements of ORS 227.178. The revised zoning is scheduled for public hearing and city council action in August 1990.

#### **ORS 227.180--Review of Action on Permit Application**

ORS 227.180 allows a city to establish whether an aggrieved party may appeal a hearings officer decision to the planning commission or city council or else the city may declare that hearing officer's decisions are final decisions. The statute also establishes that reasonable appeal fees may be set and defines *ex parte* contracts.

**Finding.** The City's zoning ordinance has been revised to meet the requirements of ORS 227.180. The revised zoning is scheduled for public hearing and city council action in August 1990.

#### **ORS 443.530 through ORS 443.550--Residential Care Facilities**

This statute defines residential care facilities and specifies procedures for siting such facilities. Residential care facilities (i.e., for six or more physically handicapped or socially dependent individuals) must be a conditional use under procedures allowing for the siting of such facilities in zones permitting densities of eight or more dwellings per acre. Residential homes for the handicapped (i.e., five or fewer individuals plus staff) must be considered a residential use of property and be permitted in all residential and commercial zones.

**Finding.** The City has revised the zoning code to allow residential homes as a permitted use in all residential zones and residential care facilities as conditional uses in the zones permitting densities of eight or more dwellings per acre. The revised zoning ordinance is scheduled for public hearing and city council action in August 1990.

**Conclusion.** Adoption of the revised zoning ordinance described above will ensure that Fairview complies with the statutory requirements listed in the DLCDD notice, thereby satisfying this section of Factor One.

#### **Conclusion--Factor One**

The City of Fairview has considered substantial changes in circumstances that may have had an impact on the plan and land use regulations. The City has assessed the impacts of those changes in the preceding discussions and has proposed amendments to regulations as necessary to address the changed circumstances. When these proposed changes are adopted, the City will comply with the requirements of Factor One.

### **FACTOR TWO NEW OR AMENDED GOALS OR RULES ADOPTED SINCE THE DATE OF ACKNOWLEDGMENT**

OAR 660-19-055(2)(b): The DLCDD review notice identified the following new or amended goals and administrative rules applicable to Fairview and adopted after the Fairview plan was acknowledged.

#### **GOALS**

Goal 2 Land Use Planning Amendments (exceptions).

#### **RULES**

Goal 2 Land Use Planning Rule (660-04); Goal 5 Open Spaces/Natural Resources Rules (660-16); Goal 9 Commercial and Economic Development Rule (660-09); Goal 10 Housing Rule (660-08); Goal 10 Metropolitan Housing Rule (660-07); and Goal 11 Public Facilities Rule (660-11).

#### **Goal 2--Land Use Planning (Amendments) and Applicable Rules**

**Findings.** The Fairview plan and land use regulations do not contain any exceptions or cite standards for exceptions under Goal 2, OAR 660, Division 4, or ORS 197.732. The City is not proposing any new or amended goals at this time.

**Conclusion.** Because there are not conflicting standards in the plan or regulations or proposed amendments to them, the City concludes that the requirements of Goal 2, the Goal 2 rule, and ORS 197.732 do not require changes to the City's plan or regulations.



## Goal 5--Open Spaces/Natural Resources Rules (OAR Chapter 660, Division 16)

The Goal 5 administrative rule was adopted by DLCD after the City's Comprehensive Plan had been acknowledged. Therefore, the plan and implementing ordinances must be revised at this time to comply with this rule. Goal 5 concerns the following resources:

- a. Land needed or desirable for open space
- b. Mineral and aggregate resources
- c. Energy sources
- d. Fish and wildlife areas and habitats
- e. Ecologically and scientifically significant natural areas, including desert areas
- f. Outstanding scenic views and sites
- g. Water areas, wetlands, watersheds, and groundwater resources
- h. Wilderness areas
- i. Historic areas, sites, structures, and objects
- j. Cultural areas
- k. Potential and approved Oregon recreation trails
- l. Potential and approved federal wild and scenic waterways and state scenic waterways

The Goal 5 rule requires the following for each of the resources listed above:

1. An **inventory** of the quality, quantity, and location of the resources, if available
2. A **determination** of potential uses of the resource property or surrounding properties that may conflict with the resource
3. An **analysis** of the environmental, social, economic, and energy consequences of allowing conflicting uses

4. **Decisions**, including plan policies, that describe the City's actions regarding the resources and potential conflicting uses
5. **Implementing ordinances**, including zoning, that carry out these decisions and resolve conflicts.

**Findings.** The City's plan and ordinances address each of the above resources, but the plan does not document each of the decisionmaking steps listed above. For each Goal 5 resource, the City has either determined that the resource does not exist within the City of Fairview planning area, or else has completed a Goal 5 worksheet (supplied by DLCD). These worksheets are supporting documents to the plan and are attached to this order. The City's Goal 5 treatment of the resources is summarized below.

- a. **Land Needed or Desirable for Open Space.** Blue Lake Park, a county park, occupies 183 acres. Cleone Park (4.67 acres) and Handy Park/ Nechocokee Park (1.57 acres) are city parks. Park land is designated as parks and open space on the plan and is protected by the SEC zone. These designations protect the park areas from conflicting uses. Goal 5 worksheets are attached to this periodic review notice. ✓
- b. **Mineral and Aggregate Resources.** No mineral or aggregate resources are identified within the Fairview planning area on the mineral and aggregate resource maps of the Oregon Department of Geology and Mineral Industries. The site north of Glisan Street is now being reclaimed. This site is not important enough to warrant inclusion in the Goal 5 inventory.
- c. **Energy Sources.** Energy sources have not been identified in Fairview by the Oregon Department of Energy or the Oregon Department of Geology and Mineral Industries. The City is unaware of any energy sources in the Fairview planning area; therefore, this resource goal is not applicable to Fairview.
- d. **Fish and Wildlife Areas and Habitats.** The natural resources within the City of Fairview planning boundary consist primarily of upland forests, riparian forest and associated streams, and wetlands. A reconnaissance of these resources was completed to determine whether relatively undisturbed natural resources exist within the planning boundary and, if so, which sites require further study to meet Goal 5 requirements. Senate Bill 3, passed by the Oregon legislature, calls for a statewide inventory of wetlands to be conducted by the Division of State Lands. A number of wetland and water feature areas that might otherwise be classified 1-

A (unimportant resource site) have been classified 1-B (in need of further study), pending the completion of the statewide wetlands inventory.

**Methods.** Potential natural resource areas were identified from National Wetlands Inventory maps developed by the U.S. Fish and Wildlife Service and from an aerial photograph (1:4,800 scale). Sites were given a designation (WF for water feature, WD for wetland, NR for other natural resource) and an identification number within each of these three categories. The sites were then toured by car and on foot (where possible) by a trained biologist. Dominant vegetation present, type of stream substrate, obvious wildlife use, and degree of disturbance were noted.

Agencies were also contacted regarding possible use of natural areas by threatened or endangered species: the Oregon Natural Heritage Program (S. Vrilakas) regarding plants and the Oregon Department of Fish and Wildlife (J. Pesek) regarding animals.

**Results.** Upland forests, designated NR, are predominantly Douglas fir and red alder, although in some areas, cedar is predominant (particularly NR-10 and NR-11). Most of the forests have been highly disturbed with much of the understory cleared, the overstory topped with nonnative species and scattered residences. These areas have been designated 1-A, or unimportant resource site. NR-1, NR-9, NR-14, NR-15, NR-22, and NR-23 appear to much less disturbed, are larger stands, include other species such as ash and cottonwood, and have wetlands or water features adjacent that could enhance their use by wildlife. For these reasons, these six forest sites have been categorized as in need of further study (1-B).

Many riparian corridors have been heavily disturbed; stream channels have cut through fill in some reaches and have silty bottoms and largely unvegetated banks, or flow through pipes in developed areas (WF-4, WF-6, WF-7, WF-8, WF-11, and WF-13). Borrow ponds (WF-2 and WF-3) have little bank vegetation other than grasses and appear to be steep-sided, although several pairs of ducks were present when the reconnaissance was conducted. Although these water features are disturbed, they are designated 1-B (in need of further study), pending completion of the inventory of Oregon wetlands to be completed by the Division of State Lands.

The remaining riparian corridors are vegetated with red alder, willow, ash, cottonwood, and cedar; some have very rocky substrates (WF-9,

WF-10, and WF-14). These riparian systems and Fairview Lake and Blue Lake are designated in need of further study (1-B).

Most of the areas identified as wetlands by the U.S. Fish and Wildlife Service remain as intact wetland systems; because of U.S. Army Corps of Engineers and Oregon Division of State Lands regulations, these will need further study to determine their significance as wetland resources. WD-7 and WD-11 are very small reed canarygrass wetlands in agricultural areas, and WD-21 is a small stagnant ditch; these wetlands have limited resource value because of their disturbed conditions and limited hydrologic influence. Although they appear to have limited resource value, they are classified 1-B (further study needed), pending completion of the Oregon wetlands survey by the Division of State Lands.

In one area, NR-24, approximately six Canadian geese were observed feeding during reconnaissance. Although the area is an agricultural field, geese have been observed there frequently, possibly because of the proximity of the lake. Such wildlife use of the site warrants further study to determine unique characteristics; the site has been classified 1-B.

No special status plants are found within the planning boundary. While bald eagles and peregrine falcons may fly over the area, they are seldom sighted resting or feeding and do not nest within the planning boundary. No other special status wildlife species are found in the Fairview area.

Areas designated 1-B are proposed to constitute (along with designated park areas) the City's areas of Significant Environmental Concern (SEC), as designated in the Comprehensive Plan and in the zoning ordinance. Development in SEC areas requires review of natural resource issues and approval of an SEC permit by the planning commission.

- e. **Ecologically and Scientifically Significant Natural Areas, Including Desert Areas.** See discussion above under Fish and Wildlife Areas and Habitats.
- f. **Outstanding Scenic Views and Sites.** Outstanding scenic views and sites within the Fairview planning area are limited by the City's topography and urban development pattern. The Comprehensive Plan identifies scenic views of Mt. Hood from areas north of Sandy Boulevard, but these views are not unique or important enough to warrant considering in this Goal 5 inventory.

Xg.

**Water Areas, Wetlands, Watersheds, and Groundwater Resources.** See discussion above under Fish and Wildlife Areas and Habitats.

Parts of Fairview are located above a sensitive groundwater area (as determined from maps provided by DEQ). Groundwater resources are protected by the City's plan policies requiring all new residences and businesses to be connected to the public sewerage system (Policy 1 of the Air, Water, and Land Resources element). This policy will be amended to require all new residences and businesses to be connected to the public sewerage system unless the development can demonstrate economic hardship and can meet all appropriate state and federal water quality standards through alternative means. It remains City policy to eventually supply water and sewerage to all City residences and businesses.

Policy 4 of the same plan element states that, "Proposed developments within the Fairview planning area potentially affecting surface or groundwater quality will be referred to the DEQ for a water pollutant discharge permit. If a private industry elects to discharge liquid process wastes to the public sewerage systems, the cost of using collection and treatment facilities will be charged to that industry."

In addition, Fairview has been working with the City of Portland to draft a groundwater protection ordinance modeled on Portland's ordinance. The proposed groundwater protection ordinance is scheduled for public hearing and city council action in August 1990. A Goal 5 worksheet is attached to this periodic review notice.

- h. **Wilderness Areas.** Wilderness areas are not present within the Fairview planning area.
- i. **Historic Areas, Sites, Structures, and Objects.** No thorough cultural resource surveys have been completed in the Fairview planning area. According to the Oregon State Historic Preservation Office (SHPO), contacted in early 1989, no sites within the planning area are listed in the National Register of Historic Places. The SHPO files do not contain information on one prehistoric site within Blue Lake Park, discussed below under Cultural Areas.

The City has proposed to amend its zoning ordinance to include a Historic Resources (HR) overlay zone. This overlay zone will contain specific criteria for designation and protection of historic resources. The City has drafted a historic resources protection ordinance, which has

been provided to DLCD and SHPO for review. The ordinance is scheduled for public hearing and city council action in August 1990.

In April 1990, SHPO informed the City that the City's grant application for a FY1990 Historic Preservation Fund Grant had been approved. The FY1990 grant will provide for the first phase of work consisting of a historic context statement for the City of Fairview (to be completed by September 30, 1990) and a Level 1 reconnaissance survey and inventory of the City (to be completed by August 31, 1991). The City plans to apply for a grant for the FY1991-92 period for an intensive survey that will evaluate and rank properties identified in the first phase of work.

- j. **Cultural Areas.** A survey by Multnomah County related to the development of a master plan for Blue Lake Park identified an Indian settlement area just north of Blue Lake (the site on file with SHPO). The County and SHPO have agreed to a management plan for the site that protects it from vandalism, earth-moving equipment, and burrowing rodents by burying the site with 12 to 18 inches of additional soil. The master plan for the park preserves the site for further research. A Goal 5 worksheet is attached to this periodic review notice.

During the development of the Comprehensive Plan, SHPO suggested that cultural resource surveys be required for all earth-disturbing activities occurring near culturally sensitive areas mapped in the plan. That recommendation was incorporated in Policy 1 of the Open Spaces, Scenic and Historic Areas, and Natural Resources element:

1. Require cultural resources surveys for earth disturbing activities within the "area of cultural sensitivity" (Figure 2) in compliance with Public Law 89-665, Executive Order 11593, Public Law 93-921, and the National Environmental Policy Act.

- k. **Potential and Approved Oregon Recreation Trails.** The only recreation trail identified within the Fairview planning area is the 40-Mile Loop Trail (a trail for walking, running, and bicycling). A portion of the trail has been constructed within Blue Lake Park and east along Marine Drive. East of the park, a proposed alternative trail would cross Marine Drive on 223rd Avenue and run along the top of a dike paralleling the Columbia River. When the trail crosses Marine Drive, it is in an area designated General Industrial on the Comprehensive Plan and zoned M1-CR. The 40-Mile Loop Land Trust was contacted about its concerns about possible conflicts between the M1-CR zone uses and the

trail. The major concerns were (1) that land or easements be secured to complete the trail through the area, and (2) that there be sufficient separation from industrial activities and traffic to provide for safe use of the trail.

