BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO URBAN GROWTH BOUNDARY AND THE 2040 GROWTH CONCEPT MAP IN ORDINANCE 95-625A IN URBAN RESERVE AREAS 43, 47 OF WASHINGTON COUNTY, AND URBAN RESERVE AREAS 33 AND 34 OF CLACKAMAS COUNTY	)))))))	ORDINANCE NO 98-779D Introduced by Councilors Kvistad, Monroe, McLain, Morissette, Washington, McFarland and the Growth Management Committee

WHEREAS, The Metro Council designated urban reserve areas in Ordinance No. 96-655E, including these urban reserve areas 43, 47, 33, and 34; and

WHEREAS, urban reserve study areas were shown on the 2040 Growth Concept map adopted as part of the Regional Urban Growth Goals and Objectives in Ordinance No. 95-625A and the map was amended by Ordinance No. 96-655E to show urban reserve areas; and

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

WHEREAS, the Metro Council has initiated a series of legislative amendments to the Urban Growth Boundary, including this ordinance for lands inside the Metro jurisdictional boundary; and

WHEREAS, notice of hearings was published and mailed in compliance with Metro Code 3.01.050(b), (c) and (d); and

WHEREAS, a series of hearings was held before the Council Growth Management Committee on October 6, 13, 20 and 27, and before the full Metro Council on November 10, 12, 16, 17, 19 and December 3, 1998; and

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WHEREAS, notice of Proposed Amendment for these urban reserve areas 43, 47, 33 and 34, consistent with Metro Code and ORS 197.610(1), was received by the Oregon Department of Land Conservation and Development at least 45 days prior to the December 3, 1998 final hearing; and

WHEREAS, the staff report for these areas was available at least seven days prior to the December 3, 1998 final hearing; and

WHEREAS, Metro Code 3.01.012(c)(3) requires designation of regional design types consistent with the 2040 Growth Concept for the land added to the UGB; and

WHEREAS, the Metro Council considered all the evidence in the record, including public testimony in October, November, and December, 1998 hearings to decide proposed amendments to the Urban Growth Boundary; and

WHEREAS, conditions of approval are necessary to assure that these urban reserve areas added to the Urban Growth Boundary are used to meet the need for housing consistent with the acknowledged 2040 Growth Concept; now therefore,

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

1. Regional design types consistent with the Metro 2040 Growth Concept for the land added to the Metro Urban Growth Boundary by this ordinance as shown on attached Exhibit A are hereby adopted.

2. The Metro Urban Growth Boundary is hereby amended to add urban reserve areas 43, 47, 33 and 34 inside Metro's jurisdictional boundary as shown on the map in Exhibit B, attached, and incorporated by reference herein.

3. The 2040 Growth Concept map adopted as part of Ordinance No. 95-625A is hereby amended to show the Metro Urban Growth Boundary amendment in Exhibit B as within

the UGB, instead of urban reserves.

4. This amendment of the Metro Urban Growth Boundary is based on Findings of Fact and Conclusions in Exhibit C, attached hereto and incorporated by reference herein.

5. In support of Findings and Conclusions adopted in Exhibit C of this Ordinance, the Council hereby designates as the record herein those documents submitted and before the Council for consideration on these lands during the period between the October 6 Growth Management hearing, and the December 3, 1998 final hearing and final adoption of this ordinance.

6. The following conditions of approval are needed to assure compliance of the developed use with statewide planning goals and Metro's acknowledged regional goals and objectives:

A. The land added to the Urban Growth Boundary by this ordinance shall be planned and zoned for housing uses to the extent and in a manner consistent with the acknowledged 2040 Growth Concept text and the regional design types shown on Exhibit A.

B. Prior to conversion of the new urbanizable land in this ordinance to urban land available for development, an urban reserve plan shall be completed for the lands added to the Urban Growth Boundary by this ordinance consistent with Metro Code 3.01.012, as amended by Ordinance No. 98-772B, including Title 11 of the Urban Growth Management Functional Plan.

C. The urban reserve plan and urban comprehensive plan and zoning shall be consistent with Goal 14, Factor 3 for stormwater facilities by treating stormwater runoff by filtration through a biofiltration swale.

7. Consistent with ORS 268.390(3) and ORS 195.025(1), Washington County and Clackamas County, and the cities of Tualatin, Wilsonville, King City, and Lake Oswego shall include the areas added to the Urban Growth Boundary by this Ordinance as shown on the map in Exhibit B in applicable text and map provisions of their comprehensive plans.

ADOPTED by the Metro Council this 17th day of December 1998.

Jon Kvistad, Presiding Officer

ATTEST:

Recording Secretary

Approved as to Form:

Daniel B. Cooper, General Counsel

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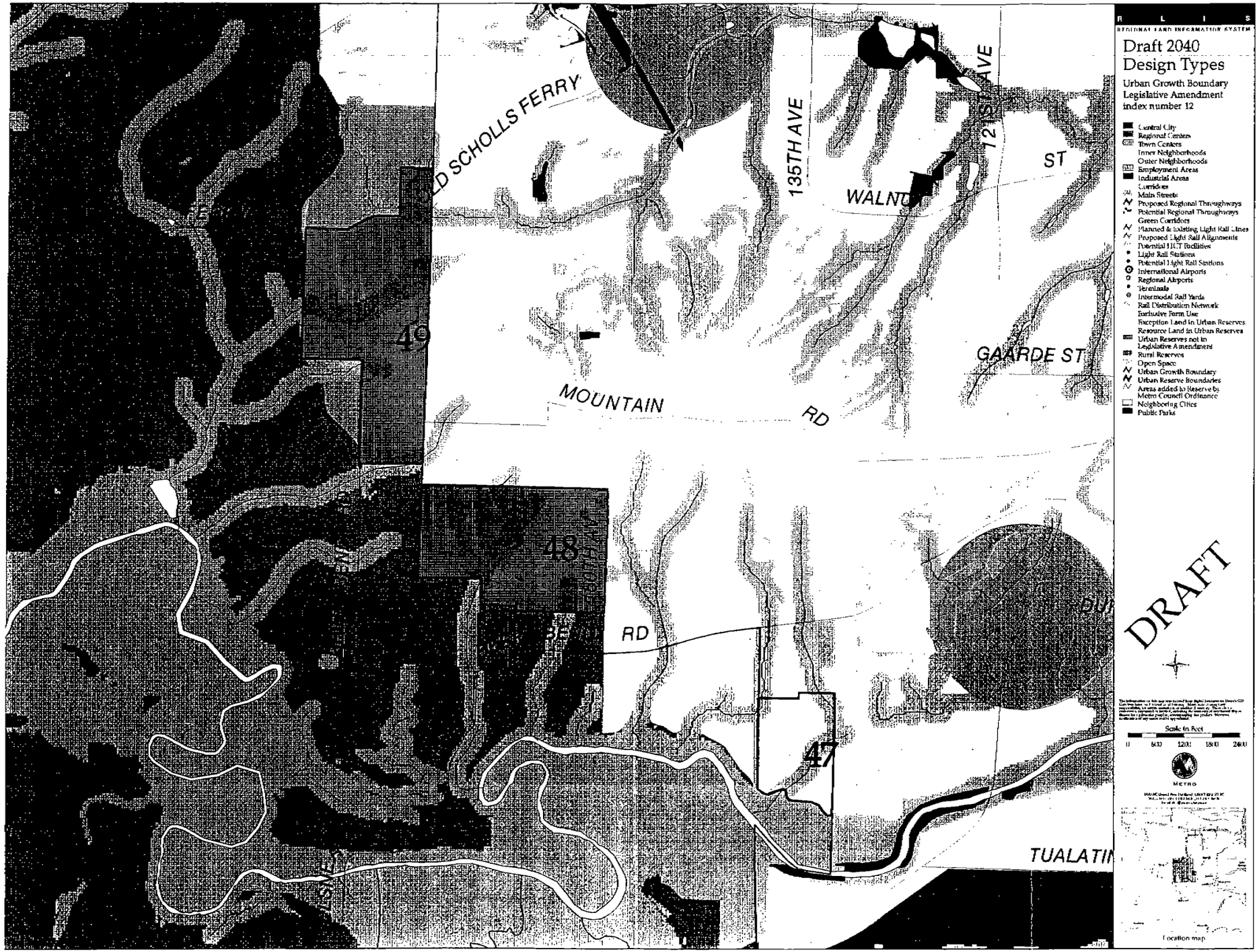
(12/09/98)

R L I S
REGIONAL LAND INFORMATION SYSTEM
Draft 2040
Design Types
Urban Growth Boundary
Legislative Amendment
index number 10
Central City
Regional Centers
Town Centers
Inner Neighborhoods
Outer Neighborhoods
Employment Areas
Industrial Areas
Corridors
Main Streets
Proposed Regional Throughways
Potential Regional Throughways
Green Corridors
Planned & Existing Light Rail Lines
Proposed Light Rail Alignments
Potential HCT Facilities
Light Rail Stations
Potential Light Rail Stations
International Airports
Regional Airports
Terminals
Intermodal Rail Yards
Rail Distribution Network
Exclusive Term Use
Exception Land in Urban Reserves
Resource Land in Urban Reserves
Urban Reserves not in Legislative Amendment
Rural Reserves
Open Space
Urban Growth Boundary
Urban Reserve Boundaries
Areas added to Reserve by Metro Council Ordinance
Neighboring Cities
Public Parks
44
43
42
41
BONES FERRY RD
DRAFT
Scale in Feet
0
6000
12000
18000
24000
METRO
Location map

EXHIBIT A


R L I S
REGIONAL LAND INFORMATION SYSTEM
Draft 2040
Design Types
Urban Growth Boundary
Legislative Amendment
index number 12
Central City
Regional Centers
Town Centers
Inner Neighborhoods
Outer Neighborhoods
Employment Areas
Industrial Areas
Corridors
Main Streets
Proposed Regional Throughways
Potential Regional Throughways
Green Corridors
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Urban Reserves not in Legislative Amendment
Rural Reserves
Open Space
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Urban Reserve Boundaries
Areas added to Reserve by Metro Council Ordinance
Neighboring Cities
Public Parks
DRAFT
Scale in Feet
METRO
Location map
135TH AVE
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RD
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47
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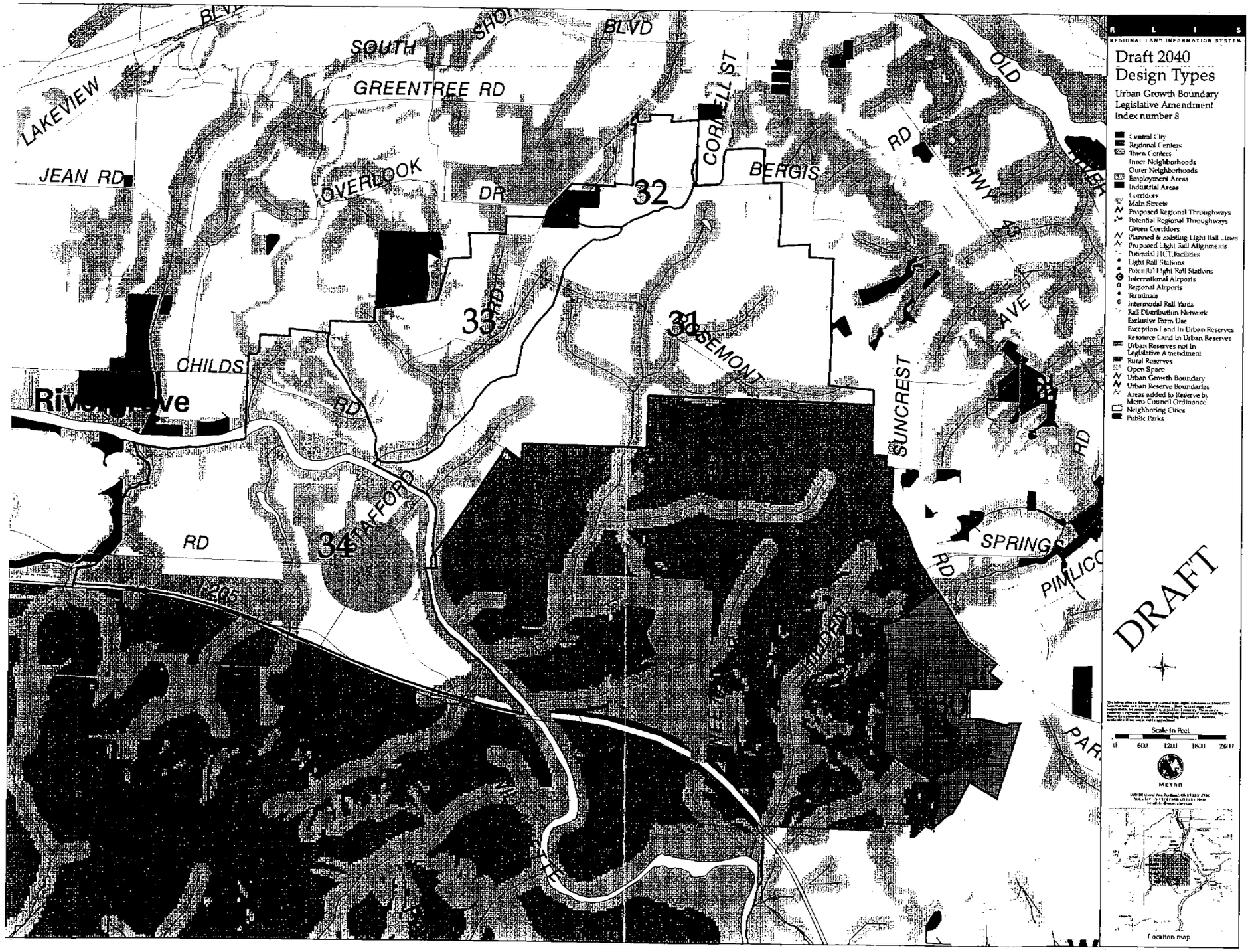
EXHIBIT A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SOUTH SHO
BLVD
GREENTREE RD
JEAN RD
OVERLOOK
DR
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CORNELL ST
BERGIS
RD
OLD
FWY 43
33
RD
31
SEMONT
CHILDS
RD
SUNCREST
AVE
RD
34
TAFFORD
RD
SPRING
RD
PIMLICO
I-205
PAR
Draft 2040
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Urban Growth Boundary
Legislative Amendment
Index number 8
Central City
Regional Centers
Town Centers
Inner Neighborhoods
Outer Neighborhoods
Employment Areas
Industrial Areas
Corridors
Main Streets
Proposed Regional Throughways
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DRAFT
Scale in Feet
0
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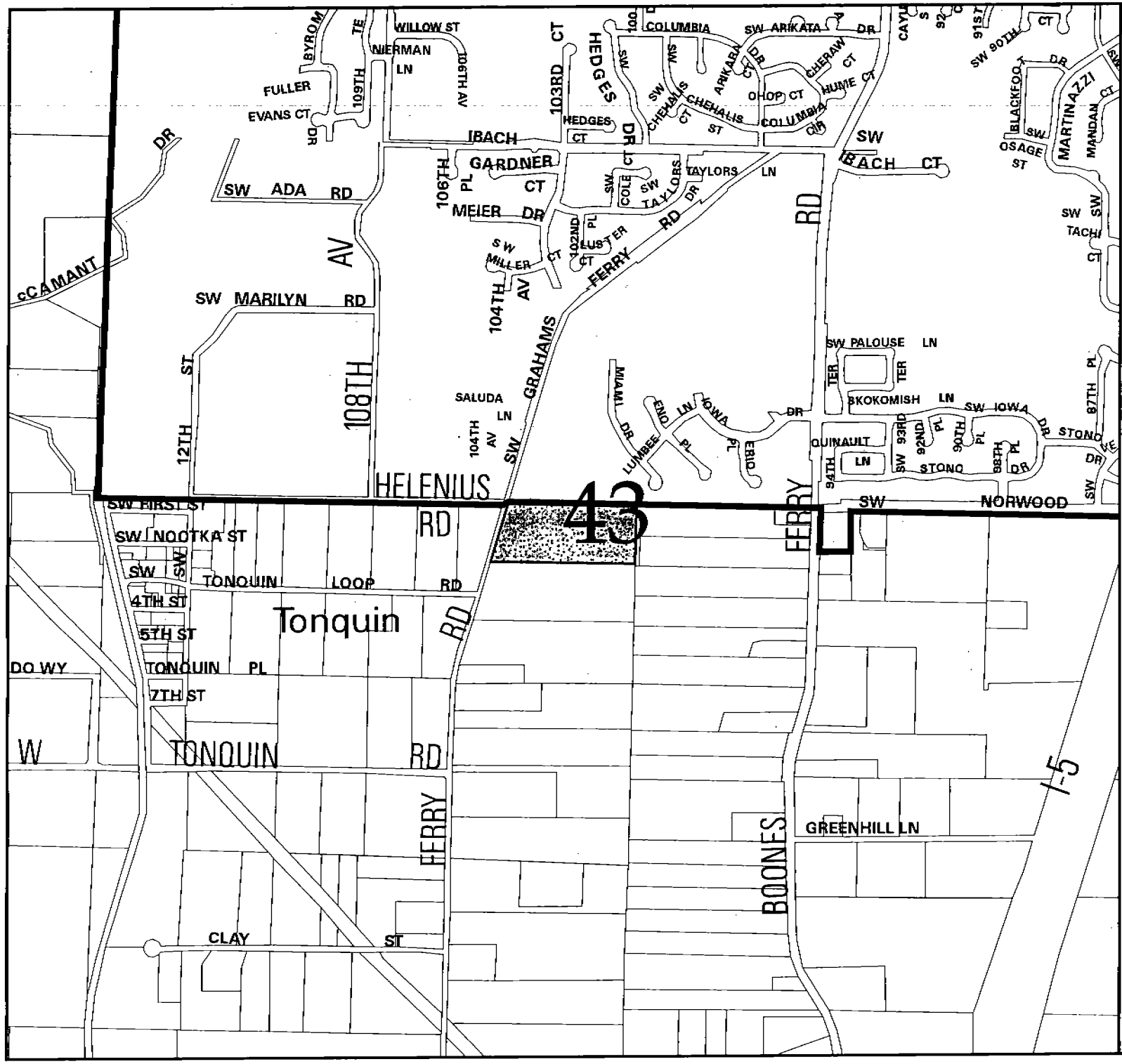
1200
1800
2400
METRO
Location map



