

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO 99-809
ORDINANCE NO. 98-788C WHICH)
AMENDS THE METRO URBAN) Introduced by Growth Management
GROWTH BOUNDARY AND THE 2040) Committee
GROWTH CONCEPT MAP IN)
ORDINANCE 95-625A IN URBAN)
RESERVE AREA 55 OF WASHINGTON)
COUNTY)

WHEREAS, the Metro Council designated urban reserve areas in Ordinance No. 96-655E, including the portion of urban reserve area 55 inside Metro jurisdiction; 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, Ordinance No. 96-655E is not acknowledged because it has been appealed to the Oregon Court of Appeals; 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 initiated a series of legislative amendments to the Urban Growth Boundary in 1998 as required by ORS 197.299(2)(a), 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 prior to adoption of Ordinance No. 98-788C on December 17, 1998; and

WHEREAS, notice of Proposed Amendment for urban reserve area 55, 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, Notice of Adoption of Ordinance No. 98-788C was filed on December 18, 1998, prior to four Notices of Appeal being filed with the Land Use Board of Appeal (LUBA); and

WHEREAS, the Metro Council authorized a notice of withdrawal of Ordinance No. 98-788C for reconsideration under LUBA's rules in Resolution No. 99-2769 on March 18, 1999; and

WHEREAS, the Metro Council Growth Management Committee held a public hearing on reconsideration of Ordinance No. 98-788C on May 26, 1999, and the Metro Council left the record open for written testimony until June 10, 1999; and

WHEREAS, the Metro Council considered all the evidence in the record, including public testimony in October, November, and December, 1998 hearings on Ordinance No. 98-788C and the hearing and written testimony on this ordinance 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 ORS 197.299(2)(a) and 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 the lands shown on the map in Exhibit B, attached, and incorporated by reference herein (hereinafter, the "Lands").

3. The 2040 Growth Concept map adopted as part of Ordinance No. 95-625A is hereby amended to show the Lands 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. The Findings of Fact and Conclusions refer in a number of instances to the designation of lands as urban reserves and the fact that urban reserves are required to be considered first for additions to the Metro Urban Growth Boundary. All references in the Findings of Fact and Conclusions to urban reserves shall be construed only as describing the geographic areas designated in Ordinance No. 96-655E, and not as relying on the legal status of those areas as urban reserves. Notwithstanding any other provision of this Ordinance or the Findings of Fact or Conclusions supporting this Ordinance, the Council relies on the legal status of the Lands as urban reserves in adopting this Ordinance only as an alternative, and no provision of this Ordinance shall be construed as a final decision by the Council regarding the urban reserve status of the Lands or of other lands within Metro's jurisdictional boundary or of any other lands. The Findings of Fact

and Conclusions also contain some reference to portions of urban reserve areas that are outside Metro's district boundary. Findings of Fact and Conclusions referring to lands outside Metro's district boundary in URA 55 and planned facilities on those lands are not adopted by the Council to the extent that they relate to the suitability of such lands for future urbanization.

5. In support of Findings and Conclusions adopted in Section 2 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 periods between the October 6, 1998 Growth Management hearing, and the December 3, 1998 final hearing and final adoption of Ordinance No. 98-788C, the period between the March 18, 1999 hearing of the Growth Management Committee on Resolution No. 99-2769 and the Metro Council closing of the record for this Ordinance on June 10, 1999.

6. The amendment of the Metro Urban Growth Boundary is subject to the following conditions of approval:

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 for the Lands shown on Exhibit A.

B. Prior to conversion of the new urbanizable Land to urban land available for development, the City of Hillsboro shall amend its comprehensive plan to incorporate an urban reserve plan for only the Lands as required by Metro Code and Title 11 of the Urban Growth Management Functional Plan. The urban reserve plan shall demonstrate that the Lands will be developed consistent with Metro Code section 3.01.012. The urban reserve plan

provisions to be added to the city's comprehensive plan shall include, but are not limited to, the following:

(1) The portions of the Lands west of River Road shall be designated for parks, greenspaces, Title 3 and recreation corridor uses substantially as shown on Exhibit D.

(2) The portion of the Lands shown as "low-medium density" residential areas on Exhibit D shall be assigned low-medium density zoning of at least 7 dwelling units per net developable acre;

(3) Development in the Gordon Creek neighborhood/main street around the SE Davis - Brookward intersection shown on Exhibit D shall be assigned the following zoning:

a The portion of the Lands shown as "Medium-high" density shall be assigned zoning averaging of at least 22 dwelling units per net developable acre;

b. The portion of the Lands shown as "mixed use-high density" shall be assigned zoning of at least 29 dwelling units per net developable acre.

(4) Affordable housing shall be enhanced by zoning at least 35 acres of apartments, senior housing, or other multi-family housing among the higher density residential zoning in the Gordon Creek neighborhood/main street area averaging at least 25 dwelling units per net developable acre.

C. Adoption of an urban comprehensive plan designation and urban zoning for this area shall include means to assure that speed, temperature, sedimentation and chemical composition of the stormwater runoff meet State and Federal water quality standards.

D. Urban zoning shall address on-site stormwater detention requirements.

The City shall consider a requirement that the amount of stormwater runoff after completion of development shall not be greater than the stormwater runoff before development.

E. Adoption of an urban comprehensive plan designation and urban zoning for the subject area shall be approved only after the city has complied with all Title III Functional Plan requirements, and has addressed Federal requirements adopted pursuant to the Endangered Species Act.

F. Prior to the conversion of the urbanizable land created by this ordinance to urban land available for development, the City's comprehensive plan shall be amended to include the following provisions:

(1) The functional classification of the Tualatin Valley Highway shall remain "principal arterial" consistent with the Regional Motor Vehicles System Map (1997) of the Regional Framework Plan.

(2) The transportation element of the comprehensive plan shall be amended to require the Access Management Strategies in the August 25, 1998 Draft Hillsboro TSP, or substantially equivalent policies.

(3) The transportation element of the comprehensive plan shall be amended to adopt the alternative Level of Service provision authorized by Title 6 of Metro's Urban Growth Management Functional Plan at Metro Code 3.07.640 for the road system planned for this land added to the urban growth boundary by this ordinance.

(4) The transportation element of the comprehensive plan shall be amended to require the number of local street connections per mile required by Title 6 of Metro's

Urban Growth Management Functional Plan at Metro Code 3.07.630 for the road system planned for the land added to the urban growth boundary by this ordinance.

(5) The transportation element of the comprehensive plan shall require the City to coordinate transit service with Tri-Met to phase in increased transit service as this area is developed.

(6) Amendments to the public facilities plan in the Transportation System Plan shall be made with rough cost estimates for each of the following on-site transportation facilities needed for this area to address existing and future needed road improvements as identified in the transportation report of the urban reserve plan:

- Davis Road from River Road to Gordon Creek neighborhood/mainstreet center: new two lane community street.
- Davis Road through the Gordon Creek neighborhood/mainstreet center: new three lane community boulevard.
- Davis Road through the Gordon Creek neighborhood/mainstreet center to Century Blvd.: new two lane community street.
- Brookwood Ave. from TV Highway to Gordon Creek neighborhood/mainstreet center: new two lane community street.
- Brookwood to Gordon Creek neighborhood/mainstreet center: new three lane community boulevard.
- Century Blvd. from TV Highway to Davis Road: new two lane community street.
- Alexander St. from Brookwood Ave. to 229th: new two lane collector.

- River Road from Witch Hazel to Gordon Creek: new three lane arterial.

(7) Amendments to the Public Facilities Plan shall be made with rough cost estimates for each of the following off-site transportation facilities needed for this area to address existing and future needed road improvements identified in the approved urban reserve plan:

- River Road from Gordon Creek to Rosedale Road: reconstruct to two lanes.

- River Road at Witch Hazel: left turn lane, signalization.

- Brookwood/Witch Hazel at TV Highway: realignment, added lanes, new traffic and RR signalization.

- Brookwood from TV Highway to Baseline: reconstruct to 3 lanes, and rebuild curves at Ash St. and Golden Road.

- Brookwood Ave. from Baseline to Cornell: construct to three lanes.

- Century Blvd. from Baseline to Century High School: new three lane roadway extension.