The City has required the preservation of an easement for the trail as a requirement of all development permits issued to date for land along the trail route. The City proposes to strengthen its protection for the trail by revising the zoning code for the M1-CR zone to require that future developers construct and maintain the 40-Mile Loop Trail sections that cross their property.

Metro's Draft Regional Transportation Plan designates N.E. 223rd Road and the right-of-way of I-84 as proposed bicycle routes (no funds identified). The City will continue to monitor transportation planning and will consider supporting the development of the two routes as bicycle routes, depending on the alignment and design proposed. Goal 5 worksheets are attached to this periodic review notice for the 40-Mile Loop Trail and the proposed bicycle routes.

1. **Potential and Approved Federal Wild and Scenic Waterways.** Potential and approved federal wild and scenic waterways are not present within the Fairview planning area. The section of the Columbia River that forms the northern boundary of the planning area has not been included on state or federal lists.

**Conclusion.** The City has evaluated its Goal 5 resources and has designated them as documented in the Goal 5 worksheets attached to this notice and as described above.

### **Goal 9--Commercial and Economic Development Rule (OAR 660, Division 3)**

The Goal 9 administrative rule was adopted after Fairview's plan had been acknowledged. The new rule requires an update of economic elements of plans for areas within urban growth boundaries unless the existing plan meets the rule requirements. Plans must be updated based on new economic trend information to (1) forecast needs for industrial and commercial lands in several broad site categories (e.g., light industrial, heavy industrial, commercial office, or commercial retail); (2) inventory sites currently designated for industrial or commercial use; and (3) project community decisions about desired development. Based on this information, policies must be adopted stating the community's economic development objectives. Communities must designate land to meet forecasted needs. Plans for areas of 2,500 or more population must designate enough serviceable sites to meet needs of the next 5 years. Communities that seek industries with special site requirements must protect appropriate sites for such uses.

**Findings.** The following findings are provided as a response to the requirements of OAR 660-09.

## **OAR CHAPTER 660, DIVISION 9**

### **(010) Application**

- (1) All areas within urban growth boundaries.

**Finding.** The city of Fairview is required to meet the requirements of this rule for its planning area.

- (2) At first periodic review after rule is adopted.

**Finding.** The city is now conducting its first periodic review.

- (3) Rely on acknowledged plan work as much as possible.

**Finding.** The City relied on its acknowledged plan and recent updates on buildable lands inventories and other current information from the Capital Improvement Plan studies in responding to the requirements of this rule.

- (4) Use best available or readily collectible information.

**Finding.** The City relied on its acknowledged plan and recent updates on buildable lands inventories and other current information from the Capital Improvement Plan studies in responding to the requirements of this rule.

### **(015) Analysis**

- (1) Review national, state, and local trend information.

**Finding.** The City reviewed the *Economic Development Study for the Urbanized East Multnomah County*, prepared by Economic Development Services, Inc., for the City of Gresham. This report contains the most current data and analysis of the economic factors for Fairview and surrounding areas. The information in the report has been used in preparing the Goal 9 response.

- (2) Identify site requirements of industries likely to locate or expand.

**Finding.** Industries and commercial developments seeking to locate or expand in Fairview need readily improved sites with adequate transportation access, sewer, water, and storm sewer services. A number of industrial developers have expressed interest in sites on the Columbia River because of their access to barge transporta-



tion. Sites in a variety of parcel sizes, including parcels larger than 10 acres, are desirable to attract a range of industrial and commercial developments.

- (3) Inventory vacant and redevelopable commercial and industrial sites of 1 acre or larger and identify individual sites of 5 acres or larger.

**Finding.** The following sites within the current (late 1989) city limits are vacant or are in agricultural use and are now designated as commercial or industrial in the Comprehensive Plan (Table 2).

Individual sites of 5 acres or larger have been inventoried and are shown in Table 3. A map showing the location of the sites is available at Fairview City Hall.

- (4) Assess community economic development potential.

**Finding.** The *Economic Development Study for the Urbanized East Multnomah County* identifies several economic development advantages for East Multnomah County: a large, technically skilled labor force, high income levels, a diversity of industrial and commercial sites (including some of the largest vacant industrial sites in the region), relatively low land cost, airport and light rail proximity, the proximity of Mt. Hood Community College, and a diverse mix of housing, recreational, industrial, and commercial opportunities.

Fairview shares these advantages with the rest of East Multnomah County. In addition, Fairview has several unique economic development advantages. These include access to the Columbia River (the Columbia corridor has been identified as an area with considerable growth potential), access to the I-84 freeway, and proximity to the emerging high technology campus industrial area in the vicinity of N.E. Glisan

Table 2 Developable Commercial and Industrial Land Within the City of Fairview	
Designation	Acres
<b>Commercial</b>	
Parcel size less than 1 acre	4.5
Parcel size 1 to 5 acres	16.3
Parcel size more than 5 acres	<u>5.5</u>
Total	26.3
<b>Light Industrial</b>	
Parcel size less than 1 acre	1.9
Parcel size 1 to 5 acres	16.3
Parcel size more than 5 acres	<u>32.5</u>
Total	50.7
<b>General Industrial</b>	
Parcel size less than 1 acre	0.0
Parcel size 1 to 5 acres	16.4
Parcel size more than 5 acres	<u>443.3</u>
Total	459.7

and 223rd Avenue. The new I-84 interchange and north-south arterial may also present economic development opportunities, depending on its location.

#### (020) Policies

Includes policies stating economic development objectives.

**Finding.** As adopted, the Comprehensive Plan included no policy statement about the City's goals for economic development. The City proposes to amend the Economic element of the Comprehensive Plan by adding the following statement to express the City's support of appropriate industrial development:

11. Industrial development compatible with the character of the community and its physical environment will be encouraged in the appropriate zone, as a source of jobs, revenue, and economic activity. ✓

The City also proposes to modify Policies 2, 5, and 6, which no longer reflect current plan designations, to state:

**Table 3  
Commercial and Industrial Sites 5 Acres and Larger  
Within the City of Fairview**

Tax Lot	Location	Acreage	Zone	Existing Services	Plain	Required Permits
<b>Commercial</b>						
170	Halsey Street	4.90	C-2	Water/sewer	Yes	PP/SEC/SR
30	Halsey Street	.35	C-2	Water/sewer		
31	Halsey Street	.27	C-2	Water/sewer		
<b>Light Industrial</b>						
8	Sandy Blvd.	9.00	M-3	Water	No	SR
12	Sandy Blvd.	11.73	M-3	Water/sewer	No	SEC/SR
13	Sandy Blvd./I-84	11.81	M-3		No	SEC/SR
<b>General Industrial</b>						
5 <sup>a</sup>	Marine Drive	85.00	F-2 (M-2)	Water	No	SEC/SR
15	Marine Drive	45.90	F-2 (M-2)	Water	No	SEC/SR
8	Sandy Blvd.	9.00	M-3	Water	No	SR
91	Sandy Blvd.	7.00	M-2	Water/sewer	No	SEC/SR
98	223rd Avenue	5.18	M-2	Water	No	SR
223	223rd Avenue	5.17	M-2	Water	No	SR
99	223rd Avenue	10.35	M-2	Water	No	SR
89	223rd Avenue	10.10	M-2	Water	No	SR
46	Halsey/Glisan	115.68	M-2	Water/sewer	Yes	FP/SEC/SR
42	Glisan Street	20.00	M-2	Water/sewer	Yes	FP/SEC/SR
12	Sandy Blvd.	11.73	M-3		No	SEC/SR
13	Sandy Blvd./I-84	11.81	M-3		No	SEC/SR
23 <sup>a</sup>	Marine Drive	50.00	M1-CR		No	SEC/SR
224	Sandy Blvd.	21.09	F-2 (M-2)	Water/sewer <sup>b</sup>	No	SR
167	Sandy Blvd.	18.00	F-2 (M-2)	Water/sewer <sup>b</sup>	No	SR
94	Sandy Blvd.	7.80	F-2 (M-2)	Water/sewer <sup>b</sup>	No	SR
95	Sandy Blvd.	19.26	F-2 (M-2)	Water/sewer <sup>b</sup>	No	SR
55	Sandy Blvd.	17.80	F-2 (M-2)	Water/sewer <sup>b</sup>	No	SR
163	Sandy Blvd.	5.00	F-2 (M-2)	Water/sewer <sup>b</sup>	No	SR

(Continued)

Table 3  
**Commercial and Industrial Sites 5 Acres and Larger  
 Within the City of Fairview**

Tax Lot	Location	Acreage	Zone	Existing Services	Plain	Required Permits
<p><sup>a</sup>Partial tax lot; part of lot is outside city or under different zoning.  <sup>b</sup>Sewer available only in portion of lot abutting Sandy Boulevard.</p> <p><b>Zoning</b></p> <p>M1-CR = Heavy manufacturing (Columbia River)            M-2 = General manufacturing.            M-3 = General commercial.            F-2 (M-2) = Currently zoned agriculture with general manufacturing planned as future zoning designation.                              Designated general industrial in Comprehensive Plan.</p> <p><b>Required Permits (permit may apply to only a portion of the lot)</b></p> <p>FP = Floodplain.            SEC = Significant Environmental Concern.            SR = Supplementary Regulation Permit.</p>						

2. Focus commercial development at sites in areas designated commercial on the Comprehensive Plan map.
5. Light industrial uses will be allowed in areas designated light industrial on the Comprehensive Plan map.
6. Future general industrial development will be limited to the area north of Sandy Boulevard and in the area designated general industrial, south of N.E. Halsey Street.

The City proposes to modify the Land Use Interpretation Statement to reflect the current inventory of lands by reading:

Commercial and industrial land uses could eventually occupy almost 650 acres of planning area acres.

- (1) Identify particular types of industrial and commercial uses anticipated and desired.

**Finding.** The City has identified types of industrial and commercial uses and designated lands appropriately.

- (2) Policy commitment to provide adequate sites and facilities.

**Finding.** The proposed plan changes outlined in this Goal 9 response reflect Fairview's commitment to provide adequate sites and facilities for economic development.

#### (025) Designation of Land

- (1) Identify number and acreage of needed sites in each category.

**Finding.** Fairview's supply of vacant commercial and industrial land, as modified by the plan changes proposed below, should be sufficient for the City's economic development needs.

- (2) Provide long-term supply of land to meet the 20-year need in each site category.

**Finding.** The following acreages of developable vacant or agricultural land are currently designated by the Comprehensive Plan.

<u>Plan Designation</u>	<u>Acres</u>
Commercial	26
Light industrial	51
General industrial	460

The Fairview Public Facilities Plan anticipates serving all of these areas with water, sewerage, and storm drainage by the year 2008.

- (3) Provide short-term supply of sites by amending the Public Facilities Plan.

**Finding.** The Public Facilities Plan will provide water, sewerage, and drainage services in a phased program over 20 years. At the end of the first 5 years, services will be available to the following acreages of developable vacant or agricultural land currently designated as commercial or industrial:

<u>Currently Served</u>	<u>Acres</u>
Commercial	26
Light industrial	12
General industrial	149

<u>Served Within 5 Years</u>	<u>Acres</u>
Light industrial	30
General industrial	126

- (4) Check sites for uses with special siting requirements.

**Finding.** As noted above, the City's access to the Columbia River is an important asset for the City's economic development. River-oriented industries value sites with access for barge transportation, particularly where such sites are also accessible to truck transportation. The City has instituted a new zone, M1-CR, to provide for river-oriented uses in the area between Marine Drive and the Columbia River annexed in 1987. With this periodic review notice, the City proposes to apply the Comprehensive Plan to these annexed areas and to designate the land as general industrial. ✓

The City also proposes to change the designation of a 2-acre parcel of land between Blue Lake Road and 223rd Avenue from low density residential to commercial. Several developers have investigated the parcel for use as a housing development or mobile home park. They have informed the City that the parcel's small size and situation as an island isolated between the two roads limits its use for residential develop-

ment. The parcel's location near the eastern entrance to Blue Lake Park recommends its designation as commercial.

A new freeway and north-south arterial running south from the interchange are planned to be constructed in Fairview beginning in 1993 (see Subfactor One-D). At this point, the general location of the right-of-way of the interchange itself is known; however, the location of the connecting north-south arterial is yet to be determined.

These improvements will lead to new demands for commercial and industrial sites near the freeway interchange. Fairview proposes to postpone consideration of Comprehensive Plan changes to the land on the south side of the I-84 interchange until the location of the north-south arterial is known. However, the City does propose to change the Comprehensive Plan designation of 23.5 acres on the northeast side of the interchange between I-84 and Sandy Boulevard. The land in this area is currently designated as low density residential. The low density designation is inappropriate for land surrounding a major freeway interchange. The City proposes to redesignate this land to be light industrial. The light industrial designation provides for a use that is more compatible ~~with the noise and traffic associated~~ with the noise and traffic associated with a major interchange. The new designation will also increase the City's supply of developable land designated light industrial, which is relatively scarce compared with land designated general industrial (currently only approximately 41 acres of vacant or developable land are designated light industrial, compared with more than 400 acres designated as general industrial). ✓

An area south of I-84 and just north of the "old Fairview" was originally zoned general industrial in error. The roadways that provide access to the site are located in residential areas, and there are residences and a school directly across the street. For these reasons, the area is most appropriately zoned light industrial, and the City plans to initiate a zone change to light industrial as part of its general revision of the zoning ordinance. ✓

**Conclusion.** With the adoption of the plan amendments discussed above, the City will comply with OAR 660-09.

#### **Goal 10--Metropolitan Housing Rule (OAR 660, Division 7)**

This rule, which applies to jurisdictions within the metropolitan Portland urban growth boundary, establishes parameters for required inventory of buildable lands; requires clear and objective standards, special conditions, and procedures for the approval of housing; establishes minimum residential density requirements and attached/detached housing mix standards; requires regional coordination; and requires evaluation at periodic review.

**Finding.** The City's approval standards, special conditions, and procedures for housing are clear and objective primarily through their simplicity and do not discourage needed housing.

The City has designated all buildable lands as low or medium density residential in the Comprehensive Plan. The plan defines low density residential as having "a maximum density of about 5 units per acre." The average density of the medium density residential designation "will exceed 6 units per acre."

