



**Department of Land
Conservation and Development
UGB Phase 2 Work Group**

MINUTES

Meeting 4

September 30, 2008

1:00 PM – 4:00 PM

Agriculture Building (DLCD)

635 Capitol St NE, Salem

Basement Hearing Room

Work Group Members Present

Marilyn Worrix, LCDC (Work Group Chair)
Barton Brierley, City of Newberg
Jon Chandler, Oregon Building Industry Association (by telephone)
Jack Duncan, Oregon Housing and Community Services
Darrin Fleener, Oregon Economic and Community Development
Shaun Jillions, Oregon Association of Realtors
Bob LeFeber, Commercial Realty Advisors NW
Nick Lelack, City of Redmond (by telephone)
Linda Ludwig, League of Oregon Cities
Robert Maestre, Oregon Department of Transportation
Mary Kyle McCurdy, 1000 Friends of Oregon
Corinne Sheraton, Johnson & Sheraton PC
Greg Winterowd, Winterbrook Planning
Christine Valentine, Economic Revitalization Team

DLCD Staff Present

Gloria Gardiner, Urban Planning Specialist
Bryan González, Rules, Records and Policy Coordinator
Thomas Hogue, Economic Development Policy Analyst
Angela Lazarean, Urban Planner
Bob Rindy, Senior Policy Analyst/Legislative Coordinator
Becky Steckler, Research Consultant

Interested Persons Present

Karen Goddin, Oregon Economic and Community Development
Jill Miles, Oregon Economic and Community Development

Meeting Materials

[Agenda](#)

[Land Needs Analysis](#)

[Possible Employment Land Safe Harbors](#)

Proposed Residential Safe Harbors

Agenda Item 1 – Introductions and Opening Remarks from the Chair

Chair Worrix convened the meeting at 1:05 p.m. and welcomed the work group. The work group discussed the need for an additional meeting and agreed to meet November 3, 2008, from 1:00 to 4:00 pm.

Agenda Item 2 – Review Minutes from Previous Meeting

The work group agreed to review the minutes after the meeting and send any additions or clarifications to staff.

Agenda Item 3 – Discussion of Issues

Review Safe Harbor Research and Discuss Proposed Safe Harbors

Becky Steckler provided information about her research and reviewed the results. Generally she explained that she relied heavily on periodic review records; that while cities authored most of the reports she relied on, ECONorthwest was the most prevalent consultant; that indicated populations are as of when the underlying report was created; that it was generally unclear whether multi-family housing included townhouses; and that there was a marked difference between forecasted and actual annual growth rates.

Gregory Winterowd questioned the 25 percent assumption in OAR 660-024-0040(9). He explained that his firm and ECONorthwest take constrained land out of the gross buildable acres to determine the net buildable acres and that the safe harbor is an easy, though inaccurate, approach. Bob Rindy responded that the research indicates the assumption is accurate overall though may be too high for multi-family housing. Gregory Winterowd replied that the percentage can be much higher than 25 percent for neo-traditional single-family housing. Chair Worrix reminded the group that safe harbors are optional and cannot address all situations.

Bob Rindy reminded the work group of “the mother of all safe harbors,” which is Terry Moore’s concept recognizing a relationship between residential and employment lands needs, and suggested that the Willamette Futures study may provide more data to establish whether such a relationship exists. The work group agreed that additional data is needed to pursue this type of safe harbor.

Review Employment-related Research and Discuss Potential Safe Harbors

Bob Rindy distributed a list of proposed residential safe harbors, including for density, housing mix and exception areas. He explained that his density safe harbor is based on OAR 660, Division 7 (Metropolitan Housing), though could vary based on population. He preferred this type of safe harbor over one requiring a higher percentage density from existing density.

Shaun Jillions preferred the latter type of safe harbor since it would better recognize a city's existing characteristics. Gregory Winterowd informed the work group that eastern Oregon has consistently lower densities than western Oregon, which could be accounted for by scaling the proposed safe harbor and allowing a lower density for eastern Oregon in the 10,000 to 25,000 tier. He further proposed a mean density of 6.4 dwelling units per acre for western Oregon in the 10,000 to 25,000 tier and 7.1 dwelling units per acre statewide in the 25,000 to 75,000 tier.

Becky Steckler advised that there was little data for small cities because such cities non longer participate in periodic review. Bob Rindy responded that small cities are not maintaining their land supplies and need safe harbors, though recognized that some coastal cities cannot expand due to geography. Gregory Winterowd replied that many UGBs for small cities were originally larger than needed and are still under utilized. Becky Steckler cautioned that because small cities are not required to update their plans, many are unprepared to deal with development and struggle with infrastructure planning.

Chair Worrix gauged support for either safe harbor approach and questioned whether the two could be combined. Gregory Winterowd proposed a 20 percent increase from historic densities and Bob Rindy added that such a safe harbor could be used if a city's historic density is below a certain percentage. He further added that the work group should explore linking any density safe harbor to any housing mix safe harbor and should consider adopting the housing mix categories contained in the Metropolitan Housing rules (though not necessarily the values). Chair Worrix suggested a housing mix safe harbor could be a percentage decrease in single-family housing from existing mix, which may be more attractive to some cities.

Thomas Hogue distributed a list of possible employment land safe harbors and explained that businesses and densities would need to be assigned to specific employment categories, though offered that the Oregon Employment Department may have relevant data available.

Gregory Winterowd advised the work group that the proposed employment land safe harbors would be of limited value to non-growing communities and suggested a safe harbor allowing one 20-acre industrial site with freeway access.

Karen Goddin and Jill Miles discussed their roles at the Oregon Economic and Community Development Department (OECD) and stressed the need for more

developable employment lands. Bob Rindy discussed a need for regional economic development planning and regional employment lands safe harbors. Karen Goddin provided the example of Linn and Benton counties coordinating economic development. Gregory Winterowd discussed the need for a statewide economic opportunity analysis to determine the types of economic development by region. He further advised that Goal 9 (Economic Development) allows regional planning and suggested that OECD and DLCD could work with cities to identify employment sites as part of any safe harbor. The work group agreed to discuss such a regional approach further.

Continue Discussion of Issues Raised by the *McMinnville* and *Madras* Cases

Postponed.

Agenda Item 4 – Next Meeting Agenda, Wrap Up and Adjourn

The work group agreed to continue discussion of issues raised by the *McMinnville* and *Madras* cases at its next meeting, including further discussion of the “3-step” process. Chair Worrix adjourned the meeting at 4:05 p.m.

Public Comment

None

Member Tasks (not necessarily due at next meeting)

Thomas Hogue

- Prepare memorandum on general and regional employment lands safe harbors.

Bob Rindy

- Refine residential safe harbors.
- Prepare memorandum on approach to handling “segmented” submittal of UGB amendments.