- Century Blvd. from Baseline to Cornell Road: reconstruct to three lanes.

- 229th from 2,000 feet north of Butternut Creek to Rosedale Road: reconstruct two lanes.

- Brookwood at Cedar Street: channelization and signalization.

- Brookwood at Bently: channelization and signalization.

- Brookwood at Golden: channelization and signalization.

(8) The transportation element of the comprehensive plan shall be amended to require completion of a corridor study of the Tualatin Valley Highway prior to urban development approvals for land added to the urban growth boundary by this ordinance to provide additional means of maintaining the through traffic capacity while providing acceptable access to and across this highway.

(9) A school site plan consistent with ORS 195.110 that addresses the future needed school sites identified in the urban reserve plan.

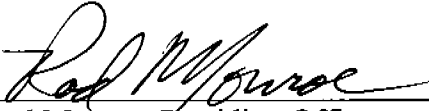
(10) Funding strategies and planning requirements shall be adopted for the acquisition and protection of adequate land to meet or exceed locally adopted level of service standards for provision of public parks, natural areas, trails, and recreational facilities. Lands which are undeveloped due to natural hazards or environmental protection purposes (i.e., steep slopes, floodways, riparian corridors, wetlands, etc.) shall only be considered to meet the natural area level of service standards if the land will be preserved in perpetuity for public benefit.

G. The City of Hillsboro and Washington County shall coordinate transportation facilities to provide appropriate farm vehicle access to farm land outside, but adjacent to, the new urban growth boundary established by this ordinance.

7. Consistent with ORS 268.390(3) and ORS 195.025(1), Washington County and the City of Hillsboro shall include the area added to the Urban Growth Boundary by this

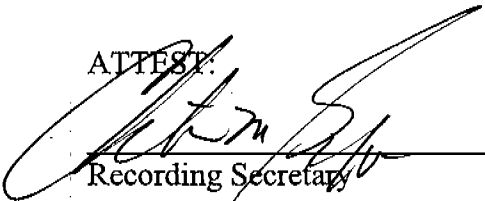
Ordinance as shown on the map in Exhibit B in applicable text and map provisions of their comprehensive plans.

ADOPTED by the Metro Council this 17th day of June 1999.



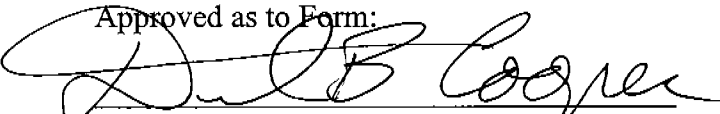
Rod Monroe, Presiding Officer

ATTEST:



Recording Secretary

Approved as to Form:



Daniel B. Cooper, General Counsel

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ADOPTED FINDINGS AND CONCLUSIONS
ORDINANCE 99-809 (URA 55)

3.01.015(e)

Based on the 1998 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 with a proposed urban reserve plan to meet the statutory requirement for 1998 that land for one-half the need be added to the UGB.

These findings address only those lands included in this Ordinance. These are lands in URA 55 that are not designated for EFU.¹ The City of Hillsboro has opted to include this area in part of its Hillsboro South Hillsboro Urban Reserve Concept Plan. However, only that part of that Plan that applies to the land included in this ordinance is applicable here. The applicable concept plan provisions for URA 55 must be capable of being implemented separate from any concept plan for the remainder of the South Hillsboro Plan. Therefore, the portion of the concept plan for URA 55 must satisfy Metro Code section 3.01.012(e). Those criteria will be addressed at the end of these findings.

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. Since the Metro Code has been acknowledged by the Land Conservation and Development Commission, compliance with this code section satisfies Goals 2 and 14. Alternatively, 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. Amendment of the UGB must also comply with other state statutes and administrative rule, if applicable.

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.

¹ References to URA 55 in these findings refer only to the lands included in Exhibit B of this ordinance.

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 to 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 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 will 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. The Functional Plan requirements direct development of all residential lands at higher densities than existing comprehensive plans.

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 that regionwide 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, in 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 may 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 Exhibit A 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 were 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.

The Productivity Analysis assumed the following 2040 design types for URA #55: Inner Neighborhoods (96 percent) and Main Street (4 percent). According to the draft Urban Reserve Concept Plan for the exception areas in URA 55, dated November 16, 1998, Table 15 also confirms the use of both of these design types in the Plan. Although no percentages are given, the design type of “Main Street/Neighborhood Center” shows a proposed density of 48; the design type of “Inner Neighborhoods” shows a proposed density of 12. Based on this assumption, the average density of URA #55 is at least 10 dwelling units per net buildable residential acre.

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 total estimated cost for wastewater, water, stormwater and transportation for URA 55 is \$11,398 per DUE - the 6th lowest cost. The Council finds that this low per unit cost estimate makes URA 55 among the better URAs for efficiency of providing services.

(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.

Wastewater

The majority of residences in URA 55 are currently served by septic systems. This URA is adjacent to the City of Hillsboro and unincorporated Washington County. According to the City of Hillsboro urban reserve plan, United Sewerage Agency (USA) will provide wastewater treatment. USA’s Rock Creek Treatment Plant is immediately northwest of the

URA 55 and can serve the area if new collection facilities are provided. According to the city of Hillsboro, USA has room on their site to expand capacity.

Provision of sanitary sewer to existing residential uses within this area will greatly reduce the potential of any current or future effluent leakage from septic systems and drain fields that would pollute ground water or degrade water quality in Gordon Creek and Witch Hazel Creek. Extension of sanitary sewer within URA 55 may allow economies of scale to be realized if these facilities are constructed at the same time and may reduce the overall public costs. The Council finds that providing wastewater service to this area is feasible and such provision will not compromise the existing service inside the UGB.

Water

The City of Hillsboro has stated that the City and the Joint Water Commission (JWC), which includes Hillsboro, Forest Grove and Beaverton, will provide water service to the URA. A 42-inch high-pressure transmission line exists north of the URA along the TV Highway, which according to the staff report has the capacity to serve this URA. Also, the recent enlargement of Barney Reservoir from 4000-acre feet of storage to 20,000 provided the JWC with a significant increase in water availability. The Council finds that provision of water service to URA 55 is feasible without compromising the existing service inside the UGB.

Stormwater

The 1998 staff report states that there is no formal, piped stormwater collection system existing in this area. The Council does not read this provision to require existing stormwater facilities. The staff report shows that URA 55 presents significant opportunities to plan for detention and water quality facilities. Such facilities can be incorporated into the existing system of swales, stream corridors and previously converted wetlands. These detention facilities will slow and delay water runoff and prevent downstream flooding. Incorporation of water quality features will filter increased pollutant loads from urban runoff and collect sediments before this runoff reaches streams and creeks.

The City of Hillsboro is addressing this issue in their urban reserve plan. Providing stormwater service to this area will not compromise the ability of the city to serve the areas within the existing UGB because most of the treatment and detention will occur in the immediate area. The specific water quality and detention systems for the basin shall be determined in the comprehensive plan and zoning consistent with the conditions in this ordinance. Compliance with these conditions will require basin studies will be necessary to determine pre- and post-development run-off rates and release projections to eliminate downstream flooding and prevent degradation of Witch Hazel Creek, Gordon Creek and the Tualatin River.

Transportation

According to the staff report, the TV Highway is north of URA 55 and provides access for this area to points east and west. The highway is designated as an arterial in the current Hillsboro Transportation System Plan (TSP) and as a regional arterial in the Washington County Plan. These are consistent with the Regional Transportation Plan (RTP) functional classification as “principal arterial.” The section of the highway in the vicinity of the URA is five lanes with paved shoulders (bike lanes) and has intermittent sidewalks. It is a designated trunk transit route. The staff report explains that the Draft Hillsboro TSP (dated August 25, 1998) Access Management Strategies will need to be employed to ensure sufficient capacity for the TV Highway over the next 20 years. That draft plan indicates that 20-year demand can be satisfied without providing additional travel lanes on TV Highway, but that the need for seven travel lanes will occur shortly after the 20-year horizon. The 1999 staff report indicates that the RTP solution is based on a six lane approach. The Council finds that the future improvements identified in the URA 55 provisions of the urban reserve plan are consistent with the revised Level of Service Standard (LOS) in the Kittelson Report of that plan and required by the conditions of this ordinance.

