

A G E N D A

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**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: June 3, 2004  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATIONS**

**3. GREAT BLUE HERON WEEK PROCLAMATION**

**4. CONSENT AGENDA**

4.1 Consideration of Minutes for the May 27, 2004 Metro Council Regular Meeting.

**5. ORDINANCES - SECOND READING**

5.1 **Ordinance No. 04-1040**, For the Purpose of Amending the Metro Urban Growth Boundary, The Regional Framework Plan and the Metro Code to Increase the Capacity of the Boundary to Accommodate Growth in Industrial Employment. *(Possible amendments, no public hearing)* Park

5.2 **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. *(Possible amendments, no public hearing)* Hosticka

5.3 **Ordinance No. 04-1047**, For the Purpose of Amending Metro Code Chapter 10.02 to Increase the Refundable Deposit at the Lake House at Blue Lake Regional Park Park

**6. CHIEF OPERATING OFFICER COMMUNICATION**

**7. COUNCILOR COMMUNICATION**

**ADJOURN**

**Television schedule for June 3, 2004 Metro Council meeting**

<p><b>Clackamas, Multnomah and Washington counties, and Vancouver, Wash.</b>          Channel 11 -- Community Access Network  <a href="http://www.yourtv.org">www.yourtv.org</a> -- (503) 629-8534          Thursday, June 3 at 2 p.m. (live)</p>	<p><b>Portland</b>          Channel 30 (CityNet 30) -- Portland Community Media  <a href="http://www.pcatv.org">www.pcatv.org</a> -- (503) 288-1515          Sunday, June 6 at 8:30 p.m.          Monday, June 7 at 2 p.m.</p>
<p><b>Gresham</b>          Channel 30 -- MCTV  <a href="http://www.mctv.org">www.mctv.org</a> -- (503) 491-7636          Monday, June 7 at 2 p.m.</p>	<p><b>Washington County</b>          Channel 30 -- TVTV  <a href="http://www.yourtv.org">www.yourtv.org</a> -- (503) 629-8534          Saturday, June 5 at 11 p.m.          Sunday, June 6 at 11 p.m.          Tuesday, June 8 at 6 a.m.          Wednesday, June 9 at 4 p.m.</p>
<p><b>Oregon City, Gladstone</b>          Channel 28 -- Willamette Falls Television  <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275          Call or visit website for program times.</p>	<p><b>West Linn</b>          Channel 30 -- Willamette Falls Television  <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275          Call or visit website for program times.</p>

**PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.**

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office)

Agenda Item Number 4.1

Consideration of Minutes of the May 27, 2004 Regular Council meeting.

Metro Council Meeting  
Thursday, June 3, 2004  
Metro Council Chamber

Agenda Item Number 5.1

**Ordinance No. 04-1040**, For the Purpose of Amending the Metro Urban Growth Boundary, the Regional Framework Plan and the Metro Code to Increase the Capacity of the Boundary to Accommodate Growth in Industrial Employment

*Second Reading*

Metro Council Meeting  
Thursday, June 3, 2004  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE ) ORDINANCE NO. 04-1040  
METRO URBAN GROWTH BOUNDARY, )  
THE REGIONAL FRAMEWORK PLAN AND )  
THE METRO CODE TO INCREASE THE )  
CAPACITY OF THE BOUNDARY TO )  
ACCOMMODATE GROWTH IN ) Introduced by the Metro Council  
INDUSTRIAL EMPLOYMENT )

WHEREAS, by Ordinance No. 02-969B (For The Purpose Of Amending The Urban Growth Boundary, The Regional Framework Plan And The Metro Code In Order To Increase The Capacity Of The Boundary To Accommodate Population Growth To The Year 2022), the Council amended Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan to increase the capacity of industrial land to accommodate industrial jobs; and

WHEREAS, by Ordinance No. 02-969B, the Council added capacity to the UGB but did not add sufficient capacity to accommodate the full need for land for industrial use; and

WHEREAS, the Metro Council submitted Ordinance No. 969B, in combination with other ordinances that increased the capacity of the UGB, to the Land Conservation and Development Commission (LCDC) as part of Metro's periodic review of the capacity of its UGB; and

WHEREAS, on July 7, 2003, LCDC issued its "Partial Approval and Remand Order 03-WKTASK-001524" that approved most of the Council's decisions, but returned the matter to the Council for completion or revision of three tasks: (1) provide complete data on the number, density and mix of housing types and determine the need for housing types over the next 20 years; (2) add capacity to the UGB for the unmet portion of the need for land for industrial use; and (3) either remove tax lots 1300, 1400 and 1500 in Study Area 62 from the UGB or justify their inclusion; and

WHEREAS, the Council completed its analysis of the number, density and mix of housing types and the need for housing over the planning period 2002-2022 and incorporated its conclusions in a revision to its Housing Needs Analysis; and

WHEREAS, the Council increased the capacity of the UGB both by adding land to the UGB and by revising the Regional Framework Plan and Title 4 of the UGMFP to meet the previously unmet portion of the need for land for industrial use; and

WHEREAS, the Council decided to remove tax lots 1300, 1400 and 1500 in Study Area 62 from the UGB; and

WHEREAS, the Council consulted its Metropolitan Policy Advisory Committee and the 24 cities and three counties of the metropolitan region and considered comments and suggestions prior to making this decision; and

WHEREAS, prior to making this decision, the Council sent individual mailed notification to more than 100,000 households in the region and held public hearings on Title 4 and the efficient use of industrial land on December 4 and 11, 2003, public workshops at six locations around the region in March, 2004, on possible amendments to the UGB, and public hearings on the entire matter on April 22 and 29, May 6, and June 10 and 24, 2004; now, therefore

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

1. Policy 1.12 of the Regional Framework Plan is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance, to guide the choice of farmland for addition to the UGB when no higher priority land is available or suitable.
2. Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan is hereby amended, as indicated in Exhibit B, attached and incorporated into this ordinance, to improve implementation of Title 4 by cities and counties in the region.
3. The Employment and Industrial Areas Map is hereby amended, as shown in Exhibit C, attached and incorporated into this ordinance, to depict the boundaries of Regionally Significant Industrial Areas pursuant to Policy 1.4.1 of the Regional Framework Plan in order to ensure more efficient use of the areas for industries reliant upon the movement of freight and to protect the function and capacity of freight routes and connectors in the region.
4. The Revised Housing Needs Analysis, January 24, 2003, is hereby further revised, as indicated in Exhibit D, Addendum to Housing Needs Analysis, April 5, 2004, attached and incorporated into this ordinance, to comply with the first item in LCDC's "Partial Approval and Remand Order 03-WKTASK-001524."
5. The Metro UGB is hereby amended to include all or portions of the Study Areas shown on Exhibit E and more precisely identified in the Industrial Land Alternative Analysis Study, February, 2004, Item (c) in Appendix A, subject to the conditions set forth in Exhibit F, and to exclude tax lots 1300, 1400 and 1500 in Study Area 62 and the southeast portion of Study Area 9

from the UGB, also shown on Exhibit E and more precisely identified in the Staff Report, “In Consideration of Ordinance No. 04-1040, For the Purpose of Amending the Metro Urban Growth Boundary, the Regional Framework Plan and the Metro Code to increase the capacity of the Boundary to Accommodate Growth in Industrial Employment”, Item (a) in Appendix A. Exhibits E and F are attached and incorporated into this ordinance to comply with the second and third items in LCDC’s “Partial Approval and Remand Order 03-WKTASK-001524.”

6. The Appendix, attached and incorporated into this ordinance, is hereby adopted in support of the amendments to the UGB, the Regional Framework Plan and the Metro Code in sections 1 through 3 of this ordinance. The following documents comprise the Appendix:
  - a. Staff Report, “In Consideration of Ordinance No. 04-1040, For the Purpose of Amending the Metro Urban Growth Boundary, the Regional Framework Plan and the Metro Code to increase the capacity of the Boundary to Accommodate Growth in Industrial Employment”, April 5, 2004.
  - b. 2002-2022 Urban Growth Report: An Employment Land Need Analysis, June 24, 2004 Supplement.
  - c. Industrial Land Alternative Analysis Study, February, 2004.
  - d. Measure 26-29 Technical Report: Assessment of the Impacts of the June, 2004, UGB Expansion on Property Owners.
  - e. Industrial Land Expansion Public Comment Report, March, 2004.
  - f. “An Assessment of Potential Regionally Significant Industrial Areas”, memorandum from Mary Weber to Dick Benner, October 21, 2003.
  - g. “Recommended Factors for Identifying RSIA’s”, memorandum from Mary Weber to MTAC, June 30, 2003.
  - h. “Slopes Constraints on Industrial Development”, memorandum from Lydia Neill to David Bragdon, November 25, 2003.
  - i. “Limited Choices: The Protection of Agricultural Lands and the Expansion of the Metro Area Urban Growth Boundary for Industrial Use”, prepared by the Metro Agricultural Lands Technical Workgroup, April, 2004.
  - j. “Technical Assessment of Reducing Lands within Alternatives Analysis Study Areas”, memorandum from Lydia Neill to David Bragdon, October 30, 2003.
  - k. Agriculture at the Edge: A Symposium, October 31, 2003, Summary by Kimi Iboshi Sloop, December, 2003.
  - m. “Industrial Land Aggregation Methodology, Test and Results”, memorandum from Lydia Neill to David Bragdon, September 24, 2003.
  - n. “Industrial Areas Requested by Local Jurisdictions”, memorandum from Tim O’Brien to Lydia Neill, July 29, 2003.

- o. 'Industrial Land Locational and Siting Factors', memorandum from Lydia Neill to David Bragdon, June 9, 2003.
  - p. 'A Review of Information Pertaining to Regional Industrial Lands', memorandum from Dick Benner to David Bragdon, January 26, 2004.
  - q. Map of Freight Network and Freight Facilities, Metro, November, 2003.
  - r. 'Evaluating the Industrial Land Supply with Projected Demand', memorandum from Lydia Neill to David Bragdon, May 14, 2003.
  - s. 'Identifying 2003 Industrial Land Alternatives Analysis Study Areas', memorandum from Tim O'Brien to Lydia Neill, July 9, 2003.
  - t. 'For the Purpose of Reducing the Land Under Consideration in the 2002 and 2003 Alternatives Analysis for Meet the Remaining Need for Industrial Land through Urban Growth Boundary Expansion', Staff Report, November 18, 2003.
  - u. 'Formation of Industrial Neighborhoods', memorandum from Lydia Neill to David Bragdon, October 24, 2003.
  - v. 'Developed Lots 5 Acres and Smaller Outside the UGB', memorandum from Amy Rose to Lydia Neill, November 18, 2003.
  - w. 'Employment Land Included in the 2002 Urban Growth Boundary Expansion', memorandum from Andy Cotugno to David Bragdon, March 10, 2003.
  - x. 'Identifying Additional Land for Industrial Purposes,' memorandum from Tim O'Brien to Lydia Neill, March 7, 2003.
7. The Findings of Fact and Conclusions of Law in Exhibit G, attached and incorporated into this ordinance, explain how this ordinance complies with state law, the Regional Framework Plan and the Metro Code.

ADOPTED by the Metro Council this 24<sup>th</sup> day of June, 2004.

\_\_\_\_\_  
David Bragdon, Council President

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Christina Billington, Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

**Exhibit A to Ordinance No. 04-1040**

**[1.12] Protection of Agriculture and Forest Resource Land**

**1.12.1** Agricultural and forest land outside the UGB shall be protected from urbanization, and accounted for in regional economic and development plans, consistent with this Plan. However, Metro recognizes that all the statewide goals, including Statewide Goal 10, 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.

**[1.12.1] 1.12.2 [Rural Resource Lands**

**Rural resource lands outside] When the Council must choose among agricultural lands of the same soil capability 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 Council shall choose agricultural land deemed less important to the continuation of commercial agriculture in the region.**

**[1.12.2] 1.12.3 [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 Council policy on protection of agricultural and forest resource policy through the designation of Rural Reserves and other measures.**

**[1.12.3] 1.12.4 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. 04-1040

### TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

#### 3.07.410 Purpose and Intent

A. The Regional Framework Plan calls for a strong economic climate. To improve the region's economic climate, **[the plan] Title 4** seeks to **provide and** protect **[the] a** supply of sites for employment by limiting **[incompatible uses within] the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs)**, Industrial Areas and Employment Areas. **Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks [T]to** protect the capacity and efficiency of the region's transportation system for **the** movement of goods and services, and to **[promote the creation of jobs within designated Centers and discourages certain kinds of commercial retail development outside Centers] encourage the location of other types of employment in Centers, Employment Areas, Corridors, Main Streets and Station Communities.** **[It is the purpose of Title 4 to achieve these policies.] The Metro Council will [consider amendments to this title in order to make the title consistent with new policies on economic development adopted] evaluate the effectiveness of Title 4 in achieving these purposes** as part of **its** periodic **[review] analysis of the capacity of the urban growth boundary.**

#### 3.07.420 Protection of Regionally Significant Industrial Areas

A. Regionally Significant Industrial Areas (RSIA) are those areas **[that offer the best opportunities for family-wage industrial jobs] near the region's most significant transportation facilities for the movement of freight and other areas most suitable for movement and storage of goods.** Each city and county with land use planning authority over **[areas] RSIAs** shown on the **[Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969] Employment and Industrial Areas Map** shall derive specific plan designation and zoning district boundaries of **[the areas] RSIAs within its jurisdiction** from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in **[subsection C, D and E] this section,** and **[its] the** need **[of individual cities and counties] to achieve a mix of [types of] employment uses.**

B. **[Each city and county with land use planning authority over an area designated by Metro on the 2040 Growth Concept Map, as amended by Ordinance No. 02-969, as a Regionally Significant Industrial Area shall, as part of compliance with section 3.07.1120 of the Urban Growth Management Functional Plan, derive plan designation and zoning district boundaries of the areas from the Growth Concept Map] Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit the size and location of new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate, legal, medical and dental offices - to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 3,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:**

**1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and**

2. Training facilities whose primary purpose is to provide training to meet industrial needs.

C. [After determining boundaries of Regionally Significant Industrial Areas pursuant to subsections A and B, the city or county] Cities and counties shall [adopt implementing ordinances that limit development in the areas to industrial uses, uses accessory to industrial uses, offices for industrial research and development and large corporate headquarters in compliance with subsection E of this section, utilities, and those non-industrial uses necessary to serve the needs of businesses and employees of the areas] review their land use regulations and revise them, if necessary, to include measures to limit the siting and location of new buildings for the uses described in subsection B and for non-industrial uses that do not cater to daily customers - such as bank or insurance processing centers - to ensure that such uses do not reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003, below standards set in the 2004 Regional Transportation Plan or require added road capacity to prevent falling below the standards.

D. [Notwithstanding subsection C, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project;  
or

2. Commercial retail uses that would occupy more than five percent of the net developable portion of all contiguous Regionally Significant Industrial Areas] No city or county shall amend its land use regulations that apply to lands shown as RSIA on the Employment and Industrial Areas Map to authorize uses described in subsection B that were not authorized prior to July 1, 2004.

E. [As provided in subsection C of this section, a city or county may approve an office for industrial research and development or a large corporate headquarters if:

1. The office is served by public or private transit; and

2. If the office is for a corporate headquarters, it will accommodate for the initial occupant at least 1,000 employees]

[F. A city or county] Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:

1. Lots or parcels [less] smaller than 50 acres may be divided into any number of smaller lots or parcels[;].

2. Lots or parcels [50 acres or] larger than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields [the maximum number of lots or parcels of] at least [50 acres] one lot or parcel of at least 50 acres in size[;].

3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has

**been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed, with uses described in subsection B of this section.**

4. Notwithstanding paragraphs 2[,], **and** 3 **[and]** of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

- a. To provide public facilities and services;
  - b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
  - c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; **or**
  - d. **[To reconfigure the pattern of lots and parcels pursuant to subsection G or this section]**
- [e.]** To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

**[G. A city or county may allow reconfiguration of lots or parcels less than 50 acres in area if the reconfiguration would be more conducive to a permitted use and would result in no net increase in the total number of lots and parcels. Lots or parcels 50 acres or greater in area may also be reconfigured so long as the resulting area of any such lot or parcel would not be less than 50 acres.]**

**[H] F.** Notwithstanding subsections **[C and D] B** of this section, a city or county may allow the lawful use of any building, structure or land existing at the time of adoption of its ordinance to implement this section to continue and to expand to add up to 20 percent more floor area and 10 percent more land area. Notwithstanding subsection E of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to **[December 31, 2003] July 1, 2004.**

### 3.07.430 Protection of Industrial Areas

A. **[In Industrial Areas mapped pursuant to Metro Code section 3.07.130 that are not Regionally Significant Industrial Areas, c] Cities and counties shall [limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Industrial Areas] review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers – such as financial, insurance, real estate, legal, medical and dental offices - in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:**

**1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and**

2. Training facilities whose primary purpose is to provide training to meet industrial needs.

B. In an Industrial Area, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or

2. Commercial retail uses that would occupy more than ten percent of the net developable portion of the area or any adjacent Industrial Area] Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003. Such measures may include, but are not limited to restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:

1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.

2. Lots or parcels larger than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.

3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection A of this section.

4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

a. To provide public facilities and services;

b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

E. Notwithstanding **[subsection B] subsection A** of this section, a city or county may allow the lawful use of any building, structure or land **existing** at the time of **[enactment of an] adoption of its** ordinance **[adopted pursuant to this section] to implement this section** to continue and to expand to add up to 20 percent more **[floorspace] floor area** and 10 percent more land area. **Notwithstanding subsection D of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to July 1, 2004.**

#### 3.07.440 Employment Areas

- A. Except as provided in subsections C, D and E, in Employment Areas mapped pursuant to Metro Code Section 3.07.130, cities and counties shall limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas.
- B. Except as provided in subsections C, D and E, a city or county shall not approve a commercial retail use in an Employment Areas with more than 60,000 square feet of gross leasable area in a single building, or retail commercial uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.
- C. A city or county whose zoning ordinance applies to an Employment Area and is listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if the ordinance authorized those uses on January 1, 2003.
- D. A city or county whose zoning ordinance applies to an Employment Area and is not listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if:
1. The ordinance authorized those uses on January 1, 2003;
  2. Transportation facilities adequate to serve the retail commercial uses will be in place at the time the uses begin operation; and
  3. The comprehensive plan provides for transportation facilities adequate to serve other uses planned for the Employment Area over the planning period.
- E. A city or county may authorize new retail commercial uses with more than 60,000 square feet of gross leasable area in Employment Areas if the uses:
1. Generate no more than a 25 percent increase in site-generated vehicle trips above permitted non-industrial uses; and
  2. Meet the Maximum Permitted Parking – Zone A requirements set forth in Table 3.07-2 of Title 2 of the Urban Growth Management Functional Plan.

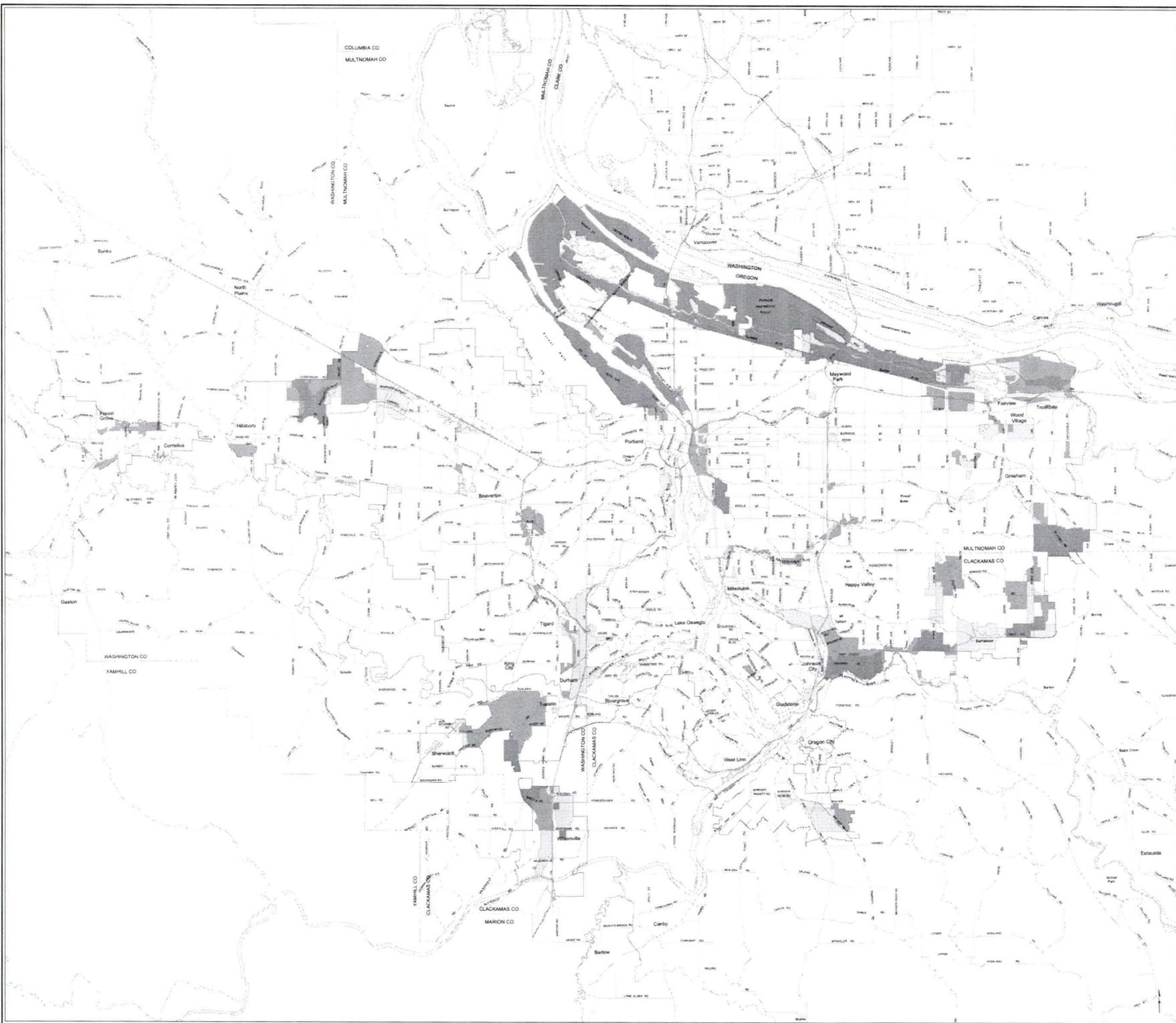
# Title 4 Industrial and Employment Areas

Ordinance No. 04-1040

Exhibit C

04/14/04

-  Employment Land
-  Industrial Land
-  Regionally Significant Industrial Areas



Employment Land, Industrial Land, and Regionally Significant Industrial Areas are shown in gray. The map is not intended to be used as a legal document. It is intended to provide a general overview of the land use designations in the region. The map is not intended to be used as a legal document. It is intended to provide a general overview of the land use designations in the region.



Location Map



METRO DATA RESOURCE CENTER  
800 NORTH EAST LANE SUITE 100 PORTLAND, OREGON 97202-3746  
TEL: 503 973-7700 FAX: 503 973-7846  
WWW.METRO.ORG

**Exhibit D to Ordinance No. 04-1040  
Addendum to Housing Needs Analysis  
April 5, 2004**

**I. INTRODUCTION**

The attached three Tables satisfy the requirements of ORS 197.298(5)(a)(E) to provide at least 3 years of data on the number, density and average mix of housing for vacant, partially vacant, redevelopment and infill (refill) and mixed use designated land. Table 5(a)(E) – 1 provides number, density and mix data on refill land for the period 1997 through 2001. Table 5(a)(E) – 2 provides the same data for development on vacant and partially vacant land for the period 1998 through 2001. Table 5(a)(E) – 3 displays the number, density and mix data for development on mixed use land for the period 1998 – 2001.

As noted in the original Housing Needs Analysis submission, the data in the attached Tables are subsets of more aggregated data contained in the original Housing Needs Analysis Report. While interesting and informative, the data in the attached Tables do not contradict the conclusions and actions taken in conjunction with the Urban Growth Report and periodic review. Nor do the data affect the determinations of the overall average density and overall mix of housing types at which residential development must occur in order to meet housing needs through 2022, as depicted in the original Housing Needs Analysis, pages 2 through 7 and Figures 3.1, 3.2, 3.3, 5.1 and 5.3.

The remainder of the report consists of an explanation of methodology and data sources and a synopsis of the data content of each of the tables.

**II. METHODOLOGY AND DATA SOURCES**

**A. Data Sources**

In order to retrospectively meet the requirements of State Statute we made maximum use of Metro's RLIS archived data that extend back in some degree to 1995. These data consist of the following elements:

1. Land use data at the tax lot level designating land by vacant, developed and zoning category.
2. County assessor tax lot data showing use, value, sales data, etc.
3. Geo-coded building permit data by building type.
4. Air photos for each year taken approximately in July of each year with a trend of improving resolution level over time.

**B. Sampling Approach**

We elected to measure the data using a 20% sampling approach so that we could manually audit each of the selected data points to insure accuracy. Machine processing of the data is not possible due to the following sources of measurement error.

1. Building permit geo-coding variability as approximately 70% of building permits actually geo-code exactly to the correct tax lot.

2. Building permit data error due to incomplete reporting, undetected duplicates and inaccurate descriptions of building type, work done and location.
3. Slight registration discrepancies between tax lot maps, air photos and archived land use coverages.
4. Variability between the time a building permit is issued, building takes place and the tax lot is created and enumerated in the County Assessor's tax lot coverage. The practical consequence of this is often that a row house constructed on a 2,500 sq. ft. lot appears to be on a 100,000 sq. ft. plus lot because the subdivision plat is not yet available in the data base.

For multi-family units we modified the 20% sample to include 100% of all building permits for 20 or more units and applied the 20% rate to permits of under 20 units. This avoided the potential sampling errors associated with having a few permits for multi-family of over 100 or more units.

**C. Expansion Back to the Population Totals**

Because we elected a 100% count of multi-family the sample was not self-weighting. As a consequence after the analysis was complete we used a two phase approach to estimate the building permit population. First, we expanded our sample by building type back to the totals reported in our building permit data base. Secondly, since our building permit data base is incomplete relative to the totals reported to the State and Federal Government, we expanded our building permit data base to match the County totals by building type.

**D. Definition of Entities Being Measure**

State Statute requires we report on the number and densities by building type of development on "refill", "vacant", "partly vacant" and "mixed use" land. These entities we define and discuss in the context of our RLIS data base and measurement protocols as follows:

1. Refill: Housing units developed on land that Metro already considers developed in its data base. Refill is further divided into redevelopment and infill. Redevelopment occurs after an existing building has been removed. Infill is additional building without removal of existing buildings.
  - a. **Method of Measurement:** We measure refill by counting the number of permits that locate on land Metro considers developed in the next fiscal year. For instance for the year "1998" we would compare the RLIS developed and vacant lands inventory for the year ending June 30, 1998 with all building permits issued beginning July 1, 1998 and ending June 30, 1999. Building permits located on land Metro classed vacant as of June 30, 1998 would be classed as development on vacant land and permits landing on land Metro classed as developed as of June 30, 1998 would be classed as refill.
  - b. **Measurement Protocols:** As noted earlier we select a 20% sample of all permits for new residential construction from the RLIS data base for the relevant years (with the exception of the 100% of multi-family permits equal to or exceeding 20 units). Each permit is scrutinized manually by a

trained intern using the RLIS data base and air photos to insure it is properly located and that the permit is for valid construction that did occur as the permit indicated. The analyst then determines whether the permit constitutes refill or vacant land development. Beginning with this study the analyst further classifies the permit to “legal – Urban Growth Report” refill and “economic – MetroScope” refill. This distinction results from the fact that RLIS analysts classify some individual lots in developing green field areas as developed prior to actual development occurring and also classify land cleared for urban renewal areas as vacant. In the former case the economic interpretation is development on new and in the latter case the economic interpretation is refill development. However, to be consistent with the RLIS land accounting system on which the Urban Growth Report is based we classify development the way RLIS accounts for it. On the other hand, the MetroScope land use model used for forecasting and policy evaluation counts green field development as vacant land consumption and urban renewal as refill (redevelopment). Consequently, we report refill data for both classifications.

2. Vacant and partially vacant: In RLIS tax lots that are “completely vacant” (90% vacant) are classed as totally vacant. If the unoccupied portion of a tax lot with development exceeds ½ acre, the unoccupied portion is classed a partially vacant. Green field sites under development may transition from vacant to partially vacant, back to totally vacant to developed and back again to totally vacant depending on the patterns of tax lot subdivision activity and zone changes. This also is true for urban renewal redevelopment sites. There are also a limited number of partially vacant sites in established residential areas where present zoning would allow further subdivision and development.
  - a. **Method of Measurement**: Using the audited building permit sample we machine processed the permits classed as legally vacant to fully vacant and partially vacant. Due to map registration discrepancies the RLIS developed lands coverage for 1997 could not be used so we dropped 600 observations for that year. In addition, another 1400 observations failed the machine screening in that they could not be conclusively classed as either vacant or partially vacant without manual auditing. The 2000 observations excluded from the vacant and partially vacant analysis resulting in the number of units developed on some type of vacant land dropping from 39,000 to 25,000. Though not relevant to the refill study or overall results, discussions with RLIS analysts indicated that the machine filtering process was more likely to exclude partially vacant than vacant tax lots. The bias, resulting from this procedure was minimized, by restating our inventory totals of vacant and partially vacant land using the same screening procedures.
  - b. **Measurement Protocols**: Once the refill data base was reclassified between vacant and partially vacant, we tabulated all the development on vacant land by the type of vacant land it fell on by building type (multi-family and single family) and by lot size.

3. Mixed use development: In our RLIS data base mixed use development is classed as MUC1, MUC2 and MUC3. From the original audited refill data base we selected all the records of building permits that fell on land classed as MUC1, MUC2 or MUC3 regardless of whether it was refill, vacant or partially vacant. Again matching the RLIS land use inventory for 1997 proved problematic for machine selection procedures and this year was excluded. The resulting selection process produced 402 observations representing over 4,600 units constructed from 1998 through 2001.

**E. Years of Data Included in the Retrospective Analysis**

We included building permit data from 12/97 through 6/2002 that could be reliably recovered and geo-coded from our existing RLIS data base. This time period allows us to evaluate 5 years of recent history in regard to “refill” and 4 years of history for “vacant”, “partly vacant” and “mixed use” land.

**III. SYNOPSIS OF RESULTS**

**A. Data Table 5E1: Refill Numbers by Type and Density 1997 – 2001**

The data displayed on Table 5E1 show the amount of residential development of vacant and refill land that occurred during the period 1997 through 2001. During that period nearly 54,000 dwelling units located within the Metro region.<sup>1</sup> Of the 54,000 dwelling units, 26.5% occurred as refill according to the legal – Urban Growth Report definition. Using the economic-MetroScope definition 30.4% were refill reflecting the increasing importance of redevelopment in urban renewal areas and centers. Nearly 20,000 of the units constructed were multi-family with a legal refill rate of 31.5% and an economic rate of 40.2%. 34,000 units constructed were single family with a legal refill rate of 23.6% and an economic rate of 24.7%. Average lot sizes are also reported for every category.<sup>2</sup> For multi-family average lot sizes range from 1,800 to 2,000 sq. ft. depending on category. For single family average lot sizes range from 6,600 to 8,400 sq. ft. with refill development generally in the 6,500 – 7,000 sq. ft. range.

**B. Table 5E1(a): Median Lot Size Data**

This table provides additional and somewhat more meaningful weighted median lot size data. When we compare the average lot sizes in Table 5E1, we observe substantive differences in most cases. In general the median lot sizes are 30% less for vacant single family, 25% more for vacant multi-family, 25% less for refill single family and 30% less for refill multi-family. For all types combined the weighted median is 27% less for vacant and 26% less for refill. Assuming that the present median is a superior measure of long run average lot size, the combined weighted median of 4,417 sq. ft. should be used to determine vacant land consumption. This figure combined with the 39,619 units located on legally vacant land over the 5 year period implies a land consumption of slightly over 4,000 net buildable acres. Using a plausible range of gross to net conversion factors of .55 - .7 yields a gross buildable acre consumption of 1,150 to 1,450 acres per year, within the range estimated in the original Housing Needs Analysis.<sup>3</sup>

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<sup>1</sup> **Real Estate Report for Metropolitan Portland, Oregon**, Spring 2003. Numbers are based on building permits summarized at the County level and only approximate the UGB. This procedure slightly overstates UGB land consumption.

<sup>2</sup> Average as contrasted to median inflates land consumption as the measure is substantially influenced by a few large lot single family permits on urban land still zoned RRFU that will subsequently be subdivided. RLIS procedure of assuming ½ acre of land consumption for permits on non-subdivided land also inflates average lot size.

<sup>3</sup> While appearing precise, attempting to estimate long run densities and land consumption from individual lot sizes involves substantial uncertainties. The most serious of these is the gross to net conversion factor as we only observe

**C. Table 5E2: Housing on Fully Vacant and Partially Vacant Land**

The accompanying table presents the required data on development on a subcategory of vacant land – fully vacant land and land partially vacant. As noted in the methods section, fully or partially vacant is classified relative to the tax lot existing at the time of the RLIS vacant and developed lands inventory. As also noted in the methods section, due to procedures and quirks of the land development and reporting process land may be fully vacant, partially vacant or developed refill land several times during the development process. In addition as a result of attempting to categorize and measure “partially vacant” we discover that the acreage totals are extremely volatile and sensitive to whatever criteria we use in the machine query process to differ partial from full. Very minor discrepancies between vacant land coverages and assessor’s tax lot coverages can dramatically change the inventories of fully and partially vacant. In the methods section we note that we use the same selection criteria for both the inventory totals and the classification of the refill sample into fully and partially vacant.

Of the over 39,000 legal vacant units located in the Metro Region for the period 1997 – 2001 we were able to reliably classify 25,000 units covering the period 1998 – 2001. Of these 15,500 (62.6%) were on fully vacant land and 9,300 (37.4%) were on partially vacant land. Looking at *Table 5E2(a) Fully Vacant and Partially Vacant Land Inventory 1998 – 2001* (replacing Table 4.1AB in the original Housing Needs Analysis) that on average partially vacant comprised 34.3% of the vacant land inventory. In sum development on partially vacant land overall has been occurring at roughly the same rate as development on fully vacant land and appears to not be materially different.

At the same time we recognize that there are a number of instances where partially vacant land shares a tax lot with a high valued single family home. In order to better understand the likelihood of further development under these circumstances, we used our single family sales price study to estimate the “optimum lot size” by neighborhood and house size. We define optimum lot size as the lot size at which at the loss of value to a homeowner by selling off part of his lot just equals the amount he gains by selling the land. If the homeowner sells more land, the value of his house declines more than he gains by the sale. Conversely, if he sells less land, the land unsold contributes less to the value of his home than the amount he would receive were he to sell it. Making that calculation for Dunthorpe we found that a \$1,000,000 home on 5 acres would have a positive incentive to sell off land down to about 1 – 1.5 acres. By comparison, a \$600,000 home on 1 acre would have an incentive to sell off no more than ½ acre. Significantly, in 2000 the average Dunthorpe selling price was \$590,000 for a 3,100 sq. ft. house on a 22,000 sq. ft. lot, almost exactly the optimum lot size determined from our estimates. On average then we would expect Dunthorpe to have no additional capacity other than that resulting from subdivision of lots at least 1 acre to sizes no smaller than ½ acre. Optimum lot size calculations vary dramatically by neighborhood. For instance, the average house in the Powellhurst-Gilbert neighborhood has a positive incentive to sell off land down to and sometimes below a 5,000 sq. ft. lot minimum. This is more often the case within the Metro region notwithstanding the exceptionally high value areas such as Dunthorpe.

**D. Table 5E3: Housing on Mixed Use Designated Land**

As required by statute the accompanying table shows development for the period 1998 – 2001 that occurred on land Metro considered at the time of development to be MUC1, MUC2 and MUC3. As pointed out in the methods section, the mixed use inventory includes refill, vacant and partially vacant

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net buildable land consumption and cannot measure land lost to streets, parks, schools, freeways, etc. The second drawback is that average lot size measures are always exaggerated by a few large lot placements (often of manufactured homes) done by private individuals that will undoubtedly be further subdivided sometime in the future.

lands. Over the 4 year period we noted 4,600 housing units developed of which 3,000 were multi-family and 1,600 were single family. Average lot size for multi-family was 1,400 sq. ft. and single family lot size was 2,300 sq. ft. Table 5E3(a) depicts the 2040 Plan mixed use capacity as of 8/98. Total mixed use capacity at that time was roughly 23,000 units. Mixed use development constituted about 11% of residential development for the 4 year period 98 – 2001. As of 1998, mixed use capacity of 23,000 units constituted 12% of the capacity 193,000 dwelling unit capacity estimated at the time. As was the case with vacant and partially vacant, this sub-classification of land type seems to produce housing at a rate commensurate with its proportion of the land inventory.

### Chief Operating Officer's Recommended Areas

Ordinance 04-1040

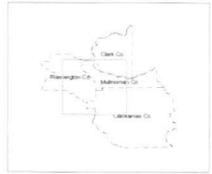
Exhibit E

Note: The Metro Council may consider land for possible inclusion in the UGB for industrial use even if it is not in the Chief Operating Officer's recommendation.

- Areas Recommended for UGB Expansion
-  Recommended Areas
  -  Additional Areas Under Consideration
  -  Areas to be Removed
  -  Urban Growth Boundary



DATE: 04/10/04  
 PREPARED BY: METRO PLANNING AND DEVELOPMENT DEPARTMENT  
 PROJECT: URBAN GROWTH BOUNDARY EXPANSION  
 SHEET: 1 OF 1  
 SCALE: 1" = 1 MILE



Location Map



METRO  
 METRO PLANNING AND DEVELOPMENT DEPARTMENT  
 150 NORTH EAST OREGON AVENUE, PORTLAND, OREGON 97232-7370  
 503.948.7300 FAX 503.948.7370  
 www.metro-oregon.gov

**Exhibit F to Ordinance No. 04-1040**  
**Conditions on Addition of Land to the UGB**

**I. GENERAL CONDITIONS APPLICABLE TO ALL LANDS ADDED TO THE UGB**

A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (“UGMFP”), section 3.07.1120 (“Title 11 planning”) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years after the effective date of this ordinance. Specific conditions below identify the city or county responsible for each study area.

B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit E of this ordinance to the planning required by Title 11 for the study area.

C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area until the effective date of the comprehensive plan provisions and land use regulations adopted to implement Title 11.

D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansions of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

E. Each city or county with land use planning responsibility for an area included in the UGB by this ordinance shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (“RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit C). If the Council places a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.

G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, each city and county with land use responsibility for a study area included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (“LCDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider, in the city or county’s application of Goal 5 to its Title 11 planning, any inventory of regionally significant Goal 5 resources and any preliminary decisions to allow, limit or prohibit conflicting uses of those resources that is adopted by resolution of the Metro Council.

## II. SPECIFIC CONDITIONS FOR PARTICULAR AREAS

### A. Damascus Area

1. Clackamas County and Metro shall complete Title 11 planning requirements through the incorporation of this area into the greater Damascus/Boring Concept Plan planning effort currently underway. This planning shall be completed within the same time frame as specified in Ordinance No. 02-969B.
2. In the planning required by Title 11, subsections (A) and (F) of section 3.07.1120, Clackamas County or any future governing body responsible for the area shall provide for annexation of those portions of the area whose planned capacity is sufficient to support transit to the Tri-met District.
3. In the planning required by Title 11, subsections (A) and (F) of section 3.07.1120, Clackamas County or any future governing body responsible for the area shall provide for annexation of those portions of the area whose planned capacity is sufficient to support transit to the Tri-met District.

### B. Beavercreek Area

1. Clackamas County or, upon annexation to Oregon City, the city and county, with Metro, shall complete Title 11 planning for the area.
2. This area shall be planned in conjunction with the adjoining tax lot added to the UGB in 2002, under Ordinance No. 02-969B.

### C. Borland Area – North of I-205

1. Clackamas County or, upon annexation to the City of Tualatin, the city and county, in coordination with the Cities of Lake Oswego, Tualatin, and West Linn and Metro, shall complete Title 11 planning within four years following the effective date of Ordinance No. 04-1040. The county and city, in conjunction with Lake Oswego and West Linn and Metro shall recommend long-range boundaries in the Stafford Basin and general use designations for consideration by the Council in future expansions of the UGB.
2. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

### D. Tualatin Area

1. Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within four years of the effective date of Ordinance No. 04-1040.

2. Title 11 planning shall incorporate the general location of the projected right of way location for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan.
3. The governments responsible for Title 11 planning shall consider using the I-5/99W connector as a boundary between the city limits of the City of Tualatin and the City of Wilsonville in this area.

E. Quarry Area

1. Washington County or, upon annexation to the cities of Tualatin or Sherwood, the cities, and Metro shall complete Title 11 planning for the area.
2. Title 11 planning shall, if possible, be coordinated with the adjoining area that was included in the UGB in 2002 under Ordinance No. 02-969B.
3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

F. Coffee Creek Area

1. Washington and Clackamas Counties or, upon annexation of the area to the City of Wilsonville, the city, and Metro shall complete the Title 11 planning for the area within four years of the effective date of Ordinance No. 04-1040.
2. The concept planning shall incorporate the general location of the projected right of way location for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan.

G. Wilsonville East Area

1. Clackamas County or, upon annexation of the area to the City of Wilsonville, the city, and Metro shall complete the Title 11 planning for the area within two years of the effective date of Ordinance No. 04-1040.
2. In the planning required by Title 11 a buffer shall be incorporated to mitigate any adverse effects of locating industrial uses adjacent to residential uses located southwest of the area.
3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

H. Cornelius

1. Washington County, or, upon annexation of the area to the City of Cornelius, and Metro shall complete the Title 11 planning for the area.

I. Helvetia

1. Washington County, or upon annexation of the area to the City of Hillsboro, the city, and Metro shall complete the Title 11 planning for the area.
2. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

Ordinance No. 04-1040  
Exhibit G  
Findings and Conclusions  
(available prior to adoption)

## STAFF REPORT

IN CONSIDERATION OF ORDINANCE 04-1040 FOR THE PURPOSE OF AMENDING THE URBAN GROWTH BOUNDARY, THE REGIONAL FRAMEWORK PLAN, THE FUNCTIONAL PLAN AND THE METRO CODE TO ACCOMMODATE THE GROWTH IN INDUSTRIAL EMPLOYMENT

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**Date: April 15, 2004**

**Prepared by: Lydia Neill**

### BACKGROUND

Metro is required to assess the capacity of the urban growth boundary (UGB) every five years under ORS 197.299(1). Metro is currently in Periodic Review with the Department of Land Conservation and Development (DLCD) under work program approval order #001243. As part of this review Metro is required to forecast and provide a 20-year land supply for residential, commercial and industrial uses inside the UGB. The Metro Council had forecasted a shortage of 38,700 dwelling units, 140 acres of commercial land and 4,285 acres of industrial land for the period from 2002 to 2022. In December 2002 the Metro Council added 18,638 acres of land to the UGB that satisfied all of the demand for residential and commercial land but only a portion of the need for industrial land.

A remand work order was issued by the Land Conservation and Development Commission (LCDC) due to the incomplete actions on industrial lands and several other issues. The remand order 03-WK Task 001524 requires Metro to fulfill the industrial land need, complete the Housing Needs Analysis by providing data on the number mix and housing types required by ORS 197.296(5), and either remove tax lots 1300, 1400 and 1500 adjacent to King City or provide a justification for their inclusion in the UGB by June 2004.

#### ***Industrial Lands Shortfall***

The 2002-2022 Urban Growth Report: An Employment Land Need Analysis Updated December 2002 (Employment UGR), identified a demand for industrial land of 4,285 net acres and a demand for commercial land of 140 net acres. The Metro Council's December expansion decision included roughly half of the industrial land need. The 2002 UGB decision added 2,850 net acres of job land to the UGB that is divided among three 2040 design types; 533 net acres of employment land, 818 net acres of industrial land and 1,499 net acres of Regionally Significant Industrial Area (RSIA) land.<sup>1</sup> Thus, there is a current industrial land need of 1,968 net acres and a commercial land surplus of 393 net acres.

#### ***Employment UGR- Acres Needed By Sector***

The Employment UGR identified the demand for vacant industrial land by sector and distributed the demand by parcel size. This demand allocation reflects past demand, development practices and existing land use policies. The demand is described in gross acres rather than net acres to allow discussion and

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<sup>1</sup> RSIA's are a 2040 design type that identifies industrial areas that have regional significance because of their location near the region's most important transportation facilities for the movement of traded sector freight.

comparison of different study areas and tax lots on a consistent geography.<sup>2</sup> The general demand for vacant industrial land is distributed as follows:

- 70 percent warehouse and distribution
- 13 percent general industrial
- 17 percent tech/flex<sup>3</sup>

***Warehouse and Distribution Demand Summary***

Approximately 70 percent of the total demand for industrial land is needed for warehouse and distribution use. Warehouse and distribution include the following standard industrial classification (SIC) codes: 40-45 and 50, 51 which is represented by railroad, motor freight, air transportation, postal services and wholesale trade of durable and non-durable goods. The greatest demand for parcels (5,979 acres or 72 percent) for warehouse and distribution use is in the small to mid-range category of lot sizes (1 to 25 acres).<sup>4</sup> There is a strong demand in the southern portion of the Metro area for warehouse/distribution land due to the location of existing uses and the relative advantages this area due to access to I-5.<sup>5</sup>

***General Industrial Demand Summary***

The demand for general industrial vacant land is the smallest of the three industrial sectors (13 percent). General industrial includes SIC's 20-34, 37 and 39 which represent food products, textiles, apparel, lumber, furniture, paper, printing, petroleum related, primary metals, stone, glass, concrete, construction and mining, transportation equipment and miscellaneous manufacturing. The greatest need for land in the general industrial category is in the 1 acre and under category. The under 1 acre up to 5 acre lot size categories represent 80 percent of the general industrial land need. According to the Employment UGR there is no demand for lots greater than 50 acres in size for this sector.

***Tech/Flex Demand Summary***

Tech flex represents 17 percent of the demand for industrial land. Tech/flex includes SIC's 35, 36, 38 and 737 which are represented by industries specializing in industrial/commercial machinery, computer equipment, electronic/electrical equipment, instruments, data processing/services and software development. Portland and the westside areas account for over 53 percent of the total demand for tech/flex land in the region. The greatest need for lots appears to be in the under 1 acre and up to 5 acres in size (53 percent). This demand corresponds to growth in start-ups and spin-offs from existing industries already located here in the region. A sizable demand also exists for lots in the mid-size 10 to 25 acre and large size categories between 50 to 100 acres. No demand appears to exist within the 100 plus acre range, although a decision by a single large industrial user cannot be accounted for in the economic forecast.

The Employment UGR defines the land need by industrial sector and parcel size categories as shown below:

**Table 1. Demand for Parcel Sizes By Industrial Sector**

<b>Sector Type</b>	<b>under 1</b>	<b>1 to 5</b>	<b>5 to 10</b>	<b>10 to 25</b>	<b>25 to 50</b>	<b>50 to 100</b>	<b>+ 100</b>	<b>Total Demand</b>
<b>Warehouse/ Distribution</b>	617	1,923	2,124	1,932	648	534	502	8,280
<b>General Industrial</b>	776	467	98	154	53	0	0	1,548
<b>Tech Flex</b>	562	509	122	315	186	334	0	2,028
<b>Total (in gross acres)</b>	<b>1,955</b>	<b>2,899</b>	<b>2,344</b>	<b>2,401</b>	<b>887</b>	<b>868</b>	<b>502</b>	<b>11,856</b>

<sup>2</sup> Gross vacant buildable acres in this analysis have removed Title 3 lands.

<sup>3</sup> Tech-flex development is a building type that provides flexible space to accommodate a variety of users from light assembly, product storage and research.

<sup>4</sup> Memorandum titled "Evaluation of the Industrial Land Supply with Projected Demand", dated May 14, 2003.

<sup>5</sup> MetroScope modeling analysis completed in 2002.

The majority of the industrial land demand is for sites 25 acres or less. Warehouse/ Distribution and Tech Flex have the highest demand for lots in the 25 to 100 acre categories.

***Industrial Land Supply Available to Meet Demand***

The supply of vacant land available to meet the needs of industry is calculated for the land inside of the existing UGB and in the areas that were added to the UGB in December 2002. Gross acres have been calculated by removing only Title 3 resource areas.

The supply of vacant industrial land is concentrated in Portland and the eastern portion of the region. The 2002 UGB expansion included over 4,000 industrial acres that are mainly concentrated in the Damascus and South Gresham (Springwater) areas.<sup>6</sup> The smallest supply of lots falls within the 50-100 plus acre lot ranges indicating that there are few choices for large lot users within the existing UGB.

**Table 2. Comparison of Supply and Demand** (in gross acres)

	under 1	1 to 5	5 to 10	10 to 25	25 to 50	50 to 100	plus 100	Total supply
<b>Total Supply</b>	400	2,388	1,889	2,159	1,765	536	111	9,249
<b>Total Demand</b>	1,955	2,899	2,344	2,401	887	868	502	11,856
<b>Surplus/ (Deficit)</b>	<b>(1,555)</b>	<b>(511)</b>	<b>(455)</b>	<b>(242)</b>	<b>878</b>	<b>(332)</b>	<b>(391)</b>	<b>(2,607)</b>

After identifying the size of the deficit and the number and sizes of parcels required to meet the industrial land need a methodology was developed to complete the Alternatives Analysis Study based on the Statewide Planning Goals 2 and 14.

**STATEWIDE PLANNING GOALS 14 and 2**

Goal 14, Urbanization provides for an orderly and efficient transition from rural to urban use. The goal defines the use of urban growth boundaries as a tool to identify and separate urbanizable land from rural lands. Establishing or changes the boundary shall be based upon the balancing of the following factors:

- demonstration of the need for land based on population and growth forecasts for housing, employment and livability purposes;
- maximizing the efficiency of land uses within and on the fringe of the existing urban area;
- evaluating the environmental, energy, economic and social consequences;
- retention of agricultural land with class I being the highest priority for retention and class VI being the lowest; and
- demonstration of compatibility or urban uses with nearby agricultural activities.

Goal 14 describes a number of requirements that must be met that may be in conflict with one another. The Goal does not contemplate satisfying all elements but requires a balancing of impacts.

A key element in addressing the hierarchy requirements is defining which lands are suitable for industrial purposes. Metro is focused on meeting a very narrow land need. This land need can only be satisfied on land that has very specific characteristics. Goal 14 allows Metro to define the type of land necessary to meet the needs for industrial land. The suitability of land is established by identifying the characteristics of land for warehouse and distribution, general industrial and tech flex uses. The type of the land needed for industrial purposes is less substitutable than for other types for employment or residential purposes.

Goal 2 part II—Exceptions, governs Land use Planning and applies to the UGB amendment process because it establishes a land use planning process, a policy framework and a basis for taking exceptions to

<sup>6</sup> Includes the Damascus area and Gresham (industrial, including regionally significant lands)

the goal. An exception can be taken if the land is physically developed or irrevocably committed to uses not permitted by the goal.