There are 271 acres of buildable vacant or agricultural lands designated low density residential in the plan and (after the proposed Comprehensive Plan change discussed above), 222 acres designated medium density. These designated lands will provide for approximately 50 percent of new residential units to be attached single-family housing or multiple-family housing, as required by Policy 1 of the plan's Housing element.

The minimum residential density allocation for Fairview established by OAR 660-07-035 is six units/acre for new residential construction. The current residential density in the Fairview planning area, estimated from aerial photography, is approximately 3.1 to 3.5 units/acre. The density goal of six units/acre is higher than the existing residential density. However, the higher-density goal is supported by the zoning code and by the designation of approximately 45 percent of the buildable residential lands as medium density. This designation includes two-story garden apartments, apartments, condominiums, duplexes, and mobile homes.

The City expects to revisit the housing density issue within the next 2 to 3 years as the plans for the new I-84 interchange become more concrete. The City anticipates that some of the area near the interchange will be redesignated medium density residential (it is currently low density residential). However, plans for the interchange and connecting arterial are not yet detailed enough to allow for redesignation at this time.

The current Policy 1 in the Housing element of the Comprehensive Plan states that the development of multifamily and single-family housing will be encouraged at about a 1:1 ratio to maintain housing stock diversity. Although the policy does not preclude the City from achieving the new housing density allocation established by OAR 660-07-035, and although other elements of the plan support that goal, the City proposes to clarify its housing goals by amending Policy 1 of the Housing element to state:

1. Encourage multi-family and single-family housing development to achieve the minimum residential density allocation for new housing construction for Fairview established by OAR 660-07-035. ✓

With the implementation of the new mobile home ordinance (see Subfactor One-C), the City will allow, as an outright permitted use, all needed housing types (including



attached and detached single-family and multifamily housing and mobile homes, for both owner and renter occupancy) in the appropriate zone. The City does not regulate owner versus tenant occupancy. The City does not discourage or discriminate against government-assisted housing.

**Conclusion.** Fairview has inventoried its buildable lands, its plan designations, and its zoning code, and has determined that, as amended, they comply with Goal 10 as amended by the Division 7 rules.

#### **Goal 11--Public Facilities Rule (OAR 660, Division 11)**

This rule defines the scope of public facilities plans and establishes procedures and standards for developing public facilities plans.

**Finding.** Fairview has prepared a 20-year Public Facilities Plan, contained in a separate (appended) document, which meets the standards of OAR 660-11. ✓

The City proposes to revise the Public Facilities and Services element of the Comprehensive Plan by adding the following to the policy section:

The City's May 1989 capital improvements plan identified the following projects as essential to the orderly development of Fairview (see attached table). This list and the remainder of the Capital Improvement Plan are adopted as part of the Comprehensive Plan. In addition, the widening of the I-84 freeway in the Fairview area and an interchange near 207th Avenue are included in the Comprehensive Plan public facilities plan list. ✓

The alignment of a planned north-south arterial intersecting with the new I-84 interchange has not yet been identified. The City will continue to monitor this transportation project and list it as a public facility in the Comprehensive Plan when the project is more completely developed. With regard to solid waste planning, the City recognizes Metro's Regional Solid Waste Plan, and will implement it through its zoning ordinances and other regulatory statutes. Solid waste facilities may be located in the City consistent with the provisions of zoning ordinance and, where required, a Metro franchise, contract, or license. The City will continue to monitor for consistency between the Regional Solid Waste Plan and the City of Fairview's Comprehensive Plan and zoning ordinance. When Metro's model ordinance providing clear and objective standards for siting future solid waste facilities is completed, the City of Fairview may wish to use this ordinance.

**Conclusion.** By completing its Public Facilities Plan, Fairview meets the requirements of OAR 660-11.





APPENDIX B - THE STATE AND LOCAL PROGRAMS

The following table provides a summary of the State and Local Programs that are currently in effect. The table is organized by program type and includes information on the program's name, purpose, and funding source.

The table is organized into three main sections: (A) State Programs, (B) Local Programs, and (C) Other Programs. Each section contains a list of programs with their respective details.

(A) State Programs

- 1. Statewide Economic Development Program: This program provides grants to local governments to support economic development projects.
- 2. Statewide Infrastructure Program: This program provides grants to local governments to support infrastructure projects such as roads, bridges, and public transit.
- 3. Statewide Education Program: This program provides grants to local governments to support education projects such as teacher salaries and school facilities.

(B) Local Programs

- 1. Local Economic Development Program: This program provides grants to local governments to support economic development projects.
- 2. Local Infrastructure Program: This program provides grants to local governments to support infrastructure projects such as roads, bridges, and public transit.
- 3. Local Education Program: This program provides grants to local governments to support education projects such as teacher salaries and school facilities.

(C) Other Programs

- 1. Federal Grants: This program provides grants to local governments from the federal government.
- 2. Private Foundations: This program provides grants to local governments from private foundations.
- 3. Non-Profit Organizations: This program provides grants to local governments from non-profit organizations.

## Conclusion, Factor Two

The City of Fairview has proposed amendments to its plan and implementing ordinances where necessary to ensure compliance with the administrative rules adopted or amended since the City's acknowledgment. When the City adopts the proposed amendments and ordinances, the City will comply with the requirements of Factor Two.

## FACTOR THREE STATE AGENCY PLANS AND PROGRAMS

### APPLICABLE RULE: OAR 660-19-055(2)(c)

"The comprehensive plan or land use regulations are inconsistent with a state agency plan or program relating to land use that was not in effect at the time the local government's comprehensive plan was acknowledged, and the agency has demonstrated that the plan or program:

- (A) Is mandated by state statute or federal law;
- (B) Is consistent with the goals; and
- (C) Has objectives that cannot be achieved in a manner consistent with the comprehensive plan or land use regulation."

The DLCD periodic review notice identified several programs that potentially meet the standards described above. The local review order must address whether or not the plan and land use regulations are consistent with these programs and, if they are not, identify amendments that would ensure consistency.

### Department of Environmental Quality

DEQ Air, Water, Solid Waste, and Noise Regulations adopted and amended 1978 to 1985, ORS 183.468, OAR 340.

1. Local governments must maintain an up-to-date inventory of major air, water, solid waste, and noise pollution sources and sites (where such information is made available to the jurisdiction), including the following:

**Air.** Major sources of air pollution near Class I areas and in non-attainment and air quality maintenance areas, and certain parking facilities, highway developments, and certain airports.

**Water.** Wastewater treatment facilities and sludge disposal sites.

**Solid Waste.** Solid waste disposal sites.

**Noise.** Motor sports (racing) facilities and public airports.

2. Local governments that lack policies requiring compliance with state and federal air, water, solid waste, and noise regulations must adopt such policies.
3. Local governments with land use regulations relating to air, water, solid waste, and noise pollution that conflict with those of DEQ must amend them to be consistent.

### **Findings**

**Air.** Air quality information has been updated as described above in Subfactor One-D. No other new information is available about air pollution sources.

**Water.** The City of Fairview contracts with the City of Gresham for wastewater treatment services.

**Solid Waste.** Solid waste is collected by private contractors. The City is within the Metropolitan Service District and is subject to its solid waste program.

**Noise.** The primary noise generators within the planning area are the I-84 freeway, the Union Pacific railroad, and the Portland and Troutdale airports. Noise complaints have been made about noise from Portland International Airport (located several miles to the northwest of Fairview).

**Compliance with State and Federal Environmental Regulations.** The City's development criteria ordinance requires compliance with state and federal regulations on noise and air pollution. The City has prepared a draft groundwater protection ordinance, patterned on Portland's groundwater ordinance. Fairview is within the Metropolitan Service District and participates in Metro's solid waste programs. Metro has completed and adopted a Regional Solid Waste Management Plan, which applies to the City of Fairview as well as to the rest of the county and the region. The City has developed a noise ordinance (Ordinance 8-1988) based on DEQ noise standards. ✓

### **Conclusion**

With the adoption of the groundwater protection ordinance mentioned above (scheduled to occur in August 1990), the City of Fairview will be in compliance with the DEQ programs and policies cited in this section.

## **Department of Transportation Parks Division**

Local governments must maintain up-to-date inventories of state parks and ensure that local plans are consistent and coordinated with state park master plans.

**Finding.** There are no state parks within the City of Fairview.

**Conclusion.** This requirement does not apply to Fairview.

## **Department of Transportation Highways Division**

Local governments must amend Goal 11 elements to inventory proposed highway improvements and to adopt a policy to coordinate with ODOT in implementing its improvement program.

**Finding.** Policy 6 of the Transportation element of the Comprehensive Plan states that "Fairview will continuously participate in transportation and circulation systems planning for the East Multnomah County area, and seek to maintain a transportation and circulation system functional for both local and area-wide transportation requirements."

**Conclusion.** The existing Policy 6 of the plan's Transportation element ensures compliance with this ODOT requirement.

### **Conclusion, Factor Three**

With the adoption of the ordinance described above, the City of Fairview will be in compliance with the requirements of periodic review Factor Three.

## **FACTOR FOUR ADDITIONAL PLANNING TASKS REQUIRED AT THE TIME OF ACKNOWLEDGMENT OR AGREED TO IN RECEIPT OF STATE GRANT FUNDS**

OAR 660-19-055(d)(2): DLCD's periodic review notice states that DLCD's review of Fairview's acknowledgment reports and grant agreements shows that this factor does not apply to Fairview.

**Finding.** No planning tasks were required of Fairview at the time of acknowledgment or were agreed to in receipt of state grant funds.

**Conclusion.** This portion of Factor Four does not apply to Fairview.

## NONMANDATORY PROGRAMS

A few state agencies have submitted summaries of nonmandatory programs that, although not required to be considered by local jurisdictions during periodic review, are strongly recommended to be considered.

**Findings.** The City of Fairview has addressed the following nonmandatory suggestions of DLCD:

1. The City has developed a flood hazard ordinance to replace the City's floodplain ordinance and to comply with recent changes in FEMA regulations: Ordinance 5-1987, as amended by 10-1987.
2. A Natural Hazards Map has been developed and will be included in the Comprehensive Plan. It shows the 100-year floodplain and soil types that may require special foundation design because of their poor drainage characteristics.
3. The City has adopted site review provisions for industrial areas that contain standards for approval consistent with plan Policy 7, page 37: Ordinance 8-1988.
4. The City has eliminated the Suburban Residential Zone from the revised zoning ordinance.
5. In its Public Facilities Plan, the City has updated sewerage background data to accurately depict the relationship between Fairview and Gresham.
6. The City has established service areas with Multnomah County, Gresham, Wood Village, and Interlachen, as required by Policy 15, page 18 of the plan. These are discussed above in Factor One and are reflected in Fairview's Public Facilities Plan.

**Conclusion.** With the adoption of the ordinances cited above, Fairview has complied with the suggestions of DLCD described above and with the requirements of periodic review Factor Four.



## OVERALL CONCLUSION

The findings presented in this local review order contain the City of Fairview's responses to the periodic review factors and outline proposed plan and ordinance amendments which, when adopted, will bring the plan and land use regulations into compliance with all applicable requirements listed in the DLCD periodic review notice of August 28, 1987. Adoption of the plan and development ordinance amendments and a final review order will complete Fairview's periodic review responsibilities required by ORS 197.640 and OAR 660, Division 19.

## ADOPTION

WHEREAS, the planning commission recommended adoption of this periodic review order to the city council; and

WHEREAS, proper notices were posted about the city and in the *Gresham Outlook*, duly advertising the city council hearings; and

WHEREAS, the city council conducted public hearings on November 1, 1988; October 18, 1989; and July 18, 1990, to receive public hearing on the periodic review order;

NOW, THEREFORE, this periodic review order is hereby adopted.

Approved this 18th day of July, 1990.

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(Mayor)

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(City Recorder)

## AMENDMENT TO CITY OF FAIRVIEW FINAL LOCAL REVIEW ORDER

### I INTRODUCTION

ORS 197.640 requires cities and counties to review their comprehensive plans and land use regulations periodically and make changes necessary to keep plans and regulations up to date, in compliance with Statewide Planning Goals, and coordinated with the plans and programs of State Agencies. Local governments must adopt findings in the form of a local review order responding to the four periodic review factors and enact necessary measures to bring their plan and regulations into compliance with the periodic review factors. The City's local review order provides findings and recommends amendments to the Comprehensive Plan and Zoning Ordinance in order to meet the periodic review requirements of ORS 197.640 and OAR 660, Division 19, "Periodic Review". Also, Policy 5 of the Citizen Involvement Element of the Fairview Comprehensive Plan states that the Planning Commission will completely review the Comprehensive Plan every 5 years. The periodic review process serves to satisfy this requirement.

The City began its periodic review process in 1988. Delays in completing the Capital Improvement Program required an extension of the deadline for completing the Final Local Review Order until August 1, 1990. The Planning Commission (which functions as the Committee for Citizen Involvement for the Comprehensive Plan) held public meetings on the periodic review program on January 12, 1989 and March 7, 1989. Periodic review was also discussed at the November 1, 1988 and October 18, 1989 City Council hearings. On July 18, 1990, the City Council adopted the Fairview Final Local Review Order. The Order was implemented on March 20, 1991 when the City Council adopted (Ordinance 4-1991) the Comprehensive Plan amendments that were proposed during the periodic review hearings. Subsequently, DLCD received copies of the City's Final Local Review Order and Comprehensive Plan amendments.

On June 5, 1991, the City received a letter from the DLCD which stated that the department would be unable to review the periodic review order within the 60 day time period set out by ORS 197.645. The letter also indicated that DLCD mailed a notice of Fairview's final order submitted on April 11, 1991 and that no objections were received. In a letter dated October 22, 1991, DLCD stated that it had finished its review but there were a few remaining concerns which had to be addressed. These concerns were related to four issue areas:

- o Manufactured Housing
- o Residential Facilities
- o Airport (PDX) Noise
- o Historic Resources

Beginning in late fall of 1991, questions have arisen about the adequacy of Fairview's protection of its land and water resources. The economic, social, environmental and energy (ESEE) analysis part of the Statistical Planning Goal 5 had not been completed in the original Final Local Review Order. In the Winter on 1992, it was decided that the City could most efficiently meet the ESEE requirement by



conducting one city-wide analysis of its resources rather than on a "piecemeal" basis, as each individual resource site was affected by a development permit proposal. Other issues that came to the forefront concerned the City's programs and regulations for protecting surface and groundwater quality. These and other environmental concerns are discussed in the attached environmental issues submitted and are part of these amendments.

