



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

9/24/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Marion County Plan Amendment
DLCD File Number 005-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, October 08, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Les Sasaki, Marion County
Doug White, DLCD Community Services Specialist/Jon Jinings, DLCD

Gary Fish, DLCD Regional Representative

<paa> YA

FORM 2

DLCD

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

In person electronic mailed

DATE
DEPT OF
SEP 17 2009
**LAND CONSERVATION
AND DEVELOPMENT**
DLCD Use Only

Jurisdiction: **Marion County/City of Donald**

Local file number: **LA 08-2**

Date of Adoption: **9/16/2009**

Date Mailed: **9/18/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **6/4/2009**

- | | |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input checked="" type="checkbox"/> Other: UGB Amendment/Population |

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

Marion County adoption of ordinance readopting County Ordinance No. 1270 along with supplemental evidence and findings in response to the LUBA decision remand of the appeal of Ordinance No. 1270 that amended the Marion County Comprehensive Plan by adopting City of Donald Comprehensive Plan amendments including a coordinated 2028 population forecast of 1,588; a 42.5 acre UGB expansion to meet employment land needs; and the redesignation and rezoning of land in the amendment area.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **"Primary Agriculture"** to: **City "Industrial" & "Commercial"**

Zone Map Changed from: **EFU (Exclusive Farm Use)** to: **UTF (Urban Transition/Farm)**

Location: **Four parcels north, south and west of City**

Acres Involved: **42**

Specify Density: Previous: **NA**

New: **NA**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

Marion Co. 005-08 (17017) [15719] Donald 001-08 (16639) [15718]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

DLCD, OECDD, ODOT, Department of Agriculture, City of Donald, Marion County

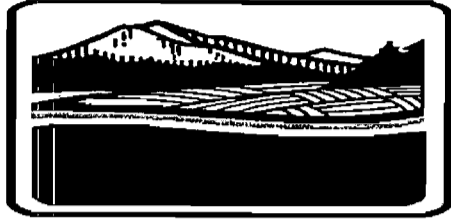
Local Contact: **Les Sasaki, Principal Planner** Phone: **(503) 588-5038** Extension: **4068**
Address: **P.O. Box 14500** Fax Number: **503-589-3284**
City: **Salem** Zip: **97309-5036** E-mail Address: **lsasaki@co.marion.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.



Marion County
OREGON

**MARION COUNTY
NOTICE OF ADOPTION**

**Legislative Amendment (LA) 08-2
LUBA Decision Remand**

On September 16, 2009 the Marion County Board of Commissioners adopted and signed Ordinance No. 1290 that amended the Marion County Comprehensive Plan by re-adopting County Ordinance No. 1270 along with supplemental evidence and findings in response to the Land Use Board of Appeals (LUBA) decision remand of the appeal of County Ordinance No. 1270 that amended the Marion County Comprehensive Plan by adopting City of Donald Comprehensive Plan amendments including a coordinated 2028 population forecast of 1,588; a 42.5 acre urban growth boundary expansion to meet identified employment land needs; the redesignation of lands included within the UGB expansion area from a Marion County Comprehensive Plan designation of "Primary Agriculture" to City of Donald Comprehensive Plan designations of "Industrial" and "Commercial"; the rezoning of lands included within the UGB expansion area from a Marion County Rural Zone designation of EFU (Exclusive Farm Use) to a Marion County Urban Zone designation of UTF (Urban Transition/Farm).

The LUBA remand focused on two issues needing to be corrected: 1) the provision of notice to all other local governments in the county of the adoption of an updated, coordinated 20-year population forecast as part of the City's UGB amendment (OAR 660-024-0030); and 2) the provision of supplemental analysis as part of the City's Economic Opportunities Analysis (EOA) of an estimate of job growth over the 20-year planning period that the employment land to be added to the UGB is needed to meet (OAR 660-024-0040). The supplemental evidence and findings adopted as part of Ordinance No. 1290 address the LUBA remand issues.

A copy of the adopted ordinance is being provided to interested persons, persons who participated in the public hearing process by either providing oral and/or written testimony, and to the cities and public agencies under intergovernmental coordination agreements. The exhibits to the ordinance that provide the findings and background information upon which the plan amendment is based, can be obtained from the Marion County Public Works/Planning Division, 555 Court Street NE, Room 2150, Salem, Oregon.

If you have any questions regarding this Notice of Adoption or the items adopted under the Ordinance, please contact Les Sasaki, Principal Planner at 503-588-5038 or by e-mail at: lsasaki@co.marion.or.us

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Turner OR 97392**

**Karen Odenthal
Public Works/Transportation
(inter-office mail)**

**BEFORE THE BOARD OF COMMISSIONERS
FOR MARION COUNTY, OREGON.**

In the matter of an ordinance readopting)	
County Ordinance No. 1270 along with)	Legislative Amendment
supplemental evidence and findings in)	LA 08-2
response to the LUBA decision remand of)	
the appeal of Ordinance No. 1270 that)	
amended the Marion County Comprehensive)	
Plan by adopting City of Donald)	
Comprehensive Plan amendments including)	
a coordinated 2028 population forecast of)	
1,588; a 42.5 acre urban growth boundary)	
expansion to meet employment land needs;)	
the redesignation and rezoning of land in)	
the amendment area; and declaring an)	
emergency.)	

ORDINANCE NO. 1290

**THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS
FOLLOWS:**

SECTION 1. PURPOSE

This ordinance is enacted pursuant to the authority granted general law counties in the State of Oregon by Oregon Revised Statutes (ORS) Chapter 203 and the comprehensive land use planning and coordination with local government provisions under Chapters 195 and 197, by amending the Marion County Comprehensive Plan by adopting amendments to the City of Donald Comprehensive Plan including a coordinated population forecast, an urban growth boundary amendment, and designation and rezoning of properties included within the amended Donald urban growth boundary area.

SECTION 2. AUTHORIZATION

The Marion County Board of Commissioners adopted a legislative amendment to the Marion County Comprehensive Plan by adopting plan map amendments to the City of Donald Comprehensive Plan, by Ordinance No. 1270 dated October 1, 2008. The County Plan amendment was appealed by the *Friends of French Prairie* and *Marion County Farm Bureau* to the Land Use Board of Appeals (LUBA) in October 2008, with the appeal limited to the inclusion of a 26.93 acre parcel for industrial use in the UGB amendment. On February 18, 2009, the LUBA issued its decision on the appeal case (LUBA No. 2008-186) and remanded the plan amendment decision to correct two assignments of error (Exhibit A). The LUBA decision remand items came before the Board of Commissioners and the City of Donald City Council concurrently for consideration and a decision pursuant to the planning coordination provisions under ORS Chapters 195 and 197, and the provisions of the April 2, 1986 Urban Growth Boundary and Policy Agreement executed between Marion County and the City of Donald that sets forth procedures for addressing land use matters of mutual concern, including plan and

boundary amendments. The Board and the Donald City Council held a joint public hearing on the LUBA decision remand items on August 11, 2009, for which proper notice and advertisement was given by both jurisdictions thereby correcting one of the LUBA remand items regarding procedural notice. All persons present during the public hearing and those provided notice of the hearing were given the opportunity to speak or present written statements on the plan amendment remand items.

SECTION 3. EVIDENCE AND FINDINGS

The Board has reviewed the evidence and findings in the LUBA decision remand record and given due consideration to the testimony provided in the joint City/County public hearing record on the LUBA remand items. The amendment to the Marion County Comprehensive Plan by readopting the plan map amendments to the City of Donald Comprehensive Plan (Ordinance No. 1270) and a coordinated population forecast applicable to the plan amendment along with supplemental evidence and findings in response to the LUBA decision remand items, is based on consideration and analysis of information and findings to correct the remanded items. The readoption of Ordinance No. 1270 allows for continued concurrence with the evidence and findings that support the County adoption of the City of Donald plan amendments that were not subject to the LUBA decision remand of the County decision set forth in Ordinance No. 1270 (Exhibit C). The County adoption of the amendments to the City of Donald Comprehensive Plan is necessary for the application of the County's regulations within the urban growth area of the Donald urban growth boundary.

The LUBA decision (LUBA No. 2008-186, February 18, 2009) remanded two errors for correction with regard to the plan amendment (Exhibit A):

1. The Economic Opportunities Analysis (EOA) prepared under the provisions of Goal 9 – Economic Development and the Administrative Rules did not include an estimate of job growth over the 20-year planning period that supports the employment land need identified for the urban growth boundary expansion; and
2. The cities of Marion County were not provided proper notice that the UGB amendment included the adoption of a coordinated population forecast as required under Goal 14 – Urbanization and the Administrative Rules.

The evidence and findings in response to the LUBA remand items cited above (Exhibit B) and to support the County adoption of supplemental evidence and findings to Ordinance No. 1270 approving the plan amendment, are by reference a part of the record and this Ordinance.

The City of Donald Economic Opportunities Analysis (EOA) was prepared according to the requirements under Statewide Planning Goal 9 – Economic Development and the Goal's administrative rules (OAR 660-009), to address the provisions and need for an urban growth boundary expansion to accommodate employment lands and provide local employment opportunities for area residents within the 20-year planning period. The LUBA decision determined that the EOA did not provide an estimate of job growth over the planning period (OAR 660-024-0040(5)) that supports the need for employment lands to be added to the UGB identified in the EOA. The supplemental EOA evidence and findings (Exhibit B) to correct this LUBA remand item provide a safe harbor methodology (OAR 660-024-0040 (9)(a)(B)) for determining employment growth that applies the projected population growth rate over the 20-year planning period to estimate job growth. Employment growth was compared with employment densities (employees per acre) of existing employment uses and targeted employment industries to determine land needs and the adequacy of the existing land supply to

meet the estimated need. The EOA supplemental evidence and findings regarding job growth both confirm and support the need for employment lands to be added to the urban growth boundary to meet future employment needs identified in the City's EOA. The evidence and findings provide that employment land needs for the City are based on both site needs for target industry use including the expansion needs of existing businesses and commercial service needs resulting from growth, along with estimated job growth compared to existing and future employment uses and densities identified in the EOA and the supplemental EOA evidence and findings in response to the LUBA decision remand item.

The City of Donald plan amendment proposal included a coordinated 2028 population forecast between the City and the County of 1,588 under the provisions of Goal 14 – Urbanization, as required for an urban growth boundary amendment. The LUBA decision determined that a procedural notice shortcoming occurred in that the plan amendment proposal did not include proper notice to the cities in the County of the inclusion of an adopted population forecast as part of the amendment, as required under Goal 14 administrative rules (OAR 660-024-0030(1)). The supplemental evidence and findings (Exhibit B) to correct this LUBA remand item provide that proper notice was given to all the cities in Marion County including interested persons and agencies in accordance with the administrative rule provision. The City and County notices provided by mail and in area newspapers state that the plan amendment includes a coordinated 2028 population forecast between the City and County and that a public hearing(s) is scheduled to address the LUBA decision remand items resulting from the appeal of the County decision to adopt the City of Donald plan amendments (Ordinance No. 1270). The evidence and findings address the procedural notice shortcoming identified in the LUBA decision and the adoption of the coordinated 2028 population forecast of 1,588 by the City and County corrects this aspect of the plan amendment process.

The Board of Commissioners find that the adoption of the amendment to the Marion County Comprehensive Plan by the readoption of Ordinance No. 1270 that adopted the City of Donald Comprehensive Plan map amendments including a 42.5 acre urban growth boundary amendment along with a coordinated 2028 population forecast and supplemental evidence and findings to address the LUBA decision remand items, provides for a coordinated review, concurrence in and uniform application of urbanization policies regarding land use matters affecting properties included within the City of Donald urban growth boundary. The amendment is consistent with the applicable provisions of the intergovernmental coordination agreement between Marion County and the City of Donald. The Board further finds that the amendment and response to the LUBA decision remand items are in compliance with applicable Statewide Land Use Planning Goals and Administrative Rules, ORS Chapters 195 and 197, and the plan amendment procedures and applicable provisions of the Urbanization Element of the Marion County Comprehensive Plan.

SECTION 4. AMENDMENT TO THE MARION COUNTY COMPREHENSIVE PLAN

The Marion County Comprehensive Plan is amended to include the adoption of an amended City of Donald Comprehensive Plan for application in the area within the urban growth boundary that lies outside the city limits. The Marion County Comprehensive Plan map is amended to include a 42.5 acre urban growth boundary expansion for employment lands and changes in the Plan designation of those properties added to the boundary and within the urban growth area as depicted on the map set forth in Exhibit C. The Marion County Comprehensive Plan and its implementing ordinances (zoning maps) is further amended to include a coordinated 2028

population forecast of 1,588 for the City of Donald with regard to the plan amendment for additional employment lands and to include the rezoning of the properties included within the amended urban growth boundary as depicted on the map set forth in Exhibit C.

SECTION 5. REPEAL OF PORTIONS OF EXISTING ORDINANCES

Those portions of Marion County Ordinance No. 530 adopting a City of Donald Urban Growth Boundary and a Comprehensive Plan for the area outside the city limits but within the growth boundary and previously adopted Ordinance No. 1270 adopting an urban growth boundary amendment for employment lands are hereby repealed or amended as set forth in this Ordinance through the adoption of the City of Donald Comprehensive Plan amendments, which by reference are incorporated into this Ordinance.

SECTION 6. SEVERABILITY

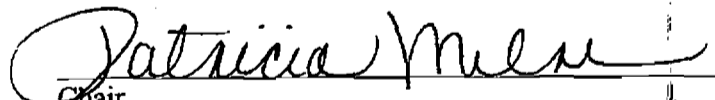
Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or any policy, provision, finding, statement, conclusion or designation of a particular land use or area of land, or any other portion, segment or element of this ordinance or of any amendment thereto and adopted hereunder, be declared invalid for any reason, such declaration shall not affect the validity or continued application of any other portion or element of this ordinance or amendment to Marion County Ordinance No. 530 and 1270 as amended or as amended hereunder, and if this ordinance or any portion thereof should be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which this ordinance or any portion thereof, was enacted.

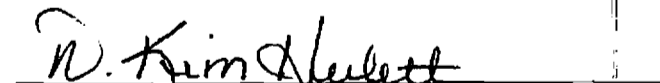
SECTION 7. EFFECTIVE DATE

This Ordinance amending the Marion County Comprehensive Plan by re-adoption of plan map amendments to the City of Donald Comprehensive Plan including an urban growth boundary amendment and redesignation and rezoning of properties added to the urban growth boundary (Ordinance No. 1270) and adoption of a coordinated 2028 population forecast of 1,588 along with supplemental evidence and findings to Ordinance No. 1270 to respond to the LUBA decision remand items, being necessary to protect the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall become effective upon its passage.

SIGNED and FINALIZED at Salem, Oregon this 16th day of September 2009.

MARION COUNTY BOARD OF COMMISSIONERS


Chair


Recording Secretary

JUDICIAL NOTICE

Oregon Revised Statutes (ORS) Chapter 197.830 provides that land use decisions may be reviewed by the Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal within 21 days from the date this ordinance becomes final.

EXHIBIT A

**LAND USE BOARD OF APPEALS (LUBA)
DECISION (LUBA NO. 2008-186)**

February 18, 2009

**Friends of French Prairie and
Marion County Farm Bureau**

vs.

Marion County

1
2 You are entitled to judicial review of this Order. Judicial review is governed by the
3 provisions of ORS 197.850.

1 Opinion by Holstun.

2 **NATURE OF THE DECISION**

3 Petitioners appeal a county decision approving an expansion of the City of Donald
4 urban growth boundary.

5 **MOTION TO INTERVENE**

6 The City of Donald and Sutherland Development, LLC move to intervene on the side
7 of respondent in this appeal. There is no opposition to the motions, and they are granted.

8 **MOTION TO FILE REPLY BRIEF**

9 Petitioners move to file a reply brief to respond to new matters raised in the response
10 brief. OAR 661-010-0039. We agree with petitioners that the reply brief responds to new
11 matters in the response brief. Petitioners also request permission to exceed the five-page
12 limit on reply briefs set by OAR 661-010-0039. Petitioners request permission to file a six-
13 page reply brief. We grant the request.

14 Petitioners' motion to file a six-page reply brief is granted.

15 **FACTS**

16 In 2008, the City of Donald adopted a new population forecast and approved an
17 expansion of its urban growth boundary (UGB) based on an expressed need for additional
18 land for employment purposes. The county also adopted the UGB amendment. Land
19 currently zoned for employment comprises approximately 30 acres in the city, and there are
20 no large vacant or redevelopable properties zoned for employment uses. The city included
21 four properties totaling approximately 38 acres into the UGB. While petitioners do not
22 object to three of the added properties, petitioners do challenge the inclusion of a 27-acre
23 parcel in the UGB expansion. The subject property is zoned exclusive farm use (EFU) and
24 consists of high value farmlands. The city hopes to attract a warehouse and distribution
25 center to the property to capitalize on the city's proximity to Interstate 5 and railroad lines.
26 This appeal followed.

1 **FIRST ASSIGNMENT OF ERROR**

2 Petitioners argue that the county violated Goal 14 (Urbanization) in expanding the
3 UGB. The Land Conservation and Development Commission (LCDC) has adopted an
4 administrative rule to interpret and elaborate on the requirements under Goal 14 to establish
5 and amend UGBs. OAR 660-024-0040(1) provides:

6 "The UGB must be based on the adopted 20-year population forecast for the
7 urban area described in OAR 660-024-0030, and must provide for needed
8 housing, employment and other urban uses such as public facilities, streets
9 and roads, schools, parks and open space over the 20-year planning period
10 consistent with the land need requirements of Goal 14 and this rule. The 20-
11 year need determinations are estimates which, although based on the best
12 available information and methodologies, should not be held to an
13 unreasonably high level of precision."

14 Pursuant to OAR 660-024-0040(2)(a), the city's 20-year population forecast
15 commenced in 2008 and extended to 2028.¹ Although the city developed a population
16 forecast through the year 2028, which we address in the second assignment of error, it is
17 clear that the county did not amend the UGB based on that population forecast. Even though
18 there are references in the challenged decision to meeting the need for population growth, the
19 basis for expanding the UGB is the city's desire to attract a particular type of employer to the
20 city to create jobs rather than to satisfy an identified job growth or an increased population.
21 As the findings state:

22 "Since the City of Donald is not basing its need for employment land on
23 population growth but rather on the need for specific sites to accommodate
24 target industries identified in its [Employment Opportunities Analysis

¹ As relevant in this appeal, OAR 660-024-0040(2) provides:

"* * * If the UGB analysis or amendment is conducted as a post-acknowledgement plan
amendment under ORS 197.610 to 197.625, the 20-year planning period must commence
* * * ;

"(a) On the date initially scheduled for final adoption of the amendment specified by the
local government in the initial notice of the amendment required by OAR 660-018-
0020[.]"

1 (EOA)], a 20-year population forecast to the year 2028 is not a crucial factor
2 in the land need analysis under the UGB amendment proposal.” Record 32.

3 While OAR 660-024-0040(5) allows a city to expand its UGB for employment needs,
4 and does not require that “job growth estimates necessarily be proportional to population
5 growth,” the need for employment land must still “be based on an estimate of job growth
6 over the planning period.”² OAR 660-024-0040(8) provides safe harbors for determining
7 employment needs.³ The city, however, did not use any of the safe harbor provisions
8 available under OAR 660-024-0040(8). In fact, the city did not justify its need for increased
9 employment lands on any estimate of job growth at all, let alone over the planning period.

10 The city explains that that approximately 80% of its residents work outside of the
11 city. The city hopes to attract new jobs to the city that would allow more of its residents to

² OAR 660-024-0040(5) provides:

“Except for a metropolitan service district described in ORS 197.015(14), the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. *Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.*” (Emphasis added.)

³ OAR 660-024-0040(8) provides:

“The following safe harbors may be applied in determining employment needs:

- “(a) The local government may estimate that the current number of jobs in the urban area will grow during the 20-year planning period at a rate equal to either:
 - “(A) The county or regional job growth rate provided in the most recent forecast published by the Oregon Employment Department; or
 - “(B) The population growth rate for the urban area in the adopted 20-year coordinated population forecast specified in OAR 660-024-0030.
- “(b) A local government with a population of 10,000 or less may assume that retail and service commercial land needs will grow in direct proportion to the forecasted urban area population growth over the 20-year planning period. This safe harbor may not be used to determine employment land needs for sectors other than retail and service commercial.”

1 work in the city. The city developed its EOA pursuant to Goal 9 (Economic Development),
2 and that EOA identified potential employers that could be attracted to the area. The EOA
3 identified warehouse and distribution employment as a potential industry that could be
4 attracted to the city. The city then identified potential sites near the city that could be
5 brought within the UGB to attract such warehouse and distribution employers. The 27-acre
6 site that petitioners challenge was chosen as the best opportunity for attracting a warehouse
7 and distribution employer.

8 We see no error in the city's identification of warehouse and distribution employment
9 as an industry that the city is well-positioned to attract to the city, and petitioners do not
10 challenge the EOA that reached that conclusion. We also see no error in the city's desire to
11 increase the number of residents who work in the city as opposed to commuting to other
12 locales. We see no reason why the city could not factor that desire into its estimate of job
13 growth over the relevant planning period. The problem with the approach adopted by the
14 city is that the city did not identify an estimate of job growth over the planning period and
15 then determine how much additional employment land is needed to meet that estimated job
16 growth. Instead, the city identified a type of employer that it hopes to attract to the city by
17 adding the amount of land it believes that employer will require. That approach might be
18 permissible if the relevant law governing UGB amendments permitted adding land to recruit
19 employers, without regard to whether those employers are needed to meet population or job
20 growth needs. While OAR 660-024-0040 could be clearer, we do not believe a decision to
21 add land to the UGB to attract a particular type of employer can be totally divorced from the
22 population projections and job growth estimates required by OAR 660-024-0040(1) and (5).

23 The response brief attempts to provide justifications for the decision that are not
24 contained in the findings that the county adopted in support of its decision. Respondents are
25 correct that a legislative land use decision that is not supported by adequate findings may in
26 some cases nevertheless be sustained on appeal if the respondent and other parties provide

1 argument and citations to the record in their briefs that demonstrate compliance with the
2 applicable approval criteria. *Redland/Viola/Fischer's Mill CPO v. Clackamas County*, 27 Or
3 LUBA 560, 564-65 (1994). But while respondent and intervenor-respondent may supply
4 argument and record citations in support of the county's decision, they cannot recharacterize
5 the county's rationale for its decision and argue the county based its decision on reasoning
6 that the county clearly did not adopt. The decision clearly states that the UGB amendment is
7 not based on projected population growth or a job growth estimate, and respondents cannot
8 argue the decision should be affirmed because the amendment actually is based on that
9 rationale.⁴ Perhaps respondents are correct that the disputed UGB amendment can easily be
10 justified based on population projections and job growth and all the city will need to do on
11 remand is supply that rationale. But under OAR 660-024-0040(5) there must be "an estimate
12 of job growth over the planning period" that the employment land to be added to the UGB is
13 needed to meet. As we have already determined, that estimate is missing.

14 Finally, respondents argue that if the decision is remanded, petitioners' ultimate goals
15 will be thwarted because even more high value farmland will need to be added to the UGB if
16 formal population growth and employment need projections are made. Even if that is true,
17 that does not provide an alternate basis for affirming the decision.

18 The first assignment of error is sustained.

⁴ Petitioners argue that the county's decision is a quasi-judicial decision, not a legislative decision, and the county's findings must be adequate to support the decision, without help from respondent and intervenor-respondent by way of argument and record citations to establish compliance with relevant approval standards. We need not decide whether the challenged decision is legislative or quasi-judicial. As petitioners correctly argue, under the principle articulated in *Redland/Viola/Fischer's Mill CPO*, on appeal a respondent cannot recharacterize or change a legislative decision's stated decision making rationale to be something that is at odds with the decision making rationale that is expressed in the legislative decision itself. Therefore, even if the challenged decision is a legislative decision, respondent's and intervenor-respondent's attempt to recharacterize the county's rationale for its decision is improper.

1 **SECOND ASSIGNMENT OF ERROR**

2 Although the county did not approve its UGB expansion based on a population
3 forecast, the city did adopt a population projection for 2028. Petitioners argue that the city
4 did not comply with Goal 14 in adopting the population projection.

5 OAR 660-024-0030(1) provides that counties must adopt coordinated 20-year
6 population forecasts for the county and each of its urban areas, consistent with specified
7 statutory standards.⁵ Cities must adopt 20-year population forecasts consistent with statutory
8 requirements. OAR 660-024-0030(2) provides that the “forecast must be developed using
9 commonly accepted practices and standards.”⁶ OAR 660-024-0030(3) provides a safe harbor
10 for extending a preexisting population forecast if proper notice and procedures are followed
11 and “by using the same growth trend for the urban area assumed in the county’s current
12 adopted forecast.”⁷

⁵ OAR 660-024-0030(1) provides:

“Counties must adopt and maintain a coordinated 20-year population forecast for the county and for each urban area within the county consistent with statutory requirements for such forecasts under ORS 195.025 and 195.036. Cities must adopt a 20-year population forecast for the urban area consistent with the coordinated county forecast, except that a metropolitan service district must adopt and maintain a 20-year population forecast for the area within its jurisdiction. In adopting the coordinated forecast, local governments must follow applicable procedures and requirements in ORS 197.610 to 197.650 and must provide notice to all other local governments in the county. The adopted forecast must be included in the comprehensive plan or in a document referenced by the plan.”

⁶ OAR 660-024-0030(2) provides:

“The forecast must be developed using commonly accepted practices and standards for population forecasting used by professional practitioners in the field of demography or economics, and must be based on current, reliable and objective sources and verifiable factual information, such as the most recent long-range forecast for the county published by the Oregon Office of Economic Analysis (OEA). The forecast must take into account documented long-term demographic trends as well as recent events that have a reasonable likelihood of changing historical trends. The population forecast is an estimate which, although based on the best available information and methodology, should not be held to an unreasonably high level of precision.”