### ***Alternatives Analysis Methodology and the Priority of Lands***

Lands considered for inclusion in the UGB must meet the requirements in Statewide Planning Goal 14 and the State statute regarding the priority lands (ORS 197.298).<sup>7</sup> The five-tier hierarchy of land begins with exception lands and progresses through to resource lands containing a range from the poorest to the best soils. This tier system is used to map soil types, establish the predominance of soils and allow comparison of study areas. For example, Tier 5 lands contain a majority of the best soils for agriculture class I and II soils. The tiers of land are defined as follows:

- Tier 1 – exception land contiguous to the UGB and non-high value resource land completely surrounded by exception land;
- Tier 1a – exception land not contiguous to the UGB (within the one mile extent of study area boundaries);
- Tier 2 – marginal land, a unique classification of non-resource land in Washington County that allows dwelling units on EFU land;
- Tier 3 – resource land that may be needed to serve exception land;
- Tier 4 – resource land, majority of class III & IV soils, some class I & II soils; and
- Tier 5 - resource land, majority of class I and II soils, some class III and IV soils

The 2002 Alternatives Analysis Study was supplemented with additional lands after the December 2002 UGB expansion decision removed over 18,000 acres. A total of 59,263 acres of land remained from the 2002 Alternatives Analysis Study after the 2002 expansion of the UGB. The 2003 Alternatives Analysis Study added another 9,071 acres of land bringing the total under study to over 68,334 acres. The land added to the 2003 Study contains mostly Tier 5 resource lands that are made up of class I and II soils. These soil classes were not examined in the 2002 study.

### ***Reducing The Lands Under Consideration***

The Metro Council reduced the Alternatives Analysis Study lands under consideration from 68,334 acres to 29,000 acres in December 2003 by adopting Resolution No. 03-3386B. The reduction in the 2002/2003 Alternatives Analysis Study areas was based on a technical assessment using industry location and siting factors (slope, proximity to industry and access), area size, proximity to the UGB and size and location of committed uses. The following factors were applied to the 68,334 acres to reduce the areas under study:

- Areas were removed that contained a majority of parcels that were less than 5 acres and were already developed;
- Areas were removed if they fell below the minimum size threshold (300 acres) for an industrial neighborhood and were not located adjacent to an existing industrial neighborhood;<sup>8</sup>
- Areas were removed when the majority of an area contained large expanses of land, located within a floodplain and/or had slopes greater than 10 percent; and
- Areas were removed that were contiguous to the UGB but were not located within one mile of existing Title 4 areas and/or industrial areas and are more than two miles from an interchange unless these areas may be needed to provide services to areas suitable for industrial uses.<sup>9</sup>

The remaining Alternative Analysis Study contained 29,071 gross acres, of which 9,179 acres are Tier 1 exception land. The remaining land is a combination of Tier 3, Tier 4 and Tier 5 – resource land, majority of class I & II soils, some class III & IV soils and prime timberland. Tier 5 lands are the lowest priority land under ORS 197.298 to be considered for urbanization because they contain the best soils for

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<sup>7</sup> The Hierarchy of Lands is depicted in a chart labeled Attachment 1.

<sup>8</sup> A study was completed to determine a minimum size

<sup>9</sup> Includes: Highway 99, Tualatin Valley Highway, I-84, I-5, I-205 and I-405.

agriculture. The boundary of individual study areas is limited to approximately one mile from the current UGB, which is consistent with the methodology applied in the 2002 Alternatives Analysis Study.

### **APPLICATION OF METRO POLICIES**

Metro's management of the UGB is guided by standards and procedures that are consistent with the policies identified in Sections 1 through 6 of the Regional Framework Plan (Framework Plan). These policies were formulated to guide the decision-making regarding expansion of the UGB, growth management, protection of natural resources and to provide definition of the urban form for the region. These policies have been applied to the Alternatives Analysis lands under consideration areas as part of the evaluation of lands for possible inclusion into the UGB. The policies discussed below do not take precedence over criteria in state law but can be applied within the decision-making process to lands that are located within the same tier classification or class of soils.

#### ***Regional Framework Plan, Section 1: Land Use***

This section contains specific goals and objectives adopted to guide Metro in future growth management land use planning. Listed below in full or in part are the policies that are expressly or implicitly apply to this UGB expansion decision.

#### ***Policy 1. Urban Form***

The quality of life and the urban form of our region are closely linked. The Growth Concept is based on the belief that we can continue to grow and enhance livability by making the right choices for how we grow. The region's growth will be balanced by:

- Maintaining a compact urban form, with easy access to nature;
- Preserving existing stable and distinct neighborhoods by focusing commercial and residential growth in mixed-use centers and corridors at a pedestrian scale;
- Assuring affordability and maintaining a variety of housing choices with good access to jobs and assuring that market-based preferences are not eliminated by regulation; and
- Targeting public investments to reinforce a compact urban form.

#### ***Policy 1.2 Built Environment***

Development in the region should occur in a coordinated and balanced fashion as evidenced by:

- A regional "fair-share" approach to meeting the housing needs of the urban population.
- The provision of infrastructure and critical public services concurrent with the pace of urban growth and that supports the 2040 Growth Concept.
- The continued growth of regional economic opportunity, balanced so as to provide an equitable distribution of jobs, income, investment and tax capacity throughout the region and to support other regional goals and objectives.
- The coordination of public investment with local comprehensive and regional functional plans.
- The creation of a balanced transportation system, less dependent on the private automobile, supported by both the use of emerging technology and the location of jobs, housing, commercial activity, parks and open space.

#### ***Policy 1.3.1 Affordable Housing***

The Metro Council, with the advice and consultation of the Metro Policy Advisory Committee (MPAC), determined that affordable housing is a growth management and land use planning matter of metropolitan concern and will benefit from regional planning. Metro will develop Affordable Housing Production Goals as part of a Regional Affordable Housing Strategy for meeting the housing needs of the urban population in cities and counties in the Metro region. The purpose of this Section 1.3 of the Regional Framework Plan is to address the need for a regional affordable housing strategy, in order to provide affordable housing opportunities throughout the region.

This purpose will be achieved through:

- A diverse range of housing types available within the region and within the cities and counties inside Metro's urban growth boundary;
- Sufficient and affordable housing opportunities available to households of all income levels that live or have a member working in each jurisdiction and subregion;
- An appropriate balance of jobs and housing of all types within subregions;
- Addressing current and future need for and supply of affordable housing in the process used to determine affordable housing production goals; and
- Minimizing any concentration of poverty.

***Policy 1.4 Economic Opportunity***

Metro should support public policy that maintains a strong economic climate through encouraging the development of a diverse and sufficient supply of jobs, especially family wage jobs, in appropriate locations throughout the region. In weighing and balancing various values, goals and objectives, the values, needs, choices and desires of consumers should also be taken into account. The values, needs and desires of consumers include:

- Low costs for goods and services;
- Convenience, including nearby and easily accessible stores; quick, safe, and readily available transportation by all modes;
- A wide and deep selection of goods and services;
- Quality service;
- Safety and security; and
- Comfort, enjoyment and entertainment.

Expansions of the UGB for industrial or commercial purposes shall occur in locations consistent with this plan and where, consistent with state statutes and statewide goals an assessment of the type, mix and wages of existing and anticipated jobs within subregions justifies such expansion. The number and wage level of jobs within each subregion should be balanced with housing cost and availability within that subregion. Strategies should be developed to coordinate the planning and implementation activities of this element with Policy 1.3, Housing and Affordable Housing, and Policy 1.8, Developed Urban Land. According to the Regional Industrial Land Study, economic expansion of the 1990s diminished the region's inventory of land suitable for industries that offer the best opportunities for new family-wage jobs. Sites suitable for these industries should be identified and protected from incompatible uses.

***Policy 1.4.1 Industrial Land***

Metro, with the aid of leaders in the business and development community and local governments in the region, shall designate as Regionally Significant Industrial Areas those areas with site characteristics that make them especially suitable for the particular requirements of industries that offer the best opportunities for family-wage jobs.

***Policy 1.4.2 Industrial Land***

Metro, through the Urban Growth Management Functional Plan, and local governments shall exercise their comprehensive planning and zoning authorities to protect Regionally Significant Industrial Areas from incompatible uses.

***Policy 1.6 Growth Management***

The management of the urban land supply shall occur in a manner consistent with state law that:

- Encourages the evolution of an efficient urban growth form;
- Provides a clear distinction between urban and rural lands;
- Supports interconnected but distinct communities in the urban region;

- Recognizes the inter-relationship between development of vacant land and redevelopment objectives in all parts of the urban region; and
- Is consistent with the 2040 Growth Concept and helps attain the region's objectives.

**Policy 1.7 Urban/Rural Transition** states "There should be a clear transition between urban and rural land that makes best use of natural and built landscape features and that recognizes the likely long-term prospects for regional urban growth.

- *Boundary Features* – The Metro UGB should be located using natural and built features, including roads, rivers, creeks, streams, drainage basin boundaries, floodplains, power lines, major topographic features and historic patterns of land use or settlement."

**Policy 1.7.2 Sense of Place**

Historic, cultural, topographic and biological features of the regional landscape that contribute significantly to this region's identity and "sense of place" shall be identified. Management of the total urban land supply should occur in a manner that supports the preservation of those features, when designated, as growth occurs.

**Policy 1.8 Developed Urban Land**

Opportunities for and obstacles to the continued development and redevelopment of existing urban land shall be identified and actively addressed. A combination of regulations and incentives shall be employed to ensure that the prospect of living, working and doing business in those locations remains attractive to a wide range of households and employers. In coordination with affected agencies, Metro should encourage the redevelopment and reuse of lands used in the past or already used for commercial or industrial purposes wherever economically viable and environmentally sound. Redevelopment and Infill - When Metro examines whether additional urban land is needed within the UGB, it shall assess redevelopment and infill potential in the region. The potential for redevelopment and infill on existing urban land will be included as an element when calculating the buildable land supply in the region, where it can be demonstrated that the infill and redevelopment can be reasonably expected to occur during the next 20 years. Metro will work with jurisdictions in the region to determine the extent to which redevelopment and infill can be relied on to meet the identified need for additional urban land. After this analysis and review, Metro will initiate an amendment of the UGB to meet that portion of the identified need for land not met through commitments for redevelopment and infill.

**Policy 1.9 Urban Growth Boundaries**

It is the policy of Metro to ensure that expansions of the UGB help achieve the objectives of the 2040 Growth Concept. When Metro expands the boundary, it shall determine whether the expansion will enhance the roles of Centers and, to the extent practicable, ensure that it does. The regional UGB, a long-term planning tool, shall separate urbanizable from rural land and be based in aggregate on the region's 20-year projected need for urban land. The UGB shall be located consistent with statewide planning goals and these RUGGOs and adopted Metro Council procedures for UGB.

**Policy 1.11 Neighbor Cities** states "Growth in cities outside the Metro UGB, occurring in conjunction with the overall population and employment growth in the region, should be coordinated with Metro's growth management activities through cooperative agreements which provide for:

- *Separation* – The communities within the Metro UGB, in neighbor cities and in the rural areas in between will all benefit from maintaining the separation between these places as growth occurs. Coordination between neighboring cities, counties and Metro about the location of rural reserves and policies to maintain separation should be pursued."

**Policy 1.12 Protection of Agriculture and Forest Resource Lands** states "Agricultural and forest resource land outside the UGB shall be protected from urbanization and accounted for in regional

economic and development plans consistent with this plan. 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, sometimes, conflicting policy interests which need to be balanced.

- *Rural Resource Lands* – Rural resource lands outside 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.
- *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.
- *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 2040 Growth Concept. Agriculture and forestry require long-term certainty of protection from adverse impacts of urbanization in order to promote needed investments.”

***Policy 1.13 – 1.13.3 Citizen Participation***

The following policies relate to participation of Citizens:

Metro will encourage public participation in Metro land use planning, follow and promote the citizen participation values inherent in RUGGO Goal 1, and encourage local governments to provide opportunities for public involvement in land use planning and delivery of recreational facilities and services.

***Policy 2.1 Regional Transportation Plan, Inter-governmental coordination***

Coordinate among the local, regional and state jurisdictions that own and operate the region’s transportation system to better provide for state and regional transportation needs. These partners include the cities and counties of the region, Metro, the Oregon Department of Transportation (ODOT), the Oregon Department of Environmental Quality, the Port of Portland and Tri-Met. Metro also coordinates with RTC, C-Tran, the Washington Department of Transportation (Wash-DOT), the Southwest Washington Air Pollution Control Authority (SWWAPCA) and other Clark County Governments on bi-state issues.

***Policy 3. Urban Form***

“Facilitate implementation of the 2040 Growth Concept with specific strategies that address mobility and accessibility needs and use transportation investments to leverage the 2040 Growth Concept.”

***Policy 5.1.1 Earthquake Hazard Mitigation***

Metro will use the relative earthquake hazard maps for a variety of planning purposes, including:

- Urban Growth Boundary selection;
- Public facility plans;
- Transportation planning;
- Solid waste management plans;
- Natural hazard mitigation programs;
- Parks and greenspaces planning.

***Metro Code 3.01.020(b) through (e)*** establishes criteria that is based upon the Goal 14 factors discussed on page 3. These policies are applicable to the UGB expansion process and guide decision-making

between similarly situated lands.<sup>10</sup> Goal 14 requires a weighing and balancing of a number of different factors to decide which lands are most suitable for urbanization.

### **DISCUSSION OF SUITABILITY FACTORS FOR INDUSTRY**

Application of the location and siting factors to the lands in the 2002 and 2003 Alternatives Analysis Study areas determined which lands were most suitable for industrial purposes. The location and siting factors were developed for warehouse/distribution, general industrial and tech flex uses.

#### ***Siting Factors For Warehouse and Distribution, Tech/Flex, General Industrial Uses***

The following industrial sectors have specific site characteristics that are determined by building types needed for warehouse and distribution, general industrial and tech-flex uses. These industry types were identified in the adopted Employment UGR.

In order to identify the land characteristics suitable for warehouse and distribution, general industrial, tech-flex, a number of interviews were conducted with industry professionals that specialize in land acquisition, site development and facility management.<sup>11</sup>

#### ***Warehouse and Distribution***

Access is key to the warehouse and distribution industry. Warehouse and distribution requires freeway access via an arterial or collector street system. Since transportation of goods is the primary purpose of these businesses, ease of access and the ability to move goods on-site is a primary concern. The value or premium that a business places on access is somewhat dependent upon whether the movement of goods is in bulk or results from primary manufacturing. Bulk suppliers and users tend to locate close to Port of Portland facilities that utilize rail, barge and container operators. Local distributors place a higher premium on sites that are centrally located and as a result are willing to trade off congestion for a location that can reach a number of places in the region. Manufacturers that produce precision products may require access to the airport for shipping rather than utilizing marine or truck modes of transportation.

Suitable sites for warehouse/distribution should contain the following characteristics:

- Freeway access (I-5, I-84, I-205) within 3-5 miles of an interchange via an arterial street, no intermediate conflicting uses such as residential, schools and high traffic generating commercial uses;
- New locations need to provide enough area for a number of uses not just one single site;<sup>12</sup>
- Slopes of less than 5 percent, larger buildings are more difficult to accommodate on sloped sites
- Highway 26 on the west-side is not desirable due to congestion unless a firm serves the local market.

#### ***General Industrial***

General industrial building types can accommodate light to heavy manufacturing activities and encompass a wide range of activities from research, development and manufacturing and fabrication.

General industrial sites need the following site characteristics:

- Freeway access within 3 miles of an interchange via an arterial street;
- Net parcel sizes: between 1-5 acres and 10-20 acres, depending upon shape and constraints;

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<sup>10</sup> Similarly situated lands are those lands that are located within the same Tier classification. For example, if Metro Council was deliberating between exception lands (Tier 1) they would be able to apply Policy 1.1 that discusses neighboring cities and maintaining a physical separation of communities within the Metro UGB.

<sup>11</sup> The siting and location characteristics were discussed in a memorandum titled "Industrial Land Location and Siting Factors" and dated June 9, 2003.

<sup>12</sup> The size of new industrial areas was discussed in a memorandum titled "Formation of Industrial Neighborhoods" and dated October 24, 2004.

- Location near other firms to provide access to an adequate labor pool;
- Stable soils, flat sites to reduce required site work, truck access;
- Manufacturing sites greater than 20 acres, must have slopes less than 2 to 3 percent, the larger the building the less likely a project can accommodate slopes greater than 3 percent,
- Manufacturing sites between 1-5 acres, slopes no more than 5 to 10 percent.

### ***Tech/Flex***

As the name implies these buildings are constructed to be flexible in nature and be easily configured to meet different space requirements. Generally, the site requirements are not as restrictive as the requirements for warehouse/distribution or general industrial sites. A site that is developed for tech-flex use can tolerate greater variations in slope by utilizing multiple buildings to accommodate topographic constraints. They can accommodate light assembly, product or material storage, research activities and may contain a small amount of office. Buildings used for high-tech purposes require stable soils to minimize vibration and specialized public facilities like specialty gases, triple redundant power, high volume water and fire/emergency response units.

Tech/flex users have the following site needs:

- Net parcel size greater than 10 acres;
- Availability of specialized utilities such as specialty gases, triple redundant power, abundant water, dedicated fire and emergency response services;
- Stable soils;
- Located within close proximity of existing hi-tech companies and suppliers;
- Access to airport, no more than 45 minute mid-day travel time for passenger purposes; and
- Limited rolling topography within a site but overall slope no greater than 5 percent.

### ***Common Site and Location Factors***

- Industrial sites need land that is sloped no more than 5 percent (3 to 5 percent is preferable).
- Freeway access is a critical component for warehouse and distribution industries although it is also important for general industrial and tech flex where access is more focused on the movement of people rather than on the movement of goods.
- Mid-day access to the airport within 45 minutes is important for general industrial and tech flex mainly for the movement of people. The Portland International Airport and to a certain degree the Hillsboro Airport satisfies some of the passenger demand. This Hillsboro Airport is currently limited to smaller aircraft due to runway limitations.
- Industries desire to be located near similar uses due to underlying common site characteristics, the need for access to suppliers and to provide access to a workforce.

### ***Testing Slope Parameters for Industrial Users***

The interviews with professionals discussed above emphasized the importance of slope to development of industrial sites. The slopes discussed were less (3-5 percent) than the 10 percent threshold that Metro used to screen lands for suitability. A series of case study interviews were done with representatives from National Association of Industrial and Office Properties (NAIOP), industrial real estate brokers and an engineering firm that specializes in industrial construction.<sup>13</sup> This analysis affirmed that in general the maximum slope on lands used for industrial purposes must be less than 10 percent to minimize inefficiencies and costs of obtaining large flat areas on a site for construction of an industrial building. A slope factor of less than 10 percent has been used as a threshold for identifying which lands would be viable for industrial development because Metro is conducting a regionalized analysis rather than a site specific study.

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<sup>13</sup> The Slope Case Study examined five hypothetical sites and calculated the costs associated with developing an industrial use.

### ***Industrial Land Supply Available to Meet Demand - Aggregation Potential***

Metro examined the likelihood of consolidating small parcels of land in study areas to fulfill large parcel needs identified in the Employment UGR.<sup>14</sup> The demand for larger parcels is based on the needs of growing companies already located in the region as well as new companies entering the region.

Parcels over greater than 50 acres are desirable for the following reasons:

- *Ease of development*- they allow more opportunities to accommodate natural resources, slopes, odd shapes, internal circulation challenges and access requirements.
- *Flexibility*- lots can be configured into smaller parcels to meet individual firm needs, provide additional opportunities for financing and be responsive to changing market demands.
- *Growth potential*- allows expansion opportunities for existing firms so they can remain in a single location and still have opportunities to grow their business. This provides the region a competitive advantage for the retention of existing firms.
- *Site Planning on larger parcels*- allows more efficient and cohesive site development to occur and allows the opportunity for phasing and greater land utilization.

All of the study areas were analyzed to determine the potential for land aggregation in the following consolidated lot size categories: 5 to 25 acres, 25 to 50 acres, 50 to 100 and 100 plus acre sizes. All of the areas under study were analyzed for aggregation potential characterized by lot size ranges of 5 to 25 acres, 25 to 50 acres and 50 to 100 plus acres. It was assumed that separate contiguous tax lots under a common ownership could be treated as a single site. The following decision rules were applied: 1) no more than two separate property owners for lots 5 to 25 acres, 2) three property owners for lots 25 to 50 acres and, 3) four property owners 50 to 100 plus acres to assemble lots within this size range. Aggregated lots were configured in square or rectangular shapes wherever possible to maximize the development area. The location of natural resources and slopes were also considered in defining which lots had the greatest aggregation potential.

The following conclusions were reached from the aggregation study:

- The smaller the study area size the less likely it is to be able to form large lots (50 to 100 plus acres). Study areas over 500 acres provided greater potential for achieving a range of larger lot sizes.
- Exception areas generally have more limited aggregation potential because of committed uses (rural residential, churches, schools) and they contain smaller parcels than exclusive farm use (EFU) areas.
- Generally the areas containing the greatest aggregation potential also have some of the lowest per acre land value.

## **FULFILLING THE NEED FOR INDUSTRIAL LAND**

### ***Adopting Efficiency Measures***

As part of the tasks to complete Periodic Review, Metro is examining ways to use land more efficiently and adopting policies to maximize the use of land within the UGB. In 2002, Metro adopted provisions in the Urban Growth Management Functional Plan, Title 4 that limits non-industrial uses in industrial areas. Subsequent to its adoption, local governments and industry representatives have come before the Metro Council to make the case that traditional land use categories are now less relevant to understanding industrial uses because many industrial activities including research and development, office and manufacturing often occur in the same facility. Testimony also indicated that there are conflicting opinions regarding the need for large parcels and the need for flexibility in dividing larger parcels.<sup>15</sup>

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<sup>14</sup> Employment UGR page 23.

<sup>15</sup> Memorandum titled, A Review of Information Pertaining to Regional Industrial Lands, dated January 26, 2004.

Amendments to Title 4 are projected to preserve land for industrial uses by restricting the amount and types of commercial uses that locate on industrial land. The results of the efficiencies gained from amending Title 4 are discussed below.

***Title 4 discussion - Urban Growth Report Supplement***

The proposed Title 4 regulations specifically limit the amount and square footage of retail and office uses that might otherwise find industrial locations suitable for business in order to achieve the policy savings discussed in the Employment UGR. The Employment UGR assumes a potential savings of 1,400 acres of industrial land from implementing new measures and mapping of RSIA lands.<sup>16</sup> The table below compares the existing land supply with the demand for industrial land and makes an assumption that Title 4 policy changes will be adopted and reduce the deficit of industrial land.

**Table 4. Urban Growth Report Reconciliation**

<b>Supply and Demand Comparison</b>	<b>Net Vacant Acres</b>
Demand	9,366
Supply	3,681
<i>Deficit</i>	<i>(5,685)</i>
RSIA and Title 4 Policy Savings	1,400
Adjusted (Deficit)	(4,285)
2002 UGB Decision	2,317
<b>Remaining Industrial Land Need</b>	<b>(1,968)</b>

***Commercial Land Surplus***

The Employment UGR identified a commercial land surplus of 393 acres. The surplus is based upon the available supply of land for commercial purposes and an assumption that a percentage of commercial activities would continue to take place on industrially zoned lands. Testimony received during the discussion of revisions to Title 4, argued the traditional building types accommodating office and industrial uses are merging based on the needs of a knowledge-based economy. Approximately 30 percent of the land need identified in the Employment UGR is for tech-flex and general industrial uses which can include research and development and other uses. These uses have higher job densities that are consistent with office type buildings. Based on this fact additional flexibility has been incorporated into Title 4 regulations to accommodate the need for industrial office uses. Concurrently, these same types of office, industrial uses, (i.e. software development etc.) could also locate on commercial land in traditional office building types. Therefore the surplus of commercial land is being applied to help satisfy the overall need for industrial lands.

**Table 5. Application of the Commercial Land Surplus**

<b>Supply and Demand Comparison</b>	<b>Net Vacant Acres</b>
Industrial Land Need	1,968
Less Commercial Land Surplus	(393)
<b><i>Remaining Industrial Land Need</i></b>	<b>1,575</b>

**AMENDING THE UGB**

Metro will also consider amending the UGB to meet the remaining land need. Lands will be chosen from the 29,000 acres identified in Resolution No. 03-3386B.

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<sup>16</sup> Employment UGR, page 46.

### ***Discussion of Alternative Analysis Study Areas***

Approximately 29,000 acres of land are contained in the Alternatives Analysis Study that have the potential to satisfy the remaining industrial land need. The Alternatives Analysis Study included an Environmental, Social, Energy and Economic (ESEE) analysis, assessed agricultural compatibility and productivity (acres of buildable land) as well as an evaluation of the feasibility of providing public facilities.<sup>17</sup> Each of thirty-one study areas was examined in detail to determine if it met the location factors of two miles from an interchange and one mile from existing industries. Some study areas were excluded from further consideration even though they met the location factors discussed above but were not deemed suitable for industrial use due to parcelization, constraints due to existing development patterns, location and extent of natural resources, servicing and urban form and/or negative impacts on agricultural uses. What follows is an area by area assessment. Maps of all areas discussed are included in Attachment 2- Study Area Maps.

### ***Areas Not Suitable for Industrial Use Due to Location Factors***

The following areas are located more than two miles from an interchange and one mile from existing industries and therefore have not been recommended for inclusion in the UGB for industrial use.

#### ***Pleasant Home***

The Pleasant Home study area (southeast of Gresham) is located more than two miles from interchanges on Highway 26 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. The area is approximately 1.2 miles from the current UGB and is highly parcelized with a very high percentage of parcels less than 5 acres (83 percent) and less than 10 acres (94 percent). Most of the small-developed parcels are located in pockets along SE Dodge Park Road, SE Pleasant Home Road, SE Altman Road and SE Cottrell Road, which result in the formation of three dispersed mostly non-developed areas ranging in size from 100 to 176 gross acres composed of larger parcels.

However these larger parcel areas are at a minimum over 1.2 miles from existing sewer services and are constrained by surrounding residential uses and environmental resources. It would not be economically feasible to extend services 1.2 miles for a relatively small amount of land and extending such a long cherry stem is not good urban form. In addition the area is 1.2 miles from the City of Gresham, which will be problematic for Title 11 planning. For the reasons mentioned above related to the committed uses on small parcels, the distance from the current UGB, urban form, and complications for Title 11 planning, this area is removed from further consideration.

#### ***Bluff Road***

The Bluff Road study area (east of Boring) is located more than two miles from selected interchanges on Highway 26 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. This exception land area is highly parcelized with a very high percentage of parcels less than 5 acres (81 percent). Almost all parcels are less than 10 acres in size (99 percent). The average lot size is just over 3 acres and 85 percent contain homes. Just over half (57 percent) of the total land area is considered vacant and buildable. The small, developed parcels are dispersed throughout the area. The high degree of parcelization, existing residential development, and environmental constraints from three streams and 24 wetlands restrict the feasibility of consolidating parcels and constructing new industrial buildings. The area is approximately five miles from the UGB and the City of Sandy will not provide services to the area. All wastewater generated from this area will need to be transported to the Willamette or Columbia Rivers for discharge. The area is heavily involved in agricultural activity and its inclusion in the UGB would have a high impact on adjacent agricultural activities. For the reasons mentioned above related to the committed uses on small parcels, the distance

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<sup>17</sup> Industrial Land Alternatives Analysis Study, dated February 2004.

from the current UGB, impacts on adjacent agricultural activities, and urban services, this area is not recommended for further consideration.

### ***Oregon City East***

The Oregon City East study area is divided into two separate sections, separated by a canyon that contains Holcomb Creek that is approximately 1,400 feet wide. The eastern most section, which contains Tier 4 resource land and exception land, is the furthest from the UGB and is located more than two miles from an interchange on Interstate 205 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. This section does contain a few large undeveloped parcels. However, they are constrained by environmental resources including Holcomb Creek, tributaries to Holcomb Creek, wetlands and steep slopes. Based on the over two-mile distance from I-205, separation of the section by the Holcomb Creek canyon and the environmental resources, the eastern section of the Oregon City East study area is not recommended for further consideration.

The western section of the study area is contiguous to the UGB and is within two miles from an interchange on Interstate 205. It is exception land except for one parcel of Tier 5 resource land. There is one access route from I-205 to the study area through an existing neighborhood up a long hill. The study area is not contiguous to the Oregon City city limits, which may prove problematic for Title 11 planning. This section is highly parcelized with a very high percentage of parcels less than 5 acres (94 percent) and all but one (19 acres) less than 10 acres in size. The average lot size is 1.6 acres and 92 percent contain homes. As a result there is a very small area of approximately 67 gross acres that is mostly undeveloped. The small amount of undeveloped land and the adjacent location of the existing residential development reduces the economic feasibility of consolidating parcels large enough for the development of a new industrial area. Due to the committed uses on small parcels in the exception land areas, the one access route of over two miles through an existing residential neighborhood within the UGB, and the very small amount of undeveloped land, this portion of the study area is not recommended for further consideration.

### ***Beavercreek***

The portion of the Beavercreek study area (south of Oregon City) that is generally south of Beaver Creek, S Tioga Road and S Wilson Road is located more than two miles from an interchange on Interstate 205 as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. This southern portion of this exception land study area is highly parcelized with a high percentage of parcels less than five acres in size (83 percent) and less than 10 acres (91 percent). The average lot size is 3.7 acres and 84 percent contain homes, not counting the 9 one plus acre lots that are currently vacant adjacent to the Stone Creek Golf Course which is owned by Clackamas County. Most of the small-developed parcels are located in pockets along S Beavercreek Road, S Wilson Road, and S Lammer Road, which result in the formation of five, dispersed mostly undeveloped areas ranging in size from 74 (12 owners) to 338 (19 owners) gross acres composed of larger parcels.

However, these larger parcel areas are at a minimum just under one mile from existing sewer services, contain numerous property owners and are constrained by surrounding residential uses and environmental resources (Beavercreek Map 1). It would not be economically feasible to extend services this distance for such a small amount of land and extending such a long cherry stem is not good urban form. The one-mile distance from the Oregon City limits will be problematic for Title 11 planning. For the reasons mentioned above related to the committed uses on small parcels, the distance from the current UGB, urban form, and complications for Title 11 planning, this area is not recommended for further consideration.

The northern portion of this exception land study area is contiguous to the UGB and within 1 mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. However, more than half of the parcels in this portion of the study area that are adjacent to the UGB are developed with single-family homes. This portion of the study area is also highly parcelized with a very high

percentage of parcels less than five acres (93 percent) and less than 10 acres in size (98 percent). Sixty-four percent of the parcels that are less than 5 acres in size are less than one acre in size. The average lot size is 1.8 acres and 84 percent contain homes. The percentage of parcels that contain homes increases to 89 percent if the 29 less than one-acre lots currently vacant in the Three Mountains subdivision are included. Most of the small-developed parcels are located in pockets along S Beavercreek Road, S Henrici Road, and Highway 213, which result in the formation of three, dispersed mostly undeveloped areas ranging in size from 32 (four owners) to 197 (16 owners) gross acres composed of larger parcels.

Generally these larger parcel areas contain numerous property owners and are almost surrounded by existing residential development that restricts the feasibility of consolidating parcels and constructing new industrial buildings (Beavercreek Map 2). There are two main access routes for both sections of the study area that travel through a major portion of Oregon City and the study area is approximately five miles from I-205. For the above-mentioned reasons related to committed uses on small parcels, the resulting small amount of buildable land, distance to I-205, this portion of the study area is not recommended for further consideration.

### ***Wilsonville West***

The western portion of this area, west of SW Tooze Road in the vicinity of SW Malloy Way is located more than two miles from an interchange on Interstate 5 as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map (Wilsonville West Map 1). Within this section of the study area are three pockets of exception land that collectively total 94 acres of land. The largest pocket of exception land is approximately 67 acres in size and is located along the west edge of the study area, two miles from the current UGB. Seventeen of the 23 parcels contain homes and the average lot size is 2.9 acres. The two remaining exception land areas are located in the central portion of the study area and are 12 and 15 acres in size and contain seven and three parcels respectively. Six of the seven parcels in the 12-acre section contain homes and the average parcel size is 1.75 acres. All three of the other exception land parcels contain homes and average five acres in size.

The remaining portion of this section of the Wilsonville West study area is composed of 303 acres of Tier 5 resource land divided into two areas. The first resource land area is near the intersection of SW Tooze Road and SW Baker Road and is 86 acres in size divided between eight property owners. This resource land section is located on the northern edge of the study area and is almost completely surrounded by resource land not within the study area that is actively farmed and/or contains homes. It is approximately one mile to the current UGB. The second resource land area straddles SW Baker Road south of SW Tooze Road and is 217 acres in size divided between 17 property owners. To the north and south are actively farmed areas and to the east and west are rural residences. Urbanization of these resource land sections would have an impact on adjacent agricultural activities. Due to the fact this study area section is greater than one mile from an existing industrial area and two miles from an interchange, the committed uses on small parcels in the exception land areas, the resource land is Tier 5 farmland, and most of the area is a minimum of one mile from the current UGB, this portion of the study area is not recommended for further consideration.

The eastern portion of the study area is within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area Map and/or is also within two miles of a selected interchange on Interstate 5 (Wilsonville West Map 2). This section is a mixture of Tier 4 resource land (386 acres) and exception land (167 acres). Metro Parks and Greenspaces owns a 38-acre parcel, which is the largest exception land parcel in this section and is adjacent to the current UGB in the northeast corner of the study area. A second exception land area is located along SW Grahams Ferry Road and is 55 acres in size. Eighteen of the 25 parcels contain homes and the average lot size is 2.2 acres.

The third exception land area is located near SW Grahams Ferry Road and SW Malloy Way. All but one of the remaining 43 exception land parcels is less than five acres in size and all but six have residences. The average lot size in this exception land area is three acres. The high degree of committed uses and the numerous small parcels within the exception land areas restricts the feasibility of consolidating parcels and constructing new industrial buildings. The Tier 4 resource land contains a large expanse of floodplain that separates the remainder of the study area from the city limits to the east. This eastern portion of the study area contains 192 acres of environmentally constrained land (Title 3 and slopes greater than 10 percent). The western edge of the city limits, adjacent to the study area is entirely open space land purchased by Metro Parks and Greenspaces. The large amount of environmental resources and the continuous swath of open space land adjacent to and within the study area on the east side limits the possibility of providing city services from the east.

The future extension of SW Boeckman Road through this environmentally sensitive area may present some opportunity to provide urban services to the west. However, the extension of SW Boeckman Road is a two-lane facility intended to serve local circulation between east and west Wilsonville. Improving the facility beyond the present two lanes to accept additional capacity would be difficult because of the extensive natural resources in the area. Consequently the SW Boeckman Road extension does not overcome the other limitations of the study area. Due to the committed uses on small parcels in the exception land areas and the great amount of environmental resources and nearby designated open space, this portion of the study area is not recommended for further consideration.

### ***Sherwood East***

The portion of the Sherwood East study area that is south of SW McConnell Road and SW Morgan Road is located more than two miles from Highway 99W as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. This southern section of the study area contains 156 acres of Tier 5 resource land in 10 parcels and 8.9 acres of exception land in two parcels. To the south of the resource land section is a large area of resource land not within the study area that is actively farmed and/or contains homes. To the north is resource land within the study area that is also involved in agricultural activities. It is approximately one half mile to the current UGB. Urbanization of this resource land section would have an impact on adjacent agricultural activities. The two exception land parcels are each five acres in size and contain homes. Due to the fact this study area section is greater than one mile from an existing industrial area and over two miles from Highway 99W, the two exception land parcels are compromised with single-family homes, the resource land is Tier 5 farmland, and most of the areas are a minimum of 1/2 mile from the current UGB, this portion of the study area is not recommended for further consideration.

The remaining portion of the study area is within either two miles of Highway 99W and/or one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. It is made up of three pockets of exception land, located on the western and eastern edges and in the center of the study area adjacent to the UGB. Tier 5-resource land is between the exception land areas. The western exception land pocket is centered on SW Ladd Hill Road, contains 14 parcels and is 24 acres in size. The average parcel size is 1.7 acres and 10 of the 14 parcels have homes. The four vacant parcels total 4.3 acres and three of them are less than one acre in size. The central exception land pocket is centered on SW Baker Road, contains 14 parcels and is 62 acres in size. The average parcel size is 4.4 acres and 12 of the 14 parcels have homes. The two vacant parcels total five acres, are adjacent to the UGB and currently are wooded. The eastern exception land pocket is east of SW Baker Road and north of SW Morgan Road. It contains 28 parcels, is 141 acres in size and the average parcel size is 5 acres. Eighteen of the parcels are less than five acres in size and 10 are greater than five acres, the largest being 11 acres in size. All but two of the parcels contain homes and the two vacant parcels total 8.3 acres, take access off of SW Baker Road and are not adjacent to each other. The vast majority of the Tier 5 resource land (309 acres) is currently in agricultural production. Nine of the 14 parcels do have an associated residence and all but one

of the five vacant parcels is associated with an adjacent active farming activity. This active farming area is part of a larger farming community that stretches south into the Wilsonville West study area. One hundred and thirty-eight acres or 60 percent of this northern portion of the study area acreage is environmentally constrained under current Title 3 regulations and/or slopes greater than 10 percent. A large portion of the environmental resources occurs on the Tier 5 resource land.

The two main roads (SW Sherwood Blvd. and SW Murdock Road) that provide access to the entire study area from Tualatin Sherwood Road and Highway 99W to the north travel through established neighborhoods within the City of Sherwood. Due to the committed uses on small parcels in the exception land areas, the great amount of environmental resources, the Tier 5 resource land that is part of a larger farming community and the potential impacts to the adjacent residential areas inside the UGB, this remaining portion of the study area is not recommended for further consideration.

### ***Farmington***

The portion of the Farmington study area that is south of SW Rosedale Road is located more than two miles from Tualatin Valley Highway as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. This southern section of the study area contains mostly Tier 5 resource land (427 acres) and some exception land (97 acres). It has a fairly high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (86 percent). All but one of the forty-one exception land parcels is less than five acres in size and all but two have homes. The average lot size of the exception land portion is 2.4 acres. The majority of this portion of the study area is Tier 5 and contains high-value farmland. Urbanization of this area would have a high impact on adjacent agricultural activities. The nearest city limits are approximately two miles away, which will be problematic for Title 11 planning. There are no existing sewer services adjacent to the property that can provide gravity service thus extra territorial extensions through resource land or extensive infrastructure is required to provide service. Due to the fact this southern portion of the area does not meet the access and proximity factors, is mostly Tier 5 resource land, sewer services are difficult, Title 11 planning complications, and the exception land is highly compromised with single family homes, this portion of the study area is not recommended for further consideration.

The northern portion of the study area, north of SW Rosedale Road is within two miles of Tualatin Valley Highway. This 176 acre Tier 5 northern section is high-value farmland and urbanization of this area would have a high impact on adjacent agricultural activities. The nearest city limits are over one mile away, which will be problematic for Title 11 planning. There are no existing sewer services adjacent to the property that can provide gravity service thus extra territorial extensions through resource land or extensive infrastructure is required to provide service. Due to the fact this portion of the area is Tier 5 resource land, there is no adjacent city to complete the Title 11 planning, and providing sewer services is difficult this portion of the study area is not recommended for further consideration.

### ***Jackson School Road***

The southwest corner of the study area that coincides with a pocket of exception land (101 acres) is located more than two miles from selected interchanges on Highway 26 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. All but six of the twenty-eight exception land parcels are less than five acres in size and all but three have either homes or an institutional use. The average lot size of this exception land section is 3.6 acres. There are no existing large diameter sewers in the area. Thus extensive downstream improvements or construction of new sewers through a developed residential area is required to provide service. Due to the fact this portion of the area does not meet the access and proximity factors, sewer services are difficult and the exception land is highly compromised with single family homes and the largest parcel contains a church, this portion of the study area is not recommended for further consideration.

The remainder of the study area contains Tier 5 resource land (883 acres) and a very small portion of exception land (27 acres) that is within two miles from selected interchanges on Highway 26 as well as one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. Seven of the 12 parcels in this small exception land section contain homes and three of the five vacant parcels are owned by the Port of Portland and are located in the runway protection zone for the Hillsboro Airport. Land uses prohibited from the runway protection zone include residences and places of public assembly, such as schools, office buildings, churches and other uses with similar concentrations of people. All 12 parcels are less than five acres in size and the average lot size is 2.3 acres.

The resource land component is high-value farmland and is part of a larger expanse of large parcel farmland that extends north to Highway 26 and to the west for a number of miles. Urbanization of this area would have a high impact on adjacent agricultural activities. Three of the resource land parcels are owned by the Port of Portland and are located in the runway protection zone for the Hillsboro Airport. There are no existing large diameter sewers in the area. Thus extensive downstream improvements or construction of new sewers through a developed residential area is required to provide service. Due to the fact the exception land portion is highly compromised with single-family homes, a total of five parcels (113 acres) are in public ownership within the runway protection zone, sewer services are difficult and the resource land is Tier 5 farmland, this portion of the study area is not recommended for further consideration.

#### **STUDY AREAS MEETING AT LEAST ONE LOCATION FACTOR**

The following areas meet at least one of the location factors (within two miles of an interchange or one mile from existing industrial uses) but are not been recommended for inclusion in the UGB for industrial use. The reasons for exclusion are discussed in detail by area.

##### ***Gresham***

This area of Tier 3 resource land and exception land is within one mile of a planned industrial land area (Springwater) that is identified on the Title 4 Employment and Industrial Area map. Most of the land that is adjacent to the UGB is the Tier 3 resource land. Overall the area is highly parcelized with a very high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (91 percent). The average lot size is just over 4 acres and 73 percent contain homes. The majority of the developed parcels are along the main thoroughfares of SE Orient Drive, SE Dodge Park Blvd., SE Chase Road, SE 282<sup>nd</sup> Avenue and SE 302<sup>nd</sup> Avenue. As a result there are five dispersed mostly undeveloped areas ranging in size from 40 to 230 gross acres composed of larger parcels (see Gresham Map 1). Area 3 (40 gross acres, two owners) and Area 2 (69 gross acres, five owners) are one mile and three quarter miles respectively from the current UGB.

It would not be economically feasible to extend services these distances for such a small amount of land and extending such a long cherry stem is not good urban form. Area 4 (192 gross acres, 24 owners) is one quarter mile from the current UGB that includes the recently added Springwater industrial area. The City of Gresham has initiated an infrastructure master plan for this area with an expected completion date of 18 months. Area 4 is Tier 3 resource land, contains numerous property owners and is constrained by surrounding residential uses and environmental resources along Johnson Creek that reduces the feasibility of consolidating parcels and constructing a new industrial neighborhood. Area 1 (230 gross acres, 33 owners) is adjacent to the UGB and is mostly Tier 3 resource land. It contains numerous property owners, is adjacent to established residential development inside the UGB and is constrained by environmental resources along Kelley Creek, which flows through the center, reducing the feasibility of consolidating parcels and constructing a new industrial neighborhood. Area 5 (144 acres, 11 owners) is Tier 3 resource land and is adjacent to the UGB that includes the recently added Springwater industrial area. As noted above the City of Gresham has initiated an infrastructure master plan for this area with an expected completion date of 18 months. Johnson Creek flows through the middle of the area, essentially forming

two smaller areas. The study area is home to three schools and is heavily involved in agricultural activity. Inclusion of this study area could negatively affect the schools and would have a high impact on adjacent agricultural activities. Urbanization of the study area, except for Area 1 noted above, would be inconsistent with the proposed intergovernmental agreement between Multnomah County and the City of Gresham that identifies SE 282<sup>nd</sup> Avenue as a rural/urban edge management area to preserve the nursery land to the east. For the reasons mentioned above related to Tier 3 resource land, distance to the current UGB, committed uses on smaller parcels and environmental resource constraints, this area is not recommended for further consideration.

### ***Boring***

This area of Tier 3 & 5 resource land and exception land is within one mile of a planned industrial land area (SE 242<sup>nd</sup> Ave, Damascus expansion area) that is identified on the Title 4 Employment and Industrial Area map. Overall the area is highly parcelized with a very high percentage of parcels less than five acres (81 percent) and less than 10 acres in size (95 percent). The average lot size is 3.8 acres and 71 percent contain homes. The majority of the developed parcels are along the main thoroughfares of Highway 212, SE Orient Drive, SE Revenue Road, SE Brooks Road, SE 282<sup>nd</sup> Avenue and SE 312<sup>th</sup> Avenue as well as in the community of Boring. As a result there are three dispersed mostly undeveloped areas ranging in size from 129 to 337 gross acres composed of larger parcels (see Boring Map 1). Area 1 (129 gross acres, 15 owners) is Tier 3 resource located on the north side of Highway 212 and is contiguous to the current UGB. Over three quarters of the area is constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 24 net buildable acres of land for industrial development. Area 2 (337 gross acres, 18 owners) is Tier 5 resource land and exception land that straddles Highway 212 between the community of Boring and Highway 26. The exception land portion totals 58 acres between 13 property owners and is located south of Highway 212 near the junction with Highway 26.

The majority of the resource land is north of Highway 212 and includes the John Holmlund Nursery headquarters. This area is approximately two miles from the current UGB line that includes the Damascus expansion area. It would not be economically feasible to extend services this distance for a relatively small amount of land and extending such a long cherry stem is not good urban form. Area 3 (270 gross acres, 22 owners) is Tier 5 resource land that straddles Highway 26 in the vicinity of SE 282<sup>nd</sup> Avenue. The area is approximately 1,000 feet from the current UGB of the recently added Springwater industrial area that extends between Highway 26 and SE Telford Road.

As noted previously the City of Gresham has initiated an infrastructure master plan for this area with an expected completion date of 18 months. Over forty percent of the area is constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 158 net buildable acres of land for industrial development. The Oregon Department of Environmental Quality Three Basin Rule requires that all wastewater generated from this entire study area will need to be transported to the Willamette River or Columbia River for discharge. The existing Boring treatment plant cannot be expanded and Clackamas County plans to phase out the plant and connect to the system as it extends east from the Damascus expansion area. For the reasons mentioned above related to Tier 5 resource land, committed uses on small parcels and distance from existing sewer services and other constraints, this area is not recommended for further consideration.

### ***Noyer Creek***

This area of Tier 5 resource land and exception land is within one mile of a planned industrial land area (SE 242<sup>nd</sup> Ave, Damascus expansion area) that is identified on the Title 4 Employment and Industrial Area map. Three hundred and seventeen acres of the total 381 acres is resource land, the majority of which is the Leo Gentry Nursery. The portion of the study area along SE Bartell Road is exception land, is 34 acres in size and contains eight parcels, all of which have homes. This small area is not contiguous

to the main study area. A second exception land area is located east of SE 232<sup>nd</sup> Avenue, is 29 acres in size and contains five parcels, all of which have homes. This area is contiguous to the UGB at the southern edge of the Damascus expansion area. The high level of committed uses and the small parcel sizes within these exception land areas reduces the economic feasibility of consolidating parcels and developing a new industrial development. The resource land portion of the study area totals 317 acres in 18 parcels, with only nine property owners including the Gresham Barlow School District that owns the 19.5-acre Deep Creek Elementary School site.

The Oregon Department of Environmental Quality Three Basin Rule requires that all wastewater generated from this entire study area will need to be transported to the Willamette River or Columbia River for discharge. Currently there are no sanitary sewers in the immediate area and service is to be provided by the system that is to be extended to serve the Damascus expansion area to the west and north. For the reasons mentioned above related to Tier 5 resource land, committed uses on small parcels, the great distance from existing sewer services and potential negative impacts to the school, this area is not recommended for further consideration.

### ***Oregon City South***

This area of exception land and a small amount of Tier 4 resource land is within one mile of a planned industrial land area (S Beaver Creek Road) that is identified on the Title 4 Employment and Industrial Area map. Overall the study area is highly parcelized with a very high percentage of parcels less than five acres (83 percent) and less than 10 acres in size (94 percent). The average lot size is 3.9 acres and 88 percent contain homes. Less than half (34 percent) of the total land area is considered vacant and buildable. The majority of the developed parcels are along S Thayer Road, S Maple Lane Road, and S Waldow Road. As a result there is one mostly undeveloped area. However, it contains numerous power lines that run to and from a 34 acre Portland General Electric substation. The high level of committed uses, the small parcel sizes, and the PGE infrastructure reduces the economic feasibility of consolidating parcels and creating a new industrial development. The Oregon City School District owns a 55-acre parcel of Tier 4 resource land that is partially in agricultural production. This parcel along with the 26-acre parcel to the north that is also partially in agricultural production makes up the resource land in the study area. These two resource land parcels are located in the very northeast corner of the study area. Sewer services would require a new trunk line to the existing 48-inch collector at Highway 213 and Abernathy Road and upgrades to the Tri-Cities plant. The study area is not contiguous to the Oregon City limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to committed uses on small parcels, existing PGE infrastructure, sewer service difficulties and possible difficulties with Title 11 planning, this area is removed from further consideration.

### ***Borland Road South***

This area of three separate exception land sections is within two miles of a selected interchange on Interstate 205. Overall the entire study area is highly parcelized with a very high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (98 percent). The average lot size is 3.2 acres and 97 percent contain homes. Less than half (45 percent) of the total land area is considered vacant and buildable. The majority of the developed parcels are along SW Ek Road, SW Borland Road, and SW Johnson Road and SW Tualatin Loop. As a result there is no large mostly undeveloped area within the three study area sections. The high level of committed uses and the small parcel sizes reduces the economic feasibility of consolidating parcels and creating a new industrial development. The Tualatin River separates the three study area sections from the UGB and each other. Thus numerous river crossings are required to provide urban services as there are no sewer or water services currently in the study area. There is no direct access to the study area from the City of West Linn, which may prove problematic for Title 11 planning. For the reasons mentioned above related to committed uses on small parcels, urban service difficulties and possible difficulties with Title 11 planning, this area is not recommended for further consideration.

### ***Norwood/Stafford***

This area of exception land and a very small amount of Tier 2 resource land is within two miles of selected interchanges on Interstates 5 & 205. Overall the study area is highly parcelized with a very high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (99 percent). The average lot size is 3.9 acres and 86 percent contain homes. A little over half (59 percent) of the total land area is considered vacant and buildable. The developed parcels are evenly dispersed throughout the study area and the majority of the homes are located in the center of the parcels. As a result there is one mostly undeveloped area located off of SW Stafford Road in the southern portion of the study area (Norwood/Stafford Map 1). Area 1 is 132 acres of exception land in 21 parcels with 14 property owners and is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 93 net buildable acres of land for industrial development. The area currently does not have urban services. This area is over two miles from interchanges on I-5 & 205 and is at a minimum of 1.25 to 1.5 miles from urban services in the City of Wilsonville or the City of Tualatin. It would not be economically feasible to extend services these distances for such a small amount of land and extending such a long cherry stem is not good urban form. The area is isolated from nearby cities by I-5 and I-205, which would be problematic for Title 11 planning. For the reasons mentioned above related to committed uses on small parcels, urban service difficulties and difficulties with Title 11 planning, this area is not recommended for further consideration.

### ***Wilsonville South***

This area of Tier 5 resource land and exception land is within two miles of a selected interchange on Interstate 5. Overall the area has a high percentage of parcels (84 percent) less than 10 acres in size. The average lot size is 7.9 acres and 73 percent contain homes. Less than half (49 percent) of the total land area is considered vacant and buildable. The largest parcel (142 acres) is owned by Clackamas County and houses the Oregon State University North Willamette Research and Extension Service facility. The Langdon Farms Golf Club comprises a 173-acre site composed of 12 parcels. Both of these sites are considered developed under Metro's land productivity methodology.

