

A G E N D A

600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232-2736



METRO

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MEETING: METRO POLICY ADVISORY COMMITTEE

DATE: January 12, 2005

DAY: Wednesday, 5:00-7:00 p.m.

PLACE: Metro Council Chamber/Annex

NO	AGENDA ITEM	PRESENTER	ACTION	TIME
	CALL TO ORDER	Becker		
1	INTRODUCTIONS	All		5 min.
2	ANNOUNCEMENTS	Becker		3 min.
3	CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS			3 min.
4	CONSENT AGENDA • December 8, 2004	Becker	Decision	5 min.
5	COUNCIL UPDATE	Bragdon		5 min.
6	ELECTION OF OFFICERS FOR 2005		Decision	10 min.
7	MPAC WORK PROGRAM FOR 2005	Chair	Discussion	10 min.
8	LIVELY CENTERS	Webb	Briefing	10 min.
9	MEASURE 37 UPDATE	Cooper	Update	20 min.
10	PROPOSED CHANGES TO GOALS 9 (ECONOMIC DEVELOPMENT) & 14 (URBANIZATION)	Benner	Discussion	30 min.
11	FISH & WILDLIFE PROGRAM	Deffebach	Briefing	20 min.

UPCOMING MEETINGS:

January 26, 2005 & February 9, 2005

For agenda and schedule information, call Kim Bardes at 503-797-1537. e-mail: bardes@metro.dst.or.us

MPAC normally meets the second and fourth Wednesday of the month.

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METRO POLICY ADVISORY COMMITTEE MEETING RECORD

December 8, 2004 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Charles Becker, Nathalie Darcy, Rob Drake, Andy Duyck, Dave Fuller, Bernie Giusto, Judie Hammerstad, John Hartsock, Tom Imeson, Richard Kidd, Charlotte Lehan, Deanna Mueller-Crispin, Lisa Naito, Doug Neeley, Alice Norris, Wilda Parks, Larry Smith, Ted Wheeler

Alternates Present: Jack Hoffman, Laura Hudson, Bill Kennemer, Karen McKinney

Also Present: Bev Bookin, CREEC; Hal Bergsma, City of Beaverton; Ron Bunch, City of Gresham; Danielle Cowan, City of Wilsonville; Dan Drentlaw, City of Oregon City; Cindy Catto, AGC; Craig Dye, Clean Water Services; Meg Fernekees, DLCD; Gil Kelley, City of Portland; Jim Labbe, Audubon Society; Stephan Lashbrook, City of Lake Oswego; Irene Marvich, League of Women Voters; Leanne MacColl, League of Women Voters; Doug McClain, Clackamas County Planning; Greg Miller, AGC; Pat Ribellia, City of Hillsboro; Barbara Sach, City of Portland; Jonathan Schlueter, Westside Economic Alliance; Varner Seaman, SEIU; David Zagel, TriMet

Metro Elected Officials Present: Liaisons – David Bragdon, Council President; Carl Hosticka, Council District 3; Susan McLain, Council District 4; others: Rod Park, Council District 1; Brian Newman, Council District 2

Metro Staff Present: Kim Bardes, Dan Cooper, Andy Cotugno, Chris Deffebach, Paul Garrahan, Linnea Nelson, Gerry Uba

1. INTRODUCTIONS

Mayor Charles Becker, MPAC Chair, called the meeting to order 5:10 p.m. Those present introduced themselves.

2. ANNOUNCEMENTS

Judie Hammerstad resigned her member position on MPAC. She said that she would be the alternate to Jack Hoffman, City of Lake Oswego.

Bernie Giusto said that in the previous meeting there had been questions about rider-ship: rail versus bus. He provided a TriMet Status Report to the members, which he said he hoped would answer all their questions.

3. CITIZEN COMMUNICATIONS

There were none.

4. CONSENT AGENDA

Meeting Summary for November 10 & 17, 2004.

Motion:	Nathalie Darcy, Washington County Citizen, with a second from Richard Kidd, Mayor of Forest Grove, moved to adopt the consent agenda without revision.
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Vote:	The motion passed unanimously.
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5. COUNCIL UPDATE

Council President David Bragdon said that there were several upcoming items for the Council agenda: 1) the LCDC remand on industrials lands, 2) the Performance Measures work was to go before Council by the end of 2004, 3) Measure 37 discussion, and 4) Metro's GIS functionality.

6. NOMINATIONS OF OFFICERS FOR 2005 BRIEFING

Chair Becker asked Dan Cooper to explain how MPAC should proceed with nominations since Gene Grant would not be chair in 2005.

Dan Cooper explained the process. He advised that all three positions would require an election in the January meeting.

Chair Becker asked Rob Drake to serve on the nominations committee with Lisa Naito and Tom Hughes.

Rob Drake said that they would be nominating Jack Hoffman as chair and Mayor Richard Kidd for 1st Vice Chair. He advised that they had not nominated anyone for 2nd Vice Chair as yet.

Chair Becker asked Lisa Naito to meet with him offline to discuss the nominations.

David Bragdon invited the MPAC members to the Metro swearing-in ceremony on January 6th at 4 p.m. at the convention center.

7. HOUSING TECHNICAL ADVISORY COMMITTEE CHARGE

Councilor Rex Burkholder reviewed the materials included in the packet and then gave a PowerPoint presentation with the help of Gerry Uba.

Rob Drake asked if they had better information now to work with than they had back in 1998 when they took the first stab at affordable housing.

Rex Burkholder said that they had received information in terms of compliance with the Title 7 recommendations, and that they were analyzing information from the 2000 census data. He said he thought they would find that things had not changed considerably in the affordable housing piece since that time.

Gerry Uba said that they had 3-years worth of reporting on performance, which would help with the analysis.

Rex Burkholder said that the reports were on the status of examining those voluntary changes in code that would facilitate affordable housing. The reports did not include actual numbers on the number of houses built. He anticipated that the census data would help with understanding those issues.

Richard Kidd wanted to know how many jurisdictions reported each year.

Gerry Uba said that in the first year there were 20 reports submitted, followed by 17 in the second year, and 8 reported in the third year.

Richard Kidd asked if all the cities were supposed to report.

Gerry Uba said that that was the hope and the requirement of Title 7.

Rex Burkholder said that part of the work for the reconstituted group was to look specifically to a response for that initiative – which was looking for changes in zoning codes and other city ordinance to facilitate affordable housing and make a decision on what should be done in terms of that. He said that prior to his involvement there had been a debate on whether they should require cities and counties to make those changes or to just leave them voluntary.

Karen McKinney said that the City of Hillsboro would be submitting their second and third reports soon. She said that the issue of non-mandatory versus mandatory would be of concern to Hillsboro. She wondered if Metro had the authority to implement based on the report.

Rex Burkholder said that they had data and results pertaining to that data and the question was more about how far they wanted to go with that information. He said that he did not know if Metro had the authority to implement issues uncovered by the report.

