

Commentary is for information only.
 Proposed new language is double-underlined;
 Proposed deleted language is ~~stricken~~.

[DRAFT] ORDINANCE NO.

**AMENDMENTS TO VOLUME 3, DEVELOPMENT CODE OF THE GRESHAM COMMUNITY
 DEVELOPMENT PLAN, REGARDING MODIFYING THE DURATION OF EXEMPTION FROM
 SUBSEQUENTLY ADOPTED LAND USE ORDINANCES FOR SUBDIVISIONS**

THE CITY OF GRESHAM DOES ORDAIN AS FOLLOWS:

Section 1. Volume 3, Development Code, Article 6 Land Divisions, Section 6.0200 Partitions and Subdivisions is amended as follows:

| Proposed Text Amendment | Commentary |
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| <p>6.0211 Phased Subdivision *** The approval authority may authorize a time schedule for platting a subdivision in phases. Each phase may be for a period of time in excess of one year but the total time period for all phases shall not be greater than five years without resubmission of the tentative plan. Each phase so platted and developed shall conform to the applicable requirements of this code. Portions platted after the passage of one year shall be required to have modifications if necessary to avoid conflicts with a change in the Community Development Plan. ***</p> | <p><i>Removal of language that conflicts with Section 6.0212, providing a 3-year exemption from subsequently adopted land use ordinance.</i></p> |
| <p>6.0212 Duration of Exemption from Subsequently Adopted Land use Ordinance *** For the purposes of ORS 92.040(2) and (3), after September 9, 1995, construction within an approved subdivision shall at the Applicant’s discretion be subject to the City of Gresham land use laws that were in effect on the date the tentative subdivision plan application was made and shall not be subject to subsequently adopted City of Gresham land use laws. This exemption from subsequently adopted City of Gresham land use laws shall terminate 3 years from the date the City of Gresham land use decision on the tentative subdivision becomes final <u>from the date of the recording of the final plat. In no instance shall this exemption extend beyond 10 years from tentative plan approval.</u></p> | <p><i>Update of code language to measure 3-year duration of exemption from the date of recording of the final plat, in lieu of the date of land use decision for the tentative subdivision.</i></p> <p><i>Addition of language to limit the maximum length of time for the exemption to 10 years from tentative plan approval, consistent with ORS 92.040(3).</i></p> |

Exhibit A – Proposed Text Amendments
 April 18, 2023

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Section 2. Emergency Clause and Effective Date. The City Council finds that the Subdivision Vesting Period update will support the State Legislature’s and City of Gresham’s prioritization of needed housing production, and that this Ordinance is necessary to immediately modify a city process that has constricted and delayed the continued production of needed housing. This Ordinance shall take effect on April 19, 2023.

First reading and passed: _____
Yes: _____
No: _____
Absent: _____
Abstain: _____

Nina Vetter
City Manager

Travis Stovall
Mayor

Approved as to Form:

Kevin R. McConnell
City Attorney