The study area contains three sections of exception land. The first exception land area is west of Interstate 5, is 33 acres in size with 9 parcels. Three of the parcels totaling 4.5 acres do not contain homes, one of which is owned by the Oregon Department of Transportation. The second exception land area is south of NE Miley Road in the top center portion of the study area. This area is 69 acres in size with 69 parcels, of which all but three have homes. The three vacant parcels (13 acres) are under the same ownership as an adjacent parcel that does contain a home. The 10-acre vacant parcel currently has some agricultural activity. The third exception land area is in the northeast corner of the study area, north of NE Browndale Farm Road. This area contains 95 acres in 33 parcels, of which all but four have homes. Three of the four vacant parcels are under the same ownership as an adjacent parcel that does contain a home. The total acreage of the four vacant parcels is 6.2 acres. The high level of committed uses and the small parcel sizes of these exception land areas reduce the economic feasibility of consolidating parcels and creating a new industrial development. As expected almost all of the developed area is in the exception land sections and the golf club. This results in two areas of mostly undeveloped parcels that abut the State agricultural facility (Wilsonville South Map 1). Area 1 is Tier 5 resource land that totals 327 acres with eight property owners. The area contains a small amount of developed land and minimal environmental resources that results in 296 acres of buildable land. Area 2 is also Tier 5 resource land that totals 175 acres with two property owners, one of which owns 1.6 acres and the other the remaining 173.4 acres. This area also contains a small amount of developed land and minimal environmental resources that results in 166 acres of buildable land. Both of these areas are extensively involved in agricultural activities and urbanization of these areas would have a high impact on adjacent agricultural activities to the south.

The City of Wilsonville has determined that it would need to provide new water and sewer lines across the Willamette River to meet the demands of the entire study area. There may be other options to provide service but these may also require extensive upgrades to the existing system. For the reasons mentioned above related to committed uses on small parcels in the exception land areas, urban service difficulties, Tier 5 resource land and negative impacts to adjacent agricultural areas, this area is not recommended for further consideration.

### ***Brookman Road***

This area of Tier 4 & 5 resource land and exception land is within two miles of Highway 99W. Overall the study area has a high percentage of parcels (88 percent) less than 10 acres in size, the average lot size is 6.4 acres and 75 percent contain homes. Twenty-seven percent of the total study area acreage is environmentally constrained under current Title 3 regulations and/or slopes greater than 10 percent. Just over half (52 percent) of the total land area is considered vacant and buildable. Almost all of the developed parcels are located on either SW Brookman Road, SW Middleton Road, and Old Highway 99W. As a result there are three areas of mostly undeveloped parcels distributed in the three main study area sections (Brookman Road Map 1). Area 1 is located west of Highway 99W, is 102 gross acres in size with nine property owners, and is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 87 net buildable acres of land for industrial development. The area is Tier 5 resource land except for the four western most parcels that are exception land and total 22 gross acres.

Almost the entire area is involved in agricultural activity and this farmland is part of a larger segment of active farmland that stretches to the west and to the north. Urbanization of this area would result in an increase in vehicle miles traveled along Highway 99W and SW Chapman Road, which could negatively affect the agricultural areas to the west and north as well as the commercial district along Highway 99W inside the UGB. Area 2 is located south of SW Brookman Road along SW Middleton Road and SW Labrousse Road. It is 146 gross acres in size, contains 31 parcels owned by 24 property owners, and is mostly exception land. There are two parcels of Tier 4 resource land that total 11.3 acres in southeast corner of the area. The area is very constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 63 net buildable acres of land for industrial development. Area 3 consists of one 54-acre parcel of Tier 5 resource land that is located south of SW Brookman Road. This parcel is very constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 25 net buildable acres of land for industrial development.

The entire study area is located adjacent to the land that was included in the UGB in 2002. Thus existing urban services are at a minimum 0.25-mile away. The City of Sherwood has indicated that providing services to the 2002 expansion area will require considerable improvements to the current system and any additional land would compound the difficulty in providing services. For the reasons mentioned above related to constrained land in the exception land and resource land areas, Tier 5 resource land and negative impacts to adjacent agricultural areas, and additional difficulties in providing urban services, this area is not recommended for further consideration.

### ***Sherwood West***

The study area of Tier 4 & 5 resource land and exception land is within two miles of Highway 99W. The study area is divided into three separate sections, two of which are grouped together and are approximately 1,000 feet from the third section. Overall this study area has a fairly high percentage of parcels (70 percent) less than 10 acres in size, the average lot size is 6.4 acres and 59 percent contain homes. Over half (67 percent) of the total land area is considered vacant and buildable and the developed parcels are evenly distributed throughout the area. The southern portion of the study area consists of two separate sections that contain both Tier 4 and 5 resource land and exception land (Sherwood West Map

1). In one section is Tier 5 resource land and exception land that are adjacent to the UGB, with the resource land (117 gross acres) north of SW Krugger Road and most of the exception land (101 gross acres) to the south of SW Krugger Road. A portion of the resource land is currently in agricultural production. The exception land is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section of the southern portion of the study area provides 169 net buildable acres of land for industrial development. The second section of the southern portion is approximately 0.5 mile from the UGB further west along SW Krugger Road. This small 57 acre section contains 38 acres of Tier 4 resource land and 19 acres of exception land that is intermixed. The area is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this portion of the area provides 29 net buildable acres of land for industrial development. It would not be economically feasible to extend services 0.5 mile past the Tier 5 resource land for such a small amount of exception and Tier 4 land and extending a cherry stem does not result in good urban form. The northern portion of the study area, totaling 86 gross acres contains exception land to the north of SW Edy Road and Tier 5 resource land to the south of SW Edy Road. Both the Tier 5-resource land portion and the exception land portion are constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this northern portion of the study area provides 53 net buildable acres of land for industrial development. The exception land portion is over ½ mile from existing urban services and one quarter mile from land that was added to the UGB in 2002. It would not be economically feasible to extend services one quarter mile past the 2002 expansion area for such a small amount of land and extending a cherry stem does not result in good urban form.

The majority of the land adjacent to the entire study area that is inside the UGB is currently or expected to be developed for residential purposes. Urbanization of this area could increase the existing traffic level on Highway 99W in the five corners area of Sherwood prior to the construction of the future I-5 to 99W connector. Twenty-seven percent of the total study area acreage is environmentally constrained under current Title 3 regulations and/or slopes greater than 10 percent. For the reasons mentioned above related to constrained land in the exception land and resource land areas, Tier 5 resource land, urban form, negative impacts to adjacent residential areas, and transportation impacts, this area is not recommended for further consideration.

### ***Hillsboro South***

This area of Tier 5 resource land is classified as high value farmland and is within two miles of Tualatin Valley Highway. The study area is essentially composed to two separate areas based on parcel sizes (Hillsboro South Map 1). Area 1 is composed of two parcels of 200 and 270 acres in size that are in agricultural production, with one property owner. A majority of the area adjacent to the east inside the UGB is in residential development. Area 2 contains the remaining 321 acres in 22 parcels with 16 owners. Fifteen of the 22 parcels are less than 10 acres in size and 12 of those are less than five acres and are located in one small pocket of residential use on the western of the area. Area 2 is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section provides 226 net buildable acres of land for industrial development. The adjacent land to the east of this section was added to the UGB in 2002 and is to be developed for residential purposes. The land further to the east is extensively developed with residences. There are no existing sewer services adjacent to the entire study area that can provide gravity service. Thus extra territorial extensions through resource land or extensive infrastructure is required to provide service, which is difficult for the service provider to construct. The vast majority of the study area is not contiguous to the current city limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to constrained land, Tier 5 resource land, and negative impacts to adjacent residential areas, this area is not recommended for further consideration.

### ***Forest Grove West***

This Tier 5 resource land study area is classified as high-value farmland and is within two miles of Tualatin Valley Highway. The area consists of pockets of small parcels that contain residences, many of which are associated with adjacent large-scale agricultural activities. This area is part of a larger expanse of agricultural land that extends east to the City of Hillsboro city limits and north to Highway 26. Urbanization of the study area would have a high impact on adjacent agricultural activities in this large farming community. Adjacent to the south is an established residential neighborhood, additional land planned for residential use, and the Forest Grove High School that could be negatively impacted by increased traffic flow. The vast majority of the study area is not contiguous to the current city limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to Tier 5 resource land and negative impacts to adjacent agricultural and residential areas, this area is not recommended for further consideration.

### **STUDY AREAS EXCLUDED DUE TO ADDITIONAL ANALYSIS**

The following areas meet both of the geographic factors but have not been recommended for inclusion in the UGB for industrial use. They were not deemed suitable for industrial use due to parcelization, constraints due to existing development patterns, location and extent of natural resources, servicing and urban form and/or negative impacts on agricultural uses.

### ***Oregon City North***

This area of Tier 3 & 5 resource land and exception land is within two miles of an interchange on Interstate 205 as well as within one mile of industrial land that is identified on the Title 4 Employment and Industrial Area map. Overall the area is parcelized with a high percentage of parcels less than five acres (74 percent) and less than 10 acres in size (90 percent). The average lot size is five acres and 74 percent contain homes. A little over half (63 percent) of the total land area is considered vacant and buildable. The study area is composed of four sections of land separated into two distinct east west segments that are separated by approximately 1,000 feet. The east segment (Oregon City North Map 1) is not contiguous to the UGB and contains 55 acres of exception land in Area 1 that has nine homes on 11 parcels. Area 1 is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section provides 30 net buildable acres of land for industrial development. Area 2 contains 285 acres of Tier 5 resource land in 17 parcels with 12 owners and homes. This area is also somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section provides 191 net buildable acres of land for industrial development.

The eastern section is approximately 1.25 miles from the current UGB via S Forsyth Road. It would not be economically feasible to extend services 1.25 miles past the western segment of the study area for this relatively small amount of buildable land and extending such a long cherry stem does not result in good urban form. The west segment (Oregon City North Map 2) contains 54 acres of Tier 3 resource land in Area 1 that is the only portion that is contiguous to the UGB and would be needed to provide services to the remainder of the area. Area 3 contains 52 acres of Tier 5 resource land in seven parcels with six homes and owners in the top portion of the west segment. The remaining portion of this segment contains 81 parcels that total 280 acres of exception land in Area 2. Eighty percent of the parcels are less than five acres in size and 75 percent of the parcels have homes. The developed parcels are evenly dispersed along S Forsythe Road, S Brunner Road and S Highland Road, which results in no mostly undeveloped areas in Area 2. This area is also somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. S Forsythe Road is the only road that connects the UGB to the west section of the study area. Thus urban services can only be extended through this one section of Oregon City on S Forsythe Road that travels uphill through an existing neighborhood. For the reasons mentioned above related to Tier 5 resource land, committed uses on small parcels, urban form, and negative impacts to adjacent residential areas due to one access route, this area is not recommended for further consideration.

### ***Forest Grove East***

This Tier 5 resource land study area is classified as high-value farmland and is within two miles of Tualatin Valley Highway as well as within one mile of industrial land that is identified on the Title 4 Employment and Industrial Area map. The area consists of pockets of small parcels that contain residences, many of which are associated with adjacent large-scale agricultural activities. This area is part of a larger expanse of agricultural land that extends to the east to the City of Hillsboro city limits, to the north to Highway 26 and to the west in the Forest Grove West study area. Urbanization of the study area would have a high impact on adjacent agricultural activities in this large farming community. There is a linear swath of environmental resources on the north side of Highway 47 that could impact the ability to provide services to the area (Forest Grove East Map 1). The vast majority of the study area is not contiguous to the current city limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to Tier 5 resource land, negative impacts to adjacent agricultural areas, environmental impacts that may impact urban services and Title 11 planning, this area is not recommended for further consideration.

## **DISCUSSION OF SUITABLE ALTERNATIVES ANALYSIS AREAS**

The following is a discussion of the individual study areas that are recommended for inclusion in the UGB for industrial purposes. The descriptions include unique facts that pertain to these areas shown on a map titled the Chief Operating Officer's recommendation in Attachment 3. A summary of the aggregation and suitability factors follows this discussion.

### **Beavercreek**

This one 63 gross acre parcel in the Beavercreek study area is located adjacent to the land that was included in the UGB in 2002 for industrial purposes and is designated on the Title 4 Employment and Industrial Area map. This Tier 4 resource land parcel contains the remaining portion of the Oregon City Golf Club that was not included in the UGB in 2002. The City of Oregon City, along with the property owners of the land included in the UGB in 2002, is currently in the process of completing the Title 11 planning for the area that includes a portion of the Oregon City Golf Club. Including this parcel will allow the 2002 industrial land expansion area to be planned more efficiently and logically, as the entire golf course operation will be included in the Title 11 planning process. For the reasons mentioned above related to the UGB splitting an existing golf course and an efficient and comprehensive Title 11 planning process, this 30 net buildable acre parcel is recommended for further consideration.

### **Borland Road North**

This 575 gross acre portion of the Borland Road study area is located adjacent to an interchange on Interstate 205. This portion of the study area is south of the Tualatin River, entirely exception land and is contiguous to the UGB and the City of Tualatin city limits. Urban services will be provided by the City of Tualatin and infrastructure improvements will be needed to alleviate impacts to the existing system. This area contains land that is the topographic low point for a portion of the greater Stafford/Rosemont basin and any urban services that are planned for this expansion area must take into account the future needs of the entire basin. This will allow for the future urbanization of the entire basin in an efficient and logical planned manner that will result in the desired urban form. Interstate 205 and the Tualatin River buffer the expansion area from existing agricultural activities, thus urbanization would have little impact on adjacent agricultural activity. For the reasons mentioned above related to the entire area being exception land, the availability of urban services, the minimal impact on adjacent agricultural activities and the opportunity to comprehensively plan the entire basin, this 164 net buildable acre portion of the study area is recommended for further consideration.

### **Wilsonville East**

This 641 gross acre portion of the Wilsonville East study area is located within two miles of an interchange on Interstate 5 and a portion of the area is also within one mile of an existing industrial area

designated on the Title 4 Employment and Industrial Area map. The area is located south of SW Elligsen Road on both the east and west sides of SW Stafford Road and north of SW Advance Road. The area is entirely Tier 5 resource land and is contiguous to the UGB and the City of Wilsonville city limits. Urban services are available but major infrastructure improvements may be needed depending on the type of industrial user. The area is part of a larger agricultural community however; the Newland Creek canyon isolates the area from the main component of farmland to the east. Thus urbanization may have an impact on the small amount of adjacent agricultural activity to the south between the study area and the Willamette River. There are three Bonneville Power Administration easements that cross the area that essentially excludes a large portion of the area from future residential development. A portion of the area is adjacent to a 2002 residential expansion area that provides the opportunity for both areas to be planned and developed in a cohesive manner and also allows for the more efficient urbanization of both sides of lower SW Stafford Road. For the reasons mentioned above related to the ability to provide urban services, the low impact on adjacent agricultural activity, the impact of the power line easements on future urbanization for residential purposes, and the opportunity to comprehensively plan the two expansion areas, this 460 net buildable acre portion of the study area is recommended for further consideration.

### **Coffee Creek**

This 264 gross acre portion of the Coffee Creek study area is located within two miles of an interchange on Interstate 5 as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area stretches from just north of SW Tonquin Road, south to SW Grahams Ferry Road west of the Coffee Creek Correctional Facility. The western edge of this expansion area is the extensive floodplain that is along Coffee Lake Creek. The area is entirely exception land except for one parcel of Tier 4 resource land (4.6 acres) at the very northern edge. The small portion north of SW Tonquin Road was originally in the Quarry study area but is included in the Coffee Creek expansion area due to its close proximity to the Coffee Creek area and the ½ mile separation from the remainder of the Quarry expansion area. The parcels that contain the floodplain were included in their entirety so the UGB would not split parcels. Therefore there is a considerable amount of acreage within the area that is constrained and is not expected to develop. This floodplain area is part of a larger natural resource corridor and inclusion of this portion in the expansion area provides the opportunity to examine additional protection measures or open space uses through the Title 11 planning process. The southern portion of this expansion area is located adjacent to the west of a 2002 industrial land expansion area, which will allow the two areas to be planned and developed in a cohesive manner, also through the Title 11 process. Currently sufficiently sized water and sewer lines are available to service the 2002 expansion area. Additional upgrades may be needed to service this southern portion of the expansion area. Urban services also currently extend to the Coffee Creek Correctional Facility; additional upgrades to these services may be needed to service the remainder of the expansion area. This portion of the study area is isolated from agricultural areas by the UGB and environmental resources, thus urbanization will have no impact on adjacent agricultural activity. For the reasons mentioned above related to the area being almost entirely exception land, the opportunity to comprehensively plan the two expansion areas, the ability to provide urban services and the low impact on adjacent agricultural activity, this 97 net buildable acre portion of the study area is recommended for further consideration.

### **Quarry**

This 354 gross acre portion of the Quarry study area is located within two miles of Highway 99W as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located south of NE Oregon Street and SW Tualatin Sherwood Road between SW Tonguin Road and SW 120<sup>th</sup> Avenue. The area is entirely Tier 4 resource land except for one-half of one parcel in the very northeast corner of the expansion area that is exception land. Infrastructure improvements are necessary for both water and sewer services and the exact city service boundaries between the cities of Tualatin and Sherwood need to be determined. This area is adjacent to a 2002

industrial land expansion area, in which the City of Tualatin is currently involved in the Title 11 planning process. A portion of this area may be included in that process. Urbanization of this expansion area would have no impact on adjacent agricultural activity as non-agricultural lands surround the area. There is very small amount of environmental resources within the expansion area thus urbanization will have a minor impact on environmental resources. For the reasons mentioned above related to the ability to provide urban services, the possible opportunity to comprehensively plan a portion of the area with the previous expansion area, and the low impact on adjacent agricultural activity and environmental resources, this 236 net buildable acre portion of the study area is recommended for further consideration.

### **Cornelius**

This 206 gross acre portion of the Cornelius study area is located within two miles of the Tualatin Valley Highway as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located on the north side of the City of Cornelius, north of Council Creek between NW Cornelius Schefflin Road and NW Hobbs Road. NW Hobbs Road also forms the northern boundary of the eastern portion of the expansion area. The area contains two exception land segments on the east and west ends with a 43 acre Tier 5 resource land segment in between. The City of Cornelius currently has sufficient urban services adjacent to the south to meet the needs of the expansion area. The two-parcel resource land portion of the expansion area provides for the efficient looping of urban services between the two exception land areas and is the minimum amount of resource land necessary to accomplish this service provision efficiency requirement. For the reasons mentioned above related to the majority of the area being exception land, the ability of the City of Cornelius to provide urban services, and the portion of resource land is needed to provide efficient urban services, this 91 net buildable acre portion of the study area is recommended for further consideration.

### **Damascus**

This 102 gross acre study area is located within one mile of a planned industrial area (Damascus) designated on the Title 4 Employment and Industrial Area map. The area is located south Highway 212 and east of SE Keller Road and is entirely Tier 4 resource land. The area is currently included in the secondary study area of the Damascus/Boring Concept Plan and can easily be transferred into the primary study area, allowing for the comprehensive planning and development of urban services for both expansion areas. This industrial land area will provide additional employment for the planned Damascus Town Center a short one-half mile away. Forested land and the Richardson Creek canyon isolate the area from the larger area of farmland to the south and southeast, thus urbanization would have a minimal impact on adjacent agricultural activity. Urbanization will also have a minimal impact on natural resources due to the minimal amount of natural resources within the expansion area. For the reasons mentioned above related to the area currently being in the secondary study area of the Damascus/Boring Concept Plan, the opportunity to comprehensively plan this area in conjunction with the Damascus Town Center area, and the minimal impact on adjacent agricultural activities and environmental resources, this 69 net buildable acre portion of the study area is recommended for further consideration.

### **Tualatin**

This 646 gross acre study area is located within two miles of an interchange on Interstate 5 as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located between the cities of Tualatin and Wilsonville west of Interstate 5 and is entirely exception land. The cities of Tualatin and Wilsonville will be the service providers although the exact service boundaries need to be determined. Improvements and extensions of the water and sewer lines, both inside and outside the UGB is to be expected. The area is surrounded by non-agricultural uses therefore there will be no impact to adjacent agricultural activity. The majority of the environmental resources are concentrated in the central portion of the area, which facilitates resource protection under normal development scenarios and reduces the overall impact on the resources. For the reasons mentioned above related to the area being entirely exception land, the ability to provide urban services, no impacts

on adjacent agricultural activities and the ability to reduce impacts to the environmental resources, this 339 net buildable acre portion of the study area is recommended for further consideration.

### **Helvetia**

This 249 gross acre portion of the Helvetia study area is located within two miles of an interchange on Highway 26 as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located north of NW Jacobson Road, west of NW Helvetia Road and south of NW West Union Road. The area contains 87 acres of exception land and 162 acres of Tier 5 resource land. This portion of the Helvetia study area was stand-alone study area 81 in the 2002 Alternatives Analysis Study and the resource land portion was identified as Tier 3 resource land. Therefore for this determination the resource land is again identified as Tier 3 resource land. Water services are available in NW Jacobson Road and NW West Union Road. Sewer Services are available in NW Jacobson Road and along a portion of the eastern edge of the area that should allow for gravity service. There is a power line easement along the eastern edge of the area that restricts the future urbanization for residential purposes. Inclusion of this area provides an identifiable UGB boundary along NW Helvetia and NW West Union Roads and provides good urban form by squaring off the UGB along these roadways. In addition, this provides a logical edge for the expanse of farmland north of Highway 26 that extends to North Plains. For the reasons mentioned above related to a portion of the area being exception land and the fact the resource land is needed to serve the exception land, the ability to provide urban services, the power line easement that reduces the future use as residential land and the identifiable UGB boundary that provides good urban form, this 149 net buildable acre portion of the study area is recommended for further consideration

### **ADDITIONAL AREAS CONSIDERED FOR UGB EXPANSION**

The following area is not recommended for inclusion in the UGB but may need to be considered if the Metro Council elects to change the recommendation regarding Title 4.

### **Evergreen**

The 985 acre study area is located within two miles of an interchange on Highway 26 and is within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located north of NW Evergreen Road, west of the 2002 Shute Road expansion area, south of Highway 26. The area contains 355 acres of exception land located along NW Sewell Road on the west and the portion of NW Meek Road near NW Birch Avenue and NW Oak Drive in the northeast corner of the study area. Between these two exception land areas is 600 acres of Tier 5 resource land. Adequate water services are available in NW Evergreen Road and sewer service is separated into two sections. The southeast corner of the area can be served by gravity to two existing lines 1,400 feet to the south. There are no existing large diameter sewers available to serve the remainder of the area. Thus extensive downstream improvements or construction of new sewers through a developed residential area is required. Overall urbanization of the area would have a moderate impact on adjacent agricultural land to the west which could be minimized or increased depending on the amount and location of UGB expansion. For instance, exception land along NW Sewell Road could provide a buffer for the agricultural land to the west if it remained outside the UGB and the resource land to the east was included in the UGB. On the other hand if only a portion of the resource land was included in the UGB the remaining resource land may have greater impacts, as it would be isolated from the larger farming community. Similarly impacts to environmental resources will vary based on the amount and location of the land included in the UGB. Therefore, depending on the expansion area boundaries and the resulting impact to agricultural activities and environmental resources, this area may be considered for inclusion in the UGB.

### **West Union**

This 368 gross acre portion of the West Union study area is within 2 miles of an interchange on Highway 26 and the majority of the area is also within 1 mile of industrial land that is identified on the Title 4

Employment and Industrial Area map. This section is located generally south of Holcomb Lake and north of NW West Union Road, between NW Cornelius Pass Road and NW 185<sup>th</sup> Avenue. The area is adjacent to the UGB and includes approximately 11.5 acres of exception land in two small pockets along NW West Union Road where it intersects with NW Cornelius Pass Road (10.8 acres) and NW 185<sup>th</sup> Avenue (0.7 acres). The remainder of this portion of the study area is resource land that contains mostly class 1 and 2 soils, which when analyzed by itself would be identified as Tier 5 resource land, compared to the Tier 4 classification for the entire study area. There is an existing 18-inch water service line in NW West Union Road. Extensions of the gravity sewer lines to the Rock Creek plant are required to serve the area. The area is constrained by Title 3 resources and slopes greater than 10 percent. As a result this section provides 133 net buildable acres of land for industrial development. Urbanization of this portion of the study area would have minimal impact on adjacent agricultural activities as the environmental resources isolate the area from the agricultural lands to the north. However, urbanization will impact this large environmental resource area that includes a Metro Parks and Greenspaces acquisition property. Adjacent to the south is an established residential neighborhood that is located in the area between NW West Union and Highway 26 that is not in the Hillsboro city limits. Therefore, depending on the resulting impact to the environmental resources and the overall net buildable acreage desired, this area may be considered for inclusion in the UGB.

#### ***UGB-Expansion Areas- Applying Industrial Land Factors***

All of the proposed UGB expansion areas meet all or the majority of the location and siting factors (access, proximity to other industrial users and slopes of less than 10 percent) as well as follow the hierarchy of lands progression described in Goal 14.

Of the three siting and location factors accessibility is a key factor because 70 percent of the land need is for warehouse and distribution type uses or approximately 1,377 acres. The majority of the recommended lands will be focused on areas with access to an interchange two miles of I-5, I-84 and I-205. A small portion of the supply may satisfy a localized warehouse and distribution need (50-75 acres). An example of a localized warehouse and distribution facility is the Stewart Stiles Company that is located in the City of Cornelius in an area that has poor access to major transportation facilities but is successful because it serves a local market. Small localized uses may choose to locate in various parts of the region to serve an individual user but this cannot be relied on to fulfill the overall warehouse and distribution need.

The following chart compares the recommended sites and evaluates their ability to fulfill a regional demand for warehouse and distribution land. Regional warehouse and distribution facilities need to be located within two miles of an interchange along I-5, I-84 or I-205. The recommended areas of Tualatin, Quarry, Borland Road North, Coffee Creek and Wilsonville East fulfill 1,270 acres of the 1,377 acre demand for warehouse and distribution land.

**Table 5. Comparison of the Expansion Areas According Sector Need and Suitability Factors**

EXPANSION AREAS	TOTAL ACRES	NET ACRES	Satisfy Warehouse/Dist. Demand	SUITABILITY FACTORS		
				Access	Proximity	Slope less 10%
Damascus West	102	69	0	✓	✓	✓
Tualatin	646	339	339	✓	✓	✓
Quarry (p)	354	236	236	✓	✓	✓
Borland Rd N. (p)	575	164	164	✓	✓	✓
Beavercreek. (p)	63	30	0	--	✓	✓
Coffee Creek (p)	264	97	97	✓	✓	✓
Wilsonville East (p)	641	460	460	✓	✓	✓
Cornelius (p)	206	91	0	✓	✓	✓
Helvetia (p)	249	149	0	✓	✓	✓
<b>TOTAL</b>	3,100	1,635	1,296			

**Aggregation Potential**

The following areas have the potential to satisfy the parcel size requirements for warehouse and distribution, general industrial and tech flex uses. Industry representatives indicated that warehouse and distribution uses require a minimum of 20 acres, general industrial requires 25 acres or less and tech flex generally requires a range from 50 to 100 acres.

The recommended areas were examined for the possibility of forming larger lots to satisfy the parcel size demand discussed in the Employment UGR. The Employment UGR reported a deficit of 8 parcels in the 10-25 acre range, 4 parcels in the 50-100 acre range and 3 parcels in the 100 plus acre range. A similar methodology was applied as discussed in the aggregation study discussed earlier in this report. The 100 acre lot size category is made up of 100 acre parcels formed by aggregating tax lots under the same ownership and by forming parcels under multiple ownerships. The Wilsonville East area and Helvetia have the best potential for fulfilling large lot (50 acres and greater) demand. The recommended areas have the following aggregation potential:

**Table 6. Aggregation Potential of Recommended Areas**

EXPANSION AREAS	10-25 acres (Deficit- 8 tax lots)	50-100 acres (Deficit- 4 tax lots)	100 plus acres (Deficit- 3 tax lots)
Damascus West	0	1	0
Tualatin	10	0	0
Quarry (p)	3	0	1
Borland Rd N. (p)	5	1	1
Beavercreek (p)	0	1	0
Coffee Creek (p)	5	0	0
Wilsonville East (p)	5	1	2
Cornelius (p)	3	1	0
Helvetia (p)	2	1	2
<b>TOTAL</b>	33	6	6

**PROPOSED POLICY CHANGES**

Part of Metro’s review of the UGB includes examining ways to obtain more efficient utilization of land that is currently located inside of the UGB. The proposed Title 4 amendments are one way of demonstrating to LCDC that Metro is achieving additional efficiencies inside of the UGB to meet the need in addition to adding land. The Metro Council adopted new measures to protect and maintain the supply of industrial land for future industrial uses in Ordinance 02-969B, adopted December 5, 2002.

Title 4 Industrial and Other Employment Areas regulations were amended in order to increase the capacity of industrial areas for industrial uses and to encourage non-industrial uses to locate in Centers and other more appropriate 2040 design type areas. The revisions also created a new 2040 design type entitled RSIA. The Metro Council adopted a generalized map of RSIA areas. The Title 4 language that was amended in 2002 requires that the Metro Council delineate specific boundaries for the RSIA areas derived from the generalized map by December 31, 2003. Two ordinances were introduced in 2003, amending the Title 4 regulations and mapping the RSIA areas, Ordinance 03-1021B and Ordinance 03-1022B. Both ordinances have been discussed in 2004 and as a result the revisions to the 2002 legislation and mapping of RSIA areas is included in Ordinance 04-1040.

Metro staff, after consulting with cities, counties and other interests, developed a set of factors to consider in the identification of RSIA areas. As directed by Title 4, Metro staff worked with cities and counties in the region to apply the factors to designated Industrial Areas within their jurisdictions. Several local governments, Portland, Gresham, Wilsonville and Clackamas County, submitted recommended Industrial Areas for consideration as RSIA areas. Striving for region-wide consistency, Metro staff also applied the factors to areas in cities and counties that chose not to submit candidate areas. The factors are:

- *Distribution* - Area serves as support industrial land for major regional transportation facilities such as marine terminals, airports and rail yards;
- *Services* - Availability and access to specialized utilities such as specialty gases, triple redundant power, abundant water, dedicated fire and emergency response services;
- *Access* - Within 3 miles of I-5, I-205, I-84 (within the UGB), State Route 224 (within the UGB);
- *Proximity* - Located within close proximity of existing like uses; and
- *Primary Use* - Predominantly industrial uses.

As referred to in an earlier section on *Adopting Efficiency Measures* there was testimony that indicated that there are conflicting opinions regarding the need for large parcels (over 50 acres) and that there needed to be flexibility for dividing larger parcels. Staff has worked with local governments and a subcommittee of Metro Policy Advisory Committee (MPAC) to resolve most of the implementation issues that have been raised. The recommended changes in 2004 to the Title 4 code represents this work. The committee discussed the following issues:

- Limiting the size of retail uses that are appropriate in industrial districts;
- Limiting FIRE uses in industrial areas and determining whether these uses can be distinguished from other office uses that locate in industrial districts<sup>18</sup>;
- Mapping of RSIA areas and determining whether they should reflect freight access and current uses of property;
- Providing flexibility within industrial districts due to the changing nature of industrial uses;
- Allowing medical clinics and hospitals in industrial and RSIA areas;
- Classifying traded sector uses and determining their location within industrial districts;
- Establishing performance standards to maintain freight transportation access and movement; and
- Allowing subdivision of larger parcels over time.

Staff recommends that amendment to Title 4 include a limitation on retail uses for single users of 5,000 square feet in industrial areas and 3,000 square feet in RSIA areas, a performance based transportation requirement for non-industrial offices and no specialized allowances for medical and hospital uses in industrial and RSIA areas. Staff recommends the proposed local jurisdiction RSIA areas be adopted. The proposed Title 4 language is included in Exhibit B and the RSIA map is included in Exhibit C of Ordinance No. 04-1040.

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<sup>18</sup> FIRE: finance, insurance and real estate uses.

### ***Mapping of RSIA's***

Staff conducted a general assessment of the areas on the *Employment and Industrial Lands Map* and found that the following areas meet the factors and are also lands that meet the general site and location criteria for industrial uses. These areas are uniquely situated to take advantage of the region's highway, rail and port facilities. The majority of these areas are located along the freight access routes including main roadway routes and roadway connectors shown on Metro's Regional Freight Map. This map identified areas that are critical for freight movement and provides a basis for selection of freight improvement projects in the Regional Transportation update completed in 2003. The general locations are as follows:

- Hillsboro industrial area, south of Highway 26
- Northwest Industrial Area, Rivergate, Swan Island and Columbia Corridor
- Clackamas distribution area around Highway 212/ 224
- Brooklyn railroad yards
- Wilsonville industrial area
- Tualatin industrial area
- Troutdale industrial area

Another site previously considered for status as an RSIA is the Reynolds Metals site that contains approximately 700 acres located in Multnomah County east of the City of Troutdale. This brownfield site is currently undergoing remediation and is being considered for redevelopment as an intermodal rail/truck facility by the Port of Portland and other industrial development. Much of the area is predicted to redevelop into uses supporting an intermodal facility although the site has not been re-mediated or sold to the Port at this time. The site has a number of physical impediments such as wetlands, floodplains, BPA easements and location of transmission lines and substations. If this area does redevelop as an intermodal facility it would become a key component of the region's transportation network and an RSIA designation at that time would be appropriate.

After additional discussion at MTAC and MPAC and completion of analysis by Metro, it was determined that there was a wide discrepancy between employment and industrial areas on the Title 4 map and how the areas were zoned. For example, in one jurisdiction an area would be designated employment and in another jurisdiction industrial, with similar allowed uses. What has resulted is a general reluctance by local governments to change the underlying zones in industrial areas and a questioning of the use of the Title 4 map as a guide about where the additional restrictions should take place.

For this reason staff recommends accepting the local governments candidates for RSIA's which generally fit the rule's intent to protect the areas where the movement of freight is essential shown in Exhibits B and C as part of Ordinance No. 04-1040. A map of the RSIA areas is contained in Attachment 4.

### ***Regional Framework Plan Amendments***

The Framework Plan is proposed to be amended to add policy language to guide UGB decisions and minimize impacts on the agricultural industry. Comments from participants at the symposium called "Agriculture at the Edge" spurred the proposed policy changes. Potential expansion of the UGB has different impacts on nursery operations, farm related businesses and individual operation. Changes to Chapter 1, Land Use Policy 1.12 are proposed to provide greater certainty for farmers regarding urbanization and reduce potential conflicts. Staff recommends removing the reference to south of the Willamette River at this time until all other potential physical boundaries have been considered in a measured and thorough process. There are a number of potential edges that could define the regional urban form such as the Clackamas River, the Multnomah Channel and/or the Tualatin River. The proposed changes provide the following policy guidance:

- When choosing land among the same soil class consider impacts on commercial agriculture, and
- Develop agreements with neighboring cities and counties to protect agriculture.

This change to the Framework Plan is timely because over half of the areas being considered are EFU lands and a number of the exception areas contain extremely productive agricultural uses.

### **MEETING GOAL 1 REQUIREMENTS**

Goal 1: Citizen Involvement, requires formation of a citizen involvement program to insure that the public is involved throughout the land use process. Goal 1 also requires that planning efforts be coordinated with federal, state, special purpose districts and local governments.

Metro's public outreach efforts for Periodic Review have consisted of open houses, meetings, mailed notice, website information and public hearings to reach as many citizens and interest groups as possible. Over 65,000 notices were mailed to property owners, interested parties, trade and advocacy groups to solicit comments and receive information from the public on the upcoming decision to amend Metro policies and expand the UGB. A postcard notice was provided to all property owners inside the recommended areas and those properties located within 500 feet of the proposed expansion areas. A similar notice was provided to property owners affected by the proposed changes to Title 4. In addition to these meetings all technical work products were reviewed by the Metro Technical Advisory Committee (MTAC), the MPAC and the Metro Council in public meetings.

#### ***Public Open Houses***

Six open houses were held in March and April 2004 throughout the region. The open houses provided project overview presentations and opportunities for individual discussion with staff on specific areas under consideration. Staff received over 800 responses from the public in the form of phone calls, comment cards and emails. These open houses were conducted prior to the release of the Chief Operating Officers recommendation contained in ordinance 04-1040 so that comments and concerns could be included in the recommendation.

#### ***Agricultural Symposium***

Metro sponsored a symposium called "Agriculture at the Edge" in October 2003 to discuss conflicts between the agricultural industry and urban areas and to gain a broader perspective of the needs of the agricultural community. The symposium provided a forum for farmers to express concerns regarding the loss of land to urbanization, industry needs and challenges due to traffic, loss of water, vandalism and conflicts between the industrial use of farming and developed residential uses. Several LCDC Commissioners attended the event as well as the Metro Council. Over 185 people attended the event. The farm community urged the Metro Council to consider farming as an industry with land needs and to not see the land located outside of the UGB as a future urban holding zone.

#### ***Local Government Coordination***

The Metro Council met with the Marion County Board of Commissioners in January 2004 to discuss the upcoming UGB expansion and the location of a study area south of Willamette River which borders Marion County. The Commissioners stressed the importance of continued coordination and the importance of maintaining a viable agricultural industry in the valley. A part of keeping this industry healthy is limiting urban incursions into land that is productive for agricultural use, the County stated their opposition to Metro expanding the UGB south of the Willamette River.

Local government coordination has been a continuous effort throughout the Periodic Review project. All correspondence received from local governments have been responded to in a timely manner and in writing. This staff report and ordinance will be mailed to all local elected officials in the region after to the first reading of Ordinance No. 04-1040 on April 15, 2004.

### ***Public Hearings***

Two series of public hearings are scheduled to provide opportunities for citizens and effected parties to address the Metro Council. A series of three public hearings are scheduled in April and early May to begin to take testimony on the contents of Ordinance 04-1040. A second series of public hearing will be held in May and June to consider possible revisions to the ordinance and to finalize the decision by the deadline of June 30, 2004.

### **COMPLETING PERIODIC REVIEW**

In addition to Title 4 revisions and adjustment to the need numbers the following areas are proposed by the Chief Operating Officer for expansion of the UGB to meet the industrial land shortfall of 1,575 net acres. The areas are proposed because they meet the requirements in Goal 14 in the following order: 1) are exception lands that meet the suitability factors identified for warehouse and distribution, general industrial and tech flex uses, 2) are the lowest quality farmland that meets the suitability factors or, 3) are located on higher quality farmland but are necessary to meet the specific need for warehouse and distribution use or tech flex or general industrial uses.

### ***Assigning 2040 Design Types and Conditions***

All areas proposed for inclusion in the UGB must be assigned a 2040 design type of either Industrial or RSIA. Concept planning as required in Title 11 of the Functional Plan will determine the location and extent of the boundaries of the industrial areas. All areas except Borland Road North of 205 and Tualatin are proposed to be assigned an RSIA designation. Borland Road North of 205 and Tualatin areas are proposed to be assigned an industrial designation at this time recognizing that these areas contain a number of conflicting uses and constraints that may reduce their effectiveness for industrial development. It is expected that the concept planning for these areas will resolve these conflicts. In addition general conditions will apply to all sites to specify Title 11 requirements and some areas may have specific conditions recommended to address unique issues. Briefly the following specific conditions are recommended:

- Damascus- include planning for this area into the larger Damascus effort;
- Beavercreek- combine concept planning for this area with the adjoining tax lot under the same ownership;
- Wilsonville East- require a buffer between adjoining residential uses to the east, designate as an RSIA; and
- Cornelius- designate as an RSIA;
- Helvetia- designate as an RSIA;
- East Coffee Creek and Tualatin- require finalization of the I-5/ 99W connector and planning for appropriate industrial edges within these areas, the right of way alignment may defines the City boundaries for Wilsonville and Tualatin in this area.

The specific conditions are contained in Exhibit F in Ordinance No. 04-1040.

### **KNOWN OPPOSITION**

The policy changes to the Title 4 ordinance and map address a number of local jurisdiction's concerns regarding the perceived loss of flexibility with the application of RSIA regulations. Staff was able to work with local staff to resolve a number of implementation issues as well as address policy concerns over flexibility and uses that are permitted in industrial areas. Key stakeholders may still have concerns based upon the regulation of office uses, location of medical facilities and size of commercial uses that serve industrial areas.

The proposed changes to the Regional Framework Plan have been supported by a number of jurisdictions that have the desire to protect farmland and limit the extent of the growth of the region south of the Willamette River. These concerns stem from perceived impacts on the greater Willamette Valley. Some

members of the business community and the Port of Portland have expressed a desire to consider this area for industrial development due to its location and access to I-5. Conversely, the issue has been hotly debated and there is countervailing concern that imposing limits on the urban form of the region should not preclude a larger more comprehensive discussion that will follow completion of this Periodic Review.

#### **LEGAL ANTECEDENTS**

Title 4 is part of the adopted and acknowledged Urban Growth Management Functional Plan. Authority to amend the 2040 Growth Concept map comes from ORS 268.380 and ORS 268.390(5). UGB evaluation and amendment requirements are found in ORS 197.298 and 197.299.

#### **ANTICIPATED EFFECTS**

Adoption of Ordinance 04-1040 will result in fulfilling the requirements in Metro code section 3.07.420I, which requires Metro to adopt a map of Regionally Significant Industrial Areas with specific boundaries that is derived from the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969B.

Adoption of Ordinance 04-1040 resolves Title 4 implementation issues and gives local governments clearer instructions as to the Metro Council's intent. This ordinance also fulfills the intent of the DLCD remand order #03-WK Task 001524 to ensure that additional savings can be achieved on existing industrial lands prior to expansion of the UGB. The effective date of the new Title 4 regulations is September 5, 2004. Local governments will have two years following LCDC's acknowledgement to adopt a local map and make changes to their codes.

#### ***Regional Framework Plan Amendments***

Amendments to the Regional Framework Plan require no action on the part of local governments. The adoption of amendments to Chapter 1, Land Use Policy 1.112 is considered an emergency because it has bearing on the UGB decision and is due because of the immediacy of the June 30, 2004 deadline.

#### ***Adoption of the UGB amendments***

Title 11 requires completion of Concept Plans for all areas included in the UGB within two years of Metro's ordinance or as specified in conditions of approval (areas have been conditioned from 4-6 years). Typically concept plans are completed in partnership with the county, adjoining city and Metro prior to urbanization.

#### ***Other Issues***

There are two areas that are recommended for removal from the UGB. Tax lots 1300,1400 and 1500 (18 acres) that were included in the remand work order from LCDC are recommended for no further action and removal from the UGB.

A small area located in the Springwater industrial area (east of Gresham, 90 acres) is recommended to be removed from the UGB for the following reasons: 1) it was originally added to the UGB amendment area to facilitate the extension of services and after preliminary concept planning it was determined that this area is not needed and, 2) a significant portion of the area is constrained by existing development, natural resources and slopes.

The remand work order specified that additional information was needed to fulfill the requirements in the Housing Needs analysis. Based on the findings in this analysis Metro has determined that no adjustments to the UGB are required as a result of this analysis.<sup>19</sup> This analysis is discussed under a separate memorandum.

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<sup>19</sup> Housing Needs Analysis, dated April 2004.

## **BUDGET IMPACTS**

The UGB and Metro Code amendments will go into effect in September 2004. Additions to the UGB include FTE for monitoring and minor participation in concept planning. Metro has a commitment of 1.43 FTE dedicated to ongoing concept planning in Hillsboro, Damascus, Gresham and the City of Tualatin. Planning in the Stafford Basin and around the City of Wilsonville. Additional FTE and potential grants to local governments may be needed. Implementation of Metro Code changes requires a corresponding amendment of local planning ordinances to implement the intent of these policies. Compliance monitoring is already included in the 2004/ 2005 budget. Community Development staff currently monitors all ongoing zone, comprehensive plan and code changes at the jurisdictional level as well as other project responsibilities.

## **RECOMMENDED ACTION**

Adopt Ordinance 04-1040 to amend the UGB to provide a 20-year supply of land for industrial purposes, amend the Metro Code Title 4 to protect industrial land, amend the Employment and Industrial Lands Map and amend the Regional Framework Plan to limit the impacts on the agricultural industry.

The areas included in this recommendation address all of the remaining industrial land need. The recommendation also presents several other policy options to complete amendments to Title 4 and to the method of applying the commercial land surplus to the industrial land need. These outcomes discussed are the application of the commercial surplus to the industrial land need (applying or not applying) and permeations of Title 4 that include allowing hospital and medical facilities in industrial and RSIA areas. The options are as follows:

- 1) Use the 393 commercial surplus to be used to satisfy a portion of the industrial demand- *included in the recommendation;*
- 2) Do not use the 393 commercial surplus to satisfy a portion of the industrial land need therefore the overall land need would be 1,968- *1,575 acres has been incorporated into the recommendation;*
- 3) Allow hospitals and medical clinics to be located in Title 4 and RSIA's industrial areas without being restricted to the retail limitation of 5,000 and 20,000 square feet, the net effect is an increase in the industrial land need by 300 acres.<sup>20</sup> The total acreage need increase to either 1,875 acres (if commercial surplus is also applied) or 2,268 acres if not.

The areas included in this recommendation provide land choices to resolve these policy issues. Due to application of the factors in Goal 14 and the application of the siting and location factors the base recommendation of 1,635 acres is recommended to be included to satisfy the remaining industrial land need.

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<sup>20</sup> 300 acres is based on a projection of a need for 3-5 hospitals on 50 acre sites and the need for 5-6 clinics located on 25 acre sites over the next 20 years. Hospital and clinic uses are classified as employment uses in the Employment UGR.