Andy Cotugno said that in the last HTAC process they spent a lot of time defining the extent of Metro's authority. As a result there were various strategies that Metro could implement: some that Metro had the authority to require and some that were recommended tools. The lawyers from the jurisdictions had convened to research that issue and reached agreement on what authority actually existed. He thought that would be repeated for this issue and the new overlay of Ballot Measure 37 would have to be incorporated in that assessment.

Dan Cooper said that when they had started this in 1996/97 the focus was on Metro exercising authority over planning zoning of local jurisdictions to deal with affordable housing issues. Metro had authority to do that but what came out of the arguments over authority became an issue of what the real problem was with a recognition that planning and zoning wouldn't deal with affordable housing because the affordable housing problem was much bigger than planning and zoning problems. It was primarily a budgetary problem as well as a supply and demand mix of things over which Metro did not have control. A large majority of solutions that HTAC proposed were not things that Metro had authority over. Therefore they would have to be voluntary actions from cities and counties to implement anything at all. He said that he did not think this was a problem that could be solved with a regulatory effort. Most of the problems and solutions would be via non-land use planning regulations.

Lisa Naito said the issue was not so much if Metro had authority to move forward with regulatory options but more about the status of the legality overall and how it would fare in courts.

Dan Cooper said that for that particular tool of inclusionary zoning requirement the legislature had intervened and limited authority in that area. Therefore it was not even on the table in the same form as it might have been 7 or 8 years ago.

Rex Burkholder said that he hoped they would focus on possible barriers. He said that affordable housing was a budgetary issue. Metro was participating with the Blue Ribbon Committee looking at resources of

funding. He said he hoped to look at how local governments reduced barriers instead of creating more barriers.

Dee Walsh, Executive Director of REACH Community Development Corporation, said that she had been working on the team that encourages and builds affordable housing. They would really like to take a close look at the impediments and examine possible new tools. She said it would be beneficial to showcase some best practices on projects that people could learn from.

8. RESOLUTION 04-3506, FISH & WILDLIFE PROTECTION PROGRAM AND PROPOSED AMENDMENTS

Andy Cotugno referred the members to the packet and specifically to the comparison of the proposals. He reviewed the comparison included in the packet. Those materials form part of the record.

Mayor Becker said that it might be a good idea to do a bond measure to purchase easements on natural resource areas, which would keep ownership in private enterprise and provide an opportunity to have some control over natural resource areas. He had to leave and asked Mayor Kidd to step-in as chair for the remainder of the meeting.

Andy Cotugno continued with a briefing on the comments from MTAC.

Councilor Hosticka reviewed the materials in the packet from Goal 5 TAC/WRPAC.

Rod Park distributed a proposed amendment for the Bragdon/Park resolution for the members to review. That amendment is attached and forms part of the record. He reviewed the amendment.

Gil Kelley, City of Portland, summarized the letter that was emailed to the members earlier in the day, and placed at the back of the room, from the City of Portland. That letter is attached and forms part of the record.

Doug Neeley distributed a draft amendment to Resolution 04-3506A from the City of Oregon City. He reviewed the amendment, which is attached and forms part of the record.

Rob Drake expressed concern about moving forward with a Goal 5 plan since Measure 37 had passed and things were so uncertain. He said that he supported good habitat protection and keeping the environment green. He suggested that they put the Goal 5 program on hold for a short time until they could determine what the effects of Measure 37 would be on the region. He also said that the Newman amendment was the most appealing of the submitted amendments.

Doug Neeley said that they would all be trying to find ways to deal with Measure 37 and he said he thought one tool could be to use conditioned annexations.

Charlotte Lehan said that the consensus in the Clackamas County group was in support of Newman's amendment because of the strength of going forward with class 1, and 2 and being able to tie it to federal regulations. She said that what left everyone anxious was that it had no protection or backstop for uplands. She said that MTAC and Goal 5 TAC seemed to have the same concerns. In response to Measure 37 and regulation versus non-regulation – they needed to have a combination or bag of tools. If they were to go forward with some level of regulation, and they were sincere about the incentive piece, then they would be pushing people to do the right thing from two directions.

John Hartsock said that he had understood that the reason for needing a decision now was that staff needed to have a direction in order to meet the mayday that they were working towards. He wondered if that due date could be moved back in order for staff to look at and develop performance measures. This would also allow some time to see what the effects of Measure 37 would be.

David Bragdon said that there had been a tremendous amount of resources devoted to this issue in the last 7 or 8 years. He said that it was a valid question to ask what have they accomplished in that time and whether they felt they needed to continue. He said that he felt the council needed to provide better direction to the staff. The planning department needed a more definitive direction in a post Measure 37 environment. While Measure 37 made the issues less clear, Metro still did have things that they could accomplish. He wanted to get the staff focused on the things that they knew they could accomplish and he said that he personally felt that prolonging the process would not be effective.

Karen McKinney said that if they had to make a decision tonight then the City of Hillsboro would support the Newman amendment.

Jack Hoffman said that he supported Newman's approach and had concern with the Bragdon/Park approach because it delayed the implementation until 2012. He said that he would like to see some class 1 and class 2 regulations. He said his concern was for the uplands wildlife impact areas. He wondered if it was possible to have a lightly-limit, non-regulatory program.

Brian Newman said that his amendment did apply a regulatory program immediately for class 1 and class 2 riparian. He said that he did not want Mr. Hoffman to think that there was no program at all for class 3 or uplands. He said that he did envision a program for those areas but that they would not be regulated or mandated by Metro. He said that he did not think that lightly-limit was the same as non-regulatory.

Andy Cotugno said that they had not yet defined what a lightly-limit treatment would call for in a regulatory program. It could call for education programs, incentives, and all the usual non-regulatory type tools.

Charlotte Lehan said that regardless of what type of program they ended up with in terms of uplands and riparian areas inside the urban growth boundary (UGB), Doug Neeley's amendment would provide the ability to regulate those in a different way. She said that she viewed what was in the UGB versus what was not in the UGB as two separate categories.

Tom Imeson said that the Port of Portland had concern with some of the features of Newman's amendment. They had concern that it would bring back additional overlays of regulation. He referred to the letter submitted by the Home Builders Association of Metro Portland, the Associated General Contractors, the Portland Metropolitan Association of Realtors, the Portland Business Alliance, the Columbia Corridor Association, the Westside Economic Alliance, and the Port of Portland. That letter is attached and forms part of the record.

Doug Neeley said that his impression was that the kinds of restrictions described in the May 2004 "allow, limit, and prohibit" work developed the degree to which these lines would apply to commercial, industrial, and residential land. Different levels of restrictions would apply depending on the ability of the land to support that development.

Susan McLain said that there was still the program phase to complete. She said that the implementation or application phases were still ahead of them. Those phases would answer a lot of the questions raised during the meeting.

Karen McKinney asked if Brian Newman would view the Tualatin Basin approach as viable under his amendment.

Brian Newman said yes.

Andy Cotugno said that the Newman proposal went back to the May 2004 decision and removed some of the "lightly-limit" territories and made them "allow."