⁷ OAR 660-024-0030(3) provides:

1 The city and county have a coordinated population forecast. That coordinated
2 population forecast projects a population of 1050 in 2020 based on an annual growth rate of
3 2.25 percent. Extending that projected population and population growth rate results in a
4 projected population of 1255 in 2028. If the city used the safe harbor provisions of OAR
5 660-024-0030(3), the projected population for 2028 would be 1255. The city's 2007
6 population, according to a Portland State University study, was 995 – only 55 people short of
7 the 2020 population projection. Rather than rely on a safe harbor provision that the city
8 believed would be inaccurate, the city instead applied the projected annual growth rate from
9 the coordinated population forecast and applied it to the most recent existing population
10 study. Thus, instead of a population forecast of 1255 for 2028 using the safe harbor
11 provision, the city adopted a population forecast of 1588 for 2028.

12 Although portions of the decision refer to the population forecast as a “safe harbor”
13 estimate, it is clear that the city did not follow the safe harbor provisions of OAR 660-024-
14 0030(3).⁸ Just because a population forecast is not made under the safe harbor provisions
15 does not mean that it is invalid. In fact, the city's population forecast, based on the
16 preexisting adopted growth rate being applied to the current population may well be
17 reasonable and permissible, if consistent with the requirements of OAR 660-024-0030(1).

“As a safe harbor, if a coordinated population forecast was adopted by a county within the previous 10 years but does not provide a 20-year forecast for an urban area at the time a city initiates an evaluation or amendment of the UGB, a city and county may adopt an updated forecast for the urban area consistent with this section. The updated forecast is deemed to comply with applicable goals and laws regarding population forecasts for purposes of the current UGB evaluation or amendment provided the forecast:

- “(a) Is adopted by the city and county in accordance with the notice, procedures and requirements described in section (1) of this rule; and
- “(b) Extends the current urban area forecast to a 20-year period commencing on the date determined under OAR 660-024-0040(2) by using the same growth trend for the urban area assumed in the county's current adopted forecast.”

⁸ The response brief states that “arguably” the safe harbor provisions could be read to allow the city to apply the adopted growth rate to a more recent population figure, but the brief does not develop that argument further and we therefore do not consider the argument further.

1 See n 5. When making updated forecasts, however, the city “must provide notice to all other
2 local governments in the county.” OAR 660-024-0030(1). While the city provided other
3 cities notice of the proposed UGB expansion, that notice did not state that the city was
4 adopting a revised population forecast. Record 602-04. While respondents argue that other
5 local governments should have realized that a UGB amendment would naturally also include
6 a revised population forecast, that is not sufficient to comply with the requirement that notice
7 of the revised population forecast be provided. The city did not comply with the OAR 660-
8 024-0030 revised population forecast requirements.

9 The second assignment of error is sustained.

10 **THIRD ASSIGNMENT OF ERROR**

11 Petitioners argue that the city failed to properly apply the alternative sites analysis
12 required by the Goal 14 locational factors. Goal 14 provides:

13 “The location of the urban growth boundary and changes to the boundary
14 shall be determined by evaluating alternative boundary locations consistent
15 with ORS 197.298 and with consideration of the following factors:

- 16 “(1) Efficient accommodation of identified land needs;
17 “(2) Orderly and economic provision of public facilities and services;
18 “(3) Comparative environmental, energy, economic and social
19 consequences; and
20 “(4) Compatibility of the proposed urban uses with nearby agricultural and
21 forest activities occurring on farm and forest land outside the UGB.”

22 According to petitioners, the city did not adequately consider the fourth locational
23 factor regarding the compatibility of proposed urban uses with nearby agricultural land. The
24 city’s findings state:

25 “The City recognizes that with few exceptions, Donald is located within an
26 area of significant agricultural production. Expansion of the City limits will
27 likely have similar impacts regardless which direction the City expands. It is
28 anticipated that the industrial designation will not create traffic impacts or
29 uses (as compared to residential activities) thereby somewhat mitigating
30 impacts on these adjacent farm lands.” Record 71.

1 While the findings are not particularly detailed, the Goal 14 locational factors are not
2 properly viewed as separate approval criteria. The factors must only be considered and
3 balanced in deciding where to expand a UGB.⁹ Petitioners do not argue that the city failed to
4 consider the other locational factors or that the city did not balance the locational factors in
5 adopting the challenged decision. Petitioners merely argue that the city did not adequately
6 address the compatibility of the proposed warehouse and distribution uses with nearby farm
7 uses. The locational factors, however, only require a comparison of alternative sites and
8 consideration of which of the alternatives will be more compatible with farm and forest uses.
9 The locational factors do not require that UGB expansion areas must be compatible with
10 farm and forest uses.

11 In the present case, the city explains that all properties adjacent to the city limits were
12 considered as alternative locations for the UGB amendment. Five alternative sites meeting
13 the size and transportation access demands identified by the EOA were identified.¹⁰ All of
14 the properties surrounding the alternatives have primarily class II soils, and the city
15 concluded that the impact on all the surrounding properties would be the same. Importantly,
16 petitioners do not dispute that all the alternative locations are surrounded by similar farmland
17 or that the impacts on those farmlands would essentially be the same regardless of which
18 alternative location was chosen. The locational factors merely require the city to consider

⁹ OAR 661-024-0060(3) provides:

“The boundary location factors of Goal 14 are not independent criteria. When the factors are applied to compare alternative boundary locations and to determine the UGB location, a local government must show that all the factors were considered and balanced.”

¹⁰ OAR 660-024-0060(5) allows the city to narrow the number of alternative sites based on certain characteristics:

“If a local government has specified characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need, the local government may limit its consideration to land that has the specified characteristics when it conducts the boundary location alternatives analysis and applies ORS 197.298.”

1 those factors in deciding between alternative locations. Once the city determined that
2 compatibility with nearby farm uses provided no distinction between the alternative
3 locations, the city properly relied on the other factors to choose the properties to be included
4 in the expanded UGB. The city considered the locational factors and balanced them in
5 making its decision. The fact that compatibility with nearby farm uses did not distinguish the
6 alternative locations does not mean the city violated Goal 14.

7 The third assignment of error is denied.

8 The city's decision is remanded.

EXHIBIT B

**SUPPLEMENTAL EVIDENCE AND FINDINGS
TO COUNTY ORDINANCE NO. 1270
IN RESPONSE TO LUBA DECISION
REMANDED ITEMS**

FINDINGS OF FACT and CONCLUSIONS OF LAW

FINDINGS ON REMANDED ITEMS

EVIDENCE TO SUPPORT FINDINGS ON REMANDED ITEMS

**BACKGROUND MATERIALS TO SUPPLEMENT EVIDENCE AND
FINDINGS**

EXHIBIT B

EVIDENCE AND FINDINGS MARION COUNTY COMPREHENSIVE PLAN AMENDMENT (LA 08-2) LUBA DECISION REMAND

The Board accepts, adopts and incorporates as its own findings the following: the August 11, 2009 joint hearing staff report, the testimony in support of the text amendment request and rationale given during deliberations of joint hearing on August 11, 2009, ECONorthwest's August 11, 2009 "City of Donald Employment Forecast and Site Needs," and ECONorthwest's August 11, 2009 "Response to 1000 Friends of Oregon Comments on Supplemental Economic Opportunities Analysis," and Marion County Ordinance No. 1270, and its supporting exhibits. All of the above referenced incorporated documents shall be referred to in these findings as the "Incorporated Findings." The findings below (the "supplemental findings") supplement and elaborate on the Incorporated Findings, all of which are attached and incorporated herein. When there is a conflict between the supplemental findings and the Incorporated Findings, the supplemental findings shall prevail.

BACKGROUND

1. LUBA Remand in *Friends of French Prairie v. Marion County*, (February 18, 2009, LUBA No. 2008-0186).

This proposal comes before the Marion County Board of Commissioners as a result of the Oregon Land Use Board of Appeals' ("LUBA") remand in *Friends of French Prairie v. Marion County*, (February 18, 2009, LUBA No. 2008-0186), which was an appeal of the County's approval of the City of Donald's expansion of its urban growth boundary (UGB). The issues on remand are very limited – in *Friends of French Prairie*, LUBA remanded the County's decision to correct two shortcomings:

1. First, the cities of Marion County were not provided with proper notice that the UGB amendment included the adoption of a coordinated population forecast, as required under Goal 14. This was a procedural mistake; LUBA did not rule on the merits of if the adopted forecast was reasonable if it had been adopted under the proper procedure.
2. Second, the economic opportunities analysis (EOA) did not include an estimate of job growth over the planning period to support the UGB expansion.

Pursuant to the "law of the case" standard as follows issues that may not be considered in the local government's proceedings on remand include (1) issues presented in the first appeal and rejected by LUBA and (2) issues that could have been, but were not, raised in the first appeal. *Louisiana Pacific v. Umatilla County*, 28 Or LUBA 32, 35 (1994). When a local government limits its remand proceedings to issues that were the basis for LUBA's remand, as the County has done in these proceedings, issues that were not raised in the first appeal and are not within the scope of the issues that were the basis for LUBA's remand cannot be raised in a subsequent appeal to LUBA. *O'Rourke v. Union County*, 31 Or LUBA 174, 176 n 1 (1996). Therefore, it is important to identify the issues in *Friends of French Prairie* that LUBA upheld or issues that were not appealed, and are accordingly not issues that were considered as part of this remand proceeding, including but not limited to:

1. The alternative sites analysis, including the locational factors analysis, that led to the inclusion of the 4 properties in the UGB was upheld by LUBA.
2. The EOA's conclusion that the City of Donald is well-positioned to attract a warehouse and distribution facility, and the site characteristics of that target industry.
3. The City's decision expanding its UGB.

To address the issues identified by LUBA in *Friends of French Prairie*, the County:

1. Concurs that the City provided proper notice of the proposed coordinated population forecast to all other cities in the County, and adopts an updated, coordinated population forecast. The County notes that the City adopted the same coordinated population forecast on September 8, 2009; and
 2. Considered the supplemental evidence that estimates the City's job growth rate and correlates it to a land need. As detailed below, the supplementary evidence confirms the need to expand the City's UGB to include 42.5 acres. Accordingly, the County adopts Marion County Ordinance No. 1290, readopting Marion County Ordinance No. 1270 with its supporting exhibits as supplemented by these findings, which expands the City of Donald's UGB and includes County Comprehensive Plan amendments from County "Primary Agriculture" to City Urban Comprehensive Plan land use designations of "Industrial" and "Commercial" and County "Exclusive Farm Use" zoning to County "Urban Transition/Farm" zoning.
2. Donald UGB Amendment History

In March 2008, the City of Donald conducted an EOA that identified target industries including a warehousing and distribution facility and two existing businesses in Donald that needed land for expansion. The site characteristics of these target industries were identified in the EOA. Based upon the need for industrial and commercial land identified in the EOA, the City expanded its UGB to include 42.5 acres. The Comprehensive Plan map designations for the properties included in the UGB were amended from County "Primary Agriculture" to City "Industrial" or City "Commercial." Ord. 138-08. The City's decision was not appealed, and City's UGB amendment is final.

Marion County and the City of Donald are required to coordinate and have a consistent UGB boundary for Donald. Therefore, after the City expanded its UGB, on October 1, 2008 the County evaluated and concurred with Donald's proposed UGB expansion. County Ordinance No. 1270. As part of this process, the County adopted a coordinated population forecast for the City, reviewed the EOA, and expanded the City's UGB to include 42.5 acres. Additionally, the County changed the zoning of the properties included in the UGB from the Marion County Rural Zone of Exclusive Farm Use (EFU) to Marion County Urban Zone Urban Transition Farm (UTF). The County's decision was appealed to LUBA, who remanded the County's decision based on the two limited issues identified above.

COORDINATED POPULATION FORECAST

UGB amendments must be based upon a consideration of a 20-year population forecast that is coordinated with the County. ORS 195.036. The 20 year planning period for the City's UGB, which was expanded in 2008, was 2008-2028. On June 22, 2009, all of the Marion County cities were mailed notice of the City and County's proposed adoption of a coordinated population forecast, thereby curing the procedural defect identified by LUBA.

The City's and County's most recently adopted coordinated population forecast (adopted in 1998) projected that in 2020 Donald would have 1,050 people. The adopted average annual growth rate was 2.25%. The Portland State University Population Research Center estimates that the City's population growth rate is 3.16%, and that the City's population in 2007 was 995.

The administrative rules related to population projections have a "safe harbor" methodology that allows the adopted 2020 forecast of 1,050 people to be extended to the year 2028 using the previously adopted average annual growth rate of 2.25%, which results in a 2028 population forecast of 1,255 people. OAR 660-024-0030(4)(a). Because the City's population had already reached 995 in 2007 and the recent growth rate has been significantly higher than 2.25%, the City Council found, and the Board agrees, that the safe harbor projection of 1,255 people in 2028 is unreasonably low. The City Council further found, and the Board agrees, that it is more reasonable to instead "recalibrate" the base number by forecasting the population growth based upon the actual population in 2007 of 995 people. When the 2.25% growth rate is applied to the 2007 population, the 2028 population is forecasted to be 1,588 people, an increase of 333 people over the safe harbor approach.

At the August 11, 2009 joint hearing, the Donald City Council considered Donald's population forecast to the year 2028. The City voted unanimously to adopt a 2028 population forecast of 1,588. The City Council unanimously approved the findings in support of the coordinated population forecast for Donald at the City Council's September 8, 2009 hearing. Through this action, the County concurs with the City's adoption of a 2028 population forecast of 1,588 people, and amends the County's comprehensive plan accordingly. See Exhibit A.

The 2028 population projection will likely change in the future because Marion County is currently conducting a county-wide population study that will produce year 2030 population forecasts for each of the cities and the unincorporated area of Marion County. For the time being, however, the City found, and the County concurs, that the 2028 population projection of 1,588 people to be conservative and reasonable.

None of the testimony given at the joint hearing objected to the proposed adoption of a coordinated population forecast.

URBAN GROWTH BOUNDARY AMENDMENT

As explained elsewhere in these findings, in 2008 the County reviewed and concurred with the City's adoption of an expansion of the City's UGB (and the related Comprehensive Plan and Zoning Map amendments). The County's approval of the City's UGB amendment was appealed, and LUBA remanded the County's decision on two very limited bases. The procedural error with the coordinated population forecast is addressed elsewhere in these findings. The other

issue on remand was that the EOA did not include an estimate of job growth over the planning period to support the UGB expansion.

The City of Donald retained ECONorthwest, expert economists and planners with statewide experience with economic opportunities analyses, Goal 9, Goal 14 and UGB expansions, to estimate the City's job growth rate and correlate job growth to a land need. ECONorthwest produced two reports – (1) the August 11, 2009 “City of Donald Employment Forecast and Site Needs,” and (2) the August 11, 2009 “Response to 1000 Friends of Oregon Comments on Supplemental Economic Opportunities Analysis,” collectively referred to herein as the “Supplemental EOA.” Bob Parker, an economist with ECONorthwest, presented the Supplemental EOA at the joint hearing, where the County considered the Supplemental EOA and Mr. Parker's testimony as evidence.

1. Estimate of Job Growth

OAR 660-024-0040(5) requires that there must be an estimate of job growth over the planning period that the employment land to be added to the UGB is needed to meet. The Supplemental EOA uses the safe harbor in OAR 660-024-0040(9)(a)(B) for determining employment needs by applying the projected population growth rate of 2.25% to determine job growth. When this average annual growth rate is applied to the City's estimated 296 total employees in 2007, the employment forecast for 2008 projects that in 2028, Donald's employment base will grow from 303 jobs to 473 jobs, an increase of 170 employees. None of the testimony offered objected to the estimate of job growth.

2. Amount of Land Needed to Meet Estimated Job Growth

In the Supplemental EOA, ECONorthwest calculated the amount of land that should be added to the UGB to meet an estimated increase of 170 jobs. The Supplemental EOA details the methodology, but a summary of the methodology is ECONorthwest reviewed the City's supply of employment land; quantified the amount of land needed to accommodate the forecasted 170 new jobs, and compared the land need with the land supply. When quantifying the amount of land needed to accommodate the forecasted job growth, the expert economists assumed that the future distribution and intensity of employment would be consistent with existing employment. The economists also considered the needed site characteristics for the two existing businesses that desired to expand, which were industries targeted in the EOA. Similarly, because the City does not currently have a warehousing and distribution facility, and such a use was identified as a target industry in the EOA and the City's adopted UGB decision, the land needed to accommodate this target industry was added to the identified land need, consistent with Goal 9.

Based on a comparison of employment land need and the supply of suitable employment land within the Donald UGB, the Supplemental EOA confirmed that City of Donald needed to expand its UGB to provide land for employment uses. After considering site characteristics, the Supplemental EOA concluded that the UGB should include:

- One site of about five acres, adjacent to GK Machinery, to accommodate an existing business that is planning to expand in Donald.
- One site of about seven acres adjacent to an existing propane distributor that is planning to expand in Donald.

- One approximately one and one-half acre site to provide for new commercial and retail development to provide services to Donald's growing population.
- One site for warehouse and distribution uses of about thirty acres with convenient access to I-5 and direct access to rail.

Public testimony was offered challenging the quantification of the amount of land needed to be included within the UGB. We understand the challenges to be directed at the approximately 27 acre parcel located east of Butteville Road, known as the "Feller property," which was included in the UGB to accommodate a warehousing and distribution facility. Each challenge is addressed below.

A. Need for a Warehousing and Distribution Facility

The opposition testimony discussed at length various reasons why, in their opinion, Donald should not try to attract a warehouse and distribution center, and why a need for such an industrial use has not been demonstrated. The testimony mentioned other cities along the I-5 corridor that are seeking to attract a warehouse distribution center (efforts by other cities that various opponents to these amendments have opposed), that the Northwest is not a high priority for the warehouse and distribution industry, and that in their opinion, warehousing and distribution uses could not reasonably be expected to locate in Donald. None of these challenges were made when the City expanded its UGB in 2008. During the County's consideration of the City's UGB expansion in 2008, opponents raised some generalized complaints about warehousing and distribution uses, and those were considered and rejected by the County. Specifically, the County found that "allowing for new warehousing and distribution firms provide the best economic development opportunity for the community." Exhibit B to Ordinance 1270, page 38. This finding, and the conclusion that that warehousing and distribution was an industry that could reasonably be expected to locate in the City, was not challenged at LUBA.¹ Therefore, the inclusion of warehousing and distribution as a target industry in the City's economic strategy, and the County's reliance on that strategy, is final and cannot be challenged in this limited remand proceeding. Accordingly, the County finds that all of the testimony related to the suitability of a warehousing and distribution facility for the City of Donald is irrelevant.

Although the suitability of a warehousing and distribution facility is irrelevant, in an abundance of caution, the County finds that the City's target industry is compliant with the Economic Development section of the County Comprehensive Plan's Urbanization Element. The County's Comprehensive Plan requires "each city's employment sector to complement rather than compete with each other." Opposition testimony emphasized the existing square footage of vacant warehousing and distribution facilities in the region and discussed various other jurisdictions' efforts to attract warehousing and distribution facilities (i.e., a Metro UGB

¹ In *Friends of French Prairie* LUBA explained,

"The EOA identified warehouse and distribution employment as a potential industry that could be attracted to the city. * * * We see no error in the city's identification of warehouse and distribution employment as an industry that the city is well-positioned to attract to the city, and petitioners do not challenge the EOA that reached that conclusion."

Slip op. at 6.

expansion in 2010). A professional industrial developer, Paul Nelson, offered testimony that much of the warehousing and distribution facilities that are on the market as available are functionally obsolete. Mr. Nelson also testified that warehousing and distribution facility users need a variety of different kinds of facilities, testimony that was echoed by ECONorthwest. The County is persuaded by Mr. Nelson and ECONorthwest's testimony and finds that multiple available warehousing and distribution facilities would complement one another by providing market choice, consistent with the County's Comprehensive Plan.

The speculative testimony submitted that hypothesized that in the future if a warehouse and distribution use does not materialize for the Feller property, there will be pressure to convert the site for a big box retailer or other commercial use is also irrelevant. Moreover, the conversion of land included in the UGB for a use other than the need determination that justified the UGB expansion is prohibited by Goal 14. OAR 660-024-0050(6). The County notes that the City recently adopted a new industrial zone, the Employment Industrial ("EI") zone. Unlike the City's other industrial zone, the EI zone strictly limits the allowed commercial uses. Testimony was offered at the joint hearing that the EI zone was created with the Feller property in mind, and the City's intent was to zone the Feller property EI once it was annexed into the City.

B. The Amount of Land Included in the UGB is Justified

Opposition testimony criticized the Supplemental EOA for not providing a strong enough nexus between the projected job growth (170 jobs) and the needed quantity of land (approximately 42.5 acres). A component of this challenge is a criticism the quantity of land added to the UGB results in a low employment density. ECONorthwest responded to these criticisms in its August 11, 2009 report entitled "Response to 1000 Friends of Oregon Comments on Supplemental Economic Opportunities Analysis," and employment density was also addressed in ECONorthwest's August 11, 2009 report entitled "City of Donald Employment Forecast and Site Needs," both reports are included as Incorporated Findings.

As detailed below, the Supplemental EOA analyzed the land needed for employment based upon site needs that were derived from the City's economic development strategy, which is final and cannot be challenged in this limited remand proceeding. The County finds that this methodology is consistent with Goal 9 and its administrative rules, which require, "The economic opportunities analysis must identify the number of sites by type reasonable expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses." OAR 660-009-0015(2).

- (1) The employment density that is anticipated for the Feller property, and the Donald UGB expansion, complies with the Goal 9 and 14 requirements.

The Supplemental EOA discusses the range of employment densities that can be achieved on a warehousing and distribution site, and explains that there is not a study that is accepted by professional economists about employment densities generally, or warehouse and distribution facilities specifically. In the absence of an accepted study, the expert economists surveyed recent studies in Oregon to discern a reasonable range of employment densities for warehousing and distribution facilities. The Supplemental EOA concludes that in the Portland and Eugene area, the range of employment density for warehousing and distribution sites is between three employees per acre and seven employees per acre. Depending upon what percentage of the forecasted 170 jobs locates on the Feller property, the employment density will be between four

and six jobs per acre. The County finds that the projected employment density for the warehousing and distribution site is consistent with achieved and projected employment densities for warehousing and distribution sites in the Portland area and Eugene, and is therefore reasonable. The County recognizes that the projected employment density for the UGB expansion is less than the employment density in City's existing UGB. The decrease in employment density is a byproduct of the employment densities associated with the warehousing and distribution use, the City's unchallenged target industry. The non-warehousing and distribution employment uses are assumed to continue grow at the same employment density rate as is the existing employment uses in the UGB. Moreover, the County notes that Goal 9 and its administrative rule do not identify any analytical requirements or standards related to employment density.

Opposition testimony was submitted that argued that expanding the City's UGB is not an efficient accommodation of identified land needs as required by Goal 14. The County finds that Supplemental EOA adequately addresses all Goal 9 and Goal 14 requirements. The opposition testimony does not cite specific Goal 14 efficiency requirements, but presumably they are referring to OAR 660-024-0050(4). Under that rule, if a land need is identified, "prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB." One way of accommodating a land need with land already inside the UGB is by increasing the development capacity of the land within the UGB – i.e., change its zoning.

When the County approved the City's UGB expansion in 2008, it found that "allowing for new warehousing and distribution firms provide the best economic development opportunity for the community. Exhibit B to Ordinance 1270, page 38. The County's findings related to OAR 660-024-0050 go on to identify specific site requirements for the warehousing and distribution facilities as well as the other identified industrial site needs:

"It is determined that the existing vacant or redevelopable land was inadequate in both size (the largest single, vacant parcel at 3.18 acres) and location to address the requirements of a 25 to 50-acre parcel needed for the identified targeted industry. Therefore a UGB amendment was necessary. Further it was also determined a UGB expansion was necessary to ensure adequate additional land for existing businesses, also a targeted industry." Exhibit B to Ordinance 1270, page 42.

Neither finding was challenged at LUBA. Therefore, the conclusions that estimated that the required size for a warehousing and distribution site is between 25 and 50 acres cannot be challenged in this limited remand proceeding. The City's land inventory, which was also not challenged at LUBA, revealed that the total vacant and re-developable acreage of employment land in the City's UGB was less than 11 acres, and the largest single vacant parcel was 3.18 acres. The 25 to 50 acre land need for a warehousing and distribution site, which was refined to an approximately 30 acre land need by the Supplemental EOA, could not possibly be accommodated on land available within the UGB. Therefore, the expansion of the City's UGB to accommodate the identified land need for an approximately 30 acre warehousing and distribution site complies with OAR 660-009-0015(2), OAR 660-024-0050(4) and the Goal 9 and 14 rules.

The identification of the parcels needed for business expansion, another target industry, is compliant with OAR 660-009-0015(2), OAR 660-024-0050(4) and the Goal 9 and 14 rules for similar reasons. When the County approved the City's UGB expansion in 2008, it found that:

"Regarding the existing firms seeking expansion, there is no suitable alternative to obtaining land adjacent to the existing property. In the case of Parcel 2 [the approximately 7 acre property included in the UGB], the property is adjacent to the existing propane business and will be used to provide additional storage of propane tanks. No other adjacent land is available to provide for the necessary expansion. For Parcel 3 [the approximately 5 acre property included in the UGB], the County recognizes the subject G&K Machine property as committed to industrial development. This amendment merely brings existing industrial land into the City's UGB for eventual annexation. Therefore, in both cases, the only possible option to provide for business expansion was to include land located outside the existing UGB." Exhibit B to Ordinance 1270, page 43

This finding was not challenged at LUBA, so the site characteristics and anticipated use of the property needed for the expansion of existing businesses cannot be challenged in this limited remand proceeding. Because the businesses need to expand on to adjacent property, and there is no available vacant or redevelopable property within the UGB that is adjacent to these businesses, the land need cannot be accommodated within the UGB.

- (2) The relationship between the projected employment growth and amount of land added to the UGB is reasonable.

Opposition testimony was submitted that argued that the projected job growth was not "translated" into a quantity of needed employment land. The County rejects that argument. As explained elsewhere in these findings, when quantifying the amount of land needed to accommodate the forecasted job growth, the expert economists assumed that the future distribution and intensity of employment would be consistent with existing employment. In other words, to determine the amount of land needed the economists assumed that non-warehouse and distribution future employment uses would be equivalent to the existing employment densities. However, because the City does not currently have a warehousing and distribution facility, and the conclusion that such a use was identified as a target industry is not open for review during these remand proceedings, the land needed to accommodate this target industry was added to the identified land need for other employment uses, consistent with Goal 9. The County finds this methodology and the resulting range of potential employee densities to be reasonable.

