

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING)	ORDINANCE NO 96-655 <u>DE</u>
URBAN RESERVE AREAS FOR THE)	
PORTLAND METROPOLITAN AREA URBAN)	Introduced by Executive Officer
GROWTH BOUNDARY; AMENDING RUGGO)	Mike Burton
ORDINANCE NO. 95-625A AND METRO CODE)	
CHAPTER 3.01; AND DECLARING AN)	
EMERGENCY)	

WHEREAS, ORS 197.298(1)(a) requires that land designated as urban reserve land by Metro shall be the first priority land for inclusion in the Metro Urban Growth Boundary; and

WHEREAS, the Land Conservation and Development Commission's (LCDC's) Urban Reserve Area Rule at OAR 660-21-020 requires Metro to designate the location of urban reserve areas for the Portland Metropolitan area within two miles of the regional Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-020, requires that urban reserve areas designated by Metro shall be shown on all applicable comprehensive plan and zoning maps; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(1), requires that urban reserve areas shall include at least a 10 to 30 year supply of developable land beyond the 20 year supply in the Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(2), requires that Metro study lands adjacent to the Urban Growth Boundary for suitability as urban reserve areas; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(3), requires that land found suitable for an urban reserve area must be included according to the

Rule's priorities and that first priority lands are those lands identified in comprehensive plans as exception areas plus those resource lands completely surrounded by exception areas which are not high value crop areas; and

WHEREAS, Resolution No. 95-2244 established urban reserve study areas as the subject of Metro's continued study for possible designation as urban reserve areas consistent with LCDC's Urban Reserve Area Rule; and

WHEREAS, urban reserve study areas are shown on the 2040 Growth Concept Map in Ordinance No. 95-625A adopting the Regional Urban Growth Goals and Objectives (RUGGO) which was acknowledged by LCDC Compliance Order 96-ACK-010 on December 9, 1996; and

WHEREAS, Metro has undertaken a detailed analysis of the suitability of the study areas for designation as urban reserve areas, including the June, 1996 Metro Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas; and

WHEREAS, an Urban Growth Report containing data about the relative suitability of lands as urban reserves, maps and descriptions of the physical characteristics of the study areas published by the Executive Officer was accepted by the Metro Council as amended in Resolution No. 96-2392B and forwarded to the Metro Council; and

WHEREAS, a series of open houses near the Urban Growth Boundary was held in June, 1996 at Oregon City, Clackamas, Tualatin and Beaverton with residents owning property in study areas notified by mail, print ads and flyers to schools; and

WHEREAS, the Metro Council held public hearing listening posts concerning the urban reserves and the Executive Officer Urban Reserve Recommendation in

November and December, 1996 in Hillsboro, Gresham, Beaverton, Oak Grove and at Metro; and

WHEREAS, the Metro Council considered all the evidence in the record and public testimony in December, 1996 and February, 1997 work sessions to select urban reserve areas; and

WHEREAS, notice of the proposed urban reserve areas and the proposed postacknowledgment amendments to the acknowledged RUGGO ordinance and the acknowledged Metro Code 3.01 have been given consistent with ORS 197.610(1); now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 3.01, Metro's acknowledged "Urban Growth Boundary Amendment Procedures," are hereby amended as indicated in Exhibit "A," attached and incorporated herein.

Section 2. Ordinance No. 95-625A is hereby amended to replace the urban reserve study areas indicated on the 2040 Growth Concept Map with the urban reserve areas designated in Section 3 of this Ordinance.

Section 3. Urban reserve areas indicated on the map attached as Exhibit "B", and incorporated herein, are hereby designated as the urban reserve areas for the Metro Urban Growth Boundary for the purposes of (1) application of Metro Code 3.01, (2) amendment of the acknowledged 2040 Growth Concept Map, (3) compliance with the Urban Reserve Areas Rule at OAR 660-21-020, and (4) identifying lands of first priority for inclusion in the Metro Urban Growth Boundary as required by ORS 197.298.

Section 4. The urban reserve areas on Exhibit "B" shall be shown on all applicable county comprehensive plan and zoning maps as required by the Urban Reserve Areas Rule at OAR 660-21-020.

Section 5. The First Tier Urban Reserves Map attached to Exhibit A is hereby incorporated by reference into this Ordinance.

Section 56. The designation of urban reserve areas prior to March, 1997 applications for amendments to the Metro Urban Growth Boundary is necessary to preserve the health, safety or welfare of the Metro region; therefore, an emergency is hereby declared to exist, and this Ordinance shall take effect upon passage.

Section 67. The provisions of this ordinance are separate and severable. The invalidity of any clause, sentence, paragraph, section, subsection, or portion of this ordinance or the invalidity of the application thereof to any city, county, person or circumstance shall not affect the validity of the remaining provisions of this ordinance or its application to other cities, counties, persons or circumstances.

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ADOPTED by the Metro Council this _____ day of _____, 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

EXHIBIT A

Amendments to Metro Code 3.01

Title Section is amended as follows:

"URBAN GROWTH BOUNDARY AND URBAN RESERVE PROCEDURES

SECTIONS TITLE

- 3.01.005 Purpose
- 3.01.010 Definitions
- 3.01.012 Urban Reserves
- 3.01.015 Legislative Amendment Procedures"

Section 3.01.005(a), sentence is added at end as follows:

". . . other than Goals 2 and 14. This chapter is also established to be used for the establishment and management of Urban Reserves, pursuant to OAR 660-21-000 to 660-21-100 and RUGGO Objective 22."

Section 3.01.005(c) is added as follows:

(c) The objectives of the Urban Reserves are to:

- (1) Identify sufficient land suitable for urbanization sufficient to accommodate the forecast needs for a 30 to 50 year interval, reevaluated at least every 15 years;
- (2) Limit the areas which are eligible to apply for inclusion to the Urban Growth Boundary consistent with ORS 197.298, and protect resource lands outside the urban reserve areas;
- (3) Protect lands designated as urban reserves for their eventual urbanization, and insure their efficient urbanization consistent with the 2040 Growth Concept, the RUGGOs and the Urban Growth Management Functional Plan;
- (4) Provide for coordination between cities, counties, school districts, and special districts for planning for the urban reserve areas;
- (5) Ensure a smooth transition to urban development by planning for general governance, public facilities, land uses, and planning for financing the capital needs of the urban development."

Section 3.01.010(z) is amended as follows:

"(z) "Urban reserve" means an area adjacent to the present UGB defined to be a priority location for any future UGB amendments when needed. Urban

reserves are defined as the land likely to be needed including all developable land inside the current urban growth boundary, for a 30 to 50 year period."

Section 3.01.010 is amended to add an additional term and definition as follows:

"(e) 'First Tier Urban Reserves' means those urban reserves to be first urbanized because they can be most cost-effectively provided with urban services by affected cities and service districts as so designated and mapped in a Metro Council ordinance."

"(y) 'Special land need' means a specific type of identified land needed which complies with Goal 14, Factors 1 and 2 that cannot be reasonably accommodated on first tier urban reserve land."

Section 3.01.012 is added as follows:

"3.01.012 Urban Reserve Areas

(a) Purpose

The purpose of this section is to comply with ORS 197.298 by identifying lands designated urban reserve land by Metro as the first priority land for inclusion in the Metro Urban Growth Boundary.

(b) Amount of Land Required

- (1) The areas designated as urban reserves shall be sufficient to accommodate expected urban development for a 30 to 50 year period, including an estimate of all potential developable and redevelopable land in the urban area.
- (2) Metro shall estimate the capacity of the urban reserves consistent with the procedures for estimating capacity of the urban area as defined in Section 3.01.010.
- (3) The minimum residential density to be used in calculating the need for urban reserves, estimating the capacity of the areas designated as urban reserves and required in concept plans shall be at least 10 dwelling units per net developable acre.
- (4) Metro shall designate the amount of urban reserves estimated to accommodate the forecast need.
- (5) Metro may designate a portion of the land required for urban reserves in order to phase designation of urban reserves.

(c) Mapped Urban Reserves

- (1) Metro has designated as urban reserve areas those lands indicated on the 2040 Growth Concept map as part of the Regional Urban Growth Goals and Objectives.
- (2) Urban growth boundary amendments shall include only land designated as urban reserves unless designated urban reserve

lands are inadequate to meet the need. If land designated as urban reserves is inadequate to meet the need, the priorities in ORS 197.298 shall be followed.

- (3) Within 1 year of Metro Council adoption of the urban reserve ordinance, the Metro Council shall modify the Metro 2040 Growth Concept to designate regional design types consistent with the Metro 2040 Growth Concept for all designated urban reserves.

(d) First Tier

First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves.

(e) Urban Reserve Plan Required

A conceptual land use plan and concept map which demonstrates compliance with the RUGGO and the 2040 Growth Concept design types and any applicable functional plan provisions shall be required for all major amendment applications and legislative amendments of the urban growth boundary including at least the following, when applicable:

- (1) Provision for either annexation to a city and any necessary service districts at the time of the final approval of the urban growth boundary amendment consistent with 3.01.065 or an applicable city-county planning area agreement which requires at least the following:

(A) City or county agreement to adopt comprehensive plan provisions for the lands added to the urban growth boundary which comply with all requirements of urban reserve plan conditions of the urban growth boundary approval;

(B) City and county agreement that lands added to the urban growth boundary shall be rezoned for urban development only upon annexation or agreement for delayed annexation to the city and any necessary service district identified in the approved Concept Plan or incorporation as a new city; and

(C) County agreement that, prior to annexation to the city and any necessary service districts, rural zoning that ensures a range of opportunities for the orderly, economic, and efficient provision of urban services when these lands are included in the urban growth boundary remains in place until city annexation and the adoption of urban zoning.

- (2) Notwithstanding (1) above, the Metro Council may approve a major or legislative amendment to the urban growth boundary if the proposed amendment is required to assist the region to comply with the 2040 Growth Concept or to assist the region, a city or county in demonstrating compliance with statute, rule, or statewide goal requirements for land within the urban growth boundary. These requirements include HB 2709, ORS 197.303, the statewide planning goals and Regional Urban Growth Goals and Objectives. An urban services agreement consistent with ORS 195.065 shall

be required as a condition of approval for any amendment under this subsection.

- (3) The areas of Urban Reserve Study Areas #11, 14 and 65 are so geographically distant from existing city limits that annexation to a city is difficult to achieve. If the county and affected city and any necessary service districts have signed an urban service agreement or an urban reserve agreement coordinating urban services for the area, then the requirements for annexation to a city in (1)(B) and (1)(C) above shall not apply.
- (4) Provision for residential densities of at least 10 dwelling units per net developable residential acre.
- (5) Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by ORS 197.303. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.
- (6) Demonstration of how residential developments will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80% of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers.
- (7) Provision for sufficient commercial and industrial development for the needs of the area to be developed and the needs of adjacent land inside the urban growth boundary consistent with 2040 Growth Concept design types.
- (8) A conceptual transportation plan consistent with the Regional Transportation Plan, and consistent with protection of natural resources as required by Metro functional plans.
- (9) Identification, mapping and a funding strategy for protecting areas from development due to wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the urban growth boundary prior to urban development. The plan shall include cost estimates to implement a strategy to fund resource protection.
- (10) A conceptual public facilities and services plan, including rough cost estimates for the provision of sewer, water, storm drainage, transportation, fire and police protection facilities and parks, including financing strategy for those costs.

- (11) A conceptual school plan which provides for the amount of land and improvements needed for school facilities. Estimates of the need shall be coordinated among affected school districts, the affected city or county, and affected special districts consistent with the procedures in ORS 195.110(3), (4) and (7).
- (12) An Urban Reserve Plan map showing, at least, the following, when applicable:
 - (A) Major roadway connections and public facilities;
 - (B) Location of unbuildable lands including but not limited to steep slopes, wetlands, floodplains and riparian areas;
 - (C) General locations for commercial and industrial lands;
 - (D) General locations for single and multi-family housing;
 - (E) General locations for public open space, plazas and neighborhood centers; and
 - (F) General locations or alternative locations for any needed school, park or fire hall sites.
- (13) The urban reserve plan shall be coordinated among the city, county, school district and other service districts, including a dispute resolution process with an MPAC report and public hearing consistent with RUGGO Objective 5.3. The urban reserve plan shall be considered for local approval by the affected city or by the county, if subsection (3), above, applies in coordination with any affected service district and/or school district. Then the Metro Council shall consider final adoption of the plan.

Section 3.01.015(d) is added as follows:

"(d) Metro shall consult with the appropriate city, county, school and service districts to identify lands inside first tier urban reserves which are the most capable of being served by extension of service from existing service providers for the purpose of preparing concept plans in advance for any short term need for inclusion of additional lands in the urban growth boundary."

Section 3.01.015(d) is amended as follows:

"(e) Legislative amendment decisions shall be accompanied by findings explaining why the UGB amendment complies with applicable state law and statewide goals as interpreted by section 3.01.020 and subsequent appellate decisions and including applicable concept plans and maps demonstrating consistency with RUGGO including the 2040 Growth Concept and compliance with any applicable functional plan provisions."

Section 3.01.020(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . Compliance with this section shall constitute compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.020(b), last sentence, is amended as follows:

"For legislative amendments, if need has been addressed, the district shall demonstrate that the priorities of ORS 197.298 have been followed and that the recommended site was better than alternative sites, balancing factors 3 through 7."

Section 3.01.025(a) is amended as follows:

"(a) All major amendments shall be solely upon lands designated in urban reserves, when designated consistent with 3.01.012. All major amendments shall demonstrate compliance with the following:

- (1) The criteria in section 3.01.030 of this Code as well as the procedures in OAR 660-18-000;
- (2) Notice of public hearings for major amendments as described in section 3.01.050;
- (3) Public hearings procedures as described in sections 3.01.055 through 3.01.065;
- (4) the urban reserve plan requirements in section 3.01.012(e); and
- (5) Final action on major amendments shall be taken as described in section 3.01.070."

Section 3.01.030(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . and further define ORS 197.298, Goals 2 and 14 . . . compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.030(b) is amended by adding the following sentence prior to 3.01.030(b)(1):

"Demonstration that the priorities of ORS 197.298 have been followed is required in addition to the application of factors 3 through 7."

Section 3.01.040(b), (c) are added as follows:

"(b) The district shall attach the approved urban reserve plan and map required at 3.01.012(e) as conditions of approval to assure compliance of developed uses with the 2040 Growth Concept and any applicable functional plan provisions.

(c) The district may determine that certain conditions of approval are so important to inclusion of land into the urban growth boundary that if those conditions are not met that the urban growth boundary approval may be revoked automatically or by action of the district."

Section 3.01.065(f) is amended as follows:

"(f) When the council acts to approve in whole or in part a petition by requiring annexation to a city and/or service district(s) and Tri-Met and whenever a petition includes land outside the district:

- (1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the district within six months of the date of adoption of the Resolution.
- (2) The council shall take final action, as provided for in paragraphs (c) and (d) of this section, within 30 calendar days of notice that all required annexations to a city, service district(s) and the district have been approved."

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ADOPTED FINDINGS AND CONCLUSIONS--ORDINANCE No. 96-655E

MARCH 6, 1997

URBAN RESERVE AREA DESIGNATIONS

EXHIBIT

I. Introduction

The Metro regional urban growth boundary (UGB) has always been Metro's responsibility under state law.¹ The Metro UGB has been acknowledged to comply with state law and statewide planning goals by the Land Conservation and Development Commission (LCDC). The courts have interpreted the regional UGB to be an acknowledged comprehensive plan provision of the comprehensive plans of the 24 cities and 3 counties in Metro.² No land was added to the regional UGB in its first Periodic Review, completed in December, 1992. However, detailed UGB amendment procedures, codified in Metro Code 3.01, were acknowledged at that time.

Metro's 1991 regional goals and objectives,³ called Regional Urban Growth Goals and Objectives (RUGGO), first included an urban reserves Objective. It was the source of proposed legislation and LCDC's 1992 Urban Reserve Rule. Metro 1995 RUGGO, including the 2040 Growth Concept and its urban reserves provision, was acknowledged by LCDC on December 9, 1996, following 1996 amendments to the Urban Reserve Rule. The purpose of Metro's designation of urban reserves is to identify areas outside the current UGB to be reserved for eventual inclusion in the UGB. Counties, then, protect those designated areas from patterns of development which would impede urbanization by rural zoning with special features including recognition of future service corridors.⁴

The Metro Council is required to designate the location of urban reserve areas.⁵ Metro's designation of urban reserve areas is required to follow postacknowledgment procedures in state law.⁶ Therefore, notice of the urban reserve ordinance, including the approximately 18,100 acres of proposed urban reserve areas sites in Exhibit B of the ordinance, was given to the Department of Land Conservation and Development (DLCD) on December 17, 1996, more than 45 days prior to the final hearing on February 13, 1997.⁷ Final action to adopt the amended ordinance, including about 18,579 acres designated as urban reserves, was taken on March 6, 1997. This includes about 15,494 acres of exception lands and 3,085 acres of resource-zoned lands. Much of the resource-zoned lands are surrounded by urban and exception land. Notice of that adoption was given to the Department of Land Conservation and Development per ORS 197.615(1).

This urban reserve ordinance contains postacknowledgment amendments to two acknowledged regional plans. First, the acknowledged Metro Code 3.01 UGB Amendment Procedures are amended to limit any UGB amendments to urban reserve areas in Exhibit B consistent with state law and to establish procedures consistent with the acknowledged 2040 Growth Concept for bringing urban reserves into the UGB when needed.⁸ Second, the 2040 Growth Concept Map in

¹ ORS 268.390(3).

² League of Women Voters v. Metro, 99 Or App 333 (1989).

³ See ORS 268.380.

⁴ OAR 660-21-040.

⁵ OAR 660-21-020.

⁶ OAR 660-21-070(1).

⁷ See ORS 197.610(1).

⁸ See ORS 197.298(1).

acknowledged RUGGO is amended to show the urban reserve areas designated in Exhibit B of this ordinance. The 2040 Growth Concept text and map, like all acknowledged RUGGO provisions, is binding on Metro, not cities and counties.⁹

In addition to these amendments of acknowledged regional plans, this ordinance complies with Metro's responsibility under OAR 660-21-020 to designate urban reserve areas as part of the process to include urban reserve areas in city and county comprehensive plans with protective zoning.¹⁰

II. Need For Urban Reserve Area Land - OAR 660-21-030(1)

Urban reserve areas must include an amount of land estimated to be at least a 10-year and no more than a 30-year supply of developable land beyond that needed for the 20-year UGB. The Metro Council used the 2040 forecast restated in the Urban Growth Report. That forecast estimates that another 359,653 households and 561,800 jobs will need to be accommodated within the UGB to the year 2040. This is the same forecast that was the basis for the acknowledged 2040 Growth Concept¹¹.

Much of that 43-year need from 1997 to 2040 will be met from the capacity of the current acknowledged UGB. Estimating the UGB capacity to 2017 has involved updates from the early (1994) 2015 estimates used for the 2040 Growth Concept. Conflicting estimates of that updated capacity have been submitted for the record. MPAC and the Executive Officer have recommended using the, admittedly, ambitious estimates of 243,600 households and 461,663 jobs from the Urban Growth Functional Plan. These estimates assume that the current acknowledged UGB will contain a 20-year supply of buildable land to 2017 upon implementation of that Functional Plan. This conclusion is reached by assuming that 100% of substantial increases in development densities inside the current UGB will be implemented in time to achieve these estimated capacities.

However, the preliminary estimates in the Urban Growth Report, as amended by the Metro Council are 206,600 households and 461,663 jobs. The final Urban Growth Report estimate of the current capacity of the acknowledged UGB is scheduled to be determined later in 1997.¹² The preliminary estimates in the amended Urban Growth Report indicated that land for up to 41,000 additional households may be needed in addition to land inside the current UGB for a 20-year capacity to 2017. This amended Urban Growth Report capacity for the current UGB was used to calculate urban reserve need because long-range estimates and Functional Plan implementation are uncertain. Some urban reserves may soon be "used" to comply with the requirement in ORS 197.296 for a 20-year land supply for the UGB.

The Metro Council estimated this land need for urban reserves to 2040 at roughly 18,300 acres, consistent with the URSA study model using the preliminary Urban Growth Report estimates of 206,600 households and 461,663 jobs for the capacity of the 20-year UGB.¹³

⁹ See RUGGO, Goal I, Objective 3.

¹⁰ See OAR 660-21-070(2).

¹¹ See Region 2040: Recommended Alternative Technical Appendix, September 15, 1994.

¹² See Resolution No. 96-2244.

¹³ See Kvistad memo of December 11, 1996, and URSA model estimate.

In addition to the uncertainties of implementing the newly adopted functional plan capacities,¹⁴ population and employment have increased faster than the 2015 forecast which was completed with the 2040 forecast.¹⁵ To the extent that growth may be understated in the 2040 forecasts completed in 1994, more urban land will be needed by 2040. The Metro Council has determined that by using a conservative estimate of the capacity of the current UGB, designated urban reserves are more likely to meet the need to 2040. If that supply meets the need to 2047, due to the success of the Functional Plan, the purposes of the Urban Reserve Areas Rule will have been met.¹⁶ If the Functional Plan is overwhelmingly successful at increasing the household and employment capacity of the current UGB or if the rate of growth slows, urban reserves may be adjusted at the 15 year review required by the Metro Code procedure.

III. Suitability Analysis and Alternatives Analysis - OAR 660-21-030(2)

1. Suitability Analysis Required

The Urban Reserve Areas Rule requires that lands adjacent to the UGB be studied for suitability for designation as urban reserves measured by the 5 "location factors" of Goal 14:

- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and
- (7) Compatibility of the proposed urban uses with nearby agricultural activities."

A study model often referred to in the record as "URSA-matic," was developed to analyze data used to evaluate the suitability factors required by the Rule. This model is a tool which provides the point of beginning for the required analysis. In most cases, it is complete and accurate. However, in certain circumstances, based on more site specific information, the more specific information was deemed more accurate and was utilized to analyze and score particular urban reserve areas.

Under the URSA study model, most of the suitability factors have subfactor analyses. The public facilities factor was analyzed based on (1) a utility feasibility study, for relative sewer, water, storm facility costs; (2) existing roads; (3) estimated traffic congestion; and (4) distance to existing school lands. Efficiency of land uses was analyzed based on developable area after discounting steep slopes, floodplains, wetlands. ESEE consequences were analyzed by rating (1) percentage of environmentally constrained land; (2) distance to centers; and (3) jobs/housing balance.

Factor 3. "Orderly and economic provision for public facilities and services"

Four types of analysis were performed to address this factor:

¹⁴ See Urban Growth Management Functional Plan Title 1 and exceptions in Title 8.

¹⁵ See Urban Growth Report.

¹⁶ OAR 660-21-030(1) requires a 10 to 30-year supply of urban reserves beyond the 20-year UGB = 30 to 50-year total supply or 2027 to 2047.

- (1) Utility feasibility study examines the relative cost of urban water, sewer and stormwater facilities;
- (2) Road network analysis looks at the current network of local and regional roads and compares it to future needs;
- (3) Traffic congestion analysis considers likely improvements to the road system and then rates the resulting road system and its congestion for each site;
- (4) School analysis determines the distance to existing public schools and vacant school-owned land.

Relative cost of extending three basic types of urban services to urban reserve areas is labeled "utility feasibility" in the model. Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas (June, 1996) was completed by KCM Consultants. This report estimates the type of major facility improvements needed and compares the relative cost to extend urban level services to the study areas at buildout conditions based on projected development scenarios of the 2040 Growth Concept. The higher the index rating, the lower the relative cost of providing the services. The ratings were developed from the total utility cost for each URSA site in Table B-1 of the study.

The "Road Network" analysis is a comparative analysis of the additional investment required for additional arterials and local roads. Each urban reserve area was estimated to need approximately 16% of its area for local roads and 4% for arterials. Using the TIGER street network on Metro's geographic database, all existing street were measured. The amount of street area built was compared to the amount of street area needed. These ratios were converted to scores from 1 to 10 the higher the score, the greater suitability for urban reserves.

The "Traffic Congestion" analysis was based on the commute corridors which would be used by residents of each study area. The existing transportation system, plus the set of improvements included in the financially constrained Regional Transportation Plan was used. The forecasted travel demand estimated for the year 2015, the most recent forecast available, was used.

An average peak hour volume to capacity (v/c) ratio was identified for the commute corridors. These ratios were converted to ratings of 1 to 10 with lower v/c ratio (more capacity) getting higher ratings of relative suitability for urbanization.

The "Schools" analysis used a Pedestrian Accessibility program. All vacant and developed school-owned land was used to develop scores based on walking distance along existing roads to elementary, middle, high schools and vacant land. These scores were converted to ratings of 1 to 10 with higher ratings for those study areas with greater average accessibility to schools.

Factor 4. "Maximum efficiency of land uses within and on the fringe of the existing urban area" Two related analyses were used for this factor. The "Efficiency" analysis rates relative suitability based on the area within each urban reserve area that is relatively free of development limitations. A series of discount rates based on steep slopes, landlocked parcels, small lot limitations was developed in the Zell Report and environmentally constrained land was removed. This report was based on a random sample of parcels to evaluate Metro allocation of density in

the 2040 studies. These discounts were applied to URSAs to create a rating of 1 to 10 with a higher rating for higher relative suitability for urbanization.

The "Buildable Land" analysis is an evaluation to determine the estimated number of acres considered suitable for development. Environmentally constrained land was removed (see Environmentally Constrained Lands map), efficiency factor discounts were applied and a reduction of 25% was applied to account for land needed for future streets, schools, parks, churches and other publicly-owned land. The percentage of buildable land for each study area was calculated. That percentage was converted to a 1 to 10 rating, the higher the score, the greater the suitability for urban reserves.

Factor 5. "Environmental, energy, economic and social consequences"

Three analyses were used for this factor. First, "Environmental Constraints" analysis identified steep slopes, floodplains, floodprone soils, wetlands, and riparian corridors. Slopes over 25%, 100-year floodplain (not currently developed or committed), NRCR floodprone soils (not committed), National Wetlands Inventories wetlands, and mapped riparian corridors were used.

The percentage of environmentally constrained land was calculated. These percentages were converted to ratings of 1 to 10 with low percentages of environmentally constrained lands receiving a higher rating of suitability for future urbanization.

Energy and social consequences were evaluated by the "Access to Centers" analysis. Distances along public rights of way to the central city, regional centers and town centers identified in the 2040 Growth Concept. Raw scores were developed for accessibility within 12 miles of the Central City, 6 miles of a regional center and 3 miles to a town center. These raw scores were converted to a 1 to 10 rating with greater access given a higher rating.

The "Jobs/Housing Balance" analysis assesses energy, economic and social consequences in Factor 5. A balance of jobs and housing in each regional center area reduces vehicle miles traveled in the region consistent with Metro's RUGGO and energy reduction goals of LCDC's Transportation Planning Rule. Providing the opportunity to develop jobs and housing near each other is expected to result in shorter trips and more travel options. Housing near jobs is also essential for regional centers to achieve economic viability in the acknowledged 2040 Growth Concept. Much of the projected traffic congestion is among regional center areas and the Central City.¹⁷

The jobs-housing balance factor for the relative suitability analysis was based on the five regional center market areas from the 2040 Technical Analysis which included Portland, Hillsboro, Beaverton/Washington Square, Milwaukie/Clackamas Town Center, and Gresham. No urban reserve will be in the Portland (Central City) regional center area. The remaining four regional market areas with urban reserve study areas had jobs to housing ratios in the 2015 estimate as follows: Hillsboro 1.47 (housing poor); Beaverton/ Washington Square 1.19 (balanced); Milwaukie/Clackamas Town Center 0.97 (balanced); Gresham 0.82 (jobs poor). These ratios were converted to a 1 to 10 rating with Hillsboro and Gresham urban reserve study areas receiving a maximum 10 points for urbanization based on being the most jobs rich

¹⁷ See current RTP LOS Standards Map of 2015 One Hour Peak Traffic Volumes

suburban area. This reflects a general need for housing lands to balance jobs in the Hillsboro areas, and a need for land for jobs in the Gresham area to balance housing.

A more detailed explanation of the relative jobs-to-housing ratios is found in VII.1, below.

Factors 6 and 7. Agricultural land

The two agricultural land factors were analyzed without subfactors. Retention of agricultural land was addressed by rating each study area for exception land, agricultural soils, land uses, including parcelization, and access to irrigation. Agricultural compatibility was analyzed for areas where farming is the most dominant activity. An error discovered in the computation on this factor was corrected in the URSA reanalysis as explained in the staff memo in the record.

The "Agricultural Retention" analysis was done on the basis of raw scores for the kinds of lands in the study area. Exception lands received varying points based on parcel size. Farm and forest lands (resource lands) received varying points based on parcel size. Additional points were given for class I-IV soils, available irrigation and for prime or unique agricultural lands. The raw scores were converted to ratings of 1 to 10 with study areas containing less agricultural land receiving a higher rating for future urbanization.

2. Urban Reserve Study Areas (URSA) Analysis

Using early development of the suitability analysis, and the Region 2040 estimate from 1994 that about 14,500 acres may be needed for urbanization by 2040, the Metro Council selected about 23,500 acres for Metro to study for about 14,500 acres of urban reserves.¹⁸ Most, if not all, URSA's are generally "suitable." The ratings in the September, 1996, "Background Data" presented by the Executive Officer are ratings of the relative suitability of each URSA to every other URSA based on the URSA's in the Council's resolution. The URSA study model used to produce these ratings of relative suitability compares all study areas to all other study areas for each suitability factor and subfactor. Therefore, the relative suitability ratings are an important part of the alternatives analysis required as part of determining suitability. The initial URSA analysis was completed by the Executive Officer as part of his recommendation to the Metro Council. The first variable is the 2040 forecast need for an additional 359,653 households and 561,800 jobs to be accommodated by 2040. This 43-year forecast is within the 30 to 50-year timeframe required by the Urban Reserve Rule. This forecast for a 43-year need was recommended by the Executive Officer and accepted by the Metro Council as the basis for designation of urban reserves.

The second important variable used in the URSA study model is the estimated capacity of the existing acknowledged UGB. MPAC and the Executive Officer recommended using the estimates of 243,611 households and 461,663 jobs used for the Urban Growth Management Functional Plan. The Functional Plan requires changes in city and county comprehensive plans, seeking to accommodate 20 years of population and employment growth, to 2017, inside the existing UGB. The 243,611 households represents that estimated growth to 2017. The relative suitability ratings from the first URSA study model analysis are based on a need for urban reserves of about 14,000 acres. The Metro Council did not accept this recommendation. The

¹⁸ See Resolution No. 96-2244.

Council used a different estimate of UGB capacity resulting in a need for urban reserves of about 18,300 acres. This is the biggest policy change in the results of the reanalysis in III.3. below.

The estimated rates for redevelopment and infill used in the URSA study recognize that not all growth consumes vacant land. The rates of 30% of households and 42% of jobs being accommodated by redevelopment and infill represent a slight increase over current rates for the years 2017 to 2040.

The Urban Reserve Rule requires Metro to consider all five factors to determine suitability of land for urban reserves. The URSA study model analysis weighs each factor equally, and those which have subfactors analyzed weigh each of these equally for those factors.

Capacity determinations were made using the dwelling units (households) per acre estimated for design types of the acknowledged 2040 Growth Concept.¹⁹ Since much of the areas in urban reserves was assumed to be outer neighborhood (10.0 DU, 4.1 Emp. per acre), the average density for all URSAs and all design type areas was about 9.8 dwelling units per buildable acre in both the initial URSA analysis and the reanalysis.

The recommendation from the initial analysis included an estimate that about 575 acres of urban reserves would be needed to be redesignated from residential to employment uses. This is a recommendation to provide areas for economic development in jobs poor areas for the increased urban land east of the UGB when urban reserve lands are needed. However, the study model ratings are all based on residential use. So, no specific land was identified for employment uses using the model.

Using the initial computer study model developed by staff, a rating score of 50 balanced the need to accommodate need of 81,229 households and 58,079 employees on 13,995 acres of land. From that, the Executive Officer recommended excluding 362 acres of resource land and the nonresource portion of an additional site was added to yield a final recommendation of 13,893 acres including 787 acres of resource lands surrounded by exception lands. Before adjustments to the model for the analysis discussed below, changing the UGB capacity from 243,611 households to 206,600 households resulted in the rough need estimate of about 18,300 acres of urban reserves.

3. New Relative Suitability Ratings- URSA Reanalysis

a. Changes For The Reanalysis

The new boundaries for several URSAs approved at the December 5 and 12, 1996, Metro Council work sessions removed resource lands from URSAs #2, 3, 10, 22, 24, 25, 29, 45, 49, 51, 61, 62, 63, 64, 65. These changed study areas boundaries would change the relative suitability ratings of those URSAs and, since all URSAs are compared to all other URSAs, the comparative rating score for all URSAs. In addition, exception land in URSA #1 was removed for environmental and services constraints changing URSA boundaries and ratings. All of these changes reduced the URSAs in consideration from 22,909 acres to 20,049 acres. URSA #47 was modified to take out 46.5 acres of

¹⁹ Town Center (15.5 DU, 41.1 Emp.), Inner Neighborhood (11.0 DU, 4.1 Emp.), Corridor (15.0 DU, 15.0 Emp.), Open Space (1.0 DU, 0 Emp.), Employment Areas (0 DU, 26.0 Emp.).

floodplain. URSA #59 was modified to remove floodplain and establish a uniform boundary. (See IV, below.) URSA #69 and 70 were modified to eliminate 461.9 acres of less efficient land.

New boundaries or elimination of several URSA's were approved at the February 20, 1997 Metro Council work session to remove resource lands in URSA's #5, 52, 59, 62. At that time, unbuildable stream corridors in #14 and #36 were added with the condition that these lands will be planned and zoned as urban open space for adjacent urban reserves.

Also, at the February 20, 1997 work session, about 400 acres of exception lands were added to the boundaries of URSA's adjacent to Oregon City which have similar characteristics to exception lands studied inside those URSA's.

New boundaries were approved at the February 6, 1997 work session for URSA #67 removing resource land and some unbuildable exception land.

The URSA study model is a general tool for comparing the relative suitability of the areas studied for inclusion in urban reserves. It was used as a guide for applying the suitability factors and alternative analysis requirements of the Urban Reserve Rule by the Council. Significant testimony and data in public hearings indicated that more site specific and detailed analysis than the regionwide application of the suitability factors in the study model could affect the relative suitability for some properties. Therefore, the study model ratings were used as reference material by the Metro Council, not the final determinant of relative suitability.

The basic assumptions and data used for the model were unchanged in the reanalysis. The capacities for each design type were retained. The equal weight of the factors was retained for the calculation before weight was given to Factor 4 scores of 0 (explained below). However, the key element of land need was changed as explained in II.2, above. On the summary, then, the "Current UGB HH Capacity" is 206,600 households and the "Current UGB Employment Capacity" is 461,633 jobs. The boundaries of the URSA's were changed as explained above. To match the potential households to needed households, the "minimum qualifying score" in the reanalysis was 33 and 19,123 acres were used by the model.

Two computation errors in the initial analysis were discovered and corrected in the reanalysis. In the first URSA Analysis, sites #61, 62, and 63 were erroneously included in the Beaverton-Tigard regional area, instead of the Hillsboro regional area for the job-housing balance subfactor rating. The computation of the agricultural compatibility rating did not correctly account for the incompatibility of urban land inside the UGB with adjacent agricultural land.²⁰

A further change was made to obtain a meaningful differentiation in ratings for the "access to centers" subfactor. Accessibility at 20 miles from central city, 10 miles from regional center and 5 miles from town center was used for the reanalysis.

²⁰ See Metro staff memo of January 28, 1997 on agricultural compatibility computation.

b. Application of the Reanalysis

Generally, all exception lands with a "minimum qualifying score" in the reanalysis were included in first priority urban reserves (see IV, below) with the exceptions following in this subsection. Resource lands with "qualifying" scores for relative suitability were subject to review for (1) "completely surrounded (non prime) first priority status (IV), (2) maximum efficiency for urban services to first priority lands (VI), and (3) specific land needs which cannot be met on first priority lands (VII).

Review of the relative suitability scores for Factor 4 indicated several ratings of zero for the "efficiency" and "buildable lands" subfactors. URSAs were excluded from inclusion in urban reserves if each of these subfactors were rated zero, as follows: URSAs #12, 16, 36, and all of #3 except for approximately 8 acres needed for a road connection for existing development were excluded from the URSAs to be evaluated for inclusion as urban reserves. The reason for this "weight" on Factor 4 subfactors is to avoid the futility of adding lands to urban reserves which would eventually extend the UGB, but yield almost no efficiently buildable land. At the request of the City of Wilsonville, #36 was added back as open space to be planned and zoned consistent with Title 3 of the Urban Growth Management Functional Plan in conjunction with #37. (The same approach was used to add about 100 acres of the Rock Creek canyon to #14.) As a result of these exclusions, 210 acres selected by the model were excluded and 8 acres retained from these study areas.

URSA #4 and #68 were retained for a logical boundary despite the subfactor zero ratings because these areas are surrounded by the existing UGB. URSA #67 was further revised after review of the second run of scores. Approximately 48 acres of resource land and 30 acres of rural residential exception land in the northwest corner of #67 were removed from consideration. This change retained a logical boundary, removed unbuildable forest resource land and the steep slope exception lands of greatest inefficiency. This increases the efficiency and buildable lands for the remaining URSA #67. The remaining 318-acre area still has about 109 buildable acres.

Review of the remaining selections of the model resulted in additional exclusions and one addition. URSA sites 21, 27, 28, 38, 71, 72 were excluded as resource lands. That removed about 180.5 acres selected by the model. URSA #20 of 159.6 acres was excluded based on its parcelized existing development, location above to two creek drainages and evidence in the record of storm drain and septic problems on the steep slopes of its boundaries so severe that existing houses have broken apart from earth movement under them.

Three additional URSAs were removed for consideration of uniform boundary. URSA #40, 35.5 acres with 11.9 acres of resource lands, was excluded to retain Graham's Ferry Road as the logical boundary in that area adjacent to Wilsonville. URSA #60 of 279.8 acres with 140.5 acres of resource lands was excluded. URSA #46 of 111.6 acres of exception land and 5.7 acres of resource land with only about 73 buildable acres is surrounded by resource land. It was excluded to retain Highway 99W as the logical

boundary for a compact urban form in that area adjacent to Sherwood²¹ consistent with the 2040 Growth Concept and to retain existing farm uses west of 99W.

URSA #18 was modified to remove 7 acres of resource land and about 12 acres of exception lands (for a property-specific boundary). URSA #51 was modified to remove about 11 acres of resource lands. All of these exclusions of study areas which met the qualifying score of the reanalysis reduce the selections of the study model reanalysis by about 1101 acres.

4. Comparison of Selected URSAs to Non URSA Exception Lands

The initial selection of about 18,022 acres from the 23,000 acres studied for relative suitability used the URSA study reanalysis as a guide. These suitable lands must be compared to other lands, especially exception lands not included. This comparison includes both a comparison to other URSAs already completed using the study model as explained in III, above, and comparison to lands not selected for Metro study as URSAs. This involves revisiting the reasons for not including some lands for study as URSAs and the reasons for not including some exception lands after they were studied.

A. URSA Exception Lands (Studied, but not included)

1. URSA #20 (Holly Lane). This is a small area of about 160 acres adjacent to Abernathy and Newell Creek canyons, with steep slopes on several sides. Holly Lane development is built on top of an historic landslide hazard area. Five houses in Holly Lane broke apart this winter due to land movement under them (see KATU videotape). The area is developed with septic systems. Even though it is nearly all exception land, increased development by future urbanization is not appropriate in this proven hazard area despite the study model ratings.

2. URSA #60 (N. Cornelius). This study area is bisected by Susbauer Road running north and south and Council Creek running east and west. The URSA contains 280 acres, 140 acres each of exception lands and resource lands. Only about 139 acres are buildable due to significant environmental constraints. This study area was excluded removing 140 acres of resource lands.

3. URSA #1 (S. Gresham) as seen on the site map at page 31 of the "Background Data" contains about 500 acres of exception land east of U.S. 26 that was not included as an urban reserve area. US 26 is an Access Oregon Highway scheduled for improvement in the Mt. Hood Parkway project as a four-lane, limited access highway which becomes a "green corridor" under acknowledged RUGGO policy as it leaves the UGB. U.S. 26 is both a logical boundary and the barrier to future urban development as part of the Gresham community. Retaining this barrier as the logical boundary for the eventual UGB is consistent with acknowledged UGB amendment procedure and helps assure the 2040 Growth Concept policy of compact urban form.

²¹ See Metro staff memo of January 30, 1997 on transportation facilities at 99W and Mt. Hood Parkway which describes 99W as a four-lane, limited access highway with shoulders and a median strip for a right-of-way of about 120 feet.

Also, development west of U.S. 26 would violate the acknowledged RUGGO policy of maintaining separation between the Metro UGB and the Sandy UGB. The record demonstrates from City of Gresham testimony relied upon by the Metro Council that the provision of urban services across U.S. 26 would not be orderly or efficient.

The service difficulties for all of URSA #1 and the large East Damascus exception lands are demonstrated in the 1995 KCM Utility Feasibility Analysis. URSA #1 was the only above average cost area included in 1996 URSAs to be studied for inclusion in urban reserves. A large area of hilly exception lands to the south of URSA #1 which was included in the URSAs for the September 1995 KCM study was eliminated from further consideration based on the KCM relative cost information and the unresolved governance issues for servicing these lands.

First, the 1995 KCM study summarized its composite service data, identifying "above average cost" areas on Figure 3. All of URSA #1 (1E) and about half of the East Damascus to Gresham area (1D, 1E, parts of 1B, 1C) was in that composite ranking for water, sewer and storm drainage. The 1995 KCM study, at page 6, noted the significant variations in terrain and complex governance issues for service providers. The KCM study expressly did not consider either institutional or governance issues for any of the areas it studied. The above average utility service cost, the hilly terrain (water service about 800' elevation adds expense), and the distance from urban services provided by an incorporated city (Happy Valley is serviced by rural service districts) caused most of the East Damascus exception land that could not be served by Portland or Gresham with gravity sewer and storm drainage to be removed from further study as unsuitable. URSA #9 was retained as part of the area to be served by the Damascus Town Center in the 2040 Growth Concept (part of acknowledged RUGGO). This is consistent with the Village Concept and the Damascus Village alternatives in Calthorpe's 1994 Regional Design Images. The center of the Damascus Town Center is the Foster Road-Highway 213 intersection in URSA #8. The area in URSA #9, a composite "average cost" to serve in the 1995 KCM study, was retained for study and included in urban reserves as part of the Damascus Town Center.

However, URSAs #1 and 2 were left in 1996 URSAs at the watershed boundary for gravity sewer service to Portland as described in the study at page 11. Also, this area is the least costly of all areas studied for storm drainage as described on page 17. The physical proximity of this area to Portland and Gresham further reduces the governance issues for providing the three urban services studied by KCM, as well as police, fire, parks, transportation and schools.

Wilsonville contained the only other study areas identified by the 1995 KCM study as "above average cost" for composite utility service cost. However, the study, at page 2, noted that Wilsonville sites on Figure 3 have economies of scale for sewer and water service if these areas are all added to urban reserves. The KCM ratings do not reflect these interactions among sites. Each rating is site specific. Therefore, Wilsonville URSAs were retained for study despite the composite KCM rating based on the limitations of that rating and the city's stated desire and ability to provide governance for provision of urban services.

4. URSA #49 was studied with EFU lands separating two large areas of exception land. About 555 acres remained when the resource land north of SW Scholls Ferry Road was removed from consideration. The remainder of this study area was included in the reanalysis using the URSA study model. The entire site received good ratings from the model. These ratings for the entire remaining site did not reflect the road and service connection difficulties demonstrated by WH Pacific's February 12, 1997 letter requesting that about 55 acres of resource land be added back to #49 to provide these connections.

The slopes map in the record indicates that the northernmost portion of #49 contains unbuildable slopes and slopes that are difficult to build. These slopes and the excluded resource land prevent the preferred street grid connections to SW Scholls Ferry Road. The record demonstrates that the northernmost portion of #49 is parcelized with some deed restrictions that restrict infill development. Therefore, the entire portion of #49 was removed north of SW Scholls Ferry Road, leaving about 261 acres of exception land in this study area designated as urban reserves. The 294 acres of exception land north of the Road is found to be inefficient to serve, especially without the ability to logically provide roads, water and sewer extensions across the resource lands from SW Scholls Ferry Road.

B. Exception Lands Not Studied

Continuing around the region on the Exception Lands Map, the following exception lands were not extensively studied and considered unsuitable for the following reasons:

- East of Gresham: The Slopes map shows that this area is predominantly slopes greater than 25% adjacent to a steep sloped creek canyon. Such lands were deemed unbuildable in the 2040 Growth Concept. (See Unbuildable Lands Map.)
- North of URSA #15, 16: The Slopes map shows that this area is predominantly slopes greater than 25% adjacent to a steep sloped creek canyon. Such lands were deemed unbuildable in the acknowledged 2040 Growth Concept. (See Unbuildable Lands Map.)
- East of URSA #10: The Slopes map shows that this area is predominantly slopes greater than 25% adjacent to a steep sloped creek canyon. Such lands were deemed unbuildable in the acknowledged 2040 Growth Concept. (See Unbuildable Lands Map.)
- East of URSA #12: The Slopes map demonstrates the same slopes east of URSA #12 that caused that study area to receive a zero efficiency rating that led to eliminating that study area from inclusion in urban reserves.
- South, East and West of URSA #13: The Clackamas River was selected as the logical boundary in this area because the lands south of the river are floodplain as are the exception lands to the east and west of URSA #13. (See Floodplains Map.)
- Surrounding URSA #17, 18, 19, 22, 24: The slopes, as indicated on the Slopes map and Oregon City's testimony in the record demonstrate the service limitations of these exception lands. Based on discussions with Oregon City staff about their testimony in the record and the following supplementary analysis by the City Engineer, approximately 7 acres of resource land was removed and a net 400 acres of exception land added to the boundaries of URSA #17, 18, 19, 22, 24, 25 and 26:

"The city's Water Master Plan calls for new water reservoirs in the Park Place area and south east of the city. As with sanitary pump stations, these reservoirs do not provide additional capacity. Capacity is provided only at the water intake and

filtration plant. The reservoirs provide the water pressure experienced at an individual water tap, and provide storage for fire fighting purposes.

URSA #17: This site is in the Park Place area, generally between Forsythe Road and the existing Oregon City city limits. This area generally slopes gently to the north and west. The amended URSA boundary was obtained by following the existing property lines around the URSA boundary.

The proposed Park Place Water System improvements to be built in the Stoltz Road area will be able to supply pressures and volume into this area. Sanitary sewer can be easily extended into this area. There are no extensive new road connections required; however, there will be improvements required to Forsythe above Front Avenue. Front Avenue and Forsythe are already classed as Collector Streets by the Transportation Master Plan.

This area naturally drains into the Clackamas River. The Clackamas River is one of the three "pristine rivers" contained in the DEQ Three Basin Rule (the other two are the McKenzie and the Santiam). This area will have to have storm drainage water treatment applied prior to discharge.

While there may be additional area in the immediate vicinity of URSA #17 that appears to be suitable, additional area beyond amended URSA #17 will necessitate additional storm outfalls. Each outfall will have to be individually treated to maintain the purity of the Clackamas River.

URSA #18: This site is in the Park Place area, generally at the top of the hill east of the current city limits. The amended boundary reflects the extension limits of gravity sanitary sewer. This area generally slopes gently in all directions. The URSA boundary follows existing property lines.

The proposed Park Place water system improvements to be built in the Stoltz Road area will be able to supply pressures and volume into this area. Sanitary sewer can be easily extended into this area. There are no extensive new road connections required; however, there will be improvements required to Holcomb Boulevard. Holcomb is classified as a Minor Arterial in the City Transportation Master Plan. The majority of the storm drainage will probably be into the Livesey Basin. The rest will be into another side creek of Abernethy Creek east of Livesey.

URSA #19: This site is in the Overlook area, south of Livesey Road. This area slopes down toward Redland Road. The amended boundary follows the existing property lines around the original URSA.

Oregon City is currently providing water service in this area through the old Park Place water district lines. These lines will have to be upgraded regardless of the Urban Reserve demand. Sanitary sewer service can be provided from the Tri-Cities County Village interceptor line currently in Redland Road by crossing Abernethy

Creek at the Holly Lane bridge. Storm drainage will be to Abernethy Creek. There will be a need to develop an additional vehicular access to Livesey Lane; however, this is currently needed to provide adequate service to the existing area.

URSA #22: This site stretches from Thayer Road across Maple Lane east of the existing Urban Growth Boundary. This area generally slopes to the east and north into the Abernethy Creek drainage. The amended URSA boundary follows the existing property lines around the original URSA except a small area north of Thayer Lane. In this area there is an existing suburban type subdivision that was created under Clackamas County rules. This area is on septic tanks and utilizes urban services (water is supplied by a water district and access is through Urban Reserve study areas). The amended URSA boundary includes the urban level of development in that subdivision.

Water service is currently provided by Clackamas River Water District and could be provided by Oregon City with connecting lines to the existing system. Sanitary sewer can be provided from the Tri-City line into Country Village, and from the Highway 213 Tri-City interceptor. There will probably be a requirement for a common pump station south of Thayer Road serving both #22 and #24. This area will need a major road connecting Maple Lane to Thayer, perhaps by extending Holly Lane. Storm drainage is into Abernethy basin.

URSA #23: This site is north of Loder Road just east of Oregon City limits. This area generally slopes to the east and north. The amended URSA boundary follows the existing property lines around the original #22 and #24 boundaries.

Water service is currently provided by Clackamas River Water District and could be provided by Oregon City with connecting lines to the existing system. Sanitary sewer can be brought in from the existing trunk line installed in Beaver Creek Road to Clackamas Community College. Loder Road will require upgrading from Local Street status to Collector. Storm drainage will be into the Abernethy drainage.

URSA #24: This site straddles Loder Road east of the Oregon City limits. This area generally slopes north. The amended boundary follows the existing property lines around the original URSA boundary except an area at the east end of Loder Road. In this area there is an existing suburban type subdivision that was created under Clackamas County rules. This area is on septic tanks and utilizes urban services (water is supplied by a water district and access is through Urban Reserve study areas). The amended URSA boundary includes the urban level of development in that subdivision.

Water service is currently provided by Clackamas River Water District and could be provided by Oregon City with connecting lines to the existing system. Sanitary sewer will require a pump station at the north edge of the area near Thayer Road, in common with URSA #22. A north-south collector road will be required the full length of the area connecting Loder Road to Beaver Creek Road near Glen Oak Road.

There is a state-recognized private airport currently operating on the large north-south oriented parcel south of Loder Road. Storm drainage will be to the Abernethy basin.

URSA #25 is the area south of the existing Urban Growth Boundary, across Henrici Road to Beavercreek and Wilson Road. The amended URSA boundary follows the existing property lines around the original URSA boundary except an area at the east end on Henrici Road. This area contains many small acreage lots with single family residences.

Water service is currently provided by Clackamas River Water District and could be provided by Oregon City with connecting lines to the existing system. Additional water reservoir capacity will be required to serve this area. A small reservoir is currently being shown as necessary to provide service to a small area near Henrici Road currently within the city. This reservoir could be combined with the one necessary to serve the Urban Reserve. Both Beavercreek Road and Highway 213 will need to be improved to provide service. Additional north-south and east-west collectors will be required. Henrici Road will need to be improved to Collector or Minor Arterial status. Storm drainage will be split between the Abernethy basin and the Beavercreek basin.

URSA #26: This site is the Leland Road and Beavercreek area extending from west of Highway 213 east to a point about halfway between Ferguson Road and Beavercreek Road, and south of Williams Road. The amended URSA boundary follows the existing property lines around the original URSA boundary except an area at the east end of Leland Road and at the extreme south end.

In the Leland Road area west of Highway 213, there are existing suburban type subdivisions that were created under Clackamas County rules. This area is on septic tanks and utilizes urban services (water is supplied by a water district and access is through Urban Reserve study areas). The amended URSA boundary includes the urban level of development in that subdivision.

Water service is currently provided by Clackamas River Water District and could be provided by Oregon City with connecting lines to the existing system. Additional water reservoir capacity will be required to serve this area. Both Beavercreek Road and Highway 213 will need to be improved to provide service. Additional north-south and east-west collectors will be required. Ferguson Road will be upgraded. Storm drainage will be to Beaver Creek.

URSA #29 is at the southwest edge of the Urban Growth Boundary straddling South End Road. The amended URSA boundary follows the existing property lines around the original URSA boundary."

- West of URSA #30: This is a steep slope region as indicated on the Slopes map, with some slopes greater than 25% and much of the terrain 18-24% slopes. The boundary of URSA #30 was based on the watershed boundary that would allow gravity sewer to be provided through

the City of West Linn. In addition, these exception lands are designated as rural reserves on the acknowledged RUGGOs map. Rural reserves, as provided in the acknowledged RUGGOs document, are designed to provide separation between cities. These exception lands provide appropriate separation between the cities of West Linn and Lake Oswego.

- South of I-205: The Slopes map shows greater than 25% slopes which are considered unbuildable for urban development just beyond I-205. Therefore, I-205 was selected as the logical boundary south of URSA #34. Clear boundaries enhance a compact urban form consistent with the 2040 Growth Concept.
- Between URSA #42, 43, 44: Metro's acknowledged RUGGOs in Objective 22. applies the separation of communities concept to urban reserves. Designation of urban reserves on exception land between the 2040 Growth Concept Town Center of Tualatin and Wilsonville would encourage urban development to cause these communities to grow together when the land is needed for UGB expansion. This would violate Metro's own adopted and acknowledged regional goals and objectives which are binding on Metro per ORS 268.380.
- South of URSA #45: Resource land in URSA #45 was removed from that urban reserve area because it was contiguous to a large area of farmland. The exception lands surrounding that farmland to the south contain steep slopes as shown on the Slopes map. The westernmost area near the creek contains floodplains. (See Floodplains map.)
- North of URSA #46: As indicated above, URSA #46 was studied, but not included in urban reserves because it is surrounded by farmland outside the southwestern boundary of the region established by Highway 99. The exception lands north of URSA #46 and adjacent to Highway 99 are similarly surrounded by resource lands. These exception lands contain some slopes greater than 25% and 18-24% on the Slopes map.
- Between URSA #47 and 48: The record indicates that these lands are (1) predominantly in the flood plain and flood prone soil and (2) limited access to water service. (See Flood plains map).
- West of URSA #49, South of URSA #50, and South of URSA #51: The boundaries of URSA #49, 50 and 51 were based on the watershed boundary as shown on the Watershed map. That is the boundary for gravity sewer service for these exception lands. To efficiently serve the next watershed, the entire watershed, which is resource land, would be served. So, the exception lands west of URSA #49, south of URSA #50, and south of URSA #51 surrounded by resource lands were not extensively studied for inclusion in urban reserves.
- East of URSA #60: The exception lands between Hillsboro and Cornelius were not included in study areas because of Metro's separation of communities policy (see URSA #42-44, above), and because about half of the exception lands are floodplains as shown on the Floodplains map.
- North and West of URSA #61 were not studied because it contains predominantly flood prone soils and floodplains.(see Flood Plains map).
- North of URSA #65: This small area of exception lands are surrounded by resource lands and Brugger Road was selected as the logical boundary to enhance a compact urban form consistent with the 2040 Growth Concept.
- East of URSA #66: This small area of exception land is surrounded by resource lands, steep slopes and accessibility to sewer trunk lines.

IV. First Priority Lands - OAR 660-21-030(3)

The Urban Reserve Area Rule requires that exception lands and any resource lands "completely surrounded" by exception areas which are not "prime and unique agricultural lands" be the first lands included in urban reserve areas:

"First priority may include resource land that is completely surrounded by exception areas unless these are high value crop areas as defined by Goal 8 or prime or unique agricultural lands as defined by USDA."

The Executive Officer's recommendation was to designate 13,893 acres as urban reserves, all first priority lands. Of that, about 787 were resource lands deemed to be "completely surrounded" by exception areas consistent with this subsection of the Rule.²² However, USDA data received subsequent to the Executive Officer recommendation indicated that about 715 acres of these surrounded resource lands are predominantly prime and unique agricultural lands. Seventy-two acres of the 787 acres of resource lands in URSA #33 are not predominantly prime and unique, and are first priority urban reserves in an area "surrounded" by exception land.²³

The "completely surrounded" standard is interpreted to mean that resource lands enclosed by areas of exception lands or urban land (inside the UGB) would qualify if that land is not predominantly "prime or unique" agricultural land. Where one side of the urban reserve is adjacent to the UGB, the side of the urban reserve adjacent to the UGB is considered surrounded by "exception areas" for purposes of the urban reserve rule. Moreover, the specific reference in the Urban Reserve Rule to "exception areas," rather than parcels of exception land, makes it clear the rule does not require that each parcel of resource land in an area surrounded by exception land need not be surrounded by parcels of exception land to be designated as first priority urban reserves. The use of the term "exception areas" recognizes that resource land, completely surrounded by exception areas, is disproportionately and severely impacted by urbanization. Therefore, value as agricultural land is severely compromised by existing urbanization. Accordingly, the existence of relatively small, intervening parcels of EFU zoned land between a particular designated urban reserves and an enclosing exception area, does not foreclose first priority status for that urban reserve.

URSA #31 is composed of 736 acres of land, 615 acres of which is zoned EFU. The land zoned EFU within URSA 31 is neither predominately prime or unique agricultural land as those terms are defined in the urban reserve rule, nor is it predominately high value crop land as those terms are defined by Goal 8. URSA 31 is adjacent to the UGB and is completely surrounded by exception areas. It is effectively an island of EFU zoned land, with a large and deep envelope of exception lands completely surrounding it. In addition, one of its boundaries is adjacent to the UGB. That URSA 31 is completely surrounded by urban land and exception areas is illustrated in the 1996 aerial photograph of the area included in the record, and on the Lake Oswego Quadrangle Map, also included in the record.

URSA 31 satisfies the first priority urban reserve "completely surrounded" standard in an additional and alternative way. URSA 31 is part of the Stafford triangle composed of URSA 31,

²² See summary at p. 5 of Executive Officer Recommendations, September 3, 1996.

²³ See Urban Reserve Study Areas, Prime and Unique Farm Land map.

32, 33 and 34. The entire Stafford triangle was studied in 1991 for potential urbanization. See Clackamas County Urban Fringe Development Capacity Analysis. In 1994-96, most of the Stafford triangle was studied by the Metro Council as URSA 204 as a candidate for potential urbanization under the urban reserve rule. The Stafford triangle is completely surrounded by urban land and exception lands. (See Lake Oswego Quadrangle Map and the 1996 aerial photograph). The Council has studied all of the evidence and alternatives and concludes it wishes to designate as urban reserves most, but not all, of the EFU zoned land within the Stafford triangle. It chooses to leave the small intervening amounts of EFU zoned land within the triangle outside of the urban reserves at this time. The soils underlying the EFU zoned land in the Stafford Triangle, including URSA 31, are not predominately prime or unique agricultural land and are not high value crop land as defined in Goal 8. URSA 31 is part of the larger Stafford Triangle area that is itself surrounded by exception areas.

URSA #32 has 76 acres of resource lands surrounded on three sides by the UGB in an area completely surrounded by exception lands. (See Lake Oswego Quadrangle map). These resource lands are not prime and unique soils. Therefore, these lands are within First Priority urban reserves. Alternatively, this lower quality resource land would be included in urban reserves as "secondary" land as lower priority lands that are included before other resource lands.

URSA #33 has 72 acres of resource lands in an area surrounded by exception lands. (See Lake Oswego Quadrangle map). Therefore, these lands are within First Priority urban reserves. Alternatively, this lower quality resource land would be included in urban reserves as "secondary" land as lower priority lands that are included before other resource lands.

URSA #69 and 70 with about 42.5 acres of resource lands are in an area surrounded by the UGB and exception lands. (See Linnton Quadrangle map). These lands are not "prime and unique" soils. Therefore, these resource lands are within First Priority urban reserves. Alternatively, this lower quality resource land would be included in urban reserves as "secondary" land as lower priority lands that are included before other resource lands.

V. Lower Priority Lands

Where, as here, all first priority lands are needed and included, the Urban Reserve Rule provides for inclusion of lower priority lands and use of limited exceptions to the priorities for "maximum efficiency and "specific land need." Much of the resource land in the first priority above and in the "maximum efficiency" exception below are non-prime resource lands within the "secondary" lands for these lower priority lands. "Secondary" lands are not defined. This concept may have been related to a concept in statute that has been removed from statute. However, the rule has not been amended to remove this lower priority land which must refer to non-prime land.

The resource land has been determined to be first priority lands as explained in IV, above. Alternatively, the EFU zoned land within URSA 31 has already been determined to be "marginal" by Clackamas County, at page 5 in the 1991 Urban Fringe Capacity Analysis, referred to above. Specifically, that study states:

"Soils are marginal in the pocket of agricultural resource land that encompasses approximately 1000 acres in the center of the study area. Approximately three-

quarters of this EFU zoning district is composed of marginal Class III and IV soils; the remainder is Class II. Since it is completely surrounded by exception areas and the urban area, its value as farm land would diminish. In addition, this area would necessarily be needed to be urbanized if the surrounding exception areas were in order to provide services efficiently.”

URSA 31 is included in this Clackamas County Urban Fringe Capacity Study area. Therefore, URSA 31 is EFU zoned land that merits inclusion as an urban reserve in advance of lands of lower priority under OAR 660-21-030(3)(b).²⁴ Moreover, the lower quality resource land in URSA 31 is appropriately included in the urban reserves as "secondary" land as lower priority lands that are included before other resource lands, under OAR 660-21-030(3)(c).

In addition, the Metro Council finds a “specific land need” exception to Urban Reserve Rule priorities for resource land in URSA #31, #41 (Wilsonville), #54, 55 (St. Mary’s), #56 (Forest Grove), #59 (Cornelius), and #62. See VII, below.

VI. Exception to Priority Lands: Maximum Efficiency on First Priority Lands:

OAR 660-21-030(4)(c)

Resource land parcels surrounded or nearly surrounded by exception land may be needed for urban reserves, even if they contain predominantly prime and unique soils. Much of the 787 acres of resource lands identified and recommended by the Executive Officer as "surrounded" has these characteristics. In addition, a 137-acre parcel east of the Damascus property in URSA #41 is needed for the extension of two existing roads and sewer connections to efficiently serve lands in the existing UGB and first priority urban reserved exception lands.²⁵ The following are the resource lands needed for maximum efficiency in providing urban services to first priority lands and the current UGB.

URSA #1 had 163 acres of resource land in two parcels. All of that resource land is in an area of resource land which is surrounded by UGB and exception land (see Damascus Quadrangle Map). The northernmost parcel will service from the north (Gresham). Therefore, urban for the exception land in URSA #1 must connect through this parcel. The other parcel is necessary for a grid of road connections consistent with the 2040 Growth Concept and Title 6 of the UGM Functional Plan.

URSA #2 has 121 acres of resource land adjacent to the UGB that is in an area surrounded by the UGB and exception lands. (See Damascus Quadrangle map). Extension of the urban services from the UGB and from URSA #1, particularly road connections, will cross this surrounded exception land to reach the southern portion of the exception land in URSA #2

²⁴ OAR 660-21-030(3)(b) refers to land designated as marginal under a repealed statute, ORS 197.247. Since the rule was readopted in November, 1996, after the date ORS 197.247 was repealed (1993), it is assumed LCDC meant to continue to prioritize land zoned EFU, but otherwise determined to be marginal. Here, the determination that URSA 31 is marginal predates the repeal of ORS 197.247 and is a legislative determination by Clackamas County regarding the same. The Council hereby adopts that previous County determination regarding the marginal character of the EFU zoned land.

²⁵ Wilsonville staff memorandum of January 29, 1997.

URSA #6 has 222 acres of resource land in the middle of the study area. This land is in an area surrounded by exception land. (See Damascus Quadrangle map). Services for the exceptions north of the south resource land, particularly the road network must cross this surrounded resource land.

URSA #11 has about 49 acres of resource land in an area surrounded by exception land. (See Damascus Quadrangle map). Urban services from either Damascus Town Center or Happy Valley, particularly a road system, must cross these resource lands to reach either exception lands in URSA #6 or exception lands in URSA #11.

URSA #31 has 615 acres of non prime resource land in an area surrounded by exception lands. The Council finds above that the Stafford area urban reserves, Urban Reserves 31, 32, 33 and 34, are first Priority lands under the Urban Reserve Rule because they are either exception lands or EFU zoned land not composed predominantly of prime or unique agricultural land and are not high value crop land as that term is defined in Goal 8, completely surrounded by exception areas. However, URSA #31 is also justified for inclusion as an urban reserve because it promotes the maximum efficiency of land uses on first priority lands.

URSA #31 is central to the 1214 acres of exception land within URSAs 31, 33 and 34. Given the location of these exception areas, near the regional central City of Portland, to regional and town centers, densities in the Stafford area, and considering regional water quality and quantity concerns, as well as public health and safety concerns, it is appropriate to serve these exception areas with urban services, including water and sewer. The maximum efficiency of land uses within the proposed urban reserve area requires the inclusion of Urban Reserve Area 31 in order to provide affordable and efficient services to the exception areas within Urban Reserve Areas 34, 33, 31 and 30. Skipping over the resource lands in URSA #31 would encourage leapfrog and inefficient development and result in inefficient use of the substantial existing and future investments of public resources in this area. Among the already existing substantial public investments in the area is the Stafford interchange, water and sewer service at Rivergrove and unincorporated areas outside Rivergrove, to Bergis and Rosemont Roads and the proposed large regional Lake Oswego park investment, as well as at least one public school (Stafford School) located outside of the UGB. Including Urban Reserve Area 31 will allow urban services to be provided in an efficient and less costly way to those exception lands that will likely demand such services over the planning period, without impacting significant regional agricultural resources.

In this regard, the URSA study model subfactor reference to an efficiency factor did not score URSA #31 considering the economies of scale efficiency well served by URSA #31. The URSA study model considered efficiency only in terms of buildability. The closer look at URSA #31 established that it provides a maximum efficiency of public dollars required to serve URSA exception areas in URSAs 31, 33 and 34.

URSA #39 has 13 acres of land with 10 acres of resource land owned by the state common school fund. This parcel is adjacent to the existing Wood Middle School and is planned for a 20-acre school site with urban facilities to be located on the 13 acres of urban reserves when added

to the urban growth boundary. This will maximize the efficient use of the exception land in the parcel and the existing middle school site inside the UGB by shared use of facilities.²⁶

URSA #44 has about 238 acres of land (more acres due to property specific boundary) shown in resource zoning that is being used as the Tigard Sand and Gravel rock quarry. (See-Sherwood Quadrangle map). If this has any resource soils remaining, this is not prime or unique resource land. Efficiency in providing urban services to the adjacent exception land, particularly a grid system of roads consistent with the 2040 Growth Concept, will require crossing most of this quarry site at the same time in the future. Alternatively, this lower quality resource land would be included in urban reserves as "secondary" land as lower priority lands that are included before other resource lands.

URSA #54 and 55 (including St. Mary's Property)

The St. Mary's property must be included in the urban reserve to provide urban services to the higher priority exception lands of URSA #54 and 55. OAR 660-21-030(4)(c) qualifies certain lands as first priority lands where "[m]aximum efficiency of land uses within a proposed urban reserve area requires inclusion of lower priority lands in order to include or to provide services to higher priority lands." Since the St. Mary's property is located between the exception areas of URSA #54 and 55 and the UGB to the north and east, it is necessary to include the St. Mary's property in the urban reserves to provide public facilities to these parts of URSA #54 and 55.

