



Oregon

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MEMORANDUM

FROM: Richard Whitman, Steve Shipsey
TO: LCDC Commissioners
RE: Metro Reserves Deliberations
DATE: October 28, 2010

This memo is intended to assist the commission in its final deliberations concerning Metro urban and rural reserves, by clarifying the department's understanding of what the commission needs to decide with regard to the three specific areas the commission indicated it wants to focus on, and what the commission's standard(s) are for making those decisions. To further assist the commission, we are providing four exhibits to this memo. Those exhibits are: (A) Three maps of the current zoning designations for Areas 7B, 7I and 8A; (B) Excerpts of the Objections and Exception relating most directly to these three areas; (C) A compilation from Washington County and Metro of the evidence in the record showing how the county and Metro considered and applied the factors to these three areas; and (D) A transcript of a portion of the final rulemaking hearing where the commission adopted its division 27 rules for urban and rural reserves. To the extent that these attachments include new evidence, we ask that the commission request these materials to assist it in its deliberations.

1. What Does the Commission Need to Decide? (Scope of Review)

What the commission reviews (it's scope of review) is set in its own rule: 660-027-0080(4). That rule provides that the commission reviews the reserves decision for four basic things (the four basic things are summarized in the bracketed capitalized language):

"* * * The Commission shall review the submittal for:

(a) Compliance with the applicable statewide planning goals. Under ORS 197.747 "compliance with the goals" means the submittal on the whole conforms with the purposes of the goals and any failure to meet individual goal requirements is technical or minor in nature. To determine compliance with the Goal 2 requirement for an adequate factual base, the Commission shall consider whether the submittal is supported by

substantial evidence. Under ORS 183.482(8)(c), substantial evidence exists to support a finding of fact when the record, viewed as a whole, would permit a reasonable person to make that finding [THE STATEWIDE PLANNING GOALS];

(b) Compliance with applicable administrative rules, including but not limited to the objective provided in OAR 660-027-0005(2) [e.g. a balance in the designation of urban and rural reserves that, in its entirety, best achieves livable communities, the viability and vitality of the agricultural and forest industries and protection of the important natural landscape features that define the region for its residents] [THE BEST ACHIEVES STANDARD] *and* the urban and rural reserve designation standards provided in OAR 660-027-0040 [THE AMOUNT OF LAND STANDARD]; and

(c) Consideration of the factors in OAR 660-027-0050 or 660-027-0060, whichever are applicable [COMPARISON OF ALTERNATIVE AREAS BY APPLYING FACTORS]. " OAR 660-027-0080(4)

What each of these four things means, is described in more detail, below.

A. Compliance with the Statewide Planning Goals

OAR 660-027-0080(4)(a) and ORS 197.747 provide that "compliance with the goals" means the submittal on the whole conforms with the purposes of the goals and any failure to meet individual goal requirements is technical or minor in nature. In addition, not all goals apply to the reserves decision. For example, in the Department's opinion, Goal 10 does not apply to the reserves decision because the designation of urban and rural reserves does not commit land to urbanization or to any particular future use (that would occur only after the land was included within an urban growth boundary and planned and zoned for urban development). Similarly, some goals may apply, but only in a limited fashion. For instance, the element of Goal 11 that requires public facility plans applies only to areas within an urban growth boundary (and so does not apply to the reserves decision). However, other elements of Goal 11 could (in theory) be implicated by the reserves decision.

The requirement to comply with the goals focuses on assuring that the underlying main purpose of the goal is met, even if there are minor deviations from the technical requirements of the goal or LCDC implementing rule. *1000 Friends of Oregon v. LCDC (Lane County)*, 305 Or. 384 (Or., 1988). Thus, for example, the main purpose of Goal 3 is to preserve and maintain agricultural lands for farm use.

Goal compliance does not appear to be a major issue with regard to the three areas the commission has indicated it wants to consider more carefully, although goal compliance issues have been raised in a number of general and specific objections.

B. Compliance with the Best Achieves Standard

OAR 660-027-0005(2) states that the objective of the reserves is "a balance in the designation of urban and rural reserves that, *in its entirety*, best achieves livable communities, the viability and vitality of the agricultural and forest industries and protection of the important

natural landscape features that define the region for its residents." (Emphasis added.) According to the records of the commission's adoption of this rule, the intent was that this standard would set a higher bar for the reserves decision than the normal requirements for locational decisions about where to expand an urban growth boundary (to consider and apply factors to alternative candidate areas – discussed below). The standard applies to the designation "in its entirety," it does not require Metro or a county to rank alternative areas. It is a standard that Metro and the counties, in the first instance, must demonstrate has been met, by explaining why in their findings.

Although the standard applies to the designation[s] in its entirety, the department believes that the commission could find that the standard is not met as a result of concerns about one or more areas (e.g., the designation[s] in its entirety could fail to meet this standard because of problems with one or more particular areas).

In addition, the department believes that there is a relation between the "factors" that Metro and the counties must consider for urban reserves (under 027-0050) and rural reserves (under 027-0060), and the overall objective in 0005(2). The relation is that the way that Metro and the counties explain how the overall objective is met is through their findings applying the urban and rural reserve factors to decide which alternative areas to designate as urban and rural reserves.

The meaning of the "best achieves" standard is best described in the transcript of the commission's January 2008 rulemaking hearing, attached as Exhibit D to this memo.

C. Compliance with the Amount of Land Standard

This standard has already been addressed in the proceedings, and is not directly relevant to the Commission's remaining deliberations. In brief, the statute and rules provide a fair degree of discretion to Metro concerning: (a) the time period that the urban reserves are planned to accommodate population and employment growth for; and (b) the methods and policy considerations that Metro uses to project future population and employment. The statute and rules also provide Metro significant discretion in determining how to apply its overall regional projections to parts of the region (counties).

If the commission were to remand one or more urban reserve areas, with direction to evaluate the area(s) in a particular way under the commission's rules and/or to drop the area from designation, it should also indicate whether Metro and the county(ies) involved would be required to replace any lands removed as a result of the remand. The department believes that, because Metro based its determination of need on a range forecast and made a policy choice to plan for the upper end of the middle third of its projection, Metro could remove some lands without adding other lands by either altering its policy choice (to, for example, plan for the middle of the middle third) or by shortening the number of years that the reserves are planned for. Alternatively, the department believes that Metro and the county(ies), could chose to leave the decisions concerning the amount of land unchanged, and add other lands as an urban reserve.

D. Comparing Alternative Areas by Applying Factors

OAR 660-027-0040(10) and (11), together with OAR 660-027-0050 (urban) and 0060 (rural), require the commission to consider *and apply* the factors for urban and rural reserves. If the lands in question are foundation farm land (as is the case for all three of the areas the commission has focused on) OAR 660-027-0040(11) requires the commission to consider and apply *both* the urban reserve factors and the rural reserve factors. The rule provisions raise at least two basic questions that the commission should decide: (a) what does it mean for Metro and the counties to consider and apply the factors; and (b) does the rule require Metro and the counties to consider and apply the factors to each area, to the region as a whole, or to each county?

a. What Does it Mean to Consider and Apply the Factors?

The department believes that the commission's rule requires Metro and the county(ies) to evaluate alternative areas in terms of each of the factors, and to then explain why it selected a particular area as an urban reserve or a rural reserve. For areas containing Foundation Agricultural Land that are considered as urban reserves, the rules require this evaluation to be done in terms of both the urban and rural factors.

It is important to note that this does *not* require a ranking, nor (under Goal 14 (as opposed to Metro's Code) does it require that the "*best*" suited lands be included) but it does require the county and Metro to show that they evaluated alternative areas in terms of each of the factors, (*Ryland Homes*, at 154), and that their findings explain why each area is appropriate as an urban or rural reserve. Finally, "[n]o single factor is of such importance as to be determinative in an UGB amendment proceeding, nor are the individual factors necessarily thresholds that must be met." *Citizens Against Irrespons. Growth v. Metro*, 38 P.3d 956, 179 Or. App. 12 (Or. App., 2002). In other words, any one area does not have to comply with or meet every factor. The factors are considered together, and weighed and balanced as a whole.

b. What Lands Does Metro or a County Apply the Factors To?

The department's report to the commission states that we believe that Metro applies the factors to *areas* (not to individual properties, and not to the entire region). The department's position is based on the fact that the reserve factors derive from the Goal 14 locational factors (this is stated clearly in the history of the commission's rulemaking for division 27, *and* in the legislative history for Senate Bill 1011). The Goal 14 locational factors are *applied* to alternative locations for expanding an urban growth boundary to decide which one(s) to select to include within the expanded UGB. *1000 Friends of Oregon v. Metro (Ryland Homes)*, 26 P.3d 151, 174 Or. App. 406 (2001). Similarly, under the Commission's other urban reserves rules, the Goal 14 factors are applied to proposed urban reserve *areas*. *D.S. Parklane v. Metro*, 35 Or LUBA 516 (1999). We believe that the legislative and commission intent is the same with regard to the role of the factors in deciding which lands to designate as urban and rural reserves – e.g., the factors are applied to alternative areas to decide which ones to include as urban reserves, and which areas to include as rural reserves.

Furthermore, because SB 1011 and the commission's reserves rules require urban and rural reserves to be decided upon jointly between Metro and a county, we believe that the factors are *applied* to alternative areas within a county to decide which ones to designate as urban or rural reserves.

OAR 660-027-0040(10) requires Metro and the counties to "adopt a single, joint set of findings of fact, statements of reasons and conclusions explaining why *areas* were chosen as urban or rural reserves, how these designations achieve the objective stated in OAR 660-027-0005(2), and the factual and policy basis for the estimated land supply determined under section (2) of this rule." (Emphasis added) In other words, the commission's rules clearly require the factors to be applied to "areas" rather than specific properties or to the region or a county as a whole. OAR 660-027-0040(11) supplements the requirements of 0040(10) by requiring additional findings if "Foundation Agricultural Land" is designated as urban reserves (that term is defined by OAR 660-027-0010(1) as the lands mapped by ODA as foundation farm lands in its 2007 assessment). The department believes that the supplemental findings required by subsection (11) for Foundation Agricultural Lands do not alter the geographic unit that Metro and the counties must adopt findings for – the findings must still be by "area" rather than on a property-by-property or region-wide basis. What this means is that if Metro designates some portion or all of an area as an urban reserve, and that area includes Foundation Agricultural Land, then the joint findings must explain why the area was selected as an urban reserve by applying *both* the urban and rural factors to that area and explaining why that area is more suitable as an urban reserve than other lands within Metro's study area that are not Foundation Agricultural Lands.

c. What Did Metro and the Counties Do?

Metro adopted a single set of joint findings that explain why the region designated some areas including Foundation Agricultural Land as urban reserves. Metro Rec. at 15-19. Those findings explain why the region did not designate other (non-Foundation) lands as urban reserves, generally. The findings include some explanation of why other (non-Foundation) lands were not designated as urban reserves (instead of the Foundation lands). The findings also state: "[t]hese reasons are more fully set forth in the explanations for specific urban and rural reserves in sections VI-VIII."

Section VI contains the findings for Clackamas County, explaining why it designated Area 1F as an urban reserve (this is the only area of Foundation Agricultural Land designated as an urban reserve in Clackamas County). The findings address both the urban factors and (to at least some degree) the rural factors. Metro Rec. 25-28.

Section VII contains the findings for Multnomah County, explaining why it designated Area 1C as an urban reserve (this is the only area of Foundation Agricultural Land designated as an urban reserve in Multnomah County). The findings address, in general terms, both the urban factors and the rural factors, and explain why the county decided to designate the area as an urban reserve. Metro Rec. 48-49.

Section VIII contains the findings for Washington County. Washington County's findings address Areas 7B, 7I and 8A, individually (as well as other areas in the county), and explain why the areas were designated as urban reserves, but do not apply the rural reserve factors to the areas containing Foundation Agricultural Lands. Although the findings do not apply both sets of factors, there is evidence in the record that Washington County did so (this evidence is summarized in Exhibit C).

2. What Standard Does the Commission Use to Decide Each of the Things That it is Required to Decide? (Standard of Review)

The Oregon Court of Appeals addressed LCDC's standard of review in a UGB amendment decision at length in *City of West Linn v. LCDC*, 119 P.3d 285, 201 Or. App. 419 (2005). While that case provides some useful guidance, it is important to note that the standard of review for the court is different from the standard for LCDC, and that the standard of judicial review in the event the commission's decision in this matter is appealed is controlled by a slightly different statute than the one that applied in *City of West Linn* (ORS 197.651, not ORS 197.650).

In this proceeding, the commission reviews Metro and the county findings to determine whether they provide an adequate explanation of why each area was designated as an urban or rural reserve (using the factors). The commission reviews any factual questions to determine whether there is substantial evidence in the record as a whole to support Metro and the county's decision. And, the commission reviews any legal questions to determine whether Metro correctly decided the question.

A. Adequacy of Findings

The commission's own rules require findings that explain why Metro and the counties made the decisions that they did. OAR 660-027-0040(10) provides that: Metro * * * [and the county(ies)] shall adopt a single, joint set of findings of fact, statements of reasons and conclusions explaining why areas were chosen as urban or rural reserves, how these designations achieve the objective stated in OAR 660-027-0005(2), and the factual and policy basis for the estimated land supply determined under section (2) of this rule." OAR 660-027-0040(11) requires that "* * * if Metro designates [Foundation Agricultural Land] as urban reserves, the findings and statement of reasons shall explain, by reference to the factors in OAR 660-027-0050 and 660-027-0060(2), why Metro chose the Foundation Agricultural Land for designation as urban reserves rather than other land considered under this division." And, OAR 660-027-0080(4) requires that: "(4) The joint and concurrent submittal to the Commission shall include findings of fact and conclusions of law that demonstrate that the adopted or amended plans, policies and other implementing measures to designate urban and rural reserves comply with this division, the applicable statewide planning goals, and other applicable administrative rules."

The requirement for findings is not simply a technicality, its purpose is to assure that the commission can perform its review function, and that it does not substitute its judgment for that of Metro and the counties. *Citizens Against Irresponsible Growth v. Metro*, 179 Or App 12, 16, 38 P3d 956 (2002); *Naumes Properties v. City of Central Point*, LUBA No. 2003-107 (Or. LUBA 1/21/2004).

In a recent decision on the City of Bend proposed urban growth boundary, the commission decided that where local findings are inadequate, it may still affirm the local decision if the local government identifies evidence in the record that "clearly supports" its decision. This is analogous to express statutory authority for the Land Use Board of Appeals to affirm local land use decisions in these circumstances (the commission indicated that it was adopting the same approach). In the LUBA cases applying its express authority to affirm decisions where the findings are inadequate but the evidence clearly supports the local government's decision, LUBA distinguishes between cases where the inadequacy in findings concerns a pure question of fact and cases where the inadequacy is in a local government's explanation of its policy choice – why it made a particular decision.

" LUBA has narrowly interpreted the term "clearly supports" in ORS 197.835(11)(b) to mean "makes obvious" or "makes inevitable." Marcott Holdings, Inc. v. City of Tigard, 30 Or LUBA 101, 122 (1995). ORS 197.835(11)(b) authorizes LUBA to remedy minor oversights and imperfections in local government land use decisions, but does not allow LUBA to assume the responsibilities assigned to local governments, such as the weighing of evidence." *Salo v. Oregon City*, LUBA No. 98-173 (Or. LUBA 7/14/1999).

As indicated in its report in this matter, the department believes that if the commission determines that the Metro/county findings are inadequate, it then should decide whether or not the record "clearly supports" the local decision and, if so, whether this is an appropriate case to apply this practice. That decision could depend on both how clear the evidence is, and how much policy judgment (if any) is involved in resolving the underlying question.

B. Factual Questions

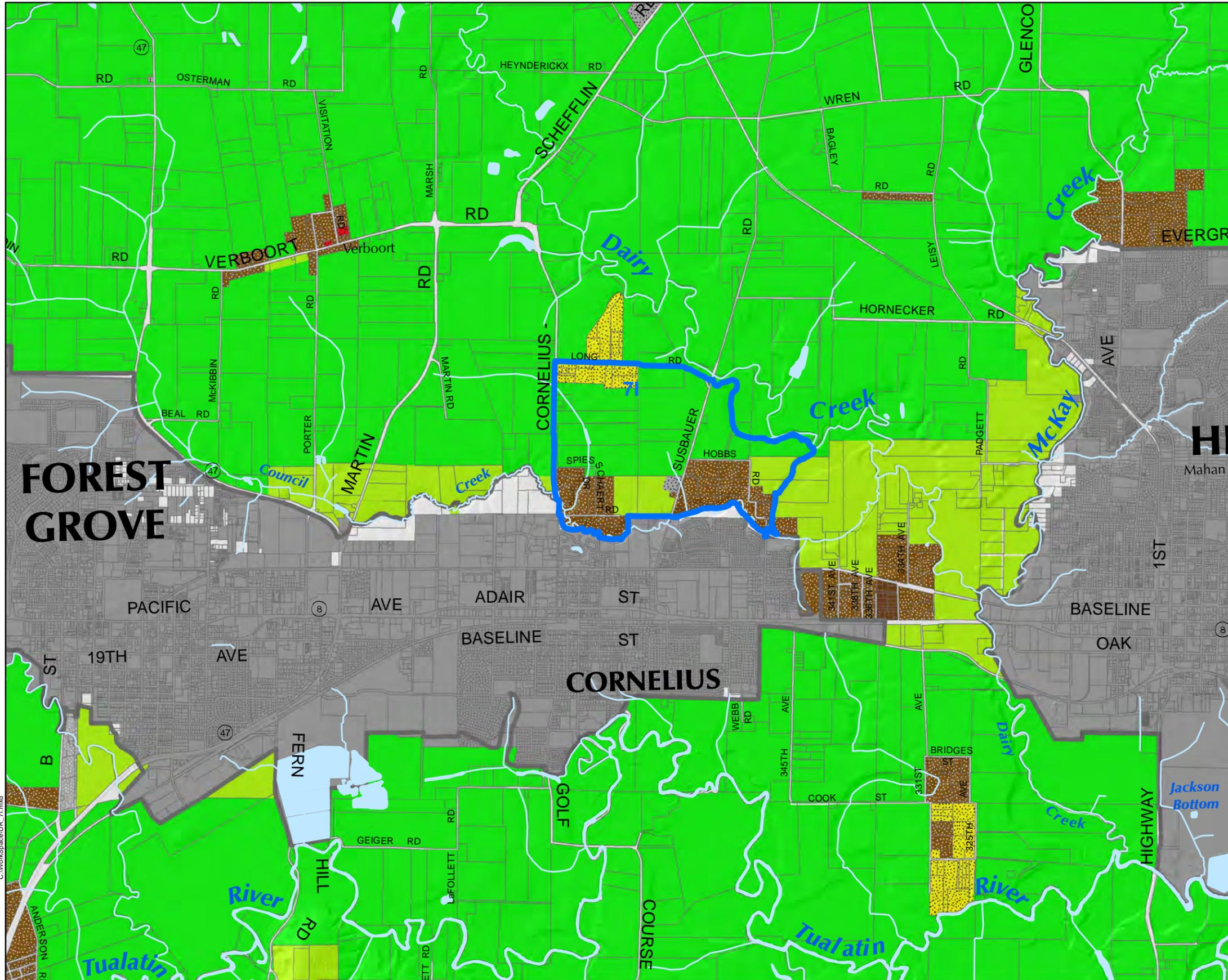
The commission's rules clearly provide that it reviews Metro and the counties' factual determinations for substantial evidence in the record as a whole. OAR 660-027-0080(4)(a).

C. Compliance with Legal Standards

The commission reviews Metro and the counties' resolution of any legal questions de novo, to determine whether they correctly applied the law. There do not appear to be any pure legal questions concerning the three remaining areas that the commission will deliberate on.

Urban Reserve 71

Existing Rural Land Use Districts

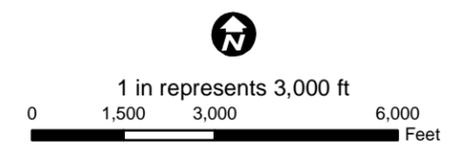


Urban Reserve Area 71 - Cornelius North

Land Use Districts

- Agriculture and Forest - 5 acre minimum
- Rural Residential - 5 acre minimum
- Agriculture and Forest - 10 acre minimum
- Agriculture and Forest - 20 acre minimum
- Exclusive Farm Use
- Exclusive Forest and Conservation
- Rural Commercial
- Rural Industrial
- Land Extensive Industrial

- Stream
- Waterbody

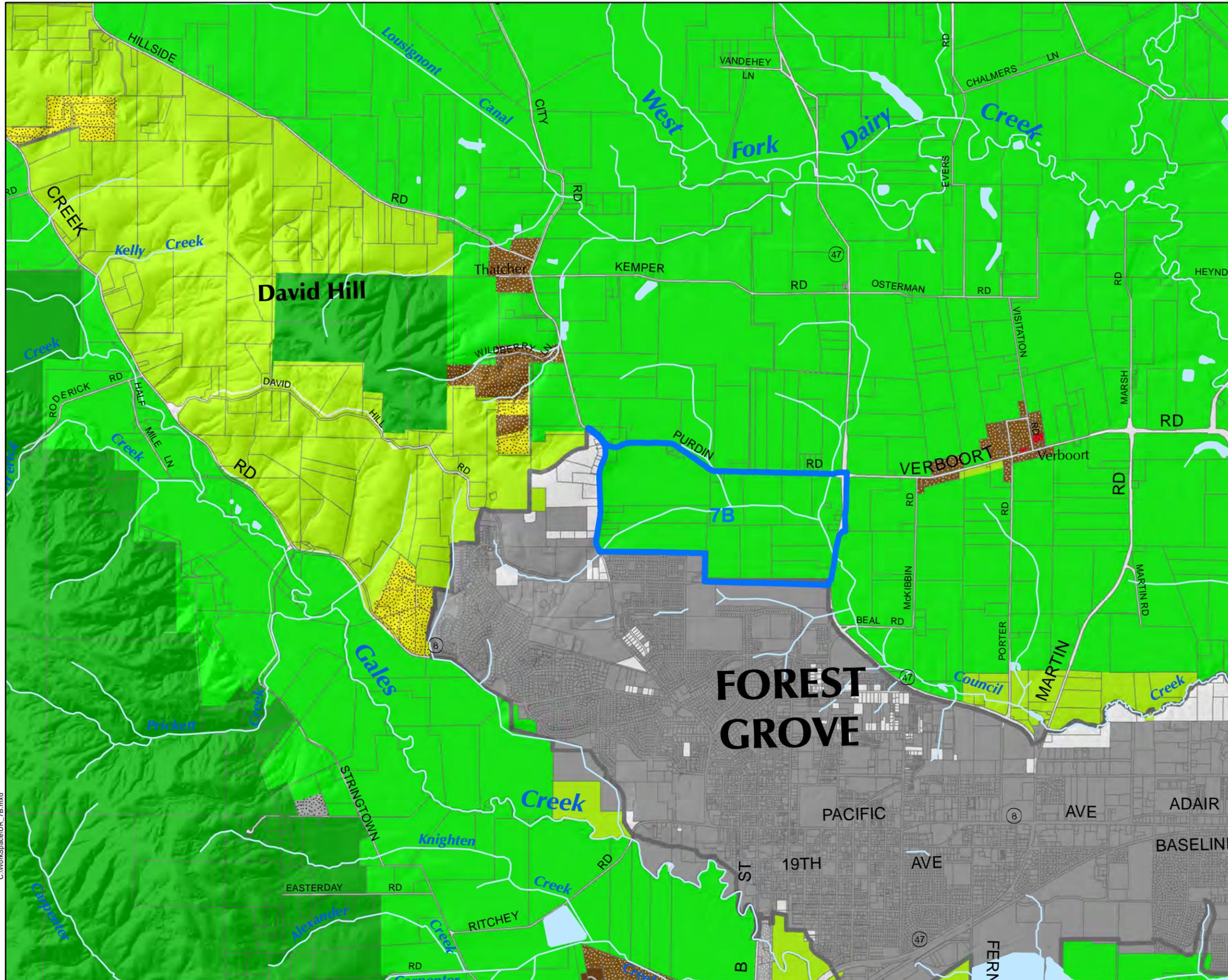


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Urban Reserve 7B

Existing Rural Land Use Districts



Urban Reserve Area 7B - Forest Grove North

Land Use Districts

- Agriculture and Forest - 5 acre minimum
- Rural Residential - 5 acre minimum
- Agriculture and Forest - 10 acre minimum
- Agriculture and Forest - 20 acre minimum
- Exclusive Farm Use
- Exclusive Forest and Conservation
- Rural Commercial
- Rural Industrial
- Land Extensive Industrial