R L I S

REGIONAL LAND INFORMATION SYSTEM

Ordinance #98-779D

Urban Reserve #43

First Tier
Within Metro Boundary

- Area Considered by Council
- First Tier Urban Reserve
- Urban Growth Boundary

Exhibit B 1 of 4

Scale: 1" = 1000'

0 500 1000 1500

METRO
600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro.dst.or.us

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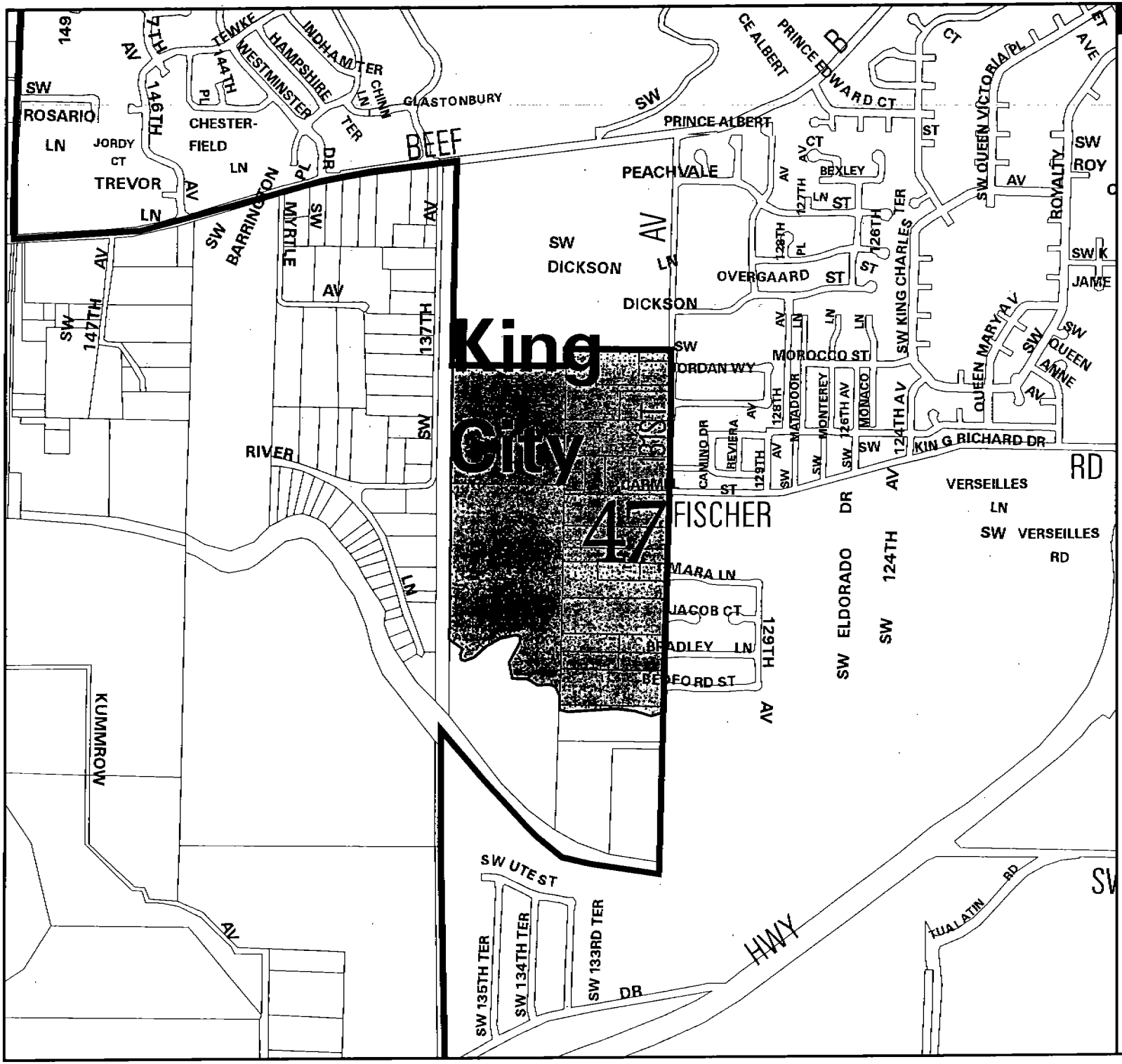


R L I S

REGIONAL LAND INFORMATION SYSTEM

Ordinance #98-779D
Urban Reserve #47

First Tier
Within Metro Boundary

- Area Considered by Council
- First Tier Urban Reserve
- Urban Growth Boundary

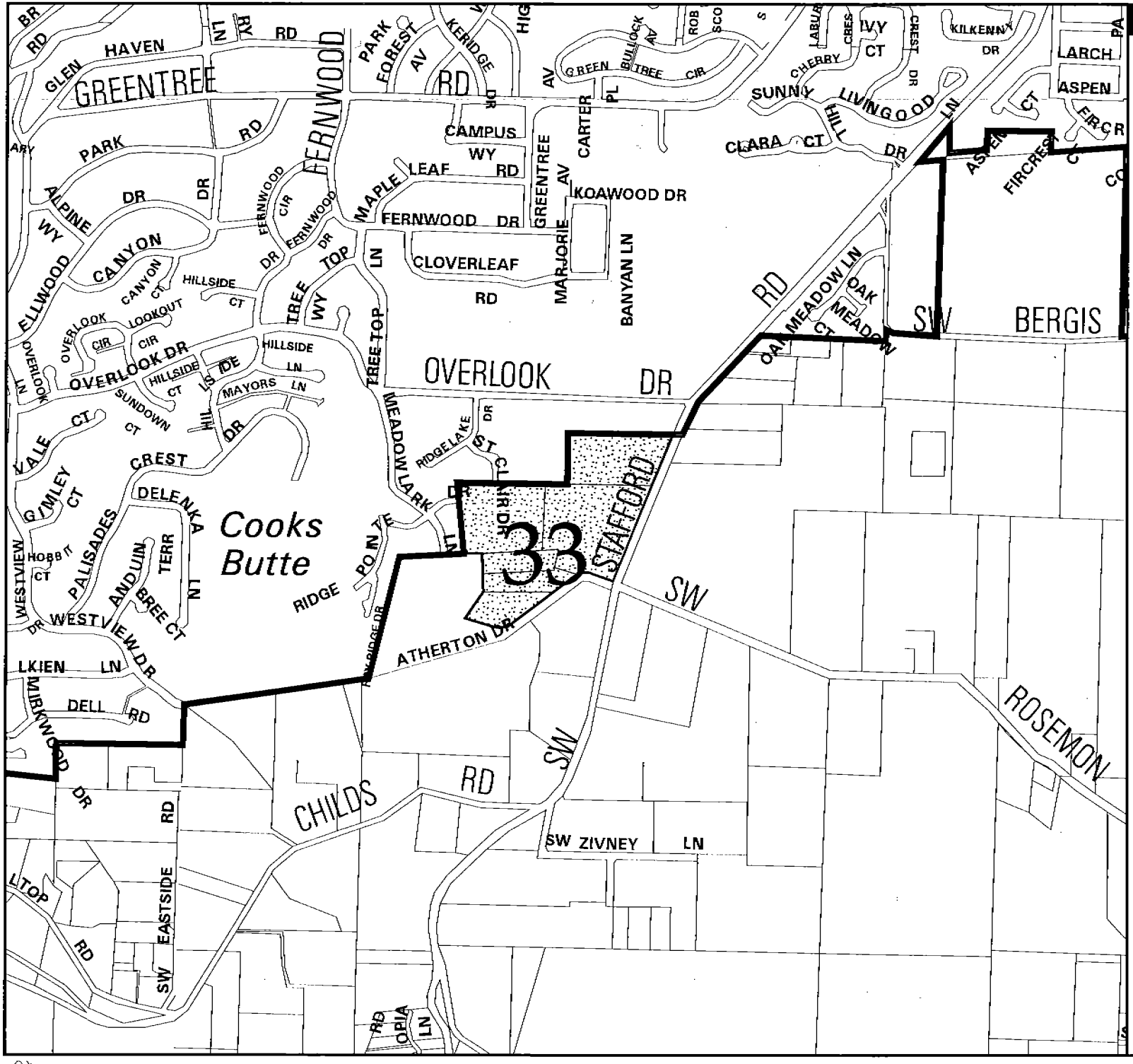
Exhibit B 2 of 4

Scale: 1" = 1000'

0 500 1000 1500

METRO
600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro.dst.or.us

/proj2/ura/urord.aml, plot date: December 04, 1998



R L I S

REGIONAL LAND INFORMATION SYSTEM

Ordinance #98-779D

Urban Reserve #33

(Partial)

First Tier
Within Metro Boundary

- Area Considered by Council
- First Tier Urban Reserve
- Urban Growth Boundary

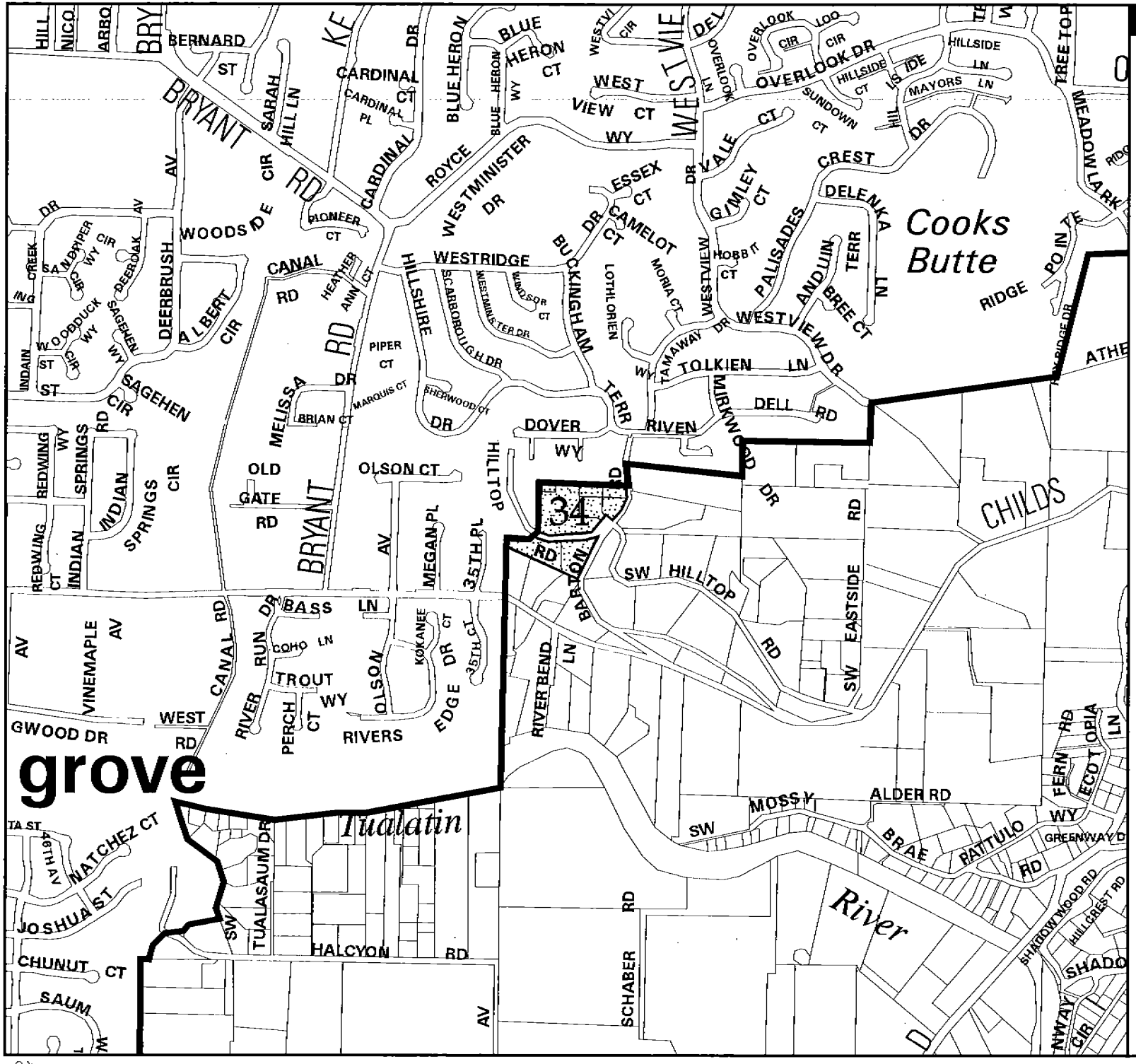
Exhibit B 3 of 4

Scale: 1" = 1000'

0 500 1000 1500

METRO
600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro.dst.or.us

/proj2/ura/urord.aml, plot date: December 09, 1998



R L I S

REGIONAL LAND INFORMATION SYSTEM

Ordinance #98-779D

Urban Reserve #34

(Partial)

First Tier
Within Metro Boundary

Area Considered by Council

First Tier Urban Reserve

Urban Growth Boundary

Exhibit B 4 of 4

Scale: 1" = 1000'

0 500 1000 1500

METRO

600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email dro@metro.dst.or.us

/proj2/ura/urord.aml, plot date: December 09, 1998

ADOPTED FINDINGS AND CONCLUSIONS - ORDINANCE 98-779D (URA 43, 47)

3.01.015(e)

Based on the analysis for Metro Code 3.01.0120(b)(1)(A), there is insufficient land available in the current UGB for about 32,400 housing units. Urban reserve areas with proposed urban reserve plan under Council consideration in 1998 would provide less than 10,000 units. Even if all these proposed urban reserve plans are approved in 1998, there is insufficient land available that satisfies the requirements of an urban reserve plan to meet the statutory requirement for 1998 that land for one-half the need, or about 16,200 units, be added to the UGB.

This provision of the Metro Code provides that the Metro Council may consider first tier lands where a city or county commits to complete and adopt such an urban reserve plan. Documentation must be provided to support its commitment to complete a conceptual plan for the urban reserve area. URAs 43 and 47 are first tier lands.