As noted in the St. Mary's findings for Goal 14 factors 3-7 in Appendix III, which is incorporated here by this reference, the needed improvements to TV Highway, 209th Avenue and 229th Avenue which will be necessary to serve the urban reserves in the southeastern corner of Hillsboro are not likely to occur without partial funding support from development of St. Mary's. Also, the ability to extend road and other utility infrastructure across St. Mary's is necessary in order to develop the exception land in URSA #54 and 55. Particularly with respect to the exception area of URSA #55, which lacks adequate access to Hillsboro's arterial road system, providing these transportation facility improvements is critical to urbanizing these areas. If Hillsboro is to maximize the efficiency of land uses in the exception areas of URSA #54 and 55, the St. Mary's property must be included to insure these transportation facility improvements occur.

With respect to sanitary sewers, in order to serve the exception areas of URSA #55, USA plans to extend a gravity sewer line across the St. Mary's property to connect with the Rock Creek treatment plant. This extension will allow USA to eliminate its Aloha #3 pump station which will improve service in the area. Expert testimony provided by the City of Hillsboro states that from a utility planning process, the exception lands in URSA #54 and 55 will benefit from having sewer service through St. Mary's. Thus, St. Mary's property must be included in the urban reserve to maximize these efficiencies.

Similarly, water service to URSA #55 is most efficiently provided by extending water lines across the St. Mary's property. Hillsboro closely examined how water will be provided to the exception portions of URSA #54 and 55. The city's expert testimony states that "[w]ithout

²⁶ Wilsonville staff memorandum of February 18, 1997.

approval of the St. Mary's project [sic], the remaining urban reserve area 55 would be without access to TVWD (Tualatin Valley Water District) water..." The experts also found that from a utilities planning perspective, constructing a water main across the St. Mary's property "would enhance the engineering efficiency for the project, it would reduce cost to the developer, and would benefit TVWD and the community by expanding the service area." These considerations demonstrate that it is both necessary and desirable to include the St. Mary's property in the urban reserves to provide water service to URSA #55.

Individually, each of the public facilities efficiencies are enough standing alone to justify including the St. Mary's property in the urban reserve. Cumulatively, the transportation, sewer and water considerations show that in order to maximize the efficiency of land uses within URSA #54 and 55 requires that St. Mary's be developed before or contemporaneously with the exception areas of URSA #54 and 55. For these reasons, including the St. Mary's property in urban reserves meets both the purpose and intent of OAR 660-21-030(4)(c). Designating St. Mary's as an urban reserve site pursuant to OAR 660-21-030(4)(c) is an alternative basis to the site's inclusion pursuant to OAR 660-21-030(4)(a) in VII, below.

URSA #65 has about 156 acres of resource land. These resource lands are surrounded on three sides by UGB and exception lands. This area is not predominantly "prime and unique" soils. Efficient provision of urban services to the exception land and undeveloped portions of the UGB will require crossing these resource lands south of Brugger Road. Alternatively, this lower quality resource land would be included in urban reserves as "secondary" land as lower priority lands that are included before other resource lands.

In URSA #65, there are approximately 92 acres of land adjacent to the UGB and Portland Community College that meet the maximum efficiency test as follows:

Sanitary Sewer, Water and Storm Water lines: There are urban services such as water and sanitary sewer located in Springville Road. Unified Sewerage Agency (USA) has a sewer line in Springville Road; Tualatin Valley Water District has 24" and 16" water lines in Springville Road. In order to serve the exception lands to the north of the subject tax lots, the most efficient provisions of underground utilities would be through the subject lots. The cost of service provision for this URSA was among the lower cost areas studied by KCM (\$3,570 per Equivalent Dwelling Unit).

Efficient land uses: The subject tax lots provide an opportunity to develop at Metro 2040 densities, and a conceptual master plan has been prepared for this area with a net density of almost 13 units per acre--including student housing adjacent to the Portland Community College (PCC) Rock Creek Campus. The subject tax lots are surrounded by the Urban Growth Boundary on two sides and exception lands on one side.

Transportation: This tax lot provides the opportunity for north-south connector streets from Springville Road and pedestrian and bicycle connections into the PCC campus. It provides potential transportation access to the tax lots to the

north, and an opportunity to create a better grid system in this portion of Washington County.

Evidence in the record indicates the generalized comparison between "Land in Reserves" and "EFU Land in Reserves" used describing URSA #65 on working maps does not fairly describe the zoning of a majority of the land within the area. The majority of the land in URSA #65 is designated other than EFU by LCDC acknowledged, Washington County zoning maps. The land immediately surrounding the intersection of NW Springville Road and NW Kaiser Road apparently received an exception to statewide planning Goals 3 and 4. The property immediately surrounding the intersection to the south of N. Springville Road is within the UGB. The northwest corner of the intersection is County zoned AF-10 land. The northeast corner area of the intersection is County zoned RR-5. The land to the west of that intersection exception area, between NW Brugger Road on the north and SW Springville Road on the south, includes a few acres of Washington County designated EFU property. That EFU land lies between a large area of Washington County AF-20 land to the west and an active church facility on the AF-10 land to the east.

A portion of the EFU between the AF-20 and AF-10 designated land is intersected by a large voltage transmission system and contains land whose vegetation would indicate it to have never been farmed (medium growth to age, mostly oak).

A predominant amount of the land within the core of URSA #65 is AF-20 and AF-10 and not EFU. Washington County code indicates that property is given AF-20 designation when recognized as:

" . . . certain lands therein may be of "marginal" use for agricultural and forestry purposes and provides a process and criteria for identifying marginal lands within the district."

AF-10 property is so designated by Washington County when it is determined that it is:

" . . . rural land with steep topographic characteristics where there are limited public facilities and services."

Evidence indicates lands zoned EFU outside a rectangular portion of URSA #65 (roughly described as bounded by NW Brugger on the north, NW Springville on the south, NW Kaiser on the east, and PCC Rock Creek on the west) were included within URSA #65 because they have topographic characteristics which allow for gravity sewer service. The areas that can be served by gravity sanitary sewer lines then become the logical place to terminate the URSA #65 boundary.

The record contains information from an engineering firm which describes how the public services are readily available to the above-described rectangular area. Also in the record is a letter which describes the availability of not only public utility services but also public services such as mass transit, major collector status roadways, and college education in the vicinity.

The record indicates that URSA #65 is served by neighborhood level shopping services at 185th and West Union. New Beaverton School District high school and elementary facilities are within

a short distance. The record makes reference to a fact that the Beaverton School District has been actively evaluating land within the area for location of a middle school.

The record also establishes that the soon to be completed Bethany Park Boulevard will connect this immediate area directly with Highway 26. The developing "power line" linear park will be directly accessible from the land within URSA #65. This will allow for bicycling to and from the neighborhood shopping area at NW 185th and West Union and to Westview High School consistent with the 2040 Growth Concept. Residents in the area will be within walking distance of the PCC Rock Creek campus.

URSA #65 offers a location which allows for the maximum return on existing public investment in infrastructure. An analogy in the record makes a salient point. That analogy is to a single family home subdivision designer who attempts to maximize the number of homes that can be located along the transportation system spines serving those homes. Thus, she seeks to locate homes on both side of a street so one street can be "double loaded." The inclusion of URSA #65 within the urban reserve allows the major collectors, NW Springville Road and NW Kaiser, to be effectively "double loaded."

The land within the area is primarily other than EFU land by Washington County standards. The limited EFU land is located between lands carrying less protective zoning. The continuation of sanitary and storm services along an existing seasonal drainage swale which diagonally bisects this study area, as planned for by Unified Sewerage Agency (USA), will have to cross this limited amount of EFU designated land which is already crossed by high voltage electrical line. Also, a reference to the Soil Conservation Service designations on the land now zoned EFU by Washington County indicates that due to steepness on both sides of the seasonal swale the ground is not prime agricultural property. (See material submitted by Technical Engineering Corporation and letter from a property owner's representative (Graf).)

In conclusion, the Metro Council finds that water, sewer, road system, education facilities, neighborhood shopping services, parks and mass transit are already in place or being installed in the immediate vicinity. URSA #65 accommodates future growth with the least cost to society. The Council determines that preserving a small portion of possibly inappropriately designated EFU land to maximize the efficiency of adjacent exception lands where urban services already exist is consistent with OAR 660-21-030(4)(c).

VII. Specific Land Needs Exceptions to Priority Lands

The following represent "specific types of identified land needs (which) . . . cannot be reasonably accommodated on higher priority lands" under OAR 660-21-030(4):

Subsection 1 below discusses the so-called "St. Mary's" property, a 463-acre property within URSA #54 and 55. The findings in support of the St. Mary's property are based, to a large extent, on site-specific evidence and on evidence and analysis pertaining to the area within the Hillsboro Regional Center. This evidence (the "Hillsboro evidence") is collected in the compilation of documents labeled "Exhibit H-1" presented to the Metro Council on February 13, 1997. Much of the information contained in Exhibit H-1 is a compilation, refinement and updating of information that is contained elsewhere in the Metro urban reserve record. Thus, the

findings in support of the St. Mary's property, and evidence upon which the findings are based, are a refinement of the more generalized evidence, particularly the URSA study model, that the Metro Council has relied on to support its urban reserve designations for the entire Metro area. While the findings and evidence relied on to support this site are more site-specific, they are intended to be consistent with the remainder of the general findings and evidence adopted by the Council.

1. St. Mary's (portion of URSA #54-55) - High Density Residential Site

As discussed in more detail below in response to Goal 14 factors 3-7 in Appendix IV, the location and site characteristics of the St. Mary's site make it uniquely well-suited for urban development consistent with Metro's RUGGO and 2040 Growth Concept. St. Mary's is likely to develop as a mixed-use master-planned community including approximately 4,000 housing units.²⁷ Oregon's policy preference for avoiding urban development of resource lands except under special circumstances is reflected in the urban reserve rule at OAR 660-21-030(3). Such special circumstances exist, however, to justify the inclusion of St. Mary's. In accord with OAR 660-21-030(4)(a), the evidence demonstrates a specific need to include St. Mary's property in urban reserves to improve the jobs-to-housing ratio in the Hillsboro regional center area.

St. Mary's is an ideal site on which to develop a significant number of housing units in order to have a more favorable jobs-housing balance. The urban growth boundary already borders the site on two sides and a portion of the third side. Exception parcels and other non-farm uses border the remainder of the site. The Tualatin Valley Highway, which forms the northern border of the site, is a principal arterial roadway that includes a well-used bus line. Another arterial roadway, 209th Avenue, abuts the property's eastern border. Development of the property will provide an opportunity to construct the planned connection between 209th Avenue and 219th Avenue/Cornelius Pass Road. This will provide St. Mary's with a direct north-south arterial connection to the Hillsboro Industrial Land Sanctuary to the north. A major computer chip manufacturing facility (Intel) is across 209th Avenue from the property. As discussed in more detail below, the necessary urban facilities and services are readily available to the site.

Because of its size, suitability for development, and the fact that it is in a single ownership, St. Mary's presents a unique opportunity among the urban reserve sites to develop a master-planned community at a density and with design and other public amenities that fulfill many of the policies and objectives of Metro's RUGGO and the 2040 Growth Concept.

Hillsboro has conducted an alternative site analysis, included as Appendix IV and incorporated herein, to determine whether a combination of rezoning land inside the UGB and developing housing in exception areas currently outside the boundary could sufficiently improve the jobs-housing balance so as to avoid having to develop the resource land at St. Mary's. The only suitable alternative site in the Hillsboro regional area that can provide a significant number of housing units, in addition to the total units that the Functional Plan targets for the region, is the Seaport property, which is a 200-acre industrial site located just north of the Sunset Highway. It is an undeveloped industrially zoned property inside the UGB. Because of its location and site characteristics Seaport may be better-suited for residential development than industrial uses. The

²⁷ See Otak memorandum of February 3, 1997.

city has testified that it is appropriate to rezone the site for residential uses. This would create the opportunity for a master-planned development of approximately 1,600-1,800 housing units.²⁸

As the evidence demonstrates, however, even with the rezoning of the Seaport property, and assuming the development of housing on all of the other sites in the Hillsboro regional center area designated as urban reserves, there will continue to be a significant shortfall in the number of housing units needed to keep pace with the projected job growth. Therefore, the St. Mary's property (and the other resource lands in URSAs #54 and 55) are still needed as urban reserves in order to achieve a more favorable ratio of jobs to housing in the Hillsboro region.

URSAs #54 and 55 contain about 454 acres of exception lands which are included in First Priority lands in IV, above. The resource land in these URSAs have not been designated marginal or secondary resource lands. Therefore, inclusion of these resource lands in urban reserves requires an "exception" to the priority lands requirement in OAR 660-21-030(3) due to an identified "specific land need," consistent with OAR 660-21-030(4)(a). The following findings provide a detailed explanation of how evidence satisfies this applicable legal criteria for including St. Mary's as an urban reserve site.

A. Legal Standards

At Metro's request, the "specific land need" subsection of the Urban Reserve Rule was amended by LCDC to recognize improvement of jobs-to-housing ratio on a regional center area basis as one type of an identified "specific land need." Therefore, the analysis of any land for a jobs/housing balance exception to OAR 660-21-030(3) priorities begins with the words of the amended Urban Reserve Rule at OAR 660-21-030(4):

"(a) Specific types of identified land needs, including the need to meet favorable ratios of jobs to housing for areas of at least 100,000 population served by one or more regional centers designated in (Metro's RUGGO)..." (emphasis added)

Director Benner's letter of November 7, 1996 in the record describes his interpretation of "favorable" jobs-to-housing ratios: "This means work force participants and jobs in the area will become more nearly equivalent in number..." (not necessarily a one-to-one ratio). This is consistent with Metro's understanding of the legislative history of the rule amendment that Metro requested.²⁹ The legislative history indicates that "favorable" is a judgment about how to improve the jobs to housing ratio to move toward a reduction of Vehicles Miles Traveled as required by the Transportation Planning Rule.³⁰ Both Director Benner's letter and Metro staff's "Background Data" dated September, 1996 at page 9 note that "A much more accurate measure would be one that compared the wage level of the jobs with the cost of housing." However, neither Metro's 2040 Technical Analysis (1994) nor the 2015 Forecast (1996) included this more detailed analysis that Director Benner and Metro staff indicate would provide the most accurate measurement of jobs/housing balance.

²⁸ See Otak memorandum of February 5, 1997.

²⁹ Transcript of LCDC November 1, 1996 hearing where the Urban Reserve Rule was amended.

³⁰ Id.

LCDC acceptance of Metro's proposal for the rulemaking and Director Benner's lauding of Metro's database and analysis in the November 7, 1996 letter indicate the state's concurrence with the interpretation that, while additional analysis of wage levels and cost of housing is desirable (see VII.3 on #62 housing), the amended urban reserve rule does not require such additional analysis to demonstrate a jobs/housing ratio "specific land need." Designation of urban reserves for a jobs/housing ratio "specific land need" must improve the projected jobs and housing ratios toward a greater equivalency and more favorable ratio of jobs and housing in regional center areas in 2040. The designated urban reserves must enable urban reserve planning to locate housing near jobs in designated urban reserves. That is the requirement for a jobs/housing specific land need under the amended urban reserve rule.

Jobs/housing balance, like urban reserves before it, is a concept that originated in Metro's regional goals and objectives, the Regional Urban Growth Goals and Objectives (RUGGO). RUGGO are now acknowledged by LCDC to be in compliance with applicable state law, statewide land use goals and LCDC rules. Regional centers are one key to the 2040 Growth Concept subgoal of RUGGO:

"Regional Centers serve large market areas outside the central city, connected to it by high capacity transit and highways. Connected to each Regional Center, by road and transit, are smaller Town Centers with local shopping and employment opportunities within a local market area. Planning for all of these centers will seek a balance between jobs, housing and unique blends of urban amenities so that more transportation trips are likely to remain local and become more multi-modal.³¹

In keeping with the jobs/housing balance in centers, a jobs/housing balance by regional subareas can and should also be a goal. This would account for the housing and employment outside centers, and direct policy to adjust for better jobs/housing ratios around the region." (emphasis added)³²

The legislative history of the jobs-to-housing ratio Rule amendment clearly indicates that the words "subarea of one or more regional centers" was intended to give jurisdictions, particularly Metro, flexibility in selecting the subarea boundaries.³³ The Hillsboro regional center area boundary used in 1994 for the 2040 Technical Analysis was used as the example of regional center subareas in the record of the LCDC hearing.³⁴ That is the Hillsboro regional center area that was

³¹ See Transportation Planning Rule at OAR 660-12-035(4)(e): "The transportation system shall avoid principal reliance on any one mode of transportation and shall reduce principal reliance on the automobile.... (4) In MPO areas, regional and local TSPs shall be designed to achieve the following objectives for reducing automobile vehicle miles traveled (VMT) per capita for the MPO area: (a) No increase within ten years of adoption of the plan as required by OAR 660-12-055(1); (b) A 10% reduction within 20 years of adoption of a plan ..." (emphasis added)

³² 1995 Regional Urban Growth Goals and Objectives at page 26.

³³ Transcript of LCDC November 1, 1996 hearing where the Urban Reserve Rule was amended.

³⁴ The regional center areas are those consistently used by Metro in its 2040 Growth Concept feasibility analysis, urban reserve analysis, and the October, 1996 LCDC hearing on the Urban Reserve Rule amendment. See map

used for calculation of the jobs/housing subfactor in the URSA study model and for the more detailed analysis for the "specific land need."

URSA #54 and 55 (St. Mary's Property) - Sections B and C below provide two alternative approaches which demonstrate how the inclusion of resource land in URSA #54 and #55 are needed to improve the scope of the jobs-to-housing ratio in the Hillsboro regional area. Both alternatives use the latest Metro data contained in the 2015 Forecast, published in February, 1996. The first alternative is the Metro staff analysis. A slightly different analytical approach is used in the second alternative, provided by the City of Hillsboro. It is based to a large extent on an up-to-date expert report, entitled the *Residential Market and Jobs/Housing Balance Analysis* (February 1997). The two alternatives take slightly different approaches but they reach the same conclusion. They are both adopted herein as alternative findings, each one of which, taken alone, explains why there is a specific need to designate the St. Mary's property as an urban reserve in order to achieve a more favorable jobs-housing ratio in the Hillsboro regional area.

B. Jobs-to-Housing Ratio In Hillsboro Regional Center Area

1. General Analysis for 2040 Growth Concept

As demonstrated in Metro staff's "Background Data" dated September, 1996 at pages 9-10, an equivalency of jobs-to-housing was not projected for the Hillsboro regional center area. 1994 data projected 75,479 jobs and 51,429 households in 2015, the largest regional center area imbalance.³⁵ These numbers for the Hillsboro regional center area include both the highly "jobs rich" industrial areas of the City of Hillsboro and the "jobs poor" areas of Forest Grove and Cornelius. LCDC did not accept the part of Metro's rulemaking request which would have allowed analysis of areas which are separated from the rest of the UGB by rural land, like Forest Grove-Cornelius, separately for jobs/housing balance.³⁶

Metro staff analysis of jobs and housing for the Hillsboro regional center, above, used data from the 2040 Growth Concept technical report. This report was done using early conceptual level data for suitability analysis of these designated urban reserves. The jobs and housing for the three "town center" areas labeled as regional center area number "1" were added together using 1992 data in Metro's feasibility analysis of the "Recommended Alternative" prior to adopting it into RUGGO as the 2040 Growth Concept in December, 1995.³⁷ That early conceptual analysis (1) found a very high 1992 jobs/housing imbalance in Portland; (2) assumed that the 1992 jobs/housing imbalance would continue for Portland; and (3) included a first staff estimate of about 14,500 acres of urban reserves that are not the same as the urban reserves designated by the Metro Council.³⁸ It was appropriate for the 1994 conceptual analysis of the 2040 Growth Concept to estimate some amount of urban reserves to determine the feasibility of

dated September 14, 1994 after Table 10 in Region 2040: Recommended Alternative Technical Appendix, September 15, 1994. See LCDC Hearing Transcript.

³⁵ These are the early (1994) estimates for 2015 used for development of the 2040 Growth Concept. This includes the Hillsboro, Forest Grove-Cornelius and Orenco Town Center areas indicated with a "1" on the map.

³⁶ The request was based on the unique situation of one road transportation connections across rural land between Hillsboro and Cornelius and between Tualatin and Wilsonville.

³⁷ Region 2040: Recommended Alternative Technical Appendix, September 15, 1994 at Tables 5, 7, 10.

³⁸ Ibid. at Table 10; Recommended Alternative Decision Kit, September 1994 at p. 1.

the Concept to 2040. By definition, the acknowledged UGB has a 20-year supply of land, and a "50-year land supply" (46 years in 1994) would require some additional land to analyze the impact of the "Recommended Alternative" Concept to the year 2040.

The analysis of jobs-to-housing ratios for regional center areas in the urban reserves study model was done for the job/housing subfactor of Factor 5 in the relative suitability analysis using this already developed earlier concept data for convenience. The data and methods are explained in "Background Data," dated September, 1996 at pages 9-10. These projections for 2015 include an allocation for urban reserves. Therefore, while this early analysis was generally indicative, specific jobs and housing projections for inside the UGB are needed to start an analysis of specific urban reserves to be designated.

2. Analysis Using 1996 Forecast Data

The new, 2015 Forecast, published in February, 1996, results in significantly different numbers for projected 2015 ratios which show a similar relationship of jobs-to-housing.³⁹ Development of this official 2015 Forecast included application of the 2040 Growth Concept.⁴⁰ It is these official 2015 projected ratios from the 1996 Forecast, representing roughly the current 20-year UGB, that was used as the starting point for this specific land need urban reserve analysis. Part of the job of urban reserves, consistent with the LCDC-acknowledged 2040 Growth Concept and LCDC's Transportation Planning Rule, is to improve the jobs/housing balance in 2040 from that projected to exist in the current UGB. Therefore, 2015 data for areas inside the UGB is used as the starting point for urban reserve analysis instead of the earlier 2040 feasibility analysis which included an early staff estimate of about 14,500 acres of urban reserves. The analysis begins with the 2015 data for the three "town center" areas shown as regional center area number "1," the Hillsboro regional center area. Then, the estimated jobs and housing from the actual urban reserves in the vicinity of Hillsboro regional center area are added to estimate the jobs-to-housing ratio for the Hillsboro regional center area in 2040.

Analysis of the official 2015 Forecast data and the 2017 capacities show that only Portland and Hillsboro are "jobs rich." For purposes of urban reserve relative suitability analysis, ratings were based on comparisons among the four regional center areas only. In the 2040 Growth Concept, all regional center areas contribute to the Central City being "jobs rich" now and in 2040. Metro has assumed in its 2040 analysis and here that an ongoing jobs to housing imbalance will continue in the Central Business District that can be served by the use of existing and planned transit. Therefore, Metro's determination of the "favorable" jobs-to-housing ratio by all alternative calculations is based on the average of the jobs-to-housing ratios of the four regional center areas excluding the Central Business District. State agencies have commented approving this approach.⁴¹

³⁹ The 2015 Forecast included about 205,000 households inside the current UGB which is roughly equivalent to the 206,600 household capacity estimate for the UGB in 2017 in the Metro Council's preliminary Urban Growth Report.

⁴⁰ See Conder February 18, 1997 chart on 2017 capacity.

⁴¹ State of Oregon letter of February 13, 1997.

Analysis of just the current city limits of Hillsboro using the 2015 Forecast results in a whopping 3.12 jobs-to-housing ratio for about 74,000 population.⁴² The Urban Reserve Rule requires a regional center of at least 100,000 population for a jobs-to-housing ratio "specific land need."

Adding together the Hillsboro "town center" area and the Orenco Town Center area (from the 2040 Growth Concept technical report map), about 80,430 jobs to about 38,921 households yields a 2.067 jobs to housing ratio in 2015. Assuming full implementation of the UGM Functional Plan target capacities for 2017, the ratio is reduced slightly to 2.0275.⁴³ This is an area that includes 102,565 population in 2015, sufficient for a regional center area under the OAR 660-21-030(4)(a). A calculation of jobs-to-housing ratio using just this area as the Hillsboro regional center area demonstrates the extent of improvement of jobs-to-housing ratio necessary to reach a favorable ratio. Analysis using just this area is sufficient to demonstrate compliance with the rule. However, the following alternative analyses demonstrate compliance with the rule using a larger Hillsboro regional center area than was used for 2040 Growth Concept technical analysis. This includes the Forest Grove/Cornelius "town center" area in the Hillsboro regional center area. This "jobs poor" area reduces the 2015 jobs-to-housing ratio inside the UGB to 1.94. Assuming full implementation of the UGM Functional Plan capacities for 2017, the ratio is 1.88.⁴⁴ Even using this larger area as the Hillsboro regional center area, all designated urban reserves are needed for improvement of jobs-to-housing ratio necessary in compliance with the Urban Reserve Rule.

3. Favorable Jobs-to-Housing Ratio

The relevant comparison for Hillsboro regional center area ratios is the regional totals for jobs and housing without the Central Business District (CBD). For all the region except the CBD the jobs-to-housing ratio from 2015 Forecast of February, 1996 is 1.48. For estimated 2017 capacities in the entire region except the CBD, the ratio is 1.47.⁴⁵ That average ratio represents about the average number of workers per household projected for regional center areas outside the CBD. That is the appropriate target for a "favorable" jobs-to-housing ratio for the Hillsboro regional center area. As demonstrated here, the Hillsboro regional center area is very "jobs rich" in 2015 and 2017 by any measure. Designated urban reserves without the St. Mary's property do not significantly improve that situation, as demonstrated below.

4. Effect of Designated Urban Reserves in Hillsboro Regional Center Area

According to the urban reserve rule, Metro must first look to nonresource lands to fulfill land needs before deciding to include resource lands for the same purpose. Analysis of the urban reserves designated for the Hillsboro regional center area is necessary to determine how these areas could affect the jobs to housing ratio.

⁴² Metro staff memorandum "Hillsboro Area Jobs & Housing Balance Data," January 31, 1997.

⁴³ Conder, "2017 Capacity Targets by Town Center Area and Resultant Jobs-Housing Ratios," February 18, 1997. The slight reduction in ratio assuming 2017 target capacities reflects the use of Hillsboro's station area plan densities in 2015 projections.

⁴⁴ Ibid.

⁴⁵ See Conder memo of February 18, 1997.

Exception lands within urban reserves added to the Hillsboro regional center would add more dwelling units estimated as follows:

- ◀ #61 contains 27 acres of exception lands with about 16.3 acres of buildable land yielding about 179 dwelling units at 11 units per buildable acre, and 67 jobs at 4.1 jobs per buildable acre.
- ◀ The 42 acres of exception land in #62 could possibly add around 300 households at 11 dwelling units per net buildable acre, and 172 jobs at 4.1 jobs per buildable acre.
- ◀ #53 (the Hanauer property) contains about 21 acres (10%) of exception lands, with about 14 acres of buildable lands, yielding about 154 households using the 2040 Growth Concept "Inner Neighborhood" design type of 11 units per buildable acres, and 60 jobs at 4.1 jobs per buildable acre.
- ◀ #54 contains about 47 acres (24%) of exception lands, with about 31 acres of buildable lands yielding about 341 households using the 2040 Growth Concept "Inner Neighborhood" design type of 11 units per buildable acre, and 127 jobs at 4.1 jobs per buildable acre.
- ◀ #55 contains about 407 acres (45%) of exception lands with about 242 buildable acres yielding about 2,662 dwelling units at 11 units per buildable acre, and 992 jobs at 4.1 jobs per buildable acre.

URSA	Households	Jobs
61	179	67
62 (exception)	300*	172
53 (exception)	154	60
54 (exception)	341	127
55 (exception)	2,662	992
TOTAL	3,636	1,418

* may never be achieved due to existing parcelization.

So, the jobs-to-housing ratio for the entire Hillsboro regional center area in 2040, after adding the 1,418 jobs and 3,636 dwelling units for designated urban reserves other than resource lands in #53, 54, 55 and 61, 62 to the 2015 projections does not significantly improve the jobs-to-housing ratio.

With the 2040 design type capacity of all designated urban reserves, then, the jobs-to-housing ratio in the Hillsboro regional center area using the 2040 Growth Concept map boundaries is improved by adding 1,418 jobs and 3,636 households as follows:

2015: $(99,948 + 1,418 \Rightarrow) 101,366$ jobs to $(51,429 + 3,636 \Rightarrow) 55,065$ households
= 1.84 ratio

2017: $(104,100 + 1,418 \Rightarrow) 105,518$ jobs to $(55,461 + 3,636 \Rightarrow) 59,097$ households
= 1.79 ratio

As the chart shows, roughly 3,600 housing units could theoretically be added on the exception lands contained within the urban reserves around the Hillsboro regional area. As discussed in more detail in the alternative site analysis in Appendix IV, due to parcelization and other site constraints, the exception lands, both within the urban reserves and in other areas outside the Hillsboro regional area, contain a realistic potential for something less than 3,600 units. More importantly, none of these exception areas has the site characteristics that will enable it to support a high density, master planned community that can achieve as many of the policy objectives of RUGGO as can the St. Mary's site or St. Mary's and Hanauer sites (sites #53, 54 and 55) if they are master planned as a single unit as the City of Hillsboro prefers to do.

The inadequacy of the exception areas around the Hillsboro regional center area to accommodate the specific land need for housing units as demonstrated in Appendix IV requires the Council to consider resource lands to address the need. Resource lands within the urban reserves in the area contain the following potential housing units:

#62 contains about 18 acres of resource land north of U.S. 26 for residential development. About 18 acres are buildable and they will be developed to 18 units per buildable acre yielding about 324 dwelling units. At 4.1 jobs per buildable acre, this site would add about 74 jobs. This land is developable at relatively high densities to serve the adjacent industrial uses with housing that generally matches the wage levels of jobs in those industries. (See VII, below.)

Site #53 contains about 183 acres of resource land, with about 114 acres of buildable land, yielding about 1,254 households and 467 jobs by 2040, with 11 dwellings and 4.1 jobs per buildable acre.

#54 and 55 including St. Mary's contain about 618 acres of resource land with about 356 acres of buildable land, yielding about 3,916 households and 1,460 jobs by 2040 with 11 dwellings and 4.1 jobs per buildable acre. However, considering St. Mary's property master plan:

- There are approximately 155 acres of resource land within URSAs #54 and #55 that are not part of the St. Mary's property. Assuming a development density of 11 dwelling units per net buildable acre, this land could theoretically produce 1,142 dwelling units.
- The St. Mary's property consists of approximately 463 acres of EFU land within URSAs #54 and #55. A master planned, mixed-use community on the site is likely to result in approximately 3,000 to 4,000 dwelling units on an estimated net buildable 250 acres, which would provide for a density of approximately 12-16 units per acre.

The addition of St. Mary's and the other resource lands of URSAs #62, #53, #54 and #55 can provide approximately $(324 + 1,254 + 1,142 + 4,000 \Rightarrow) 6,720$ housing units to address the

Hillsboro region's housing unit need. Adding to that number the units that could theoretically be achieved on all other designated urban reserves in the Hillsboro regional area produces a total potential number of housing units outside the UGB of roughly 10,356 dwelling units. This falls short of the amount needed to achieve the favorable 1.47 to 1 ratio.

Prior to developing housing on the St. Mary's property and other urban reserve sites around the Hillsboro regional area, the urban reserve rule requires consideration of whether land inside the UGB can be rezoned to accommodate the specific land need without using resource land. Additional dwelling units can be gained within the urban growth boundary by rezoning the Seaport property from industrial to residential use. As the site-by-site analysis by Hillsboro in the record indicates, nearly all of the other industrial land inside the UGB is owned and master planned by industrial users for their own expansion.

The Seaport property is located north of the Sunset Highway near the Bendemeer neighborhood, in close proximity to the residential areas along West Union Road. Thus, its location may be more appropriate for housing. At 200 acres in size, the property can be master-planned and would likely accommodate about 574 jobs and 1,700 housing units, which represents a relatively high density of 12 to 14 units per net developable acre. Also, the property's rolling topography makes it more suitable for residential use than its current zoning designation for industrial use. In addition, the property is a better location for Hillsboro's fourth high school site. Even if the Seaport property were to be rezoned to residential, nevertheless, a substantial need for housing units in the Hillsboro region remains. Because the Seaport property is inadequate to satisfy the need for more housing units, it is necessary to include resource land in URSAs #54 and 55 and, particularly, the St. Mary's property in order to address the specific land need for housing in the Hillsboro region. Taken together, all of URSAs #61, #62, #53, #54, and #55, including the St. Mary's and Hanauer properties plus the Seaport property can theoretically supply, at most, roughly 12,256 households. This improves the jobs-to-housing ratio without reaching the favorable ratio of 1.47 jobs to 1 household ($55,065 + 6,720 + 1,700 = 63,485$ HH and $101,366 + 74 + 467 + 1,460 + 574 = 103,941$ jobs = 1.64 in 2015; 1.60 in 2017).

In addition to the various alternatives analyzed above, there are suggestions in the record that there are still other non-resource sites that could provide sufficient levels of housing to enable the region to maintain a favorable job/housing ratio without including St. Mary's in the urban reserves. An analysis of those sites does not support that claim. Except for Seaport, all of the alternative sites would be of limited assistance in addressing the housing deficit even if Metro had deemed them suitable as urban reserves. As the alternative sites analysis in Appendix IV shows, the Washington County exception areas which are located adjacent to the UGB in Forest Grove, Cornelius and Hillsboro have extremely limited potential for providing additional housing. Almost all of the exception areas are composed of lands which are parcelized into relatively small lots held in separate ownership. Because many of these exception areas are developed for small lot rural residential use, it is unlikely that they will redevelop in the near future, and if they were to become urbanized, it is highly unlikely they will achieve the housing density goals of 11 units per acre for outer neighborhoods recommended by the 2040 Growth Concept. For this reason and the reasons in section IV, above, the exception areas are not alternatives which can reasonably accommodate the special need for housing in the Hillsboro region. In conclusion, Metro's data and the expert analysis and evidence provided by Hillsboro persuasively demonstrate that there is no reasonable

alternative to improve the jobs-to-housing ratio for the Hillsboro regional center area than to include resource lands in URSAs #53, 54, 55 and, particularly, the St. Mary's property within the urban reserves.

C. Jobs-to-Housing Ratio in Hillsboro Regional Center Area
(Alternative 2 - Residential Market Analysis)

An alternative and equally responsive method of evaluating the requirements of OAR 660-04-030(4)(a) is to determine the number of housing units necessary to reach a favorable jobs to housing ratio. The Residential Market Analysis ("RMA"), an expert report submitted by the City of Hillsboro, employed a slightly larger study area for the Hillsboro regional center area than the one used by Metro staff. Both Metro staff and the RMA relied on Metro's 2015 Regional Forecast to determine the size of the study area and calculate a jobs-to-housing ratio.

The 2015 Regional Forecast is a database which divides the Metro region by census tract and TAZ. The database contains household and employment statistics and calculates a jobs to housing ratio for each Transportation Analysis Zone (TAZ). The TAZs can be added together in any combination to form study areas that correspond to different geographic locations in the Metro region. This method allows an analysis of housing and employment by subregion.

The data relied upon for both the Metro staffs' calculations and the Residential Market Evaluation are the same. The only difference between the two evaluations is the number and location of the TAZs which comprise the study area. This accounts for the slightly smaller jobs-to-housing ratio (1.45 to 1) found in the RMA. Under either of the two scenarios, the Hillsboro regional center area must add the St. Mary's property and the Seaport property to meet a favorable ratio of jobs to housing by 2015.

The RMA found that as of 1994, excluding the central city, the jobs to housing ratio for the suburban areas throughout the Metro Region was 1.42 to 1. Although the jobs to housing ratio in the City of Hillsboro at that time was an extremely high (jobs-rich) 3.12 to 1, the ratio for the entire Hillsboro Regional area was 1.45 to 1, a ratio more consistent with the regional suburban norm. Within the Hillsboro Regional area, the job-rich ratio within the City of Hillsboro is balanced out by the job-poor cities of Forest Grove and Cornelius and the unincorporated areas within the Hillsboro Regional area.⁴⁶

The current balance of jobs to housing in the Hillsboro region - 1.45 to 1 - establishes the favorable target range that Metro will strive to maintain in the short-term and long-term as part of this urban reserve decision and future UGB decisions. As noted in the RMA, the optimal jobs/housing ratio for the study area, and any other suburban regional study area, is equal to the regional ratio (excluding the central business district) because this will make the greatest contribution to reducing the number of vehicle miles traveled region wide. In its testimony, DLCD suggested that "some imbalance in the jobs/housing ratio in favor of jobs should be expected" in the Hillsboro region. While it may prove difficult and perhaps unattainable to maintain the Hillsboro

⁴⁶ Much of the data cited in this subsection is taken from various Metro documents. The data used, and the citations to the source documents, are all contained in the Residential Market and Jobs/Housing Balance Analysis (February, 1997), which is contained in Exhibit H-1.

region's ratio at 1.45 to 1; trying to do that is a desirable objective and supports the specific land need which this urban reserve decision attempts to address.

The Council disagrees that, because Hillsboro is a designated employment center, it should have a jobs-housing imbalance somewhat more like the Portland Central Business District. There are a number of reasons why Portland, as the business hub of the region, can maintain a jobs-housing imbalance, while it is not appropriate for a suburban employment center to do so. For example, Portland has far more mass transit and other transportation facilities available to serve it than does Hillsboro. More importantly, the Council finds it is a more appropriate application of the urban reserve rule to try and achieve a consistent jobs-housing ratio throughout the suburban areas of the region; allowing a large jobs-housing imbalance to develop in the Hillsboro region will increase VMTs, which will in turn create other transportation inefficiencies and imbalances.

Moreover, the Council disagrees that it is necessary, when applying the jobs-housing balance provision as the basis of a specific need determination, to consider the relationship between wage scales and housing prices. The primary purpose of the urban reserve rule, and RUGGO 22.3.2, is to reduce VMTs, which can be achieved by providing sufficient residential land in the urban reserves so that additional housing units can be built in proximity to the jobs expected to be created in the Hillsboro regional area, thereby improving the jobs-to-housing ratio.

As discussed below, the RMA, which relies to a great extent on Metro's own data, provides persuasive expert evidence and analysis demonstrating that, based on projected job growth in the Hillsboro region, in the near-term the jobs side of the ratio will grow much faster than the housing side. This imbalance will increase dramatically over the long-term unless additional residential land is brought inside the growth boundary within the Hillsboro region. As one of the key conclusions of the RMA notes, earlier remediation of the growing imbalance in the Hillsboro region will prevent an even greater imbalance and increases in the number of vehicle miles traveled in the future.

As of 1994, the Hillsboro region had approximately 35,540 households and 57,710 jobs - a jobs to housing ratio of about 1.45 to 1. Metro's data, as supplemented by the 2040 Means Business Committee report, the RMA, and Hillsboro's other expert evidence, demonstrate that the job demand in the Hillsboro region can produce at least an additional 69,000 jobs from 1994 to 2015, for a total employment figure of about 120,000 jobs. That level of job creation will produce a commensurate demand for housing in the same regional area. Metro projects that by 2015 the Hillsboro region will have approximately 66,761 housing units and 120,405 jobs - a jobs to housing ratio of 1.8 to 1. Thus, the evidence demonstrates that, without any increase in the urban land supply within the Hillsboro region, a significant imbalance between jobs and housing will develop during the next 18 years. If the goal of maintaining a favorable 1.45 to 1 jobs/housing ratio is to be achieved, then the Hillsboro region must be able to accommodate approximately 81,355 dwelling units by 2015, which represents an increase of about 14,500 dwelling units above the roughly 66,700 dwelling units that Metro is estimating can be accommodated in the Hillsboro region in that time period. Therefore, there is a specific need to add enough acreage to the urban reserves in the Hillsboro region to be able to accommodate at least 14,500 additional dwelling units. The RMA shows that the imbalance is likely to grow even more pronounced in the years beyond 2015.

Increasing the supply of potentially developable residential land by designating St. Mary's and other properties as urban reserves is an appropriate way to achieve a more favorable jobs-housing balance. As explained in the RMA and the supplemental memorandum thereto, as well as in other testimony provided to the Council, the projected job demand for the Hillsboro regional area is based on an analysis of a number of market factors; the demand is not affected by the kind of increases and decreases in industrial lands and numbers of jobs that could occur on urban reserve sites. Based upon the expert evidence and analysis provided, it is reasonable to assume that the approximately 120,000 jobs projected for the Hillsboro region by 2015 will exist, and that, if sufficient land is provided during that time period, then it is also reasonable to assume that the market will produce housing at the level necessary to achieve a more favorable jobs-housing balance. Simply put, it is reasonable to assume that the housing will follow the jobs to create a more favorable ratio if adequate land is provided in the urban reserves. The Council accepts that conclusion in determining that there is a specific need to designate the St. Mary's property as urban reserves in order to accommodate some of the 14,500 housing units or more that must be added to the current carrying capacity within the Hillsboro regional area to address the specific need to improve the jobs-housing ratio.

The carrying capacity - the number of additional housing units that can reasonably be expected to develop within the current urban boundaries of the Hillsboro regional area - is discussed in more detail below as part of the alternative sites analysis. First, however, this section of the findings examines the extent to which nonresource lands in the rural area outside the Hillsboro regional area can fulfill the specific land need.

Analysis of the urban reserves designated for the Hillsboro regional center area is necessary to determine how these areas could affect the jobs to housing ratio. As the evidence discussed below shows, both the exception areas and the resource lands in the Hillsboro URSA are needed to meet a favorable jobs-to-housing ratio.

Exception lands within urban reserves added to the Hillsboro regional center would potentially add more dwelling units as follows:

- ◀ #61 contains 27 acres of exception lands with about 16.3 acres of buildable land yielding about 179 dwelling units.⁴⁷
- ◀ The 42 acres of exception land in #62 could possibly add around 300 households at 11 dwelling units per net buildable acre.
- ◀ #54 contains about 47 acres of exception lands, with about 31 acres of buildable lands yielding about 341 households using the 2040 Growth Concept "Outer Neighborhood" design type.

⁴⁷ Unless specifically provided elsewhere in the findings, the estimates of housing or dwelling unit capacity listed below are based on 11 units per net buildable acre. The estimates of net buildable acreage are based on the evidence provided in Exhibit A to the Background Data of the Executive Officer Recommendations-Urban Reserves, September, 1996 or, if the evidence in that report is not sufficient, then the net developable acreage was based on 70% of total acreage.

- ◀ #55 contains about 407 acres of exception lands with about 242 buildable acres yielding about 2,662 households.

URSA	Households
61	179
62 (exception)	300
54 (exception)	341
55 (exception)	2,662
TOTAL	3,482

As the chart shows, roughly 3,500 housing units could theoretically be added on the exception lands contained within the urban reserves around the Hillsboro regional area. As discussed in more detail in the alternative site analysis, due to parcelization, other site constraints and other factors, the exception lands, both within the urban reserves and in other areas outside the Hillsboro regional area, contain a realistic potential for something less than 3,500 units. More importantly, none of these exception areas is large enough or have the other kinds of site characteristics that will enable it to support anything more than a small fraction of the number of units that can be developed on St. Mary's, much less the kind of high density, master planned community in accord with many of the policy objectives of RUGGO that can be developed on the St. Mary's site.

The inadequacy of the exception areas around the Hillsboro regional area to accommodate the specific land need for at least 14,500 housing units requires the Council to consider resource lands to address the need. EFU lands within the urban reserves in the area contain the following potential housing units:

- ◀ #62 contains about 18 acres of resource land north of U.S. 26 for residential development. About 18 acres are buildable and they will be developed to 18 units per buildable acre yielding about 324 dwelling units. This land is developable at relatively high densities to serve the adjacent industrial uses with housing that generally matches the wage levels of jobs in those industries. (See VII, below.)
- ◀ There are approximately 155 acres of resource land within URSA #54 and #55 that are not part of the St. Mary's property. Assuming a net buildable area of 108.5 acres (calculated at 70% of the total land area), this land could theoretically produce 1,193 households at 11 units per acre.
- ◀ The St. Mary's property consists of approximately 463 acres of EFU land within URSA #54 and #55. A master planned, mixed-use community on the site is likely to result in approximately 4,000 dwelling units on an estimated net buildable 280 acres, which would provide for a density of approximately 12- 14 units per acre.

Both Hillsboro and the developer of St. Mary's have agreed to master plan the property and, therefore, the 4,000 unit density will be achievable.

Hillsboro's Residential Market Analysis shows that land capable of accommodating at least 14,500 households must be added to the current land inventory in the region if a favorable jobs-to-housing ratio is to be maintained in the Hillsboro regional center area. The addition of St. Mary's and the other resource lands of URSAs #62, #54 and #55 can provide approximately 5,517 housing units to address the Hillsboro region's housing unit need. Adding to that number the 3,500 units that could theoretically be achieved on all other designated urban reserves in the Hillsboro regional center area produces a total potential number of housing units outside the UGB of roughly 9,000 dwelling units. This still falls about 5,500 units short of the minimum 14,500 units needed to move towards a 1.45 to 1 ratio.

In addition to developing housing on the St. Mary's property and other rural sites around the Hillsboro regional area, another alternative approach the urban reserve rule requires to be examined is whether land inside the UGB can be rezoned to accommodate the specific land need without using resource land. There is not enough land within the urban boundary of the Hillsboro region to accommodate the need for additional housing units. In their letter to the Council of February 13, 1996, the state agencies suggest that perhaps adequate consideration has not been given to measures that can be taken to increase the residential carrying capacity of the urban land inventory within the Hillsboro regional area. The Council disagrees, and accepts the expert testimony of the City of Hillsboro that, indeed, as part of both this process and the Metro Functional Plan process, the city has exhaustively analyzed the carrying capacity of the urban land in the area and concluded that, taking into account opportunities for redevelopment, infill and rezonings consistent with the RUGGO and Functional Plan, there is not a realistic opportunity to achieve additional housing units beyond those targeted in Table 1 of the Functional Plan. That expert conclusion by the city, as summarized in its letter of February 18, 1997, is consistent with the expert and more up-to-date analysis contained in the RMA report. The Council also finds credible and persuasive the conclusion in that report that the current carrying capacity of the urban land within the Hillsboro regional area to be approximately 21,600 dwelling units, which is roughly 1,800 units more than the targeted dwelling unit allocation for the same area contained in Table 1 of the Functional Plan. Thus, this analysis of the jobs-housing balance, based in part on the RMA, assumes that the urban land within the current Hillsboro regional center area will generate more new housing units during the next approximately 20 years than the number of units targeted for that area in the Functional Plan.

In addition, as part of the alternative site analysis to justify the inclusion of the St. Mary's property and other resource lands in the Hillsboro area, Metro is assuming that an additional 1,700 units, beyond that assumed and targeted by the Functional Plan, can potentially be achieved through the rezoning of the Seaport property. The property is located north of the Sunset Highway near the Bendemeer neighborhood, in close proximity to the residential areas along West Union Road. Thus, its location is more appropriate for housing. At 200 acres in size, the property can be master-planned and would likely accommodate about 1,400-1,800 which represents a relatively high density of 12-14 housing units per net developable acre. Also, the property's rolling topography makes it more suitable for residential use than its current zoning designation for industrial use. In addition, the property could possibly provide a better location for Hillsboro's

fourth high school site, which is currently planned for a parcel in the Industrial Lands Sanctuary. Even if the Seaport property were to be rezoned to residential, nevertheless, a substantial need for housing units in the Hillsboro region remains. Because the Seaport property alone is inadequate to satisfy the need for more housing units, it is necessary to include URSAs #54 and 55 and, particularly, the St. Mary's property in order to address the specific land need for housing in the Hillsboro region. Taken together, all of URSAs #61, #62, #54, and #55, including the St. Mary's property, and the Seaport property can theoretically supply, at most, roughly 10,700 households, which would not improve the jobs-to-housing balance to the favorable ratio of 1.45 jobs to 1 household.

URSA	Units per acre	HH
#54 and #55 (exception land)	10	3,003
#54 and #55 (resource land excluding St. Mary's)	11	1,193
#61	10	179
#62 (exception)	11	300
#62 (resource)	18	324
St. Mary's	12-14	4,000
Seaport	12-14	1,700
TOTAL		10,699

As discussed above, in order to maintain a 1.45 to 1 jobs/housing ratio, the Hillsboro region needs to be able to accommodate approximately 81,000 dwelling units by 2015, and more than that in the 28 years thereafter. Assuming that the 67,000 housing units Metro projects for the Hillsboro region by 2015 can be accommodated on the existing urban land inventory, then there remains an approximate shortfall of at least 3,800 housing units, even with the potential development of St. Mary's, Seaport, and all of the other exception lands and resource sites analyzed above.⁴⁸ In all

⁴⁸ Assuming Seaport was rezoned, but not ultimately replaced by an equivalent number of industrial acres, there would not be a significant impact on the demand for jobs in the region. That level of reduction in industrial land supply would not affect the job demand. As discussed in the Industrial Market Evaluation, job demand projections are not directly tied to land supply. However, assuming that the rezone occurred without any eventual replacement site being brought into the boundary, and further assuming that depletion in the industrial inventory did diminish the projected job demand in 2015 by 1,600 jobs, that decrease in jobs would still not be enough to achieve a ratio to 1.45 to 1.

likelihood, however, land capable of producing approximately 21,000 housing units, not 14,500 units, will have to be added in the Hillsboro regional area during the next 20 years in order to maintain a 1.45 to 1 jobs to housing ratio. That is because, as pointed out in the RMA, the 67,000 total units that Metro projects to exist in the Hillsboro region by 2015 cannot be accommodated within the existing urban boundaries of the Hillsboro region; that is true even if the targeted housing units established in the recently adopted Functional Plan are achieved. Therefore, based on the best evidence provided and analyzed in the RMA, enough land needs to be included in urban reserves in the Hillsboro regional area to accommodate up to approximately 21,000 dwelling units if the area is to maintain its current favorable house-jobs ratio during the next 20 years, and even more urban reserve land and dwelling units will likely have to be added in the future to continue maintaining a favorable ratio during the next 43 years. Thus, the designation of the St. Mary's property and the other resource lands included in urban reserve areas around the Hillsboro region represent only a partial step towards achieving a more favorable jobs-housing ratio; their designation as urban reserves satisfies the specific need provision of the urban reserve rule.

As discussed throughout these findings, it is anticipated that the St. Mary's site can accommodate approximately 4,000 housing units, which will be needed to correct the jobs-housing imbalance. It is not appropriate or necessary for this urban reserve decision to impose binding requirements on St. Mary's or any other property to ensure that the property is used to address the specific need that justified its inclusion in the urban reserves. Before any urban reserve site can be brought inside the UGB it will be necessary to demonstrate that appropriate development will occur on the site. There is sufficient evidence in the record of this decision demonstrating that it is feasible and likely that the St. Mary's site will be developed in the manner described herein. There will be appropriate legal opportunities prior to the UGB amendment, annexation and development approval of the property to ensure that the kind of development described herein is in fact achieved on the property.

In addition to the various alternatives analyzed above, there are suggestions in the record that there are still other non-resource sites that could provide sufficient levels of housing to enable the region to maintain a favorable job/housing ratio without including St. Mary's in the urban reserves. An analysis of those sites does not support that claim. Except for Seaport, all of the alternative sites are of limited assistance in addressing the housing deficit. The alternative sites analysis, attached as Appendix IV and incorporated here by this reference, shows that the Washington County exception areas which are located adjacent to the UGB in Forest Grove, Cornelius and Hillsboro have extremely limited potential for providing additional housing. Almost all of the exception areas are composed of lands which are parcelized into relatively small lots held in separate ownership. Because many of these exception areas are developed for rural residential use, it is unlikely that they will redevelop in the near future, and if they do eventually become urbanized, it is highly unlikely they will achieve the housing density goals of 11 units per acre for outer neighborhoods recommended by the 2040 Growth Concept. For this reason and the reasons in IV, above, the exception areas are not alternatives which can reasonably accommodate the special need for housing in the Hillsboro region. In conclusion, Metro's data and the expert analysis and evidence provided by Hillsboro persuasively demonstrate that there is no reasonable alternative to improve the jobs-to-housing ratio for the Hillsboro Regional Center Area than to include URSA's #54, 55 and, particularly, the St. Mary's property within the urban reserves.

The Council has also designated URSA #53 as an urban reserve. The addition of URSA #53 does not change the specific land need analysis for the St. Mary's property discussed above. Consistent with that analysis, URSA #53 will provide some additional housing units. However, even with these additional units, the Hillsboro regional center area will still need several thousand housing units, in addition to those provided by the St. Mary's property, to meet a favorable jobs-to-housing ratio. Thus, the additional of URSA #53 does not eliminate the need to include the St. Mary's property in the urban reserve. Specific findings for URSA #53 are discussed in section VII.3, below.

D. St. Mary's as a First Priority Site

As discussed above, the legal basis for St. Mary's urban reserve designation is the specific need provision in OAR 660-21-030(4)(a). In order to assure compliance with the urban reserve rule's technical requirements, it is necessary for St. Mary's to satisfy the specific need provision because the property does not qualify as a first priority land pursuant to OAR 660-21-030(3)(a). For all practical purposes and relevant policy considerations, however, the St. Mary's property does qualify as a first priority site. While the property is not "completely surrounded by exception areas," which would legally qualify it as a first priority site, it is so close to being surrounded that it can be deemed to meet the intent of OAR 660-21-030(3)(a). The "completely surrounded" provision of OAR 660-21-030(3)(a) recognizes that EFU and other resource land can be included as first priority urban reserve land when it is not next to, and therefore is isolated from, productive farmland. Except for a small stretch of land zoned EFU that borders the southwest corner of St. Mary's, the remaining 83% of the site's border abuts exception areas and urban land. The small portion of EFU land that does border the site, however, is not in productive farm use; rather part of it has been developed as a golf course and another part contains radio towers. There is no productive farm use adjoining the St. Mary's property or in the vicinity of the property. Therefore, although perhaps not quite meeting the demanding technical standard in OAR 660-21-030(3)(a), nevertheless, it is reasonable, for all practical and policy purposes, to consider St. Mary's as a first priority site because it fully meets the intent of the "completely surrounded" provision in OAR 660-21-030(3)(a).

2. URSA Sites 62 (North of the Sunset Highway) and 63A

URSA #62 contains about 42 acres of exception lands which are included in First Priority lands, above. However, there is a "specific land need" for these resource lands to improve the jobs-to-housing ratio in the Hillsboro regional center area. The analysis and interpretation of the Urban Reserve Rule and the Hillsboro regional center area in 1, above, applies to the resource lands in #62 and #63A north of U.S. 26.

These findings address that portion of Urban Reserve Study Area Site 62 located north of the Sunset Highway (US 26) and Site 63A to its immediate west. Site 62 north of the Sunset Highway is an approximately 20-21 acre area bounded on the south by the Sunset Highway, on the west and north by a drainage swale that is a tributary to Rock Creek, and on the east by Helvetia Road. The site is largely flat and unremarkable in its topography and appearance. Groveland Drive, an east-west local road, bisects the area. To its south are five small developed residential properties ranging in size from 0.40 to 0.53 acres. North of Groveland Drive is property in single ownership consisting of the eastern portion of Tax Lot 900 and the

southeasternmost corner of Tax Lot 901 (hereinafter referred to as "Tax Lot 900/901"). Although zoned for exclusive farm use, this approximately 18-acre parcel, consisting primarily of Class IV soils⁴⁹, remains mostly wooded and shows no evidence of prior cultivation.

Across Site 62 to the east is Jacobsen Road, an east-west connector. Immediately south of Jacobsen Road, inside Metro's urban growth boundary, is the westbound exit ramp off the Sunset Highway, a 57.89 acre parcel owned by PacTrust that has been approved for development as an industrial park, the fully developed five-acre Shenei manufacturing property, and the approximately 63-acre Bosa Industrial Park. North of Jacobsen Road, approximately 700 feet from Helvetia Road, is a 62-unit mobile home park occupying 14.55 acres. Despite its developed character, this mobile home park lies outside the UGB and is zoned for exclusive farm use. Immediately east of the mobile home park, and again inside the UGB, is the 228.4 acre Seaport property, which is currently zoned for employment uses.

Overall, Site 62 in its entirety was assigned an urban reserve rating of 48.5 in the URSA reanalysis. The rating for Site 62 in both URSA analyses is based on the model's assumption that all land will be used for residential uses. The 48.5 rating places Site 62 right in the middle of the survey, with 37 other URSA's having higher scores and 32 scoring lower.⁵⁰

Had the ratings considered subareas, the northern portion of Site 62 would likely have scored higher than Site 62 as a whole. As described in Appendix I, this area is unconstrained, easily serviceable, and suitable for mixed use residential development at densities significantly higher than Metro's assumed average of 10 to 11 units per buildable acre. To ensure this result, the property owner of Tax Lot 900/901 has suggested that development of this property be reserved for a minimum average density of at least 18 units per buildable acre.

Site 63A is an approximately 10-acre parcel located immediately west of Site 62 north of the Sunset Highway. Site 63A differs from former URSA Site 63 in that all of former Site 63 that was in active farm use (approximately six acres) has been eliminated. The remaining lands comprising Site 63A show no signs of prior cultivation. These lands, like most of Site 62 north of the Sunset Highway, are part of Tax Lot 900. Site 63A is bounded on the south by Groveland Road and the Sunset Highway, on the west and north by agricultural lands in active farm management, and on the east by Site 62. Four dwellings (one a duplex) occupy Site 63A, which like Site 62 north of the Sunset Highway is mostly wooded, largely flat, and unremarkable in its topography.

Site 63A and Tax Lots 900/901 in Site 62 share common ownership. Like Site 62 north of the Sunset Highway, Site 63A is unconstrained, easily serviceable, and suitable for mixed use residential development at densities significantly higher than Metro's assumed average of 10-11 units per buildable acre. To ensure this result the property owner of Tax Lot 900 has suggested that development of this property, like Tax Lot 900/901, be reserved for a minimum average density of at least 18 units per buildable acre.

⁴⁹ A.G. Crook Company, Soil Survey Report, Standing Property, Washington County, January 1996.

⁵⁰ Site 27 had the identical score of 48.5.

A. Urban Reserve Rule

Lands that are zoned for exclusive farm use are, by law, considered of lower priority for inclusion in urban reserves. See OAR 660-21-030(4). However, under OAR 660-21-030(4)(a), the Metro Council nonetheless may include EFU-zoned lands to correct unfavorable jobs/housing balances. Here, inclusion of the northern portion of Site 62 and Site 63A within the urban reserve boundary is appropriate because these lands are needed to correct the unfavorable jobs/housing imbalance forecast identified for the Hillsboro Regional Center.

By the year 2015, Metro projects that the Hillsboro Regional Center will accommodate 120,405 jobs and 66,761 households.⁵¹ This results in a job/housing ratio of about 1.8, the most significantly one-sided jobs-rich imbalance outside the Portland Central City. If Metro had analyzed the Hillsboro Regional Center as an area of 100,000 population excluding jobs-poor Forest Grove and Cornelius in the analysis, this jobs to housing ratio would be even more unfavorable.

In the immediate vicinity of Sites 62 and 63A the Hillsboro "jobs-rich" imbalance is most pronounced. Immediately adjoining Site 62 to the south is the Dawson Creek Corporate Park, a major employment center. Lands to the east and southeast (south of Evergreen Parkway) also are designated and zoned for employment uses, including a large (75.43-acre) parcel of land immediately east of Site 62 that was recently purchased by Nike for office and manufacturing development. North of the Sunset Highway, lands situated between Jacobsen Road and the Sunset Highway also are identified for employment uses, as is currently the Seaport property north of Jacobsen Road.⁵² Many people employed at these locations will need and want affordable housing, but very little land has been planned and zoned for more affordable housing types within short distances of these work places.

Businesses locating on these properties will be generating an impressive number of new jobs. South of the Sunset Highway, Komatsu Electronic Metals Co., now under construction at Dawson Creek Park, is expected to create 300 jobs in the first phase alone. Integrated Device Technology, Inc., also at Dawson Creek Park, will provide another 975 jobs. Intel's new microprocessing facility at Ronler Acres, located southeast of the intersection of Evergreen and Shute Road, is expected to create 1400 new jobs, and the Nike facility along Shute Road just south of US 26 should create over 1400 new job opportunities.⁵³

North of the Sunset Highway, the PacTrust Industrial Park will create about 450 jobs and the Bosa Industrial Park will create over 500 jobs.⁵⁴ Hundreds of additional jobs may be created if the Seaport property remains zoned for industrial uses and is developed consistent with its current industrial zoning, and when a new high school is built on the Hillsboro School District's 44.98-acre site located along Croeni Road just south of Jacobsen Road, approximately one mile east of the intersection of Jacobsen and Helvetia Roads.

⁵¹ Metro staff memorandum of January 29, 1997.

⁵² See Hillsboro evidence and exhibits submitted by Alpha Engineering at the February 13, 1997 hearing.

⁵³ OREGONIAN, September 19, 1996; Hillsboro Absorption Analysis, 1997.

⁵⁴ These numbers assume eight new jobs per acre.

While many of the jobs created at these sites will pay salaries adequate to support ownership of detached single family homes, many other jobs will pay wages that alone are insufficient to support that type of home ownership. By the year 2015, it is projected that approximately 64 percent of households in the City of Hillsboro will have incomes under \$40,500.⁵⁵ Given existing housing costs, these incomes probably will be insufficient to afford a detached single family home. Many of the households earning incomes below \$40,500 will require more affordable housing types to meet their residential needs. These can include attached housing such as multi-family dwellings, garden apartments, townhouses and rowhouses, as well as duplex and small lot single family housing. With their flat, unconstrained land and ready access to public facilities and services, the northern portion of Site 62 and Site 63A provide excellent opportunities to provide affordable housing for the many people earning nonmanagerial wages who will be working at these locations.

B. Suitability Ratings

For the reasons in Appendix I, attached, more specific analysis than the URSA study model indicates that the relative suitability ratings for URSA #62 north of the Sunset Highway and for #63A should have been higher than the scores indicated by the model for URSA #62 and 63.

C. Conclusions For #62 and #63A Housing

When viewed on a subarea basis, the portion of Site 62 north of the Sunset Highway merits a much higher rating for residential development than Site 62 as a whole. This area has no topographical or environmental constraints that would prevent mixed use residential development. This land should be reserved for residential development at densities significantly higher than the 10 to 11 dwelling unit per acre average assumed by Metro for the urban reserves analysis. The subarea has excellent access to services and outstanding access to the regional road system. Agricultural lands on Tax Lot 900/901 are predominantly Class IV, which makes this site more appropriate for urbanization and less appropriate for agricultural retention than other EFU-zoned URSA's containing predominantly Class I, II or III soils. Most importantly, Site 62 north of the Sunset Highway provides an outstanding opportunity to provide a mix of needed, affordable housing types consistent with the 2040 Growth Concept in an area where the jobs/housing imbalance is extreme, and the property owner has suggested an approval condition that would ensure residential development of this site at higher densities. For all of these reasons this portion of Site 62 meets the applicable urban reserve standards and merits designation as an urban reserve.

Like Site 62 north of the Sunset Highway, Site 63A also has no topographical or environmental constraints that would prevent mixed use residential development. It too should be reserved for residential development at densities well above the 10-11 EDUs per acre average assumed by Metro for the urban reserves analysis. Although the soils on Site 63A are better for agricultural production than those on Tax Lots 900/901 in Site 62, this property shows no evidence of prior cultivation. Site 63A differs from former URSA Site 63 in that it has been redrawn to exclude all acreage in active farm use. The site has excellent access to roads and

⁵⁵ Tualatin Valley Economic Development Corporation, July 1996.

services and, like Site 62 north of the Sunset Highway, provides an outstanding opportunity to provide a mix of needed, affordable housing types consistent with the 2040 Growth Concept in an area where the jobs/housing imbalance is extreme. For all of these reasons Site 63A, like Site 62 north of the Sunset Highway, merits designation as an urban reserve.

The property owner of Tax Lot 900/901, which comprises all of Site 63A and nearly all of Site 62 north of Highway 26, has suggested development of this property be reserved for a minimum average density of at least 18 units per buildable acre. This acreage will accommodate about 500 dwelling units at a minimum overall density of 18 units per buildable acre. At 4.1 jobs per acre, the 28 acres would have added about 115 jobs to the jobs/housing balance.

3. Urban Reserve Study Area #53

The Metro Council hereby adopts the following findings concerning URSA #53:

Site #53 is located immediately south of the St. Mary's property and contains 204 total acres, including 183 acres of resource land and 21 acres of exception land. The site is in single ownership and has about 114 acres of buildable land.

Presently, Site #53 is designated for agricultural uses in the acknowledged comprehensive plan. However, pursuant to OAR 660-21-030(4), this "lower priority" land is necessary to be included as an urban reserve, particularly if higher priority land has been found to be inadequate to accommodate the amount of land estimated to be necessary to comply with OAR 660-21-030(1). In this case, designation of Site #53 as an urban reserve is necessary in order to improve the jobs-to-housing ratio in the Hillsboro regional center area and comply with the urban reserve rule. Moreover, because of its location immediately to the south of the St. Mary's property and immediately to the west of the existing UGB on one side and to the east of the golf course, much of the same rationale for concluding that the St. Mary's property qualifies as "first priority" applies to Site #53. This property, too, is isolated from productive farm land and can be fairly characterized as effectively "completely surrounded" by exception lands when considered in conjunction with the St. Mary's property.

A. Suitability (See Appendix V)

B. Jobs/Housing Specific Land Need

The analysis of the legal standards applicable to the jobs-to-housing ratio in the Hillsboro regional center area beginning at page 23 are incorporated here. This analysis, including alternative findings, explains why there is a specific need to designate the Hanauer property, URSA #53, as an urban reserve for additional households to achieve a more favorable jobs-to-housing ratio in the Hillsboro regional area. The Hanauer property is located immediately south of the St. Mary's property and, when considered in conjunction with the St. Mary's property, it forms a contiguous block of parcels which is most appropriately planned as a master plan, mixed-use community, either separately or in combination with the master planning for the St. Mary's property, as the City of Hillsboro prefers to do. If master planned 12-16 units per acre, it could result in an additional 1,368 to 1,824 dwelling units on an estimated 114 net buildable acres.

URSA #53 contains about 21 acres (10%) of exception lands, with about 14 acres of buildable lands, yielding about 154 households using the 2040 Growth Concept "Inner

Neighborhood" design type of 11 units per buildable acre, and 60 jobs at 4.1 jobs per buildable acre.

The jobs-to-housing ratio for the entire Hillsboro regional center area in 2040, after adding the jobs and housing for other than resource lands in #53, does not significantly improve the jobs-to-housing ratio.

The Hanauer property contains about 183 acres of resource land, with about 114 acres of buildable land, yielding about 1,254 households and 467 jobs by 2040, at 11 dwellings and 4.1 jobs per buildable acre. Because of its size and its location immediately south of the St. Mary's property (#54 and #55), the three parcels form a contiguous block which is most appropriately planned as a master planned, mixed-use community. Both the City of Hillsboro and the owner of Site #53 have agreed to master plan the property and the density of 12-14 units per acre will be achievable.

C. Conclusion on URSA #53

The Hanauer property is an important addition to the urban reserves in the Hillsboro regional center area because of its location, size and topography. The site is located immediately to the south of the St. Mary's property and immediately to the west of the existing UGB. It contains 204 acres of which 183 acres is resource land and is, therefore, a large enough parcel to be master planned for a mixed-use community, either separately or in conjunction with the adjacent St. Mary's property. It is flat, under single ownership, and the City of Hillsboro believes that its planning activities, extension of urban services, and the creation of a logical city boundary would be enhanced with the inclusion of both the St. Mary's property (#54 and #55) and Hanauer property (#53).

Indeed, because they form a contiguous block of parcels, they are most appropriately planned as coordinated planning units in order to encourage the evolution of an efficient growth form, provide a clear distinction between urban and rural land, and in order to efficiently provide for the inclusion of urban services to the southeast area of the City of Hillsboro. Its location, adjacent to the existing UGB and St. Mary's, allows the City of Hillsboro and Washington County to master plan the collective area for future urban use compatible with existing urban development consistent with the 2040 Growth Concept.