The record contains alternative estimates of needed transportation facilities and costs from a citizen. This testimony does not consider the effects of the policy decision by Hillsboro to accept greater traffic congestion in the South Hillsboro area with the enhancement of other modes of transportation consistent with the Functional Plan. The Metro Council finds that the Kittelson analysis in the urban reserve plan which uses the revised LOS is more detailed and credible than the alternative evidence from citizen Larrance. The revised LOS is required to be included in the city comprehensive plan for URA 55 with other measures to assure greater availability of other modes of travel to reduce vehicle miles traveled per capita.

Street connectivity is addressed in the Kittelson analysis in the urban reserve plan consistent with the Urban Growth Management Functional Plan. As required in the conditions of this ordinance, 10-16 local street connections per mile will be provided as URA 55 develops. This addresses citizen Larrance’s claim that no east-west connectivity is provided by the urban reserve plan for URA 55 alone. This internal street connectivity provides points of access east to 234th without accessing Tualatin Valley Highway.

The Hillsboro South “First Tier Concept Plan”² identifies a number of on and off-site transportation system improvements which are needed to make provision of transportation services feasible. Metro Transportation Planning staff have reviewed the “Hillsboro South Urban Reserve Concept Plan” Transportation Report provided by Kittelson & Associates and has generally found the conceptual plan to meet the spirit and intent of the Regional Transportation Plan for URA 55. However, Metro staff agreed that certain steps should be pursued to ensure a sound transportation system. Therefore, the Council finds that provision of transportation service to URA 55 is feasible upon the following conditions:

² South Urban Reserve Concept Plan at 129.

- Hillsboro shall identify off-site transportation improvements with rough cost estimates in its Public Facilities Plan to assist in implementing its funding strategy.
- Local streets shall be planned and provided at street connectivity of 10-16 connections per mile.
- Hillsboro shall provide or require construction in its approval of development of all on-site road improvements identified in the First Tier Concept Plan.
- Hillsboro shall amend its transportation plan to provide for the identified off-site road improvements. As part of amending its transportation plan, Hillsboro shall state that it adopts the alternative level of service standard consistent with Title 6 of the Urban Growth Management Functional Plan consistent with the conditions of this ordinance.
- Hillsboro shall amend its comprehensive plan to require a corridor study of the Tualatin Valley Highway prior to development approvals to “provide a strategy to maintain the through traffic capacity of TV Highway, while providing acceptable access to and across the highway” from Beaverton to Hillsboro.³ The results of the study shall be implemented concurrent with urban development using the development proposal outlined in the First Tier Concept Plan.
- Hillsboro shall amend its comprehensive plan to reflect the changes in the functional classification of Tualatin Valley Highway consistent with the Regional Motor Vehicles System Plan Map (1997) consistent with the conditions of this ordinance.

As coordination with Hillsboro on the Tualatin Valley Highway study, Metro will address a corridor study for TV Highway in its Regional Transportation System Plan.

The staff report states that Tri-Met Forest Grove Route 57 provides seven-day service from Forest Grove to downtown Portland and carries approximately 8,500 daily riders. Tri-Met’s Draft Transit Choices for Livability (May 1998) includes neighborhood oriented bus service around Brookwood Avenue, Cornelius Pass Road, 216th and 219th Avenues, and the two Hillsboro high schools, as well as connections to Westside Max stations. These services are planned for the next one to five-year time frame. However, additional transit service may be needed as URA 55 develops. Therefore, the Council finds that orderly provision of transit services will be feasible with the condition in this ordinance that Hillsboro coordinate with Tri-Met to develop a transit implementation plan to be phased in as development occurs.

³ Hillsboro South Urban Reserve Concept Plan - Transportation Report at 2-3.

Fire, Police and Schools

The staff report indicates that the City of Hillsboro will provide fire and police services once the area is annexed to the City. Additional police and fire services are part of Hillsboro's conceptual plan. The URA 55 provisions of the Concept Plan calls for one elementary school, a police and fire station, and one middle or high school. The Hillsboro School District will absorb the new students generated by this area. Hillsboro's conceptual plan technical appendix "Technical Concept Impact Report - Schools" states that the district has some capacity to accommodate new students now. Once the area urbanizes, additional capacity will be needed. The potential school sites are identified, and the Council finds that it is feasible that development of needed schools to serve the development in URA 55 can take place concurrently as the area develops according to the concept plan.

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.

Urban form issues have been partially determined for URA 55 by the acknowledged 2040 Growth Concept. Exhibit A of this ordinance includes 2040 Growth Concept designations for this area to include it in the acknowledged urban form for the region.

Consistent with the staff report, the Council finds that URA 55 is capable of being developed independently of the rest of the South Hillsboro Urban Reserve Concept Plan, with features that comply with the 2040 Growth Concept. The Main Street/Neighborhood Center (Goldon Creek) area will accommodate mixed-use development with medium and high density residential housing. The Council finds that these development patterns are capable of encouraging pedestrian, bicycle and transit use. In addition, the First Tier Concept Plan calls for sidewalks and bicycle facilities which will improve opportunities for pedestrian and bicycle transit.

URA 55 consists of approximately 354 acres. The 1998 staff report estimated that approximately 1,493 dwelling units and 457 jobs could be accommodated within the 402-acre area prior to the 1999 amendment removing 48 acres of EFU land. The urban reserve plan estimates a slightly higher 210 buildable acres and 2,100 dwelling unit capacity. Development at these densities will result in an average density of approximately 10 dwelling units per net buildable acre which is consistent with the 2040 Growth Concept. The Council finds that this density is sufficient to develop transit service as it is

comparable with the actual density of much of the area within the current UGB that is served by 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'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 by February 1999, 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.

Urban development of URA 55 will facilitate efficient urban growth inside the UGB in several ways. Street connectivity will be improved by providing east/west street connections which do not rely on Tualatin Valley Highway consistent with the conditions of this ordinance. Enhanced street connectivity will provide better access for fire and police and protection. As the area urbanizes, the local street network will be improved to urban standards with curbs and gutters, sidewalks, handicapped ramps and bike lanes. The Council finds that these improvements will integrate with the existing residential areas near SE Witch Hazel Road. The Council also finds that improvements to the wastewater system which will occur with development of URA 55 will generally improve efficient provision of service on adjacent urban land.

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.

Gordon Creek and Witch Hazel Creek pass through URA 55. These streams will be subject to protection under Title 3 of the Functional Plan. All development, excavation and fill in the floodplain would be subject to Title 3 consistent with the conditions of this ordinance. The Council finds that Title 3 performance standards will adequately protect these two stream corridors as URA 55 develops.

- (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 URA 55.

- (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

Two stream systems are located on URA 55: Gordon Creek and Witch Hazel Creek. The Tualatin River is the western-most boundary of URA 55. Gordon Creek is the eastern boundary of the site. There is little or no remaining vegetation adjacent to Gordon Creek due to intensive agricultural practices. The stream flows in a southwesterly direction through the southeastern corner of URA 55 where riparian wetlands and adjacent uplands are forested and relatively undisturbed.

Witch Hazel Creek is a tributary of Rock Creek. Portions of the creek have been piped and culverted. According to the staff report a short segment of this stream flows through URA 55 and is relatively undisturbed. The channel occupies a narrow riparian corridor that widens considerably to the south near River Road. Witch Hazel Creek occupies a narrow floodplain with dense riparian vegetation. The staff report identifies this area as having important habitat functions.

The Council heard testimony asserting that an Indian burial ground and other historic sites are generally located in the area of URA 55. However, this testimony was not supported by substantive evidence of such sites. The staff report indicates that the State Historic Preservation Office reviewed URA 55 and found that no archeological or historic resources are located in URA 55.

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 requirements in conditions of this ordinance provide protection for riparian areas to improve water quality and manage Floodplain. Title 3 will apply to development in URA 55. Due to these protections, the Council finds that the impact of urbanizing URA 55 will not be significantly more adverse than developing other urban reserves.