- Stream
- Waterbody



1 in represents 3,000 ft
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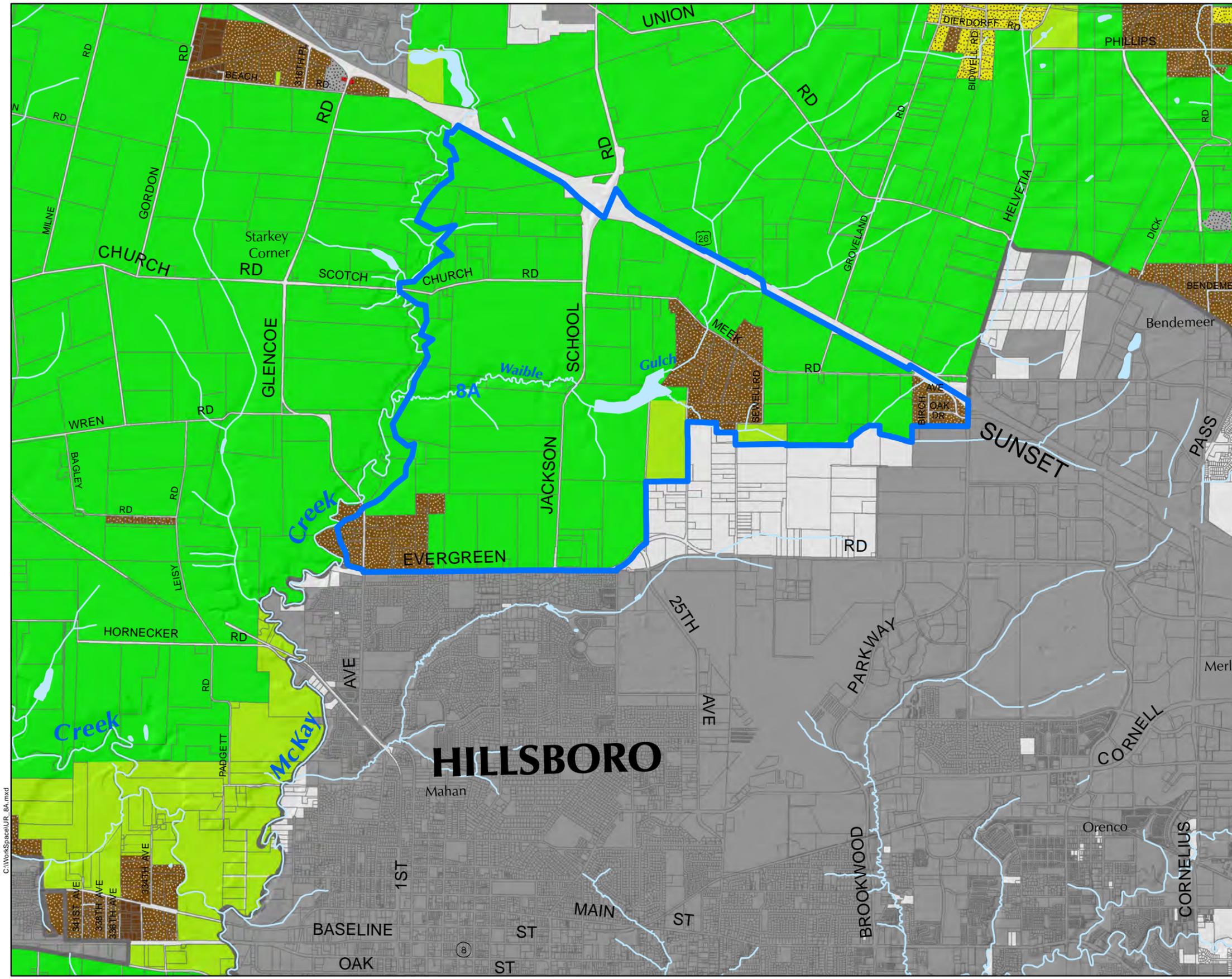


WASHINGTON COUNTY
OREGON

Department of Land Use & Transportation
 Long Range Planning

Urban Reserve 8A

Existing Rural Land Use Districts

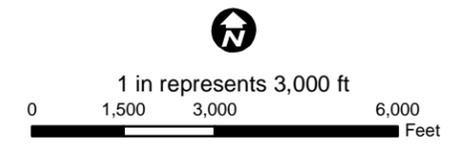


Urban Reserve Area 8A - Hillsboro North

Land Use Districts

- Agriculture and Forest - 5 acre minimum
- Rural Residential - 5 acre minimum
- Agriculture and Forest - 10 acre minimum
- Agriculture and Forest - 20 acre minimum
- Exclusive Farm Use
- Exclusive Forest and Conservation
- Rural Commercial
- Rural Industrial
- Land Extensive Industrial

- Stream
- Waterbody



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Objections Addressing Areas 7I (Cornelius North); and 8A (North Hillsboro)

1. ODA Objections

ODA Objection 3: Designation of agricultural land north of Council Creek (Urban Reserve Area 7I) as an Urban Reserve is inconsistent with the Reserves Statute and Rules.

This area is perhaps the textbook example of land that qualifies for protection as a rural reserve. It is Foundation Agricultural Land and meets all of the factors in law that are required to be considered for the designation of rural reserves including valuable, prime farmland soils, availability of water and agricultural infrastructure and perhaps just as important as these physical capability factors, the area is part of a much larger block of agricultural land that maintains the integrity needed to sustain agricultural operations with minimal conflict from urbanization and nonfarm land uses. It is also under constant threat to be urbanized as evidenced by its long history of advocacy for inclusion within the Cornelius Urban Growth Boundary, including the designation as an urban reserve by Metro. This is supported by testimony from area farmers, Washington County Farm Bureau, agribusinesses, and the recommendations from the Metro COO and the state agencies.

The integrity of this area is at risk by the proposed urbanization of the subject area. Council Creek currently provides an excellent and definable edge and buffer between urban lands and the block of agricultural land located to the north. The protrusion of urban land into this area as proposed creates an additional two urban edges for agricultural operations to deal with. These edges provide no real buffer to adjacent agricultural lands. Nothing but a conclusory statement that development in this area could be designed to avoid or minimize adverse impacts to surrounding farms is provided to address impacts to area agricultural operations and OAR 660-027-0050(8) (See discussion above).

Additionally, such an urban protrusion out and into agricultural lands has long-term implications on surrounding agricultural lands. The extension of urban services such as roads, sewer and water lines north into this area can do nothing but put pressure to ultimately urbanize and infill the notches of rural land remaining to the west and east. And any such extensions of roads to the northern edge of this area could promote further extension north to U.S. Highway 26 with implications to the larger agricultural area.

The remedy is to remand this portion of the decision with direction to designate this area as rural reserve.

ODA Objection 4: Designation of agricultural land north of Waibel Creek and Meek Road (Urban Reserve Area 8A) as an Urban Reserve is inconsistent with the Reserves Statute and Rules.

The area discussion within this objection is a subarea of Urban Reserve Area 8A. It can be best described as the northern portion of the subject urban reserve bounded on the north by U.S. Highway 26, the south by Meek Road and Waibel Creek and the west by McKay Creek.

This area qualifies for designation as a rural reserve. It is Foundation Agricultural Land and meets every single factor for designation as a rural reserve. Soils in this area are some of the best in the region. Irrigation is provided by groundwater sources. Excellent edges are provided by Waibel Creek and Meek Road. Adjacent nonfarm and urban land uses are low-density residential and large lot industrial which tend to be more compatible with common agricultural practices. It is also under serious threat of urbanization as indicated by the designation of the area by Metro as an urban reserve and the history and progression of urban growth and of urban growth boundary expansions to the south and east and to the north of U.S. Highway 26.

Expansion into this area has serious implications, especially when combined with "undesigned" lands located along U.S. Highway 26, to promote the ultimate conversion of all lands located south of Highway 26 and east of McKay Creek. Combined with the "undesigned lands located south of North Plains, urbanization of the subject lands would put pressure on and could lead to the ultimate conversion of all lands located south of Highway 26 and east of Glencoe Road. The urbanization of the Jackson Road interchange could also put pressure to urbanize lands located north of Highway 26.

As previously discussed, and consistent with the lack of evidence in the designation of Urban Reserve Area 71, nothing but a conclusionary statement that development in this area could be designed to avoid or minimize adverse impacts to surrounding farms is provided to address impacts to area agricultural operations and OAR 660-027-0050(8).

The remedy is to remand this portion of the decision with direction to designate the described area as rural reserve.

2. Washington County Farm Bureau/1000 Friends/Dave Vanasche Objections

Washington County Farm Bureau/1000 Friends/Vanasche Objection 5: Designation of the farm land north of Council Creek, generally north of the cities of Cornelius and Forest Grove, as urban reserves violates the reserves statute and rule (urban reserve area 71 and a portion of 7B).

The Metro decision designates as urban reserves at least 624 acres in Cornelius North (71), located north of Council Creek. (It may be more than this because this acreage may not account for the floodplains and wetlands in the area.) Some portion of Forest Grove North (7B) is also located north of Council Creek. This objection is to all lands in both urban reserve areas that are north of Council Creek. The following reasons for this objection are in addition to those contained in Objection 4.

The area qualifies as a rural reserve. It is Foundation agricultural land and meets all rural reserve factors: It is "highly" subject to urbanization during the time period, is capable of and does sustain long-term agricultural operations, is primarily Class I, II, and III soils, is an intact large block of farm land, and the farm use and ownership patterns demonstrate long-term stability. Most, if not all, the land is in the Tualatin Valley Irrigation District. As a potential candidate for rural reserves, Washington County ranked it as Tier 1 - the most qualifying, based on all the rural reserve factors.

Written and oral testimony from the Washington County Farm Bureau and from individual farmers, some of whom farm north of Council Creek, attested to the fact that this area is the heart of the Tualatin Valley agricultural industry and contains some of the most productive blocks of farmland in the state. Agriculture-related businesses in Washington County testified that this area is critical to the economic health of the supporting agriculture infrastructure and industry.

The area designated as urban reserves has significant and irreplaceable agricultural infrastructure in it, which the decision does not address although it is required to do so. These include, among others: Tualatin Valley Irrigation District infrastructure; VanDyke Seed, a seedcleaning plant; Jacobsmuhlen's Meats, a meat processor; Spiesschaert Enterprises; and Duyck Produce. Nor does it address the nearby agricultural infrastructure - inside the urban areas of Cornelius, Forest Grove, Hillsboro, North Plains, and Banks - and the impact of designating this land as urban reserves.

The area north of Council Creek also qualifies as rural reserves because it is a mapped significant natural landscape feature under the rural reserves statute and rule.³⁹ Council Creek and its floodplain form a natural boundary separating urban and rural uses, and qualify as an important natural landscape feature. Crossing Council Creek would be a significant intrusion into the heart of Tualatin Valley agricultural land and industry, without any other logical, natural boundary evident. Because the area qualifies under *both* the agricultural land and natural resource categories as a rural reserve, the burden of proof to designate it as urban is even higher, and has not been met. OAR 660-027-0060(1).

Furthermore, expansion across Council Creek is contrary to the urban reserve factors, and is contrary to the stated local aspirations of Forest Grove and Cornelius, as reflected in their local plans and on-the-ground circumstances. Both want significant transit improvement, including eventually light rail. Urban reserves north of Council Creek would not facilitate compact, mixed-use development in the current town centers of either city, and would be contrary to creating a community that is well-served by transit. The land proposed is not proximate to the high capacity transit line that Cornelius envisions for its community or to the rest of the city; rather, the urban reserves land to which we object is across a wide creek and floodplain, far from the proposed transit line. Urbanizing this area would reinforce auto-oriented development patterns and would be contrary to the state and region's climate change goals.

The Metro Chief Operating Officer relied on this in finding that the area north of Cornelius does not qualify as an urban reserve:

"Large scale urbanization in the area to the north may detract from implementing the 2040 Plan by placing thousands of households and jobs farther away from centers and transit corridors, thus increasing Vehicle Miles Traveled (VMT) and making it more difficult to support the recently adopted High Capacity Transit (HCT) corridor from Hillsboro to Forest Grove."

Urbanizing the area north of Council Creek would also be expensive. "To improve such [transportation] access would require considerable regional resources."

The Metro decision is suppose to be based on regional need, not local wishes. Yet the decision relies, in part, on Cornelius' apparent pledge to serve the area and provide governance. Reliance on a local need or desire is not a legal criterion for an urban reserve designation. The law provides for such consideration when evaluating UGB expansions, not urban reserves.

Moreover, if the individual characteristics of Cornelius are taken into account, the justification to add this land as an urban reserves diminishes even more. Cornelius has, and has had for some time, hundreds of acres of vacant and underutilized land. Metro's analysis shows that Cornelius currently has 125-150 acres of vacant, buildable land inside its portion of the region's urban growth boundary over 10% of the current area of Cornelius. This includes over 50 acres of land that Metro added to Cornelius only a few years ago for industrial use. That land is still being farmed. It is not clear whether the city has even annexed it yet. Another 20+ acres of land, which has full urban services and is in an industrial park, has had a "For Sale" sign up for years. The aerial map of the Cornelius and Forest Grove area, submitted in the record, illustrates the large amount of vacant land within the current boundaries of both cities, much of which is being farmed still. Reliance on the alleged needs or desires of one city is not legal, and does not support this decision in any event.

The State Agency letter also recommends against including the land north of Council Creek in the urban reserves, concluding it does not qualify under the law.

"The state agencies generally concur with the COO recommendations for this area ... Rural reserves for areas here that are a significant distance from the existing UGB don't appear to meet the factors in the rule for designation of rural reserves ... and generally there is too much land designated as rural reserves in this area."

The Metro Chief Operating Officer concluded:

"The area includes some of the best agricultural land in the state. To the north of Cornelius and Forest Grove, there is a well-established agricultural community that is part of the Tualatin V alley Irrigation District, representing a significant investment in agricultural infrastructure and a key component for proving agricultural product flexibility."

The Metro decision findings are conclusory, in most cases simply restating the law or relying on Washington County's analysis, which is flawed as described in Objection 4.

In addition, it appears that neither Metro nor Washington County addressed at least two factors in designating this area for urban reserves: OAR 660-027-0050(7) - can be developed in a way that preserves important natural landscape features, and (8) - can

be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves. Nor did they address at least one rural reserve factor - OAR 660-027-0060(d)(B) - the existence of buffers between agricultural or forest operations and non-farm or non-forest uses.

These three factors are intertwined, and unaddressed. Council Creek currently provides a significant natural buffer between urban and rural uses, the importance of which was testified to repeatedly by farmer experts and residents of the area. Council Creek is mapped as an important natural landscape feature that limits urban development and defines the natural boundaries of urbanization. OAR 660-027 -0005(2). Yet this decision leaps right over Council Creek, creating an urban/rural boundary that is basically an invisible line in a field. It eliminates the natural buffer and creates an immediate interface of conflict. The decision does not address the impact urban reserve designation will have on the adjacent farm land or on the wetlands and floodplains of Council Creek that would be in urban reserves. Finally, despite much testimony on the subject and legal requirements to do so, the decision does not address the impact this intrusion into the heart of the Tualatin Valley agricultural community will have on the future of regional and statewide agriculture.

Not urbanizing the land north of Council Creek would still leave Cornelius with approximately 350 urban reserve acres on the south side of Council Creek and to the east and south of the city (7C Cornelius East and 7D Cornelius South), more land than the city is likely to use in a 50- year period based on the city's past land absorption rates. It will also leave Forest Grove with most of the land in the Forest Grove North urban reserve area, plus all of 7E Forest Grove South.

Remedy: Remand the Washington County portion of the decision with direction to remove the urban reserve designation north of Council creek in 7I and 7B, and to designate the lands as rural reserves. Designation of the lands north of Council Creek as urban reserves does not meet the legal test of balance, locally or regionally; nor does it meet the criteria for urban reserves. These lands do meet the criteria for rural reserves.

Washington County Farm Bureau/1000 Friends/Vanasche Objection 6: Designation of the Hillsboro North area (SA, Evergreen) as an urban reserve violates the reserve statute and rule.

Proposed urban reserve area 8A Hillsboro North contains 2265 acres and extends north of Hillsboro to Highway 26 and as far west as McKay Creek, thereby crossing Jackson School Road and bringing urbanization all the way to and beyond the Jackson School Road interchange. It encompasses Waibel Creek, which runs north-south. The following reasons for this objection are in addition to those contained in Objection 4.

Area 8A is entirely Foundation agricultural land and meets every rural reserve factor. It is highly subject to urbanization during the time period, is capable of and does sustain long-term agricultural operations, is primarily Class I, II, and III soils, is an intact

large block of farm land. As one farmer testified, the land here is even better than that on Sauvie Island. The area is entirely irrigated by a groundwater system. Sewell Road and the exception area are an excellent manmade buffer and edge that can protect the area from conflicting uses, and the farm use and ownership patterns demonstrate long-term stability.

In addition, the proposed area's proximity to Jackson School Road will be a magnet for future urbanization in this western direction, adversely impacting the farm lands around this area with conflicting uses, speculative land purchases, urban traffic, and more. The current and future transportation system in this area is auto-dependent, which will exacerbate the region's greenhouse gas emissions, and our ability to reduce them, which is already in doubt.

The extension of this area across Jackson School Road and to the interchange at Highway 26 eliminates several natural and manmade buffers that could have been relied upon to reduce the conflict between urban and rural uses: Waibel Creek, Jackson School Road, Sewel Road, and an existing exception area. Instead, the proposed urban reserve has no natural or manmade buffer to protect rural from urban uses.

As described in Objection 5, the decision does not address OAR 660-027-0050(7), (8) or OAR 660-027-0060(d)(B). There is no evidence in the record that these factors can be addressed. Nor is there evidence in the record that any interchange management plan for the area as it impacts Highway 26 would be effective, or that any interchange management plan has ever been effective, in reducing impacts on interchanges, highways, and on surrounding farm lands.

Remedy: Remand the Washington County portion of the decision with direction to remove the urban reserve designation from 8A Hillsboro North, and to designate the lands as rural reserves.

Washington County Farm Bureau/1000 Friends/Vanasche Exception to DLCD Report: Areas 71 and 7B: North of Council Creek

Council Creek runs in an east-west direction, to the north of the cities of Cornelius and Forest Grove. It forms a natural boundary between the urban and urbanizable land in those two cities and the heart of the Tualatin Valley agricultural industry to the north. It is also a natural boundary – the Creek and floodplain are hundreds of yards wide in some places, forming a natural and permanent buffer between the conflicting uses of urban and rural.

The land in the proposed urban reserve consists of about 825 acres of Class I, II, and III High Value farm land north of Council Creek. (About 625 acres north of Cornelius and 200 acres north of Forest Grove.) It has been designated as Foundation farm land by the Oregon Department of Agriculture and is within 3 miles of the UGR. The Washington County Farm Bureau, 1000 Friends, and Dave Vansache, a Century farmer in this area, all objected to designating the area north of Council Creek as urban

reserves. It is very important to more that we have *not* objected to designating the 300+ acres east and south of Cornelius, and over 250 acres adjacent to Forest Grove, as urban reserves and that are also in this decision. Most of these alternative areas are also Foundation farm land. In fact, it was the Washington County Farm Bureau that first suggested all these other areas around Cornelius as urban reserves - because they make more sense, from both an urban and rural reserves perspective. They are, variously, south of Council Creek, or bounded by the Tualatin River, or are along the Tualatin Valley Highway - a Highway that connects Cornelius/Forest Grove with Hillsboro and would be the proposed HCT corridor for increased bus service. Council Creek and the Tualatin River provide a natural landscape feature buffer between urban and rural uses. These areas make sense, and provide Cornelius and Forest Grove extensive lands for possible future urbanization, including industrial use of any lot size.

This agency, and eight other state agencies, as well as Metro's Chief Operating officer, all strongly agreed with the Washington County Farm Bureau position, and recommended rural reserves for this area.

The Department acknowledges that the justification for this area as an urban reserve is weak (the Department report describes the findings as "general" and states that at least one factor is "not directly addressed." Report pp. 86-88).

It is hard to imagine a more appropriate area in the entire region for rural reserve designation, and one that has such widespread support. Yet the Department recommends approving an urban reserve designation for these two areas. What is truly hard to imagine is what set of facts might compel the Department to recommend something *different* than what Washington County and Metro recommended for urban reserves in the county.

The proposed 71 and 7B urban reserves, and the Department's response to our objections, continue to demonstrate a violation of the law in the following ways:

- Areas 71 and 7B do not meet the urban reserve criteria.
- Areas 71 and 7B meet the rural reserve criteria on *both* agricultural and natural resource grounds, and therefore should be designated rural reserves.
- Foundation farm lands require a higher level of justification for being designated as urban reserves and the Department has not demonstrated that the Metro decision meets that. Those within 3 miles of the UGB require an even higher level, as they automatically qualify as rural reserves.

Areas 71 and 7B Do Not Meet the Urban Reserve Criteria

The Department's report acknowledges that Washington County and Metro have addressed the urban reserve factors (OAR 660-027-0050) in only a "general fashion," and that the Commission could determine that the record does not support designation of these areas as urban reserves. (Report p. 86) The substantial evidence, and in some cases, the only evidence, in the record shows that areas 71 and 7B fail to meet the urban reserve factors in at least the following ways

Factor 1: "Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments."

The Department relies upon the "findings" in the Cornelius and Forest Grove pre-qualifying concept plans (PQCPs) and on Metro's consolidated findings to show this criterion is met. These findings are both conclusory and do not meet the requirements of the factor.

For example, in addressing this factor, the Cornelius PQCP states:

"The City has comprehensively planned its public and private infrastructure in coordination with surrounding jurisdictions and partners and consistent with state and regional 2040 Plan goals and requirements. The major infrastructure systems are either in place ready for or can be extended for development. The water, sewer and transportation systems that bisect and are adjacent to Cornelius have regional growth capacity. Clean Water Services sanitary and storm sewer lines are sized to serve north to Dairy Creek and the partially urbanized area south and east of Cornelius, and are capable of extending between Hillsboro and Cornelius north of Dairy Creek. The City has required developers to stub for extension urban sized utilities for future expansion at the City boundary."

This is a conclusory statement that can be made about any area inside the Metro UGB. It simply re-states existing state law and Planning Goal 11, which requires all cities to provide urban scale infrastructure within their city limits, and to plan for its extension to urbanizable lands within its UGB. Cornelius has urbanizable land between its city limits and its portion of the UGB that it has not annexed (including land brought into the UGB for "industrial" purposes over 4 years ago), as well as vacant and undeveloped lands throughout its city limits (according to Metro, over 10% of the land within the Cornelius city limits is currently vacant; even more land is underdeveloped). The above conclusory statement is what one would expect to find in the Cornelius public facilities plan, without reserves being part of the discussion.

Furthermore, it does not explain how, given the large amount of vacant, underdeveloped, and un-annexed land within the Cornelius portion of the UGB, adding over 1000 acres of urban reserves (including proposed urban reserves south and east of the city) to a city of only 1170 acres now, will ensure an urban level of development that makes efficient use of the existing facilities. The existing facilities are under-utilized by the lands within the existing city - those areas must densify to meet Metro's Region 2040 Growth Concept, Regional Transportation Plan, and High Capacity Transit plan for a mixed-use, higher density Cornelius Town Center that can support high capacity transit; adding additional land makes that *less likely* to happen, not more.

The PQCP goes on to state that the proposed urban reserves will develop at a density of 10 units per acre. That does not meet Metro's definition of and requirement for

urban densities of 15 units/acre in the urban reserves, and thus reliance on the Cornelius PQCP is flawed.

Cornelius and Forest Grove are designated Town Centers in Metro's Region 2040 Plan. Metro's Region 2040 Plan, High Capacity Transit (HCT) plan, and the Regional Transportation Plan (RTP) all contemplate mixed-use, higher density development and high capacity transit along a corridor running from Hillsboro to Cornelius and Forest Grove. To achieve those laudable goals requires investment inside the existing UGB on lands along those corridors - the Tualatin Valley Highway and the proposed light rail corridor - which are largely vacant and underdeveloped now. This was pointed out by both the 9-State Agency letter, including this agency, and the Metro Chief Operating Officer's (COO) Report:

"Large scale urbanization in the area to the north may detract from implementing the 2040 Plan by placing thousands of households and jobs farther away from centers and transit corridors, thus increasing Vehicle Miles Traveled (VMT) and making it more difficult to support the recently adopted High Capacity Transit (HCT) corridor from Hillsboro to Forest Grove.,,"

Metro also found that urbanizing the area north of Council Creek would be expensive. "To improve such [transportation] access would require considerable regional resources" There is no evidence showing that urban reserves for areas 71 and 7B north of Council Creek meet urban reserve factor 1; substantial evidence shows these areas do not meet the urban reserves criteria.

