

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO’S) ORDINANCE NO. 04-1041
REGIONAL FRAMEWORK PLAN TO BETTER)
PROTECT THE REGION’S FARM AND FOREST)
LAND INDUSTRIES AND LAND BASE, AND) Introduced by Councilor Carl Hosticka
DECLARING AN EMERGENCY)

WHEREAS, Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Resource Land of Metro’s Regional Framework Plan (RFP) calls upon Metro to protect agricultural and forest land, but it does not offer guidance on how to achieve the policy when the Metro Council must expand the urban growth boundary (UGB) to accommodate long-term urban population or employment growth and must choose agricultural or forest land to satisfy a portion of the need for land; and

WHEREAS, Metro sponsored a symposium on agriculture in the larger region around the Metro Area on October 31, 2003 (“Agriculture at the Edge”), at which farmers and others in the agricultural industry expressed concern for the loss of land to urbanization and conflicts between urban use and farm practices and asked Metro to think of agriculture as an industry rather than as a reserve for future UGB expansion; and

WHEREAS, Metro is studying approximately 29,000 acres of land, including 9,000 acres of agricultural land, for possible addition to the UGB for industrial use, and must choose approximately 2,000 acres from among those lands; and

WHEREAS, the Metro Council wants to avoid harm to the agricultural industry in the region; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Resource Land of Metro’s Regional Framework Plan (RFP) is hereby amended as shown in Exhibit A, attached and incorporated into this ordinance.
2. The Findings of Fact and Conclusions of Law, attached as Exhibit B and incorporated into this ordinance, explain how the amendment of Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Resource Land of the RFP complies with state and regional planning laws.
3. This ordinance is necessary for the immediate preservation of public health, safety and welfare because the Metro Council must make a decision on expansion of the UGB for industrial land by June 24, 2004, to comply with Remand Order 03-WKTASK-001524 of the Land Conservation and Development Commission. An emergency is therefore declared to exist, and this ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

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ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

Attest:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit A to Ordinance No. 04-1041
Metro's Regional Framework Plan
Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Lands

1.12 — Protection of Agriculture and Forest ~~Resource~~ Lands

1.12.1 Agricultural and forest ~~resource~~ land outside the UGB shall be considered a regional economic and cultural resource and be protected from urbanization, ~~and accounted for in regional economic and development plans,~~ consistent with this Plan statewide planning laws. ~~However, Metro recognizes that all the statewide goals, including Statewide Goal 10, Housing and Goal 14, Urbanization, are of equal importance to Goals 3 and 4 which protect agriculture and forest resource lands. These goals represent competing and, some times, conflicting policy interests which need to be balanced.~~

1.12.12 ~~Rural Resource Lands~~

~~Rural resource lands outside~~ When the Metro Council must choose among agricultural lands of the same soil classification for addition to the UGB that have significant resource value should actively be protected from urbanization. ~~However, not all land zoned for exclusive farm use is of equal agricultural value,~~ the Metro Council shall choose agricultural land deemed less important to the continuation of commercial agriculture in the region, and shall not choose agricultural land south of the Willamette River and west of the Pudding River.

1.12.23 ~~Urban Expansion~~

~~Expansion of the UGB shall occur in urban reserves, established consistent with the urban rural transition objective. All urban reserves should be planned for future urbanization even if they contain resource lands.~~ Metro shall enter into agreements with neighboring cities and counties to carry out Metro Council policy on protection of agricultural and forest resource policy through the designation of Rural Reserves and other measures.

1.12.34 ~~Farm and Forest Practices~~

~~Protect and support the ability for farm and forest practices to continue. The designation and management of rural reserves by the Metro Council may help establish this support, consistent with the Growth Concept. Agriculture and forestry require long term certainty of protection from adverse impacts of urbanization in order to promote needed investments.~~ Metro shall work with neighboring counties to provide a high degree of certainty for investment in agriculture in agriculture and forestry and to reduce conflicts between urbanization and agricultural and forest practices.

**Exhibit B to Ordinance No. 04-1041
Findings of Facts and Conclusions of Law**

[TO FOLLOW]

STAFF REPORT

ORDINANCE NO. 04-1041, FOR THE PURPOSE OF AMENDING METRO'S REGIONAL FRAMEWORK PLAN TO BETTER PROTECT THE REGION'S FARM AND FOREST LAND INDUSTRIES AND LAND BASE, AND DECLARING AN EMERGENCY

Date: March 1, 2003

Prepared by: Lydia M. Neill
Principal Regional Planner

PROPOSED ACTION

Adoption of Ordinance No. 04-1041 amending Metro's Regional Framework Plan to add policy language to guide urban growth boundary (UGB) expansion decisions.

BACKGROUND AND ANALYSIS

The Metro Council is in the process of completing its UGB decision under the state's periodic review process that includes meeting the remaining deficit of 1,968 net acres for industrial land.

In the process of meeting that need for industrial land, the Metro Council will be considering whether to expand the UGB onto farmland. Meeting the industrial land shortfall affects other industries such as local agriculture and nursery operations that are currently operating outside of the UGB. The agricultural industry will be affected differently, depending on which farmland comes into the UGB, due to differences in productivity of land, location near other farm-related businesses and the massing of farm uses. Discussion on a regional level is needed to develop a clear policy to guide the selection of additional employment lands for inclusion into the UGB.

In order to emphasize the importance of agriculture and urban form in these boundary discussions, a change has been proposed to Metro's Regional Framework Plan (RFP). Chapter 1, Land Use Policy 1.12 of the RFP addresses the protection of agriculture and forest resources. Policy 1.12 does not address potential conflicts with agriculture or forestry practices with the expansion of the UGB.

The proposed policy changes would offer more specific guidance for selection of farmland for inclusion within the UGB, with emphasis on avoiding land that is more important for commercial agriculture in the region. The changes also call for efforts by Metro to work with local governments in the region to reduce the uncertainty faced by farmers in an area of increasing urbanization and the growing conflicts with farming practices.

The proposed changes provide policy guidance by:

- Establishing the Willamette River south of Wilsonville as a natural boundary for the UGB;
- Using the hierarchy of lands under state law as one basis for evaluating the importance of particular farmland to the agricultural industry; and
- Working with neighboring cities and counties to provide the region's farmers with longer-term certainty and better protection for their practices.

BUDGET IMPACT

Adoption of this ordinance does not have an immediate budget impact. Metro completes an evaluation of the impacts on agricultural lands as part of the Alternative Analysis that is prepared for all significant UGB expansions. Although impacts on agricultural land are included in the Alternatives Analysis study, the level of research will need to be expanded to assess the impacts of

including farmland in the UGB on the agricultural industry. This work may require additional resources.