Social

As the staff report demonstrates, there are positive and negative consequences to urbanizing any area. Through required urban reserve planning, URA 55 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. URA 55 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 Council finds that the social impacts associated with urbanizing URA 55 are not typically more adverse than are likely to occur for other urban reserves.

Economic

The majority of the land in first-tier URA 55 is designated for rural residential use. A review of aerial photos shows that agricultural activity is occurring on some exception lands. As a result of urbanization, a loss of farm income due to the conversion of agricultural lands to housing and commercial uses will occur. Other URAs are anticipated to have similar losses of farm income as lands are urbanized. A shift in economic income will occur as construction occurs in this area.

Overall, the adverse economic consequences of a slight loss in farm-related income near URA 55 will be offset by increases in commercial and retail development by bringing these lands into the UGB with a new main street area. The relatively small number of existing farm uses and the lack of productive farm soils make the loss in this area minimal compared to other lands outside the UGB. Therefore, the Council finds that the economic impacts associated with urbanizing URA 55 are not typically more adverse than are likely to occur for other urban reserves.

Energy

URA #55 is proximate to the City of Hillsboro boundary, which makes logical extension of roads to serve this area practical. Reduction in the number of miles to serve a developing area decreases fossil fuel consumption and decreases the negative consequences of pollution from using automobiles. In addition, the 2040 Growth Concept and the average of 10 dwelling unit per net acre makes for compact urban form that in itself is more energy efficient. Overall reductions in vehicle miles traveled and out-of-direction travel can be expected from locating the UGB expansion in this area as opposed to allowing development outside of the boundary. Planned development will increase the density of the area making existing and proposed street system more efficient.

URA 55, with the new main street area and Functional Plan upzoned residential densities maximize energy efficient land uses. VMT is reduced compared to other lands outside the UGB without this planning. The Council finds that the impacts of urbanizing this area are not typically more adverse than amending the UGB in other urban reserve areas.

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 report correctly states that the Metro Council adopted urban reserves on March 6, 1997 by Ordinance No. 96-655E. URA 55 was 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 staff report also correctly notes that the designated urban reserves are not yet acknowledged by LCDC and are currently under appeal. However, URA 55 is composed solely of exception lands. Therefore, there is no agricultural land to retain. The Council finds that amending the UGB in this area retains farmland in accordance with Factor 6 by adding the only large area of exception land in the Hillsboro regional center area, even if the area was not already designated urban reserve.

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 identifies the number, location and types of agricultural activities occurring within one mile of URA 55. The report states that there are approximately 23 acres of orchards, 139 acres of row crops, 1,161 acres of field crops and about 648 acres of unfarmed EFU land.

(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.

Impacts to land and water resources critical to agricultural activities will be negligible from urbanization of URA 55. Almost all of the identified agricultural activities in the area occur on lands that are south and southwest of URA 55. Although no specific adverse impacts have been identified, this farmland is buffered by the Tualatin River to the west and the Reserve Vineyards Golf Course to the south. Therefore, the Council finds that any impacts from urban uses in URA 55 will be mitigated due to this buffering.

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 of residential densities 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 2040 Growth Concept densities anticipated for URA 55 are similar to the urban areas to the north of the site inside the UGB. Residential uses in URA 55 will also be compatible with the existing residential area to the west near Witch Hazel Road. Public facilities and transportation will be integrated with existing systems and are likely to improve existing services as explained in the findings for Factor 3. Furthermore, as explained in the findings for Factor 7, agricultural activities to the south and west will be adequately buffered from future urban uses. Therefore, the Council finds that the proposed uses for URA 55 will be compatible with other adjacent uses.

(3) The ESEE consequences resulting from urban use at URA 55 are set forth in the Council’s findings on Factor 5. Those findings demonstrate that the impacts of urbanizing this URA are not more adverse than would typically result in allowing urban development in other urban reserve areas. Since URA 55 is composed of exception land, the loss of agricultural land is minimized. Compared to other urban reserves which are also exception lands, this URA provides the benefits of compact urban form and 2040 housing densities.

3.01.020(d)

To the west, URA 55 is bordered by the Tualatin river, Witch Hazel Creek and River Road. These are natural and built features which are consistent with this code section. To the south and southwest, URA 55 is buffered by the Reserve Vineyards Golf Course. To the east, URA 55 is bordered by 229th Avenue which provides a clear built transition between URA 55 and other areas to the east. The UGB is located directly north of URA 55. The Council finds that these natural and built features provide a clear transition between URA 55 and surrounding rural and agricultural lands.

3.01.020(e)

The 1998 staff report provides a general discussion of the applicable Statewide Planning Goals, including Goals 2 and 14. These goals are addressed by the analysis for Metro Code section 3.01.020 discussed above. No other applicable goals were raised in testimony before the Council or identified in the record.

Alternatively, the Metro Council adopts the discussion of other goals in the November 24, 1998 Staff Report at pp. 37-39.

3.01.020(f)

URA 55 is consistent with the 2040 Growth Concept because the above findings show that development in the area will be consistent with Region 2040 policies and the primary design type of inner neighborhoods is feasible.

3.01.012(e)

The Metro Code Section 3.01.015(e) requires that the Council consider the urban reserve conceptual planning requirements set forth in 3.01.012(e). If insufficient land is available that satisfies the conceptual plan requirements, the Council may consider first tier lands where the city or county has committed to completing and adopting an urban reserve plan.

The City of Hillsboro has submitted a draft concept plan known as the Hillsboro South Urban Reserve Concept Plan for URAs 51 through 55. The plan also includes a First Tier Concept Plan, which is a stand-alone plan for the first tier portion of URA 55. These findings address only the First Tier Concept Plan. The URA 55 provisions of the Concept Plan, dated November 16, 1998, is currently being revised by the City of Hillsboro to address the requirements of a technical assistance grant for urban reserve planning awarded by DLCD. The revised, final Concept Plan will add more detail and analysis for the development of land uses on the exception areas of URA 55. This plan will be even more of a "stand alone" plan consistent with this ordinance than the draft plan (November 1999). Condition 6(B) requires the amendment of the City of Hillsboro's comprehensive land use plan to incorporate a "stand alone" plan for the exception areas of URA 55.

Alternatively, if the urban reserve concept plan is not complete, the Metro Council accepts the Hillsboro transmittals in the record as a commitment to complete the concept plan in 1999. This commitment satisfies Metro Code 3.01.015(e).

3.01.012(e)(1)(A - C)

The City of Hillsboro and Washington County entered into a Memorandum of Understanding, dated January 29, 1998 to determine planning responsibilities for the purpose of preparing urban reserve conceptual plans for URAs 51 - 55. The Memorandum gives planning responsibility for URA 55 to the City of Hillsboro. To address subsection (A), Hillsboro agrees to adopt comprehensive plan amendments implementing the conceptual plan upon Metro approval.⁴ To address subsection (B), Hillsboro agrees to initiate action to annex URA 55 to the city only after Metro amends the UGB.⁵ In response to subsection (C), the city and county agree that rural zoning will apply to URA 55 until it is annexed to the city.⁶ The Council finds the Memorandum of Understanding sufficient to satisfy Metro Code section 3.01.012(e)(1).

3.01.012(e)(4)

The URA 55 provisions of the Concept Plan map⁷ and tables in the text show a mix of low-medium density, medium-high density and mixed used-high density housing types in URA 55. The staff report states that the First Tier Concept Plan will provide 10 units per net developable acre because of the concentration of housing density near the main street portion of URA 55. This URA is also subject to the 2040 design type of inner neighborhood. The Council finds that the proposed allocation of housing densities will provide an average of 10 units per net developable acre and conform to the 2040 design type for inner neighborhood and this ordinance contains specific conditions to assure that the densities proposed in the URA 55 provisions of the Concept Plan are achieved.

3.01.012(e)(5)

The First Tier Concept Plan provides a residential housing program which estimates the diversity of the housing stock anticipated for URA 55. The program demonstrates that there will be at least eight different housing types ranging from large single family to apartments and senior housing. The staff report estimates that approximately 55 percent of the housing units will be owner occupied, and about 45 percent will be renter occupied. The Council finds that the residential program provides for a diversity of housing stock sufficient to satisfy this code criterion. This ordinance contains conditions that require the city to adopt zoning that implements this residential program shown on Table 12 of the draft Concept Plan.