The County is also persuaded by testimony that correlated the land needed to accommodate the projected employment growth to the "worst case scenario" trip generation from the traffic impact analysis (TIA) of the Feller property. The TIA estimated vehicle trips generated, not employees, but the TIA can be used to extrapolate a reasonable estimated range of employees that may be employed at an approximately 30 acre warehouse and distribution facility. The TIA assumed that during the PM peak hour that 185 vehicle trips would exit a 30 acre site and 62 trips would enter. It is reasonable to assume that the total vehicle trips during the PM peak hour are not

made exclusively by employees – i.e., the trips represent employees (i.e., leaving work), visitors, and distribution/delivery vehicles. However, even if all of the egress PM trips were employees, the “worst case” projection of 185 employees on a 30 acre site (which is larger than the Feller property) is consistent with the projected job growth of 170 new employees.

The County finds that it is noteworthy that the administrative rule that regulates land need recognizes the inherent lack of precision in an employment land need forecast – “the 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.” OAR 660-024-0040(1). The relationship between the projected employment growth and amount of land needed in the UGB is based upon expert testimony that relies upon established information and methodologies, and satisfies OAR 660-024-0040(1).

C. Land Need Conclusion

The County finds that the evidence provided by the Supplemental EOA confirms that approximately 42.5 acres needs to be added to the City’s UGB, which is the amount of acreage the City added to its UGB in 2008 and the same amount of acreage the County considered when it concurred with the City’s UGB expansion. Therefore, the County finds that it is unnecessary to revisit any other issues related to the City’s UGB amendment and the related Comprehensive Plan and zoning map amendments. Instead, the County adopts Marion County Ordinance No. _____, readopting Marion County Ordinance No. 1270 with its supporting exhibits as supplemented by these findings, which expands the City of Donald’s UGB and includes County Comprehensive Plan amendments from County “Primary Agriculture” to City Urban Comprehensive Plan land use designations of “Industrial” and “Commercial” and County “Exclusive Farm Use” zoning to County “Urban Transition/Farm” zoning.

3. The City’s 2008 Expansion of its UGB is Final and is Not Re-Opened as Part of the Limited Proceedings on Remand

Public testimony was submitted that argued that the City’s 2008 UGB decision was not final until it was also adopted by the County. The testimony continued that because the County’s concurring amendment of the UGB expansion was remanded, the City’s UGB expansion was not final and all issues related to the City’s UGB were relevant to the consideration of the coordinated population forecast. For the reasons explained below, the County rejects these arguments and finds that the City’s 2008 UGB expansion is final.

The City and County must cooperate when amending the City’s UGB because the action affects both the City and the County. Both jurisdictions make separate, albeit consistent, final decisions about where the UGB should be and the appropriate comprehensive plan and zoning map designations for land included in the UGB. The City processed the comprehensive plan amendments that established the City’s UGB pursuant to its legislative procedure in March 2008. The City Council’s decision was not appealed to LUBA and is final. The County then undertook its review of the City’s UGB and adopted coordinating comprehensive plan amendments, which were appealed.

The requirement that the County adopt a coordinating comprehensive plan amendment goes to the effectiveness of the UGB amendment, not its finality. In other words, the City cannot urbanize the land included in its UGB (i.e., annex the land) until the County’s coordinating UGB

amendment is complete, but the City's UGB decision is final nonetheless. An analogous situation is voter approved annexation. A city's decision that a territory is eligible for annexation is a final land use decision, but it does not become effective unless voters approve the annexation.

FINDINGS ADDRESSING APPLICABLE CRITERIA

The Incorporated Findings and findings above address all of the applicable criteria in detail. Below are summary findings that address the applicable criteria in the Statewide Planning Goals and applicable administrative rules.

1. Statewide Planning Goals

Goal 1, Citizen Involvement: A public hearing was held on August 11, 2009, consistent with the County's adopted procedures regarding citizen involvement. The process is also consistent with the City/County April 2, 1986 Urban Growth Boundary and Policy Agreement.

Goal 2, Land Use Planning: The amendments are consistent with the acknowledged Comprehensive Plan and Zoning Code. As explained elsewhere in these findings and the Supplemental Findings, the amendments are entirely consistent with these acknowledged documents. Furthermore, the amendments are being coordinated with the City of Donald, and all cities in the County have been provided notice and the opportunity to comment on the proposed amendments.

Goal 3, Agricultural Lands: Goal 3 is addressed in the Supplemental Findings. Adopting a coordinated population forecast and correlating the City's estimated job growth rate and to a land need do not in and of themselves involve or affect agricultural land.

Goal 4, Forest Lands: The proposal does not involve or affect forest land.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: Goal 5 is addressed in the Supplemental Findings. Adopting a coordinated population forecast and correlating the City's estimated job growth rate and to a land need do not in and of themselves involve or affect open spaces, scenic and historic areas or natural resources.

Goal 6, Air, Water and Land Resource Quality: The proposal does not involve or affect air, water and land resource quality.

Goal 7, Natural Hazards: Development requirements within natural hazard areas are not altered or otherwise affected.

Goal 8, Recreational Needs: The amendments will not alter or diminish the City's ability to provide recreational land.

Goal 9, Economic Development: Goal 9 requires the City to provide "an adequate land supply for economic development and employment growth." The March 2008 expansion of the City's UGB, which was not appealed and is final, complied with Goal 9. By concurring with the City's UGB expansion, the County likewise complies with Goal 9 because it enables the City to provide

adequate opportunities for economic activities. Moreover, the proposed amendments' compliance with the Goal 9 administrative rules is detailed below.

Goal 10, Housing: These amendments do not impact the ability to provide needed housing for the community.

Goal 11, Public Facilities and Service: These amendments do not impact the ability to provide needed housing for the community.

Goal 12, Transportation: Goal 12 is addressed in the Supplemental Findings. Adopting a coordinated population forecast and correlating the City's estimated job growth rate and to a land need do not in and of themselves significantly affect an existing or planned transportation facility.

Goal 13, Energy Conservation: The proposal does not involve or affect energy conservation.

Goal 14, Urbanization: Goal 14 is addressed in the Supplemental Findings.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposal does not involve land within the Willamette Greenway or coastal areas, so these goals are not applicable.

2. Oregon Revised Statutes

ORS 195.036 Area Population Forecast, Coordination: Marion County and the City have collaborated and coordinated to adopt a consistent population forecast. Both jurisdictions voted unanimously to adopt the population forecast at the joint hearing on August 11, 2009, and the City adopted the population forecast ordinance at its September 8, 2009 meeting. The County is continuing to conduct a county-wide population study that will produce year 2030 population forecasts for each of the cities and the unincorporated area of Marion County. In the interim, the population forecast adopted by this amendment will be used by the City and County to maintain and update the jurisdictions' comprehensive plans.

3. Oregon Administrative Rules (OARs)

A. Urban Growth Boundary Administrative Rules – OAR Chapter 660, Division 24

OAR 660-024-0030(1): "...Cities must adopt a 20 year population forecast for the urban area consistent with the coordinated county forecast...In adopting the coordinated forecast, local governments must follow applicable procedures and requirements in ORS 197.610 to 197.650 and must provide notice to all other local governments in the county. The adopted forecast must be included in the comprehensive plan or in a document referenced by the plan."

FINDINGS: Through the remand process, the City and County have jointly adopted a coordinated population forecast for the 20 year period of 2008-2028. The coordinated population forecast has been adopted as part of the Comprehensive Plans of the City and County. Notice has been provided to all other local governments in the County, and the procedures are compliant with ORS 197.610 to 197.650, which are the procedures for post-acknowledgement plan amendments.

OAR 660-024-0030(2): “The forecast must be developed using commonly accepted practices and standards for population forecasting used by professional practitioners in the field of demography or economics, and must be based on current, reliable and objective sources and verifiable factual information, such as the most recent long-range forecast for the county published by the Oregon Office of Economic Analysis (OEA). The forecast must take into account documented long-term demographic trends as well as recent events that have a reasonable likelihood of changing historical trends. The population forecast is an estimate which, although based on the best available information and methodology, should not be held to an unreasonably high level of precision.”

FINDINGS: This criterion is satisfied because the City’s projected 2028 population of 1588 people is based upon current, reliable and objective sources of verifiable factual information, and the methodology is a commonly accepted practice. PSU’s March 2009 Population Research Center’s “Population Estimates for Oregon and Its Counties and Incorporated Cities: April 1, 1990 – July 1, 2008” estimates that on July 1, 2008 Donald had 1,025 residents and on July 1, 2007 Donald had 995 residents. PSU’s data is current, reliable and objective sources of verifiable factual information. The County’s adopted 2020 population forecast included a 2.25% growth rate. The state has determined that it is reasonable to apply an adopted growth rate to extend an out of date population projection. It is reasonable to apply the adopted growth rate to a “recalibrated” base number (the actual 2007 population of 995) rather than simply extending the 2020 forecast of 1,050 that is obviously too low because PSU’s estimate of the July 1, 2008 population was 1,025.

OAR 660-024-0040(5) provides: “The UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space of the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.”

FINDINGS: An updated coordinated population forecast has been adopted. The County’s concurrence with the City’s UGB will provide a 20-year supply of employment lands, consistent with Goals 9 and 14. As explained elsewhere in these findings, the relationship between the projected employment growth and amount of land needed in the UGB is based upon the Supplemental EOA and expert testimony that relies upon established information and methodologies, in compliance with OAR 660-024-0040(5).

OAR 660-024-0040(5) provides: “Except for a metropolitan service district described in ORS 197.015(13), the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR chapter 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.”

FINDINGS: The Supplemental EOA provides an estimate of job growth over the planning period; specifically, that the City will add 170 jobs during 2008-2028, a 2.25% growth rate. The Supplemental EOA's compliance with Goal 9 and its implementing rules are addressed elsewhere in these findings.

OAR 660-024-0040(9): "The following safe harbors may be applied by a local government to determine its employment needs for purposes of a UGB amendment under this rule, Goal 9, OAR chapter 660, division 9, Goal 14 and, if applicable, ORS 197.296.

(a) A local government may estimate that the current number of jobs in the urban area will grow during the 20-year planning period at a rate equal to either:

* * *; or

(B) The population growth rate for the urban area in the adopted 20-year coordinated population forecast specified in OAR 660-024-0030.

FINDINGS: The Supplemental EOA identifies employment needs in compliance with the safe harbor provisions because it estimates that the jobs in the Donald urban area will grow during the 20 year planning period at the growth rate that was adopted as the population growth rate for the urban area in the 20-year coordinated population forecast (2.25%).

B. Goal 9 Administrative Rules – OAR Chapter 660, Division 9

OAR 660-009-0015: Economics Opportunities Analysis

FINDINGS: The City's UGB expansion relied upon an EOA, and the UGB expansion was not appealed and is therefore final. The County relied upon the EOA when it concurred with the City's UGB expansion. The only portion of the EOA that was challenged at LUBA was the lack of an estimated job growth rate and correlation to land need. Accordingly, all of the other findings and conclusions in the EOA, including but not limited to the evaluation and conclusion that a warehouse and distribution facility is reasonably expected to locate in City of Donald (OAR 660-009-0015(1)), the identification of required site types for targeted industries (OAR 660-009-0015(2)), the inventory of industrial employment lands (OAR 660-009-0015(3)), are final and are not modified by the Supplemental EOA. However, those conclusions are supported by the additional analysis provided in the Supplemental EOA, which identifies the number of sites by broad category of site type and size reasonably expected to be needed for the 20-year planning period.

OAR 660-009-0025: Designation of Lands for Industrial and Other Employment Uses

FINDINGS: As explained elsewhere in these findings, the EOA (on which the County relied in its concurrence of the City's UGB expansion) and City's UGB expansion identified the approximate number, acreage and site characteristics of sites need to accommodate industrial and other employment uses. OAR 660-009-0025(1). Specifically, the EOA determined that two existing industrial uses needed to expand their operations on adjacent parcels, one being 4.9 acres and the other being 6.9 acres; the target industry of a warehousing and distribution center would need 25 to 50 acres, and retail and service uses would need 1.67 acres. Those conclusions are final and are not modified by the Supplemental EOA. However, those conclusions are

supported by the additional analysis provided in the Supplemental EOA, which converts the number of sites needed in each category of use into a quantified land need, and compares that land need to the previously adopted inventory of vacant and re-developable industrial and other employment lands. The analysis and conclusions in the Supplemental EOA confirms the City's March 2008 decision, and the County's concurrence, to designate 42.5 acres as employment and industrial land.

Exhibit A

**Marion County Comprehensive Plan Amendment to
Adopt a Coordinated Population Forecast**

**Table No. 22
Population– Actual and Projected Marion County and Incorporated Areas Within
Marion County**

Jurisdiction	1990¹	1997¹	2000	2020²
Marion County	230,028	267,700	284,838	359,581
Aumsville	1,650	2,820	3,003	5,010
Aurora	567	675	655	930
Detroit	331	380	262	535
Donald	316	630	612	1,050 ⁴
Gates ³	458	489	429	800
Gervais	992	1,220	2,009	2,168
Hubbard	1,881	2,205	2,483	3,105
Idanha ³	308	310	312	420
Jefferson	1,805	2,300	2,487	2,895
Mill City ³	308	310	312	420
Mt. Angel	2,778	3,020	3,121	4,365
St. Paul	322	350	354	475
Salem/Keizer	129,677	152,530	169,127	255,338
Scotts Mills	283	315	312	420
Silverton	5,635	6,675	7,414	9,965
Stayton	5,011	6,290	6,816	9,250
Sublimity	1,491	2,145	2,148	3,590
Turner	1,218	1,330	11,199	2,363
Woodburn	13,404	16,150	20,100	34,919

¹ City only

² Urban area – city and unincorporated

³ Marion County portion only

⁴ Donald's actual population in 2007 was 995, and is projected to be 1,588 in 2028.

Sources: 1990 and 2000, U.S. Census Bureau; 1997, Portland State University Center for Population Research and Census; 2020 Marion County, Oregon Office of Economic Analysis; 2020 cities, Marion County Ordinance No. 1091, Marion County Ordinance No. 1270, Marion County Ordinance No. 1290

**CITY OF DONALD and MARION COUNTY
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a Public Hearing before the Donald Planning Commission will be conducted on Tuesday, July 21, 2009 at 6:30 P.M., at the Donald City Hall, 10710 Main Street, NE, Donald, Oregon, and a Joint Public Hearing before the Donald City Council and the Marion County Board of Commissioners will be held on Tuesday, August 11, 2009 at 6:45 P. M. at the Donald City Hall, 10710 Main Street, NE, Donald, Oregon. Both hearings will consider the following:

Purpose and Scope of Hearing: The scope of the hearing is limited to responding to the issues identified in the Oregon Land Use Board of Appeals' remand in *Friends of French Prairie v. Marion County*, (February 18, 2009, LUBA No. 2008-186). Testimony and evidence will be limited to the following issues:

(1) Coordinated Population Forecast. Marion County and the City of Donald will consider amending their Comprehensive Plans to adopt a coordinated population forecast for the City of Donald. Marion County is currently conducting a countywide population study that will produce year 2030 population forecasts for each of the cities and the unincorporated area of the county (the "Countywide Forecast"). So that the City can proceed with its Urban Growth Boundary ("UGB") amendment, the City and County will coordinate a 20-year population forecast for the City's UGB amendment proposal (the "Amendment Forecast"). The Amendment Forecast will be used solely for the purposes of the Donald UGB amendment. Subsequent to the UGB amendment, the Amendment Forecast will be revised based on the findings, coordination and adoption of the Countywide Forecast.

(2) Supplemental Economic Opportunities Analysis (EOA). The City of Donald will consider a comprehensive plan amendment to its adopted EOA that provides a supplementary analysis of estimated job growth over the planning period and correlates land need to the job growth estimate.

(3) Donald Urban Growth Boundary Amendment. The City of Donald and Marion County will consider an amendment to their Comprehensive Plans by adopting plan/map amendments to the City of Donald Comprehensive Plan relating to the urban growth area of the City's Plan to include an urban growth boundary expansion of 42.5 acres (39.3 acres of property and 3.2 acres of right of way) to meet industrial and commercial employment land needs; and amendments to the comprehensive plan and zoning designations for properties added to the urban growth boundary. Amendments are expected to be from County "Primary Agriculture" comprehensive plan designation and Exclusive Farm Use zoning to City urban land use designations of "Industrial" and "Commercial," with Urban Transition/Farm zoning.

The applicable criteria include Statewide Planning Goals 1, 2, 3, 9, and 14, ORS 197.298, OAR Chapter 660, Divisions 9 and 24, Donald Comprehensive Plan, Donald Development Ordinance 3.110, Donald Urban Area Growth Management Plan, Marion County Comprehensive Plan Urbanization Element and Policies, Marion County Code 17.123.060, and Marion County Code 16.39.050.

Failure to raise an issue, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals.

A copy of all documents and evidence relied upon and the applicable criteria are available for inspection at no cost and a copy will be available at reasonable cost.

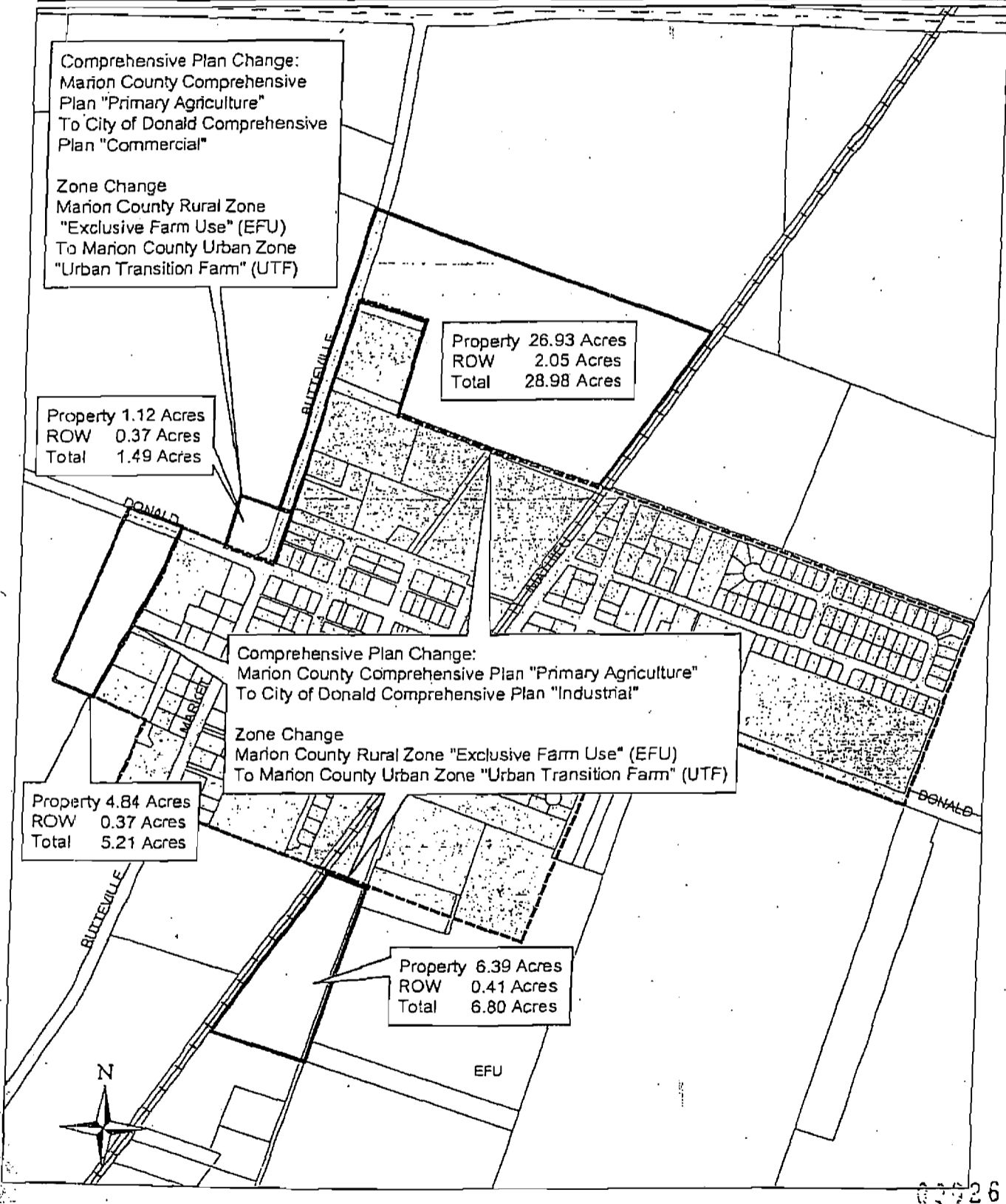
A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost.

Additional information as well as requirements for submission of testimony and the procedure for the conduct of the hearing is available from Andrew Cole, City Attorney, 503-650-1731.

Dated this 22nd day of June, 2009.

Proposed UGB Expansion - City of Donald

Marion County
Public Works



02926

**STAFF REPORT FOR JOINT DONALD CITY COUNCIL AND
MARION COUNTY BOARD OF COMMISSIONERS HEARING**

TO: Donald City Council and Marion County Board of Commissioners

FROM: John N. Morgan AICP, City Planner and Lester Sasaki, County Planner

SUBJECT: City Comprehensive Plan Amendment Case No. 09-02, County Comprehensive Plan Amendment Case No. LA 08-2 -- Response to LUBA remand in *Friends of French Prairie v. Marion County*

DATE: August 4, 2009

I. BACKGROUND

A. **APPLICANT:** City of Donald

B. **PROPOSED ACTIONS:**

City – Amend the Comprehensive Plan by 1) adopting a “Coordinated Population Forecast” and 2) adopting a supplement to the existing Goal 9 “Economic Opportunities Analysis.”

County – Amend the Marion County Comprehensive Plan by concurring in and adopting the City of Donald Comprehensive Plan amendments and re-adopt Marion County Ordinance No. 1270, and its supporting exhibits, which expands the City of Donald’s UGB.

C. **DECISION CRITERIA:**

City – Donald Comprehensive Plan, Donald Development Ordinance, Section 3.112, Statewide Planning Goals 1, 2, 9, and 14, OAR Chapter 660, Divisions 9 and 24, and the April 2, 1986 Urban Growth Boundary and Policy Agreement.

County – ORS Chapters 197, 203 and 215, Marion County Comprehensive Plan Urbanization Element and Policies, Statewide Planning Goals 1, 2, 9, and 14, OAR Chapter 660, Divisions 9 and 24, and the April 2, 1986 Urban Growth Boundary and Policy Agreement.

D. **JURISDICTION:** The Donald Comprehensive Plan is adopted by the City of Donald. However, certain portions of the Plan are jointly adopted by the City of Donald and Marion County, such as the mapping of the Urban Growth Boundary and the population projections. On the items where the City and County have jurisdiction, both local governments must adopt amendments to the Comprehensive Plan.

E. PROCESS: The City's amendments to the text of the Comprehensive Plan are legislative, and are processed as a Type IV review. The County's amendments are legislative, and the Board of County Commissioners is the final decision-maker. Hearings will be held before the Donald Planning Commission and Donald City Council. The Planning Commission has reviewed the request and has recommended that the City Council adopt the amendments. The Council makes the final decision. Because this matter comes to the City Council and the Planning Commission on a remand ordered by LUBA of Marion County's approval of the City of Donald's expansion of its Urban Growth Boundary, the City and the Marion County Board of Commissioners will jointly hear the request on August 11, 2009 and agree on the final decision. The action will ultimately be adopted by ordinance by both the City and County.

F. RECOMMENDED ACTIONS:

City

1. Coordinated Population Forecast. The Planning Commission recommends adoption of a coordinated population forecast as part of the Comprehensive Plan.
2. Supplemental Economic Opportunities Analysis. The Planning Commission recommends adoption of the supplemental EOA as part of the Comprehensive Plan.

County

1. Coordinated Population Forecast. Staff recommends concurrence in and adoption of the City of Donald recommended actions as part of the City's Comprehensive Plan amendments.
2. Donald Urban Growth Boundary Amendment. Staff recommends that the County re-adopt the Marion County Ordinance No. 1270, and its supporting exhibits, which expands the City of Donald's UGB and includes County Comprehensive Plan amendments from County "Primary Agriculture" to City Urban Comprehensive Plan land use designations of "Industrial" and "Commercial" and County "Exclusive Farm Use" zoning to County "Urban Transition/Farm" zoning.

II. CASE HISTORY

A. In March 2008, the City of Donald adopted an Economic Opportunities Analysis ("EOA") as part of its Comprehensive Plan. Because the EOA found a need for industrial and commercial land, the City expanded its UGB to include 42.5 additional acres. The Comprehensive Plan map designations for the properties included in the UGB were amended from County "Primary Agriculture" to City "Industrial" or City "Commercial." The actions were adopted as City Ord. 138-08 which is attached to this report as Exhibit C, and includes a map of the properties included in the UGB. The City's decision was not appealed, and the amendments to the Comprehensive Plan text and map are final.

B. State law and the April 2, 1986 Urban Growth Boundary and Policy Agreement between the City and Marion County require that the local governments coordinate and have consistent UGB boundaries. Therefore, after the City expanded its UGB, the County on October 1, 2008 by County Ordinance No. 1270 evaluated and concurred with Donald's proposed UGB expansion. As part of this process, the County adopted a coordinated population forecast for the City, reviewed the EOA, and expanded the City's UGB to include 42.5 acres. Additionally, the County changed the zoning of the properties included in the UGB from the Marion County Rural Zone of Exclusive Farm Use (EFU) to the Marion County Urban Zone of Urban Transition Farm (UTF). The County's decision was appealed to the Land Use Board of Appeals (LUBA) in a case called *Friends of French Prairie v. Marion County*, (February 18, 2009, LUBA No. 2008-186). The appeal was limited to the inclusion in the UGB of the 26.93 acre "Feller" property, which is located east of Butteville Road. A copy of LUBA's decision is attached to this report as Exhibit D.