**Table 7. Recommended UGB Expansion Areas**

RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less than 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					

(p) partial areas

**Table 8. Additional Areas for Consideration**

EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less than 10%
West Union (p)	368	133	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Evergreen (p)	985	730	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	1,353	863					

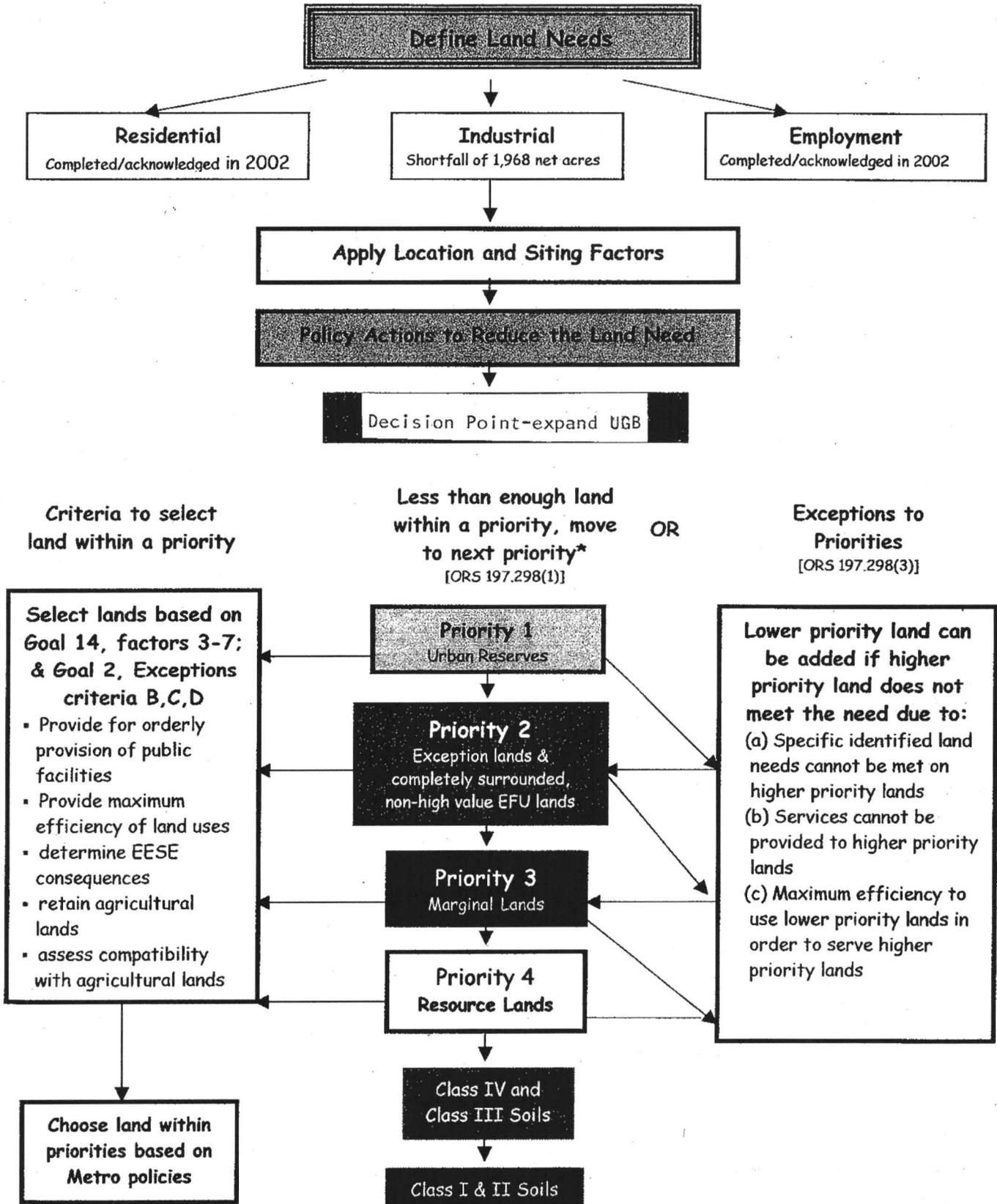
(p) partial areas

**Attachments:**

- Attachment 1- Goal 14 Chart
- Attachment 2- Study Area Maps
- Attachment 3- Chief Operating Officer’s Recommended Areas Map
- Attachment 4- Title 4 Map

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## Goal 14: Where to Satisfy the Region's 20-Year Urban Land Needs Through UGB Expansion

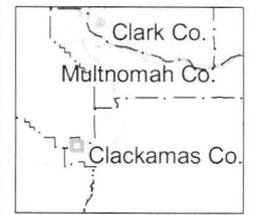


# Wilsonville West Study Area

## Map 1

-  Wilsonville West Study Area
-  Developed Land
-  Constrained Land - Modeled Title 3 and Slopes Greater than 10%

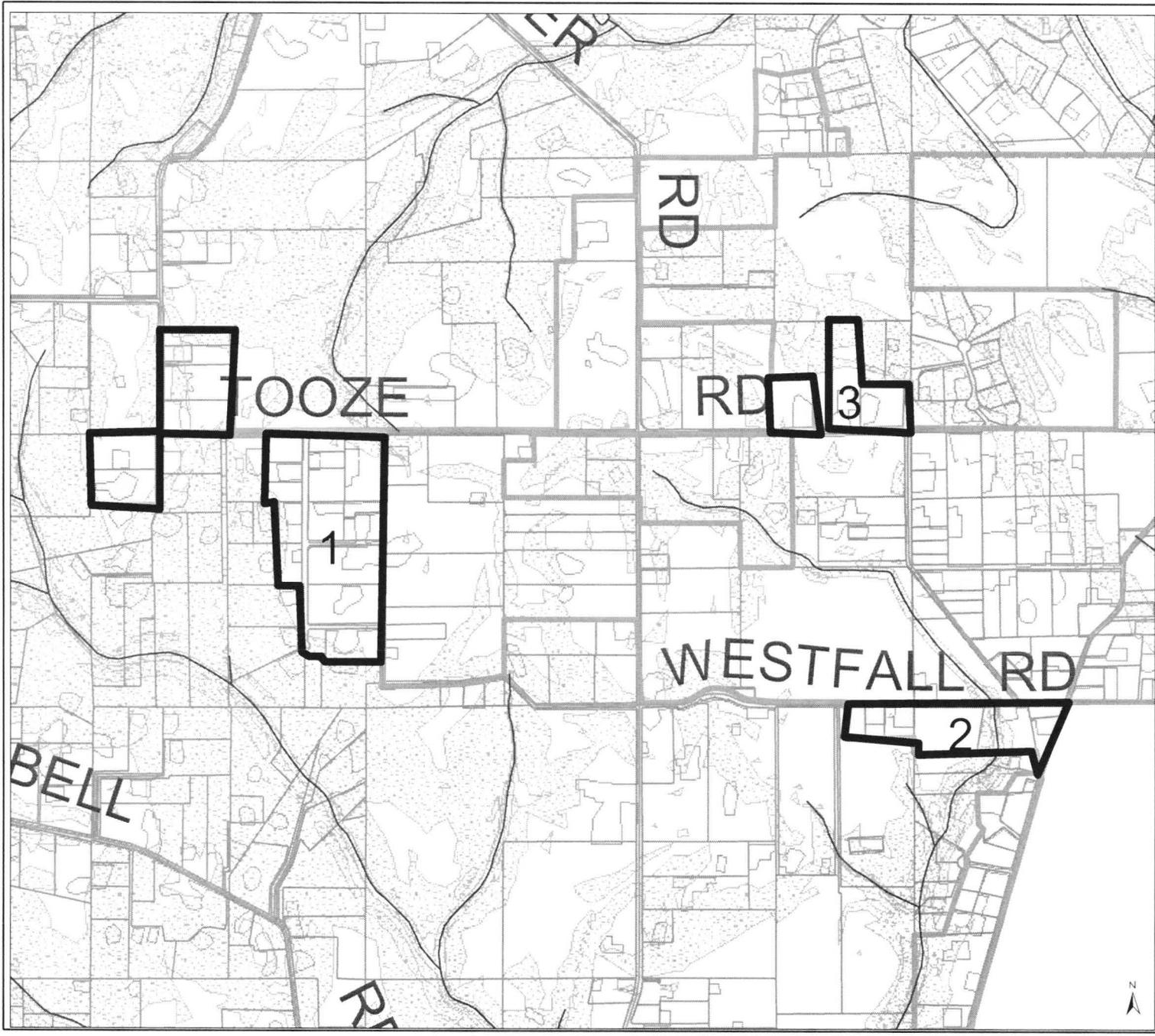
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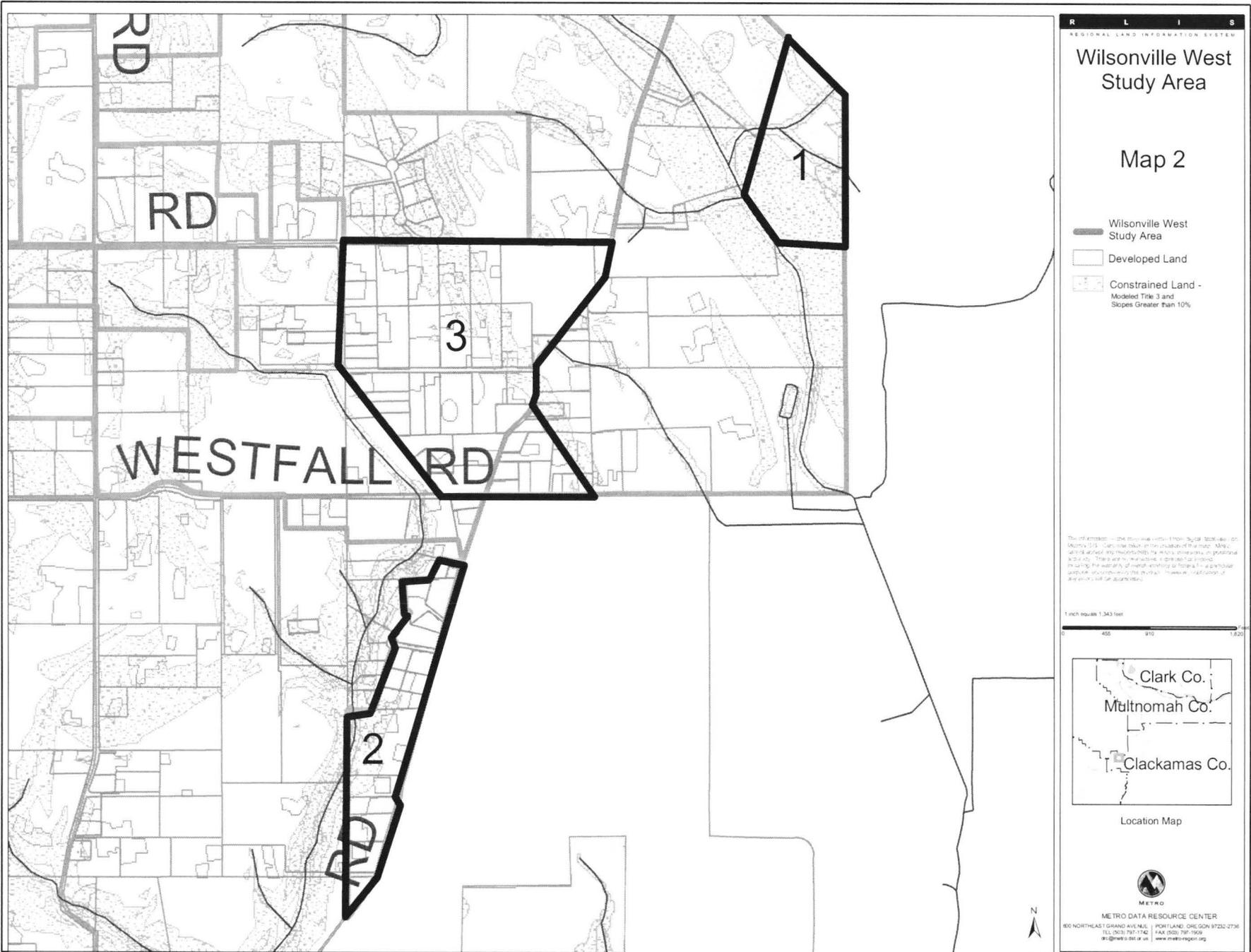


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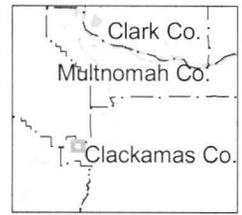
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# Wilsonville West Study Area

## Map 2

-  Wilsonville West Study Area
-  Developed Land
-  Constrained Land -  
Modelled Title 3 and  
Slopes Greater than 10%

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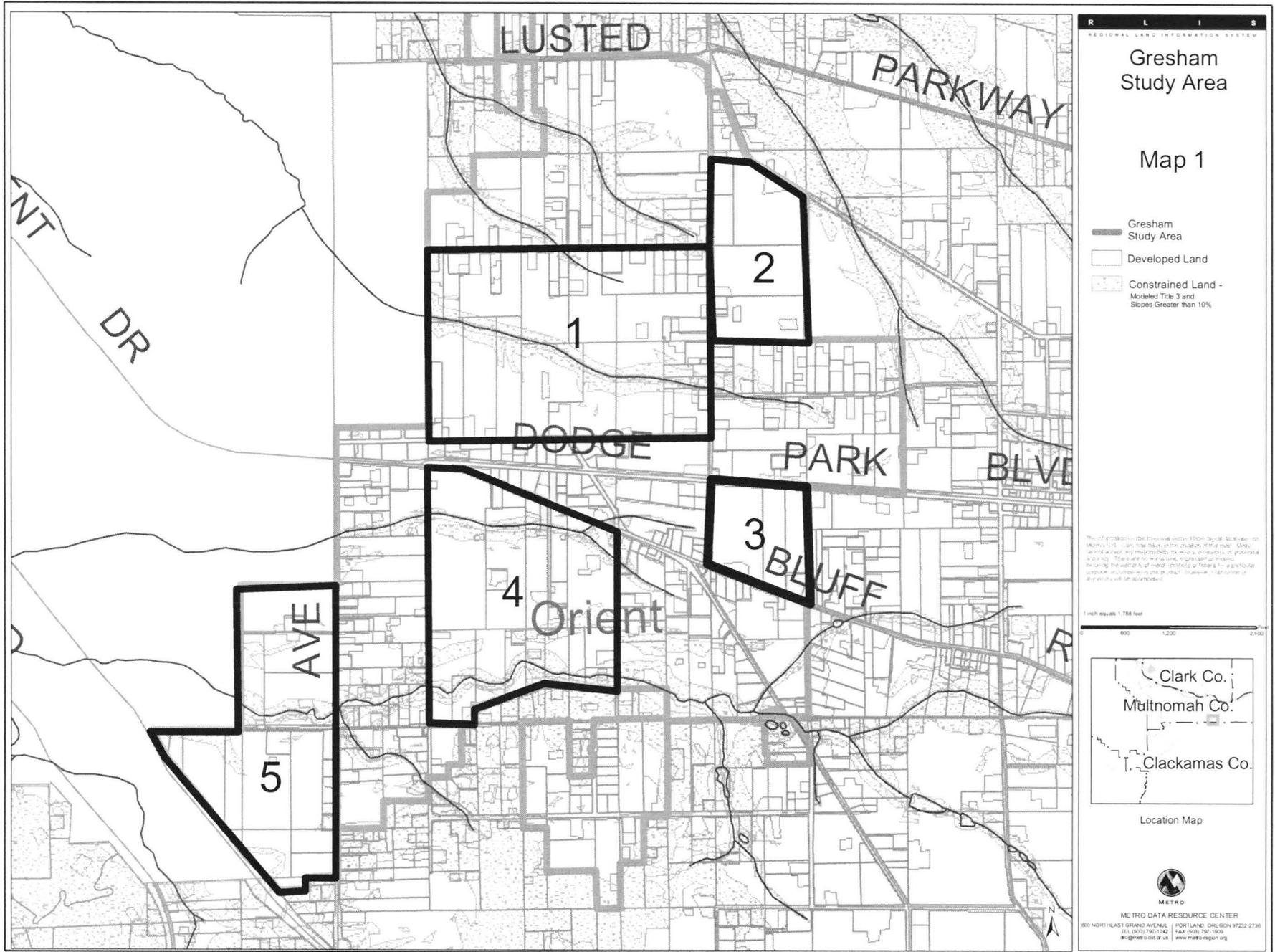


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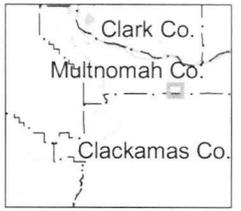
# Gresham Study Area

## Map 1

- Gresham Study Area
- Developed Land
- Constrained Land - Modeled Title 3 and Slopes Greater than 10%

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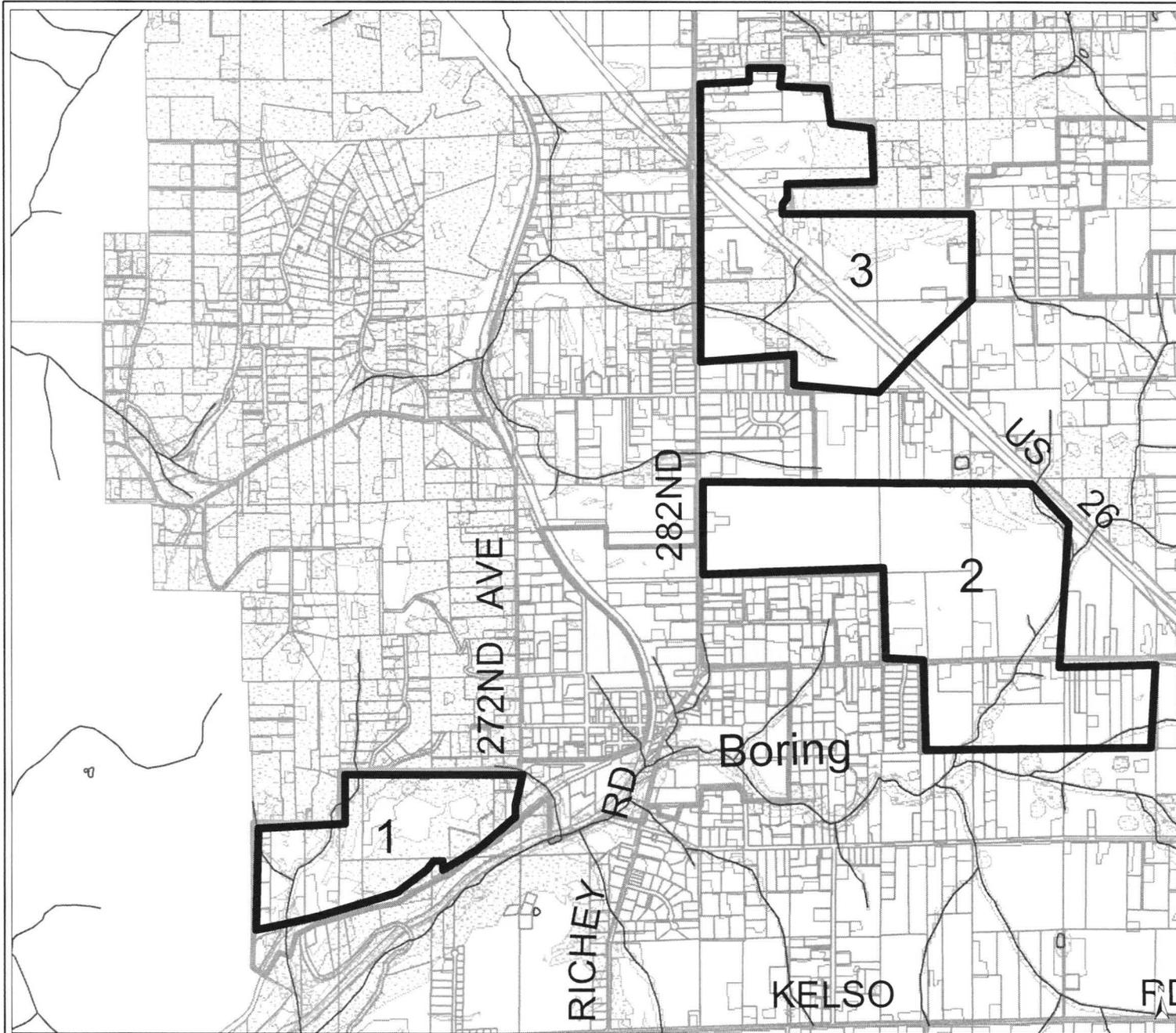


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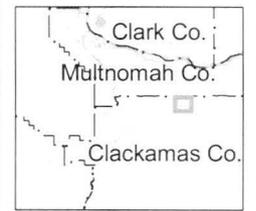


# Boring Study Area

## Map 1

- Boring Study Area
- Developed Land
- Constrained Land -  
Modeled Title 3 and  
Slopes Greater than 10%

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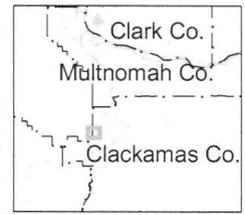
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# Norwood/ Stafford Study Area

## Map 1

- Norwood/Stafford Study Area
- Developed Land
- Constrained Land -  
Modeled Title 3 and  
Slopes Greater than 10%

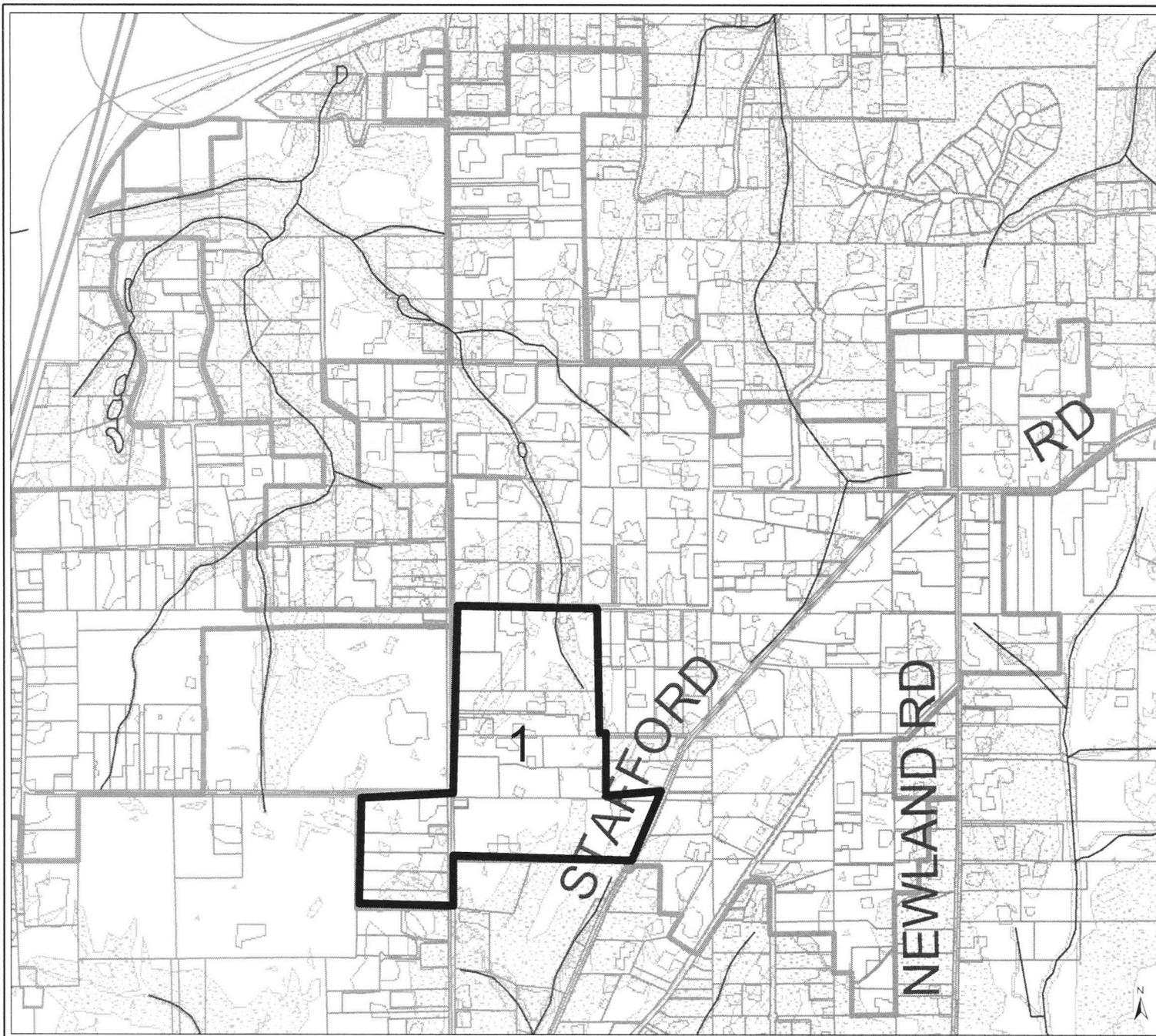
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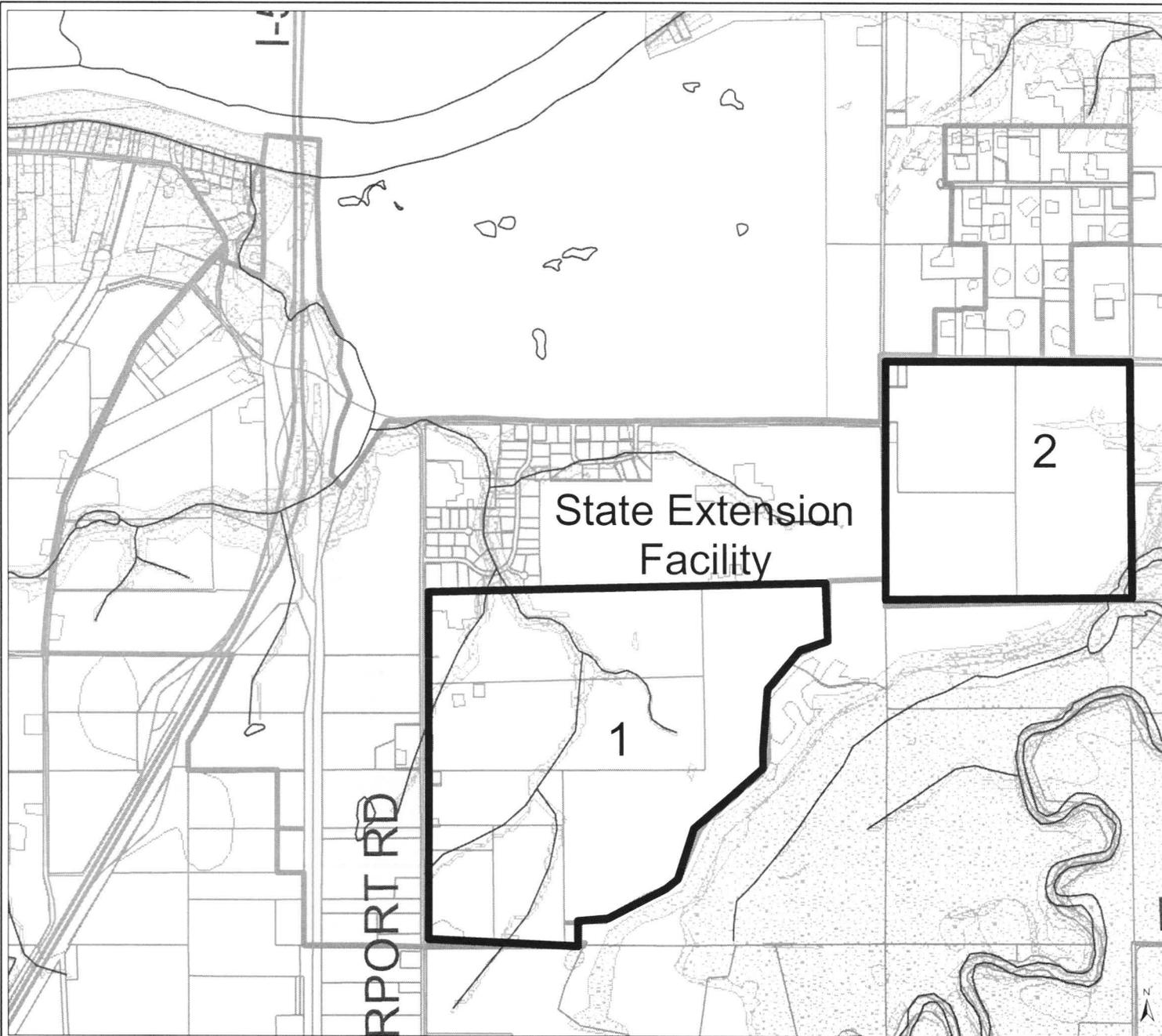


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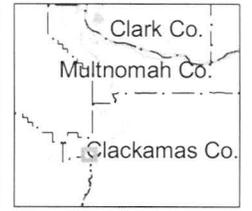


# Wilsonville South Study Area

## Map 1

-  Wilsonville South Study Area
-  Developed Land
-  Constrained Land - Modeled Title 3 and Slopes Greater than 10%

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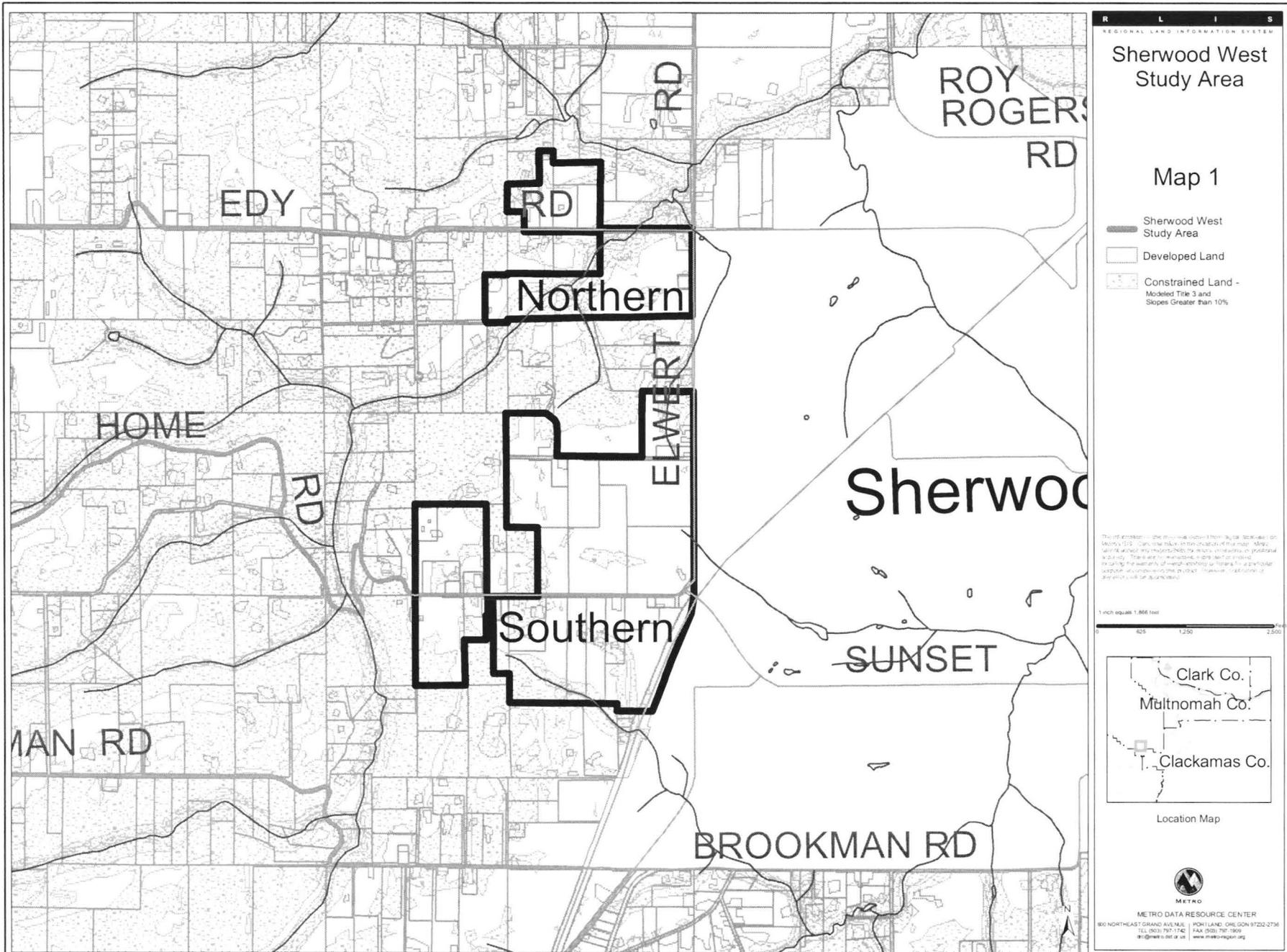


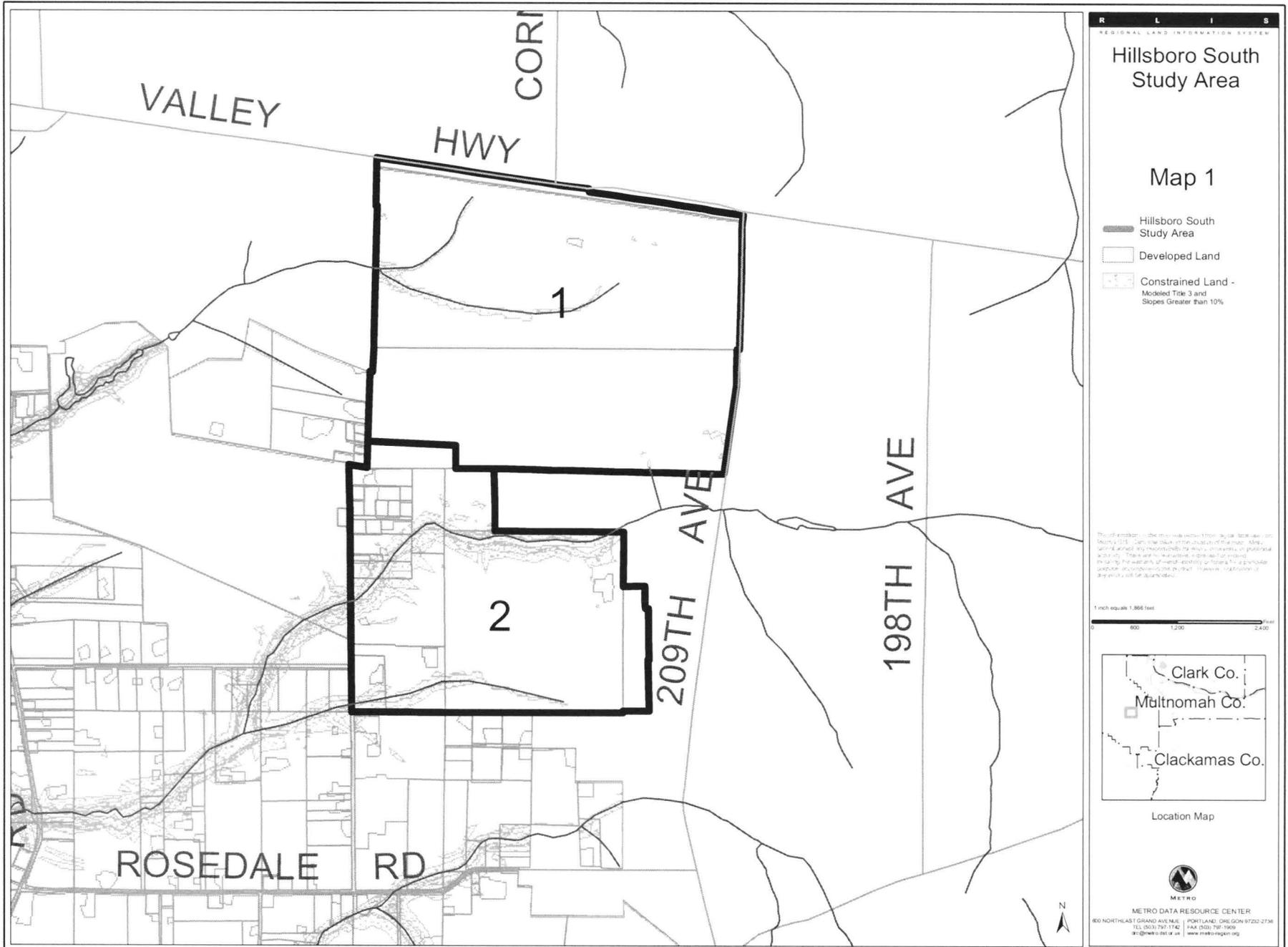
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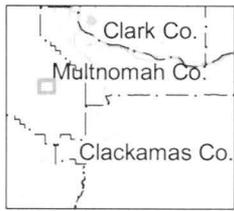
### Hillsboro South Study Area

#### Map 1

-  Hillsboro South Study Area
-  Developed Land
-  Constrained Land -  
Modeled Title 3 and  
Slopes Greater than 10%

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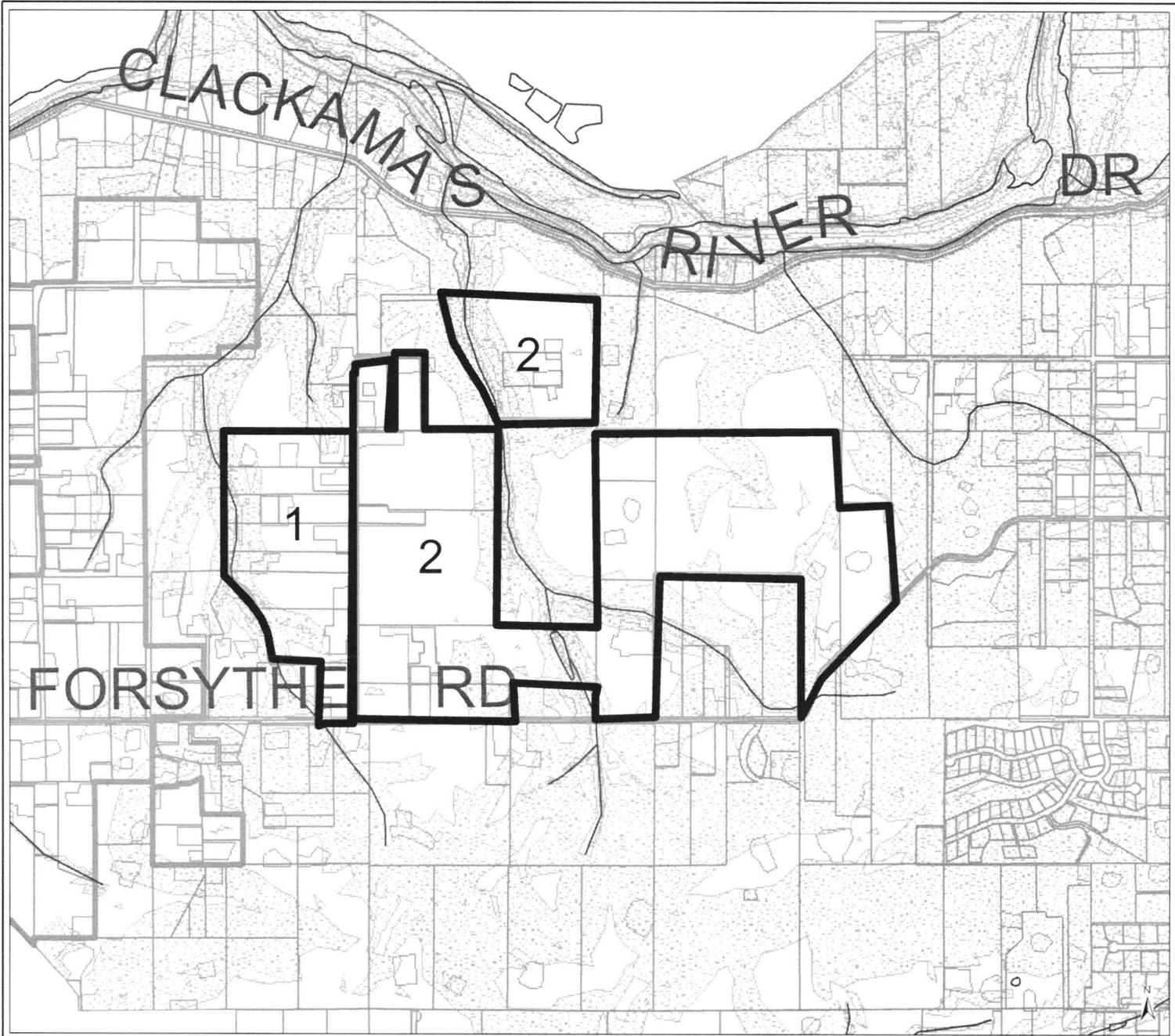


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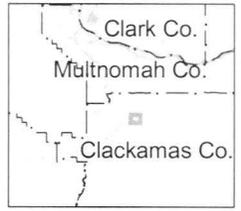


Oregon City North  
Study Area

Map 1

-  Oregon City North Study Area
-  Developed Land
-  Constrained Land - Modeled Title 3 and Slopes Greater than 10%

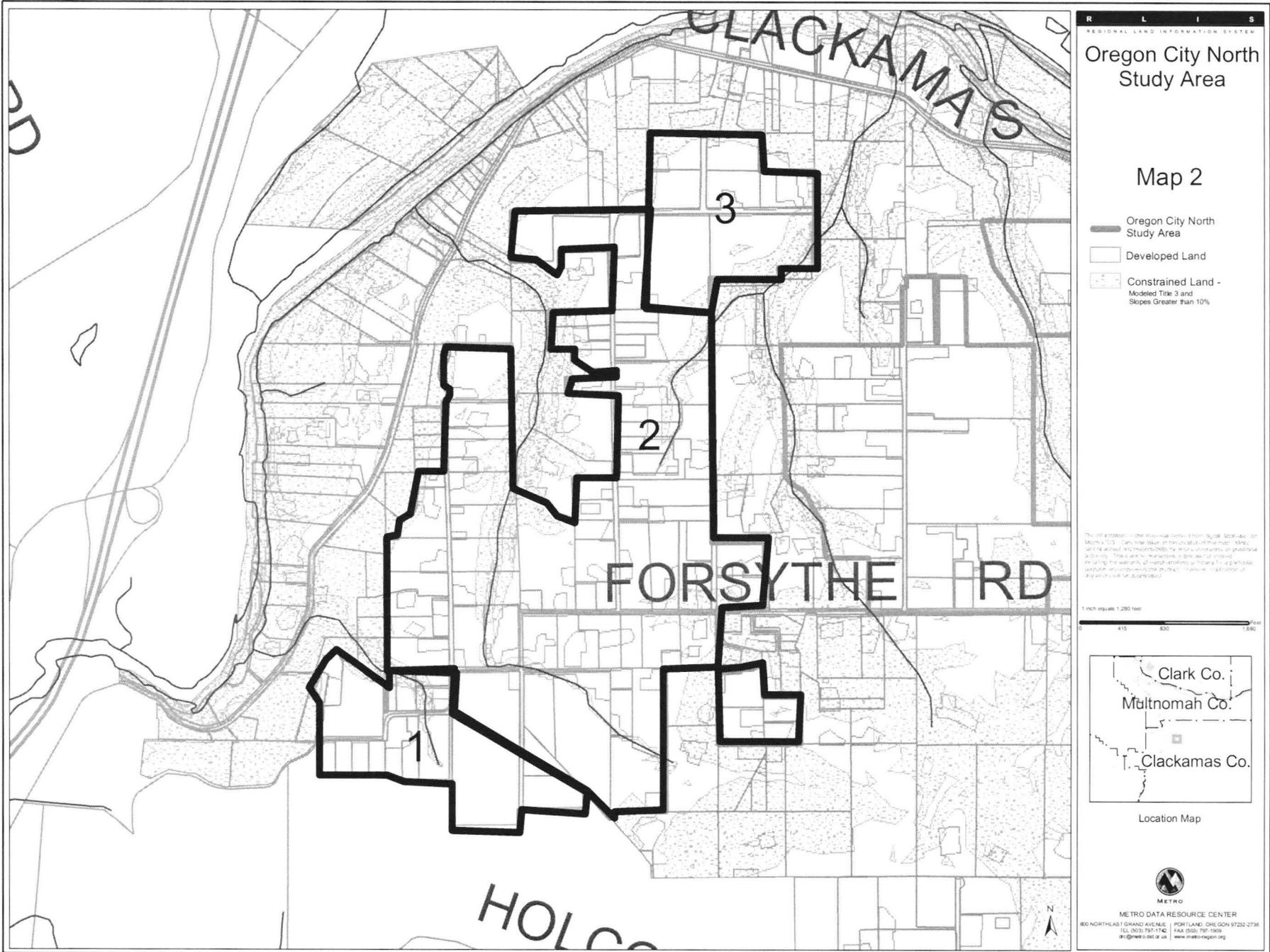
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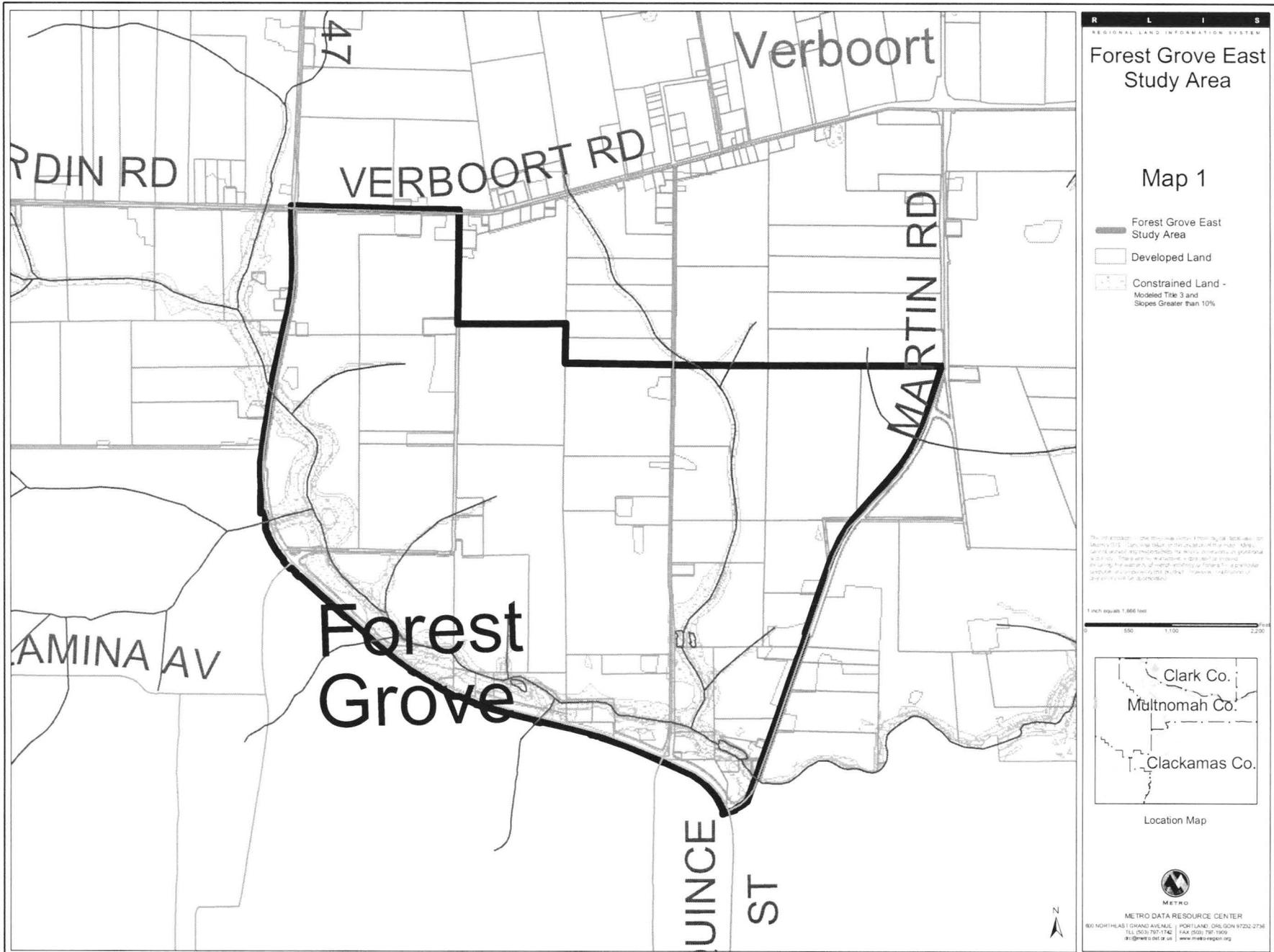


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# Regionally Significant Industrial Areas

Ordinance

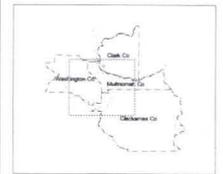
Title 4 Subcommittee Recommendation

 Local Government Proposed RSIA

 Title 4 Regionally Significant Industrial Area 2002 Decision



REGIONS: LIGHT GREY indicates areas identified by ordinance and decision of Title 4 Subcommittee. DARK GREY indicates areas identified by ordinance and decision of Title 4 Subcommittee. The information on this map was derived from GIS data provided by Metro. The information on this map was derived from GIS data provided by Metro. The information on this map was derived from GIS data provided by Metro.



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Agenda Item Number 5.2

**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.

***Second Reading***

Metro Council Meeting  
Thursday, June 3, 2004  
Metro Council Chamber

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).

///  
///  
///  
///

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 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 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.

Agenda Item Number 5.3

**Ordinance No. 04-1047**, For the Purpose of Amending the Metro Code Chapter 10.02 to Increase the Refundable Deposit at the Lake House at Blue Lake Regional Park

*Second Reading*

Metro Council Meeting  
Thursday, June 3, 2004  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO ) ORDINANCE NO. 04-1047  
CODE CHAPTER 10.02 TO INCREASE THE )  
REFUNDABLE DEPOSIT AT THE LAKE ) Introduced by Michael Jordan, Chief  
HOUSE AT BLUE LAKE REGIONAL PARK ) Operating Officer, with the concurrence of  
 ) Council President David Bragdon

WHEREAS, the Regional Parks and Greenspaces Department operates “The Lake House” at Blue Lake Regional Park as a facility for the general public to have weddings, business meetings and other events; and

WHEREAS, the rental fees and refundable deposit for this facility are established by the Metro Council in Metro Code Title X; and

WHEREAS, the Regional Parks and Greenspaces Department has determined that an increase to the refundable deposit at The Lake House is necessary to protect Metro’s interest in collecting certain fees; and

WHEREAS, the amount of the refundable deposit has not been increased since it was established in 1996; and

WHEREAS, the increase of the refundable deposit is not anticipated to deter event bookings at this facility; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Chapter 10.02 Regional Park Fees is hereby amended as follows:

Metro Code Section 10.02.020 Park Fees, Subsection (k) is amended to read:

“(k) Except for use by Metro, rental fees, along with ~~\$100.00~~\$300.00 refundable deposit, for “The Lake House” at Blue Lake Park shall be:

- |     |                                                              |             |
|-----|--------------------------------------------------------------|-------------|
| (1) | April 1 to October 31 (Friday after 5:00 p.m. and Sundays):  |             |
|     | 10:00 a.m. to 4:00 p.m.                                      | \$ 800.00   |
|     | 6:00 p.m. to midnight                                        | \$ 800.00   |
|     | 10:00 a.m. to 10:00 p.m.                                     | \$ 1,300.00 |
| (2) | April 1 to October 31 (Saturday):                            |             |
|     | 10:00 a.m. to 4:00 p.m.                                      | \$ 900.00   |
|     | 6:00 p.m. to midnight                                        | \$ 900.00   |
|     | 10:00 a.m. to 10:00 p.m.                                     | \$ 1,400.00 |
| (3) | November 1 to March 30 (Friday after 5:00 p.m. and Sundays): |             |
|     | 10:00 a.m. to 4:00 p.m.                                      | \$ 500.00   |
|     | 6:00 p.m. to midnight                                        | \$ 500.00   |
|     | 10:00 a.m. to 10:00 p.m.                                     | \$ 850.00   |
| (4) | November 1 to March 30 (Saturday)                            |             |
|     | 10:00 a.m. to 4:00 p.m.                                      | \$ 600.00   |
|     | 6:00 p.m. to midnight                                        | \$ 600.00   |

10:00 a.m. to 10:00 p.m. \$ 950.00

- (5) Weekdays (Monday through Thursday and Friday until 5:00 p.m.):  
\$40.00 per hour (10:00 a.m. - 5:00 p.m.) with a three-hour minimum  
charge  
\$60.00 per hour (5:00 p.m. - midnight) with a three-hour minimum  
charge”

All other provisions of Metro Code Section 10.02.020 Park Fees remain the same.

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

## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 04-1047, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 10.02 TO INCREASE THE REFUNDABLE DEPOSIT AT THE LAKE HOUSE AT BLUE LAKE REGIONAL PARK.

---

Date: April 28, 2004

Prepared by: Jeff Tucker

## BACKGROUND

The Lake House at Blue Lake Regional Park is rented out for use by the public for weddings, business meetings and other events. The Regional Parks Department has a management agreement with Salvador Molly's to book the facility and manage it for these specified purposes.

There are a number of fees that renters are potentially responsible for paying that cannot be collected prior to the scheduled event. These include overtime fees, cleaning fees, and reimbursements for any damage to the building or grounds. The refundable security deposit is meant to protect Metro's interest in the event that these fees become necessary to charge and the renters are unwilling to pay them. Any one of these fees can easily exceed the currently required refundable security deposit of \$100.

Increasing the refundable deposit from \$100 to \$300 would better protect Metro's interest for the collection of these "after-the-event" fees. The increase is supported by Salvador Molly's, the current managers of the facility, and they believe that the increased fee would not deter booking of the facility, since the fee is refundable if no "after-the-event" fees are charged.

## ANALYSIS/INFORMATION

1. **Known Opposition:** None.
2. **Legal Antecedents:** Metro Code Chapter 10.02 Park Fees and Metro Code Section 10.02.020(k) establishes the refundable deposit for The Lake House at Blue Lake Regional Park.
3. **Anticipated Effects:** It is anticipated that the refundable security deposit for The Lake House at Blue Lake Regional Park will increase from \$100 to \$300.
4. **Budget Impacts:** None.

## RECOMMENDED ACTION

Chief Operating Officer Michael Jordan, with the concurrence of Council President David Bragdon, recommends Council adoption of Ordinance 04-1047, For the Purpose of Amending Metro Code 10.02 Chapter to Increase the Refundable Deposit at The Lake House at Blue Lake Regional Park.

060309c-01

The 2004 Great Blue Heron Week participating agencies and organizations include:

- Audubon Society of Portland
- Columbia Slough Watershed Council
- Friends of Oaks Bottom Wildlife Refuge
- Friends of Peninsula Crossing Trail
- Jackson Bottom Wetlands Preserve
- Metro Council
- Metro Regional Parks and Greenspaces
- Portland Bureau of Environmental Services
- Portland City Council
- Portland Parks and Recreation
- Portland River Renaissance
- Raindrops to Refuge
- RiversWest
- Sauvie Island Conservancy
- Three Rivers Land Conservancy
- Tualatin Riverkeepers
- Weir's Cyclery
- Willamette Riverkeeper

The following organizations made publication of this 2004 Great Blue Heron Week information flyer possible. Without their financial support Great Blue Heron Week would not be possible.

- Audubon Society of Portland
- Portland Bureau of Environmental Services
- Portland Parks and Recreation
- Portland River Renaissance
- Urban Greenspaces Institute

Photography: Jim Cruce and Michael Wilhelm  
Design: BeBop  
Printing: Natural Press  
Recycled paper  
Soy ink



© Cruce

18th Annual  
**Great Blue Heron Week**  
*Ribbons of Green:  
Greenways for  
Heron, Fish  
& People*

**June 2 - 13, 2004**

The Great Blue Heron was adopted as Portland's official city bird in 1986 as a symbol of the region's commitment to ensuring access to nature — a central element of the Portland-Vancouver metropolitan area's quality of life. The region's *Ribbons of Green* — its rivers, streams, and wetlands — are a network of greenspaces serving as essential feeding, nesting, and resting habitat for the Great Blue Heron and hundreds of other species of fish and wildlife that live in the unique urban ecosystem of the four-county metropolitan region.

Great Blue Heron Week is an opportunity to celebrate successful efforts to protect and restore the region's *Ribbons of Green* and to rededicate ourselves to ensuring that herons and the myriad other species of fish and wildlife that share the confluence of the Columbia and Willamette rivers with us continue to thrive as the region grows.

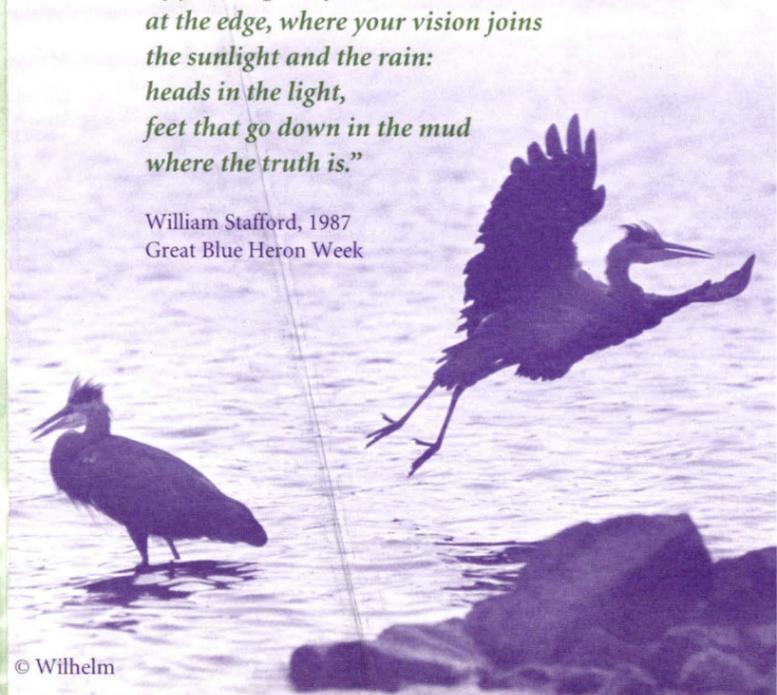
Oregon's poet laureate William Stafford issued us a challenge when he penned the following poem to commemorate the adoption of the Great Blue Heron as our official symbol of the region's intent to maintain our *Ribbons of Green*. Stafford's *Spirit of Place* is a challenge for us to "keep the faith," by protecting and restoring the Willamette, the Tualatin and Columbia rivers and their tributaries so that herons continue to grace our midst.