⁴ Memorandum of Understanding - Section III. A.

⁵ Memorandum of Understanding - Section V. A.

⁶ Memorandum of Understanding - Section III. E.

⁷ Figure W of first tier Concept Plan.

3.01.012(e)(6)

The First Tier Concept Plan explained that the need for affordable housing in URA 55 can be satisfied without public subsidy by providing row housing or plex ownership opportunities. Staff initially found that not enough information was provided to determine whether this section was satisfied. An additional report has been submitted from the City of Hillsboro which addresses affordable housing.⁸ This information identifies the need for housing units at or below 80 percent of median income. Affordable rental rates for the Hillsboro area are estimated to be approximately \$851 at 80 percent of median income and \$532 at 50 percent of median income. At these estimated rents, the associated rental unit value of two bedroom and studio multifamily or attached housing at approximately \$73,265 and \$45,791 respectively. With general housing densities of 10 units per net developable acres and up, and considering the mix of housing discussed in the "Housing Program" above, the report shows that at current per acre land costs, affordable housing is possible at normal levels of profitability for development. The report demonstrates, and the Council finds that the First Tier Concept Plan for a mix of residential housing will provide opportunities for affordable housing without public subsidy.

3.01.012(e)(7)

The First Tier Concept Plan calls for about 15 acres designated for employment in the mixed-use Main Street and Neighborhood Center identified on the concept plan map. The site is planned to accommodate an estimated 225 jobs with commercial, retail and a grocery store and miscellaneous personal and health care services in the Main Street area. There is a difference between the number of jobs estimated by the Productivity Analysis and the Concept Plan. However, this difference appears to be primarily due to the estimate of home-based jobs in the Productivity Analysis, which is not included in the Concept Plan estimate. In addition, the First Tier Final Concept Plan Map⁹ shows the main street area to be in close proximity to the existing residential development near SE Witch Hazel Avenue. It is reasonable to assume that service and employment opportunities created in the main street - neighborhood center will also serve the needs of those residents inside the current UGB. The Council finds that the commercial and employment opportunities provided by the planned main street area satisfy this section of the code.

3.01.012(e)(8)

Metro's Transportation Department has reviewed the URA 55 provisions of the Concept Plan - Transportation Plan for consistency with the RTP.¹⁰ The conceptual transportation plan substantially meets the RTP criteria with the improvements related to URA 55 identified in the Hillsboro South Urban Reserve Plan Transportation Report, Kittelson & Associates, Inc. These improvements are needed for adequate transportation service for the area. The findings and conclusions under Factor 3 are adopted here by this reference. To ensure that the improvements identified by the First Tier Concept Plan and Metro's

⁸ Memo - Ed Starkie to Sonny Conder, November 30, 1998.

⁹ This map is identified as Figure W in the First Tier.

¹⁰ The Transportation Department's review is found in memos dated November 22, 1998 and May 12, 1999.

Transportation Department are made part of Hillsboro's comprehensive plan, the Council has attached conditions which must be satisfied prior to conversion of urbanizable land in URA 55 to urban uses.

3.01.012(e)(9)

The First Tier Concept Plan relies on a Natural Resources and Stormwater Management: Background, Integrated Plan and Impact Assessment Report (August 1998)¹¹, to identify and map areas to set aside for protection of fish and wildlife habitat, water quality enhancement and mitigation, and natural hazards mitigation. The plan incorporates many of the recommendations in the report and the maps identify areas for protection from development for riparian, wetland and upland habitat protection. The maps also identify wetland mitigation sites, potential stream and riparian restoration, regional stormwater detention sites and stormwater treatment sites. The Council finds the identification and mapping of natural resources is sufficient to satisfy this code section.

The staff report indicates that while identification and mapping are adequate, the First Tier Concept Plan does not contain a funding strategy for protecting those areas identified. The City of Hillsboro has submitted a "Conceptual Financing Strategy" which provides a funding strategy for protecting areas in accordance with this code section.¹² Part of Hillsboro's strategy for natural area protection is to incorporate protection into existing park and regional water quality detention facilities planning. Incorporated into those plans, the city has identified existing funding, approximately \$9.7 million, which can be provided through current parks system development charges. According to the city, this amount of funding is sufficient to extend the existing level of park land to residents that currently existing in Hillsboro. The city also identifies developer exactions and dedications as part of its strategy for funding protection of identified natural resources. The Council finds that Hillsboro's Conceptual Financing Strategy for natural areas identifies funding sources sufficient to make the city's funding strategy feasible.

3.01.012(e)(10)

The First Tier Concept Plan provides a conceptual public facilities and services plan which includes costs for the major utility needs of the proposed concept plan covering URA 55. The staff report indicates that the public facilities concept plan is adequate to satisfy this criteria.

USA will provide wastewater treatment for the area. The Rock Creek treatment plant is immediately west of URA 55. The concept plan includes a small gravity line paralleling Gordon Creek and a large gravity line northwest of the site that will provide additional wastewater collection for URA 55. Pump stations and force mains will cross Gordon Creek. The plan indicates that facilities will be located in public right-of-way and existing and proposed roads when feasible.

¹¹ W & H Pacific report dated August 14, 1998.

¹² Memo - Wink Brooks to Carol Krigger, November 25, 1998.

The City of Hillsboro and the Joint Water Commission (JWC) will provide water service to the Lands added to the UGB by this ordinance. A 42-inch water transmission line runs north of the urban reserve and can be tapped to provide service to the area. The City has indicated that the water source, Barney Reservoir, is more than adequate to provide the water needs to the proposed community on first tier lands. The staff report provides a rough cost estimate of \$4,330,273 for water facilities.

Stormwater detention and water quality facilities will be distributed along tributaries of Witch Hazel Creek and Gordon Creek.

The transportation needs of URA 55 have been addressed through a system of streets including community boulevards, community streets, collectors and local streets. The Council discussed the First Tier Conceptual Plan - Transportation Plan under Factor 3 of these findings and 3.01.012(e)(8) above. Those findings are adopted here by this reference. The staff report provides a rough cost estimate of \$6,237,425 for transportation facilities for URA 55.

Police and first protection for URA 55 will be provided by three agencies: the City of Hillsboro, Tualatin Valley Fire and Rescue and the Washington County Rural Fire Protection District #2. An emergency services complex for police and fire service, located at Century Boulevard and Davis Road, is identified in the plan to serve the entire planning area. The Plan states, however, that off-site emergency services may have capacity for approximately 2,000 residential units anticipated for development in URA 55. The city has provided an estimated cost of a combined police and fire services facility of \$4.3 million. That cost is related to facility that would serve the entire South Hillsboro Urban Reserve Plan area. The revised final URA 55 Concept Plan provisions will demonstrate a much smaller estimated cost for URA 55 alone.

The First Tier Concept Plan identifies 90 acres land for active recreation use in URA 55. Specific components of the plan include a community park located west of River Road; a neighborhood park adjacent to the proposed elementary school near the main street center; a linear park near the regional detention facility; natural and stormwater areas along wetlands; riparian areas and stream corridors throughout the site; and bike and pedestrian pathways located along stream corridors and through linear parks. Rough cost estimates to acquire all land designated for parks in the South Hillsboro Urban Reserve Plan area are between \$15,750,000 and 21,000,000.

The Council finds that Hillsboro's conceptual public facilities plan adequately addresses sewer, water, storm drainage, transportation, fire and police protection facilities and parks. The plan and staff report also provide rough cost estimates for providing these services. At the time the staff report was completed, however, the city had not provided sufficient information to address a financing strategy for these estimated costs. Hillsboro has provided supplemental information which provides a conceptual financing strategy for public facilities.

For wastewater, stormwater and water, the city has estimated that the total system development charges attributable to the South Hillsboro Urban Reserve Plan area are approximately \$36,384,000. Applying this estimate against estimated costs results in a \$10.2 shortfall.¹³ Hillsboro's information indicates that additional funding for these services can be provided by the developers of these sites. The Council finds that the majority of the funding for wastewater, stormwater and water have been identified by the city and that financing for provided by developers is feasible as the area develops. The revised final URA 55 Concept Plan provisions will demonstrate a much smaller estimated cost for URA 55 alone.