C. In *Friends of French Prairie*, LUBA remanded the County's decision to correct two shortcomings:

1. First, the cities of Marion County were not provided with proper notice that the UGB amendment included the adoption of a coordinated population forecast, as required under Goal 14. This was a procedural mistake; LUBA did not rule on the merits of if the adopted forecast was reasonable if it had been adopted under the proper procedure.
2. Second, the EOA did not include an estimate of job growth over the planning period to support the UGB expansion.

D. No action by the City or County is required on any other issues, and specifically is not required to address issues that were upheld by LUBA, or not raised to LUBA in the appeal. These include the following issues which were upheld by LUBA or not appealed, and which are not issues in this remand hearing process:

1. The alternative sites analysis, including the locational factors analysis, which led to the inclusion of the 4 properties in the UGB was upheld by LUBA.
2. The EOA's conclusion that the City of Donald is well-positioned to attract a warehouse and distribution facility.
3. The City's UGB decision.

E. To address the issues identified by LUBA in *Friends of French Prairie*, the County must (1) concur that the City provided property notice to all other cities in the County that the UGB amendment includes an updated, coordinated population forecast; and (2) supplement the evidentiary basis for the County's approval of the City's UGB expansion so that the City's job growth rate is estimated and correlated to a land need. Even though the City's decision related to the UGB expansion was not appealed, the City's Comprehensive Plan must be consistent with the County's. Accordingly, the City is also adopting a coordinated population forecast (after proper notice is provided), and supplementing the City's adopted EOA so that the City's job growth rate and correlating land need is identified and is consistent with the County's findings.

F. The properties included in the UGB have not yet been annexed to the City. Annexation will occur in the future, once the County's concurrence with the City's UGB expansion is final. The properties will receive City zoning only when they are annexed into the City.

III. SUMMARY OF THE PROPOSED AMENDMENTS

City and County Amendment – Population Forecast

Notice has now been sent of the coordinated population forecast to all Marion County cities as required, thereby curing the procedural defect identified by LUBA. As detailed below, staff recommends that the Board of County Commissioners re-adopt the same forecast that was adopted in 2008. The County is involved because the City's amendment to its UGB must be based upon consideration of a 20 year population forecast that is coordinated with the County. The City and County must both adopt a population forecast as part of their Comprehensive Plans. The City's final decision to expand its Urban Growth Boundary to include 42.5 additional acres was based upon the most recent population forecast available, Marion County's 1998 Adopted Forecast for all jurisdictions in Marion County. That forecast projected that in 2020, the City of Donald would have 1,050 people based upon an adopted average annual growth rate of 2.25%. When the City of Donald began the process to expand its Urban Growth Boundary to include 42.5 additional acres, it used the adopted average annual growth rate of 2.25% and applied it to the City's population in 2007 which was then 995 people. DLCD required the City to provide a twenty-year forecast to amend the City's UGB to project the City's population in 2028. When the 2.25% adopted annual growth rate is applied to the 2007 population, the City's 2028 population

is projected to be 1,588 people. This projection has been found to be reasonable by the City, by Marion County, and DLCD. The 2028 population projection will likely change in the future because Marion County is currently conducting a county-wide population study that will produce year 2030 population forecasts for each of the cities and the unincorporated area of Marion County. For the time being, however, the City and Marion County believe the 2028 population projection of 1,588 people to be conservative and reasonable.¹

City Amendment – Supplemental Economic Opportunity Analysis

In *Friends of French Prairie*, the appellants argued that the justification to add 42.5 acres to the City's UGB did not comply with the applicable regulations. LUBA did not evaluate the amount of land that was added to the City's UGB; it merely determined that the methodology used to justify the amount of land did not comply with state law. Specifically, LUBA determined that there must be (1) an estimate of job growth over the planning period (2008-2028), and (2) that the amount of land included in the UGB correlates to that estimated job growth. Each issue is discussed below.

The attached supplemental EOA, which was prepared by the professional economists at ECONorthwest, addresses both problems. The Planning Commission recommends that the City Council adopt the supplemental EOA as part of the City's Comprehensive Plan.

A. Estimate of Job Growth

OAR 660-024-0040(5) requires that there must be an estimate of job growth over the planning period that the employment land to be added to the UGB is needed to meet. The supplemental EOA uses the safe harbor for determining employment needs by applying the projected population growth rate of 2.25% to determine job growth, as permitted by OAR 660-024-0040(9)(a)(B). When this average annual growth rate is applied to the City's estimated 296 total employees in 2007, the employment forecast for 2008 projects that in 2028, Donald's employment base will grow from 303 jobs to 473 jobs, an increase of 170 employees.

B. Amount of Land Needed to Meet Estimated Job Growth

In the supplemental EOA, ECONorthwest calculated the amount of land that should be added to the UGB to meet an estimated increase of 170 jobs. The supplemental EOA details its methodology, but basically the expert economists assumed that the future distribution and

¹ State law provides an alternate means to make a population projection called a "safe harbor" methodology. The population estimate resulting from this methodology is presumed to be correct and cannot be successfully appealed. Under the safe harbor method, the 2020 forecast of 1,050 is extended to the year 2028. Using the previous adopted average annual growth rate of 2.25%, the safe harbor forecast estimates the City's 2028 population to be 1,255 people. The City Council has the option of adopting the "safe harbor" population projection to the City Council, but Planning Commission and Staff believe this more conservative approach to be unnecessary.

intensity of employment would be consistent with existing employment. However, because the City does not currently have a warehousing and distribution facility, and such a use was identified as a target industry in the EOA, the land needed to accommodate this target industry was added to the identified land need, consistent with Goal 9. Therefore, the supplemental EOA did implicitly assume that the non-warehouse and distribution future employment uses would be equivalent to the existing employment densities.

ECONorthwest reviewed the City's supply of employment land; quantified the amount of land needed to accommodate the forecasted 170 new jobs, and compared the land need with the land supply. Based on a comparison of employment land need and the supply of suitable employment land within the Donald UGB, the supplemental EOA confirms that City of Donald needs to expand its Urban Growth Boundary to provide land for employment uses. After considering site characteristics, the supplemental EOA concludes that the UGB should include:

- One industrial site of about five acres, adjacent to GK Machinery, to accumulate an existing business that is planning to expand in Donald.
- One industrial site of about seven acres adjacent to an existing propane distributor that is planning to expand in Donald.
- One industrial site for warehouse and distribution uses of about thirty acres with convenient access to I-5 and direct access to rail.

County Amendment – Amend Donald's Urban Growth Boundary

As explained elsewhere in this report, in order for the expansion of Donald's UGB amendment to be effective, the City and County must adopt coordinated amendments to their comprehensive plans. The County's amendments related to the Donald's UGB expansion were remanded by LUBA because the Goal 9 justification for the amendment did not comply with the administrative rules and the procedural error related to notice of the population forecast. The new notice and re-adoption of the coordinated population forecast and the supplemental EOA address the issues LUBA identified on remand. Because the supplemental EOA reaches the same conclusion about the quantity and characteristics of needed land that was reached during the County's previous consideration of the City UGB amendment, staff sees no need to re-visit the UGB expansion criteria. Instead, staff recommends that the County simply re-adopt Marion County Ordinance No. 1270 and its exhibits (which are attached) with supplemental findings addressing the issues raised at the public hearing. As noted above, the LUBA challenge to the County's alternative sites analysis was rejected, so staff believes that because the quantity and characteristics of the needed land have not changed, the alternative sites analysis cannot be challenged again.

IV. ISSUES RAISED AT PLANNING COMMISSION HEARING

Public testimony was submitted at the July 21, 2009 Donald Planning Commission that opposed the supplemental Economic Opportunities Analysis and that raised a procedural matter. Each opposition issue is addressed separately below. The written submittals are attached as Exhibit E.

A. The City's decision is final.

The City and County must cooperate when amending the City's UGB because the action affects both the City and the County. Both jurisdictions make separate, albeit consistent, final decisions about where the UGB should be and the appropriate comprehensive plan and zoning map designations for land included in the UGB. The City processed the comprehensive plan amendments that established the City's UGB pursuant to its legislative procedure in March 2008. The City Council's decision was not appealed to LUBA and is final. The County then undertook its review of the City's UGB and adopted coordinating comprehensive plan amendments, which was appealed.

The requirement that the County adopt a coordinating a comprehensive plan amendment goes to the effectiveness of the UGB amendment, not its finality. In other words, the City cannot urbanize the land included in its UGB (i.e., annex the land) until the County's coordinating UGB amendment is complete, but the City's UGB decision is final nonetheless. An analogous situation is voter approved annexation. A city's decision that a territory is eligible for annexation is a final land use decision, but it does not become effective unless voters approve the annexation.

B. The amount of employment land included in the expanded UGB is justified, and is compliant with Goals 9 and 14.

The opposition testimony was targeted at the inclusion of the approximately 27 acre parcel known as the Feller property, alleging that (1) there is not a demonstrated need to urbanize the Feller property, and (2) the UGB expansion supports low job density employment, which is not consistent with Goal 14's efficiency measures.

C. The need to expand the City's UGB was determined in the adopted EOA, which is final and not subject to review in this proceeding.

The opposition testimony discussed at length various reasons why, in their opinion, Donald should not try to attract a warehouse and distribution center, and why a need for such an industrial use has not been demonstrated. The testimony mentioned other cities along the I-5 corridor that are seeking to attract a warehouse distribution center (efforts by other cities that various opponents to these amendments have opposed), that the Northwest is not a high priority for the warehouse and distribution industry, and that this industry has too low of an employment density to justify the loss of agricultural land. These same comments were submitted, considered

and rejected in 2008 when the City adopted the EOA. No challenge to the EOA's conclusion that warehousing and distribution was an industry that could reasonably be expected to locate in the City was raised at LUBA,² so the EOA's inclusion of warehousing and distribution as a target industry in the City's economic strategy is final and cannot be challenged in this proceeding. Accordingly, all of the testimony related to the suitability of a warehousing and distribution facility for the City of Donald is irrelevant.

Similarly, the testimony hypothesizing that in the future the land added to Donald's UGB will be converted to residential or commercial uses such as big-box retail or fast food is also irrelevant. Moreover, the conversion of land included in the UGB for a use other than the need determination that justified the UGB expansion is prohibited by Goal 14. OAR 660-024-0050(6).

D. The employment density that is anticipated for the Feller site complies with the Goal 9 and 14 requirements.

ECONorthwest has updated the Supplemental EOA to include a discussion about the range of employment densities that can be achieved on a warehousing and distribution site. The Supplemental EOA explains that there is not a study that is accepted by professional economists about employment densities generally, or warehouse and distribution facilities specifically. In the absence of an accepted study, the expert economists surveyed recent studies in Oregon to discern a reasonable range of employment densities for warehousing and distribution facilities. The supplemental EOA concludes that in the Portland and Eugene area, the range of employment density for warehousing and distribution sites is between three employees per acre and seven employees per acre. The anticipated employment density of the Feller site falls within this regional range of existing employment density on warehousing and distribution sites. Depending upon what percentage of the forecasted 170 jobs locates on the Feller site, the employment density will be between four and six jobs per acre.

Opposition testimony was submitted that argued that compared to the City's existing employment density of approximately eleven jobs per acre, the City's UGB expansion is not an efficient accommodation of identified land needs as required by Goal 14. First, the City is not expanding its UGB as part of these text amendments. The UGB expansion occurred in 2008 and is final, as explained above. Accordingly, the Goal 14 rules related to efficiency measures are not applicable to the City's proposed amendments and the related testimony is irrelevant.

² In *Friends of French Prairie* LUBA explained,

"The EOA identified warehouse and distribution employment as a potential industry that could be attracted to the city. * * * We see no error in the city's identification of warehouse and distribution employment as an industry that the city is well-positioned to attract to the city, and petitioners do not challenge the EOA that reached that conclusion."

Slip op. at 6.

To the extent Goal 14 is relevant to the County's proposed amendments; the supplemental EOA adequately addresses all Goal 9 and Goal 14 requirements. The opposition testimony does not cite specific Goal 14 efficiency requirements, but presumably they are referring to OAR 660-024-0050(4). Under that rule, if a land need is identified, "prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB." One way of accommodating a land need with land already inside the UGB is by increasing the development capacity of the land within the UGB – i.e., change its zoning. The adopted EOA estimated that the required size for a warehousing and distribution site is between 25 and 50 acres. The adopted EOA's land inventory revealed that the total vacant and re-developable acreage of employment land in the City's UGB was 10.64 acres. The 25 to 50 acre land need for a warehousing and distribution site, which was refined to an approximately 30 acre land need by the supplemental EOA, could not possibly be accommodated on land available within the UGB. Therefore, the amendments comply with OAR 660-024-0050(4) and the Goal 14 rules.

V. CRITERIA AND FINDINGS

A. Donald Comprehensive Plan

The Donald Comprehensive Plan includes commercial, industrial and urban growth goals and policies. In 2005, the City amended the Comprehensive Plan text by adding new language to the Industrial Land Use Policy to ensure that an adequate supply of land for existing and potential industrial users is available. The March 2008 expansion of the City's UGB complied with the Comprehensive Plan's commercial and industrial policies because the land added to the City's UGB would accommodate the City's future employment needs. However, the County cannot concur with the City's UGB amendment until the issues identified by LUBA in *Friends of French Prairie* are resolved. The amendments address the issues identified by LUBA, and are therefore necessary to have the City's UGB decision implemented. The following Findings address the issues raised in the *Friends of French Prairie* appeal.

B. Donald Development Ordinance Approval Criteria

Section 3.112 establishes procedures and criteria for all text amendments to the Comprehensive Plan. The specific decision criteria are contained in Section 3.112.03 and are reviewed in the following sections.

Section 3.112.03.A., requires the City to address the impact of the proposed amendment on land use and development patterns within the city, as measured by:

Section 3.112.03.A.1. - Traffic generation and circulation patterns.

FINDING: The proposed Comprehensive Plan text amendments, the adoption of a coordinated population forecast and supplement to the EOA, recognize the existing pattern of population and job growth. The amendments do not in and of themselves affect traffic generation or circulation patterns. Traffic generation and circulation patterns were evaluated as part of the City's March 2008 expansion of its UGB, which was not appealed and is final. Additionally, traffic generation and circulation patterns will be re-evaluated as property is annexed into the City and assigned City zoning.

Section 3.112.03.A.2. - Demand for public facilities and services.

FINDING: The proposed Comprehensive Plan text amendments, the adoption of a coordinated population forecast and supplement to the EOA, recognize the existing pattern of population and job growth. The amendments do not in and of themselves affect the demand for public facilities and services. The demand for public facilities and services were evaluated as part of the City's March 2008 expansion of its UGB, which was not appealed and is final. Additionally, the adequacy of public facilities and services will be re-evaluated as property is annexed into the City and assigned City zoning.

Section 3.112.03.A.3. - Level of park and recreation facilities.

FINDING: The proposed Comprehensive Plan text amendments, the adoption of a coordinated population forecast and supplement to the EOA, recognize the existing pattern of population and job growth. The amendments do not in and of themselves affect the demand for park and recreation services. The demand for park and recreation services was evaluated as part of the City's March 2008 expansion of its UGB, which was not appealed and is final.

Section 3.112.03.A.4. - Economic activities.

FINDING: The proposed Comprehensive Plan text amendments, the adoption of a coordinated population forecast and supplement to the EOA, recognize the existing pattern of population and job growth. The amendments do not in and of themselves generate economic activity. The supplemental EOA provides additional detail to the adopted EOA by quantifying the forecasted job growth rate and quantifying the attendant land need. The City's March 2008 expansion of its UGB, which was not appealed and is final, ensures that economic development opportunities can be accommodated because adequate land has been provided for the employment land needs.

Section 3.112.03.A. - Protection and use of natural resources.

FINDING: The proposed Comprehensive Plan text amendments, the adoption of a

coordinated population forecast and supplement to the EOA, recognize the existing pattern of population and job growth. The amendments do not in and of themselves affect natural resources. The potential impact on natural resources was evaluated as part of the City's March 2008 expansion of its UGB, which was not appealed and is final.

Section 3.112.03.A.6. - Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.

FINDING: The proposed Comprehensive Plan text amendments, the adoption of a coordinated population forecast and supplement to the EOA, recognize the existing pattern of population and job growth. The amendments do not in and of themselves affect the demand for public facilities. The demand for public facilities was evaluated as part of the City's March 2008 expansion of its UGB, which was not appealed and is final. Additionally, the adequacy of public facilities will be re-evaluated as property is annexed into the City and assigned City zoning.

Section 3.112.03.B., requires the City to demonstrate a need exists for the product of the proposed amendment.

FINDING: The City's March 2008 expansion of its UGB, which was not appealed and is final, identified that additional land needed to be added to the City's UGB to accommodate the City's future employment needs. The County is not able to concur with the City's UGB amendment until the issues identified by LUBA in Friends of French Prairie are resolved. The LUBA case creates the need for the proposed amendments.

Section 3.112.03.C., requires the amendment to comply with all applicable Statewide Planning Goals and administrative rule requirements.

FINDING: Compliance with the Statewide Goals is addressed in the next section.

Section 3.112.03.D., requires the amendment to be appropriate as measured by at least one of the following criteria:

- (1) It corrects identified error(s) in the provisions of the plan.
- (2) It represents a logical implementation of the plan.
- (3) It is mandated by changes in federal, state, or local law.
- (4) It is otherwise deemed by the council to be desirable, appropriate, and proper.

FINDING: It is the City's desire to provide local employment opportunities for the community as well as increase the local tax base. This can be accomplished through the development of additional industrial land. Therefore, the amendments to the Comprehensive Plan are desirable, appropriate, and proper. Additionally, the

amendments are mandated by law because the County is not able to concur with the City's UGB amendment until the issues identified by LUBA in Friends of French Prairie are resolved.

C. Marion County Comprehensive Plan and Code

FINDING: The staff report incorporates by reference the findings in Marion County Ord. 1270.

D. Statewide Planning Goals

Goal 1, Citizen Involvement: Public hearings on the proposed amendments will be held before both the Donald Planning Commission in July 2009 and the Donald City Council in August 2009. This is consistent with City adopted procedures regarding citizen involvement. The process is also consistent with the City/County April 2, 1986 Urban Growth Boundary and Policy Agreement.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Ordinance. As will be shown elsewhere in this report, the proposal is entirely consistent with these acknowledged documents. Furthermore, the amendments are being coordinated with Marion County, and all cities in the County have been provided notice and the opportunity to comment on the proposed amendments.

Goal 3, Agricultural Lands: The proposal does not involve or affect farm land.

Goal 4, Forest Lands: The proposal does not involve or affect forest land.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The proposal does not involve or affect open spaces, scenic and historic areas or natural resources.

Goal 6, Air, Water and Land Resource Quality: The proposal does not involve or affect air, water and land resource quality.

Goal 7, Natural Hazards: Development requirements within natural hazard areas are not altered or otherwise affected.

Goal 8, Recreational Needs: The amendment will not alter or diminish the City's ability to provide recreational land. To the contrary, additional tax revenue from industrial development will likely permit the City to provide more such opportunities.

Goal 9, Economic Development: The March 2008 expansion of its UGB, which was not

appealed and is final, complied with Goal 9's objective of providing adequate opportunities for economic activities. The County is not able to concur with the City's UGB amendment until the issues identified by LUBA in *Friends of French Prairie* are resolved. The proposed amendments address the issues identified by LUBA, and are therefore necessary to have the City's UGB decision implemented. Accordingly, the proposed amendments are consistent with Goal 9. Moreover, the proposed amendments' compliance with the Goal 9 administrative rules is detailed below.

Goal 10, Housing: These amendments do not impact the ability to provide needed housing for the community.

Goal 11, Public Facilities and Service: These amendments do not impact the ability to provide needed housing for the community.

Goal 12, Transportation: The amendments do not significantly affect an existing or planned transportation facility, so to the extent this Goal is applicable, it is satisfied.

Goal 13, Energy Conservation: The proposal does not involve or affect energy conservation.

Goal 14, Urbanization: The City's March 2008 expansion of its UGB, which was not appealed and is final, complied with Goal 9's objective of providing adequate opportunities for economic activities. The County is not able to concur with the City's UGB amendment until the issues identified by LUBA in *Friends of French Prairie* are resolved. The proposed amendments address the issues identified by LUBA, and are therefore necessary to have the City's UGB decision implemented. Accordingly, the proposed amendments are consistent with Goal 9. Moreover, the proposed amendments' compliance with the OAR Chapter 660, Division 24 rules is detailed below.

To address the County's amendments, the staff report incorporates by reference the findings in Marion County Ord. 1270.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposal does not involve land within the Willamette Greenway or coastal areas, so these goals are not applicable.

E. Oregon Administrative Rules (OARs)

1. Urban Growth Boundary Administrative Rules – OAR Chapter 660, Division 24

The staff report incorporates by reference the findings in Marion County Ord. 1270 to address the County's amendments, and the findings are supplemented below.

OAR 660-024-0030(1): "...Cities must adopt a 20 year population forecast for the urban area consistent with the coordinated county forecast...In adopting the coordinated forecast, local governments must follow applicable procedures and requirements in ORS 197.610 to 197.650 and must provide notice to all other local governments in the county. The adopted forecast must be included in the comprehensive plan or in a document referenced by the plan."

***FINDING:** Through the remand process, the City and County are jointly considering a coordinated population forecast for the 20 year period of 2008-2028. The coordinated population forecast will be adopted as part of the Comprehensive Plans of the City and County. Notice has been provided to all other local governments in the County, and the procedures are compliant with ORS 197.610 to 197.650, which are the procedures for post-acknowledgement plan amendments.*

OAR 660-024-0030(2): "The forecast must be developed using commonly accepted practices and standards for population forecasting used by professional practitioners in the field of demography or economics, and must be based on current, reliable and objective sources and verifiable factual information, such as the most recent long-range forecast for the county published by the Oregon Office of Economic Analysis (OEA). The forecast must take into account documented long-term demographic trends as well as recent events that have a reasonable likelihood of changing historical trends. The population forecast is an estimate which, although based on the best available information and methodology, should not be held to an unreasonably high level of precision."

***FINDING:** This criterion is satisfied because the City's projected 2028 population of 1588 people is based upon current, reliable and objective sources of verifiable factual information, and the methodology is a commonly accepted practice. PSU's March 2009 Population Research Center's "Population Estimates for Oregon and Its Counties and Incorporated Cities: April 1, 1990 – July 1, 2008" estimates that on July 1, 2008 Donald had 1,025 residents and on July 1, 2007 Donald had 995 residents. PSU's data is current, reliable and objective sources of verifiable factual information. The County's adopted 2020 population forecast included a 2.25% growth rate. The state has determined that it is reasonable to apply an adopted growth rate to extend an out of date population projection. It is reasonable to apply the adopted growth rate to a "recalibrated" base number (the actual 2007 population of 995) rather than simply extending the 2020 forecast of 1,050 that is obviously too low because PSU's estimate of the July 1, 2008 population was 1,025.*

OAR 660-024-0040(5) provides: "Except for a metropolitan service district described in ORS 197.015(13), the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR chapter 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an estimate of job growth over the

planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.”

FINDING: The supplemental EOA provides an estimate of job growth over the planning period; specifically, that the City will add 170 jobs during 2008-2028, a 2.25% growth rate. The supplemental EOA’s compliance with Goal 9 and its implementing rules are addressed elsewhere in these findings.

OAR 660-024-0040(9): “The following safe harbors may be applied by a local government to determine its employment needs for purposes of a UGB amendment under this rule, Goal 9, OAR chapter 660, division 9, Goal 14 and, if applicable, ORS 197.296.

(a) A local government may estimate that the current number of jobs in the urban area will grow during the 20-year planning period at a rate equal to either:

* * *; or

(B) The population growth rate for the urban area in the adopted 20-year coordinated population forecast specified in OAR 660-024-0030.

FINDING: The supplemental EOA identifies employment needs in compliance with the safe harbor provisions because it estimates that the jobs in the Donald urban area will grow during the 20 year planning period at the growth rate that was adopted as the population growth rate for the urban area in the 20-year coordinated population forecast (2.25%)

2. Goal 9 Administrative Rules – OAR Chapter 660, Division 9

The staff report incorporates by reference the findings in Marion County Ord. 1270 to address the County’s amendments, and the findings are supplemented below.

OAR 660-009-0015: Economics Opportunities Analysis

FINDING: The City adopted an EOA in 2008, and that EOA was not appealed and is therefore final. All of the findings and conclusions in the EOA, including but not limited to the evaluation and conclusion that a warehouse and distribution facility is reasonably expected to locate in City of Donald (OAR 660-009-0015(1)), the identification of required site types for targeted industries (OAR 660-009-0015(2)), the inventory of industrial employment lands (OAR 660-009-0015(3)), are final and are not modified by the supplemental EOA. However, those conclusions are supported by the additional analysis provided in the supplemental EOA, which identifies the number of sites by broad

category of site type and size reasonably expected to be needed for the 20-year planning period.

OAR 660-009-0025: Designation of Lands for Industrial and Other Employment Uses

***FINDING:** The City's March 2008 EOA and UGB expansion, which was not appealed and is final, identified the approximate number, acreage and site characteristics of sites need to accommodate industrial and other employment uses. OAR 660-009-0025(1). Specifically, the City's March, 2008 EDA determined that two existing industrial uses needed to expand their operations on adjacent parcels, one being 4.9 acres and the other being 6.9 acres; the target industry of a warehousing and distribution center would need 25 to 50 acres, and retail and service uses would need 1.67 acres. Those conclusions are final and are not modified by the supplemental EOA. However, those conclusions are supported by the additional analysis provided in the supplemental EOA, which converts the number of sites needed in each category of use into a quantified land need, and compares that land need to the previously adopted inventory of vacant and re-developable industrial and other employment lands. The analysis and conclusions in the supplemental EOA confirms the City's March 2008 decision to designate 42.5 acres as employment and industrial land.*

F. April 2, 1986 Urban Growth Boundary and Policy Agreement

***FINDING:** The City of Donald and Marion County maintain an intergovernmental agreement (the "UGBPA") that is a procedural document specifying requirements for the establishment of UGB's, UGB amendment procedures, urbanization policies for lands outside the city limits but within the UGB, review and notice procedures for development proposals and plan/code amendments, and the establishment of areas of mutual planning concern existing outside of the UGB. The only sections of the UGBPA that are applicable to the proposed adoption of the population forecast and supplemental EOA are procedural, and have been met.*

VI. CONCLUSION AND RECOMMENDATION

The Donald Planning Commission has determined that the City's proposed amendments comply with the applicable decision criteria and recommends that the City Council approve the proposed amendments to the Donald Comprehensive Plan text contained in the attached Exhibit "A," which include a coordinated population forecast and supplement to the Economic Opportunities Analysis. City Staff concurs with the Planning Commission's recommendation.