Factor 2: "Includes sufficient development capacity to support a healthy economy."

The Department, Metro, and Washington County simply re-state the factor in finding it has been met. This is not substantial evidence. Furthermore, there is no underlying evidence actually addressing economic capacity. Raw land is not development capacity. The Cornelius portion of the current UGB is not dense enough in employees or housing to support increased bus service or a HCT line of any type, the current land supply has substantial vacant and underdeveloped lands, including parcels over 60 acres, with services, and in industrial parks. Cornelius has not yet annexed 60+ acres of land added to its UGB over 4 years ago for industrial development, in part because there is no demand for it. Adding raw land without, and on other things, the residential or employment demand for it, does not support a healthy economy.

Factor 3: "Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers."

Factor 4: "Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers."

Factor 5: "Can be designed to preserve and enhance natural ecological systems."

Factor 6: "Includes sufficient land suitable for a range of needed housing types."

Factor 7: "Can be developed in a way that preserves important natural landscape features included in urban reserves."

These factors are addressed by similarly conclusory statements in the Department's Report, Metro findings, and the PQCP in that they largely re-state the factor itself and claim it is or will be met. In particular, there is no evidence that the public transit hoped for by Cornelius and Forest Grove and envisioned in the RTP and HCT plan will be realized by almost doubling the size of the city in areas far away from those transit corridors, particularly when those corridors today are low density and contain substantial vacant and undeveloped lands. A conclusory statement that it will be met does not meet the legal factor.

Factor 8: "Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves."

The Department's Report acknowledges this factor was not addressed by Metro in its decision. (Report p. 86)

Finally, the Department, Metro, and the County ignore that a "Purpose and Objective" of the reserves rules is that "important natural landscape features" are to be used to "limit urbanization" and "define natural boundaries of urbanization." OAR 660-027-0005(2) and ORS 195.137(1). The reserves rule and statute do not allow an evaluation of urban reserves without including their relationship to the surrounding farm and forest lands and natural resources, including how those natural features can - and must - be used as the boundary for urbanization by being designated as a *rural* reserve. A promised buffer on the urban side of an urban reserve does not meet the law.

Here, Council Creek provides that natural boundary between urban and rural uses. It is a generally wide floodplain, wetland, and stream. There is no boundary - natural or even manmade - that separates rural and urban lands in the proposed urban reserves north of Council Creek. There is no factual dispute as to this. Therefore, Council Creek and the area north of it in Areas 7I and 7B do not qualify as an urban reserve and should be a rural reserve.

Areas 7I and 7B meet the Rural Reserve Criteria on both Agricultural and Natural Resource Grounds

As discussed in our Objections, but not addressed in the Department's report, areas 7I and 7B qualify for rural reserve designation under both set of criteria - the criteria for "long-term protection for the agricultural industry" (OAR 660-027-0060(2)) and "to protect important natural landscape features" (OAR 660-027-0060(3)). As a factual matter, this is not in dispute. In addition, these two areas are also Foundation

agricultural lands within 3 miles of the UGB, for which there is a higher bar for justifying designation as urban reserves.

Few areas under consideration or in dispute meet all these factors - every factor of rural reserve designation as agriculture, every factor for rural reserve designation as an important natural landscape feature, and Foundation farm land. The Commission's discretion is not so boundless as to override the triple bottom line for why, legally, areas 7I and 7B should be rural reserves.

Foundation Farm Lands Require a Higher Level of Justification for Being Designated as Urban Reserves, and the Department has not Demonstrated that the Metro Decision Meets that.

The Department acknowledges that LCDC's rule requires that if Foundation farm lands, as identified by the Oregon Department of Agriculture, are proposed as urban reserves rather than rural reserves, then a higher standard applies to justify that urban designation for the particular area of land. OAR 660-027-0040(11). The Department concludes that Metro's decision meets this standard. This is legally and factually incorrect, for the following reasons:

- The Department acknowledges that Metro's findings are only "general" and that they are not "specific to each of the areas." This does not meet the higher standard criteria of law. (Report p. 87, 88)

The Department seems to endorse the following rationale for accepting mere "general" findings for the Foundation farm land areas north of Council Creek: that since most of the farm land in Washington County near the existing UGB is Foundation farm land, a whole lot of it is going to be designated as urban reserves, so how can this higher standard be met on any particular parcel? (Report p. 87, Department text and quote of consolidated findings; p. 88) The fact that much of the land around the UGB in Washington County was Foundation farm land was known when the reserves statute was passed by the Legislature and when the Commission adopted its reserve rule. It has been mapped for some years now. Knowing that, this higher level of justification was clearly required by this Commission. And it has not been met concerning areas 7I and 7B. If it cannot be met, one remedy is that Metro and the Commission can adopt urban reserves for a shorter time period than the full 30 years beyond the 20-year UGB.

- The Department endorses the following Metro mischaracterization of the reserve rule's and statute's purpose, and the Department apparently applies it to 7I and 7B: the urban reserve recommendation in Washington County balances "the *need* for future urban lands and the *values* placed on 'Foundation' agricultural lands and lands that contain valuable natural landscape features." (Report pp. 87-88; Metro Rec. p. 62, emphasis added) This is a condescending and inaccurate description of both the factual situation and the law. The reserves rule and statute, and the Department of Agriculture's "Identification and Assessment of the Long-Term

Commercial Viability of Metro region Agricultural Lands" Report demonstrates that "Foundation Agricultural Land is the most important land for the viability and vitality of the agricultural *industry*." (OAR 660-027-0040(11), emphasis added).

As testified to throughout the decision process below by a wide variety of farmers, the Washington County Farm Bureau, and the Oregon Department of Agriculture, and the agriculture-related industries in the region, that land is the base for one of the county's and state's top industries. Washington County has consistently been in the top 5 of Oregon's counties in agricultural production. As Oregon's #2 industry, agriculture is a significant industrial engine grossing over \$5 billion in 2008. Add in the goods and services farmers purchase from other businesses to grow food and fiber, and the value-added products that are produced, and agriculture is a \$10 billion industry, accounting for over 10% of the state's economy. Food processing, in which Multnomah County leads, was the *only manufacturing sector* in Oregon to show positive employment gain in 2008; that processing depends on Washington County farms. And much of that value and product is exported, bringing new dollars into the state, and into Washington County's economy. Agricultural products are #1 in bulk and #2 in value of the shipments out of the Port of Portland. Oregon agriculture has been increasing in value almost every year for over a decade, a claim that no other industry can make, and Washington County's agricultural cluster has been growing for over 150 years.

Agricultural lands may well be a "value," but they are also an industry and a "need." And unlike traditional "urban" industries, the land on which they rely is not interchangeable, moveable, or convertible into a higher density building. The premise on which the Foundation lands in 71 and 7B were evaluated by DLCDC is incorrect; the higher standard to designate them as urban reserves has not been shown.

While acknowledging the general nature of the Metro and County findings for designating this and other areas of Foundation farm land as urban reserves, the Department endorses Washington County's apparent re-write off of the Department of Agriculture's foundation farm land standards. Rather than focus on the urban reasons for why areas 71 and 7B should be in an urban reserves despite being Foundation farm land, the County has conducted its own analysis - using different standards than the Department of Agriculture - to apparently conclude that the area is not really Foundation farm land. (Report, p. 88) There is no legal basis for this.

The DLCDC Report recognizes that the rural reserve factors are based on the Department of Agriculture's report. The Reserves statute gives deference to the Department of Agriculture in developing the criteria for rural reserves. ORS 195.143. Those rural reserve factors evaluate characteristics such as soil types, whether water is needed and present, adjacent land use patterns, parcelization,

threat of urbanization, capacity for long term, agricultural operations, whether the land is on a large block of farm land, etc ... The reserves rule states that to override the Foundation farm land designation requires reference to the urban and rural reserve factors. (OAR 660-027-0040(11)) It does not allow Metro or the Washington County to re-write those rural reserve factors, and yet that is what Washington County has done and Metro and DLCD have endorsed. (DLCD Report, p. 88) The County relied on different definitions of soil capacity, parcelization, and role of water. It also used what appear to be different factors, including among others "high dwelling density," land values, and presence of homes. (DLCD Report, p. 88; various references to the Washington County record) There is no provision for so doing in the Reserves rule.

There is no other area of Foundation farm land about which the agricultural community including farmers, the Farm Bureau, the Community Supported Agriculture Coalition, small farmers, organic farmers, farm equipment dealers, farm product processors, and more - in Washington County and regionally have been stronger on for a longer period of time: urbanization must not go north of Council Creek; doing so will gut the heart of the Tualatin Valley agricultural lands and significantly contribute to the demise of the agricultural industry in the entire northern Willamette Valley. Truly, if this land does not qualify as Foundation farm land that should not be in an urban reserve, then no land qualifies.

October 27, 2010

MEMORANDUM

TO: Richard Whitman, Director, DLCD
 FROM: Reserves Governments
 SUBJECT: Support in the Record for Findings that Explain the Designation of Foundation Agricultural Land as Urban Reserves

As the Commission requested at its meeting on Friday, October 22, we have identified information in our respective records that support, area by area, the findings made to explain why the four governments designated Foundation Agricultural Land as urban reserves. First, we point to the pages or parts of the record to demonstrate that we applied the rural reserve factors to Urban Reserves 7B, 7I and 8A as required by 0040(11).

Second, we point to the pages or parts of the record that demonstrate Areas 7B, 7I and 8A have characteristics discussed in the findings (relatively flat; relatively large parcels; relatively easy to provide sewer, water, stormwater, transportation facilities; relatively unconstrained for industrial use; etc.) that distinguish them from area studied that are not Foundation Land.

The information below is organized by specific urban reserves.

I. Urban Reserve 8A

As initially recommended by Washington County, the North Hillsboro pre-qualified concept plan area contained 7,890 gross acres and 4,261 net developable acres (WashCo Rec. at 3115 & 3451). In contrast, the urban reserves adopted for north Hillsboro in Areas 8A and 8B contains 2,754 gross and 1,744 net developable acres (Table 1; see also WashCo Rec. at 90 & 91). This reduction has significantly reduced targeted general employment, residential and mixed uses in north Hillsboro (Table 1). Even with this reduction, as demonstrated below, these areas will provide opportunities for large lot industrial uses as well as housing and other uses that contribute to livable communities. This is partially the case, as the area south of Highway 26 (currently Area 8A) was envisioned primarily for employment purposes in Hillsboro’s Pre-Qualified Concept Plan (WashCo Rec. at 3451). That is, expected uses within Area 8A are consistent with those depicted in the PQCP (compare Attached Map with WashCo Rec. at 3451).

Table 1: Comparison of Capacity of Pre-Qualified Concept Plan (PQCP) Targets to Areas 8A & 8B

2040 Design type	Gross Acres		School/Park Acres		Net Developable Acres*		Target Dwelling Units/Net Acre		Target Dwelling Unit Capacity		Estimated School Jobs		Target Jobs Capacity	
	PQCP	8A&B	PQCP	8A&B	PQCP	8A&B	PQCP	8A&B	PQCP	8A&B	PQCP	8A&B	PQCP	8A&B
Employment/	774	166	-	-	619	133	-	20	-	1,061	-	-	24,750	3,183

Mixed Use														
Industrial	2,312	1,993	-	-	1,850	1,390	-	-	-	-	-	-	35,150	26,405
Inner Neighborhood	1,691	130	424	21	929	78	15	15	13,940	1,175	711	116	711	116
Outer Neighborhood	1,258	294	315	54	692	107	8	10	5,533	1,071	529	-	529	-
Neighborhood Center	43	52	-	-	34	36	20	20	680	289	-	-	680	433
Town Center	171	120	-	-	137		20	-	2,740	-	-	-	2,740	-
Total	7,890	2,754	739	75	4,261	1,744	-	-	22,893	3,595	1,240	116	64,570	30,138
* Net Developable Acres are exclusive of constrained areas and a 20% deduction for streets and other civic uses														

URBAN RESERVE FACTORS

(1) Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments;

Hillsboro’s Pre-Qualifying Concept Plan (PQCP) for Area 8A outlines the city’s infrastructure service availability (WashCo Rec. at 3117 to 3122). Highlights of the PQCP include:

- **Water:** Key location of Evergreen Reservoir, which has capacity to serve area 8A, with a 2nd reservoir scheduled to be constructed near the intersection of NW Evergreen and NW Glencoe Road to serve existing underserved customers, as well as area north of Hwy 26; Existing 28 MGD of excess water capacity; 66” transmission line in NW Evergreen Road, as well as 18” service line (WashCo Rec. at 3120 & 3306);
- **Sanitary sewer:** New Dawson Creek pump station under construction at the corner of NE Cornell Road and NW Brookwood Parkway, sized to accommodate future growth as UGB is expanded (WashCo Rec. at 3118);
- **Storm Water:** City will consider methodologies in Metro’s “Green Streets” manual, as well as other methods identified as part of the *North Hillsboro Industrial Development Strategy*, currently underway (WashCo Rec. at 3121).
- **Electricity, Gas & Cable:** Electricity service in the existing surrounding industrial areas is designed to meet the unique needs of high-tech manufacturers and companies with power-sensitive operations, such as Intel’s Ronler Acres (WashCo Rec. at 3119). PGE is in the process of locating two new substations in the Evergreen industrial area that will further enhance the reliability of power needed for existing and new industrial areas in North Hillsboro.
- **Transportation:** Location adjacent to Highway 26 serves freight movement. Through the Oregon Jobs and Transportation Act, \$45,000,000 has been allocated toward the estimated \$70 million needed to improve the Brookwood Parkway interchange area to address existing capacity issues related to full development of North Hillsboro industrial lands within the existing UGB (*see WashCo Rec. at 3112 (referencing capacity expansions along Hwy 26); HB 2001 Sec. 64(2)(d)(2009).*).

Metro’s studies of serviceability for Area 8A concluded (WashCo Rec. at 3120-3122 & 3308 - 3338):

- Water: Highly suitable for water service, meaning it will only require typical extensions of service, including general distribution lines and reservoirs with no major facilities needed;
- Sewer: The eastern portion of Area 8A was ranked as efficient – being an area that is the easiest and least costly to serve, requiring only upsizing of existing trunk lines or adding new trunk lines. The area to the west of Jackson School Road was ranked as moderately efficient, being an area “that will require substantial improvements, but relatively easy ones.” Notes for this area included the need for a new pump station near Hwy 26 and McKay Creek and the existence of relatively large areas of wetland and floodplain near McKay Creek north of Highway 26.
- Transportation: Metro studies show high connectivity suitability (the area is among the most suitable for providing a transportation system capable of accommodating new urban development).

Preliminary concept planning for this area shows that Area 8A is uniquely suitable for industrial development, as it is in the heart of Silicon Forest, and has the necessary infrastructure readily available (*WashCo Rec.* at 3119-3122 & 3163). The PQCP also shows suitability of portion of Area 8A for housing to serve both existing and new industrial employers (attached Map and *WashCo Rec.* at 3451). Hillsboro has a track record of successfully delivering infrastructure services to UGB expansion areas, and based on preliminary studies, it will be able to provide services to Area 8A.

(2) Includes sufficient development capacity to support a healthy economy;

A recent study by Johnson Reid indicated that, over the next 20 years, West Washington County will need approximately 1200 acres for large lot industrial use north of Hillsboro (e.g., 50 acres or more) (*Metro Rec.* at 1641; *WashCo Rec.* at 3208-3216). This is consistent with Metro’s forecast need for 3,000 acres of industrial land region-wide over 50 years. The need for large lot industrial uses is further supported by inquiries fielded by the city’s Economic Development Department between 2007 and 2009, which includes inquiries for 11 sites of 50 acres or more (*Metro Rec.* at 1860).

Metro’s MPAC Employment Subcommittee recently acknowledged that “attracting and retaining traded-sector industrial companies is critical to the region’s economic prosperity” (*Metro Rec.* at 172-178). Likewise, in their comments into the record, the State agencies emphasized “the need for an adequate supply of employment lands in the Metro urban growth boundary” noting that the region “often ‘seeds’ traded-sector technologies and businesses that disperse throughout the state” (*WashCo Rec.* at 1988-1989).

As part of its PQCP, Hillsboro submitted a Draft *Economic Opportunities Analysis & Long-Term Urban Needs Assessment* (Hillsboro EOA) prepared by Johnson & Reid (*WashCo Rec.* at 3142-3267). The PQCP illustrates the potential for industrial development within Area 8A. As noted above, the uses proposed for Area 8A under the PQCP have not changed. The attached Map, revised to reflect reduced urban reserves in North Hillsboro, indicates a potential of 1,390 net

developable acres for Industrial use, as well as 166 net developable acres of employment/mixed use. The Economic Productivity of Employment Land, Economic Mapping Pilot Project, prepared by the Oregon Business Development Department (June 2009; WashCo Rec. at 3429-3450), demonstrates the contribution of industrial uses to the economy. Economic benefits of industrial lands, such as those currently located in North Hillsboro, include:

- Double the County average of market value/acre for industrial lands;
- Annual payroll yield of \$616,150 per net usable acre;
- Annual Property Tax Revenue of an average \$6,220/acre tax assessment land value as a result of State Measure 47/50 valuation constraints.
- Creation of high wage jobs in the existing industry clusters (pre State Employment data, the 2008, the average payroll per employee working in the three industry clusters was \$77,275.00) and each direct job in this traded sector generated 2.0-2.5 indirect jobs in the Regional/Statewide Economies (*WashCo Rec.* at 3126 & 3429-3450).

The PQCP at page 15 outlines the site characteristics identified for large lot industrial uses (WashCo Rec. at 3125 & 3163). As noted, Area 8A meets these criteria in that it provides:

1. Large, seismically stable, vacant sites;
2. Available infrastructure; and
3. Proximity to a skilled workforce, as well as workforce housing (existing and proposed) (*WashCo Record* at 3125 & 3163).

Eliminating urban reserves north of Waibel Creek would reduce the ability to provide land for large industrial uses because: (1) much of the area south of Waibel Creek is parcelized, within the airport overlay or subject to natural resource restrictions (WashCo Rec. at 3019, 3020, 3302, 3294, 3298 & 3451); and (2) many potential large lots are located between Waibel Creek and Highway 26 (WashCo Rec. at 3287).

(3) Can be efficiently and cost-effectively served with public school and other urban-level public facilities and services by appropriate and financially capable service providers;

The Hillsboro School District, as well as Hillsboro Parks and Recreation Department, participated in the PQCP Charette hosted by the Planning Department to assist in the preparation of the PQCP. As noted in the PQCP, the Hillsboro Comprehensive Plan requires that essential services be available within five (5) years of development approval (WashCo Rec. at 3129).

Table 1 compares the area proposed in the PQCP to urban reserves in Areas 8A and 8B. As proposed in the PQCP, the north Hillsboro urban reserves contained 4,261 net developable acres with targeted dwelling unit capacity of 22,893 and population of 57,233 (Table 1 and WashCo Rec. at 3115 & 3120). In contrast, Area 8A contains 1,656 net developable acres with a target dwelling unit capacity of 3,595 and population of 10,031 (Table 1). This results in a decreased

need for schools and parks from 739 acres to 75 acres (Table 1), which can easily be accommodated in the non-industrial areas of Area 8A (Attached Map).

The ability of the city to service the area with public services is addressed at WashCo Rec pp. 3129-3130.

(4) Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

Figure A of the Hillsboro PQCP illustrates how area 8A could be served with multi-modal transportation, including bike routes and High Capacity Transit (WashCo Rec. at 3122 & 3132). Figure A is a refinement of that concept prepared in support of Hillsboro's request for an industrial UGB expansion.

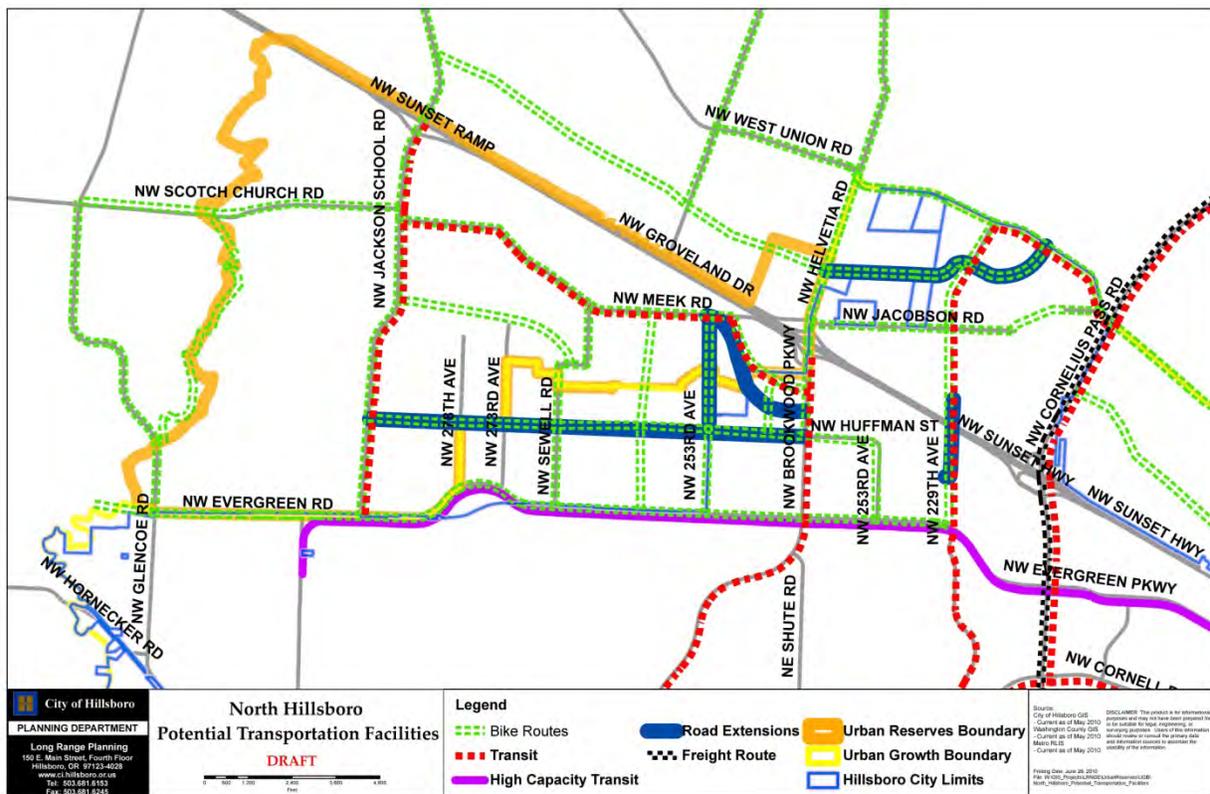


Figure A – Proposed North Hillsboro Industrial Area Transportation Facilities

Concept planning in accordance with Metro’s Title 11 will further refine multi-modal facilities throughout Area 8A and to the surrounding City. An important aspect of this effort will be providing bicycle and pedestrian routes connecting residents and business to high capacity transit, as well as to public open space and parks, consistent with Figure A.

(5) Can be designed to preserve and enhance natural ecological systems;

An outline of natural resources within Area 8A is provided in the PQCP (WashCo. Rec. at 3133). It is Hillsboro's intent to preserve and incorporate these areas as open space into future neighborhoods (WashCo. Rec. at 3133-34). The City has implemented its Significant Natural Resource overlay to protect such natural resources and any development in these areas will be required to address preservation of wildlife habitat, natural vegetation, wetlands, water quality, open space and other natural resources important to the ecosystem (WashCo Rec. at 3136).

(6) Includes sufficient land suitable for a range of housing types;

The adopted urban reserves have significantly reduced the amount of housing that will be provided in North Hillsboro (Table 1). However, combined with efforts in AmberGlen (high-density housing), downtown and South Hillsboro (mixed densities and housing types), the city will be able to provide a broad mix of housing throughout the City (WashCo Rec. at 3112, 3117 & 3452). Housing provided in Area 8A is particularly important, as it is in close proximity to new and proposed industrial areas (attached Map and WashCo Rec. at 3451), which will further the region's efforts in reducing vehicle miles traveled and, thus reduce green house gas emissions and creating livable communities.