For URA 43, the City of Tualatin has provided the Metro Council with a letter stating that it has committed to complete a conceptual plan. The city's letter of November 19, 1998, provides for a work program, timeline for completion and funding for the planning. The Council accepts this demonstration of commitment and finds that 3.01.015(e) is satisfied. For URA 47, King City has committed in a November 10, 1998 letter to complete and adopt an urban reserve plan for the area. The plan has identified funding and an estimated time for completion. The City has also provided a letter setting forth its work program and a more detailed timeline for completion.

3.01.020(a)

Metro Code section 3.01.020 contains the complete requirements for amending the regional UGB. The code provisions have been acknowledged to comply with Statewide Planning Goals 2 and 14. They satisfy Metro's Regional Growth Goals and Objectives (RUGGO), as well. Application of this section constitutes compliance with ORS 197.298 which sets land priorities for lands amended into the UGB because the lands being added to the UGB are designated urban reserve areas. Since the Metro Code has been acknowledged by the Land Conservation and Development Commission, compliance with this code section satisfies Goals 2 and 14.

3.01.020(b)(1) and (2) General Need Factors

This acknowledged code section corresponds to Factors 1 and 2 of Goal 14. The need for urban growth boundary amendments may be demonstrated, generally, using either Factor 1 or Factor 2 or both. This acknowledged code section predates ORS 197.298(3). Therefore, need may, also, be met by complying with this statute on specific land need.

3.01.020(b)(1)(A) Factor 1

The Metro Code requires that the demonstration of need shall include a forecast of regional population and employment. The forecast must also include a forecast of net developable land need. Concurrent with these forecasts, completion of an inventory of net developable land is required.

The regional population and employment forecast, net developable land need and inventory of developable land are contained in Metro's Urban Growth Report (UGR). The first draft of the UGR was presented to the Metro Council in March, 1996. After public hearings, the Council directed the Metro Executive Officer and Staff for conduct further research on urban growth demand. The results of this research were presented to the Council in the second draft of the UGR in June, 1996. On December 18, 1997, the Metro Council adopted the final UGR in Resolution No. 97-2559B to comply with ORS 197.299(1). That final report estimated a UGB capacity deficit from 29,350 to 32,370 dwelling units and 2,900 jobs.

The UGR has two components. It contains the 2017 Regional Forecast which projects households and population, in demand for dwelling units, and demand for employment to the year 2017. This forecast represents an update of the 2015 Regional Forecast which made projections for three separate 25-year growth scenarios - Medium Growth, High Growth and Low Growth. The UGR predicted that the Medium Growth scenario has the highest likelihood of being realized over the 20 year forecast horizon. This forecast will be extended to 2019 or 2020 when UGB amendments are completed by December, 1999 as required by ORS 197.299(2)(b).

The UGR also contains a Buildable Land and Capacity Analysis for the Metro UGB. The analysis estimates the supply of land inside the current UGB sufficient to meet future development for industrial, retail and commercial uses and lands "available and necessary for residential uses" under state law. ORS 197.295(1). The conclusion of the developable lands capacity analysis was that the region does not have a 20-year supply of land inside the current UGB.

Two recent reports update data in the UGR: the Urban Growth Report Addendum (UGRA), and the Urban Growth Boundary Assessment of Need (UGBAN). The UGRA was completed August 26, 1998. The UGRA uses the same methodology as the UGR and updates UGR data in three areas. First, the data on vacant lands were updated from 1994 information to include 1997 data. Second, the analysis of actual residential redevelopment and infill rates were measured for 1995 and 1996 to refine the estimates used in the UGR. Third, the inventory of unbuildable land inside the UGB was revised to better identify land constrained by environmental features.

The UGRA also provides data on two scenarios for assessing the amount of developable land inside the UGB that will be constrained by Title 3 of Metro's Urban Growth Management Functional Plan. These estimates reflect 1998 adoption of the map of Title 3

regulated land. The first scenario calculates total developable land assuming a regionwide 200-foot buffer from the centerline of streams and for steep slopes greater than 25 percent. This assumption is a conservative estimate of additional required buffer widths that could be required as a result of two contingencies, the Endangered Species Act (ESA) listing of lower Columbia River Steelhead and Metro's Fish and Wildlife Habitat planning. Both are in early stages of development. The second scenario calculates total developable land assuming only the buffer widths as required by Sections 1-4 of Title 3 on the 1998 map which provide performance standards for regional water quality and flood control. Metro Staff have a completed a draft work plan for Title 3, Section 5 Fish and Wildlife Habitat protection which will be coordinated with existing Statewide Planning Goal 5 planning in the region. The work plan describes the research necessary to determine the scientific basis for buffers beyond those adopted for statewide Goal 6 and 7 purposes in riparian corridors, wetlands. These and other Goal 5 resources may require additional regulation that may be included in a regional functional plan. The work plan also sets a schedule for determining a methodology by which buffers can be applied to identified Goal 5 and regional resources. It is anticipated that this analysis will be available in 1999, and that the Council can determine at that time whether regionwide buffers up to 200 will be necessary to protect identified Goal 5 and ESA listed resources. That information will be included in the refined UGB capacity analysis prior to or concurrent with UGB amendments required to expand the UGB to bring in the remaining one half of needed land in 1999 as required by ORS 197.299(2)(b).

In March, 1998, National Marine Fisheries Service (NMFS) listed lower Columbia River Steelhead as a threatened species under the ESA. The listing affects a major portion of the Metro region because the listing includes the Willamette River up to the Oregon City falls. NMFS is also reviewing a petition to list salmonid species in the upper Willamette River above the falls and a decision is expected in 1999. To conserve listed steelhead may require buffers along regional streams which are well in excess of the vegetated corridors required by the water quality and flood management provisions of Title 3 of the Functional Plan. NMFS has not yet promulgated rules which they are authorized to adopt under section 4(d) of the ESA, which contain restrictions to conserve threatened steelhead. However, the 4(d) rule is anticipated to be in place by early 1999. At that time, the Metro Council will have more specific information upon which to refine its Buildable Land and Capacity Analysis.

The UGBAN was completed in October, 1998. This report summarizes all of Metro's efforts to assess the supply of developable land inside the UGB, and Metro's efforts to maximize the capacity of the current UGB. This updating of information in the UGRA and analysis in the UGBAN demonstrates that Metro has taken measures to increase the capacity of the UGB to accommodate unmet forecasted need for housing in the region. The Council finds these analyses sufficient evidence upon which to amend the UGB to satisfy the requirements of ORS 197.299(2)(a). However, more study is needed in 1999 to estimate the impact of the Functional Plan and to account for stream buffer requirements resulting from Metro's Fish and Wildlife Habitat planning and National Marine Fisheries Service restrictions for Lower Willamette River Steelhead. The Council will revisit the

UGB capacity assumptions with refined data prior to or concurrent with amending the UGB in 1999 to accommodate the remaining land needed as mandated by ORS 197.299(2)(b).

3.01.020(b)(1)(B)

The Metro Code requires a regional forecast and inventory "along with all other appropriate data" to be completed to determine whether the projected need for land to accommodate the forecast of population and employment is greater than the supply of buildable land inside the UGB.

The UGR compares the 2017 Regional Forecast with the Buildable Land and Capacity Analysis for the Metro UGB. The UGR found that the current supply of buildable land inside the UGB can accommodate about 217, 430 dwelling units and about 473,100 jobs. However, the regional forecast estimates that by 2017, the housing need will be for approximately 249,800 dwelling units and the employment need with be about 476,000 jobs. This leaves a deficit of developable land inside the current UGB needed to accommodate about 32, 370 dwelling units and 2,900 jobs. The UGR indicated that at an estimated average 2040 Growth Concept density of 10 dwelling units per net developable acre, between 4,100 and 4,800 gross acres need to be added to the regional UGB to accommodate the need to comply with ORS 197.299(2). The Metro Council held a public hearing, providing the opportunity for public comment on Resolution No. 97-2559B on December 18, 1997.

3.01.020(b)(1)(C)

Since the inventory of net developable land is less than the forecasted need, the Metro Code requires an analysis to determine whether there is a surplus of developable land in one or more land use categories that could be suitable to meet that need without expanding the UGB.

The UGBAN discusses Metro's Functional Plan, which was an early implementation measure consistent with ORS 197.296. Under its statutory authority to adopt functional plans, Metro may require or recommend changes to the comprehensive plans and implementing ordinances of the 24 cities and three counties in Metro's jurisdiction. In 1996, the Metro Council adopted the Functional Plan which set targets for housing density with the goal of not having to expand the UGB at the time of this five-year need update. However, these targets were set prior to the requirements in ORS 197.299 that Metro must assess the need for developable land and amend the regional UGB to accommodate at least one half of that need in 1998. Full compliance with the Functional Plan is not required until February, 1999. At that time, unless Metro approves an extension, local governments will adopt amendments to their comprehensive plans and implementing ordinances to accommodate housing densities on future development that are consistent with the 2040 Growth Concept design types. As a result, it will be some time before the full impact of the upzoning required by the Functional Plan can be measured. The Functional Plan

requirements direct development of all residential lands at higher densities than existing comprehensive plans. No surplus lands zoned for nonresidential uses have been identified.

The UGBAN also considered the potential for conversion of industrial lands to residential uses to address the unmet need. Based on regional review of industrial lands and compliance plans submitted by jurisdictions which have a significant amount of industrial land, the UGBAN concludes there is minimal opportunity to redirect industrial land to accommodate housing because those areas are already jobs poor or converting employment to housing will have adverse impacts on the 2040 Growth Concept goal of creating complete communities where residents have close access to jobs and services.

3.01.020(b)(1)(D)

Consideration of a legislative amendment requires "review of an analysis of land outside the present UGB to determine areas best suited for expansion of the UGB to meet the identified need" (emphasis added). This analysis was done in stages. The first stage was to identify lands outside the UGB which cannot meet the need (see Appendix A). The second stage was designation of urban reserves. The third stage was a productivity analysis of urban reserves. Phase I of that analysis narrows the 18,600 acres of urban reserves designated to the year 2040 to 12,000 acres studied in Phase II. The analysis rated the productivity of 12,000 acres. Then, in Phase II, the absence of 1998 quasi-judicial applications for UGB amendments, the Metro Council identified lands among the most productive Phase II lands which had begun conceptual plans for 1998 UGB amendment consideration. All of the lands considered for 1998 UGB amendment and more will be needed to comply with ORS 197.299 by December, 1999.

The Council reviewed exception lands outside the UGB which are not designated as urban reserves. That analysis is contained in AppendixA of the staff reports and is entitled "Exception Lands Not Considered as Alternative Sites for Urban Growth Boundary Expansion." This report and accompanying map are attached as Appendix A and are incorporated into these findings by this reference. The factors that weighed against inclusion in the UGB included lands zoned for EFU, lands that would eliminate the separation between communities, lands more than one mile from the existing UGB and noncontiguous areas. In addition, natural features and settlement patterns that effect the buildability of land were also considered. These features include steep slope, lands in the FEMA 100-year floodplain and small acreage single family residential areas.

The Council then considered the urban reserves designated in March, 1997. That process was the culmination of several years of analysis, public hearings and study of lands adjacent to the UGB which were deemed suitable for urbanization as measured by Goal 14, factors 3 through 7 and the exceptions criteria of Goal 2. State law sets priorities for amending the UGB which requires that urban reserves generally be considered for urbanization before other lands. ORS 197.298(1). All urban reserves were then reviewed in the Productivity Analysis to determine those urban reserves which where relatively more efficient to serve in the near term to comply with the deadline set by ORS 197.299(2)(a).

The Productivity Analysis was conducted in two phases. Phase 1 analysis examined all 18,571 acres of urban reserve land. The analysis generated an inventory of buildable land within the urban reserves to determine the range in the amount of land that might be needed to accommodate about 32,400 dwelling units and 2,900 jobs. Phase 2 selected a subset of the total urban reserves which would be most efficiently serviced and maximize the efficiency of the existing UGB. Those selection criteria included:

- Inclusion of urban reserves in first tier urban reserves. The Metro Code requires that first tier urban reserves be considered for UGB expansion prior to consideration of other urban reserves. The Productivity Analysis included first tier lands in part to satisfy this requirement.

- Proximity to UGB. While all urban reserves are adjacent to the UGB, the analysis did not select urban reserves that would require other more proximate urban reserves to be developed first before they could develop.

- Productivity Ratio. The Productivity Analysis focused on urban reserves which have a higher ratio of net buildable land to gross acres. Only urban reserves with at least 40 percent buildable land to gross acreage were selected for Phase 2.

- Serviceability Rating. Phase 1 considered the 1996 Utility Feasibility Analysis provided by KCM and the 1998 Urban Reserves Planning Status Report as a baseline for doing further serviceability research. If these reports indicated that the service was easy or moderate, then the urban reserve could be selected for Phase 2 analysis.

- Exceptions. Some urban reserves were selected for Phase 2 analysis even though serviceability was difficult if the urban reserve had a high productivity rating (70-80%) or there were existing urban reserve planning efforts under way.

The productivity analysis resulted in a comparative analysis of the public facilities efficiencies for about 12,000 acres.

The Council then reviewed the urban reserves identified in Phase 2 of the Productivity Analysis to determine whether sufficient information was available at this time to corroborate the service assumptions used for individual urban reserves. This analysis is found in Exhibit B of the staff reports and is attached as Appendix B and incorporated into these findings by this reference. This report identifies urban reserves where the cost estimates may not be reliable because there is little actual data available on service feasibility or funding sources for extension of existing services. The report also identifies

urban reserves which, if urbanized, would exacerbate an existing subregional jobs/housing imbalance. The Council finds that the remaining urban reserves are those for which there is sufficient information at this time upon which to consider specific UGB amendments.

The identified need for about 32,000 dwelling units for a 20-year UGB must be fully accommodated by December, 1999. ORS 197.299(2)(a) requires half of that need to be accommodated within one year of the December, 1999 need analysis. This statutory requirement, to do half the needed UGB amendments by a date certain, affects the analysis of land outside the UGB to meet the identified need. The staff reports on the urban reserve areas identified for 1998 legislative UGB amendment consideration conclude that if all these lands were added to the UGB only about 28,700 dwelling units would be accommodated. Therefore, all of these lands, and more are the "best suited" lands outside the UGB to meet the identified need.

3.01.020(b)(3)

Factor 3: Orderly and economic provision of public facilities and services.

> (A) For the purposes of this section, economic provision shall mean the lowest public cost provision of urban services. When comparing alternative sites with regard to factor 3, the best site shall be that site which has the lowest net increase in the total cost for provision of all urban services. In addition, the comparison may show how the proposal minimizes the cost burden to other areas outside the subject area proposed to be brought into the boundary.

According to the staff reports, the Productivity Analysis was performed to assess dwelling unit and employment capacity in selected URAs and to estimate costs for wastewater, water, stormwater, and transportation service to these URAs. The Productivity Analysis indicates that although all URAs can be provided with the above services, some areas are more costly to serve than others.

The cost of providing services to URAs were compared by calculating dwelling unit equivalents . The total estimated cost for wastewater, water, stormwater and transportation is expressed in staff reports as cost per Dwelling Unit Equivalent (DUE). A DUE is an estimate of service demand taking into consideration employment based needs as well. A DUE is the Estimated Dwelling Units (EDUs) per URA plus the estimated employment per URA.

The Council finds that URA 43 and 47 can feasibly be provided with services. According to the staff reports both URA 43 and 47 will be used for housing and subject to the 2040 Growth Concept design type of inner neighborhood. This design type requires an average density consistent with at least 10 units per net developable acre as required by Metro Code 3.01.012(e)(4). The staff report indicates that 45 units will be built on 7.2 net buildable acres for URA 43. For URA 47, 412 dwelling units are anticipated for 57.2 buildable acres. Although both URS 43 and 47 can be served, when ranked from lowest to highest

for total cost, the estimated cost for URA 43 is $62,001 per DUE, the 44th lowest cost ranking. The information provided for 47 indicates it also has high relative costs among URAs - $34,125 - the 39th lowest cost determined in the Productivity Analysis.

The owner of URA 43 submitted more site specific evidence which shows that the area can be connected to the City of Tualatin's wastewater service as part of the city's gravity system which would eliminate the need for a pumping station as assumed for the productivity analysis ranking. The Metro Council accepts this site specific evidence that is confirmed by the city.