County Staff finds that the City of Donald's and the County's proposed amendments comply with the applicable decision criteria and recommends the Board of Commissioners approve the proposed amendments to the Marion County Comprehensive Plan text contained in the attached Exhibits "A" and "B," which include a coordinated population forecast and supplement to the City's Economic Opportunities Analysis, and amendment to Donald's UGB, including amendments to the included properties' Comprehensive Plan map and Zoning map designations.

VII. ACTION

A. The Donald City Council may either:

1. Approve the proposed amendments, adopting the findings contained in the staff report;
2. Approve the proposed amendments, adopting modified findings and/or conclusions; or
3. Deny the proposed amendments specifying reasons where the proposal fails to comply with the applicable decision criteria.

B. The Marion County Board of County Commissioners may either:

1. Approve the proposed amendments, adopting the findings contained in the staff report;
2. Approve the proposed amendments, adopting modified findings and/or conclusions; or
3. Deny the proposed amendments specifying reasons where the proposal fails to comply with the applicable decision criteria.

C. Based upon the decision of the City Council and the decision of the County Board of Commissioners, City and County Staff will prepare separate orders or ordinances for the

signature of the respective jurisdictions' governing body.

EXHIBITS:

- Amendments to City comprehensive plan
- County Ord. 1270 (without exhibits)
- City Ord. 138-08 (without exhibits)
- LUBA Decision
- Written testimony submitted at 7.21/09 PC hearing

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August 11, 2009

TO: City of Donald
FROM: Beth Goodman and Bob Parker
SUBJECT: CITY OF DONALD EMPLOYMENT FORECAST AND SITE NEEDS

In 2008, the City of Donald expanded its urban growth boundary (UGB) based on technical work that included an economic opportunities analysis (EOA), a population forecast, and a UGB expansion alternatives analysis; collectively, referred to in this report as the *Urban Growth Boundary Amendment* document. The EOA concluded that the City needed to expand its UGB to provide land for expansion of existing businesses and to accommodate a new warehousing and distribution facility.

The City's UGB expansion was not appealed and is final. However, Marion County relied upon the EOA to approve Donald's UGB expansion. The Friends of French Prairie and the Marion County Farm Bureau challenged only the County's decision on the basis that the amount of land added to the UGB was not justified. The City's conclusions in its UGB amendment and the EOA related to the City's targeted industry of a warehousing and distribution facility were not challenged at LUBA and are final. The Land Use Board of Appeals (LUBA) remanded the case to the County because the City's EOA failed to estimate job growth over the planning period and to make a connection between expected job growth and need for industrial and other employment land. LUBA's remand was also based on the failure to provide adequate notice of the adopted population forecast.

This memorandum provides analysis that responds to the assignments of error sustained in LUBA's remand: (1) an employment forecast (using the safe harbor of having the job growth rate linked to the coordinated population projection); and (2) a determination of how much additional employment land is needed to meet the estimated employment forecast. The analysis in this memorandum is intended to serve as an appendix to the EOA, providing technical analysis in support of the employment land needs analysis. This memorandum does not reopen the uncontested conclusions in the EOA. The memorandum includes the following sections:

- **Employment land supply**
- **Employment forecast**
- **Employment land needs**
- **Findings**

1 EMPLOYMENT LAND SUPPLY

The City's EOA provides an inventory of vacant and redevelopable employment land, on pages 5 and 6 of the *Urban Growth Boundary Amendment* document. The City used the safe harbor methods from OAR 660-024-0050(3) for identifying vacant land. Table 1 shows that Donald had 1.4 acres of redevelopable and vacant commercial land and 9.1 acres of redevelopable and vacant industrial land in 2008.

Table 1. Redevelopable and vacant employment land, Donald UGB, 2008

Zone	Redevelop- able Vacant		Total	Percent
Commercial	1.00	0.43	1.43	14%
Industrial	6.38	2.74	9.12	86%
Total	7.38	3.17	10.55	100%

Source: City of Donald Urban Growth Boundary Amendment document, Table 3-2, page 6.

Table 2 shows a summary of the size of redevelopable and vacant employment sites in Donald by site size based on data from Appendix A in the *Urban Growth Boundary Amendment* document. Donald had 10 commercial sites, all smaller than one acre, and seven industrial sites, all smaller than five acres.

Table 2. Redevelopable and vacant employment land by site size, Donald UGB, 2008

	Site Size (acres)					Total
	Less than 1	1 to 2	2 to 5	5 to 20	Greater than 20	
Commercial						
Sites	10	0	0	0	0	10
Land (acres)	1.43	0.00	0.00	0.00	0.00	1.43
Industrial						
Sites	3	2	2	0	0	7
Land (acres)	0.43	2.14	6.64	0.00	0.00	9.21

Source: City of Donald Urban Growth Boundary Amendment document, Appendix A, pages 78 and 79.

Note: The number of industrial acres in Table 1 and Table 2 vary by about 0.1 acres, due to small differences between Table 3-2 and Appendix A in the City of Donald Urban Growth Boundary Amendment document.

The City's EOA also provides an inventory of *developed* employment land, in Appendix A in the *Urban Growth Boundary Amendment* document. Table 3 shows that the number of developed sites and average site size for employment land in the UGB in 2008. Donald had 25 commercial sites that were less than one acre in size and one approximately two acre commercial site. Donald had 12 industrial sites smaller than two acres and two industrial sites between 2 to 20 acres in size.

Table 3. Average site size of developed employment land by site size, Donald UGB, 2008

	Site Size (acres)				
	Less than 1	1 to 2	2 to 5	5 to 20	Greater than 20
Commercial					
Number of sites	25	na	1	na	na
Average site size	0.20	na	2.19	na	na
Industrial					
Number of sites	7	5	1	1	na
Average site size	0.41	1.46	3.00	6.26	na

Source: City of Donald Urban Growth Boundary Amendment document, Appendix A, pages 78 and 79.

2 EMPLOYMENT FORECAST

In *Friends of French Prairie v. Marion County*, (LUBA 2008-186), LUBA concluded that Donald had not identified the amount of employment growth expected in Donald and did not show the connection between employment growth and land needed for industrial and other employment needs. LUBA also acknowledged that land can be added to the UGB to attract a particular type of employer, so long as the land needed is not "totally divorced from the population projection and job growth estimates required by OAR 660-024-0040(1) and (5)."¹

OAR 660-024-0040(5) states that "employment land need may be based on an estimate of job growth over the planning period." OAR 660-009-0015(2) requires cities to identify "the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses." The number of needed sites is dependent on the site requirements of targeted employers and the amount of employment growth forecasted. The estimate of land need is presented in the site needs analysis in the next section. The remainder section presents a projection of future employment levels in Donald for the purpose of estimating demand for commercial and industrial land.

Demand for commercial and industrial land will be driven by the expansion and relocation of existing businesses and new businesses locating in Donald. The level of this business expansion activity is related to projected employment growth in Donald and to the City's policies towards accommodating projected employment growth and attracting targeted industries.

The projection of employment has two major steps:

¹ In *Friends of French Prairie*, page 6 (LUBA 2008-186), LUBA explains that "While OAR 660-024-0040 could be clearer, we do not believe a decision to add land to the UGB to attract a particular type of employer can be totally divorced from the population projections and job growth estimates required by OAR 660-024-0040(1) and (5)."

1. **Establish base employment for the projection.** The projection is based on an estimate of covered employment in Donald in 2007. Covered employment does not include all workers, so we adjust covered employment to reflect total employment in Donald.
2. **Project total employment.** The projection of total employment is calculated using the safe harbor method described in OAR 660-024-0040(9)(a)(B).² This "safe harbor" allows the employment forecast to be based on "the population growth rate for the urban area in the adopted 20-year coordinated population forecast specified in OAR 660-024-0030."

2.1 EMPLOYMENT BASE FOR PROJECTION

A base year employment estimate is required for any forecast. Table 4 shows an estimate of *covered* and *total* employment in the Donald by sector in 2007. Covered employment refers to jobs covered by unemployment insurance, which includes most wage and salary jobs but does not include sole proprietors, seasonal farm workers, and other classes of employees. Total employment includes all workers and is only available at the County-level.

Donald had about 243 *covered* employees within the urban growth boundary (UGB) in 2007, based on data from the Quarterly Census of Employment and Workforce (QCEW) data. Industrial sectors accounted for nearly 90% of employment in Donald. Construction jobs accounted for about three-quarters of industrial employment in Donald in 2007.

Data about total employment is available at the county-level but not the city-level. Analysis of employment data shows that *covered* employment reported by the Oregon Employment Department for Marion County accounts for about 82% of *total* employment reported by the U.S. Department of Commerce. We used this ratio to

² Amendments to the UGB regulations (OAR 660 Division 24) that became effective on April 16, 2009 renumbered the relevant safe harbor provision; no substantive amendments were made. The citation is now OAR 660-024-0040(9)(a)(B), and was previously OAR 660-024-0040(8)(a)(B). In relevant part the rule provides (emphasis added):

"(9) The following safe harbors may be applied by a local government to determine its employment needs for purposes of a UGB amendment under this rule, Goal 9, OAR chapter 660, division 9, Goal 14 and, if applicable, ORS 197.296.

(a) A local government may estimate that the current number of jobs in the urban area will grow during the 20-year planning period at a rate equal to either:

(A) The county or regional job growth rate provided in the most recent forecast published by the Oregon Employment Department; or

(B) The population growth rate for the urban area in the adopted 20-year coordinated population forecast specified in OAR 660-024-0030."

convert covered employment to total employment in Donald and estimate that Donald had 296 total employees in 2007.

Table 4. Estimated covered and estimated total employment, Donald UGB, 2007

	Covered Employment		Percent of Employment	Estimated Total Employment
	Establishments	Employees		
Industrial	12	216	89%	263
Commercial and Government	12	27	11%	33
Total	24	243	100%	296

Source: Oregon Employment Department, Quarterly Census of Employment and Workforce (QCEW)
 Note: Estimated total employment = Covered Employees / 0.82 (82%). For example, 243/296=0.82

2.2 EMPLOYMENT PROJECTION

Forecasting employment growth in Donald requires a base year employment estimate (the employment base) and an estimate of the rate of employment growth. The employment forecast for Donald uses the following assumptions about Donald employment base and growth rate:

- **Employment base.** In 2007, Donald had an estimated 296 *total* employees (see Table 4).
- **Growth rate.** Table 5 provides an employment forecast for Donald based on the safe harbor method that allows the City to assume that employment will grow at the same rate as population. Given Donald's access to Interstate 5 and its location between the Portland and Salem growth centers, this is a conservative projection. The safe harbor method for forecasting employment growth in OAR 660-024-0040 (9) (a) (B) allows the City to determine employment land needs based on "The population growth rate for the urban area in the adopted 20-year coordinated population forecast..." Donald's adopted coordinated population forecast assumes that the City will grow at an average annual rate of 2.25%. PSU has forecasted Donald's population growth rate to be 3.16%, so relying on the adopted coordinated population forecast is a conservative approach. Using this safe harbor addresses the City's policy to provide employment opportunities for existing and future residents of the City.³

³ The Industrial Land Use Policy in the City's Comprehensive Plan provides:

"Recognizing the importance of job creating and improvement of the local tax base, it is the policy of the City to ensure there is an adequate supply of land for existing and potential industrial users. This policy fully recognizes the City must not only meet current demand for such lands but support necessary amendments to the Urban Growth Boundary to continually provide new development opportunities."

Table 5 shows Donald's employment forecast for 2008 to 2028 based on these assumptions. Table 5 shows that Donald's employment base will grow from 303 jobs⁴ in 2008 to 473 jobs in 2028, an increase of 170 employees at an annual rate of 2.25%.

Table 5. Employment growth in Donald UGB, 2007–2028

	City's Adopted Population Forecast (2.25%) OAR 660-024- 0040(8)(a)(ii)
2007	296
2008	303
2028	473
Change 2008 to 2028	
Number	170
Percent	56%
AAGR	2.25%
Population to Employment Ratio	
2008	3.36
2028	3.36

Source: ECONorthwest

3 EMPLOYMENT LAND NEEDS

LUBA's remand was based in part on the need for the EOA to determine how much additional employment land is needed to meet the estimated job growth. OAR 660-009-0015(2) requires the EOA to identify the number of sites, by type, reasonably expected to be needed for the 20-year planning period. Types of needed sites are based on the site characteristics typical of expected uses. The Goal 9 rule provides flexibility in how jurisdictions conduct and organize this analysis. For example, site types can be described by plan designation (i.e., heavy or light industrial) by general size categories that are defined locally (i.e., small, medium, or large sites), or it can be industry or use-based (i.e., manufacturing sites or distribution sites), which relies on site characteristics that are typical of expected and targeted uses.⁵

Firms wanting to expand or locate in Donald will be looking for a variety of site and building characteristics, depending on the industry and specific circumstances. The

⁴ The employment base estimates that in 2007 Donald had 296 total employees. The 20 year planning period for the UGB analysis is from 2008 to 2028. When the 2.25% growth rate is applied, we estimate that in 2008 Donald had 303 total jobs.

⁵ OAR 660-009-0025(1) states: "The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location."

EOA identifies general site requirements and site requirements for targeted industries. *Urban Growth Boundary Amendment*, 21-22. Previous research conducted by ECO has found that while there are always specific criteria that are industry-dependent, many firms share at least a few common site criteria. In general, all firms need sites that are relatively flat, free of natural or regulatory constraints on development, with good transportation access and adequate public services. The exact amount, quality, and relative importance of these factors vary among different types of firms.

This section discusses the site requirements for firms in industries identified as target industries on page 20 of the City of Donald *Urban Growth Boundary Amendment*. These industries are:

- **A warehousing and distribution center** that allows storage and distribution of materials, as well as repackaging raw materials or components. The City identified a warehouse and distribution center as an appropriate target industry because of the City's proximity to I-5 and the railroad. The EOA estimated that the required site size is 25 to 50 acres.

The site needs of warehousing and distribution centers typically include: relatively flat land (< 5% slope), direct access to an arterial road and easy access to an interstate highway, access to urban services (e.g., water, sanitary sewer, and electricity), and compatible adjacent uses (e.g., other industrial uses or agricultural uses). Some warehousing and distribution facilities may prefer access to rail, especially if they need to ship bulky items that can travel relatively slowly. Warehousing and distribution centers typically locate near to but outside of dense population centers, which reduces travel time for distribution.

- **Expansion of existing firms** located in Donald. The City identified two industrial firms that want to expand their site. One firm needs a 4.9 acre site expansion and the other needs a 6.9 acre expansion.
- **Retail and services** for Donald's growing population, including retail stores and professional services, such as medical offices, attorneys, accountants, and real estate agents. The City wants to provide some goods and services locally but does not expect to supplant the need for regional commercial centers. The EOA identified need for additional commercial land on a site located adjacent to Donald's downtown, preferably with City services

3.1 LONG-TERM LAND AND SITE NEEDS

Table 3 discusses Donald's forecast for employment. The analysis of long-term site needs in Donald builds off of the employment forecast for Donald. Consistent with the requirements of OAR 660-009-0015(2), the site needs analysis presented in this section identifies the number of sites by broad category of site type and size reasonably expected to be needed for the 20-year planning period.

Employment growth in Donald is expected in industrial and commercial land uses. There are a wide variety of firms within each of these categories, and the required site and building characteristics for these firms range widely. As such, a variety of parcel sizes, building types, and land use designations in Donald are required to accommodate expected growth, including the specific site requirements for targeted industries (warehousing/distribution and expansion of existing firms).

Table 6 shows site needs by site size in Donald for the 2008 to 2028 period. Table 7 shows Donald's site needs and estimates employment land need for the 20-year period. The analysis of site needs in Donald in these tables is based on the following assumptions:

- Donald will have growth of about 170 employees over the 20-year period.
- Consistent with the City's economic development strategy in the EOA, the estimate of needed sites includes a larger site for warehouse and distribution. Donald does not currently have employment sites larger than 6.5 acres. The EOA identifies site needs for warehouse and distribution center as requiring a site between 25 and 50 acres in size.
- Consistent with the City's economic development strategy in the EOA, the estimate of needed sites includes two sites for expansion of existing firms: one site that is two to five acres in size and one site one site that is five to ten acres in size.
- Consistent with the City's economic development strategy in the EOA, the estimate of needed sites includes one site for commercial uses between one and two acres in size.
- The site needs analysis assumes that the future distribution of employment sites will be similar to the existing distribution of employment sites (Table 3). The exceptions to this assumption are for the two sites for expansion of existing firms and the one site for a warehouse and distribution facility. Table 3 shows that Donald had 37 developed employment sites smaller than two acres and three developed employment sites between two and 20 acres.
- The majority of Donald's vacant and redevelopable sites are smaller than one acre. In 2008 Donald had eight vacant and redevelopable sites between 1 acre

and 6.26 acres.⁶ Table 2 shows that Donald's supply of vacant and redevelopable land does not include any sites larger than five acres. Based on the City's target industries, Donald's future land needs include small sites (less than two acres), two sites between two and ten acres, and one site 20 acres or larger.

The forecast of employment growth (in Table 5) was converted to the estimate of sites needed in Table 6 based on the assumptions above, the size of existing sites, and target industries and land needs identified in the EOA. For example, Donald has seven existing industrial sites less than one acre in size. Table 6 assumes that Donald will have some growth in industrial firms that require small sites given the current employment base and the City's economic development strategy of promoting industrial development on larger sites in the City.

Table 6 shows that Donald needs to provide between 12 and 15 sites to accommodate employment growth between 2008 and 2028. Donald will need 7 to 9 industrial sites and 5 to 6 commercial sites. The majority of the needed sites will be 2 acres and smaller. Donald will need one industrial site between two and five acres, one industrial site between five and ten acres, and one industrial site 20 acres and larger.

Table 6. Estimated sites needed; Donald UGB, 2008–2028

Site Size (acres)	Range of needed Sites		Total Sites Needed
	Industrial	Commercial and Other Employment	
20 + acres	1	-	1
10-20 ac	-	-	0
5-10 ac	1	-	1
2-5 ac	1	-	1
1-2 ac	1-2	1	2-2
< 1 ac	3-4	4-6	7-10
Total	7-9	5-6	12-15

Source: ECONorthwest

Table 7 shows Donald's estimated employment sites and acreage need for the 20-year planning period. Donald needs 14 sites and 46.9 acres to provide enough land to accommodate employment growth over the planning period. Table 7 shows the following needs:

- Donald needs to provide six commercial sites less than one acre and one commercial site approximately 1.5 acres in size. To meet this need, Donald will need to provide 2.7 acres of commercial land for services and retail.

⁶ City of Donald Urban Growth Boundary Amendment Appendix A.

- To take advantage of its I-5 location and rail access, Donald needs to provide seven industrial sites, ranging in size from less than one acre to larger than 20 acres.
- Donald will need to provide one site of approximately five-acres and one site of approximately seven-acres for expansion of existing businesses.
- Donald will need to provide a total about 44 suitable acres of industrial land.

Table 7. Estimated total site and employment land needs, Donald UGB, 2008–2028

	Site Size (acres)					Total
	Less than 1	1 to 2	2 to 5	5 to 20	Greater than 20	
Commercial						
Sites Needed	6	1	na	na	na	7
Average Site Size	0.20	1.50	na	na	na	
Land (acres)	1.20	1.50	na	na	na	2.7
Industrial						
Sites Needed	3	1	1	1	1	7
Average Site Size	0.25	1.46	5.00	7.00	30.00	
Land (acres)	0.75	1.46	5.00	7.00	30.00	44.2
Total						
Sites Needed	9	2	1	1	1	14
Land (acres)	1.95	2.96	5.00	7.00	30.00	46.90

Source: ECONorthwest

Calculations: Land need: multiply the number of sites needed by average site size. For example, Donald needs about 1 commercial site 1 to 2 acres in size, which average 1.0 acres in size, for a total need of 1.0 acres.

Converting between the number of sites needed and land need requires assumptions about average site size. Table 7 makes the following assumptions about average site size:

- The size of commercial and industrial sites smaller than two acres will be based on the average site size of existing developed sites, shown in Table 3. For example, the average site size of developed commercial sites smaller than one acre is 0.2 acres. The exception to this assumption is for commercial sites between one to two acres because Donald does not currently have a commercial site between one to two acres. Table 7 assumes that needed commercial sites smaller than one acre will have an average size of 0.2 acres and that the needed commercial one to two acre site will be 1.5 acres.
- The sites needed for expansion of existing firms, one industrial site two to five acres and one industrial site five to 20 acres, will be approximately the size identified in the *Urban Growth Boundary Amendment*. For example, the City

identified a need for a 4.84 acre site to accommodate expansion of an existing business.⁷ Table 7 rounds the site size to 5.0 acres.

- The site needed for a warehouse and distribution firm will be approximately 30 acres. The needed site size for warehouse and distribution firms vary substantially. Generally, warehouse and distribution sites are at least 20 acres in size and can be up to several hundred acres for a very large distribution center (e.g., the Lowes distribution center in Lebanon, Oregon). The estimated site size of 30 acres in Table 7 is based on the following assumptions:
 - Donald wants to provide opportunity for some employment growth but does not expect employment to grow faster than population growth. This expectation is reflected in the employment forecast, which tracks population growth and projects that Donald's employment will grow by about 170 employees (rather than ten times that number).
 - The assumption implicit in the City's *Urban Growth Boundary Amendment*, is that the City wants to attract a small to moderate size warehouse and distribution facility. The *Urban Growth Boundary Amendment* suggests that the City wants to provide the minimum necessary land that could to attract a warehouse and distribution firm.⁸
 - The City's decision to include property in the UGB to accommodate a warehouse and distribution facility was supported by a traffic impact analysis (TIA). The TIA was not challenged on appeal and is not reopened by this report. The TIA analyzed the "worst case" development scenario (in terms of traffic impacts) for a 30 acre site as being developed with a 525,000 sf warehouse and distribution facility (with 40% building area coverage). TIAs estimate vehicle trips generated, not employees. Nonetheless, the TIA can be used to extrapolate a reasonable estimated a range of the number of people that may be employed at a 30 acre warehouse and distribution facility. The TIA assumed that during the PM peak hour that 185 vehicle trips would exit the site and 62 trips would enter the site (a total trip generation of 247 trips). TIA, page 7. These trips represent employees (i.e., leaving work), visitors, and distribution/delivery vehicles. However, even if all of the egress PM peak trips were employees, the 185 employees is consistent with the projected job growth of 170 new employees.

Table 8 compares the demand for employment land and the supply of employment land in the Donald UGB in 2028. Table 8 shows that Donald has the following employment land needs:

⁷ *Urban Growth Boundary Amendment*, page 26.

⁸ *Urban Growth Boundary Amendment*, page 21.

- Need for one commercial site of about one and one-half acres.
- Need for one industrial site of about seven acres.
- Need for one industrial site of about thirty acres.

Table 8. Sufficiency of commercial and industrial land, Donald UGB, 2028

	Site Size (acres)					Total
	Less than 1	1 to 2	2 to 5	5 to 20	Greater than 20	
Site and Land Need						
Commercial						
Sites	6	1	na	na	na	7
Land (acres)	1.20	1.50	na	na	na	2.7
Industrial						
Sites	3	1	1	1	1	7
Land (acres)	0.75	1.46	5.00	7.00	30.00	44.2
Land Supply						
Commercial						
Sites	10	0	0	0	0	10
Land (acres)	1.43	0.00	0.00	0.00	0.00	1.4
Industrial						
Sites	3	2	2	0	0	7
Land (acres)	0.43	2.14	6.64	0.00	0.00	9.2
Comparison of demand and supply						
Commercial						
Sites Needed	4	(1)	0	0	0	
Land (acres)	0.23	(1.50)	0.00	0.00	0.00	
Industrial						
Sites Needed	0	1	1	(1)	(1)	
Land (acres)	(0.32)	0.68	1.64	(7.00)	(30.00)	

Source: ECONorthwest

Note: Table 8 does not show the need for an approximately five acre site, which the City identified as a needed site for expansion of an existing firm. While the City does have an approximately five acre industrial site that could be developed over the 20-year period, the existing site is not located adjacent to the site of firm that plans to expand its operations.

In addition to the land need shown in Table 8, the City of Donald *Urban Growth Boundary Amendment* also identified a need for an approximately five-acre site to allow expansion of an existing firm in Donald. The Urban Growth Boundary Amendment concluded that the inventory of vacant and redevelopable land does not include a five-acre industrial site that meets the site requirements to meeting this need: an approximately five acre site that is located adjacent to the existing user that is considering expansion.⁹ Based on this conclusion, Donald also has a need for one five-acre industrial site.

In summary, Donald has need for the following commercial and industrial land:

⁹ *Urban Growth Boundary Amendment*, page 23.

1. One approximately one and one-half acre site to provide for new commercial and retail development to provide services to Donald's growing population.
2. One approximately five acre site to provide expansion opportunities for an existing firm.
3. One approximately seven acre site to provide expansion opportunities for an existing firm.
4. One approximately 30 acre site to provide land for warehouse and distribution uses.

3.2 EMPLOYMENT DENSITY

At the Donald Planning Commission's hearing about the proposed amendments to the City's Comprehensive Plan and UGB on July 21, 2009, questions were asked about the assumed employment density for the 42.5 acres that were included in the UGB. The testimony was directed at challenging the need to urbanize the approximately 30 acre site, which is targeted at the warehousing and distribution industry. Questions were not raised about employment density for Donald's other identified site needs. This section focuses on employment densities of warehouse and distribution sites.