*Spirit of Place*

*Out of their loneliness for each other  
two reeds, or maybe two shadows, lurch  
forward and become suddenly a life  
lifted from the dawn to the rain.  
It is the wilderness come back again,  
a lagoon with our city reflected in its eye.  
We live by faith in such presences.*

*It is a test for us, that thin  
but real, undulating figure that promises,  
"if you keep the faith I will exist  
at the edge, where your vision joins  
the sunlight and the rain:  
heads in the light,  
feet that go down in the mud  
where the truth is."*

William Stafford, 1987  
Great Blue Heron Week



© Wilhelm

Join us in celebration of the Great Blue Heron as a symbol of nature nearby. Take part in the following activities that are hosted by agencies, non-profit organizations, and grassroots citizen groups to explore the region's *Ribbons of Green*.

**Wednesday, June 2**

**City of Portland City Council Proclamation, 10 am, City Council Chambers, City Hall, 1220 SW Fourth Avenue, Portland.**

**Thursday, June 3**

**Metro Council Proclamation, 2 pm  
Metro Council Chambers, 600 NE Grand, Portland.**



© Cruce

**Friday, June 4**

**Birding from the Oaks Bottom Wildlife Refuge Bluff, 9 - 11 am**  
Join Friends of Oaks Bottom Wildlife Refuge at Sellwood Park for a tour of the wildlife refuge and to hear about rehabilitation work being done there by Portland Parks & Recreation, Bureau of Environmental Services, and school groups working on long-term projects to remove invasive plants, protect threatened species, and improve habitat areas. Bring scopes and digital cameras for a lesson in "digi-scoping" as we try to get some close-ups of Great Blue Herons, Wood Ducks and songbirds on the shady bluff trail. Contact Martha Taylor at 503-234-3267 to register.

**Saturday, June 5**

**Jackson Bottom Wetlands Preserve, Great Blue Heron Rookery Hike, 9 - 11 am**  
Join us for a hike to the Great Blue Heron rookery located at Jackson Bottom Wetlands Preserve. We will be able to view these marvelous herons and their young atop the tall conifer trees. Dress for the weather. There is a \$3 per person fee, no pre-registration required. Contact Sarah Pinnock, 503-681-6278, for information.

**Saturday, June 5**

**Sherwood Greenway and Nature Art Walk, 10 am - 1 pm**  
Free guided Nature Art Walk along Sherwood's Greenway Trails. Come meet local artists and find out what it is about nature that inspires their work. Artists representing photography, watercolor, nature journaling, and more, will be on hand to answer your questions. Raindrops to Refuge, a local community organization interested in preserving and restoring Sherwood's watersheds, will join Three Rivers Land Conservancy to talk about open space conservation and restoration. The walk will cover approximately 1.5 miles. Meet at Stella Olsen Park picnic shelter on Washington Street (across from the Sherwood United Methodist Church, 408 NW Washington St., in Sherwood). For carpooling options to Stella Olsen Park meet at 9 am at the public parking facility on Hwy. 43 and Foothills Drive in Lake Oswego. Plan to spend 3.5 to 4 hours total, including the commute to and from Sherwood. Registration is required; please call Amber at 503-625-4223 to sign up to meet at Stella Olsen Park or contact Jim Closson at 503-699-9825 for carpooling options and information.

*Events continued on reverse.*

## Saturday, June 5

**Spring Bird Walk at Smith and Bybee Lakes Wildlife Area, 9 - 11 am**  
Spring brings Great Blue Herons to the rookery and Bald Eagles, Osprey and more than 25 different songbirds to Smith and Bybee Lakes Wildlife Area for the nesting season. Meet Metro naturalist and expert birder **James Davis** in the wildlife area parking lot on North Marine Drive. Learn to identify birds by sight and songs. Bring drinking water and binoculars if you have them. Free. Advance registration is required; call 503-797-1850, option 4.

## Saturday, June 5

**Tualatin Riverkeepers' GBH Week Celebration Paddle Trip: Rood Bridge Park, Hillsboro to Eagle Landing, Scholls, 10 am - 4 pm**  
Join the Riverkeepers as we explore a scenic mid-section of the Tualatin River. This quiet, rural part of the river is full of wildlife, including river otters, eagles, beavers and herons! This trip is for advanced paddlers only, please. There is a trip charge of \$5 per person for TRK members and \$10 for non-members. TRK canoes are available to members free of charge by reservation. Non-members may rent our canoes for the paddle trips for \$20. Contact Margot to register, 503-590-5813 or margot@tualatinriverkeepers.org.

## Saturday, June 5

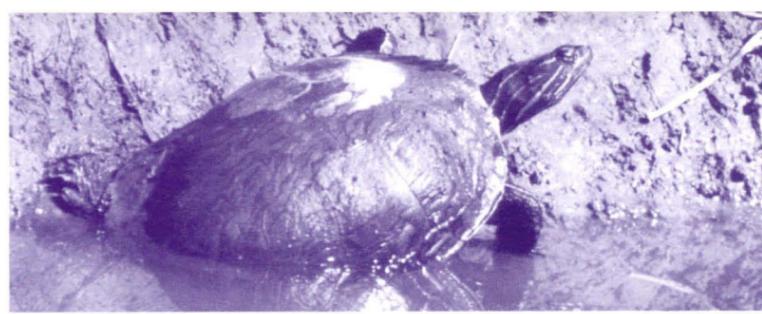
**Turtles Among the Herons, Smith and Bybee Lakes, 12:30 - 2 pm**  
Oregon's turtles are rare, shy and hard to find, but Smith and Bybee Lakes Wildlife Area is home to one of the largest populations of Western painted turtles in the Pacific Northwest. See these beautiful reptiles with the help of Metro naturalist **James Davis**, who will have small telescopes for a close look. Learn about the natural history of painted turtles and why they are so rare. Suitable for adults and children five and older. Meet in the parking area on N. Marine Drive. Free. Advance registration required; call 503-797-1850, option 4.

## Saturday, June 5

**Bicycle the Peninsula Crossing Trail, 1 - 3 pm**  
This guided tour will pedal from Princeton to the Columbia Court Trailhead, then proceed on the new trail around the Columbia Wastewater Treatment Plant to the Columbia Slough west and continue to the trail along North Portland Road. The ride will proceed along Marine Dr. and eventually connect with the trail on the Columbia Slough and on to the Peninsula Crossing Trail for the return to the Princeton Trailhead. Meet at the Princeton Trailhead (Princeton and Carey Blvd. two blocks north of Willamette Blvd.). For more information, contact Friends of Peninsula Crossing Trail: **Steve Weir** at 503-283-3883, trails@weirscyclery.com or **Pam Arden** at 503-708-4697, npdarden@teleport.com.

## Sunday, June 6

**Three Rivers and a Slough Hike, 9 am - Noon**  
Join us for a hike along three new or recently improved trails at the northwest side of the 40-Mile Loop. We'll walk through cottonwood forests next to the Columbia and Willamette rivers and see new restoration plantings along the Columbia Slough. Think of the changes in the nearly 200 years since the Lewis and Clark Expedition paddled by these two watery confluences! We'll talk about plants and habitat; bring your binoculars and we'll view trees and ships as well as birds. The five-mile round-trip walk will introduce you to the Willamette Greenway, Marine Drive and Columbia Slough trails. Trip leader for this free, family-friendly event is **Gregg Everhart**, trails planner for Portland Parks and Recreation. The route is fully accessible. Meet at the north parking lot of Kelley Point Park, the little known 96-acre park next to Terminal 6, just off N Marine Drive/Lombard at the confluence of the Columbia and Willamette rivers. Bring a picnic to enjoy the picnic areas and beaches after the hike. Please make a reservation with Portland Parks and Recreation Outdoor Recreation Program, 503-823-5132.



© Cruce

## Sunday, June 6

**Kayak/Canoe the Lower Columbia Slough, 10 am - 1 pm**  
A leisurely paddle up the Lower Columbia Slough from Kelley Point Park to the St. Johns Landfill. We will be looking for nesting Great Blue Herons, Red-tailed Hawks and Osprey. This 18-mile long urban waterway, while suffering from adjacent development and water quality problems, is still one of the region's pre-eminent Greenspaces. We'll see and hear lots of birds, and possibly a river otter or two. Bring your own canoe or kayak; life jackets are required. Leader: **Donna Matrazzo**, Sauvie Island Conservancy and Portland Audubon Society. Meet at the informal boat launch area just inside the entrance to Kelley Point Park.

## Sunday, June 6

**Bicycle the Peninsula Crossing Trail, 1 - 3 pm**  
See event listing for June 5. For information, Friends of Peninsula Crossing Trail: **Steve Weir** at 503-283-3883, trails@weirscyclery.com or **Pam Arden** at 503-708-4697, npdarden@teleport.com.

## Wednesday, June 9

**Lunch With the Birds at Jackson Bottom Preserve, Noon - 1 pm**  
Meet at the Jackson Bottom Wetlands Preserve north viewing shelter, south of Hillsboro on Highway 219, for an hour of bird watching, wetland ecology and fun. We provide spotting scopes, field guides and a naturalist to help you identify all the wonderful birds at the wetland including Great Blue Herons, Bald Eagles, swallows and warblers. This event is free; the site is wheelchair accessible. Contact **Sarah Pinnock**, 503-681-6278, for information.

## Wednesday, June 9

**Evening Walk at Vanport Wetlands and Force Lake, 6:30 - 8 pm**  
Ride the new Yellow Line MAX to the end of the line at the EXPO Center and view the new wonderful public art at the stop. Walk to the Vanport Wetlands, a 60+ acre restoration site within the Columbia Slough Watershed. We will also visit Force Lake to discuss proposed and new restoration projects around the lake. We'll have a brief discussion of the newly listed EPA Superfund site at Harbor Oil (immediately to the north of the lake). Bring binoculars for bird watching, and wear comfortable shoes. Meet at the MAX Yellow Line Expo Center light rail station. For more information, contact Scott Broadway, Columbia Slough Watershed Council at 503-281-1132, scott.broadway@columbiaslough.org.

## Thursday, June 10

**Morning River Walk Along the Springwater on the Willamette Trail, 9 - 11 am**  
Stroll with us along the Willamette River to see Great Blue Heron and Osprey on their nests. Bring your binoculars for this leisurely walk along the new Springwater on the Willamette Trail. Learn the latest about Portland's River Renaissance, Oaks Bottom Wildlife Refuge, the Ross Island complex, and the wildlife that rely on this premier habitat area. Trip leaders for this free, family-friendly event are **Barbara Hart**, **Ron Carley** and **Jennifer Devlin**, City of Portland River Renaissance and Bureau of Environmental Services. The walk will begin and end at Sellwood Riverfront Park. To register, call 503-823-5839 or email river@ci.portland.or.us.

## Thursday, June 10

**Exploring Downtown Roof Gardens, Noon - 2 pm**  
This walk through downtown Portland and the PSU campus will explore roof gardens and Portland's newest demonstration "ecorooft." Portland's Bureau of Environmental Services (BES) is studying the performance of roof gardens in controlling the amount of water running off roofs, improving water quality, and reducing air temperature. Leaders: **Emily Hauth** and **Matt Burlin**, BES. Meet at noon at the PSU Urban Studies Center Plaza at the stairs adjacent to the trolley tracks (SW 5th Ave. between Mill St. and Montgomery St.). There will be a brief introduction prior to the walk, which may include some stairs.

## Saturday, June 12

**Jackson Bottom Wetlands Preserve, Great Blue Heron Rookery Hike 9 - 11 am**  
Join us for a hike to the heron rookery located at Jackson Bottom Wetlands Preserve. We will be able to view these marvelous herons and their young atop the tall conifer trees. Dress for the weather. There is a \$3 per person fee, no pre-registration required. Contact leader **Sarah Pinnock** at 503-681-6278 for more information.

## Saturday, June 12

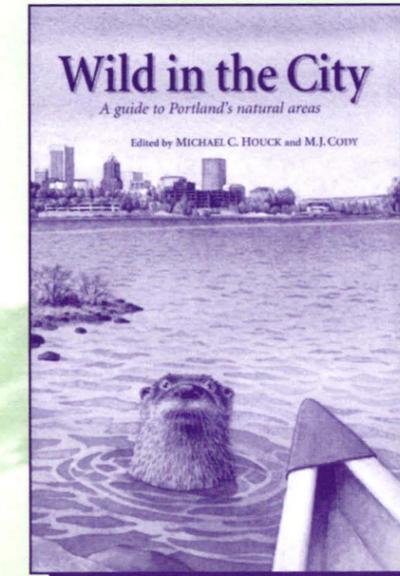
**Tualatin River Paddle Tour, 10 am - 2 pm**  
Join Metro naturalist **James Davis** and members of the Tualatin Riverkeepers for a leisurely paddle upstream and back from one of Metro's future river access points west of Tigard. Explore the habitats of the Tualatin River looking for wildlife and wildflowers. Beaver, nutria and river otter are common in this stretch of the Tualatin and we will see plenty of evidence of their activities, even if we do not see the critters themselves. Bird life, including Great Blue Heron, is abundant. After the paddle trip (about three hours), participants will be invited to take a brief walk to explore the forested part of the property, good for wildflowers and woodpeckers. Bring drinking water, snacks and waterproof binoculars if you have them. Registration fee for members of the Tualatin Riverkeepers is \$5 and canoe use is free. Non-members pay \$10 to register for the trip with their own boat and can rent a canoe for an additional \$20. Advanced registration and payment are required. Contact Margot at Tualatin Riverkeepers, 503-590-5813 or margot@tualatinriverkeepers.org.

## Sunday, June 13

**Ross Island Paddle, 7 - 10 am**  
Ross Island will soon be donated to the City of Portland Parks and Recreation and will be added to the city's growing natural areas system. Join a flotilla of canoes and kayaks on this three-hour paddle around what will become one of Portland's premier wildlife refuges to view Great Blue Herons, Osprey and Bald Eagles on their nests. The young herons are large and raucous this time of year. We will see and hear numerous summer birds such as Swainson's Thrushes, Black-headed Grosbeaks and Spotted Sandpipers as we ply the shallow waters between Hardtack and East islands, after crossing the Willamette from the Willamette Park boat ramp.

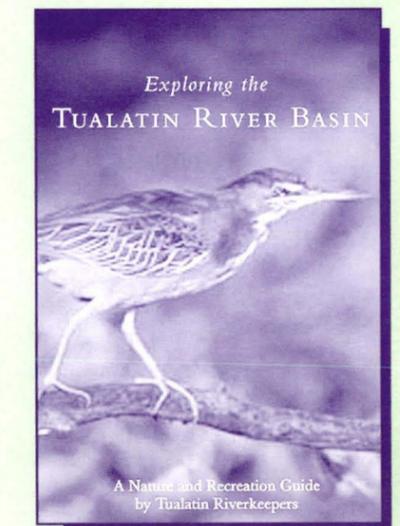
Your will paddle will continue downstream, around the tip of Ross Island to view a newly established Great Blue Heron nesting colony and then back upstream to complete the loop. This trip is a great activity for families! Trip Leaders: **Donna Matrazzo**, Sauvie Island Conservancy and long-time Greenspace advocate and **Travis Williams**, Riverkeeper, Willamette Riverkeeper. RiversWest Small Craft Center will provide route assistance and safety patrol. **Meet at Willamette Park between 6:30 and 7 am sharp!** We will launch promptly at 7 am, so please arrive early enough to get your craft into the water. Stragglers and late risers can catch up with us in Holgate Channel. Free. Bring your own canoe or kayak; life jackets are required of all participants.

To enhance your explorations of the region's **Ribbons of Green** during the 18th annual Great Blue Heron Week — and on your own during the coming year — you can pick up a copy of the following stream, river and trail guides at **Portland Audubon Society's Nature Store, 5151 NW Cornell Road, www.audubonportland.org, 503-292-9453.**



↑ *Wild in the City: a guide to Portland's natural areas*

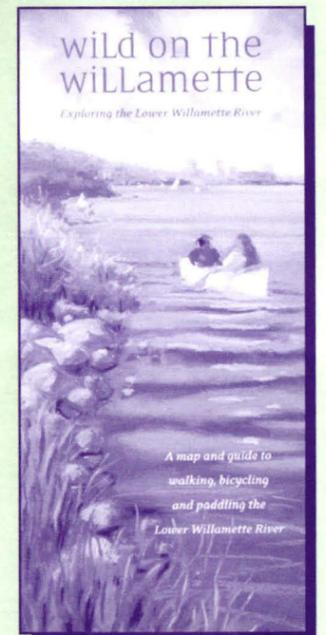
This comprehensive guide to the Portland-Vancouver metropolitan region's natural areas is published by the Oregon Historical Society Press, in collaboration with the Audubon Society of Portland's Urban Naturalist program. *Wild In The City* emphasizes ecological linkages among natural areas and offers almost 100 site guides with detailed maps to natural spaces, trails, waterways, parks, golf courses, and even cemeteries, where significant habitat or other natural history features can be viewed. The book is interspersed with engaging, lively natural history essays and colorful tidbits of information written by experts in their fields and those who have an intimate knowledge of the sites and natural history. Co-editors: Mike Houck, Urban Naturalist and M J Cody.



A Nature and Recreation Guide by Tualatin Riverkeepers

## Wild on the Willamette

*Wild on the Willamette*, produced by Audubon Society of Portland, is a map, a nature guide and a recreational guide covering the lower 35 miles of the Willamette River, from the Canby Ferry to the confluence of the Willamette and Columbia rivers at Kelley Point Park. The map is printed on rip-resistant PolyArt paper and is meant to be used in the field. Bicycle routes, kayak and canoe put in points, and hiking trails are all included as are numerous nature areas, parks, and historic attractions.



## Exploring the Tualatin River Basin

"A concise, accurate, thorough and downright beautiful guide to an area that is under-appreciated by those who haven't taken the time to look around them.

This little book is so well written, so well organized, so well illustrated, that readers can learn to love the beauty and value of the Tualatin just by reading the book.

Buy this amazing book and let it spark a summer of outdoor discoveries."

—Dan Hays, Statesman Journal

**MINUTES OF THE METRO COUNCIL MEETING**

Thursday, May 27, 2004  
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Rod Monroe, Rex Burkholder, Rod Park, Brian Newman

Councilors Absent: Carl Hosticka (excused)

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

**1. INTRODUCTIONS**

There were none.

**2. CITIZEN COMMUNICATIONS**

There were none.

**3. ISSUES TO CONSIDER IN IMPLEMENTING A PAY-FOR-PERFORMANCE PROGRAM**

Alexis Dow, Metro Auditor, provided a power point presentation on matters to consider on implementing a pay-for-performance program (a copy of which is found in the meeting record). She noted background, success factors, and inhibiting factors.

Councilor Burkholder asked about the value of pay for performance (PFP) if they couldn't offer financial compensation. Ms. Dow said she felt it was good. It was important to identify goals and provide feedback to the employee. You can do these things without having a PFP program. She spoke to motivators beyond money. A good human resource system will have good communication, guidance and regular feedback.

**4. CONSENT AGENDA**

4.1 Consideration of minutes of the May 20, 2004 Regular Council Meetings.

4.2 **Resolution No. 04-3451**, For the purpose of confirming the appointment of Sarah Barrett to the North Portland Rehabilitation and Enhancement Committee (NPREC).

4.3 **Resolution No. 04-3452**, For the purpose of reappointing Jean Estey-Hoops and Susan Landauer to Metro North Portland Rehabilitation and Enhancement Committee (NPREC).

Motion: 

Councilor Newman moved to adopt the meeting minutes of the May 20, 2004, Regular Metro Council and Resolution Nos. 04-3451, 04-3452.
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Vote: 

Councilors Burkholder, McLain, Monroe, Park, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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## 5. ORDINANCES – FIRST READING

5.1 **Ordinance No. 04-1053**, For the purpose of Amending the FY 2003-04 Budget and Appropriations Schedule by Transferring \$250,256 from Contingency to Operating Expenses in the Zoo Operating Fund to allow the Zoo to recognize the cost associated with the Simulator and Butterfly exhibits; and declaring an emergency.

Council President Bragdon assigned Ordinance No. 04-1058 to Council.

## 6. ORDINANCES - SECOND READING

6.1 **Ordinance No. 04-1040**, For the Purpose of Amending the Metro Urban Growth Boundary, The Regional Framework Plan and the Metro Code to Increase the Capacity of the Boundary to Accommodate Growth in Industrial Employment.

6.2 **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.

Council President Bragdon explained the process for the public hearing and amendment process. Michael Jordan, Chief Operating Officer, provided a history of the process the staff had gone through to get to his recommendation. He noted the staff report, which he used as an outline for discussing his recommendation, this included background factors including the Urban Growth Report concerning land supply, statewide planning goals, application of Metro Policies, discussion of suitability factors for industry, fulfilling the need for industrial lands, study areas meeting at least one location factor, study areas excluded due to additional analysis, discussion of suitable alternatives analysis areas, additional areas considered for Urban Growth Boundary expansion, meeting Goal 1 requirements, completing periodic review, legal antecedents, anticipated effects, budget impacts and recommended action. Council President Bragdon also noted Metro Policy Advisory Committee (MPAC) recommendation (a copy of which is included in the meeting record).

Council President Bragdon opened a public hearing on Ordinance No. 04-1040.

Lou Ogden, City of Tualatin Mayor, 18880 SW Martinazzi Tualatin OR 97062 provided written testimony which he and his staff summarized. They were opposed to North Borland Road area and Norwood/Stafford (Tualatin South) area as industrial area and east of I-5 if this area were to be recommended. They were willing to support the quarry area with conditions. It was their job to work with the Council to come to a workable solution. He said they have 36% industrial in their incorporated area. He spoke to local control. He urged Council to support their community vision. He spoke to the MPAC recommendation, which supported removal of Tualatin, and also represented a policy shift for classification of soils. Councilor Newman spoke to need numbers and the state law constraints. He extended the opportunity for the Mayor to work with Council.

Ed Truax, Council President, 18880 SW Martinazzi Tualatin OR 97062 spoke to traffic issues, water issues, Goal 14 soils factors, quality of life and livability issues as well as coordination efforts with Metro. He shared Tualatin's vision and asked Council to oppose the inclusion of Tualatin into the Urban Growth Boundary (UGB).

Doug Rux, Community Development Director, City of Tualatin, 18800 SW Martinazzi Tualatin OR 97062 noted that they had submitted both technical and legal information for the record (a

copy of which is found in the record). He talked about traffic, funding, and ability to serve issues. He commented on infrastructure issues as being inadequate. He noted the yield acreage. He addressed fair share issues. They supported the quarry site and he detailed conditions for their support. Councilor Newman said there had been much debate on the need number. He asked Mr. Rux if the Regional Economic Partnership had taken a position. Mr. Rux said they had not taken a position. He spoke to adjusting the need number. He felt that the 1200 acres need would be workable.

Jeff Condit, Miller Nash on behalf of the City of Tualatin 18880 SW Martinazzi Tualatin OR 97062 said he had submitted detailed written comments for the record. He highlighted those for the record. He questioned land that was excluded from the initial alternatives analysis. He felt that the Chief Operating Officer (COO) had done it backwards and explained further why he felt it was backward. He talked about Goal 2 and the Court of Appeals comment. He spoke to the need for partnership. They were willing to work with Metro but couldn't accept all three of the sites. Council President Bragdon talked about local control and the statewide requirements. The implementation lies with local governments and this was why the Council needed to coordinate with the city. Council President Bragdon noted City of Tualatin's partnership.

Councilor Park asked about the Borland Road recommendation and if this was a "not now" or "not ever". If conditions or criteria were different would they be supportive of this area? Mayor Ogden said yes, issues of transportation were the current preventor for development in this area. They wanted to participate in a long-term planning process for that area. They were accepting industrial area for the entire region. Councilor Park said one of the themes in the 2002 UGB decision was focusing on centers. He felt Mayor Ogden had indicated that they would be willing to participate in a longer term planning effort to grow the region.

Councilor McLain asked Mr. Rux about the MPAC package and how the Regional Economic Partners positioned themselves. Mr. Rux said he could not respond to this.

J Clayton Hering, 121 SW Morrison Suite 200 Portland OR 97204 commended the Council for the progress they had made. He spoke to quality rather than quantity. He addressed the development side. He talked about the competitive environment. He felt Council failed if they didn't take into consideration the quality side of the coin because of the lack of funds. They didn't have enough money to take a site that was underserved. The biggest problem they saw with some of the sites was the ability to service them with roads, utilities, etc. Council had to be careful that they took into consideration adjacency to the main thorough fairs and ability to serve. Council President Bragdon said he illustrated part of their dilemma. He said MPAC's recommendation had been to take sites that were not adjacent to thorough fairs and recommend sites that might not be close to highways. Mr. Hering said Council had to look to the future. The market place was very competitive, the closer to major highways the better.

Sparkle Fuller Anderson, 27480 SW Stafford Wilsonville OR 97070 talked about Councilor Newman's amendment. Council President Bragdon explained that these were proposed amendments. Councilor Newman had a proposed amendment to drop the Wilsonville area. Ms. Anderson said the area was not currently in Wilsonville but in Clackamas County. If Wilsonville doesn't want Wilsonville East, they didn't have to take it. She noted Evergreen was farmland. They need to take the land that was ruined first and leave the land that was farmable. She spoke to truck access in the Wilsonville East area. She said Evergreen was not on I-5 or I-205. She felt Wilsonville East met the criteria. Councilor Newman reiterated that his amendment was a proposed amendment. Everything was still in play. He encouraged that she speak to Clackamas County because they were currently opposed to Wilsonville East.

Maureen Larsen, Wilsonville East landowner 259 35 SW Stafford Wilsonville, OR 97070 said this area was not farmland. They owned a retail nursery. Because of the lack of water in Wilsonville they grew their stock in Hillsboro. Hillsboro had wonderful office campuses and quality jobs. The Wilsonville East land was not productive. She urged that this land be banked to create future jobs. Clackamas County was on record saying they needed high tech jobs. She didn't think trucks were an issue; this area was more likely to be high tech. This area could be used for high tech jobs.

Dave Volz, 22530 SW Erin Piper Tualatin OR 97062 provided written testimony and summarized it for the record. He spoke to the grass roots effort to not include the Tualatin area as industrial. He said there were many who did not agree. Councilor Newman commented on his remarks.

Bill Kenny, Coalition to Save the Valley 37535 Arbor Lake Drive Wilsonville OR said he asked Council to restore some language of 1.1-2, Rural Resource Lands. They had deleted a phrase at the end of the paragraph and shall not choose agriculture land south of the Willamette River or Pudding River. He had talked with a lot of planners. For thirty years this had been implicitly understood. The land was never considered to be part of the inventory. They thought that this issue had been significantly vetted in the public record. He urged Council to follow the City's recommendation.

Diane Yates 12995 NW Bishop Hillsboro OR 97124 provided written testimony and summarized her testimony for the record. She did not support including Helvetia as an industrial area.

Michelle Hascall, Helvetia Community Resident, 10219 Helvetia Rd Hillsboro OR 97124 provided written testimony from Dr Shirley Malcolm. She felt Helvetia served a purpose other than industrial use.

Gary Gentemann 11935 SW N Dakota St Tigard OR 97224 said he had spoken of 11 property owners who were supportive the Evergreen parcel and extending that area to the Sunset Highway. He felt it was a reasonable alternative to Tualatin and Helvetia. City of Hillsboro had expressed not going across Hwy 26.

Michael Robinson, Perkins Coie 1120 NW Couch 10<sup>th</sup> Floor Portland OR 97209 provided a written copy of his testimony. He urged MPAC recommendation on Title 4. He spoke to the principle differences between the Chief Operating Officer's recommendation and MPAC recommendation. He spoke to medical office issues. He spoke to planning processes that worked.

Delna Jones, Providence Health Care 14480 SW Chardonnay Tigard OR 97224 said she had presented a report concerning health care to the staff today. She summarized Dr. William Conerly's report. Councilor Newman said the reason Providence wanted this provision in Title 4 was so they could buy land below market rates. He asked she respond to this. Ms. Jones said the issue for Providence was to find locations that were accessible to patients and find jobs accessibility. They did need to look at costs as well as availability of land.

Council President Bragdon asked Mr. Robinson about access to other industry and which of those attributes were helpful to his industry. Mr. Robinson said transportation accessibility was a factor. They wanted to be near the folks that use medical facilities, near employers, transit, and accessibility. Councilor McLain said some were saying, what about hospitals that were closing? Mr. Robinson said when hospitals closed, there were still patients that needed to be served. Hospitals that closed had to do with management not with the lack of patients. Councilor McLain

asked about the need to have facilities. Ms. Jones responded they were talking about clinics not necessarily hospitals. Clinics needed to be easily accessible to clients. Mr. Robinson said they were trying to maintain status quo.

Paul Lee City of Wilsonville 30000 SW Town Center Loop East Wilsonville OR 97070 provided a written copy of his testimony. The City supported a hard edge.

Kathleen Newcomb 17515 Cheyenne Way Tualatin OR 97062 provided statistics for the record. She spoke to the Borland Road area and South of Tualatin area. She endorsed what others had said about the problems with including those two areas in the UGB. She was neutral about the quarry area. She spoke to the livability: buffers, lack of traffic, percent of land within the city and cost. She gave an example of capital costs for fixing up Borland area streets. Who was supposed to pay for this? This should be added to the criteria. She also mentioned water issues.

Jonathan Schlueter, Westside Economic Alliance 10200 SW Nimbus Portland OR 97223 provided written testimony and summarized that testimony. Council President Bragdon asked if they thought the need number was accurate. Mr. Schlueter said they needed to provide enough acreage to meet the need. Councilor McLain asked him to address the issue of existing clusters, nine of the eleven were on the Westside. Mr. Schlueter said Cornelius lended itself to the nursery industry, food processing sector, timber products businesses and some of the shipping businesses.

Greg Specht 15400 SW Millikan Way Beaverton OR 97006 said he was a commercial real estate developer. You could not tell a user or a tenant what to accept. He urged keep users in mind, when expanding the boundary. Users need large, flat, readily serviceable to transportation areas. He was Chair of the Governor's Industrial Lands Advisory Committee, we identified the 25 shovel ready sites, five were in the Portland area. Significantly, none of them were on the I-5 spine. We came to the conclusion that we needed to consider land south of the Willamette River. As you look at the sites, consider the needs of the tenant and the requirements of the users and then do a cost benefit analysis. Please consider the sites south of the Willamette River. Councilor Burkholder said there was an intense competition for land with good freeway access. Did his committee discuss providing support for governments like Metro to protect land for industrial and not be converted to commercial? How do you keep it from turning into the next super-mall? Mr. Specht said they did not speak about this issue specifically but he talked about the old Burns Bros. site. They coordinated that redevelopment. He spoke to extenuating circumstances. As an industrial developer they had long lamented the conversion of industrial to other uses, the primary culprit was housing demand. There had been an awful lot of conversion in the past. There were provisions that could be placed on property that would prevent it for conversion. Some of the past conversions had extenuating circumstance. If they went south, he felt they could put restrictions on future sites. He was focused on the 100-acre plus sites that would be attractive to the national site selectors. He felt protection could be done in perpetuity with land that was brought in.

Jay Cosnett 1246 SW Borland Rd West Linn OR 97068 provided written testimony opposing the North Borland road expansion.

Jeff Bauman, Public Works Director, City of Wilsonville 30000 SW Town Center Coop Wilsonville OR 97070 said he provided comments at the May 6<sup>th</sup> meeting on ground water issues in Wilsonville East. He said there was a MTAC conversation about ground water, which he felt that there was some confusion. He referenced a 90-foot water table drop. He provided written testimony clarifying this issue. Councilor Burkholder asked about how much the water table dropped before it began to rise again. Mr. Bauman said in Wilsonville the water table dropped about four feet per year. Once they had the additional water source it had reversed 10 years of

decline. Councilor McLain asked about change in capacity if these tables were coming back up. Mr. Bauman talked about winter and summer usage in the past and the current average. Councilor McLain said they were still using 1 million gallons from the new sources. Mr. Bauman said the old source had been turned off. They were not using the wells. All water usage was from the new source. Councilor Park asked about the Department of Water Resources intent to grant long-term water rights on an ongoing basis, what was the guarantee to farmers from the City of Wilsonville? Mr. Bauman said the properties that currently have water rights could fully use those rights. If you added existing water rights together, they add up to about 1 million gallons a day. Future water rights were the policy question he was asking.

Councilor Park asked Mr. Specht, when did you allow non-industrial uses in industrial sites? Mr. Specht asked if he was referring to medical uses. Mr. Specht said he did not have a problem with medical use because it was not a big user of land. If you were referring to retail or housing, that was not helpful, it did not preserve the land for its intended use.

Hal Keverer W & H Pacific 9755 SW Barnes Portland OR 97225 said they were asked to do a detailed cost analysis on specific sites. They looked at the cost associated with eight sites. He spoke to the matrix in the report and noted a package he had submitted for the record. Councilor Burkholder asked about the disparity in the numbers in Mr. Keverer's report and numbers submitted previously that were very different from his. As an example he mentioned Mr. Rux's testimony that the cost in Borland Rd. area was 40 million. Mr. Keverer spoke to the disparity being dependent upon the assumptions that were made.

David Dodds, Mayor of West Linn 18431 Old River Dr West Linn OR 97068 said they should be in receipt of a letter from the City of West Linn a week ago. City Council and Mayor were opposed to the North Borland Road area. He supported Councilor Newman's proposed amendment and MPAC's recommendation. He spoke to infrastructure difficulties, low capture rates, cut up parcels, conflicting uses and transportation issues. West Linn was concerned with all of these issues but their overriding concern was about livability and quality of life in West Linn. He spoke to rural separation in communities. He urged Metro to work with the communities and reduce the amount of acreage in the needs figures. All three of the communities in the areas were opposed to the Borland area as industrial. He urged that Council follow MPAC recommendation to remove this site from consideration. He spoke to existing vacancy issues and that needs figures did not incorporate this land.

Robert Ruedy, 14185 SW 100<sup>th</sup> Ave Tigard OR 97224 provided his written testimony for the record but did not testify.

Charlotte Lehan, Mayor of Wilsonville, 29786 SW Lehan Wilsonville OR 97070 provided written testimony for the record. She supported the MPAC's recommendation. She added that she did not think that Donald or Aurora wanted to be annexed. She then spoke to the Burns Bros. truck site, which had always been commercial. It was never industrial. She then addressed the I-5 corridor. She was concerned that we were using this as criteria. The criteria had been "next to a freeway". She then spoke to EFU lands. She was concerned that in the recommendation there was as much EFU as there was. She felt that bringing in EFU should be done rarely and should be done with local support and Metro support. She felt that this was what the MPAC compromise was trying to get to.

Kristina Traffas, Save Frog Pond Community Coalition 28579 SW Wagner St Wilsonville OR 97070 provided written testimony and summarized her testimony for the recorded.

Blaire Anderson 16172 SE Keller Rd Clackamas OR 97015 did not testify.

Doris Wehler 6855 SW Boeckman Wilsonville OR 97070 said with the MPAC recommendation they had a unique opportunity. MPAC compromise supported the jurisdictions. She spoke to the public relations issues. The public was trusting Council to take the comments to heart. She urged removal of North Borland, Tualatin and Frog Pond sites. Councilor McLain said they were listening but they were trying to be fair and equitable to all citizens of the region. They were being asked to make some decision and until the laws were changed, they must comply with those laws.

Greg MackLean, 12995 NW Bishop Rd Hillsboro OR 97124 said he was an owner of a livestock breeding farm in the Helvetia area provided written testimony and summarized that testimony for the record. Councilor Park said he felt that he had well stated some of the problems that this Council was facing. It was a matter of time. It was time for citizens to go to Salem to have a conversation to change the laws. Any pressure they could put on the State representatives to change the situation would be helpful. Mr. MackLean said he understood their dilemma; we can't be all things to everyone. The end result was that Oregon was not the Oregon he grew up with.

Council President Bragdon closed the public hearing. He then asked Councilors to introduce their amendments. It was noted that Councilor Hosticka, although not present, had proposed amendments to bring forward on his return.

Councilor Monroe said Councilor Hosticka would be in support of the MPAC recommendation to delete MPAC's recommended areas. He asked for further details on MPAC's recommendation giving latitude to local governments on what was allowed on industrial lands.

Councilor McLain asked about formal motions. President Bragdon noted formal motions would take place next week; today was simply for introduction and discussion. Councilor McLain went on record to ask staff to take a look at the need number. She suggested that she might have amendments to Cornelius, Evergreen and Tualatin.

Councilor Newman talked about the multitude of public testimony. He noted his proposed amendments. He said the first amendment was the need number. The second amendment had to do with the revised expansion area. He detailed his amendment which reduced the need number and added some area to the Evergreen area but would take out Borland and Wilsonville East. He said they would be working hard to have resolve.

Councilor Burkholder asked about Noyer Creek area. Councilor Newman said it was not on the COO's recommendation but in MPAC's recommendation. He commented that 39% was industrial in his district. Industrial land and jobs were a benefit to the region. He noted the motion about the Urban Growth Report and the assumed redevelopment and infill rate for industrial and commercial land. He felt the need number could go up to 37% for redevelopment and infill for industrial land and commercial land which was currently 50% could get higher efficiency and reuse rates also. He said he wanted to ask the staff to calculate a new need number. It was not an amendment to the COO's recommendation.

Councilor Monroe said he was cautiously nervous about changing the numbers to reduce the need. He wanted to make sure these numbers were justifiable and logical. Councilor Burkholder said he had a discussion with Mr. Yee about the methodology and with legal staff about the strength of support to make that change. They were statistically valid and legally supportable.

Councilor Park said almost everything in the Chief Operating Officer's recommendation was in play, other than the quarry. There was some land in Oregon City and Wilsonville that might need to be rezoned. Council President Bragdon said those were covered under Councilor Newman's amendment. Councilor Park said he would recommend an amendment to leave in the Springwater area. The concept planning that Gresham had done had indicated it was industrial.

Council President Bragdon said Mr. Cooper was looking at some of the original Evergreen conditions. There may be some changes coming forward in terms of electricity or natural gas issues.

President Bragdon noted that Ordinances No. 04-1040 and 04-1041 would be brought forward to the June 3, 2004 at 2:00 p.m.

**7. RESOLUTIONS**

**4.4 Resolution No. 04-3458**, For the Purpose of Granting an Easement to the City of Cornelius For Non-Park Use Through Metro Property Located at North 29th/Hobbs Road.

Motion:	Councilor McLain moved to adopt Resolution No. 04-3458.
Seconded:	Councilor Newman seconded the motion

Councilor McLain detailed the resolution. She urged support for the easement. Councilor Burkholder said he felt it was a small amount of money. He suggested documenting what we were getting in value in exchange for this. He spoke to the design of the road and storm water issues. They shouldn't allow degradation of the property. He urged using our green streets design. Councilor McLain said she would support this direction. We did buy the property and we should make sure we were following some of our own models, like green streets.

Motion to amend:	Councilor Burkholder moved to amend Resolution No. 04-3458 by adding a condition of granting this easement, a requirement of this project was to not discharge any storm water directly into Council Creek without treatment and recommend use of green street guidance.
Seconded:	Councilor McLain seconded the motion

Councilor Newman asked about the use of swales or other approaches. Councilor Burkholder clarified the main point was not to allow storm water discharge without treatment. Councilor Park asked about treatment in the green street guidelines for peak run off, would there be a metered amount or storage before it went into the system? Councilor Burkholder said he felt this was a guideline and should be added as a friendly amendment. Councilor McLain said it was covered in the original motion.

Councilor McLain felt it was very important to go on record that when we give easements there was value in those easements and we wanted to make sure we were protecting our properties and the uses of our properties. It was important to partner with our neighboring cities and counties. This was a partnering we were doing in good faith.

Vote to amend:	Councilors Burkholder, McLain, Monroe, Park, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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Vote on the Main Motion:

Councilors Burkholder, McLain, Monroe, Park, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

7.1 **Resolution No. 04-3455**, For the Purpose of Acknowledging the Regional Solid Waste Management Plan Contingency Plan and Directing Staff to Conduct Additional Outreach and Analysis on Select Contingency Strategies

Motion:	Councilor Park moved to adopt Resolution No. 04-3455.
Seconded:	Councilor Newman seconded the motion

Councilor Park summarized the resolution. Amendments to the Regional Solid Waste Management Plan (RSWMP) in April 2003 established a contingency planning process to evaluate and recommend strategies to reach the 2005 recovery goal of 62 percent if sufficient progress was not being made. As of the end of 2002, the region's recovery rate was 54 percent. Based on past recovery trends, it is highly unlikely the region will meet the 2005 recovery goal without increased efforts. Metro Council directed staff to convene a contingency planning work group to identify recycling policies to increase recovery. The work group set out recommendations - collectively called the Contingency Plan. MPAC and local government feedback supported the further development of Contingency Strategies #1 (C&D load recovery) and #2 (business recycling standards). In addition, Metro Council Solid Waste and Recycling Liaisons recommended further developing Contingency Strategy #3 (dry waste load recovery) in conjunction with Construction and Demolition (C&D) load recovery, for the following reasons: First, it may facilitate the timely phase-out or reduction in the Regional System Fee Credit Program. Second, processing requirements for all dry waste loads would place the same recovery standard on all facilities that accept Metro region waste. Third, it eliminated the potentially confusing process for developing definitions for construction and demolition loads; and result in more consistent methods for monitoring and enforcement. He said passage of this resolution would establish a work group to develop the program details of Strategies #1 & #3. The results of the work group would be presented to Council for consideration in summer/fall 2004. Approval of the resolution would direct staff to work with local governments and stakeholders to develop and evaluate strategies for increased business recycling. With Council approval, any new standards may be incorporated into the updated Regional Solid Waste Management Plan. He urged support.

Councilor Burkholder asked Councilor Park to discuss the discussion on organics. Mike Hoglund, Director of Solid Waste & Recycling, said the contingency plan came up with four recommendations, but they had three before them today. They said stay the course with the current organics program but bring it back in a year and then re-evaluate it to see if there was an opportunity to expand on the program.

Vote:

Councilors Park, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

**8. CONTRACT REVIEW BOARD**

8.1 **Resolution No. 04-3447**, For the Purpose of Authorizing the Chief Operating Officer to Enter Into an Office Lease Between Metro and the City of Portland, Bureau of General Services, For the Community Policing Center Located at the Metro Regional Center

Motion:	Councilor Burkholder moved to adopt Resolution No. 04-3447 with a change to 2005 (error in the resolution).
Seconded:	Councilor Monroe seconded the motion

Councilor Burkholder explained the resolution. He recommended approval.

Vote:	Councilors Park, Newman, Burkholder, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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8.2 **Resolution No. 04-3461**, For the Purpose of Entering into Agreements with U.S. Dept of Agriculture and Ducks Unlimited for the Restoration of Open Space Property and Authorizing the Chief Operating Officer to Release a Request for Bids and Execute the Contract.

Motion:	Councilor McLain moved to adopt Resolution No. 04-3461.
Seconded:	Councilor Newman seconded the motion

Councilor McLain talked about the resolution and the leverage of support by working with these partners. She urged support.

Vote:	Councilors Park, Newman, Burkholder, McLain, Monroe and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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**9. CHIEF OPERATING OFFICER COMMUNICATION**

Michael Jordan, COO, said Andy Cotugno, Planning Director, offered his help on Councilor amendments. Mr. Cotugno suggested releasing the amendments to the public on Tuesday afternoon. Council President Bragdon asked if they could take these up at the retreat. He suggested having a packet by Wednesday morning. Councilor McLain explained that some of her amendments weren't going to happen without other amendments. She said they needed to know the other amendments. Mr. Jordan said their attempt was to get as many as they knew about ahead of time. He thanked Council for their work at yesterday's retreat.

**10. COUNCILOR COMMUNICATION**

Councilor Park asked about guidance for the amendments. Council President Bragdon said they would take motions related to the need number first. Councilor Newman asked if his amendment would be better handled as one or three. Dan Cooper, Metro Attorney, said setting the need number and picking the land to meet the need was a good process to follow. He talked about what happened if the need number was out of balance. Council could go back to revisit the need number. Councilor McLain said it was important to have this decision set us up for future decisions. She spoke to centers, what were we doing to make these centers right? She suggested talking to these issues when proposing amendments.

**11. ADJOURN**

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 5:15 p.m.

Metro Council Meeting

05/27/04

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Prepared by

Chris Billington

Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 27, 2004**

Item	Topic	Doc Date	Document Description	Doc. Number
3	Power Point Presentation	5/27/04	To: Metro Council From: Alexis Dow, Metro Auditor Re: PFP Program Considerations	052704c-01
4.1	Minutes	5/20/04	Metro Council Regular Meeting Minutes of May 20, 2004	052704c-02
6.1	Amendment	5/27/04	To: Metro Council From: Brian Newman Re: Amendment to Ordinance No. 04-1040	052704c-03
6.1	Testimony	5/27/04	To: Metro Council From: Chris Barhyte, Tualatin City Council Re: Opposition to expansion in Tualatin and Borland Rd. area	052704c-04
6.1	Resolution	5/27/04	To: Metro Council From: City of Wilsonville Re: In the Matter of Proposed Adoption of Metro Ordinance 04-1040 Amending the Urban Growth Boundary to Accommodate Industrial Employment	052704c-05
6.1	Testimony	5/27/04	To: Metro Council From: Sparkle Anderson Re: Opposition to the substitution of the Evergreen area for Wilsonville East	052704c-06
6.1	Memorandum and Testimony	5/27/04	To: Metro Council From: Jeff Bauman, Public Works Director, City of Wilsonville Re: Groundwater in Wilsonville East	052704c-07
6.1	Letter	5/27/04	To: Metro Council From: Jeff Condit, Miller Nash LLP on behalf of the City of Tualatin Re: City's Legal Analysis of the Proposed Amendments	052704c-08
6.1	Testimony	5/27/04	To: Metro Council From: Jay Cosnett Re: 11 Reasons to Remove the Borland Road North from the Urban Growth Boundary	052704c-09
6.1	Testimony	5/27/04	To: Metro Council From: Maureen Larsen Re: Support of inclusion of Wilsonville East into the Urban Growth Boundary	052704c-10
6.1	Testimony	5/27/04	To: Metro Council From: Dr. Shirley S. Malcolm Re: Opposition to inclusion of the Helvetia area into the Urban Growth Boundary	052704c-11
6.1	Memorandum	5/27/04	To: Metro Council From: Lydia Neill, Principal Regional Planner, Metro Re: MPAC Recommendations to the Urban Growth Boundary	052704c-12
6.1	Table	5/27/04	To: Metro Council From: Kathy	052704c-13

			Newcomb, City of Tualatin Re: Fiscal Impact Analysis on Urban Reserve Areas 2, 47, 48 and 49	
6.1	Letter	5/27/04	To: Metro Council From: Michael Robinson, Perkins Coie Re: Title 4 Regulations	052704c-14
6.1	Testimony	5/27/04	To: Metro Council From: Robert Ruedy Re: A comprehensive land use review process	052704c-15
6.1	Testimony	5/27/04	To: Metro Council From: Robert Ruedy Re: Questions and comments from May 6 Public Hearing	052704c-16
6.1	Testimony	5/27/04	To: Metro Council From: Ed Truax, Tualatin City Councilor Re: Opposition to inclusion of Tualatin into the Urban Growth Boundary	052704c-17
6.1	Testimony	5/27/04	To: Metro Council From: Diana Yates Rd: Opposition to inclusion of Helvetia into the Urban Growth Boundary	052704c-18
6.1	Summary Report	5/27/04	To: Metro Council From: William B. Conerly Re: Health Care and the Economy	052704c-19
6.1	Testimony	5/27/04	To: Metro Council From: Charlotte Lehan, Mayor of Wilsonville Re: Support of Metro Policy Advisory Committee Recommendations	052704c-20
6.1	Testimony	5/27/04	To: Metro Council From: Greg Mecklem Re: Opposition to inclusion of Helvetia into the Urban Growth Boundary	052704c-21
6.1	Report and Resolutions	5/27/04	To: Metro Council From: Lou Ogden, Mayor of Tualatin Re: Ordinance No. 04-1040	052704c-22
6.1	Testimony	5/27/04	To: Metro Council From: Jonathan Schlueter, Executive Director, Westside Economic Alliance Re: Business perspective on the recommended sites for the expansion of the Urban Growth Boundary for industrial purposes	052704c-23
6.1	Testimony	5/27/04	To: Metro Council From: Dave Volz Re: Opposition to expansion in Tualatin	052704c-24
6.1	Testimony	5/27/04	To: Metro Council From: Kristina and Gary Traffas Re: Opposition to expansion into Wilsonville East	052704c-25
6.1	Report	5/27/04	To: Metro Council From: Hal Keever, W&H Pacific Re: Infrastructure Cost Analysis for Industrial Lands	052704c-26
6.1	Table	5/27/04	To: Metro Council From: Hal Keever, W&H Pacific Re: Industrial Lands Cost Summary	052704c-27

052704c-12  
060304c-03

# M E M O R A N D U M

600 Northeast Grand Avenue | Portland, Oregon 97232-2736  
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**METRO**

**Date:** May 27, 2004  
**TO:** David Bragdon, President of the Metro Council  
**FROM:** Lydia Neill, Principal Regional Planner  
**RE:** MPAC Recommendation

**Background**

The Metro Policy Advisory Committee (MPAC) made four separate recommendations on policy issues relating to the completion of Periodic Review. The recommendations pertained to amending Title 4 to protect industrial land, amending the Chapter 1 of the Regional Framework Plan (RFP) to limit urban expansion south of the Willamette River and to protect farmland, adjustments to the need for industrial land through rezoning, changes to the refill rate and applying the commercial land surplus in addition to recommendations on adding land to the urban growth boundary.

The recommendations made by MPAC reflect the willingness of local government partners to provide areas with public facilities, support the inclusion of areas to address tax base issues and jobs/housing imbalances within the region, provide flexibility for economic development and a desire to limit encroachment of urban uses on agricultural land.

**Amending Title 4 and Chapter 1 of the Regional Framework Plan**

The recommendation adopted by MPAC on April 14, 2004 amending Title 4 of the Urban Growth Management Functional Plan (UGMFP) has been incorporated into Ordinance No. 1021B. Generally, Ordinance 1021B protects the supply of industrial by limiting the scale and types of non-industrial uses while maintaining flexibility and mapping Regionally Significant Industrial Areas (RSIA's). Retail commercial uses and retail offices (lawyers, doctors etc.) that are non-industrial are limited to a maximum of 5,000 square feet for individual uses and a maximum of 20,000 square feet in size for single buildings in both RSIA's and industrial areas. Airport uses are excepted from these requirements. Non-industrial uses that do not cater to daily customers are subject to a transportation test to demonstrate that off-peak performance on regional freight routes are not affected. Division of lots greater than 50 acres is permitted so long that at least one 50-acre lot is maintained unless a master plan has been approved and at least 40 percent of the site has been developed for industrial uses. Provisions were also made for reconfiguration of lots if the size of parcels would be more conducive to the permitted use. A full description of the legislation summarized above is contained in Ordinance No. 1021B.