The purpose of these amendments to the Final Local Review Order is to address the issues raised by the State so that acknowledgement of the final order can be obtained. The amendments consist of additional findings to the local review order. Each finding explains why a particular issue has to be dealt with and recommends a course of action (ie: zoning ordinance amendment that is necessary to comply with State requirements).

## II. AMENDMENT TO FINAL LOCAL REVIEW ORDER FINDINGS

The following items are the amended findings to the City of Fairview Final Review, approved July 18, 1990 by the Fairview City Council. These amendments are:

### A. In regard to Residential Facilities (page 15), replace existing findings with:

"This statute defines residential facilities and residential homes for the handicapped and specific procedures for siting such State licensed facilities. Residential homes for the handicapped (five or fewer individuals plus staff) have been considered a residential use of property and have been allowed outright in all Fairview residential zoning districts. Residential (care) facilities are intended for six or more physically handicapped or socially dependent individuals. ORS 191.667 allowed local jurisdictions to only list these facilities in multifamily zoning districts (eight or more units per acre). This was the approach taken by the City Zoning Ordinance which listed them as an outright (permitted use) use only in the A-2, Apartment Residential District and as a Conditional Use in the R-4 (Duplex) district, A-1-B, Apartment Residential Business Office District and the MH-2, Mobile Home Park District.

However, a recent opinion by the State Attorney General found that restricting residential facilities to certain residential districts or treating them as a conditional use does not comply with the 1988 amendments to the Federal Fair Housing Act. DLCD has recommended two approaches which will comply with the Fair Housing Act:

- o Amend the definition of "family" in the zoning ordinance to include groups of disabled individuals living in a dwelling unit;

or

List residential facilities as a permitted use in all residential zones."

"Finding: The City will revise the Zoning Ordinance to allow residential facilities as a permitted (outright) use in those residential districts which do not presently allow them as such (R7.5, R10, R4, A1B and MH-2 zones). The Zoning Ordinance amendments are tentatively scheduled for public hearings and City Council action in March of 1993. Residential homes for the handicapped have

been listed as a permitted use in all residential districts and therefore do not require an amendment."

"Conclusion: Adoption of the Zoning Ordinance amendment described above will ensure that Fairview complies with the State Attorney General opinion, thereby satisfying this section of Factor One."

- B. In regard to Airport (PDX) Noise (page 38), add the following paragraph under "Compliance with State and Federal Environmental Regulations":

"Most of Fairview is within the Day-Night Noise Level Management (LDN) 55 noise contour for the Portland International Airport. Such areas are "noise sensitive areas" as defined by the State Department of Environmental Quality in OAR 340-35-045. In response to this DEQ administrative rule and based on conversations with staff from the Port of Portland, the City has agreed to require the recordation of a noise disclosure (warning) statement for new residential development and residential reconstruction. By recording the disclosure statement with Multnomah County, the present and future owners are notified that a property may be subject to objectionable noises from approaching and departing PDX aircraft."

Also, delete paragraph under "Conclusion" and replace with:

"With the adoption of the groundwater protection ordinance mentioned above (adopted 8-1-90) and the amendment of the Zoning Ordinance to require noise disclosure statements (scheduled to occur in 1993), the City of Fairview will be in compliance with the DEQ programs and policies cited in this section."

- C. In regard to the Manufactured Housing Parks (page 13), add the following after findings for ORS 197.295 and 197.313, Needed Housing:

"ORS 197.480 - Manufactured Housing Parks"

"ORS 197.480 requires jurisdictions to calculate the amount of land needed for manufactured dwelling parks and then plan and zone a sufficient amount of land to meet this need. The projection of need is based on the potential for relocation of units from existing parks in commercial and industrial zoned areas and the need for new housing to accommodate population growth. To address these requirements, the City must complete a needs projection and then provide a sufficient amount of buildable land that is located in a zoning district which allows manufactured housing parks and has a maximum density of 12 units per acre. The following "need methodology" addresses the need projection factor of ORS 197.480 and is similar to what other local jurisdictions have done to meet State planning requirements for manufactured housing parks. It takes into account future population and household growth, projected demand for detached housing, past demand for the manufactured housing component of detached housing in Multnomah County, projected needed park acreage and the possible displacement of some existing park spaces that are in a commercial zoning district."

"Finding: Within the City's planning area there are two manufactured housing parks. These are Quail Hollow with 149 spaces and Fairview Mobile Plaza with 20 spaces. There are a number of other parks in the immediate area but they are located in the adjacent cities of Gresham and

Wood Village. Quail Hollow is zoned MH, Mobile Home Park while Fairview Mobile Plaza is zoned C-2, General Commercial. Together the two parks contain 169 spaces which comprise about 17% of the existing detached housing units within the city's planning area.

"Between 1992 and 2010, the population of Fairview's planning area is expected to grow from 4,000 to 10,000. Based on the present average household size of 2.64 persons, approximately 2,273 additional dwelling units will be necessary to house this growth. Approximately 50% of the City's buildable residential lands is designated for detached (single family) housing. Thus, of the 2,273 new housing units projected for this area approximately 1,136 are expected to be detached units, including manufactured homes."

"In recent years, manufactured homes have accounted for about 10% of all new detached dwellings in Multnomah County. This compares with manufactured homes as 21% of new detached dwellings in Washington county and 28% of all new detached dwellings in Clackamas County. For proposed of projecting the demand for manufacturing housing parks, it is assumed that the existing 10% share of manufactured homes as a portion of new detached dwellings in Multnomah County will continue. It is likely that manufactured housing parks will make up a proportionately smaller share of new housing units in the Fairview area than in the County due to three factors:"

"a) Fairview and vicinity has an abundance of existing detached site-built units and a large amount of vacant land that is zoned for detached housing development. This has helped to keep the cost of detached site-built housing relatively low. According to the 1990 U.S. Census, the median price of an existing detached dwelling unit in Fairview was \$61,300. This compares with a median price of \$71,100 for a detached residence in Gresham, \$70,500 in Troutdale and about \$80,000 for the Portland Metropolitan Area. At the same time, according to the METRO 1988 household income data, the median household income in the Fairview area is significantly higher than the median income for the County as a whole. In 1988, the median income for Fairview was about \$32,000, whereas it was \$25,000 for the County and about \$28,000 for the region. The combination of higher than average income and lower than average site-built housing cost should result in less demand for manufactured housing parks compared to other areas of the County and region."

"b) There is evidence that a relationship exists between the demand for manufactured homes or a form of affordable housing and the degree to which an area is urbanized. In rural areas, manufactured housing tends to comprise a greater share of the new detached housing stock than in urban areas. In recent years, for example, Multnomah County, the most urbanized county in the State, has been one of the Counties with one of the smaller proportion of manufactured dwellings as a share of new detached dwellings. On the other hand, there are several rural counties in eastern Oregon in which manufactured homes have comprised 100% of new detached units in 1985, 1986 and 1987."

"c) In contrast with most other municipalities in the region, Fairview allows a manufactured home on an individual lot in all areas zoned for detached (single family) housing. The City adopted a new manufactured housing ordinance in 1990 (Ordinance 11-1990) which contain standards for siting a manufactured home on

an individual lot. They generally relate to maintaining the exterior appearance of a site-built house (as allowed by State guidelines) and are met as a matter of course by most new manufactured dwellings. The only other requirements are those that relate to yard setbacks and public facilities which also apply to site-built housing. Given that the City, for all practical purposes, makes no distinction between developing a lot with a manufactured dwelling or with a site built dwelling, it seems that there should be less need for manufactured dwelling parks than in other areas of the County."

**Conclusion:**

"Taking into account the above factors and the relatively high number of existing manufactured housing park spaces in Fairview and immediate environs, the demand for future manufactured housing park spaces (units) as a proportion of Fairview's total number of detached units (1,136) will be assumed to be 8%. This is slightly below the County average of 10% and would allow for approximately 90 additional park spaces by the year 2010."

"The average density of the existing manufactured housing parks in the Fairview/Gresham area is approximately 10 units per acre. ORS 197.480 requires jurisdictions to plan for future manufactured housing parks. Areas designated for future parks must be zoned for a residential density range of 6-12 units per acre. This reflects the tendency of parks to be located in areas where moderate density development is permitted. Parks may not be economically feasible where the density is limited to no more than six units per acre. On the other hand, land costs of sites where the allowable density is greater than 12 units per acre are likely to be too high since most new park developments with spaces intended for "double-wide units" cannot be developed and marketed at such high densities. For the purpose of projecting the acreage needed for future manufactured housing parks in Fairview, it will be assumed that the average density of the parks will be 10 units/acre. This figure is within the above density range mandated by the State and reflects the existing average density of parks in this area. Based on the projected demand for 90 additional manufactured housing park units at 10 units per acre density, there would be a need to designate approximately 9 acres for future manufactured housing park development."

"In addition to projecting the future need for manufactured housing parks based on population growth, ORS 197.480 also requires jurisdictions to take into account the possible displacement of existing units located in parks that are zoned for commercial or industrial uses. Such existing "non-conforming" park sites could be redeveloped at a later time with a higher value commercial or industrial development. Fairview has one non-conforming park site that is located in the City's commercial core area near 223rd Avenue and Halsey Street. It is called Fairview Mobile Plaza and is zoned C-2, Commercial. Redevelopment of this park would displace 20 units (spaces). At the assumed 10 unit per acre density, this displacement would create a need for 2 additional acres. When added to the previous projected demand (9 acres), the total projected land area needed for future manufactured housing parks would be 11 acres. In response to this need, the City will amend its zoning map and designate an 11 vacant area "MH-2, Mobile Home Park". The only residential use allowed in this district are manufactured housing parks."

- C. In regard to Manufactured Dwellings on Individual Lots (page 13), add the following, after the above new findings for ORS 197.480-Manufacture Housing Parks:

"ORS 197.307-Manufactured Dwellings on Individual Lots"

ORS 197.307 requires jurisdictions to adopt standards for locating manufactured homes on individual building lots. The City's manufactured housing ordinance (Ordinance 11-1990) establishes criteria for locating manufactured housing in manufactured home parks and on individual lots. Section 3 of this ordinance allows manufactured dwelling on individual lots in all zoning districts which allow detached (single family) dwellings or a Permitted Use. There are three such districts in the Zoning Ordinance. They are R-10, Single Family Residential, R-7.5, Single Family Residential and R-4, Two Family (duplex) Residential. Because the Permitted Use list in each of these three districts was never amended to specifically allow a "manufactured dwelling on an individual lot", such an amendment is needed in order to eliminate any ambiguity. Therefore, the list of Zoning Ordinance amendments for the periodic review process includes this amendment of the Permitted Use list for the R-10, R-7.5, and R-4 districts.

- E. In regard to Historic Resources (page 21), item "T", delete paragraph under "T" and substitute the following:

" HISTORIC AREAS, SITES, STRUCTURES AND OBJECTS. A thorough cultural resource survey has been completed in the Fairview Planning Area. In 1991 and 1992 the City hired a consultant to conduct a Level 1 and Level 2 historical inventory and evaluation of its cultural resources. This was partially funded by several grants from the Oregon State Historic Preservation Office (SHPO). The completed study was recently submitted to SHPO for their review and approval. There are no sites in the Planning Area presently listed on the National Register of Historic Places, nor do SHPO files contain any information on the prehistoric site within Blue Lake Park, discussed below under Cultural Areas."

and

"On February 26, 1990, the City adopted an Historic Resources (HR) Overlay Zoning District. This district contains specific criteria for designation and protection of historic resources. It is the intention of the City to apply the overlay district on those sites recommended for protection in the recommendations section of the historical inventory. This will be done after SHPO approval of the study."

- F. In regard to Goal 5 - Open Spaces/Natural Resource Rules (OAR Chapter 660, Division 16 (page 18)), change first paragraph of findings to:

"Findings. The attached environmental issues submittal (Goals 5 and 6) discusses Fairview's strategies for protecting its land and water resources. Primarily these are ground and surface water, wetlands, riparian areas and forested areas. The Goal 5 issues document summarizes the economic, social, environmental and energy (ESEE) consequences of natural resource protection in the City of Fairview. It also provides reasons why decisions are made for the level of natural resource protection at different natural resource sites in conformance with Statewide Planning Goal 5 and the Goal 5 Administrative Rule, ORS 660-16-000 through 660-16-025. Fairview's overall treatment of Goal 5 resources is listed below. For each resource, the City has determined that either the resource does not exist or can be protected in the manner proscribed."



In regard to the Goal 5 discussion on pages 18-20, delete the paragraphs under "d. Fish and Wildlife Areas and Habitats." Change to read:

"d. FISH AND WILDLIFE AREAS AND HABITATS. See Fairview's attached environmental issues submittal, in relation to Goal 5, for its protection strategies for fish and wildlife areas and habitats."

In regard to the Goal 5 discussion on page 20, change the paragraph under "f. Ecologically and Scientifically Significant Natural Areas, Including Desert Areas." to read:

"f. ECOLOGICALLY AND SCIENTIFICALLY SIGNIFICANT NATURAL AREAS, INCLUDING DESERT AREAS. See Fairview's attached environmental issues submittal, in relation to Goal 5, for its protection strategies for ecologically and scientifically significant natural areas."

In regard to the Goal 5 discussion on page 21, change the discussion of item "g. Water Areas, Wetlands, Watersheds and Groundwater Resources." to read:

"g. WATER AREAS, WETLANDS, WATERSHEDS AND GROUNDWATER RESOURCES. See Fairview's attached environmental issues submittal, in relation to Goals 5 and 6, for its protection strategies for water areas, wetland, watersheds and groundwater resources."

and

"Parts of Fairview are located above a sensitive groundwater area (as determined from maps provided by DEQ). In addition to the groundwater protection ordinance discussed in the environmental issues submittal, groundwater resources are protected by the City's plan policies requiring all new residences and businesses to be connected to the public sewage system (Policy 1 of Air, Water and Land Resources Element). Any exemption from this policy requires compliance with applicable DEQ regulations for using an alternative sewage disposal system and must be approved by the County Sanitarian. It remains City policy to eventually supply water and sewerage treatment to all City residents and businesses."

and

"Policy 4 of the same element states that, "Proposed developments within the Fairview planning area potentially affecting surface or groundwater quality will be referred to the DEQ for a water pollutant discharge permit. If a private industry elects to discharge liquid process wastes to the public sewerage systems, the cost of using collection and treatment facilities will be charged to that industry."