The purpose of the 30 acre site is to attract new employment to Donald, in the form of warehousing and distribution. It seems reasonable to assume that 75% to 90% of employment growth in Donald will locate on the 30 acre warehousing site. Under this assumption, the employment density on the site would be between four and five employees per acre. In the unlikely event that all 170 of the projected jobs located on the 30 acre warehousing site, then the employment density would be between 5 and 6 employees per acre. Moreover, the site that has been included in the UGB to accommodate the warehouse and distribution site is actually only approximately 27 acres, so the employment density will be slightly higher.

There is not large-scale, commonly accepted study about employment densities. As a result, there is limited information available about employment densities for all types of uses, including warehouse and distribution. Several recent studies in Oregon provide some information about employment and distribution densities:

- Metro's "1999 Employment Density Study"¹⁰ suggests that employment densities on warehouse and distribution sites in were about three employees per acre in two industrial areas in the Metro region.¹¹

¹⁰ The study can be accessed at: <http://library.oregonmetro.gov/files/1999employmentdensitystudy.pdf>

¹¹ The sites were identified as Clackamas County and Rivergate. Metro provides the following assumptions for warehousing and distribution and these employment sites: (1) employees in warehousing and distribution require an average of 3,290 square feet per employee and (2) the Floor Area Ratio for these sites was 0.21 for the Rivergate industrial area and 0.24 for the Clackamas County industrial area. Assuming that these areas had warehousing and distribution employment, the employment densities would have been approximately three employees per acre.

- Metro's report "Preliminary Urban Growth Report 2009-2030 Employment"¹² provides assumptions that warehouse and distribution employment will be six to seven employees per acre over the 2009 to 2030 period.¹³
- Recent work by ECONorthwest for the City of Eugene shows that employment densities in 2006 in heavy industrial areas ranged from three employees per acre to seven employees per acre. While this study does not specifically provide information about employment density for warehousing and distribution, warehousing and distribution firms are likely to locate in heavy industrial zones.

Based on this analysis, the proposed employment density on Donald's 30 acre site (between four and five employees per acre) is consistent with achieved and projected employment densities for warehousing and distribution sites in the Portland area and in Eugene. Additionally, the EOA estimated that the required site size for the site is 25 to 50 acres, so an approximately 30 acre site is on the small end of the adequate size range for the target industry.

4 FINDINGS

- The City of Donald had about 10.6 acres of vacant or redevelopable industrial and commercial land within the existing UGB in 2008. The City had 1.4 acres of commercial land in ten sites and 10.3 acres of industrial land in seven sites.
- The City of Donald had 243 covered employees in 2007. Based on the County's ratio of covered to total employment of 82%, the City of Donald had an estimated 296 total employees in 2007.
- The City of Donald's employment base will grow from an estimate 303 employees in 2008 to 473 employees in 2028, an increase of 170 employees or a 56% increase in employment. This forecast is based on the safe harbor that allows the City to forecast that employment will grow at the same rate as population, 2.25% annual growth (OAR 660-024-0040(9)(a)(A)).
- The City of Donald needs 14 sites to accommodate expected employment growth over the 20-year period, with a need for seven industrial sites on 44.2 acres and seven commercial sites on 2.7 acres.
- Based on a comparison of employment land need and the supply of suitable employment land within the Donald UGB, the City of Donald needs to expand its Urban Growth Boundary to provide needed land for employment uses. Sites added to the UGB to meet this need must have the site characteristics

¹² The study can be accessed at http://library.oregonmetro.gov/files/ugr_employment_web.pdf

¹³ The employment density is based on Metro's assumption of 1,850 square feet per employee and a Floor Area Ratio of between 0.25 and 0.3.

described in the *Urban Growth Boundary Amendment* findings on pages 21 to 22 and pages 26 and 27:

- Need for one approximately one and one-half acre commercial site adjacent to downtown to provide services for Donald's growing population.
- Need for one industrial site of about five acres, adjacent to an existing business that is planning to expand in Donald.
- Need for one industrial site of about seven acres, adjacent to an existing business that is planning to expand in Donald.
- Need for one industrial site of about thirty acres with convenient access to I-5 and direct access to rail.
- The anticipated employment density of between four and five employees per acre on Donald's 30-acre site is consistent with achieved and projected employment densities for warehousing and distribution sites in the Portland area and in Eugene.

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August 11, 2009

TO: City of Donald
FROM: Beth Goodman and Bob Parker
SUBJECT: RESPONSE TO 1000 FRIENDS OF OREGON COMMENTS ON SUPPLEMENTAL ECONOMIC OPPORTUNITIES ANALYSIS

This memorandum provides a written response to issues raised by 1000 Friends of Oregon in a letter concerning the Donald UGB remand hearing dated August 10th, 2009. 1000 Friends identifies two objections in their letter related to the economic opportunities analysis (EOA) and supplemental EOA:

1. There is no demonstrated need to urbanize the large parcel - 27 acres of prime farmland already in the county's #1 industrial use - agriculture.
2. The amount of employment land included in the UGB expansion has not been justified. The city is planning for an extremely low-job density, land-consumptive pattern of land use at much lower employment densities than existing development in Donald.

This memorandum responds to the second issue.

Issue 2: The amount of employment land included in the UGB expansion has not been justified

1000 Friends identifies a number of sub-issues within this comment. We address these in the order presented in the August 10th letter.

- *A comparison of job growth and land need results in low employment densities. Goal 9 and its administrative rule do not identify any analytical requirements or standards related to employment density. The issue of employment density is addressed on pages 14 and 15 of the supplemental EOA. The supplemental EOA concludes that "proposed employment density on Donald's 30-acre site (between four and five employees per acre) is consistent with achieved and projected employment densities for warehousing and distribution sites in the Portland area and in Eugene."*

1000 Friends suggest that additional explanation is required to justify the

derived employment density. The justification is found in the original EOA (Exhibit B - Urban Growth Boundary Amendment) which concludes that "allowing for new warehousing and distribution firms provide the best economic development opportunity for the community" (page 38).¹ The findings go on to identify specific site requirements for the warehousing and distribution facilities as well as the other identified industrial site needs in the findings related to OAR 660-024-0050:

"It is determined that the existing vacant or redevelopable land was inadequate in both size (the largest single, vacant parcel at 3.18 acres) and location to address the requirements of a 25 to 50-acre parcel needed for the identified targeted industry. Therefore a UGB amendment was necessary. Further it was also determined a UGB expansion was necessary to ensure adequate additional land for existing businesses, also a targeted industry.

This finding also refutes 1000 Friends objection that the expansion is "inconsistent with Goal 14 requirements for efficient accommodation of identified land needs." In short, the City concluded that the site requirements of targeted industries could not be met through land efficiency measures.

- *No discernable relationship between the projected employment growth and the amount of land added to the UGB.* The supplemental EOA presents an employment forecast, and a site needs analysis based on that forecast and the City's economic development objectives and target industries. The purpose of the supplemental EOA was to create that relationship. The logic in the supplemental EOA is as follows:
 - Forecast employment
 - Identify community economic development strategy and target industries
 - Use the community economic development strategy to identify needed sites
 - Compare needed sites to buildable land inventory, including an evaluation of the sufficiency of the existing land inventory to meet the site characteristics of targeted industries

¹ LUBA concurred with the City on this point: "We see no error in the city's identification of warehouse and distribution employment as an industry that the city is well-positioned to attract to the city, and petitioners do not challenge the EOA that reached that conclusion." *Friends of French Prairie v. Marion County*, (LUBA 2008-186) Page 5.

- o Cross-reference the employment forecast with land need.

The final step relates to the discussion employment densities on pages 14 and 15 of the supplemental EOA.

1000 Friends suggests that there is nothing to tie the employment forecast to the site needs and UGB expansion. The fact is that 1000 Friends identifies the linkage in their testimony: employment density. Goal 9 requires an evaluation of site needs and target industries – which is consistent with the Goal of providing “an adequate land supply for economic development and employment growth in Oregon.”

Because the analysis is of site needs – which are derived from the City’ economic development strategy – and not employment density, ECO does not use employment density to convert jobs into acres. ECO’s method is consistent with the requirement of OAR 660-009-0015(2):

“The economic opportunities analysis must identify the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses.”

In summary, the findings in the original and supplemental EOA demonstrate the relationship between forecast employment growth and land needs.

EXHIBIT C

MARION COUNTY ORDINANCE NO. 1270 LEGISLATIVE AMENDMENT (LA) 08-2 OCTOBER 1, 2008

Including Exhibits

**Exhibit A – Evidence and Findings
Marion County Comprehensive Plan Amendment LA 08-2
City of Donald Comprehensive Plan Map Amendments:
Growth Boundary Amendment
Redesignation of Properties Added to the UGB
Rezoning of Properties Added to the UGB**

**Exhibit B – City of Donald Comprehensive Plan Map Amendments
Background Materials:
UGB Expansion Analysis and Justification
Transportation Impact Analysis for Bennion/Feller Parcel**

**BEFORE THE BOARD OF COMMISSIONERS
FOR MARION COUNTY, OREGON**

In the matter of an Ordinance amending)	
the Marion County Comprehensive Plan)	Legislative Amendment
by adopting plan map amendments to the)	LA 08-2
City of Donald Comprehensive Plan)	
including a 42.5 acre Urban Growth)	
Boundary expansion to meet employment)	
land needs; the rezoning of land in the)	
amendment area; and declaring an)	
emergency.)	

ORDINANCE NO. 1270

**THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS
FOLLOWS:**

SECTION 1. PURPOSE

This ordinance is enacted pursuant to the authority granted general law counties in the State of Oregon by Oregon Revised Statutes (ORS) Chapter 203 and the comprehensive land use planning and coordination with local government provisions under Chapters 195 and 197, by amending the Marion County Comprehensive Plan by adopting amendments to the City of Donald Comprehensive Plan including an Urban Growth Boundary amendment and designation and rezoning of properties included within the amended Donald urban growth boundary area.

SECTION 2. AUTHORIZATION

The Marion County Board of Commissioners initiated consideration of the legislative amendment to the Marion County Comprehensive Plan by adopting the plan amendments to the City of Donald Comprehensive Plan by Resolution No. 08-23R dated July 30, 2008. The amendment came before the Board of Commissioners at the request of the City of Donald for concurrence in and adoption of plan amendments being considered by the City, pursuant to the planning coordination and concurrence provisions under ORS Chapters 195 and 197, and the provisions of the April 2, 1986 Urban Growth Boundary and Policy Agreement executed between Marion County and the City of Donald that establishes procedures for addressing land use matters of mutual concern, including amendments to the comprehensive plan and urban growth boundary. The Board held a public hearing on September 10, 2008 for which proper notice and advertisement was given. All persons present during the public hearing and those provided notice of the hearing, were given the opportunity to speak or present written statements on the proposed amendment.

SECTION 3. EVIDENCE AND FINDINGS

The Board has reviewed the evidence and findings in the record and given due consideration to the testimony provided in the public hearing record. The amendment to the Marion County Comprehensive Plan by adopting plan map amendments to the City of Donald Comprehensive

Plan including a 42.5 acre urban growth boundary amendment to meet employment land needs, are based on consideration and analysis of information and findings regarding the amendments adopted by the City of Donald. The County's adoption of the amendments to the City of Donald Comprehensive Plan is necessary for the application of the County's regulations within the urban growth area of the Donald urban growth boundary. The evidence and findings to support the County concurrence and approval of the amendments (Exhibit A) and the City of Donald justification and findings for the Comprehensive Plan amendments (Exhibit B) are by reference a part of the record and this Ordinance.

The City of Donald Comprehensive Plan map amendments address the necessary provisions for an urban growth boundary expansion to accommodate employment lands and provide for local employment opportunities for area residents. The employment land needs for the Donald Comprehensive Plan amendments are based on the provision of additional industrial lands to meet the site needs for a warehouse and distribution target industry use, the expansion needs of existing businesses through the provision of land in proximity to specific businesses, and the accommodation of commercial business services needs resulting from community growth. The City's Economic Opportunities Analysis (EOA) developed according to the requirements under Statewide Planning Goal 9 – Economic Development and the goal's administrative rules (OAR 660-009), identifies the economic development strategy being pursued by the City and the lack of suitable, developable employment lands in the City's 2008 buildable employment lands (commercial and industrial) inventory to meet the specified needs identified in the EOA.

The redesignation of lands included in the boundary expansion from a Marion County designation of "Primary Agriculture" to City of Donald Comprehensive Plan designations of "Industrial" and "Commercial", and the rezoning of these lands from a Marion County rural zoning designation of "Exclusive Farm Use" (EFU) to a County urban zoning designation of "Urban Transition/Farm" (UTF) is a part of the growth boundary amendment process. The rezoning provides for an interim or urban transitional zoning designation that allows for continued agricultural/rural use of the property until the land is annexed to the City, rezoned consistent with the City's Comprehensive Plan designation, and developed with urban land uses.

The Donald Comprehensive Plan amendment process and findings provide for an updated year 2028 population forecast of 1,588 coordinated with Marion County under the provisions of Statewide Planning Goal 14 – Urbanization, for urban growth boundary amendments. The forecast in the amendment process is generated under the safe harbor provisions of Oregon Administrative Rules (OAR) 660-024-0030 with the understanding by the City of Donald, Marion County and the Department of Land Conservation and Development (DLCD) that the approach used is relevant only for the purposes of this urban growth boundary plan amendment, and that the City and County will adopt a new population forecast for the year 2030 based on the coordination, findings and conclusions of the Marion County Population Forecast Study for the county, cities and unincorporated area for the 2010 to 2030 forecast time period. This forecast approach and coordination is found to work and is agreed to by the city, county and state since this UGB amendment is based on an Economic Opportunities Analysis (EOA) under the provisions of Goal 9 – Economic Development and OAR 660-009 to determine employment land needs rather than a ratio of needed land to a population forecast for the 20-year planning period of the City's economic development strategy formulated from the City's EOA as part of this specific plan amendment.

The 42.5 acre UGB expansion includes 39.3 acres of property and 3.2 acres of street right-of-way to allow the entire adjoining rights-of-way along Butteville Road, Donald Road and Matthieu Street to be included within the boundary and developed to urban street standards with development of the properties for urban uses. A Transportation Impact Analysis (TIA) was conducted for the Bennion/Feller property and submitted in conjunction with the amendment proposal and identifies possible transportation mitigation measures that could be required as a result of the industrial development of the property. Development of the amendment properties will require appropriate levels of traffic analysis to ensure affected transportation infrastructure is adequate or needs to be improved to mitigate adverse impacts to levels of safety and circulation on the transportation system within the area.

The City of Donald Comprehensive Plan map amendments conform with the requirements and decision criteria under ORS Chapter 197 and the Statewide Land Use Planning Goals and Administrative Rules for amendments to the comprehensive plan and changes to the urban growth boundary; with ORS Chapter 195 for county coordination with local comprehensive planning activities; with the Marion County Comprehensive Plan Urbanization Element and Growth Management Framework; and with the City of Donald/Marion County Urban Growth Boundary and Policy Agreement on coordination and procedures pertaining to plan and urban growth boundary amendments. The City of Donald Comprehensive Plan and Urban Growth Boundary were initially adopted by Marion County on February 28, 1979 (Ordinance No. 530) and acknowledged by the Land Conservation and Development Commission (LDCD) on October 20, 1978. Amendments to the City of Donald Comprehensive Plan since acknowledgment have been coordinated with the County and State to maintain consistency and compliance with land use planning requirements and intergovernmental coordination agreements.

The Board of Commissioners find that the adoption of the amendment to the Marion County Comprehensive Plan by the adoption of the City of Donald Comprehensive Plan map amendments including a 42.5 acre urban growth boundary amendment, provides for a coordinated review, concurrence in, and uniform application of urbanization policies regarding land use matters affecting properties included within the City of Donald urban growth boundary. The amendments are consistent with the applicable provisions of the intergovernmental coordination agreement between Marion County and the City of Donald. The Board further finds that the amendments are in compliance with applicable Statewide Land Use Planning Goals and Administrative Rules, ORS Chapters 195 and 197, and the plan amendment procedures and applicable provisions of the Urbanization Element of the Marion County Comprehensive Plan.

SECTION 4. AMENDMENT TO THE MARION COUNTY COMPREHENSIVE PLAN

The Marion County Comprehensive Plan is amended to include the adoption of an amended City of Donald Comprehensive Plan for application in the area within the urban growth boundary that lies outside the city limits. The Marion County Comprehensive Plan map is amended to include a 42.5 acre urban growth boundary expansion for employment lands and changes in the Plan designation of those properties added to the boundary and within the urban growth area as depicted on the map set forth in Exhibit A. The Marion County Comprehensive Plan and its implementing ordinances (zoning maps) is further amended to include the rezoning of the properties included within the amended urban growth boundary as depicted on the map set forth in Exhibit A.

SECTION 5. REPEAL OF PORTIONS OF EXISTING ORDINANCES

Those portions of Marion County Ordinance No. 530 adopting a City of Donald Urban Growth Boundary and a Comprehensive Plan for the area outside the city but within the growth boundary are hereby repealed or amended as set forth in this Ordinance through the adoption of the City of Donald Comprehensive Plan map amendments, which by reference are incorporated into this Ordinance.

SECTION 6. SEVERABILITY

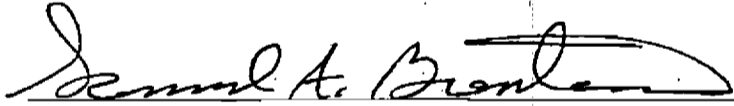
Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or any policy, provision, finding, statement, conclusion or designation of a particular land use or area of land, or any other portion, segment or element of this ordinance or of any amendment thereto and adopted hereunder, be declared invalid for any reason, such declaration shall not affect the validity or continued application of any other portion or element of this ordinance or amendment to Marion County Ordinance No. 530 as amended or as amended hereunder; and if this ordinance or any portion thereof should be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which this ordinance or any portion thereof, was enacted.

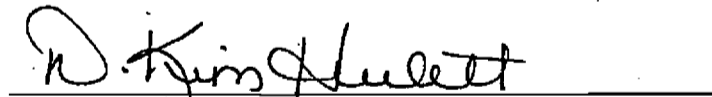
SECTION 7. EFFECTIVE DATE

This Ordinance amending the Marion County Comprehensive Plan by adoption of plan map amendments to the City of Donald Comprehensive Plan including an urban growth boundary amendment and redesignation and rezoning of properties added to the urban growth boundary, being necessary to protect the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall become effective upon its passage.

SIGNED and FINALIZED at Salem, Oregon this 1st day of October 2008.

MARION COUNTY BOARD OF COMMISSIONERS


Chair


Recording Secretary

JUDICIAL NOTICE

Oregon Revised Statutes (ORS) Chapter 197.380 provides that land use decisions may be reviewed by the Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal within 21 days from the date this ordinance becomes final.

EXHIBIT A

EVIDENCE AND FINDINGS

Marion County Comprehensive Plan Amendment (LA 08-2):

City of Donald Comprehensive Plan Map Amendments –

Growth Boundary Amendment

Redesignation of Properties Added to the UGB

Rezoning of Properties Added to the UGB

Proposed UGB Expansion - City of Donald

Marion County
Public Works

Date: 07/09/08 Project: Marion County Public Works Request for Proposal No. 08-0001-0001 Prepared by: Valley

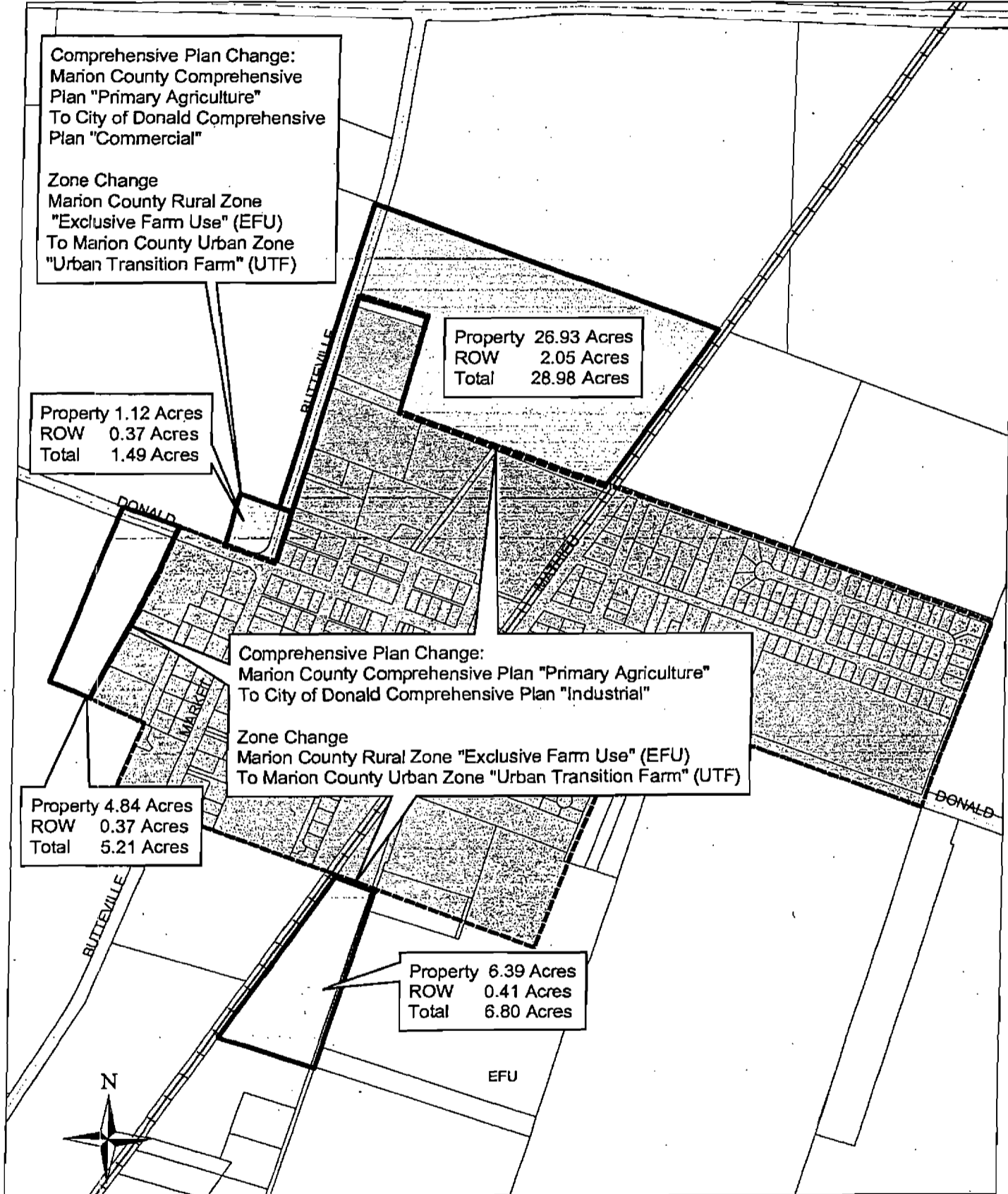


EXHIBIT A

EVIDENCE AND FINDINGS MARION COUNTY COMPREHENSIVE PLAN AMENDMENT (LA 08-2): CITY OF DONALD COMPREHENSIVE PLAN MAP AMENDMENTS

BACKGROUND

This proposal comes before the Marion County Board of Commissioners at the request of the City of Donald for concurrence in and adoption of, amendments to the Donald Comprehensive Plan. The City initiated the Plan/UGB amendments, has held a public hearing and meetings on the proposed amendments to its Plan and approved an ordinance on the plan amendments that becomes effective following concurrence and adoption of the City's proposed amendments by the County.

The City of Donald adopted its Comprehensive Plan in July 1978. The Marion County Board of Commissioners adopted the Donald Urban Growth Boundary and Comprehensive Plan for the area outside the city but within the boundary on February 28, 1979 (Ordinance No. 530). The State Land Conservation and Development Commission (LDCD) acknowledged the City of Donald Comprehensive Plan on October 20, 1978.

Marion County and the City of Donald entered into an Urban Growth Boundary and Policy Agreement (UGBPA) on May 17, 1978 which agreement was revised and updated with a new UGBPA dated April 2, 1986 that was signed and executed in conjunction with the periodic review of the City's Plan. The UGBPA establishes procedures for dealing with and coordinating land use matters of mutual concern and is an Appendix item within the City's Plan. The UGBPA provides for the County to concur in the City's comprehensive plan and to adopt those provisions for application within the urban growth area (the area within the urban growth boundary outside the city limits). Such provisions include urbanization policy changes, plan map amendments affecting properties in the urban growth area, and urban growth boundary changes.

The City of Donald updated its comprehensive plan through the periodic review process during the mid 1980's and received its completion order from DLCD in September 1986. The City began the next periodic review of its comprehensive plan in 1996 with DLCD approving the City's work program in June 1998 with all tasks to be completed by September 2001. With the passage of Senate Bill 543 by the Oregon State Legislature in 1999, the periodic review statutes and rules were modified to allow city jurisdictions with less than 2,500 population to discontinue periodic review of their comprehensive plans and land use regulations and receive "exempt" status from periodic review. The City of Donald submitted a letter in March 2000 to DLCD to discontinue periodic review and received a periodic review discontinue order in April 2000 under the provisions of SB 543. The discontinuance of periodic review to update the City's comprehensive plan resulted in the 1988 Donald Comprehensive Plan as the most current Plan document, though there have been some revisions to the text of the Plan. The proposed amendments do not propose an update to any elements of the City's Plan at this time, addressing only the growth boundary expansion issue to meet current employment land needs.

In 1994, the City of Donald proposed an amendment to the UGB involving the 29 acre Feller property off Butteville Road, north of the city. The property in question at that time is one of the parcels being considered under the current amendment proposal. The 1994 proposal was subsequently withdrawn from consideration after preliminary reviews by the County and State regarding the justification to support the amendment. The County has received various inquiries in recent years from property owners and consultants regarding the possibility and process involved for a City of Donald growth boundary expansion.