Ordinance No. 1041, introduced by Councilor Hostica proposes to amend Chapter 1 of the RFP to protect the region's farm and forest industries and land base was recommended for adoption on April 24, 2004 by MPAC. The ordinance develops a test to require urbanization of agricultural land that is less important to the farm economy before more productive lands and prohibits urban expansion south of the Willamette River and west of the Pudding River and requires Metro to enter into agreements with neighboring cities and counties to protect agricultural land.

### Adjustments to the Calculation of the Industrial Land Need

Supply and Demand Comparison	Net acres
Deficit (supply/demand)	5,685
2002 UGB expansion	(2,317)
RSIA/Title 4 Policy savings	(1,400)
Application of the Commercial land surplus	(393)
Adjustment to the UGR to the observed refill rate of 52%	(174)
Rezoning of land in Wilsonville (Comp/zone to Industrial)	(127)
Rezoning of land in Oregon City (Comp/zone to Industrial)	(74)
<b>Remaining Deficit</b>	<b>1,200</b>

MPAC's recommendation on fulfilling the remaining industrial land need consists of rezoning acreage inside of the UGB for industrial use based on comprehensive plan designations of industrial, adjusting the refill rate and applying a surplus commercial land to reduce the need for land. Rezoning of areas is proposed in the City of Wilsonville and Oregon City to create consistency with the industrial comprehensive plan designation. The Wilsonville and Oregon City zone changes amount to approximately 201 acres of industrial land that can be applied directly to the industrial land need.

MPAC recommended that the refill rate applied in the UGR be increased from 50% to match the observed rate of 52% for a savings of 174 acres. The application of the commercial land surplus of 393 acres to the industrial land need was also recommended. In summary the rezoning, refill rate adjustments and application of the commercial land surplus reduces the overall need for industrial land to approximately 1,200 acres.

#### Areas Recommended for Inclusion in the UGB

The following areas were recommended to be included in the UGB for industrial purposes: Noyer Creek, Damascus West, Beaver Creek, Quarry, Coffee Creek, Helvetia, Cornelius (COO recommendation with the addition of 78 acres located south of Dairy Creek and east of Hobbs Road and Evergreen (south of Waible Creek and west of NW Sewell Rd).<sup>1</sup>

#### Areas Recommended to be Removed from Consideration

North Borland, Tualatin and Wilsonville East are recommended to be removed from further consideration.

<sup>1</sup> All boundaries and areas discussed above are consistent with the Chief Operating Officer's recommendation except Noyer Creek was added (266 acres), the size of Cornelius was increased to 169 acres and Evergreen was reduced to 310 acres.

**Final Recommended Areas**

MPAC RECOMMENDATION				Suitability Factors		
Study Area	Total Acres	Net Acres	Tier and Designation	Access	Proximity	Slopes Less than 10%
Noyer Creek	381	266	Tiers 1 & 5-Mixed	X	.	X
Damascus West	82	69	Tier 4-Resource	X	X	X
Beavercreek	63	30	Tier 4-Resource	X	X	X
Quarry	354	236	Tier 1 & 4-Mixed	X	X	X
Coffee Creek	264	97	Tier 1-Exception	X	X	X
Helvetia	249	149	Tier 1 & 5-Mixed	X	X	X
Cornelius	206	169	Tier 1 & 5-Mixed	X	X	X
Evergreen	372	310	Tiers 1 & 5-Mixed	X	X	X
<b>Total</b>	<b>1,971</b>	<b>1,326</b>				

**Attachments:**

Attachment A: Ordinance No. 1041

Attachment B: Ordinance No. 1021B

Attachment C: Maps

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BEFORE THE METRO COUNCIL

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 )

ORDINANCE NO. 04-1041

Introduced by Councilor Carl Hosticka

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 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.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING TITLE 4 ) Ordinance No. 03-1021B  
OF THE URBAN GROWTH MANAGEMENT )  
FUNCTIONAL PLAN TO IMPROVE ITS ) Introduced by Michael J. Jordan, Chief Operating  
PROTECTION OF INDUSTRIAL LAND AND ) Officer with the concurrence of David Bragdon,  
TO MAKE CORRECTIONS ) Council President

WHEREAS, by Ordinance No. 02-969B on December 5, 2002, the Metro Council amended Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan (UGMFP) in order to increase the capacity of Industrial Areas for industrial uses and to encourage non-industrial uses to locate in Centers and other 2040 Growth Concept design types; and

WHEREAS, the purpose section of Title 4 declared the Council's intention to consider amendments to the title as part of Metro's current periodic review; and

WHEREAS, local governments and others have asked for clarification of some of the provisions of Title 4 to aid in its implementation and to correct certain provisions in the title; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Title 4 (Industrial and Other Employment Areas) of the UGMFP, is hereby amended as indicated in Exhibit A, attached and incorporated into this ordinance, to improve the implementation of Title 4 by cities and counties of the region.
2. The Findings of Fact and Conclusions of Law in Exhibit B, attached and incorporated into this ordinance, explain how these amendments comply with the Regional Framework Plan and state planning laws.
3. The Chief Operating Officer shall submit this ordinance and its exhibits to the Land Conservation and Development Commission no later than June 30, 2004, as part of Metro's completion of Task 2 of periodic review pursuant to LCDC's Partial Approval and Remand Order 03-WKTASK-001524 dated July 7, 2003.

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

✓ Bergema  
revision

Exhibit A to Ordinance No. 03-1021B

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

A. The Regional Framework Plan calls for a strong economic climate. To improve the region's economic climate, [the plan] **Title 4** seeks to **provide and** protect [the] a supply of sites for employment by limiting [incompatible uses within] **the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial Areas and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks [T]to protect the capacity and efficiency of the region's transportation system for the movement of goods and services, and to [promote the creation of jobs within designated Centers and discourages certain kinds of commercial retail development outside Centers] encourage the location of other types of employment in Centers, Employment Areas, Corridors, Main Streets and Station Communities. [It is the purpose of Title 4 to achieve these policies.] The Metro Council will [consider amendments to this title in order to make the title consistent with new policies on economic development adopted] evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic [review] analysis of the capacity of the urban growth boundary.**

3.07.420 Protection of Regionally Significant Industrial Areas

A. Regionally Significant Industrial Areas (RSIA) are those areas [that offer the best opportunities for family-wage industrial jobs] **near the region's most significant transportation facilities for the movement of freight and other areas most suitable for movement and storage of goods.** Each city and county with land use planning authority over [areas] **RSIAs** shown on the [Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969] **Employment and Industrial Areas Map** shall derive specific plan designation and zoning district boundaries of [the areas] **RSIAs within its jurisdiction** from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in [subsection C, D and E] this section, and [its] **the need [of individual cities and counties] to achieve a mix of [types of] employment uses.**

B. [Each city and county with land use planning authority over an area designated by Metro on the 2040 Growth Concept Map, as amended by Ordinance No. 02-969, as a Regionally Significant Industrial Area shall, as part of compliance with section 3.07.1120 of the Urban Growth Management Functional Plan, derive plan designation and zoning district boundaries of the areas from the Growth Concept Map] **Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit the size and location of new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate, legal, medical and dental offices - to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:**

**1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and**

2. Training facilities whose primary purpose is to provide training to meet industrial needs.

C. [After determining boundaries of Regionally Significant Industrial Areas pursuant to subsections A and B, the city or county] Cities and counties shall [adopt implementing ordinances that limit development in the areas to industrial uses, uses accessory to industrial uses, offices for industrial research and development and large corporate headquarters in compliance with subsection E of this section, utilities, and those non-industrial uses necessary to serve the needs of businesses and employees of the areas] review their land use regulations and revise them, if necessary, to include measures to limit the siting and location of new buildings for the uses described in subsection B and for non-industrial uses that do not cater to daily customers - such as bank or insurance processing centers - to ensure that such uses do not reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003, below standards set in the 2004 Regional Transportation Plan or require added road capacity to prevent falling below the standards.

D. [Notwithstanding subsection C, a city or county shall not approve:

1. A commercial retail use with more that 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project;  
or

2. Commercial retail uses that would occupy more than five percent of the net developable portion of all contiguous Regionally Significant Industrial Areas] No city or county shall amend its land use regulations that apply to lands shown as RSIA on the Employment and Industrial Areas Map to authorize uses described in subsection B that were not authorized prior to July 1, 2004.

E. [As provided in subsection C of this section, a city or county may approve an office for industrial research and development or a large corporate headquarters if:

1. The office is served by public or private transit; and

2. If the office is for a corporate headquarters, it will accommodate for the initial occupant at least 1,000 employees]

[F. A city or county] Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:

1. Lots or parcels [less] smaller than 50 acres may be divided into any number of smaller lots or parcels[;].

2. Lots or parcels [50 acres or] larger than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields [the maximum number of lots or parcels of] at least [50 acres] one lot or parcel of at least 50 acres in size[;].

3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed, with uses described in subsection B of this section.

4. Notwithstanding paragraphs 2[,] and 3 [and] of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

a. To provide public facilities and services;

b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. [To reconfigure the pattern of lots and parcels pursuant to subsection G or this section]

[e.] To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

[G. A city or county may allow reconfiguration of lots or parcels less than 50 acres in area if the reconfiguration would be more conducive to a permitted use and would result in no net increase in the total number of lots and parcels. Lots or parcels 50 acres or greater in area may also be reconfigured so long as the resulting area of any such lot or parcel would not be less than 50 acres.]

[H] F. Notwithstanding subsections [C and D] B of this section, a city or county may allow the lawful use of any building, structure or land existing at the time of adoption of its ordinance to implement this section to continue and to expand to add up to 20 percent more floor area and 10 percent more land area. Notwithstanding subsection E of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to [December 31, 2003] July 1, 2004.

### 3.07.430 Protection of Industrial Areas

A. [In Industrial Areas mapped pursuant to Metro Code section 3.07.130 that are not Regionally Significant Industrial Areas, c] Cities and counties shall [limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Industrial Areas] review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate and legal offices - in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:

1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and

2. Training facilities whose primary purpose is to provide training to meet industrial needs.

B. [In an Industrial Area, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or

2. Commercial retail uses that would occupy more than ten percent of the net developable portion of the area or any adjacent Industrial Area] Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003. Such measures may include, but are not limited to restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:

1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.

2. Lots or parcels larger than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.

3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.

4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

a. To provide public facilities and services;

b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

**d. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.**

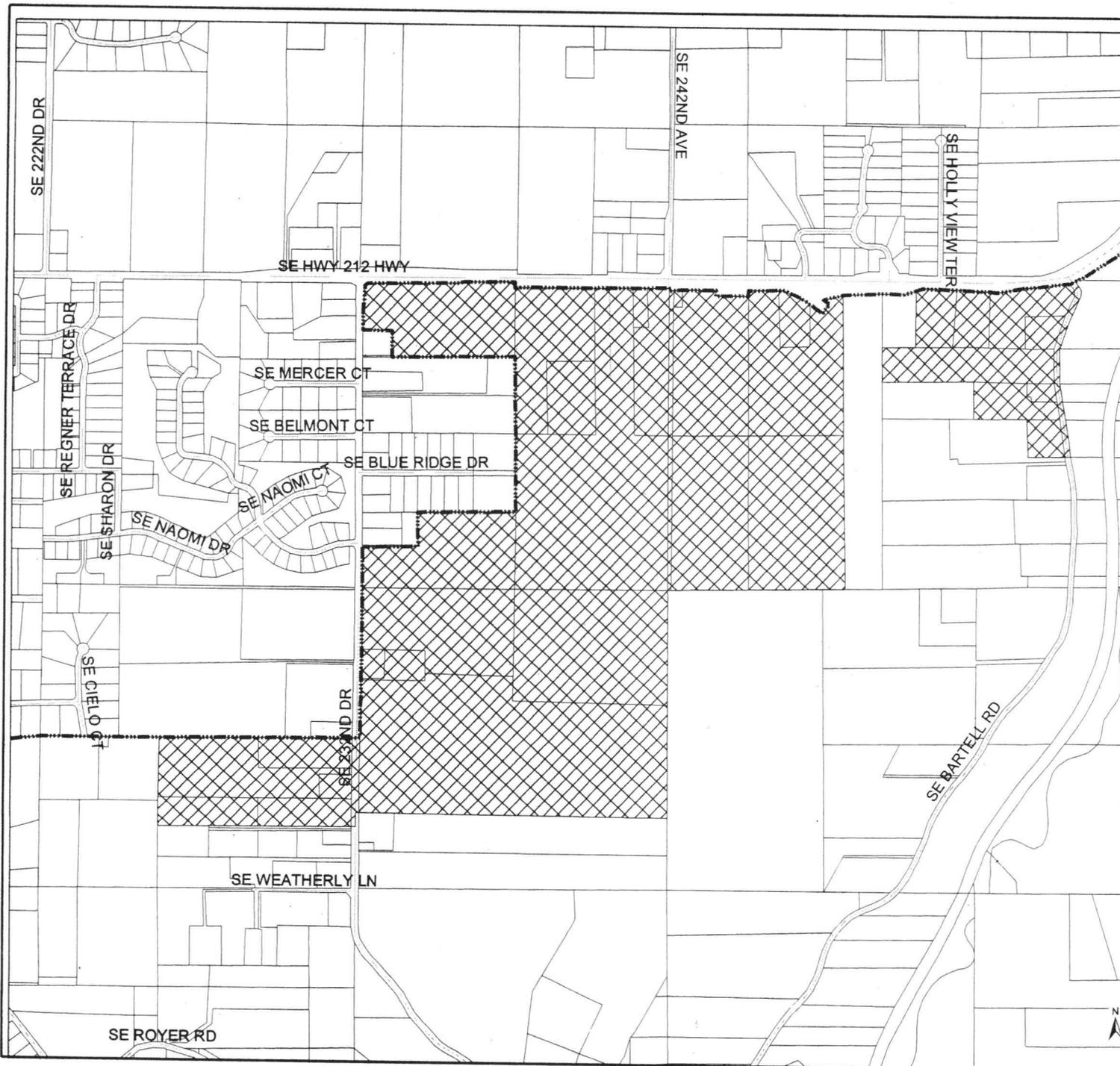
**E. Notwithstanding [subsection B] subsection A of this section, a city or county may allow the lawful use of any building, structure or land existing at the time of [enactment of an] adoption of its ordinance [adopted pursuant to this section] to implement this section to continue and to expand to add up to 20 percent more [floorspace] floor area and 10 percent more land area. Notwithstanding subsection D of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to July 1, 2004.**

**3.07.440 Employment Areas**

- A. Except as provided in subsections C, D and E, in Employment Areas mapped pursuant to Metro Code Section 3.07.130, cities and counties shall limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas.
- B. Except as provided in subsections C, D and E, a city or county shall not approve a commercial retail use in an Employment Areas with more than 60,000 square feet of gross leasable area in a single building, or retail commercial uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.
- C. A city or county whose zoning ordinance applies to an Employment Area and is listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if the ordinance authorized those uses on January 1, 2003.
- D. A city or county whose zoning ordinance applies to an Employment Area and is not listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if:
1. The ordinance authorized those uses on January 1, 2003;
  2. Transportation facilities adequate to serve the retail commercial uses will be in place at the time the uses begin operation; and
  3. The comprehensive plan provides for transportation facilities adequate to serve other uses planned for the Employment Area over the planning period.
- E. A city or county may authorize new retail commercial uses with more than 60,000 square feet of gross leasable area in Employment Areas if the uses:
1. Generate no more than a 25 percent increase in site-generated vehicle trips above permitted non-industrial uses; and
  2. Meet the Maximum Permitted Parking – Zone A requirements set forth in Table 3.07-2 of Title 2 of the Urban Growth Management Functional Plan.

**3.07.450 Compliance**

**Upon review of land use regulations in effect prior to July 1, 2004, cities and counties may determine that such regulations are generally consistent with the purpose and intent of this Title as set forth in Metro Code section 3.07.410 and submit applicable regulations to Metro to demonstrate substantial compliance in accordance with the provisions of Metro Code section 3.07.810.**

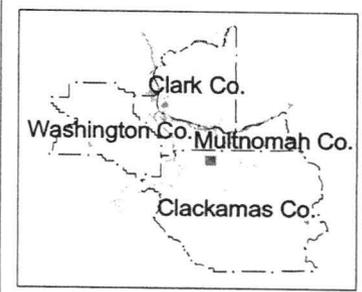


# Noyer Creek

-  Possible inclusion in UGB
-  Taxlots
-  Urban growth boundary
-  Streets

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

1 inch equals 0.22 miles



Location Map



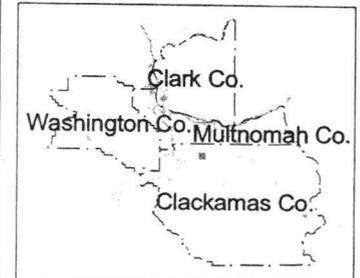
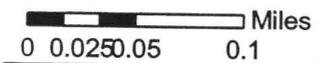
METRO DATA RESOURCE CENTER  
800 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232-2736  
TEL (503) 797-1742 | FAX (503) 797-1909  
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# Damascus West Recommendation

-  Study Area
-  Taxlots
-  Streets
-  Urban growth boundary

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1 inch equals 0.09 miles

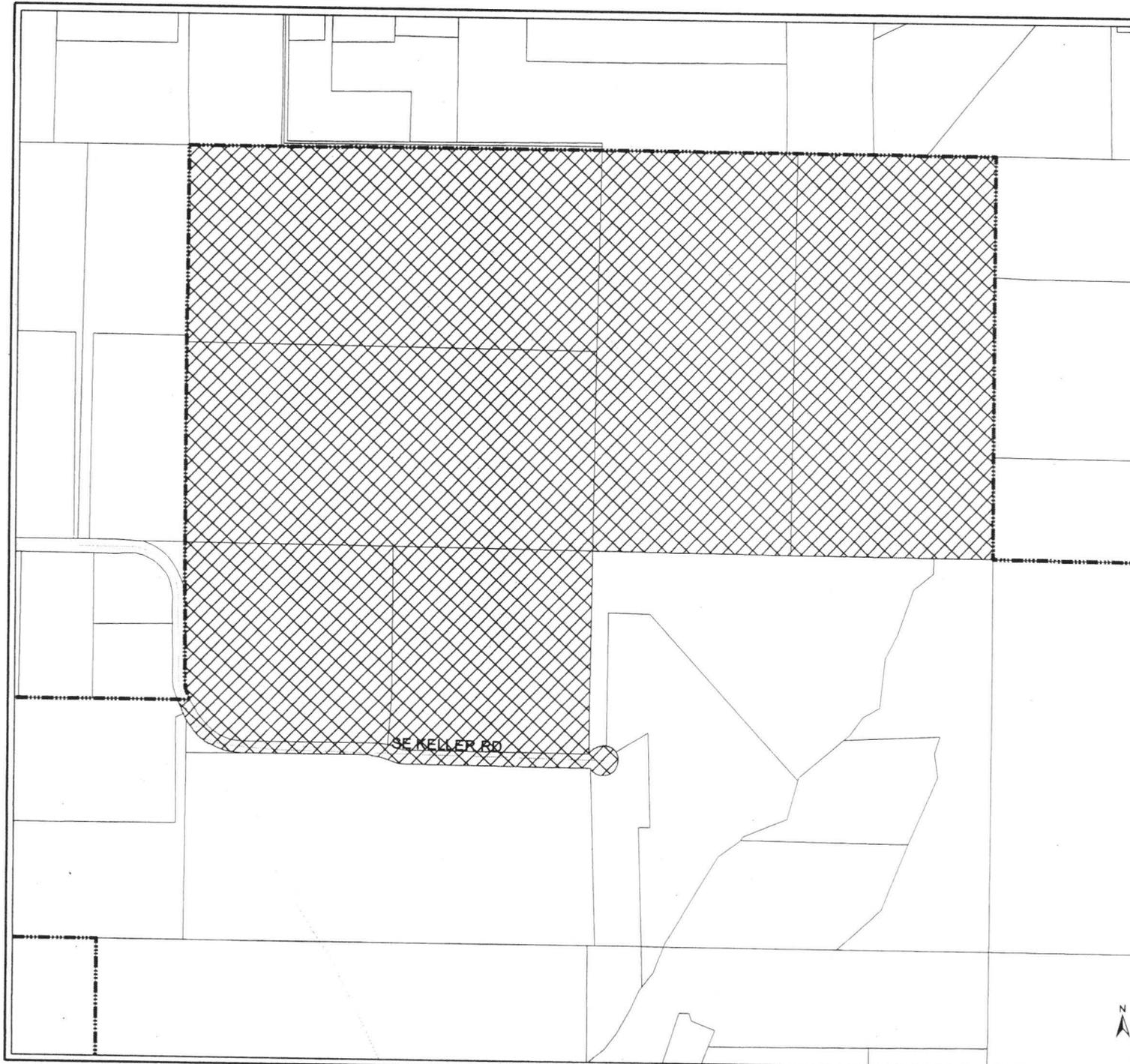


Location Map



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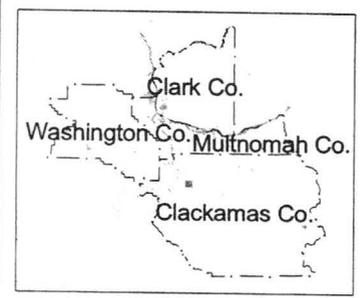


# Beavercreek Recommendation

-  Study Area
-  Taxlots
-  Streets
-  Urban growth boundary

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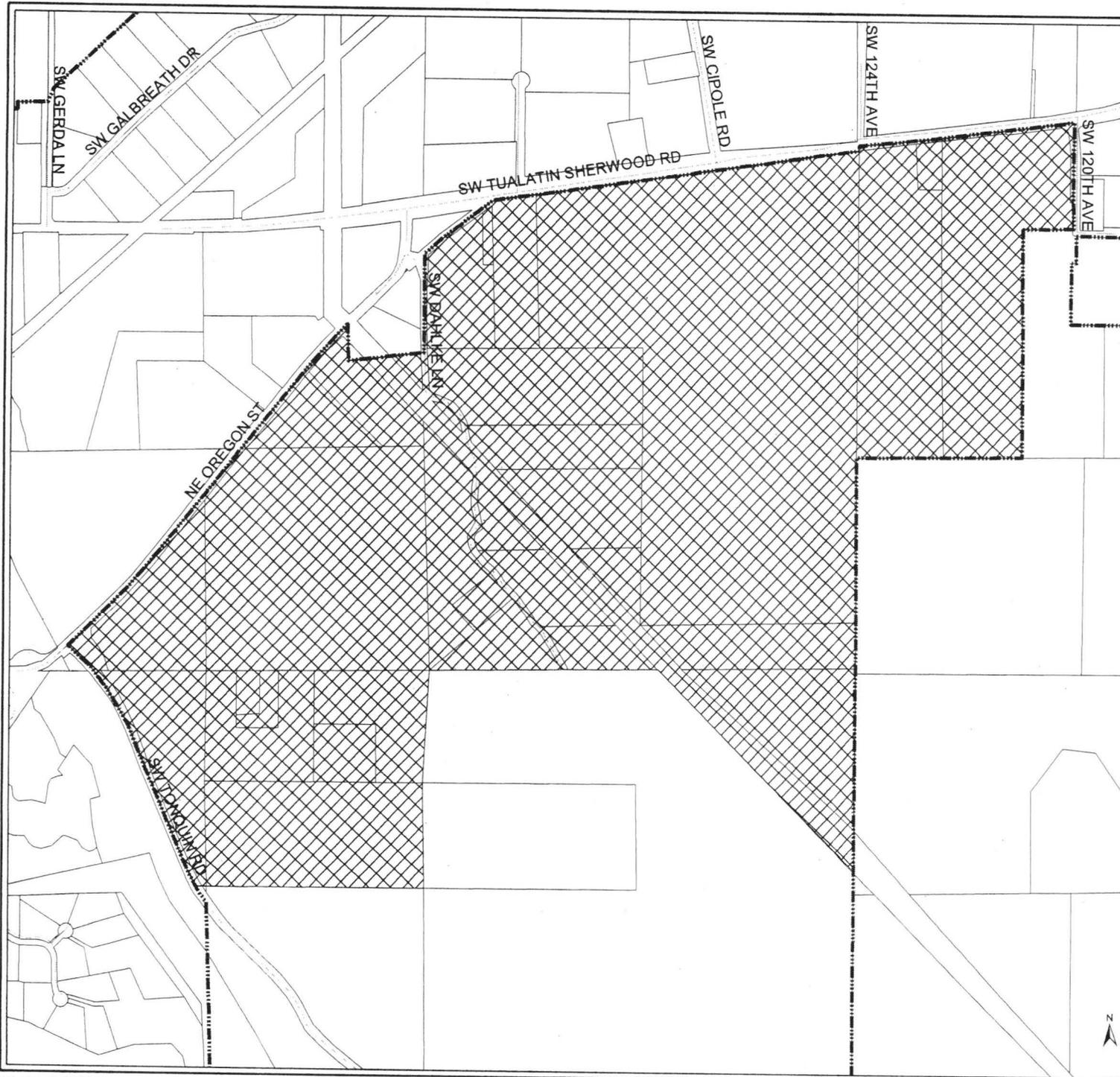
1 inch equals 0.07 miles



Location Map



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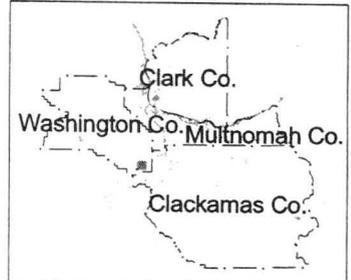


# Quarry Recommendation

-  Study Area
-  Taxlots
-  Urban growth boundary
-  Streets

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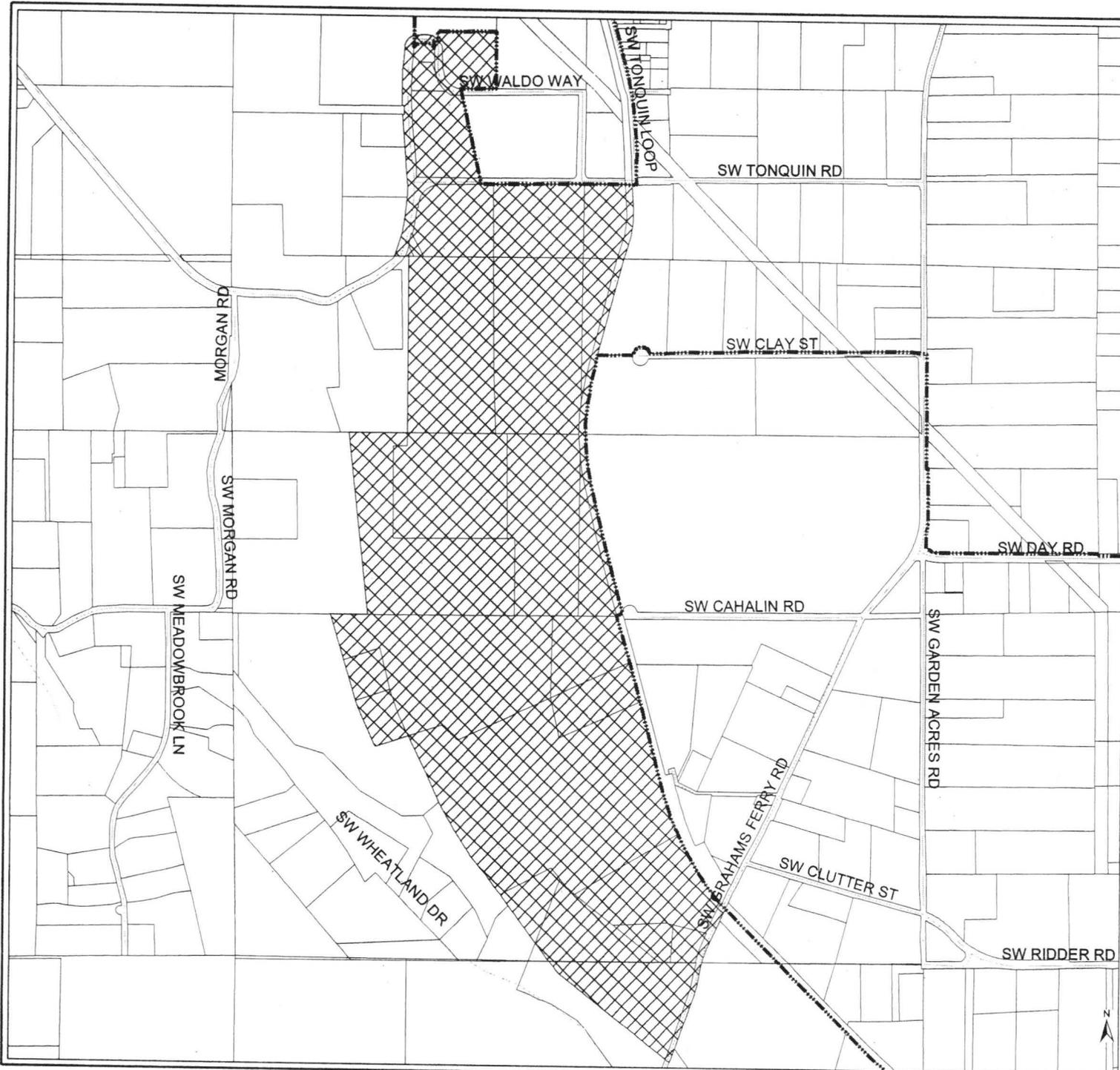
1 inch equals 0.16 miles



Location Map



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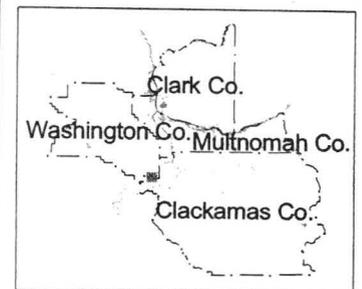


# Coffee Creek Recommendation

-  Study Area
-  Taxlots
-  Urban growth boundary
-  Streets

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1 inch equals 0.20 miles



Location Map



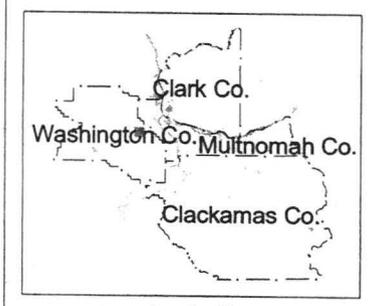
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# Helvetia Recommendation

-  Study Area
-  Taxlots
-  Streets
-  Urban growth boundary

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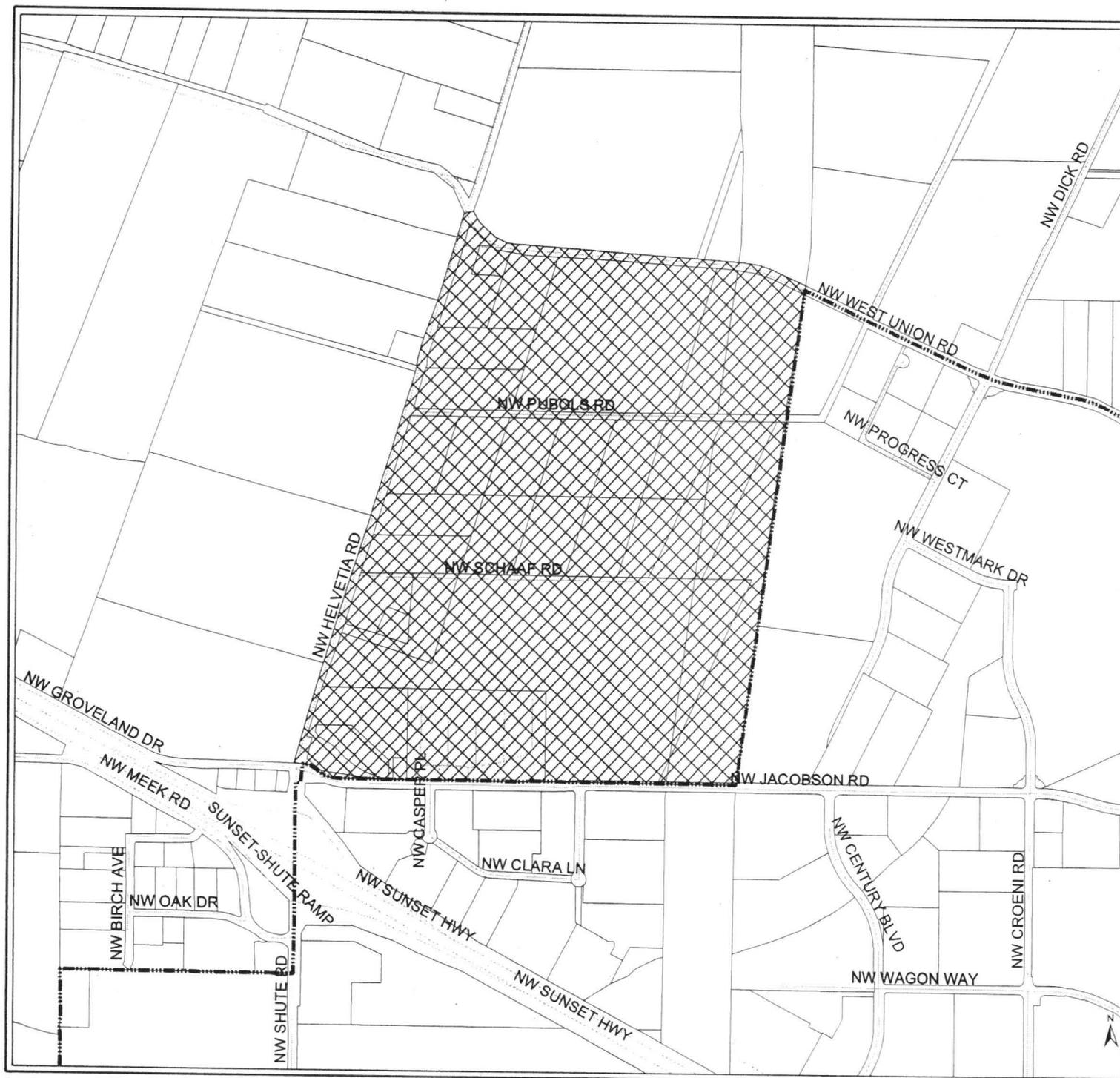
1 inch equals 0.19 miles



Location Map



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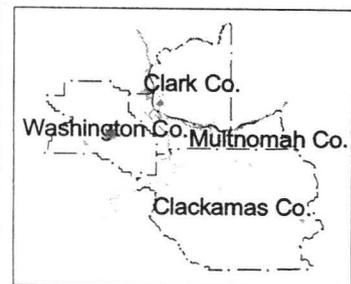


# Cornelius Recommendation

-  Study Area
-  Taxlots
-  Streets
-  Urban growth boundary

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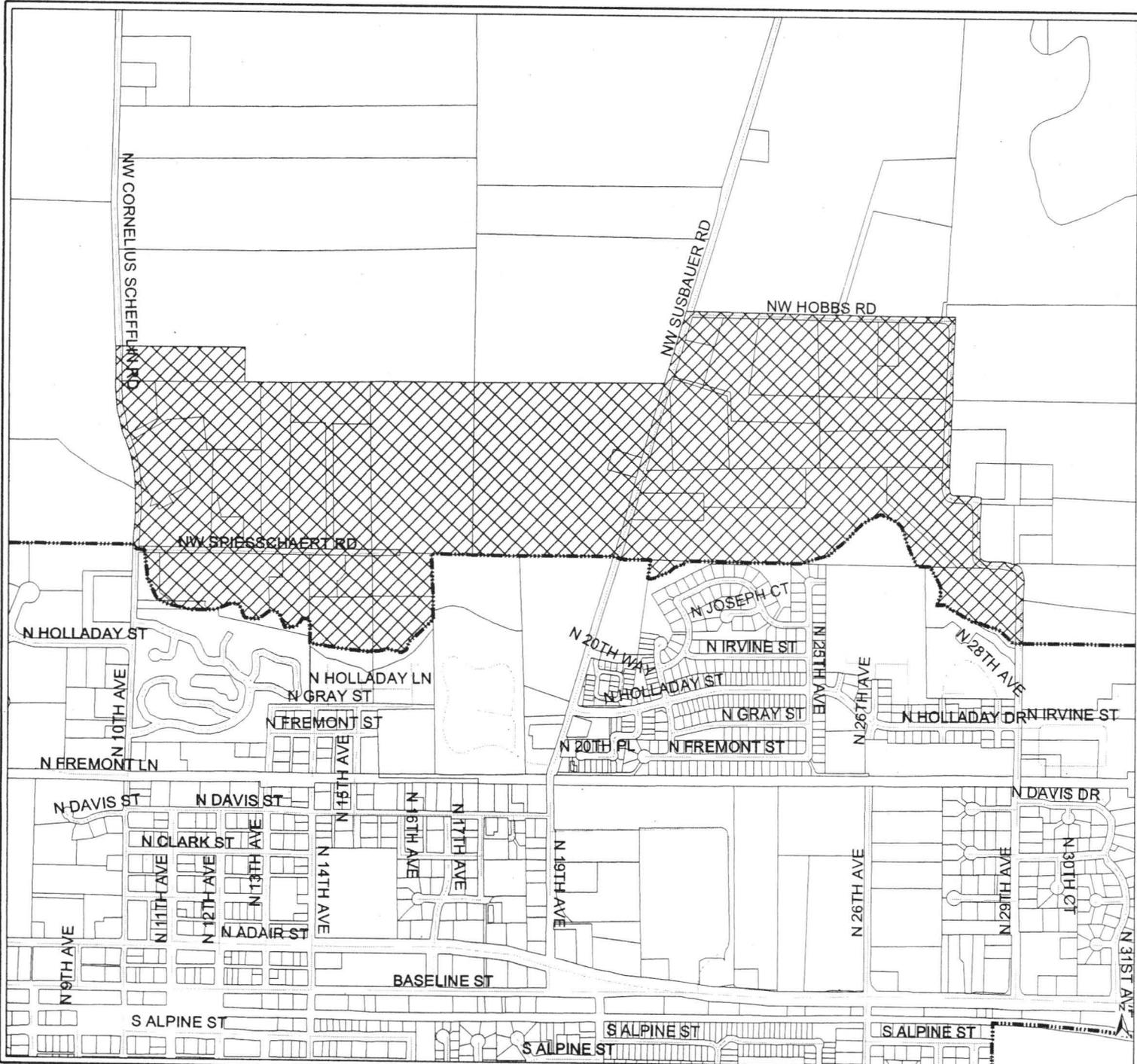
1 inch equals 0.18 miles



Location Map



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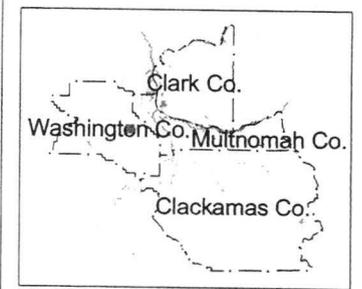


# Partial Evergreen

-  Study Area
-  Possible inclusion in UGB
-  Taxlots
-  Urban growth boundary
-  Streets

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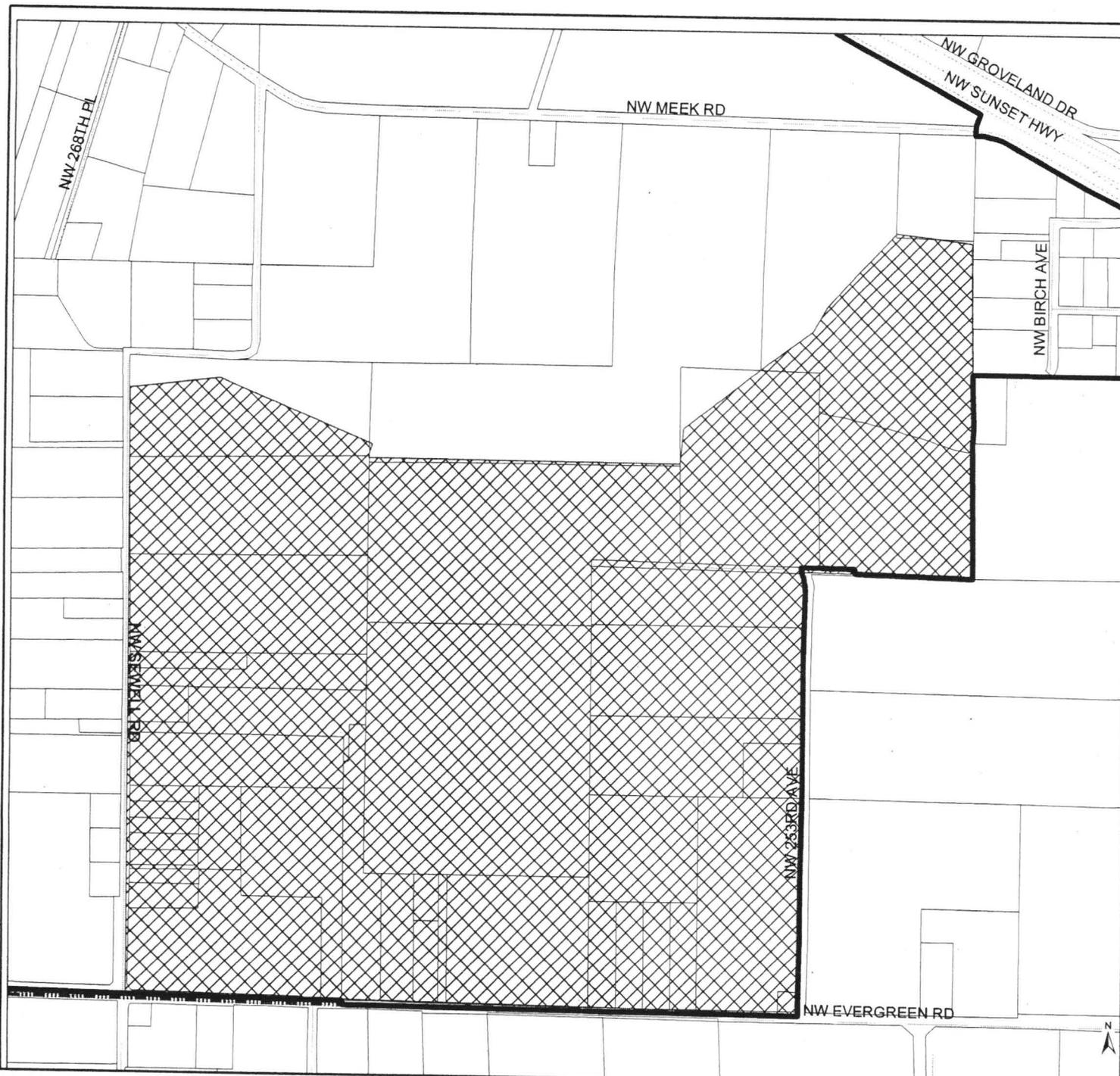
1 inch equals 0.16 miles



Location Map



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M E M O R A N D U M

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(tel) 503-797-1700 | (fax) 503-797-1797



METRO

**DATE:** June 2, 2004  
**TO:** David Bragdon, Metro Council President  
Metro Councilors  
**FR:** Lydia Neill, Principal Regional Planner  
**RE:** *Possible Amendments to Ordinance 04-1040*

Listed below are the possible amendments to Ordinance 04-1040 known to date. The amendments are separated into four sections based on the need number, areas to reinstate in the expansion, removal of a Chief Operating Officer (COO) recommended area or the addition of an expansion area or a portion of an expansion area. Attached for each proposed amendment is a summary sheet and map.

**Need Number**

- Burkholder #1 – increase the commercial refill rate to 54% and the industrial refill rate to 37% in the UGR
- Newman #1 – calculate vacant land in Wilsonville and Oregon City that currently is zoned residential but has an industrial comprehensive plan designation
- Monroe #1 – adopt MPAC recommendation on Title 4

**Areas to Reinstate in the Expansion**

Park #1 – add back the Orient area recommended for removal by the COO and change the 2040 design type designation from Residential – Inner Neighborhood to Regionally Significant Industrial Area (RSIA), consistent with the Springwater expansion area.

**Removal of COO Recommended Area**

- McLain #1 – remove the Cornelius expansion area
- Newman #2 – remove the Borland Road North expansion area
- Newman #3 & Hosticka #1 – remove the Wilsonville East expansion area
- Hosticka #2 – remove the Tualatin expansion area
- McLain #2 – remove a portion of the Tualatin expansion area
- Bragdon #1 – remove a portion of the Wilsonville East expansion area

**Addition of New Expansion Area**

- McLain #3 – add land south of Council Creek and west of the Cornelius recommended area
- McLain #4 – add a small portion of the eastern edge of the Evergreen Study Area
- Newman #4 – add the Evergreen Study Area (three scenarios)
- Hosticka #3 – add a 50 acre portion of the Hillsboro South Study Area

# Burkholder #1

## Amendment

Increase the commercial and industrial refill rates in the Urban Growth Report (UGR) to 54 percent and 37 percent respectively.

## Rational

The commercial refill rate reported in the UGR is 50 percent, however the observed commercial refill rate is 52 percent. The refill rate was rounded down to 50 percent for reporting purposes. An increase of 2 percent from 50 to 52 percent reduces the need by 178 net acres. An additional increase in the refill rate of 2 percent from 52 to 54 percent, based on a 2 +/- margin of error further reduces the need by 194 net acres for a total reduction of 372 acres. Utilizing the 2 +/- margin of error and the Metro Council's previous actions to direct commercial activity to the adopted 2040 Centers, the commercial refill rate is increased to 54 percent.

Increasing the industrial refill rate by 2 percent reflects policy changes that resulted in the adoption of changes to Title 4 and the acknowledged changing nature of industry. As a result industrial development is expected to utilize land more efficiently and occur at greater densities, which is consistent with the observed blurring of industrial and commercial office uses. An increase in the industrial refill rate from 35 to 37 percent reduces the need by 109 net acres

**Table of Amended Industrial Land Need**

<b>COO SUPPLY AND DEMAND COMPARISON</b>	<b>NET VACANT ACRES</b>
Deficit (Supply/Demand from UGR)	5,685
RSIA/Title 4 Policy Changes	(1,400)
2002 UGB Decision	(2,317)
Industrial Land Need	1,968
Less Commercial Land Surplus	(393)
<b>REMAINING INDUSTRIAL LAND NEED</b>	1,575
<b>PROPOSED AMENDMENT</b>	
Increase Commercial Refill Rate to 54%	(372)
Increase Industrial Refill Rate to 37%	(109)
<b>AMENDED INDUSTRIAL LAND NEED</b>	(1,094)

## Newman #1

### **Amendment**

Include in the vacant land inventory inside the UGB the parcels in Wilsonville and Oregon City that are currently zoned residential but have an industrial comprehensive plan designation.

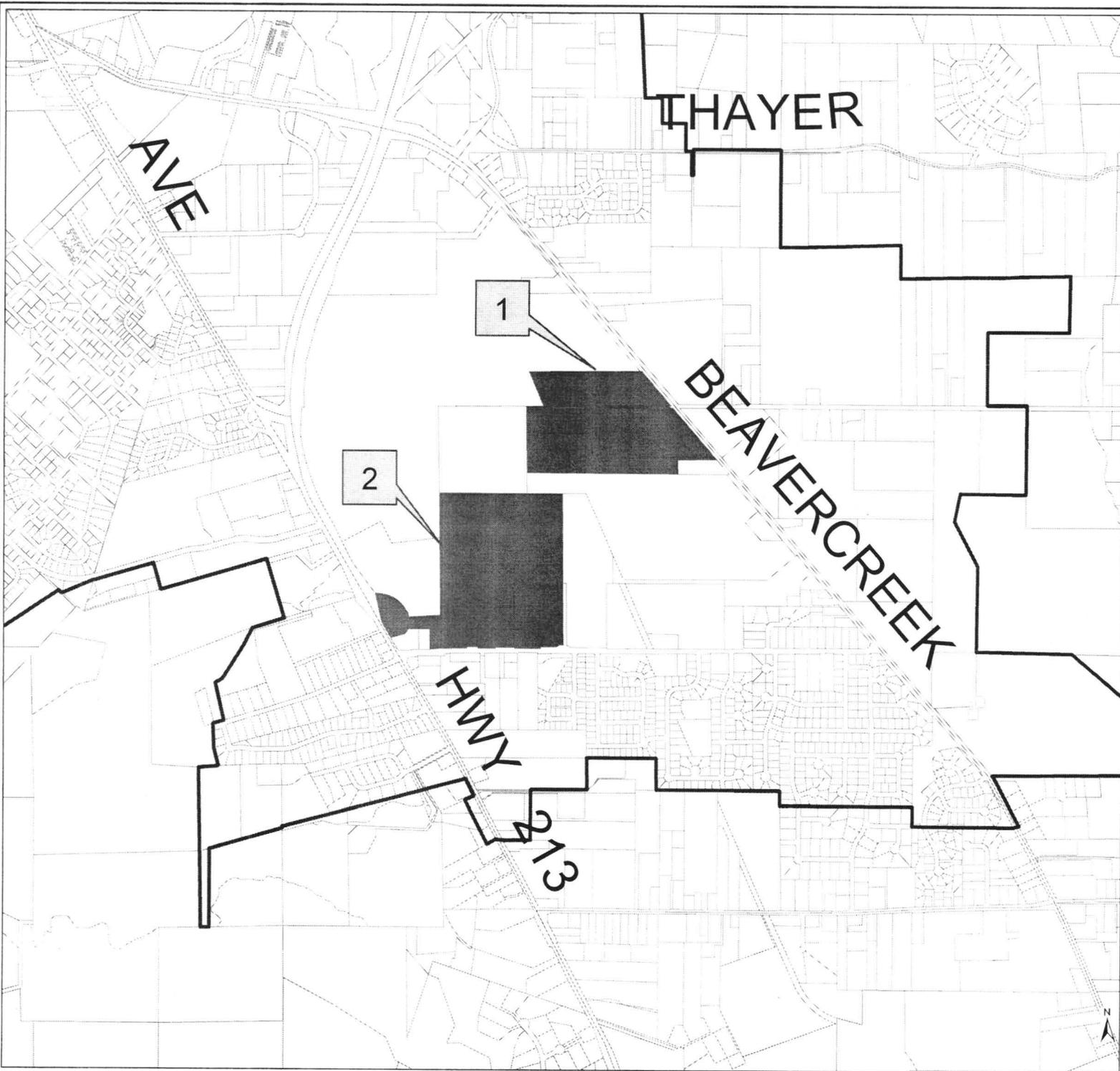
### **Rational**

The City of Wilsonville's land development process places vacant land in a residential-agricultural holding zone until the land is ready to be developed. The City has indicated that its rezone and development review process is normally completed in a timely manner, similar to a development process that has land zoned consistent with the comprehensive plan. The Oregon City parcels have been designated for industrial use and the rezone process is expected to occur in the near future.

See attached maps.