Carl Hosticka said that there was nothing that required the Tualatin basin to adhere to Metro's ESEE analysis. The Tualatin basin would be consistent with the Newman approach.

Lisa Naito said that the Newman proposal provided balance and alignment with federal laws. She said that Multnomah County would probably support the uplands proposal from Clackamas County and also the additional views from MTAC.

Ted Wheeler said that he liked what Doug Neeley had submitted regarding uplands protection and would like to see something like that included in the recommendation to Council. He said that he liked the voluntary approach, and the recommendations from MTAC staff. He said he would like to see MTAC/MPAC develop some consistent benchmarks.

Nathalie Darcy said that she would support Newman's amendment with the friendly amendment from Hosticka.

Brian Newman clarified that she was referring to the Chief Operating Officer reports and the ongoing monitoring.

Nathalie Darcy said that she would also support Neeley's amendment.

Dave Fuller said that Measure 37 was something new that they would have to deal with. He said that trying to set goals for 2006 for voter approval and implementation by 2007 was not very sensitive to what the voters just did by passing Measure 37. He suggested that MPAC should spend more time and get a better understanding of the related issues and garner support of the people.

Gil Kelley said that rather than revisit the ALP decision and reopen that discussion, the City of Portland would rather see all the previously identified lands class 1-3 should remain in the program. Now was not the time to say that they were either regulatory or not. He said it would be better to focus on performance measures. He said they should have a clear statement that jurisdictions would have flexibility in how they apply the inventory and significance.

Motion:	Doug Neeley, City of Oregon City, moved with a second from Lisa Naito, Multnomah County, for acceptance of Councilor Brian Newman's amendment in terms of existing city jurisdiction boundaries and the current Urban Growth Boundary (UGB), with full regulations in terms of future urban growth boundaries as submitted by Doug Neeley, and acceptance of the reporting requirements and outcome measures put forward by Councilor Carl Hosticka, and to include the non-rollback "whereas" language suggested by MTAC.
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John Hartsock asked about the 2007 date remaining in or asking for staff to suggest a better date.

Brian Newman said that the recommendation/amendment included the June 2007 deadline with the carrot of local share dollars from the bond measure, should it pass. He suggested that they could use the intervening time to come up with a better date. He suggested that they would keep the June 2007 date in the amendment, and then revisit it to make that change during the program stage.

Doug Neeley said he would rather not specify a date.

Friendly Amendment to the Motion:	Wilda Parks, with a second from Lisa Naito, Multnomah County, moved to include the phrase from the letter from the City of Portland, "timely, uniform, and reasonable compliance timeline."
Vote:	The motion passed with 13 yeas: Darcy, Drake, Hartsock, Hoffman, Kennemer, Kidd, Lehan, McKinney, Mueller-Crispin, Naito, Neeley, Parks, and Wheeler. There were 3 nays: Fuller, Giusto, Duyck. Absent: Becker, Hammerstad, Hudson, Imeson, Norris, Smith

There being no further business, Chair Becker adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Kim Bardes
 MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR DECEMBER 8, 2004

The following have been included as part of the official public record:

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#7 Housing Technical Advisory Committee Charge	12/8/04	Copies of slides from PowerPoint presentation: Charge for the new HTAC (Regional Housing Technical Advisory Committee)	120804-MPAC-01
#8 Resolution 04-3506A	12/03/04	Proposed Park Amendments to Resolution 04-3506	120804-MPAC-02
#8 Resolution 04-3506A	12/7/04	Letter to David Bragdon and Metro Councilors from City of Portland	120804-MPAC-03
#8 Resolution 04-3506A	December 2004	Draft Amendment to Resolution 04-3506A from City of Oregon City	120804-MPAC-04
#8 Resolution 04-3506A	12/6/04	Letter to David Bragdon from Home Builders Assoc., Associated General Contractors, Portland Metropolitan Assoc. of Realtors, Portland Business Alliance, and Port of Portland	120804-MPAC-05

To: MPAC Members & Alternates
From: Rob Drake, Mayor - City of Beaverton
Chairman - MPAC Nominating Committee
Date: January 5, 2005
Subj: MPAC Officer Nominations

Though not required, traditionally MPAC has rotated the Chair, First Vice-Chair and Second Vice-Chair positions evenly between Clackamas, Multnomah and Washington Counties for one year periods. In 2005, a Clackamas County representative is scheduled to serve as Chair, a Washington County representative to serve as First Vice-Chair and a Multnomah County representative as Second Vice-Chair.

Representatives from each county have been contacted and have agreed to serve if elected. The Nominating Committee for MPAC is proposing the following slate of officers for 2005:

Chair	Jack Hoffman, City Councilor, Lake Oswego (Clackamas County)
First-Vice Chair	Richard Kidd, Mayor, Forest Grove (Washington County)
Second-Vice Chair	Dave Fuller, Mayor, Wood Village (Multnomah County)

Please contact me if you have any questions. My office number is (503) 526-2481

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DRAFT 2
December 15, 2004

EDPAC Goal 9 Subcommittee

DIVISION 9

~~INDUSTRIAL AND COMMERCIAL~~ECONOMIC DEVELOPMENT

660-009-0000

Purpose

The purpose of this division is to aid in achieving the requirements of Goal 9, Economy of the State (OAR 660-015-0000(9)), by implementing the requirements of ORS 197.712(2)(a) – (d). The rule responds to legislative direction to assure that comprehensive plans and land use regulations are updated to provide adequate opportunities for a variety of economic activities throughout the state (ORS 197.712(1)) and to assure that plans are based on available information about state and national economic trends. (ORS 197.717(2)).

660-009-0005

Definitions

() “Available”: Vacant or under utilized land that is serviced or serviceable and likely to be on the market for sale or lease at competitive prices.

() “Commercial”: Commercial uses include the entire retail (direct to consumer or business-to-business) sector. Commercial also includes, but is not limited to, administrative and professional activities such as finance, insurance, real estate, legal, accounting, information technology and medical services. Commercial can also include food service, recreation and tourism facilities. Some commercial activities can occur at locations and in building types that are also suitable for some industrial activities.

() “Competitive Supply”: Competitive supply is when the total land supply in the planning area provides enough choice and diversity for economic development opportunities so the short-term supply is likely free from ownership constraints.

(+) "Department": The Department of Land Conservation and Development.

() “Development Constraints”: Include but are not limited to wetlands, environmentally sensitive areas, environmental contamination, topography, cultural and archeological resources, or areas subject to natural hazards. Development constraints can also include infrastructure deficiencies.

() “Employment Area”: A generalized area or sub-area containing multiple local governments where employees are likely to commute from one jurisdiction to another.