The owner of lands in URA 47 has provided information which clarifies a mapping issue in the boundary of URA 47 at its southern border. This information demonstrates that the Floodplain boundary based on the FEMA flood elevation should be located to the south of the line currently shown on the urban reserve maps. The corrected boundary is identified in Exhibit B of Ordinance 98-788A. The map is an approximation of the southern boundary of URA 47. The actual boundary is established by the FEMA 100 year flood plain elevation of 129 feet. This closely approximates the area of inundation for the 1996 flood area.

This provision of the Metro Code states "the best site shall be that site which has the lowest net increase in the total cost for provision of all urban services." The cost estimates for URA 43 and 47 show that other URAs are relatively better by comparison of overall cost of connecting to existing service systems. However, Factor 3(A) must be balanced against the other factors in Metro Code 3.01.020. The higher, actual inner neighborhood minimum density levels will allow for costs to be spread over a larger number of dwelling units than in other URAs. Therefore, sites 43 and 47, on balance, are better than the average of the 12,000 acres of urban reserve land in Phase 2 of the productivity analysis. All such above average lands will be needed to add about 32,400 units to the UGB.

(B) For the purposes of this section, orderly shall mean the extension of services from existing serviced areas to those areas which are immediately adjacent and which are consistent with the manner of service provision. For the provision of gravity sanitary sewers, this could mean a higher rating for an area within an already served drainage basin. For the provision of transit, this would mean a higher rating for an area which could be served by the extension of an existing route, rather than an area which would require an entirely new route.

URAs 43 and 47 are adjacent to the UGB. Both will integrate into existing service systems. For URA 43, the City of Tualatin has committed to a schedule, funding and a work program for completing a public services plan for this area. For URA 47, the City of King City has submitted a letter to the Council making a similar commitment. Funding for that planning will come from two owners of property in URA 47.

Wastewater

URA 43

Site specific evidence on wastewater shows that wastewater service would be provided by attaching to the City of Tualatin's existing system. According to the Productivity Analysis, provision of sanitary sewer service to URA 43 was estimated to require one new pump station. In addition, this reserve would need approximately 7,200 feet of pipe, manholes and trenching, 2,250 feet of force mains and treatment capacity for 0.02 million gallons per day (mgd). However, site specific evidence indicates that a gravity sewer will be sufficient to provide service. Information from USA demonstrates that there is existing capacity for the additional wastewater that will be generated by this area. The Council concludes that extension of wastewater service outside the existing UGB into URA 43 will not impair existing service in the City of Tualatin.

URA 47

URA 47 is located immediately adjacent to King City with an existing sewer line located in 131st Avenue. The staff report states that additional capacity must be added to the treatment facility serving the current UGB. However, the United Sewerage Agency (USA) has indicated that the extension of services from existing serviced areas will be available to this area when it is included in the UGB. Based on this evidence, the Council concludes that this extension of wastewater service outside the existing UGB into URA 47 will not impair existing service in the City of King City or compromise USA's existing system.

Water

URA 43

According to the staff report and the Productivity Analysis, provision of water service to URA 43 would require a water source expansion of 0.02 mgd and 200 feet of transmission lines. The City of Tualatin has stated that water service can be provided from its existing system. Based on this evidence, the Council concludes that extension of water service outside the existing UGB into URA 43 will not impair existing service in the City of Tualatin.

URA 47

The staff report states that the Tigard Water District has indicated that services can be extended from areas within the UGB to serve URA 47. A water service master plan will be completed by the Tigard Water District to serve this area. Expanding water service to this area will not compromise the ability of the Tigard Water District to continue to serve the area within the current UGB and may actually enhance existing systems by providing more opportunities for looping water lines and increasing water pressure. Therefore, the Council

finds that extension of water service outside the existing UGB into URA 47 will not impair existing service as provided by the Tigard Water District.

Stormwater

URA 43

According to the staff report, the City of Tualatin states that stormwater services can be provided to URA 43. Exhibits 10 and 17 of the proposed "Site 43 Urban Reserve Plan" demonstrates that the drainage system site development uses the natural drainage to Seely Ditch in a manner consistent with Title 3.

URA 47

According to the staff report, there is no existing or planned, piped storm water collection system in place in this area. All existing runoff from impervious surface in this area is either allowed to infiltrate directly into the ground or is collected in a roadside ditch system.

The Council does not consider connection to existing piped stormwater systems to be necessary to demonstrate that stormwater can be adequately managed consistent with local government regulations and Metro's Urban Growth Management Functional Plan. The Productivity Analysis estimates that water quality pond/marshes and detention will be required to address stormwater runoff from urbanization of URA 47. Detention facilities will slow and delay water run-off and prevent downstream flooding. Incorporation of water quality features will filter increased pollutant loads from urban run-off and collect sediments before this run-off reaches streams and creeks.

Therefore, URA 47 stormwater facilities will be orderly on the condition that the final urban reserve plan provide sufficient on site stormwater detention consistent with USA guidelines and Title 3 of the Urban Growth Management Functional Plan.

Transportation

URA 43

Grahams Ferry Road is the primary north and south roadway in the URA 43 area and provides two-lane access between Tualatin and Wilsonville. According to a traffic analysis completed by Kittleson & Associates, Inc. (March 1998), the transportation system in the area would be adequate to accommodate year 2015 traffic with or without development of up to 70 single family houses on URA 43. While the Boones Ferry Road and Grahams Ferry Road intersection under existing conditions is operating at unacceptable level of service (LOS) F during peak hours, the current improvement project is anticipated to upgrade the LOS to an acceptable level (D or better). In addition, the report states that developing the reserve to anticipated Tualatin zoning would not significantly affect any of

the transportation facilities serving the site. Therefore, the Council finds that urban levels of development in URA 43 will not compromise the existing transportation system inside the UGB or the surrounding areas.

URA 47

Fischer Road and 131st Avenue provide two-lane access to URA 47. Beef Bend Road (north of URA 47) has been identified in Metro's draft Regional Transportation Plan (RTP), *Proposed Transportation Solutions for 2020* (September 1998) as being one of a list of projects identified as the most critical system need in the Portland region for the next 20 years. Beef Bend Road and King City sidewalk improvements will improve the overall accessibility in this area. The list of projects and programs is part of a major update to the RTP that begins to implement the Region 2040 plan. Beef Bend Road (a street extension from Scholls Ferry Road to Highway 99W) is identified for a Traffic Management Plan and will be included in the second round of analysis for the RTP scheduled in 1999.

The staff report indicates that both 131st and Fischer Road can be extended to provide access to URA 47. Due to the shapes of the parcels within URA 47 there are opportunities for east-west and north-south connections. Transit bus service will also be included in any transportation plan. Therefore, transportation service is feasible for URA 47 with the condition that the final urban reserve concept demonstrate the planned transportation connections consistent with the Regional Transportation Plan and the applicable local transportation plan.

Fire, Police and Schools

URA 43

The City of Tualatin has indicated that it will provide police and fire service for URA 43. The Sherwood School District has stated that it has sufficient existing schools capacity for the area. Therefore, schools service is feasible with the condition that the final Urban Reserve Plan indicates how the school district boundary issue affecting this property has been resolved.

URA 47

Tualatin Valley Fire District and the Washington County Sheriff have indicated that emergency services can be provided. The Tigard School District (23J) serves URA 47 and has indicated that it can adequately serve this area. The Council finds that school and fire service are available to URA 47 and that the providers have indicated that they have sufficient capacity to serve the area without compromising their other service obligations inside the UGB.

3.01.020(b)(4)

Factor 4: Maximum efficiency of land uses within and on the fringe of the existing urban area.

> (A) The subject area can be developed with features of an efficient urban growth form including residential and employment densities capable of supporting transit service; residential and employment development patterns capable of encouraging pedestrian, bicycle, and transit use; and the ability to provide for a mix of land uses to meet the needs of residents and employees. If it can be shown that the above factors of compact form can be accommodated more readily in one area than others, the area shall be more favorably considered.

URA 43

According to the staff report, URA 43 is capable of being developed with features that comply with the 2040 Growth Concept. The Productivity Analysis includes assumptions that URA 43 would most likely be developed with the 2040 design type of an inner neighborhood. This results in an estimated 45 to 54 dwelling units and 15 to 18 jobs that can be accommodated within URA 43. Development at these levels will result in an average density of about 10 dwelling units or more per net buildable acre which is capable of encouraging pedestrian, bicycle and transit use.

URA 47

URA 47 consists of approximately 82 acres. The Productivity Analysis estimates that from 361 to 436 dwelling units and 120 to 145 jobs can be accommodated within this area. Development at this intensity will result in an average density of 10 dwelling units or more per net buildable acre which complies with the 2040 Growth Concept design type for inner neighborhood. The staff report also states that the addition of this URA combined with the existing level of development in the surrounding area will be sufficient to support transit service. The compact development envisioned for this area would provide opportunities for multi-modal transportation that would encourage walking, bicycling and transit.

Compliance with Factor 4 of Goal 14, which this section of the Metro Code is acknowledged by LCDC to implement, also requires consideration of measures for satisfying the Factor 1 and 2 need inside the existing UGB. Metro has gone well beyond considering some measures to improve existing capacity inside the UGB. Metro's Urban Growth Management Functional Plan, Title 1 requires all of the 24 cities and three counties in Metro's jurisdiction to amend their comprehensive plans and implementing ordinances to require that new development result "in the building of 80 percent or more of the maximum number of dwelling units per net developable acre permitted by the [existing] zoning designation for the site." This requirement will significantly increase the housing unit capacity inside the existing UGB. Therefore, Metro has considered and implemented

regionwide measures which comply with the Goal 14, Factor 4 requirement to avoid premature conversion of land outside the UGB to urban use.

> (B) The proposed UGB amendment will facilitate achieving an efficient urban growth form on adjacent urban land, consistent with local comprehensive plan policies and regional functional plans, by assisting with achieving residential and employment densities capable of supporting transit service; supporting the evolution of residential and employment development patterns capable of encouraging pedestrian, bicycle, and transit use; and improving the likelihood of realizing a mix of land uses to meet the needs of residents and employees.

The staff report concludes that the anticipated densities in URAs 43 and 47 will facilitate efficient urban growth inside the UGB. Street connectivity would be improved through subdivision layout of streets consistent with the land within the City of Tualatin with enhanced street connectivity. This would provide better access for fire and police protection, as well as increased opportunities for bike and pedestrian trips. Extension and looping of water lines between existing development within Tualatin and URA 43, and King City and URA 47 will enhance water service by eliminating dead end lines and increasing available water pressure. In addition to those efficiencies, urbanization of URA 43 will encourage the local street network to be improved to urban standards to add curbs and gutters, sidewalks, wheelchair ramps and bike lanes. Extension of sanitary sewer to URA 47 may allow areas inside the UGB without sanitary sewer service to gain such service and reduce current dependence on individual septic systems over time.

3.01.020(b)(5)

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

> (A) If the subject property contains any resources or hazards subject to special protection identified in the local comprehensive plan and implemented by appropriate land use regulations, findings shall address how urbanization is likely to occur in a manner consistent with these regulations.

URA 43

No resources or hazards subject to special protection which are identified in the Washington County comprehensive plan are present in URA 43. However, Seely Ditch will be subject to protection provided by Title 3 of the Functional Plan (Water Quality, Flood Management and Fish and Wildlife Conservation) when brought into the UGB.

URA 47

No resources or hazards subject to special protection which are identified in the Washington County comprehensive plan are present in URA 47. A tributary of the

Tualatin River in URA 47 will be subject to protection provided by Title 3 of the Functional Plan once the area is amended into the UGB.

> (B) Complementary and adverse economic impacts shall be identified through review of a regional economic opportunity analysis, if one has been completed. If there is no regional economic opportunity analysis, one may be completed for the subject land.

A regional economic opportunity analysis has not been completed as of the date of this report for any URA.

> (C) The long-term environmental, energy, economic, and social consequences (ESEE) resulting from the use at the proposed site. Adverse impacts shall not be significantly more adverse than would typically result from the needed lands being located in other areas requiring an amendment of the UGB.

Environmental

URA 43

The staff report shows that Seely Ditch, a tributary of the Willamette River, runs north to south along the eastern portion of URA 43. The Creek Corridor includes 20 percent and greater slopes with a good forest cover. The forest cover provides multiple water quality and quantity benefits. The staff report indicates that maintaining the creek vegetation to protect these benefits is important protecting water quality in the areas. The Council agrees and finds that implementation of Title 3 of the Functional Plan in this area once it is made part of the UGB will provide that needed protection.

URA 47

A tributary of the Tualatin River crosses URA 47 and the Tualatin River is located directly south of the reserve area. Portions of the stream have intact riparian vegetation that should be protected to maintain water quantity and quality benefits. Generally, the riparian areas within the site provide a good linkage to the river and need to be protected. A portion of the stream upstream of the Tualatin River has had virtually all of the riparian vegetation removed. There is a valuable opportunity for stream restoration on this section of the stream. URA 47 is in the middle of a habitat corridor that is surrounded by heavy development. The Council agrees and finds that implementation of Title 3 of the Functional Plan in this area once it is made part of the UGB will provide that needed protection.

The Council finds that the impacts of urbanizing both URA 43 and 47 are not more adverse than would typically occur in other urban reserves.

Social

URA 43 and 47

As the staff report demonstrates, there are positive and negative consequences to urbanizing any area. Through required urban reserve planning, the area can be developed in an efficient manner with the amenities of an urban area. This would provide an opportunity for mix-use development with a wide array of services for local residents. The closer proximity of housing to services and jobs will result in fewer vehicle miles traveled by local residents, and will provide opportunities for other modes of transportation such as transit, bicycling and walking. These benefits are gained at the cost of losing a small portion of the rural lands outside the current UGB. Farming activities may feel the impacts of increased urbanization in the form of increased traffic or pressure to develop their lands or curtail farming activities. These social costs must be weighed against the costs of not providing enough land to accommodate needed housing and jobs.

However, the Council finds that the social cost of not expanding the UGB in areas close to existing developed areas is great. Bringing limited amounts of land into the UGB and requiring development consistent with the 2040 Growth concept is anticipated to decrease the pressure on nearby farm land and rural residential land to accommodate more low density development. URAs 43 and 47 can accommodate 2040 Growth Concept densities which the Council finds will limit impacts such as the loss of agricultural production, increased costs of services, increased vehicle miles traveled and pollution that result from pushing growth outside of the areas that are contiguous to the current UGB.

Both URA 43 and 47 are exception lands which are currently zoned to allow residential uses on five acre lots. Urbanization in these two areas will not cause the loss of EFU land. The staff report indicates that there are no archeological, historic or aggregate resources sites on either URA 43 or 47. Both sites offer the same opportunity to provide affordable housing at inner neighborhood 2040 design type densities. Therefore, Council finds that the social impacts of urbanizing these two URAs is minimal compared to the advantages discussed above and are certainly not more significant than would typically result from the needed lands being located in other urban reserves.

Economic

URA 43

The Council finds that urbanization of URA 43 and 47 will have the typical impacts that accompany urbanization of lands anywhere in the region. Intensification of residential development will increase the per acre value of land and improvements within this reserve. Once annexation to the adjacent cities and development occurs, all special districts serving this area will also receive an increase in their tax bases. Because the current use of the area is primarily rural residential, the Council finds there will be no significant loss of agricultural or forest production from URAs 43 or 47. Since these URAs will be

developed at densities corresponding to 2040 inner neighborhood design types, development will add to the economic base of the area by adding dwelling units and potentially some home-based jobs.

Energy

According to the staff reports URA 43 and 47 will not significantly increase energy consumption. Both are located adjacent to the UGB and have close access to nearby town centers. Providing increased housing availability at 2040 growth concept densities will help reduce vehicle miles traveled by providing housing opportunities close to the jobs centers in King City, the City of Tigard and City of Tualatin. The Council finds that any increase in energy consumption from fossil fuels or electricity required for new residential development will not be typically more adverse than would typically result from development of other lands requiring an amendment to the UGB.

3.01.020(b)(6)

Factor 6: Retention of agricultural land.

> (B) After urban reserves are designated and adopted, consideration of Factor 6 shall be considered satisfied if the proposed amendment is wholly within an area designated as an urban reserve.

The staff reports correctly state that the Metro Council adopted urban reserves on March 6, 1997 by Ordinance No. 96-655E. URAs 43 and 47 were adopted as part of that ordinance. As noted in Metro Code, the above hierarchy is only to be used prior to adoption of urban reserves.