**Table of Amended Industrial Land Need**

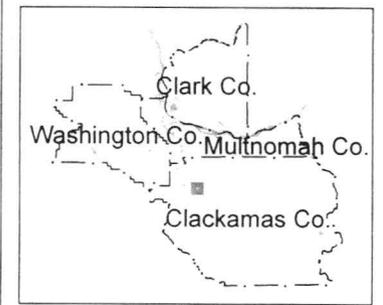
<b>COO SUPPLY AND DEMAND COMPARISON</b>	<b>NET VACANT ACRES</b>
Deficit (Supply/Demand from UGR)	5,685
RSIA/Title 4 Policy Changes	(1,400)
2002 UGB Decision	(2,317)
Industrial Land Need	1,968
Less Commercial Land Surplus	(393)
<b>REMAINING INDUSTRIAL LAND NEED</b>	1,575
<b>PROPOSED AMENDMENT</b>	
Wilsonville Land Area	(127)
Oregon City Land Area	(74)
<b>AMENDED INDUSTRIAL LAND NEED</b>	1,374



# Oregon City

## Newman #1

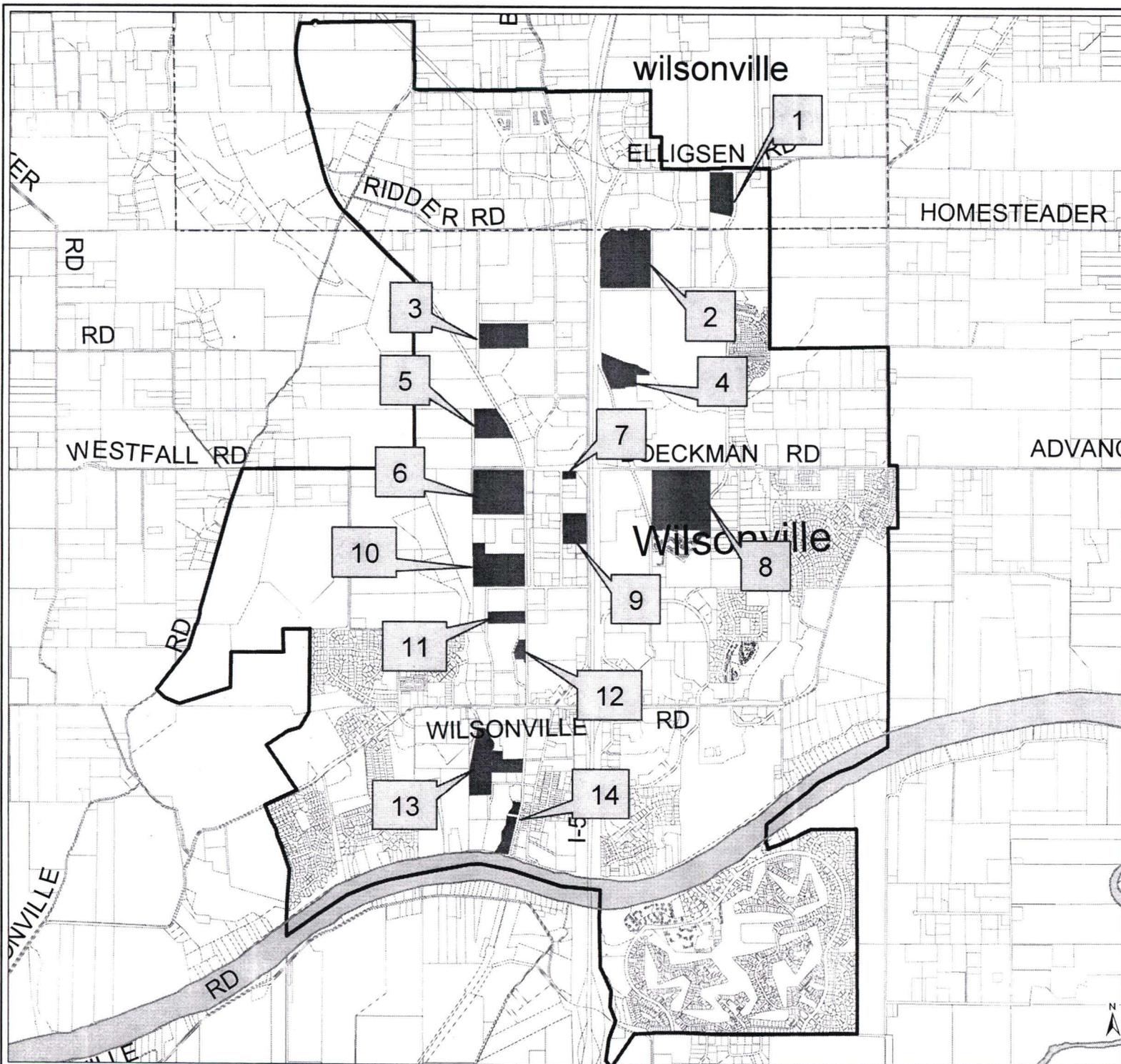
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Location Map



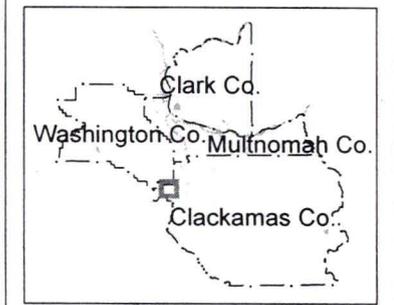
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# Wilsonville

## Newman #1

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## **Newman #1**

### **Oregon City**

#### Area 1

This area of 39 total acres is comprised of 9 tax lots and is located on the west side of S Beavercreek Road, opposite of S Loder Road and adjacent to Clackamas Community College. Adjacent to the south is the Oregon City High School Moss Campus. Four of the parcels have residences.

#### Area 2

This area of 54 total acres is comprised of 9 tax lots and is located on the north side of Glen Oak Road, near the intersection of S Mollala Avenue. The area is adjacent to Clackamas Community College and to the east is the Oregon City High School Moss Campus. One parcel is vacant, seven have residences and one has a commercial business.

### **Wilsonville**

#### Area 1

This area is composed of one 11.2-acre tax lot located at 25977 SW Canyon Creek Road N, where SW Canyon Creek Road N intersects with SW Elligsen Road. The parcel contains a commercial business that encompasses the southern half of the parcel.

#### Area 2

This area is composed of one 31.7-acre tax lot located at 26120 SW Parkway Avenue, between SW Parkway Avenue and SW Heather Place, on the east side of Interstate 5. The parcel contains a structure.

#### Area 3

This area is composed of one vacant 13.9-acre tax lot located at 9760 SW Freeman Court, west of SW 95<sup>th</sup> Avenue.

#### Area 4

This area is composed of one vacant 11.1-acre tax lot located at 27500 SW Parkway Avenue, on the east side of Interstate 5.

#### Area 5

This area is composed of one vacant 10.4-acre tax lot located at 9805 SW Boeckman Road, on the west side of the P & W Railroad tracks.

#### Area 6

This area is composed of one 25.7-acre tax lot located at 9600 SW Boeckman Road, on the west side of the P & W Railroad tracks. The parcel contains a building and related parking facility that utilizes just under half of the parcel acreage.

#### Area 7

This area is composed of one 1.3-acre tax lot located at 28070 SW Boberg Road, where SW Boberg Road intersects with SW Boeckman Road on the west side of Interstate 5. The site contains one minor structure.

Area 8

This area is composed of one vacant 40.8-acre tax lot located on the south side of SW Boeckman Road, just east of SW Parkway Avenue.

Area 9

This area is composed of six tax lots that total 8.3 acres, located at 28455 (3 parcels), 28505, 28635 and 28639 SW Boones Ferry Road. All six parcels are currently developed for industrial (3 parcels) or single family residential (3 parcels) uses.

Area 10

This area is composed of one vacant 20.7-acre tax lot located at 28845 SW Barber Street N, on the west side of the P & W Railroad tracks.

Area 11

This area is composed of one 5.3-acre tax lot located at 9860 SW Barber Street, between SW Kinsman Road and the P & W Railroad tracks. The parcel is partially developed with an existing industrial building.

Area 12

This area is composed of one 2.3-acre tax lot located at 29600 SW Seely Avenue, on the west side of the P & W Railroad tracks. The parcel contains a portion of a larger industrial building and related parking facility that utilizes the entire parcel.

Area 13

This area is composed of two tax lots (15 acres and 5.8 acres) located at 30625 SW Industrial Way, on the west side of the P & W Railroad tracks. Both parcels have existing residences.

Area 14

This area is composed of three tax lots (1.2 acres, 1.2 acres and 3.5 acres) located at 30825, 30995 and 31175 SW Otto Lane, on the west side of the P & W Railroad tracks. All three parcels have existing residences.

## Monroe #1

### **Amendment**

Adopt the MPAC recommended changes to Title 4 of the Urban Growth Management Functional Plan.

### **COO Recommendation versus MPAC Recommendation**

There are three principal differences between the two recommendations:

1. The Monroe amendment would allow medical clinics and facilities larger than 5,000 square feet in Industrial Areas; the COO version would not.
2. The Monroe amendment would allow retail commercial and retail offices uses up to 5,000 square feet in RSAs; the COO version allows such uses only up to 3,000 square feet in RSAs.
3. The Monroe amendment would allow re-division of large parcels (by master plan) even if a portion has been developed into non-industrial uses; the COO recommendation would not.
4. The Monroe amendment has a new definition of "substantial compliance" that sets a lower threshold for compliance than is in the UGMFP today; the COO recommendation does not include this new definition.

**See attached proposed changes to Title 4 of the Functional Plan.**

**Exhibit A to Ordinance No. 04-1040A**

**TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS**

3.07.410 Purpose and Intent

- A. ~~The Regional Framework Plan calls for a strong economic climate. To improve the region's economic climate, the plan Title 4 seeks to provide and protect the a supply of sites for employment by limiting incompatible uses within the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial Areas and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services, and to promote the creation of jobs within designated Centers and discourages certain kinds of commercial retail development outside Centers encourage the location of other types of employment in Centers, Employment Areas, Corridors, Main Streets and Station Communities. It is the purpose of Title 4 to achieve these policies. The Metro Council will consider amendments to this title in order to make the title consistent with new policies on economic development adopted evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic review analysis of the capacity of the urban growth boundary.~~

3.07.420 Protection of Regionally Significant Industrial Areas

- A. ~~Regionally Significant Industrial Areas (RSIA) are those areas that offer the best opportunities for family-wage industrial jobs near the region's most significant transportation facilities for the movement of freight and other areas most suitable for movement and storage of goods. Each city and county with land use planning authority over areas RSIAs shown on the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969 Employment and Industrial Areas Map shall derive specific plan designation and zoning district boundaries of the areas RSIAs within its jurisdiction from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in subsection C, D and E this section, and its the need of individual cities and counties to achieve a mix of types of employment uses.~~
- B. ~~Each city and county with land use planning authority over an area designated by Metro on the 2040 Growth Concept Map, as amended by Ordinance No. 02-969, as a Regionally Significant Industrial Area shall, as part of compliance with section 3.07.1120 of the Urban Growth Management Functional Plan, derive plan designation and zoning district boundaries of the areas from the Growth Concept Map Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit the size and location of new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate, legal, medical and dental offices - to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:~~

1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
  2. Training facilities whose primary purpose is to provide training to meet industrial needs.
- C. After determining boundaries of Regionally Significant Industrial Areas pursuant to subsections A and B, the city or county Cities and counties shall adopt implementing ordinances that limit development in the areas to industrial uses, uses accessory to industrial uses, offices for industrial research and development and large corporate headquarters in compliance with subsection E of this section, utilities, and those non-industrial uses necessary to serve the needs of businesses and employees of the areas review their land use regulations and revise them, if necessary, to include measures to limit the siting and location of new buildings for the uses described in subsection B and for non-industrial uses that do not cater to daily customers - such as bank or insurance processing centers - to ensure that such uses do not reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003, below standards set in the 2004 Regional Transportation Plan or require added road capacity to prevent falling below the standards.
- D. Notwithstanding subsection C, a city or county shall not approve:
1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or
  2. Commercial retail uses that would occupy more than five percent of the net developable portion of all contiguous Regionally Significant Industrial Areas. No city or county shall amend its land use regulations that apply to lands shown as RSIA on the Employment and Industrial Areas Map to authorize uses described in subsection B that were not authorized prior to July 1, 2004.
- E. As provided in subsection C of this section, a city or county may approve an office for industrial research and development or a large corporate headquarters if:
1. The office is served by public or private transit; and
  2. If the office is for a corporate headquarters, it will accommodate for the initial occupant at least 1,000 employees
- F. A city or county Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:
1. Lots or parcels ~~less smaller~~ than 50 acres may be divided into any number of smaller lots or parcels;.
  2. Lots or parcels ~~50 acres or larger~~ than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields the maximum number of lots or parcels of at least ~~50 acres~~ one lot or parcel of at least 50 acres in size;.
  3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a

master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed, with uses described in subsection B of this section.

4. Notwithstanding paragraphs 2, ~~and 3~~ and of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
- a. To provide public facilities and services;
  - b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
  - c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or
  - d. ~~To reconfigure the pattern of lots and parcels pursuant to subsection G of this section~~
  - ~~e. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.~~

~~G. A city or county may allow reconfiguration of lots or parcels less than 50 acres in area if the reconfiguration would be more conducive to a permitted use and would result in no net increase in the total number of lots and parcels. Lots or parcels 50 acres or greater in area may also be reconfigured so long as the resulting area of any such lot or parcel would not be less than 50 acres.~~

~~H.F. Notwithstanding subsections C and D B of this section, a city or county may allow the lawful use of any building, structure or land existing at the time of adoption of its ordinance to implement this section to continue and to expand to add up to 20 percent more floor area and 10 percent more land area. Notwithstanding subsection E of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to December 31, 2003 July 1, 2004.~~

### 3.07.430 Protection of Industrial Areas

- A. ~~In Industrial Areas mapped pursuant to Metro Code section 3.07.130 that are not Regionally Significant Industrial Areas, ~~e~~ Cities and counties shall limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Industrial Areas review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate and legal offices - in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of~~

sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:

1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
2. Training facilities whose primary purpose is to provide training to meet industrial needs; and
3. Medical clinics and facilities, if authorized by city or county ordinance in effect on July 1, 2004.

B. In an Industrial Area, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or
2. Commercial retail uses that would occupy more than ten percent of the net developable portion of the area or any adjacent Industrial Area. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003. Such measures may include, but are not limited to restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

C. Except for uses described in paragraphs (1) and (2) of subsection A of this section, no city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:

1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.
2. Lots or parcels larger than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.
4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

- a. To provide public facilities and services;
  - b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
  - c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or
  - d. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.
- E. Notwithstanding ~~subsection B~~ subsection A of this section, a city or county may allow the lawful use of any building, structure or land existing at the time of enactment of an adoption of its ordinance adopted pursuant to this section to implement this section to continue and to expand to add up to 20 percent more floor space floor area and 10 percent more land area. Notwithstanding subsection D of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to July 1, 2004.

3.07.440 Employment Areas

- A. Except as provided in subsections C, D and E, in Employment Areas mapped pursuant to Metro Code Section 3.07.130, cities and counties shall limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas.
- B. Except as provided in subsections C, D and E, a city or county shall not approve a commercial retail use in an Employment Areas with more than 60,000 square feet of gross leasable area in a single building, or retail commercial uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.
- C. A city or county whose zoning ordinance applies to an Employment Area and is listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if the ordinance authorized those uses on January 1, 2003.
- D. A city or county whose zoning ordinance applies to an Employment Area and is not listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if:
  - 1. The ordinance authorized those uses on January 1, 2003;
  - 2. Transportation facilities adequate to serve the retail commercial uses will be in place at the time the uses begin operation; and
  - 3. The comprehensive plan provides for transportation facilities adequate to serve other uses planned for the Employment Area over the planning period.
- E. A city or county may authorize new retail commercial uses with more than 60,000 square feet of gross leasable area in Employment Areas if the uses:

1. Generate no more than a 25 percent increase in site-generated vehicle trips above permitted non-industrial uses; and
2. Meet the Maximum Permitted Parking – Zone A requirements set forth in Table 3.07-2 of Title 2 of the Urban Growth Management Functional Plan.

3.07.450 Compliance

Upon review of land use regulations in effect prior to July 1, 2004, cities and counties may determine that such regulations are generally consistent with the purpose and intent of this Title as set forth in Metro Code section 3.07.410 and submit applicable regulations to Metro to demonstrate substantial compliance in accordance with the provisions of Metro Code section 3.07.810.

## Park #1

### Amendment

Add back the Orient area the COO recommended for removal from the UGB and change the 2040 design type from Residential – Inner Neighborhood to Regionally Significant Industrial Area (RSIA).

### Rational

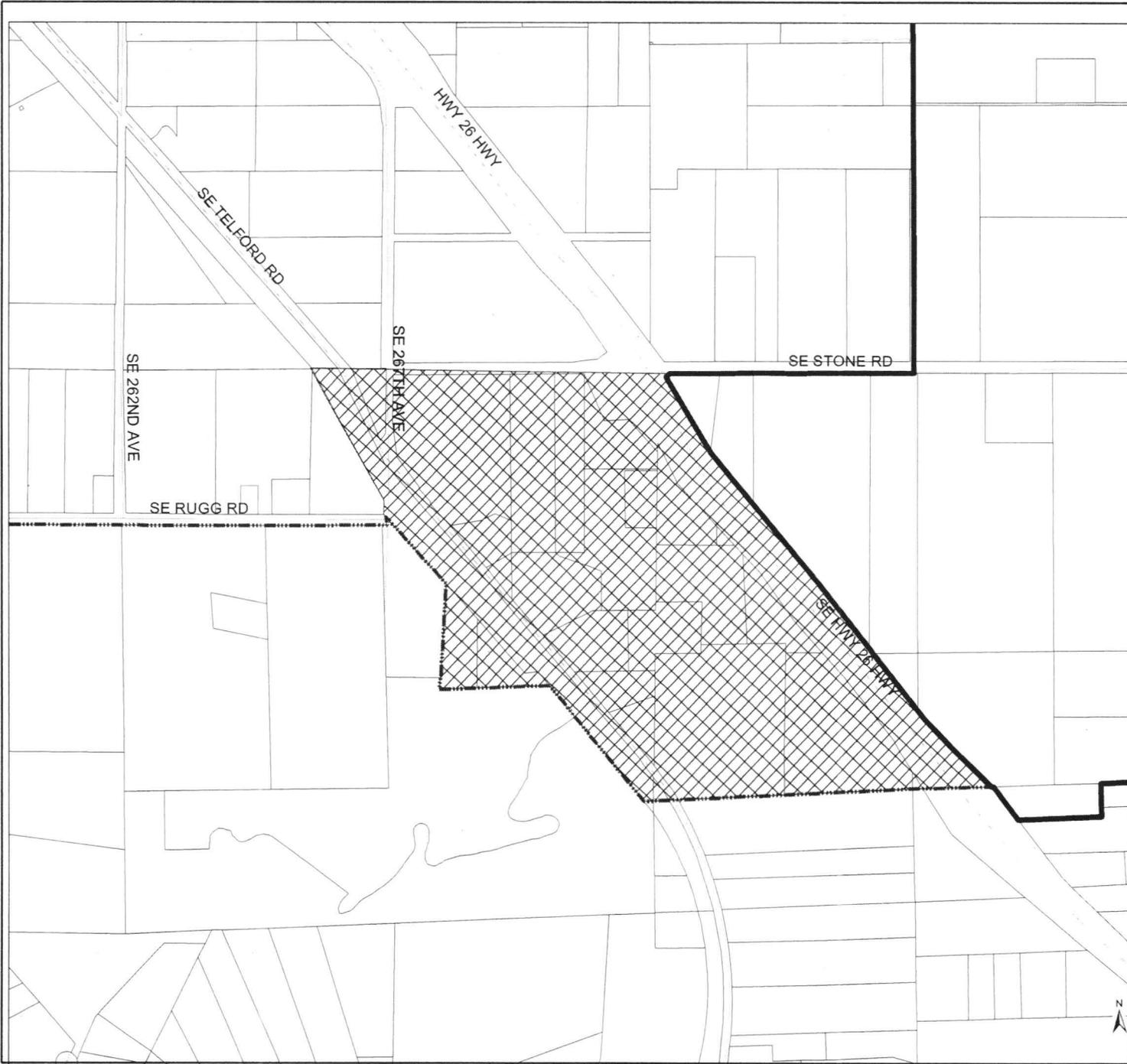
This area is part of the Springwater industrial expansion area and should be included for industrial uses, not a residential use.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less than 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	<b>3,100</b>	<b>1,635</b>					
<b>PROPOSED AMENDMENT</b>							
Orient (p)	90	20	na	RSIA	✓	✓	✓
<b>TOTAL</b>	<b>3,190</b>	<b>1,655</b>					

(p) partial areas

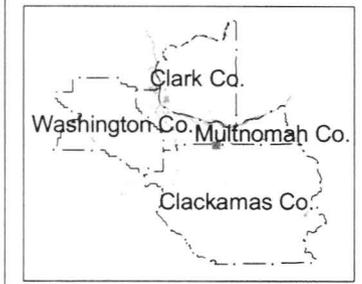


# Park #1 Proposed Amendment ORD. 04-1040

-  Study Area
-  Amendment Area proposed to remain in UGB
-  Taxlots
-  Urban growth boundary
-  Streets

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1 inch equals 0.13 miles



Location Map



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## McLain # 1 & 3

### Amendment

Remove the COO recommended Cornelius expansion area, which is Tier 5 resource land and exception land and replace it with Tier 5 resource land west of the recommended area and south of Council Creek.

### Rational

Lessen the impact on farmland by including a small amount of resource land that is separated from the larger expanse of agricultural land by Council Creek. The adjacent land to the south within the UGB is zoned industrial. Use Council Creek as the UGB line, which is consistent with other areas of the City of Cornelius.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	<b>3,100</b>	<b>1,635</b>					
<b>PROPOSED AMENDMENT</b>							
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Cornelius (p)	56	36	Tier 5 - Resource	RSIA	✓	✓	✓
<b>TOTAL</b>	<b>2,950</b>	<b>1,580</b>					

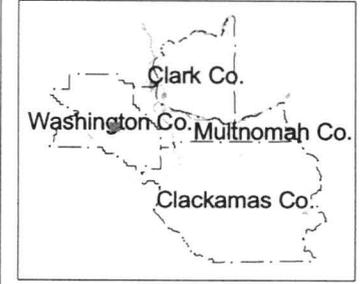
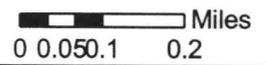
(p) partial areas

# McLain #1 and #3 Proposed Amendment ORD. 04-1040

-  Amendment Area proposed for inclusion in UGB
-  C.O.O Recommendation
-  Taxlots
-  Streets
-  Urban growth boundary
-  Streams

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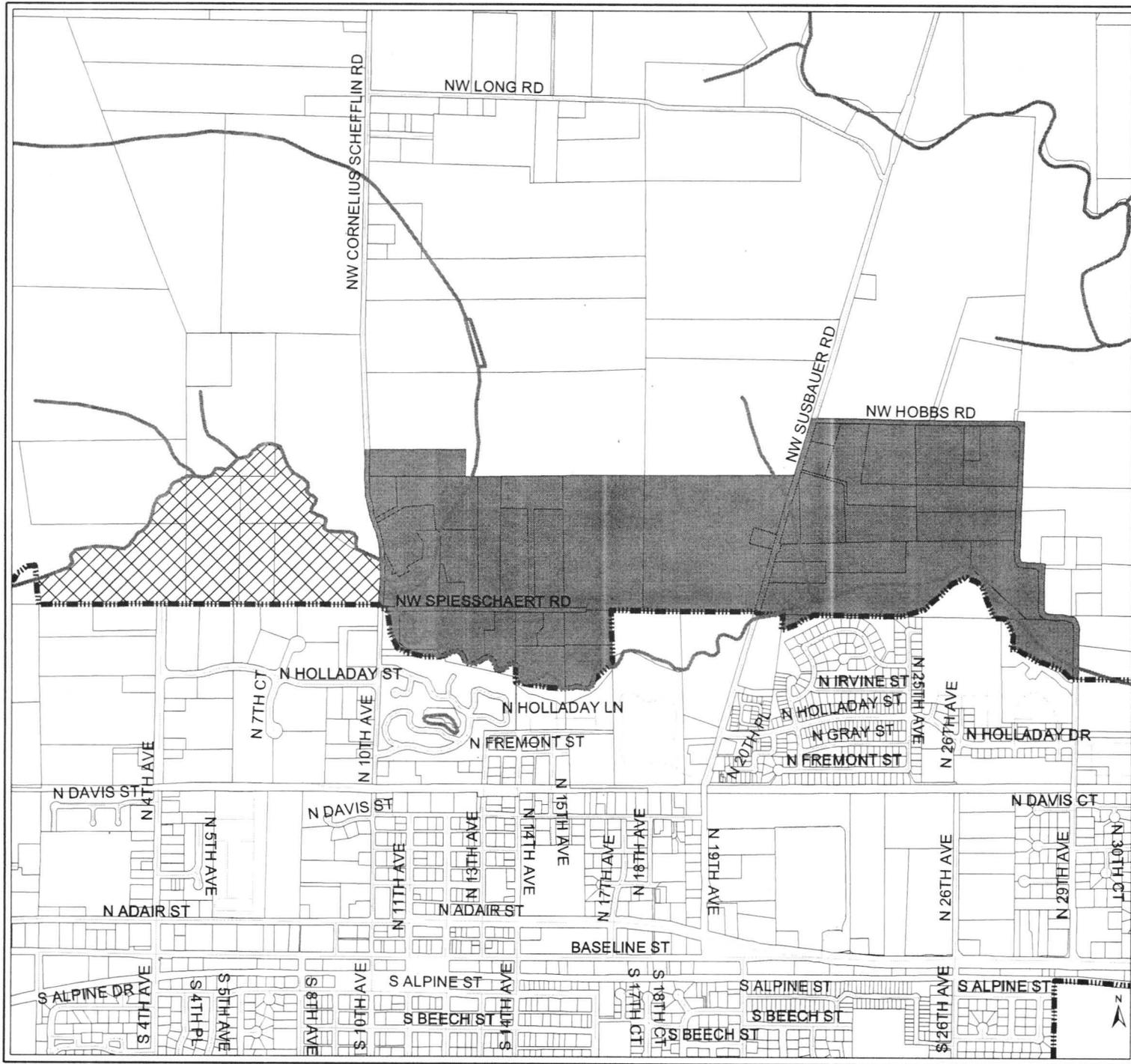
1 inch equals 0.23 miles



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## Newman #2

### Amendment

Remove the COO recommended Borland Road North expansion area, which is entirely exception land.

### Rational

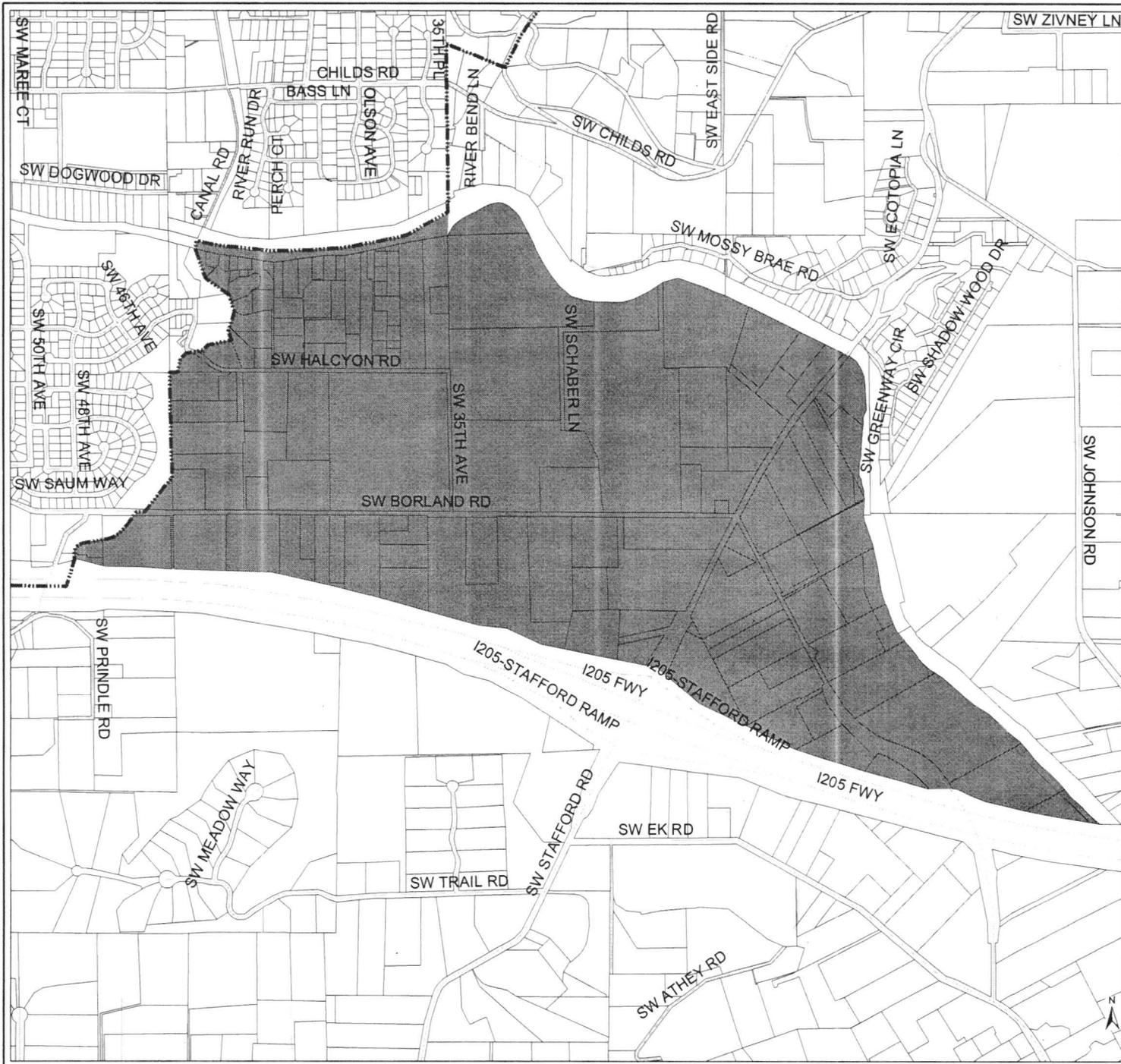
This area has a low net buildable acre rate, is not supported by the local jurisdictions and may be more suitable for a different land use.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					
<b>PROPOSED AMENDMENT</b>							
Borland Rd. N. (p)	575	164	Tier 1-Exception	Industrial	✓	✓	✓
<b>TOTAL</b>	2,525	1,471					

(p) partial areas

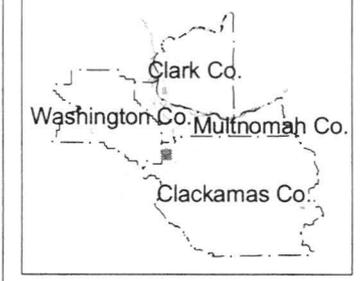
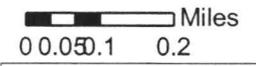


# Newman #2 Proposed Amendment ORD. 04-1040

- Amendment Area proposed for removal
- Taxlots
- Urban growth boundary
- Streets

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# Newman #3 and Hosticka #1

## Amendment

Remove the COO recommended Wilsonville East expansion area, which is entirely Tier 5 resource land.

## Rational

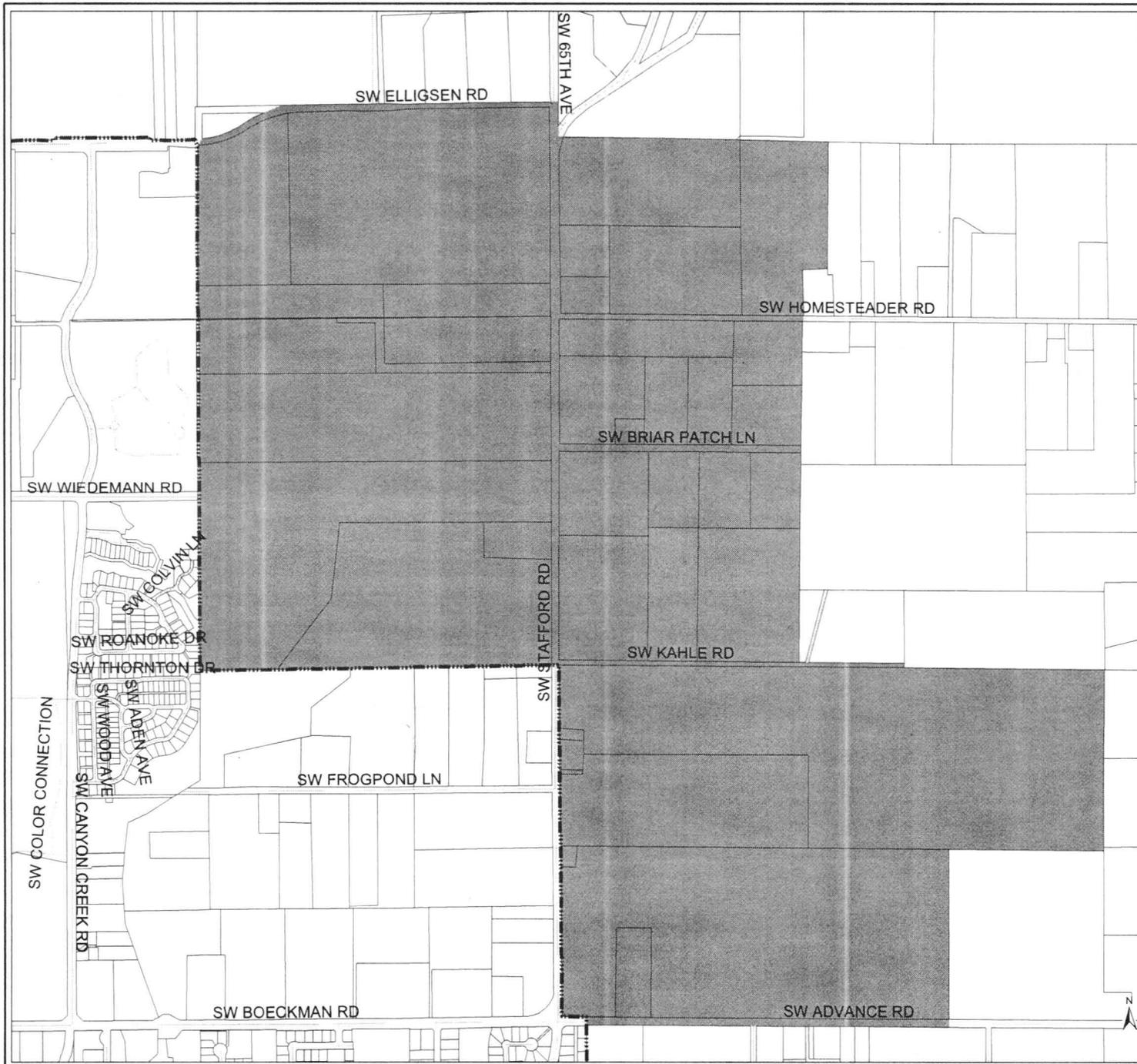
Use of this area as industrial land would have an adverse impact on adjacent residential neighborhoods, nearby schools and transportation. The area is not supported by the local jurisdiction.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less than 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					
<b>PROPOSED AMENDMENT</b>							
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
<b>TOTAL</b>	2,459	1,175					

(p) partial areas



R L I S  
REGIONAL LAND INFORMATION SYSTEM

## Hosticka #1 Newman #3 Proposed Amendment ORD. 04-1040

- Amendment Area proposed for removal
- Taxlots
- Streets
- Urban growth boundary

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1 inch equals 0.20 miles

0 0.05 0.1 0.2 Miles

Clark Co.  
Washington Co. Multnomah Co.  
Clackamas Co.

Location Map

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## Hosticka #2

### Amendment

Remove the COO recommended Tualatin expansion area that is entirely exception land.

### Rational

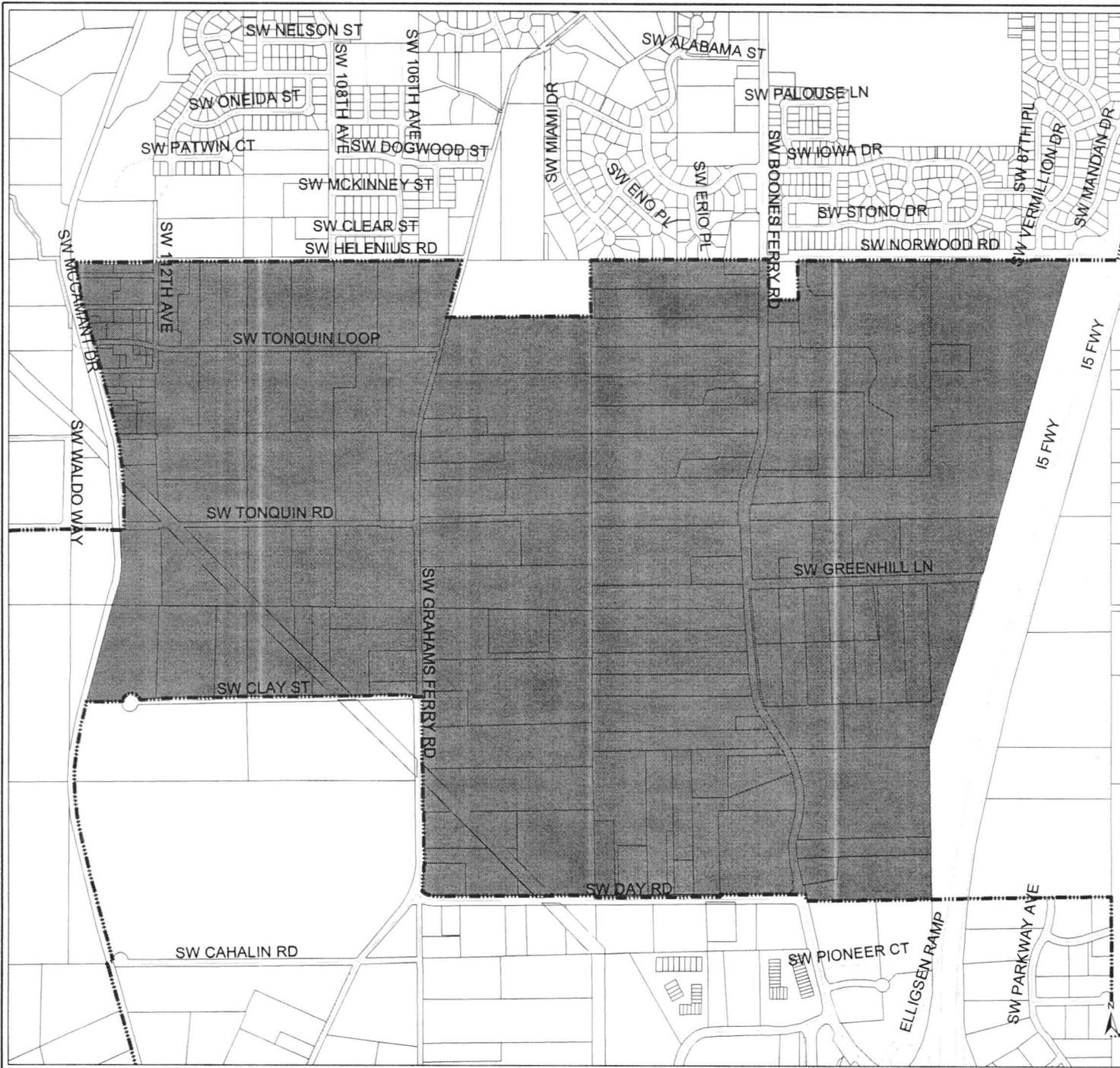
The future alignment of the I-5 to 99W connector should be determined prior to urbanization of the area. The City of Tualatin and its citizens do not support inclusion of the area for industrial purposes.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					
<b>PROPOSED AMENDMENT</b>							
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
<b>TOTAL</b>	2,454	1,296					

(p) partial areas

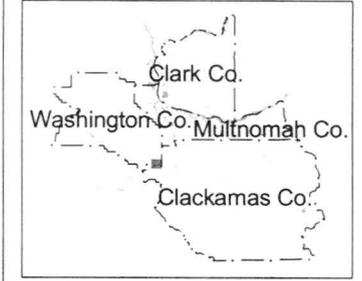
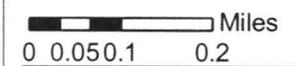


# Hosticka #2 Proposed Amendment ORD. 04-1040

- Amendment Area proposed for removal
- Taxlots
- Urban growth boundary
- Streets

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1 inch equals 0.20 miles



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## McLain #2

### Amendment

Remove most of the COO recommended Tualatin expansion area. Retain a small portion of the recommended area on the north side of SW Clay Street and the east side of SW Grahams Ferry Road, south to SW Day Road. The entire area is exception land.

### Rational

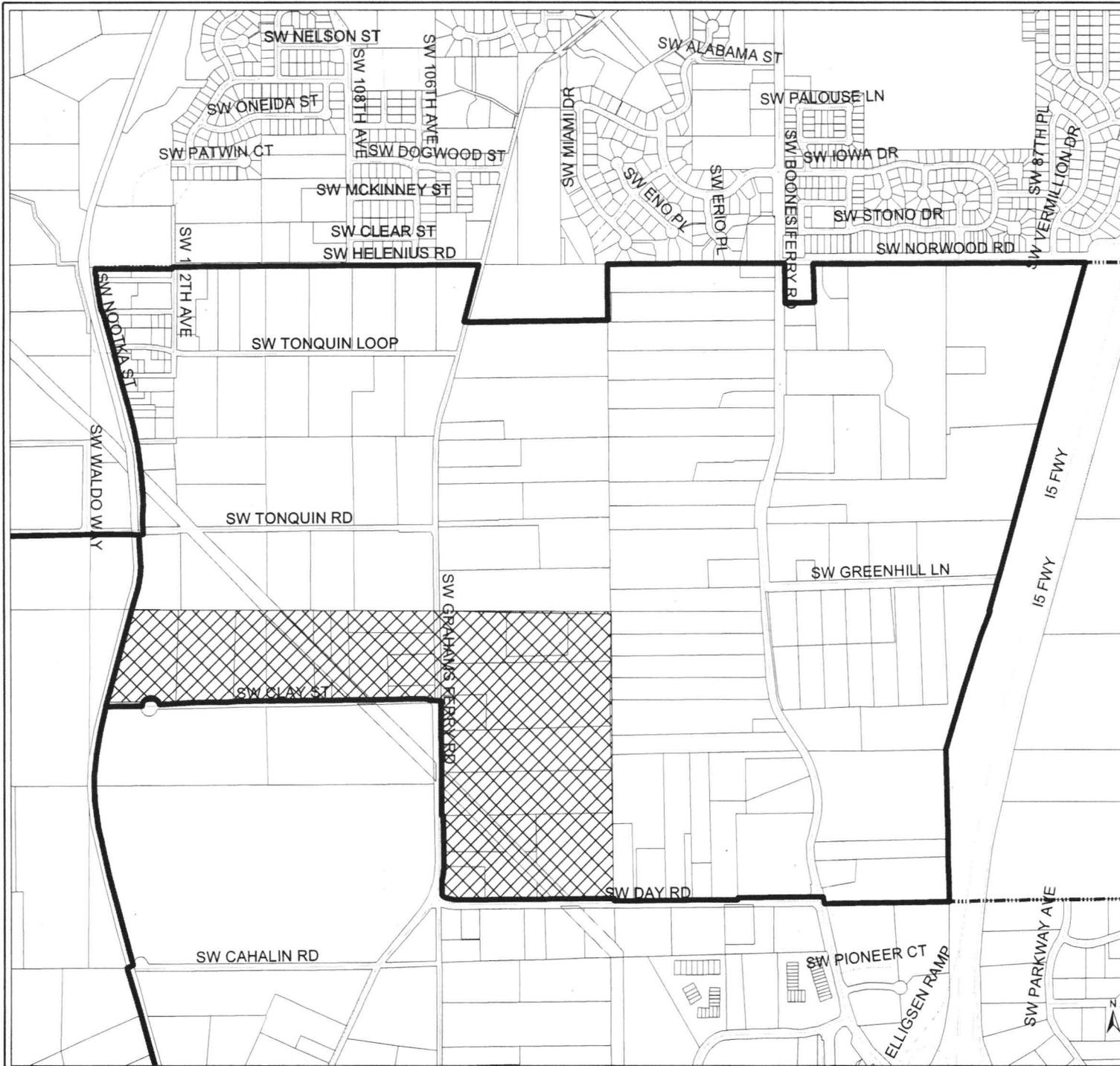
This portion of the recommended area can help meet the identified industrial land need and be planned and developed in conjunction with the designated industrial land south of the Coffee Creek Correctional Facility that was included in the UGB in 2002.

See attached map.

Table of Amended UGB Expansion Areas

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					
<b>PROPOSED AMENDMENT</b>							
Tualatin (p)	103	73	Tier 1- Exception	Industrial	✓	✓	✓
<b>TOTAL</b>	2,557	1,369					

(p) partial areas

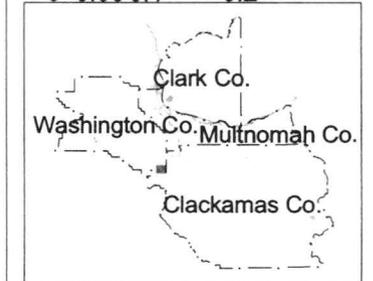
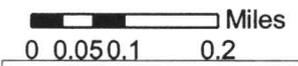


# McLain #2 Proposed Amendment ORD. 04-1040

- Study Area
- Amendment Area proposed for inclusion in UGB
- Taxlots
- Urban growth boundary
- Streets

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Location Map



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## Bragdon #1

### Amendment

Remove the southern portion of the COO recommended Wilsonville East expansion area. Retain the portion of the recommended area on the north side of SW Kahle Road and the 2002 expansion area. The entire area is Tier 5 resource land.

### Rational

Including only the northern portion of the recommended area will limit potential conflicts with the residential area and the school facilities to the south along SW Wilsonville Road. The northern portion of the recommended area will meet the identified industrial land need for warehouse and distribution use. This allows for the industrial expansion area to be planned and developed in conjunction with the residential area that was included in the UGB in 2002, providing the opportunity to establish appropriate buffers between the two uses.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less than 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					
<b>PROPOSED AMENDMENT</b>							
Wilsonville East (p)	412	295	Tier 5 - Resource	RSIA	✓	✓	✓
<b>TOTAL</b>	2,871	1,470					

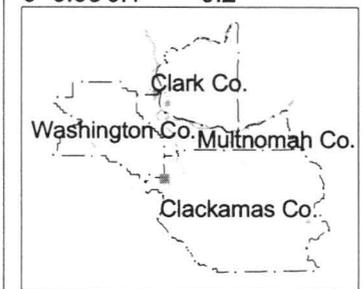
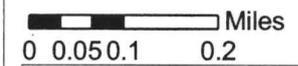
(p) partial areas

# Bragdon #1 Proposed Amendment ORD. 04-1040

-  Study Area
-  Amendment Area proposed for inclusion in UGB
-  Taxlots
-  Urban growth boundary
-  Streets

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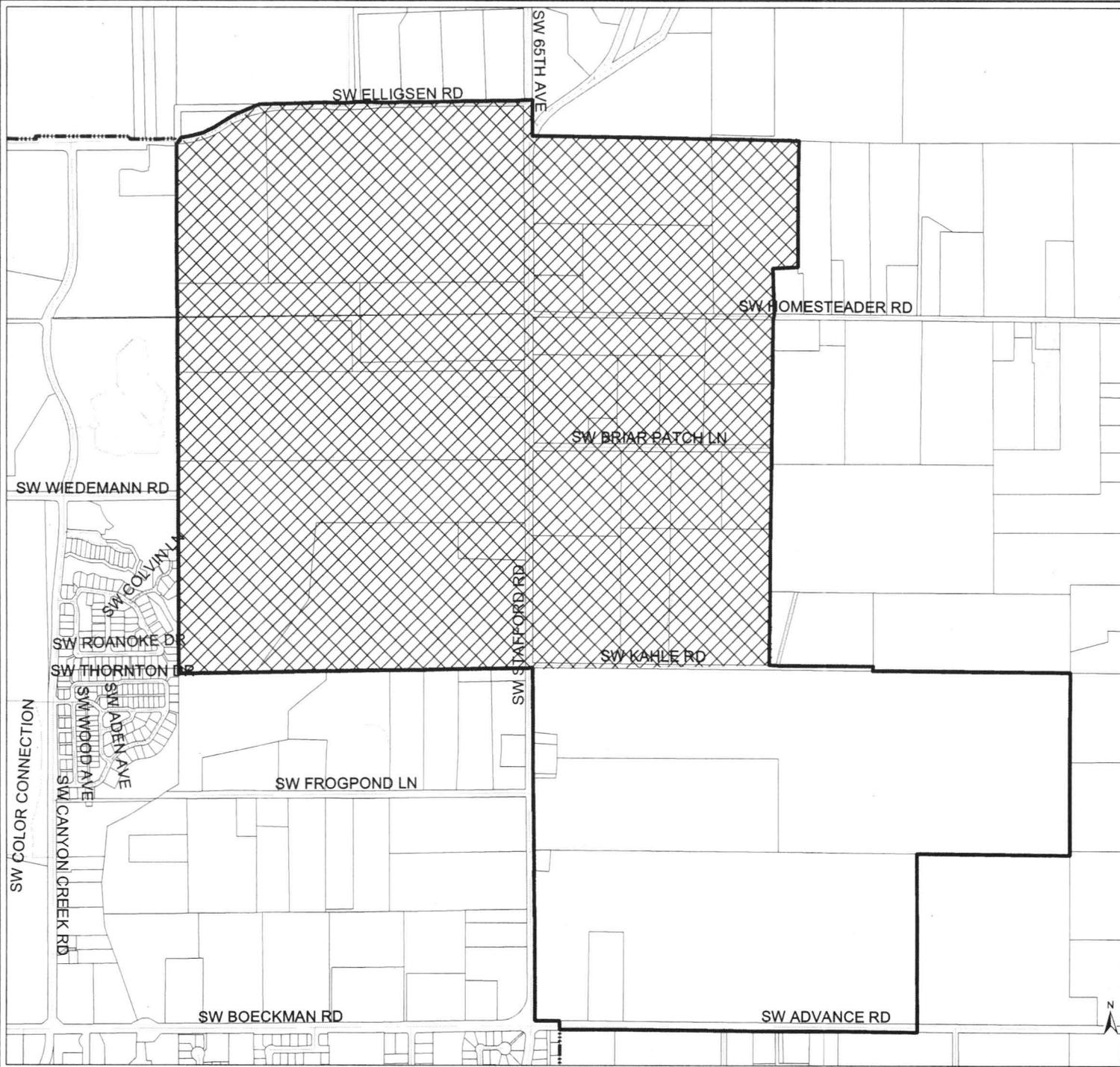
1 inch equals 0.20 miles



Location Map



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## McLain #4

### Amendment

Include in the UGB expansion a small portion of Tier 5 resource land in the Evergreen Study Area.