(7) Can be developed in a way that preserves important natural landscape features included in urban reserves, and

See response to subsection (f) and WashCo Record at page 3136.

(8) Can be designed to avoid or minimize adverse effects on farm and forest practices and on important natural landscape features on nearby resource land, including land designated as rural reserves.

Natural and artificial features make up the boundaries for Area 8A, including Highway 26 to the north and Dairy Creek to the west (attached Map; WashCo Rec. at 3451).

RURAL RESERVE FACTORS

(2) Rural Reserve Factors: When identifying and selecting lands for designation as rural reserves intended to provide long-term protection to the agricultural industry or forest industry, or both, a county shall base its decision on consideration of whether the lands proposed for designation.

(a) Are situated in an area that is otherwise potentially subject to urbanization during the applicable period described in OAR 660-027-0040(2) or (3) as indicated by proximity to a UGB or proximity to properties with fair market values that significantly exceed agricultural values for farmland, or forestry values for forest land;

The area is directly adjacent to the UGB and thus subject to urbanization (WashCo Rec. at 3013, ranking the majority of the area highly subject to urbanization with the western portion “medium”).

(b) Are capable of sustaining long-term agricultural operations for agricultural land, or are capable of sustaining long-term forestry operations for forest land;

The area has a mix of lot size and ownership blocks (WashCo Rec. at 3019-3021) and the area is characterized by medium/high agricultural productivity (WashCo Rec. at 3017). There are pockets of low to medium density rural residential throughout area 8A (WashCo Rec. at 3022-23). A portion of Area 8A adjacent to Highway 26 and the Brookwood Interchange, including areas containing high rural residential development, is ranked as Tier 3 on the County Farm Analysis, with the remainder ranked as Tier 2 (WashCo Rec. at 2294-2302, 2340 & 3025). The area north of Waibel Creek is similarly split between Tiers 2 and 3. Tier 1 is considered by the County to be the most suitable for agricultural purposes, with Tiers 2 and 3 increasingly less suitable (WashCo Rec. at 2300).

(c) Have suitable soils where needed to sustain long-term agricultural or forestry operations and, for agricultural land, have available water where needed to sustain long-term agricultural operations; and

Area 8A is predominantly Class II soils and has a few parcels with water rights, and most of the few that do have water rights are located to the south of Waibel Creek. (WashCo Rec. at 3015-16). Area 8A is not within the Tualatin Valley Water District (WashCo Rec. at 3015).

(d) Are suitable to sustain long-term agricultural or forestry operations, taking into account:

(A) for farm land, the existence of a large block of agricultural or other resource land with a concentration or cluster of farm operations, or, for forest land, the existence of a large block of forested land with a concentration or cluster of managed woodlots;

(B) The adjacent land use pattern, including its location in relation to adjacent non-farm uses or non-forest uses, and the existence of buffers between agricultural or forest operations and non-farm or non-forest uses;

(C) The agricultural or forest land use pattern, including parcelization, tenure and ownership patterns; and

(D) The sufficiency of agricultural or forestry infrastructure in the area, whichever is applicable.

As outlined below, parcelization patterns in the form of rural residential uses split the area north of Waibel Creek in half, both adding to traffic conflicts between urban and farm uses, as well as thwarting efforts to preserve large blocks of viable farmland:

- As highlighted in the DLCDC staff report, the County’s findings for the portion contained in Farm Analysis subarea 14 is “characterized by a high level of urbanization, lower

productivity, smaller parcels, and a higher dwelling density” (Staff report at 90; *WashCo Rec.* at 2978-2979). The area north of Waibel Creek is predominantly located in Washington County Farm Analysis subarea 13, which is characterized by “a high level of urbanization, lower productivity rating, but has bigger parcels” (*Id.*). In general, the County analysis of Area 8A “shows a relatively large number of existing homes on small parcels (particularly in the eastern portion of the area)” (Staff report at 90).

- There is no forest land in Area 8A (*WashCo Rec.* at 2999).
- Area 8A has two areas of exception land, both of which are north of Waibel Creek – one adjacent to the interchange with Brookwood Parkway and Hwy 26 and the other extending up from the existing UGB to Meek Road midway between Brookwood Parkway and Jackson School Road (*WashCo Rec.* at 3019-20). This second exception area, which is north of Waibel Creek, essentially splits the area north of Waibel Creek in half (*WashCo Rec.* at 3288). These exception areas are characterized by parcel size of less than 8.64 acres and ownership patterns of less than 18.15 acres and are improved with rural residential dwellings (*WashCo Rec.* at 3019-22). There is no buffers between these rural residential uses and surrounding agricultural uses (*WashCo Rec.* at 3019-22). As testified by the Washington County Farm Bureau, such rural residential uses, as well as proximity to the UGB, result in conflicting traffic patterns on rural roads. Jackson School Road already experiences urban traffic usage.
- As noted in response to subsection (c), Area 8A is not within the Tualatin Valley Water District and few parcels have water rights. There is no known additional agricultural infrastructure in the area.
- Foundation Farm Land (Oregon Department of Agriculture’s Agricultural Lands Inventory, *WashCo Rec* at 2996)
- Washington County Farm Lands Tiers Analysis – Tiers 2 & 3 (approximately 70% - 30%, respectively), Subareas #13 - High Urbanization, Lower Productivity Rating, Bigger parcels; #14 High Urbanization (small portion is Medium), Lower Productivity Rating, Smaller Parcels, Physical Features help define the area, Higher Dwelling density (*WashCo Rec* at 2978 to 2979 [table] and 3025 [map])
- Washington County Urban Reserve Recommendation – Urban Reserve (*WashCo Rec* at 3034 [map]), adopted by IGA (*WashCo Rec* at 7998 to 8010)

EXPLANATION FOR THE DESIGNATION OF AREA 8A AS URBAN RESERVE

Suitability for Urban uses:

As noted in the findings, this area was selected as urban reserves “for its key location along the Sunset Highway and north of existing employment land in Hillsboro and also because of the identified need for large-lot industrial sites in this region” (*WashCo Rec.* at 9670, citing *WashCo Rec.* at 3124-3128). The area will further the region’s efforts to meet projected large lot industrial needs. Unlike other areas studied for urban reserves, this area has been shown to meet the industry criteria for large lots (*WashCo Record* at 3125 & 3163). As reflected in the PQCP and findings and the record (*WashCo Record* at 3111-12, 3125 & 3163), unique characteristics of Area 8A include:

- The area is readily served by nearby PGE substations that provide high-capacity, continuous electrical power required by many high-tech industrial users, such as Intel and SolarWorld.
- The area is readily served by high-capacity, high quality water supply.
- Specialized, Existing Industrial Material Supply Infrastructure (Chemicals, Gases)
- The existing industry clusters have attracted and continue to attract the necessary skilled workforce. On-going efforts in AmberGlen, Downtown and South Hillsboro will ensure the City's ability to continue to provide the diversity of housing sought by the industry cluster workforce.
- The area is flat, seismically stable, and relatively vacant with no brownfields and their associated risks and costs.
- The area is adjacent to Highway 26 and within proximity to rail.
- Unique Expertise and Experience of the City of Hillsboro (WashCo Rec. at 3163).
- The area is in the heart of the industry clusters, including nearby anchors such as Genentech, SolarWorld and Intel.
- Close proximity to one of this regions fastest growing Centers (Tanasbourne / OHSU / AmberGlen) which offers:
 - *Broad range of housing opportunities;*
 - *Full array of shopping and services;*
 - *Retail, Office and Industrial space providing opportunities for siting services to new businesses and providing incubator space for emerging new technologies.*

Outreach confirmed that some firms will only “locate in Oregon and the Portland metro area because **Hillsboro qualities alone meet firm needs**. In other words, industry location choice is Hillsboro vs. Redmond, Austin, etc., **not** Hillsboro vs. Portland, Gresham, or Tualatin” (WashCo Rec. at 3164, emphasis added).

Similarly, in its staff report, Metro noted the following reasons for designating Area 8A as urban reserve:

- It “key location along Sunset Highway and north of existing employment land in Hillsboro” noting that transportation needs for traded sector industries (existing and future) “and other development in the reserve can be met by Highway 26, which provides a high-capacity transit link to other areas in the region;”
- “Because of the identified need for large lot industrial sites in this region;”
- “This area’s pattern of relatively large parcels can help support the Metro recommendation for roughly 3,000 acres of large parcel areas which [sic] provide capacity for emerging light industrial high-tech or biotech firms such as SolarWorld and Genentech;”
- “Industrial development in this area will be proximate to existing and future labor pools residing in Hillsboro and nearby cities;” and
- “These lands will also provide opportunities to attract new industries which would help diversify and balance the local and regional economy” (Metro Rec. at 90-91).

As further noted by Metro “most of the land suitable for industrial use is Foundation and Important Agricultural Land” (Metro Rec. at 120). This fact, coupled with the existing industrial

base in western Washington County, justify the designation of the entirety of Area 8A as urban reserve so as to allow expansion of industry clusters and related business and housing to serve such clusters.

II. Urban Reserve 7B

Urban Reserve Factors

Forest Grove has basically three directions to expand, to the north, to the west (David Hill) and to the south. It cannot grow to the east due to the presence of Cornelius. (See Subject to Urbanization map – Page 3013 of the Washington County record.) The David Hill area is subject to steep slopes with substantial portion of the area comprised of slopes of over 25 percent. (Important Natural Landscape Features map – WashCo Rec. 3029.) As part of its deliberation, the City Council and Planning Commission were concerned that steep slopes would preclude densities of 10 units per acre. (WashCo Rec 373; Urban Reserve Analysis Concept Planning Areas map, WashCo Rec 3107.) The area south of the City was limited for urban expansion due to the presence of Important Natural Landscape Features and floodplain. (See Important Natural Landscape Features map – Page 3029 of the Washington County record and Potential Candidate Reserve Area Context Map – Page 3103 of the Washington County Record.) The amount of area outside the floodplain was 37 acres for industrial development. (Page 3095 of the Washington County Record)

The area to the north is well suited for urban development because of its relatively flat terrain, parcel sizes (See Parcel Size map on Page 3019 of the Washington County record), and availability of sewer, water, school and transportation facilities and capacities to serve future development (See discussion on Pages 3090 to 3092 and Pages 3095 to 3098). In addition, extension of Main and B Streets provide direct access between this area and the City's Town Center area and could facilitate transit connections (See Page 3096 and Map on Page 3103 of the Washington County record). Thus, the only area for needed urban expansion of sufficient size, availability of services and positive natural feature characteristics to accommodate future residential and non-residential needs in the area lies north of the community.

A. Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments; The analysis indicates that residential development would range in densities from 6 to 25 dwelling units per acre for the area north of Forest Grove to provide a variety of development densities. There are no constraints in the area that would preclude high density development. (Table on Page 911 and Pages 3089 to 3090 of the Washington County record).

Forest Grove is a full service city providing water, electrical, police and fire protection, parks and recreation, municipal court, library services, land use planning, zoning, building inspection, street maintenance and general administrative services. Sewer service is also provided by the City in partnership with Clean Water Services. (Page 3090 of the Washington County record).

Sufficient water, storm sewer and sanitary sewer capacity exists and available directly south of the proposed urban reserve area and can make efficient use of future public and private infrastructure improvements. (Page 3090 of the Washington County record).

Substantial municipal infrastructure lines end at or near the urban growth boundary. Clean Water Services Master Plan shows three future laterals and one future truck line south of the Purdin Road and west of Highway 47 – Area 7B (Page 3090 of the Washington County record). There is also an existing trunk line that follows Council Creek and connects to Rock Creek treatment plant. (Page 3090 of the Washington County record). Based on analysis prepared by waste water treatment providers in the region, both Rock Creek and Forest Grove treatment plants have room to expand. (Page 3091 of the Washington County record).

The Metro Urban and Rural Reserve Preliminary Sewer Service Suitability Map (February 2009) shows the area as a high sewer suitability area. (Page 3007 of the Washington County record). This means no major facilities are needed to serve the area included within the potential urban reserve. (Page 3091 of the Washington County record).

The City has 5 million gallon reservoir and 1 million gallon reservoir serving the community as well as 10 percent ownership in the 20 million gallon Joint Water Commission (JWC) reservoir. There is an existing 8” water line along Thatcher Road adjacent to UR Area 7b and 8” line along David Hill Road. (WashCo Rec, 3091.)

The Metro Urban and Rural Reserve Preliminary Water Service Suitability Map (February 2009) shows the area as being within the high service suitability zone. (WashCo Rec. 3006). This means that only typical extensions of service such as general distribution lines and reservoirs are needed. No major facilities are required to serve the area. (WashCo Rec. 3091).

Highway 47 is an existing state facility that serves the area, and Main and B Streets terminate near the area and can be easily extended to serve the area. (WashCo Rec. 3091).

A preliminary analysis of transportation service within candidate urban reserve areas was completed in February 2009. The analysis shows that the Forest Grove urban reserve area falls into the higher suitability category for system lane cost, added lane cost and connectivity. (WashCo Rec. 3008-3010). This means the area is among the most suitable for a transportation system capable of accommodating urban levels of development. (WashCo Rec).

B. Includes sufficient development capacity to support a healthy economy; The area within the Forest Grove portion of the current urban growth boundary could accommodate an additional 6,600 jobs. This means that based on current future projections made by the community’s Economic Opportunity Analysis, there is a need to accommodate 15,000 to 42,400 jobs beyond the current UGB. This is the difference between existing build-out capacity and forecasted growth to the year 2060. (WashCo Rec. 3093.)

Forest Grove has no large (50-100 or 100 acre or more) industrial sites. This lack of diversity in industrial land severely hampers the ability of Forest Grove to promote employment opportunities including family-wage jobs for local residents. (WashCo. Rec. 3094.)

The urban reserve area identified by Forest Grove provides potential industrial sites for large and medium sized employers. Identification of industrial land near the Highway 47 corridor complements public investments in transportation made to improve traffic circulation in western-Washington County. Such improvements include construction of the Hwy. 47 Bypass, Martin Road/Verboort Road intersection improvements and road upgrades recently completed along Cornelius-Schefflin Road. (WashCo Rec. 3093-3094.)

C. Can be efficiently and cost-effectively served with public school and other urban-level public facilities and services by appropriate and financially capable service providers; Forest Grove provides water, electrical services, police and fire protection, parks and recreation, municipal court, library, land use planning, street maintenance, building inspection and general administrative services. In addition, Forest Grove partners with Clean Water Services for storm water and sanitary sewer services. Forest Grove employs approximately 164 full time employees (FTE) including 34 FTE in the Police Department and 20 FTE in the Fire Department. The City's total General Fund resources amount to over \$16 million. Across all city funds total resources amount to over \$65 million. The City of Forest Grove has a long tradition of providing cost-effective municipal services over 130 years. (WashCo Rec. 3095.)

Financially capable service providers offering urban-level public facilities include the City of Forest Grove, Washington County, Washington County Clean Water Service District, and Forest Grove School District. The financial capacity of these organizations is illustrated from the Great Communities report as they characterize Clean Water Services capabilities:

“On one hand, if Clean Water Services in Washington County, for example, invests in new sewer lines and treatment capacity for the Forest Grove/Cornelius area, the \$78 million cost over the next 10 to 15 years may be financially feasible. Last year they collected \$70.7 million in user fees and had a beginning fund balance of \$81.9 million. On the other hand, a small sanitary district-with total sewer revenues of \$3.056 million and beginning cash at \$5.6 million-may view a \$22 million investment in new sewer lines and treatment costs as too costly and risky to undertake by itself.” (WashCo Rec.7858.)

Future school needs will be coordinated with the Forest Grove School District as part of comprehensive planning efforts (ORS 195.110). For the Concept Plan analysis, the City estimated that 62 acres of land was needed to address school needs. (WashCo Rec. 3096.) This was based on an Urban Reserve area of 3145 acres. (WashCo Rec. 911.) The proposed Urban Reserve for the Forest Grove area has now been reduced to a total of 956 acres.

Urban reserve area 7B will optimize major public investments to improve Martin Road and Hwy. 47. Martin Road, a Washington County facility, provides the most direct access to the Sunset Highway corridor via Verboort Road, Cornelius-Schefflin, Zion Church and Glencoe Roads. Martin Road was recently improved with two roundabouts at Verboort Road. Cornelius-Schefflin Road was improved in 2008 with new paving and striping and widened on some locations to better accommodate farm equipment. (WashCo Rec.3096.)

Oregon Highway 47 was realigned during the late-1990s and serves as a bypass route around Forest Grove's Town Center. Urban reserve area 7B is adjacent to Highway 47. Highway 47 is a key corridor providing access to Banks, Oregon Highway 6, and Oregon Highway 26 to the north and Yamhill County to the south. The Oregon Department of Transportation has identified Hwy. 47 as having additional capacity to accommodate future growth. (WashCo Rec. 3096.)

The potential extension of Main Street and B Street to serve area 7B would provide clear connectivity between the potential candidate urban reserve area and the existing City of Forest Grove. (WashCo Rec. 3096; 3103.) In addition, Main and B Streets provide direct access to the Forest Grove Town Center. This direct connection provides an efficient route for future transit service and provides additional support for investments in the Town Center. (WashCo Rec.3096; 3103.)

As indicated above, the area is shown to be within an area of high suitability for water service (WashCo Rec. 3006), high sewer suitability area (WashCo Rec. 3007) with no need of major sewer facility improvements to provide service (WashCo Rec. 3091) and higher suitability category for system lane cost, added lane cost and connectivity (WashCo Rec. 3008-3010).

D. Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers; Urban reserve area 7B can be designed to be walkable and integrated with the existing and planned system of well-connected streets, bikeways, recreation trails and public transit. Main Street and B Street will be extended to serve the area. Both Main and B Streets provide direct access to the Forest Grove Town Center. (WashCo Rec. 3098; 3103.) Both streets also provide a direct route for possible future transit service. The concept plan proposes higher intensity nodes of development to encourage a walkable, well-connected transportation system. [WashCo. 911 (table); 3107 (map).]

The subject area is proximate to the existing pedestrian pathway along Highway 47 as well as the planned Council Creek Regional Trail. In addition to the regional trail, the vegetated corridors in the candidate urban reserve area provide an opportunity for multi-use trail connections supporting recreation and commute trips. (WashCo Rec. 3098.)

E. Can be designed to preserve and enhance natural ecological systems; Clean Water Services vegetative corridors requirements will essentially restrict development (except for trails along the periphery of the corridor) along the stream areas and provide vegetative restoration. Outside of the vegetative corridors, Article 5 of the Forest Grove Development Code implements Metro's

Model Code developed for the Nature in Neighborhoods (Title 13). At this time, these provisions limit development intrusion, use of clustering and where applicable require re-vegetation. In addition, Article 4 of the Development Code provides the framework for planned developments. Planned developments are required to preserve, to the greatest extent possible, existing landscape features and amenities. Planned developments also incorporate such features into the project's design. Planned unit developments allow for clustering development to maximize the preservation of natural resources. (WashCo Rec. 3098-3099.)

F. Includes sufficient land suitable for a range of housing types; The Forest Grove urban reserve concept plan identifies 1,100 net acres of land for housing needs in a variety of densities ranging from 6 to 25 units per acre. [WashCo Rec. 911 (map); 3089-3090.] These can be accommodated in a variety of residential comprehensive plan designations including B-Standard (6.22 units/net acre), Residential Multifamily Low (12 units/net acre) and Residential Multifamily High (20+ units/net acre). There are no anticipated constraints within area 7B to accommodate a variety of housing types. [WashCo Rec. 911 (map); 912 (table); 3099.]

G. Can be developed in a way that preserves important natural landscape features included in urban reserves; Clean Water Services vegetative corridors requirements will essentially restrict development (except for trails along the periphery of the corridor) along the stream areas and provide vegetative restoration. Outside of the vegetative corridors, Article 5 of the Forest Grove Development Code implements Metro's Model Code developed for the Nature in Neighborhoods (Title 13). At this time, these provisions limit development intrusion, use of clustering and where applicable require re-vegetation. In addition, Article 4 of the Development Code provides the framework for planned developments. Planned developments are required to preserve, to the greatest extent possible, existing landscape features and amenities. Planned developments also incorporate such features into the project's design. Planned unit developments allow for clustering development to maximize the preservation of natural resources. (WashCo Rec. 3100.)

H. Can be designed to avoid or minimize adverse effects on farm and forest practices and on important landscape features on nearby resource land, including land designated as rural reserves; The Concept Plan relied on the use of vegetative corridors to provide adequate buffering with agricultural areas. (WashCo Rec.3101.)

Rural Reserves Factors

(See discussion of Rural Reserves factors as applied to all three areas below.) Specific references for Urban Reserve 7B:

- Foundation Farm Land (Oregon Department of Agriculture's Agricultural Lands Inventory, WashCo Rec at 2996).

- Washington County Farm Lands Tiers Analysis – Tier 1, Subarea #17 - High Urbanization, Higher Productivity Rating, Physical Features help define the area (WashCo Rec at 2978 [table] and 3025 [map]).
- Washington County Urban Reserve Recommendation – Urban Reserve (WashCo Rec at 3034 [map]), adjusted by IGA (WashCo Rec at 7998 to 8010).

III. Urban Reserve 7I

As initially recommended by Washington County, the North Cornelius pre-qualified concept plan area contained 2639 gross acres and 1319 net developable acres (Wash Co Rec. at 2388 and 2400). In contrast, the urban reserve adopted for north Cornelius in Areas 7I contains 623 gross and 453 net developable acres (Table 1; see also WashCo Rec. at 2388 and 2400). This reduction has significantly reduced targeted general employment and residential uses in north Cornelius (Table 1). Even with this reduction, as demonstrated below, these areas will provide opportunities for industrial uses as well as housing and other uses that contribute to livable communities. The area south of Dairy Creek (currently Area 7I) was envisioned primarily for employment purposes in Cornelius’ Pre-Qualified Concept Plan (Wash Co Rec. at 2400). Expected uses within Area 7I are consistent with those depicted in the PQCP (compare Attached Map with Wash Co Rec. at 2400).

Table 1: Comparison of Capacity of Pre-Qualified Concept Plan (PQCP) Targets to Areas 7I

2040 Design type	Gross Acres		School/Park Acres		Net Developable Acres		Target Dwelling Units/Net Acre		Target Dwelling Unit Capacity		Target Jobs Capacity	
	PQCP	7I	PQCP	7I	PQCP	7I	PQCP	7I	PQCP	7I	PQCP	7I
Outer Neighborhood	882.5	153	264	-	441	76.5	10	10	4,410	765	-	-
Industrial	1756.5	470	219	50	879	376	20	20			17,580	7520
Total	2639	623	483	50	1319	452.5	-	-	4,410	765	17,580	7520

URBAN RESERVE FACTORS

(1) Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments

Cornelius’ Pre-Qualifying Concept Plan (PQCP) for Area 7I describes the city’s infrastructure service availability (WashCo Rec. at 2389).

Major infrastructure systems are in place ready to be extended for development into this area. The water, sewer and transportation systems in and around Cornelius have regional growth capacity. Clean Water

Services sanitary and storm sewer lines are located to serve north of Cornelius to Dairy Creek. (Wash Co. Rec. at 2389)

Cornelius' utility master plans and rates studies ensure development pays for extensions and maintenance of all new utilities and street improvements. (Wash Co. Rec. at 2389)

Two new bridges across Council Creek include urban amenities. Over \$21 million in recent public infrastructure investment by Cornelius, Washington county, State of Oregon and U.S. government provide extra capacity for urban expansion to north of Cornelius. (Wash Co. Rec. at 2389)

Infrastructure is planned to support growth of Cornelius, including streets & pathways, schools & institutional uses and a generous 10% for parks. The city does not allow development in the floodplain. (Wash Co. Rec. at 2389)

Area 7I was mapped by Washington County showing urban suitability for water, sewer and transportation (Wash Co Rec. at 3004-3010). Area 7I also is mapped by NAIP as constrained land for urban development and employment, based upon factors including flat land, water availability, parcelization and proximity to workers and existing industry (Wash Co Rec at 3002)

(2) Includes sufficient development capacity to support a healthy economy;

Land within 7I north of the current UGB/City limits along the improved Cornelius-Schefflin Road is suitable for employment uses because of the good connection with the rest of the urban region for industrial development. A sustainable, healthy Cornelius center is important to County, Regional and State economic health. (Wash Co Rec. at 2389.) A recent study by Johnson Reid indicated that, over the next 20 years, West Washington County will need approximately 1200 acres for large lot industrial use (e.g., 50 acres or more) (Metro Rec. at 1641; WashCo Rec. at 3208-3216). This is consistent with Metro's forecast need for 3,000 acres of industrial land region-wide over 50 years. The need for large lot industrial uses is further supported by inquiries fielded by the city's Economic Development Department between 2007 and 2009, which includes inquiries for 11 sites of 50 acres or more (Metro Rec. at 1860). The Johnson-Reid Economic Opportunity Analysis conducted for Cornelius projects demand for over 782 acres for industrial development within the next 50 years. (Wash Co. Rec. at 2450)

Metro's MPAC Employment Subcommittee recently acknowledged that "attracting and retaining traded-sector industrial companies is critical to the region's economic prosperity" (Metro Rec. at 172-178). Likewise, in their comments into the record, the State agencies emphasized "the need for an adequate supply of employment lands in the Metro urban growth boundary" noting that the region "often 'seeds' traded-sector technologies and businesses that disperse throughout the state" (WashCo Rec. at 1988-1989).