Since April 2007, County staff has been involved in meetings and discussions with the City and development interests in the 29 acre Feller/Bennion property regarding transportation issues and land use processes. County transportation staff have reviewed and commented on a Transportation Impact Analysis (TIA) study that was prepared for the property by consultants for the development group interested in the property. The TIA and other information on a proposed UGB amendment and development of the Feller/Bennion property was initially submitted by the City to ODOT for its review. The ODOT review indicated corrections needed to be made to the scope of the study and in April 2007 County staff requested copies of materials for its review since nothing had been provided to date. Meetings and discussions surrounding this property have involved City and County staff, ODOT, DLCDD, State Economic Development (OECDD) and the development group.

The City of Donald originally submitted its plan/UGB amendment proposal to the County in January 2008 without conducting a local review and public hearing on the proposal. County staff informed the City of the local review requirements and the city held a joint planning commission and city council public hearing in March 2008. Marion County Planning and Transportation staff and DLCDD staff met or discussed with the City and its planning consultant on various occasions during the local plan amendment process. Staff reviewed UGB amendment materials, provided comments on necessary requirements and findings, provided data assistance and guidance on amendment criteria and process, and submitted comments on the original and revised UGB amendment proposals for consideration by the City. The City revised the amendment proposal based on County and State feedback with the current proposal approved by the City and submitted to the County for its concurrence and approval in July 2008.

CITY OF DONALD COMPREHENSIVE PLAN AMENDMENT

The City of Donald Comprehensive Plan map/UGB amendment proposes an urban growth boundary (UGB) expansion to include approximately 42.5 acres of land (39.3 acres of property and 3.2 acres of right-of-way) located in four areas adjacent to the city (see Attachment A). The City indicates that the amendment proposal is primarily in response to individual property owner requests but also is directed at addressing the City's lack of developable industrial land, the opportunity to allow expansion of existing industrial uses, and to provide additional commercial land near the downtown area.

The UGB amendment involves four parcels consisting of approximately 1.12 acres, 4.84 acres, 6.39 acres and 26.93 acres. The 1.12 acre parcel is located at the northwest corner of the intersection of Main Street and Butteville Road. The City of Donald owns the adjoining 109 acre parcel that contains the Donald sewage plant facilities. The 4.84 acre parcel located on the south side of Donald Road west of the city, is part of the GK Machine

Inc. ownership that owns an adjoining 2.32 acre parcel located within the city. The 4.84 acre parcel was created through a property line adjustment (CU/PLA 05-29) and granted approval for farm equipment repair as part of the GK Machine, Inc. farm equipment manufacturing business as commercial activity in conjunction with a farm use. The 6.39 acre parcel is located on the south side of the city between Matthieu Street and the Portland and Western railroad line. The 26.93 acre parcel located north of the city between Butteville Road and the rail line was proposed in 1994 for an urban growth boundary expansion by the City, as indicated previously in the Background section.

The Plan map/UGB amendment proposal includes a plan map amendment from a Marion County Comprehensive Plan designation of "Primary Agriculture" to a City of Donald Comprehensive Plan designation of "Industrial" for the 4.84 acre, 6.39 acre and 26.93 acre parcels, and a City designation of "Commercial" for the 1.12 acre parcel. The amendment also involves the inclusion of the rights-of-way adjoining the parcels so that future urban use of these properties will be on to streets developed and maintained to urban standards. Inclusion of the 42.5 acres in the Donald UGB will also involve a zone change for the properties from a Marion County Rural Zoning designation of EFU (Exclusive Farm Use) to a County Urban Zoning designation applicable to properties in transition from a resource-zoned use to urban use. A City zoning designation would be applied to the properties upon annexation to the city.

Urban Growth Boundary Amendment

The City of Donald is proposing an urban growth boundary amendment to expand the boundary by 42.5 acres to accommodate an identified need for local employment lands that is not met by the current commercial and industrial land supply within the urban growth boundary. The additional lands would allow for the expansion and retention of existing businesses and for new commercial and industrial employment opportunities.

1. City of Donald Employment Lands Inventory

The City conducted an employment lands inventory in 1998-1999 in conjunction with periodic review work tasks to update its comprehensive plan. The previous inventory data was updated in 2008 as part of this amendment proposal. The inventory looked at all the commercial and industrial parcels within the city (the city limits and UGB are basically coterminous except for one small area) by parcel size, developed acres, redevelopable acres, vacant acres, land constrained by development limitations, and the location of lands within the community to residential lands.

The City of Donald Comprehensive Plan currently designates approximately 29.6 acres as "Industrial" lands within the urban growth boundary. The updated employment lands inventory indicates that of the 29.6 acres of industrial land, 20.5 acres are developed, 6.4 acres have redevelopment potential, and 2.7 acres are currently vacant. There are no significant limitations to development as land is level ground with no flood hazards, steep slope hazards or natural features restricting the use of land in the city and surrounding areas. Current industrial lands have some expansion and/or redevelopment capabilities primarily on the south side of the city along Matthieu Street for those properties used for outdoor storage or having dilapidated buildings. Most of the City's industrial lands contain

agriculture-related uses (e.g. feed and fertilizer services and farm machinery manufacturing) that provide for local employment and serving the surrounding farming community. There are six available parcels that have either redevelopment potential or are vacant, none of which are greater than four acres in size or adjacent to existing industrial uses considering expansion. Two of the six parcels are between 3 to 4 acres in size, two of the parcels are around 1 acre, and two other parcels are less than 0.2 acres.

The City of Donald Comprehensive Plan currently designates approximately 8.6 acres as "Commercial" lands within the urban growth boundary. The updated inventory indicates that of the 8.6 acres of commercial land, 7.2 acres are developed, 1.0 acre is redevelopable, and 0.4 acres are vacant. Commercial lands are located in the downtown area along Main Street with commercial buildings/uses on small lots with limited redevelopment potential and limited to commercial lots with existing single-family dwellings. The 1.0 acre of redevelopable commercial land within the City consists of 7 small parcels, all less than 0.20 acres in size and currently containing single-family dwellings. The 0.4 acres of vacant commercial land is comprised of three parcels that are 0.2 acres in size or less. There are also three small industrially developed parcels (all one acre in size or less) that have redevelopment potential as commercial properties due to approved Measure 37 claims to allow commercial activities.

2. City of Donald Economic Opportunities Analysis (EOA)

The City completed an Economic Opportunities Analysis (EOA) as part of the amendment proposal which is a requirement under Statewide Planning Goal 9 – Economic Development for jurisdictions looking at employment land needs and a possible urban growth boundary expansion to meet targeted growth opportunities. The City's EOA was directed toward interests in establishing businesses and employment opportunities within the city as approximately 88% of the City's labor force commutes to employment outside the city; and to take advantage of the City's proximity to the Interstate-5 corridor and availability of the Portland and Western railroad line to attract industry and promote employment. The City's economic development strategy based on the EOA is focused on three primary areas: 1) the identification of warehousing and distribution as a target industry that could include the assembly and repackaging of products as part of this type of use or creation of an industrial park which is able to utilize and take advantage of the city's location assets to I-5 and a rail line; 2) the expansion of existing businesses within the community that is also aimed at business retention rather than relocation to another community; and 3) the improvement of local commercial opportunities for residents through the provision of trade and service uses for a growing community.

The EOA for the City of Donald provides the background and community strategy that form the basis for the employment land needs being targeted by the City in its urban growth boundary amendment proposal.

3. City of Donald Employment Land Needs

The City employment lands inventory and EOA lay the foundation for the economic development strategy being pursued to determine the employment land needs for the community. The strategy focuses on the location of target industries identified in the EOA

(i.e. warehousing and distribution uses) on lands in proximity to the I-5 interchange area on the north side of the city with access to both the interstate and rail line, and adjacent to existing developed industrial areas within the community to minimize impacts to surrounding uses. The other industrial land need identified is to accommodate the expansion of existing businesses within the community through the location of additional industrial lands in proximity to specific industrial uses that have an interest in expanding at their present locations. These existing businesses (a farm equipment machinery manufacturer and a propane distributor) are located on the west and south sides of the community. The commercial land need is to provide additional land in proximity to the downtown commercial area that has visibility, access, walking distance to residential areas and will be part of the commercial downtown of the City of Donald.

The employment land inventory identified 2.7 acres of vacant, developable industrial land and the potential for 6.4 acres of redevelopable industrial land within the city/UGB. With regard to commercial lands, there are 0.4 acres of vacant, developable commercial land and 1.0 acre of redevelopable commercial land consisting of small parcels less than 0.2 acres in size. The possible conversion of other vacant lands within the UGB to meet the employment land needs as identified through the EOA did not result in the identification of suitable or available locations within the community due to small parcel sizes, locations adjacent to residential development, proximity to existing businesses seeking to expand, and access/circulation concerns.

The City analysis of employment land needs utilized the provisions under Statewide Planning Goal 9 – Economic Development and Goal 14 – Urbanization of providing for an adequate supply of sites of suitable sizes to accommodate a variety of employment uses and the expansion of existing businesses. Due to the type and amount of employment land development within the community, the City's need analysis looked at the general site needs for target industries and the availability and size of land adjacent to existing businesses and the downtown area (for commercial lands) to determine land needs consistent with the EOA information. For existing businesses, the needs assessment determined that for the GK Machinery business within the city, the ownership of an adjacent 4.84 acre parcel that currently houses the equipment repair portion of the business outside the UGB on resource-zoned lands, would be adequate to accommodate the expansion of the business utilizing city services. The existing propane distributor on the south side of the city along Matthieu Street could expand utilizing a 6.39 acre property to the south to accommodate tank and storage needs for the business in the future. The needs assessment for the target industry of warehousing and distribution is based on the site size need for this type of industry classification of 25-50 acres that could accommodate assembly and repackaging or a possible industrial park campus type of development associated with these type of uses. For the commercial land need assessment, land for service type uses generally grows in proportion to a city's population. The analysis looked at the ratios of developed and commercial zoned land for the current city population to determine need that ranged between 3 to 5 acres of commercial land based on a 20-year projected population growth of 1,588 (the 2007 population estimate of the city extended to 2028 by applying the adopted average annual growth rate for 1997-2020 of 2.25%). Since some of the industrial land within the city can be used for commercial purposes (the Measure 37 claim lands that involve three parcels totaling 2.1

acres), it was determined that commercial land need of less than 3 acres would be adequate and could be accomplished with a single parcel between 1 and 2 acres in size.

To meet the employment land needs for the city's economic development strategy of providing for local job opportunities, the City identified suitable site characteristics for additional employment lands. These site characteristics included: ability to provide public facilities and services; locations adjacent to or in proximity to existing businesses looking to expand; access to major roadways/streets; land contiguous to existing industrial lands to minimize negative impacts from traffic and noise to residential areas; at least one parcel over 25 acres in size for industrial use; commercial land in proximity to the downtown commercial area that could be an extension of the downtown and with good visibility and access to accommodate service uses and within walking distance of multifamily development in the community; industrial land with easy access to the I-5 corridor and rail service; and land with no physical limitation to development.

The UGB amendment proposal is for an additional 38.2 acres of land designated for industrial and 1.12 acres of commercial land (a total of 42.5 acres of land when 3.2 acres of right-of-way along Butteville Road, Donald Road and Matthieu Street are included). The industrial land inventory indicates a supply of 2.7 acres of vacant industrial land and a potential 6.4 acres of redevelopable industrial land to accommodate the land needed for the identified target industry and expansion of existing businesses. On the commercial side of the analysis, there is a supply of 0.4 acres of vacant land, a potential of 1.0 acre of redevelopable land, and a possible 2.1 acres of industrial land that can be used for commercial under a Measure 37 claim. The City's determination of employment land need is consistent with the evaluation and analysis required under Goal 9 and Goal 14 to determine need and provide for an adequate supply of sites for identified target industries and the expansion of existing businesses and the downtown commercial area, that also meets the location characteristics identified to support the City's economic development growth strategy.

4. Population Forecasts and Statewide Planning Goals 9 and 14

Statewide Planning Goal 14 – Urbanization and its corresponding administrative rules (OAR 660 Division 24) requires UGB amendments to be based upon consideration of a demonstrated need to accommodate long-range urban population growth requirements consistent with a 20-year population forecast coordinated with the county. Under the provisions of Statewide Planning Goal 9 – Economic Development and its corresponding administrative rules (OAR 660 Division 9), a city can base its need for employment lands on an Economic Opportunities Analysis (EOA) using an employment forecast based on population growth for the 20-year planning period, or identify targeted industries in the EOA and a need for particular sites and parcel sizes to meet the requirements of the targeted industries.

Since the City of Donald is not basing its need for employment land on population growth but rather on the need for specific sites to accommodate target industries identified in its EOA, a 20-year population forecast to the year 2028 is not a crucial factor in the land need analysis under the UGB amendment proposal.

The City has a coordinated, adopted 2020 population forecast with the County of 1,050 for the period of 1997-2020 based on an average annual growth rate of 2.25% applied to the City's 1997 population estimate of 630. The City's current 2007 population estimate is 995 that is approaching the adopted 2020 forecast for the City.

The County is currently conducting a countywide population study (partially funded by DLCD) that will produce year 2030 population forecasts for each of the cities and the unincorporated area of the county. The study is near completion and the adoption of coordinated forecasts with the cities in the county will commence upon completion of the study and the presentation of the study to the County that is likely to occur in September or October 2008.

In order to meet the requirements under Goal 14 of a coordinated population forecast for the City's UGB amendment proposal that covers a 20-year planning period, several courses of action exist. The City could wait for completion of the County population study and forecasts before proceeding with its amendment proposal. The other option is to proceed with the amendment proposal with the understanding that the forecast coordinated for the amendment will be revised later based on the findings, coordination and adoption of the County's population and forecasts for each of the cities in the county. The second option is being utilized with this amendment proposal as the City of Donald concurs in the use of a "safe harbor" population forecast under the Goal 14 administrative rule provisions, and with the forecast only relevant for this UGB amendment proposal. The City will adopt a new 2030 population forecast as part of the Marion County population study and coordination of a forecast with the City.

OAR 660-024-0040 allows a city to amend its UGB in consideration of one category of land need such as employment land need without consideration of other categories of land need. OAR 660-024-030 contains "safe harbor" provisions for population forecasts where a current adopted forecast does not provide a 20-year forecast at the time a city initiates an UGB amendment. The rule provision allows for the coordinated extension of the current city forecast to a 20-year period by using the same growth trend for the city assumed in the county's current adopted forecast.

The City and County looked at the application of the "safe harbor" provision as an interim forecast for this amendment proposal only in order to develop a reasonable forecast under the rule provision. Under one option, the extension of the 2020 forecast of 1,050 to the year 2028 using the 2.25% average annual growth rate resulted in a 2028 forecast number of 1,255. As indicated previously, with the 2007 city population at 995 and approaching the adopted 2020 forecast, extending the 2020 forecast out to 2028 is problematic and does not result in a reasonable forecast number that is supportable under the "safe harbor" provisions of the rule. The other option considered was to use the 2007 population estimate for the city of 995 as the base year from which to extend the forecast to the year 2028 using the adopted 2.25% growth rate. Using this method results in a 2028 forecast of 1,588 for the city that provides for a more reasonable forecast considering the growth the city has experienced and being that the city is already approaching its 2020 forecast indicating that the current forecast for the city was low and would need to be adjusted at some point. The City has concurred in the 2028 forecast of 1,588 as the "safe harbor" population forecast for use with this UGB amendment proposal that has been coordinated

with the County and DLCD, with the understanding by the City, County and DLCD that a new 2030 forecast based on the County's population study will be coordinated and adopted by the City and County for use with future comprehensive planning efforts. The City's UGB amendment proposal contains a statement that stipulates this approach to this "safe harbor" population forecast and its application only for this plan amendment.

5. Consistency with City of Donald Comprehensive Plan Goals and Policies

The City of Donald Plan map/UGB amendment proposal addresses the applicable goals and policies of the Donald Comprehensive Plan. The Donald Plan contains commercial, industrial and urban growth goals and policies. In 2005, the City amended the Donald Comprehensive Plan by adding new language to the Industrial Land Use Policy of its Plan to ensure that an adequate supply of land for existing and potential industrial users be provided. The proposal is consistent with the Plan commercial and industrial policy guidance to inventory vacant and underutilized lands, assess community economic development potential, encourage the development of compatible industries, minimize the effect of industrial activity on residential uses, and achieving a balance between commercial and residential development.

The City's amendment proposal contains findings pertaining to: the coordinated review procedures for plan map/UGB amendments; conformance with the comprehensive plan commercial and industrial policies listed under the Land Use provisions of the plan; whether there was a mistake or update needed in the plan map; changes in the conditions in the planning area since the adoption of the current plan map; the limited focus of the amendment and that revisions to other elements of the plan are not being considered at this time; the public need for the plan amendment; whether there is other appropriately zoned properties that could be utilized; the impact and adequacy of the existing and future capacity of public facilities; compliance with applicable state and federal laws and regulations including the Statewide Planning Goals; and compliance with the intergovernmental agreement between the city and county. The City's findings to support the amendment meet the applicable decision criteria identified for the amendment proposal, as provided for in the Donald Comprehensive Plan.

The City's amendment proposal includes a statement indicating that the City will consider satisfactory amendments to the Donald Comprehensive Plan or the Development Ordinance to ensure only industrial-related development occurs at the time of annexation and development of the expansion parcels. Rather than include this policy or condition of development with the expansion proposal, it is the City's intention to include the concern over possible conversion of employment lands to other uses, as a restriction at the time of annexation and/or development of the expansion areas.

6. Goal 14 Factors Applicable to Urban Growth Boundary Amendments

Goal 14 – Urbanization sets forth location factors for evaluating alternative UGB locations for changes to the urban growth boundary that must also be consistent with ORS 197.298 that establishes the priority of lands to be considered for inclusion within the UGB. Location factors under Goal 14 evaluate: the efficient accommodation of identified land needs; the orderly and economic provision of public facilities and services; comparative

environmental, energy, economic and social consequences; and compatibility of proposed uses with surrounding agricultural activities outside the urban growth boundary.

The City's findings and analysis for the proposed UGB amendment address the location factors under Goal 14 in determining the necessary land suitable to accommodate the identified employment lands need. The Goal 14 factors are contained in the Appendix to the City comprehensive plan as part of the Urban Growth Boundary and Policy Agreement between the City and the County and are the factors contained in Goal 14 prior to the April 2006 LCDC Goal 14 amendments. The City amendment proposal addresses the current Goal 14 factors since they are the ones in effect when the amendment proposal was being considered by the City. The City's employment lands need was determined using the Goal 9 – Economic Development guidelines to provide for both an inventory of and options for available lands suitable to meet the City's economic growth strategy.

The City's proposal contains findings to meet the administrative rule provisions of Goal 14 on: statewide planning goal compliance; establishing a 20-year forecast; providing for needed employment over the 20-year planning period; amending the UGB in consideration of one category of land use; the use of safe harbors in determining employment needs, conducting a land inventory and analysis; determining that the estimated need cannot be accommodated within the current UGB; the assignment of appropriate Plan designations; reviewing alternative boundary locations consistent with the land priority factors of ORS 197.298; consideration of specific characteristics in boundary location alternatives analysis; and the evaluation of comparative costs for development of alternative locations.

The City currently has a population around 1,000 with a year 2028 forecast of close to 1600 under this proposal. The continued expansion of the employment lands base (commercial and industrial lands) of the city is needed to create local employment opportunities for its growing population, of which a significant number currently commute to other locations for employment. The proposed amendment properties are located adjacent to existing developed industrial areas within the city that would allow for the efficient extension of public facilities to serve the areas and for the possible expansion and/or redevelopment of existing businesses within the established industrial areas of the community. The location of the amendment areas in proximity and with access to, the major street network and circulation routes in the city and county will minimize the traffic impacts on the non-industrial areas and streets within the community. The existing types of agriculture-related businesses within the community and the types of industries being targeted in the City's economic development strategy have been determined by the City to be compatible with both the existing industrial base and the surrounding agricultural activities and lands in the proposed expansion areas. The City's findings address the statewide planning goals and meet the UGB amendment factors under Goal 14 that are provided as decision criteria for growth boundary change amendments within the City's comprehensive plan that includes the city/county growth boundary and policy agreement.

7. Urban Growth Boundary Location Factors and Consistency with ORS 197.298

ORS 197.298 provides a hierarchy of land for inclusion within a boundary with first priority to designated urban reserve land; second priority to exception areas or non-resource land; third priority is for land designated as marginal land; and fourth priority is land designated

for agriculture or forestry with higher priority given to land of lower capability as measured by a soil classification system or cubic foot production site class for timber.

The City's findings and analysis for the proposed UGB amendment under the Goal 14 factors cited under Item 6 above, also address the priority of land provisions under ORS 197.298 with regard to the fourth priority of lands for inclusion based on soil classification capability since the city does not have urban reserve lands, exception areas, or marginal lands adjacent to the current UGB that could meet the identified industrial land need. The Donald UGB is surrounded by lands containing high capability soils (Class II and III) designated for agricultural use. The existing major businesses in the community are agriculture-related and serve the surrounding farm community. The locational analysis identified all the properties adjacent to the Donald city limits/UGB as alternative locations considered in order to meet the need for additional employment lands to accommodate the economic development strategy identified in the City's EOA. The soils capability classification of the alternative parcels were considered in conjunction with identified site characteristics for the employment land needs (i.e. serviceability, proximity to existing industrial lands, access to major roads, one parcel over 25 acres, compatibility with surrounding uses, minimal limitations to development, proximity to I-5 corridor and the rail line) to determine the possible parcels for inclusion in the boundary. The 42.5 acre proposed expansion areas consist of four parcels in various locations adjacent to the city that are comprised of Class II and III soils, similar to the classifications of soils surrounding the general area and farming community of the city. The proposed expansion areas include four parcels consisting of 1.12 acres, 4.84 acres, 6.39 acres and 26.93 acres located to the north, west and south of the current UGB that meet the locational and site characteristic factors determined by the City to be consistent with the ORS 197.298 priority considerations for the inclusion of lands within the boundary.

The City's original analysis under the provisions of ORS 197.298 was an area of the UGB amendment proposal locational analysis that County and DLCD staff indicated needed additional findings. County and DLCD staff worked with the City's planning consultant to provide soils data and parcel and alternative area analysis to support the City's amendment proposal and meet the location factors and considerations under Goal 14 and ORS 197.298. The amendment proposal contains adequate data and findings to justify the UGB amendment as required under the provisions of Goal 14 and ORS 197.298.

8. Marion County/City of Donald Urban Growth Boundary and Policy Agreement (UGBPA) and Consistency with the Marion County Comprehensive Plan

Marion County and the City of Donald maintain an intergovernmental agreement that is a procedural document specifying requirements for the establishment of UGB's, UGB amendment procedures, urbanization policies for lands outside the city limits but within the UGB, review and notice procedures for development proposals and plan/code amendments, and the establishment of areas of mutual planning concern existing outside of the UGB. This agreement was executed between the County and the City as an implementation tool for the comprehensive plans adopted by each jurisdiction. The current agreement between the County and the City has been in place since April 1986.

The City of Donald UGB amendment proposal addresses the applicable procedures for UGB amendments and the Urbanization policies cited in the agreement applying to UGB amendments. The Urbanization policies within the UGBPA are consistent with the policies contained in the Urbanization Element of the Marion County Comprehensive Plan. The proposal addresses the conversion of land to urban uses cited under the agreement regarding the orderly and economic provision of public facilities and services and the availability of sufficient land to accommodate various uses. The provisions of the UGBPA for amending the UGB require consideration of the factors cited under Statewide Planning Goal 14 – Urbanization. The City proposal provides findings to address these requirements and is consistent with the applicable policies and procedural requirements within the City/County UGBPA pertaining to UGB amendments.

The Growth Management Framework of the County Comprehensive Plan adopted in 2002 requires an updated agreement between the County and a city consistent with the Framework, when a city goes through periodic review or updates its comprehensive plan where County concurrence is necessary. The City of Donald is not updating its comprehensive plan where text, goal and policy amendments pertaining to urbanization are being considered, and the proposed UGB amendment is not part of the City's periodic review of its Plan. The UGB amendment is being proposed to address an employment lands need that is not being met by the existing supply/inventory of lands within the City's comprehensive plan and UGB. The proposal does not involve any textual changes to the Plan or amendments to existing policies and/or elements of the Plan. An updated or revised intergovernmental agreement is not required at this time under the County's Framework policy.

The County Growth Management Framework provides coordination guidelines with regard to Economic Development that cities may utilize to be consistent with the County Comprehensive Plan when proposing an urban growth boundary amendment. The City's amendment proposal is consistent with the Framework guidelines to identify the capacity of local employment uses through an inventory of employment lands; provides for forecasted jobs and land needs by conducting an economic opportunities analysis to formulate an employment growth strategy focusing on the economic growth and development opportunities along with the need to retain existing employers/businesses in the community; and coordinates with the County to provide information to support development of a sustainable economy within areas of the County.

Redesignation and Rezoning of Properties Added to the Urban Growth Boundary

The 42.5 acres of property proposed for addition to the Donald Urban Growth Boundary is currently designated "Primary Agriculture" in the Marion County Comprehensive Plan and zoned EFU (Exclusive Farm Use). Should the 42.5 acres be included within the Donald UGB for future employment (industrial and commercial) land development purposes, the "Primary Agriculture" rural land designation in the County applying to lands outside of urban growth boundaries will be replaced with a City of Donald Comprehensive Plan urban land use designations of "Industrial" and "Commercial" to distinguish between the proposed urban use of the properties and rural lands outside the amended UGB.

The 42.5 acres of property to be included within the UGB also needs to be rezoned from the current County rural zone code designation of EFU (Exclusive Farm Use) that applies to lands outside of urban growth boundaries to a County urban zone code designation applying to lands within the urban growth boundary but outside the city limits where the County still maintains land use control over such properties until annexed to the city. The appropriate rezoning for the properties would be to a County urban zone code designation of UTF (Urban Transition/Farm). As stated in Chapter 14 of the Marion County Urban Zone Code:

The purpose of the UTF (Urban Transition/Farm) zone is to encourage the continued practice of commercial agriculture in areas planned for future urban development. The UTF zone shall be applied in those areas within an urban growth boundary where the applicable urban area comprehensive plan indicates that land should be retained in large blocks, and acreage residential development discouraged, to facilitate efficient conversion to urban use.