# City of Fairview

## Environmental Issues

### Submittal

# FAIRVIEW

300 HARRISON ST., P.O. BOX 327  
FAIRVIEW, OREGON 97017  
(503)665-7929 FAX 666-0866

*At the January 20, 1993 City Council Session, Mayor Carlson gave the following speech regarding the environmental photo exhibit on display at City Hall*

"It is my extreme pleasure to be able to share this display entitled, "Pollution in Abstract" with the citizens of East Multnomah County. This exhibit incorporates the beauty of color and shape to portray what can be seen during a close examination of Portland area storm water pollution.

"The surprise of finding out that these colorful photos are close-ups of gasoline, engine oils, lubricants and other polluting substances is an excellent way to point out a problem that is not always evident. Mr. Coulton has shown that one picture is not only worth a thousand words, but volumes of environmental impact reports and studies.

"A native of western New York, Mr. Coulton obtained bachelor degrees in Civil Engineering and Landscape Architecture at Penn State University as well as a Master's Degree in Hydraulic Engineering from Washington State University. He is employed by CH2M Hill in Portland and mixes his vocation in engineering with his love of photography. This exhibit has been shown at art centers and public forums throughout Oregon and Washington as well as National Wildlife Federation functions here and in Virginia. During 1992 it was also shown in several Texas cities.

"The showing of this display is particularly significant in that it signals the continuation of a process that is underway in the city. Beginning this evening, the City of Fairview will be adopting procedures and regulations written to protect the environment of the Fairview Creek basin. Once this is completed over the next three to four months, the City of Fairview will have protected 18.5% of its area in private ownership. This percentage, combined with the protected status of City and County parks within our city limits, will vault the city forward to a leading position in the fight to protect the environment and save open spaces. Everyone is invited to view this display at City Hall."

## Another view

# Photographer provides unique look at pollution

## 8 close-up color photographs on exhibit at Fairview City Hall

by LYNN NAKVASIL  
of The Outlook staff

**FAIRVIEW** — The city of Fairview and photographer Kevin Coulton of Portland have teamed up to give residents a vivid close-up of pollution.

Until Feb. 2, City Hall is hosting one of Coulton's "Pollution in Abstract" exhibits — another of which is on display at the Environmental Protection Agency headquarters in Washington D.C.

"The surprise of finding out that these colorful photos are close-ups of gasoline, engine oils, lubricants and other polluting substances is an excellent way to point out a problem that is not always evident," Mayor Fred Carlson said during the Jan. 20 council meeting.

"Mr. Coulton has shown that one picture is not only worth a thousand words, but volumes of environmental impact reports and studies."

Both Carlson and Coulton hope to educate people on the issue of stormwater and pollution.

"The intent here is to try to attract people to the image," Coulton said. "Hopefully there'll be recognition that it's a problem."

Beginning with a picture of a drain, Coulton's eight photographs contrast the natural elements of twigs, ivy and maple leaves against magenta, electric blue and other bright colors of gasoline and oil.

In part, Coulton depicts both plants and pollutants to give people an idea of how much he magnified his subject, but "also to give a sense of the struggle of man against nature."

In one photograph, a swath of red light reflects onto the pavement, which conveyed to Coulton a warning message, he said.

Coulton works for CH2M as a water resource engineer, and much of his work consists of implementing federal environmental regulations for private and public clients. He took up photography in high school as a hobby but until recently stuck to

landscapes.

"A couple of years ago I went out to the parking lot and though I'd see if I could make pollution interesting, to see if I could educate," he said.

He uses a slow-speed film and a tripod to take the pollution photos.

He mentioned his photo exhibits to coworker Jory Abrams, the city engineer under contract from CH2M. Abrams suggested the city host the work as part of its attempt to implement recent environmental regulations.

The City Council enacted a plan to prevent soil erosion at its meeting. It is part of Fairview's overall plans to improve storm drainage, which are necessary to meet state and federal guidelines, said Jeff Sarvis, director of public works.

Following a public hearing, the council approved an ordinance that sets standards to control runoff from construction sites and other areas. It includes enforcement measures and penalties for violators.

"It gives developers and contractors some guidance and technical assistance in preventing runoff," Sarvis said. "They need to use construction techniques that aren't going to allow soil off of their property."

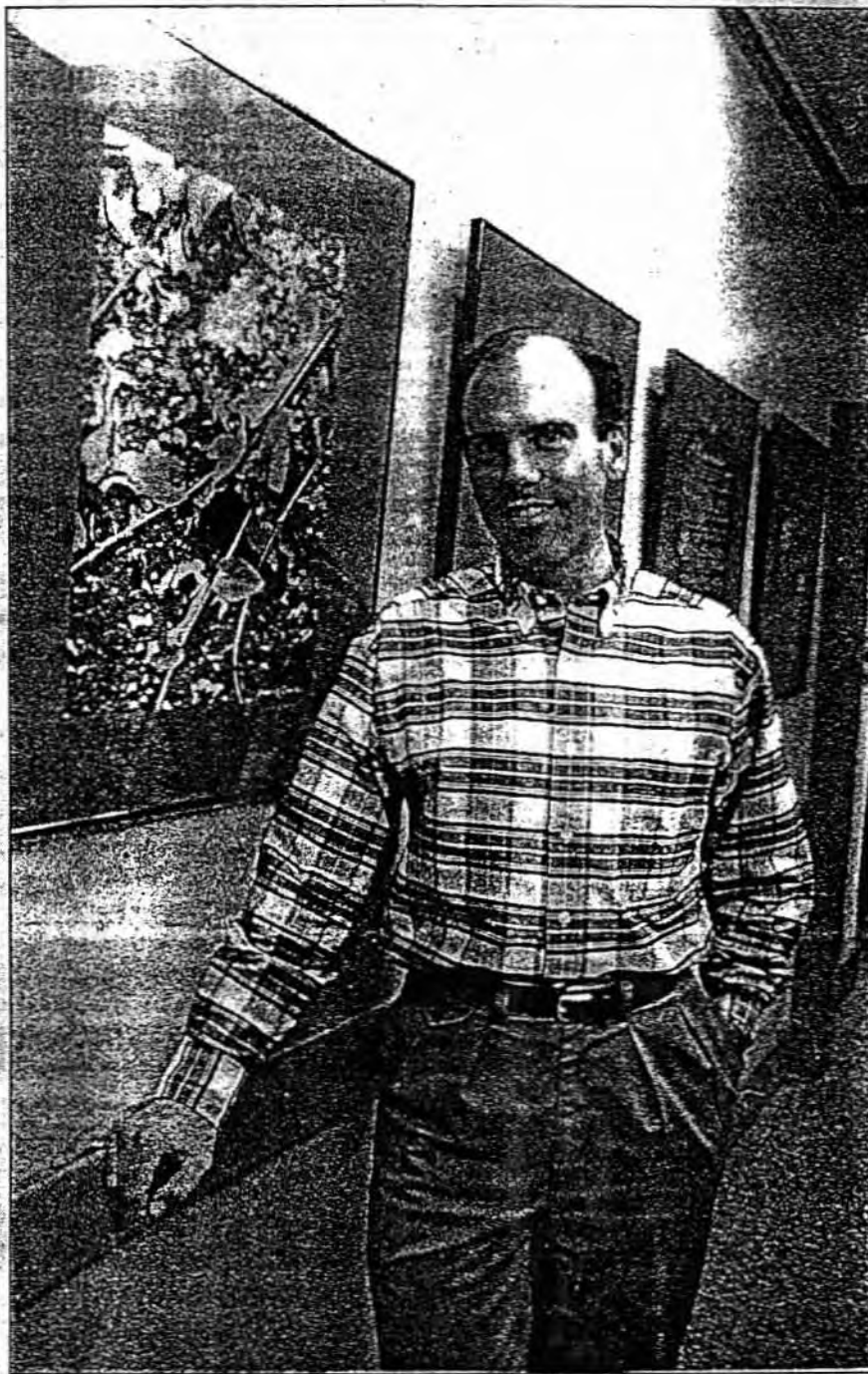
To educate about such laws, Coulton took the pictures around the metro area, in Bellevue, Wash., and Montana. CH2M and America's Clean Water Foundation, a national nonprofit organization, funded his exhibits.

"It doesn't really matter where you go, it's so prevalent," he said. "There's not a complete understanding of where the stormwater goes. In most cases it'll go into a stream or into a lake."

Information accompanying the photos says that backyard mechanics generate over 324 million gallons of used oil annually. People dispose of 90 percent of such oil improperly, the equivalent of 20 Exxon Valdez spills.

The material suggests some ways to make a positive difference:

- Park your car or truck over an



MARGARET M. DENNE/TIM OWS

The photography of Kevin Coulton provides a close-up view of pollution. The photographs are on display at Fairview City Hall.

old sheet, and check in the morning for drips and leaks.

- Reduce or eliminate use of fertilizers, pesticides and herbicides,

especially if you live near rivers and lakes.

- Use and dispose of cleaners properly at home and at work. Consider natural alternatives to the

use of hazardous chemicals.

The exhibit is free and open to public between 9 a.m. and 5 p.m. City Hall, 300 Harrison St. Fairview.

# City of Fairview Environmental Issues Submittal

## Introduction

Fairview's environmental issues submittal demonstrates that water is the unifying theme that joins many issues and opportunities. Water is a precious resource to the City and to the Fairview Creek Watershed. The City of Fairview recognizes the interplay of activities which affect water quality. The following two chapters demonstrate Fairview's commitment as a part of a broader community to protect water resources through wise land use planning activities. Yet Fairview does not control the water agenda alone. It is but one player dedicated to play a vital role in the water cycle by:

**Keeping water safe.** Through a well-head protection ordinance and the cautious use of hazardous substances such as pesticides, fertilizers, herbicides

**Keeping water protected.** Participating in discussions and decisions regarding groundwater protection

**Keeping it wet.** Through protection of wetlands to reduce flooding, filter pollutants, recharge groundwater, trap silt, and sediment, and serve as a home to habitat.

**Keeping it useful.** Through construction management and erosion control and the recommended reinstatement of a riparian strip so that sediment and toxics do not blanket the bottom of waterbodies and smother fish eggs and aquatic plants.

The chapters which follow, reinforce Fairview's commitment to stewardship of water resources, wetlands, water features and natural areas through specific analyses and implementation measures. The City will continue to be a collaborative player in water quality management for those decisions requiring a watershed approach for resolution.

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# FAIRVIEW

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300 HARRISON ST., P.O. BOX 337  
FAIRVIEW, OREGON 97024  
(503)665-7929 FAX 666-0888

November 24, 1992

Jim Hinman  
Oregon Department of Land Conservation and Development  
1175 Court Street NE  
Salem, Oregon 97310

Dear Jim,

As you are aware, the City of Fairview has been working to complete its periodic review process. Our local review order was adopted by the City Council in July, 1990 and was subsequently submitted to LCDC for review and acknowledgement. In October of 1991, Michael Rupp (DLCD Plan Review Manager) wrote a letter to Andy Linehan of CH2M Hill which discussed four areas of concern which the City needed to address before our local order could be recommended for acknowledgement. These concerns were related to manufactured housing, residential facilities, airport noise and historic resources. In response to the October 1991 DLCD letter, I have written draft amendments to our local review order and zoning ordinance which I think satisfactorily address the above issues.

Beginning in late fall of 1991, questions have arisen about the adequacy of Fairview's protection of its land and water resources. At that time we met with Scott Pemble, Multnomah County Planning Director. We discussed the natural areas around Fairview Lake, the County SEC (Ordinance 234) regulations that were adopted in 1980 for development near the lake, and the City's SEC regulations and its Goal 5 periodic review work as they relate to the lake. After their meeting, the City decided to supplement its knowledge of the lake area natural resources by conducting a special inventory and to proceed with the Goal 5 ESEE analysis. A team of environmental scientists from CH2M Hill conducted a survey of the location, quality and quantity of fish and wildlife habitat areas in the Fairview Lake area. The resulting study was produced in July and will be part of the City's Goal 5 submittal. In August of 1992, the City contracted with CH2M Hill to analyze the economic, social, environmental and energy (ESEE) consequences of the conflicting uses of identical Goal 5 resources and to recommend a range of protective measures for identified resources. The two areas that are the main focus of the analysis are the Fairview Lake and Fairview Creek areas. Although the analysis is nearing completion, there was a delay experienced because of the ensuing water quality issues described below.

In mid August, Fairview received a letter from the Department of Environmental Quality (DEQ) regarding its Goal 5 work. The Department expressed various concerns and recommended that "... in addressing the Goal 5 ESEE analysis requirements and other land use or periodic reviews, a thorough analysis of potential impacts to ground and surface waters of residential and industrial development in the watershed, and particularly in the vicinity of Fairview Lake, should be included." DEQ further indicated it would be essential that a comprehensive study of the probable effects of land use changes and development on surface and ground water be undertaken prior to the approval of any land use changes or development proposals. In early September a meeting was held at the request of the City of Fairview with DEQ and



the Department of Land Conservation and Development (DLCD) to develop a more complete understanding of DEQ's concerns. During this meeting, DEQ representatives indicated that their main concern was about the treatment of stormwater runoff.

Fairview Lake is the headwaters of the Columbia Slough. The slough has been designated a "water quality limited" water body by DEQ. Metro and DEQ have undertaken a Total Maximum Daily Load (TMDL) study which will establish what the allowable stormwater pollutant loadings will be for the slough. Out of this will then come a set of Best Management Practices (BMP) for stormwater treatment (sedimentation control, tar and oil removal, etc.). These will be applied to the slough area and Fairview Creek Basin. Fairview as well as the Cities of Gresham and Portland are monitoring this program since they will be required to adopt and implement the BMP recommendations. These recommendations are not expected for another 16-18 months. However, Fairview is a co-applicant with the City of Gresham in Phase II of the National Pollution Discharge Elimination Study (NPDES) program. One of its products will be a stormwater management plan for the Fairview Creek basin which is scheduled to be completed by May, 1993. It will also include BMP's based on pollutant load modeling and water quality testing.