While Site #53 contains 183 acres of EFU land, the site has not been farmed in many years. It is an abandoned tree nursery containing large numbers of overgrown ornamental trees and shrubs. In order to prepare the property for agricultural use, the trees and shrubs would need to be removed and soil conditions significantly improved. The estimated cost of converting the property to agricultural use is between \$500,000 and \$1,000,000. This is prohibitively expensive and makes it unlikely the property would ever be returned to commercial agricultural use.

4. URSA #31 contains about 736 acres of land. The 121 acres of exception land in first priority urban reserves need no demonstration of "specific land need." The 615 acres of resource land are in first priority urban reserves. Accordingly, the 615 acres of land zoned EFU requires no specific land need to be designated as urban reserves. Alternatively, as explained below, approximately 628 acres of buildable land is required, in addition to the city's existing inventory of

land, to enable the City of Lake Oswego to have an adequate opportunity to supply affordable and moderate housing by the year 2040. Alternatively and separate and apart from the above, the City of Lake Oswego requires approximately 800 acres to enable the City of Lake Oswego to absorb its fair share of the region's growth, including dense and affordable housing, given the City's stated unique lack of buildable land as compared to other of the region's cities. This enables the city to address its stated serious concerns regarding the cost of accommodating growth as it may spread the costs of growth over a potentially larger population, reducing the per capita costs of the same. Alternatively and separate and apart from the above, URSA 31 contains approximately 736 acres of land uniquely situated due to (1) its proximity to the City of Lake Oswego, (2) its size, and (3) the number of larger parcels of mostly undeveloped land in relatively few ownerships. This 736 acres is specially suited for developments which may be master planned to provide much needed housing for workers within the Lake Oswego town center subregion. URSA #31 will provide an important regional and subregional tool to address a worsening jobs/housing imbalance in this subregion.

The Metro Council hereby adopts the following findings presented on behalf of the property owners of URSA #31.

- a. Specific Needs
 - (1) Affordable Housing

The City of Lake Oswego does not have adequate opportunities to supply appropriate amounts of affordable or needed housing to the City or the Metro area. See generally, Report of Leland Consulting. To meet a fair share of affordable and moderate income requirements over the planning horizon, Lake Oswego must have a minimum of 352 to 480 acres of land suitable (buildable) for affordable and moderate housing in addition to its current inventory. Moreover, Lake Oswego requires approximately 628 acres of land suitable for affordable and moderate housing in addition to its current inventory by the year 2040. This assessment is detailed in the Leland Consultants Chart appended to the Leland Report.

In addition, Lake Oswego is the least affordable City within the Metropolitan region in housing costs. The median price of one acre of land in its currently fragmented inventory in Lake Oswego is approximately \$392,00 and the average price is \$418,000. In contrast, the average price of a one-acre lot in St. Johns is approximately \$212,071.⁵⁶ See charts appended to Leland Consulting Report. This is in part because existing development patterns favor larger lot, higher end development, prestige and views within the city. The City of Lake Oswego Comprehensive Plan states that the City is nearly built out in a manner that is unique to other of the region's cities and that this limits City growth. Accordingly, to have the opportunity to meet Goal 10, the Metropolitan Housing Rule and ORS 197.303 for affordable and needed housing over the applicable planning horizon, Lake Oswego must be provided more space within which to plan for a variety of housing types to accommodate projected regional growth.

The alternative of providing affordable housing within the existing Lake Oswego urban area historically has been ineffective. There are inadequate indicators to cause the Council to determine this historic pattern will significantly change for the 2017 or 2040 planning horizon.

⁵⁶ See attached chart.

In the city planning director's October 9, 1995 letter to Metro, the city identified 200 acres of buildable vacant land. As a result of this small amount of vacant buildable land available for development, competition for prestige locations has produced a high-priced market.

First, Lake Oswego is virtually built out. Accordingly, the remaining available land is available for infill development only. Lake Oswego has identified approximately 130 total acres of land on 83 parcels for infill development. Of these identified parcels only two are vacant (undeveloped). The remaining parcels all have existing housing. Lake Oswego has allotted 421 units to these 83 identified infill parcels by 2017 and a total of 734 units by 2040. However, this number of infill units does not take into account the significant and peculiar economic or market constraints affecting Lake Oswego. Of the 83 identified potential infill parcels, 29 contain dwellings units which are either new or so expensive as to make demolition improbable. See Report of Leland Consulting. Moreover, the households living on the developed infill parcels are composed of people who have chosen house and land and the location of both as a lifestyle. In other words, the owners paid a premium to move onto the parcel to achieve a certain lifestyle and there is nothing to justify an assumption that these people are in any position to redevelop or would redevelop those parcels. Second, the costs of redevelopment are so high as to preclude redevelopment of these developed parcels. This economic model makes it highly improbable these homes are reasonably counted for infill development. It is appropriate to remove the 32 acres underlying the 29 dwellings above discussed from the infill inventory to obtain a more accurate understanding of the infill potential in Lake Oswego.

This leaves approximately 98 acres of city identified potential infill lands remaining. However, the expected value of these remaining identified potential infill lots alone averages approximately \$107,000 requiring built housing in the range of \$350,00 for a total price of approximately \$460,000 per infill unit. To achieve affordability within this pricing would require densities ranging from 34 units per acre in districts currently zoned for single family detached units. The average size of infill parcels designated by the city is in the range of 65,000 square feet (approximately 1.5 acre) each located on scattered lots. This means it will be very difficult to achieve high, affordable, densities on such parcels because the parcels are too small to enable master planning for such developments. Moreover, these identified "infill" lots are within existing neighborhoods, with established development patterns devoted to much lower densities (4-6 units per acre) and expensive homes. Accordingly, it is reasonable to expect affordable development proposals on an intense scale is more costly in suburban areas with development standards fitting suburban prototypes as to parking, tree preservation, open space and setback requirements and height limitations. Such affordable development proposals would be forced to undergo an individual and difficult approval process within neighborhoods currently devoted to high income single family detached housing, further adding to the cost. For all these reasons, development of the small amount of vacant buildable land and the alternative of infill development within the city does not satisfy the special affordability need.

URSA 31 supplies a minimum of 414 buildable acres that can help to satisfy the special affordability need. While the City may not wish to concentrate affordable housing in one place, URSA 31 provides a large enough number of buildable acres to enable master planning which can provide a mix and range of housing opportunities with a significant number of affordable

housing units, in a very livable environment, close to town, regional and the Center Centers. URSA 31 is composed of larger lots which are owned by a relatively few number of property owners. This situation makes it uniquely capable of planning and building a mixed use 2040 community, that can include significant amounts of affordable housing. Urban Reserve 31 is located directly adjacent to proposed City of Lake Oswego urban ball fields and park land. URSA 31 is also located along major and minor arterials and provides important, close connections already used by intense and existing urbanization in the area to I-205. In addition, utility connections are close by and are of a lower comparative average cost than other urban reserve areas. Such utilities can be provided to URSA 31 in a timely and efficient manner.

In sum, Urban Reserve 31 is uniquely suited for the purpose of providing capacity for both affordable and dense community development. It is composed of larger parcels available for long-term, planned developments that can support a variety of housing types including necessary densities and affordable housing. URSA 31 is a uniquely beautiful and livable place providing real opportunities for housing choices regardless of income. Moreover, Urban Reserve 31 is not composed of predominately prime and unique agricultural land, so it does not detract from the region's agricultural base. By including Urban Reserve 31, the region protects prime and unique agricultural land located elsewhere, because Urban Reserve 31 removes development pressure from the larger blocks of truly fine agricultural land in the region. It removes the pressure from these lands because Urban Reserve 31 provides larger areas for planned development, making the use of larger blocks of nonurban reserve agricultural land unnecessary to satisfy regional needs.

(2) Accommodating Growth

Alternatively, there is a specific land need for additional land, including URSA #31, to meet Lake Oswego's requirements to accommodate its share of growth consistent with the Urban Growth Management Functional Plan.

The region requires urban reserves in appropriate locations to respond to regional growth pressure. The City of Lake Oswego is a desirable place to live and it is reasonable to expect that the projected number of people anticipated in the 2017, 2027 and 2040 growth projections will insist upon living there.

The City of Lake Oswego acknowledges in its Comprehensive Plan that it is nearly out of buildable land. The City's Comprehensive Plan acknowledges that this situation is unique within the region. This unique lack of buildable land triggers a special need to provide urban reserves proximate to the City of Lake Oswego to enable the City to absorb its fair share of the region's affordable and other housing and jobs needs to accommodate projected regional growth.

While the City of Lake Oswego has an urban services boundary (USB), Metro cannot rely exclusively on the political and annexation decisions necessary to provide an adequate supply of land to support jobs and affordable and appropriate numbers of housing units. While the region hopes for such to occur, the requirement that the Metropolitan Region have an adequate supply of urbanizable land within the urban growth boundary and for potential use with urban reserves is too critical to justify the assumption.

Even if annexation of the USB occurred, with two exceptions, those lots now considered for infill within the combined USB and City limits that are deemed "vacant" are not undeveloped. Moreover, using existing zoning, the maximum space available from infill is 476 units and this number will be reduced by environmental constraints. The average assessed value of the available infill parcels is \$172,000, and the average parcel size is 66,959 square feet. Further, this average assessed value of \$172,000 lags significantly behind the market sales prices for these parcels, which sell on average for over \$400,000. All except two of the infill lots underlie homes at an average of 2800 square feet, with an assessed average value per acre in excess of \$372,000, and which range in value up to \$680,000. In short, it is unreasonable to assume this land is available for the required dense and affordable housing necessary to meet legal requirements. This is a special and unique problem experienced by the City of Lake Oswego. It requires special and unique solutions. The City will have a unique set of challenges associated with infill given this established pattern.

Given these factors, failing to provide Lake Oswego with urban reserves will likely shift growth and affordable housing which should be absorbed by the City to other local governments. As pointed out in the letter from the Homebuilders, dated February 12, 1997:

"In general, Lake Oswego does have a reputation as a difficult jurisdiction in which to develop. Projects often take longer than elsewhere in the region and density is extremely difficult to achieve . . ." "Unfortunately, there does not appear to be any evidence that Lake Oswego is doing anything to change such a reputation. As demonstrated by the city's proposed sensitive land ordinance (ZC 1-95), even more onerous requirements are in fact being added to future development."

Also, because of the peculiar lack of buildable land, the city lacks any significant amount of land to enable master planning to achieve the building of 2040 growth concept communities.

The inclusion of the Lake Oswego urban reserves, of approximately 800 acres, provides the citizens of the City of Lake Oswego the ability to chart their own future, consistent with the City's unique built out character. These urban reserves also provide the option of urban reserve land to enable Lake Oswego to accommodate affordable housing, schools, jobs, transportation connectivity and public infrastructure. This enables the citizens of the City of Lake Oswego to accommodate growth projections without Metro necessarily requiring the residents to give up amenities and qualities. Given the City's unique lack of buildable land, historic difficulty in achieving density, and the very limited effect of the City's potential new minimum density requirement, providing the option for planned growth within urban reserves is a prudent safety net to ensure the region maintains its goal of a compact, efficient urban form in this area. In addition, the Council is concerned that failing to provide these urban reserves to the city will put the City out of compliance with Goal 10 and HB 2709 among other legal requirements relating to housing.

Even though the City of Lake Oswego is the most affluent in the region, its citizens and current political leadership have voiced serious objections to the cost of urban services to accommodate regional growth projections, even though on a relative basis the cost of urban

services to URSA #31 is among the least expensive of all the urban reserves. In this regard, including the Stafford area urban reserves will allow the City, if it chooses, to spread the costs of urbanization among a potentially greater number of people, enabling growth to occur and the City to absorb a share of that growth, at reasonable cost. In other words, the City can aggregate the cost of growth within the existing UGB with urban reserves costs spread among all newcomers and a potentially greater number of newcomers, to reduce cost. With these reserves, the City of Lake Oswego will have the necessary flexibility to accommodate a variety of housing types and 2040 growth concept densities, without significant disruption of existing Lake Oswego communities. Including the Lake Oswego/Stafford area Urban Reserves (Urban Reserves 31, 32 and a portion of 33), but particularly URSA 31 fulfills twin goals: enabling Metro to ensure that Lake Oswego can absorb its fair share of affordable and dense housing, and empowering the citizens of the City of Lake Oswego to maintain choices as to how such projected growth affects the city's character.

In short, the Lake Oswego/Stafford area Urban Reserves (Urban Reserves 31, 32 and a portion of 33), but particularly URSA 31, provide the City the ability to maintain its character, and also absorb a share of the region's growth. In addition, the Council believes these Urban Reserves will provide the City with the necessary incentive to accommodate larger numbers of people and jobs because of the potential to spread the costs of growth among such larger numbers of people.

(3) Jobs/Housing

Alternatively, there is a specific land need for the resource land in URSA #31 to improve an unfavorable jobs-to-housing ratio.

As noted in the September 1996 Report, the URSA-matic model evaluated the jobs housing balance of a given area with reference to certain measurable factors. The September Report indicates the URSA-matic model is limited, as follows "the data used are simply a comparison of the number of jobs and housing units. A much more accurate measure would be one that compared the wage level of jobs with the cost of housing. * * *" However, where there is site specific information concerning a specific comparison of the wage level of jobs with the cost of housing, such specific information is relevant to the scoring of the particular area regarding the jobs housing balance.

The Urban Reserve Rule authorizes including land as an urban reserve to meet favorable ratios of jobs to housing for areas of at least 100,000 population served by one or more designated regional centers. There are four designated regional centers with a population of 100,000 served by URSA 31. Within these regional centers, as shown in the Leland Consulting Report, there is a jobs and housing imbalance when the wage level of jobs is compared to the cost of housing within any of the four designated regional centers to which URSA 31 is proximate.

There is an especially troubling imbalance in the Lake Oswego area between the wage level of jobs versus the cost of housing. See Report of Leland Consultants.

This makes URSA 31 an appropriate location for urban reserves to balance this particular jobs housing imbalance.⁵⁷

An unforeseen consequence of the lack of affordable housing in Lake Oswego is that the future jobs/housing balance envisioned in current planning efforts will not be achievable. The reason for this is that the high proportion of jobs created in the area will not match the household income levels necessary to purchase new housing units.

To evaluate this issue, data was taken from a six-mile radius which included the regional centers of Oregon City, Washington Square, Milwaukie, and includes a population greater than 100,000. A three-mile radius was also created linked to the Lake Oswego town center. Both radii centered on the intersection of Stafford and Rosemont Roads (the three-mile radius is illustrated on the map appended to the Leland Consultants Report. The six-mile radius was first established to determine the appropriate jobs housing area for study. The three-mile radius was used to evaluate subregional need as a subset of the regional centers to determine particular subregional needs ties to the Lake Oswego town center. Employment within this area was enumerated, and the average wage⁵⁸ for each Standard Industrial Classification was used. Income and household trend estimates for the three and six mile radii and the City of Lake Oswego were obtained and compared with the wage data and housing cost data.

In employment, a six-mile radius shows that the average wage for area jobs is approximately \$27,700. Approximately 45 percent, or 66,000 jobs fall below the average wage. A current count of transportation analysis zones in the six-mile radius indicates a ratio of 1.46 jobs per household. Using this ratio as a guide, approximately 78% of jobholders could not afford to live in Lake Oswego. Income estimates for Lake Oswego indicate a per capita (average income for every man, woman and child in Lake Oswego) which is over \$36,000. The average family household has an income over \$106,000 annually. Thus, an average wage earner within the six-mile radius would need four jobs for a family of three to achieve the per capita average income seen in Lake Oswego. This would indicate strongly that these average employees do not live in Lake Oswego.

For a more careful assessment of Lake Oswego's subregional employment a three-mile radius was used (see attached map). Within this radius, the average wage is approximately \$27,000. Out of approximately 29,000 area jobs, 47.5% are below the average wage. At a 1.46 jobs-per-household ratio, (or an average income of \$39,400 per household), only 17.6% of area jobholders could afford to live in Lake Oswego. Income data on residents within this three-mile radius indicate that average household income is approximately \$56,000 and average family income is around \$65,000, while in Lake Oswego city limits the average

⁵⁷ This imbalance is different in kind from that referred to regarding other urban reserve areas. The imbalance here is not so much a straight ratio between the gross number of jobs with the gross number of houses in a given area. Rather, the comparison here is the number of jobs that support wages enabling workers to afford housing within the ratio area.

⁵⁸ Information on Clackamas County and Washington County wage rates provided in electronic files from the Oregon Employment Division Office of Labor Information, Portland.

household income is approximately \$89,000 and family income is over \$106,000.⁵⁹ Even two incomes for average wage earners do not meet area resident income averages. It is clear that below-average wage earners who are employed in Lake Oswego will not be able to afford to live in Lake Oswego, unless they are part of a larger extended household with higher-wage earners (such as young adults still living with parents). This would indicate that as many as 13,000 to over 23,000 employees may be commuting into the three-mile radius which includes Lake Oswego. Thus, while Lake Oswego may have posited a certain balance of jobs with housing, 47% or more of the jobs provided in Lake Oswego, most likely, are not jobs that allow the employee to live in Lake Oswego.

Given the regional and subregional need to achieve affordable housing (consistent with legal requirements, including Goal 10) and local goals for jobs/housing balance, URSA 31 is a logical addition to the Lake Oswego town center and the affected regional centers' land base. URSA 31 can be master planned at far higher densities than current Lake Oswego zoning, thus allowing Lake Oswego to maintain quality of life standards for existing residential development while allowing realistic plans for future expansion, and provision of housing within prevailing wage levels. There is a subregional need for housing which can be priced to meet subregional employee needs--without a land base distinct from its current high-priced inventory, this need will not be met in Lake Oswego.⁶⁰

The imbalance requires correction and justifies including Urban Reserve 31 to enable Lake Oswego and affected areas of the region to correct this imbalance. This unique and serious imbalance in the cost of housing versus wages in the Lake Oswego area is explained in detail above. The Council herein determines that the imbalance in the cost of housing in the Lake Oswego urban area can be equalized with the inclusion of URSA 31 as an urban reserve, and this is an important jobs housing balance issue.

URSA 31 provides land to enable planned solutions to this existing and worsening imbalance regarding housing affordability for persons reasonably expected to be employed within the regional and town centers served by URSA 31, as well as the nearby Central City. The median income of workers will not currently or in the foreseeable future in the absence of URSA 31, support the existing housing market in Lake Oswego. This imbalance justifies including URSA 31 as an urban reserve.

⁵⁹ Household incomes apply to any household, either of individuals or related family members, while family households are those with only related family members. Family incomes tend to be higher than household incomes therefore.

⁶⁰ This is taken from a review of all of the evidence in the record and the report of Leland Consulting Group. The Council specifically finds the Leland Consultants' report is credible and hereby adopted.

APPENDIX I: Relative Suitability for #62 Housing

A. Public Facilities and Services

The URSA Reanalysis rates Site 62 a rating of "7" for utility feasibility, "5" for roadway network, "10" for traffic congestion and "2" for schools.

The Site 62 utility feasibility rating of "7" is based on an assumed total utility cost per EDU of \$3800. This is based on an assumption that the land will develop at 10-11 dwelling units per acre. However, Tax Lot 900/901, which comprises nearly all of the vacant developable land north of the Sunset Highway, has no constraints that would restrict its development to only 10 units per acre. This property, as well as the remaining portions of Tax Lot 900 outside Site 62, can easily develop at significantly higher densities and should be reserved for that purpose. Higher density development at this site, combined with the proximity of urban services to the area, reduces the overall utility cost per EDU to a level that likely would have resulted in a rating higher than 7 had ratings been developed on a subarea level.

Urban services to Site 62 north of the Sunset Highway can readily be extended to Tax Lots 900/901.⁶¹ Sanitary sewer and water lines already are located in Jacobsen Road at the Shinei USA Inc. site located approximately one half mile of Helvetia Road. These facilities were installed at this location in late 1996 and can be extended west to serve Tax Lot 900/901. Sanitary sewer facilities also are located adjoining the PacTrust property just north of Highway 26, and Nike is planning to extend a 16-inch water line along Shute Road to a point approximately 0.4 miles from Tax Lots 900/901.⁶² Storm facilities can be developed in accordance with applicable drainage standards.⁶³

The rating of "5" for the roadway network reflects the ratio of existing roads to needed roadways. While this number reasonably reflects residential use on Site 62 as a whole, it is lower than a rating would be for the portion north of Highway 26. The acreage north of the Sunset Highway already is served by Groveland Drive. Additional roadway needed to serve urban development on Tax Lot 900/901 will be small compared to any residential development on the large (200 acre) undeveloped resource parcel south of the Sunset Highway. That parcel has no existing internal roadway system and will require much more roadway to serve proposed urban development. Accordingly, had Metro considered ratings on a subarea basis, the area north of the Sunset Highway would have merited a higher rating for the roadway network.

The rating of "10" for traffic congestion, which is measured by volume to capacity ratio, appropriately applies to all of Site 62. However, the rating of "2" for schools is unreasonably low for the area north of the Sunset Highway. Site 62 north of the Sunset Highway is located only 2700 feet south of the West Union Elementary School site on Helvetia Road at West Union. This is closer than the 0.75 mile distance that warrants only a single point under the ratings scale. Also, the Hillsboro School District owns nearly 45 acres on Croeni Road just south of Jacobsen Road, upon which it intends to construct a new high school. Because this school site is located only about one mile from Tax Lot 900/901, and because a single point is allocated for distances as far as three

⁶¹ Alpha Engineering report dated January 31, 1997.

⁶² See City of Hillsboro Memorandum, supra.

⁶³ See Alpha Engineering report, supra.

miles away, the subarea would have warranted a much higher rating had ratings been developed on a subarea level.

B. Maximum Efficiency of Land Uses

The updated urban reserve ratings assign Site 62 high scores of "8" for efficiency and "8" for buildable land. However, the portion north of the Sunset Highway would have received "10" ratings has a subarea analysis been done.

The efficiency rating of "8" reflects inefficiencies associated with scattered development in the approximately 42 acres of exception area south of the Sunset Highway. Tax Lot 900/901, which constitutes the developable land in this area, is flat, has no development limitations, and would justify the highest rating. The same is true for the remainder of Tax Lot 900 outside URSA 62.

This same analysis reasonably applies to the buildable lands rating. Again, all of Tax Lot 900/901 is considered buildable. This property can accommodate residential development at a minimum average density of 18 units per buildable acre; a substantially higher density than the 10-11 units per buildable acre assumed for the URSAs as a whole.

C. Economic, Social, Environmental and Energy Consequences

The updated urban reserve ratings assign Site 62 a rating of "7" for environmental constraints, "9" for access to centers, and "9" for jobs-rich.

Overall, these numbers are appropriate for the subareas both north and south of the Sunset Highway. Regarding environmental constraints, because Tax Lot 900/901 contains no constraints to very efficient, higher density residential development, it warrants a rating higher than "7". On the other hand, its distance in miles from centers would warrant a somewhat lower rating, even though this site has excellent access to the Tanasbourne Town Center via Highway 26, the Orenco Town Center via Shute Road, and the Hillsboro Regional Center via Shute Road and Evergreen Parkway. This easy access along uncongested roads actually may save time and energy over other areas where distances are shorter but the roadways are much more congested.

The jobs rating of "9" is appropriate. The urban areas surrounding Site 62 heavily emphasize employment over housing. There are no housing opportunities in the immediate area other than redevelopment of the 42 acres of highly parcelized exception lands in Site 62 south of the Sunset Highway. Indeed, the nearest residentially designated area to Tax Lots 900/901 is east of Cornelius Pass Road, more than 1.5 miles away. The absence of housing opportunities in this immediate area, combined with the fact that the site has no development constraints, render Site 62 north of the Sunset extremely valuable for improving the jobs-to-housing ratio.⁶⁴

D. Agricultural Retention and Agricultural Compatibility

The updated urban reserve ratings assign Site 62 a rating of "2" for agricultural retention and a rating of "2" for agricultural compatibility.

⁶⁴ City of Hillsboro memorandum, supra.

The Background Data report dated September, 1996 indicates that in determining agricultural retention for an URSA, consideration was given to five categories, including the four "hierarchy" categories in the Urban Reserve Rule plus whether the land is actively farmed. While the portion of Site 62 north of the Sunset Highway is zoned for exclusive farm use, none of these lands are being actively farmed. In contrast, much of the 200-acre resource parcel south of the Sunset Highway is currently being utilized for farm use. Therefore, a separate rating for this parcel on agricultural compatibility would be much higher. By averaging the rating, the effect is a lower rating than is otherwise warranted for the portion of Site 62 north of the Sunset Highway.

The five developed lots south of Groveland Drive are committed to nonresource uses due to their level of development and small sizes (generally under half an acre). North of Groveland Drive, Tax Lot 900/901 consists predominantly of Class IV soils and shows no evidence of prior cultivation.⁶⁵ Because Tax Lot 900/901 contains predominantly Class IV soils, the site has a lower priority for retention as agricultural land, and a higher priority for urbanization, than other resource lands included in URSA #62 containing better agricultural soils. This would result in a higher score for this subarea were ratings assessed on a subarea basis.

A score of "2" also is unreasonably low for this subarea with respect to agricultural compatibility. The score indicates a higher likelihood of interference with agricultural uses on adjoining parcels. It also indicates that farming is the dominant activity in and around the surrounding URSA area. However, as noted above, none of Site 62 north of the Sunset is in agricultural use. The largest parcel, Tax Lot 900/901, shows no evidence of having ever been in agricultural use. Moreover, this subarea is not surrounded by agricultural lands, and it is even questionable whether farm use would qualify as the dominant activity on surrounding lands. There is no agricultural use to the south, which consists of the Sunset Highway and, below that, the exception portion of Site 62. The portion north of the Sunset Highway has U.S. 26 and Helvetia Road on two sides of a triangle with a natural feature (a swale) separating this parcel from any farm uses. Lands to the west are zoned EFU, but they are predominantly in rural residential use. Four separate dwellings occupy the western third of Tax Lot 900, which, like the eastern portion inside Site 62, has never been farmed. (Only about 20% of the approximately 30-acre Tax Lot 900 has ever been farmed.) Lands to the northwest and north in Tax Lot 901 are in active farm use, but they are separated from Site 62 by a swale that is a tributary to Rock Creek. Lands immediately to the east of Tax Lot 900/901 are in farm use only to a depth of approximately 700 feet, behind which lies the 62-unit mobile home park. Lands to the southeast, south of Jacobsen Road, are inside the UGB and already have been approved for employment purposes. Hence, for this subarea, the likelihood for interference with agricultural uses on adjoining parcels is, at best, moderate.

⁶⁵ See Alpha Engineering report, supra.

APPENDIX II: Relative Suitability for URSA #31

URSA # 31 is established above as first priority land for inclusion under the urban reserve rule. Even if it were not first priority land, URSA #31 would be included in urban reserves ahead of land of potentially higher priority under the urban reserve rule because there is a specific land need to include this land in the urban reserves. There is a specific land need for land in the location of URSA #31 which is particularly suited for urban development to implement the acknowledged 2040 Growth Concept by meeting Urban Growth Management Functional Plan requirements. As explained below, URSA 31 is capable of developing into a mixed use, viable community that takes advantage of existing and substantial public investment in infrastructure in the area.

A. Public Facilities and Services

Providing urban services to URSA 31 is relatively easy, provides economies of scale and is independently comparatively inexpensive. The URSA study model reanalysis gives URSA 31 a rating of "5.0" for utility feasibility. For the reasons explained below, even this good score is unreasonably low considering better, more site specific information in the record. The high scores for roadway network ("9") and for traffic congestion and for schools correctly reflect the site specific information.

URSA 31 utility feasibility rating of "5" based on the general data of the URSA study model is too low based on a site specific analysis of URSA #31 performed by URS Greiner. The URS Greiner Report supplements the more general work performed by KCM. The Council has weighed all of the evidence in this regard and chooses the evidence furnished by the URS Greiner study as the most credible.

The URSA study model utility feasibility score is based upon KCM's assumption of a total utility cost per EDU for URSA 31 of \$4,670. However, because potential sewage treatment capacity is available or is currently being planned by USA at the Durham Waste Water Treatment Plant and the Tri-Cities Waste Water Treatment Plant (an RFP is currently underway), it is unnecessary to include sewage treatment costs.⁶⁶ KCM did not have adequate information in this regard, including new information only recently available, concerning USA capacity to serve URSA 31. Therefore, instead of KCM's estimate of \$2,900 per EDU for sewer service to URSA 31, the appropriate estimate is \$1,509 per EDU for sanitary sewer. In addition, URS Greiner determined after a site specific analysis of URSA 31 that URSA 31 may be served with gravity water service. KCM assumed pumped service, but acknowledges in its report that it lacked the resources to perform a site specific analysis. The Council chooses the more specific evidence in this regard. Therefore, the URS Greiner cost per EDU of \$1,120 rather than the KCM cost of \$1400 per EDU is chosen. Storm facilities can be developed in accordance with applicable drainage standards and the KCM estimate of \$370 per EDU is reasonable. Accordingly, the best evidence shows the total comparative cost of providing services to URSA 31 is \$3,000 per EDU. These revised comparative costs of providing service make URSA 31 the third least expensive URSA to serve as compared to the other 72 URSA's in the region. This comparison with the cost to serve other URSA's uses the KCM study as the baseline, as it is generally accurate. Therefore, URSA 31 merits a top score of 10 for utility feasibility.

⁶⁶ See URS Greiner Report.

The rating of "5.0" for the roadway network reflects the ratio of existing road systems to serve the urban reserve area versus anticipated road needs. URSA 31 is primarily served by I-205 to the south, Stafford Road, a major arterial, and Rosemont Road a minor arterial. These systems provide superior transportation connections to regional centers, town centers and the Central City. The URSA-matic model did not adequately account for the presence of I-205 to provide connectivity for urbanization attributable to URSA 31. Moreover, transportation efficiencies demand the inclusion of URSA 31 to enable the efficient utilization of the public's substantial investment in I-205, including the Stafford interchange, which is currently underutilized by about half of its design capacity. URSA 31 should have received a score of 9 for roadway network, which applies appropriate weight to the existing public investment in I-205 and arterials to carry a great percentage of the population from URSA 31 to regional and town centers and the Central City. URSA 31 provides important transportation connectivity between I-205 and the regional centers and town centers and the central city.

The rating of about "9" for traffic congestion is appropriate and correct for URSA 31 because the Council finds that a score for schools for URSA 31 similar to the first URSA study model reflects this information.

B. Maximum Efficiency of Land Uses Under URSA-matic model

With regard to the maximum efficiency of land uses, including URSA 31 in the urban reserves provides the maximum public efficiencies by amortizing the public's investment in the infrastructure necessary to serve adjacent exception areas over an appropriate larger area. This justifies a high rating for URSA 31 under this factor as expressed in the Urban Reserve Rule. However, regarding the expression of the efficiency factor as used in URSA study model, that factor considers slopes and the other building constraints associated with land, a score of "5" is appropriate. This is because URSA 31 includes gently rolling hills. This is precisely the reason it is not composed of prime or unique or high value agricultural land. These gently rolling hills and other environmentally pleasing features also make URSA 31 an area having an average buildability quotient, but a high livability factor, making it an efficient and appropriate place for building a 2040 growth concept community. In this regard, the City of Lake Oswego has purchased approximately 40 acres of land adjacent to URSA 31, and outside of its city limits, that is currently proposed for use as ballfields and parks, to support the recreational needs of City of Lake Oswego residents. This is a unique amenity and is near designated Stafford Area urban reserves. Maximum efficiency of land uses calls for utilizing this park in an efficient manner and URSA 31 provides such efficiency. This amenity provides additional incentive for residential development of the area around the park, including URSA 31.

Consequently, while the URSA-matic score for URSA 31 is correct with respect to the characteristics it considers, it does not consider all of the efficiencies associated with URSA 31. Accordingly, URSA 31 justifies a higher score, more in the nature of an "8" under the Urban Reserve Rule, with respect to maximum efficiencies of land uses.

C. Economic, Social, Environmental and Energy Consequences

URSA study model reanalysis assigns to URSA 31 a score of "6.0" for environmental constraints, "5.0" for buildable land, "5.0" for access to centers, "3.0" for jobs-rich and a "0" score for housing rich.

The scores for environmental constraints and buildable land are appropriate.

The score regarding access to centers is unreasonably low. As stated in the introduction to these findings, access to centers evaluates distances along public rights of way to the central city, regional centers and town centers. Accessibility within 12 miles of the central city; 6 miles to a regional center and 3 miles to a town center received the highest rating. URSA 31 is within 12 miles of the central city, it is within six miles of two regional centers (Milwaukie and Oregon City) and within 8 miles of the Sunnyside and Tigard Regional Centers. Accordingly, the URSA study model ranking failed to adequately consider that URSA 31 is strategically located near four regional centers and that it and URSA 32 are the closest URSA's to the Central City. Further, URSA 31 is uniquely located within the region to provide superb access to these centers via existing arterial networks and I-205. Therefore, the low and easy distance in vehicle miles from URSA 31 to the city center and regional and town centers would warrant a much higher rating. This unique, easy access along relatively uncongested roads will save time and energy over other areas where distances are longer and less accessible. Therefore, a more appropriate score is "10."

The jobs rating of "3.0" is inappropriate. DLCD correctly pointed out in Appendix 4 to its January 28, 1997 letter that URSA 34, which is within $\frac{3}{4}$ of a mile of URSA 31, is an excellent location to create the jobs needed within Clackamas County. URSA 31 provides a unique opportunity to provide affordable and nearby housing to serve the workers who would be employed in jobs located on URSA 34. Therefore, URSA 31 merits a higher score for jobs, reflecting its key proximity to I-205. Moreover, URSA 34 is already identified as a likely candidate for employer (i.e. jobs) development. Therefore, a more appropriate jobs score would be about "7".

The housing ranking of "0" is incorrectly applied to URSA 31. As noted in the September 1996 Report, the URSA-matic score reflects that "the data used are simply a comparison of the number of jobs and housing units. A much more accurate measure would be one that compared the wage level of jobs with the cost of housing. * * *" One of the additional unique advantages of URSA 31 is it provides an opportunity to solve serious affordability issues associated with the City of Lake Oswego which, if not addressed, will put the City out of compliance with various legal standards, including Goal 10.

As demonstrated below, there is a tremendous imbalance in the Lake Oswego area between the wage level of available jobs versus the cost of housing. See Leland Report of Leland Consultants. This imbalance creates a situation which must be corrected to enable Lake Oswego to comply with applicable housing mandates, including Goal 10 as well as Goal 9. This unique problem in the Lake Oswego urban area warrants a score of near "10" for this criteria reflecting the serious imbalance relating to the cost of housing. As demonstrated below, the Council herein determines that part of the imbalance in the cost of housing in the Lake Oswego urban area can be equalized with the inclusion of URSA 31 as an urban reserve.

D. Agricultural Retention and Agricultural Compatibility.

URSA study model reanalysis provides a score of "3" for agricultural retention and a rating of "3" for agricultural compatibility.

The scores are unreasonably low for URSA 31. As noted in previous findings above, the Background Data report dated September, 1996 indicates that in determining agricultural retention for an URSA, consideration was given to five categories, including the four "hierarchy" categories in the Urban Reserve Rule plus whether the land is actively farmed. URSA 31 was not given credit for being first priority land under the urban reserve rule for this factor. This is significant and incorrect. Moreover, virtually none of the EFU zoned lands within URSA 31 are actively farmed. Based on all of the evidence in the record, the Council concludes that URSA 31 warrants a score of about "9" for agricultural retention, because there is very little productive agriculture to retain within URSA 31.

URSA 31's score for agricultural compatibility is also too low. However, it incorrectly indicates that farming is a major activity in and surrounding URSA 31. As indicated in the Stan Miles and other submissions, the Council finds that URSA 31 is not dominated by farming activity. This subarea is surrounded by exception areas, not agricultural lands. Therefore, for URSA 31, the likelihood for interference with agricultural uses on adjoining parcels is very low. A score of about "9" is appropriate for this factor.

APPENDIX III: Relative Suitability for St. Mary's

The urban reserve rule requires that "inclusion of land within an urban reserve area shall be based upon factors 3-7 of Goal 14 and the criteria for exceptions in Goal 2 and ORS 197.732." To assess individual URSAs for compliance with the urban reserve rule, Metro staff developed a matrix referred as the URSA-matic. The URSA-matic was designed to account for conditions over the entire Metro region for the purposes of comparing the suitability of individual urban reserve sites. The 72 study areas initially chosen by the Metro Council were ranked against each other to determine which ones were most suitable for eventual designation as urban reserve areas. These findings expand on Metro's methodology by providing specific information for the St. Mary's property and its relationship to the Hillsboro Regional Center area. Much of the information discussed below was not considered by Metro staff because it does not lend itself to region-wide comparison. Had this more site-specific information been considered by the staff, St. Mary's would have received a much higher ranking in the URSA-matic calculation and a higher ranking generally than other URSAs containing resource land.

Orderly and Economic Provision of Services

Goal 14, Factor 3, requires that an expansion of the UGB provide for "orderly and economic provision of public facilities and services." Goal 14, Factor 3 requires that there be plans in place to provide public facilities and services, or evidence demonstrating the feasibility of providing the infrastructure, at a level equivalent to the need justifying the urban expansion. *City of La Grande v. Union County*, 25 Or LUBA 52 (1993). The "need" addressed in the various Goal 14 cases is the need justifying a UGB expansion, pursuant to Factors 1 and 2 of Goal 14. The need for all of the urban reserve area land is discussed in Section II of the main findings. The more specific need justifying the designation of the St. Mary's property as an urban reserve is the specific land need for more housing in the Hillsboro area in order to achieve a more favorable jobs-housing balance in both the short-term and during the 43-year planning period addressed by this decision. The evidence demonstrating that the specific land need exists to support the designation of the property as urban reserve is discussed in the main findings. That specific need for more housing to avoid a further imbalance in the jobs-housing ratio and to reduce VMTs in the Hillsboro regional center area satisfies both Goal 14, Factors 1 and 2 and OAR 660-04-010(1)(c)(B)(i).

Metro's URSA-matic analysis divided Goal 14, Factor 3, into four subfactors to consider utility feasibility, road networks, traffic congestion and schools. The staff evaluated each study area by considering the relative costs or burden of supplying additional public facilities and services to the study area.

Utility Feasibility

The Metro staff calculated the relative cost of extending water, sanitary sewer and storm drainage service to 16 different groups of URSAs around the metro region. The St. Mary's site was grouped with URSAs 51, 52, 53, 54, and 55 all located near the southeastern corner of the City of Hillsboro. As a baseline for analysis, Metro staff relied on the *Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas (June, 1996)* conducted by KCM Consultants. The St. Mary's property scored relatively high on the availability of water, sanitary sewer and storm drainage. However, the KCM study was based on a generalized cost comparison of the larger study areas and

did not consider the site specific evidence provided by the city and the property owner, which demonstrates both the feasibility of serving a large development on the St. Mary's property, and also the efficiencies that would be created for development in the surrounding area as a result of first developing the St. Mary's site.

Metro's analysis did not evaluate the site specific advantages that the St. Mary's property represents in terms of efficiently extending public facilities to the site itself and the general area as well. The evidence demonstrates that the St. Mary's property will be served by either a 30-inch or a 12-inch water main already located along 209th Avenue. The Tualatin Valley Water District has adequate water to serve the St. Mary's site without adversely impacting existing or future customers. Thus, water is immediately available for the St. Mary's property.

Sanitary sewer facilities will be provided by the Unified Sewerage Agency ("USA"). USA's Aloha #3 pump station is located immediately adjacent to the St. Mary's property along its southeastern border. The utilities map supplied by Hillsboro shows sanitary sewer lines running along the border of the St. Mary's property, north along 209th Avenue, then west along TV Highway, and from there extending to the Rock Creek treatment plant near the Tualatin River. USA has constructed two 20-inch force mains along this line, but only one of them is currently in use and USA anticipates that the additional capacity created by development of the St. Mary's property can be accommodated along this line. USA has identified an additional efficiency which could be provided by the St. Mary's property. USA is interested in the possibility of eliminating the Aloha #3 pump station by installing a gravity pipeline across the St. Mary's property to be extended to the Rock Creek treatment plant. This will directly benefit USA by reducing operating and maintenance costs and also directly benefit the surrounding residents living in the exception portions of URSA Nos. 54 and 55 by supplying more direct conveyance to the Rock Creek treatment plant.

Stormwater will be detained and treated on-site. The St. Mary's property is large enough to accommodate these facilities on-site. These detention and treatment facilities will eliminate the potential for pesticide migration into these local creeks which is a typical problem on agricultural land in these areas.

The evidence shows that, from a utilities planning perspective, not only would development of the St. Mary's property allow for the efficient extension of public facilities, but would provide additional efficiencies if developed before extending services to the exception area to the west. Installing water and sanitary sewer lines directly through the St. Mary's site allows for facility efficiencies which do not exist in the current configuration and would not be possible without adding St. Mary's to the urban area. Thus, the site-specific information on St. Mary's demonstrates that it deserves higher scores than the rest of URSA's 51-55 and thus a higher ranking relative to other sites in the Metro region.

Road Network

The Metro staff estimated road network needs by calculating the percentage of each urban reserve study area dedicated to roadways as compared to anticipated roadway needs to determine the amount of future roadway network already met by the existing network. URSA's #54 and #55

scored relatively low on this subfactor because it is anticipated that several road improvements will be needed to accommodate residents when the St. Mary's property is developed.

Metro's model does not account for the fact that many of the roadway improvements needed to serve St. Mary's are already planned, and in several cases already have existing funding. Moreover, because of the size of the property, and the fact that it will be developed by a single owner as a master-planned mixed-use community, the resulting road network is likely to achieve many of the RUGGO and 2040 Growth Concept design objectives, the costs for which can be reasonably (and legally) borne by the developer. These are important factors demonstrating the suitability and feasibility of developing the St. Mary's property that were not considered by URSA-matic.

Adding St. Mary's to the urban area will have an impact on traffic peak hour volumes for TV Highway, 229th Avenue, 209th Avenue. However, there are planned improvements for these transportation facilities which will accommodate the new residents from St. Mary's. In addition, it is anticipated that development of St. Mary's property will require some level of participation in improving TV Highway and other roads which will be impacted by any future development.

URSA-matic did not account for the local plan to provide a road connection between the city's employment center and the residential areas east of the St. Mary's property. The developer of St. Mary's has already agreed to work with state and local officials on a potential extension of 219th Avenue South to connect with 209th Avenue at or near Kinnaman Road. The potential to develop a north/south circulation link from TV Highway toward 209th Avenue would not be possible without adding St. Mary's to the urban area. This roadway connection represents an opportunity to enhance circulation and relieve traffic congestion in the area.

This site-specific information demonstrates that development of the St. Mary's property fits within the already planned improvements to transportation facilities in the area, and will help provide a partial funding source to pay for these improvements.

Traffic Congestion

The Metro staff assessed traffic congestion by forecasting travel demand on the regional transportation system for the year 2015. This system combined the existing transportation network with assumed network improvements based on the likelihood of funding for improvements to be made in the future. Again, St. Mary's was grouped together with URSA's 51, 52, 53, 54 and 55 to determine the potential impacts on the southeast area of the City of Hillsboro. The St. Mary's property scored relatively low on this subfactor because the Metro staff determined that current funding sources were not adequate to keep pace with the anticipated traffic demands.

Metro staff did not account for the potential of the St. Mary's property to manage and reduce traffic congestion on nearby roads and arterials. Also, URSA-matic did not recognize the cost efficiencies that would be achieved by developing a road network as part of a large master-planned community on the entire 463-acre St. Mary property.

Of primary importance is St. Mary's location near major area employers. This location will reduce VMTs and overall reliance on the automobile because it is very close to major employers.

The evidence shows that locating new housing near major employment may actually reduce traffic congestion by taking advantage of shorter work trip opportunities. This type of development fulfills the goals of RUGGO transportation objective 19.3.1 which calls for reducing "automobile dependency, especially the use of single-occupancy vehicles." Furthermore, the mixed use design of the development which will occur on St. Mary's property will serve to promote RUGGO transportation objective 19.3.3 which is to "encourage bicycle and pedestrian movement through the location and design of land uses." The design proposed for the St. Mary's property will keep more vehicle trips inside the development and will allow for multi-modal transportation opportunities which eliminates dependence on the automobile and, thereby, reduces overall traffic congestion in the area. These location and design considerations demonstrate that the St. Mary's property, standing alone, was not accorded a high enough ranking on this subfactor by URSA-matic.

Schools

The Metro staff assessed the availability of this public service by calculating the walking distance from the proposed urban reserve to existing schools and vacant school owned land. Those study areas closer to schools, or school owned land, received higher scores. The St. Mary's property received a moderate score in this category.

Metro's analysis did not account for the potential to locate at least one, and perhaps, two school sites within the St. Mary's master planned development. Representatives from developers of the St. Mary's property have already met with Hillsboro school officials and have offered to include the school site(s) in the development. The school or schools will be within easy walking distance of all residents of the master planned community. Students will be able to easily walk or bicycle to school on local streets, and the school or schools may provide additional capacity for students from families living to the east of the St. Mary's property and in the rural residential lands to the south and west. Furthermore, the potential for an on-site school or schools helps achieve the RUGGO objective 18 goal of "minimizing public and private costs" of providing schools in the region. This more site-specific evidence demonstrates that the St. Mary's property should have received the highest score possible for the schools subfactor.

Maximum Efficiency of Land Uses

Goal 14, Factor 4, requires that local governments ensure the "maximum efficiency of land uses within and on the fringe of the existing urban area." Goal 14, factor 4 requires that the local government know and understand the types and intensities of proposed development to ensure that premature growth does not occur. *1000 Friends of Oregon v. City of North Plains*, 27 Or LUBA 372 (1994).

The Metro staff evaluated Factor 4 by estimating the area within each urban reserve study area that is efficient for urban development or free of development limitations. If a parcel was landlocked, or partially developed, it received a lower score on the URSA-matic. The staff also examined whether the parcel was constrained by slopes, wetlands or floodplains. After identifying development constraints, a reduction of 25% was then applied to each study area to account for future streets, schools, local parks, regional parks, churches, paternal organizations and other publicly owned land. By this method, the staff calculated a total buildable land area for each URSA.

A small portion of the St. Mary's property is located in URSA #54 which received a relatively high score for both efficiency of land uses and the amount of buildable land. In contrast, URSA #55 which encompasses most of the St. Mary's property, received a significantly lower score primarily because URSA #55 also contains the partially developed and constrained exception area to the west of St. Mary's property. Had the staff taken into account the similarity of the St. Mary's property to URSA #54, the score for URSA #55 would have been much higher.

Another extremely significant factor for the St. Mary's property is that it is in single ownership. To develop the St. Mary's property, it will not be necessary to wait for consolidation of ownerships to provide a parcel that is large enough to allow efficient master planning. That is one factor that contributes to a sites suitability for urbanization consistent with Goal 14, Factor 4. At 463 acres, the St. Mary's property is one of the largest, if not the largest, parcel of all the study areas that can be fully master-planned with almost no constraints. As described in the findings for Hillsboro's special land need, the St. Mary's property will be developed at 12 to 16 units per net acre which significantly exceeds the 2040 growth concept densities of 10 to 11 units per net acre. No other single property currently within the URSAs -- or, for that matter, no remaining site within the urban area -- can accommodate as many housing units as the St. Mary's property.

The property also represents an excellent opportunity to promote mixed uses inside a master planned development. This type of develop supports RUGGO 19 by promoting multi-modal transportation. Furthermore, internal pedestrian and bicycle ways will decrease reliance on the automobile inside the development in accordance with RUGGO objective 19.3.1 which has the goal of reducing "automobile dependency, especially the use of single occupancy vehicles." Furthermore, because the St. Mary's property is almost completely free of existing structures, it represents an excellent opportunity to provide the open space and trail corridors required by the 2040 Growth Concept. Moreover, the St. Mary's property is adjacent to the UGB on two sides where, as noted in the public facility section above, utilities and other services are located for immediate connection to and through the St. Mary's property to serve new residents. A site's ability to support development consistent with the RUGGO and 2040 Growth Concept is another factor relevant to assessing suitability under Goal 14.

Another important aspect of the St. Mary's property not considered by Metro staff is its ability to comply with two of Goal 14's planning principals. First, Goal 14 Planning Guideline A.2 states "the size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels." The size, flat topography and accessibility to urban services and uses, plus the fact that it is controlled by a single owner, makes St. Mary's a uniquely well-suited urban reserve area to achieve this planning guideline in contrast to virtually every other URSA in the region. Moreover, Goal 14 requires that conversion of urbanizable land to urban uses shall be based on a consideration of "availability of sufficient land for the various uses to ensure choices in the marketplace . . ." Due to the size of the St. Mary's property, it will be able to accommodate a variety of housing types, designs and price ranges. It will provide local residents with a variety of choices in style and affordability of housing units. For the same reasons, the St. Mary's property provides an opportunity to meet RUGGO 17, which seeks to promote "a diverse range of housing types available within cities and counties inside the UGB . . ." The St. Mary's

property is uniquely situated to meet all these goals and, therefore, squarely satisfies the requirements of Goal 14 Factor 4.

Because of the regional and, therefore, generalized approach employed in the URSA-matic model, it gave equal weight to each of the five suitability factors listed in Goal 14. In balancing the factors as they apply to individual sites it is not necessary to give precisely equal weight to each factor; indeed, for many sites, determining suitability based on the Goal 14 factors involves different weighting for different factors. As concerns the St. Mary's property, Factors 3 and 4, in particular, demonstrate the site's high suitability for urbanization. In determining a site's suitability for urbanization and urban reserve status, it is appropriate to take into consideration the kinds of development called for in the RUGGO and 2040 Growth Concept. On balance, these considerations weigh heavily -- more so than some of the other Goal 14 factors -- the Council's decision to designate St. Mary's as an urban reserve site and in sharing the need to develop it in the short-term to correct the jobs-housing imbalance in the area. That decision advances the policies and goals of RUGGO and the 2040 Growth Concept.

Environmental, Energy, Economic and Social Analysis

Goal 14, Factor 5, requires a local government to consider to the "environmental, energy, economic, and social consequences" ("EEES") of adding land to the urban area.

The URSA-matic model approaches compliance with Goal 14, Factor 5, by evaluating the URSA's for environmental constraints, access to centers and the ability of the study area to improve the jobs to housing balance of the subregion.

Environmental Constraints

Metro staff evaluated each of the study areas to determine the existence of steep slopes, floodplains, flood-prone soils, and wetlands and riparian corridors. The percentage of environmentally constrained land was calculated for each study area, and the URSA-matic scores are based on the amount of environmentally constrained land for each study area. Although URSA #54 scored relatively high in this category, URSA #55 scored considerably lower.

The site-specific evidence demonstrates that the St. Mary's property is more similar to URSA #54 than to the environmentally constrained exception areas to the west of the St. Mary's property that are part of URSA #55. The St. Mary's property is flat with no areas of wetlands or significant wildlife areas. Although Gordon Creek and Butternut Creek are located near the St. Mary's property, there is no evidence of flooding from either of these water sources. Furthermore, there is no significant flora on the property. Some trees line the border of the property along the McInnis Lane and along the frontage of the property along TV Highway. A few small stands of trees dot the property, but would not inhibit development. The absence of environmental constraints and the lack of significant flora or fauna on the property show that the St. Mary's property is comparatively better than the other study areas containing resource land. In particular, the St. Mary's property is better situated to develop with greater densities and utility efficiencies, and with less environmental impacts, than the parcelized exception lands to the west.

Furthermore, the St. Mary's property has not historically been irrigated. The owners of the property in the adjacent exception areas have private wells. Since the property will be provided

with water, sanitary sewer and storm drainage, there will be no risk of water quality degradation. In fact, water quality in the area will likely be improved by eliminating pesticide run-off which is commonly associated with farm uses. This more site-specific evidence demonstrates that the St. Mary's property should have received a much higher score on Metro's URSA-matic model and better demonstrates the site's compliance with Goal 14, Factor 5.

Access to Centers

The Metro staff's methodology for evaluating the energy aspect of Goal 14, Factor 5, analyzed the distance from the study area to the central city, nearest regional center and nearest town center. URSA #54 and 55 received moderate scores in this category due to their distance from the central city and Hillsboro Regional Center.

The Metro analysis does not take into consideration St. Mary's location near Hillsboro's high tech industrial employers. At least one of these employers is within walking distance of the St. Mary's property. The other high tech employers in Hillsboro's industrial sanctuary are within a short drive to the north. As noted previously in these findings, St. Mary's location near these employers will reduce overall VMTs in the region. Furthermore, the location of St. Mary's next to TV Highway will allow future residents to easily use the public transportation links along this route. Moreover, the mixed use design proposed for St. Mary's property will decrease the number automobile dependent trips in the area by providing goods and services closer to nearby residents.

Jobs/Housing Balance

The Metro staff analyzed the potential of each URSA to improve the jobs/housing balance for individual regional center areas. This analysis was intended to address the energy, economic and social consequences required by Goal 14, Factor 5. Both URSA #54 and 55 received high scores in this category due to their ability provide a large number of housing units in a jobs-rich region. Site-specific information for the Hillsboro Regional Center area demonstrates that the St. Mary's property provides the best opportunity to provide housing for employees in this jobs-rich area.

The findings for special land needs for the St. Mary's property show that the Hillsboro Regional Center area requires approximately 21,500 additional housing units to maintain a favorable jobs to housing ratio to the year 2015 and beyond to the year 2040. The St. Mary's property can accommodate the largest number of housing units, approximately 4,000 new units, of any single property in the Hillsboro Regional Center area and possibly any other site in the Metro region.

In combination with other urban reserve study areas and the potential rezoning of the Seaport property, the resulting improvement in the jobs to housing balance provides significant economic and social benefits to the region. The housing which will result from eventual development of the St. Mary's property will provide a stable job base for the high tech industry that continues to locate in the City of Hillsboro. The housing base will also provide for support services which will add to the potential for small business development in the Hillsboro Regional Center area. Spin-off industries which serve the dominant high tech companies also require employees who live close to work. Furthermore, compared to the current economic potential for the St. Mary's property, housing provides a superior benefit for the Hillsboro region. The property is now farmed

for oats, wheat and clover which are not high value crops. The farmer who works St. Mary's property only employs one full-time person to help farm all of his leased acreage of which the St. Mary's property is only a part. This evidence also shows that taken alone, the St. Mary's property is not capable of producing revenues to support an on-going farm business. Thus, the comparative economic benefit of reserving the property for urban use outweighs the economic value of allowing the property to remain in farm use.

The special land need findings also demonstrate the social benefits of reserving the St. Mary's property for housing. Correcting and improving the region's jobs to housing balance directly impacts the livability of the region by reducing vehicle miles traveled and commute times for local residents. Providing a diverse range of housing opportunities for these employees is a significant social benefit to the region. These considerations show not only that the St. Mary's property is the best opportunity in the Hillsboro Regional Center area for meet more favorable ratios of jobs to housing, but also that the energy, economic and social benefits of adding the property to the urban reserve comply with Goal 14, Factor 5.

The above analysis applies equally to OAR 660-04-020(2)(c). URSA #62, which includes the Shute Road property would also require a goal exception. However, URSA #62 is not a suitable alternative to the St. Mary's property from an EEES perspective because it cannot support residential uses. The property is located in the center of Hillsboro's Industrial Lands Sanctuary and is under the Hillsboro Airport's cross-wind runway flight zone. The Port of Portland has advised against using URSA #62 for residential purposes. For these reasons, substituting URSA #62 for St. Mary's is significantly more adverse than allowing residential uses on the St. Mary's property. There are no other URSA's within the Hillsboro regional center area that would require a goal exception, and therefore, the analysis for this Goal 14 factor satisfies the requirements of OAR 660-04-020(2)(e).

Retention of Agricultural Land

Goal 14, Factor 6, requires local governments to consider "[r]etention of agricultural land..." when expanding the urban area.

The Metro staff analyzed this factor by evaluating the urban reserve rule's priority designation for each study area. Exception areas received higher scores and farm land, particularly land in active farm use, received lower scores. The St. Mary's property received a low URSA-matic score in this category simply because it is zoned EFU and has good soils; no consideration was given to the site-specific evidence about farming history, current use and costs. Although the staff only looked at soil type and whether the land was currently in active farm use, it is appropriate to look at other site specific factors when evaluating compliance with Goal 14, Factor 6. *City of La Grande v. Union County*, 25 Or LUBA 52 (1993).

The URSA-matic score does not account for the fact that the St. Mary's property is not able to support an economically viable farm business. Since the property is not irrigated, and is not likely to ever be irrigated due to cost, it is only capable of growing dry land crops like oats, wheat and clover. In fact, those crops are the only ones the property has produced since the Sisters of St. Mary's were given the property in the mid 1950's. Unlike berries and fruit trees, dry land crops do not produce enough revenue per acre to support a viable farm operation on 463 acres. The farmer

currently share-cropping the St. Mary's property has stated that he cannot make a living from farming only the St. Mary's property. This information contradicts the URSA-matic assumption that retaining any actively farmed parcel supports the purpose of Goal 14, Factor 6. The fact that the St. Mary's property has never produced higher value crops and is not by itself capable of supporting a viable farm business reduces the value of retaining the property for farm-use when compared to the established need for housing in the Hillsboro Regional Center Area.

The St. Mary's property does not have "significant value" as resource land. RUGGO 16 seeks to protect agricultural land outside the UGB if that land has significant value. "Rural resource lands outside the UGB that have significant resource value should actively be protected from urbanization." The evidence demonstrates that the St. Mary's property has never produced significant farming income. The property only produces low value crops and during some years the property does not produce a crop sufficient to meet expenses. Thus, the St. Mary's property is not the type of property which the RUGGO seeks to protect from urbanization.

As discussed herein, there are several site-specific factors and evidence demonstrating that the St. Mary's property should have received a higher URSA-matic ranking for both Factors 6 and 7. Had the appropriate higher scores been accorded to the site for those two factors, the overall suitability ranking for St. Mary's would have been even higher. However, even if the factors and issues discussed herein are ignored, and staff's low ranking for Factors 6 and 7 were accepted as valid, nevertheless, the site would still be considered highly suitable for urbanization taking into consideration, on balance, all of the other relevant Goal 14 factors.

The findings for the alternative sites analysis shows that there are no other sites or combination of sites inside the present UGB which can satisfy Hillsboro's special land need for housing. The alternative sites analysis also shows that there are no exception areas in the Hillsboro Regional Center area which can provide a significant amount of housing to aid in improving the region's jobs to housing ratio because they are highly parcelized and in separate ownership. In the absence of sites inside the UGB or exception areas, the only alternative available to Hillsboro is to consider parcels outside the UGB on resource land. In choosing between resource sites, it is appropriate to consider which site or sites have the more minimal overall impact on resource land in the region. *City of La Grande v. Union County*, 25 Or LUBA 52 (1993).

According to Washington County's Rural/Natural Resources Plan, all the lands outside the UGB which are not exception areas are designated EFU, AF-20 (a combined agriculture and farming zone), or EFC (a forestry zone), all of which are resource designations. To accommodate the region's housing need on lands other than St. Mary's would require using more and smaller parcels of resource and exception land scattered along the border of the present UGB. This would be more detrimental to the surrounding agricultural lands than confining urban use of resource land to one or two larger parcels. Because the St. Mary's property is not next to any commercial farm land -- urban land, rural homesites, radio towers and a golf course comprise its surrounding neighborhood -- designating the site urban reserve will help avoid piecemeal intrusions into many other rural areas around the Hillsboro Regional Center area. Thus, the intent of Goal 14, Factor 6 is better served by designating the St. Mary's property as an urban reserve than spreading urban uses to smaller parcels of resource and exception land outside the Hillsboro area UGB. Moreover, there will be a negligible impact on the overall agricultural economy of Washington County by placing

the urban reserve designation on -- and by the possible future urbanization of -- the St. Mary's property and the other resource lands included within Metro's urban reserves. There are approximately 1,283 acres of resource land included in the Washington County urban reserve areas. That acreage represents .3% of the total resource lands in Washington County; it represents approximately 1.2% of all the EFU land in Washington County. By limiting the amount of resource land that potentially can be developed during the next 43 years to just .3% of the total resource land in Washington County, Metro has adhered strictly to the state policy of trying wherever possible to minimize the urbanization of resource land. Considering that the urban reserve decision adopted herein is based on a 43-year planning horizon, the inclusion of 1,283 acres of EFU land within the Washington County urban reserves can be fairly characterized as a most minimal intrusion that will have no tangible adverse impact on the remaining resource acreage in the county.

Compatibility with Agricultural Activities

Goal 14, Factor 7, requires the local government to consider the "[c]ompatibility of the proposed urban uses with nearby agricultural activities." Compatible is not intended to be an absolute term meaning no interference or adverse impacts of any type with adjacent uses. ORS 197.732(2).

The Metro staff evaluated compatibility by assessing whether farming is the dominant activity in and around the URSA and whether urbanization could make agriculture less viable in the long run. URSA #54 and 55 scored low in this category because they are near the resource land located to the southwest of the study areas.

The Metro staff did not take into account whether the land designated for resource use actually supports agricultural activities. More importantly, the low URSA-matic score did not recognize that the UGB and urban uses are present on two sides of the St. Mary's property. Development of the site will be highly compatible with the existing urban uses that border St. Mary's. Compatibility with all adjacent uses, not just agricultural uses, is a relevant consideration that was not factored into URSA-matic. *See*, OAR 660-04-020(2)(d).

"Agricultural activity," as used in Factor 7, corresponds with the term "farm use" as defined in ORS 215.203(2)(a). "Farm use" is defined as "the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting, and selling crops." Farm use also includes the use of land for "obtaining a profit in money by stabling or training equines." Thus, conflicts can exist only where farm use is actually occurring. Conflicts will not be present simply because adjacent lands are zoned for agricultural use.

Hillsboro's evidence demonstrates that there is very little agricultural activity in the vicinity of the St. Mary's property. A "Farm Impact" study was conducted in 1991 for the Kite/Cupp Legends Golf Course which is located immediately to the southwest of St. Mary's. That study examined all the parcels in the vicinity of the proposed golf course which includes all the properties in the vicinity of St. Mary's. Of the 33 parcels located along Butternut Creek and along 229th Avenue, 25 are improved with dwellings. Only eight of these parcels are in farm tax deferral. This indicates that the majority of the owners along 229th Avenue are not seeking a profit from their land through growing crops.

There are 13 houses along McInnis Lane in the Washington County exception area along the southern border of the St. Mary's property. Of these, only seven are in farm tax deferral. Four of the parcels along McInnis Lane are owned by the McInnis family and are used together to grow hay to feed their horses. There is no evidence that the McInnis family derives a profit from stabling or training horses.

Agricultural use of other parcels of EFU land near St. Mary's is minimal or has been compromised by other uses. Dolph Communications owns 10.75 acres of EFU land adjacent to the southwest corner of St. Mary's. The primary use of the property is to support four radio towers for KUIK radio.

The Kite/Cupp golf course is approximately 370 acres located immediately to the southwest of the St. Mary's property. Originally approved for 330 acres, the golf course has recently acquired 42 additional acres which the hearings officer, in his findings of fact, called the only farm parcel adjacent to the golf course. Although state statute allows for golf courses on EFU land, a golf course operation is not an agricultural use and is more consistent with urban activities than with rural farming.

There are only a few parcels in the vicinity of the St. Mary's property which have the potential for farm use. One is a parcel of EFU land farmed by the same individual who farms the St. Mary's property. That parcel is approximately 20 acres and is located directly to the west of the southwest corner of the St. Mary's property. There are a few other parcels nearby which are planted in grass or hay that may also support agricultural activities. To the south of St. Mary's, larger parcels, which appear from aerial photos to be in farm use, become more common. However, Butternut Creek provides a physical barrier between St. Mary's and these lands to the south.

ORS 197.732 and OAR 660-04-020 state that the term compatible "is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses." The potential impact from adjacent housing on the nearby agricultural uses will be limited to traffic congestion which can be mitigated. Potential nuisances from the adjacent farms on housing uses, such as dust and pesticide spraying, will be minimal because there are very few farming operations in the area. These considerations also bear on St. Mary's compliance with OAR 660-04-020(2)(d) which calls for compatibility with other adjacent uses. The only other adjacent uses besides the ones already discussed are the residential and commercial uses that exist inside the UGB to the north and east of the property. The uses proposed for St. Mary's will be similar to those uses, and through site design and traffic control improvements, the site will be made compatible with those urban uses. The future use of St. Mary's for residential and related urban purposes will be compatible with nearby agricultural activities and other adjacent uses.

Because it is located in an urbanized area, and because there are no active farm operations -- as that term is applied pursuant to ORS 215.203(2)(a) -- in the general vicinity, the future development of St. Mary's will not have any adverse impacts on surrounding properties that cannot be mitigated as part of the master-planning process. St. Mary's compatibility ranking should be much higher than the URSA-matic score for URSA #54 and #55 indicates.

APPENDIX IV: Alternative Sites Analysis for St. Mary's Property

The purpose of the alternative sites analysis is to evaluate other locations inside and outside the UGB which could reasonably accommodate the use proposed for the St. Mary's property. This alternative sites analysis complies with OAR 660-21-030 by reviewing all the property in the Hillsboro Regional Center area, and other property beyond the region, to determine whether those areas can satisfy the region's special land need by providing an adequate number of housing units at densities consistent with the 2040 Growth Concept and the RUGGO. The analysis also complies with OAR 660-04-010(1)(c)(B) and OAR 660-04-020(2), the criteria addressing the alternative sites analysis for Goal 14 and Goal 3 exceptions.

Alternative Sites Suggested by DLCD

In its letter of January 28, 1997, DLCD suggests that there are 16 areas, mostly on exception land, adjacent to the UGB in the entire Metro region which might accommodate additional housing. Three of those areas are discussed below.

- Exception area located east of and adjacent to Glencoe Road and north of and adjacent to UGB
- Exception area located east of Cornelius-Schefflin Road adjacent to URSA #60
- Exception area located south of and adjacent to URSA #50

Of the 16 sites, only two are located in the Hillsboro Regional Center area. One of DLCD's other suggested areas is located just outside the Hillsboro Regional Center area, but is also evaluated as a potential alternative. The other 13 areas suggested by DLCD are not reasonable alternatives to St. Mary's for a number of reasons, including the high parcelization and relatively small size of the sites. More importantly, and the reason they are not further analyzed below, is that they are too far from the Hillsboro Regional Center area to be functional in terms of improving the jobs-housing ratio.

In its subsequent letter of February 13, 1997, DLCD suggested that Metro again consider several exception areas. These sites are exception areas near the following URSAs:

- South of URSA #50
- South and north of URSA #51
- Within and adjacent to URSA #60
- West of URSA #66
- West of Glencoe and North of Evergreen Roads
- West and north of URSA #61
- North of URSA #65

DLCD's explanation of the location of these exception areas is imprecise because it does not include a map or detailed description of these sites. The discussion below responds as closely as possible to DLCD's list of sites given the limited information provided.

Exception area located east of and adjacent to Glencoe Road and north of and adjacent to UGB

Exception area West of Glencoe and North of Evergreen Roads

The parcel described by DLCD is part of Washington County exception area #47. This exception area is located near the intersection of Evergreen Road and Glencoe Road. The exception area is presently zoned AF-5. When Washington County approved the entire exception area, it included 32 parcels in 29 different ownerships with an average parcel size of 3.99 acres. The County found that 71% of the parcels in the area are already committed to residential use.

The dominant feature of the exception area is the Evergreen Christian Center which is located at the Evergreen/Glencoe intersection. The Christian Center is located on a small 16 acre parcel identified by DLCD in its January 28, 1997 letter. The church owns a large parking lot and playing fields adjacent to the church building which occupy much of the parcel.