Similarly, the city has identified projected transportation impact fees of \$15.1 million from residential development and \$1.8 million from commercial development that are chargeable against on-site improvements. The rough cost estimate in the Kittelson Report estimates that the total transportation improvement costs for South Hillsboro on-site improvements is approximately \$33 million. The urban reserve plan indicates that the city anticipates that the developers of URA 55 can be required to pay for internal improvement which will address some of the shortfall. Based on this strategy and these estimates, the Council finds that the city's transportation financing strategy is feasible.

The rough cost estimate in the Kittelson Report estimates that total off-site transportation improvement costs of about \$22 million. The funding strategy is to combine funds from six potential sources of funding: transportation impact fees, additional systems, development charges, regional funding, developer exactions, gas tax for state-owned improvements, and/or Washington County MSTIP funding.¹⁴ The Metro Council finds these estimates and strategies to be based on detailed analysis, including the revised Level of Service and connectivity required next for streets. These estimates are more credible than the higher estimates for transportation facilities by citizen Larrance.

Hillsboro's parks financing strategy is discussed under 3.01.012(e)(9), and the Council finds that the city's funding strategy for parks and natural areas is feasible. Hillsboro has also provided information that it anticipates financing for police and fire facilities to be financed through internal funds and general obligation bonds. The city also explains that some existing facilities may be sold which will generate additional funds for fire and police facilities. The Council finds that this funding strategy is feasible for providing funding for these services.

While the Council concludes that the financing strategy component of 3.01.012(e)(10) is feasible for the services discussed above, to ensure that adequate funding is available to provide these services at the time urban development occurs, the Council has conditioned approval upon the city adopting a financing plan for funding these public facilities improvements prior to conversion of urbanizable land in URA 55 to urban uses which demonstrates that identified funding sources are adequate to provide such facilities as URA 55 develops.

¹³ See Table 9 of Hillsboro South Urban Reserve Concept Plan.

¹⁴ Memo - Wink Brooks to Dan Cooper, December 7, 1998.

3.01.012(e)(11)

The First Tier Concept Plan identifies a potential need for at least one elementary school within URA 55. The proposed location of the elementary school site, about 10 acres, is shown on the First Tier Final Concept Plan Map near the Gordon Creek Main Street/Neighborhood Center. According to the schools analysis performed, there is no need for a middle school in URA 55 area in the immediate future. The Council finds that the conceptual school plan has demonstrated coordination with the affected school district and concludes that this criterion has been met.

3.01.012(e)(12)

First Tier Final Concept Plan Map attached as Appendix C to these findings shows all of the above elements required by this criterion. The Council finds that this section of the code is satisfied.

3.01.012(e)(13)

The Memorandum of Understanding between the City of Hillsboro and Washington County demonstrates coordination between those two local governments. The First Tier Concept Plan also demonstrates sufficient coordination with other public bodies including Metro, USA, Tualatin Hills Parks and Recreation District and Tualatin Fire and Rescue. The Council finds that this section of the code is satisfied.

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6/2/99

Figure W



Hillsboro
South
Urban
Reserve
Area

Tier 1
Final
Concept Plan

October 29, 1998

Prepared By:

McKeever/Morris, Inc.

and

W&H Pacific
Leland Consulting Group
Greenworks, PC
Conforth Consultants, Inc.
Carl Worthington & Assoc.
Kittelton & Associates

Legend

Base Map Information

- Concept Plan Boundary
- Tax Lots
- Urban Growth Boundary
- Urban Reserve

Land Uses

- Low Density Res. (2.4-3.0 units/ac)
- Low-Medium Density Res. (5.6-7.0 units/ac)
- Medium-High Density Res. (17.6-22.0 units/ac)
- Mixed Use & High Density Res. (23.2-29.0 units/ac)
- Civic, Public & Schools
- General Employment
- Golf Course

Transportation

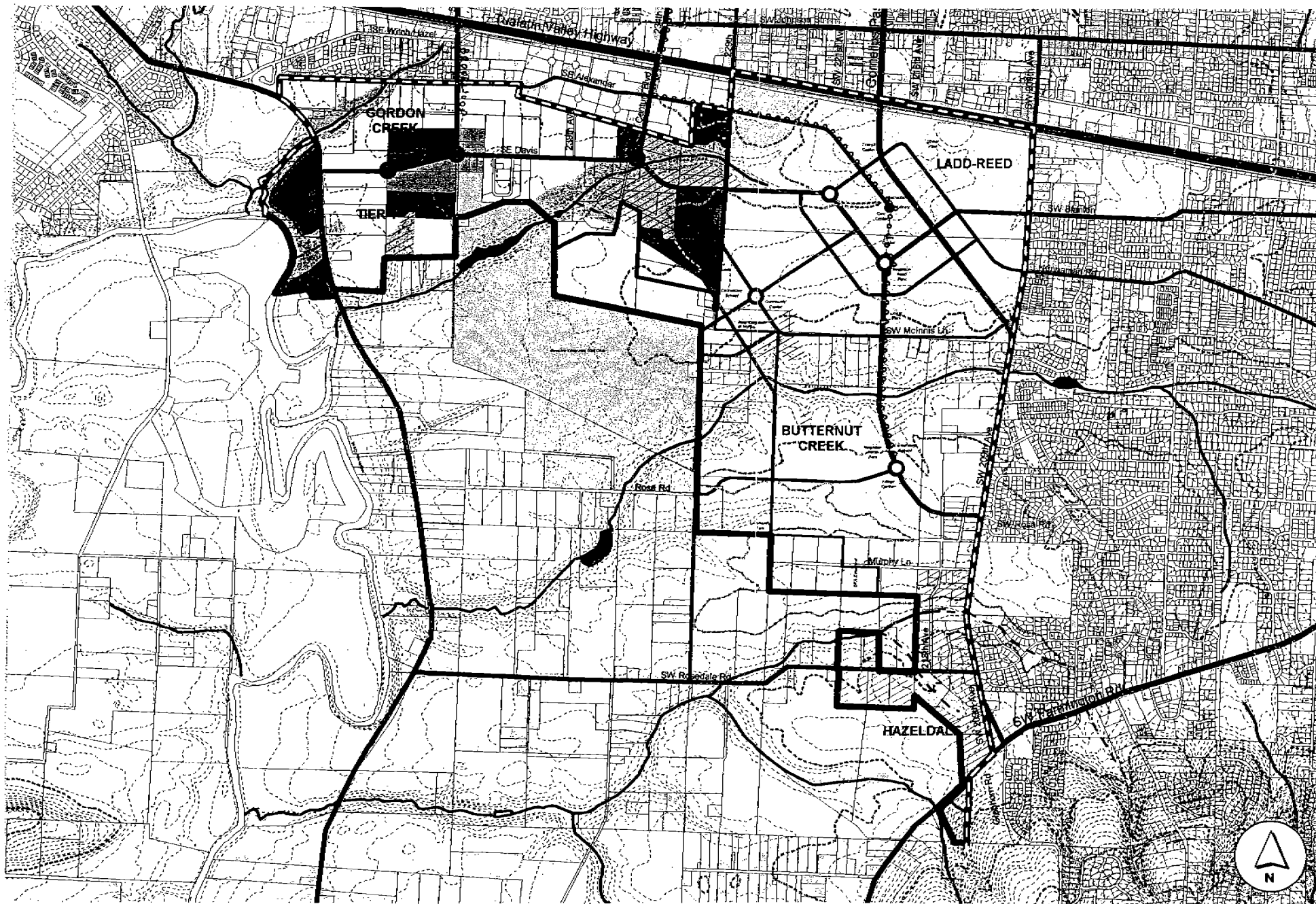
- Minor Collector
- Community Street/Boulevard
- Expandable to Regional Boulevard
- Regional Boulevard
- TV Highway
- Commuter Rail (Optional)
- Streetcar (Optional)

Natural Systems

- 100' Contours
- 10' Contours
- Perennial Stream
- Intermittent Stream
- Parks & Greenspace
- Stormwater
- Title 3 & Rec Corridor



0 1000 2000 Feet





METRO

Appendix A

Date: October 26, 1998

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

From: Glen Bolen, Associate Regional Planner *GB*
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 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.