Also, in August, a Fairview Lake area resident mailed to the City of Fairview wildlife inventory sheets that reported an observation of the western pond turtle in Fairview. Fairview asked CH2M Hill for an analysis of the implications of this reported implication. CH2M Hill has researched the matter of the western pond turtle and responded to the City of Fairview by memo. Results of this research will be included in the City's submittal.

In October, a meeting was held in Congressman Wyden's office regarding concerns about the Boeing/Cascade TCE groundwater contamination plume and whether there should be a building moratorium in Fairview and north Gresham. Invitees to the meeting included, in addition to Congressman Wyden's office and some Interlachen area citizens, a representative from the 40-mile Loop Land Trust and DEQ's Environmental Clean-Up Division. Although Fairview was not present at the meeting, subsequent conversations with the Congressman's staff have been productive.

Goal 5 has been used as the basis for those raising the above water quality related issues. The City's Goal 5 ESEE analysis work has been diverted several times from its original scope in order to deal with stormwater and groundwater quality related issues. These issues were not anticipated at the time the City contracted with CH2M Hill to do the ESEE analysis. Nonetheless, in order to expedite the periodic review process, we see a need to address these issues in a comprehensive, integrated manner.

The City of Fairview is proud of its environmental record. It has taken and will continue to take an active role in protecting its surface and ground water quality. We recognize that the above issues and concerns will be raised before the LCDC after we submit our Local Review Order amendments. In light of this, what we propose is to submit in addition to our Goal 5 ESEE analysis, a comprehensive description of all of our actions that are designed to protect the environment. Our submittal will include at least the following:

#### GROUNDWATER

- ▶ The relationship of groundwater and surface water will be described. Community concerns will be listed.
- ▶ The facts about the TCE groundwater contamination plume will be presented, including the direction of the plume in relation to the City of Fairview. DEQ and the City of Portland will be consulted.

- ▶ Information about the City's Groundwater Protection Ordinance will be presented.

### SURFACE WATER PROTECTION

- ▶ The City's participation in the NPDES program will be described. The final document (Phase II) will contain BMP's for the entire Fairview Creek Basin.
- ▶ The City's Stormwater Drainage Master Plan process is now underway. Adoption is scheduled to occur by March 30, 1993. This study will be outlined.
- ▶ Reference will be made to the erosion control plan that the City will soon be considering for adoption. This document will specify what erosion control measures would be necessary during the construction phases of developments.

### GOAL 5 ANALYSIS

- ▶ The ESEE analysis will propose a riparian corridor protection ordinance for Fairview Creek and Fairview Lake.
- ▶ Reference will be made to the proposed Open Spaces and Park Plan that will recommend sites for City acquisition.
- ▶ Information about the western pond turtle will be provided.
- ▶ A description and ordinance will be provided relating to the City's efforts to preserve wetlands and fish habitat.

We propose the following time schedule for adopting and submitting to DLCD our entire package of local review order amendments and related ordinances:

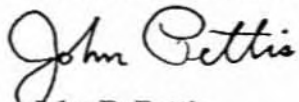
December 1992	Submit to DLCD a copy of draft amendments and ordinances for staff review.
January 1993	Planning Commission adoption hearing.
February 1993	City Council adoption hearing.
March 1993	Submit adopted amendments and ordinances to LCDC for acknowledgement hearings.

The City is anxious to complete its Periodic Review program. We know that our approach will not eliminate differences of opinion during the acknowledgement stage of the process; however, we do believe it offers a way to comprehensively address the issues that have been raised to date. It also provides LCDC and interested agencies and groups a complete set of facts about the actions the City has taken to protect its resources and the actions it intends to take in the future. This should result in a smoother and more efficient acknowledgement process.



We appreciate your patience and assistance while we have been trying to wrap-up our periodic review work. We hope that DLCD concurs with our outlined approach. If you have comments or questions please call me at 665-7929.

Sincerely,  
CITY OF FAIRVIEW

A handwritten signature in cursive script that reads "John B. Pettis". The signature is written in dark ink and is positioned above the printed name and title.

John B. Pettis  
City Planner

JP:nd

**City of Fairview**

**Goal 5 Analysis**

**Including Inventory, Analysis,**

**Recommendations, Policy, and Regulations**

**for the**

**Protection and Management**

**of**

**Water Features, Wetlands, and Natural Resources**

## Introduction

This document summarizes the economic, social, environmental and energy (ESEE) consequences of natural resource protection in the City of Fairview. It provides reasons explaining why decisions are made for the level of natural resource protection at different natural resource sites in conformance with Statewide Planning Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources and the Goal 5 Administrative Rule, ORS 660-16-000-660-16-025.

The ESEE Assessment and Recommendation Data Sheets included in Appendix 1 supplement and supersede the Goal 5 worksheets originally submitted with the City of Fairview's Final Local Review Order (Appendix 2). Chapter 1 Data Sheets identify each resource area and summarizes the location, quantity and quality of each resource. Chapter 2 further identifies the land uses that would adversely impact the inventoried resource that are allowed under the existing land use regulations. The location and uses analyzed are specifically identified on the Site Data Sheets. Since there are no areas in the City of Fairview where there are no conflicting uses for an identified resource, this chapter also generally balances the urban land needs with resource protection. Chapter 3 contains a summary of the protective measures proposed to conserve the water features, wetlands, and other natural areas in the City of Fairview. These measures provide development standards to ensure resource protection. These standards are included in their entirety in Appendix 4.

## Chapter 1

# Resources Inventory

The Natural Resources in the City of Fairview were inventoried at two different times. First in April 1989 for the original submission of the Comprehensive Plan and again in 1992 as a part of the 207th Avenue Corridor Assessment and as a field check to update the inventory information for areas on the Southshore of Fairview Lake (approximately 82 acres). Wetlands delineations for specific development proposals (Fairview Village, Portland Hospital Service Corporation, Lingelbach property) supplemented the original quantity and quality information.

The natural resources identification is based upon the above information and all written testimony and information received as well as the following sources:

- Aerial photography (1:4800 scale)
- City of Fairview Natural Resources Reconnaissance (April 2, 1989)
- Oregon Natural Heritage Data System search for rare, threatened and endangered plant and animal records (April 22, 1992)
- U.S. Soil Conservation Service *Soil Survey of Multnomah County, Oregon* (1983)
- U.S. Fish and Wildlife Service National Wetlands Inventory Map
- U.S. Geological Survey Water Resources Investigations Report 88-4110, *Lithology, Thickness, and Extent of Hydrogeologic Units Underlying the East Portland Area, Oregon* (1989)
- Oregon Department of Fish and Wildlife Biological Survey of Fairview Creek (October, 1991) and Fish inventory data (July 17, 1992)
- Friends of Blue and Fairview Lakes Wildlife Observation Data sheets
- A checklist of Portland Birds (*The Urban Naturalist*, 1984)

The updated natural areas inventory for the area South of Fairview Lake along with all testimony and observation sheets is provided in Appendix 3. Other documents not included as an attachment in this submission can be examined at the City of Fairview Planning Office.

Seventy-one natural resource sites were inventoried, evaluated and determined to be of significance. These sites are identified in Figure 1 and depicted in Map 1. Due to varying characteristics and values, the sites were categorized as either wetlands (WD), water feature (WF) or other natural resource (NR). Figure 1 introduces the site code used in the remainder

of the analysis and sets forth the approximate size of each site. More specific information is contained in the site data sheets. Some of the sites contain more detailed information than others. These sites were a part of technical natural resources inventories conducted by a trained biologist. Other sites contain more generalized information although all sites were toured by car and on foot (where possible). It is understood, however, that the same basic geologic and biological characteristics exist in the City irrespective of the differing levels of inventory detail. The Goal 5 requirements for a generalized inventory of natural areas has been met although some levels of adjustment may be anticipated to resource sites as development proposals are received.

Removal/fill in wetlands is regulated by the Division of State Lands (DSL) (ORS 541.605-541.695). Because wetlands identification procedures can change over time, the exact boundaries on the map located on page 4 and in the Fairview City Planning Office may not be accurate at the time of development. To determine exact wetland boundaries, a property owner should consult with the Division of State Lands or a wetlands delineation expert.

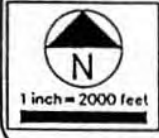
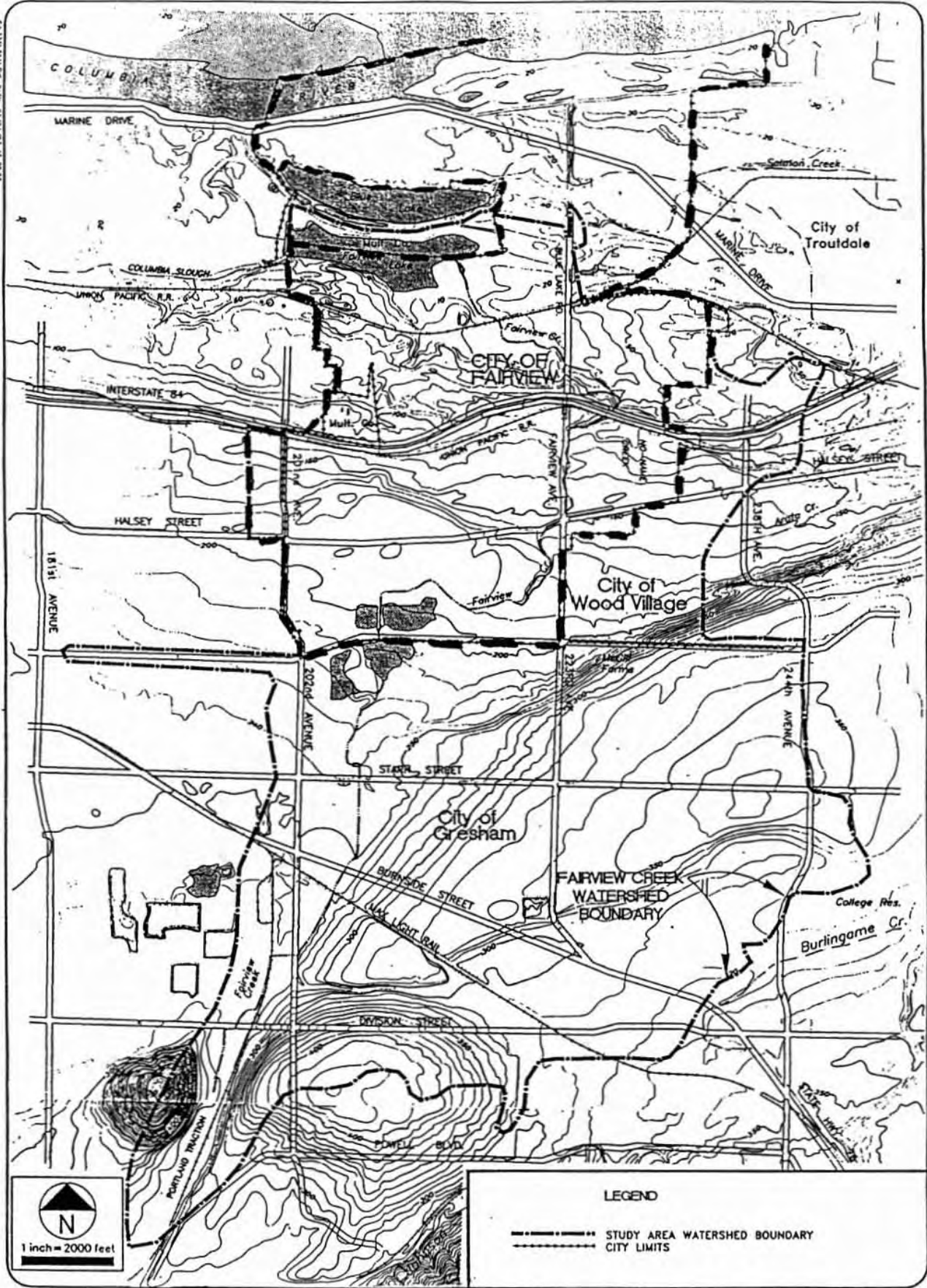
### **Overall Natural Area Impacts in Fairview**

Fairview has placed an increasingly high value on the conservation of open spaces and the protection of natural and scenic areas. The 1979 Comprehensive Plan for the City of Fairview acknowledges the importance of the riparian habitat along Fairview Lake, the majority of Fairview Creek and the Columbia River. Since 1979, the City of Fairview has strengthened its relationship to its rivers, streams and lakes.

Fairview recognizes that it is a link in a wildlife corridor chain that extends from the mouth of the Willamette and Columbia Rivers. Native vegetation along Fairview Lake, the Columbia River and Fairview Creek provide food and cover for migrating waterfowl and wildlife. Fairview's natural resource areas can also be seen to benefit water quality by controlling nutrient inputs into wetlands and stream surface water among other impacts. The riparian corridors also provide a visual amenity in Fairview as well as adding value for erosion control and sediment trapping. They also provide a ground water recharge area. Fairview further understands that it is a part of the Metropolitan Greenspaces significant Natural Areas Planning Process.

Fairview has therefore carefully assessed the City's site-specific Goal 5 resources and of the "impact area to be affected, if different (OAR 660-16-00012). Recognizing that "impact area" is not defined in either the statewide planning goals or LCDC Administrative Rules, the Fairview impact area could reasonably be the entire City. Believing that no useful purpose would be served by attempting to delineate a Goal 5 impact area "boundary" – where uses outside the resource site could impact the resource site, and uses of the resource site could impact surrounding uses, Fairview has chosen to address its impacts in an integrated fashion. If an impact area boundary were to be required, it would be the entire urban planning area and beyond. Fairview bases this conclusion on the fact that the entire City is in the Fairview Creek watershed (see Watershed Map).