There is limited potential for providing needed housing in exception area #47. The exception area is highly parcelized and the lots are predominately in separate ownership. This situation inhibits the city's ability to consolidate parcels into larger blocks of land which could provide housing densities consistent with the 2040 Growth Concept and the RUGGO. This factor alone makes exception area #47 an unsuitable alternative to St. Mary's or the other proposed urban reserves in the Hillsboro regional center area. In addition, because there has been no significant change in the exception area since it was approved by Washington County, ownership patterns are stable which means infill and redevelopment are unlikely. Thus, exception area #47, including the area around the Evergreen Christian Center, has almost no potential for providing housing to satisfy the region's special land need and is not a suitable alternative site to the St. Mary's property. The number of units that could reasonably be expected to develop on this land is very low; the land is not a reasonable alternative to St. Mary's or other urban reserves for addressing the jobs-housing imbalance in the region.

Exception areas located east of Cornelius-Schefflin Road adjacent to URSA #60

This exception area is designated as Washington County exception area #50. Total acreage of the exception is approximately 53 acres of which there are 13 parcels divided into 10 ownerships. When Washington County approved the exception, 61 percent of the lots were developed with residences and accessory structures. According to the exception area map, Emanuel Cemetery is located near the northwest corner of the exception area. The largest parcel in the exception area is 6.7 acres and the average lot size approximately 4 acres.

Unlike the St. Mary's property, exception area #50 is too small to provide any substantial number of new housing units to address Hillsboro's special land need. The separate ownerships make lot consolidation unlikely, which will prevent the site from reasonably achieving a sufficient

level of development. After accounting for land needed for roads and other infrastructure, physical constraints and the cemetery there will be little land left for redevelopment. Adding this exception area to the urban reserve has almost no potential for achieving the 2040 design type and intensity of housing 10 units per buildable acre that Metro's UGB procedures mandate. Thus, exception area #50 is not a site which can reasonably accommodate sufficient units to be considered a reasonable alternative to the St. Mary's property or the other proposed urban reserves in the Hillsboro regional center area.

Exception area located south of and adjacent to URSA #50

This area is Washington County exception area #97. It is not located in the Hillsboro Regional Center because it is part of the Beaverton - Washington Square Regional Center area as shown in Metro's Region 2040 Recommended Alternative Technical Appendix. Therefore, this area will not contribute to improving the jobs-to-housing ratio or decreasing VMTs in the Hillsboro regional center area.

The area is more commonly known as Cooper Mountain as shown on the exception area map and Washington County's Rural/Natural Resource Plan. Except for the three tax lots noted by DLCD, the area is a densely developed rural residential area. The approximately 489 acre area was heavily parcelized with 80 percent of the lots in separate ownership at the time Washington County granted the exception. Review of the county's Rural/Natural Resource Plan shows that the area has become even more parcelized since the exception was granted. Only a few lots on the southern border of the exception area remain undeveloped.

The developed portion of exception area #97 is fully improved and cannot provide a significant number of new housing units to satisfy Hillsboro's special land need. Development of Cooper Mountain has been fairly recent and the potential for substantial redevelopment and infill is remote. Thus, the developed portion of exception area #97 cannot reasonably accommodate the use proposed for St. Mary's.

The three tax lots suggested by DLCD and the other undeveloped lots on the southern end of the exception area are unsuitable for development because adding the area to the UGB will not provide enough housing to satisfy Hillsboro's special land need. Combined, these areas might provide 132 acres of land. After subtracting 25 percent of the acreage for roads and environmental constraints, there are only about 99 acres of net buildable land. At 2040 Growth Concept densities of 10 units per acre, these tax lots can only supply 990 housing units. Even if this housing could be used to address Hillsboro's special land need, it would not obviate the need for St. Mary's.

Furthermore, the recent amendments to OAR 660-21-030(4)(a) encourage areas like the Hillsboro region to reduce vehicle miles traveled by providing housing near jobs within the regional centers. Since exception area #97 is outside the Hillsboro regional center area, adding the exception area to the urban reserve will not help Hillsboro reduce vehicle miles traveled in its area. Thus, based solely on its location outside the Hillsboro regional area, the site is not a reasonable alternative to St. Mary's to address the jobs-housing imbalance in the region.

RUGGO 22 states “[t]here should be a clear transition between urban and rural land that makes the best use of natural and built landscape features...” The county's Rural/Natural Resource Plan shows that the three tax lots suggested by DLCDC and the other lots in the southern portion of the exception area are surrounded on three sides by AF-20 and Exclusive Forest Use land. There are no creeks or roads that could supply a clear separation between the urban development that would be occurring on these tax lots and the resource uses immediately adjacent to them. Unlike the St. Mary's property, urban uses on these southern lots would have a direct impact on the adjacent farm and forest land because they do not have the benefit of a rural residential area to buffer the resource area. The objective of RUGGO 22 cannot be achieved on exception area #97.

The state agencies' letter of February 13, 1997, notes that the RUGGO policy of maintaining separation of communities is not a reason for excluding exception lands from urban reserves at the expense of including agricultural lands. That concern misunderstands the purpose for RUGGO 22 and how it is being applied in these findings. Having identified the specific land need that justifies the inclusion of the St. Mary's property, despite its EFU zoning, the next task is to determine whether there are exception land sites or other land of higher priority under the urban reserve rule that can “reasonably accommodate” enough new housing units -- individually or cumulatively--so that the sites can be considered a reasonable alternative to including the St. Mary's site. In evaluating the reasonableness of these exception lands as alternative sites it is appropriate to consider, as one of many factors, whether the sites can be developed consistent with the policies and objectives set out in the RUGGO, which has been acknowledged by LCDC. If a site cannot comply with any of the RUGGO policies and objectives, that is a reasonable factor for Metro to consider when evaluating whether the site is a reasonable alternative to St. Mary's, particularly in light of the fact that St. Mary's can be developed in accord with the RUGGO.

Moreover, RUGGO 22 in particular is consistent with the urban reserve rule and other state law and policy because, by trying to ensure there is separation between rural and urban uses, it seeks to protect resource land from surrounding development that could potentially undermine the continued resource use. Thus, in respect to the three lots within exception area #97 suggested by DLCDC, the fact that development of the sites would conflict with RUGGO 22 is a basis, both standing alone and considered cumulatively with the other factors, for concluding that the land is not a reasonable alternative to the St. Mary's property when it comes to developing sufficient housing to correct the jobs-housing imbalance in the Hillsboro regional area.

Exception areas south and north of URSA #51

These areas correspond to Washington County exception area #94. This exception area is located south of the St. Mary's property along 209th Avenue. The 196 acre area is a narrow strip about two miles long extending south from McInnis Road to past the intersection of 209th Avenue and Farmington Road. The exception area is part of URSA sites #51, 52, 53 and 54. The area has a mix of zoning designations including AF-5, AF-10 and RR-5. When the exception was approved by Washington County, there were 88 parcels in 58 different ownerships. Due to several large parcels on the very southern end of the exception area, the average parcel size is approximately 22 acres. However, these southern parcels are on steep slopes. Power lines intersect the exception area at three different points. A Christian Life Center is located between McInnis Road and

Murphy Road on a large parcel with two structures, a parking lot and a grass field that is presently staked for survey.

Exception area #94 cannot accommodate the number of housing units necessary to address Hillsboro's jobs to housing imbalance. The area is constrained by its parcelization and ownership patterns and its potential for adding significant numbers of new housing units is very limited. The diversity of ownerships forecloses the types and intensities of new housing which could meet the density goals of the 2040 Growth Concept and the RUGGO. This factor alone demonstrates that the area is not a suitable alternative for the St. Mary's property or the other proposed urban reserve areas in the Hillsboro regional center area. Compounding the constraints caused by ownership patterns, the southern portion of the exception area contains steep slopes which are not suitable for residential development. Furthermore, due to the shape of the exception area, urban development would result in at least two fingers of development intruding into the resource lands in the southern portion of the exception. DLCD has stated that such intrusions are unacceptable. Cumulatively these factors show that the exception area cannot reasonably accommodate the use proposed for St. Mary's. Although, exception area #94 can supply some additional housing in URSA #54, it cannot reasonably accommodate the types and intensity of uses proposed for the St. Mary's property or the other proposed urban reserve areas in the Hillsboro regional center area.

Exception areas within and adjacent to URSA #60

The area around URSA #60 contains several exception areas identified as Washington County exception areas #48, 49, 50 and 51 and 86. The unsuitability of Washington County exception area #50 is discussed under section A.2. above. These exception areas are located between the cities of Hillsboro and Cornelius. As explained below, these exception areas cannot provide the types and intensities of housing needed to satisfy the 2040 Growth Concept or the RUGGO, or aid in improving the jobs-to-housing ratio in the study area.

Exception Area #48

Washington County exception area #48 is approximately 154 acres and is located between the Cornelius and Hillsboro UGBs. The exceptions map shows that it is a densely developed rural residential area. The area contains 103 parcels in 97 ownerships. At the time the exception was granted, 89 percent of the lots in the area were developed. The two sections of AF-5 property in the exception are bisected by a railroad line. The TV Highway forms the southern boundary of the exception.

The exception area is almost fully developed. Further residential development will be limited by the extremely high level of parcelization and separate ownership. Thus, this area cannot support a significant number of new housing units to address Hillsboro's special land need. This factor alone demonstrates that this exception area is an unsuitable alternative to the St. Mary's property and the other proposed urban reserves in the study area. In addition, ultimately adding this exception area to the UGB would almost bridge the distance between the urban areas of Cornelius and Hillsboro. As discussed above, it is appropriate to consider this criteria because it is an object of the RUGGO. Such an addition to the UGB would also contravene Metro's Growth Management policy II.3.iii of the RUGGO which is intended to support "interconnected but distinct

communities in the urban region.” Moreover, RUGGO 26.1 calls for separation of Neighbor Cities: “The communities within the Metro UGB, in neighbor cities and in the rural areas in between will benefit from maintaining separation between these places as growth occurs.” Adding exception area #48 to the urban reserve will contravene these objectives. For these, and the other reasons discussed above, this exception area cannot reasonably accommodate the use proposed for the Mary's property.

Exception Area #49

Washington county exception area #49 is approximately 97 acres located north of the UGB and adjacent to Susbauer Road. At the time the exception was granted it contained 25 parcels in 21 different ownerships. On the west end of the area is a small parcel zoned for rural industrial use. Over half of the lots in the exception area are improved with structures. The exception map shows that there are several flag type lots in the exception area which reduce the percentage of buildable land. Council Creek runs along the southern border of the exception area.

This exception area is not capable of providing a significant number of housing units to address Hillsboro's special land need. The high level of parcelization and separate ownership will inhibit consolidation of lots into blocks which can supply densities required by the 2040 Growth Concept. Standing alone, this fact demonstrates that the exception area is not a suitable alternative to the St. Mary's property. Furthermore, the flag lots and configuration of the other lots in the exception area will reduce the number of new housing units which could be built in the exception area. In addition, Council Creek forms the southern border of the UGB. Forcing the boundary north to encompass exception area #49 will contravene RUGGO 22.1 which calls for the UGB to follow natural or built features like creeks and roads. Cumulatively, these reasons demonstrate that exception area #49 cannot reasonably accommodate the use proposed for St. Mary's.

Exception Area #51

This exception area is approximately 71 acres located north of Cornelius. It is zoned AF-10 and is completely surrounded by EFU land. The exception supports 19 parcels in 17 different ownerships. The UGB is approximately one mile south of the exception area.

This exception area cannot provide a significant number of housing units to improve the jobs to housing ratio in Hillsboro. The area will not allow for 2040 Growth Concept densities because most of the lots are held in separate ownership and are not likely to be consolidated into larger parcels. This factor standing alone shows that this exception area is not a suitable alternative for the St. Mary's property or the other proposed urban reserves in the study area. In addition, the area is distant from the UGB which will require extension of public facilities over resource land which is undesirable. For these additional reasons, exception area #51 cannot reasonably accommodate the use proposed for the St. Mary's property.

Exception Area #86

Washington County exception area #86 is south of and contiguous to exception area #48. It is a very small piece of property divided between AF-5 and rural commercial zones. Of the nine

parcels in the exception area, 8 are held in separated ownership. For all the reasons noted in the findings for exception area #48, this exception area is not a reasonable alternative to the St. Mary's property.

Exception area west of URSA #66

This exception area is located in Multnomah County. It is zoned Multiple Use Agriculture. The exception area is not located in the Hillsboro regional center area and, therefore, cannot aid in improving the jobs-to-housing ratio or reducing VMTs in the study area. This fact alone makes this exception area an unsuitable alternative to the St. Mary's property or the other proposed urban reserves in the Hillsboro regional center area. In addition, the area is heavily parcelized as is shown on the Westhills exception area map. According to the map, the area has been committed to residential uses since 1978. The high level of parcelization and existing development make lot consolidation and achieving 2040 Growth Concept densities unlikely. Again, standing alone this fact makes the area an unsuitable alternative to the St. Mary's property. Cumulatively, these reasons demonstrate that the area west of URSA #66 is not an area that can reasonably accommodate the uses proposed for the St. Mary's property.

Exception area west and north of URSA #61

This exception area is Washington County exception area #44. This hour-glass shaped exception area has its southern border along Evergreen Road and stretches almost to Highway 26 to the north. Most of the exception area is zoned AF-5 but a small parcel of land on the northeastern border is zoned AF-10. The area consists of approximately 350 acres, which at the time Washington County granted the exception, contained 101 parcels in 77 different ownerships. The average parcel size is approximately 3.5 acres.

Exception area #44 cannot satisfy the need for housing in the Hillsboro Regional Center area because it is highly parcelized and predominately held in separate ownerships. Due to the diversity of ownership there is very little opportunity for consolidation of these individual ownerships into larger lots which will support 2040 Growth Concept densities. This fact standing alone demonstrates that the exception area is not a suitable alternative to the St. Mary's property or the other urban reserves in the study area. In addition, the orientation and odd hour-glass shape of the exception will result in a major incursion into the surrounding EFU lands. Providing services through the narrow strip of land between the northern and southern portions of the exception area is not feasible. Furthermore, several parcels in the northern portion of the exception area are oddly shaped and oriented in a diagonal direction which will impede planning which could provide for higher housing densities. Cumulatively, these reasons show that Washington County exception area #44 cannot reasonably accommodate the use proposed for St. Mary's.

Exception areas north of URSA #65

The exception areas which are north of URSA #65 are Washington County exception areas #31, 32 and 33. These three areas are not contiguous to the UGB and are outside the Hillsboro regional center area. All three exception areas are between one and two miles from the UGB. Like exception area #97 on Cooper Mountain, because these exception areas are located outside the Hillsboro regional center area they cannot aid in improving the jobs-to-housing ratio or reduce

VMTs in the Hillsboro regional center area. This reason alone is sufficient to make all three exception areas unsuitable as an alternative to St. Mary's and the other urban reserves proposed for the Hillsboro regional center area. Additional reasons for rejecting these exception areas as suitable alternative sites are discussed below.

Exception area #31

This small exception area is approximately 38 acres, divided into 12 parcels in 10 different ownerships. This level of parcelization and separate ownership prohibits achieving 2040 Growth Concept and RUGGO housing densities in the area. On this basis, the parcel cannot provide for Hillsboro's specific land need and shows that it is not a suitable alternative to St. Mary's or the other urban reserves in the Hillsboro regional center area.

In addition, the exception is surrounded by EFU land on three sides and Multnomah County on the other side. Because it is surrounded by nonurban uses, placing urban levels of development in this exception area will likely create conflicts which make the area incompatible with adjoining agricultural activities and other adjacent uses. Extending services to this island of urbanization is not feasible based on its distance from other urban services. Furthermore, the developed area would rely upon Germantown Road which is already a heavily used major collector. Cumulatively these factors demonstrate that Washington County exception area #31 is not a suitable alternative to the St. Mary's property or the other urban reserve areas proposed for the Hillsboro regional center area.

Exception area #32

This exception area suffers from the same impediments as exception area #31. The area is 36 acres divided into 8 parcels in 7 different ownerships. This level of parcelization will prevent lot consolidation which makes achieving 2040 Growth Concept and RUGGO densities improbable. On this basis alone, the area will not be able to provide for the study area's specific land need and shows that the exception area is an unsuitable alternative for the St. Mary's property and the other urban reserve areas proposed for the Hillsboro regional center area.

Furthermore, the exception area is bordered on two sides by Multnomah County and by EFU land on the other two sides. Like exception area #31, it is surrounded by nonurban uses. Extending urban levels of service to the area through resource land is unfeasible due to the area's distance from other urban services. Moreover, since the area would be an island of urbanization, its use will likely conflict with nearby agricultural uses and other adjacent uses. The county's exception statement notes that the area is located in "steep foothills" which creates an additional impediment to achieving 2040 Growth Concept densities. Cumulatively, these impacts make Washington County exception area #32 an unsuitable alternative to the St. Mary's property and the other urban reserves proposed for the Hillsboro regional center area.

Exception area #33

This exception area is approximately 73 acres in size. It is heavily parcelized containing 19 parcels in 16 separate ownerships. Over half the lots were already improved when Washington

County granted the exception. The area is bisected by a drainage course and the Bethany Community Cemetery is located in the exception area. The high level of parcelization and separate ownership demonstrate that lot consolidation is unlikely and that 2040 Growth Concept and RUGGO housing densities will not be ever be possible in the exception area. This impediment alone shows that this exception area cannot supply housing for the study area's specific land need and that it is not a suitable exception for the St. Mary's property or the other urban reserves proposed for the Hillsboro regional center area.

Significantly, this exception area is surrounded on all sides by EFU land. Providing urban services to this area is problematic because of its location distant from the UGB and because it will require extending services across resource land. Because surrounding property is EFU land, placing urban levels of use in the exception area is likely to create conflicts which interfere with nearby agricultural uses. Furthermore, like exception area #31, this exception is located along Germantown Road which is already a heavily used major collector in the county. Cumulatively, these factors demonstrate that Washington County exception area #33 is not a suitable alternative to the St. Mary's property or the other proposed urban reserves in the Hillsboro regional center area.

Other Washington County Exception Areas

Both OAR 660-04-010(1)(c)(B)(ii) and OAR 660-04-020(2)(b) require the Council to evaluate exception areas as locations that might reasonably accommodate Hillsboro's special land needs. Evidence has been provided on all of Washington County's exception areas that are contiguous to the UGB in the Hillsboro Regional Center Area. In addition, information has been provided on other exception areas near the regional center, but not contiguous to the UGB, which could theoretically accommodate the city's special land needs.

Exception areas contiguous to the UGB

Exception area #30

Washington County exception area #30 is located near the Kaiser Road/Springville Road intersection. The exception consists of 147 acres divided into 31 parcels under 27 separate ownerships. Like exception areas #34 and #97, this exception is located outside the Hillsboro Regional Center area. The area is zoned AF-5 and AF-10, and at the time the county granted the exception it was 71 percent developed with individual structures. A cemetery and church are located in the exception area. Similar to exception area #44, this exception has an awkward shape, which protrudes into the adjoining resource land and makes it unreasonable to expect that anything more than a small number of dwelling units will be built.

Exception area #30 cannot accommodate a significant number of new housing units to address Hillsboro's special land need. The high level of parcelization and separate ownerships will inhibit consolidation of lots which will, in turn, make it unlikely that the area could ever reach the housing densities called for in the 2040 Growth Concept and the RUGGO. This factor alone makes the exception area an unsuitable alternative to the St. Mary's property and the other proposed urban reserves in the study area. Furthermore, the exception area is distant from Hillsboro and, therefore, will not aid in reducing VMTs in the Hillsboro Regional Center area. Moreover, adding the area to

the urban reserve would create a finger of urban land in the midst of resource land, a result discouraged by DLCDC. Cumulatively, these problems demonstrate that exception area #30 is not a suitable alternative to reasonably accommodate the use proposed for St. Mary's.

Exception Area #34

This exception area is approximately 354 acres in size and is located near the intersection of 185th and NW Springville Road. It is not located in the Hillsboro Regional Center and is actually designated as part of the Beaverton Regional Center area in Metro's Region 2040 Recommended Alternative Technical Appendix. Thus, the exception area cannot improve the jobs-to-housing ratio or reduce VMTs in the study area. This fact alone shows that this area is not close enough to the Hillsboro region to reasonably accommodate the Hillsboro regional center area's special land need.

The Rock Creek campus of Portland Community College is located near the center of this exception area. The exception area is predominantly composed of 10 acre lots with a total of 150 acres around the campus. The exception is divided into 30 lots of which 24 are in separate ownership. Of these, 21 lots already support improvements. A portion of the exception area is zoned AF-10 and forms a finger of nonresource land to the north of the Rock Creek campus. However, this area contains steep slopes which are undesirable for residential development.

Exception area #34 cannot be considered a suitable alternative site to St. Mary's because it cannot accommodate a significant number of new housing units. Because most of the lots outside the Rock Creek campus are in different ownership, the area is unlikely to be consolidated into larger buildable parcels. This will impede development at densities called for in the 2040 Growth Concept and the RUGGO. Standing alone, this factor demonstrates that the exception area is not a suitable alternative to the St. Mary's property or the other proposed urban reserves in the study area. Moreover, adding the exception area to the UGB would create an awkward finger of development protruding into the adjoining EFU lands which is a result that DLCDC, in its January 28, 1997, letter has said is unacceptable. Cumulatively, these reasons demonstrate that exception area #34 is not a suitable alternative to the St. Mary's property.

Exception Area #43

Exception area #43 consists of a approximately 42 acres located at the intersection of Highway 26 and Shute Road. It is zoned AF-5 and, at the time Washington County granted the exception, it contained 23 parcels in 21 ownerships with an average parcel size of 1.4 acres. A recent field survey of exception area #43 shows that it is a residential subdivision with approximately 20 houses and a small street system consisting of Birch Avenue and Oak Drive. For purposes of comparison, the special land need findings for the St. Mary's property estimated that this exception area could accommodate about 400 housing units at 10 units per acre. However, due to the current level of parcelization and separate ownership, exception area #43 has very little potential for providing additional lots to satisfy the housing need in the Hillsboro Regional Center area. Furthermore, separate ownership makes lot consolidation unlikely which will prevent the area from ever attaining the densities required by the 2040 Growth Concept and the RUGGO. Designating exception area #47 as an urban reserve will have little impact upon correcting the

current jobs to housing imbalance and, therefore, is not a alternative site that can reasonably accommodate the use proposed for the St. Mary's property.

Exception Area #37

Washington County exception area #37 is known as the Bendemeer neighborhood. It is located in the northwest quadrant of the intersection of Cornelius Pass Road and West Union. This exception area is also identified as URSA #64. The Bendemeer exception is zoned AF-5 and contains some residential commercial zoning located at the intersection of Cornelius Pass and West Union. At the time Washington County granted the exception, the area contained 62 parcels in 58 separate ownerships. The average parcel size is approximately 2.5 acres. A field survey of the Bendemeer neighborhood indicates that a significant local street system has developed over the years and that the area now supports several large lot rural residences. There is one farm in the exception area which contains a horse pasture and a large relatively new house on the farm.

Although the Bendemeer neighborhood has been proposed as an urban reserve, the Council acknowledges that it has limited potential for providing significant amounts of housing through redevelopment. The area is already highly parcelized and almost all of the lots are held in separate ownerships. Although densities may increase with the addition of urban zoning in the area, the diverse ownerships indicate that in-fill and redevelopment will not occur quickly, and cannot provide an adequate number of housing units to address Hillsboro's future jobs to housing imbalance. Thus, while including the Bendemeer neighborhood in the urban reserve is supported by other factors in the Urban Reserve Rule, it is not a suitable alternative for the St. Mary's property.

Exception Area #42

Washington County exception area #42 is 77 acres located near the intersection of Helvetia Road and West Union. It has an "L" shaped configuration and is not contiguous with the UGB except for a portion of one lot on its eastern edge. The area is zoned AF-5 and has a small commercial zone near the intersection of Helvetia Road and West Union. When Washington County approved the exception area it contained 16 parcels in 14 different ownerships.

Exception area #42 cannot accommodate Hillsboro's specific land need. The area's small size, parcelization, and diverse ownership will not allow the lot consolidation necessary to provide for a significant number of new housing units at the densities called for by the 2040 Growth Concept and the RUGGO. For this reason alone the exception area is not a suitable alternative to the St. Mary's property or the other proposed urban reserves in the Hillsboro regional center area. Furthermore, the property is not contiguous to the UGB except in one small corner. Providing urban levels of utility and road service to the area will not be efficient because there is only one small area from which to extend those services. Moreover, exception area #42 would become a finger of urban land which intrudes into the surrounding resource lands; a result which DLCD has discouraged. Cumulatively, these reasons demonstrate that this exception area cannot reasonably accommodate the special land need that will be provided by the St. Mary's property.

Exception Area #93

Washington County exception area #93 is approximately 312 acres located immediately to the west of St. Mary's adjacent to the UGB and is the exception portion of URSA #55. The majority of the exception area is zoned AF-5 but there are smaller sections of AF-10 and RR-5 zoning. When Washington County approved the exception it contained 77 parcels in 73 different ownerships. A field survey of the area shows little active farm use, although there are a few hay fields. Lots abutting the primary roads, 229th Avenue and Davis Road are almost fully developed with rural single family residences. A rural subdivision, Witch Hazel Farms, is located near the center of the exception area.

Although exception area #93 has some potential for adding additional lots, it cannot provide a significant number of housing units alone to address Hillsboro's jobs to housing imbalance. For purposes of comparison, the findings for Hillsboro's special land need estimated that the area could accommodate approximately 2,662 new housing units. However, it is very unlikely that the area will ever be developed to that density. The high level of parcelization and the fact that almost all of the lots are held in separate ownership precludes significant consolidation of lots to meet densities called for by the 2040 Growth Concept. In addition, at least two portions of the exception area have irregularly shaped lots which will impede efficient redevelopment. Furthermore, the exception area is isolated from TV Highway, the primary transportation facility in the area. Perhaps with the addition of connecting roads through the development which will occur on the St. Mary's, the exception area will become better integrated into the region's transportation network, but at present, any additional traffic would be forced on to local roads which are not designed for urban levels of use. These housing and transportation factors show that exception area #93 cannot reasonably accommodate the use proposed for the St. Mary's property.

Exception areas not contiguous to the UGB

The following exception areas are located outside the UGB in rural Washington County. Most are surrounded by EFU land and are at least one half mile from the nearest point in the UGB. Most of these exception areas are located outside the Hillsboro Regional Center area and, thus, cannot fulfill Metro's goal of reducing VMTs. For this reason alone these areas are unsuitable alternatives to the St. Mary's property or the other proposed urban reserve areas in the Hillsboro regional center area. The exception areas are also unsuitable alternatives to the St. Mary's property for the reasons discussed below.

Exception Area #39

Washington County exception area #39 is a large disjointed area which is located in and around Phillips Road. Although it is a large exception at 607 acres, it is approximately two miles from the UGB. The exception area is heavily parcelized with at least 111 parcels in 95 separate ownerships.

Although exception area #39 could provide some additional housing, that housing would be distant from the Hillsboro regional center area which would not aid in reducing VMTs in the region. This reason alone shows that the exception area is not a suitable alternative to the St.

Mary's property. The high level of parcelization in separate ownerships will prevent lot consolidation which will not allow the area to develop at densities called for in the 2040 Growth Concept and the RUGGO. This is yet another reason, standing alone, that the area is an unsuitable alternative to the St. Mary's property. Furthermore, attempting to develop the area to urban densities would require extension of public facilities far beyond the current UGB. Extending services would not be efficient and would be a major incursion into the surrounding EFU lands. Moreover, the exception area is served by local streets which connect with Cornelius Pass Road. There is no evidence to suggest that Cornelius Pass can accommodate the increased traffic flows which will result from urbanization of this exception area. Cumulatively, all these reasons demonstrate that exception area #39 is not a suitable alternative to the St. Mary's property.

Exception Area #92

Washington County exception area #92 is approximately 60 acres south of the UGB and is located between River Road and the Tualatin River. The exception area is zoned AF-5 and contains 26 parcels, 21 of which are in different ownership. The average parcel size is 2.3 acres. The lots in this area are typically long and narrow running the full distance between the Tualatin River and River Road.

Exception area #92 is not a suitable alternative to the St. Mary's property. The exception area is already highly parcelized and has little potential for adding additional lots to provide for needed housing in Hillsboro. This fact alone makes the exception area an unsuitable alternative to the St. Mary's property and the other proposed urban reserve areas in the study area. In addition, the exception area is not contiguous with the UGB. Designating exception area #92 as an urban reserve would result in an island of urban development in the midst of resource land. This would violate RUGGO 22 which requires a "clear transition between urban and rural land." Cumulatively, these reasons show that exception area #92 is an unsuitable alternative to the St. Mary's property.

Exception Area #95

Washington County exception area #95 is also known as the Hazel Meadows subdivision. The exception contains 113 acres divided into 46 parcels which are held in 38 separate ownerships. A rock quarry is located on the eastern edge of the exception area. The Washington County Rural/Natural Resources Plan shows that the area is a long narrow rectangle protruding into the surrounding EFU land.

Unlike the St. Mary's property, this exception area is a fully built rural residential area. The average lot size of 2.4 acres demonstrates that the residents desire a large lot rural atmosphere. Due to parcelization and ownership patterns it is unlikely that this area will redevelop at densities that can meet the 2040 Growth Concept goals. By itself, this demonstrates that the area is not a suitable alternative to the St. Mary's property or the other proposed urban reserve areas in the Hillsboro regional center area. In addition, designating the area for urban development would allow the type of major incursion into farm land that DLCD has discouraged. Cumulatively, these reasons show that exception area #95 is not a site that can reasonably accommodate the use proposed for the St. Mary's property.

Exception Area #96

This exception area is located near the intersection of Farmington Road and Clark Hill Road near Cooper Mountain. Composed primarily of long narrow lots, the area contains 23 parcels in 20 different ownerships. About 77 percent of the exception area is already committed to residential use. The area is almost one mile from the UGB and sits on the northwestern slope of Cooper Mountain.

The exception area's small size and parcelization forecloses future opportunity to redevelop at the density objective of the 2040 Growth Concept. Lot consolidation is unlikely considering past development patterns, and redevelopment and infill will be thwarted by the area's steep slopes. Standing alone, this shows that the exception area is an unsuitable alternative to the St. Mary's property. In addition, the exception area is surrounded on all sides by either farm or forest resource land. Cumulatively, these conditions make exception area #96 an unsuitable alternative to the St. Mary's property.

Exception Area #52

Washington County exception area #52 is an extremely small (9 acres) strip of rural residences located along Leisy Road northwest of the Hillsboro UGB. It is completely surrounded by EFU land and is about one mile from the UGB. With an average parcel size of .6 acre, it is doubtful whether this exception area can provide any additional housing. This, combined with its location, makes exception area #52 an unsuitable alternative to the St. Mary's property.

Exception Area #87

Washington County exception area #87 is approximately 132 acres in size located southwest of the Hillsboro UGB. The area contains 35 parcels in 31 separate ownerships. Average parcel size is 3.8 acres. The area is split between AF-5 and AF-10 zoning. At the time the exception was granted, 82 percent of the parcels were devoted to residential use. Completely surrounded by EFU land, the area is about one half mile from the UGB.

This exception area cannot reasonably accommodate the use proposed for St. Mary's. The area is heavily parcelized and in separate ownership which makes consolidation of lots unlikely. Without such consolidation, the area's ability to provide 2040 Growth Concept and RUGGO densities is unlikely. Standing alone, this fact makes this exception area an unsuitable alternative to the St. Mary's property or the other proposed urban reserve areas in the study area. Furthermore, like the other exception areas which are completely surrounded by resource land, extending public facilities will be inefficient and harmful to surrounding farm lands. Moreover, there are no transportation facilities to adequately serve increased densities in the exception area, and providing those facilities would not be efficient due to the exception area's distance from the UGB. Cumulatively, these reasons show that exception area #87 is an unsuitable alternative to the St. Mary's property.

Alternative Sites Inside the UGB

A comprehensive review and evaluation of all the land within the city limits and surrounding urban areas and its suitability for meeting the region's special land needs has been conducted. The evidence in the record demonstrates that there is a shortage of both residential and industrial property in the Hillsboro Regional Center area and no industrial (except Seaport) or commercial land inside the current UGB can be redesignated to accommodate housing needs. The expert testimony provided by both the City Hillsboro, the RMA report and supplemental memorandum thereto provide persuasive evidence that all feasible alternatives inside the UGB to accommodate additional housing have been examined. The Council is persuaded that the land within the Hillsboro regional study area can accommodate approximately 21,500 more housing units as identified in the RMA report, which number is consistent with the targeted densities allocated in the Functional Plan. That carrying capacity of approximately 21,500 units includes developing the vacant land at the higher densities called for in the RUGGO and Functional Plan, as well as redevelopment, rezoning and infill opportunities. The Council accepts the city's expert testimony that all alternatives have been studied and that it is not realistic to expect that the area can achieve more than approximately 21,500 housing units. Achieving that level of density within the current UGB of the Hillsboro regional center area assumes that the Seaport property could be rezoned to residential use and provide between 1,600-1,800 housing units at the density target stated in the RUGGO and 2040 Growth Concept. As discussed elsewhere in these findings, the most persuasive expert evidence, in particular the ILM report and the supplemental memorandum to the RMA report, demonstrate that the market factors that will drive the job demand in the Hillsboro regional center area are not affected by and will not be reduced by the potential rezoning of the Seaport property. While the possible rezoning of the Seaport property will help address the jobs-housing imbalance, even the immediate rezoning and development of Seaport would not obviate the need to include the St. Mary's property in the urban reserves and then bring it inside the boundary in a timely manner.

Summary

Taken as a whole, all of the alternative sites, both contiguous to and outside the UGB, cannot provide the type or intensity of quality master planned housing that will occur on the St. Mary's property. St. Mary's not only provides the largest number of new housing units, but represents one discrete intrusion into the rural area. The impact of attempting to amass the same number of new housing units piecemeal on any combination of the exception areas would have a far more deleterious impact on the EFU lands surrounding the Hillsboro Regional Center area. Expanding the urban area into one or two larger parcels of resource land rather than dozens of smaller exception areas better addresses the 2040 Growth Concept objective of maintaining "[a]n urban to rural transition to reduce sprawl." Thus, St. Mary's is the best alternative for addressing Hillsboro's special land needs.

Each of the exception sites discussed above is flawed as a reasonable alternative to including the St. Mary's property in the urban reserves. The Council accepts the conclusion in the RMA that Metro needs to be able to accommodate at least 14,600 additional dwelling units than can be accommodated with the current UGB in the Hillsboro regional center area to achieve within the next 20 years a jobs-housing balance that is closer to the favorable ratio. Indeed, the analysis

provided in the RMA report indicates that to actually achieve the most favorable ratio, not just make strides towards it, could require adding 21,100 additional housing units (beyond that which can be accommodated with the current urban boundaries), within the next 20 years. Confronted with that large a need, none of the exception sites discussed above, taken individually or cumulatively, can make the kind of corrective impact to address the need that can be achieved by including the St. Mary's property. Those exception sites, taken individually or cumulatively, do not provide a reasonable alternative to including the St. Mary's property as an urban reserve in order address the specific need in the Hillsboro regional center area to provide more residential land to help correct the growing jobs-housing imbalance in the area.

APPENDIX V: Suitability of URSA #53

Pursuant to OAR 660-21-000, "planning is authorized for areas outside urban growth boundaries to be reserved for eventual inclusion in an urban growth boundary and to be protected from patterns of development which would impede urbanization." Urban reserve areas are defined under 660-21-010(1) to be lands "identified as highest priority for inclusion in the urban growth area when additional urbanizable land is needed in accordance with the requirements of Goal 14." Metro has adopted an ordinance to include Site #53 as an urban reserve area pursuant to this rule. Site #53's inclusion as an urban reserve is necessary in order to improve the jobs-to-housing ratio in the Hillsboro regional center area, pursuant to OAR 660-21-030(4)(a).

In part because of its location immediately adjacent to the existing urban growth boundary (UGB) on one side and immediately south of St. Mary's property (URSA #54 and #55), inclusion of Site #53 as an urban reserve is consistent with the following RUGGO provisions:

- *Objective 16.1.* This area will be an urban reserve established consistent with the urban/rural transition objective (Objective 22).
- *Objective 21.* The growth management provisions of Objective 21, Urban Vitality, are also satisfied by the inclusion of Site #53 as an urban reserve, in that its designation encourages the evolution of an efficient urban growth form (II.3.i) helps provide for a clear distinction between urban and rural lands (II.3.ii), and its designation is consistent with the 2040 Growth Concept and helps attain the region's objectives (II.3.iv).
- *Objective 22.3.1.* This rule is satisfied because inclusion of Site #53 is generally based upon the locational factors of Goal 14. Because it is land adjacent to the UGB, it is land required to be studied for suitability for inclusion within the urban reserves as measured by Factors 3 through 7 of Goal 14 and by the requirements of OAR 660-04-010.
- *Objective 22.3.2.* This rule allows for the inclusion of lands of lower priority in urban reserves if specific types of land needs cannot be reasonably accommodated on higher priority lands, after options inside the UGB have been considered, such as land needed to bring jobs and housing into close proximity to each other. In this case, those options have been considered and it is evident that in order to improve the jobs-to-housing ratio in the Hillsboro regional center area, Site #53 should be included and designated as an urban reserve.
- *Objective 24.1.c.* This is also furthered by the designation of Site #53 in that the maximum efficiency of land use is promoted because of the need to include or provide services to those urban reserves (St. Mary's) immediately to the north of Site #53.
- *Objective 26.2.* The jobs/housing balance is immeasurably assisted by the designation of Site #53 as an urban reserve in that it will help minimize the generation of new automobile trips by locating housing close to the jobs projected to be created in the Hillsboro regional center area.

Suitability Analysis

Metro's suitability analysis in the URSA study model does not presently reflect actual site conditions and the actual agricultural suitability of #53. An independent agricultural land use evaluation performed by CES Ltd. in October 1996 (transmitted by letter to all Council members

on October 31, 1996) demonstrates the unsuitability of the site for commercial farm use. Presently, the site is an abandoned tree nursery containing large numbers of overgrown ornamental trees and shrubs, all of which would need to be manually removed to prepare the site for agricultural use. Soil conditions are such that remediation is necessary in many areas. This evidence is confirmed by testimony received from a farmer who tried to farm the property in the early 1990's without success. No conflicting evidence was received by Metro. Total cost of converting the property to agricultural use is estimated between \$500,000 and \$1,000,000. This makes it highly unlikely the property would ever be returned to commercial agricultural use. This is particularly so given its isolation from other productive farming operations. A more specific analysis of the site establishes Site #53's suitability ratings should have been higher than indicated by the model.

Metro's Urban Reserve ratings for Site #53 on Factor 6 (Agricultural Retention) and Factor 7 (Agricultural Compatibility) were extremely low, but only because the site's soil classifications do not reflect actual site conditions regarding farmability. Site #53 is an abandoned tree farm, although it is zoned "EFU." According to an independent agricultural land use evaluation performed by CES Limited in October, 1996, site #53 contains soil classes not suitable for farm use as defined in ORS 215.203(2)(a). The report confirms that converting the property to commercial agricultural use will be prohibitively expensive.

Factor 7's (Agricultural Compatibility) rating should be increased to reflect actual site conditions and the numerous small lot, non-agricultural uses surrounding the property. If Site #53's overall scores in Factors 6 and 7 are adjusted accordingly, its score will be high enough to have been included within the Executive Officer's original recommended urban reserves.

The existing Factor 3 rating appears to be in error. Adjacent Site #52, which was recommended for inclusion by the Executive Officer, contains a portion of Site #53 and received an unweighted score of 7 for road network, a component of Factor 3, while Site #53 received an unweighted score of 2. Both properties are served by SW 209th Avenue and T.V. Highway and should have similar, if not identical, scores. Moreover, inclusion of large properties under single ownership allows for master planning road networks that can serve new urban growth. Site #53's single ownership serves this goal better than Site #52.

jep

I:\DOCS\07.P&D\02UGB\04URBRES.DEC\FINDINGS.3-5

**STUART HONEYMAN
17400 SW REUSSER COURT
BEAVERTON, OREGON 97007-8772
(503)590-7174**

EXHIBIT

March 6, 1997

METRO Council :

Presiding Officer, Jon Kvistad
Deputy Presiding Officer, Susan McLain
Councilor, Ruth McFarland
Councilor, Don Morissette
Councilor, Ed Washington
Councilor, Lisa Naito
Councilor, Patricia McCaig

030697-42

600 NE. Grand Avenue
Portland, Oregon 97232-2736

Re: Designation of Urban Reserves - URSA #49

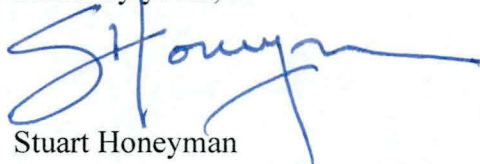
Dear Councilors,

For the official record, I am submitting the following documents, letters and maps:

- I. Washington County Community Development Code Sections 422 and 106-129 regarding significant natural resources;
- II. Washington County Rural/Natural Resource Plan map section showing Cooper Mountain and URSA #49;
- III. January 28, 1997 letter from State of Oregon to METRO Council (Richard P. Benner, DLCD and Bruce Andrews, Agriculture);
- IV. December 2, 1996 letter from Linda Peters to METRO Councilors;
- V. December 2, 1996 letter from Kim Katsion to METRO Councilors;
- VI. December 10, 1996 letter from Linda Peters to METRO Councilors;
- VII. Washington County Board of Commissioners meeting notes (pages 5,6&7 for November 26, 1996 and page 6 for December 10, 1996); and
- VIII. Fishman Environmental Services Wildlife Habitat Assessment - Timberline Subdivision and July 16, 1990 letter to OTAK, Inc.

Because of the short time I have had to assemble this material, only one copy is being submitted to the METRO clerk. I am sorry that there was not time to make a set of copies for each one of you.

Sincerely yours,



Stuart Honeyman

RECEIVED
MAY 24 1990

WILDLIFE HABITAT ASSESSMENT
TIMBERLINE

Prepared for:

OTAK, Incorporated Architects, P.C.
17355 S.W. Boones Ferry Rd.
Lake Oswego, OR 97035

24 MAY 1990

FES Project #315

TIMBERLINE WILDLIFE HABITAT ASSESSMENT
FES# 315

INTRODUCTION

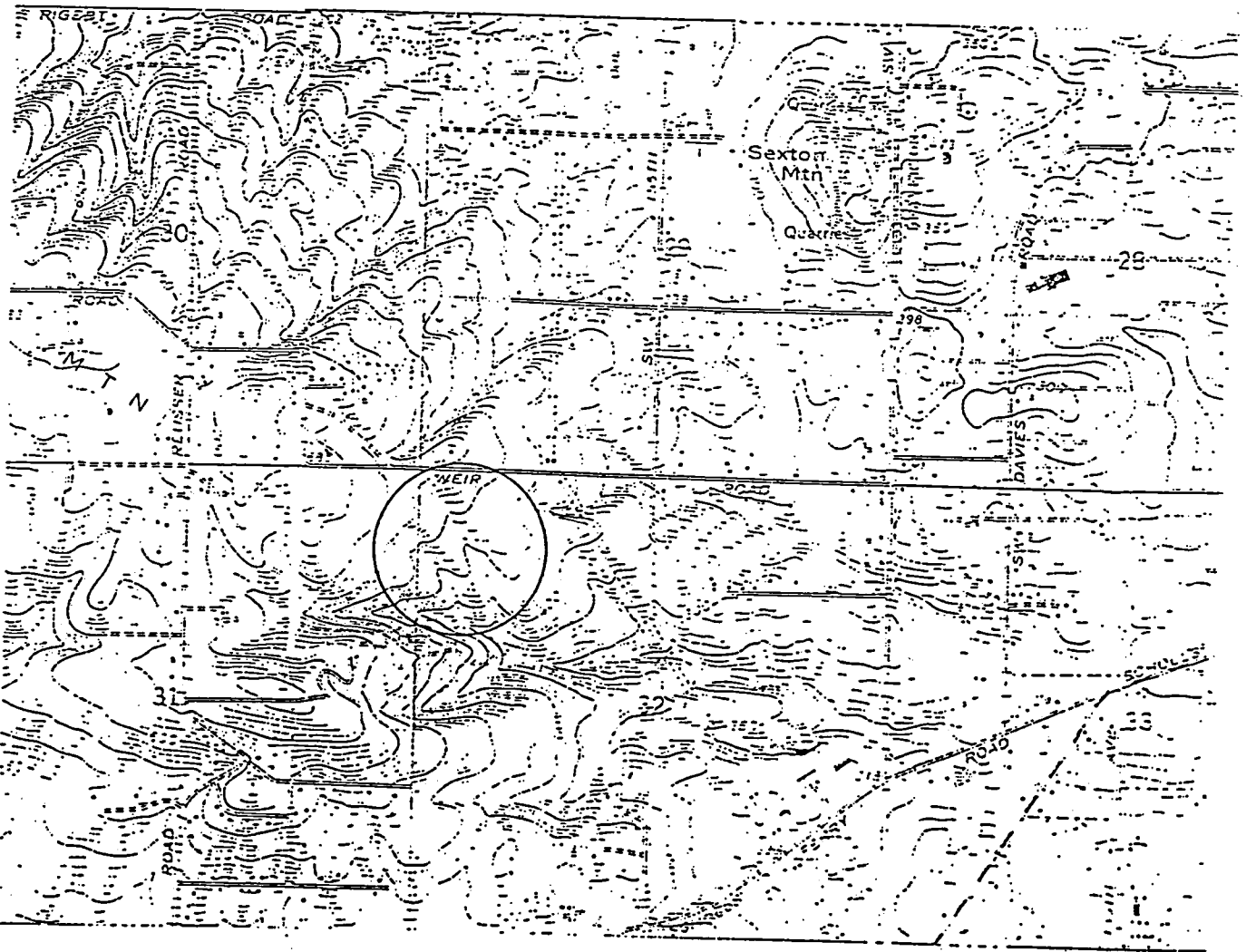
This report was assembled for OTAK to assist in site planning of the proposed Timberline subdivision. The site is located south of S.W. Weir Rd. and west of the City of Beaverton's western boundary (Figure 1). It is included in the Rural Natural Resources Plan for Washington County, Oregon. The drainage near the southern boundary of the property is designated significant fish and wildlife habitat.

The site was visited on 18 and 24 May 1990 to determine the nature and extent of significant natural resource values. This report provides descriptive information on the site's natural resource values and a general assessment of possible environmental impacts with recommendations to minimize these impacts. Wildlife habitat was evaluated using the Wetlands Wildlife Habitat Assessment form developed by an interagency group of wildlife scientists and environmental consultants for the Cities of Beaverton and Portland Goal 5 inventories.

HABITAT

Site topography consists of a generally southeast facing slope that contains a couple of drainage swales in the southern third of the site and a tributary to Fanno Creek in the southeast corner (Figure 1). The swales are not wetlands. They do not contain any hydrologic indicators or hydric soil indicators. Vegetation within the swales includes vine maple, hazel, salal, trillium, sword fern, inside out flower, wood violets, and fairy lanterns. The dominant vegetation is inside out flower and sword fern; both of these plants are not listed as wetland species by the U.S. Fish and Wildlife Service. The tributary and the adjacent area within the 100 year flood plain are considered wetlands. Vegetation includes a variety of lush riparian plants including: vine maple, big leaf maple, red alder, cascara, maidenhair fern, piggyback plant, and foam flower. This riparian community is the most significant habitat feature on the site. It serves as a wildlife corridor for black tailed deer, coyote, raccoon and other small mammals, a variety of birds and other small animals. These animals use this corridor for refreshment, dispersal, movement and refuge. It is in excellent condition; the natural stream bed is enveloped in a lush canopy that provides forage for big game and maintains cool water temperatures for fish. ^{DOWN STREAM} Because of its remote location in the extreme southeast corner of the site, adverse impacts to this unique community can be avoided. ^{CONTRIBUTES TO}

The dominant habitat of the site consists of second growth coniferous forest. Douglas' fir is the dominant canopy species throughout the site, the largest trees being approximately 75' tall



Source: U.S.G.S. Quad; Beaverton, Oregon

Timberline

SITE LOCATION

and ranging from 1 to 2.5' dbh (diameter at breast height). Other canopy species include big leaf maple, vine maple, red alder, red hawthorne and western red cedar. Beneath the forest canopy lies a shrub community that includes: Indian plum, hazel, salal and wild rose. The understory is dominated by Himalayan blackberry and includes candy flower, fairy lantern, inside out-flower, starflower, sword fern, trillium, wild ginger and wood violet. The forest contains significant wildlife habitat in good condition. The mature coniferous trees are over 100 years old. They are part of a larger woodland and serve as cover for wildlife species that live there as well as species that use the nearby stream and drainage pathways as a corridor. It protects these species while they forage, drink, rest and seek new territories. It provides year around thermal cover as well.

HABITAT VALUE

The National Wetlands Inventory map (Figure 2) shows forested and shrub/scrub wetlands in the south end of the property. These are described above and are also designated as significant fish and wildlife habitat in the Rural Natural Resources Plan for Washington Co., Oregon.

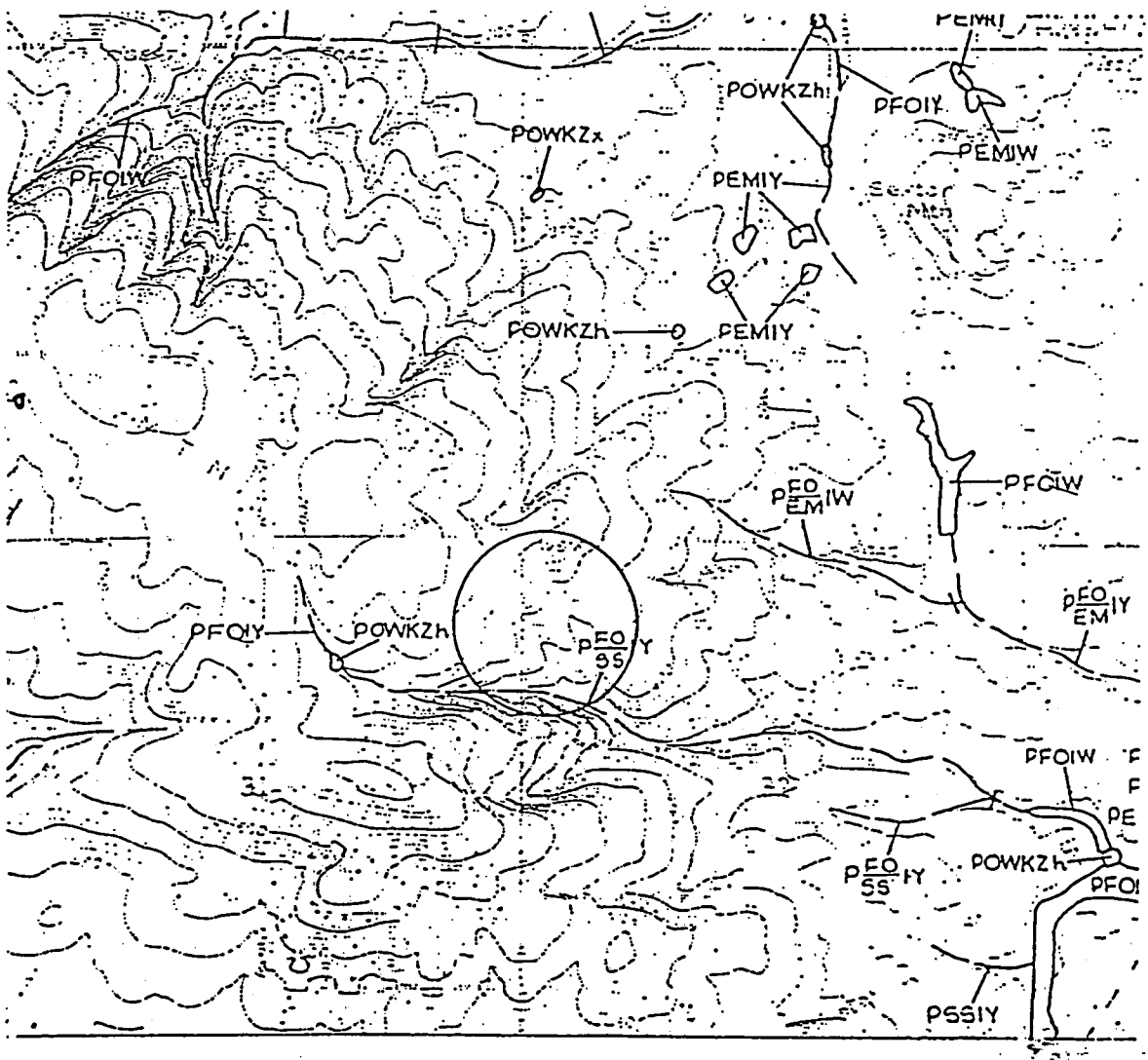
A wildlife habitat assessment form modified from the City of Beaverton's wildlife habitat inventory form was used to assign numerical values to habitat values found on the site. The form takes various components of water into account as well as food and cover. Forms were completed for the Douglas' fir community and the riparian community in the southeast corner of the property (Appendix). The riparian community scored 95; it has perennial water and a variety of cover and food. The forest community scored (52); its lower habitat value is due to lack of water, and lack of variety of food and cover plants.

Cavity nesting wildlife species observed included the black-capped chickadee, brown creeper and winter wren. Small snags are present throughout the site and are an important wildlife habitat component. Other wildlife species observed on site are included in Table 2.

IMPACTS

Potential short-term impacts of construction of the development include increased local noise, and dust. These will have minor adverse effects on most wildlife species.

Potential long-term adverse impacts include surface water quality declines from runoff of herbicides, pesticides and fertilizers from the development, increased runoff rates, decreased ground water infiltration due to paved surfaces uphill in the developed area, and reduction of wildlife habitat. Some of these impacts can be avoided or mitigated; others are unavoidable.



Source: U.S. Fish & Wildlife
 NWI Habitat Map

Timberline

National Wetlands
 Inventory

MITIGATION RECOMMENDATIONS

Dust can be controlled by periodic applications of water to exposed soils during dry weather.

Turbidity and siltation of the stream can be minimized by preventing erosion. Limiting construction in the southern end of the property to the dry season, prompt reseeding of exposed soil with a grass seed mix, and placement of straw bales below each homesite will help minimize erosion.

The forest should be protected as a unit; it is a valuable resource that can not be replaced. Its value increases with its size and excellent condition. Individual trees and snags should be protected wherever possible. Since proposed lot sizes are greater than 1 acre much of the forest can be protected.

Reduction of other wildlife habitat due to road construction and homesite development can be mitigated by encouraging residents of the subdivision to landscape with native species of value to wildlife (Table 1). This will help offset wildlife habitat losses. Residents should also be discouraged from landscaping with invasive plants such as ivy and Scot's broom that can out compete native woodland species and destroy native plant communities.

Increased noise, decreased groundwater infiltration, and coniferous forest habitat loss are unavoidable adverse impacts.

Implementation of these recommendations will help minimize adverse impacts to the important wetland values of the site.

Table 1. PLANT SPECIES LIST

Common Name	Scientific Name	Landscape use
Douglas fir	<u>Pseudotsuga menziesii</u>	*—
Big leaf maple	<u>Acer macrophyllum</u>	
Vine maple	<u>Acer circinatum</u>	
Red hawthorn	<u>Crataegus sp.</u>	
Cascara	<u>Rhamnus purshiana</u>	
Indian plum	<u>Osmaronia cerasiformis</u>	*
Hazel	<u>Corylus cornuta</u>	*
Nootka rose	<u>Rosa nutkana</u>	*
Red Elderberry	<u>Sambucus racemosa</u>	*
Salal	<u>Gaultheria shallon</u>	*
Candy flower	<u>Montia sibirica</u>	*
Foam flower	<u>Tiarella trifoliata</u>	
Himalayan blackberry	<u>Rubus discolor</u>	
Honeysuckle	<u>Lonicera ciliosa</u>	
Inside out flower	<u>Vancouveria hexandra</u>	*
Maidenhair fern	<u>Adiantum pedatum</u>	*
Oregon grape	<u>Berberis nervosa</u>	*
Piggy back	<u>Tolmiea menziesii</u>	
Starflower	<u>Trientalis latifolia</u>	*
Sword fern	<u>Polystichum munitum</u>	*
Trillium	<u>Trillium ovatum</u>	*
Wild ginger	<u>Asarum caudatum</u>	*
Wood violet	<u>Viola glabella</u>	*

Table 2. Wildlife species list

American robin	<u>Turdus migratorius</u>
Black-capped chickadee	<u>Parus atricapillus</u>
Brown creeper	<u>Certhia americana</u>
Common bushtits	<u>Psaltriparus minimus</u>
Hutton's vireo	<u>Vireo huttoni</u>
Dark eyed junco	<u>Junco hyemalis</u>
Olive-sided flycatcher	<u>Contopus borealis</u>
Pine siskin	<u>Carduelis pinus</u>
Ruby crowned kinglet	<u>Regulus calendula</u>
Song sparrow	<u>Melospiza melodia</u>
Winter wren	<u>Troglodytes troglodytes</u>

WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NO. / MAP NO. North 7/4 / FES #315	LOCATION S. of Weir Rd + W. of Beaverton City Limits	ACRES	SCORE 52
OBSERVER: C. Galen		DATE: 18 May 1990	
NWIClass			
COMMENTS: 2nd growth Douglas fir forest; uneven gap. $\approx 150\%$			
In North half of property, the understory is disturbed (blackberry)			
Swale areas are composed of native veg. DF, WRC, Red A. Indian Plum			
Red elderberry, Red hawthorne, H Blackberry, wood violets, candy flower, inside wet flower			
Trillium, wild geranium, stonewort			
Photo #			

COMPONENT		DEGREE			SCORE	COMMENTS	
		None	Seasonal	Perennial			
WATER	Quantity & Seasonality	0-----4-----8			0	No water	
	Quality	Stagnant	Seasonally Flushed	Continually Flushed	0-----3-----6	0	
	Proximity to Cover	None	Nearby	Immediately Adjacent	0-----4-----6	0	
	Diversity (Streams, Ponds, Wetlands)	One present	Two Present	Three Present	2-----4-----6	0	
FOOD	Variety	Low	Medium	High	0-----2-----4-----7-----10	7	not any grasses or many seeds besides composites
	Quantity & Seasonality	None	Limited	Year Around	0-----4-----8	6	berries - berries help extend the season.
	Proximity to Cover	None	Nearby	Immed. Adjacent	0-----4-----8	8	Forest
COVER	Structural Diversity	Low	Medium	High	0-----2-----4-----7-----10	7	Because of the H Blackberry
	Variety	Low	Medium	High	0-----4-----8	6	
	Seasonality	None	Limited	Year Around	0-----2-----4	4	Evergreen cover
	Escape (Density)	Low	Medium	High	0-----2-----4	3	

ADDITIONAL VALUES

DISTURBANCE	Biological	High	Medium	Low	0-----2-----4	0	Invasive blackberry
	Human	High	Medium	Low	0-----2-----4	4	old logging road
INTERSPERSION		Low	Medium	High	0-----3-----6	6	Forest adjacent
UNIQUE FEATURES		Wildlife <input checked="" type="checkbox"/>	Flora <input type="checkbox"/>			1	Diverse songbirds
(0-4 points each)		Rarity of Habitat Type _____					
		Educ. Pot. _____ Hab. Stability _____					
		Nesting _____ Scenic _____					
FISH & WILDLIFE					Additional info. req. _____		

WETLANDS WILDLIFE HABITAT ASSESSMENT

MIT NO. S/4	MAP No. FES # 315	LOCATION Weir Rd / Riparian Inwood Sand	ACRES	SCORE 95
OBSERVER: <u>Carl</u>		DATE: <u>24 May 1990</u>	NWIClass	
COMMENTS: <u>Delightful riparian corridor in excellent condition. I. Sumner not</u> <u>Wildlife + Rich habitat. Inw: Maple Red Alder WReder Tascina Maple,</u> <u>NRedr, Thimbleberry, Oregon grape hazel, pines back, Tiarella, Prunella since</u> <u>I swind fern. The creek is surrounded by fairly steep slopes.</u>				

~~Photo #~~

COMPONENT	DEGREE			SCORE	COMMENTS
	None	Seasonal	Perennial		
W A T E R	Quantity & Seasonality	0-----4-----8	8	Tributary of FANNO Cr.	
	Quality	Stagnant Seasonally Flushed Continually Flushed 0-----3-----6	6	Clear running water, natural channel	
	Proximity to Cover	None Nearby Immediately Adjacent 0-----4-----8	8		
	Diversity (Streams, Ponds Wetlands)	One present Two Present Three Present 2-----4-----8	4		
F O O D	Variety	Low Medium High 0-----2-----4-----7-----10	10	Diverse - seeds + berries	
	Quantity & Seasonality	None Limited Year Around 0-----4-----8	8		
	Proximity to Cover	None Nearby Immed. Adjacent 0-----4-----8	8		
C O V E R	Structural Diversity	Low Medium High 0-----2-----4-----7-----10	10		
	Variety	Low Medium High 0-----4-----8	8		
	Seasonality	None Limited Year Around 0-----2-----4	3		
	Escape (Density)	Low Medium High 0-----2-----4	4		

ADDITIONAL VALUES

DISTURBANCE	Biological	High Medium Low 0-----2-----4	4	
	Human	High Medium Low 0-----2-----4	4	
INTERSPERSION	Low Medium High 0-----3-----6	6	provided by BIR same etc.	
UNIQUE FEATURES	Wildlife <input checked="" type="checkbox"/> Flora <input type="checkbox"/>	4		
(0-4 points each)	Rarity of Habitat Type <input checked="" type="checkbox"/>			
	Educ. Pot. _____ Hab. Stability <input checked="" type="checkbox"/> Nesting _____ Scenic <input checked="" type="checkbox"/>			
FISH & WILDLIFE	Additional info. req. _____			

Fishman Environmental Services

434 NW Sixth Avenue • Suite 304

Portland, OR 97209-3600

503-224-0333



July 16, 1990

Larry Wolf
OTAK, Incorporated Architects, P.C.
17355 S.W. Boones Ferry Rd.
Lake Oswego, Oregon 97035

Subject: Timberline Riparian/Significant Resource Boundary

The riparian community is the most significant habitat feature on the Timberline site. It is located on the south end of the property. Its boundaries are limited to the stream channel and narrow floodplain. To protect this resource we feel a buffer with a minimum width of 50' from the top of bank should be left in its present natural condition.

The developer already has created a 50' natural resource corridor. This corridor needs adjustments in lots 3 and 4 where it includes stretches of the stream. It should be moved north of the northern top of bank and include a minimum 50' buffer of natural vegetation. These changes should protect the significant natural resource on this site.

Sincerely,

Christie Galen

cc: Stuart Honeyman

contiguous tax lots are in the same ownership. Each tax lot lawfully created by a deed or sales contract prior to the effective date that the District is applicable to the subject property, shall be deemed a lot of record. When a tax lot consists of two (2) or more noncontiguous lots or parcels created as a result of a lawful partition by deed or sales contract prior to the effective date that the district is applicable to the subject property, each noncontiguous lot or parcel shall be considered a lot of record. A lot of record does not authorize development of a lot or parcel which does not comply with the requirements of a "parcel" as defined by Section 106-151.

- 106-117 Lot of Record (Applicable to all the urban districts) Any lot or parcel created by a lawful sales contract or deed and of record prior to March 26, 1984, the effective date of this Code. Two or more such lots or parcels which are contiguous and under identical ownership of record on the effective date of this Code shall be deemed separate lots of record only if the creation of the lot(s) or parcel(s) was approved by the County under a County Partitioning or Subdivision Ordinance. A lot of record does not authorize development of a lot or parcel which does not comply with the requirements of a "parcel" as defined by Section 106-151.
- 106-119 Lot Width The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.
- 106-121 Lot Depth The perpendicular distance measured from the midpoint of the front lot line to the midpoint of the opposite lot line.
- 106-123 Manufacturing The processing or converting of raw, unfinished, or finished materials or products or any combination thereof into an article or substance of different character, or for use for a different character or purpose.
- 106-129 Mitigation Reducing the impacts of a proposed development and/or offsetting the loss of habitat values resulting from development. In fish, wildlife, and big game range areas, mitigation may include, but is not necessarily limited to, requiring: 1) clustering of structures near each other and roads, controlling location of structures on a parcel to avoid habitat conflicts, minimizing extent of road construction to that required for the proposed use; and, 2) replacing unavoidable loss of values by reestablishing resources for those lost, such as: forage for food production, escape or thermal shelter. In other areas of significant wildlife value, such as wetlands, riparian vegetation and special bird nesting sites, maintenance and enhancement of remaining habitat, setbacks and restoration of damage and avoiding damage would be appropriate.
- 106-131 Manufactured Dwelling
- 106-131.1 Residential Trailer A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being

422 SIGNIFICANT NATURAL RESOURCES

422-1 Intent and Purpose

The intent and purpose of these standards is to permit limited and safe development in areas with significant natural resources, while providing for the identification, protection, enhancement and perpetuation of natural sites, features, objects and organisms within the County, here identified as important for their uniqueness, psychological or scientific value, fish and wildlife habitat, educational opportunities or ecological role.

Development within riparian areas, Water Areas and Wetlands, or Water Areas and Wetlands and Fish and Wildlife Habitat shall comply with applicable state and federal regulatory guidelines.

422-2 Lands Subject to this Section

Those areas identified in the applicable Community plan or the Rural/Natural Resource Plan Element as Significant Natural Resources.

Significant Natural Resources have been classified in the Community Plans or the Rural/Natural Resource Plan Element by the following categories:

- 422-2.1 Water Areas and Wetlands - 100 year flood plain, drainage hazard areas and ponds, except those already developed.
- 422-2.2 Water Areas and Wetlands and Fish and Wildlife Habitat - Water areas and wetlands that are also fish and wildlife habitat.
- 422-2.3 Wildlife Habitat - Sensitive habitats identified by the Oregon Department of Fish and Wildlife, the Audubon Society Urban Wildlife Habitat Map, and forested areas coincidental with water areas and wetlands.
- 422-2.4 Significant Natural Areas - Sites of special importance, in their natural condition, for their ecologic, scientific, and educational value.

422-3 Criteria for Development

- 422-3.1 The required master plan and site analysis for a site which includes an identified natural resource shall:
 - A. Identify the location of the natural resource(s);
 - B. Describe the treatment or proposed alteration, if any;

- C. Apply the design elements of the applicable Community Plan; or the applicable implementing strategies of the Rural/Natural Resource Plan Element, Policy 10, Implementing Strategy E which states:

"Implement the recommendations of the Oregon Department of Fish and Wildlife Habitat Protection Plan for Washington County to mitigate the effects of development in the Big Game Range within the EFU, EFC and AF-20 land use designations."

422-3.2 Open Space Inside the UGB:

- A. Shall be identified as provided in Section 405-1, Master Planning - Site Analysis;
- B. When located in a park deficient area as identified on the significant natural resource map, the applicant shall notify the appropriate park provider of the proposed development.

422-3.3 Development Within a Riparian Zone, Water Areas and Wetlands, and Water Areas and Wetlands and Fish and Wildlife Habitat:

- A. No new or expanded alteration of the vegetation or terrain of the Riparian Zone (as defined in Section 106) or a significant water area or wetland (as identified in the applicable Community Plan or the Rural/Natural Resource Plan Element) shall be allowed except for the following:
- (1) Crossings for streets, roads or other public transportation facilities.
 - (2) Construction or reconstruction of streets, roads or other public transportation facilities.
 - (3) Installation or construction of the following utilities: sewer and water lines, electric, communication and signal lines; and gas distribution and transmission lines.
 - (4) Wildlife viewing areas and recreation or nature trails.
 - (5) Bank maintenance, restoration or stabilization, including riprapping for erosion control, of a river

or other watercourse or body of water provided there is compliance with the requirements of Section 421-4.6. This use is not subject to Section 422-3.5 or Section 422-3.6.