1
2 () “Industrial”: Industrial uses include but are not limited to manufacturing, assembly,
3 fabrication, processing, storage, logistics, warehousing, distribution, research and
4 development, and business headquarters. Some industrial activities can occur at locations
5 and in building types that are also suitable for some commercial activities.
6

7 () “Institutional”: Institutional uses include but are not limited to public and private
8 health care facilities, jails, schools and government facilities.
9

10 ~~(3)~~ "Locational Factors": ~~Features which~~ Market factors that affect where a particular type
11 of ~~commercial or industrial~~ industrial, commercial or institutional operation will locate.
12 Locational factors include but are not limited to: proximity to raw materials, supplies, and
13 services; proximity to markets or educational institutions; access to transportation
14 facilities; ~~labor market~~ and workforce factors (e.g., skill level, education, age distribution).
15

16 () “Long-Term Supply”: The portion of the local land inventory that is serviceable and
17 suitable to replace the short-term supply as it is consumed during the planning period.
18

19 () “Ownership Constraints”: Ownership constraints are when ownership patterns or
20 choice to withhold land from the market prevent the availability of short-term supply.
21

22 ~~(2)~~ "Planning Area": The whole area within an urban growth boundary including
23 unincorporated urban and urbanizable land, except for cities and counties within the
24 Portland, Salem-Keizer and Eugene-Springfield metropolitan urban growth boundaries
25 which shall address the urban areas governed by their respective plans as specified in the
26 urban growth management agreement for the affected area. [Is this reference to specific
27 jurisdictions and urban growth management agreements still current?]
28

29 () “Prime Industrial Land”: A class of industrial land especially suited for targeted
30 industries identified in 660-009-0015(1) including, but not limited, to traded-sector
31 industries. Prime industrial lands possess site characteristics that are difficult to replicate
32 within the planning area or employment area. In addition to the Feature of prime
33 industrial land include, but are not limited to access to regional freight infrastructure.
34

35 ~~(6)~~ "Serviceable": A site is serviceable if:

- 36 (a) Public facilities, as defined by OAR chapter 660, division 11 currently have
37 adequate capacity to serve development planned for the service area where the
38 site is located or can be upgraded to have adequate capacity within one year; and
39
40 (b) Public facilities either are currently extended to the site, or can be provided to the site
41 within one year of a user's application for a building permit or request for service
42 extension.
43

44 () “Short-Term Supply”: The portion of the local land inventory with the appropriate site
45 characteristics and is available to receive immediate economic development
46 opportunities, usually within six months or less after selection for development.

1
2 (7) "Short-Term Element of the Public Facility Plan": means the portion of the public
3 facility plan covering year one through five of the facility plan per OAR 660-011-
4 0005(3).

5
6 (4) "Site ~~Requirement~~Characteristics": The ~~physical~~ attributes of a site without which a
7 particular type or types of industrial, ~~or~~ commercial or institutional use cannot reasonably
8 operate. Site ~~requirements-characteristics~~ may include: a minimum acreage or site
9 configuration including shape and topography, specific types or levels of public facilities
10 and services, minimal or no development constraints, or ~~direct access~~proximity to a
11 particular type of transportation or freight facility such as an interstate highway, rail or
12 deep water access) a marine port or airport.

13
14 (5) "Suitable": A site is suitable for industrial, ~~or~~ commercial or institutional use if the
15 site either provides for the site ~~requirements-characteristics~~ as defined in this section of
16 the proposed use or category of use or can be expected to provide for the site
17 ~~requirements-characteristics~~ of the proposed use within the planning period.

18
19 () "Total Land Supply": Total land supply is the sum of the short-term and long-term
20 supply for all identified industrial, commercial and institutional uses.

21
22 () "Traded-Sector": In addition to the meaning it has in ORS 285A.010(9), traded-sector
23 industries sell goods or services into national or international markets and, thus, import
24 revenue into the local employment area.

25
26 () "Underutilized": [Need Suggestions]

27
28 () "Vacant": [Need Suggestions]

29
30 (8) Other definitions: For purposes of this division the definitions in ORS 197.015 shall
31 apply.

32
33 **660-009-0010**
34 **Application**

35
36 (1) OAR chapter 660, division 9 applies only to comprehensive plans for areas within
37 urban growth boundaries. Additional planning for industrial, ~~and~~ commercial and
38 institutional development outside urban growth boundaries is not required or restricted by
39 this rule. Plan and ordinance amendments necessary to comply with this rule shall be
40 adopted by affected jurisdictions.

41
42 (2) Comprehensive plans and land use regulations shall be reviewed and amended as
43 necessary to comply with this rule at the time of each periodic review of the plan (ORS
44 197.712(3)). Jurisdictions which have received a periodic review notice from the
45 Department (pursuant to OAR 660-019-0050) prior to the effective date of this rule shall

1 comply with this rule at their next periodic review unless otherwise directed by the
2 Commission during their first periodic review.

3
4 (3) Jurisdictions may rely on their existing plans to meet the requirements of this rule if
5 they:

6 (a) Review new information about state and national trends and conclude there are
7 no significant changes in economic development opportunities (e.g., a need for
8 sites not presently provided for by the plan); and

9
10 (b) Document how existing inventories, policies, and implementing measures
11 meet the requirements in OAR 660-009-0015 through 660-009-0025. Document
12 how and where?

13
14 (4) Notwithstanding paragraph (2), above, a jurisdiction ~~which that~~ changes its plan
15 designations of lands in excess of two acres [Is 2 acres too small?] to or from ~~commercial~~
16 ~~or industrial use~~ industrial, commercial or institutional use, pursuant to OAR 660, division
17 18 (a post acknowledgment plan amendment), must address all applicable planning
18 requirements; and:

19 (a) Demonstrate that the proposed amendment is consistent with the parts of its
20 acknowledged comprehensive plan which address the requirements of this
21 division; or

22
23 (b) Amend its comprehensive plan to explain the proposed amendment, pursuant
24 to OAR 660-009-0015 through 660-009-0025; or

25
26 (c) Adopt a combination of the above, consistent with the requirements of this
27 division.

28
29 (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0025 will
30 vary depending upon the size of the jurisdiction, the detail of previous economic
31 development planning efforts, and the extent of new information on local, state and
32 national trends. A-Depending on the jurisdiction's resources and capacity, the planning
33 effort is adequate if it uses the best available or readily collectable information may utilize
34 basic or advanced methods to respond to the requirements of this rule.