8548 1/4 154/12/78 3000-2411/15/15/2.5



**LEGEND**

--- STUDY AREA WATERSHED BOUNDARY

--- CITY LIMITS

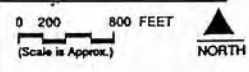
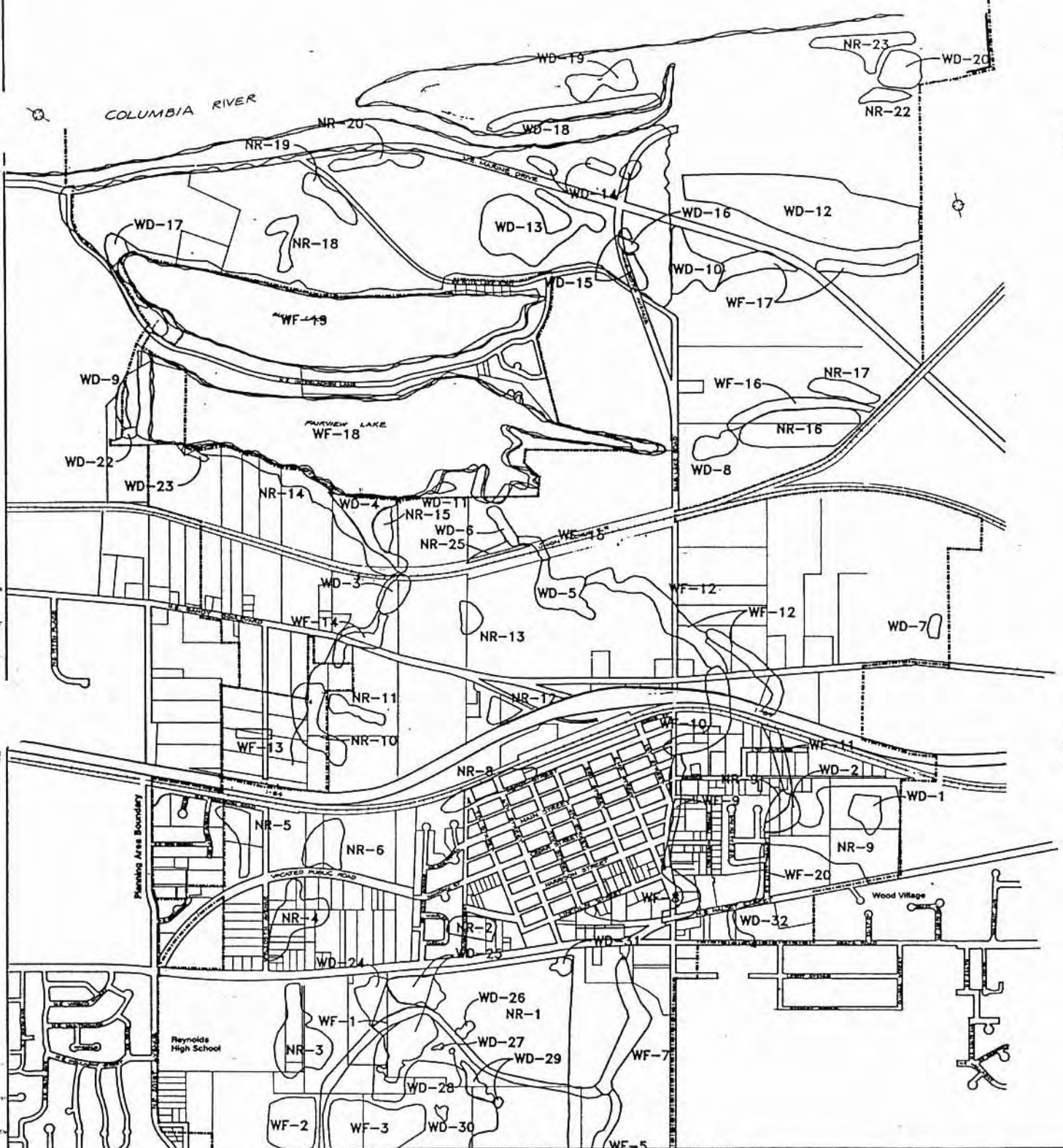
DATE  
Mar., 1993

**WATERSHED MAP**

Fairview Creek  
Drainage Basin

**OF FAIRVIEW**

**OAKLEY ENGINEERING, INC.**  
DRAINAGE PLANNING & DESIGN, HYDROLOGY,  
CIVIL ENGINEERING, & SITE DEVELOPMENT  
700 N.E. Hayden Island Dr., Suite 340 - Portland, OR  
TEL (503) 289-7411 - FAX (503) 289-7656



**CITY OF FAIRVIEW  
WATER FEATURES, WETLANDS,  
AND NATURAL RESOURCES**

- WD WETLAND
- WF WATER FEATURES
- NR NATURAL RESOURCES

--- FAIRVIEW CITY LIMIT  
--- PLANNING AREA

5-5-93

Twelvemile  
Corner

**Figure 1  
Size of Resource Sites Inventoried**

Wetlands		Natural Resources		Water Feature	
Number	Approximate Size	Number	Approximate Size	Number	Approximate Size
1	1.84	1	52.28	1	5.18
2	1.34	2	1.9	2	4.64
3	1.75	3	6.01	3	8.04
4	4.7	4	4.63	5	1.13
5	3.60	5	2.12	7	4.48
6	1.0	6	3.04	9	1.84
7	.50	8	3.14	10	4.44
8	1.74	9	14.30	11	1.46
9	.83	10	4.37	12	8.19
10	3.81	11	1.36	13	.67
11	.5	12	1.18	14	1.86
12	22.22	13	1.14	15	.64
13	9.9	14	5.86	16	3.02
14	1.75	15	1.30	17	4.60
15	1.1	16	7.66	18	68.18
16	.92	17	2.01	19	49.11
17	1.02	18	1.55	20	1.00
18	4.20	19	2.12		
19	11.56	20	2.0		
20	2.65	22	1.04		
22	1.04	23	13.47		
23	0.36				
24	2.71	25	.83		
25	6.88				
26	.38				
27	.10				
28	.05				
29	1.26				
30	.26				
31	.55				
32	1.00				
<b>Total</b>	<b>88.73</b>		<b>123.33</b>		<b>168.04</b>

A total of about 415 acres were inventoried as wetlands, water bodies, and upland natural areas for purposes of Statewide Planning Goal 5, the Natural Resources Element of the Comprehensive Plan of the City of Fairview. This represents about 18.5 percent of the approximately 2,243 acres within the City Fairview.



Therefore, construction management practices as well as the establishment of best management practices are examples of regulatory initiatives which deal with surface water discharges in the "impact area." Additionally, Fairview has suggested the reinstatement of a riparian buffer on the north side of Fairview Lake in unincorporated Multnomah County because it is believed that the lack of vegetative fringe could have a negative impact on the Fairview Lake ecosystem.

Fish habitat is an important natural area which is valued in Fairview. Riparian corridors provide shade and food for fish species. Responding to the needs of fish habitat the City of Fairview constructed fish baffles in the bottom of the new Bridge Street Box Culvert to assist in the migration of fish in the stream. The baffles were placed in a depressed section of the culvert below the stream bed, which will ensure that the baffles will always have water.

Fairview has further recognized the interrelationships between activities that occur immediately adjacent to the City's corporate boundaries as well as within its urban planning area. These interrelationships are also examined for implications on the natural resource system in the City of Fairview.

Fairview also evaluated the implications of reported observations of a western pond turtle ( *Clemmys marmorata*) in the City of Fairview in August 1992. This observation was reported on the Friends of Blue and Fairview Lakes wildlife observation sheets. The specific analysis can be found in Appendix 3. Along with other information, Fairview concluded that not enough information was known to enable decision on the impact of the reported observation of a western pond turtle. If the turtle were to be present, a turtle management plan would appear to be required to attempt to protect the habitat. Fairview felt other resource agencies must provide guidance regarding how to address this issue.

This chapter has addressed the overall importance of natural resource values to the City of Fairview and the manner in which these resources were inventoried and acknowledged to add to the overall quality of life. Inevitably, however, there are conflicts between the natural resources and other land use needs that exist. The following chapter addresses these conflicts.

## Chapter 2

# Analysis of Economic, Social, Environmental, and Energy Consequences of Resource Protection

Both the resources and the conflicting uses may benefit the fabric that constitutes a full service city. It is the balancing of these uses that is the goal of the ESEE analysis. LCDC recognized this fact in its Administrative Rule when it charged local governments to identify conflicts with inventoried Goal 5 resource sites. This task is done by examining the uses allowed in broad zoning districts and comparing these uses with the natural resource area sites identified. The outcome of this analysis will determine whether there are conflicting uses and, to some degree, the magnitude of the conflicting use.

### Compatible and Conflicting Uses

#### *Compatible Uses*

The uses that can be conducted in manner that will not cause resource degradation are uses that do not disturb vegetation or increase bank erosion. Such uses include:

- Aesthetic enjoyment of resources
- Open space uses not including recreation (which can create littering and the destruction of vegetation in much the same as other conflicting uses)

#### *Conflicting Uses*

Numerous uses are not compatible with resource protection but are allowed by the City of Fairview zoning ordinance. If these uses are allowed some level of natural resource degradation would result. These uses are particularly enumerated on the Site Data Sheets included in Appendix 1.

Once conflicting uses are identified, Statewide Planning Goal 5 and its Administrative Rule require the jurisdiction to analyze the economic, social, environmental and energy consequences of resource protection. If no conflicts exist, the resource must be protected.

Reasons must be provided that demonstrate the decision making process of the jurisdiction. One of three decisions provided for under the Goal 5 Administrative Rule must be made. These decisions are:

- Fully allow the conflicting use without other land use restrictions. This situation would occur when the jurisdiction feels the conflicting use is important enough to be unrestricted even though it would have a negative impact on the resource.

- Limit the conflicting use in a manner that protects the resource in some manner. This situation acknowledges that both the resource and the conflicting use can be important to the jurisdiction and that restrictions can be placed on the conflicting uses while at the same time protecting resource values to some degree.
- Protecting the resource fully. This situation occurs in cases where the resource is significant enough to merit full protection from all conflicting uses.

The following section contains a general description of the specific conflicting uses allowed by land use classification. In addition, basic utilities and other activities identified as Area Accessory Development (Article 4. General Development Standards of the City of Fairview Zoning Ordinance 9-1990) have been identified as conflicting uses. Although these accessory activities have few adverse environmental impacts, they do disturb the surface of identified natural areas. Certain types of utility uses such as storm water detention areas are provided for because they have long term positive environmental benefit. Nonetheless, they are included as conflicting uses because they do disrupt the environment to some minimal extent.

The following is a general discussion of both the resource and existing or potential land uses that could result from complete resource protection or lack of protection. This general description must be combined with any additive finding contained in the site data sheets to adequately resolve the conflicts called for by Goal 5. A general analysis with amplifying data is included because many economic, social, environmental and energy (ESEE) impacts are common to all resource sites within Fairview. Additionally, LCDC has agreed that occasions may exist where specificity beyond a general analysis is needed "... but only in the rare [emphasis added] circumstance where a conflicting use is somehow inexorably tied to a particular location" (see Brief *Amicus Curia*, Land Conservation and Development Commission before the Court of Appeals in *Columbia Steel Castings Co. v. City of Portland*). The resource sites/inventory units were thereby consolidated for the purposes of the general ESEE analysis. Each data sheet incorporates this general analysis and the two forms of analysis should be considered together. Together they constitute the reasons why decisions are made for resource sites.

### ***General Economic Consequences***

Property values may be limited through decreased development potential. However, demand is often a function of the aesthetic desirability of the surrounding property. If development potential is determined to be decreased solely because of a limitation on the maximum development distribution allowed in a zone, then it can be said that property values could decrease. However, developments that have natural areas as amenities may have higher property values over those having no amenities. This is true for both residential and industrial areas. Of course, Fairview's tax base is directly related to market value.

Negative impacts may be greatest in industrial areas where the number of jobs created is more directly related to floor area ratios or for industrial uses that are highly locationally

dependent. The ESEE consequence analysis must also weigh the cost of a suggested regulatory measures/natural resource protection on property values. Council must weight consequences between resource protection and the loss of value to development.

The anticipated economic value of the loss to property owners due to regulation would be:

- Reduced crop yield prior to development if agricultural practices were to conform to new regulations.
- Highly site specific value of Lakeside/Creekside properties diminished (e.g., residential homes may have no or limited site access to the lake/creek due to setback or other resource protection requirement.

These economic impacts, though hard to quantify could result in a lower value housing type which would diminish anticipated property tax revenues. This in turn could have other economic impacts.

Individual property owner economic impacts and expectations must also be considered. Though no "taking" of property was anticipated, testimony in the record indicated that property owners had acquired their property with the expectation that housing types would be compatible with the amenity value offered by the site (view of the lake, creek, etc.). Riparian corridor buffers could extinguish or limit this amenity. Thus, protection of natural resources can be generally concluded to have both positive and negative impacts. Fairview has concluded that resource protection can be interrelated with development objectives in a manner which enhances development potential.

### *General Social Consequences*

Protection of a riparian strip provides a visual sense of edge between natural and urban land uses. Protection of natural resources creates visual variety in the landscape and serves as a connection to other greenspaces. It can provide a sense of separation between uses and lessen the impact of one activity to another.

Failure to protect the resource allows more choice regarding individual property maintenance without imposing societal or city values. This could lead to diversity of visual experience. Some may choose to mow lawns to creek and lake edge, for example, while other treatments may choose some degree of buffering. Whether this approach creates more conflict or harmony could be an issue of debate. Additionally, the attitudes and expectations individuals may have toward the area in which he or she lives can be taken into consideration in a subjective manner. Residents may have grown accustomed to vacant land without any visual obstruction. Clearly, any development would then be viewed as creating a negative social impact. In general, some level of protection of natural resources results in a positive social benefit.

## *General Environmental Consequences*

Water quality is protected by natural vegetation. Likewise, flood control and groundwater recharge and discharge are a positive benefit of natural areas. The provision of natural area buffers can reduce pollutants entering stream corridors. Vegetation creates shade for fish and provides habitat (food and cover) for numerous species. It also traps sediments from entering streams and lakes. Increasing impervious ground area (parking lots, rooftops) will allow pollutants to find their way more directly to creeks, lakes and groundwater. Without some level of buffer or other protection, there is no method to stop pollutants before they reach these destinations. For these and other reasons, the environmentally beneficial aspects of protecting natural areas can be said to be a positive attribute.

## *General Energy Consequences*

There are no identified energy resources in the City of Fairview, nor will decisions to protect natural resources have anything more than a very tangential impact on energy consumption.