- (6) Detached dwellings and accessory structures on a lot of record, provided there is insufficient suitable, existing buildable land area to permit construction outside the riparian zone (as defined in Section 106) or a significant water area or wetland (as identified in the applicable Community Plan or the Rural/Natural Resource Plan) and all required local, state or federal permits are obtained.
- (7) Where it can be demonstrated, with concurrence of the Clackamas District biologist or other applicable district biologist of the Oregon Department of Fish and Wildlife, that a riparian zone, Water Areas and Wetlands, or Water Areas and Wetlands and Fish and Wildlife Habitat has been degraded, an enhancement of these areas which conforms to the definition and criteria listed in Section 422-3.4 may be permitted through a Type II procedure.

Enhancement or alteration of a nondegraded portion of these areas is permitted when it is in conjunction with and it is needed to support the enhancement of the degraded area. Where development is proposed that would have negative impacts on these areas it is the County's policy to follow state and federal regulatory guidelines for mitigation proposals.

- (8) All activities and uses associated with an expansion of Barney Reservoir; including but not limited to impoundment structures, water diversion and transmission facilities, road construction and related land alterations. Such activities and uses may be permitted through a Type III procedure.
- (9) In addition in the Rural/Natural Resource Area:
 - (a) Propagation or harvesting of timber for personal consumption, provided that the

use of a caterpillar tractor, yarder, backhoe, grader or similar heavy mechanized equipment is prohibited;

- (b) Commercial forestry activities when in compliance with the Oregon Forest Practices Act and Administrative Rules; and
 - (c) Farming or raising of livestock not utilizing a structure.
 - (d) Operations for the exploration for and production of geothermal resources, oil and gas.
- B. Where development or alteration of the riparian zone is permitted under the above exceptions, the flood plain and drainage hazard area development criteria shall be followed.

422-3.4

Enhancement of a degraded riparian zone, Water Areas and Wetlands or Water Areas and Wetlands and Fish and Wildlife Habitat permitted by Section 422-3.3A.(7) shall meet the following:

- A. For the purposes of Section 422-3.3A.(7) an enhancement is a modification, as a result of which no later than five (5) years after completion of the project, the quality and/or quantity of the natural habitats is measurably improved in terms of animal and plant species numbers, number of habitat types, and/or amount of area devoted to natural habitat.
- B. Proposal Preparation

In order to determine whether a proposed modification will result in an enhancement, preparation of the proposal, as well as construction and planning work, shall be guided by a professional wildlife biologist or ecologist with experience and credentials in water areas/wetlands and riparian areas enhancement and who has reviewed the sources and their relevant references listed in Section 422-3.4.
- C. Submittal Requirements

- (1) The proposal shall include detailed information and mapping of the site, including all of the following subjects:
 - (a) Hydrology, including 100 year flood and 25 year flow events/surface water flow patterns, and groundwater information, if available;
 - (b) Substrate(s) and existing rates of sedimentation;
 - (c) Existing vegetation, including species list and community types, with approximate percent coverage, and all trees six inches in diameter or larger;
 - (d) Animal life census (macrofauna species list), preferably based on mid-April to mid-May field observations, but at least conducted during spring, summer and/or early fall.
- (2) The proposal shall include a color photographic record (taken sometime between mid-spring and mid-fall) showing the major portion of the site at sufficient detail to compare with the later transformation.
- (3) The proposal shall include a map showing the expected outcome of the proposed enhancement, with detailed description of how this is to be accomplished.
 - (a) To the maximum feasible extent, the overall design of the site shall minimize parking and human activity directly adjacent to the Significant Natural Resource, and where avoidable shall incorporate special design techniques (e.g., thick or thorny vegetation or fencing) to reduce adverse impacts such as littering and harassment of wildlife and damage to vegetation.
 - (b) A surrounding vegetation buffer of closely spaced (six feet to eight feet) trees and

shrubs shall be included within the outer twenty-five feet of the Significant Natural Resource area unless there are special circumstances or design measures.

- (c) All plant materials shall be indicated in terms of number and size. Except for the outer perimeter of the buffer area, all plants shall be of a native species unless agreed to by the Clackamas District biologist or other applicable district biologist of the Oregon Department of Fish and Wildlife.
- (d) As many existing trees over six inches in diameter as possible shall be preserved.
- (e) Vegetation plantings (e.g., trees and shrubs) which overhang standing water are encouraged. (Native vegetation is preferred.)
- (f) Measures for the prevention of undesirable monotypic plant dominance, especially reed canarygrass and blackberries, shall be included, such as periodic removal or application of herbicides agreed to by the Clackamas District biologist or other applicable district biologist of the Oregon Department of Fish and Wildlife.
- (g) Ponds shall have varying open water depth up to a least three feet, unless required otherwise by the Oregon Department of Fish and Wildlife, Oregon Division of State Lands or the U.S. Corps of Engineers, and where the natural grade permits shall have gently sloped shores on at least two sides.
- (h) Islands are encouraged to be two feet above normal water level, flat-topped, spaced every 1/4 acre of open water, and no smaller than 450 sq. ft. where possible.

- (i) Rocks and large tree trunks are encouraged to be placed in water areas.
- (4) The proposal shall be submitted by Washington County to the biologist for the Clackamas District or other applicable district biologist of the Oregon Department of Fish and Wildlife for review and comment, as well as to other regulating agencies with jurisdiction to review the proposed enhancement, including the Division of State Lands and the Army Corps of Engineers.
- (5) The proposal shall include arrangement to ensure frequent and regular litter or trash clean-up unless dedicated to Tualatin Hills Park and Recreation District or any other jurisdiction.

D. Follow-up Requirements

- (1) The County shall require as a condition of approval that a detailed report by a wildlife biologist or ecologist, with map and color photographs, shall be submitted to the County by the current property owner two (2) years after completion of the modification and again after five (5) years. The reports shall document the current condition of the resource. These two follow-up reports shall be submitted by the County to the biologist for the Clackamas District or other applicable district for review and comment. If the approved enhancement plan has not been completed in five (5) years, the current property owner shall submit plans to the County Department of Land Use and Transportation for rectifying any significant deficiencies. Once approved, the amended plan shall be implemented.
- (2) The County may modify or revoke the Development Permit for the enhancement, or take other necessary enforcement measures to ensure compliance with these standards.

E. The following sources shall be used in preparing and executing the proposed enhancement:

- (1) Wetland Functions, Rehabilitation and Creation in the Pacific Northwest: The State of Our Understanding, Proceedings of the Spring 1986 Conference. Port Townsend, Washington State Department of Ecology, Olympia.
- (2) Gene Herb "Successes and Failures of Freshwater Wetlands Mitigation in Oregon," Oregon Department of Fish and Wildlife, n.d.
- (3) National Wetlands Newsletter, Vol. 8, No. 5 (Sept. - Oct. 1986).

422-3.5 Significant Natural Areas

Any development requiring a permit from Washington County which is proposed in a Significant Natural Area, as identified by the applicable Community Plan or the Rural/Natural Resource Area Plan Element, shall reduce its impact, to the maximum extent feasible, on the unique or fragile character or features of the Significant Natural Area. Appropriate impact reducing measures shall include:

- A. Provision of additional landscaping or open space; and
- B. Relocation of the proposed site of a building, structure or use on the lot.

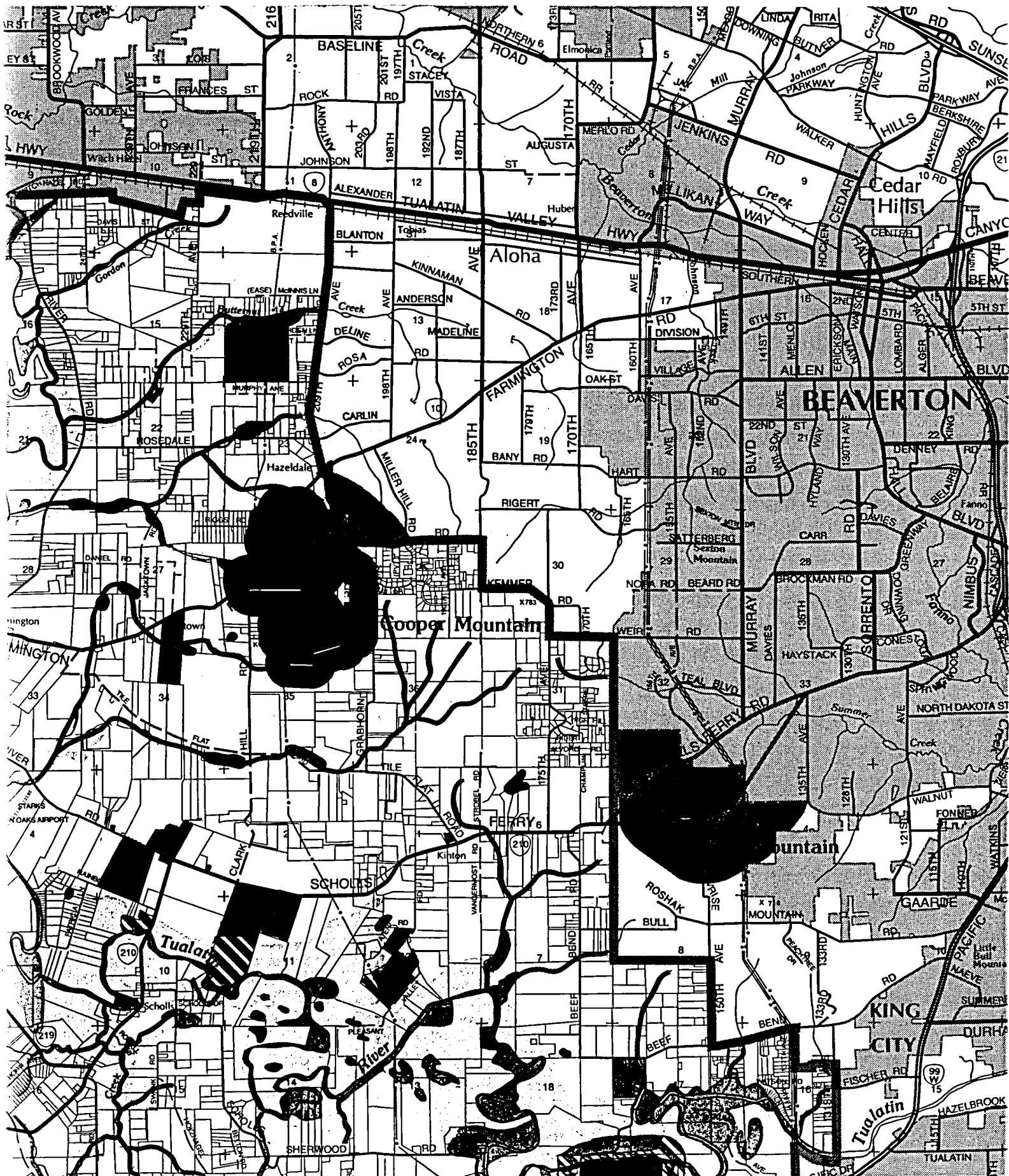
422-3.6 For any proposed use in a Significant Natural Resource Area, there shall be a finding that the proposed use will not seriously interfere with the preservation of fish and wildlife areas and habitat identified in the Washington County Comprehensive Plan, or how the interference can be mitigated.

422-4 Density Transfer

Areas designated as a Significant Natural Resource may be eligible for density transfer as specified in Section 300-3.

422-5 State and Federal Regulatory Guidelines

Development within a riparian area, Water Areas and Wetlands, or Water Areas and Wetlands and Fish and Wildlife Habitat, shall obtain all required local, state and federal permits.



January 28, 1997

Honorable Jon Kvistad, Presiding Officer
Metro Council
600 NE Grand Avenue
Portland, OR 97232-2736

Subject: Urban Reserves

Dear Mr. Kvistad:

Please accept these comments from the undersigned agencies of the State of Oregon on the urban reserves proposed for designation by the Metro Council. Because of deadlines set by state law we are commenting before receiving and reviewing the Council's urban reserve findings. We will evaluate our comments in light of your findings once they are available.

The points set forth below were discussed by the directors of the departments of Environmental Quality, Transportation, Economic Development, Land Conservation and Development, Housing and Community Services and Agriculture.

We commend the methodology used by your staff to evaluate areas outside the Metro urban growth boundary for possible inclusion as "urban reserves." The information accumulated about each area is considerable and facilitates your and the public's understanding and analysis of your decision.

As you know from our previous comments, our participation on MPAC, MTAC and the 2040/State Task Force, and the many technical assistance grants we have made to local governments in the region, the Governor's Office and the Community Solutions Team agencies firmly support the direction the region has taken in your 2040 Growth Concept. The region's commitment to compact, mixed-use, pedestrian and transit-friendly patterns of development aligns well with state growth management interests and goals. The concept strives to minimize the cost of public services, maintain air quality, provide affordable housing and minimize loss of commercial agricultural land. Your decision on urban reserves is one - but an important one - of many decisions before you that can reinforce your 2040 growth Concept. We offer these comments on the Council's proposed urban reserves in order to assist the Council to achieve the objectives of the growth concept.

Agricultural Land

The council's proposal would designate as urban reserve some 3,300 acres of land zoned for agriculture. We fully expected Metro to designate a small amount of agricultural land due to the isolation of some small tracts at the perimeter of the current urban growth boundary, the irregular nature of the boundary itself, and the need of local governments to plan a cost-effective system of public facilities and services. In fact, LCDC's rule on urban



reserves contemplates the inclusion of agricultural land that is surrounded by land designated for nonresource use or to respond to a specific need or circumstance that cannot be accommodated on rural land already designed for development (OAR 660-21-030).

We are concerned, however, that your proposal would include large tracts of highly productive commercial agricultural land with, as yet, no justification based upon the methodology used by your staff and Executive Officer in his recommendation to you. The Council's departure from this or any other apparent methodology also renders it impossible to evaluate the proposal for conformance to LCDC's rule on urban reserves - other than to say the proposal does not yet comply with it. Which of the agricultural tracts are included in your proposal because they are surrounded? Which are included to satisfy a specific need? Why can that need not be accommodated within the existing UGB or on "exception" land near the boundary? Which agricultural tracts are included because of constraints on other land? Which are included to maximize efficiency of land uses?

Agricultural land in the north Willamette Valley is exceptionally productive and of great importance to the region and state. Commercial agriculture in the three metropolitan counties generates \$453 million in farmgate receipts (1995) and \$2 billion in total production and employs 22,200. A significant loss of land base will be felt by farmers, processors, equipment dealers and other players in the agricultural industry.

If the metropolitan region must expand onto land zoned for agriculture, Metro must ensure that it moves onto the least productive land (See Goal 14). Please consider the map of agricultural land in the region that was produced by your staff. It differentiates farmland by capability and demonstrates that, in general, land adjoining the west end of the metropolitan region has higher capability than land adjoining the east end of the region. The Council should compare this with the proposal under consideration, which includes 1,422 acres of agricultural land at the perimeter of UGB, mostly at the west end. This is the wrong direction for the future of commercial agriculture (note in particular Areas 39, 41, 54-55, 56, 59, 62, 65 and the comments in Appendix 1).

To avoid these lands, we ask the Council to consider the following "exception" areas you studied but rejected: Areas 20 and 46 and the exception portions of URSAs 60 and 1 east of Highway 26. If these are not sufficient, we ask that you consider "exception" areas not among the final 72 areas studied (see examples in Appendix 2). It is our understanding that the Council limited its study to some 23,000 acres when it appeared it would need to designate only 14,000 acres of urban reserve. Now that the Council is considering a designation of 18,200 acres of reserve, it may be necessary to evaluate additional "exception" lands.

Jobs/Housing Ratio

We are aware of your concern for the ratio between jobs and housing in the metropolitan region. We share your concern that a serious imbalance can adversely affect the region's and state's transportation system and quality of life in the region's communities. We also share your belief that land use and transportation decisions can exacerbate or alleviate an imbalance. That is why

LCDC, at Metro's request, amended the urban reserve rule to provide that a need to redress a job/housing imbalance can be a basis for designation of "lower priority" land for urban reserve.

Because Metro has not yet set forth its rationale for inclusion of particular tracts of agricultural land, and because the Council has departed from the methodology employed by the staff and the Executive Officer, we cannot determine which agricultural tracts, if any, are intended to redress jobs/housing imbalance. Nonetheless, we are aware of your information indicating that the east end of the region is currently "housing rich" and the west end is "jobs rich." In the absence of your rationale, we must caution that a decision to include large tracts of productive agricultural land at the west end, without analysis showing that an imbalance cannot be relieved by redesignating buildable land within the UGB, or by designating additional "exception" land, would not be soundly based and would not satisfy the Urban Reserve rule.

If you are considering reliance upon OAR 660-23-030(4)(a) ("specific, identified land need") to support designation of agriculture land as urban reserve, please consider the following:

Although some exception areas are not suitable for commercial or industrial use, most are suitable for residential development. Hence, it will be more difficult to justify the inclusion of agriculture land for residential use in a "jobs rich" region if exception areas are available.

The semi-conductor industry in Washington County is highly integrated and provides substantial employment centers with vacant land to accommodate significant growth. Smaller start-up and support companies will likely dominate growth in the industry in the foreseeable future - as Hillsboro recognizes with its proposal to allow creation of smaller tracts of land within its industrial reserves. These uses can be located in a variety of industrial and commercial zones throughout the county. Appendix 3 shows the location of only the larger sites available, representing a considerable opportunity for industrial growth.

Much testimony to Metro indicates that the semi-conductor industry of Washington County serves as a major employment center for the entire metropolitan region. It does and will provide employment for a disproportionate number of people living elsewhere in the region. Some imbalance in the jobs/housing ratio in favor of jobs should be expected.

The electronics and agriculture industries in Washington County are both important to the region and the state. One need not prosper at the other's expense. A decision to include large tracts of productive commercial agricultural land for expansion of the electronics industry must be supported by compelling facts and analysis. The region is in the midst of an effort to document the role of agriculture in the region and the factors critical to its long-term viability. The study was initiated by the departments of Agriculture and Economic Development and funded by the regional strategies boards of all three metro area counties. The Council should await the results of this study prior to consideration of inclusion of the agricultural land identified in Appendix 1..

We encourage Metro to address the need for additional industrial employment opportunities on the east side of the region (Clackamas County), where the jobs/housing ratio is "housing rich" and "jobs poor". Appendix 4 lists some of the areas we believe may serve this purpose.

Amount of Land

When Metro began its process to designate urban reserves, LCDC's rule required Metro to designate an amount of land sufficient to accommodate a 30-year supply beyond that contained in the UGB. At Metro's request, LCDC amended the urban reserve rule to remove the 30-year requirement. The rule now gives Metro the flexibility to designate as little as a 10-year reserve and as much as a 30-year reserve. We hope you will be mindful of this flexibility as you move toward a final designation decision. Of course, all designated land must comply with other provisions of the rule.

Transportation

Several proposed urban reserve areas would directly impact the State highway system. In the long-term most of these areas could be served by highway improvements. The large urban reserve areas proposed along Highway 212 (Damascus and Rock Creek) and Highway 213 (Beavercreek) would necessitate improvements to the state facilities. There are no projects scheduled in the short-term that would improve these facilities to urban standards. Assuming that these highway limitations are taken into consideration when Metro stages development, the state supports including the areas proposed in Damascus, Rock Creek and Beavercreek.

Urban reserve areas proposed along Tualatin Valley Highway in Washington County are problematic to the state. Land flanking TV Highway already is heavily built. The highway right-of-way is mostly built to capacity. Additional traffic demand arising from expansion of the urban area will be difficult and costly to serve. Large-scale expansion of the urban growth boundary in the T-V Highway corridor would, therefore, be incompatible with the state highway system.

Given the difficulty of funding needed transportation improvements in the existing UGB, the state will expect that development in these urban reserve areas will share the cost of bringing rural state highways up to urban standards.

Environmental

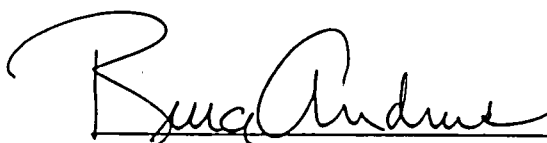
During our review of the proposed urban reserve areas attention was drawn to two areas next to Gresham adjacent or proximate to Johnson Creek (URSA's 4&5). We encourage Metro, if these areas remain in the urban reserves, to require development regulations designed to avoid runoff into Johnson Creek that will increase downstream flooding. Such measures will be critical to the success of current efforts to revitalize areas like the Lents town center.

Conclusion

We recognize and appreciate the difficulty of the decision before you. These comments are intended to assist the Council to make urban reserve designations that comply with the rule. Nevertheless, the Council has not yet shown that its proposed urban reserve designations are in

the best interest of the region or the state or that they comply with the state's urban reserve rule. We will evaluate statements in this correspondence following review of the Council's draft findings that are due in the next few days.

Given the flexibility afforded Metro by a recent amendment of the Urban Reserve Rule (that is, allowing a 10-30 year reserve), we encourage the Council not to designate at this time the agricultural land identified in Appendix 1. Results of the current study of agricultural viability in the Metro area due this Spring should we available before final consideration of these agricultural lands is concluded.



Bruce Andrews, Agriculture

1/28/97
Date

William C. Scott, Economic Development

Date



Richard P. Benner, Land Conservation &
Development

1/28/97
Date



Grace Crunican, Transportation

1/28/97
Date

APPENDIX 1

The METRO Council has identified significant tracts of agricultural land as urban reserves. Much of the land identified is highly productive, currently in commercial production and part of much larger blocks of agricultural land. Comments provided below are specific to individual urban reserve study areas (URSAs) and include remarks involving consistency with state law. Only compelling reasons, based upon a demonstration that alternatives have been exhausted, can justify designation of these lands.

URSA #39

This tract is not completely surrounded by exception lands. It is part of a 190.25 tax lot which is currently farmed as one unit. It is composed predominantly of Aloha silt loam, 3 to 6 percent slopes. This soil is prime farmland.

URSA #4 1

Objection to the inclusion of the agricultural lands located east of 110th Ave. and north of SW Westfall Road. These lands are not completely surrounded. They are composed predominantly of prime farmland including the following soils: Aloha silt loam, 0 to percent slopes; Aloha silt loam, 3 to 6 percent slopes and Woodburn silt loam, 3 to 8 percent slopes.

NOTICE #49 drew no comments from LCDC, we don't have a problem is what they've saying.

URSA #54

The agricultural lands located within this area are not completely surrounded by exception lands. They are part of a very larger ownership which is farmed as one unit. This highly productive agricultural land is composed predominantly of prime farmland including the following soils: Aloha silt loam, 0 to percent slopes; Woodburn silt loam, 0 to 3 percent slopes and Woodburn silt loam, 3 to 8 percent slopes.

The removal of these agricultural lands changes the character of the exception lands located in the southern portion of the URSA. Standing alone, the exception area protrudes out into agricultural lands. Designation as an urban reserve area would allow for the future urbanization of a finger of land amongst highly productive agricultural land. We recommend that the western portion of this exception area not be designated as urban reserve and that the remainder be "squared up" with URSA #52.

URSA #55

The agricultural lands located within this area are not completely surrounded by exception lands. The eastern block is part of a very large ownership (included in URSA #54) which is farmed as one unit. This highly productive agricultural land is composed predominantly of prime farmland including the following soils: Aloha silt loam, 0 to percent slopes; Woodburn silt loam, 0 to 3 percent slopes; Woodburn silt loam, 3 to 8 percent slopes; Huberly silt loam; Quatama loam, 0 to 3 percent slopes and Quatama loam, 3 to 7 percent slopes..

URSA #56

This tract is not completely surrounded by exception lands. This agricultural land is currently in farm use and is predominantly composed of prime farmland including the following soils: Quatama loam, 0 to 3 percent slopes; Quatama loam, 3 to 7 percent slopes; McBee silty clay loam and Wapato silty clay loam.

URSA #59

This tract is not completely surrounded by exception lands. This agricultural land is predominantly composed of prime farmland including the following soils: Woodburn silt loam, 0 to 3 percent slopes; Woodburn silt loam, 3 to 8 percent slopes and Huberly silt loam. The small stream located on the northern edge of this area does not appear to present a significant barrier to employing this tract for farm use either by itself or in conjunction with other agricultural lands in the area.

URSA #62

This tract is not completely surrounded by exception lands. This highly productive agricultural land is currently in farm use and is composed predominantly of Amity silt loam which is prime farmland. The agricultural land located north of Highway 26 is part of a larger tax lot which is part of a much larger contiguous ownership. Urbanization of this small portion of a larger ownership could represent a future leapfrog north and west of Highway 26 into a larger agricultural area. It could also impact agricultural lands located to the east which are not proposed to be designated as an urban reserve area.

The removal of these agricultural lands changes the character of the exception lands located in the northern part of the URSA. The exception area protrudes out into agricultural lands. Designation as an urban reserve area would allow for the future urbanization of a finger of land amongst highly productive agricultural land. We recommend that this exception area not be designated as urban reserve.

URSA #65

The agricultural lands located within this URSA are not completely surrounded by exception lands. These agricultural lands are currently in farm use, including a nursery operation on the eastern edge which is bisected by the URSA boundary line. They are composed predominantly of prime farmland and high-value farmland soils. These soils include: Helvetia silt loam, 2 to 7 percent slopes; Cascade silt loam, 3 to 7 percent slopes; Cornelius and Kinton silt loams 2 to 7 percent slopes; Cornelius and Kinton silt loams 7 to 12 percent slopes; Cornelius variant silt loam, 3 to 7 percent slopes and Cornelius variant silt loam, 7 to 12 percent slopes. Several of the tax lots located within the central portion of this URSA are under the same ownership or family ownership and appear, from aerial photos, to be farmed as a single unit (See URSA Study Area - Site 65 aerial photo, METRO Urban Reserve Study Areas Aerial Photos, not dated).

The removal of these agricultural lands changes the character of the exception lands located in the eastern part of the URSA. This exception area protrudes out away from the urban growth boundary into agricultural lands. Designation as an urban reserve area would allow for the future urbanization of a finger of land amongst highly productive agricultural land. We recommend that the eastern exception area not be designated as urban reserve.

URSAs #18, #35, #51, and #52

These areas contain small amounts of agricultural lands on the edges of each area. We recognize that the study area boundaries do not follow parcel/lot lines. These areas need to be "squared up" along parcel/lot lines to exclude agricultural land which in most cases are part of larger units located outside the URSAs.

Soils information provided in the above comments was obtained from the following sources:

Soil Survey of Clackamas County Area, Oregon, U.S. Department of Agriculture Soil Conservation Service, November 1985.

Soil Survey of Washington County, Oregon, U.S. Department of Agriculture Soil Conservation Service, July 1982.

Clackamas County High-Value Farmland, Oregon Department of Land Conservation and Development, not dated.

Washington County High-Value Farmland, Oregon Department of Land Conservation and Development, not dated.

APPENDIX 2

Many of the Urban Reserve Study Areas (URSAS) include both agricultural lands and exception lands within their boundaries. Exception lands by definition are not resource lands, yet they were evaluated for their agricultural retention and compatibility. All lands within any given study area were evaluated together as one unit.

This presents an inherent flaw in the ratings used in the URSAmatic. Exception lands are earmarked by the law as first priority for designation as urban reserves. When evaluated with agricultural lands, as is the case in numerous situations around the urban growth boundary, these exception areas are included within blocks of land that are rated low for protection of agricultural land (Factors 6 and 7). These low ratings could be the reason why many exception lands have not been included in the proposed urban reserve designations. URSA #60 is a good example. It is rated 3 for both factors. This URSA includes 140 acres of exception land adjacent to the UGB. Because these lands are not resource lands, they should be rated 10 for each agricultural land factor.

We believe that exception lands should be evaluated as separate units for possible inclusion as an urban reserve area. This adjustment may very well allow for the inclusion of more exception lands and a reduction in the number of agricultural lands. Listed below are several areas that were studied but not include that we believe should be designated as urban reserves before productive agricultural lands.

1. Exception portions of URSA #60

See discussion above.

2. URSA #46

This area contains 106 acres of exception lands.

3. Exception portions of URSA #20.

This area contains 157 acres of exception lands which are located adjacent to many more acres of exception lands in the Redland Road area which were not studied (see comments below).

4. Exception area portions of URSA 1 located east of Highway 26.

Exception Lands located to the east are of similar character as those located to the west and should be included before productive agricultural lands. The Easter block includes a large parcel (east of and adjacent to SE 267th) which appears to have excellent development potential. Highway 26 does not establish a logical boundary. It runs away from the UGB, not parallel to it. Lands within the existing urban growth boundary are located on both sides of the Highway. Inclusion of these lands would be a logical extension of the existing urban development pattern.

There are also numerous exception areas located adjacent to the existing urban growth boundary areas proposed for urban reserves that were not among the final 72 areas studied that should be considered before agricultural lands. Many of these areas contain large blocks of vacant land which appear to be highly suited for future development. In many cases, some of these areas appear better suited than other exception lands that were designated by the Council. Below is a partial listing of some areas we believe should receive consideration. These areas total approximately 5438 acres. Approximate acreage for each area were measured from METRO quadrangle maps which show the URSA's adopted by the Council on February 8, 1996. We request that these maps be entered into the record.

1. Exception area located east of and adjacent to URSA #66 and south of Springville Road.

This area contains approximately 55.2 acres and includes several larger parcels which appear to be suited for development

2. Exception area located east of and adjacent to Glencoe Road and north of and adjacent to UGB.

This area contains approximately 80.04 acres and includes a large parcel located at the intersection of the urban growth boundary and Glencoe Road.

3. Exception area located east of Cornelius-Schefflin Road adjacent to URSA #60.

This area contains approximately 23.92 acres. It is located adjacent to exception lands with URSA #60 which were not designated (see comments above).

4. Exception area located south of and adjacent to URSA #50.

These exception lands are approximately 206.08 acres in area. It is similar in character to URSA #50 which was designated. It contains large blocks of undeveloped land (see METRO aerial photo) which appear highly suited for development. Examples include:

Tax Lot IS225000700 69.4 acres farm and woodlot
Tax Lot IS2250002800 38 acres woodlot
Tax Lot IS2250003700 25 acres woodlot

5. Exception area located west of SW 175th and west of northern part of URSA 49.

This area contains approximately 126.04 acres. It has similar characteristics as the adjacent URSA which was chosen. According to the METRO quad map and aerial photo, it contains several larger parcels, especially in the northern part near the intersection of Weir Road and SW 175th..

6. Exception area located between URSA 48 and URSA 47 (south of and adjacent to Beef Bend Road).

This area contains approximately 191.36 acres, including some large tracts of undeveloped land. Example: Tax Lot 2S116B000301, comprised of 38.94 undeveloped acres.

7. West side of Sherwood UGB, exception lands located east of Elwert Road and south of Edy Road.

This area contains approximately 82.08 acres. It is located in a notch of the urban growth boundary. Inclusion of these lands would "infill" into the notch. Larger tax lots located in this block of land includes:

Tax Lot 2S130C000500 28.33 acres
Tax Lot 2S130C000400 14.66 acres
Tax Lot 2S130C000200 14.25 acres

8. Tax lots located along the southern edge of Tualatin, similar to URSA 43

This first "tier" of tax lots located adjacent to the urban growth boundary are similar to URSA #43 which was chosen by the Council. This tier contains approximately 122.36 acres.

9. Areas located south and west of and adjacent to URSA #42.

This area contains approximately 297.16 acres. According to the METRO quad maps and aerial photo, there are substantial large tracts of undeveloped land in these areas. For example, Tax Lot 3 IW1000100, located south of URSA 42 and adjacent to the Wilsonville T T (~R ic 3~ acres in size.

10. Exception area located north and west of URSA #35 adjacent to Wilsonville UGB.

This area contains approximately 51.52 acres and is of similar character as the adjacent URSAs which were chosen.

11. Exception areas located west of West Linn and URSA #30.

This area contains approximately 1259.48 acres. It is similar in topography to adjacent URSAs that were chosen by the Council. Larger tracts of land are located throughout these exception lands (see METRO quad maps).

12. Exception areas located adjacent to URSAs #25 and #26 (Beavercreek area).

These areas contain about 299 acres to the west of the URSAs and 119.6 acres located to the south. Some of these areas could be picked up by "squaring up" the boundary of the URSAs (eg Carus Rd/Beavercreek Rd. area). Large tracts are located on western edge that ~o beyond "squaring up." For example; Tax Lot 32E2100790, comprising 37.5 acres.

13. Exception area located east of and adjacent to URSA 24.

According to the METRO quad map, this area contains several larger tracts. The area is approximately 69.92 acres in size.

14. Exception areas located west of URSAs #18, #19 and #20 (straddles Redland Road).

The area measured contains approximately 1304.56 acres. There are many more acres of exception lands located further to the east. The METRO quad maps and aerial photos indicates that these exception lands contain numerous large, undeveloped tracts.

15. Exception areas located adjacent to URSA #17.

This area contains approximately 779.24 acres. Several larger parcels are located in the area which appear to be suitable for development.

16. Exception areas located west and north of URSA #15.

These lands are of similar character and topography as the adjacent URSA's that were chosen by the Council. The block of parcels located along the western boundary of URSA #15 comprises approximately 160.08 acres. The tier of parcels located to the north contains approximately 98.44 acres.



WASHINGTON
COUNTY,
OREGON

December 2, 1996

Metro Councilors
Metro
600 NE Grand Avenue
Portland, OR 97232

Re: Urban Reserves

On behalf of the Washington County Board of Commissioners, the following comments are provided regarding your considerations of Urban Reserves.

We endorse the comments recently provided you by MPAC concerning urban reserves/

We encourage the Metro Council to make tentative final decisions regarding urban reserve areas and provide the opportunity to local governments to review and comment on your tentative final decisions before final adoption.

In light of recent election outcomes, the Board's concern has been heightened regarding the ability to fund necessary services to the urban reserve areas when they do urbanize. We are also extremely concerned about our ability to fund the planning work required for urban reserve areas and required by the recently adopted Urban Growth Management Functional Plan.

Finally, in regard to specific urban reserve study areas, the Board supports the removal of URSA #65 from a potential designation. However, the Board supports the inclusion of URSA #59 as modified by the City of Cornelius testimony to the Metro Council.

We look forward to reviewing your tentative final decisions regarding Urban Reserve Areas.

Sincerely,

A handwritten signature in cursive script that reads "Linda Peters". The ink is dark and the signature is fluid and legible.

Linda Peters
Chair

cc: Board of County Commissioners

j:\shared\plng\wpshare\council.met



WASHINGTON
COUNTY,
OREGON

December 2, 1996

Metro Councilors
Metro
600 NE Grand Avenue
Portland, OR 97232

Re: Urban Reserves

Please accept the following comments regarding your consideration of Urban Reserves. Please note the comments are mine alone, as an individual Washington County Commissioner.

First in regard to specific Urban Reserve Study Areas, I strongly recommended the inclusion as Urban Reserve Areas of those sites identified by the cities of Cornelius, Forest Grove, Hillsboro and Tualatin. I particularly recommend the St. Mary's property for inclusion within the Urban Reserve Area for the following reasons:

- Contrary to the policy position adopted by the Metro Executive, state law does not prevent the inclusion as an Urban Reserve Area of lands currently designated for farm use. Rather, if certain need considerations are determined to such lands may be included as Urban Reserves. The St. Marys property meets such a criteria.
- The St. Marys property is contiguous with urban development on three sides and represents a logical, contiguous expansion of an existing urban area.
- The St. Marys property has excellent transportation services including direct frontage on TV Highway which currently supports excellent bus service.
- The St. Marys property also has immediate access to sewer and water services.

Second, while I support regional planning, I remain extremely concerned about Metro imposing planning requirements on local governments without providing the necessary funding to accomplish the planning tasks.

Finally, the Metro Council should consider requiring annexation to a city when urban reserve land is brought into the urban growth boundary.

Thank you for your consideration of my comments. I look forward to working with the Metro Council on these and related Region 2040 planning issues.
Sincerely,

A handwritten signature in black ink that reads "Kim Katsion". The signature is written in a cursive, flowing style.

Kim Katsion
Vice Chair Board of Commissioners

cc: Board of Commissioners
City of Cornelius
City of Forest Grove
City of Hillsboro
City of Tualatin



WASHINGTON
COUNTY,
OREGON

112196-107

December 10, 1996

see also

Dec. 2, 1996 Letter

Metro Councilors
Metro
600 NE Grand Avenue
Portland, OR 97232

Re: URSA #113 and Urban Reserve Process

Today, under our agenda item for Oral Communications, the Board heard from representatives from URSA #113 (the northern 40% of original URSA #49).

Prior to today's meeting, the Board of Commissioners has placed heavy reliance on Metro's citizen involvement process and on the MPAC advisory process as the most fundamental approaches for citizens and governments of Washington County to provide input to the Metro Council regarding the vital planning decisions facing the Council. To that extent, we have encouraged citizens to participate in all of Metro's processes. The Board of Commissioners assume those processes would be thorough, organized and fundamental in the Metro Council's decision making.

→ Today, representatives of URSA #113, which opposes inclusion of URSA #113 as an urban reserve area, gave the Board considerable pause in continuing to rely on the assumption that your processes are thorough, organized and fundamental to your decision making. Representatives of URSA #113 disclosed to us the absence in the record of considerable analysis and documentation prepared by them regarding URSA #113 which they believe supports a conclusion that URSA #113 should not be an Urban Reserve Area.

→ The Board unanimously urges you to keep faith with the notions that your citizen involvement and hearing processes are thorough, organized and fundamental in your decision making. We urge you to demonstrate such by: 1) receiving into your record the analysis/documentation of community representatives opposed to inclusion of URSA #113; 2) reviewing carefully the aforementioned analysis/documentation and the considerable community opposition to inclusion of URSA #113; and 3) joining our Board in our conclusion that URSA #113 should not be included as an Urban Reserve Area.

Thank you for your reconsideration of this item.

Sincerely,

Linda Peters

Linda Peters
Chair

cc: Board of Commissioners

j:\shared\plng\wpshare\URSA-113.bcc

645-861

some people expressed the belief that Metro is not listening to public testimony about urban reserves. Therefore, Commissioner Christy felt it very important for the Board to send a letter of comment to Metro. She wished this letter to express support of the letter written by Charlie Hales on behalf of MPAC. Commissioner Christy wanted the Board's letter to support the Metro Executive's recommendation, except for his counsel on the St. Mary's property. (She supported the inclusion of the St. Mary's property as an urban reserve.)

Peggy Lynch, 3840 S.W. 102nd Avenue, Beaverton, Oregon, encouraged the Board to review the letter adopted by MPAC. (Copy may be found in the Meeting File.) She reported that MPAC chose not to get into site-specific recommendations. Ms. Lynch was disappointed that the Board did not have a draft letter this evening for citizen review. She requested the Board to limit its comments on specific sites. Ms. Lynch preferred the Board to forward principles rather than specific sites to Metro Council. She reminded the Board of its responsibility within one year of Metro's action to include the urban reserves in the County's Comprehensive Plan, to participate in Master Planning, and to protect the area from parcelization so that it can be urbanized when it becomes part of the urban growth boundary. Ms. Lynch commented that Mike Burton's recommendation calls for about 14,000 acres of urban reserves, which matches the objective in the Functional Plan. She said that Metro Council, in another action, has unofficially and temporarily made some decisions that would lead to 18,000 acres of selections. Ms. Lynch cautioned against the cost over the long run to achieve urbanization over so great a land bank.

Chair Peters thanked Ms. Lynch for her diligence throughout this process.

Brent Curtis responded to Board questions.

Commissioner Rogers pointed out that it is very difficult to have an adequate presentation before the Board without allocating a great deal of time. He recalled that the majority of the Board early on decided that Metro would be the body to receive the bulk of public testimony. Commissioner Rogers believed it is a bit late at this time for the Board to insert itself into the process in a meaningful way. He did not think the Board had anything definitive to show Metro

at this point. Commissioner Rogers suggested the Board now verbally comment to Metro that it has done a good job and offer encouragement to continue doing so. He was not prepared to take a position on specific sites this evening.

Commissioner Katsion pointed to the need for the Board to know specifically how Metro will help out financially with the implementation of the 2040 Framework Plan. She supported inclusion of the St. Mary's property as an urban reserve. Commissioner Katsion also expressed support for the requests of the cities of Hillsboro and Cornelius. She favored looking at a future requirement that incorporation into a city occur when land is brought into the UGB. Commissioner Katsion regarded it as important for the Board to provide input to the Metro Council.

Chair Peters said she is not in agreement with Commissioners Christy and Katsion regarding the St. Mary's site. She did wish to specify that Springville Road not be included in the urban reserves.

Commissioner Duyck did not support the St. Mary's site either. He said he has faith in Metro's selection of sites. Commissioner Duyck concurred with Commissioner Rogers that the Board should not interject itself in the process at this time.

Chair Peters attempted to determine points of agreement among Board members that could be placed in a letter to Metro.

Commissioner Rogers agreed with Commissioner Duyck that the Board should indicate to Metro that it would like the opportunity to provide input and discussion in the final selection process of sites. He said he would be willing to send Metro a letter stating this and also requesting the cost of implementation.

John Pointer, no address given, suggested that the Board not give Metro a free hand in this process. He urged the Board to continue to participate fully in the process. Mr. Pointer discussed water issues in the context of growth in this region.

Commissioner Christy was concerned about a lack of comment from the Board; she proposed that individual Commissioners submit individual letters of comment and concern.

Commissioner Katsion did not support the writing of individual letters; she preferred that the Board present a united front on issues where possible.

Chair Peters continued to attempt to evaluate Board agreement on specific points that could be included in a letter of comment to Metro.

Brent Curtis commented that it takes two actions to have an urban reserve: 1) designation of an urban reserve by Metro, and 2) placement of the urban reserve in the Comprehensive Plan. He told the Board it has the ability to ask Metro to amend its plan through time.

It was moved to direct staff to draft a letter of comment to Metro for Board review, edit, and signature. Letter was to include the following: 1) Express the Board's concern about resource constraints and request information on how Metro will assist Washington County financially in its planning process; 2) Request Metro to structure the process such that Washington County is allowed the opportunity to evaluate sites that appear on a tentative short list; 3) Endorse the recommendations in the MPAC letter; 4) Advocate that Metro not include Site 65 (Springville Road) in the urban reserves; and 5) Advocate that Metro include that portion of Site 59 requested by the City of Cornelius.

Motion - Christy 2nd - Duyck Vote - 3-2
Nay - Katsion, Rogers

Commissioner Katsion asked staff to draft a separate letter for her signature which would address her separate concerns.

Brent Curtis told the Board he would attempt to draft these letters tomorrow, fax them to Board members, and wait until Monday to finalize them.

5. COUNTY ADMINISTRATIVE OFFICE

5.a. Review of County 2000 Policy - Resource Reduction Section
MO 96-476

Charles Cameron reviewed that this item was requested by the Board in response to the passage of Ballot Measure 47. He

Gertrude Reusser, 17345 S.W. Reusser, addressed the topic of urban reserves. She focused on the northern 40% of Site 49, which is designated as Site 113. Ms. Reusser contended that citizens from her area have consistently participated in Metro's process regarding urban reserves. She told the Board that she has discovered that Metro's public record does not contain any of the testimony provided by herself and her neighbors. Ms. Reusser said that her opposition to the inclusion of Site 113 as an urban reserve is based upon solid, detailed scientific engineering studies. She expressed support for the Letter of Comment sent by the Board to Metro recently.

Teri Tomlinson, 16825 S.W. Silver Ridge Lane, continued testifying against Site 113 being designated as an urban reserve. She pointed out that the Metro Councilors did not have all the relevant information in the record to make an informed decision on Site 113. Ms. Tomlinson contested Metro's characterization that the majority favored including Site 113 as an urban reserve. She told the Board that she is continuing to collect more signatures in support of the position to delete Site 113 as an urban reserve.

Chair Peters appreciated hearing that these citizens would be taking this matter to Metro.

Commissioner Rogers expressed his belief that Metro needs to go back and review the record on this particular site.

Gertrude Reusser offered to leave the Board a copy of the updated collection of all testimony relative to Site 113. (Clerk did not receive.)

Commissioner Christy was disappointed that Metro Council did not support the recommendation of Metro's Executive Officer and the Board in this regard.

Gertrude Reusser asked the Board to write another letter to Metro specifically addressing Site 113.

In view of Board support for this request, Chair Peters asked staff to prepare a letter for her to personally carry to MPAC tomorrow for subsequent submittal to Metro Council.

030697-43

JOHN R SKOURTES
17010 SW WEIR
BEAVERTON OR 97007
503-590-4706

EXHIBIT

March 5, 1997

METRO Council.

Presiding Officer, John Kvistad
Deputy Presiding Officer, Susan McLain
Councilor, Ruth McFarland
Councilor, Don Morissette
Councilor, Ed Washington
Councilor, Lisa Naito
Councilor, Patricia McCraig

600 NE Grand Ave
Portland, OR 97232
503-797-1797

FAXED DUE TO TIME CONSTRAINTS

Re: Designation of Urban Reserves-North URSA #49

Dear METRO Council:

I control 30 acres adjacent to North Boundary of the existing Urban Growth line

I concur with Mr Honeyman's letter addressed to you dated March 4, 1997.

Mrs Naito was not a counselor when this area was reviewed and included in the Urban Reserve Study Area #49. Therefore, 11th hour changes should not prevail **when the full record can not be reviewed for accuracy versus statement from a private vested group.**

Remember inside the area in question **THE COOPER MOUNTAIN PETITIONERS CONTROL 30 ACRES-90% -ONE ACRE PARCELS.** Just seven property owners around this group that want to be included control 140 acres.

Please reconsider!

Sincerely,



John R. Skourtes

030697-44

TLR International Trade Services

Total Logistics Resource, Inc.

Phone (503) 257-0513

Fax (503) 257-0510

EXHIBIT

To: Mr. Dave Ashliman
From: Steve Buffam
Subject: Our Phone Conversation

Date: 3/6/97
Page 1 of 1

As per our phone conversation, attached is the proposal we talked about.
Please let me know if you require further information.

Regards,
Steve Buffam, CEO

IMPORT EXPORT LAND SEA AIR

SEATTLE PORTLAND SAN FRANCISCO LOS ANGELES

March 6, 1997

Proposal To Include Property Inside The Proposed Urban Growth Boundary

Re: City of Hillsboro, OR, Range 1E, Section 22A, Tax Lots 00800 and 00801

My name is Steven P. Buffman, my wife and I are the owners of tax lot 00800. I am submitting this proposal on our behalf and on behalf of our neighbor Mr. Jess Moses, owner of tax lot 00801.

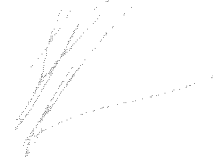
We have been advised by Mr. Glen Dolan that our property falls under the zoning of R10F5.

We hereby propose that our property be included in the expansion of the Urban Growth Boundary. At the present time, urban development is taking place less than a quarter of a mile from our property. In the future, with the expansion of the boundary, if our property is not included, we will be a pocket of 5 acre+ properties and will be unable to participate in the growth of the neighborhood.

My neighbor would like to be able to divide his 7 acres into smaller lots so he can provide housing for his three children and their future families. My wife and I would like to have the option in future years to divide some of our 5 acres into smaller parcels and sell them so we will be able to fund our children's college education.

On behalf of the Moses', my wife and I, I ask that you approve this inclusion in your planning.

Sincerely,
Steve Buffman



EXHIBIT

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING)	ORDINANCE NO 96-655 <u>DE</u>
URBAN RESERVE AREAS FOR THE)	
PORTLAND METROPOLITAN AREA URBAN)	Introduced by Executive Officer
GROWTH BOUNDARY; AMENDING RUGGO)	Mike Burton
ORDINANCE NO. 95-625A AND METRO CODE)	
CHAPTER 3.01; AND DECLARING AN)	
EMERGENCY)	

WHEREAS, ORS 197.298(1)(a) requires that land designated as urban reserve land by Metro shall be the first priority land for inclusion in the Metro Urban Growth Boundary; and

WHEREAS, the Land Conservation and Development Commission's (LCDC's) Urban Reserve Area Rule at OAR 660-21-020 requires Metro to designate the location of urban reserve areas for the Portland Metropolitan area within two miles of the regional Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-020, requires that urban reserve areas designated by Metro shall be shown on all applicable comprehensive plan and zoning maps; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(1), requires that urban reserve areas shall include at least a 10 to 30 year supply of developable land beyond the 20 year supply in the Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(2), requires that Metro study lands adjacent to the Urban Growth Boundary for suitability as urban reserve areas; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(3), requires that land found suitable for an urban reserve area must be included according to the

Rule's priorities and that first priority lands are those lands identified in comprehensive plans as exception areas plus those resource lands completely surrounded by exception areas which are not high value crop areas; and

WHEREAS, Resolution No. 95-2244 established urban reserve study areas as the subject of Metro's continued study for possible designation as urban reserve areas consistent with LCDC's Urban Reserve Area Rule; and

WHEREAS, urban reserve study areas are shown on the 2040 Growth Concept Map in Ordinance No. 95-625A adopting the Regional Urban Growth Goals and Objectives (RUGGO) which was acknowledged by LCDC Compliance Order 96-ACK-010 on December 9, 1996; and

WHEREAS, Metro has undertaken a detailed analysis of the suitability of the study areas for designation as urban reserve areas, including the June, 1996 Metro Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas; and

WHEREAS, an Urban Growth Report containing data about the relative suitability of lands as urban reserves, maps and descriptions of the physical characteristics of the study areas published by the Executive Officer was accepted by the Metro Council as amended in Resolution No. 96-2392B and forwarded to the Metro Council; and

WHEREAS, a series of open houses near the Urban Growth Boundary was held in June, 1996 at Oregon City, Clackamas, Tualatin and Beaverton with residents owning property in study areas notified by mail, print ads and flyers to schools; and

WHEREAS, the Metro Council held public hearing listening posts concerning the urban reserves and the Executive Officer Urban Reserve Recommendation in

November and December, 1996 in Hillsboro, Gresham, Beaverton, Oak Grove and at Metro; and

WHEREAS, the Metro Council considered all the evidence in the record and public testimony in December, 1996 and February, 1997 work sessions to select urban reserve areas; and

WHEREAS, notice of the proposed urban reserve areas and the proposed postacknowledgment amendments to the acknowledged RUGGO ordinance and the acknowledged Metro Code 3.01 have been given consistent with ORS 197.610(1); now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 3.01, Metro's acknowledged "Urban Growth Boundary Amendment Procedures," are hereby amended as indicated in Exhibit "A," attached and incorporated herein.

Section 2. Ordinance No. 95-625A is hereby amended to replace the urban reserve study areas indicated on the 2040 Growth Concept Map with the urban reserve areas designated in Section 3 of this Ordinance.

Section 3. Urban reserve areas indicated on the map attached as Exhibit "B", and incorporated herein, are hereby designated as the urban reserve areas for the Metro Urban Growth Boundary for the purposes of (1) application of Metro Code 3.01, (2) amendment of the acknowledged 2040 Growth Concept Map, (3) compliance with the Urban Reserve Areas Rule at OAR 660-21-020, and (4) identifying lands of first priority for inclusion in the Metro Urban Growth Boundary as required by ORS 197.298.

Section 4. The urban reserve areas on Exhibit "B" shall be shown on all applicable county comprehensive plan and zoning maps as required by the Urban Reserve Areas Rule at OAR 660-21-020.

Section 5. The First Tier Urban Reserves Map attached to Exhibit A is hereby incorporated by reference into this Ordinance.

Section 56. The designation of urban reserve areas prior to March, 1997 applications for amendments to the Metro Urban Growth Boundary is necessary to preserve the health, safety or welfare of the Metro region; therefore, an emergency is hereby declared to exist, and this Ordinance shall take effect upon passage.

Section 67. The provisions of this ordinance are separate and severable. The invalidity of any clause, sentence, paragraph, section, subsection, or portion of this ordinance or the invalidity of the application thereof to any city, county, person or circumstance shall not affect the validity of the remaining provisions of this ordinance or its application to other cities, counties, persons or circumstances.

||||

||||

ADOPTED by the Metro Council this _____ day of _____, 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

12148477

EXHIBIT A

Amendments to Metro Code 3.01

Title Section is amended as follows:

"URBAN GROWTH BOUNDARY AND URBAN RESERVE PROCEDURES

SECTIONS TITLE

- 3.01.005 Purpose
- 3.01.010 Definitions
- 3.01.012 Urban Reserves
- 3.01.015 Legislative Amendment Procedures"

Section 3.01.005(a), sentence is added at end as follows:

". . . other than Goals 2 and 14. This chapter is also established to be used for the establishment and management of Urban Reserves, pursuant to OAR 660-21-000 to 660-21-100 and RUGGO Objective 22."

Section 3.01.005(c) is added as follows:

(c) The objectives of the Urban Reserves are to:

- (1) Identify sufficient land suitable for urbanization sufficient to accommodate the forecast needs for a 30 to 50 year interval, reevaluated at least every 15 years;
- (2) Limit the areas which are eligible to apply for inclusion to the Urban Growth Boundary consistent with ORS 197.298, and protect resource lands outside the urban reserve areas;
- (3) Protect lands designated as urban reserves for their eventual urbanization, and insure their efficient urbanization consistent with the 2040 Growth Concept, the RUGGOs and the Urban Growth Management Functional Plan;
- (4) Provide for coordination between cities, counties, school districts, and special districts for planning for the urban reserve areas;
- (5) Ensure a smooth transition to urban development by planning for general governance, public facilities, land uses, and planning for financing the capital needs of the urban development."

Section 3.01.010(z) is amended as follows:

"(z) "Urban reserve" means an area adjacent to the present UGB defined to be a priority location for any future UGB amendments when needed. Urban

reserves are defined as the land likely to be needed including all developable land inside the current urban growth boundary, for a 30 to 50 year period."

Section 3.01.010 is amended to add an additional term and definition as follows:

"(e) 'First Tier Urban Reserves' means those urban reserves to be first urbanized because they can be most cost-effectively provided with urban services by affected cities and service districts as so designated and mapped in a Metro Council ordinance."

"(y) 'Special land need' means a specific type of identified land needed which complies with Goal 14, Factors 1 and 2 that cannot be reasonably accommodated on first tier urban reserve land."

Section 3.01.012 is added as follows:

"3.01.012 Urban Reserve Areas

(a) Purpose

The purpose of this section is to comply with ORS 197.298 by identifying lands designated urban reserve land by Metro as the first priority land for inclusion in the Metro Urban Growth Boundary.

(b) Amount of Land Required

- (1) The areas designated as urban reserves shall be sufficient to accommodate expected urban development for a 30 to 50 year period, including an estimate of all potential developable and redevelopable land in the urban area.
- (2) Metro shall estimate the capacity of the urban reserves consistent with the procedures for estimating capacity of the urban area as defined in Section 3.01.010.
- (3) The minimum residential density to be used in calculating the need for urban reserves, estimating the capacity of the areas designated as urban reserves and required in concept plans shall be at least 10 dwelling units per net developable acre.
- (4) Metro shall designate the amount of urban reserves estimated to accommodate the forecast need.
- (5) Metro may designate a portion of the land required for urban reserves in order to phase designation of urban reserves.

(c) Mapped Urban Reserves

- (1) Metro has designated as urban reserve areas those lands indicated on the 2040 Growth Concept map as part of the Regional Urban Growth Goals and Objectives.
- (2) Urban growth boundary amendments shall include only land designated as urban reserves unless designated urban reserve

lands are inadequate to meet the need. If land designated as urban reserves is inadequate to meet the need, the priorities in ORS 197.298 shall be followed.

- (3) Within 1 year of Metro Council adoption of the urban reserve ordinance, the Metro Council shall modify the Metro 2040 Growth Concept to designate regional design types consistent with the Metro 2040 Growth Concept for all designated urban reserves.

(d) First Tier

First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves.

(e) Urban Reserve Plan Required

A conceptual land use plan and concept map which demonstrates compliance with the RUGGO and the 2040 Growth Concept design types and any applicable functional plan provisions shall be required for all major amendment applications and legislative amendments of the urban growth boundary including at least the following, when applicable:

- (1) Provision for either annexation to a city and any necessary service districts at the time of the final approval of the urban growth boundary amendment consistent with 3.01.065 or an applicable city-county planning area agreement which requires at least the following:

(A) City or county agreement to adopt comprehensive plan provisions for the lands added to the urban growth boundary which comply with all requirements of urban reserve plan conditions of the urban growth boundary approval;

(B) City and county agreement that lands added to the urban growth boundary shall be rezoned for urban development only upon annexation or agreement for delayed annexation to the city and any necessary service district identified in the approved Concept Plan or incorporation as a new city; and

(C) County agreement that, prior to annexation to the city and any necessary service districts, rural zoning that ensures a range of opportunities for the orderly, economic, and efficient provision of urban services when these lands are included in the urban growth boundary remains in place until city annexation and the adoption of urban zoning.

- (2) Notwithstanding (1) above, the Metro Council may approve a major or legislative amendment to the urban growth boundary if the proposed amendment is required to assist the region to comply with the 2040 Growth Concept or to assist the region, a city or county in demonstrating compliance with statute, rule, or statewide goal requirements for land within the urban growth boundary. These requirements include HB 2709, ORS 197.303, the statewide planning goals and Regional Urban Growth Goals and Objectives. An urban services agreement consistent with ORS 195.065 shall

be required as a condition of approval for any amendment under this subsection.

- (3) The areas of Urban Reserve Study Areas #11, 14 and 65 are so geographically distant from existing city limits that annexation to a city is difficult to achieve. If the county and affected city and any necessary service districts have signed an urban service agreement or an urban reserve agreement coordinating urban services for the area, then the requirements for annexation to a city in (1)(B) and (1)(C) above shall not apply.
- (4) Provision for residential densities of at least 10 dwelling units per net developable residential acre.
- (5) Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by ORS 197.303. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.
- (6) Demonstration of how residential developments will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80% of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers.
- (7) Provision for sufficient commercial and industrial development for the needs of the area to be developed and the needs of adjacent land inside the urban growth boundary consistent with 2040 Growth Concept design types.
- (8) A conceptual transportation plan consistent with the Regional Transportation Plan, and consistent with protection of natural resources as required by Metro functional plans.
- (9) Identification, mapping and a funding strategy for protecting areas from development due to wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the urban growth boundary prior to urban development. The plan shall include cost estimates to implement a strategy to fund resource protection.
- (10) A conceptual public facilities and services plan, including rough cost estimates for the provision of sewer, water, storm drainage, transportation, fire and police protection facilities and parks, including financing strategy for those costs.

- (11) A conceptual school plan which provides for the amount of land and improvements needed for school facilities. Estimates of the need shall be coordinated among affected school districts, the affected city or county, and affected special districts consistent with the procedures in ORS 195.110(3), (4) and (7).
- (12) An Urban Reserve Plan map showing, at least, the following, when applicable:
 - (A) Major roadway connections and public facilities;
 - (B) Location of unbuildable lands including but not limited to steep slopes, wetlands, floodplains and riparian areas;
 - (C) General locations for commercial and industrial lands;
 - (D) General locations for single and multi-family housing;
 - (E) General locations for public open space, plazas and neighborhood centers; and
 - (F) General locations or alternative locations for any needed school, park or fire hall sites.
- (13) The urban reserve plan shall be coordinated among the city, county, school district and other service districts, including a dispute resolution process with an MPAC report and public hearing consistent with RUGGO Objective 5.3. The urban reserve plan shall be considered for local approval by the affected city or by the county, if subsection (3), above, applies in coordination with any affected service district and/or school district. Then the Metro Council shall consider final adoption of the plan.

Section 3.01.015(d) is added as follows:

"(d) Metro shall consult with the appropriate city, county, school and service districts to identify lands inside first tier urban reserves which are the most capable of being served by extension of service from existing service providers for the purpose of preparing concept plans in advance for any short term need for inclusion of additional lands in the urban growth boundary."

Section 3.01.015(d) is amended as follows:

"(e) Legislative amendment decisions shall be accompanied by findings explaining why the UGB amendment complies with applicable state law and statewide goals as interpreted by section 3.01.020 and subsequent appellate decisions and including applicable concept plans and maps demonstrating consistency with RUGGO including the 2040 Growth Concept and compliance with any applicable functional plan provisions."

Section 3.01.020(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . Compliance with this section shall constitute compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.020(b), last sentence, is amended as follows:

"For legislative amendments, if need has been addressed, the district shall demonstrate that the priorities of ORS 197.298 have been followed and that the recommended site was better than alternative sites, balancing factors 3 through 7."

Section 3.01.025(a) is amended as follows:

"(a) All major amendments shall be solely upon lands designated in urban reserves, when designated consistent with 3.01.012. All major amendments shall demonstrate compliance with the following:

- (1) The criteria in section 3.01.030 of this Code as well as the procedures in OAR 660-18-000;
- (2) Notice of public hearings for major amendments as described in section 3.01.050;
- (3) Public hearings procedures as described in sections 3.01.055 through 3.01.065;
- (4) the urban reserve plan requirements in section 3.01.012(e); and
- (5) Final action on major amendments shall be taken as described in section 3.01.070."

Section 3.01.030(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . and further define ORS 197.298, Goals 2 and 14 . . . compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.030(b) is amended by adding the following sentence prior to 3.01.030(b)(1):

"Demonstration that the priorities of ORS 197.298 have been followed is required in addition to the application of factors 3 through 7."

Section 3.01.040(b), (c) are added as follows:

"(b) The district shall attach the approved urban reserve plan and map required at 3.01.012(e) as conditions of approval to assure compliance of developed uses with the 2040 Growth Concept and any applicable functional plan provisions.

(c) The district may determine that certain conditions of approval are so important to inclusion of land into the urban growth boundary that if those conditions are not met that the urban growth boundary approval may be revoked automatically or by action of the district."

Section 3.01.065(f) is amended as follows:

"(f) When the council acts to approve in whole or in part a petition by requiring annexation to a city and/or service district(s) and Tri-Met and whenever a petition includes land outside the district:

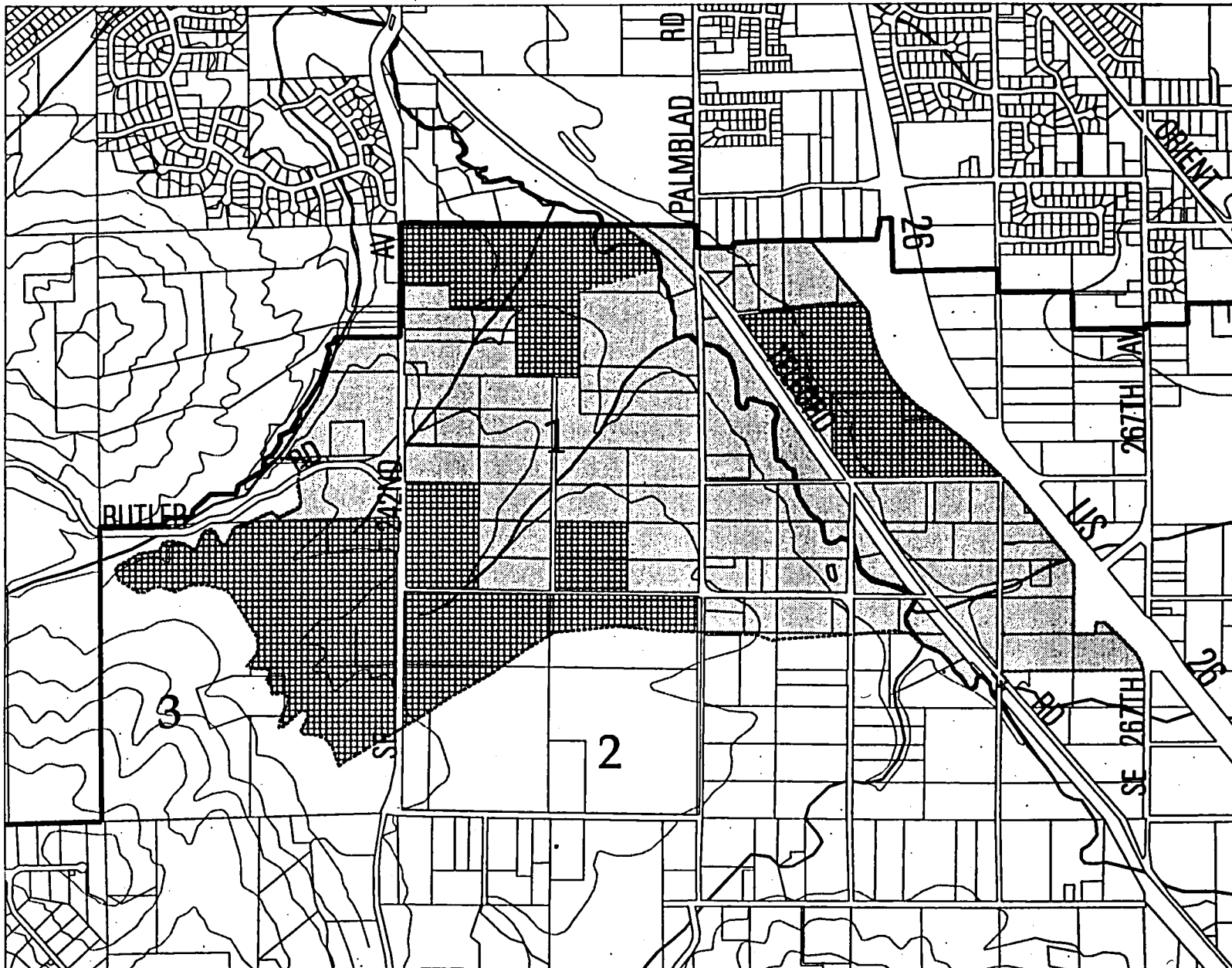
- (1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the district within six months of the date of adoption of the Resolution.
- (2) The council shall take final action, as provided for in paragraphs (c) and (d) of this section, within 30 calendar days of notice that all required annexations to a city, service district(s) and the district have been approved."

Jep I:\DOCS#07.P&D\02UGB\04URBRES.DEC\EXHIBITA.303

EXHIBIT

DATE: February 25, 1997
TO: Jon Kvistad, Presiding Officer
FROM: Chris Billington, Clerk of the Council
RE: Urban Reserve Oral and Written Testimony received by Council





A total of 580 pieces of written testimony and attached documents have been received over the past six public hearings or listening posts from November 12, 1996 through February 20, 1997. There have also been approximately 215 individuals that have testified orally before the Council on this matter since November 1996.