Alternatively, the staff reports also correctly note that the designated urban reserves are not yet acknowledged by LCDC and are currently under appeal. However, both URA 43 and 47 are composed completely of exception lands. Therefore, there is no agricultural land to retain. In the urban reserves study analysis, URSA 43 received a good agricultural land retention rating of 14. URA 47 received a rating of 12. These relative suitability scores are part of Metro's prior analysis demonstrate that adding these URAs to the UGB will have a region wide effect of retaining agricultural land. The Council finds that there is no evidence which indicates that the Factor 6 scoring for URA 43 and 47 should be revised. Therefore, the Council finds that amending the UGB in these two areas would retain farmland in accordance with Factor 6 even if the areas were not exception lands already designated as urban reserves.

3.01.020(b)(7)

Factor 7: Compatibility of proposed urban development with nearby agricultural activities.

(i) A description of the number, location and types of agricultural activities occurring within one mile of the subject site.

URA 43

According to the staff report, there are 191 acres of EFU land within one mile of URA 43. None of that land is currently being farmed. No other agricultural activities are identified to be occurring on other lands within one mile of URA 43.

URA 47

URA 47 has approximately 649 acres of EFU-zoned land located within one mile of its western and southern boundary. This EFU land represents 21 percent of the entire land area within one mile of URA 47. Of the 649 acres identified, approximately 4 percent of the EFU land is in high value nursery stock, 2 percent in orchards and 93 percent is either in lower value field crops or is un-farmed. This estimation was made using Metro Regional Land Information System, aerial photos and information obtained from the Farm Bureau.

(ii) An analysis of the potential impacts, if any, on nearby agricultural activities taking place on lands designated for agricultural use in the applicable adopted county or city comprehensive plan, and mitigation efforts, if any impacts are identified. Impacts to be considered shall include consideration of land and water resources, which may be critical to agricultural activities, consideration of the impact on the farming practices of urbanization of the subject land as well as the impact on the local agricultural economy.

URA 43

The staff report indicates that none of the EFU land identified in Factor 7(i) above is presently being farmed. No other agricultural activities have been identified in this area. Therefore, the Council finds that there are no agricultural activities "taking place" at this time which could be impacted by urban development. Should such activities arise after URA 43 is amended into the UGB, it will be buffered by the forested areas to the south, Grahams Ferry Road to the west, and a tributary of the Tualatin to the east. The Council finds that any future impacts on traffic congestion will not compromise the present acceptable level of service on surrounding roadways.

URA 47

The Council finds that the majority of EFU in this area is located across the Tualatin River and will not be adversely affected by the development of this URA.
However, fresh vegetable and nursery operations may benefit from increased markets created by nearby development. Drainage impacts due to increased stormwater runoff from this URA on nearby farmland will be minimal.

3.01.020(c)

(1) The land need identified for Factors 1 and 2 of 3.01.020(b), above, included the estimated effect of the regionwide upzoning required by the Urban Growth Management Functional Plan. The requirements of Title 1 of that Plan include use of an 80% minimum residential densities and target upzoning for all 24 cities and 3 counties in Metro. Those regionwide policies require the accommodation of all the additional housing inside the UGB that is reasonable. The Council finds that the measures required by the Functional Plan goes beyond the Metro Code requirement to consider whether the identified land need cannot reasonably be accommodated within the current UGB.

(2) URA 43 is compatible with the adjacent rural residential uses because urbanization will not compromise services in the area. Traffic impacts will be minimal and will not affect the presently acceptable level of service.. URA 43 is compatible with the nearby agricultural uses because it is buffered by Seely Ditch to the east, and Grahams Ferry Road to the west. Therefore, URA 43 is not adjacent to intensive farming practices. Also, URA 43 adds to the nearby market for the nursery stock and fresh vegetables currently in production.

URA 47 is compatible with adjacent agricultural use because it is separated from those uses by flood plain that is not appropriate for intensive farming practices and the Tualatin River.

(3) The ESEE consequences resulting from urban use at URA 43 and 47 are set forth in the Council's findings on Factor 5. Those findings demonstrate that the impacts of urbanizing these two URAs are not more adverse than would typically result in allowing urban development in other urban reserve areas. Since these URAs are primarily composed of exception land, the loss of agricultural land is minimized. Compared to other urban reserves which are also exception lands, these two URAs provide the benefits of compact urban form and 2040 housing densities.

3.01.020(d)

URA 43

URA 43 is contiguous to urbanized residential land to the north and rural residential areas to the east, south and west. Seely Ditch and its associated riparian corridor, approximately 150 feet wide, would buffer the land to the east of the site. The land to the south, zoned rural residential, would be contiguous to the urban residential development. Along the western boundary of the site is Grahams Ferry Road, which would serve as a transition to the rural residential land to the west of the roadway. The Council finds that adding URA 43 to the UGB will not create an island of urban land or allow urbanized land to project into nearby resource lands.

URA 47

The UGB and urban uses border URA 47 to the north and east. The area of Washington County to the south is located in the FEMA 100-year floodplain of the Tualatin River. A BPA right-of-way separates exception lands to the west. The Council finds that adding URA 47 to the UGB will not create an island of urban land or allow urbanized land to project into nearby resource lands.

The Council finds that adding URAs 43 and 47 to the UGB will result in a clear transition between rural and urban lands.

3.01.020(e)

The applicable Statewide Planning Goals are 2 and 14. These goals are addressed by the analysis for Metro Code Section 3.01.020 discussed above. No other applicable goals were identified in the record.

3.01.020(f)

URAs 43 and 47 are consistent with the 2040 Growth Concept because the above findings show that development in these areas consistent with Region 2040 policies and the design types of inner neighborhood is feasible.

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ADOPTED FINDINGS AND CONCLUSIONS
ORDINANCE 98-779D ON FIRST TIER URA 33 AND 34

3.01.015(e)

Based on the analysis for Metro Code 3.01.0120(b)(1)(A), there is insufficient land available in the current UGB for about 32,400 housing units. Urban reserve areas with a proposed urban reserve plan under Council consideration in 1998 would provide less than 10,000 units. Even if all these proposed urban reserve plans are approved in 1998, there is insufficient land available that satisfies the requirements of an urban reserve plan to meet the statutory requirement for 1998 that land for one-half the need, or about 16,200 units, be added to the UGB.

Under these circumstances, this provision of the Metro Code provides that the Metro Council may consider first tier lands where a city or county commits to complete and adopt such an urban reserve plan. The City of Lake Oswego has provided Metro with a November 4, 1998 letter committing to complete urban reserve conceptual planning for the first tier portions of URAs 33 and 34.

The areas addressed in these findings are first tier urban reserves. The first site is an approximately 29.3 acre area located in URA 33. The City of Lake Oswego has proposed that approximately 9.8 acres of first tier URA 33 be developed as a park. The second site is approximately 7.44 acres located in first tier URA 34. Both areas were the subject of locational adjustment applications around June, 1998. However, both applications were withdrawn prior to Metro Council review. The locational adjustment staff reports for each area are part of the record.

3.01.020(a)

Metro Code section 3.01.020 contains the complete requirements for amending the regional UGB. The code provisions have been acknowledged to comply with Statewide Planning Goals 2 and 14. They satisfy Metro's Regional Growth Goals and Objectives (RUGGO), as well. Application of this section constitutes compliance with ORS 197.298 which sets land priorities for lands amended into the UGB because the lands being added to the UGB are designated urban reserve areas. Since the Metro Code has been acknowledged by the Land Conservation and Development Commission, compliance with this code section satisfies Goals 2 and 14.

3.01.020(b)(1) and (2) General Need Factors

This acknowledged code section corresponds to Factors 1 and 2 of Goal 14. The need for urban growth boundary amendments may be demonstrated, generally, using either Factor 1 or Factor 2 or both. This acknowledged code section predates ORS 197.298(3). Therefore, need may, also, be met by complying with this statute on specific land need.

3.01.020(b)(1)(A) Factor 1

The Metro Code requires that the demonstration of need shall include a forecast of regional population and employment. The forecast must also include a forecast of net developable land need. Concurrent with these forecasts, completion of an inventory of net developable land is required.

The regional population and employment forecast, net developable land need and inventory of developable land are contained in Metro's Urban Growth Report (UGR). The first draft of the UGR was presented to the Metro Council in March, 1996. After public hearings, the Council directed the Metro Executive Officer and Staff for conduct further research on urban growth demand. The results of this research were presented to the Council in the second draft of the UGR in June, 1996. On December 18, 1997, the Metro Council adopted the final UGR in Resolution No. 97-2559B to comply with ORS 197.299(1). That final report estimated a UGB capacity deficit from 29,350 to 32,370 dwelling units and 2,900 jobs.

The UGR has two components. It contains the 2017 Regional Forecast which projects households and population, in demand for dwelling units, and demand for employment to the year 2017. This forecast represents an update of the 2015 Regional Forecast which made projections for three separate 25-year growth scenarios - Medium Growth, High Growth and Low Growth. The UGR predicted that the Medium Growth scenario has the highest likelihood of being realized over the 20 year forecast horizon. This forecast will be extended to 2019 or 2020 when UGB amendments are completed by December, 1999 as required by ORS 197.299(2)(b).

The UGR also contains a Buildable Land and Capacity Analysis for the Metro UGB. The analysis estimates the supply of land inside the current UGB sufficient to meet future development for industrial, retail and commercial uses and lands "available and necessary for residential uses" under state law. ORS 197.295(1). The conclusion of the developable lands capacity analysis was that the region does not have a 20-year supply of land inside the current UGB.

Two recent reports update data in the UGR: the Urban Growth Report Addendum (UGRA), and the Urban Growth Boundary Assessment of Need (UGBAN). The UGRA was completed August 26, 1998. The UGRA uses the same methodology as the UGR and updates UGR data in three areas. First, the data on vacant lands were updated from 1994 information to include 1997 data. Second, the analysis of actual residential redevelopment and infill rates were measured for 1995 and 1996 to refine the estimates used in the UGR. Third, the inventory of unbuildable land inside the UGB was revised to better identify land constrained by environmental features.

The UGRA also provides data on two scenarios for assessing the amount of developable land inside the UGB that will be constrained by Title 3 of Metro's Urban Growth Management Functional Plan. These estimates reflect 1998 adoption of the map of Title 3

regulated land. The first scenario calculates total developable land assuming a regionwide 200-foot buffer from the centerline of streams and for steep slopes greater than 25 percent. This assumption is a conservative estimate of additional required buffer widths that could be required as a result of two contingencies, the Endangered Species Act (ESA) listing of lower Columbia River Steelhead and Metro's Fish and Wildlife Habitat planning. Both are in early stages of development. The second scenario calculates total developable land assuming only the buffer widths as required by Sections 1-4 of Title 3 on the 1998 map which provide performance standards for regional water quality and flood control. Metro Staff have a completed a draft work plan for Title 3, Section 5 Fish and Wildlife Habitat protection which will be coordinated with existing Statewide Planning Goal 5 planning in the region. The work plan describes the research necessary to determine the scientific basis for buffers beyond those adopted for statewide Goal 6 and 7 purposes in riparian corridors, wetlands. These and other Goal 5 resources may require additional regulation that may be included in a regional functional plan. The work plan also sets a schedule for determining a methodology by which buffers can be applied to identified Goal 5 and regional resources. It is anticipated that this analysis will be available in 1999, and that the Council can determine at that time whether regionwide buffers up to 200 will be necessary to protect identified Goal 5 and ESA listed resources. That information will be included in the refined UGB capacity analysis prior to or concurrent with UGB amendments required to expand the UGB to bring in the remaining one half of needed land in 1999 as required by ORS 197.299(2)(b).

In March, 1998, National Marine Fisheries Service (NMFS) listed lower Columbia River Steelhead as a threatened species under the ESA. The listing affects a major portion of the Metro region because the listing includes the Willamette River up to the Oregon City falls. NMFS is also reviewing a petition to list salmonid species in the upper Willamette River above the falls and a decision is expected in 1999. To conserve listed steelhead may require buffers along regional streams which are well in excess of the vegetated corridors required by the water quality and flood management provisions of Title 3 of the Functional Plan. NMFS has not yet promulgated rules which they are authorized to adopt under section 4(d) of the ESA, which contain restrictions to conserve threatened steelhead. However, the 4(d) rule is anticipated to be in place by early 1999. At that time, the Metro Council will have more specific information upon which to refine its Buildable Land and Capacity Analysis.

The UGBAN was completed in October, 1998. This report summarizes all of Metro's efforts to assess the supply of developable land inside the UGB, and Metro's efforts to maximize the capacity of the current UGB. This updating of information in the UGRA and analysis in the UGBAN demonstrates that Metro has taken measures to increase the capacity of the UGB to accommodate unmet forecasted need for housing in the region. The Council finds these analyses sufficient evidence upon which to amend the UGB to satisfy the requirements of ORS 197.299(2)(a). However, more study is needed in 1999 to estimate the impact of the Functional Plan and to account for stream buffer requirements resulting from Metro's Fish and Wildlife Habitat planning and National Marine Fisheries Service restrictions for Lower Willamette River Steelhead. The Council will revisit the

UGB capacity assumptions with refined data prior to or concurrent with amending the UGB in 1999 to accommodate the remaining land needed as mandated by ORS 197.299(2)(b).

3.01.020(b)(1)(B)

The Metro Code requires a regional forecast and inventory "along with all other appropriate data" to be completed to determine whether the projected need for land to accommodate the forecast of population and employment is greater than the supply of buildable land inside the UGB.

The UGR compares the 2017 Regional Forecast with the Buildable Land and Capacity Analysis for the Metro UGB. The UGR found that the current supply of buildable land inside the UGB can accommodate about 217, 430 dwelling units and about 473,100 jobs. However, the regional forecast estimates that by 2017, the housing need will be for approximately 249,800 dwelling units and the employment need with be about 476,000 jobs. This leaves a deficit of developable land inside the current UGB needed to accommodate about 32, 370 dwelling units and 2,900 jobs. The UGR indicated that at an estimated average 2040 Growth Concept density of 10 dwelling units per net developable acre, between 4,100 and 4,800 gross acres need to be added to the regional UGB to accommodate the need to comply with ORS 197.299(2). The Metro Council held a public hearing, providing the opportunity for public comment on Resolution No. 97-2559B on December 18, 1997.

3.01.020(b)(1)(C)

Since the inventory of net developable land is less than the forecasted need, the Metro Code requires an analysis to determine whether there is a surplus of developable land in one or more land use categories that could be suitable to meet that need without expanding the UGB.

The UGBAN discusses Metro's Functional Plan, which was an early implementation measure consistent with ORS 197.296. Under its statutory authority to adopt functional plans, Metro may require or recommend changes to the comprehensive plans and implementing ordinances of the 24 cities and three counties in Metro's jurisdiction. In 1996, the Metro Council adopted the Functional Plan which set targets for housing density with the goal of not having to expand the UGB at the time of this five-year need update. However, these targets were set prior to the requirements in ORS 197.299 that Metro must assess the need for developable land and amend the regional UGB to accommodate at least one half of that need in 1998. Full compliance with the Functional Plan is not required until February, 1999. At that time, unless Metro approves an extension, local governments will adopt amendments to their comprehensive plans and implementing ordinances to accommodate housing densities on future development that are consistent with the 2040 Growth Concept design types. As a result, it will be some time before the full impact of the upzoning required by the Functional Plan can be measured. The Functional Plan

requirements direct development of all residential lands at higher densities than existing comprehensive plans. No surplus lands zoned for nonresidential uses have been identified.

The UGBAN also considered the potential for conversion of industrial lands to residential uses to address the unmet need. Based on regional review of industrial lands and compliance plans submitted by jurisdictions which have a significant amount of industrial land, the UGBAN concludes there is minimal opportunity to redirect industrial land to accommodate housing because those areas are already jobs poor or converting employment to housing will have adverse impacts on the 2040 Growth Concept goal of creating complete communities where residents have close access to jobs and services.