### Rational

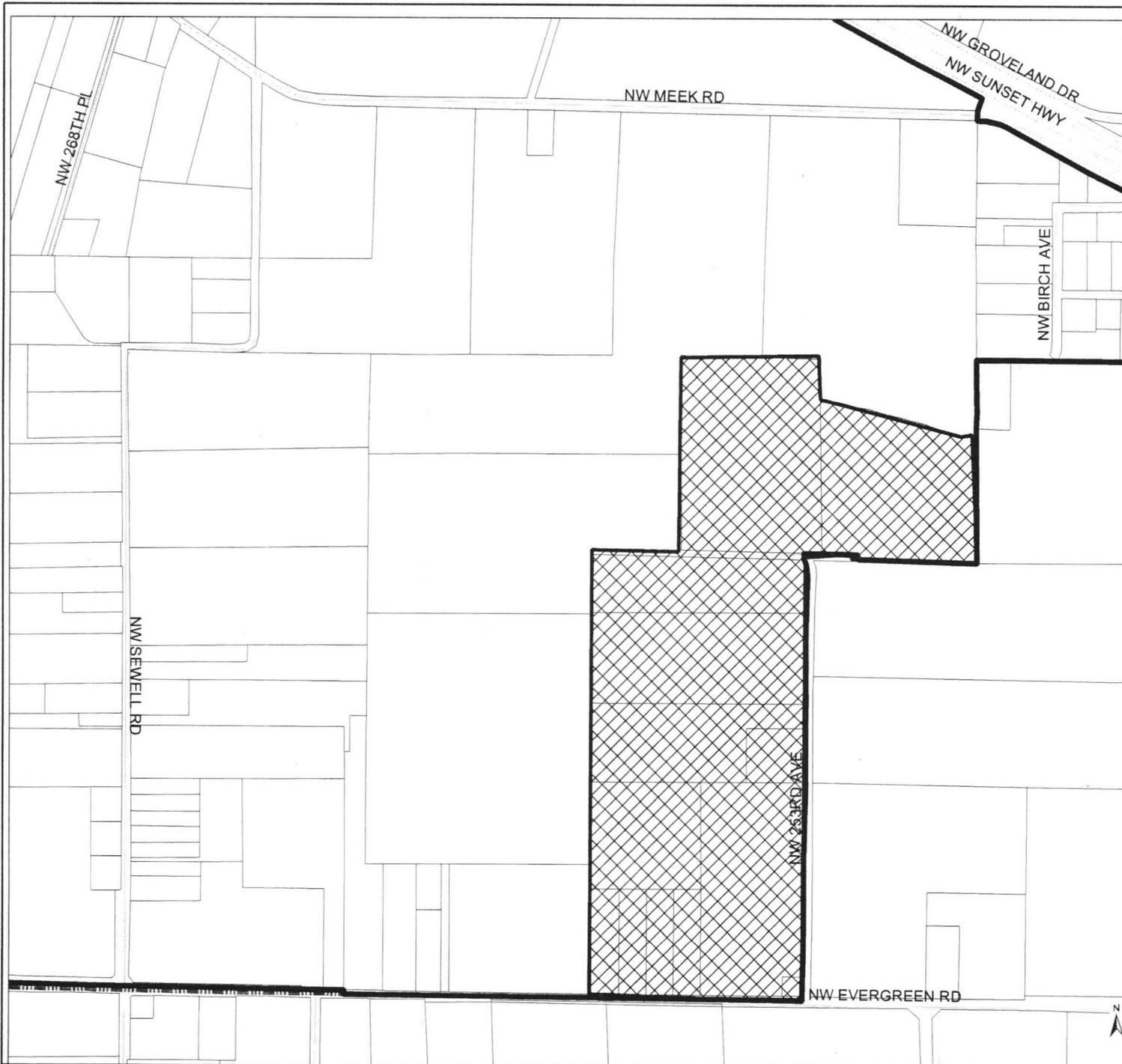
This area can help meet the identified industrial land need, is in an area where urban services are available, is a logical extension of the 2002 Shute Road expansion, is supported by the local jurisdiction and is not in the Hillsboro Airport runway protection zone.

See attached map.

**Table of Amended UGB Expansion Areas**

RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less than 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	<b>3,100</b>	<b>1,635</b>					
<b>PROPOSED AMENDMENT</b>							
Evergreen (p)	121	99	Tier 5- Resource	RSIA	✓	✓	✓
<b>TOTAL</b>	<b>3,221</b>	<b>1,734</b>					

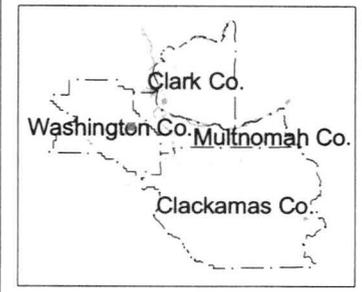
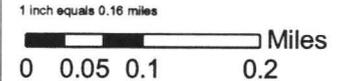
(p) partial areas



# McLain #4 Proposed Amendment ORD. 04-1040

- Study Area
- Amendment Area proposed for Inclusion in UGB
- Taxlots
- Urban growth boundary
- Streets

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Location Map



METRO  
METRO DATA RESOURCE CENTER  
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TEL (503) 797-1742 FAX (503) 797-1909  
drc@metro.dst.or.us www.metro-region.org

## Newman #4

### Amendment

Add a portion of the Evergreen Study Area south of Waible Creek. This portion of the study area has been divided into three expansion scenarios and includes Tier 5 resource land and exception land. The third expansion scenario (C) also includes a small portion of land in the Jackson School Road Study Area.

### Rational

This area can help meet the identified industrial land need and urban services are available, it is a logical extension of the 2002 Shute Road expansion area, and the expansion area is supported by the local jurisdiction.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					
<b>PROPOSED AMENDMENT</b>							
Evergreen (A)(p)	121	99	Tier 5 - Resource	RSIA	✓	✓	✓
Evergreen (A&B)(p)	357	297	Tier 1 & 5 - Mixed	RSIA	✓	✓	✓
Evergreen & Jackson School (AB&C)(p)	516	357	Tier 1 & 5 - Mixed	RSIA	✓	✓	✓
<b>TOTAL (A)</b>	3,221	1,734					
<b>TOTAL (A&amp;B)</b>	3,457	1,932					
<b>TOTAL (AB&amp;C)</b>	3,616	1,992					

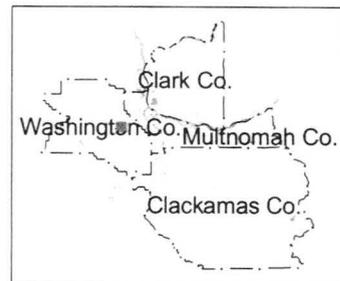
(p) partial areas

# Newman #4 Proposed Amendment ORD. 04-1040

-  Study Area
-  Amendment Area proposed for inclusion in UGB
-  Taxlots
-  Urban growth boundary
-  Streets

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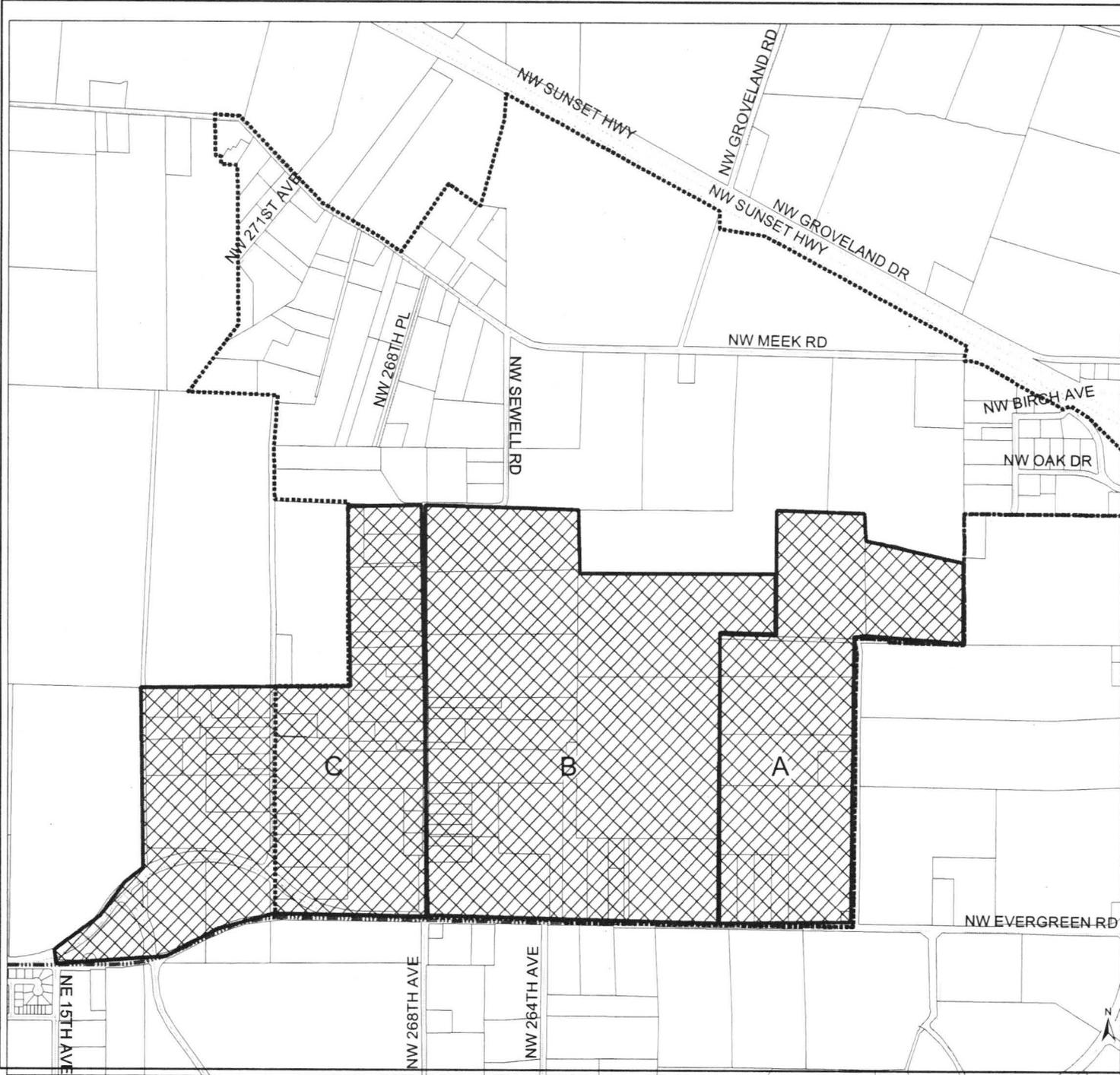
1 inch equals 0.25 miles



Location Map



**METRO**  
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TEL (503) 797-1742 FAX (503) 797-1909  
drc@metro.dst.or.us www.metro-region.org



## Hosticka #3

### Amendment

Include a 50-acre portion of the Hillsboro South Study Area near the intersection of Tualatin Valley Highway and SW 229<sup>th</sup> Avenue. The area proposed is Tier 5 resource land.

### Rational

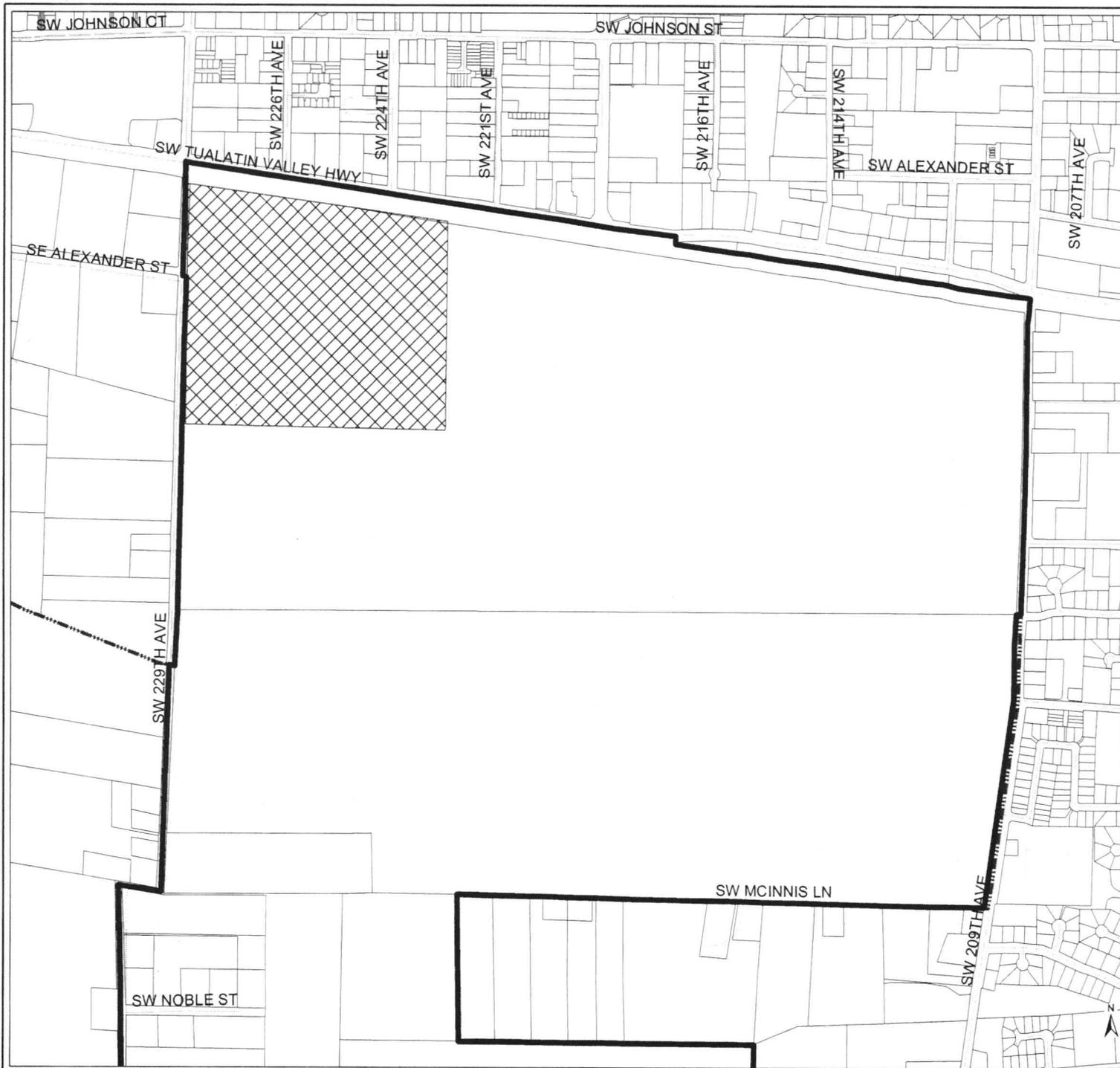
Newland Communities' proposed mixed-use development project for the Hillsboro South Study Area includes some land designated for employment/industrial use. This 50-acre portion of the site provides for the development of this industrial land component adjacent to existing industrial land.

See attached map.

**Table of Amended UGB Expansion Areas**

COO RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek (p)	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
<b>TOTAL</b>	3,100	1,635					
<b>PROPOSED AMENDMENT</b>							
Hillsboro South (p)	50	50	Tier 5 - Resource	RSIA	✓	✓	✓
<b>TOTAL</b>	3,150	1,685					

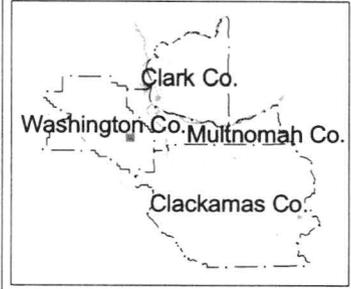
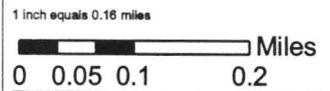
(p) partial areas



# Hosticka #3 Proposed Amendment ORD. 04-1040

- Study Area
- Amendment Area proposed for inclusion in UGB
- Taxlots
- Urban growth boundary
- Streets

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Location Map



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TEL (503) 797-1742 FAX (503) 797-1909  
drc@metro.dst.or.us www.metro-region.org

060304c-05

**From:** "Chris Wiley" <wileyc@sherwood.or.us>  
**To:** <metro council@metro-region.org>  
**Date:** 06/03/2004 1:54:02 p.m.  
**Subject:** Msg for Council from Mayor Mark Cottle, City of Sherwood

Dear Chair Bragdon and Councilors:

I support the concept of granting to local jurisdictions control over UGB expansions. However, I understand that this is a difficult dilemma, while METRO hasn't always done what Sherwood has requested in regards to UGB expansion, METRO has been respectful of our desires and has worked with us in mitigating the impact of the expansion on Sherwood and Sherwood appreciates that fact.

I understand the dilemma METRO faces, one month or one year a City wants additional land, in this case industrial land, and the next month or year it doesn't. With transportation issues looming ahead, industrial needs pressing forward and a faster growth than expected in the area, it would be seemingly impossible for METRO to do what each City wants.

I would hope that METRO would take into account the following when expanding the UGB:

1. The historic desires of the affected jurisdictions;
2. The industrial needs or residential needs of not only the region but the affected jurisdictions;
3. The transportation corridors affected by the growth.

In addition, any land brought in should have reasonable conditions imposed upon them that address the above three issues, including planned transportation corridors, buffer zones or transitional zoning areas. One worry is that new industrial land would abut single family homes. There needs to be an allowance for transitional zoning.

Thank you for allowing me to express myself at this late hour.

C.L. "Chris" Wiley

Asst City Mgr/City Recorder

City of Sherwood

20 NW Washington St

Sherwood OR 97140-8032

Office # 503-625-4246

Fax # 503-625-4254

060304c-06

**From:** "Katz, Vera" <vkatz@ci.portland.or.us>  
**To:** "billingtonc@metro.dst.or.us" <billingtonc@metro.dst.or.us>  
**Date:** 06/03/2004 1:30:09 p.m.  
**Subject:** URGENT: Letter for President Bragdon and Metro Councilors

June 3, 2004

Dear David and Members of Metro Council:

I am writing concerning your upcoming hearing on Title 4. As you know, the City of Portland has participated in discussions at MTAC and MPAC concerning both Code Language and mapping of industrial areas. The City worked many months with its stakeholders to designate over 94% of the City's industrial sanctuary lands as Regionally Significant Industrial Areas (RSIAs). Near the end of these discussions, an issue arose concerning siting of both medical and dental office buildings and hospitals, for which there has been little time for study and deliberation. I would like to make clear the City of Portland's position concerning both medical and dental office buildings and hospitals. Our experience is that these facilities can and should be located in 2040 centers, main streets, and corridors. Such facilities generate a high volume of client and customer traffic. Located outside of centers, such facilities may consume both large amounts of land and generate large volumes of auto traffic.

As you know, the City of Portland has a long history of industrial sanctuary policies that encourage the retention of industrial lands and key industrial employers and restrict incompatible uses. We believe these policies are consistent with the intent of Title 4. As a result, we reached the conclusion that allowing for the siting of these facilities in the RSIAs and regional employment areas would be inappropriate. We do support examining the specific needs of such facilities as part of the GMELS.

Thank you for your consideration.

Best regards,

Vera Katz  
Mayor

**CC:** "bardes@metro.dst.or.us" <bardes@metro.dst.or.us>

060304c-07



30000 SW Town Center Loop E  
 Wilsonville, Oregon 97070  
 (503) 682-1011  
 (503) 682-1015 Fax  
 (503) 682-0843 TDD

June 3, 2004

Council President David Bragdon and Metro Council  
 Metro  
 600 NE Grand Avenue  
 Portland, Oregon 97232

RE: Ordinance No. 04-1040, MPAC recommendation

As the Metro Council considers the COO's recommendation regarding expansion of the UGB for industrial lands, the City of Wilsonville encourages the adoption of the MPAC recommendation of May 26, 2004. Like any proposal, the MPAC recommendation required compromise on the part of local governments in order to meet the industrial land supply goals, but in the end there was agreement that this represents a plan local governments can support.

Most importantly for the future of industrial development, all the hosting jurisdictions are supportive of the MPAC recommendation. At a time when infrastructure dollars are scarce it is difficult enough to provide services for new lands even with full support from all the partners involved. Without the enthusiastic support of the host jurisdiction, the ability to actually develop these lands is seriously compromised.

Expanding onto EFU lands anywhere in the region is a serious and irreversible decision. In order to avoid doing so, we should reassess the needs analysis, redouble our efforts to redevelop existing vacant industrial lands, clean up existing brownfields, and provide the infrastructure necessary for industrial lands that are currently constrained by lack of infrastructure. When we must expand onto EFU lands, at the very least it should be with the concurrence of both the regional and local governments.

There was some discussion at last week's Metro Council meeting about whether or not industrial lands are a benefit or a burden to local communities. That depends largely on whether the specific industrial lands fit with local planning goals. Communities like Wilsonville with a large percentage of industrial land for our size (33% vs. 22% for Portland) know that the key to successful accommodation of industrial land is good planning for location and infrastructure, especially where trucking is involved.

Wilsonville is very proud of our industrial and trucking community and we appreciate the benefits it provides us. We will continue to actively provide for even more industrial lands, but with careful and thoughtful planning. No one's vision of a complete

community is Swan Island. For more than thirty years we have been trying to achieve that delicate balance between residential, commercial, and industrial uses that results in a complete community and that accommodates all three with minimal conflicts. We have enjoyed Metro's leadership and support in reaching those planning goals in the past and look forward to our mutual commitment to those goals in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlotte Lehan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charlotte Lehan  
Mayor of Wilsonville



060304/c - 08

# CITY OF CORNELIUS

---

June 3, 2004

Council President David Bragdon  
& Metro Councilors  
Metro  
600 NE Grand Avenue  
Portland, Oregon 97232

**Re: Addition of 78 Buildable Acres to Cornelius Industrial Related UGB Expansion**

Dear President Bragdon and Metro Councilors:

Our Mayor Steve Heinrich asked us to follow up his letter to you, dated May 18 and requesting that parcels representing 78 buildable acres be added to the 91 acres Metro staff has recommended for future industrial uses. The letter is to delineate the reasons why this additional land would benefit our community and result in better consistency with state land use goals and guidelines and economic development objectives.

Metro staff determined that the recommended UGB expansion netting 91 buildable industrial acres north of Council Creek scored highly for urban suitability and met the difficult test of "use EFU land only when necessary". Following are the reasons the addition of another net 78 acres of land for industry is necessary. This additional land:

1. Creates industrial area of an estimated 170 contiguous acres instead of 91 acres, presenting a more attractive location for a large job-intense development(s). It also makes the site eligible for Governor/state assistance for sites > 100 acres. The locations of Merix (high-tech) in Forest Grove and Stewart Stiles Trucking (national transport) in Cornelius are evidence of the suitability of large industrial sites in Washington County well off the I-5 corridor.
2. Increases the probability of full street and utility improvements rather than partial improvements along Hobbs and Susbauer Roads, which is a more efficient and safer provision of urban services.
3. Implies a 30% savings in construction costs of urban services, including streets, storm drainage, water and sanitary sewer lines, because twice the development (both sides of the road) share the cost burden.
4. Allows for the best east/west collector street and storm water, water, power, cable and telephone utility network development through the industrial area, and the least disruption of existing development. The additional parcel west of Susbauer provides for the logical extension of Hobbs Road to the west, with all appropriate utilities. The Metro recommended west frontage of Susbauer creates a less than ideal utility network and implies displacement of established homes and new outbuilding on both sides of Susbauer at the only appropriate location to bring an east-west collector street through.

5. Best meets Cornelius great need for suitable land for employment-intensive uses, recognizing the following characteristics of our City:
  - Highest poverty rate in Metro region
  - Longest average commute in Metro region
  - Lowest land/improvement market value in Metro region
  - Lowest property tax revenue per capita (despite above average tax rate per capita)
6. Results in a healthier proportion of total land zoned for industrial use (17% rather than current 9%), healthier land use balance and allows us to move further down the road of building a complete and sustainable community.
7. Is EFU land similar to the land in the Helvetia and Evergreen expansion recommendations, but different in that it more compellingly meets a "last resort" test and is absolutely necessary to meet other state land use goals and other regional goals for this area. Please note that the Washington County Farm Bureau has not taken a position on Cornelius' UGB expansion recommendations. Many farmers in this immediate area understand the symbiotic relationship of our community and surrounding agriculture industry and do not fear a reasonable compromise that assures the sustainability of both urban and rural business and life.

We hope that these reasons will be of help to Metro staff in writing the findings necessary to support what we believe to be simple common sense and good subregional planning. We hope the Council will seriously consider this new total of an estimated 170 acres of buildable industrial land for inclusion in the UGB. We all have an important common goal of protecting agricultural land in this rich Tualatin Valley AND building a healthy urban region made up of complete sustainable communities. This limited expansion for future urban uses is a good decision.

Along with our Mayor, we thank you for Metro's partnership and your continued efforts in reaching the best possible regional solutions to regional and local issues.



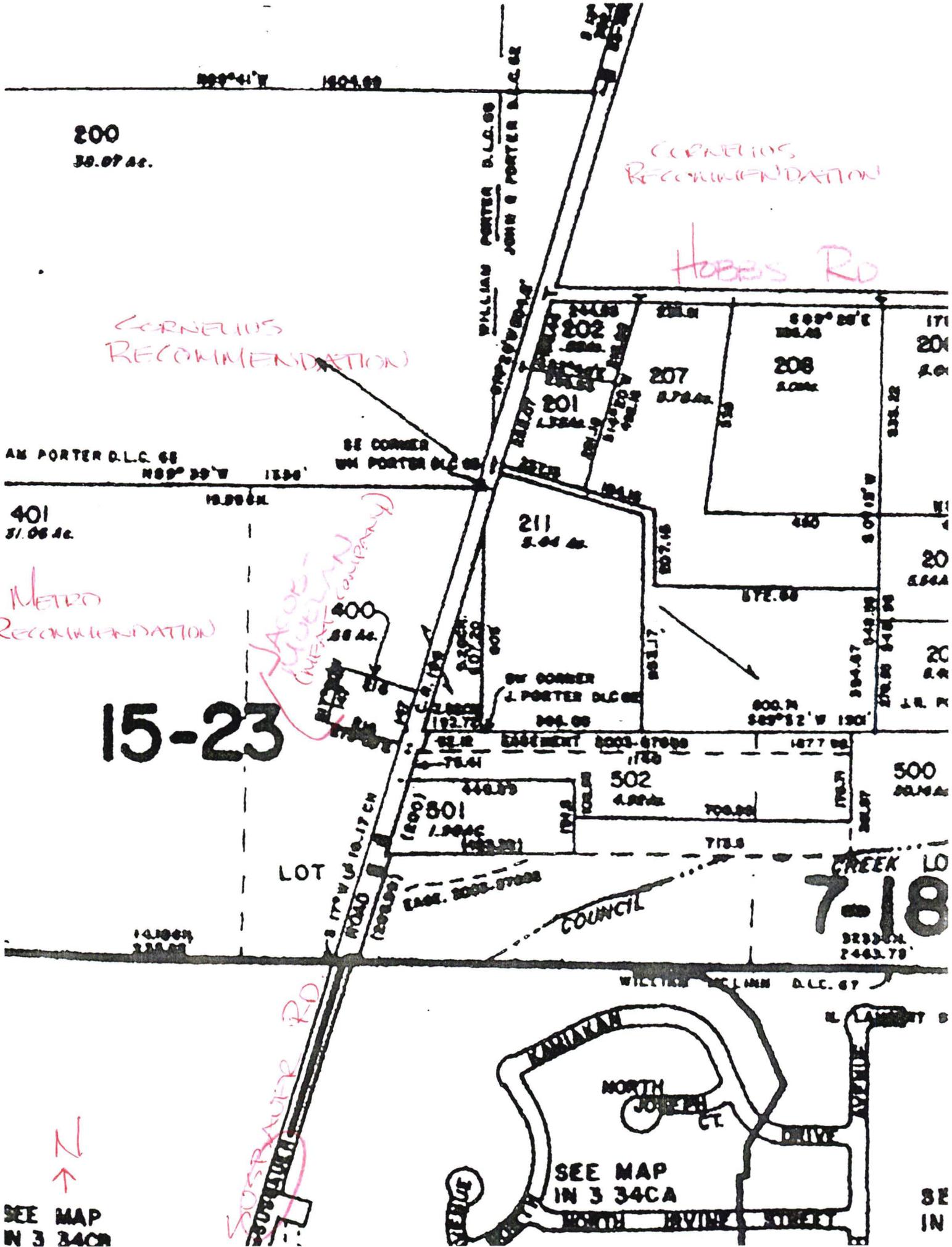
Dick Kline  
City Manager



Rob Dixon  
City Engineer



Richard Meyer  
Planning Director



200  
38.07 Ac.

CORNELIUS  
RECOMMENDATION

CORNELIUS  
RECOMMENDATION

HOBBS RD

AS PORTER D.L.C. 68  
N89°39'W 1230'

401  
31.06 Ac.

METRO  
RECOMMENDATION

JACOBS  
INVESTMENT COMPANY

15-23

SE CORNER  
WM PORTER D.L.C. 68

211  
2.04 Ac.

400  
28.44 Ac.

SE CORNER  
J. PORTER D.L.C. 68

502  
4.88 Ac.

(200)  
801  
1.98 Ac.

500  
20.44 Ac.

LOT  
3 17' W 16.17' CH  
ROAD  
(200)

COUNCIL

CREEK LO  
7-18  
3233 CH.  
2463.78'

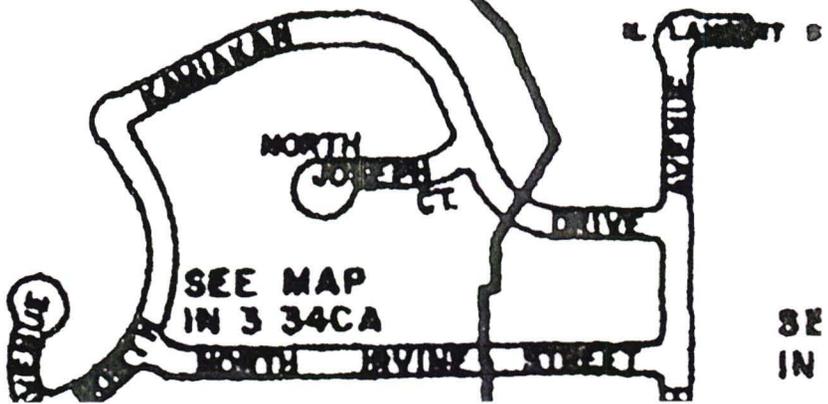
WICKHAM DELIN D.L.C. 67

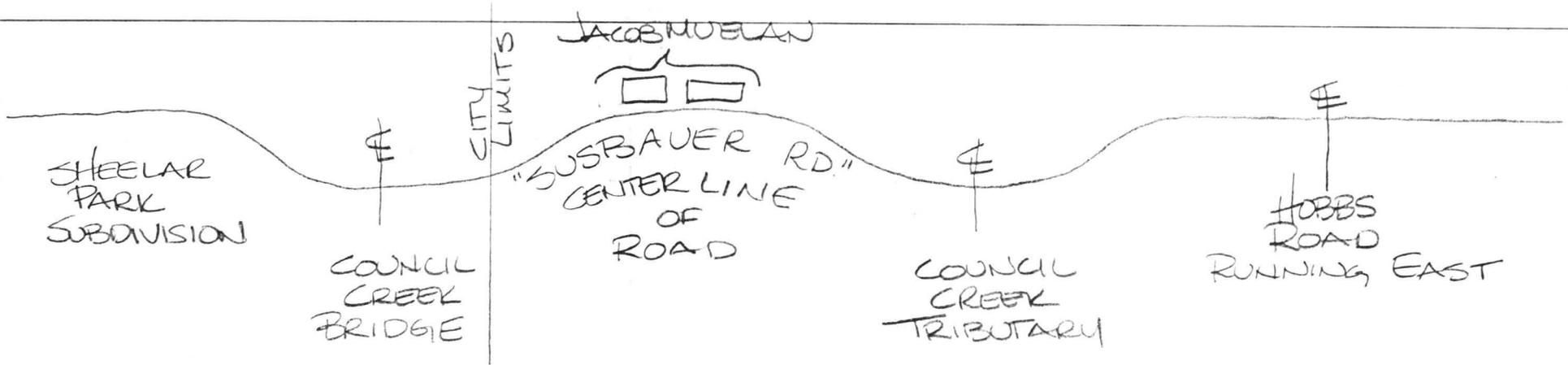


SEE MAP  
IN 3 34CA

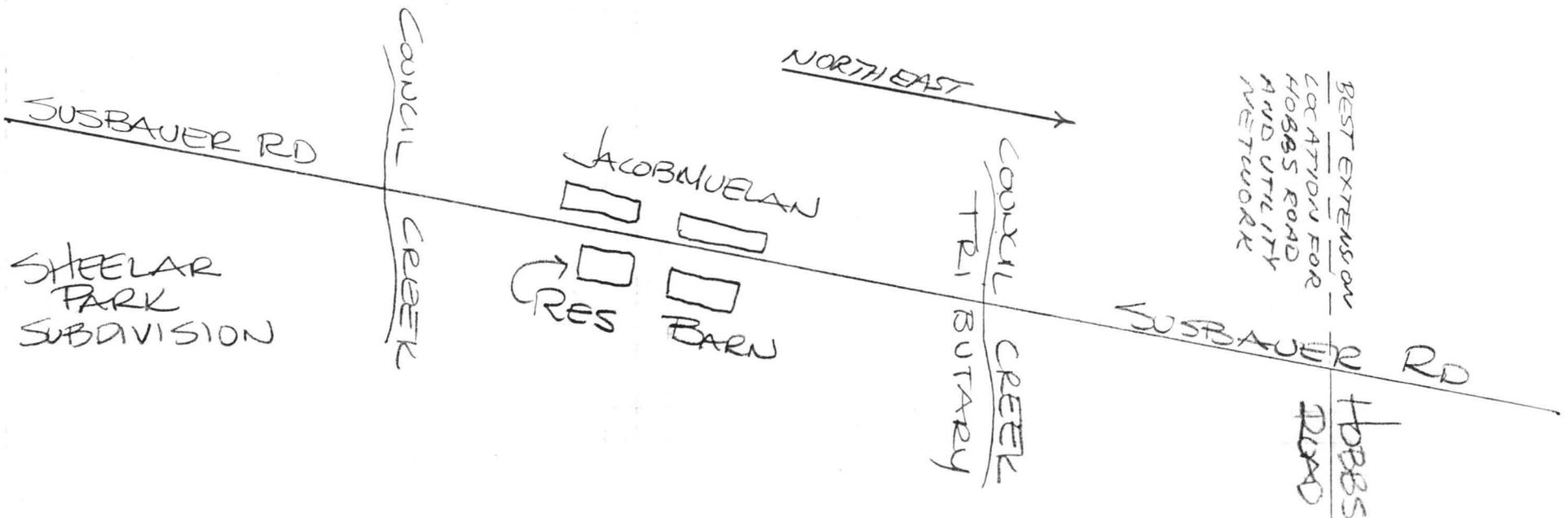
SEE MAP  
IN 3 34CA

SE  
IN





VIEW LOOKING WEST  
ELEVATION VIEW



PLAN VIEW



# CITY OF CORNELIUS

---

May 18, 2004

Council President David Bragdon  
& Metro Councilors  
Metro  
600 NE Grand Avenue  
Portland, Oregon 97232

**Re: Addition of 170 Buildable Acres to Cornelius Industrial Related UGB Expansion**

Dear President Bragdon and Metro Councilors:

We want to help you with a problem.

Because of the considerable opposition to the expansion of certain Metro recommended industrial lands in the vicinity of Tualatin and Wilsonville, we think it appropriate to recommend more suitable land adjacent Cornelius as an alternative way for Metro to meet its industrial land goal. Please consider this addition to our April letter of support for Metro staff recommendations for industrial land related Urban Growth Boundary expansion, as they affect the area north of the City of Cornelius.

There are an estimated 78 buildable acres in five lots at the west end and along the north side of Hobbs Road east of Susbauer Road that would make it easier for Cornelius to provide urban utilities to the 91 acres of Metro recommended industrial area. These parcels are separated from farmland to the north by the expansive Dairy Creek floodplain and are a natural extension of Metro recommendations.

Most of the owners of these lands support being included in the UGB. All of this land scored highly for suitability for industrial use in Metro's Industrial Lands Study, except that they are EFU lands. They are all, however, south of Dairy Creek, which has been commonly mentioned as a "hard" boundary between future urban reserve land and rural reserve land. This land would add to the attraction of industry to this area and would make extension of urban services even more logical, easier and cost effective.

Our City participated in all the public discussion of industrial land and agricultural land protection. We are committed to work at both building a complete sustainable community and long-term support and protection of a sustainable agricultural industry in western Washington County. We can responsibly handle projected urban development and management of the considerable natural resources in this area at the same time. Our emphasis on citizen and landowner support and participation in local government is a big help.

It will be much easier and cost effective to extend utilities and street improvements if both sides of Hobbs Road can be developed at urban standards and much safer if Hobbs Road is extended to the west to serve the new industrial area between Susbauer and Cornelius-Schefflin Roads. Since most public improvements are paid for, as private development requires them, the expansion currently recommended by Metro staff limits the efficiencies of urban service extension possible with a little more room. A plan that results in half-street improvements and unaligned industrial collector streets is unnecessarily costly, unsafe, and inefficient and is not good planning.

We propose that the Metro staff recommended UGB boundary be extended one tax lot deep along the north side of Hobbs Road as it turns west and to include the tax lot just west side of Susbauer Road at the end of Hobbs Road. A map of these additions to our support of Metro recommendations is attached.

Again, we have done our best in our area of western Washington County to clarify our City's reasoning and intentions and the process for citizens participating in this decision. The City of Cornelius has long identified land north of Council Creek for UGB expansion to serve six critical community and regional needs.

1. Increase the meager supply of medium-large lot industrial land,
2. Support specific agriculture and high-tech industries that are regionally significant, locally based, publicly invested in and widely acclaimed,
3. Provide efficient cost-effective urban services for existing & projected citizens & businesses, and for adjacent exception and rural lands,
4. Sustain regionally significant natural resources, particularly along Council Creek,
5. Provide local jobs for the community with the longest average commute in the region, thus saving time, energy and relieving traffic congestion, and
6. Make Cornelius a more complete, balanced and financially sustainable community.

We have made it clear to folks that inclusion within the Regional UGB does not mean that annexation to the City is imminent. The City of Cornelius has no intention of annexing land unless and until the owner wishes to annex. It is also our understanding that inclusion within the UGB will not affect property taxes until it is presented for sale or development for urban uses.

We appreciate Metro's listening to our small voice and recommending a reasonable expansion this year. We hope you will consider this new total of an estimated 170 acres of buildable industrial land for inclusion in the UGB. We all have an important common goal of protecting agricultural land in this rich Tualatin Valley and building complete sustainable communities. This limited expansion for future urban uses is a good decision.

Your partner in reaching all of Oregon's land use goals,

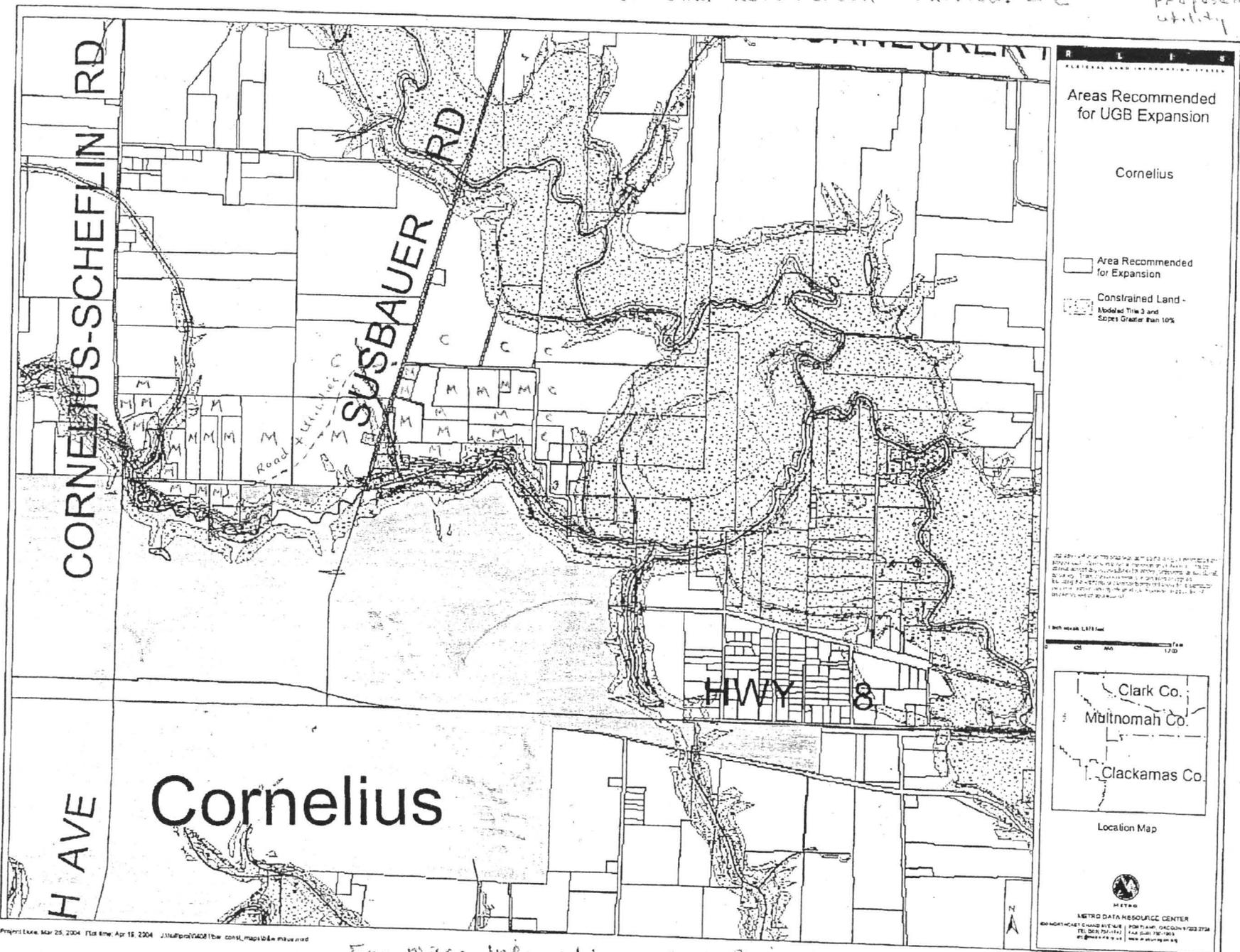
Steve Heinrich  
Mayor, City of Cornelius

Metro Recommended Additions - M

Cornelius Recommended Additions - C

170 Buildable Acres

Proposed street and utility connection

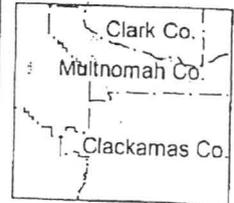


Areas Recommended for UGB Expansion

Cornelius

- Area Recommended for Expansion
- Constrained Land - Modelled Tilt 3 and Slopes Greater Than 10%

THIS MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR ANY PURPOSES THAT REQUIRE A PROFESSIONAL ENGINEER'S SEAL. THE USER OF THIS MAP ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS. METRO AND CLACKAMAS COUNTY DO NOT WARRANT THE ACCURACY OF THIS MAP.



Location Map



**METRO DATA RESOURCE CENTER**  
 10000 N. HAWTHORNE BLVD. SUITE 1000 PORTLAND, OREGON 97228  
 TEL: 503.251.1122 FAX: 503.251.1121  
 WWW.METRO-OR.ORG

Project Date: Mar 25, 2004 File Name: Apr 15, 2004 J:\16\proj\GAG\16w\_const\_map\16w\_mnu.prd

For more information, call Richard Meyer 357-7079

Please recycle with mixed paper

## CITY OF HILLSBORO



June 1, 2004

Hon. David Bragdon, Metro Council President  
And Metro Councilors  
600 NE Grand Avenue  
Portland, OR 97232

RE: Potential Evergreen Road Industrial Site UGB Expansion.

Dear President Bragdon and Metro Councilors:

The Evergreen Road Site (372 gross, 310 net acres) is included in Metro Councilor Newman Amendment to Ordinance 04-1040 and in the list of proposed Industrial UGB expansion sites that are recommended for Council approval by unanimous MPAC vote taken on May 26<sup>th</sup>. Hillsboro fully supports its inclusion in the Newman Amendment and the recommended MPAC list of Sites. Should the Metro Council decide to add the Site to the UGB in June, we respectfully request that the approximately 147 acres of "exception lands" immediately west of the Site also be add to the UGB as a part of the Evergreen Road Site for the practical and legal reasons cited below. This additional area is shown on the attached map.

#### Legal Considerations

The 147 acres of "exception lands" are right next to the Evergreen Road Site. In terms of location and access to public infrastructure, they are similarly suited for industrial use as the 310 net acres of resource lands within the Site. Thus, a literal reading of the ORS 197.298 land priority hierarchy would suggest that these exception lands be brought into the UGB ahead of similarly suitable resource lands.

Bringing in the 147 acres as a part of the Evergreen Road Site would eliminate this possible legal issue relative to adding the resource land within the Evergreen Road Site to the UGB as currently described in the Newman Amendment and MPAC list of Sites. This action would result in the resource land being bracketed by two exception land areas (to the west and northeast) and industrial areas inside the UGB (to the east and south). It would, then, strengthen the conformance of the Evergreen Road Site under both the statutory land priority system, the Goals 2 Exceptions Criteria and the Goal 14, Factors 3-7 land suitability criteria.

#### Practical Concerns:

The following practical concerns support inclusion of the 147 acres of exception lands into the UGB as part of the Evergreen Road Site:

Hon. David Bragdon  
June 1, 2004  
Page 2.

Hard Agriculture Boundary

We presume that the current Evergreen Road Site boundary in the Newman Amendment and MPAC list of Sites, which stops at NW Sewell Road, seeks to set a clear and firm edge between urban industrial development within the Site and rural and agricultural uses west of Sewell Road. As you may know, the west edge of the 147 acres of exception lands generally abuts a Hillsboro Airport Runway Clear Zone. Federal and State regulations prohibit the construction of buildings and urban activities within this Zone as do Hillsboro Zoning regulations. The Clear Zone can provide a permanent "hard edge" between industrial uses east of the Zone and agriculture uses within, and to the west and north of the Zone which would be equally firm as a Sewell Road agriculture-urban edge.

Airport Compatibility

Scattered rural residences, open areas and forest patches occupy the 147 acres. Public testimony at your recent hearing on Ordinance 04-1040 in Hillsboro informed you that some residents within this area directly north of the Hillsboro Airport are very concerned about Airport noise impacts and possible future safety issues on their community arising from airport departures and landings and flight training exercises. Industrial use of the area would eliminate these land use compatibility issues. The Port of Portland has long supported conversion of areas immediately north of Evergreen Road to industrial use.

Full Accommodation of "Industrial Land Need"

MPAC discussions on May 26<sup>th</sup> indicate that, ultimately, a few sites contained in the Newman Amendment and the MPAC list of Sites may be unacceptable to a majority of the Council and/or the LCDC. If the Evergreen Road Site is accepted by the Council and LCDC, adding the 147 acres of exception lands to this Site could offset any loss of acreage needed to fulfill the 20-year Industrial Land Need caused by one or more of the other pending Sites either in the Newman Amendment and/or MPAC list of Sites being dropped from Metro Council consideration during its June deliberations and final action on Ordinance 04-1040.

Thank you for considering this request.

Sincerely:

CITY OF HILLSBORO

Tom Hughes  
Mayor

Attach:  
copy: Hillsboro City Council

**OregonLive.com**

Everything Oregon

## Urban growth boundary is key to noise issue

Monday, May 31, 2004

Beginning next week, Hillsboro Aviation's student helicopter pilots will begin practicing in a new flight pattern to reduce noise over homes near Hillsboro Airport.

It isn't a perfect solution, but it appears it is about all that can be done right now. But that may change.

The new pattern was the best deal Hillsboro Mayor Tom Hughes could broker given the hostility between neighborhood activists and the folks who operate and use the airport.

The Hillsboro mayor agreed three months ago to try to get everyone involved in the noise issue at the same table.

"I was pretty pragmatic about the situation," he says. "I didn't think the sky was going to open and we were going to have a solution everyone liked."

He got a compromise no one likes.

"I guess if everyone is kind of mad at you, you've done your job," he says.

This is the airport's third helicopter pattern, and it is only a temporary one.

The airport runways form an X, with the landing strips going northwest and northeast. The Alpha pattern is in the V formed on the west side, the Bravo pattern is in the V on the east.

The new pattern, called Delta, lies over airport property in the V on the north side of the X along the eastern runway. Eventually, most of that area will become another pattern, Charlie.

Hughes and Max Lyons, who operates the helicopter school, hope the Delta pattern will reduce noise over nearby homes. While that pattern is being used, additional landing sites will be built in the northern V to accommodate the larger Charlie pattern.

The Charlie pattern will take the helicopters over land that is mostly owned by the Port of Portland, which also owns the airport. Some of the property is used for industry and is home to a few high-tech plants, and a few parcels are owned by private individuals.

One of the private property owners is Henry Oberhelman, who has been active in airport noise issues for the past few years and is treasurer of the group complaining about the choppers.

"Poor Henry," Hughes says. "I really do feel sorry for him. The problem is that no matter what you do to alleviate noise in one place, you shift it someplace else."

And because Oberhelman and his wife work from their home, they have little chance to escape it.

There may be help on the way for him and his neighbors, though.

Last week, Metro was asked to consider expanding the urban growth boundary to accommodate more industry north of Hillsboro. The land the city wants to see developed is under the proposed Charlie pattern. If the land comes inside the boundary, its value will jump and the homeowners may have enough incentive to sell and move elsewhere.

It is the best chance the Port has to resolve the noise issue.

For Hughes, one of the issue's greatest frustrations is that the city and the Port have little authority over airport operations because of Federal Aviation Administration rules.

But Hughes says the face-to-face discussions by neighbors, Lyons, the Port, the FAA and the city have elevated the problem to one where "the Port takes it pretty seriously now."

It is overdue.

For years, the Port -- focused on similar problems at Portland International Airport -- dragged its feet and generally tried to ignore the complaints in Hillsboro. But now it is time to get serious.

First, the Port needs to encourage Metro to bring that land inside the growth boundary.

Once that happens, the Port should begin writing checks for whatever it takes to convince people living there that their lives would be better if they had different, quieter addresses.

The airport noise is a problem that won't go away. The city knows it, and the Port knows it. The city has done all it can. Now it's the Port's turn to do the same.

Jerry F. Boone's columns appear Mondays and Wednesdays. Contact him at 503-294-5960; [jfboone@aol.com](mailto:jfboone@aol.com) or [jerryboone@news.oregonian.com](mailto:jerryboone@news.oregonian.com). His columns can be found online at [www.oregonlive.com/news/oregonian/jerry\\_boone/](http://www.oregonlive.com/news/oregonian/jerry_boone/)

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# Proposed Industrial Lands - UGB Expansion

Plot Date: May 27, 2004

**Helvetia Area**  
Approx 235 Gross Acres,  
149 Net Acres

Proposed  
Additional Site  
(Exception Land)

**MPAC/Newman Recommendation**  
Approx 367 Gross Acres,  
310 Net Acres

Approx 147 Acres

## Legend

- UGB
  - CWS Healthy Streams
  - Hillsboro City Limits
  - MPAC/Newman Recommendation (367 Gross Acres, 310 Net Acres)
- Proposed Industrial Alternatives**
- Proposed Additional Site (Exception Land) - 147 Acres
  - Helvetia Area

0 0.125 0.25 0.5 Miles

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This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

### SOURCE

Hillsboro Data: Current as of April 2004  
WaCnty Data: Current as of March 31, 2004  
Metro Data: Current as of April 2004