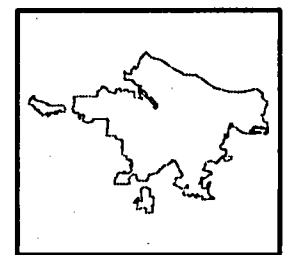
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #1

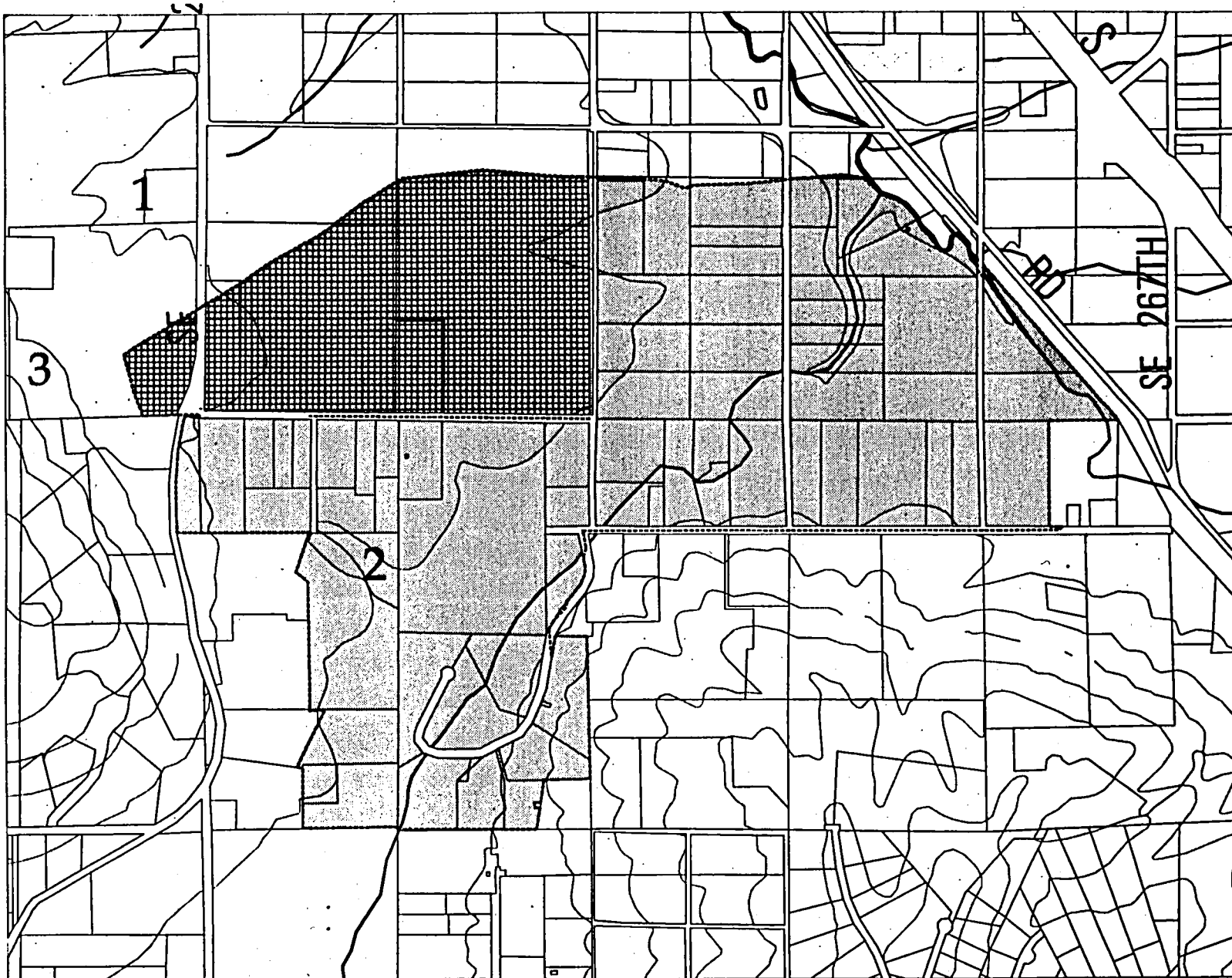


608 NE Grand Ave
Portland, OR 97232-2756
(503) 796-1962



95418\p1\taxmap1.mxd, plot date: March 04, 1997





030697-47 EXHIBIT



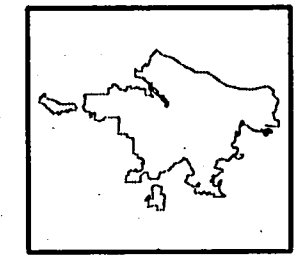
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

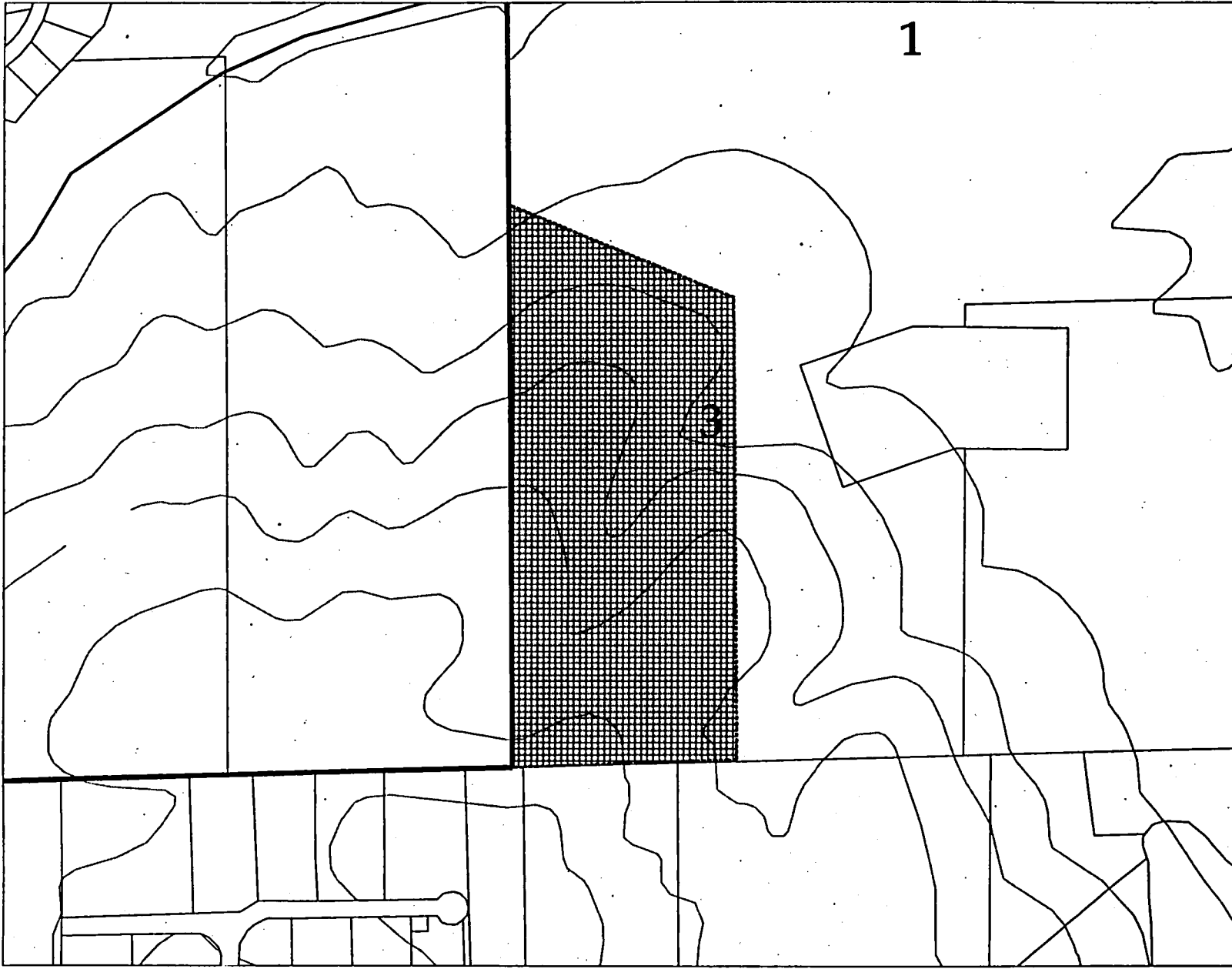
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #2



600 NE Grand Ave
Portland, OR 97232-2756
(503) 797-2962









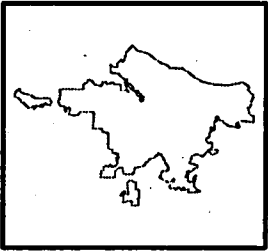
Regional Land Information System

Urban Reserves Tax Lot Boundaries


Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

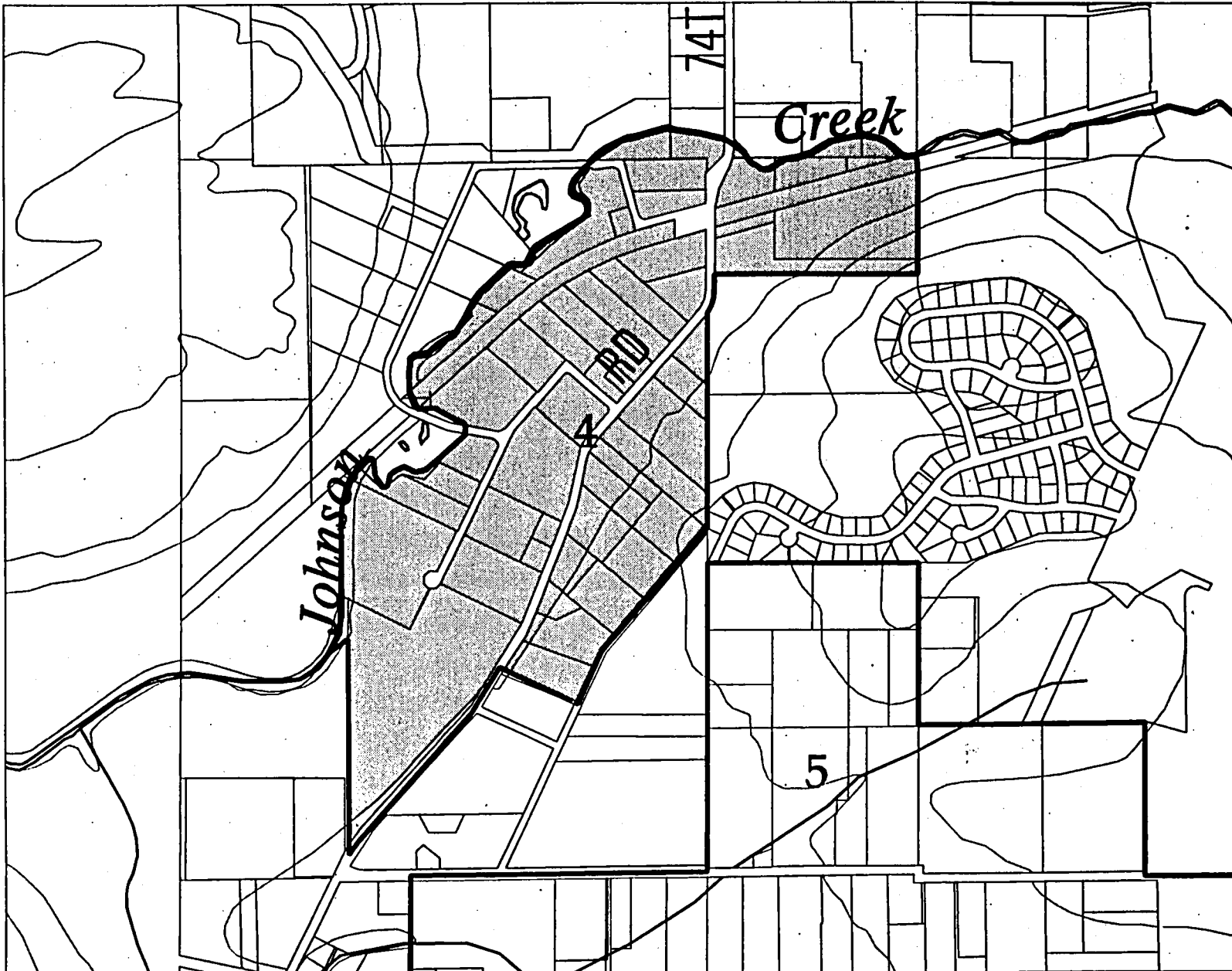
MAP #3



608 NE Grand Ave
Portland, OR 97232-2756
(503) 757-2762







METRO




Regional Land Information System

Urban Reserves Tax Lot Boundaries


Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

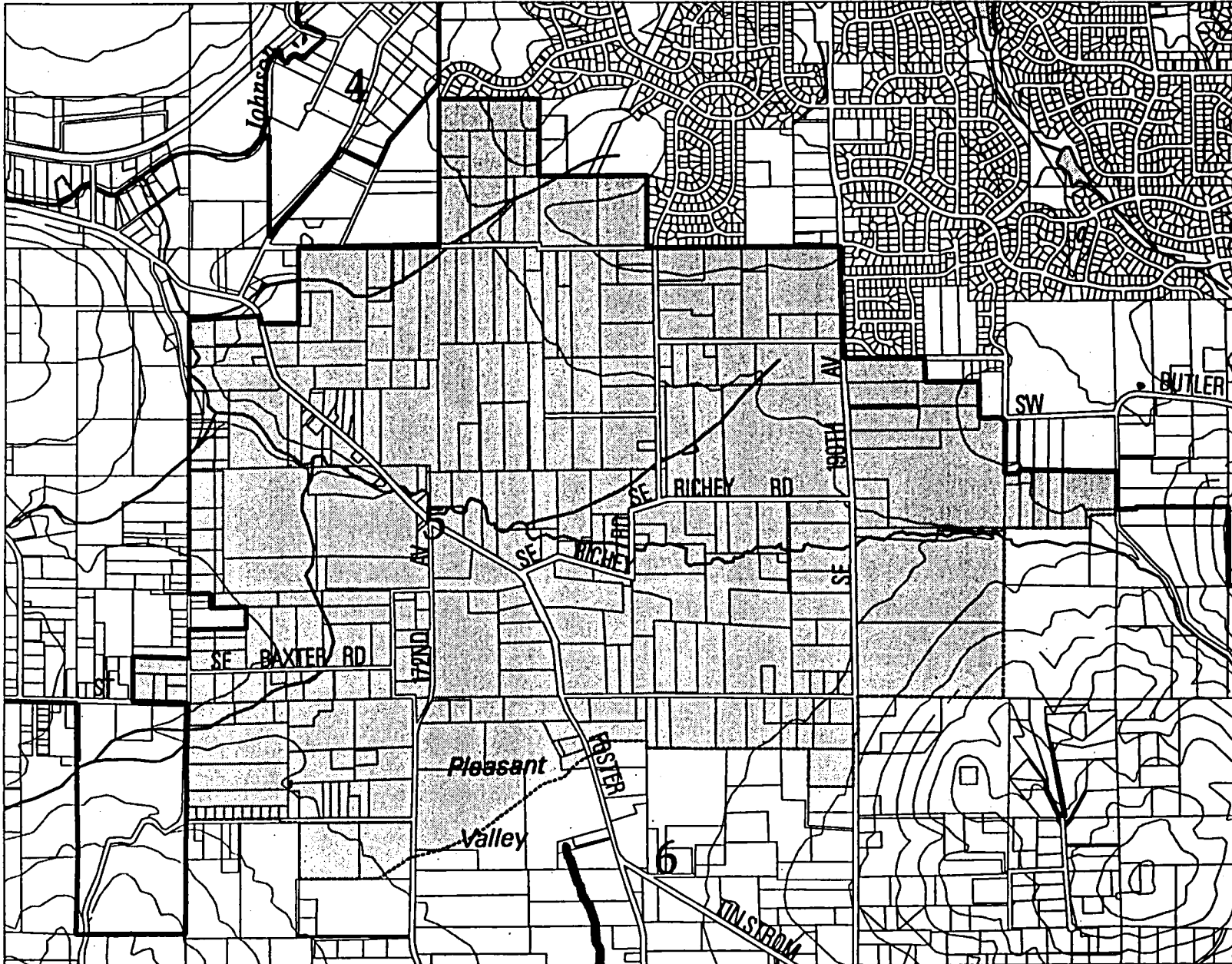
MAP #4



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-2762







METRO



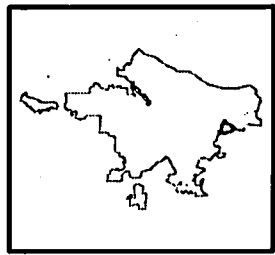
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

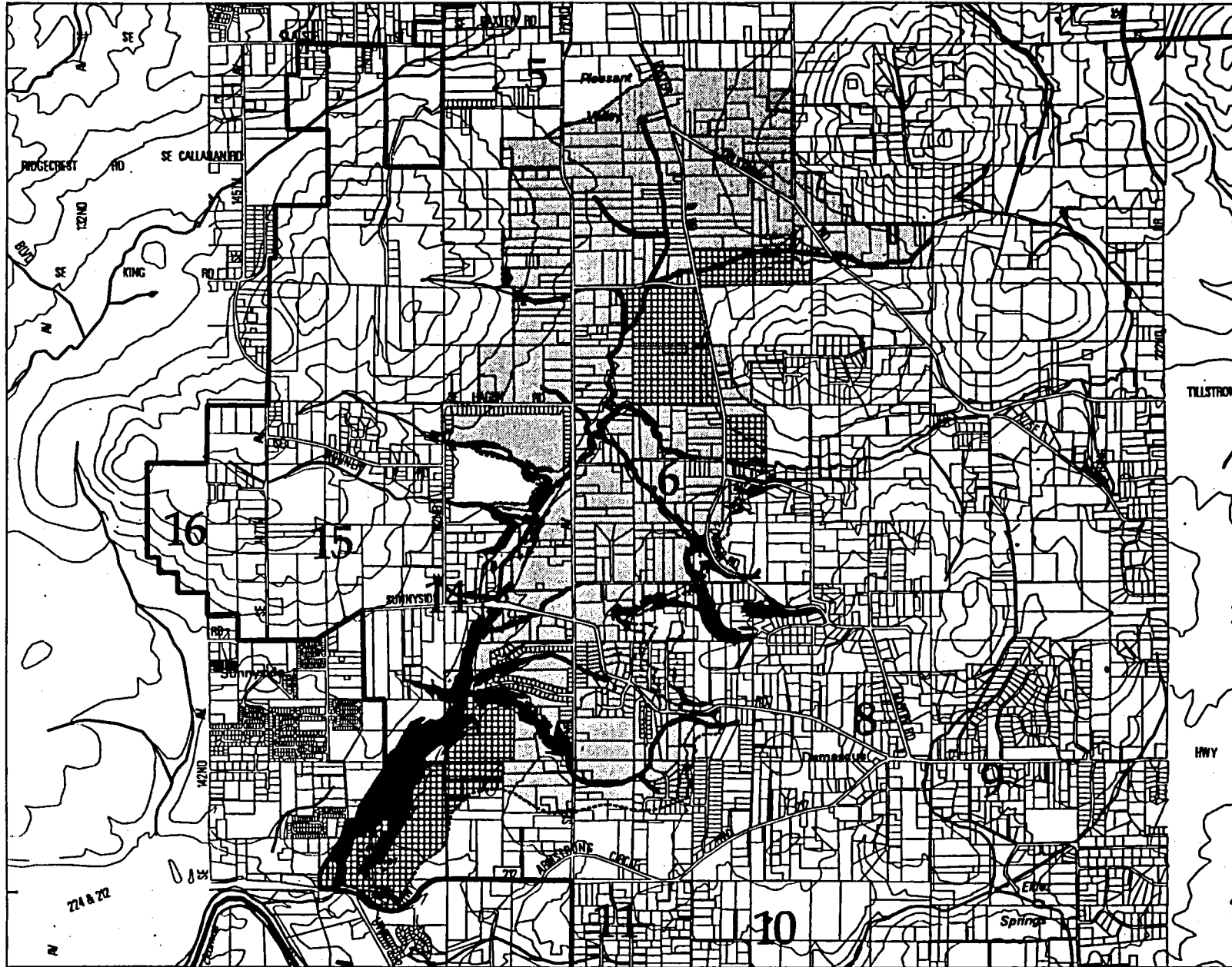
MAP #5



600 NE Grand Ave
Portland, OR 97232-2754
(503) 799-1262







95-618/pltsmattva.sml, plot date: March 04, 1997



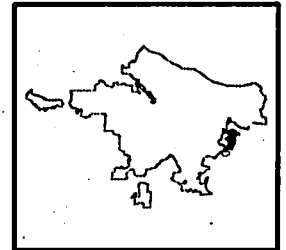
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

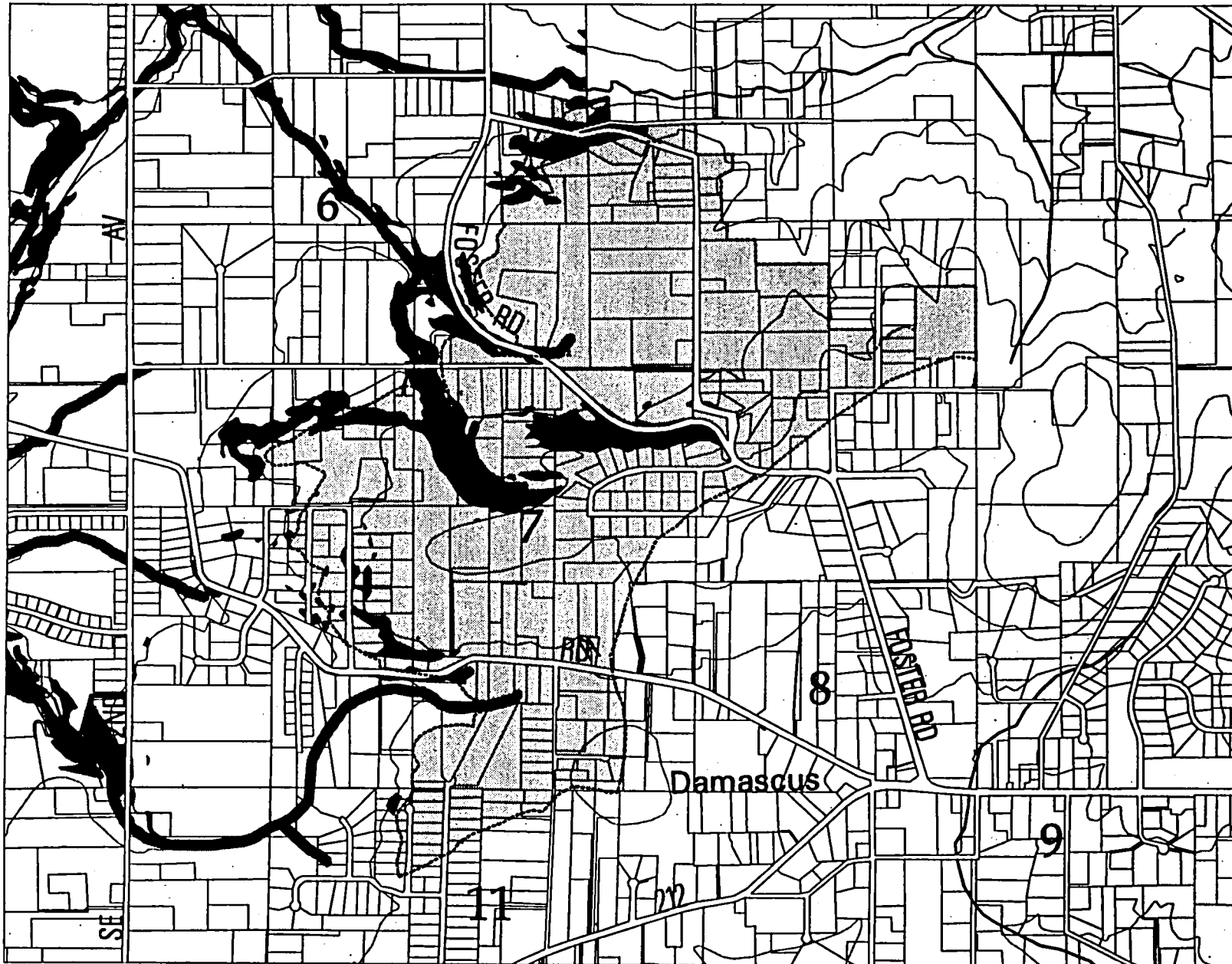
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #6



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-2942









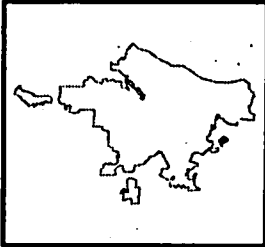
Regional Land Information System

Urban Reserves Tax Lot Boundaries


Metro Council Decision
2-27-97

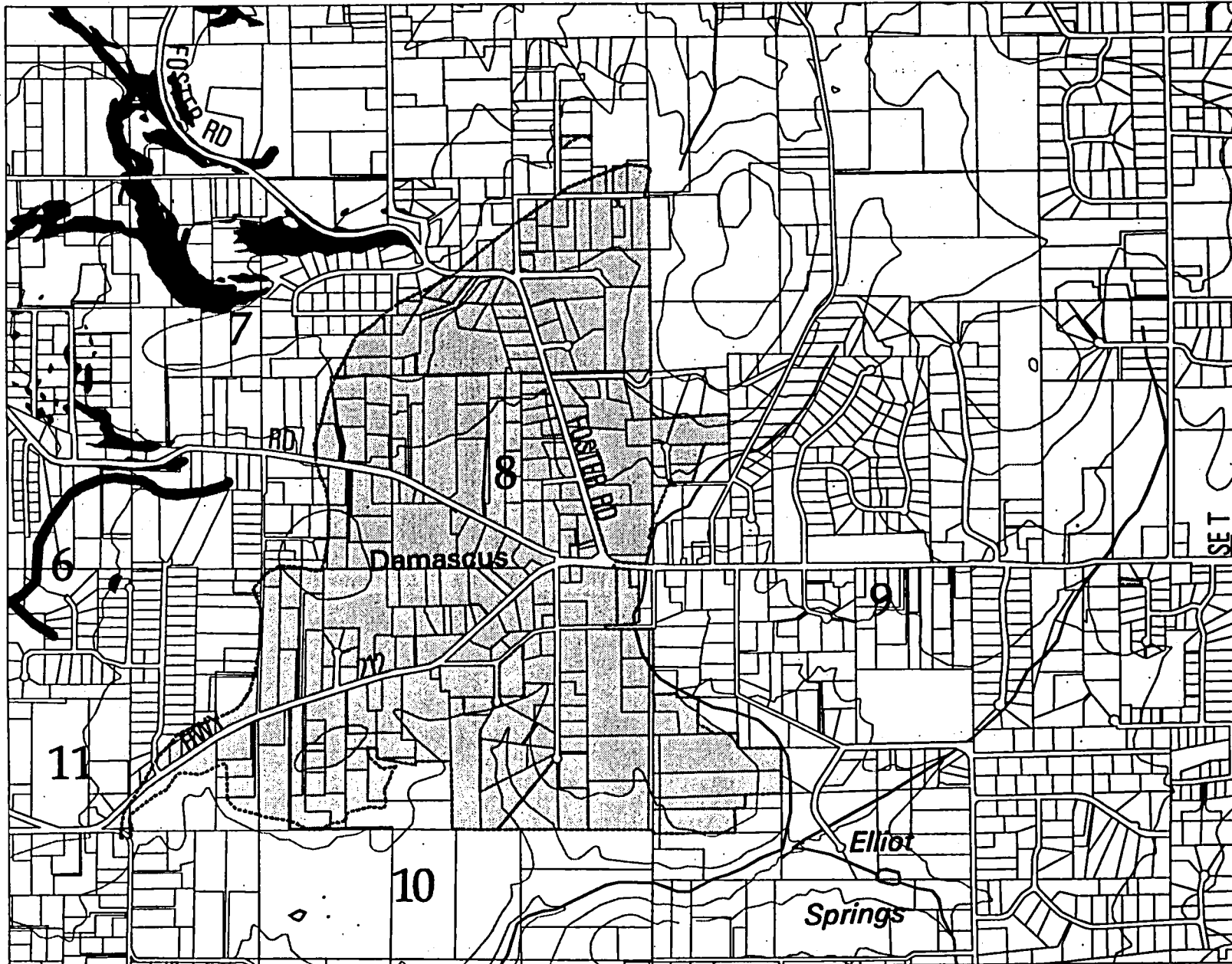
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #7



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-3762









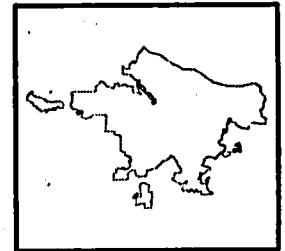
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

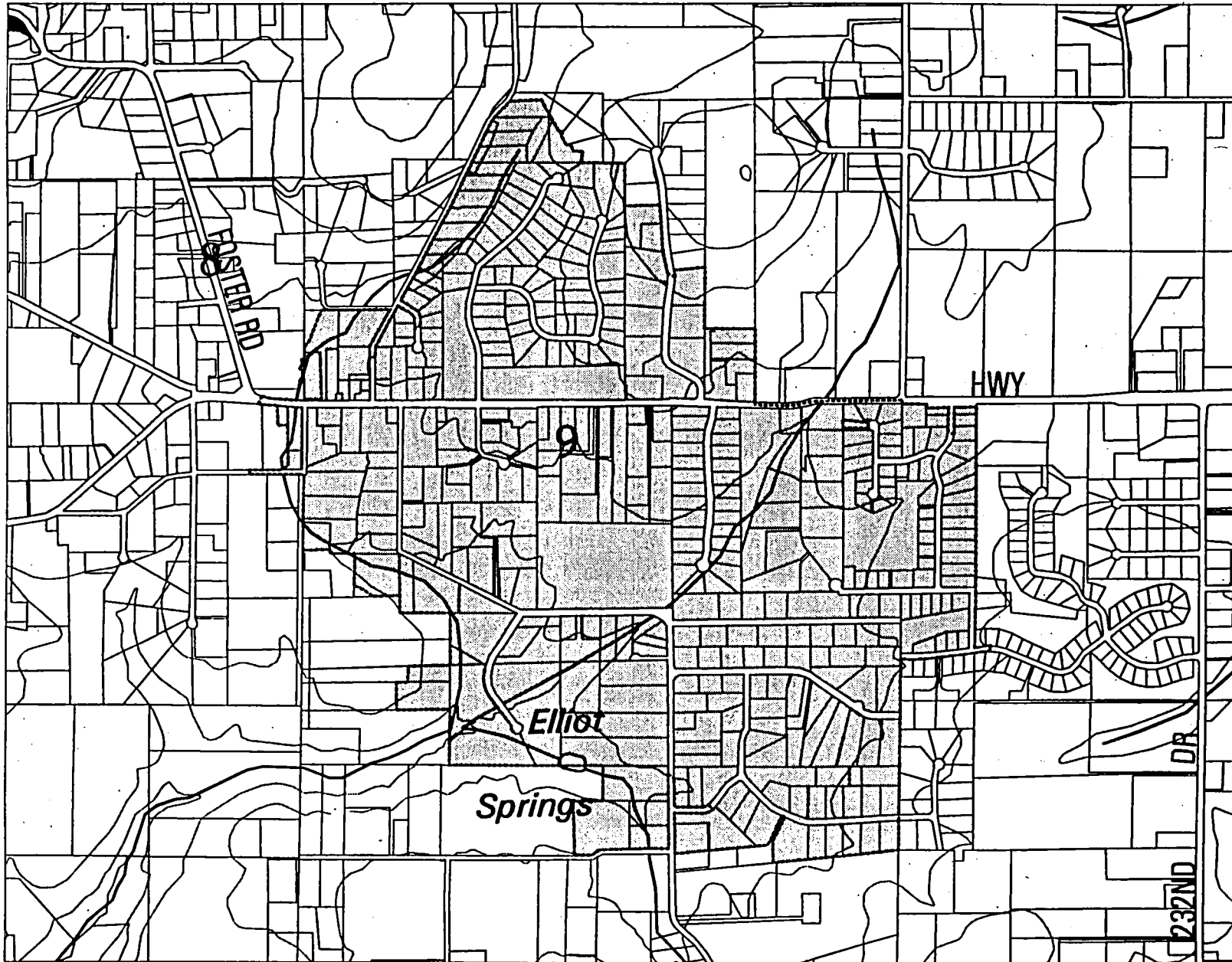
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #8







600 NE Grand Ave
Portland, OR 97232-2734
(503) 799-2922



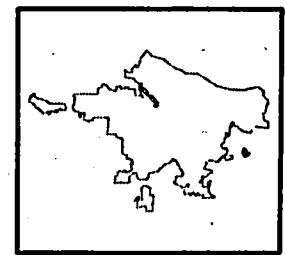


Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

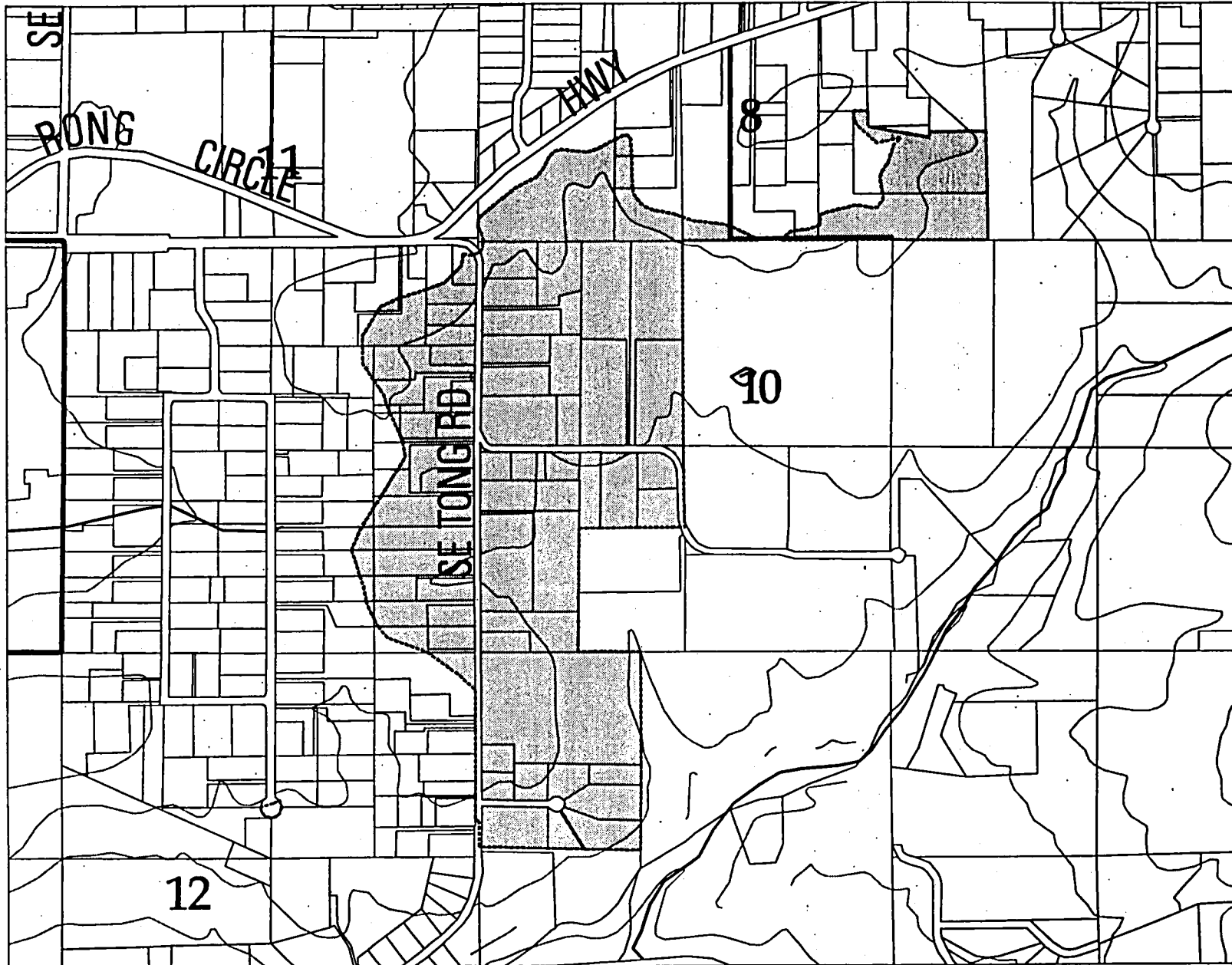
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #9



600 NE Grand Ave
Portland, OR 97232-2756
(503) 799-1212









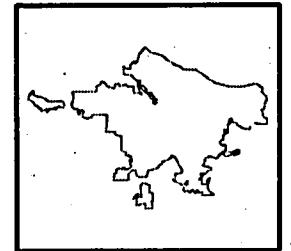
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

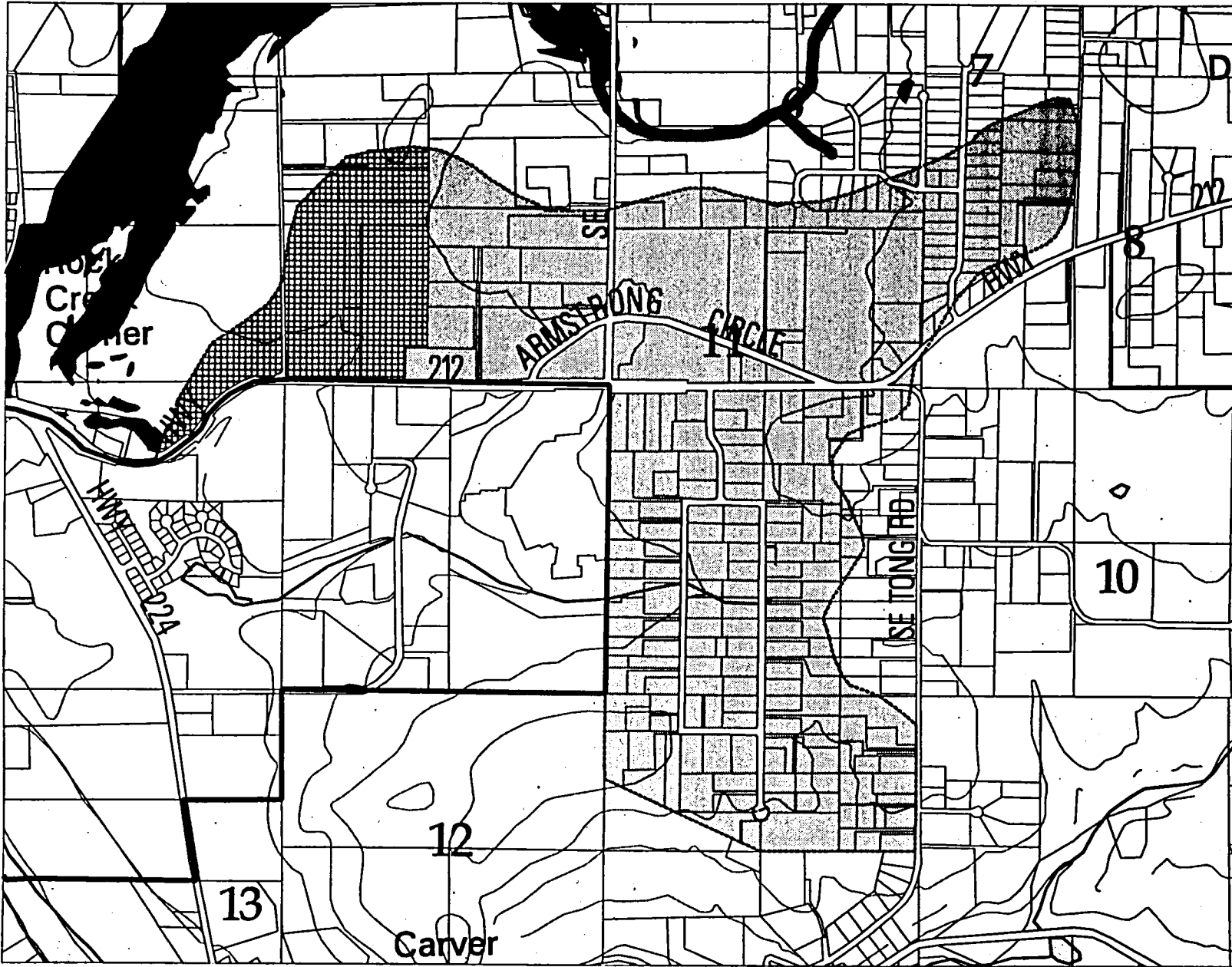
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #10







600 NE Grand Ave
Portland, OR 97232-2794
(503) 779-2942



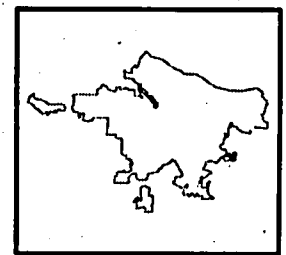


Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

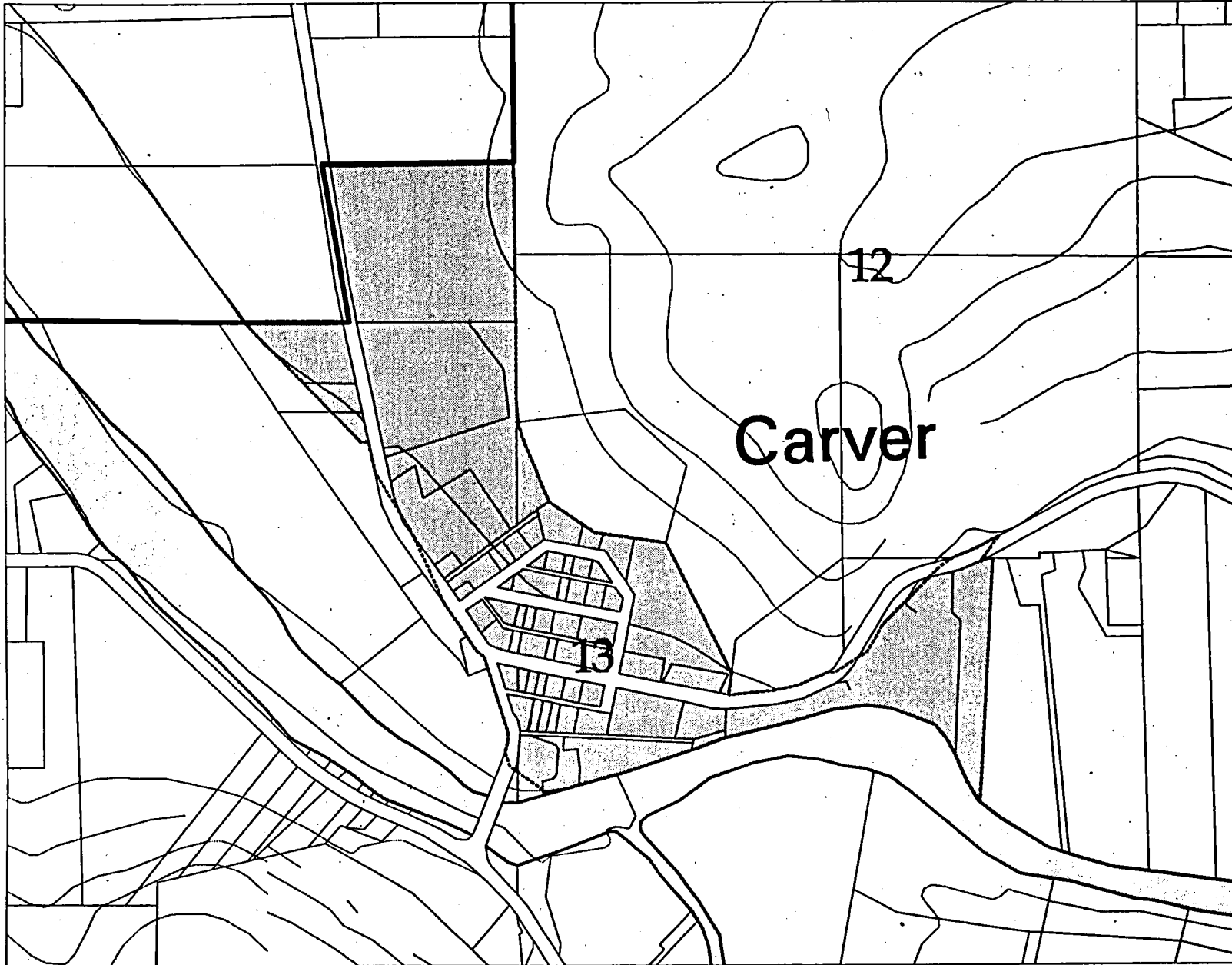
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #11



600 NE Canal Ave
Portland, OR 97232-2756
(503) 779-3762









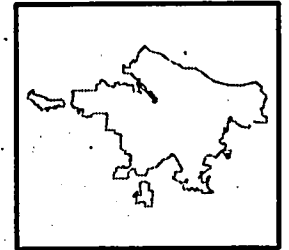
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

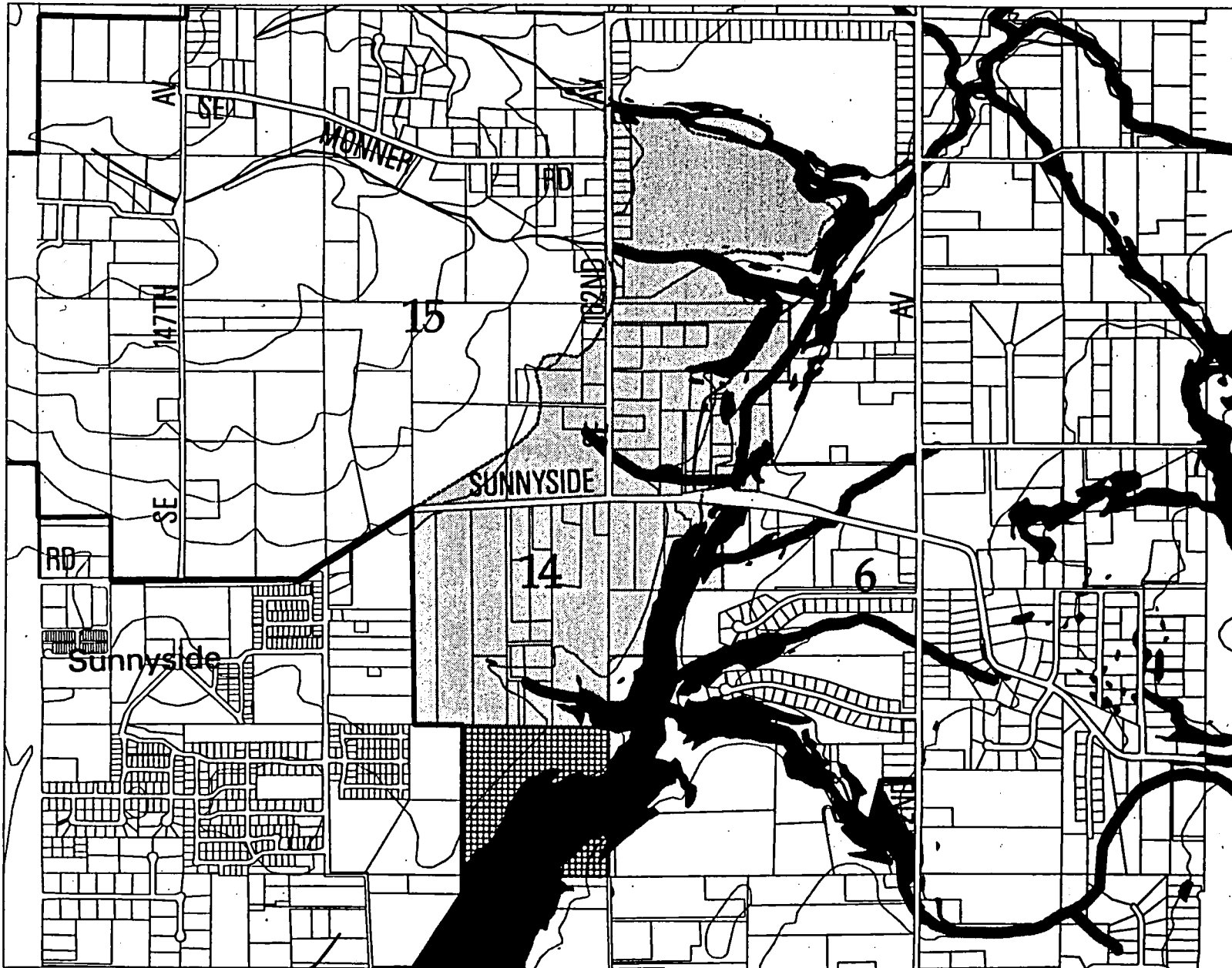
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #13



600 NE Grand Ave
Portland, OR 97232-2734
(503) 797-3962









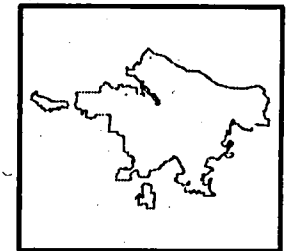
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

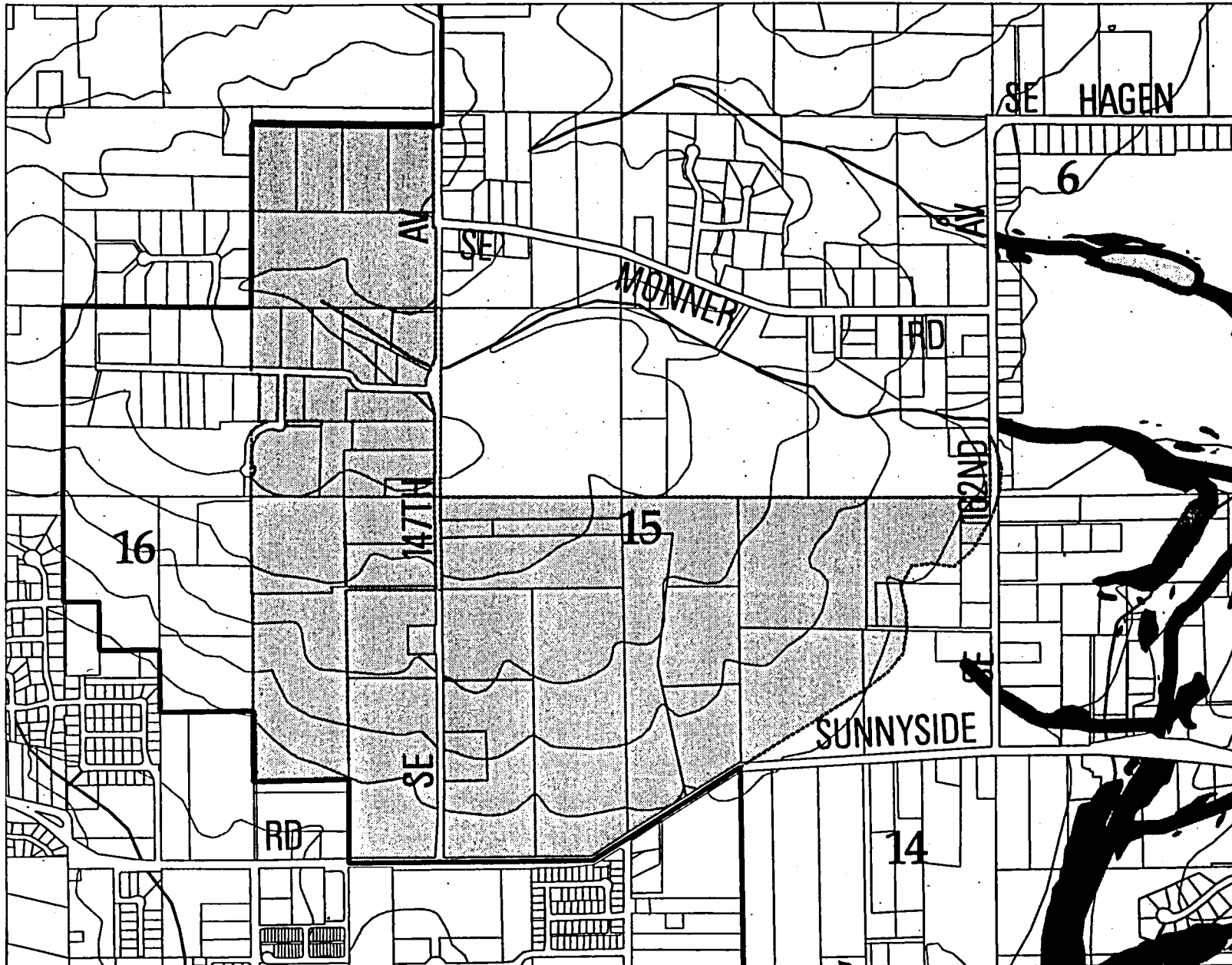
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #14







600 NE Grand Ave
Portland, OR 97232-2754
(503) 797-2982



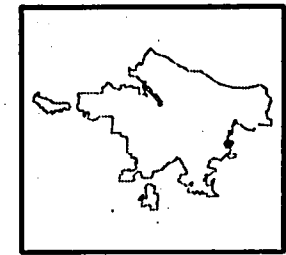


Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

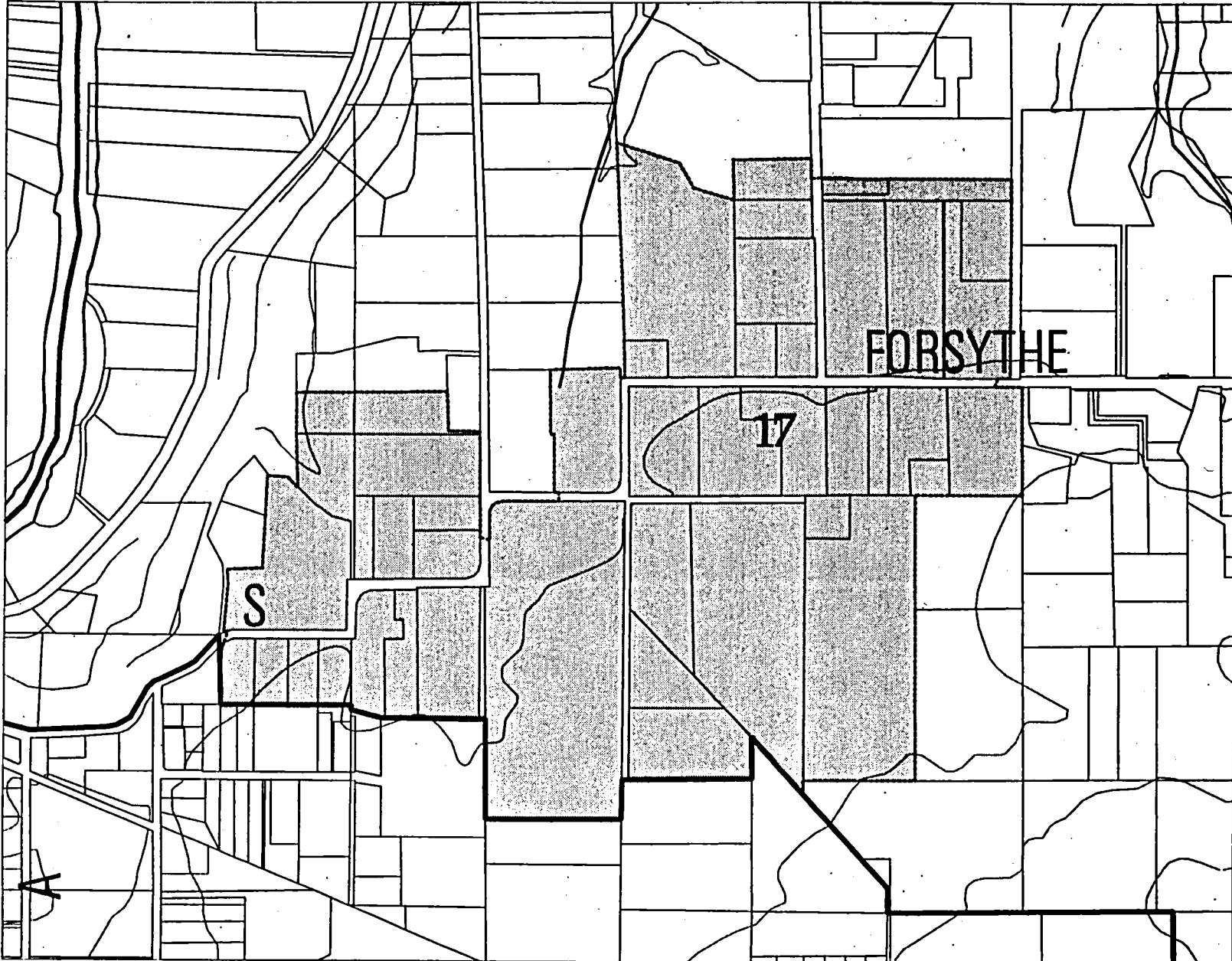
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #15







600 NE Grand Ave
Portland, OR 97232-2736
(503) 777-1302



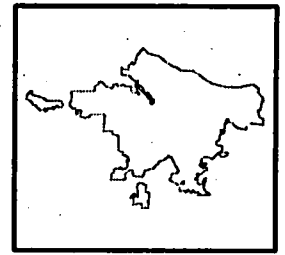


Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #17







609 NE Grand Ave
Portland, OR 97232-3736
(503) 797-1242



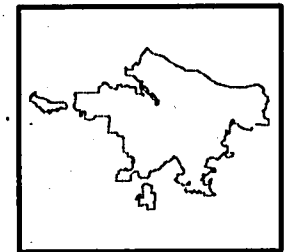
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

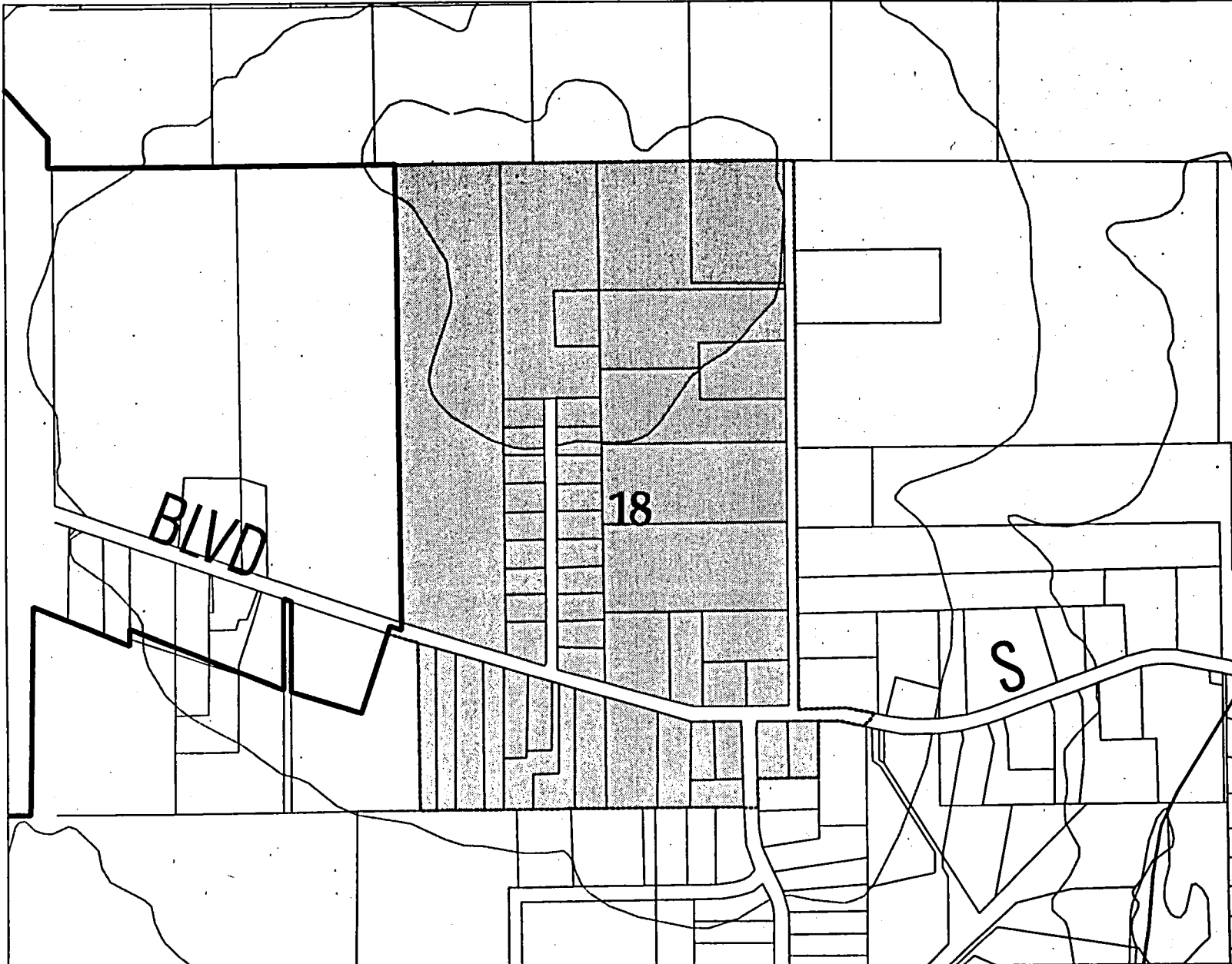
Metro Council Decision
2-27-97

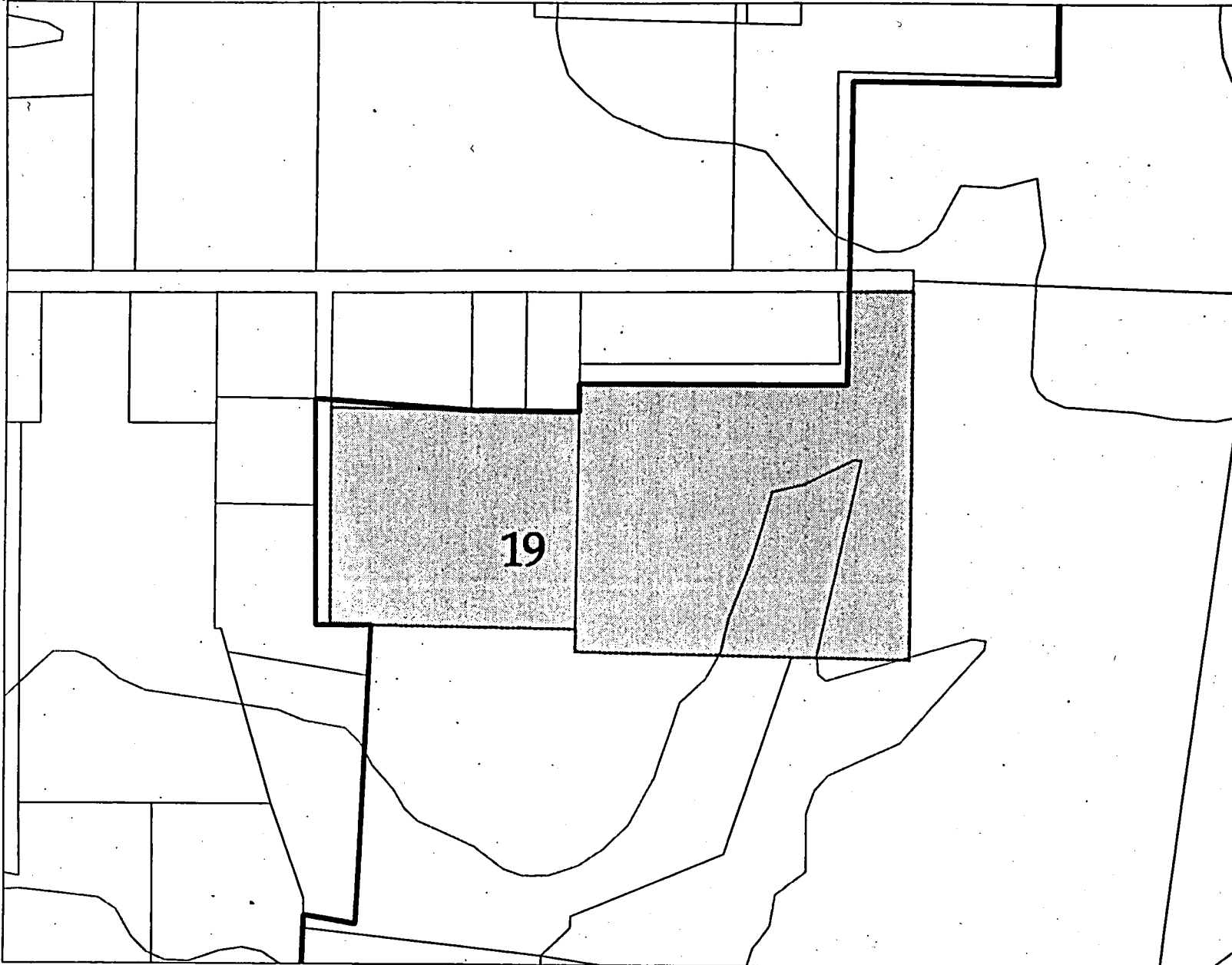
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #18







600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-5742



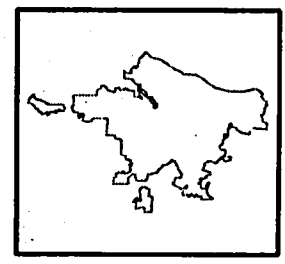


Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

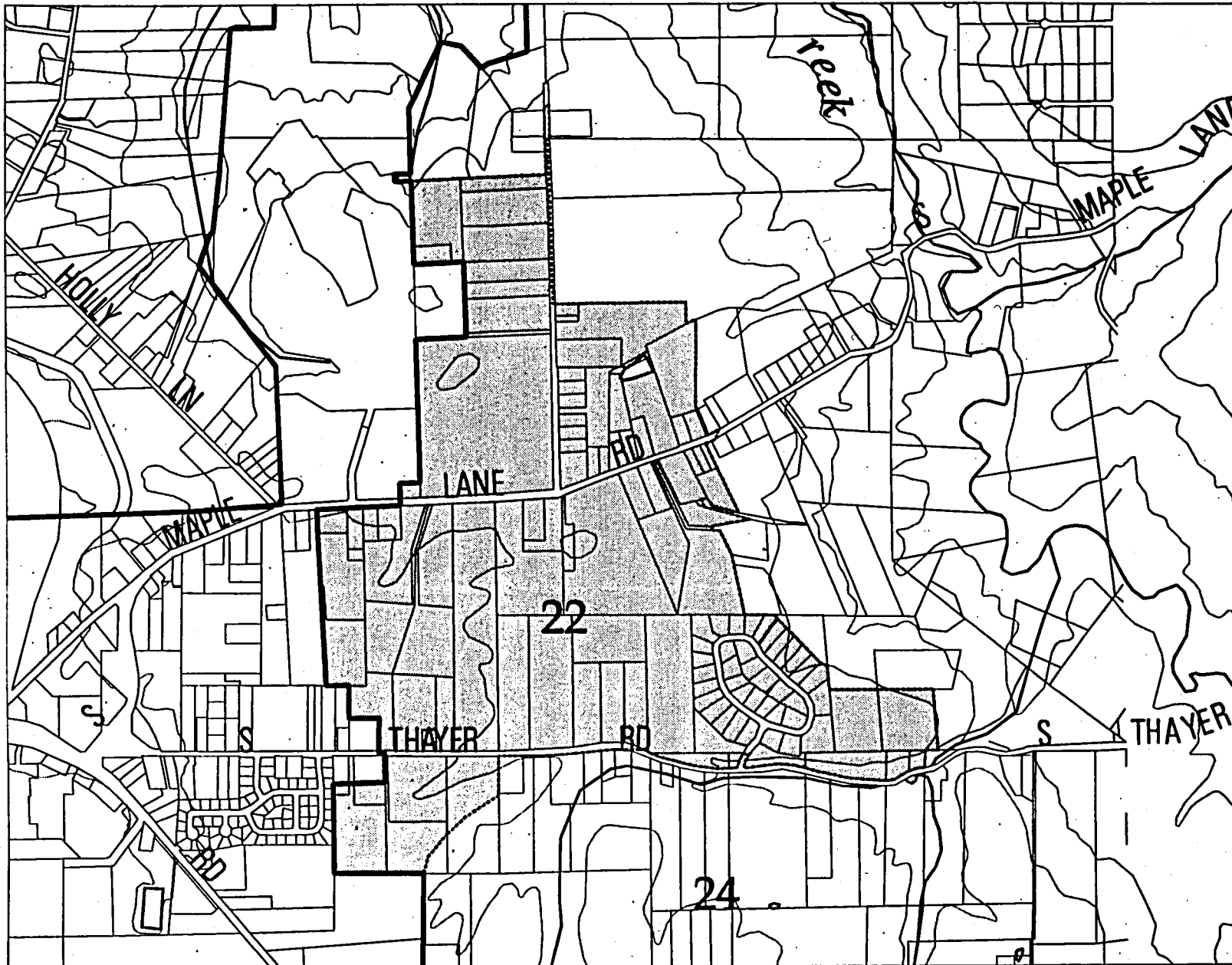
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #19



609 NE Grand Ave
Portland, OR 97232-2796
(503) 797-2962









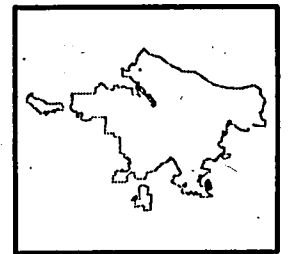
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #22



609 NE Grand Ave
Portland, OR 97232-2796
(503) 797-2762



22





23

24

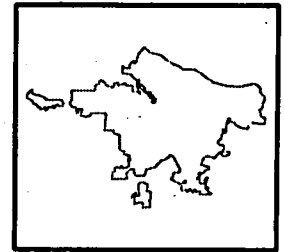
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