Vegetation provides shade which has a cooling effect in the summer. Clustering development to protect resource areas may have a beneficial effect on energy consumption. Clustering also results in more efficient infrastructure delivery.

## *Summary ESEE General Consequences and Fairview's Policy Conclusion*

Overall, then, resource protection was determined to be positive. However, protecting resources fully was not merited because it would limit Fairview's ability to meet its housing density obligations and possibly reduce choice options. Disallowing accessory uses such as infrastructure needed to serve development would likewise remove the development potential of entire parcels. It may also limit long term social benefits since no recreational use—no matter how passive—would be allowed.

Limiting conflicting uses in a manner that protects the resource was chosen as the most acceptable means to balance ESEE needs. It is the City's intent to allow development to occur and protect its resources. The needs of the community for housing and jobs balanced with protection of resources for social and environmental benefit was the overall conclusion of the analysis.

The following policy language amends the City of Fairview's Comprehensive Land Use Plan pertaining to identified natural resources:

### **Fairview Natural Resources Policy**

To limit conflicting uses with identified resource areas to provide habitat for wildlife, to provide visual diversity, and to enhance water quality in a manner that will maintain the attractiveness and liveability of the City.

## Chapter 3

# Resource Protective and Management Measures

This chapter summarizes the policies, regulations, and procedures that provide a high degree of protection to identified Goal 5 resources while allowing appropriate levels of development to occur. These measures were instituted by Fairview to take advantage of the positive values which wetlands, water features, and natural areas represent. They also reflect the pragmatic reality that to fully protect resources would result in negative consequences if development were completely prohibited in a rapidly urbanizing area and pushed from public services. The protective measures fall into the following categories:

- **Plan Policy.** Amending the City's Comprehensive Plan Policy to establish the importance of natural resource values (see Chapter 2).
- **Regulatory Measures.** Adopting implementing measures to establish a riparian corridor along Fairview Creek, Fairview Lake, and the Columbia Slough. The corridor is at least 35 feet wide from the top of bank except when wetlands areas noted on the map where a greater area is consistent with the resources. The riparian corridor buffer overlay district allows accessory (infrastructure) development uses, but is otherwise effective in reducing the adverse impacts of specific land uses on the resource. The significant environmental concern overlay zone (SEC) is intended to allow development in nonriparian resource areas but in a manner which minimizes impacts on identified resources.
- **Protective Procedures.** Conservation easements, deed restrictions, or dedication of land as a requirement of development approval.
- **Construction management, and land disturbance ordinance** minimizes vegetation disturbance and prevents stream bank erosion. The erosion control ordinance is an engineering plan which is administered by Department of Public Works.
- **Active coordination** with the Division of State Lands and Army Corps of Engineers to ensure that wetland protection requirements are fully achieved and, when appropriate, requiring conservation easements or dedication.
- **Tree removal regulations** for upland areas that will retain and enhance native vegetation and tree canopy. Existing trees over six inches in diameter and four feet from the ground will be preserved wherever possible pursuant to significant environmental concern regulations.
- **Reinstigation of a riparian strip** and discouraging lawn mowing to the edge of the lake bank on the north side of Fairview Lake. Fairview recommends

the reestablishment of the riparian strip on the Northshore of Fairview Lake as a condition of development or redevelopment and will seek a cooperative agreement with Multnomah County that would accomplish this goal. This recommendation is included to further respond to the growing public concern about water quality in Fairview Lake and the view that riparian corridors benefit water quality.

Appendix 1 and Chapter 1 contain a general and site-specific conflicting use identification assessment for all the sites within a particular zone classification. The following two maps depict the two main resource protective measures identified to protect the resources in a manner which addressed the resource conflicts. They are (1) the Significant Environmental Concern (SEC) Overlay District, and (2) the Riparian Buffer Overlay District.

The SEC overlay district is intended to allow development of resource areas with the uses allowed by the underlying zoning district, but in a way that has minimal impacts on identified resources. The SEC approval criteria address the different types of resources and their corresponding protection goals. Conditions can be imposed as part of an SEC permit, which can limit or modify the location and design of buildings, parking areas, and other improvements in order to meet the applicable resource criteria. As discussed in Chapter 3, amendments to this zoning district would impose tree removal regulations and strengthen the wetland protection measures.

The Riparian Buffer Overlay District protects the more sensitive natural resources of the City, which are its major water features and associated riparian environment. These areas serve many functions, including providing habitat for fish and wildlife, maintaining water quality, and reducing flood damage. In light of their high value, the Riparian District is more restrictive than the SEC regulations. A 35-foot building setback is required from the top of the bank for Fairview Creek and Fairview Lake and a 25-foot setback is required along Osburn Creek. Within this setback area, development is limited primarily to infrastructure-type development (roads and utilities) that is needed to development land adjacent to riparian areas. An exception process can allow other uses, but only after a hardship situation can be demonstrated at a public meeting.

In addition to the 35-foot setback requirement along Fairview Creek and Fairview Lake, the Riparian District will afford protection to the following resources:

- Entire areas of wetlands that extend outside the above riparian buffer along Fairview Creek and Fairview Lake.
- Fairview Lake which is the City's most important water feature.
- No Name Creek north of N.E. Sandy Boulevard. This is the most significant part of the creek in that it is in a tree-lined, natural condition. It has not been channelized or diverted as is the case in most areas of this creek south of Sandy Boulevard.

- Osburn Creek north of the I-84 freeway. Oregon Department of Fish and Wildlife (ODFW) has recommended that this section of the creek be protected because the agency found cutthroat trout in it. As suggested by ODFW, a 25-foot setback from the top of the bank is required. Osburn Creek is smaller than Fairview Creek and has a lower water flow. The 25-foot setback was considered adequate by ODFW based on the size of the creek and the local topographic conditions.
- The upland wooded areas near Fairview Creek on the Tektronix property. This is the largest and most significant wooded area in the City. ODFW has indicated that the lengthy exposure of the creek to the woods results in a substantial decrease in water temperature. This cooling effect makes Fairview Creek more hospitable for coldwater fish such as trout. Although those trees within 35 feet of the creek banks would be protected by the Riparian District, ODFW would like to work with the City to see whether a greater setback distance would be appropriate for this section of Fairview Creek. This City will consult with ODFW about this matter and will consider amending the Riparian District in this regard.

## Buffer Width Analysis

The scientific literature examined indicate that riparian corridor buffers are resource protective measures. There was not agreement, however, on the adequacy of differing buffer widths. during the public hearing process before the Fairview Planning Commission and Council. Testimony on setback or buffer widths ranged between no buffers at all to a buffer of 300 feet or more. The City of Gresham has adopted a 25-foot setback for Fairview Creek. The City of Portland's Natural Resource Management Plan for the Columbia South Shore is proposing a 50-foot setback along the Columbia Slough. In the main, the City of Portland setback buffers more intensive industrial uses allowed along the Columbia Slough than the principally residential uses in Fairview. Also in 1980 Multnomah County adopted a 35-foot building setback from the mean low water line for the unincorporated shoreline area of Fairview Lake which were designated SEC (Ordinance No. 234).

The Washington Department of Ecology report titled *Wetland Buffers Use and Effectiveness*<sup>1</sup>, February 1992, was used extensively to analyze the effectiveness of different buffer widths to protect resource values. The findings and conclusions from the Washington Department of Ecology's report are available for examination in the City of Fairview Planning Office. A clear finding was that buffer effectiveness increases a buffer width increases.

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<sup>1</sup>Castelle, A. J., C. Conolly, M. Emers, E. D. Metz, S. Meyer, M. Witter, S. Mauermann, T. Erickson, S. S. Cooke. 1992. *Wetland Buffers: Use and Effectiveness*. Adolfsen Associates, Inc., Shorelands and Coastal Zone Management Program, Washington Department of Ecology, Olympia, Pub. No. 92-10.



Clearly then the more buffer, the more protection. The Fairview Council's task was to balance the needs for economic development contained in the ESEE analysis with a buffer width that protected natural resource values, such as water quality and habitat protection.

### **Water Quality**

Buffers provide vegetative cover and can reduce impacts on water quality. Buffers with vegetative cover and slopes of less than 15 percent are most effective in protecting water quality. The majority of Fairview's riparian areas are relatively flat. A 35-foot buffer in Fairview could therefore be as effective as a wider buffer elsewhere. Also, when coupled with the City's erosion control ordinance, a buffer width of 35 feet was believed to be effective in reducing water quality impacts of construction.

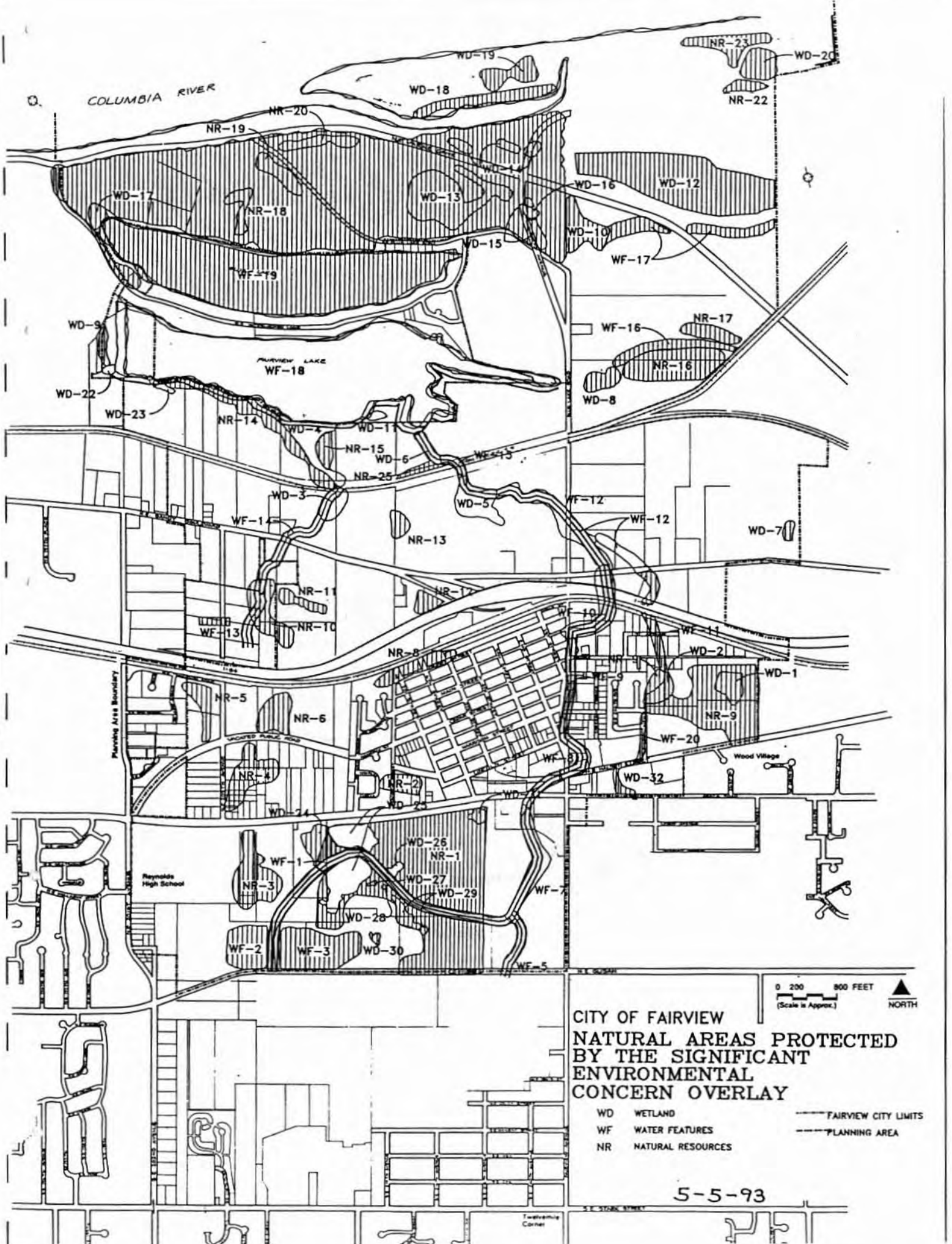
### **Fish Habitat Protection**

Temperature moderation for fish habitat is provided by smaller buffer widths than other species values. ODFW has recommended a 25-foot setback along Osburn Creek to moderate temperature.

### **Wildlife Habitat Protection**

The evidence before Fairview did not conclude that any unique wildlife functions were present, with the exception of the possible siting of a western pond turtle. Clearly a wider buffer allows more wetland dependent wildlife to find food and cover. No findings were provided that a 50-foot, 35-foot, or 25-foot buffer would threaten species. Studies have indicated that buffers of 50 to 150 feet are needed to protect a wetland from human disturbance, such as trampling and debris. Yet the City's riparian protection overlay ordinance was designed to mitigate human disturbance impacts while allowing housing within the site distance of the amenity. In short, very little alteration is allowed in the riparian area. Ownership of the buffer area is also significant. Testimony before the Fairview Council demonstrated landowner sensitivity to the potential negative habitat impacts of such practices as dumping refuse and yard waste and spraying vegetation. Landowners expressed the need to live in harmony with the habitat. They expressed the desire to maintain the riparian corridors as travel corridors for birds and other animals. The Washington Department of Ecology found that such corridors increase habitat areas and the ability to maintain viable wildlife populations (see page 7).

In balancing human needs and habitat needs, Fairview decided to adopt a 35-foot setback along with other protective measures. The desire was to provide an adequate level of protection while allowing housing choice and facilitating job creation.



COLUMBIA RIVER

FAIRVIEW LAKE

Reynolds High School

Wood Village

**CITY OF FAIRVIEW  
NATURAL AREAS PROTECTED  
BY THE SIGNIFICANT  
ENVIRONMENTAL  
CONCERN OVERLAY**

- |    |                   |     |                      |
|----|-------------------|-----|----------------------|
| WD | WETLAND           | --- | FAIRVIEW CITY LIMITS |
| WF | WATER FEATURES    | --- | PLANNING AREA        |
| NR | NATURAL RESOURCES |     |                      |

0 200 800 FEET  
(Scale is Approx.)

▲ NORTH

5-5-93

Twelfth  
Corner

X.F. STOK STREET