3.01.020(b)(1)(D)

Consideration of a legislative amendment requires "review of an analysis of land outside the present UGB to determine areas best suited for expansion of the UGB to meet the identified need" (emphasis added). This analysis was done in stages. The first stage was to identify lands outside the UGB which cannot meet the need (see Appendix B). The second stage was designation of urban reserves. The third stage was a productivity analysis of urban reserves. Phase I of that analysis narrows the 18,600 acres of urban reserves designated to the year 2040 to 12,000 acres studied in Phase II. The analysis rated the productivity of 12,000 acres. Then, in Phase II, the absence of 998 quasi-judicial applications for UGB amendments, the Metro Council identified lands among the most productive Phase II lands which had begun conceptual plans for 1998 UGB amendment consideration. All of the lands considered for 1998 UGB amendment and more will be needed to comply with ORS 197.299 by December, 1999.

The Council reviewed exception lands outside the UGB which are not designated as urban reserves. That analysis is contained in the staff reports and is entitled "Exception Lands Not Considered as Alternative Sites for Urban Growth Boundary Expansion" (see Appendix B). This report and accompanying map are attached as Appendix B and are incorporated into these findings by this reference. The factors that weighed against inclusion in the UGB included lands zoned for EFU, lands that would eliminate the separation between communities, lands more than one mile from the existing UGB and noncontiguous areas. In addition, natural features and settlement patterns that effect the buildability of land were also considered. These features include steep slope, lands in the FEMA 100-year floodplain and small acreage single family residential areas.

The Council then considered the urban reserves designated in March, 1997. That process was the culmination of several years of analysis, public hearings and study of lands adjacent to the UGB which were deemed suitable for urbanization as measured by Goal 14, factors 3 through 7 and the exceptions criteria of Goal 2. State law sets priorities for amending the UGB which requires that urban reserves generally be considered for urbanization before other lands. ORS 197.298(1). All urban reserves were then reviewed in the Productivity Analysis to determine those urban reserves which where relatively more efficient to serve in the near term to comply with the deadline set by ORS 197.299(2)(a).

The Productivity Analysis was conducted in two phases. Phase 1 analysis examined all 18,571 acres of urban reserve land. The analysis generated an inventory of buildable land within the urban reserves to determine the range in the amount of land that might be needed to accommodate about 32,400 dwelling units and 2,900 jobs. Phase 2 selected a subset of the total urban reserves which would be most efficiently serviced and maximize the efficiency of the existing UGB. Those selection criteria included:

- Inclusion of urban reserves in first tier urban reserves. The Metro Code requires that first tier urban reserves be considered for UGB expansion prior to consideration of other urban reserves. The Productivity Analysis included first tier lands in part to satisfy this requirement.

- Proximity to UGB. While all urban reserves are adjacent to the UGB, the analysis did not select urban reserves that would require other more proximate urban reserves to be developed first before they could develop.

- Productivity Ratio. The Productivity Analysis focused on urban reserves which have a higher ratio of net buildable land to gross acres. Only urban reserves with at least 40 percent buildable land to gross acreage were selected for Phase 2.

- Serviceability Rating. Phase 1 considered the 1996 Utility Feasibility Analysis provided by KCM and the 1998 Urban Reserves Planning Status Report as a baseline for doing further serviceability research. If these reports indicated that the service was easy or moderate, then the urban reserve could be selected for Phase 2 analysis.

- Exceptions. Some urban reserves were selected for Phase 2 analysis even though serviceability was difficult if the urban reserve had a high productivity rating (70-80%) or there were existing urban reserve planning efforts under way.

The productivity analysis resulted in a comparative analysis of the public facilities efficiencies for about 12,000 acres.

The Council then reviewed the urban reserves identified in Phase 2 of the Productivity Analysis to determine whether sufficient information was available at this time to corroborate the service assumptions used for individual urban reserves. This analysis is found in Exhibit B of the staff reports and is attached as Appendix C and incorporated into these findings by this reference. This report identifies urban reserves where the cost estimates may not be reliable because there is little actual data available on service feasibility or funding sources for extension of existing services. The report also identifies urban reserves which, if urbanized, would exacerbate an existing subregional jobs/housing

imbalance. The Council finds that the remaining urban reserves are those for which there is sufficient information at this time upon which to consider specific UGB amendments.

The identified need for about 32,000 dwelling units for a 20-year UGB must be fully accommodated by December, 1999. ORS 197.299(2)(a) requires half of that need to be accommodated within one year of the December, 1999 need analysis. This statutory requirement, to do half the needed UGB amendments by a date certain, affects the analysis of land outside the UGB to meet the identified need. The staff reports on the urban reserve areas identified for 1998 legislative UGB amendment consideration conclude that if all these lands were added to the UGB only about 28,700 dwelling units would be accommodated. Therefore, all of these lands, and more are the "best suited" lands outside the UGB to meet the identified need.

3.01.020(b)(1)(E)

Section 3.01.012(e) of the Metro Code requires an urban reserve conceptual plan. Consistent with section 3.01.015(e), for first tier urban reserves, a commitment from the a city or county to complete a conceptual plan prior to implementing urban zoning is sufficient to satisfy this requirement provided that the city or county: 1) documents its commitment to complete the plan, 2) and adopts a work program, timeline for completion and identifies funding for completing the plan. Other urban reserves must provide a completed conceptual plan for review prior to or at the time of UGB amendment. These portions of URAs 33 and 34 are first tier urban reserves with such commitments. See 3.01.015(e) above.

3.01.020(b)(1)(F)

The Council adopts and incorporates by this reference its findings for Metro Code section 3.01.020(b)(1)(C).

This code provision requires that the need identified in the Regional Forecast cannot reasonably be met within the existing UGB. The analysis in the UGR and the updates in the UGRA demonstrate that Metro meticulously reviewed its buildable land inventory, vacant lands and infill and redevelopment rates to identify lands inside the UGB which are suitable for increasing the capacity of the existing UGB. The UGBAN summarizes these efforts. First, Metro considered all net developable land, regardless of parcelization or ownership in calculating existing UGB capacity. All 2040 Growth Concept design plan categories were considered in the UGR and UGRA. Second, an aggressive redevelopment and infill rate of 28.5 percent was initially used in the UGR. Actual data from 1995-1996 refined this estimated rate. Matching the actual rate identified in new data from 1995-1996 in the UGRA, combined with other factors did not significantly change the range of total housing units needed.

Metro's Functional Plan requires the 24 cities and three counties in Metro's jurisdiction to increase densities to more efficiently use residential land. After local governments amend their comprehensive plans and implementing ordinances in February, 1999, development in residentially designated lands must occur at 80 percent of zoned density which will

maximize the use of newly developed or redeveloped parcels. The effect of the Functional Plan requirements will be reviewed in 1999 after local governments amend their comprehensive plans to comply with Functional Plan requirements. At that time, trends in residential densities can be assessed to help refine the estimated amount of land needed to provide a 20-year supply of land in the region. That approach is consistent with ORS 197.299(2)(b).

3.01.020(b)(3)

Factor 3: Orderly and economic provision of public facilities and services.

> (A) For the purposes of this section, economic provision shall mean the lowest public cost provision of urban services. When comparing alternative sites with regard to factor 3, the best site shall be that site which has the lowest net increase in the total cost for provision of all urban services. In addition, the comparison may show how the proposal minimizes the cost burden to other areas outside the subject area proposed to be brought into the boundary.

According to the staff report, the Productivity Analysis was performed to assess dwelling unit and employment capacity in selected URAs and to estimate costs for wastewater, water, stormwater, and transportation service to these URAs. The Productivity Analysis indicates that although all URAs can be provided with the above services, some areas are more costly to serve than others.

The cost of providing services to URAs were compared by calculating dwelling unit equivalents . The total estimated cost for wastewater, water, stormwater and transportation is expressed in staff reports as cost per Dwelling Unit Equivalent (DUE). A DUE is an estimate of service demand taking into consideration employment based needs as well. A DUE is the Estimated Dwelling Units (EDUs) per URA plus the estimated employment per URA.

According to the staff report, first tier URA 33 will be designated inner neighborhood, and URA 34 will be designated outer neighborhood under the 2040 Growth Concept design type. The cost of providing services to the first tier area of URA 33 is approximately $21,800 - the 27th lowest. The Productivity Analysis shows that the cost for first tier URA 34 is approximately $98,455 per DUE. This high cost estimate is a function of the estimated number of dwelling units and the Productivity Analysis assumptions that pump stations will be required to connect to wastewater systems. The specific evidence in the locational adjustment staff report demonstrates that pump stations are not needed because gravity sewer service is available 200 feet from the site in Childs road. The city has stated that connecting to the existing wastewater system is feasible. Therefore, the Council finds that the public cost per DUE for the first tier site should be much lower consistent with cost estimates for other URAs where nearby sanitary sewer connections are feasible.

(B) For the purposes of this section, orderly shall mean the extension of services from existing serviced areas to those areas which are immediately adjacent and which are consistent with the manner of service provision. For the provision of gravity sanitary sewers, this could mean a higher rating for an area within an already served drainage basin. For the provision of transit, this would mean a higher rating for an area which could be served by the extension of an existing route, rather than an area which would require an entirely new route.

The locational adjustment staff reports for these portions of URAs 33 and 34 reviewed information on the following urban services:

- Water
- Sanitary Sewer
- Stormwater Drainage
- Transportation
- Parks and Open Space

The staff report for the Park site also contains information on fire, police and schools.

For the Park site and the first tier portion on URA 34, the staff concluded, in the locational adjustment staff reports that "the applicant has demonstrated that the subject site is capable of being served with most public facilities and services in an orderly and economic manner."

Wastewater

The staff report states that wastewater service will require the addition of some pipe, manholes, trenching and a minor amount of additional treatment capacity. Since part of the site is planned for park use, sanitary sewers are not immediately needed for that section. However, the city has stated that two sewer connections are relatively close to the proposed park which may also be available for housing in first tier URA 33. The connections are uphill and will require pumping. However, the city states that pumping is feasible, but may not be necessary depending upon development of sewers on other adjacent land also owned by the city.

The city has stated that sanitary sewer connection is available 200 feet from the first tier portion of URA 34 in Childs Road. The site is within the Urban Service Boundary of the city and is shown on the city's Sewer System Master Plan.

Water

The staff report indicates that the Productivity Analysis assumes additional capacity and lines will be necessary to serve first tier URA 33. The information provided in the city's locational adjustment staff report shows that water is available for the site. The staff report

also reflects that provision of water service to the site will likely improve water pressure through a looped water system. The Council finds that water service is feasible for first tier URA 33 based in part on the information in the locational adjustment staff report.

The first tier portion of URA 34 is within the city's proposed Water System Plan. A water connection is available 130 feet to the south in Riven Dell Road.

Stormwater

Currently there is no formally developed piped storm drainage system serving first tier URAs 33 and 34. All existing run-off from impervious surfaces in this area is either allowed to infiltrate directly into the ground or is collected in a roadside ditch system.

The Council does not consider connection to existing piped stormwater systems to be necessary to demonstrate that stormwater can be adequately managed consistent with local government regulation and Metro's Urban Growth Management Functional Plan.

According to the locational adjustment staff report for the park in URA 33, the city proposes diverting stormwater to Pecan Creek which runs through the property. Once the park site is annexed to the city, it will be designated part of the city's Goal 5 program and will be subject to the city's Sensitive Lands Protection Program. As a result water quality protection and erosion control will be required.

Stormwater service for the first tier portion of URA 34 would utilize a small tributary of the Tualatin River. Stormwater management would require water quality and erosion control consistent with the Tualatin River Basin rules and the city's National Pollutant Discharge Elimination System permit.

The Council finds that stormwater provision of services is feasible for both sites on the condition that stormwater be managed consistent with the conditions in Ordinance 98-779D. The Council also finds the Title 3 water quality vegetated corridors should be maintained and revegetation should be adopted prior to adoption of urban zoning.

Transportation

The staff report states that the intersections of Stafford Road and Childs, Rosemont and Borland Roads are at capacity. However, transportation improvements to Stafford and Rosemont Roads are anticipated at the time the first tier URA 33 develops. Both of those improvements are already identified in the city's capital improvement plan. The locational adjustment staff report also found that the development of a park on part of first tier URA 33 would enhance bicycle and pedestrian connections along Stafford Road and Overlook Drive which is north of the site.

The transportation impacts resulting from urban development of the first tier portion of URA 34 will be insignificant. The locational adjustment staff report indicates that about

80-100 trips per day could be generated from residents of this area. The report shows that even with the added trips the local streets that will serve the area are well below their maximum capacity.

With the improvements discussed above and those anticipated when the concept plans for these areas are completed, the Council finds that transportation service to first tier URAs 33 and 34 is feasible.

Fire, Police and Schools

The city will provide fire and police services to these sites. Extension of the existing water system will provide sufficient water pressure for fire protection. The staff report indicates that the park site will benefit the Lake Oswego School District because the district will be able to use the athletic fields during school hours.

Based on the information in the staff report and the locational adjustment staff reports for areas in URAs 33 and 34, the Council finds that extending the services discussed above will not compromise existing service systems inside the current UGB.

3.01.020(b)(4)

Factor 4: Maximum efficiency of land uses within and on the fringe of the existing urban area.

(A) The subject area can be developed with features of an efficient urban growth form including residential and employment densities capable of supporting transit service; residential and employment development patterns capable of encouraging pedestrian, bicycle, and transit use; and the ability to provide for a mix of land uses to meet the needs of residents and employees. If it can be shown that the above factors of compact form can be accommodated more readily in one area than others, the area shall be more favorably considered

The locational adjustment staff reports show that the first tier portions of URAs 33 and 34 are adjacent to the existing UGB. They will be developed to support transit and provide bicycle and pedestrian opportunities. Development of first tier URAs 33 and 34 is anticipated to be consistent with 2040 design type housing densities. The Council finds that development of these sites will promote a compact urban form and is capable of encouraging pedestrian, bicycle and transit use.

(B) The proposed UGB amendment will facilitate achieving an efficient urban growth form on adjacent urban land, consistent with local comprehensive plan policies and regional functional plans, by assisting with achieving residential and employment densities capable of supporting transit service; supporting the evolution of residential and employment development patterns capable of encouraging

pedestrian, bicycle, and transit use; and improving the likelihood of realizing a mix of land uses to meet the needs of residents and employees.

The Council finds that urban development of first tier URAs 33 and 34 will facilitate efficient urban growth inside the UGB in several ways. Improvements to Stafford and Rosemont Roads will improve traffic conditions and will provide better access for fire and police protection. Extension and looping of water lines in the area will increase pressure available for fire flow purposes. The park site in first tier URA 33 will also improve the recreational opportunities of residents already located in the area giving them park opportunities within walking distance. The development of first tier URA 34 will be consistent with 2040 design type densities.

3.01.020(b)(5)

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

(A) If the subject property contains any resources or hazards subject to special protection identified in the local comprehensive plan and implemented by appropriate land use regulations, findings shall address how urbanization is likely to occur in a manner consistent with these regulations.

No resources subject to special protection have been identified in the record.

(B) Complementary and adverse economic impacts shall be identified through review of a regional economic opportunity analysis, if one has been completed. If there is no regional economic opportunity analysis, one may be completed for the subject land.

A regional economic opportunity analysis has not been completed as of the date of this report for either area of URA 33 or 34.

(C) The long-term environmental, energy, economic, and social consequences (ESEE) resulting from the use at the proposed site. Adverse impacts shall not be significantly more adverse than would typically result from the needed lands being located in other areas requiring an amendment of the UGB.

Environmental

As development occurs, water quality and quantity concerns arise due to increased run-off from impervious surfaces. The first tier portions of URAs 33 and 34 will not add a significant amount of impervious surface to the urban area. Particularly, the park site in first tier URA 33 will have a net benefit of environmental impacts by retaining open space and providing opportunities to enhance the site's environmental features.

The Council finds that the typical environmental impacts of urban development near riparian areas can lead to stream degradation if measures are not in place to address those impacts. Title 3 of the Functional Plan provides protection for riparian areas to improve water quality and manage Floodplain. The Council finds that the impact of urbanizing first tier URAs 33 and 34 will not be significantly more adverse than developing other urban reserves on the condition that the measures to address stormwater management, consistent with Title 3 of the Functional Plan, as described in Factor 3 are adopted prior to adoption of urban zoning.

Social

The Council finds that there are positive and negative consequences to urbanizing any area. Through required urban reserve planning, the area can be developed in an efficient manner with the amenities of an urban area. The closer proximity of housing to services and jobs will result in fewer vehicle miles traveled by local residents, and will provide opportunities for other modes of transportation such as transit, bicycling and walking. Location of the park in URA 33 will aid in reducing VMTs by providing recreational opportunities within walking distance of residents both inside and outside the current UGB.