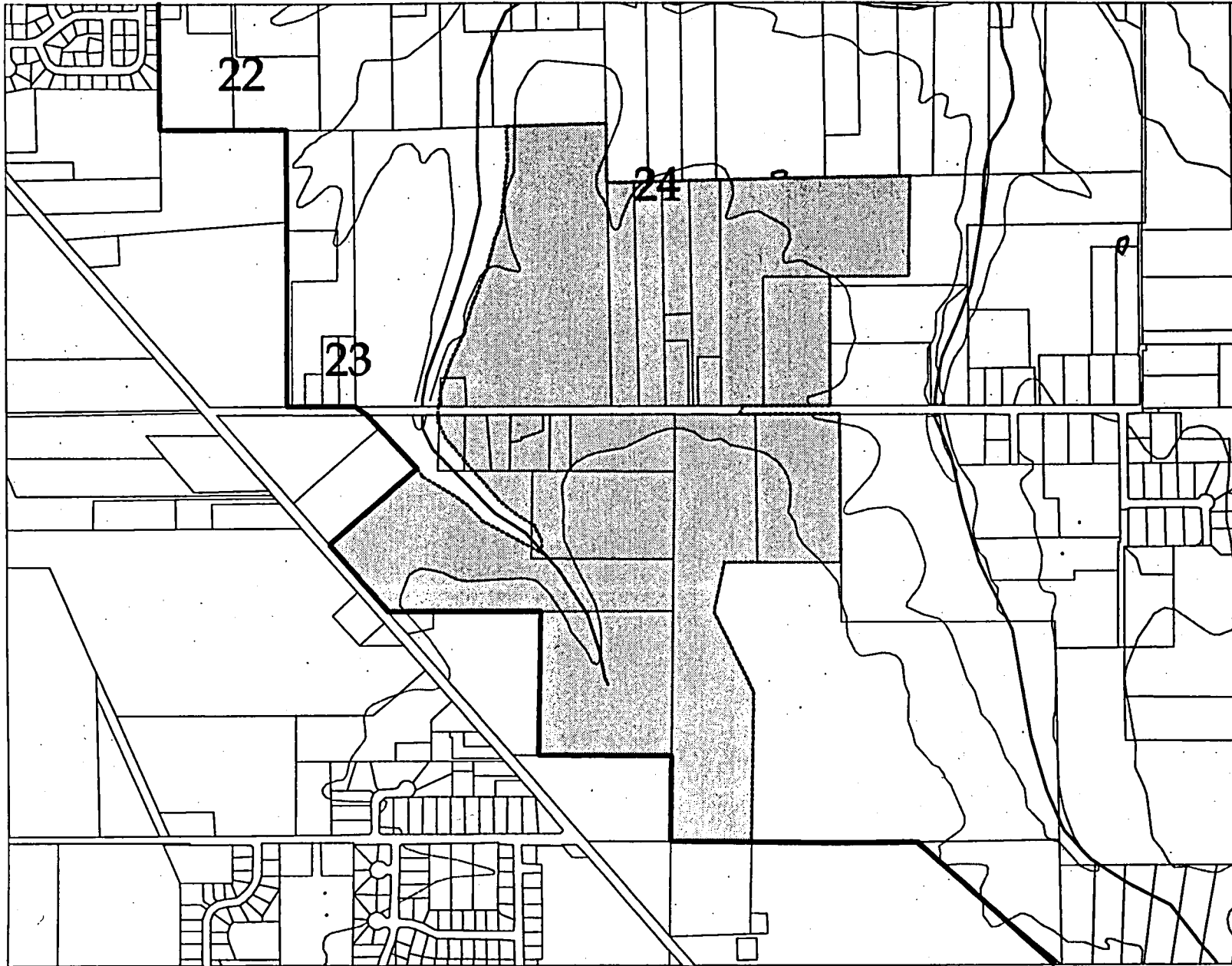
MAP #23



600 NE Grand Ave
Portland, OR 97232-3756
(503) 777-1212







METRO



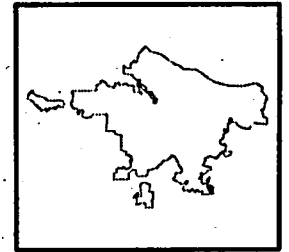
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

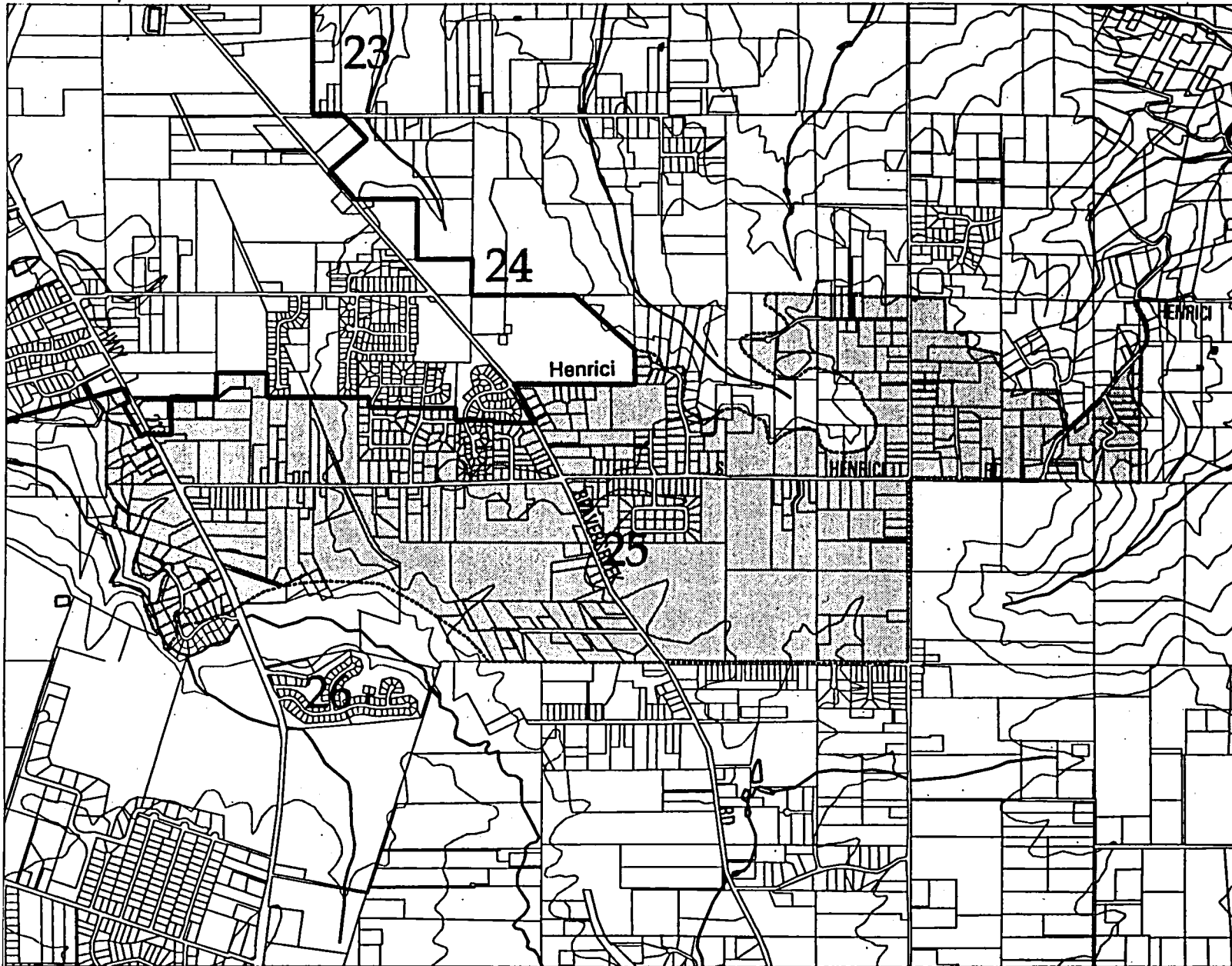
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #24



600 NE Grand Ave
Portland, OR 97232-2794
(503) 797-1942









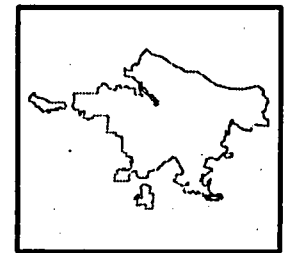
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

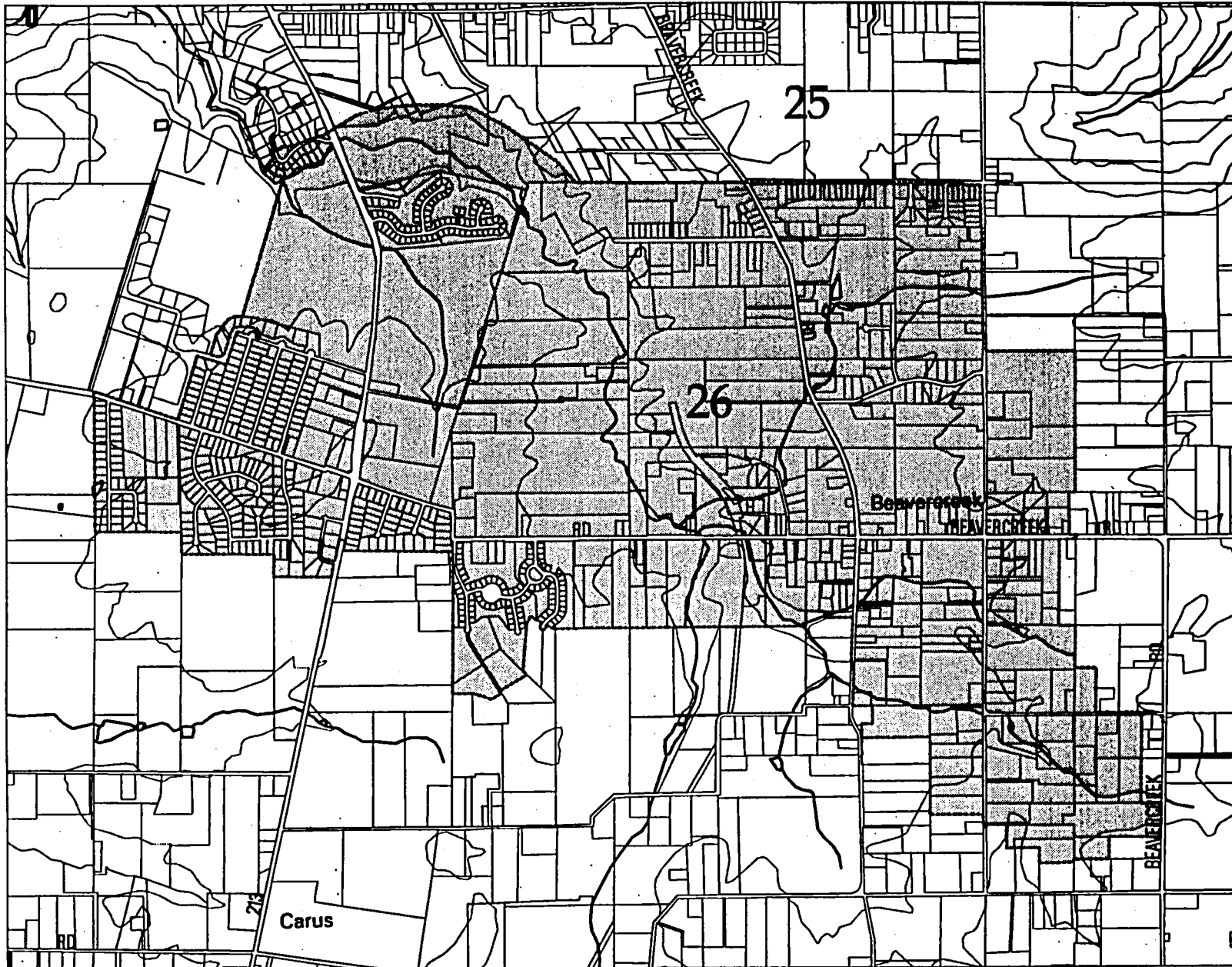
MAP #25



608 NE Grand Ave
Portland, OR 97232-2736
(503) 777-1242







METRO



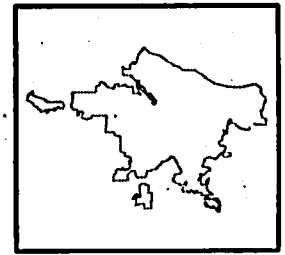
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

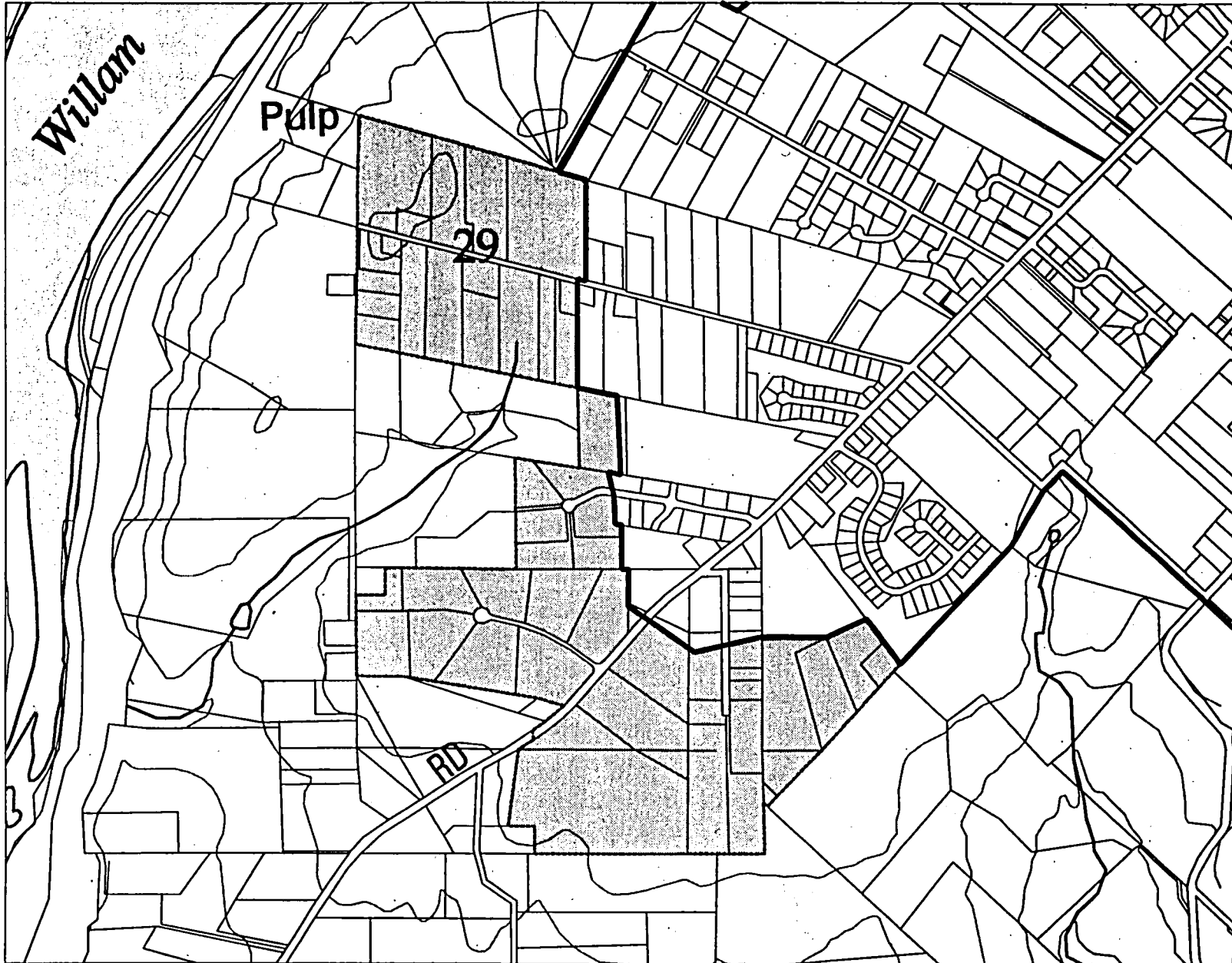
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #26



600 NE Grand Ave
Portland, OR 97232-2756
(503) 797-1262









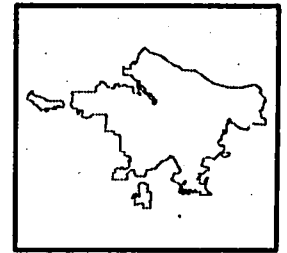
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #29



609 NE Grand Ave
Portland, OR 97232-3756
(503) 587-2962









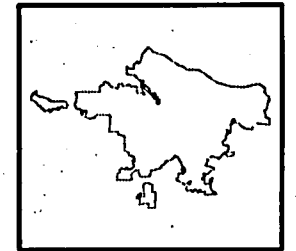
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

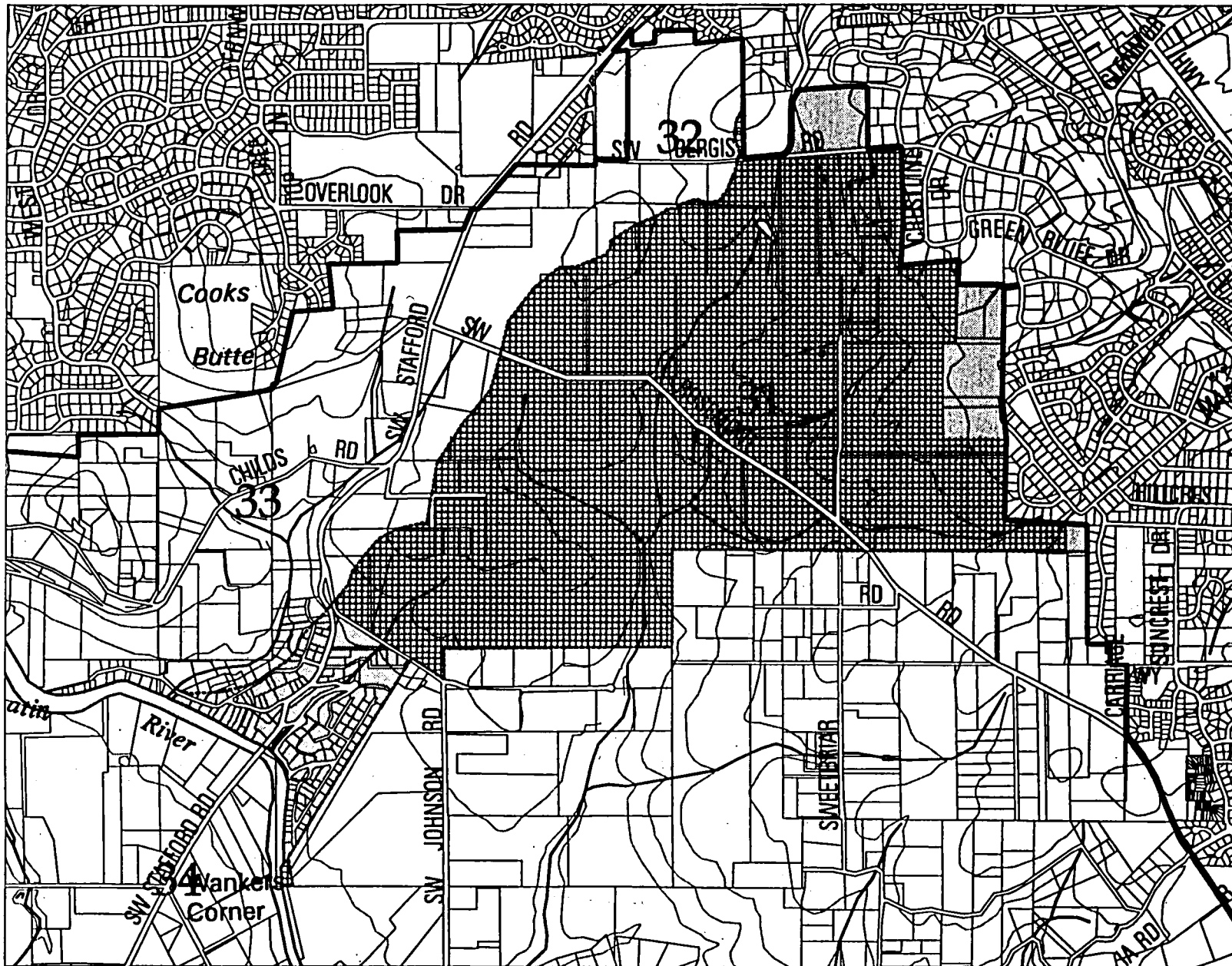
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #30



600 NE Grand Ave
Portland, OR 97232-2754
(503) 797-1902









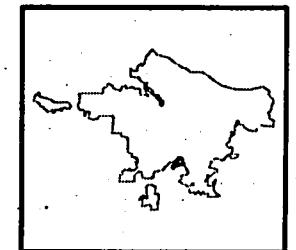
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

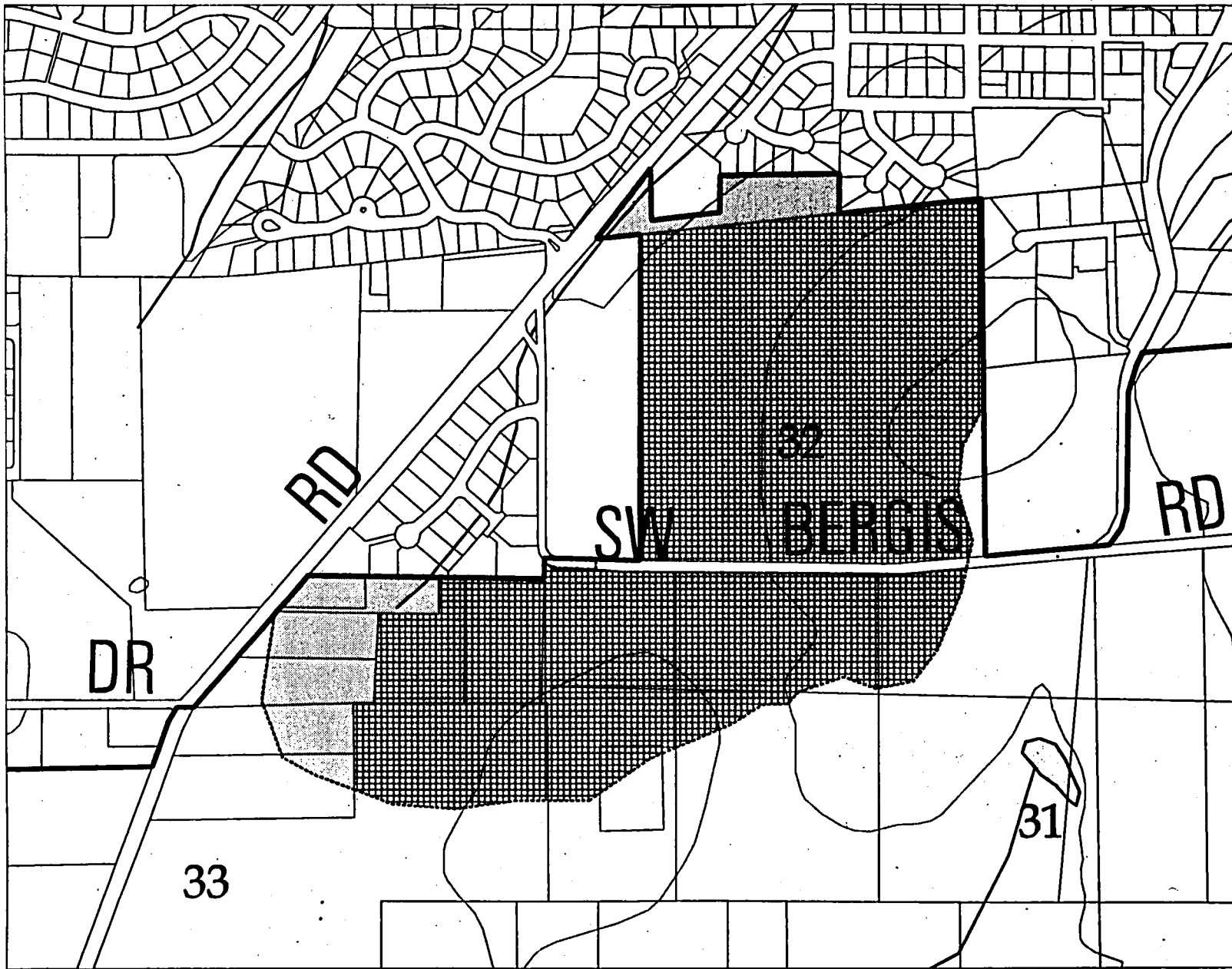
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #31



609 NE Grand Ave
Portland, OR 97232-2756
(503) 797-1962









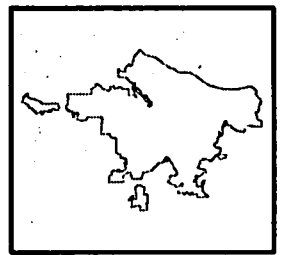
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

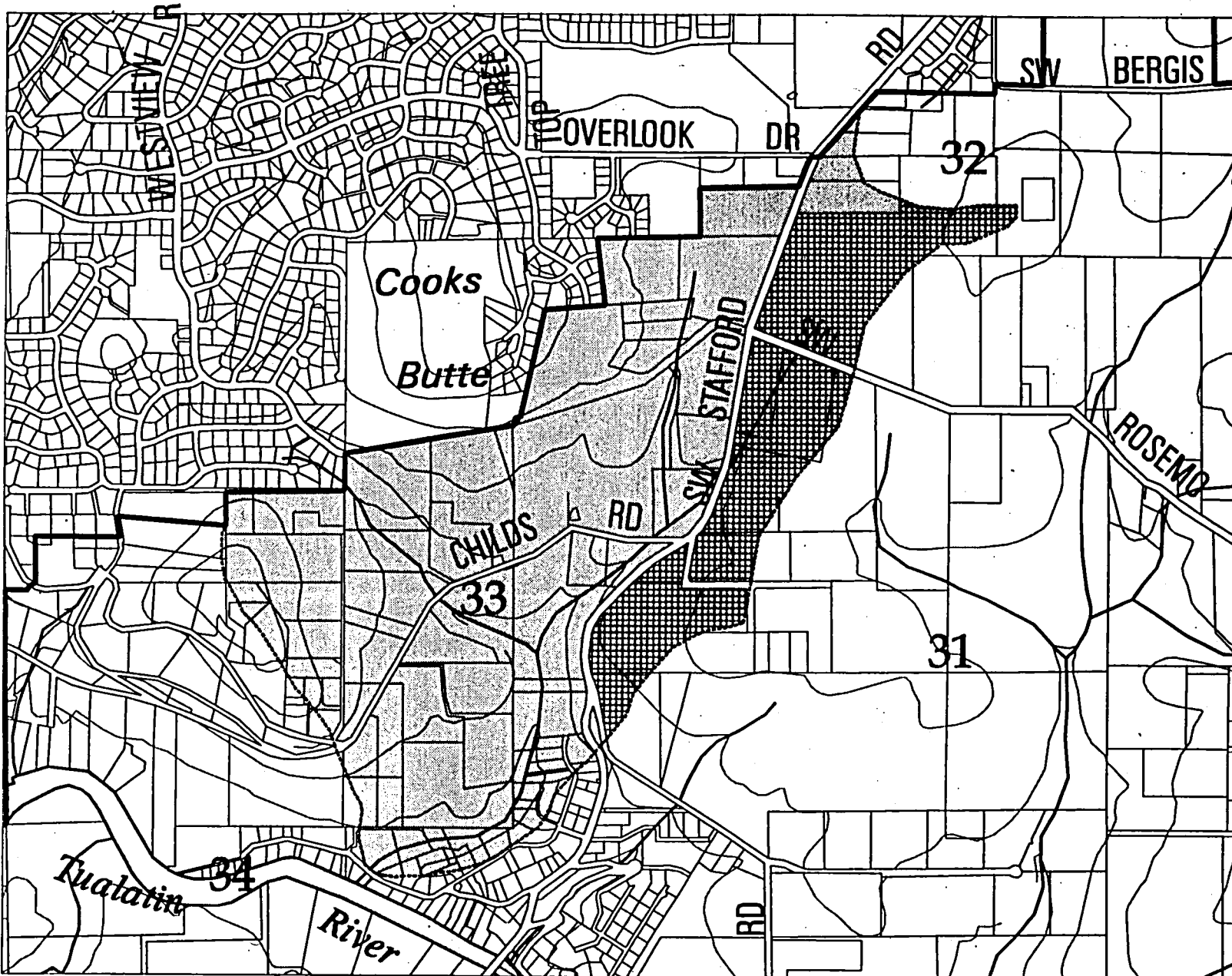
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #32



600 NE Grand Ave
Portland, OR 97232-3754
(503) 797-3762









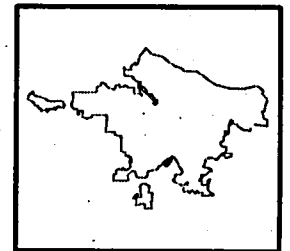
Regional Level
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

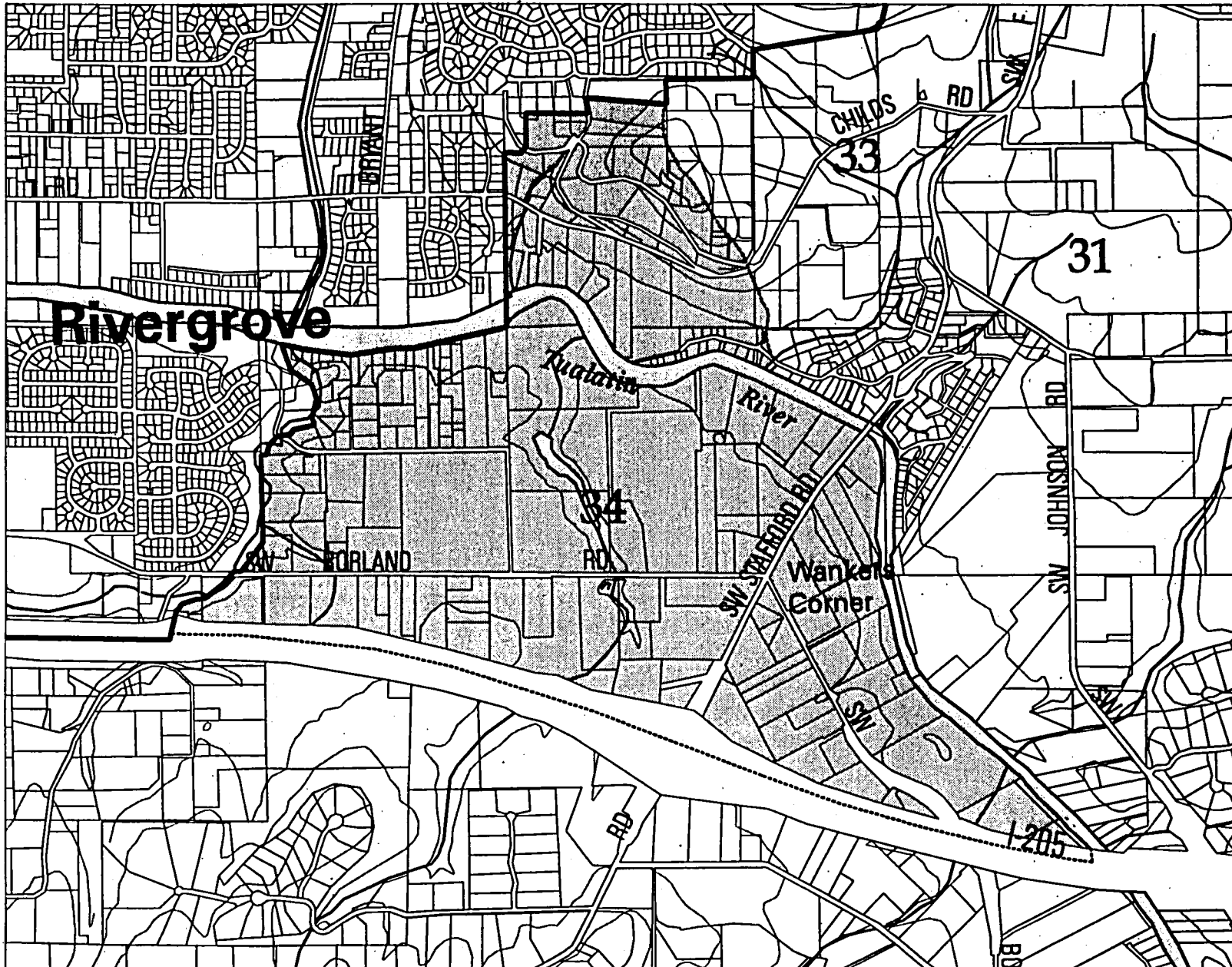
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #33



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-2962









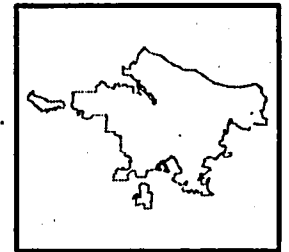
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

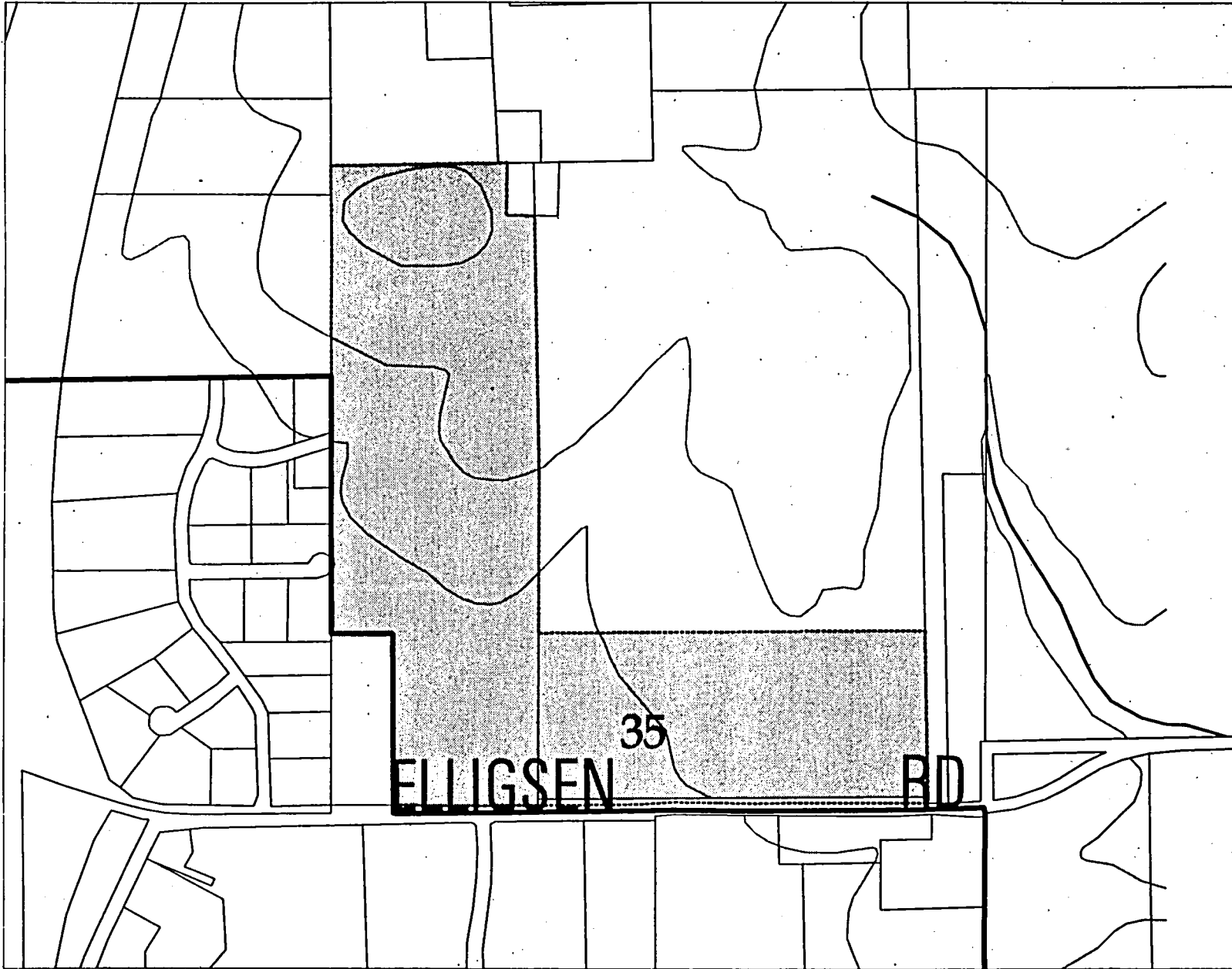
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #34



600 NE Grand Ave
Portland, OR 97232-2754
(503) 777-0742









R E L I S

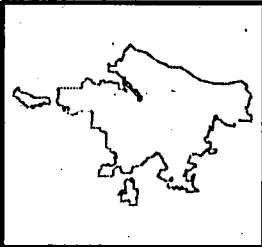
Regional Land Information System

Urban Reserves Tax Lot Boundaries


Metro Council Decision
2-27-97

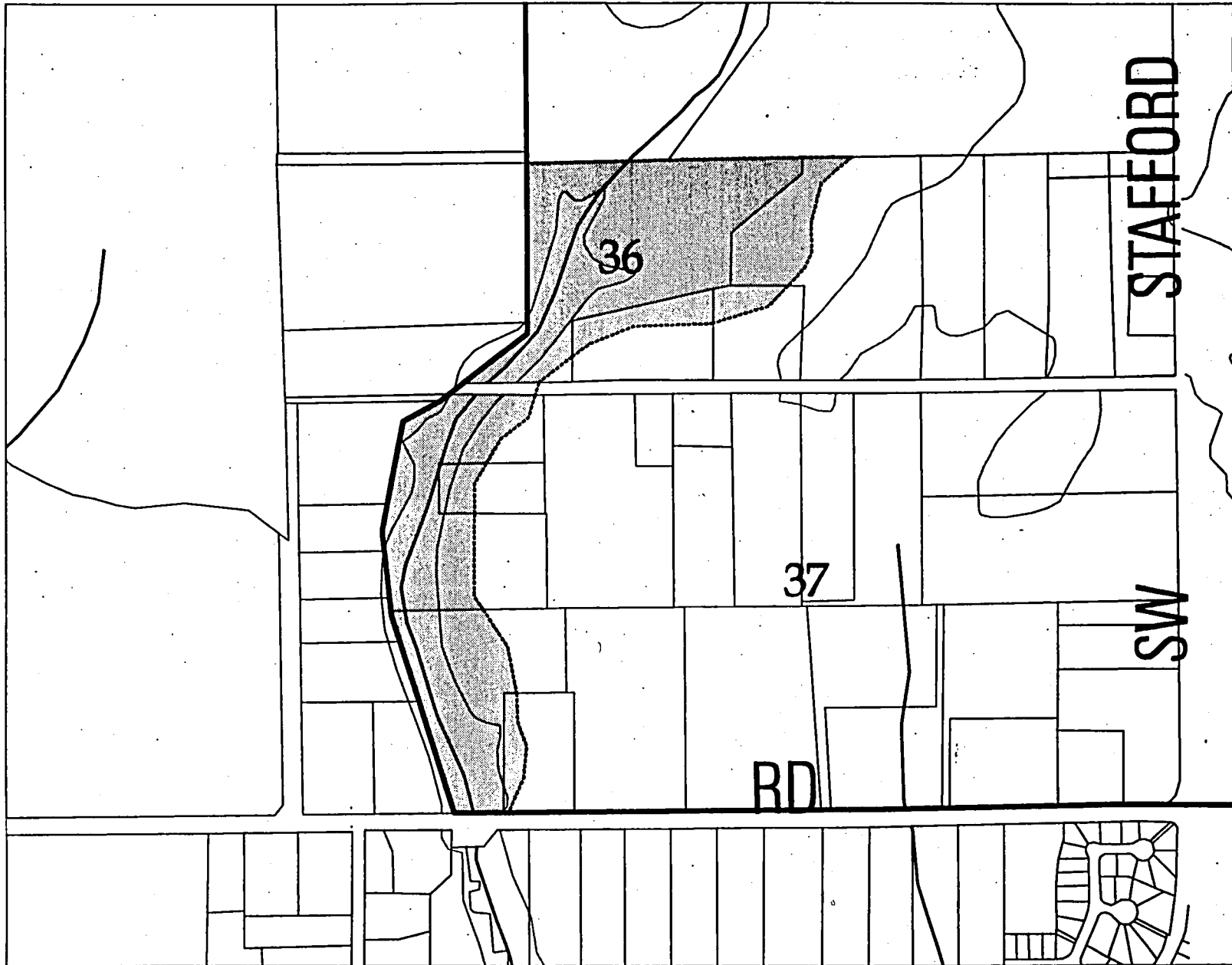
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #35



800 NE Grand Ave
Portland, OR 97232-2754
(503) 777-1242









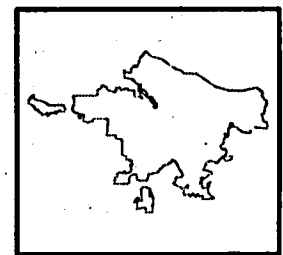
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

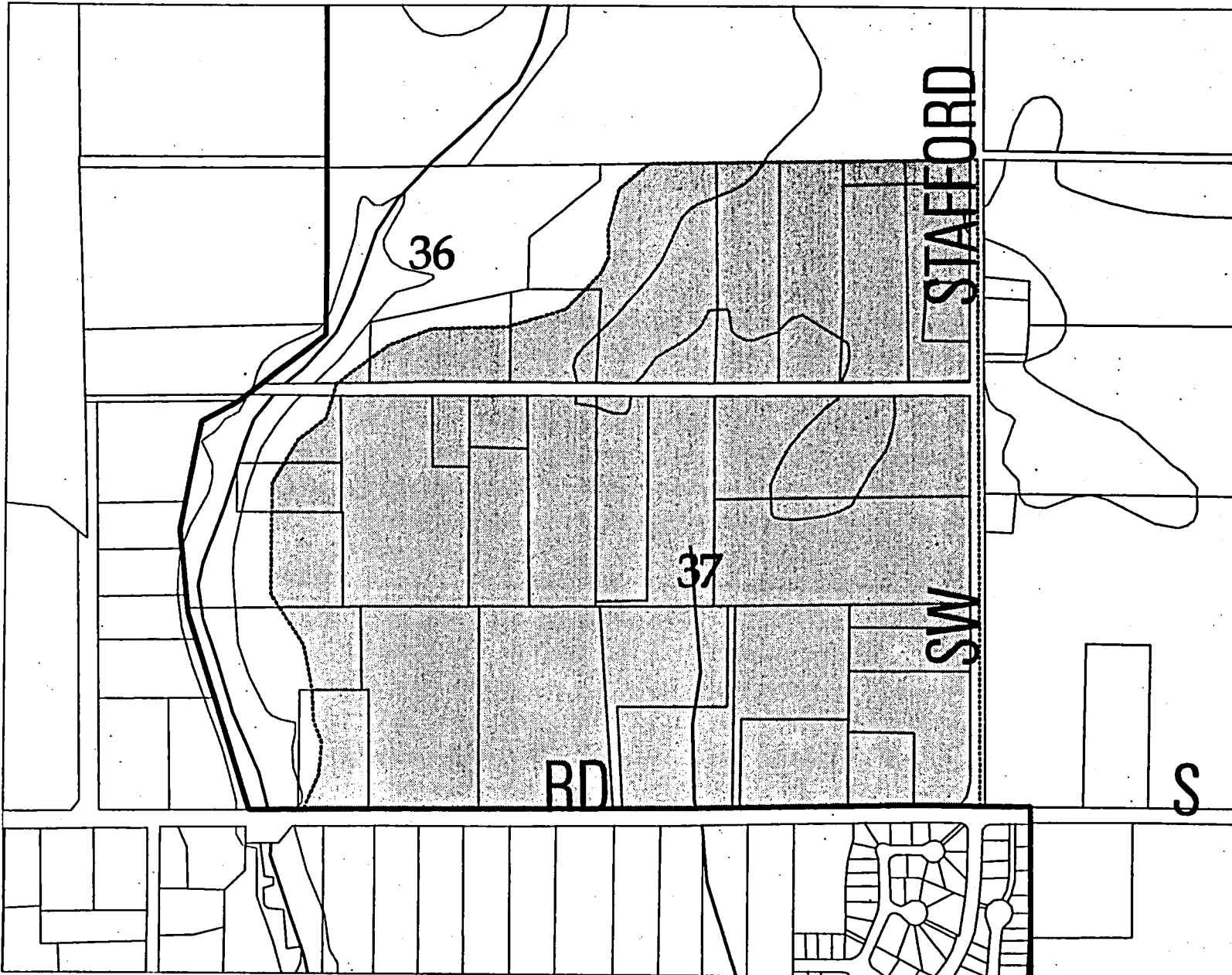
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #36







600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-2742



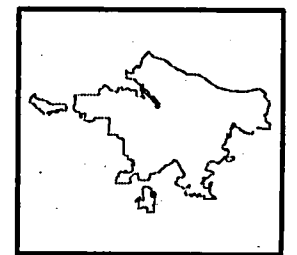


Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

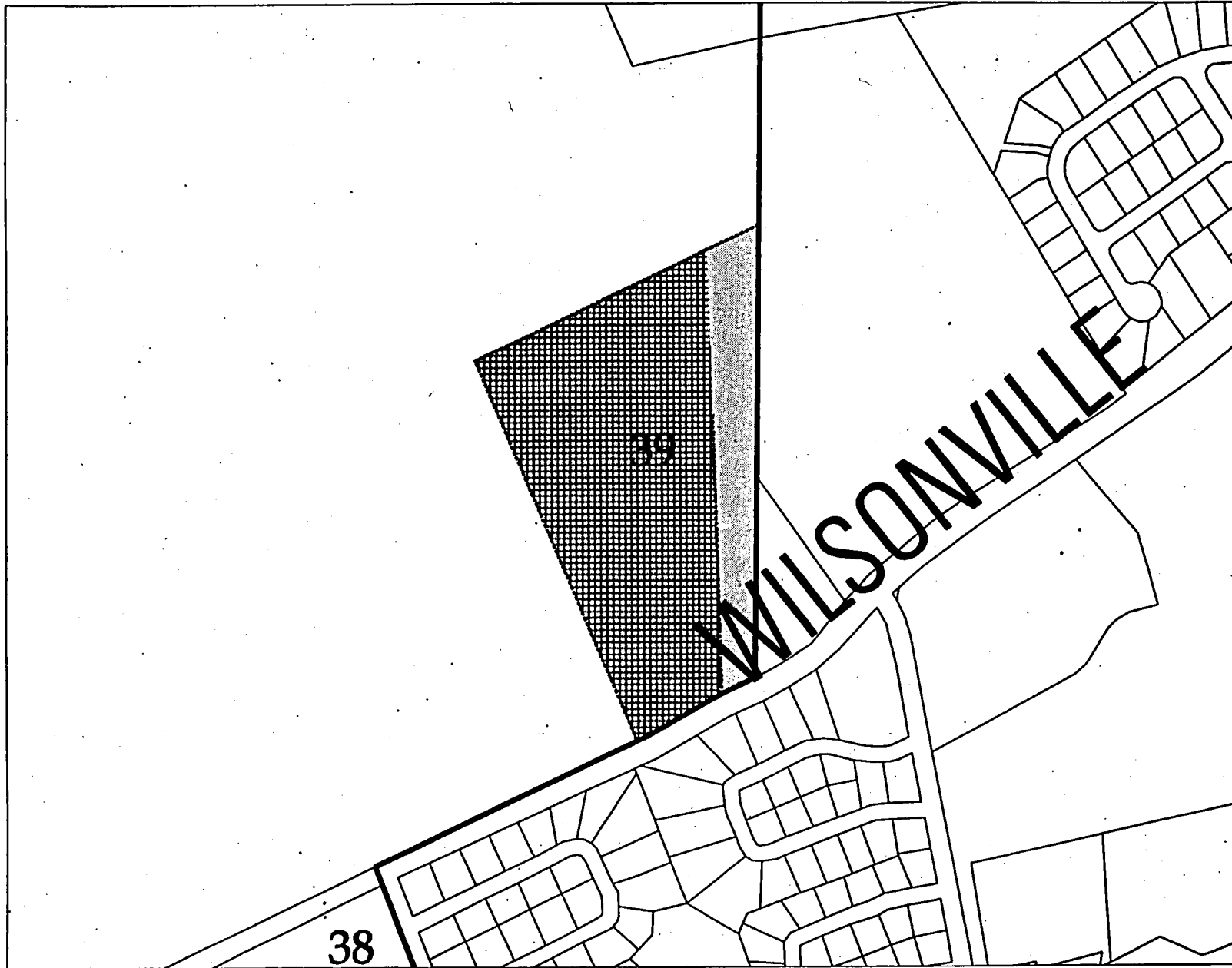
-  Designated Urban Reserves
-  Resource Lands within Urban Reserve
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #37



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-2762









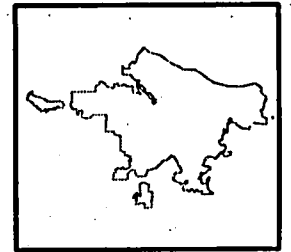
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

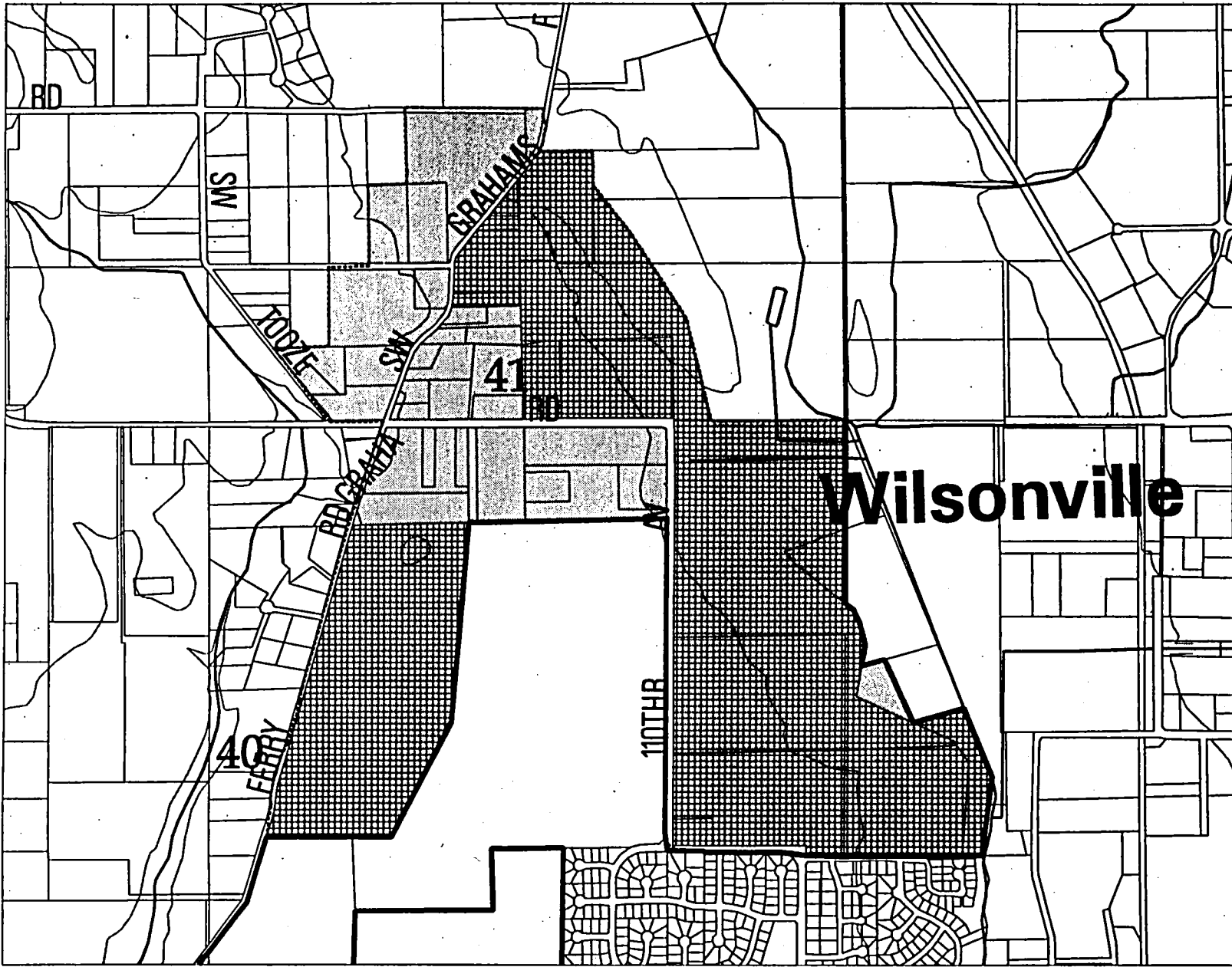
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #39







600 NE Grand Ave
Portland, OR 97231-3736
(503) 797-3922





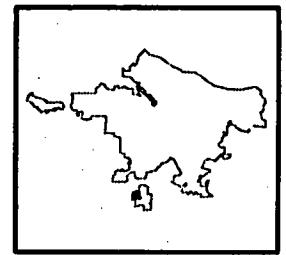
Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

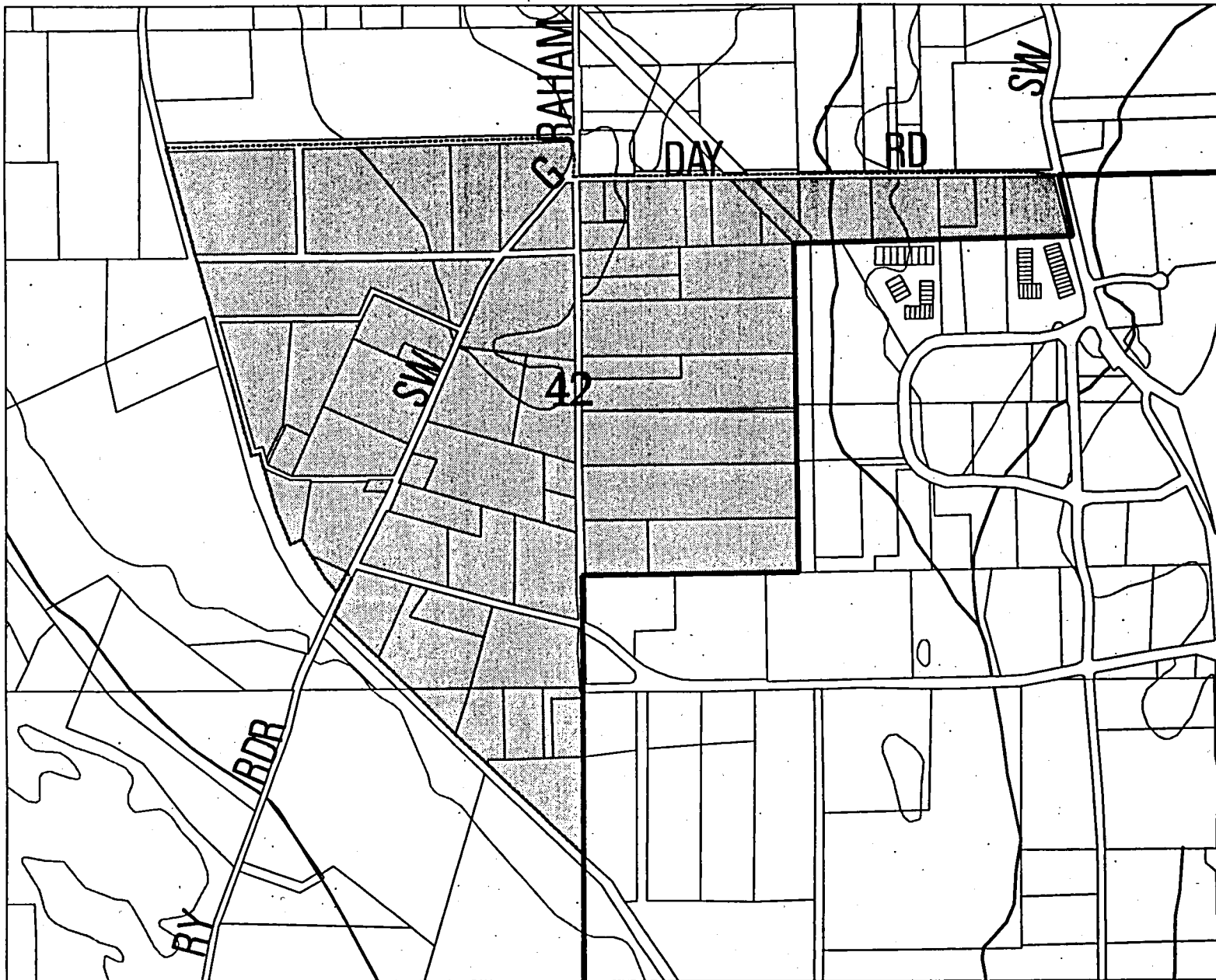
MAP #41

Wilsonville



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-2962









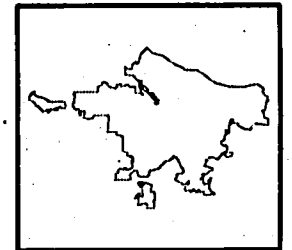
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

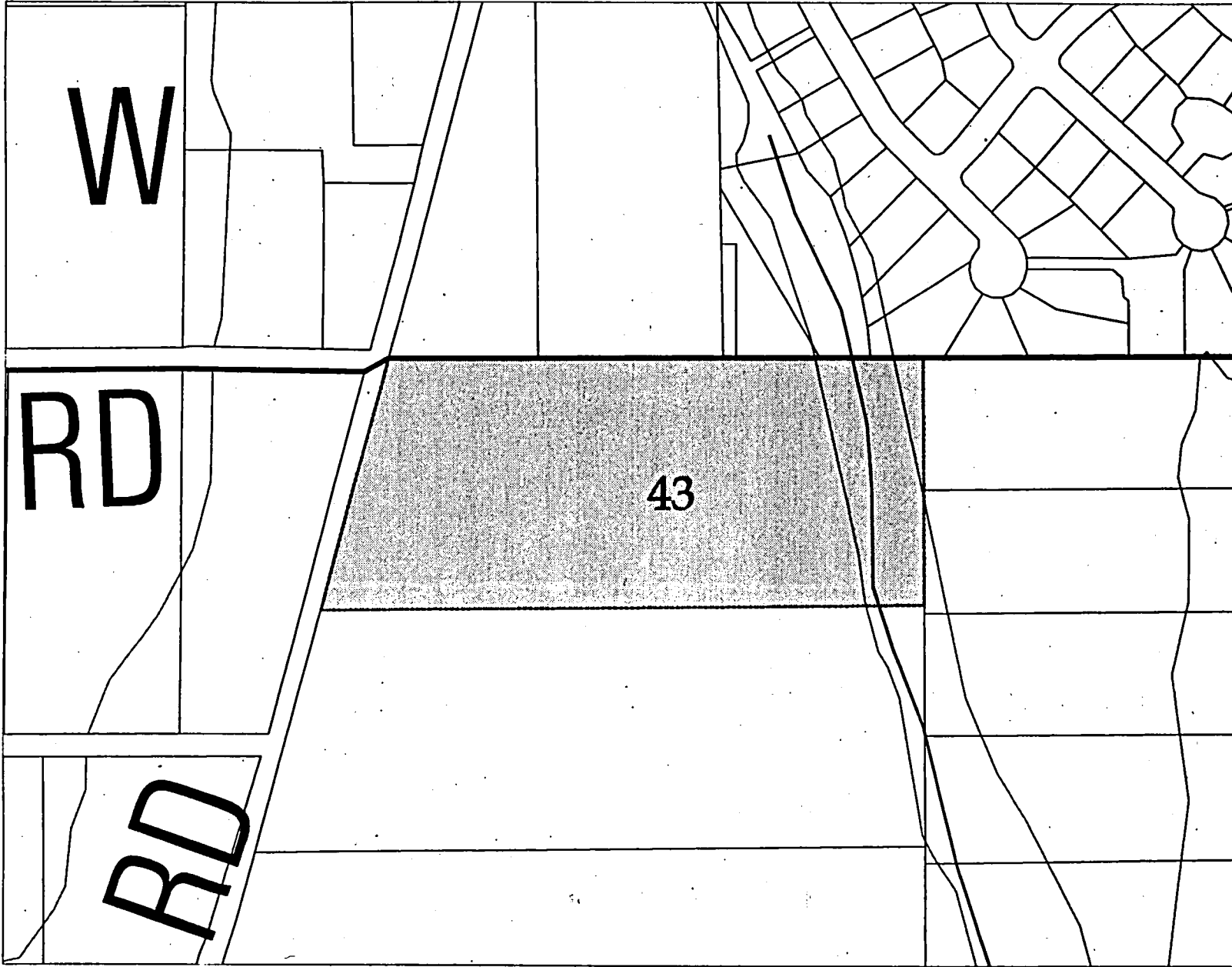
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #42



600 NE Grand Ave
Portland, OR 97232-3794
(503) 777-5712









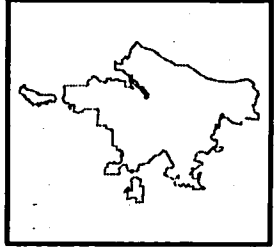
R L I S
 Regional Land Information System

Urban Reserves Tax Lot Boundaries


Metro Council Decision
 2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #43







600 NE Grand Ave
 Portland, OR 97232-3756
 (503) 797-1262



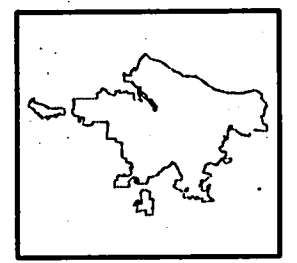
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

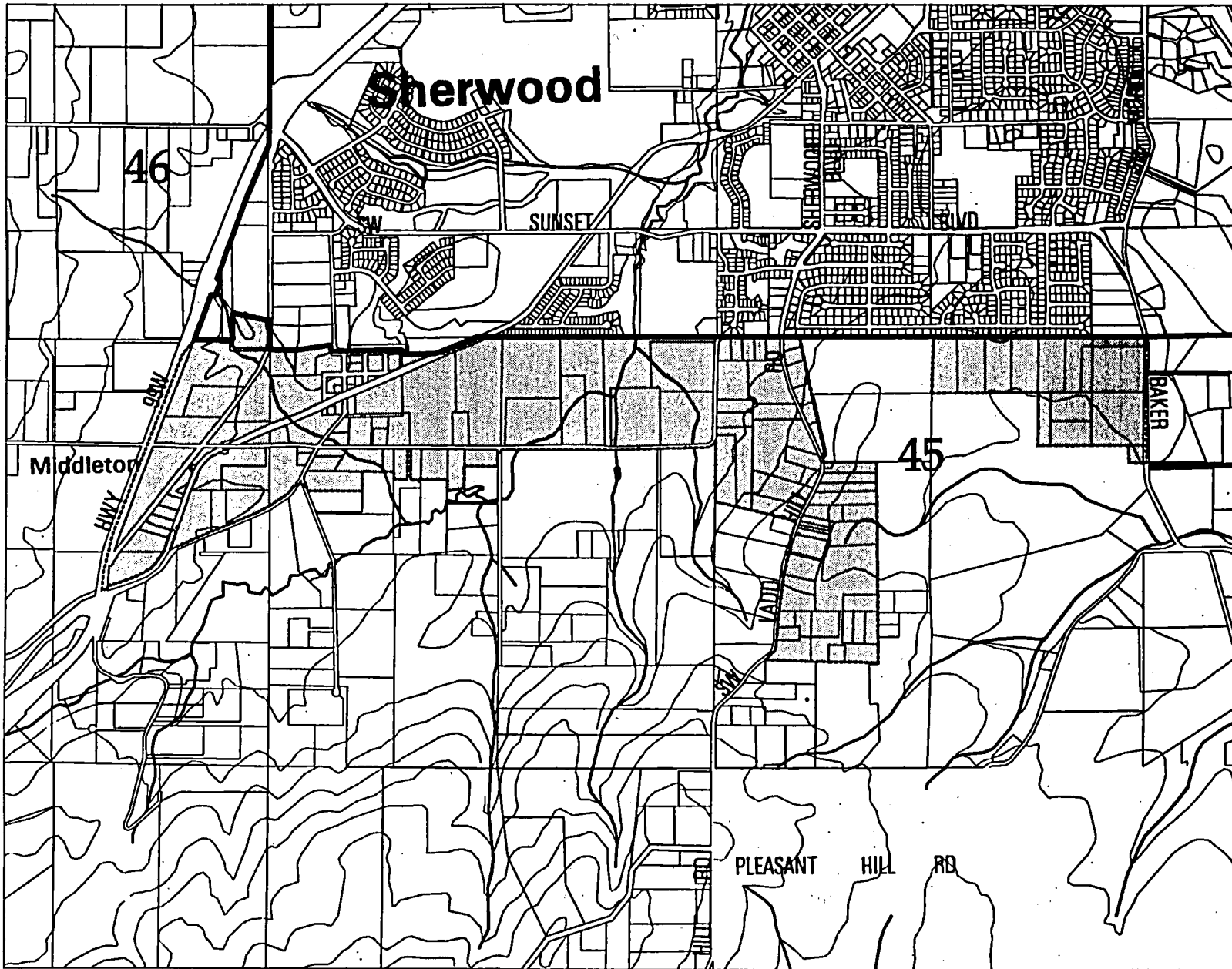
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #44



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1922









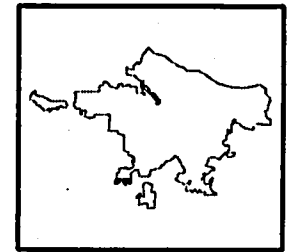
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

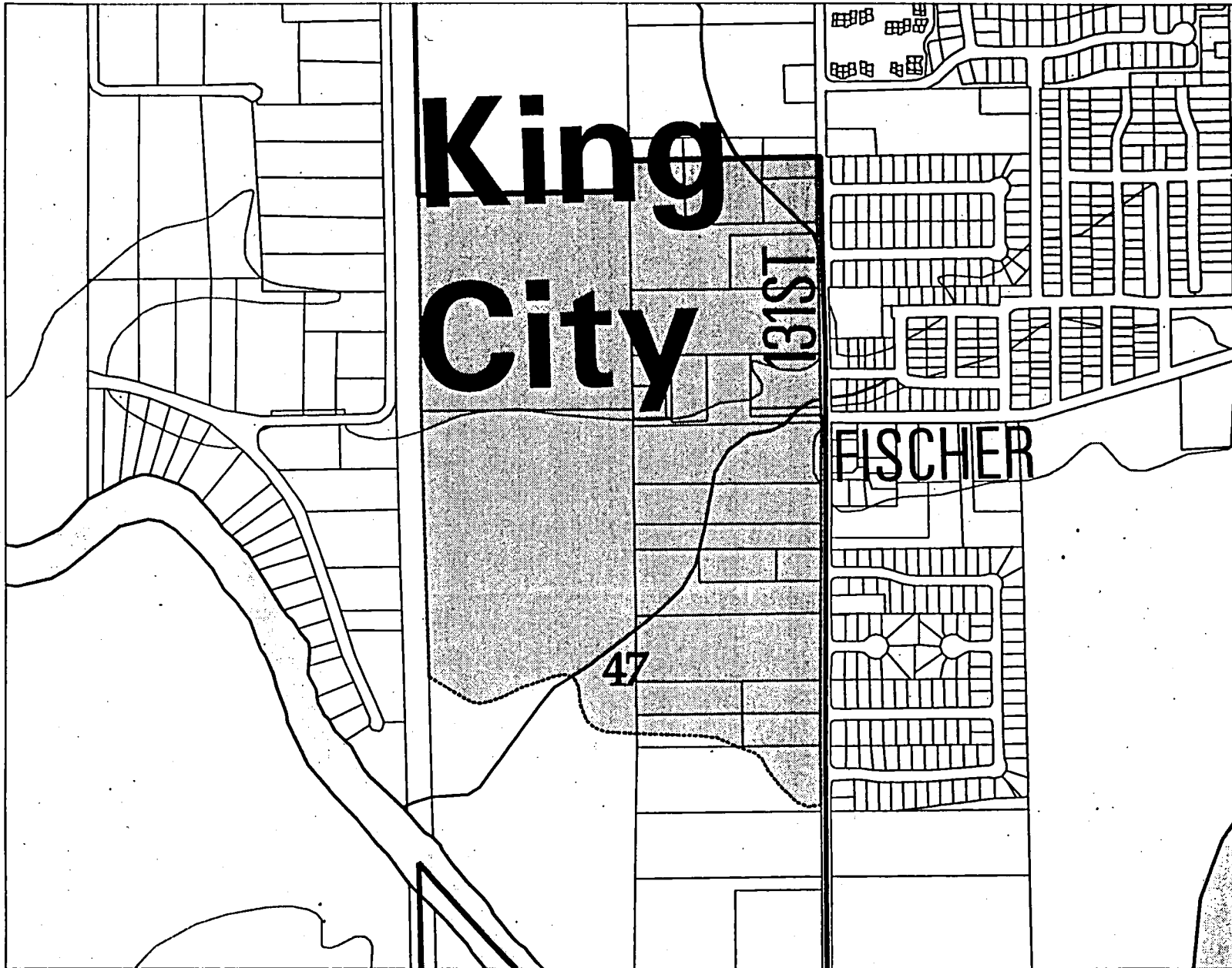
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #45