The PQCP illustrates the potential for industrial development within Area 7I. As noted above, the uses proposed for Area 7I under the PQCP have not changed. The Economic Productivity of Employment Land, Economic Mapping Pilot Project, prepared by the Oregon Business Development Department (June 2009; WashCo Rec. at 3429-3450), demonstrates the contribution of industrial uses to the economy. Economic benefits of industrial lands, such as those currently located in the area studied, include:

- Double the County average of market value/acre for industrial lands;

- Annual payroll yield of \$616,150 per net usable acre;
- Annual Property Tax Revenue of an average \$6,220/acre tax assessment land value as a result of State Measure 47/50 valuation constraints.
- Creation of high wage jobs in the existing industry clusters (pre State Employment data, the 2008, the average payroll per employee working in the three industry clusters was \$77,275.00) and each direct job in this traded sector generated 2.0-2.5 indirect jobs in the Regional/Statewide Economies (WashCo Rec. at 3126 & 3429-3450).

A comparatively large number of large, flat, seismically stable parcels of land are characteristics that the NAIOP study of urban (particularly industrial) suitability noted in the area north of Cornelius – 7I. (Wash Co Rec. at 3002-3004). Area 7I is also suitable for urban development, particularly industrial development because of its proximity to and connections to the high tech and solar clusters of industry in western Washington County (Wash Co Rec. 2411-13; 2452). Urban development is also suited in Area 7I in order for Cornelius to meet all the factors of Metro’s Great Communities; for example the area is within walking distance from the center of town and transit (Wash Co Rec. 2395-2399).

(3) Can be efficiently and cost-effectively served with public school and other urban-level public facilities and services by appropriate and financially capable service providers;

Cornelius schools and utilities, including Clean Water Services, Joint Water commission, local fire districts and school districts are informed and already invested in greater capacity and planning for future development. For example, the Hillsboro School district owns a 40 acre school site southeast of the UGB and plans to build the first high school in Cornelius in 4-5 years. Also the CWS has existing and planned capacity for development of land north to Dairy Creek with its facility along Council Creek. (Wash Co. Rec. at 2389-2390)

Cornelius has an existing array of funding mechanisms, including systems development charges, construction excise taxes, and up-to-date utility rates to assure the financial capability of these urban service providers to extend and operate services to recommended areas. Expansion of urban services and infrastructure to new development will make existing facilities services more efficient and affordable with more people served by each facility. (Wash Co. Rec. at 2390)

Most importantly, new development within an expanded UGB is planned by Cornelius for a greater mix of housing options and more jobs (primarily industrial) to balance and stimulate a community whose housing stock is limited (95% low/moderate income appropriate), has 4,000 too few local family wage jobs (causing substantial long commutes that are expensive to families and environment), and is in need of more property taxes to provide basic city services (Cornelius now has half the city employees per capita as most cities in the region). (Wash Co. Rec. at 2390)

(4) Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

Existing streets in Cornelius are being improved for multi-modal transportation with federal, state and county grants along with private development charges. Planned pedestrian/bike trail system for recreation and local commuting will replace many of the congest commutes in the region. A key light rail extension from Hillsboro to Forest Grove is on the regional table. (Wash Co. Rec. at 2390)

The City of Cornelius Transportation System Plan (TSP) identifies the need to plan and develop complementary infrastructure for pedestrians, bicycles, vehicles and transit to provide a diverse range of choices for transportation. The city has adopted Code language and design standards that require connectivity, accessibility and enhance transit service in order to implement this direction from the TSP. All City streets are required to be constructed with ADA compliant sidewalks. All City collector and arterial streets are required to have bike lanes. The City Development code also provides incentives for developers to provide pedestrian connections from commercial structures to public transit stops. (Wash Co. Rec. at 2390) Cornelius' TSP also provides guidance for connection and development to the regional trails and greenways (Council Creek, Tualatin River and Dairy Creek) that abut or are adjacent to the City. (Wash Co. Rec. at 2390.)

(5) Can be designed to preserve and enhance natural ecological systems;

Cornelius has inventoried and determined the significant natural resources within the current City boundary. The City has also adopted protection measures for the inventoried significant natural resources within its boundary that are identified in the Cornelius Natural Resource Protection Plan. The development of our Natural Resource Protection Plan has also resulted in a new zoning overlay district, Natural Resource Overlay Zone that protects the current inventoried significant natural resources in the City. New lands brought into the City are inventoried, assessed and protection measures are established and implemented consistent with these Code provisions. The Natural Resource Protection Plan is a policy program that protects, conserves and helps restore the significant natural resources that are in and abut the City. The implementation of this plan works hand in hand with the Tualatin Basin coordinating Committee and with Metro's Title 13. (Wash Co. Rec. at 2390-2391.)

Cornelius has adopted Clean Water Services Design and Construction standards that require the treatment of surface water from development for water quality and quantity, and that also address Title 3, Metro Functional Plan. The city completed its periodic Review Work Program in 2005. Work Program Task #3 Environmental Policies required the City of address Title 3, Metro Functional Plan. Compliance with Task #3 was approved by the State. (Wash Co. Rec. at 2391)

Cornelius has a Floodplain District Overlay zone that protects and regulated proposed development in the floodplain. The City Coordinates with Clean Water Services, Division of State Lands and US Army Corps of Engineers to restrict the uses and regulate development in the floodplain. (Wash Co. Rec. at 2391)

Cornelius has shown commitment to preservation and enhancement of ecological systems in its plans, advocacy and use parks, green space and trails, acquisition and improvement of natural areas, and in many organized park and open space planting and educational events. (Wash Co. Rec. at 2391)

All these policies, plans, zones, regulations, standards and commitments are applied to additions to the UGB and city limits by city code and now tradition. (Wash Co. Rec. at 2391)

(6) Includes sufficient land suitable for a range of housing types;

Cornelius housing is predominately low value and would be affordable if the considerable cost of transportation from having to commute to jobs out of town was not included. With more jobs available from both infill and UGB expansion, approximately 95 percent of housing stock in the city is low-moderate income appropriate. However affordable housing alone is problematic for a community. A community limited to 'started homes' limits property tax revenue available for decent city services and housing options for a healthy diversity of people. (Wash Co. Rec. at 2391)

Because of this, it is a City goal to develop medium and even upper income level housing to provide a full range of housing options, integrate different people into local culture, and attracts healthy economic and community development. Recent housing development (2002-2007) is better quality and higher in value than the bulk of City housing, and constructs green along an outstanding stream corridor. But there is no more room currently within the UGB for any housing except some infill when higher densities become marketable. Land is necessary to provide for a full healthy range of housing options and income levels. At least 200 acres of land expansion of the UGB is needed immediately to produce an adequate mix and balance of housing options over the next ten years (at an average of 10 units/acre). Over the next 50 years, there will be the opportunity to develop a healthier diverse mix of single-family and multi-family residences (based on 10 units/net acres) located near and connected by protected stream corridors. (Wash Co. Rec. at 2391-2392.)

A comparatively large number of large, flat, seismically stable parcels of land are characteristics that the both the Washington County mapping of Urban Suitability and the NAIOP study of urban suitability noted in the area north of Cornelius – 7I. (Wash Co Rec. 3006-3009; 3002-3004). Such land characteristics present a relatively lost cost environment for development of diverse and affordable housing. The availability of urban infrastructure referenced under Factor 1 makes housing development easier than in areas with poor infrastructure. Housing development is suitable in Area 7I both because of and to better leverage Cornelius meeting all the factors of Metro's Great Communities; for example housing in this area is would be within walking distance from the center of town, transit and local jobs if this area (Wash Co Rec. 2395-2399).

(7) Can be developed in a way that preserves important natural landscape features included in urban reserves

The natural landscape around the City of Cornelius is heavily influenced by the floodplains of the Tualatin River Basin, with its tributaries of Council Creek and Dairy Creek. The City of Cornelius has a floodplain district overlay zone designed to protect the public health, welfare and safety that helps preserve the wide buffer of the Dairy Creek floodplain, which ranges from .25 to .65 miles in width. (Wash Co Record at 3028). City has adopted specific protection measures for significant natural resources identified in the Natural Resource Protection Plan. When properties annex into the City our preservation measures for inventory, assessment and protection are implemented. (WashCo Record at 2392.)

Cornelius' Natural Resource Protection Plan has resulted in a new zoning overlay district, Natural Resource Overlay Zone that protects the current inventoried significant natural resources in the City. New lands brought into the City are inventoried, assessed and protection measures are established and implemented consistent with these strong Code provisions. The Natural Resource Protection Plan is a policy program that protects, conserves and helps restore the significant natural resources that are in and

about the City. This helps preserve important natural landscape features in the Urban Reserve. (WashCo Record at 2391)

Cornelius believes that natural features and areas are much better protected inside the UGB than outside the UGB where there are more conflicts without protection and fewer resources with which to restore and conserve the land. The City also believes that managed public access, like trails, to natural resources encourages outdoor education and public by-in to conservation ethics. (WashCo Record at 2392)

(8) Can be designed to avoid or minimize adverse effects on farm and forest practices and on important natural landscape features on nearby resource land, including land designated as rural reserves

Dairy Creek floodplain provides a quarter to half a mile wide buffer along the east and north of Area 7-1 North of Cornelius and farmland in Rural Reserves. (Wash Co Record 2391-2392) The Dairy Creek floodplain divides Tier 2 and 1 rural lands as ranked by Washington County (Wash Co. Record 2024-2025). Council Creek is already breached by urban development. (Wash Co Record at 3004). Cornelius-Schefflin Road is the approved western boundary of 7-1 industrial land and can become an adequate buffer with the application of Cornelius City development requirements. (WashCo Record at 2392-2393)

The City Development Code currently has language that provides the City with tools to design/implement buffers and setbacks for abutting conflicting uses. The existing City Code provides for the separation of uses with greater buffer/setback protection between uses with different intensity (i.e. residential and industrial). The City currently has industrial and residential zoned/developed property that abuts rural land with existing agricultural practices. The City and its neighboring farmers currently work and live in harmony without negative impacts. (WashCo Record at 2392)

Cornelius currently has tools in its Code that require development proposals to assure compatibility and reduce impacts on use of neighboring properties (rural and urban). The Code also applies buffers, setbacks, access, traffic generation, landscaping, fencing and lighting of a site through implementation of the City design review process. These development code processes and provisions provide tools to help prevent and mitigate any conflicts with neighboring farm and forest practices. (WashCo Record at 2392)

The City Transportation System Plan (TSP) provides guidance through Chapter 8 - Motor Vehicle Plan specifically goals and strategies that effectively provide a supportive transportation network for safe public roads and streets. Street networks are coordinated with Washington County, Metro and Oregon Department of Transportation so as to have minimum impact and reduce congestion on out-of-town routes. (WashCo Record at 2392)

Cornelius has approved Master Plans for all of its utilities (water, sanitary sewer & storm water). The construction and extension of utilities in the City have been developed and sized for its current and future use. The urban utilities are provided through a network of subsurface contained transmission lines. Therefore, City water use does not affect the abutting rural water table used for farm and forest operations. Sanitary sewer and storm water is treated in urban facilities and does not adversely affect farm and forest practices or natural features. Clean Water Services sanitary and storm water lines are located in Council Creek to serve north to Dairy Creek. (WashCo Record at 2392)

Construction of a whole complete community reduces the impacts of traffic and recreation to and through farm and forest lands outside the City. (WashCo Record at 2393.) The City currently provides protection buffers and setbacks from stream corridors with the implementation of its Natural Resource Protection Plan and the Natural Resource Overlay Zone. These buffers help protect streams for water quality/quantity function and downstream use by farm and forest owners. (WashCo Record at 2393)

In Cornelius' Urban Reserve Concept planning, the City located future residential neighborhoods where broad streams and floodplains separate and offer a natural buffer between housing and rural land uses. Cornelius has located future industrial (employment) parks next to rural uses, because industrial uses are generally the most compatible urban use with rural land uses. The City has buffer requirements in its Development Code to insure industrial use compatibility with surrounding uses. (WashCo Record at 2393 and 2400)

Of the approximately 620 acres in Area 7-I, over 200 acres are designated Exception Lands by Washington County and the State of Oregon. Therefore 33% of Area 7-I has already been designated for more urban uses than rural uses. (Washington County Zoning Map). (Wash Co Record at 3021-22)

Rural Reserves Factors

(See discussion of Rural Reserves factors as applied to all three areas below.) Specific references for Urban Reserve 7B:

- Foundation Farm Land (Oregon Department of Agriculture's Agricultural Lands Inventory, *WashCo Rec* at 2996).
- Washington County Farm Lands Tiers Analysis – Tier 2, Subarea #18 - High Urbanization, Higher Productivity Rating, Physical Features help define the area, High Dwelling density (*WashCo Rec* at 2979 [table] and 3025 [map]).
- Washington County Urban Reserve Recommendation – Urban Reserve (*WashCo Rec* at 3034 [map]), adjusted by IGA (*WashCo Rec* at 7998 to 8010).

IV. Application of Urban Reserve Factors

Urban Reserve Factors: When identifying and selecting lands for designation as urban reserves under this division, Metro shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB:

(1) Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments;

WashCo Rec at 2961 to 2964 [text], 3006 to 3010 [maps] and 3035 to 3585 [pre-qualifying concept plans]

(2) Includes sufficient development capacity to support a healthy economy;

WashCo Rec at 2964 to 2966 [text], 3002 [map] and 3586 to 3611 [land needs analysis]

(3) Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers;

WashCo Rec at 2966 to 2968 [text] and 3006 to 3010 [maps]

(4) Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

WashCo Rec at 2968 [text] and 3004 [map]

(5) Can be designed to preserve and enhance natural ecological systems;

WashCo Rec at 2968 [text]

(6) Includes sufficient land suitable for a range of needed housing types;

WashCo Rec at 2968 [text], 3586 to 3611 [land needs analysis] and 3035 to 3585 [pre-qualifying concept plans]

(7) Can be developed in a way that preserves important natural landscape features included in urban reserves; and

WashCo Rec at 2969 [text] and 3035 to 3585 [pre-qualifying concept plans]

(8) Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

WashCo Rec at 2969 [text] and 3035 to 3585 [pre-qualifying concept plans]

V. Application of Rural Reserves Factors to Washington County Urban Reserves

(1) When identifying and selecting lands for designation as rural reserves under this division, a county shall indicate which land was considered and designated in order to provide long-term protection to the agriculture and forest industries and which land was considered and designated to provide long-term protection of important natural landscape features, or both. Based on this choice, the county shall apply the appropriate factors in either section (2) or (3) of this rule, or both.

(2) Rural Reserve Factors: When identifying and selecting lands for designation as rural reserves intended to provide long-term protection to the agricultural industry or forest industry, or both, a county shall base its decision on consideration of whether the lands proposed for designation.

(a) Are situated in an area that is otherwise potentially subject to urbanization during the applicable period described in OAR 660-027-0040(2) or (3) as indicated by proximity to a UGB or proximity to properties with fair market values that significantly exceed agricultural values for farmland, or forestry values for forest land;

Response to 2(a)

Agriculture

Subject to urbanization: *WashCo Rec* at 2971 to 2972 [text] and 3013 [map]

Fair market value: *WashCo Rec* at 2972 [text] and 3014 [map]

Forestry

WashCo Rec at 2984 to 2985 [text]

(b) Are capable of sustaining long-term agricultural operations for agricultural land, or are capable of sustaining long-term forestry operations for forest land;

Response to 2(b)

Agriculture

WashCo Rec at 2972 to 2973 [text] and 3015 [map]

Forestry

WashCo Rec at 2985 [text]

(c) Have suitable soils where needed to sustain long-term agricultural or forestry operations and, for agricultural land, have available water where needed to sustain long-term agricultural operations; and

Response to 2(c)

Agriculture

WashCo Rec at 2973 to 2975 [text] and 2998, 3016 to 3018 [maps]

Forestry

WashCo Rec at 2985 [text]

(d) Are suitable to sustain long-term agricultural or forestry operations, taking into account:

(A) for farm land, the existence of a large block of agricultural or other resource land with a concentration or cluster of farm operations, or, for forest land, the existence of a large block of forested land with a concentration or cluster of managed woodlots;

(B) The adjacent land use pattern, including its location in relation to adjacent non-farm uses or non-forest uses, and the existence of buffers between agricultural or forest operations and non-farm or non-forest uses;

(C) The agricultural or forest land use pattern, including parcelization, tenure and ownership patterns; and

(D) The sufficiency of agricultural or forestry infrastructure in the area, whichever is applicable.

Response to 2(d)

Agriculture

WashCo Rec at 2975 [text] and 3019 to 3024 [maps]

Forestry

WashCo Rec at 2985 [text] and 3027 [map]

(3) Rural Reserve Factors: When identifying and selecting lands for designation as rural reserves intended to protect important natural landscape features, a county must consider those areas identified in Metro's February 2007 "Natural Landscape Features Inventory" and other pertinent information, and shall base its decision on consideration of whether the lands proposed for designation:

(a) Are situated in an area that is otherwise potentially subject to urbanization during the applicable period described OAR 660-027-0040(2) or (3);

Response to 3(a)

WashCo Rec at 2986 [text]

(b) Are subject to natural disasters or hazards, such as floodplains, steep slopes and areas subject to landslides;

Response to 3(b)

WashCo Rec at 2986 [text]

(c) Are important fish, plant or wildlife habitat;

Response to 3(c)

WashCo Rec at 2986 [text]

(d) Are necessary to protect water quality or water quantity, such as streams, wetlands and riparian areas;

Response to 3(d)

WashCo Rec at 2987 [text]

(e) Provide a sense of place for the region, such as buttes, bluffs, islands and extensive wetlands;

Response to 3(e)

WashCo Rec at 2987 [text]

(f) Can serve as a boundary or buffer, such as rivers, cliffs and floodplains, to reduce conflicts between urban uses and rural uses, or conflicts between urban uses and natural resource uses

Response to 3(f)

WashCo Rec at 2987 [text]

(g) Provide for separation between cities; and

Response to 3(g)

WashCo Rec at 2987 [text]

(h) Provide easy access to recreational opportunities in rural areas, such as rural trails and parks.

Response to 3(h)

WashCo Rec at 2987 [text] and 3030 [map]

VI. Why didn't we use more Conflicted or Important Agricultural?

1) The only conflicted lands that were not designated as urban reserves in Washington County are the northwestern portions of the David Hill subarea and the southern portions of the Parrett Mountain subarea.

The northwestern portion of David Hill was highly ranked for forestry [WC Rec. pg. 3027] and did not score well in the County's urban suitability mapping [WC Rec. pg. 2997], nor did it score well in the region's assessments of suitability for water service [WC Rec. pg. 3006], sewer service [WC Rec. pg. 3007], transportation connectivity [WC Rec. pg. 3008], transportation added lane cost (WC Rec. pg. 3009) and transportation system lane cost [WC Rec. pg. 3010].

Significant area of the portion of the Parrett Mountain subarea in Washington County not in an urban reserve did not score well in the region's assessments of suitability for water service [WC Rec. pg. 3006], sewer service (Moderate – Difficult) [WC Rec. pg. 3007], transportation connectivity [WC Rec. pg. 3008], transportation added lane cost [WC Rec. pg. 3009],

transportation system cost [WC Rec. pg. 3010], it also didn't rank highly under the County's urban suitability mapping. Portions of this area were also highly ranked for forestry [WC Rec. Pg. 3027]. The area is ground-water limited, steeply sloped and characterized by small parcels (*Identification and Assessment of the Long-term Commercial Viability of Metro Region Agricultural Lands*, Oregon Department of Agriculture, January, 2007, pp. 10; 41-42).

2) There are three blocks of important farm land in Washington County; much of the Chehalem Mountains subarea, a portion of the Bethany/West Multnomah subarea, and a small portion of the East Wilsonville subarea.

All of the East Wilsonville subarea in Washington County was included the urban reserves east of I-5 (4E, 4F & 4G).

The northeast portion of urban reserve area 8C (Bethany West) was designated as an urban reserve. The area north of the urban reserve and existing UGB has more sloped land that is less suitable for development [WC Rec. pg. 3002].

The largest block of important farm land in Washington County is the Chehalem Mountains subarea. An urban reserve designation was adopted on the southeast portion of this area near the city of Sherwood (part of 5B). The area not designated urban reserve ranked low to moderate in suitability assessments for water service [WC Rec. pg. 3006], sewer service [WC Rec. pg. 3007], transportation connectivity [WC Rec. pg. 3008], transportation added lane cost [WC Rec. pg. 3009] and transportation system cost [WC Rec. pg. 3010]. This area also contains sloped land that is less suitable for development [WC Rec. pg. 3002] and did not score well under the County's urban suitability mapping [WC Rec. pg. 2997]. The Chehalem Mountains had multiple values for natural features; they were identified as Significant Natural Landscape Features [WC Rec. pg 3028], contain the headwaters for several streams [WC Rec. pg. 3029] and serve as a sense of place with an elevation over 350 feet [WC Rec. pg. 3029].

The West Wilsonville area (Conflicted Agricultural Land) is characterized by steep slopes and creek canyons. It lies in a ground-water limited area parcels (*Identification and Assessment of the Long-term Commercial Viability of Metro Region Agricultural Lands*, Oregon Department of Agriculture, January, 2007, pp. 38-40).

The area north of North Bethany is also characterized by steep and moderate slopes and numerous steep creek canyons that bisect the area parcels (*Identification and Assessment of the Long-term Commercial Viability of Metro Region Agricultural Lands*, Oregon Department of Agriculture, January, 2007, pp. 53).

The portions of the East Wilsonville area (Important Farmland) that border the UGB near I-5 and I-205 are designated for rural residential use and are composed of small parcels (*Identification and Assessment of the Long-term Commercial Viability of Metro Region Agricultural Lands*, Oregon Department of Agriculture, January, 2007, pp. 37).

The area south of Oregon City that is Important Farmland is largely moderately to steeply sloping hills incised by many small creek canyons. The Beaver Creek area in particular is characterized by rural residential development (*Identification and Assessment of the Long-term Commercial Viability of Metro Region Agricultural Lands*, Oregon Department of Agriculture, January, 2007, pp. 27-28).

The Clackamas Heights area (Conflicted Agricultural Land) east of Gladstone and Oregon City is heavily impacted by suburban residential development and characterized by steep sloped and small parcels (*Identification and Assessment of the Long-term Commercial Viability of Metro Region Agricultural Lands*, Oregon Department of Agriculture, January, 2007, pp. 26-27).

Maps in the record confirm these characterizations:

- Data utilized were, tax lots, slopes, 100-year floodplain, wetlands inventory and Metro Title 4 mapping. (*WashCo Rec* at 1890)
- Development Constraints (*WashCo Rec* at 1890)
- Small Parcels (*WashCo Rec* at 1891)
- Slope Criterion = 7% or less (*WashCo Rec* at 1891)
- Maps provided were; constrained lands, small lots, FEMA Floodplain and wetlands, slopes greater than 10% , Metro Title 4 inventory, composite (*WashCo Rec* at 1892)
- Available utilities (*WashCo Rec* at 1892)
- Summary Table by County Constrained and Unconstrained Land (*WashCo Rec* at 1893)
- “On the contrary, while the maps show greater percentage of development constraints for Washington County, these constraints are further away from the existing UGB. This creates a nexus opportunity for future development. Based on the unconstrained lands adjacent to the UGB, designated Title 4 lands and existing employment concentration within the UGB, an apparent urban reserve area is north and west of Hillsboro.” (*WashCo Rec* at 1894)
- “Most of the topographically-suitable acreage was located within Washington County, near existing employment clusters, and this finding was partially considered in Washington County’s mapping of proposed Urban and Rural Reserve areas.” (*WashCo Rec* at 2905).