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.

Appendix B – Additional Site Considerations

Urban
Reserve

Reasons for No Further Consideration at This Time

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- URA #1 No evidence of public 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.

GROWTH MANAGEMENT COMMITTEE REPORT

FOR THE PURPOSE OF AMENDING ORDINANCE NO. 98-788C WHICH AMENDS THE METRO URBAN GROWTH BOUNDARY AND THE 2040 GROWTH CONCEPT MAP IN ORDINANCE 95-625A IN URBAN RESERVE AREA 55 OF WASHINGTON COUNTY.

Date: June 1, 1999

Presented by: Councilor McLain

Committee Action: At its May 26, 1999 meeting, the Growth Management Committee reviewed a draft version of Ordinance No. 99-809, and voted 3-0 to recommend that legal counsel amend the draft, based on committee comments, for introduction by the committee. Voting in favor: Councilors Bragdon, Park and McLain.

Council Issues/Discussion: Larry Shaw, Office of General Counsel gave the staff presentation. This ordinance--99-809, amends ordinance 98-788C, which moved the urban growth boundary to include the portion of urban reserve #55 inside Metro's jurisdictional boundary. Ordinance 98-788C was appealed by several parties to the Land Use Board of Appeals (LUBA), and Metro withdrew the ordinance from LUBA for reconsideration in March, 1999. By amending and readopting the original ordinance, Metro intends to gain dismissal of three appeals to LUBA.

Ordinance 99-809 amends 98-788C according to three principles:

- Revise the southern boundary of site #55 to exclude all land designated as Exclusive Farm Use (about 48 acres, in four parcels).
- Decouple linkage of conditions for approval from entire South Hillsboro Urban Reserve Plan.
- Revise conditions for approval to clarify that the city comprehensive plan will achieve at least 10-units/ net buildable acre, as provided in the urban reserve plan, and require zoning to enable affordable housing identified in urban reserve plan.

Public testimony provided arguments for and against removing the four EFU parcels from the urban growth boundary. Adequacy of transportation facilities for this area was also a concern. It was clarified that DLCDC had awarded a grant to the city of Hillsboro to complete a stand-alone urban reserve plan for site #55, but had not seen indication from Hillsboro that it was prepared to take on the task of separating out this area, until recently. The plan needs to be completed by the end of June of this year. It was further clarified that nothing in this ordinance affects the portion of site #55 that was the subject of a Metro resolution, and is outside the Metro boundary.

Mr. Shaw was directed by the committee to add language in condition 6.G . that will assist those who are farming nearby, including those whose properties are involved in this ordinance, to be able to retain adequate transportation facilities necessary for their farming activities.



METRO

DATE: May 12, 1999

TO: Metro Council
Mike Burton, Executive Officer

FROM: *LS*
Larry Shaw
Office of General Counsel

SUBJECT: Proposed Revisions to UGB Amendment: Ordinance No. 98-788C

This ordinance added that portion of Urban Reserve Area 55 to the UGB that is inside Metro's jurisdictional boundary. The ordinance was appealed by four parties. The Metro Council withdrew this ordinance from LUBA for reconsideration in March, 1999. The ordinance remains adopted and on appeal. The Metro Council must "re-adopt" any amended version of the ordinance by June 17, 1999. This memo describes the approach used in the draft ordinance that is intended to clarify the UGB amendment for some of the appellants to not renew their appeal.

Three of four appellants, 1000 Friends, DLCD, and Farm Bureau, have supported the inclusion of exception lands in this area into the UGB while consistently opposing inclusion of the adjacent farm zoned lands that make up the rest of the "South Hillsboro Urban Reserve Concept Plan." The following clarifications of the December 1998 Metro ordinance should lead to dismissal of these three appeals.

- I. Principle I: Revise part of the southern UGB boundary to exclude about 48 acres zoned for Exclusive Farm Use (EFU).
 - A. Implementation Steps
 1. Adopt a new Exhibit "B" map revising the UGB northward between River Road and 247th, if necessary.
 2. Adopt a new condition of approval that requires the exception lands in the forested floodplain west of River Road retained inside the UGB to be used only for "community park" purposes as indicated on Figure A of the urban reserve plan.
 - B. Fact/Policy Basis
 1. About 48 acres in four parcels between River road and 247th are primarily Class II soils, zoned EFU.
 2. The urban reserve plan map at Figure W indicates that this 48 acres would be zoned "low-medium" density including about 15 acres for "Natural

Systems stormwater” near two small segments of creeks and floodplain near River Road.

3. The forested floodplain area west of River Road is exception land that would leave the UGB extending farther south along River Road than the revised southern boundary between River Road and 247th. This is retained to allow the urban park use designated on the urban reserve plan to serve this urban reserve area. This avoids displacing that urban park land need onto other developable lands, and applies the principle of maximizing the efficient urban use of exception lands.
4. Exclusion of these EFU lands keeps this ordinance entirely exception lands which meet the need for housing.

II. Principle II: Revise the Ordinance to clarify that adding the exception lands inside Metro boundary to the UGB does not, necessarily, require the adoption of the rest of the “South Hillsboro Urban Reserve Plan.”

A. Implementation Steps

1. Amend ordinance conditions on transportation projects to eliminate two projects which extend east of 229th, outside the area added to the UGB by this ordinance.
2. Adopt a new condition of approval to require that development in the Gordon Creek neighborhood/main street around SE Davis-Brookwood assigned medium to high density zoning and the residential areas assigned low-medium density zoning in the urban reserve plan meet densities used in Tables 4, 11 and 13 of the urban reserve plan (use title). Therefore, the condition would require an average of at least 7 dwelling units per net acre for “low-medium density” residential areas, 22 dwelling units per net acre for “medium-high density” residential, and 29 dwelling units per acre for “mixed use high density residential” areas for the acreages listed in those tables.
3. (Approval is being prepared to adopt ordinance language to control qualifying or noncommittal language on issues other than density in the urban reserve plan.)

B. Facts/Policy Basis

1. The text of the urban reserve plan at Tables 4, 11 and 13 cites ranges of possible residential density. Within those ranges an “average density by city zone” is used in the urban reserve plan to calculate compliance with the 10 units per net acre average density requirement for urban reserves. That differs from the residential densities indicated on the various maps. A condition of approval requiring development at the “average density by city zone” in the urban reserve plan text would clarify which residential densities are indicated by the urban reserve plan and assure that residential densities meet the 10 units net/acre average density required for urban

reserves. Clarification to assure that this land is developed consistent with Tables 4, 11 and 13 would prevent disputes over later zoning that may seem consistent with another part of the conceptual urban reserve plan.

2. Residential density is particularly important for urban reserves for the Hillsboro Regional Center Area to address the jobs/housing balance issue.
3. The two transportation projects that extend outside the Metro boundary limits of this ordinance are an error caused by the extremely short turn around from Metro receipt of this urban reserve plan report.
4. The main street area of the Gordon Creek neighborhood is estimated in the urban reserve plan to accommodate about 100 commercial retail jobs.
5. A recalculation for just the exception lands in this revised ordinance using the residential densities in Tables 4, 11 and 13 yields about 1,648 dwelling units on about 145.5 net acres. This is in addition to areas for a "community park," "neighborhood park," police and fire station and elementary school and natural storm water treatment (on unbuildable lands).
6. This area, at about 11 units/net developable acre, is slightly more dense than the 10 units for the entire urban reserve plan area.

III. Principle III: Revise the ordinance to require adoption of zoning districts that demonstrate the achievement of at least 10 units per net buildable acre in the urban reserve plan. Revise the ordinance as well to require adoption of zoning to enable affordable housing identified in the urban reserve plan.

A. Implementation Step: Adopt a new condition that requires zoning for the residential components of the residential program in Table 12 of the urban reserve plan designed to enhance affordability.