35 36 **660-009-0015**

37 **Economic Opportunities Analysis**

38
39 Cities and counties shall review and, as necessary, amend comprehensive plans to
40 provide the information described in sections (1) through (4) of this rule:

41
42 (1) Review of National, ~~and State,~~ Regional, County and Local Trends. The economic
43 opportunities analysis shall identify the major categories of industrial, ~~and~~ commercial
44 and institutional uses that could reasonably be expected to locate or expand in the
45 planning area based on available information about national, state, regional, county and
46 local trends. A use or category of use could reasonably be expected to locate in the

1 planning area if the area possesses the appropriate locational factors for the use or
2 category of use;

3
4 () When reviewing national, state, county and local trends, a local government
5 may use X [data] from X [Source] as a safe harbor. [Placeholder]
6

7 (2) Site ~~Requirements~~Characteristics. The economic opportunities analysis shall identify
8 the types of sites that are likely to be needed by industrial, ~~and~~-commercial and
9 institutional uses ~~which-that~~ might expand or locate in the planning area. Types of sites
10 shall be identified based on the site ~~requirements-characteristics~~ of expected uses. Local
11 governments should survey-examine existing firms in the planning area to identify the
12 types of sites ~~which-that~~ may be needed for expansion. Industrial, ~~and~~-commercial and
13 institutional uses with compatible site ~~requirements-characteristics~~ should be grouped
14 together into common site categories to simplify identification of site needs and
15 subsequent planning;

16
17 (3) Inventory of Industrial, ~~and~~-Commercial and Institutional Lands. Comprehensive
18 plans for all areas within urban growth boundaries shall include an inventory of vacant
19 and ~~significantly~~-underutilized lands within the planning area ~~which-that~~ are designated
20 for industrial, ~~or~~-commercial or institutional use~~:-~~. In addition, comprehensive plans shall
21 include an inventory any vacant or existing prime industrial land.
22

23 (a) Contiguous parcels of one to five acres within a discrete plan or zoning district
24 may be inventoried together. If this is done the inventory shall:

25 (A) Indicate the total number of parcels of vacant or ~~significantly~~
26 underutilized parcels within each plan or zoning district; and

27 (B) Indicate the approximate total acreage and percentage of sites within
28 each plan or zone district ~~which-that~~ are:

29 (i) Serviceable, and

30 (ii) Free from ~~site-development~~ constraints.
31

32 (b) For sites five acres and larger and parcels larger than one acre not inventoried
33 in subsection (a) of this section, the plan shall provide the following information:

34 (A) Mapping showing the location of the site;

35 (B) Size of the site;

36 (C) Availability or proximity of public facilities as defined by OAR
37 chapter 660, division 11 to the site;

38 (D) Site constraints which physically limit developing the site for
39 designated uses. Site constraints include but are not limited to:

40 (i) The site is not serviceable;

41 (ii) Inadequate access to the site; and

42 (iii) Environmental constraints (e.g., floodplain, steep slopes, weak
43 foundation soils).
44

45 (4) Assessment of Community Economic Development Potential. The economic
46 opportunities analysis shall estimate the types and amounts of industrial, ~~and~~-commercial

1 and institutional development likely to occur in the planning area. The estimate shall be
2 based on information generated in response to sections (1) through (3) of this rule and
3 shall consider the planning area's economic advantages and disadvantages of attracting
4 new or expanded development both in general ~~as well as~~ and for particular types of
5 industrial, ~~and~~ commercial and institutional uses. Relevant economic advantages and
6 disadvantages to be considered should include but need not be limited to:

- 7
- 8 (a) Location relative to markets;
- 9
- 10 (b) Availability of key transportation facilities;
- 11
- 12 (c) Key public facilities as defined by OAR chapter 660, division 11 and public
13 services;
- 14
- 15 (d) Labor market factors;
- 16
- 17 (e) Materials and energy availability and cost;
- 18
- 19 (f) Necessary support services;
- 20
- 21 (g) Pollution control requirements; or
- 22
- 23 (h) Educational and technical training programs.
- 24

25

26

27 **660-009-0020**

28 **Industrial, ~~and~~ Commercial and Institutional Development Policies**

29

30 (1) Comprehensive plans for planning areas subject to this division shall include policies
31 stating the economic development objectives for the planning area.

32

33 (2) For urban areas of over 2,500 in population [Under 2500 don't need to do EOA?
34 Should this be in the application section? Is this trumped by 0010(4)?] policies shall be
35 based on the analysis prepared in response to OAR 660-009-0015 and shall provide
36 conclusions about the following:

- 37
- 38 (a) Community Development Objectives. The plan shall state the overall
39 objectives for economic development in the planning area and identify categories
40 or particular types of industrial, ~~and~~ commercial and institutional uses desired by
41 the community. Plans may include policies to maintain existing categories, types
42 or levels of industrial, ~~and~~ commercial and institutional uses;
- 43
- 44 (b) Commitment to Provide Adequate Sites and Facilities. Consistent with
45 policies adopted to meet subsection (a) of this section, the plan shall include
46 policies committing the city or county to designate an adequate number of sites of

1 suitable sizes, types and locations and ensure necessary public facilities through
2 the public facilities plan for the planning area.

3
4 **660-009-0025**

5 **Designation of Lands for Industrial, ~~and~~ Commercial and Institutional Uses**

6
7 Measures adequate to implement policies adopted pursuant to OAR 660-009-0020 shall
8 be adopted. Appropriate implementing measures include amendments to plan and zone
9 map designations, land use regulations, and public facility plans:

10
11 (1) Identification of Needed Sites. The plan shall identify the approximate number and
12 acreage of sites needed to accommodate industrial, ~~and~~ commercial and institutional uses
13 to implement plan policies. The need for sites should be specified in several broad "site
14 categories," (e.g., light industrial, heavy industrial, commercial office, commercial retail,
15 highway commercial, etc.) combining compatible uses with similar site
16 ~~requirements~~characteristics. It is not necessary to provide a different type of site for each
17 industrial, ~~or~~ commercial or institutional use ~~which~~that may locate in the planning area.
18 Several broad site categories will provide for industrial, ~~and~~ commercial and institutional
19 uses likely to occur in most planning areas.

20
21 (2) Long-Term Supply of Land. Plans shall designate land suitable to meet the site needs
22 identified in section (1) of this rule. The total acreage of land designated in each site
23 category shall at least equal the projected land needs for each category during the 20-year
24 planning period [Does "shall at least equal" language violate G14 rule?]. Jurisdictions
25 need not designate sites for neighborhood commercial uses in urbanizing areas if they
26 have adopted plan policies which provide clear standards for redesignation of residential
27 land to provide for such uses. Designation of industrial or commercial or institutional
28 lands which involve an amendment to the urban growth boundary must meet the
29 requirements of OAR 660-004-0010(1)(c)(B) and 660-004-0018(3)(a).

30
31 (3) Short-Term Supply of ~~Serviceable~~ Sites. Plans shall designate adequate suitable and
32 available land that contain the site characteristics identified in OAR 660-009-0015(2) to
33 respond to economic development opportunities as they arise. Plans shall describe
34 strategies for how the short-term supply will be replaced as it is consumed for
35 development.

36
37 () A planning area with a site participating in Oregon's industrial site certification
38 program (ORS 285A.286(7)) is a safe harbor for this requirement.