1 *Note: Transcript has not been edited*

2 2:01:28

3 **John VanLandingham** – Issue is best and balance. Dick Benner just said to us before
4 our break that the workgroup is fine with it that's the best they can do. So, what do we
5 think. Marilyn do you want to say something.

6 **Marilyn Worrix** – spent a great deal of time on this. Without including best, even
7 though there was an attempt to keep the process fluid um some people felt there just
8 simply was not enough direction and there wasn't a measurement of any kind. While
9 recognizing that best may be difficult to evaluate um by putting it in the objective it was
10 intended to serve as a guidepost. You're headed toward the best overall balance of these
11 various issues. The um we we were taught about best originally um in ah 0040(10) or
12 (11). But we um we related it back to the objective and decided to include the word best
13 early on as a sort of beacon this is where we are going. But it needs to be um the overall
14 context is important because the overall objective was to create a process that was
15 consensus building and a product that was a balance of protecting farm, forest and natural
16 landscapes at the same time creating livable communities. And while this balancing did
17 require some clear guidelines the path had to be well marked. The workgroup purposely
18 avoided making this process too detailed. We wanted to acknowledge that foundation ag
19 land is the most important for long term viability. And we wanted to say that if Metro
20 designates land as urban reserves for example they have to explain in findings and
21 statements of reasons why they chose it. It was anticipated that that process would end up
22 in a series of packages of alternatives but by the time it got to the final decision making
23 stage and at that point Metro would have to explain very clearly why they chose one
24 package or another or possibly combinations between them. And that analysis would look
25 at various packages or combinations um taken as a whole and would take you back to the
26 objective and say how does this whole package achieve the best overall balance that we
27 highlighted in the objective. I think it's important to recognize that the workgroup never
28 saw that best requirement as being something that would require a detailed parcel to
29 parcel type analysis. And there was real worry that it would even be construed that way
30 because that was the opposite of the kind of fluid creative process we were hoping to be
31 able to create. And that instead of being a process that would require exactitude found in
32 like a parcel to parcel comparison that this best concept is supposed to focus on the
33 collective overall regional ah process. It would be looking for the best fundamental
34 balance between the competing areas. Um it would not require a ranking um best, second
35 best, third best ah it's much more general than that. So we felt it was important to have
36 that in there um it was a strong concern from the agricultural community in particular that
37 there needed to be something that highlighted the importance of foundation land and gave
38 them that little extra bit of scrutiny in the best solution was best was seen to be the best
39 solution for them. So we're comfortable with it. We know that it's loose um but this
40 process was never designed to be did you touch all the basis, did you double check all
41 your maps, did you calculate the right area on this particular parcel. Ah everybody been
42 there, that's not where we wanted to go. We wanted to say how about good rational
43 thinking supported by strong findings that make a reasonable balance between the needs
44 to protect ag, forest and the natural landscapes and the need to create livable
45 communities. So we sort of did it purposely and while we are really open to any
46 comments we worked a long time on this one and I was extremely pleased that not only

1 did the workgroup feel comfortable with the language but I really think the workgroup
2 saw the language in the same context that I've just outlined and I would invite anybody
3 from the table, because they all listened to this, if they heard anything different now
4 would be the time to say it but that's my background.

5 **John VanLandingham** – anybody disagree with her description.

6 **Unknown** – here here

7 **John VanLandingham** – ok thank you. Comments from commissioners.

8 **Margaret Kirkpatrick** – Well ah I really let me start out by saying I don't really think we
9 should mess with this um I think it's such a the fact that there is consensus and I think,
10 unless there is further discussion that evidences me otherwise that this is something we
11 should stick with. That I would love to have because it is yesterday so unusual to have a
12 word like best kinda out there I would love to hear Steve or Richard or any of the other
13 very talented lawyers here just explain I mean it looks to like as I read 0040(10) when it
14 talks about the single joint finding and statement of reasons that you're going to be
15 discussing each of the factors in then that there is going to be a discussion about how in
16 the aggregate these meet the best objective best unquote objective in 0005(2). So
17 assuming that people will be coming and arguing to the commission that what Metro and
18 the counties have done is not the best balance how do we what is our role in in that
19 review process and how do we approach it. So that's really my question and if I can get
20 to the point where I feel like I understand that then I'm good.

21 **Steve Shipsey** – Metro and the counties who are making the joint submittal to the
22 commission will include that submittal under 0080(4) findings of fact and conclusions
23 regarding how that's best. So what we will be reviewing will be whether or not there
24 determination of this overall package of the balance is the best. Whether it's an adequate
25 factual basis for that, whether it's touched on the goals and considered all the goals
26 whether it has complied with the rules both procedurally and the substantive requirements
27 but it will be a review of a presentation of what has been deemed locally the best. And
28 you won't be I don't think you will be required by objectors to do a new analysis of
29 whether or not this is the best. You'll be reviewing the analysis of whether it's the best to
30 see if that analysis is supported and presented in a way that has a substantial evidence
31 basis and the conclusions of law are consistent with the law that needed to be applied.

32 **Margaret** – So this really is a substantial evidence review that we'll be doing and if there
33 is substantial evidence (inaudible). We are good we are not second guessing we're not
34 getting into the details of any of this.

35 **John VanLandingham** – Steve you are shaking your head yes.

36 **Steve Shipsey** – yes

37 **John VanLandingham** – You don't foresee as Mark Greenfield worried that we're
38 going to find ourselves picking this parcel over here and saying no it's not the best
39 without that parcel we want to add that parcel.

40 **Steve Shipsey** – I think we will receive objections of that nature and the question will be
41 whether those objections are if we need to sustain those objections where we conclude
42 that Metro and the counties in the submittal showed that what they actually did met the
43 best standard. Could something else also have met the best standard.

44 **John VanLandingham** – Richard.

45 **Richard Whitman** – So the only think I would add to what Steve said and it's really in
46 response to the comments from Mark Greenfield yesterday is um as a policy practical

1 matter for the department I don't think that we view this objective as creating an
2 optimization standard that there's only one best outcome. It um because best is used in
3 the context of a balance between designation of urban and rural reserves number 1 and
4 number 2 is as commissioner Worrix said it's a balance that in its entirety looking at the
5 region as a whole number 2 best achieves three different things livable communities,
6 viability and vitality of agricultural and forest industries and protection of important
7 natural landscape features. Those three things are in some tension obviously and so the
8 balancing in between those is going to require a fair amount of judgments. So in addition
9 to the evidentiary issue I think there is because of the context that best is used in here
10 there is substantial discretion initially for Metro and counties to make their decisions and
11 then in terms of the commission's review for the commission's review of that.

12 **Female voice** – So would we also be looking at abuse of discretion potentially.

13 **Richard Whitman** – Well I don't think legally that's a standard for review um I think
14 the standard is what's articulated here and alls I am saying is I think the words that are
15 articulated here um it probably lead you to something like that ah in terms of how the
16 commission would review this um so while say abuse of discretion I think functionally if
17 there's a range of outcomes that are plausible for the commission in its review role um in
18 effect that may be the review standard.

19 **John VanLandingham** – Do you want to say anything about abuse of discretion. Not
20 everybody is a lawyer.

21 **Female voice** – I'll let a real lawyer talk about it. (inaudible) not want anymore
22 (inaudible)

23 **Richard Whitman** – Well I that's a legal standard that should be used in situations that
24 you have a law that creates a range of possible outcomes and the question is whether the
25 decision that was made that you're reviewing is outside that range and so I think that fits
26 with what I just articulated which is that I think this objective creates a range of possible
27 outcomes that Metro and the counties can come to. Ah and um for the commission and its
28 review role I think as long as it's within that range you would ah need to uphold the
29 decision.

30 **John VanLandingham** – Any other thoughts from commissioners. Marilyn you want to
31 add anything to the discussion.

32 **Marilyn Worrix** – Well on that I've everybody recognizes it's a challenging word from
33 a review perspective but I'm sure the commissioners share the thought that I have
34 prefaced some of my previous votes on other issues by saying well it isn't a best solution
35 but its legally correct and I'm ready to try best.

36 **Male voice** – It seems counterintuitive but I'm going to go with the attorneys.

37 **John VanLandingham** – So panel any thoughts. Anybody worried about Mark
38 Greenfield's argument. Ok I didn't see anybody that wants to (inaudible). Ok next issue.

39 **Female voice** – Can I just say one more thing.

40 **John VanLandingham** – Yes

41 **Female voice** – Um is there a way to make sure that the legislative history of this
42 rulemaking includes the discussion there's some guidance for future commissions.

43 **John VanLandingham** – Um well I think that <interrupted>

44 **Margaret Kirkpatrick** – Actually see but maybe I didn't.

45 **John VanLandingham** - Bob is there some in the report isn't there.

46 **Bob Rindy** – There's a legislative history of the statute.

1 **Margaret Kirkpatrick** – That’s different.

2 **Bob Rindy** – That um these minutes will be in the history and we have the staff report ah
3 the comments that were made now you could specify that your minutes go into more
4 detail than might typically occur to record those.

5 **John VanLandingham** – That would be good. So let’s make sure especially make sure
6 that Marilyn’s comments are included and I see that at the bottom of page nine of the
7 staff report there’s some of that also saying that the first, second, third best in its entire.
8 Dick

9 **Dick Benner** – Dick Benner for Metro on the legislative history question speaking for
10 myself and we’ll see if everybody agrees but I think we do. When we heard Richard,
11 commissioner Worrix and Steve talk about this I thought to myself yes this is the way we
12 understand this test. And I would suggest that if the commission feels that the way they
13 described it is the way you would like it to be understood that you say so um don’t
14 necessarily have to have a vote but then I think its more clearly legislative history.

15 **Margaret Kirkpatrick** – Yeah if there would be some way actually to almost transcribe
16 the statements of commissioner Worrix, Steve, Richard maybe what Dick just said and
17 have us kinda validate that’s our understanding then that would provide the kind of
18 guidance to future commissions that I’m thinking of.

19 **Male voice** – (inaudible)

20 **Margaret Kirkpatrick** – I think we just did it.

21 **John VanLandingham** – Yeah I mean does anybody disagree with that. So that’s our
22 understanding we adopt that. So I’m saying that all seven six commissioners agree with
23 that as our interpretation. Ok. Next issue.

24 2:17:32

25 ##end##

Washington County

Rural Reserve Suitability Analysis Version 2.0 DRAFT

Rural Suitability Analysis



- Extent of Reserves Study Area
- Urban Growth Boundary
- County Boundary

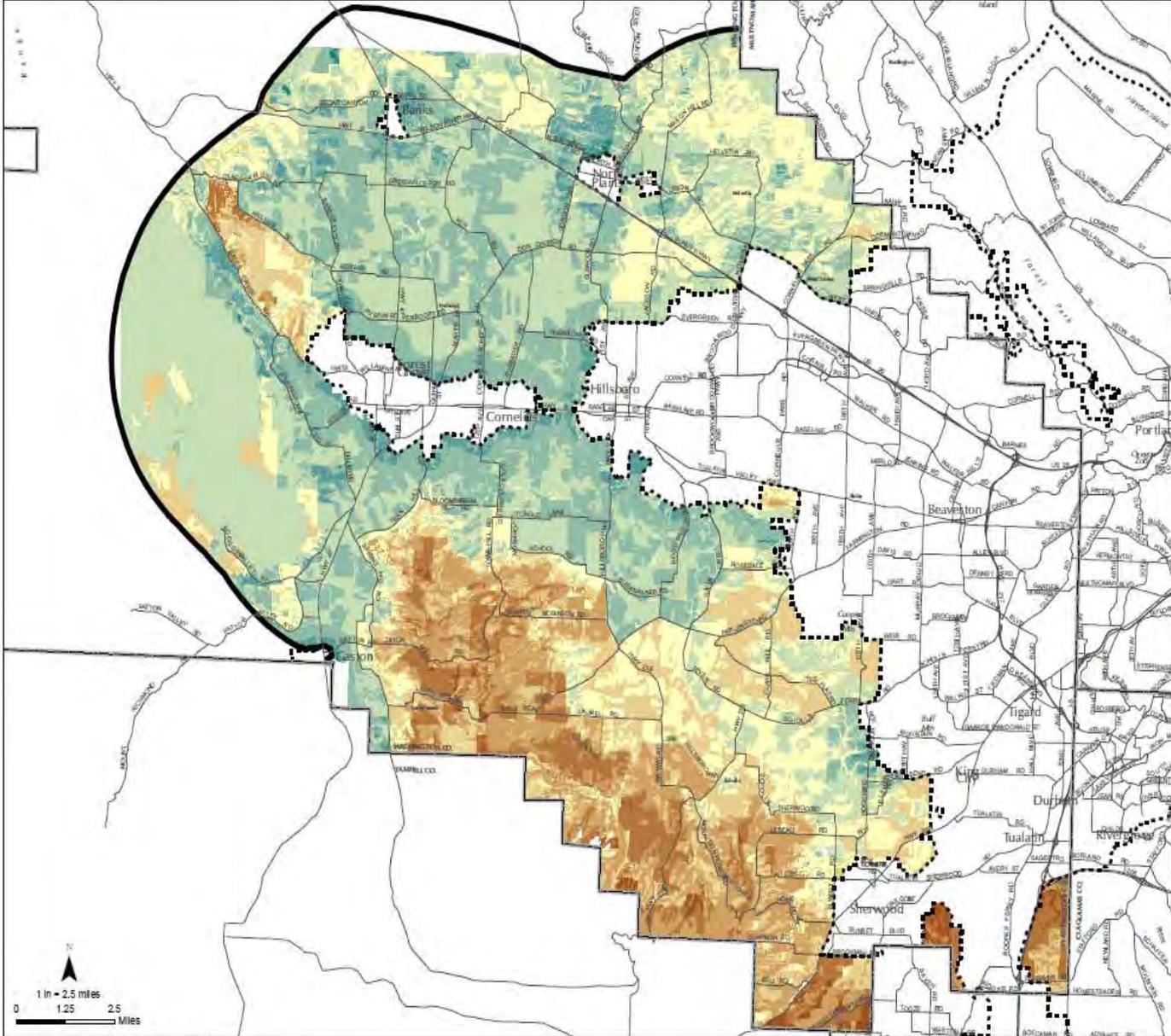
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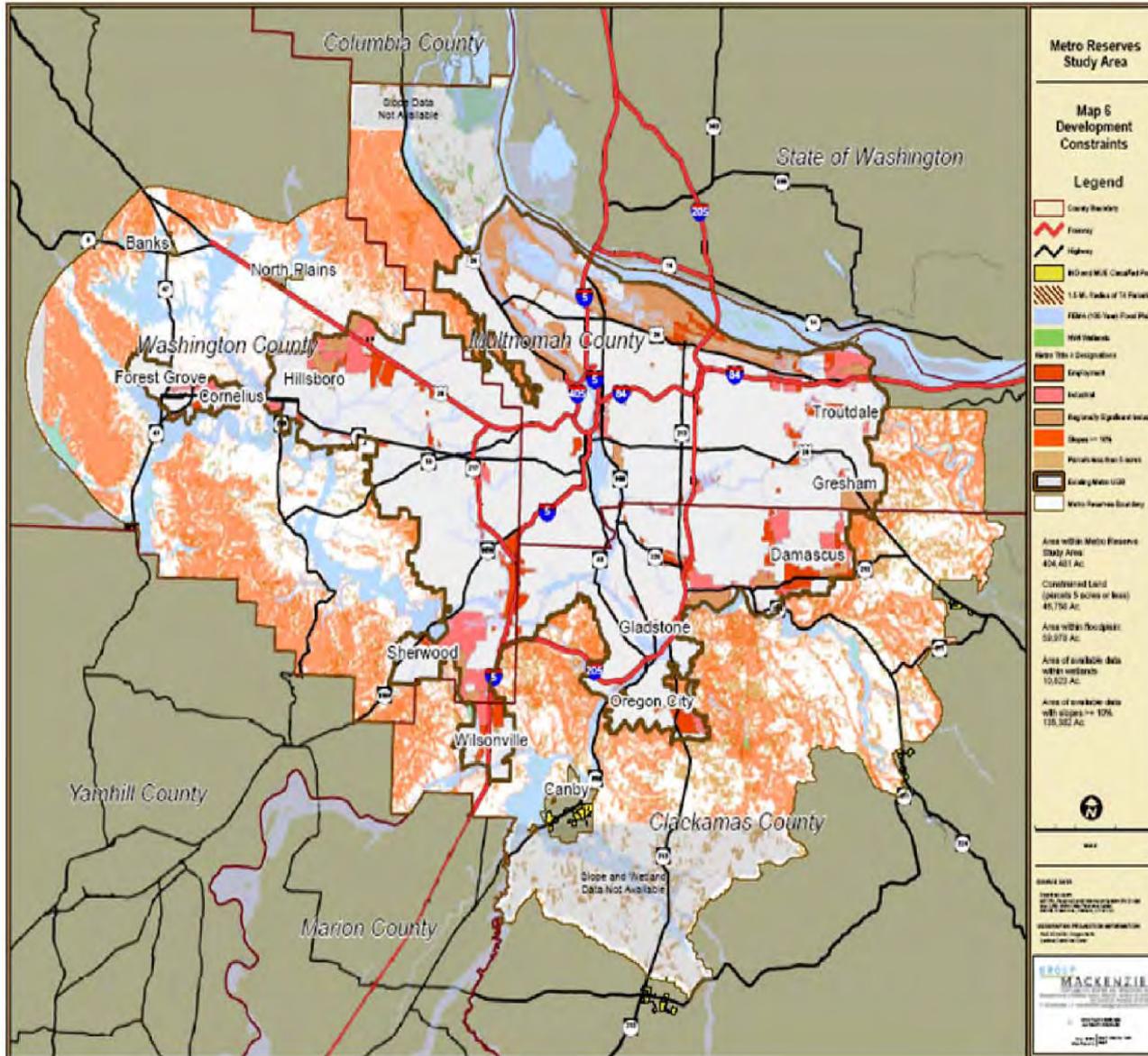
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Hillsboro, OR 97124
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fax (503) 846-4412
lutplan@co.washington.or.us

Map 6



Washington County

Constrained Lands for Development and Employment



Source:
Group Mackenzie

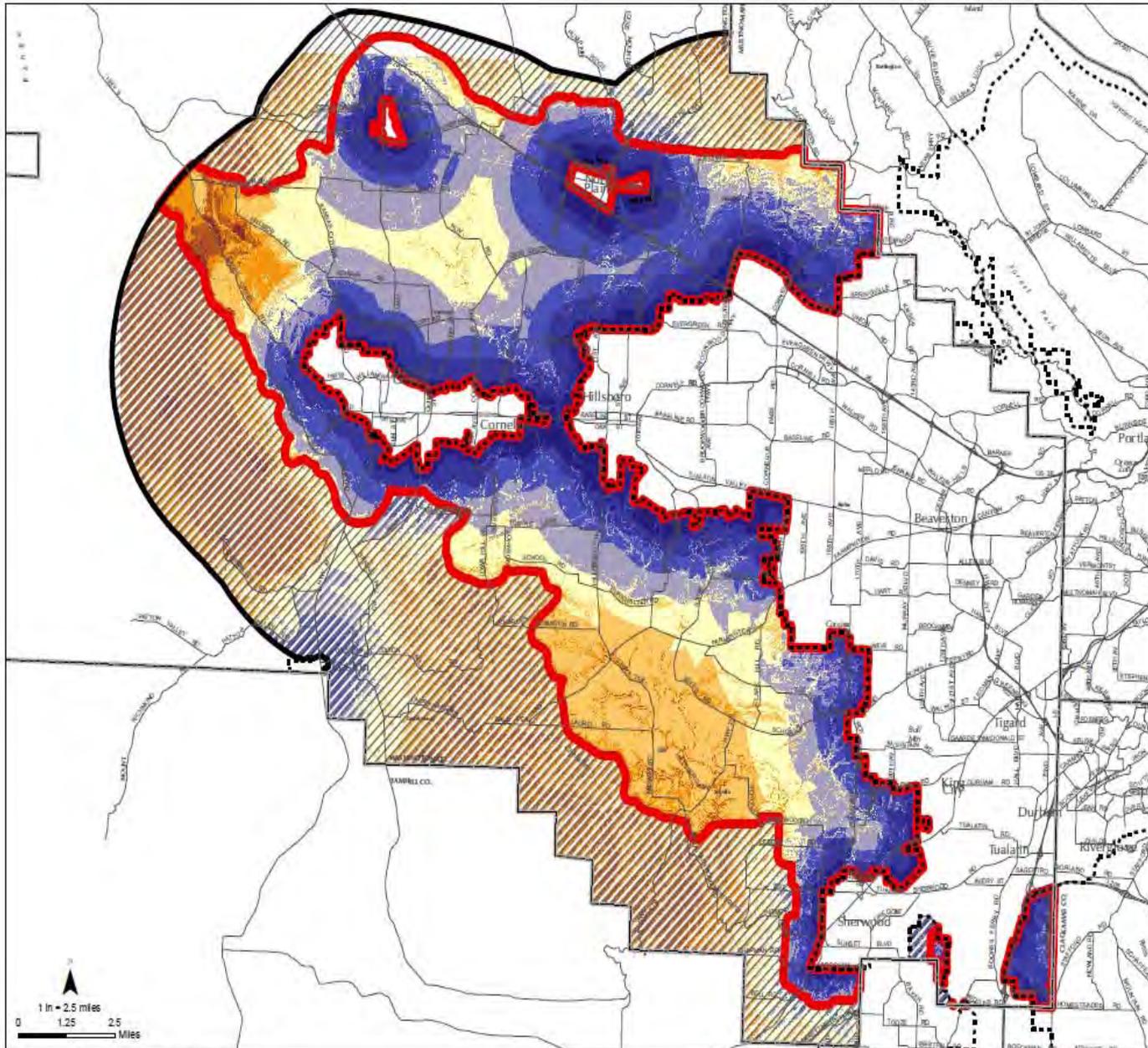
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Map 7



Washington County

Candidate Urban Reserves Suitability *DRAFT*

Candidate Urban Reserve Areas

Non Urban Reserve Areas

Suitability Analysis

1.21 - 1.92 (Least Suitable)

1.93 - 2.63

2.64 - 3.34

3.35 - 4.05

4.06 - 4.76

4.77 - 5.47

5.48 - 6.18

6.19 - 6.89

6.9 - 7.59 (Most Suitable)

Extent of Reserves Study Area

Urban Growth Boundary

County Boundary

Disclaimer:

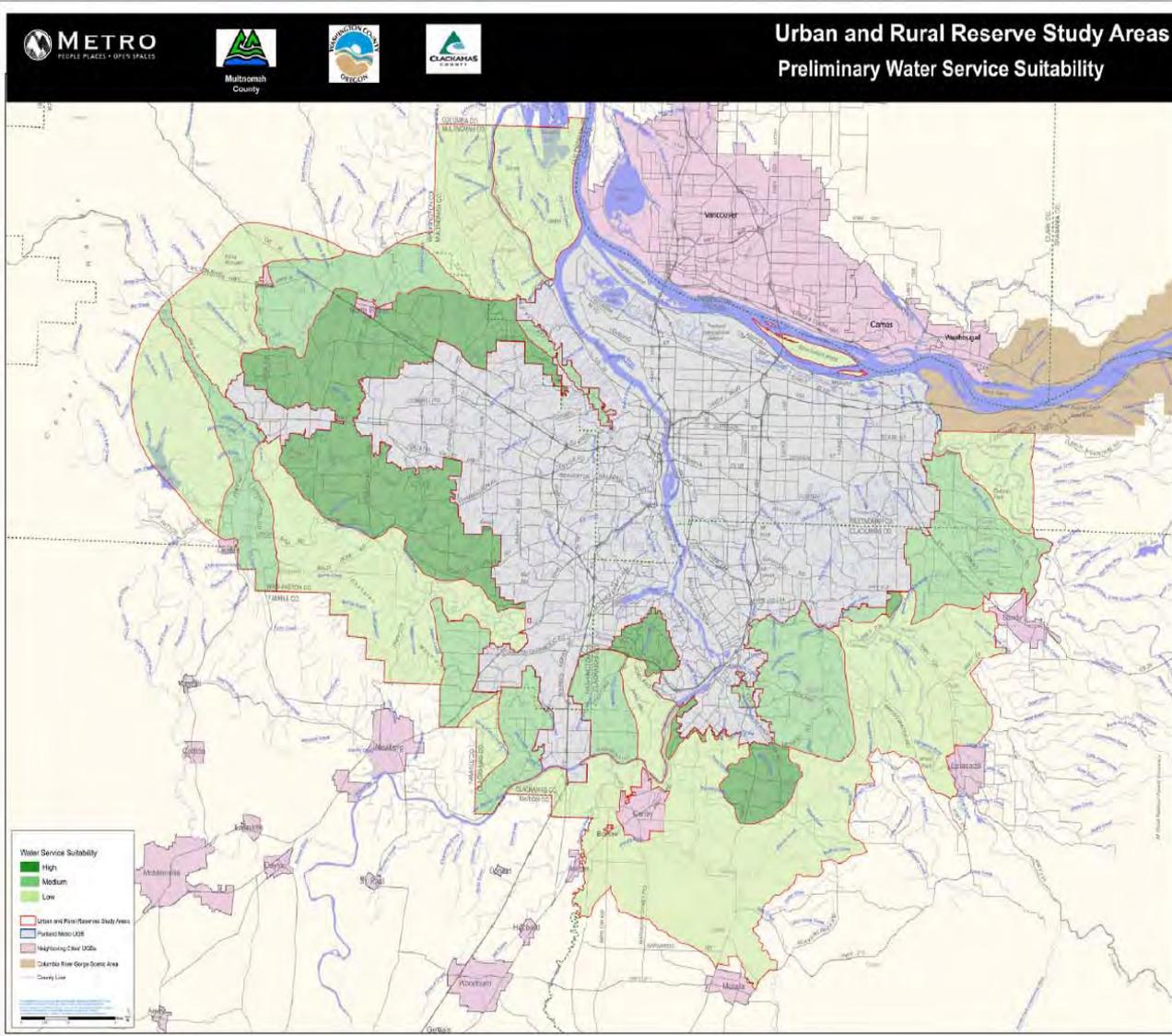
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Map 9