The Council finds that the social cost of not expanding the UGB in areas close to existing developed areas is great. Bringing limited amounts of land into the UGB and requiring development consistent with the 2040 Growth concept is anticipated to decrease the pressure on nearby farm land and rural residential land to accommodate more low density development. The first tier portion of URA 34 can accommodate 2040 Growth Concept densities which the Council finds will limit impacts such as the loss of agricultural production, increased costs of services, increased vehicle miles traveled and pollution that result from pushing growth outside of the areas that are contiguous to the current UGB.

The first tier portions of URAs 33 and 34 are exception lands which are currently zoned to allow residential uses. Urbanization in these two areas will not cause a loss of EFU land. Therefore, Council finds that the social impacts of urbanizing these two sites is minimal compared to the advantages discussed above and are certainly not more significant than would typically result from the needed lands being located in other urban reserves.

Economic

The Council finds that urbanization of URA 33 and 34 will have the typical impacts that accompany urbanization of lands anywhere in the region. Because the current use of these areas is primarily rural residential, the Council finds there will be no significant loss of agricultural or forest production. Since both areas will be developed at densities corresponding to 2040 design types, development will add to the economic base of the area by adding dwelling units and potentially some jobs. The Council finds that these impacts are not typically more adverse than would occur for other lands requiring a UGB amendment.

Energy

Urbanizing the first tier portion of URAs 33 and 34 will not significantly increase energy consumption. Both are located adjacent to the UGB. Providing increased housing availability at 2040 growth concept densities will help reduce vehicle miles traveled by providing housing and recreational opportunities close to the jobs centers in Lake Oswego and West Linn. The Council finds that any increase in energy consumption from fossil fuels or electricity required for new residential development will not be more adverse than would typically result from development of other lands requiring an amendment to the UGB.

3.01.020(b)(6)

Factor 6: Retention of agricultural land.

(B) After urban reserves are designated and adopted, consideration of Factor 6 shall be considered satisfied if the proposed amendment is wholly within an area designated as an urban reserve.

The Metro Council adopted urban reserves on March 6, 1997 by Ordinance No. 96-655E. URAs 33 and 34 were adopted as part of that ordinance. As noted in the Metro Code, the above hierarchy is only to be used prior to adoption of urban reserves.

Alternatively, the first tier portions of URAs 33 and 34 are exception lands. As a result, there is no agricultural land to retain. Therefore, the Council finds that amending the UGB in these two areas would retain farmland in accordance with Factor 6 even if the areas were not already designated as urban reserves.

3.01.020(b)(7)

Factor 7: Compatibility of proposed urban development with nearby agricultural activities.

(i) A description of the number, location and types of agricultural activities occurring within one mile of the subject site.

The staff report shows there are generally 1,159 acres of EFU land within one mile of URA 33, and 636 acres within one mile of URA 34. Of these lands the majority is either in field crops or is unfarmed.

(ii) An analysis of the potential impacts, if any, on nearby agricultural activities taking place on lands designated for agricultural use in the applicable adopted county or city comprehensive plan, and mitigation efforts, if any impacts are identified. Impacts to be considered shall include consideration of land and water resources, which may be critical to agricultural activities, consideration of the impact on the farming practices of urbanization of the subject land as well as the impact on the local agricultural economy.

The staff report identifies some general impacts that may result from urbanizing the first tier areas of URAs 33 and 34. However, the locational adjustment staff reports examine agricultural compatibility for both of these areas. In both instances, there are no specific identifiable impacts on nearby agricultural activities. Both sites are nearly surrounded by land that is currently in rural residential uses. The Council finds that there are no impacted areas for which consideration of mitigation for land and water resources is necessary.

3.01.020(c)

(1) The land need identified for Factors 1 and 2 of 3.01.020(b), above, included the estimated effect of the regionwide upzoning required by the Urban Growth Management Functional Plan. The requirements of Title 1 of that Plan include use of an 80% minimum residential densities and target upzoning for all 24 cities and 3 counties in Metro. Those regionwide policies require the accommodation of all the additional housing inside the UGB that is reasonable. The Council finds that the measures required by the Functional Plan goes beyond the Metro Code requirement to consider whether the identified land need cannot reasonably be accommodated within the current UGB.

(2) The uses identified for the first tier portion of URAs 33 and 34 are compatible with the adjacent rural residential uses because urbanization will not compromise services in the area. Traffic impacts will be minimal and will not affect the presently acceptable level of service. No impacts on nearby farmland have been identified. Therefore, the Council finds that the proposed uses will be compatible with adjacent uses.

(3) The ESEE consequences resulting from urban use at the Park site and the first tier portion of URA 34 are set forth in the Council's findings on Factor 5. Those findings demonstrate that the impacts of urbanizing these two URAs are not more adverse than would typically result in allowing urban development in other urban reserve areas. Since these URAs are primarily composed of exception land, the loss of agricultural land is minimized. Compared to other urban reserves which are also exception lands, these two URAs provide the benefits of compact urban form and 2040 housing densities.

3.01.020(d)

The first tier portion of URA 33 is bordered to the east by Stafford Road and to the south by Rosemont Road. These boundaries will maintain the existing clear transition between rural and urban uses in the area. The first tier portion of URA 34 is bordered to the north and west by the UGB and to the east by Childs Road. The southern border is bounded by a county road which intersects with Childs Road. The Council finds that urban use of both sites will result in a clear transition between urban and rural land.

3.01.020(e)

The applicable Statewide Planning Goals are 2 and 14. These goals are addressed by the analysis for Metro Code section 3.01.020 discussed above. No other applicable goals were identified in the record.

3.01.020(f)

The first tier URA 34 are consistent this the 2040 Growth Concept because the above findings show that development in these areas will be consistent with Region 2040 policies and that 2040 design type housing densities are feasible.

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M E M O R A N D U M

METRO

Appendix A

Date: October 26, 1998

To: Mark Turpel, Senior Program Manager
Growth Management Services Department

From: Glen Bolen, Associate Regional Planner
Growth Management Services Department

Re: ***Exception Lands Not Considered as Alternative Sites for Urban Growth Boundary Expansion***

In December 1997, Metro Council concluded, through adoption of the Urban Growth Report, the Urban Growth Boundary (UGB) did not contain sufficient land to accommodate the forecasted 20 years of residential development. The Metro Council adopted the report describing the deficiency as follows: the UGB must be expanded in order to accommodate just over 32,000 households and 2900 jobs.

According to State law, Metro has until December 31, 1998, to bring enough land into the boundary to accommodate one-half of the total need, just over 16,000 households and 1,450 jobs. State law requires that Metro establish urban reserves to designate the areas it will expand its UGB into over the next 30 years. Metro established 18,579 acres as urban reserves on March 6, 1997. In accordance with State law and Metro Code, the UGB can only be expanded into these adopted urban reserves.

State land-use laws specify a hierarchical approach to making a UGB expansion decision. The State requires Metro to first look at exception lands near the boundary. Exception lands are those that have been excepted from Statewide Planning Goals 3 and 4, protecting farm and forest lands. If exception lands cannot meet the entire need, then Metro may consider resource lands. Metro included both exception land and land designated for farm or forest use in designating its initial Urban Reserve Study Areas (URSAS). The adopted urban reserves, selected from the URSAS also contain both exception land and resource land.

To decide which lands in proximity to the current UGB can best accommodate the immediate forecasted need, Metro contracted with Pacific Rim Resources to perform a productivity analysis of the adopted urban reserves. The consultants completed their task in two phases. The first step was to analyze all of the urban reserves with a cursory look at household and job capacity. The first step allowed the consultants to narrow their focus to approximately 12,000 acres for a more detailed second phase of analysis. Some exception lands were dropped from consideration in the first phase because they were shown to be less productive or more costly to serve.

Some may question why not all the Exception Lands around the region have been considered. The intent of this memo is to describe why those lands were not considered in the UGB expansion.

The majority of the spatial information relied upon for this memo was derived from the data contained in Metro's RLISLITE CD-ROMS dated August 1998. Digital Ortho-photography comes from Metro's RLIS Photo CD-ROMS dated September 1997. Copies of the CD-ROMS utilized are attached. The remainder of the geographic information relied upon was taken from the acknowledged Region 2040 Growth Concept Map.

The staff analysis of exception lands not included in the urban reserves is categorized for ease of reading. The first two groupings include exception land some distance from or not contiguous to the current UGB. Categories 3 through 41 are set up geographically as a 'walk' around the UGB with an analysis on specific small groupings of exception lands that share a common issue.

Category Number	Description

1. **Distance.** None of the lands included in category one are near enough to the present UGB to enable efficient urban expansion. All of these exception areas are at least one full mile from the present UGB. Urban development in these areas would have negative impacts on the environment, specifically air quality; resultant from increases in vehicle mile traveled.

   In addition, many of the exception areas within this category are located within Metro identified rural reserves, and green corridors as designated on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan, and the Regional Urban Growth Goals and Objectives (RUGGOs) specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations.

   Metro is currently working with neighboring communities to develop agreements on shared policy. The intent of the agreement is to protect the rural reserves from urban development and maintain separation between communities.

   A green corridor is defined in the Regional Framework Plan, Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

2. **Noncontiguous Areas.** These exception areas are not contiguous to, or connected to, other exception areas that are contiguous to the UGB. To expand the UGB onto non-contiguous exception areas would require that the intervening agricultural areas be urbanized. In addition, many of the exception areas within this category are located within rural reserves as designated on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain separation between communities.

3. **Columbia Gorge National Scenic Area**. Exception lands in Multnomah County that are affected by Columbia Gorge National Scenic Area were excluded from consideration for urbanization. Urbanization of these areas would conflict with the goals established by the federal government.

4. **Area East of Gresham.** This area has a considerable amount of land that consists of slopes in excess of 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. In addition, there is a significant canyon in the area with a stream that contains both wetlands and lands in the FEMA 100-year floodplain.

5. **Gresham Sandy Separation**. The RUGGOs Objective 26.1 specifies that communities will benefit from maintaining separation. This separation can be achieved by retaining the rural nature of the lands between the UGB and neighboring cities. The area between Gresham and Sandy serves this function. This area is also contained within a rural reserve as identified by the Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain separation between communities.

   The Region 2040 Growth Concept Map also identifies Highway 26 in this area as a green corridor. A green corridor is defined in the Regional Framework Plan, Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

6. **Area South of URAs 1, 2 and 3**. This area was shown by the 1996 "Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas" report completed by KCM to require "above average cost" for servicing. The land in this area is distant from existing urban services. The area contains a considerable amount of hilly land with slopes greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

   This land is separated from the urban reserve land to the north by a watershed boundary, and drains to the south, away from the gravity systems of Portland and Gresham. Using watershed boundaries for delineation of an UGB is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

   The Regional Framework Plan Objective 1.11 (Neighbor Cities) specifies that communities will benefit from maintaining separation. Not including these lands helps achieve this separation by retaining the rural nature of the area between Gresham and Sandy.

US Highway 26 is a designated Access Oregon Highway. The Region 2040 Growth Concept Map identifies Highway 26 in this area as a green corridor. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

7. **Area East of URAs 6, 7 and 8**. Much of the land in this area is shown to have slopes of equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. In addition, the land in this area is far from existing urban services.

   A considerable portion of this area is located within rural reserves as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain separation between communities. The scenic value of the buttes in this area is important to retain while balancing the land need for housing with quality of life needs for the general population.

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

8. **Area East and South of URA 9**. Much of the land in this area is shown to consist of slopes greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. In addition, the land in this area is distant from existing urban services.

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

9. **Area South of URA 9**. Much of the land in this area is shown to consist of slopes greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. In addition, the presence of wetlands further excludes this land from being urbanized.

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

10. **Area North of URA 15**. Much of the land in this area is shown to consist of slopes greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

The scenic value of the buttes in this area is important to retain, while balancing the land need for housing and quality of life needs of the general population.

11. **Area West of URA 15**. Much of the land in this area is shown to consist of slopes greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

The scenic value of the buttes in this area is important to retain, while balancing the land need for housing and quality of life needs of the general population.

12. **Carver Vicinity**. This area is almost entirely consumed by unbuildable land. A large proportion of this land is shown to consist of slopes greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. Most of the land that is not steeply sloped lies within the FEMA 100-year floodplain of the Clackamas River. Metro's adopted Urban Growth Management Functional Plan (Functional Plan) (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

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

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

This area contains significant amounts of land that is shown to consist of slopes greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. Other lands in this area lie within the FEMA 100-year floodplain of the Clackamas River. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

This area is located within rural reserves as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed for urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain separation between communities.

14. **Area East of Oregon City.** This area contains the Newell Creek Canyon, an area with significant amounts of land that is shown to contain slopes equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. According to testimony from the City of Oregon City (see the legal record for the March 6, 1997, Urban Reserve Decision) the topography in this area makes it difficult to efficiently deliver urban services.

There is a substantial amount of land in this area that lies within the FEMA 100-year floodplain. It is also evident that there are several wetlands in this area. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

This area is located within rural reserves as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain separation between communities.

The addition of this land area would create an island of non-urban land surrounding Highway 213 or would increase the pressures of urbanization on the agricultural lands between this area and the UGB.

15. **Beavercreek Area.** These lands were excluded from consideration largely due to the existing settlement patterns. Lot sizes in this area start as small as one-half acre. Examination of aerial photography shows land is being fully utilized by the existing development. There is only one large parcel (approximately 160 acres) of land in the area. This parcel, however, is under construction as a county-owned golf course. Substantially developed areas such as this do not provide much additional development potential. Therefore, the increase in urban growth capacity from adding these lands to the UGB would be minimal.

16. **Oregon City, Canby Separation.** These exception areas are located within rural reserves as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

The acknowledged Region 2040 Growth Concept Map identifies Highway 99 as a green corridor. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

17. **Stafford Area.** Much of this exception land is shown to contain slopes equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the

Region 2040 Growth Concept and the Urban Growth Report. A large amount of the remaining terrain is found to contain slopes between 18-24 percent.

The acknowledged Region 2040 Growth Concept Map identifies I-205 as a green corridor. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

These exception areas are located within rural reserves as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and to maintain a separation between communities.

The land directly west of URA 30 abuts a watershed boundary that directs sewer and stormwater away from the nearest service provider, the City of West Linn. This watershed boundary will make the efficient provision of urban services to these exception lands more costly. Using watershed boundaries for delineation of an UGB is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

18. **South of Interstate-205**. The acknowledged Region 2040 Growth Concept Map identifies I-205 as a green corridor. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

This area also contains environmentally sensitive lands. There are significant areas shown to contain slopes equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. There are also lands in this area that lie within the FEMA 100-year floodplain of the Tualatin River. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

These exception areas are located within rural reserves as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses In the foreseeable future. They are intended

to support and protect farm and forestry operations and maintain a separation between communities. I-205 provides a clear boundary consistent with Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

19. **Sherwood, Tualatin, Wilsonville**. These exception areas are located within rural reserves as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

A considerable amount of land in this area is environmentally sensitive. Some of this sensitive land is shown to contain slopes equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. There is also a considerable amount of land in this area that lies within the FEMA 100-year floodplain, and in federally protected wetlands. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

In addition, the exception lands near Highway 99 are compromised by the presence of a green corridor as identified by the acknowledged Region 2040 Growth Concept Map. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

20. **South of Wilsonville**. All of these exception areas are located within rural reserves as identified by the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

21. **South of Sherwood**. These exception areas are located within rural reserves as identified by the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

Highway 99 in this area is designated as a green corridor on the acknowledged Region 2040 Growth Concept Map. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through

rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

22. **West of Sherwood**. Much of the exception land in this area is located within rural reserves as identified by the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

Highway 99 in this area is designated as a green corridor on the acknowledged Region 2040 Growth Concept Map. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas. The Oregon Department of Transportation (ODOT) has designated Highway 99 as an Access Oregon Highway. The region depends on this transportation facility as a free-flowing connection to communities in Yamhill County and at the Oregon Coast.