B. Fact/Policy Basis

1. Table 12 identifies percentages of housing products by acres and percentage of units for all of First Tier's estimated 2,100 dwelling units.
2. The text of the urban reserve plan at p. 138 identifies multi-family rentals in higher density zones as a means for meeting the need for affordable housing. The location of the higher density zones around the intersection of Brookwood and SE Davis provide the opportunity for efficient transit service to that location of multi-family housing.
3. Table 12 shows 20 acres of apartments and 15 acres of "senior housing," 10% and 7% of the First Tier land, respectively. Together these "residential components" provide 42% of the units for the First Tier area.
4. The ordinance area is less than the First Tier area. The ordinance area provides 1,648 units. Requiring apartment and senior housing to be zoned in the high density areas to provide 42% or 692 units in these categories would be consistent with the urban reserve plan.

M E M O R A N D U M

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METRO

DATE: May 10, 1999
TO: Larry Shaw, Office of General Counsel
FROM: Tom Kloster, RTP Project Manager *TK*
SUBJECT: RTP Strategy for TV Highway: Consistency with UGB Conditions

* * * * *

Background on RTP Strategy for TV Highway

As you requested, the following is a discussion of Metro's strategy for addressing expected traffic growth on TV Highway during the 20-year RTP planning period.

Over the past several years, and in both the Federal RTP and current updates, TV Highway becomes very congested in our 20-year modeling due to expected growth in Washington County. TV Highway provides a very direct link between Beaverton and Hillsboro, and thus will continue to be in great demand as a travel route, despite existing and forecasted congestion.

In the past, the simple solution to future congestion on TV Highway has been to expand the facility from the current five-lane profile (four travel lanes and one center turn lane) to a total of seven lanes (six travel lanes and one center turn lane). This expanded roadway has been modeled in the past, however, and continued to suffer from congestion -- again, because TV Highway is a very desirable travel route between two regional centers.

In the summer of 1998, the first round of RTP modeling was completed, and included a number of parallel road improvements in the TV Highway corridor, such as Alexander Street, Walker, Farmington and Cornell Roads that added capacity for local trips, but stopped short of actually widening TV Highway itself. This strategy was not adequate to meet expected demand, and planners from Washington County suggested that the seven-lane improvement be evaluated in a second round of modeling.

However, because the seven-lane improvement had previously been modeled with mixed results, Metro staff recommended that the functional classification of TV Highway in the RTP be factored into the ultimate design. As a "principal arterial", the classification of TV Highway calls for a facility that primarily serves longer trips. Today, the roadway does not serve this function, largely because of the large number of driveways and local access points that connect to the roadway, and the strip commercial development that draws local traffic to TV Highway.

Therefore, to better approximate the "principal arterial" function, staff recommended that a limited access highway, akin to Highway 224 in Clackamas County, be assumed for TV

Highway. This assumption meant much more capacity per lane than a general purpose arterial street could accommodate, and obviously would mean dramatic land use changes, since driveway access would be phased out over time. The purpose of modeling this scenario was to determine the relative transportation merits of this strategy to better facilitate a policy discussion of its land use impacts and cost. Ultimately, a six-lane "highway" design was tested, assuming such a limited access design, in the second round of RTP modeling with promising results:

- congestion was essentially eliminated between Murray Boulevard and Brookwood Avenue, where the six-lane, limited access design was tested. This segment performed at a level of service "D" during the peak two-hour period in our 2020 modeling;
- the segment of TV Highway east of Murray, in the Beaverton Regional Center, was very congested, despite a seven-lane arterial improvement that was tested between Murray and Cedar Hills Boulevard. This segment was not access-controlled, and performed at a level of service "F" during the peak two-hour period;
- the segment of TV Highway west of Brookwood, near the Hillsboro Regional Center, was very congested. This segment was not access controlled, and was modeled with the existing 5-lane capacity that performed at a level of service "F" during the peak two-hour period.

The modeling results support the concept of retaining the "principal arterial" functional classification for the portion of TV highway that was modeled with limited access, while changing the functional classification for the segments west of Brookwood and east of Murray to "major arterial." The major arterial classification is expected to serve a more localized role, and this is more consistent with the sort of travel that is expected in close proximity to the Hillsboro and Beaverton regional centers, where these segments are generally located. In contrast, the principal arterial classification is intended to serve longer trips -- in this case, traffic between the two regional centers.

The limited access concept for TV Highway would likely be phased in over time, beginning with localized safety and capacity improvements at major intersections, and continued access management along the full length of the roadway. Eventually, access would likely be consolidated or eliminated as part of a major road widening project.

At this time, staff has recommended that a more detailed corridor study be conducted as part of implementing the updated RTP. Different options for achieving a limited-access design will be evaluated for TV Highway in the more detailed study. Such a corridor study is designed to include three or four options, varying in cost and scope. This process would be conducted prior to any improvements to the facility, or any further actions to limit access or commercial uses along the route.

The RTP is scheduled for public review and adoption in the Fall, and local comprehensive plans in the region must be updated for consistency with the RTP within one year of that date.

RTP Assumptions for Urban Reserve Area 55 in the TV Highway Corridor

In response to your question about RTP assumptions for urban reserves, the following are some highlights of the 2020 forecast that we are using in the RTP update, and the relationship of these forecasts to improvements planned in the TV Highway corridor.

The current phase of the RTP update is focused on developing a system of transportation improvements and programs that respond to dramatic growth expected in the region during the 20-year RTP planning period. During this time, growth is expected in both the existing urban area, where a large increase in jobs and housing is predicted to occur, and in urban reserves that are largely undeveloped today. The 2020 forecast used to measure the impact of this growth on the transportation system also included some urban reserves, with the assumption that they will be largely developed by 2020. This assumption included all of the exception land in Urban Reserve Area 55, south of TV Highway.

Most of the urban reserves are located in Clackamas County, with some located in Washington County. In the TV Highway corridor, expected growth in the urban reserves generally located south of Hillsboro will contribute to traffic growth in the area, but this is not the driving force behind the general traffic growth expected in this part of the region. Instead, travel demand in this area is driven by (1) a combination of new jobs and housing within the current urban area of Washington County, and (2) trips into this job-rich part of the region from points east.

Therefore, proposed improvements to TV Highway are largely in response to growth pressures stemming from other parts of Washington County and the region. However, transportation improvements in the TV Highway corridor, including a number of parallel route improvements, anticipate development in the Urban Reserve 55 exception lands, as well.

UGB Amendment Conditions

The transportation infrastructure that was proposed in the urban reserve plan for south of Hillsboro appears consistent with the overall strategy for improving TV Highway to a "principal arterial" function through progressive capacity and access measures. Though these improvements will continue to be fine-tuned to match the regional improvements to TV Highway through the final stages of the RTP update, they appear to be sufficient to serve expected growth in the area.

The conclusions in the November 22, 1998 memorandum from Mike Hoglund regarding the concept plan for Urban Reserve 55 are also consistent with the comments that I have provided in this correspondence. In general, the consultant report completed for the Hillsboro South Urban Reserve Concept Plan addresses the review criteria and meets their spirit and intent of regional plans and policies, as detailed in the Hoglund memorandum, and therefore substantially complies with the transportation criteria intended to satisfy Section 3.01.012 (e) (8) of the Metro code. It appears from the consultant's analysis that the overall impact to the regional transportation system will be minimal given the assumed mix of land uses and densities, and given the recommended on- and off-site transportation improvements. This is consistent with RTP analysis and conclusions for the larger TV Highway Corridor. However, this conclusion is based on the assumptions used in the consultants report, and the following should be considered prior to full development of the site:

1. Regional street classifications should be revised to be consistent with the RTP.
2. Commuter Rail in the Hillsboro-Beaverton corridor and the proposed street car should be dropped as assumptions. There are no plans for east-west commuter rail in the T-V Highway Corridor nor street car services in this area within the next 20 years. The small number of commuter-rail trips assumed for those modes should be applied to other modes.
3. The mix of land uses and densities are critical in achieving the estimated reduction in trips. Those features must be maintained as the land further planned, zoned, and developed.

4. Similarly, street connectivity at 10-16 connections per mile, as currently required in Title 6 of Metro's Functional Plan, and used in the report are also imperative in achieving trip, vehicle miles of travel, and congestion reductions within the vicinity.
5. Additional east-west arterial and collector improvements are necessary in the larger TV Highway corridor. In particular, the report makes a strong case for the Davis/Blanton Road improvement.
6. The City of Hillsboro should work with Tri-Met to develop a transit implementation plan to be phased in as development occurs.