Preliminary Water Service Suitability



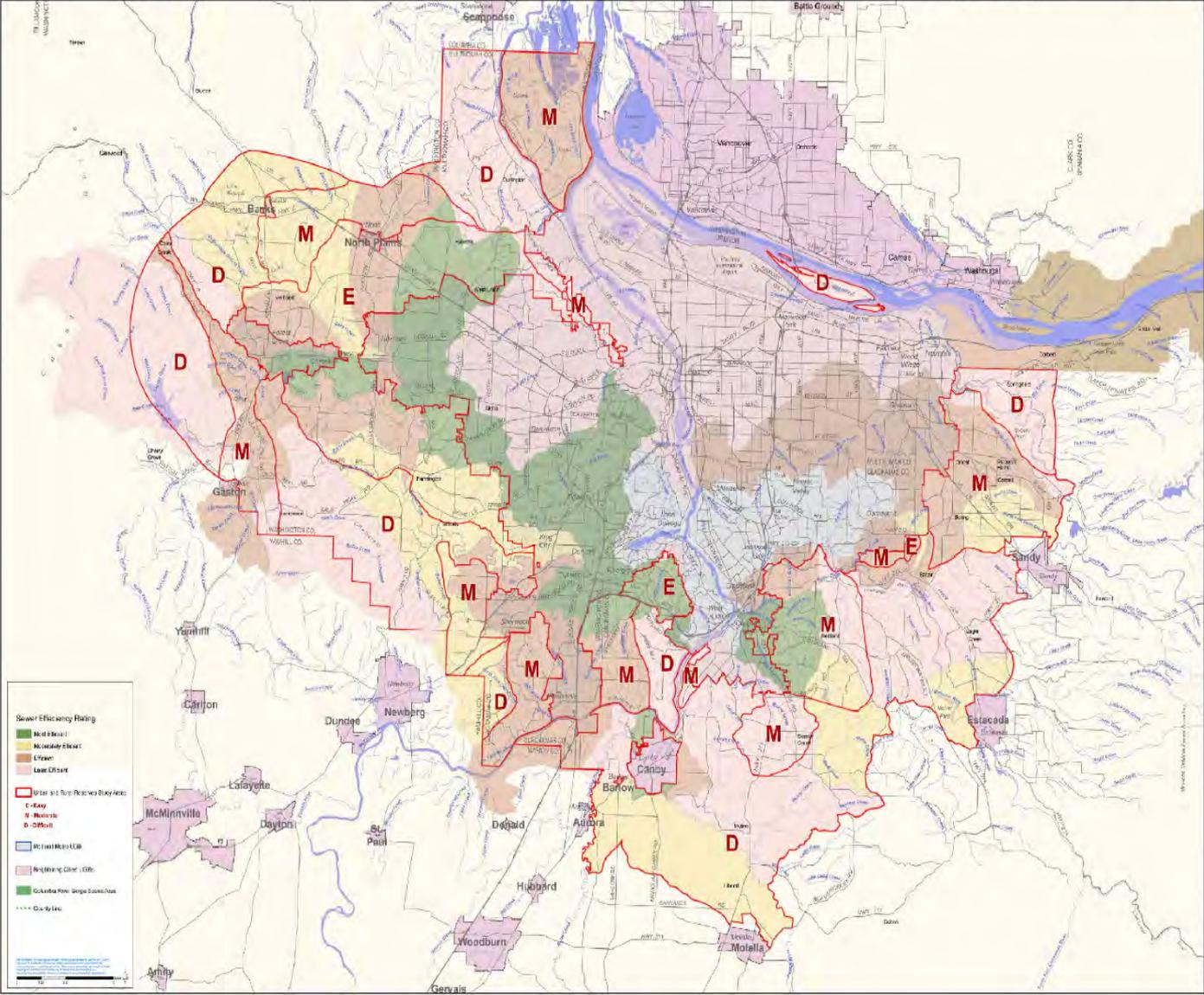
T:\Reserves\Maps and Materials\Maps\Analysis\reserves_suitability\water\reserves_base_water_suitability.mxd



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Map 11

**Preliminary
Sewer Service
Suitability**



Source:
Metro

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Map 12

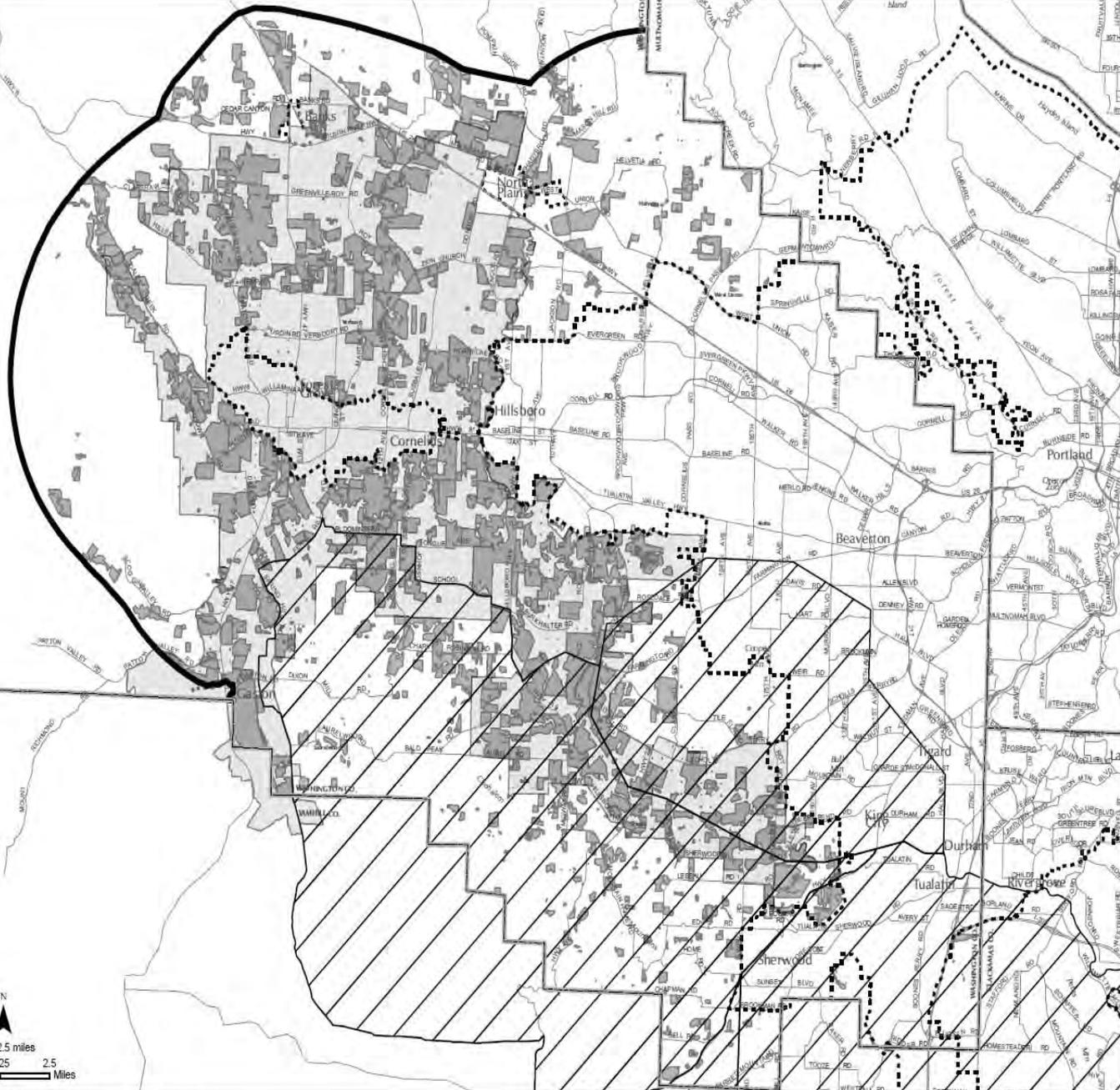
-  TVID Boundary
-  Water Rights
-  Groundwater Critical/Limited
-  Extent of Reserves Study Area
-  Urban Growth Boundary
-  County Boundary

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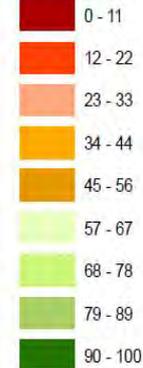
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Washington County

Agricultural Productivity DRAFT

Combined Crop Productivity*



- Extent of Reserves Study Area
- - - - Urban Growth Boundary
- County Boundary

*Based on J. Herbert Huddleston, an OSU Extension Service Soil Specialist (Agricultural Productivity ratings for Soils of the Willamette Valley, 1982).

Staff mapped the Productivity rating for soils in three sets: 1) Dryland values, 2) Irrigated values where water is used, and 3) Irrigated values for all land in TVID. Areas were divided into higher productivity (HP) and lower productivity (LP). Higher productivity is composed of soils that are irrigated or in TVID and lower productivity is composed of soils that are not irrigated or in TVID.

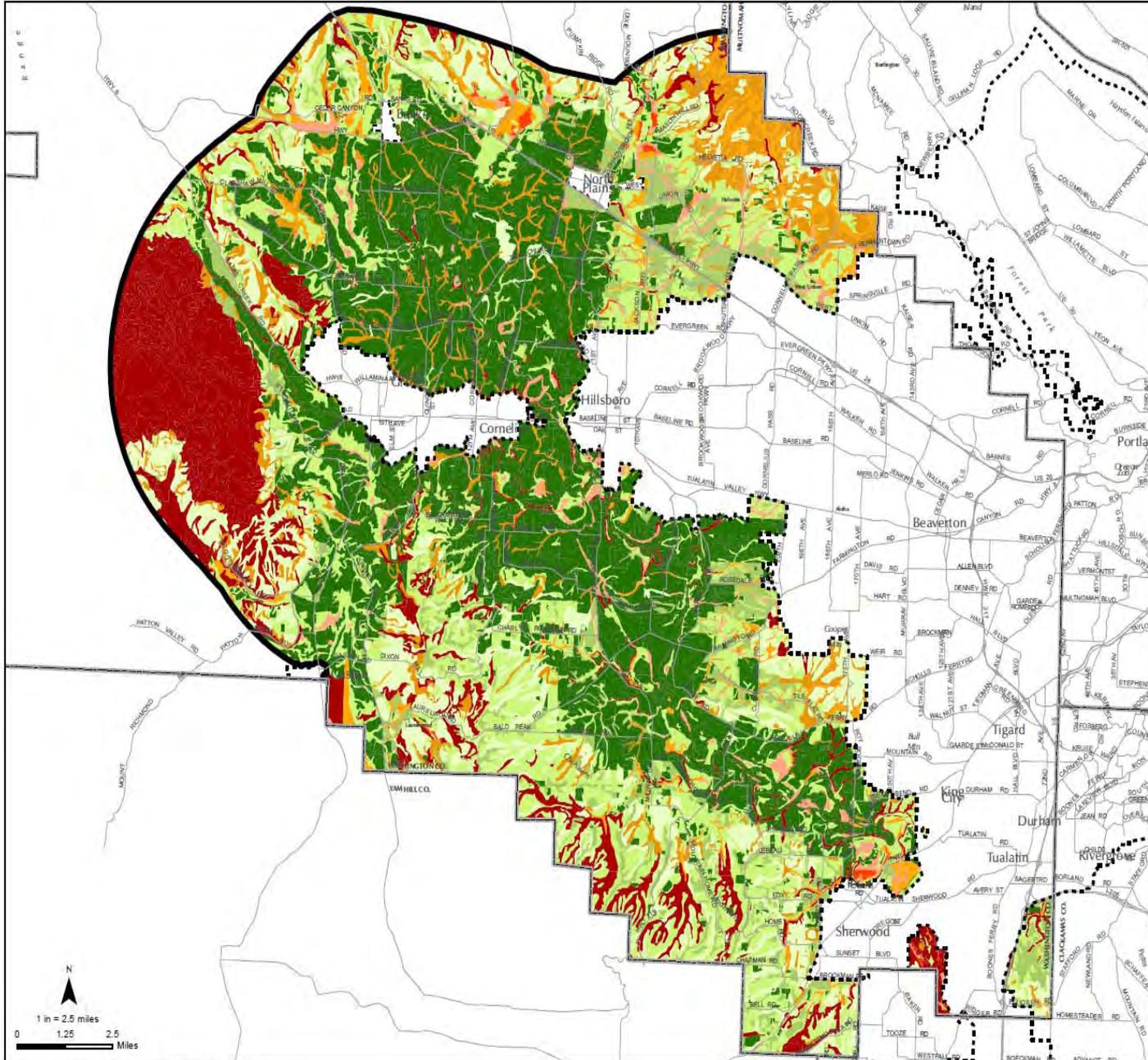
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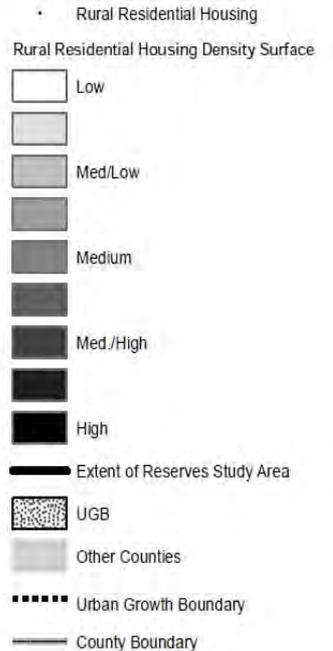
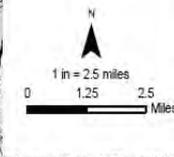
Map 20



Rural Residential Dwelling Density

Surface and Points*

DRAFT



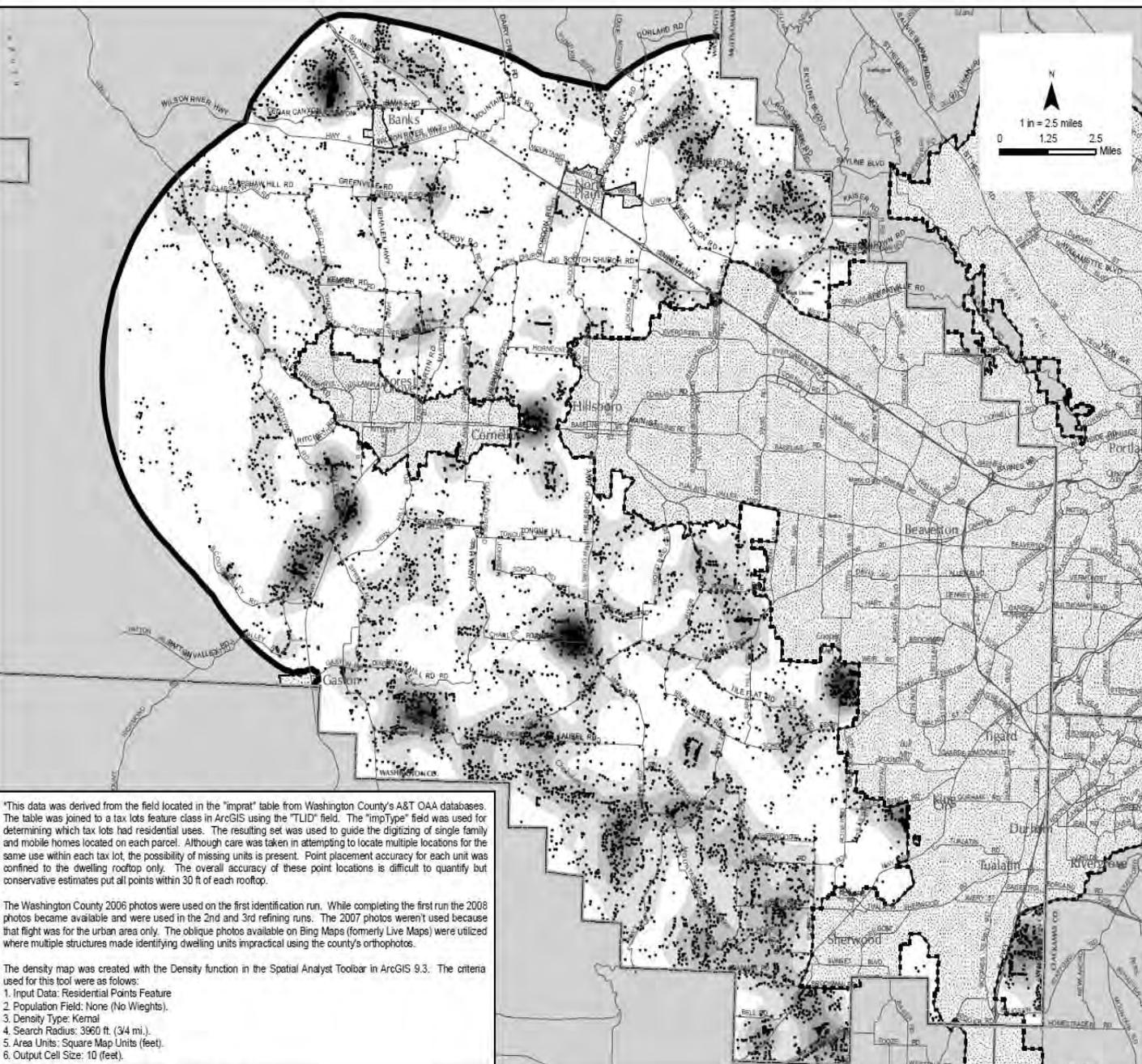
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Map 25



*This data was derived from the field located in the "Imprat" table from Washington County's A&T OAA databases. The table was joined to a tax lots feature class in ArcGIS using the "TLID" field. The "ImpType" field was used for determining which tax lots had residential uses. The resulting set was used to guide the digitizing of single family and mobile homes located on each parcel. Although care was taken in attempting to locate multiple locations for the same use within each tax lot, the possibility of missing units is present. Point placement accuracy for each unit was confined to the dwelling rooftop only. The overall accuracy of these point locations is difficult to quantify but conservative estimates put all points within 30 ft of each rooftop.

The Washington County 2006 photos were used on the first identification run. While completing the first run the 2008 photos became available and were used in the 2nd and 3rd refining runs. The 2007 photos weren't used because that flight was for the urban area only. The oblique photos available on Bing Maps (formerly Live Maps) were utilized where multiple structures made identifying dwelling units impractical using the county's orthophotos.

- The density map was created with the Density function in the Spatial Analyst Toolbar in ArcGIS 9.3. The criteria used for this tool were as follows:
1. Input Data: Residential Points Feature
 2. Population Field: None (No Weights).
 3. Density Type: Kernel
 4. Search Radius: 3960 ft. (3/4 mi.)
 5. Area Units: Square Map Units (feet).
 6. Output Cell Size: 10 (feet).

Farm Analysis

Tiers

DRAFT



County Boundary

Extent of Reserves Study Area

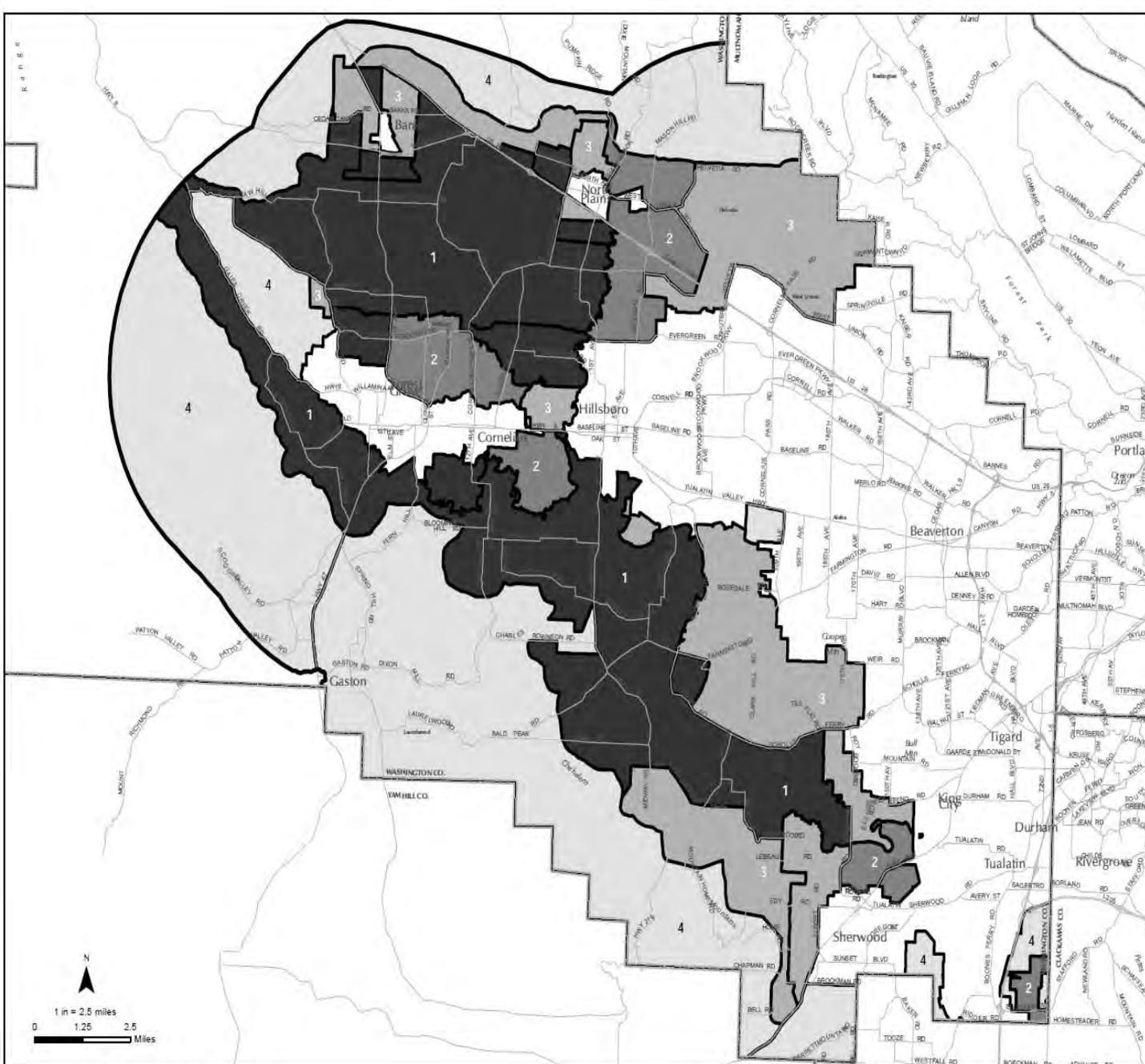
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Map 28