600 NE Grand Ave
Portland, OR 97232-3736
(503) 797-3762









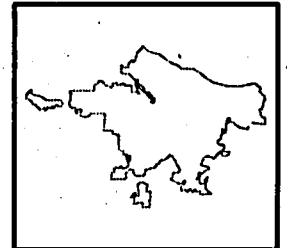
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #47



600 NE Grand Ave
Portland, OR 97232-3736
(503) 797-3942









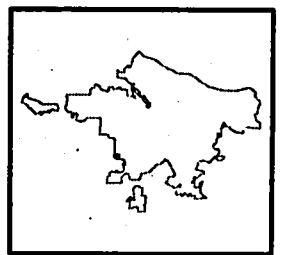
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

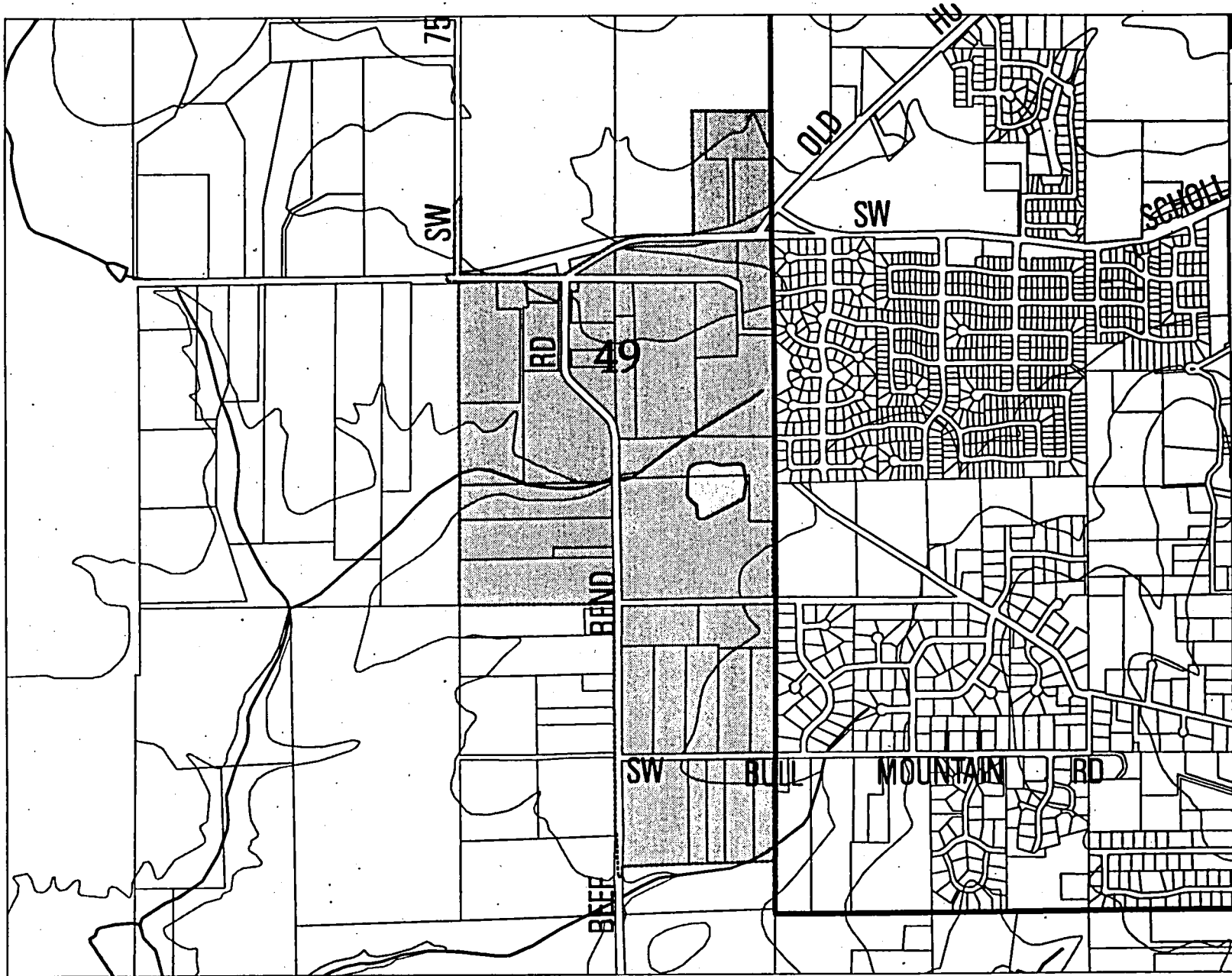
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #48



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-2762









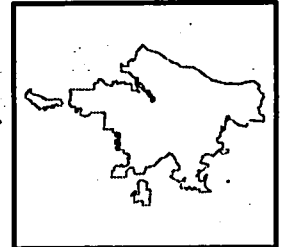
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

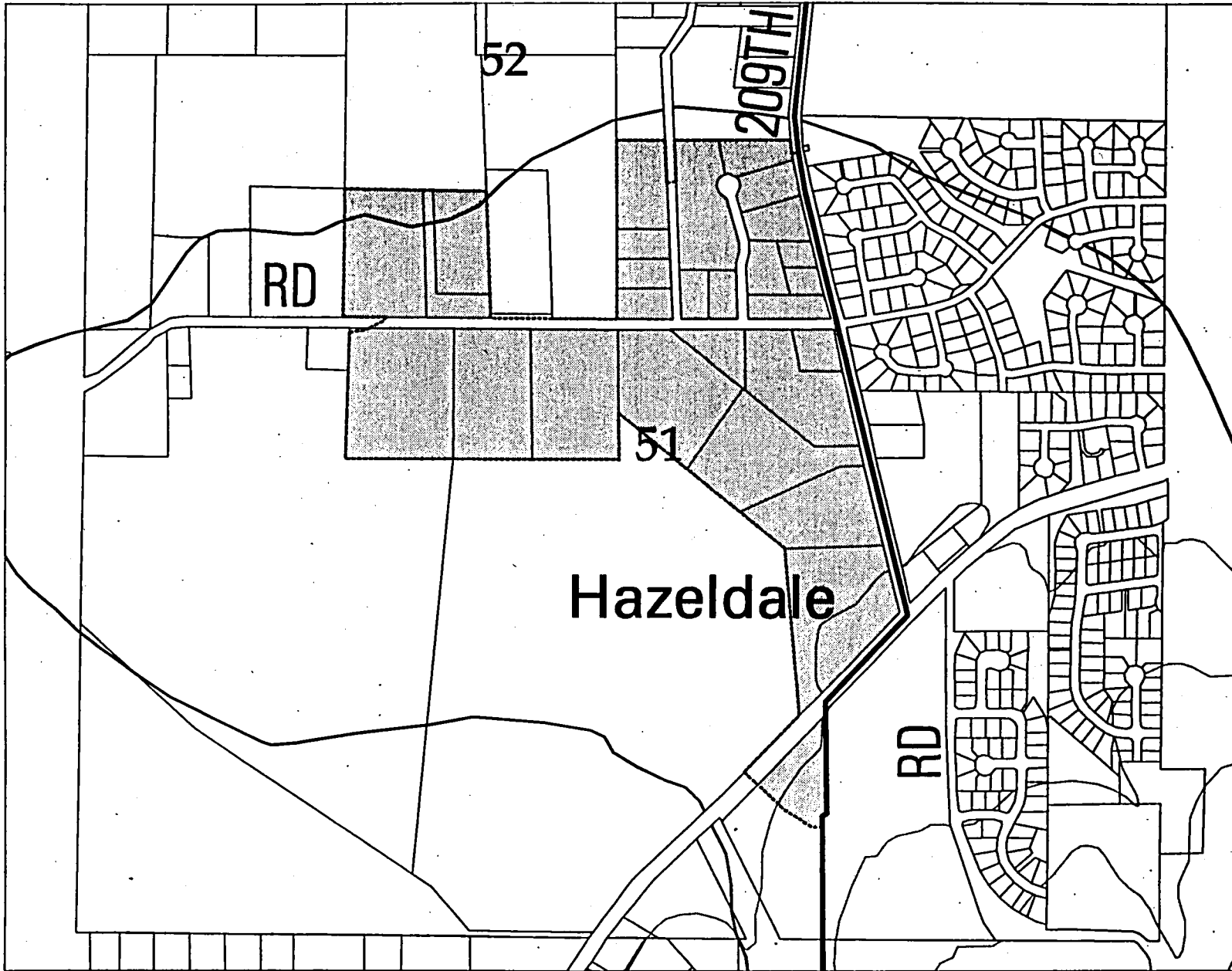
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #49



600 NE Grand Ave
Portland, OR 97232-2754
(503) 797-3742









R L I S

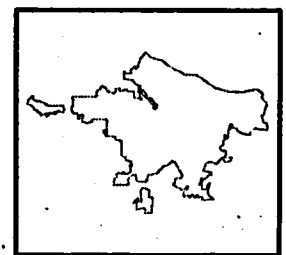
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

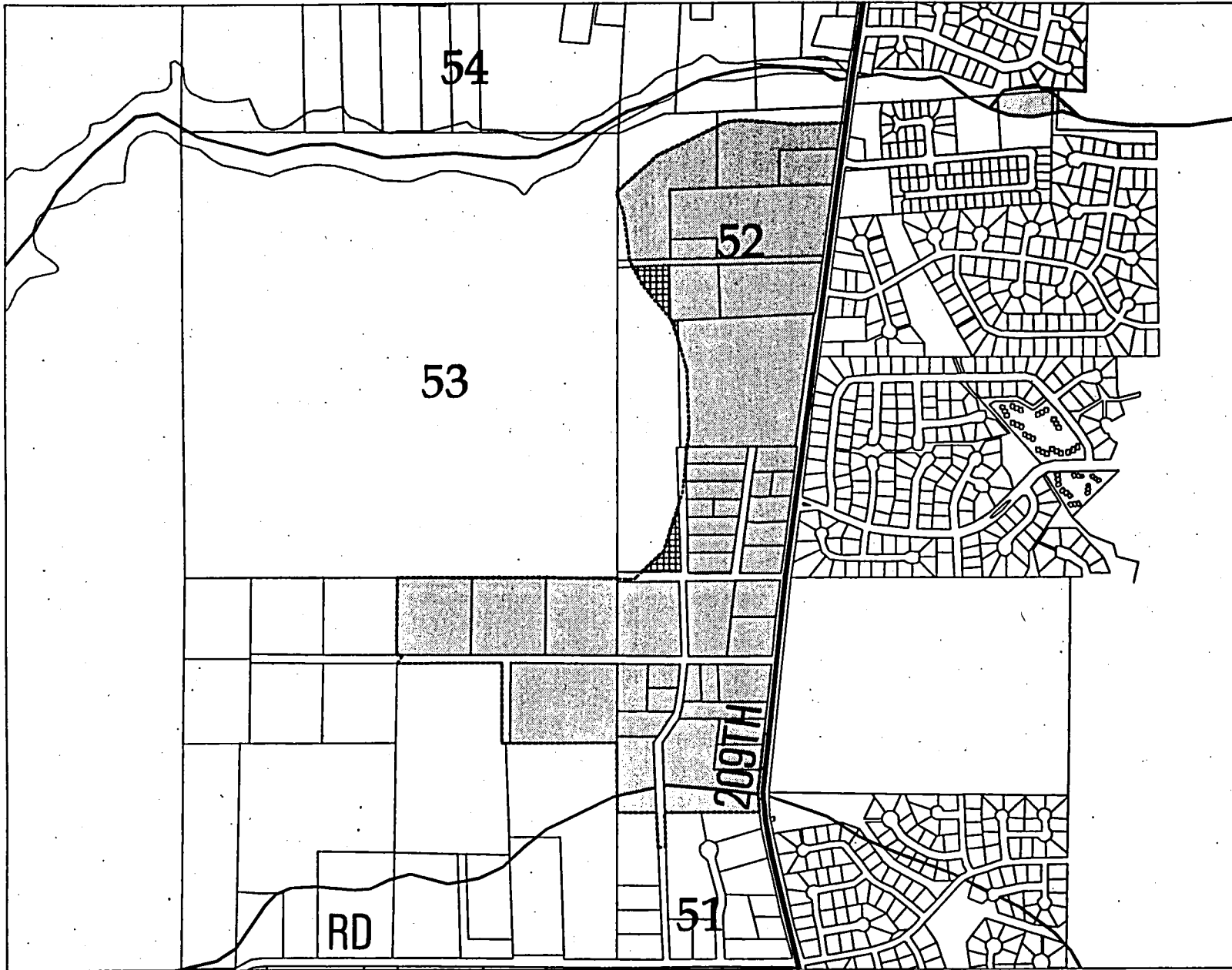
-  Designated Urban Reserves
-  Resource Lands within Urban Reserve
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #51



600 NE Grand Ave
Portland, OR 97232-2756
(503) 779-1242









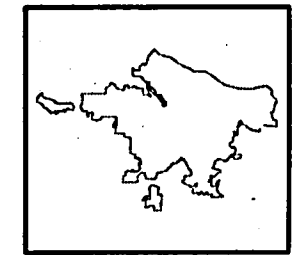
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

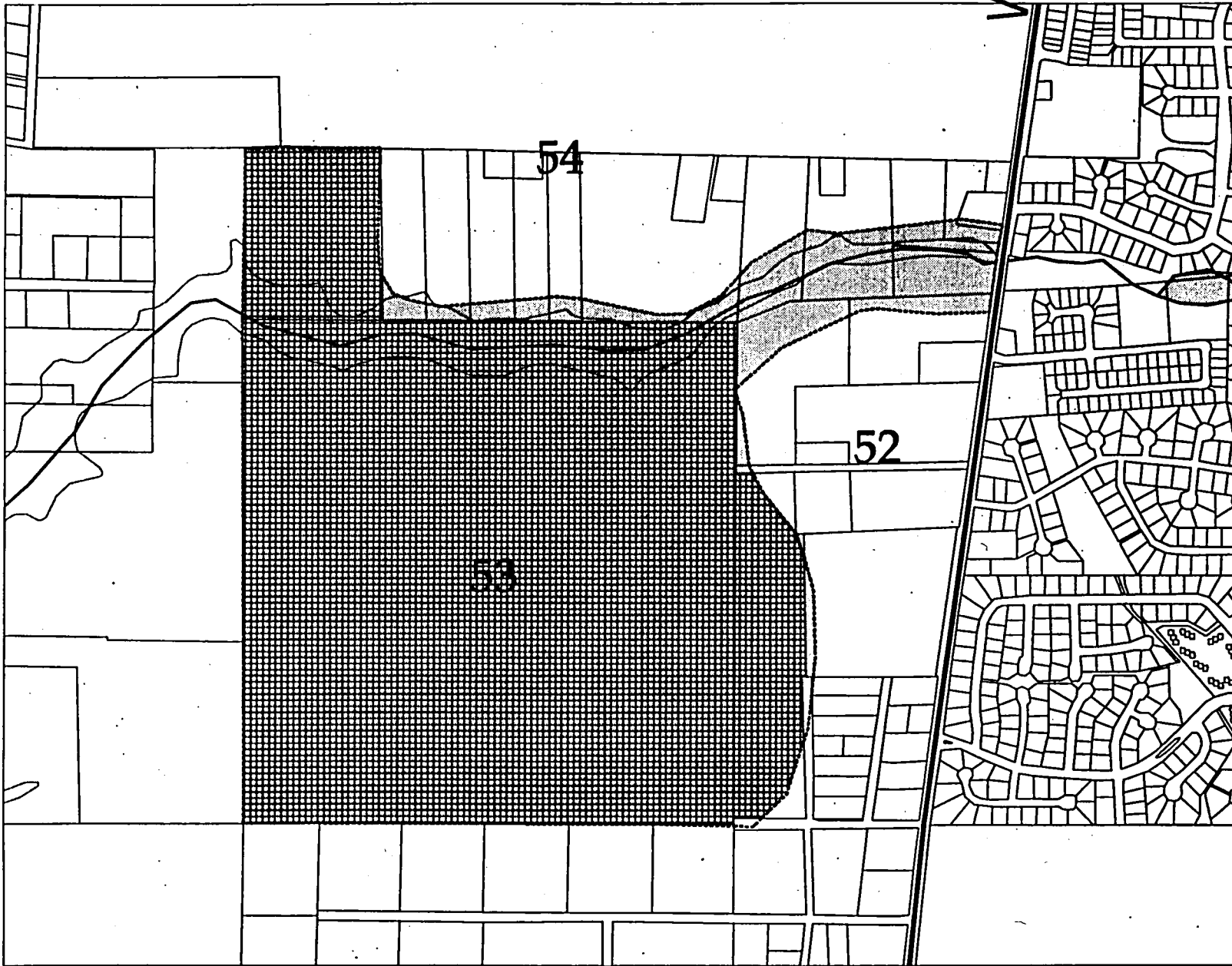
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #52



600 NE Grand Ave
Portland, OR 97232-3736
(503) 777-3762









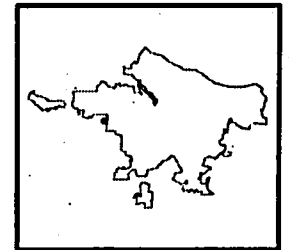
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

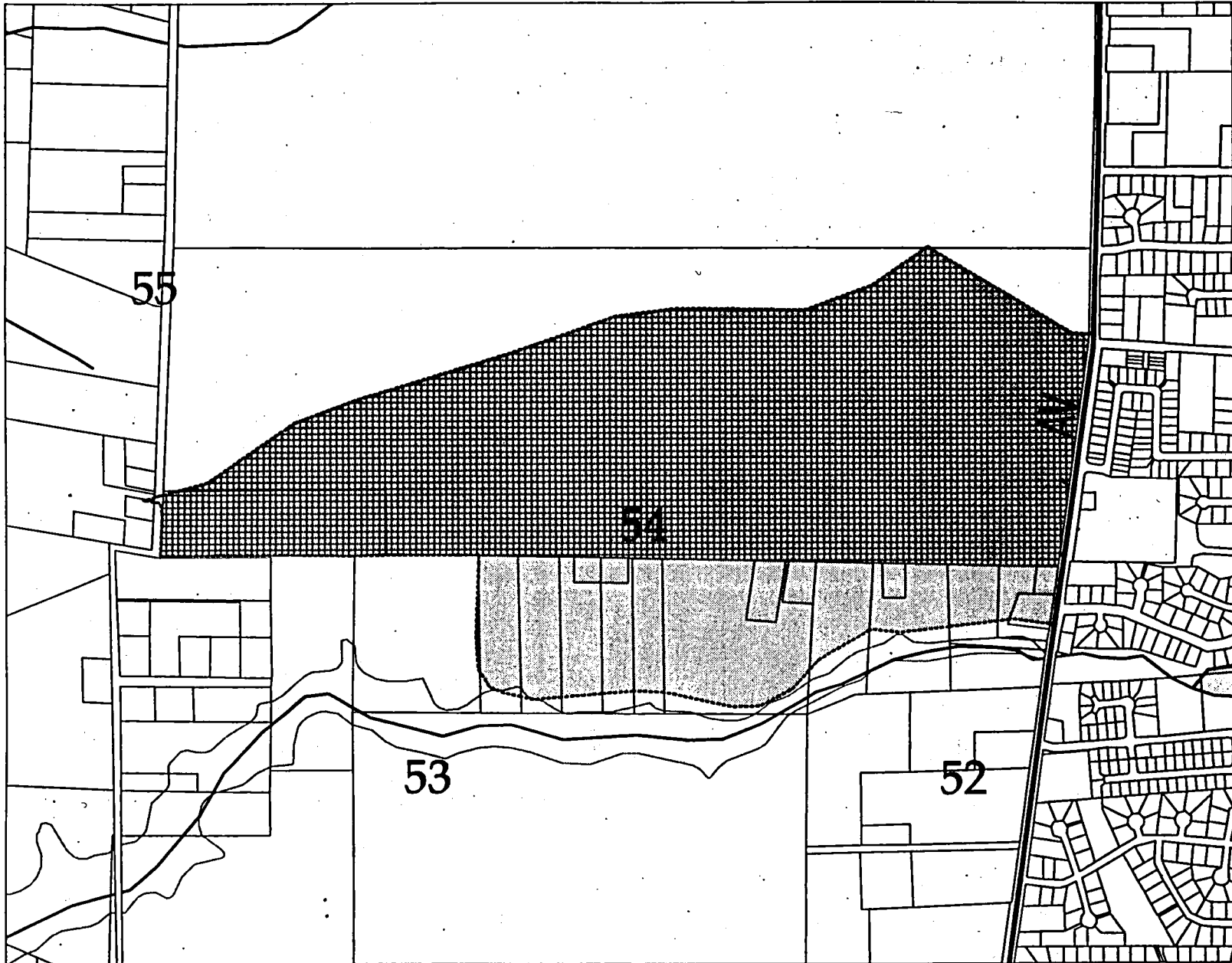
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #53



609 NE Grand Ave
Portland, OR 97232-2756
(503) 799-2962









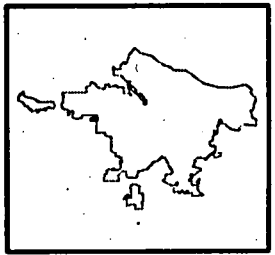
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

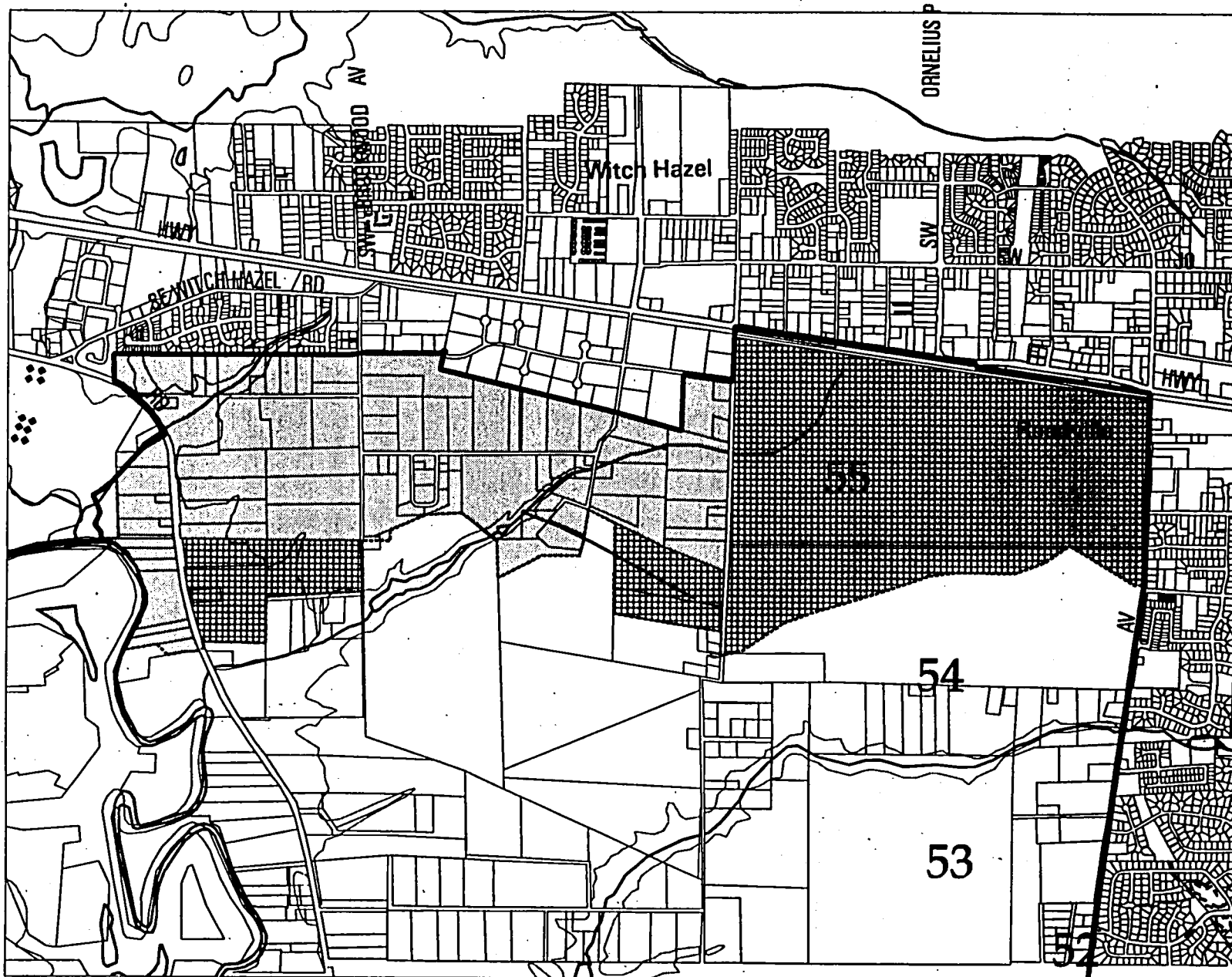
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #54



600 NE Grand Ave
Portland, OR 97232-2756
(503) 757-2962









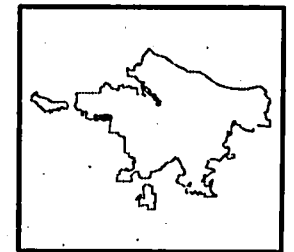
Englund Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

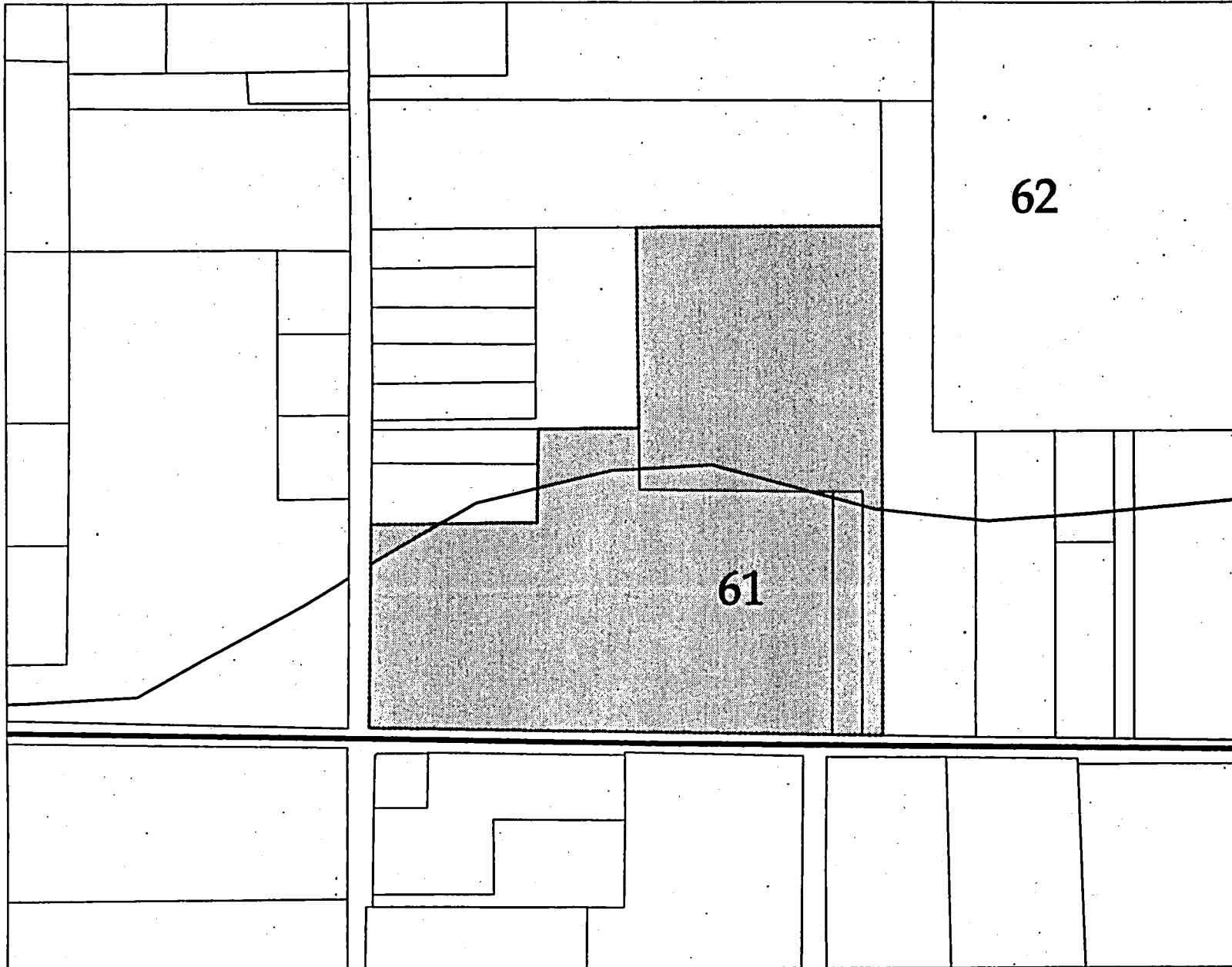
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #55



600 NE Grand Ave
Portland, OR 97232-2736
(503) 779-1212









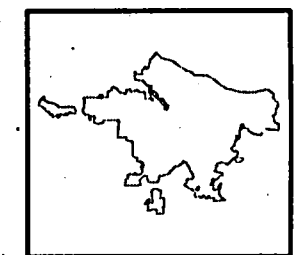
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

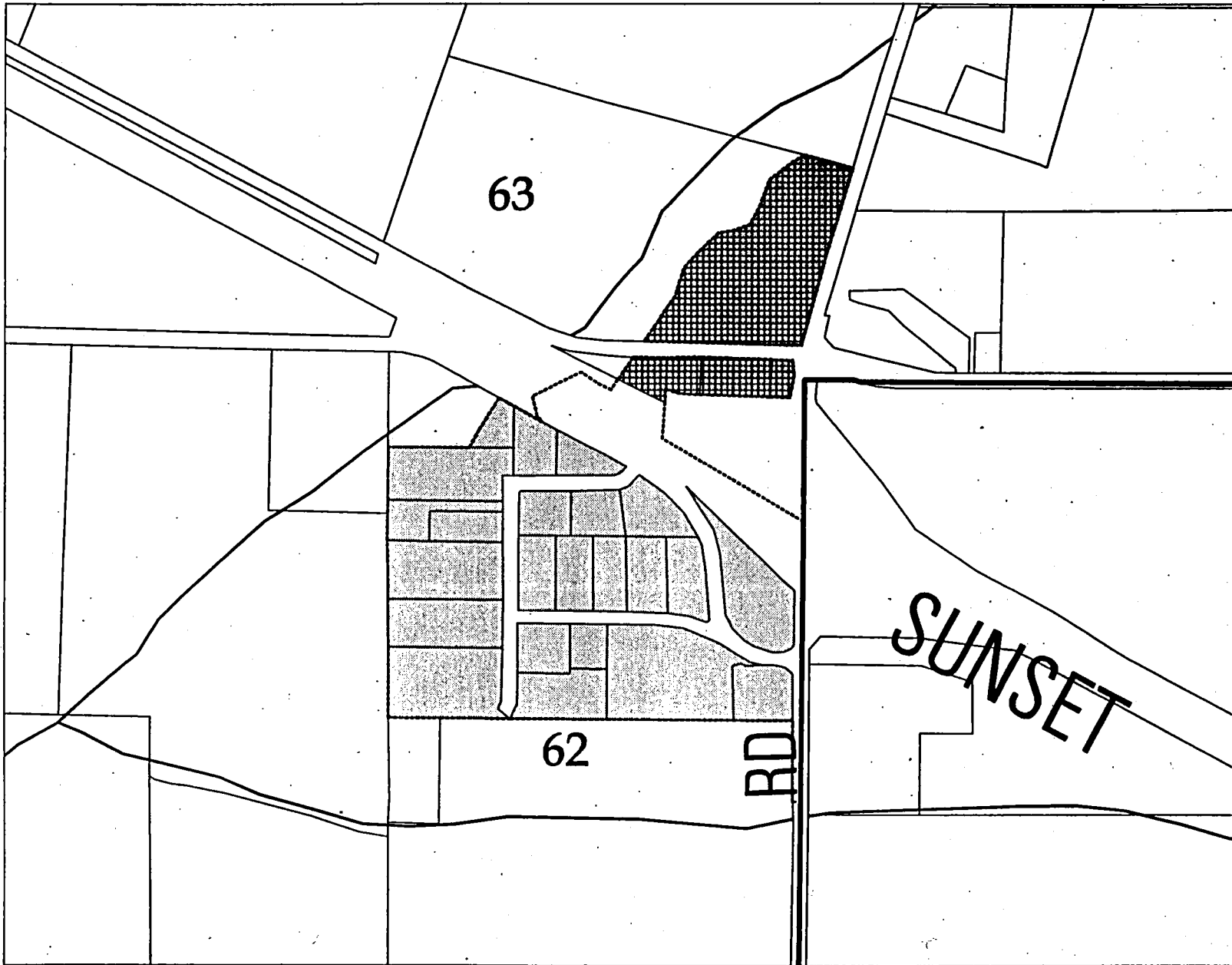
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #61



600 NE Grand Ave
Portland, OR 97232-2756
(503) 797-1962









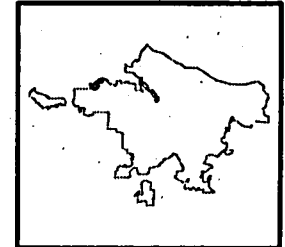
Regional Land Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #62







600 NE Grand Ave
Portland, OR 97232-2756
(503) 797-3962

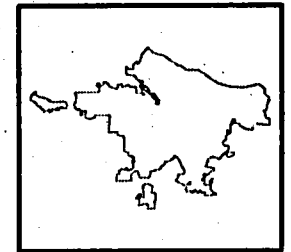


Urban Reserves Tax Lot Boundaries

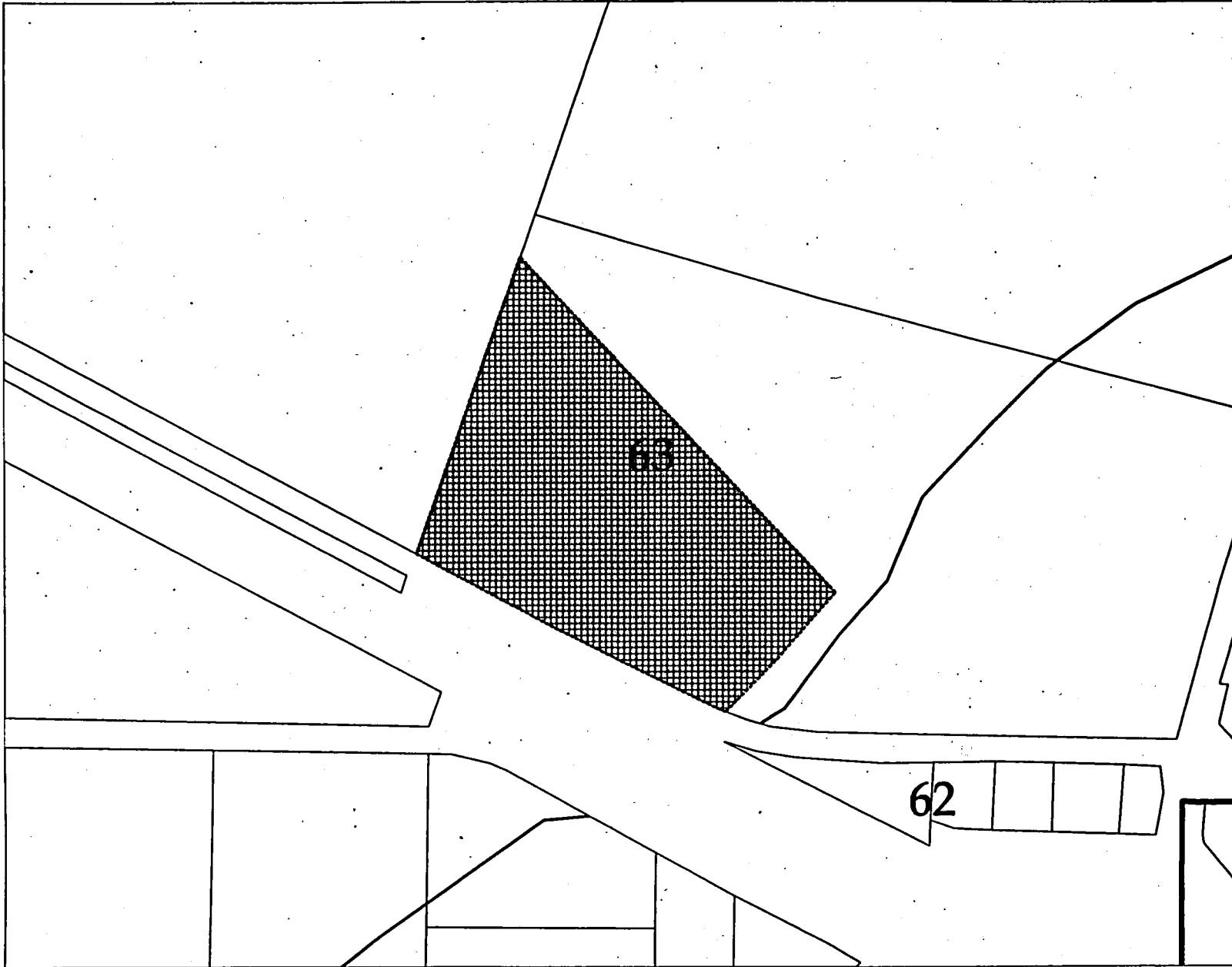
Metro Council Decision
2-27-97

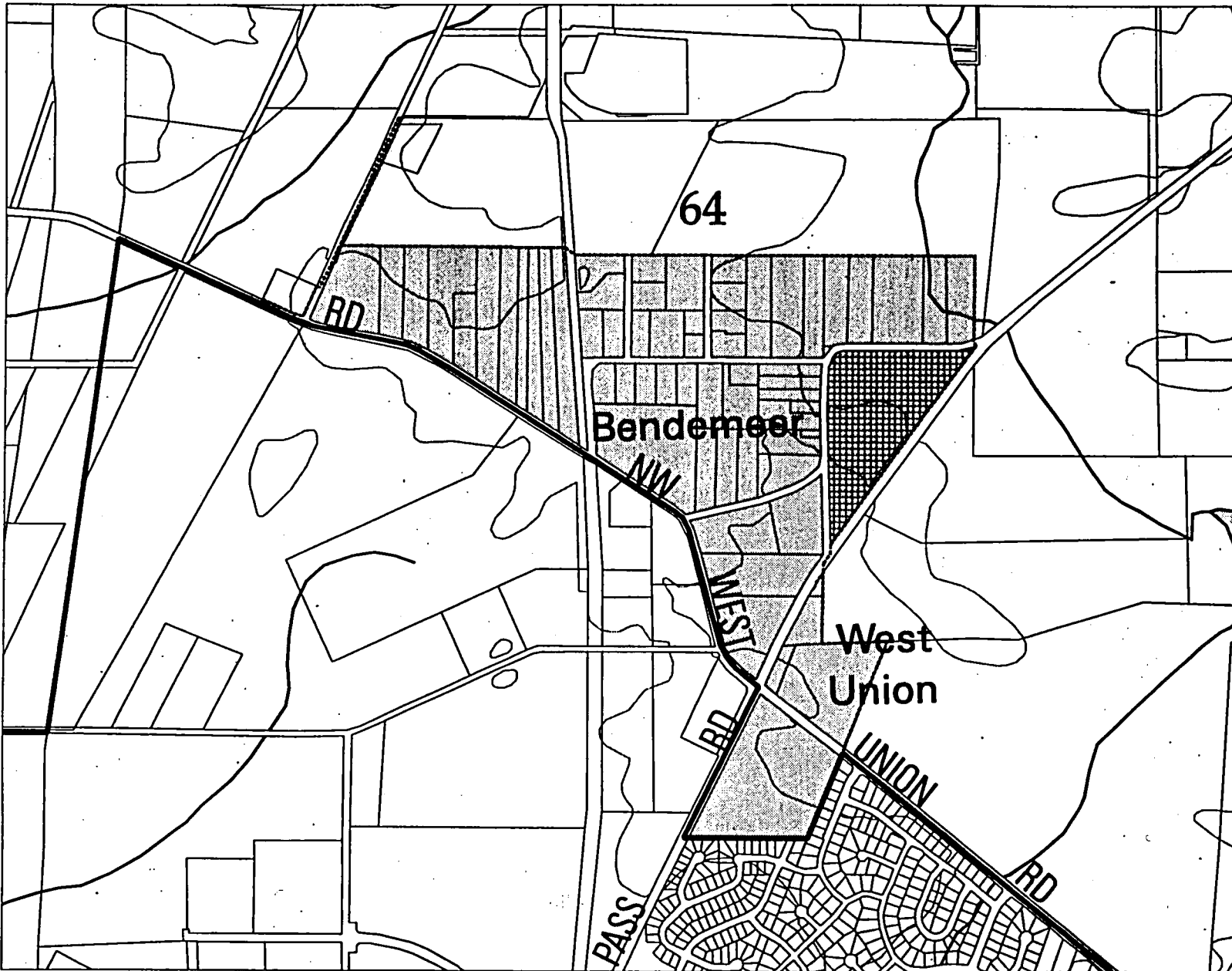
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #63



600 NE Grand Ave
Portland, OR 97232-2734
(503) 777-3742









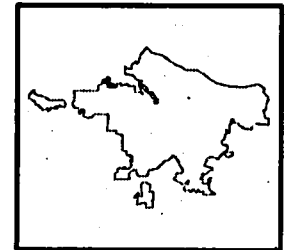
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

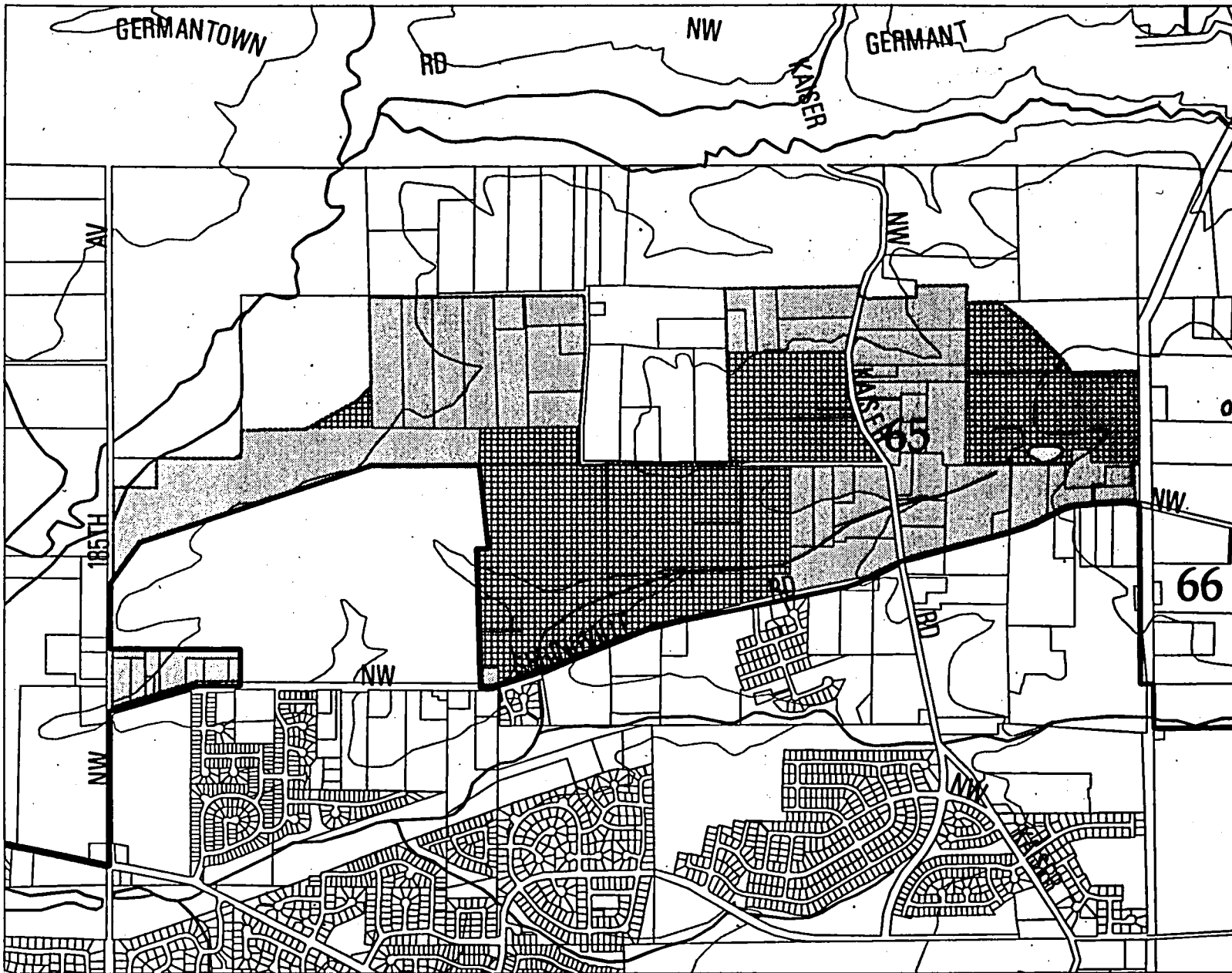
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #64



600 NE Grand Ave
Portland, OR 97232-2756
(503) 757-1702









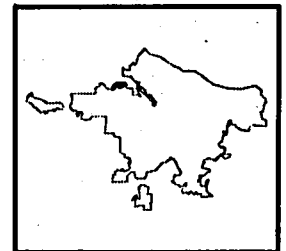
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

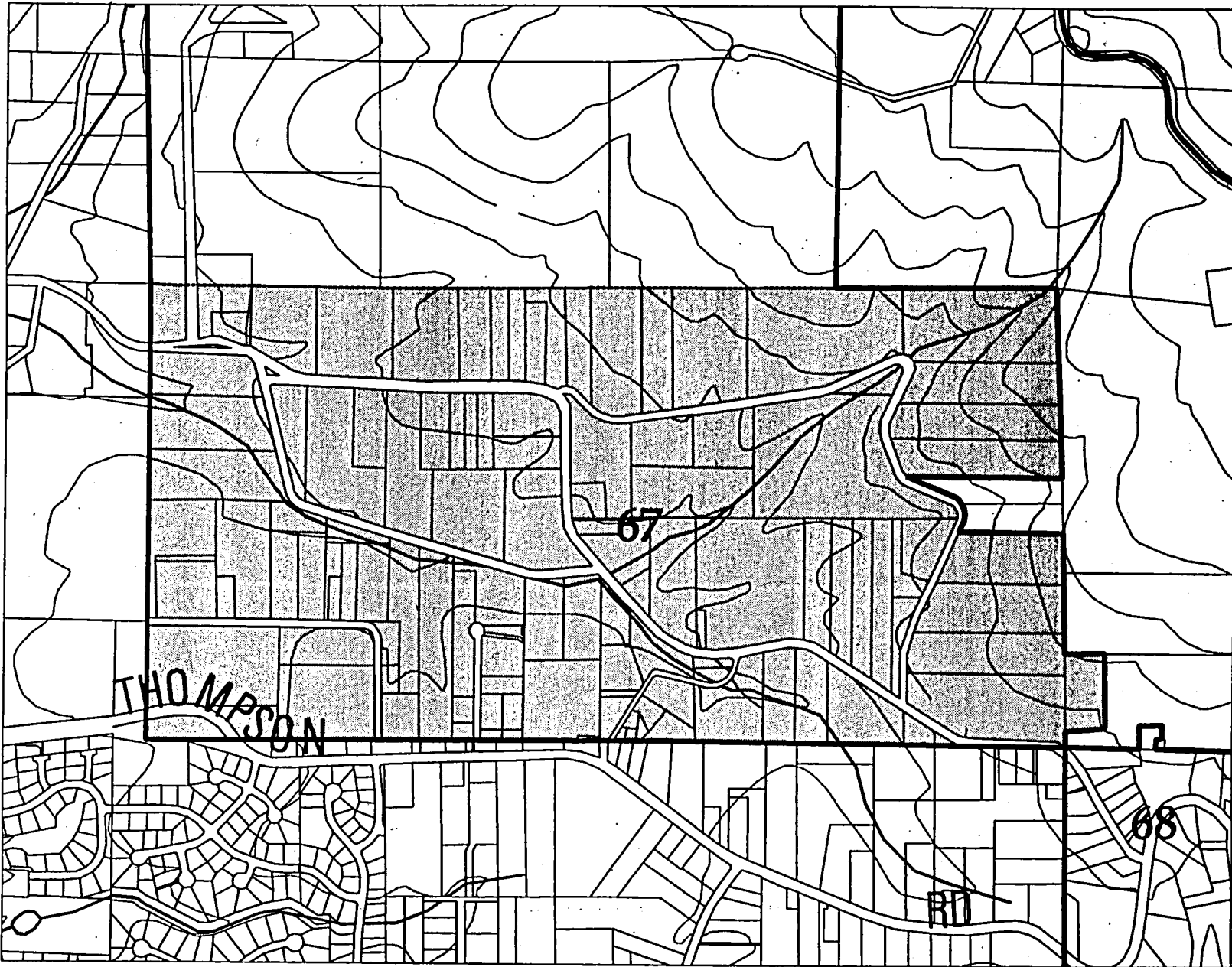
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #65



600 NE Grand Ave
Portland, OR 97232-3734
(503) 779-3922









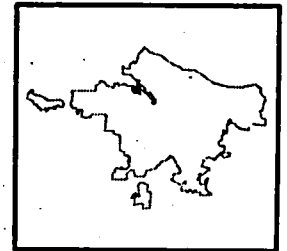
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

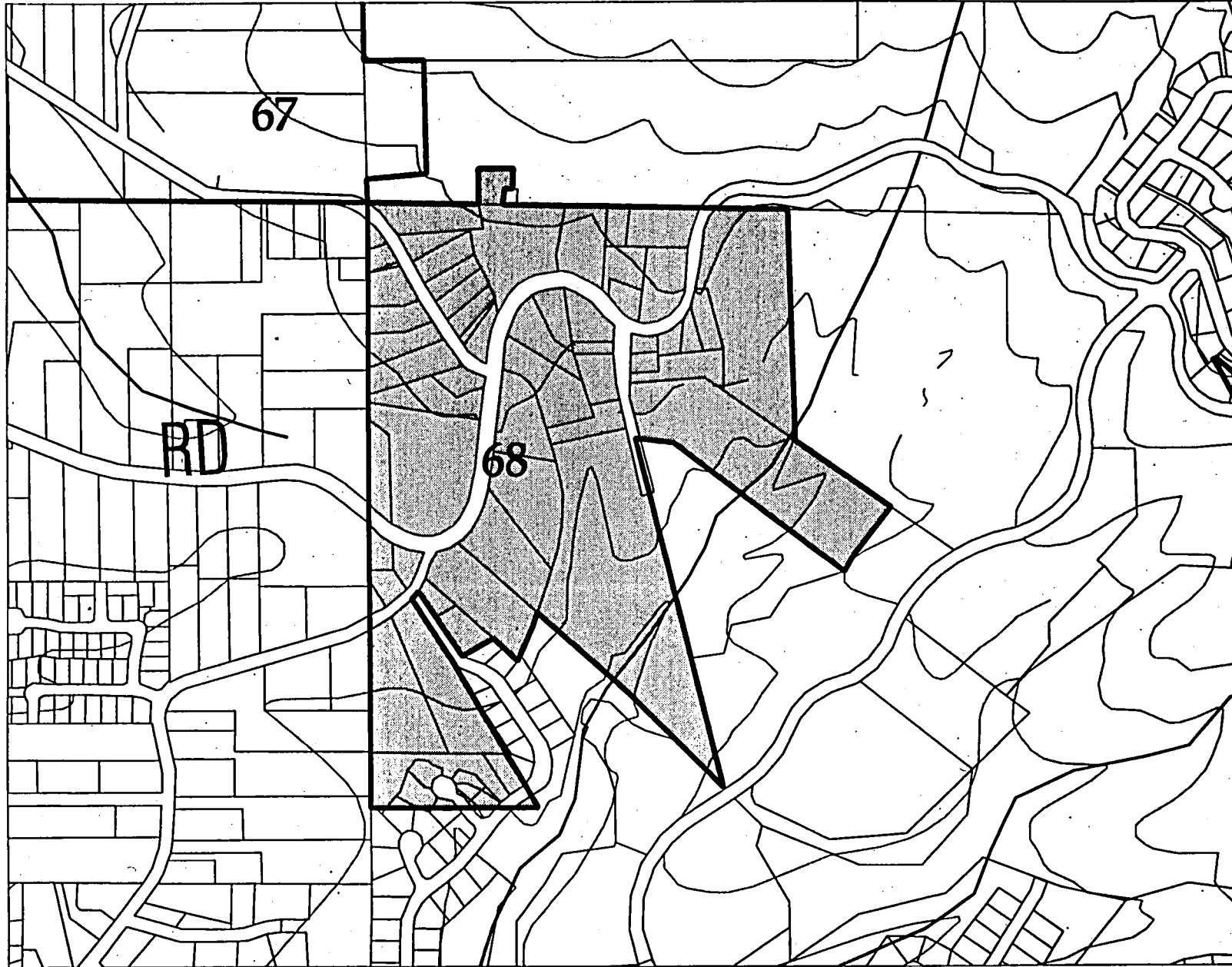
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #67



600 NE Grand Ave
Portland, OR 97232-2734
(503) 797-3922









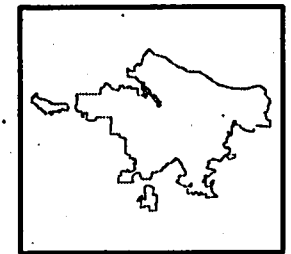
Regional Level
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

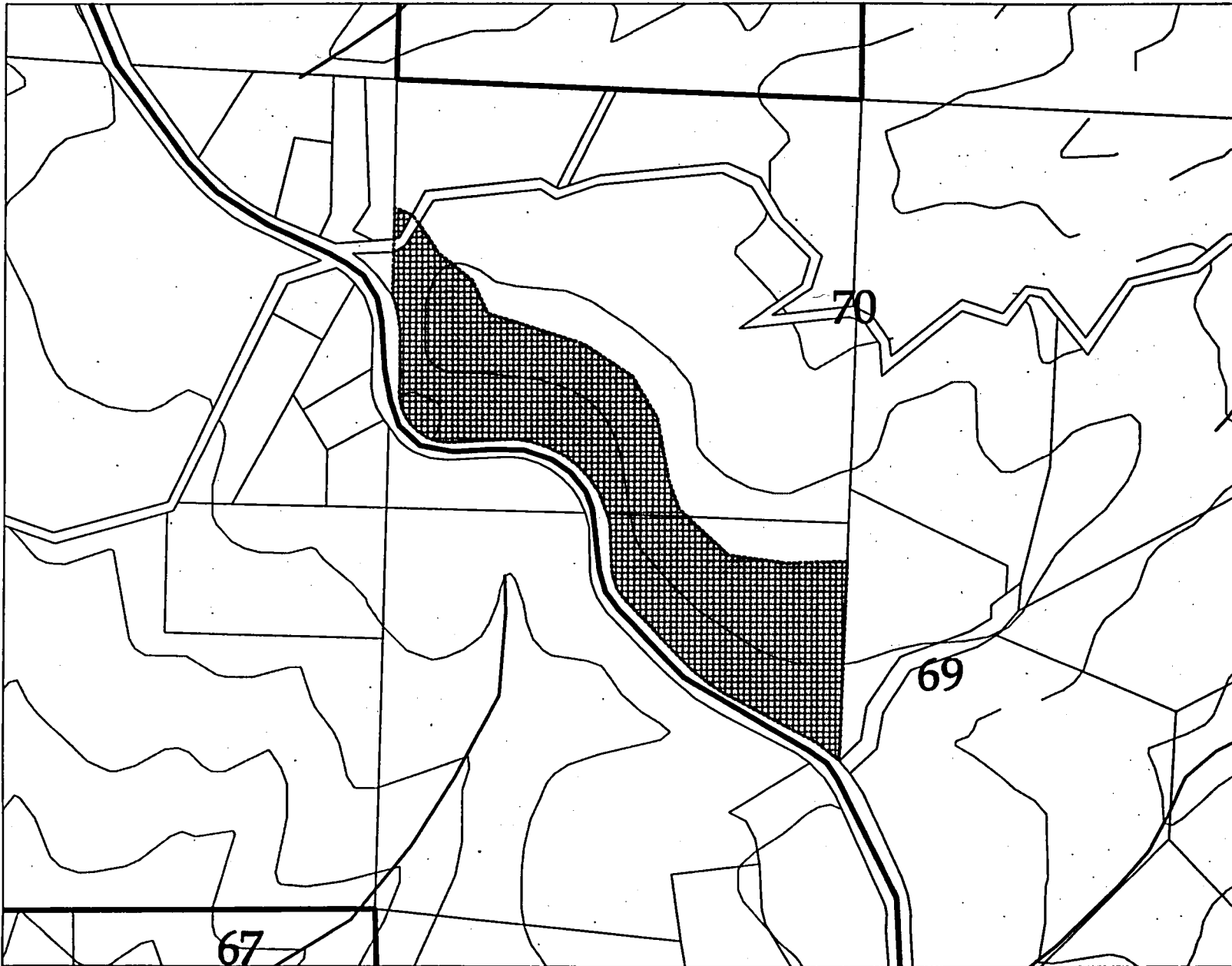
MAP #68



600 NE Grand Ave
Portland, OR 97232-2796
(503) 797-3742







METRO



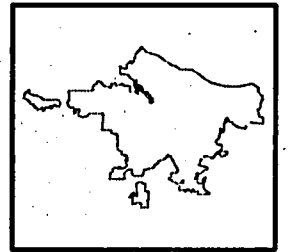
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

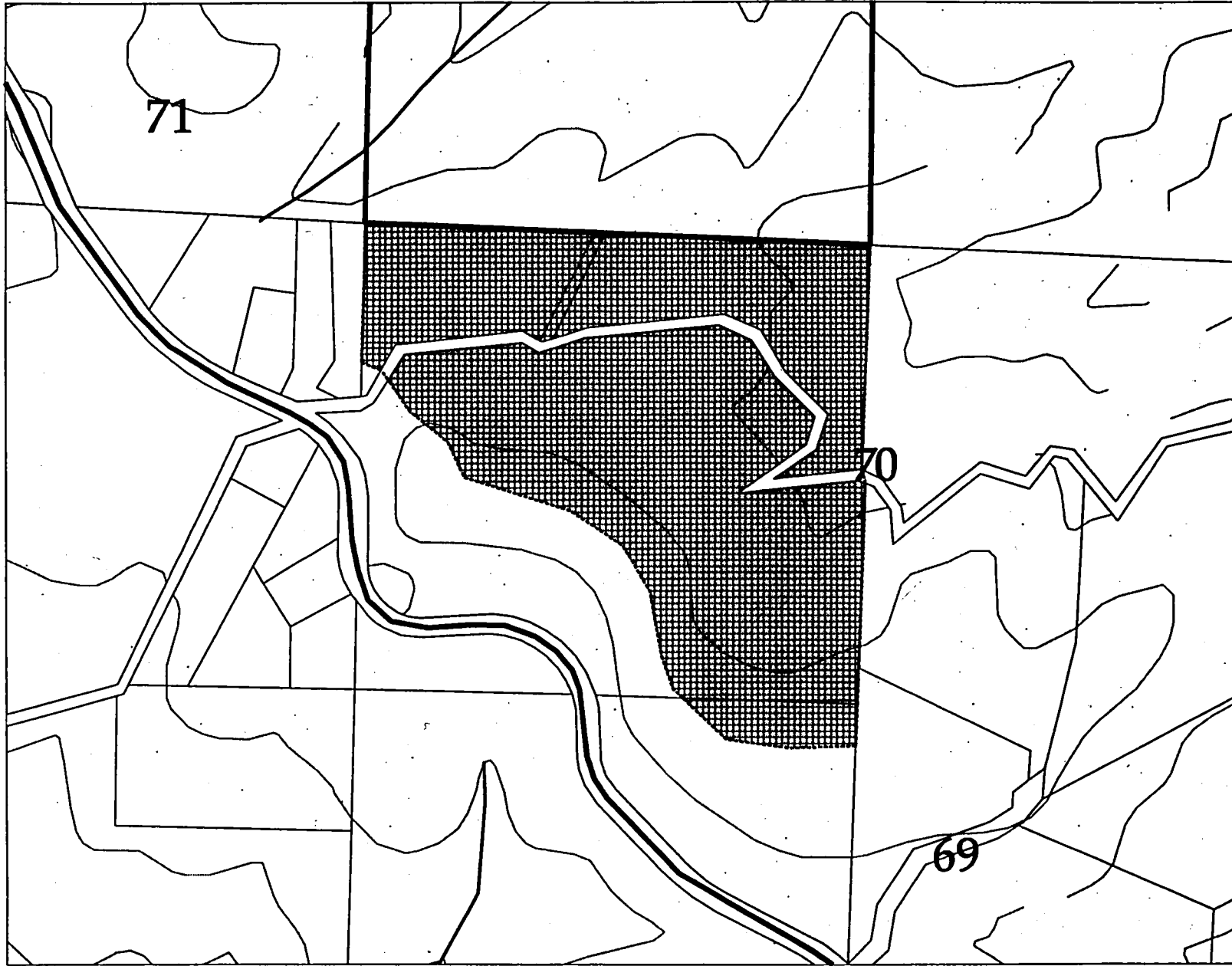
-  Designated Urban Reserves
-  Resource Lands within Urban Reserve
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #69



600 NE Grand Ave
Portland, OR 97232-3756
(503) 776-3762









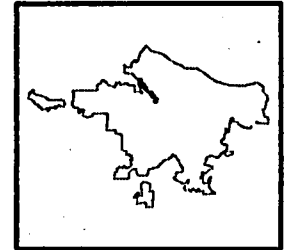
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Metro Council Decision
2-27-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #70



808 NE Grand Ave
Portland, OR 97132-2756
(503) 757-1702



METRO

030697-48

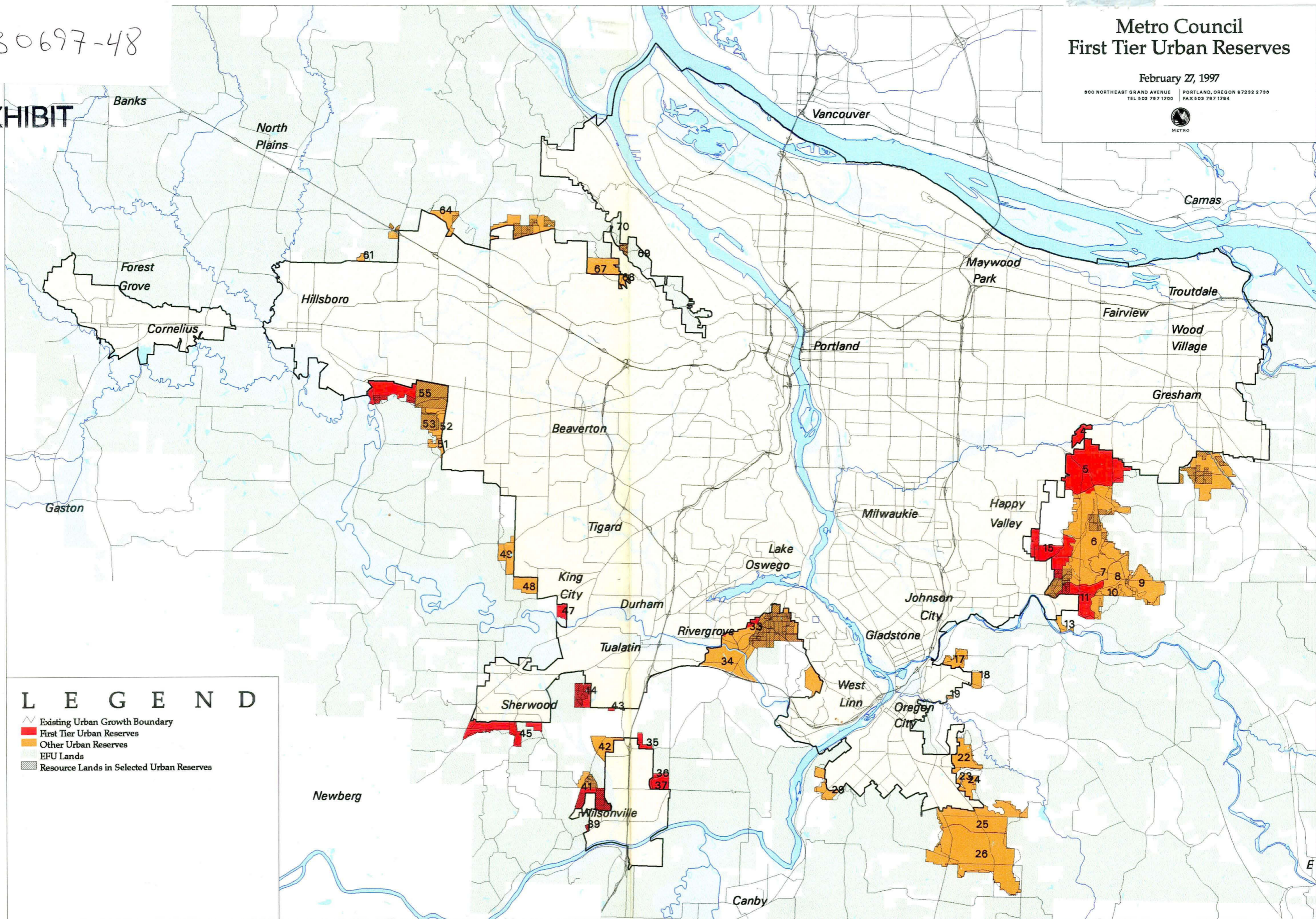
Metro Council First Tier Urban Reserves

February 27, 1997

800 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2739
TEL 503 787 1700 | FAX 503 787 1784



EXHIBIT



LEGEND

- Existing Urban Growth Boundary
- First Tier Urban Reserves
- Other Urban Reserves
- EFU Lands
- Resource Lands in Selected Urban Reserves