39
40
41 () If the local government is required to prepare a public facility plan by OAR Chapter
42 660, Division 11 it shall complete subsections (a) through (c) of this section at the time of
43 periodic review. Requirements of this rule apply only to local government decisions
44 made at the time of periodic review. Subsequent implementation of or amendments to the
45 comprehensive plan or the public facility plan which change the supply of serviceable
46 industrial land are not subject to the requirements of this rule. Local governments shall:

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(a) Identify serviceable industrial, ~~and commercial~~ and institutional sites. Decisions about whether or not a site is serviceable shall be made by the affected local government. Local governments are encouraged to develop specific criteria for deciding whether or not a site is "serviceable." Local governments should also consider whether or not extension of facilities is reasonably likely to occur considering the size and type of uses likely to occur and the cost or distance of facility extension;

(b) Estimate the amount of serviceable industrial, ~~and commercial~~ and institutional land likely to be needed during the short-term element of the public facilities plan. Appropriate techniques for estimating land needs include but are not limited to the following:

- (A) Projections or forecasts based on development trends in the area over previous years; and
- (B) Deriving a proportionate share of the anticipated 20-year need specified in the comprehensive plan.

(c) Review and, if necessary, amend the comprehensive plan and the short-term element of the public facilities plan so that a three-year supply of serviceable sites is scheduled for each year, including the final year, of the short-term element of the public facilities plan. Amendments appropriate to implement this requirement include but are not limited to the following:

- (A) Changes to the short-term element of the public facilities plan to add or reschedule projects which make more land serviceable;
- (B) Amendments to the comprehensive plan which redesignate additional serviceable land for industrial, ~~or commercial~~ or institutional use; and
- (C) Reconsideration of the planning area's economic development objectives and amendment of plan policies based on public facility limitations.

(d) If the local government is unable to meet this requirement it shall identify the specific steps needed to provide expanded public facilities at the earliest possible time.

() Prime Industrial Lands. Jurisdictions with plans that identify and designate prime industrial lands that are a part of and included within an urban growth boundary expansion, shall adopt polices and land use regulations that provide for uses that complement and do not diminish the unique site characteristics of the site or district and protect the prime industrial land from conversion to other uses.

() Industrial, Commercial and Institutional Districts. Wherever possible, local governments should designate uses that have negative impacts on surrounding uses in contiguous districts that provide for sufficient buffers to ensure uses are protected from encroachment of incompatible uses.

1 (4) Sites for Uses with Special Siting Requirements. Plans shall identify any uses with
2 special siting requirements that are likely to occur within the planning area. Jurisdictions
3 which adopt objectives or policies to provide for specific uses with special site
4 ~~requirements characteristics~~ shall adopt policies and land use regulations to provide for
5 the needs of those uses. Special site ~~requirements characteristics~~ include but need not be
6 limited to prime industrial land, large acreage sites, special site configurations, direct
7 access to transportation facilities, or sensitivity to adjacent land uses, or coastal shoreland
8 sites designated as especially suited for water-dependent use under Goal 17. Policies and
9 land use regulations for these uses shall:

10
11 (a) Identify sites suitable for the proposed use;

12
13 (b) Protect sites suitable for the proposed use by limiting land divisions and
14 permissible uses and activities to those which would not interfere with
15 development of the site for the intended use; and

16
17 (c) Where necessary to protect a site for the intended industrial, ~~or~~ commercial or
18 institutional use include measures which either prevent or appropriately restrict
19 incompatible uses on adjacent and nearby lands.

20
21 660-009-00XX

22 Multi-Jurisdiction Coordination

23
24 (1) Wherever possible, cities and counties within any given employment area should
25 coordinate when implementing OAR 660-009-0015 and 660-009-0025.

26
27 (a) Multiple jurisdictions within the same employment area that coordinate Goal 9
28 planning under this section may:

29 (A) Conduct a single coordinated economic opportunity analysis;

30 (B) Designate lands among the multiple jurisdictions in any mutually
31 agreed proportion.

Metro Comments on Proposed Amendments to Goal 9 Rule

1/4/05

1. Institutional Uses: The proposed rule would require economic development planning for “institutional uses.” Local governments would be required to add such uses to their trend analyses [660-009-0015(1)], their determinations of site requirements [660-009-0015(2)], their inventories of vacant and under-utilized land [660-009-0015(3)], and their assessments of economic development potential [660-009-0015(4)]. Local governments would also be required to develop policies for “institutional uses”, including development objectives for the uses, commitments to designate suitable sites for the uses and commitments to provide public facilities and services to the uses [660-009-0020(2)(b)]. Finally, local governments would be required to provide short-term and long-term supplies of land for “institutional uses” and to designate particular sites for them (660-009-0025).

These requirements make sense for industrial and commercial uses, and may make sense for private medical facilities. But the requirements do not make sense when applied to government facilities such as public schools and jails. Goal 14 already requires local governments to provide a long-term supply of land for these public uses. Proposed Goal 14 amendments will make this implicit requirement explicit. ORS 197.296(6)(a) expressly requires local governments (to which it applies) to provide sufficient land for public schools. The Goal 9 rule should not duplicate Goal 14’s supply requirements. The rule should also not impose designation requirements (zoning) for government facilities. Limiting private land for future public use may subject local governments to “taking” claims [see *Fifth Avenue Corp. v. Washington County*, 282 Or. 591 (1978)]. It should be enough to ensure that such government facilities are authorized in specific zoning districts (residential, commercial, industrial, etc.) and that overall land supply accounts for this component.

2. Regions: The proposed rule would add “regions” to the economic opportunity analysis (EOA) required by 660-009-0015(1). But the rule does not define “region.” The rule authorizes local governments in an “employment area” to coordinate their efforts (660-009-00XX). But it does not require coordination. How will local governments do a regional economic opportunity analysis if one or more of them choose(s) not to coordinate?

Metro, of course, is a “region.” But Metro is only part of a much larger “employment area” that, by proposed definition (660-009-0005), would include at least the cities of North Plains, Gaston, Banks, Newberg, Canby, Aurora, Estacada and Sandy, and possibly Clark County, Woodburn, Salem and McMinnville. Does the proposed rule contemplate a Metro-led EOA involving some or all of these communities?

More important, the rule (current and proposed) is nearly silent on coordination of Goal 9 planning work in regions. The only break in the silence is the definition of “planning area” in 660-009-0005, which defers the question to urban growth management agreements (may not exist).

Until the rule explains how regions should do regional EOAs, the rule should not require them.

3. Applicability: The rule continues to rely principally upon the periodic review process as the vehicle to bring cities and counties into compliance with Goal 9 and the rule (660-009-0010). Given the current moratorium on commencement of new periodic reviews (Senate Bill 920), reliance upon periodic review will not produce quick re-examination and replenishment of inventories of vacant land for employment uses in the near term. In addition, the varied schedule for local governments to go through periodic review in the Metro region will produce a very disjointed response to this rule.

4. Site Requirements/Characteristics: The proposed rule confuses “site characteristics” with “site requirements”, beginning with the definition in 660-009-0005(4). Employment uses often have site requirements that are essential to success. Water-dependent uses, for example, require access to water. Sites have characteristics, such as steepness. The proposal would substitute “characteristics” for “requirements” in 660-009-0015(2); “requirements” is the appropriate word to describe the siting needs of certain uses. The proposal would also substitute “characteristics” for “requirements” in 660-009-0025(1); because the paragraph addresses siting needs of like uses, “requirements” is the appropriate word. Finally, the proposal would make the same change in 660-009-0025(4); because the paragraph addresses siting needs of particular uses, “requirements” is the appropriate word. On the other hand, the definitions of “prime industrial land” and “short-term supply” appropriately use the term “site characteristics” because the paragraphs address land, not uses.