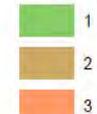


1 in = 2.5 miles
0 1.25 2.5 Miles

Washington County Important Natural Landscape Features (INLF) Composite Tiers

DRAFT

INLF: Tiers



Rivers and Streams

Urban Growth Boundary

County Boundary

Extent of Reserves Study Area

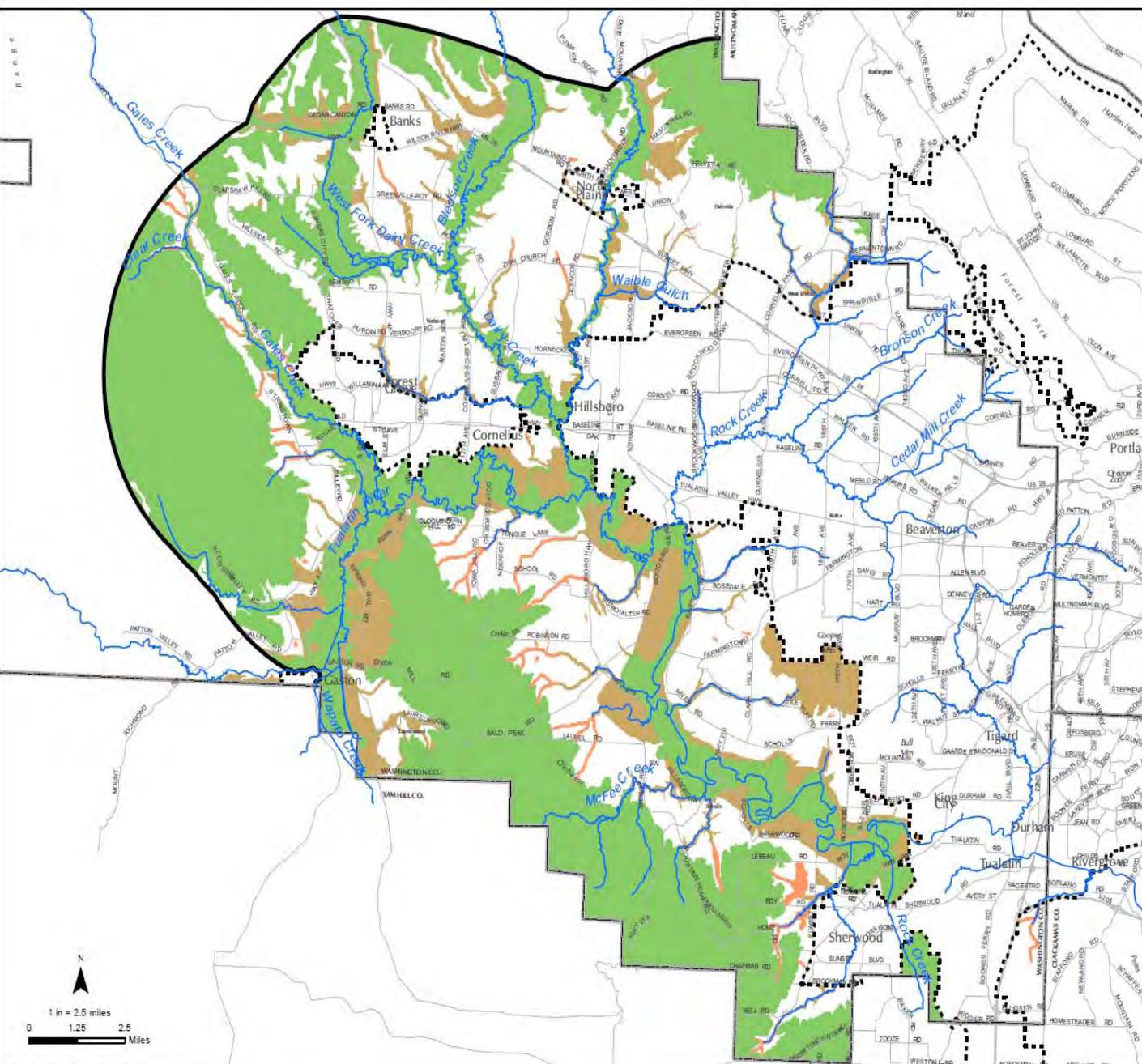
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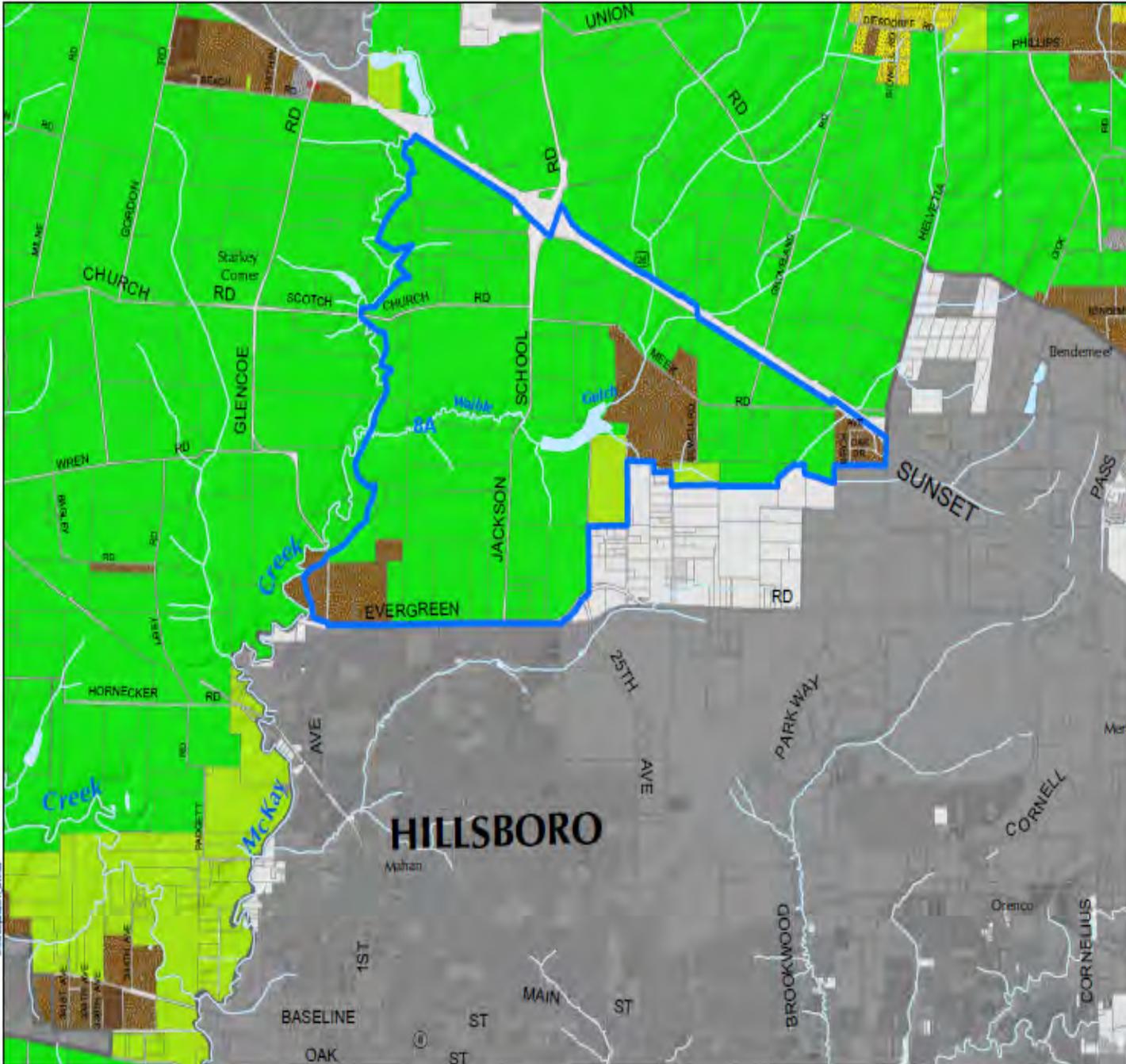
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Map 33



Urban Reserve 8A

Existing Rural Land Use Districts



Urban Reserve Area 8A - Hillsboro North

Land Use Districts

- Agriculture and Forest - 5 acre minimum
- Rural Residential - 5 acre minimum
- Agriculture and Forest - 10 acre minimum
- Agriculture and Forest - 20 acre minimum
- Exclusive Farm Use
- Exclusive Forest and Conservation
- Rural Commercial
- Rural Industrial
- Land Extensive Industrial

- Stream
- Waterbody



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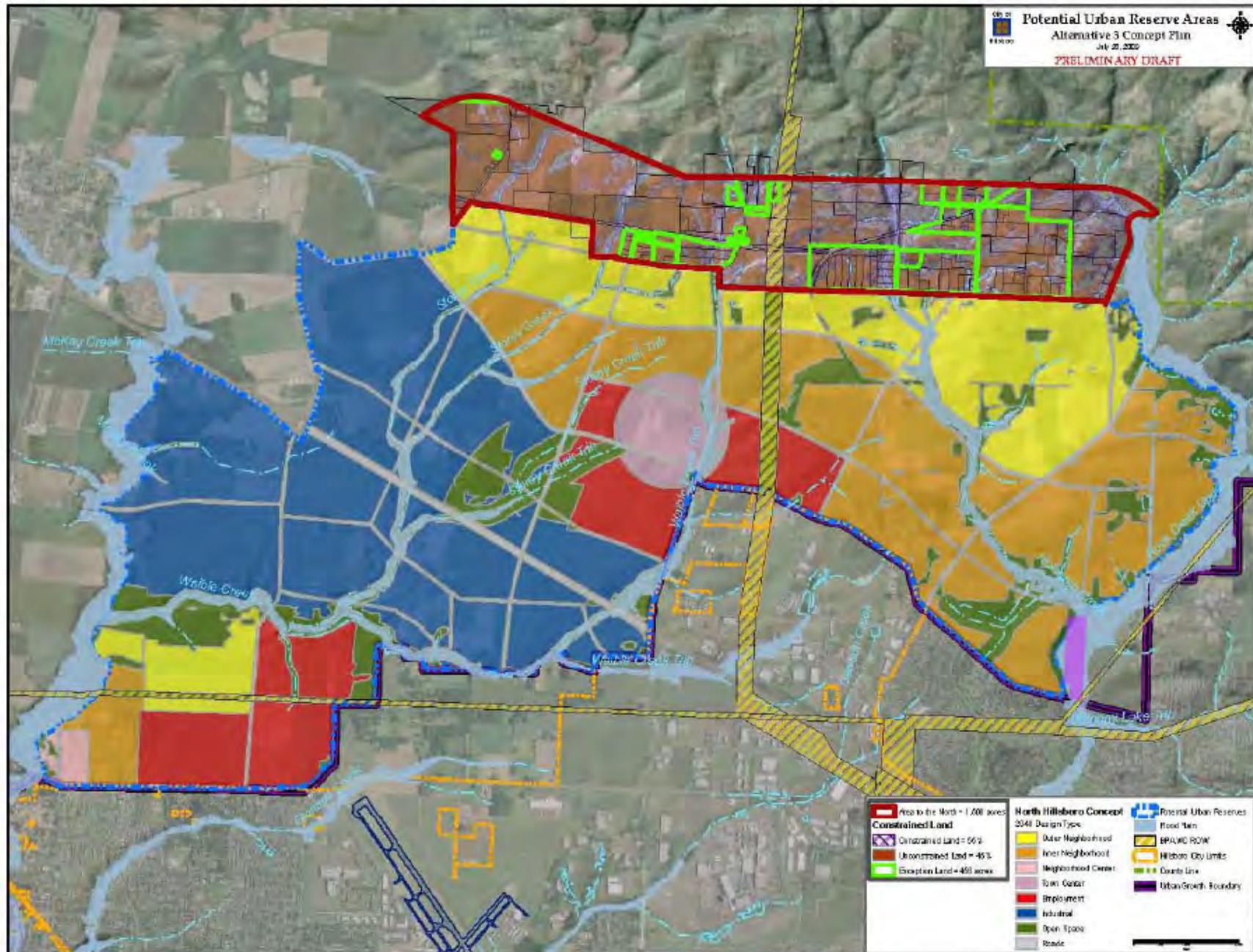


WASHINGTON COUNTY

OREGON

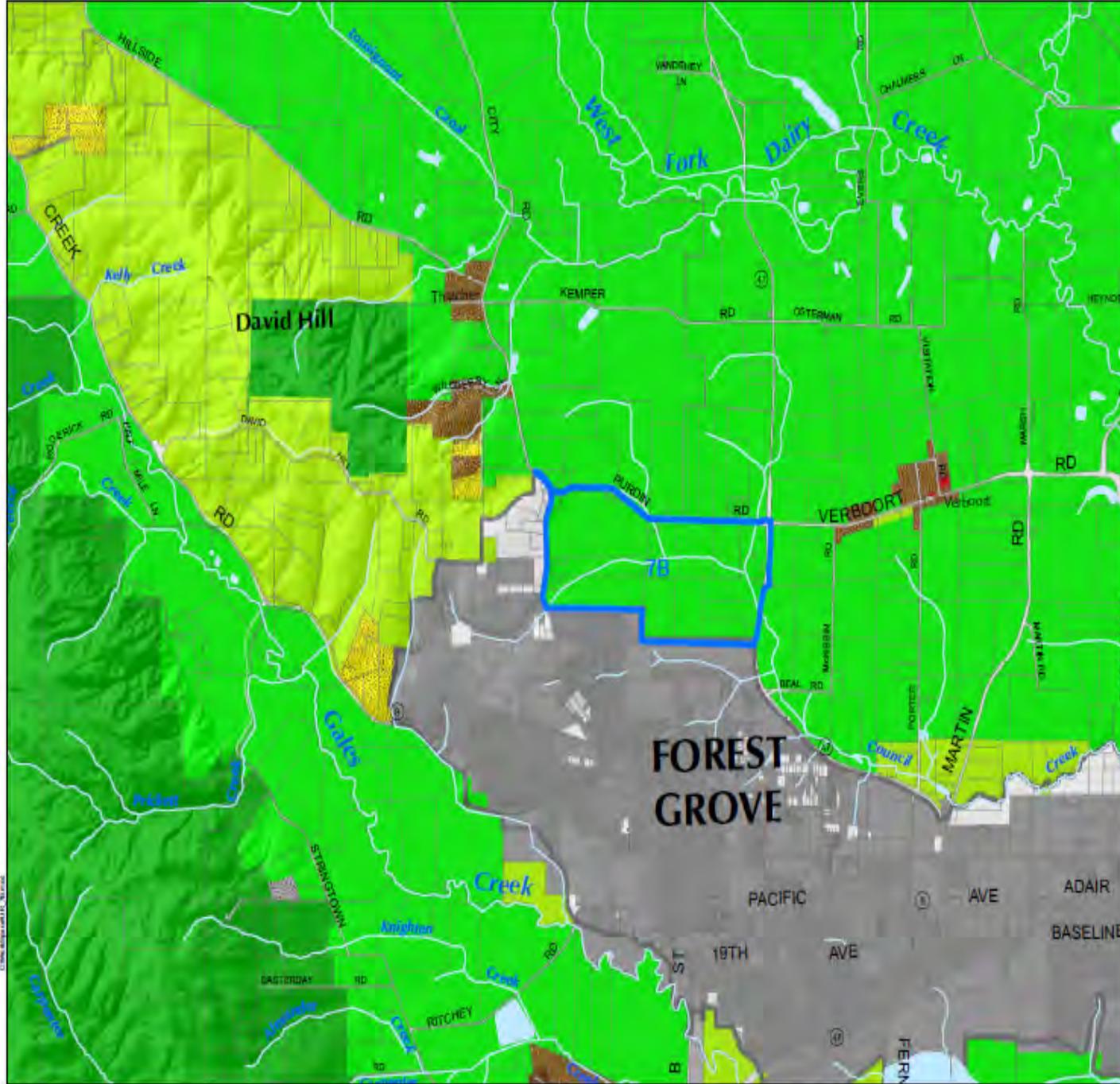
Department of Land Use & Transportation
Long Range Planning

Figure 5 – Northern Edge of Study Area



Urban Reserve 7B

Existing Rural Land Use Districts



Urban Reserve Area 7B - Forest Grove North

Land Use Districts

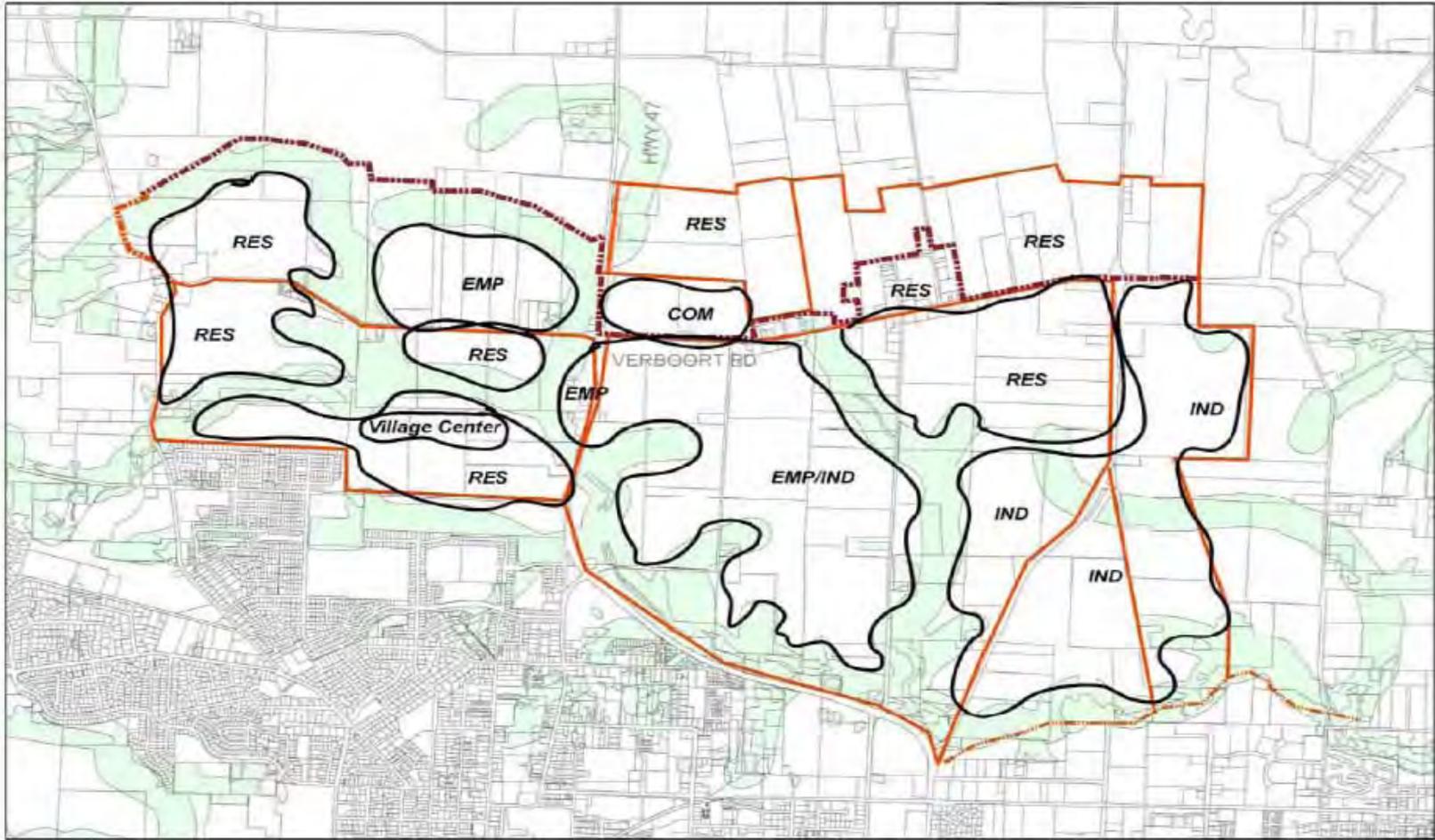
- Agriculture and Forest - 5 acre minimum
- Rural Residential - 5 acre minimum
- Agriculture and Forest - 10 acre minimum
- Agriculture and Forest - 20 acre minimum
- Exclusive Farm Use
- Exclusive Forest and Conservation
- Rural Commercial
- Rural Industrial
- Land Extensive Industrial

- Stream
- Waterbody



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city of
forest
grove

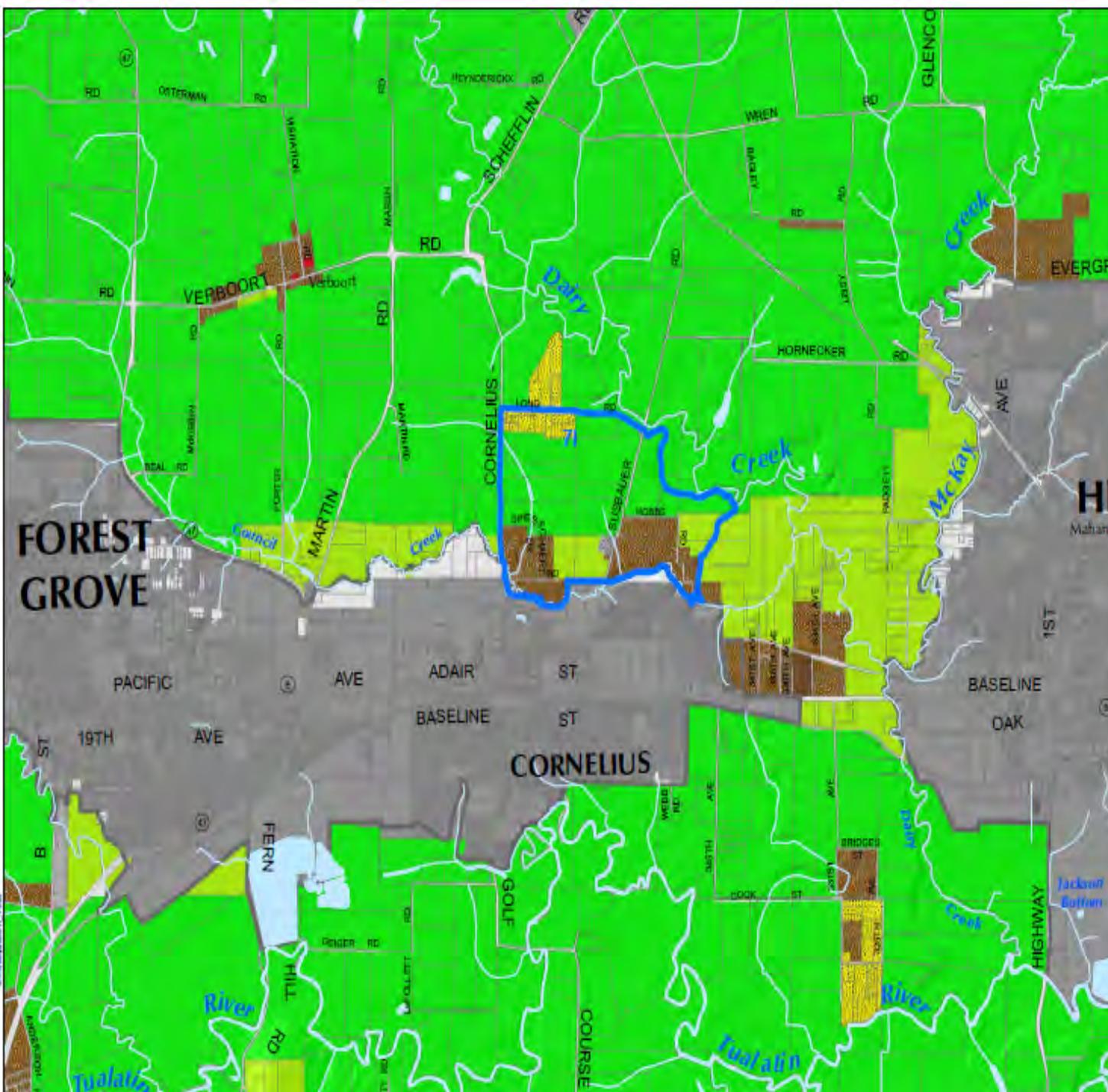
Urban Reserve Analysis Concept Planning Areas

0 900 1,800 3,600 5,400 7,200 Feet



Urban Reserve 71

Existing Rural Land Use Districts



Urban Reserve Area 71 - Cornelius North

Land Use Districts

- Agriculture and Forest - 5 acre minimum
- Rural Residential - 5 acre minimum
- Agriculture and Forest - 10 acre minimum
- Agriculture and Forest - 20 acre minimum
- Exclusive Farm Use
- Exclusive Forest and Conservation
- Rural Commercial
- Rural Industrial
- Land Extensive Industrial

- Stream
- Waterbody



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City of Cornelius Example 50-Year Concept Plan