23. **Area West and South of URA 47**. All of the exception land south of URA #47 and a significant amount to the west are located within the FEMA 100-year floodplain for the Tualatin River. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

These exception lands are also compromised by the existing settlement patterns. Lot sizes in this area begin at less than one-half acre. Examination of aerial photography shows these lands are largely being utilized by the existing development. Substantially developed areas such as this do not provide much additional development potential. Therefore, the increase in urban growth capacity from adding these lands to the UGB would be minimal.

24. **North of URA 49**. These exception lands are compromised for urbanization by the existing settlement patterns. This area is comprised almost entirely of small acreage single family residential dwellings. Residents in this area expressed concerns to the Metro Council about this area's suitability for further urbanization. Examination of aerial photography shows these lands are largely being utilized by the existing development. Substantially developed areas such as this do not provide much additional development potential. Therefore, the increase in urban growth capacity from adding these lands to the UGB would be minimal.

25. **Cooper Mountain**. These exception lands are compromised for urbanization by the existing settlement patterns. This area is comprised almost entirely of small acreage single family residential dwellings. Residents in this area expressed concerns to the Metro Council about this area's suitability for further urbanization, and that there is an

operating vineyard in the vicinity. There are deed restrictions in place currently that limit the additional capacity of the smaller acreage tax lots in this area. Examination of aerial photography shows these lands are largely being utilized by the existing development. Substantially developed areas such as this do not provide much additional development potential. Therefore, the increase in urban growth capacity from adding these lands to the UGB would be minimal.

26. **Area Southwest of URA 51.** It would be difficult to provide public services to these exception lands if they were added to the UGB. Water, sewer, and storm drainage will have to be run perpendicular to the UGB for some distance in order to serve very few properties.

This area protrudes from the existing UGB into an area designated for farm or forest use by the Washington County Comprehensive Plan. Urbanization of this area would be in conflict to Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

27. **Area South of URA 55.** These exception lands are almost entirely within the FEMA 100-year floodplain. In addition, the presence of wetlands is also an issue. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. Using the FEMA floodplain as a boundary is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition).

There is one small piece of exception land in this area that is isolated from the land that is constrained environmentally. This isolated parcel appears from aerial photography to be the clubhouse and other structures associated with the vineyard and golf course known as "The Reserve." Substantially developed areas such as this do not provide much additional development potential. Therefore, the increase in urban growth capacity from adding these lands to the UGB would be minimal.

28. **Area West of Hillsboro.** These exception areas are designated rural reserves by the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

These areas are not contiguous to, or connected to, other exception areas that are contiguous to the UGB. To expand the UGB onto non-contiguous exception areas would require the addition and urbanization of the intervening agricultural area.

29. **Area between Cornelius Hillsboro.** The exception land in this area is located within rural reserves as identified by the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the

RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

Highway 8 in this area is designated as a green corridor on the acknowledged Region 2040 Growth Concept Map. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

The western edge of this area is adjacent to the FEMA 100-year floodplain. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

Using the FEMA floodplain as a boundary is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

30. **Area North of Cornelius**. The UGB in this area borders the FEMA 100-year floodplain. Using the FEMA floodplain as a boundary is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

A considerable amount of the exception land in this area falls within both wetlands and the 100-year floodplain. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

31. **Area Southwest of Forest Grove**. The exception land in this area is located within rural reserves as identified by the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

The UGB in this area borders the FEMA 100-year floodplain. Using the FEMA floodplain as a boundary is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides,

floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

A considerable amount of the exception land in this area falls within the FEMA 100-year floodplain. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

32. **Area North of Forest Grove.** The exception land in this area is located within rural reserves as identified by the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain a separation between communities.

The majority of this land is shown to contain slopes equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

These areas are not contiguous to, or connected to, other exception areas that are contiguous to the UGB. To expand the UGB onto non-contiguous exception areas would require the addition and urbanization of the intervening agricultural areas.

33. **Area North of Evergreen Road.** These exception lands are relatively small and situated within a larger area of agricultural lands. Urbanization of these lands would have negative effects on the agricultural activities in this area. This intrusion into an agricultural area would not be consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition).

Inclusion of these exception lands within the UGB will create difficulties in regard to the efficient provision of public services. Water, sewer and storm drainage will have to be run perpendicular to the UGB for a distance to serve very few properties.

In addition, to the presence of wetlands, these exception lands contain land within the FEMA 100-year floodplain. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

34. **Area West of URA 62.** This small area of exception land is almost entirely within the FEMA 100-year floodplain. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. Using the FEMA floodplain as a boundary is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

In addition, the exception areas at the western end of Evergreen Road are within rural reserves as designated on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed for urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and to maintain separation between communities.

35. **Area Northeast of URA 62.** A considerable amount of the exception land in this area is within the FEMA 100-year floodplain. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

These areas are not contiguous to, or connected to, other exception areas that are contiguous to the UGB. To expand the UGB onto non-contiguous exception areas would require the addition and urbanization of the intervening agricultural areas.

36. **Area West of URA 65.** This area of exception land in this area is within the FEMA 100-year floodplain. The Functional Plan (Title 3) requires that land of this nature be protected from the effects of development. In addition, such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

The boundary of the adjacent URA #36 corresponds to the 100-year floodplain. Using he FEMA floodplain as a boundary is consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition). In addition, the Metro Code Section 3.01.020(d) states the proposed location for the UGB shall result in a clear transition between urban and rural lands, using natural and build featured, such as roads, drainage divides, floodplains, powerlines, major topographic features, and historic patterns of land use or settlement.

37. **Area North of URA 65.** Agricultural lands and the FEMA 100-year floodplain surround this small area of exception land. Brugger Road was selected as the logical boundary to enhance a compact urban form consistent with the acknowledged Region 2040 Growth Concept and the Regional Framework Plan Objective 1.7.

38. **Area East of URA 65.** The majority of the exception lands in this area is shown to contain slopes equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report. Agricultural lands also surround this area. In addition, the topography of this area limits the accessibility to sewer trunk lines, making the provision of public services more costly.

39. **Skyline Area.** This small area of exception lands is shown to almost entirely contain slopes equal to or greater than 25 percent. Such lands were deemed unbuildable in the analysis of the Region 2040 Growth Concept and the Urban Growth Report.

The addition of this area to the UGB would create an island of non-urban land surrounded by the UGB. Creation of such an island is not consistent with the Regional Framework Plan Objective 1.7 (Urban/Rural Transition).

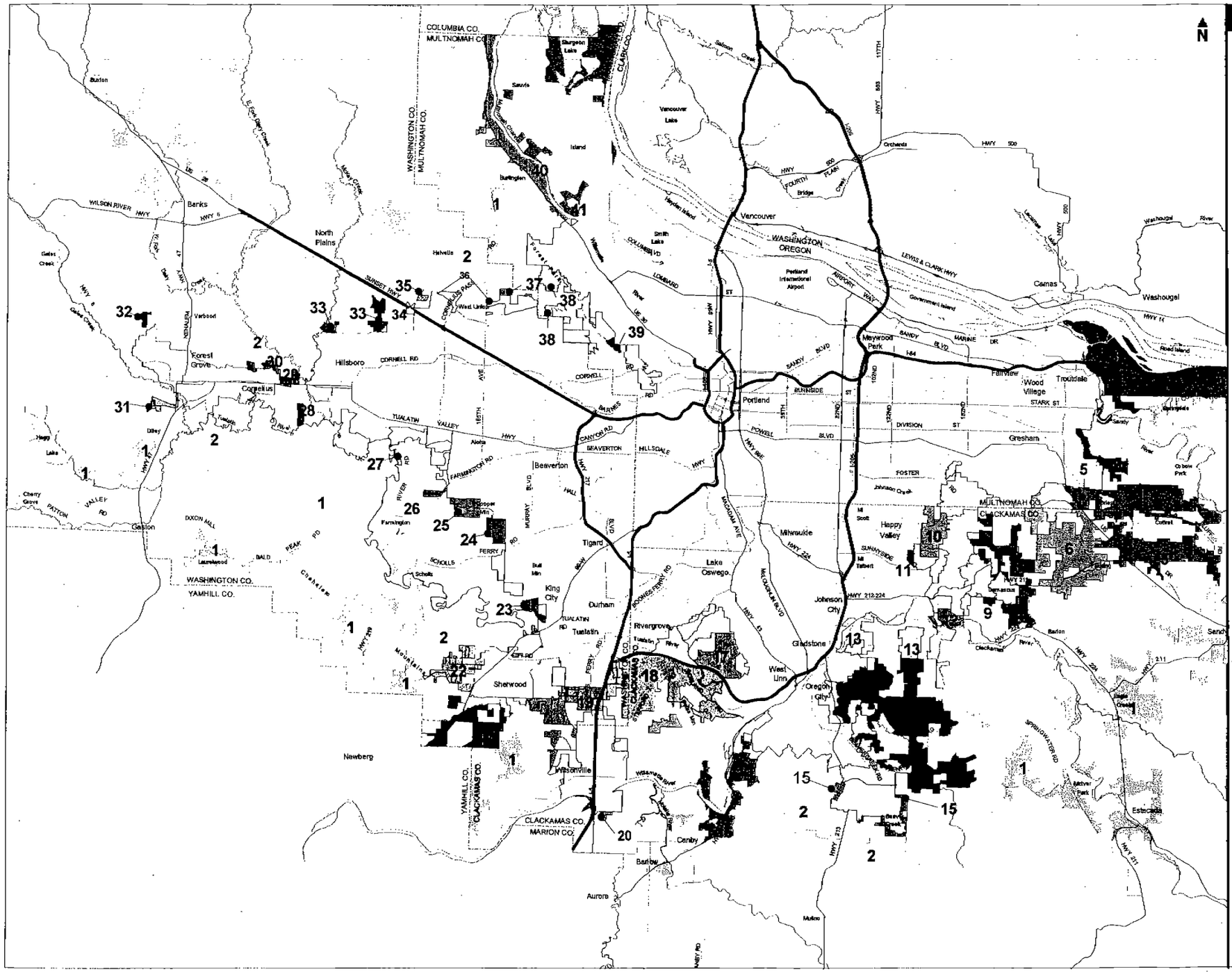
40. **Highway 30.** The Region 2040 Growth Concept Map identifies Highway 30 in this area as a green corridor. A green corridor is defined in the Regional Framework Plan Objective 1.11 (Neighbor Cities) as a transportation facility through rural reserves that serves as a link between the metropolitan area and a neighbor city that also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

In addition, the exception land in this area is within a rural reserve as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed for urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and to maintain separation between communities.

41. **Sauvie Island.** The exception land in this area is within a rural reserve as shown on the acknowledged Region 2040 Growth Concept Map. The policies contained in the Regional Framework Plan and the RUGGOs specify that rural reserves are lands that will not be developed in urban uses in the foreseeable future. They are intended to support and protect farm and forestry operations and maintain separation between communities.

This area also suffers from poor accessibility for transportation services.

GB/srb
I:\GM\LegAmend98\Exception Lands.doc



R L I S

REGIONAL LAND INFORMATION SYSTEM

Exception Land

Outside Urban Reserves

Number on Map refers to Exception lands memo October 26, 1998

Urban Reserves

0 1 2 3 4 5 6 7 Miles

1"= 3.0 miles

METRO

600 NE Grand Ave.
Portland, OR 97232-2736
503 797-1742 FAX 503 797-1909
Email: drc@metro.dst.or.us

Appendix B – Additional Site Considerations

Urban Reserve	Reasons for No Further Consideration at This Time
URA #1	No evidence of pubic service feasibility when Gresham is already shouldering primary responsibility for planning and public facilities for very large, primarily exception land urban reserve (URA #5). A large number of highly productive agricultural uses (nurseries) are located within and around the site. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.
URA #3	Site added to the Metro UGB through locational adjustment in Fall 1998.
URA #11	No evidence of public service feasibility when Clackamas County is already shouldering primary responsibility for URAs #14 and #15 in close proximity. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.
URA #17	Site is amenable to urban residential, but not employment. Considering job/housing imbalance of the area, addition of residential area would only further the imbalance. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.
URA #18	Same as URA #17.
URA #19	Same as URA #17.

URA #22 While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #23 Same as URA #17.

URA #24 Same as URA #22.

URA #25 Same as URA #22.

URA #29 Site is amenable to urban residential, but not employment because of access and parcel size. Considering job/housing imbalance of the area, addition of residential area would only further the imbalance. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #30 Site is suitable for urban residential, but not employment, because of slopes. Considering local job/housing imbalance, addition of residential only now would further the imbalance. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #35 No evidence of public facility capability at this time when the City of Wilsonville is taking responsibility for planning and public facilities for URAs #41 and #42. The area has a water shortage to the extent that the City has adopted a moratorium. The problem may not be addressed until the year 2000. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #36 This URA is primarily a riparian area with very little buildable land. The Productivity Analysis estimates very high public facility cost per dwelling unit and very low productivity. This area is included as an URA for protection of resources. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #37 Same as URA #35.

URA #44 Active aggregate resource extraction site and as such is a protected Goal 5 resource. Additional information about the resource is needed before further consideration and is not now in the record. Closure and reclamation are not yet initiated. The City of Tualatin and the property owner have agreed to begin the planning process next year. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #48 While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #49 Same as URA #48.

URA #61 Same as URA #48.

URA #64 Same as URA #48.

URA #67 This area has among the highest public facility costs as estimated by the Productivity Analysis. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #68 The Productivity Analysis estimated very high public facility costs and very low productivity. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #69 The Productivity Analysis estimated very high public facility costs. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

URA #70 The Productivity Analysis estimated very high public facility costs, low productivity. While the Productivity Analysis provides some information about the costs of public service provision, there is no local government or private entity that has provided any corroborating information sufficient to further substantiate public service feasibility. Without this verification of information, the Productivity Analysis cost estimates may not be reliable. Further, there is no evidence to support funding feasibility of providing service extensions from adjacent areas within the UGB.

NOTICE OF ADOPTION

This form must be mailed to DLCD not later than 5 working days after adoption
ORS 197.615 and OAR Chapter 660, Division 18

See reverse side for submittal requirements

Jurisdiction Metro Local File # _____

Date of Adoption December 17, 1998 Date Mailed December 18, 1998

Date the Proposed Notice was mailed to DLCD about October 13, 1998

___ Comprehensive Plan Text Amendment X Comprehensive Plan Map Amendment

___ Land Use Regulation Amendment ___ Zoning Map Amendment

___ New Land Use Regulation

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Legislative amendment of regional UGB to meet capacity requirements of ORS 197.299. The amendment adds URAs 43, 47, and the first tier exception land areas of URAs 33 and 34 to the regional UGB.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice of the proposed amendment, write "N/A."

URA 45 was not added to the UGB at this time.

Plan Map Change From rural to urbanizable

Zone Map Change From _____ to _____

Location: URA 43 and 47 (T2s,R1W Sec 16 and 35) URA 33 and 34 (T2S,R1E,S15,16,19,20,21,22,23, 28,29 and 30) Acres Involved: about 136

Specify Density: Previous Density rural New Density about 10 units per net developable acre

Applicable Goals: Goals 2 and 14 Was an Exception adopted? ___ Yes X No

DLCD File # _____ DLCD Appeal Deadline _____

Did DLCD receive a Notice of Proposed Amendment 45 days prior to the final hearing?

X Yes __ No: __ The Statewide Planning Goals do not apply

__ Emergency Circumstances Required Expedited Review

Affected State or Federal Agencies, Local Governments or Special Districts: _____

24 cities and portions of 3 counties inside Metro's jurisdictional boundary.

Local Contact: Larry Shaw, Office of General Counsel Phone: 503 797 1532

Address: Metro 600 NE Grand Avenue, Portland, OR 97232

SUBMITTAL REQUIREMENTS

ORS 197.615 and OAR Chapter 660, Division 18

1. Send this Form and One (1) Copy of the Adopted Amendment to:

   Department of Land Conservation and Development
   1175 Court Street, N.E.
   Salem, Oregon 97310-0590

2. Submit three (3) copies of bound documents and maps larger than 8½ by 11 inches.

3. Adopted materials must be sent to DLCD not later than five (5) working days following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will be extended if you do not submit this Notice of Adoption within five working days of the final decision. Appeals to LUBA may be filed within 21 days of the date Notice of Adoption is sent to DLCD.

6. In addition to sending Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

If you need more copies of this form, please call the DLCD at 503-373-0050 or this form may be duplicated on green paper.