We recommend no change to the current definition of “site requirements” and addition of a definition of “site characteristics”, if necessary. We also recommend no change to the current use of the term “site requirements” in 660-009-0015(2), 0025(1) and 0025(4).]

5. Definition of “available”: The draft rule proposes a definition for “available”: “vacant or under-utilized land that is serviced and likely to be on the market for sale or lease at competitive prices.” First, the term should be “available land” so as not to define “available” unwittingly when it modifies something other than land, such as in 660-009-0015(1) (“available information”). As applied to “land”, the term is used only in the proposed definition of “short-term supply” and the paragraph that requires cities and counties to designate a short-term supply of land [660-009-0025(3)]. Hence, it should be workable in the context of short-term supply.

We question whether the clause “...likely to be on the market for sale or lease at competitive prices” is workable. As noted on page 2 of the November 23, 2004, memorandum from Steve Santos to LCDC on the Goal 9 rule: “Because an individual property owner has discretion about when to place property on the market and in setting the price, it is impractical to impose a requirement on local government to plan for an ‘available’ supply.” An owner can render a local government’s “short-term supply” obsolete simply by raising the price of the site in response to the local government’s

designation. Public ownership may be the only way for cities and counties to comply with this requirement. But few local governments have this capability. We recommend elimination of that clause and addition of the following: "...meets the site requirements of one or more of the employment uses identified in the economic opportunities analysis." We also recommend more attention to the supply of "serviceable sites" (see point 7, below).

6. Short-Term Supply: Given the definition of "planning area" [660-009-0005(x)] and the wording of the unnumbered "safe harbor" paragraph under 660-009-0025(3), it appears that a city or county can comply with the short-term supply requirement if it has a single site certified under ORS 285A.286(7). Because the definition of "planning area" excludes the cities and counties within the Metro UGB, this safe harbor is unavailable to Metro-area local governments. What, then, is the responsibility of Metro-area cities and counties to designate short-term supplies of sites?

7. Short-Term Sites v. Serviceable Sites: Experience in the Metro area indicates that the best and most likely source of short-term *industrial* sites is from designated sites inside the UGB. With rare exception (such as the Shute-Evergreen site added to Metro's UGB in December, 2002), it is nearly impossible for sites added to the UGB to meet the proposed definition of "short-term supply." The Regional Industrial Land Study (RILS) (Final Report, December 1, 1999) identified four categories (Tiers A through D) of industrial land in the region. Tier A sites are "serviceable" and are the most likely "short-term" sites (although they may not be "available" due to actions by the owners). Tier B through C sites are constrained by lack of services, brownfield problems, size, existing development or other reasons.

The short-term supply requirement at 660-009-0025(3) calls for local strategies to replenish the supply of short-term sites. The rule should place greater emphasis on these strategies, including a link to the later requirement of the rule (x)(3) (p. 8) that public facility plans schedule a "three-year supply of serviceable sites" for each year of short-term element of the facility plans. The RILS is a good source of ideas for local and state strategies to enhance local supplies of serviceable and available industrial sites.

8. Long-Term Supply: The draft definition of "long-term supply" confuses short-term and long-term supplies and raises significant questions about the relationship between Goal 9 and Goal 14. According to the definition, in order to be considered part of a local government's "long-term supply", land must be "serviceable." The rule defines "serviceable" land to be land to which services will be available within one year. Given that UGBs contain a 20-year supply of land, some of which will not have services for many years, the use of the term "serviceable" in the definition of "long-term supply" means that much land inside UGBs today cannot be considered part of those local governments' long-term supplies. Because 660-009-0025(2) requires all cities and counties to have at least a 20-year supply within its long-term supply, many local governments will be out of compliance with Goal 9 if the rule is revised as proposed. This cannot be the intent of the definition.

We recommend a revision to the definition of “long-term supply” as follows: “That portion of the local land inventory that is buildable, including vacant buildable land, partially vacant buildable land, and buildable infill and re-development land.”

9. Prime Industrial Lands: Paragraph 660-009-0025(xx) (p. 8) of the rule requires cities and counties to protect prime industrial lands from conversion to “other uses.” But it requires protection only of such lands that are part of an expansion of a UGB. Why is it not important to protect prime industrial lands long within the UGB, such as sites along the Portland waterfront, from other uses (Goal 14 may require such protection prior to expansion of the UGB to add industrial land)?

Title 4 (Industrial and Other Employment Areas) of Metro’s Urban Growth Functional Plan requires protection of “Regionally Significant Industrial Areas” whether the areas were recently added to the UGB or have long been inside the UGB. Metro applied these protections, in part, to comply with Goal 14.

10. Compatible uses: Paragraph 660-009-0025(xx) (p. 8) of the rule recommends that cities and counties choose compatible uses. This paragraph is unclear; does it intend to protect employment uses from incompatible uses nearby, or to protect nearby uses from incompatible employment uses?

11. Definitions: Section 660-009-0005 requests suggestions for the terms “vacant” and “underutilized.” We would suggest defining “*vacant*” to mean a parcel or tax lot that is wholly void of any significant or material improvement (or improved value). “*Under utilized*” should be defined then as a parcel or tax lot that has a significant improvement, but that a remainder of the tax lot or parcel is undeveloped and this under developed portion exceeds ½ acre of contiguous land area – this parcel or tax lot in Metro parlance is noted as a *partially vacant* tax lot or parcel. A third category should include redevelopment and infill which in Metro parlance is known as *refill*. Refill is measured as the additional capacity (converted into job capacity or simply left as acres) that can be gained from land designated as developed but under certain market conditions presently or in the future can be reasonably expected to redevelop or allow added infill to the existing structure – which in any event must net a positive gain to employment capacity.

The definition of “Competitive Supply” should be expanded to mean explicitly that it includes, but is not limited to, the following dimensions:

- a range or distribution of site sizes as needed for commercial, industrial and institutional users;
- a diversity of locations that are consistent with locations in a region (or city) that are acceptable to meet the market based site requirements of commercial, industrial or institutional demand;
- a range of available sites zoned to accommodate the range of economic demand for commercial, industrial or institutional users.

Proposed Amendments to Statewide Planning Goal 14

December 20, 2004

(NOTE: New text is underlined and deleted text is in ~~strikethrough~~).

GOAL 14: URBANIZATION

1 *To provide for an orderly and efficient transition from rural to urban land use, to*
2 *accommodate urban population and urban employment inside urban growth*
3 *boundaries, to ensure efficient use of land, and to provide for livable communities.*
4

5 **Part 1: Urban Growth Boundaries**

6
7 Urban growth boundaries shall be established and maintained by cities,
8 counties and regional governments to provide land for urban development needs
9 and to identify and separate urban and urbanizable land from rural land.
10 Establishment and change of urban growth boundaries shall be a cooperative
11 process among cities, counties and, where applicable, regional governments. An
12 urban growth boundary and amendments to the boundary shall be adopted by all
13 cities within the boundary and by the county or counties within which the
14 boundary is located, except for the Metro regional urban growth boundary
15 established pursuant to ORS Chapter 268, which shall be adopted or amended by
16 the Metropolitan Service District.
17

18 **Land Need**

19
20 Establishment and change of urban growth ~~the~~ boundaries shall be based
21 ~~upon considerations of~~ on the following factors:

22 (1) Demonstrated need to accommodate the long range urban population
23 growth requirements consistent with LCDC goals a 20-year population forecast
24 coordinated with affected local governments; and,

25 (2) ~~The~~ Demonstrated need for land suitable to accommodate housing,
26 employment opportunities and livability or other urban uses such as public
27 facilities, streets and roads, schools, parks and open space.
28

29 A local government may specify characteristics, such as parcel size, topography or
30 proximity, necessary for land to be suitable to accommodate an identified need.
31

32 Prior to expanding an urban growth boundary, local governments shall demonstrate
33 that needs cannot reasonably be accommodated on land already inside the urban
34 growth boundary.

1 **Boundary Location**
2

3 The location of the urban growth boundary and changes to the boundary
4 shall be determined by evaluating alternative boundary locations consistent with
5 ORS 197.298 and with consideration of the following factors:

6 (1) Efficient accommodation of identified land needs ~~(4) Maximum~~
7 ~~efficiency of land uses within and on the fringe of the existing urban area.~~

8 (2) Livability and efficient urban form

9 (3) Orderly and economic provision of ~~for~~ public facilities and services;

10 (4)(5) Comparative environmental, energy, economic and social
11 consequences; and,

12 ~~(6) Retention of agricultural land as defined, with Class I being the highest~~
13 ~~priority for retention and Class VI the lowest priority.~~

14 (5)(7) Compatibility of the proposed urban uses with nearby agricultural and
15 forest activities occurring on farm and forest land outside the UGB.

16
17 ~~The results of the above considerations shall be included in the~~
18 ~~comprehensive plan. In the case of a change of a boundary, a governing body~~
19 ~~proposing such change in the boundary separating urbanizable lands from rural~~
20 ~~land shall follow the procedures and requirements as set forth in the Land Use~~
21 ~~Planning goal (Goal 2) for goal exceptions.~~

22
23 ~~Any urban growth boundary established prior to January 1, 1975, which~~
24 ~~includes rural lands that have not been built upon shall be reviewed by the~~
25 ~~governing body, utilizing the same factors applicable to the establishment or~~
26 ~~change of urban growth boundaries.~~

27
28 ~~Establishment and change of the boundaries shall be a cooperative process~~
29 ~~between a city and county or counties that surround it. (Moved to pg. 1, Lines 10,11)~~

30
31 **Part 2: Urban Area Planning**

32
33 **Conversion of Urbanizable Land to Urban Land**
34

35 Land within the boundaries shall be considered available over time for urban
36 uses. Comprehensive plans and implementing regulations shall manage the use and
37 division of urbanizable land to maintain its potential for efficient urban
38 development until public facilities and services appropriate for efficient urban
39 development are available or planned.
40

1 Land within the boundaries separating urbanizable land from rural land shall
2 be considered available over time for urban uses. Conversion of urbanizable land
3 to urban uses shall be based on consideration of:

4 (1) Orderly, economic provision for public facilities and services;

5 (2) Availability of sufficient land for the various uses to insure choices in the
6 market place;

7 (3) LCDC goals or the acknowledged comprehensive plan; and,

8 (4) Encouragement of development within urban areas before conversion of
9 urbanizable areas.

10
11 *OPTION A: Include the following:*

12
13 **Efficient Land Use and Livable Communities**

14
15 Comprehensive plans and implementing regulations for lands inside urban
16 growth boundaries shall encourage the efficient use of land and the development of
17 livable communities.

18
19 *OPTION B: Don't include this in the goal. Rather, include it as a guideline.*

20
21 **Part 3: Unincorporated Communities** (No change to this part of the goal)

22
23 In unincorporated communities outside urban growth boundaries counties
24 may approve uses, public facilities and services more intensive than allowed on
25 rural lands by Goal 11 and 14, either by exception to those goals, or as provided by
26 commission rules which ensure such uses do not adversely affect agricultural and
27 forest operations and interfere with the efficient functioning of urban growth
28 boundaries.

29
30 Notwithstanding the other provisions of this goal, the commission may by
31 rule provide that this goal does not prohibit the development and use of one single-
32 family dwelling on a lot or parcel that:

33 (a) Was lawfully created;

34 (b) Lies outside any acknowledged urban growth boundary or
35 unincorporated community boundary;

36 (c) Is within an area for which an exception to Statewide Planning Goal 3
37 or 4 has been acknowledged; and

38 (d) Is planned and zoned primarily for residential use.

Note, “Guidelines” currently included under Goal 14 would be unchanged except under Option B, above.

Goal Definitions*

1 **URBAN LAND.** Land inside in an urban growth boundary.

2
3 ~~Urban areas are those places which must have an incorporated city. Such areas~~
4 ~~may include lands adjacent to and outside the incorporated city and may also:~~

5 ~~(a) Have concentrations of persons who generally reside and work in the~~
6 ~~area, and~~

7 ~~(b) Have supporting public facilities and services.~~

8
9 **URBANIZABLE LAND.** Urban land that, due to the present unavailability of
10 urban facilities and services, or for other reasons, either:

11 (a) Retains the zone designations assigned prior to inclusion in the boundary;

12 or

13 (b) Is subject to interim zone designations intended to maintain the land’s
14 potential for efficient urban development until appropriate public facilities and
15 services are available or planned.

16
17 ~~Urbanizable lands are those lands within the urban growth boundary and which are~~
18 ~~identified and~~

19 ~~(a) Determined to be necessary and suitable for future urban uses~~

20 ~~(b) Can be served by urban services and facilities,~~

21 ~~(c) Are needed for the expansion of an urban area~~

22
23 **RURAL LAND.** ~~Rural lands are those which are~~ Land ~~outside the urban growth~~
24 ~~boundary and are that is:~~

25 ~~(a) Non-urban agricultural, forest or open space lands or;~~

26 ~~(b) Other lands suitable for sparse settlement, small farms or acreage~~
27 ~~homesites with no or hardly any minimal public services, and which are not~~
28 ~~suitable, necessary or intended for urban use; or.~~

29 (c) In unincorporated communities.

** Note: The Goal Definitions are not included in Goal 14 itself, they are adopted as part of the statewide planning goals and guidelines and provide definitions for terms used in the goals. The above terms are most pertinent to Goal 14.*

Materials for any agenda items not represented here will be provided at the meeting.