Applying the County UTF zone designation to properties that are presently in a rural resource zone allows for the continued use of these properties for agricultural purposes until the properties are annexed to the city and developed for urban industrial and commercial use consistent with the Plan designations for the properties.

PUBLIC COMMENTS/TESTIMONY

Notice of the proposed Plan/UGB amendment was provided to the 19 other cities within Marion County, public agencies, advisory groups, interested persons and property owners within the 750-foot notice area of the affected properties. Notice of the public hearing on the amendment proposal was also provided to the Woodburn Independent and Statesman Journal newspapers.

Marion County Public Works/Transportation Engineering section reviewed the amendment proposal and provided comments. In addition, comments on the Transportation Impacts and Assessment (TIA) for the Bennion/Feller property were provided during the early review of possible UGB amendment scenarios. In summary, the comments on the amendment proposal raise the following items with regard to the properties involved in the UGB expansion: 1) the TIA addressed only the Feller/Bennion property and more detailed transportation analysis will be required at the time of zone change or annexation of each of the other properties; 2) access to major roadways will be managed to protect the mobility functions of the roads and a system of internal roads should be identified to serve the expansion areas and included in the City's transportation plan; 3) entire rights-of-way shall be included within the UGB so that urban design standards can be applied and provide for a single jurisdictional change from City to County and for future maintenance responsibilities; 4) in order for development to be responsible for needed mitigation of traffic impacts as identified in the TIA, the City needs to allow for County review of development applications and abide by mitigation requirements on County facilities. The items cited in the Transportation Engineering section comments are generally conditions or requirements imposed at the time of development through a development agreement or with land use applications for development activity of each of the parcels.

Seven persons provided oral testimony at the public hearing including two persons representing the City of Donald. The Friends of French Prairie and 1000 Friends of Oregon testified and submitted written comments with one additional written comment submitted during the County review process, all of which are part of the County record in this matter and considered by the Board in its deliberation and decision on the plan amendment.

EXHIBIT B

**CITY OF DONALD
COMPREHENSIVE PLAN MAP AMENDMENTS:**

BACKGROUND MATERIALS -

**UGB EXPANSION ANALYSIS AND JUSTIFICATION
TRANSPORTATION IMPACT ANALYSIS FOR BENNION/FELLER PARCEL**

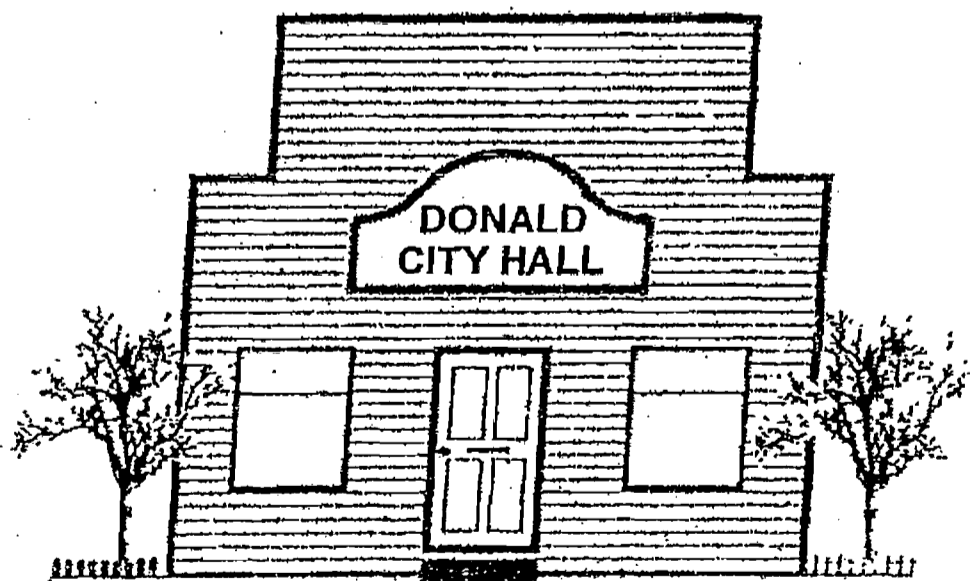
CITY OF DONALD

URBAN GROWTH

BOUNDARY AMENDMENT

PROPOSAL:

EMPLOYMENT LANDS



CITY OF DONALD
URBAN GROWTH BOUNDARY AMENDMENT PROPOSAL:
EMPLOYMENT LANDS

City of Donald
P.O. Box 388
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Urban Growth Boundary Amendment – Employment Lands

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CITY OF DONALD
URBAN GROWTH BOUNDARY AMENDMENT PROPOSAL:
EMPLOYMENT LANDS

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2.0 Population Projection

The City of Donald has traditionally been a small, farm-oriented community. However, as with other cities affected by growth in the Portland metropolitan area, Donald witnessed a significant increase in population during this decade. The 1990 Census figure of 316 nearly doubled to 625 by the Year 2000 Census.

Consistent with provisions in ORS 195.036, Marion County was required to establish and maintain a population forecast for the entire county and to coordinate the population forecast with local governments. Early estimates by the County projected a population of 875 for Donald by the year 2020. In contrast, early City estimates of growth anticipated Donald would meet or exceed the County's estimated 2020 population in the year 2000.

In further coordination with Marion County, it became evident the City had sufficient residential land within the City limits to exceed the County's initial low population estimate. Recognizing the current growth rate of 7% would not likely to continue on into the future, the City and County agreed to a coordinated annual growth rate of 2.25% to the year 2020. Based on this coordinated agreement, formalized by Marion County Ordinance No. 1091, the City of Donald adopted a projected population of **1,050** by the year 2020.

As part of this UGB amendment process, the City must establish a 20-year planning horizon based on the submitted date of the proposal. Although the County is currently in the process of updating its coordinated population, no new estimates were established since the adoption of Ordinance No. 1091. OAR 660-24-0030(3) allows for this situation *"if a coordinated population forecast was adopted by a county within the previous 10 years but does not provide a 20-year forecast for an urban area at the time a city initiates an evaluation or amendment of the UGB . . ."* This is a "safe harbor" estimate and allows the extension of the same growth trend as assumed by the study currently in place. Therefore, continuing with an assumed growth of 2.25%, extending the population trend from 2020 to 2028 arrives at a population estimate of **1,255**.

Marion County expressed concern the proposed estimate may underestimate population growth as the 2007 population estimate for Donald is 995, nearly equal the 2020 projected population of 1,050. The County suggested a population estimate of **1,588** for 2028 as more realistic, given current estimates.

*The City of Donald concurs and accepts Marion County's the 2028 estimate of **1,588** as its "safe harbor" population. Further, this population estimate is only relevant for the UGB amendment and the City will adopt a new population forecast for the year 2030 as part of Marion County's population forecast project.*

3.0 Land Use Inventory

This Section provides a summary of the current land use inventory. The original data was created in 1998-99, and where applicable, was updated in 2008.

3.1 Background

The existing land inventory is divided into several zones which generally correspond to the type of land use associated with the property. Zoning was selected as it is the best indicator of long-run use of a parcel of land. The following zoning categories apply to the City:

- A. *R-5 Zone (Single Family Residential)* - Primarily a single family zone; no multi-family development is permitted. Minimum lot size is 5,000 square feet or 7,000 square feet for a corner-lot duplex. Consistent with the zone's minimum lot size, the expected development density is 5 units per acre. *Subsequent to the original survey, the City eliminated the R-5 zoning, re-zoning the R-5 land to R-7. Where appropriate, information regarding the R-5 and R-7 zones will be combined in subsequent sections of this document.*
- B. *R-7 Zone (Single Family Residential)* - Similar to the R-5 zone except that the minimum lot size is 7,000 square feet. Duplexes are also permitted on separate lots or parcels. The expected development density is 4 units per acre.
- C. *RM Zone (Multiple Family Residential)* - This zone is limited solely to multi-family development. There is a minimum requirement of 3,000 square feet *per unit* for a maximum development density of 14 units per acre.
- D. *Commercial (C)* - This is the sole commercial zone within the City. Uses normally associated with commercial activities, such as retail sales or offices are permitted outright. Apartments are allowed on the second floor, or, behind a commercial use located on the first floor.
- E. *Industrial (I)* - Primarily designed for industrial type of activities, although some "heavy" commercial uses (e.g., welding or cabinet shop) are also permitted.
- F. *Public (P)* - This zone applies to public or semi-public facilities such as schools and churches.

The following table identifies the amount and percentage of each zoning designation within the City. Specific information on the Industrial and Commercial zoned land may be found in Appendix "A."

**Table 3-1
Land Use by Zone**

ZONE	ACREAGE	PERCENT OF TOTAL
Single Family Residential (R-7)	64.35	57.6%
Multiple Family Residential (RM)	7.23	6.4%
Commercial (C)	8.61	7.7%
Industrial (I)	29.63	26.5%
Public (P)	1.99	1.8%
Totals	111.81	100%

As this table shows, a majority of the land inventory (64%) is devoted to residential use. However, a significant portion of the City (26.5%) is zoned for Industrial uses indicating Donald contains a significant base for employment opportunities.

3.2 General Land Use

A field inventory was conducted for each parcel of land. While the survey reviewed *all lands* within the City, the following information concentrates solely on those lands zoned for employment-related uses: Commercial and Industrial. Further, while OAR 660—024-0050(3) establishes a “safe harbor” process for reviewing industrial and commercial lands, given the limited acreage in the community, City staff found it appropriate to conducted a site-by-site analysis (see Attachment “A”).

A. Assumptions

1. *Total Acreage* - The total amount of land available in a particular zone. Donald is located on relatively level ground and does not contain factors, such as flood plains, steep slope hazard areas or other factors which prohibit development of individual properties. The City recognizes storm water run-off is a factor in site development; however, this issue can usually be addressed through proper engineering design.
2. *Developed and Committed* - Land which contains no potential for additional development; for example, a commercial building occupying an entire parcel.

3. *Redevelopable* - Land which is capable of further development. This may include Commercial or Industrial property which contains non-conforming uses. For example, a Commercial parcel with a single family home *may* be redeveloped by either removing the home or converting it to a commercial use such as an office.
4. *Vacant* - Land devoid of development or not committed to an approved development plan. Public facilities either were available or could be made available to serve the site.

The Commercial land is located within the City's downtown (Main Street, west of the railroad tracks) and characterized by substantial buildings on relatively small lots. Redevelopment potential is virtually nonexistent and essentially limited to the few lots containing single family homes.

Industrial land was reviewed in a similar manner. Sites which were substantially developed were often capable of expansion, but not necessarily completely new business structures and activities. However, where the property was used for outdoor storage or contained dilapidated buildings worth less than the property, the site was assumed to be redevelopable. This later case however, was limited to a small number of parcels on the City's south side, adjacent to Matthieu Street.

B. Land Availability

Subsequent to the inventory, property was divided into developed, redevelopable or vacant categories based on the previously noted assumptions. The results are noted in the following chart:

**Table 3-2
Availability – Employment Lands**

Zone	Total Acres	Developed	Redevelopable	Vacant
C	8.61	7.18 (83%)	1.00 (12%)	0.43 (5%)
I	29.63	20.51 (69%)	6.38 (22%)	2.74 (9%)
Total	38.24	27.69 (72%)	7.38 (19%)	3.17 (9%)

Of the 38.24 acres of land available to meet employment needs, less than 10% is vacant for either Commercial or Industrial uses. Further, only some 28% of the total employment-related land may either be redeveloped or is vacant for immediate use.

4.0 Industrial and Commercial Land

The nation and region have seen tremendous economic changes over the last 20-years. Nationally, the service industry supplanted manufacturing in terms of jobs and job growth. Computers and the Internet – once the province of a handful of scientists – have become commonplace and revolutionized the way America conducts business. Oregon saw high-tech manufacturing surpass the traditional agriculture and forestry sectors to become the state's primary employer. The image of the closed sawmill was often followed by the ground breaking of a new chip plant. Today's personal computer will likely be supplanted by as yet unforeseen new technologies. Downtown's may become a thing of the past as shopping is dominated by the Internet. Office space needs may be reduced as tele-commuting becomes more prevalent. Large industrial areas remain vacant as manufacturing is transferred overseas and current processes are replaced with more efficient technologies. For these reasons, it is a major challenge to accurately project a community's commercial and industrial needs.

The City of Donald is a small, rural community with a surprisingly significant industrial land base. The City possesses considerable economic attributes: compact downtown, recent improvements to the public facility system and close proximity to Interstate-5 and the metropolitan areas of Portland and Salem. The City will need to build upon these attributes to maintain - and enhance - its local economy. To that end, this Chapter reviews the availability of commercial and industrial land within the City.

A part of the process of addressing commercial and industrial needs, Oregon Administrative Rules 660-09 requires communities to conduct an "Economic Opportunities Analysis." This analysis helps determine whether there is sufficient land, in the adequate quantities and suitable locations to meet expected commercial and industrial requirements. Briefly, the analysis contains four basic steps:

- (1) Review national, regional and local economic trends;
- (2) Site requirements to meet expected demand.
- (3) Inventory of existing commercial and industrial sites.
- (4) Assessment of community economic development potential.

4.1 National Trends

Economic Development Trends

There are a number of factors that will affect future development and employment opportunities in general, and specifically to the region. These factors are considered below:

Aging baby boomers and an increase in life expectancy. By 2050, the number of people older than 65 will double while the number of people less than 65 will only increase by 12%. This will result in a contraction of the labor force, an increase in the demand for healthcare services and impacts on the federal budget to address Social Security and Medicare.

Increasing Hispanic and Latino population. By 2000, the Hispanic and Latino population represents 12.5% of the U.S. population, up from 9% in 1990. This group is expected to account for 24% of the population by 2050.

The importance of education on wages and household income. The Bureau of Labor Statistics concludes the fastest growing occupations will require an academic degree. Further, individuals holding the necessary education will earn considerably more than those without the necessary education. This does not mean everyone will (or need to) attend college, but emphasizes the importance of training beyond a high school diploma.

Global trade. It is no longer just a domestic market but a global one. Global trade will continue to increase along with a desire by manufactures to seek lower labor costs.

Technological innovation. Innovation will increase worker productivity. This will allow increases in the production of goods and services, but given lower labor costs elsewhere, primarily services.

Manufacturing to service-oriented shift. Technological increases allow manufactured items to be produced most anywhere, thereby placing a premium on labor costs. This trend will continue as the country moves toward solidifying its place as a service-oriented economy.

Rising energy costs. The world-wide demand for energy (and oil in particular) is increasing the energy costs. As of this writing, crude light oil exceeded \$100.00 per barrel. This has tremendous impacts on transportation costs and associated household and business expenditures. Travel modes and patterns are expected to change in response.

Environmental impacts and energy efficiency. The demand for energy will likely lead to increased efficiencies in all processes and products. A larger percentage of our energy will come from renewable sources.

Migratory patterns in U.S. There remains, and will likely continue, a population movement away from the Midwest and Northeast toward the South and West.

Natural resources. Changes in tastes and preferences are now placing a premium on environmental quality. This includes scenic views, outdoor recreation, clean water and similar amenities. Regions that retain these values will create a development advantage over those areas that do not.

Industrial Changes

The impact of these trends can be seen nationally, as high-tech and services related industries are supplanting traditional manufacturing businesses. Technical education is the key for tomorrow's work force as there will be fewer opportunities for unskilled labor.

Occupational opportunities will include the fields of computers, health care, science, education, and services. **Table 4-1** below identifies recent trends and short-range forecasts for employment in each major industry division in the United States. A brief trend summary follows.

Table 4-1
Recent Trends and Forecasts - Major Industry Employment

Total Employment	1986 Employment (1000s)	1996 Employment (1000s)	1986-96 % Change	2006 (Estimate)	Projected 1996-2006 % Change
Total Employment	98,727	118,731	20.3	136,318	14.8
Goods Producing	24,538	24,431	-0.4	24,451	0.1
Services Producing	74,189	94,300	27.1	111,867	18.6
Manufacturing, Total	18,951	18,457	-2.6	18,108	-1.9
Durable	11,200	10,766	-3.9	10,514	-2.3
Nondurable	7,751	7,691	-0.8	7,593	-1.3
Non-manufacturing, Total	79,776	100,274	25.7	118,210	17.9
Mining	778	370	-52.4	420	13.5
Construction	4,810	5,400	12.3	5,900	9.3
Transportation/Utilities	5,247	6,260	19.3	7,111	13.6
Trade - Wholesale	5,751	6,483	12.7	7,228	11.5
Trade-Retail	17,878	21,625	21.0	23,875	10.4

Finance, Real Estate	6,275	6,899	9.9	7,651	10.9
Services	22,346	33,586	50.3	44,852	33.5
Government-Federal	2,899	2,757	-4.9	2,670	-3.2
Government-State/Local	13,794	16,690	21.0	18,480	10.7

Goods Producing vs. Service Producing Jobs

While total non-farm employment increased 20.3% from 1986 to 1996 manufacturing employment declined by 0.4%. Conversely, service employment increased by 27.1%. Seen another way manufacturing industries lost 100,000 employees while the service section gained 20 million jobs. The Bureau of Labor Statistics expects this trend to continue, with the service industries growing by 18.6%, or 17.5 million people. Manufacturing will rebound slightly, posting a gain of 0.1% or 20,000 people.

Manufacturing Jobs

The recent trends in manufacturing have been negative. Employees involved in durable goods-manufacturing have decreased by 3.9 percent. The number of employees involved in the manufacture of non-durable goods has declined by 0.8 percent. The short-range forecast continues the negative trends with decreasing numbers of employees in both durable and non-durable goods.

Non-manufacturing Jobs

During this time period, non-manufacturing jobs increased by nearly 21 million, with another 18 million expected by 2006. The most significant growth will occur in services (50.3%), state and local government (21%), retail trade (21%) and the transportation, communication and utility sector at 19.3%.

Services dominated growth between the years 1996 and 2006. Other significant growth during this time period (more than 10%) occurred in mining, transportation, communication and utility sector, trade, finance and real estate, and state and local government.

Analysis by Occupation

As reflected in Table 4-1 above, service-providing industries are projected to add jobs much faster than non-service industries. The exception to this rule is computer-oriented manufacturing, which shows large forecasted gains in employment for the near future. Table 4-2 identifies those job categories with high or very high projected increases. As this Table indicates, computer-oriented occupations, assistants, and

service-oriented occupations will see the highest growth. The average growth rate for all jobs is 14.4% during this coming decade. Specific jobs that exceed this growth rate by 1.5 times are listed as "High" growth rate jobs (identified by the symbol "H"). Those that will more than double the average rate of job growth are listed as "Very High" ("VH").

Table 4-2
Projected High Growth Occupations - 1996 to 2006

Occupation Title	1996 - % of Industry	2006 - % of Industry	% Change	Growth Rate
Total, All Occupations	100.0%	100.0%	14.4%	AVERAGE
Profession specialties	13.7	15.28	27.6	H
Life scientists	0.1	0.15	22.8	H
Computer, research	0.8	1.39	100.2	VH
Computers, systems analyst	0.7	1.32	110.2	VH
Computer engineer	0.3	0.63	114.6	VH
Social, recreational	1.2	1.38	32.0	VH
Teachers - secondary	1.2	1.23	22.2	H
Teachers - other	0.7	.73	29.9	VH
Teachers - adult/vocational	0.4	0.42	25.1	H
Health diagnostics	0.5	0.6	27.9	H
Health assessment	2.2	2.38	26.2	H
Therapists	0.3	0.44	56.9	VH
Writers, entertainers	1.0	1.03	24.3	H
Designers	0.2	0.19	25.8	H
Health technicians	1.9	2.04	24.9	H
Technicians - other	0.9	0.93	23.6	H
Legal assistants	0.2	0.21	41.2	VH
Sales workers	2.6	2.84	24.7	H
Adjusters, investigators	1.1	1.14	25.0	H
Receptionists, clerks	0.9	0.98	30.3	VH

Teacher aides	0.8	0.97	37.7	VH
Health service	1.8	2.03	32.8	VH
Nursing aides	1.1	1.23	24.2	H
Nursing attendants	1.1	1.15	25.4	H
Personnel services	1.6	2.07	48.9	VH
Home-health aides	0.6	.87	79.3	VH

Summary of National Trends

National trends and forecasts indicate strong growth in computer-related, service and trade professions, including medical and teaching services. As both previous tables indicate, manufacturing jobs are expected to decline in nearly all categories while service-related jobs will continue to grow. These are not just computer-related but encompass several other categories such as retail, education or health professions.

4.2 Regional

This analysis examines employment trends in the mid-Willamette Valley region. Consistent with national figures, manufacturing and goods-producing industry jobs are forecast to grow at a slow rate while service and trade related jobs are expected to increase rapidly over the next several years.

The Oregon Employment Division produced a *Regional Economic Profile* for the three-county Region 3 (Marion, Polk, and Yamhill Counties) in which Donald is located. The following is an excerpt from the *Profile*, as it describes the results of the Employment Division's forecasts:

Sophisticated technology is taking routine jobs away from hundreds of workers in Marion, Polk, and Yamhill counties. Heightened competition and one of the nation's highest state minimum wages, are putting pressure on local employers to invest in mechanization, computers, and other electronics to improve efficiency and cut costs. A shifting of the local economic base is costing jobs at the same time it is adding jobs. The economic fortunes of Marion, Polk, and Yamhill counties have traditionally been tied to state government and to the natural resources of agriculture and wood. But the local and statewide economy is shifting from a reliance on resource extraction and manufacturing toward the information and services sectors and high tech manufacturing. By far the highest growth rates since 1979 have been in services.

Between 1996 and 2006, services will lead in the percent of growth expected in Region 3, with manufacturing in last place . . . Because of their size, though, slow-growing manufacturing and government will still create more jobs than either trade or the finance, insurance, and real estate group. Projections through 2006 indicate that the only employment decline will be in lumber and wood products. No change is foreseen in federal government. All other published manufacturing and non-manufacturing sectors should see growth.

The Employment Division Report goes on to emphasize the importance of trade and services in the regional economy:

Trade is another industry, much like construction, that reflects the economic state and population changes. Once the stores are built, they require people to manage, stock shelves, and run the cash registers. Retail/wholesale trade has shown a lot of growth and will continue to be one of the faster-growing sectors through 2006.

The growth king is, and will continue to be, the diverse services industry. In comparing 1979 with 1996, services has more than doubled employment, adding more jobs than any others. Services include a wide variety of activities including medical, legal, private schools, repair, recreation, private employment agencies, and others. The largest growth will likely be in business and professional services, including temporary employment agencies and other services aimed toward the commercial user.

As the population gets older, employment in health services will continue to grow, although increased efficiencies through improved medical techniques and new technologies will be putting some downward pressure on employment growth. Private schools, tourist lodging, amusements, and recreation make up much of the fast-growing part of "other services."

Recent data for the Salem MSA bears out this anticipated change in the region's employment make-up. The area saw a 10,400 job increase in annual average non-farm employment between 2001 and 2006. The biggest increases - construction, retail trade, and professional/business services - accounted for 69% of this increase. Again, the stores and offices are built and are then manned by service professionals.

Conversely, manufacturing only saw a 3% growth in the number of jobs. There was actually a decline in durable goods manufacturing jobs during this time period that was slightly offset by growth in the non-durable goods segment. It is also interesting to note that the number of jobs associated with information technology - many a community's panacea for development - actually declined during this time period.

This information was recently updated by the Oregon Employment Department. A summary of Industry Employment Forecast, 2006-2016 is found in **Table 4-3**. This material again applies to Region 3 (Marion, Polk and Yamhill counties). This Table identifies recent trends and short-range forecasts for employment in each major industry. Percentages in parenthesis "()" denote a decrease.

Table 4-3
Recent Trends and Forecasts - Major Industry Employment

Total Employment	2006 Employment	2016 Employment	2006-16 % Change
Total Nonfarm Employment	179,800	205,600	14%
Natural Resources, Mining	1,600	1,600	0%
Construction	11,300	12,900	14%
Manufacturing, Total	21,800	22,200	2%
Durable	11,900	12,200	3%
<i>Wood Products</i>	3,700	3,500	(5%)
Nondurable	9,900	10,000	1%
<i>Food Manufacturing</i>	5,600	5,700	2%
Information	1,700	1,800	6%
Transportation/Utilities	4,300	4,800	12%
Trade - Wholesale	4,700	5,200	11%
Trade-Retail	21,100	23,700	12%
Finance, Real Estate	8,700	9,700	11%
Professional & Business Services	14,500	17,300	19%
Education & Health Services	24,900	31,800	28%
<i>Health Care</i>	17,200	22,600	31%
Leisure & Hospitality	14,900	17,800	19%
Government	44,300	50,200	13%

Goods Producing vs. Service Producing Jobs

While total non-farm employment is expected to increase some 14% from 2006 to 2016, manufacturing employment will only increase some 2%. Conversely, service employment will increase by 19%, leisure industries by 19% and education and health services by 28%. Seen another way, manufacturing industries will grow on one-seventh the rate of overall non-farm employment and significantly trail the growth rates for service-related industries.

Summary of Regional Trends and Forecasts

This region reflects national trends of slow growth in manufacturing and high growth in services. However, there are some important differences. It was estimated that between 1996 and 2006 the regional economy grew by 20.7% compared to the nation's 14.8% and exceeded the national average in every major industry category. The biggest job growth is expected to occur in service-related industries, particularly health care. Of the several categories identified in the Industry Employment Forecast, health care led all categories with a growth rate of 31%. That is more than twice the overall growth in non-farm employment and more than *fifteen times* the growth in manufacturing.

4.3 Local Trends

The City of Donald lies along the I-5 corridor. While it has not witnessed the growth and prosperity associated with recent high-tech developments in that region, it has certainly received interest by several property owners (and firms) to establish commercial or industrial enterprises in the City. Recent population growth was likely based on the community's relatively lower housing costs, but until now has had the effect of creating more of a bedroom community rather than establishing new employment opportunities.

Local Employers

According to the Oregon Economic and Community Development Department the leading employers within the Donald area include the following:

**Table 4-4
Area Employers**

Employer	Product	Number of Employees
Nordic Enterprise (Hubbard)	Clothing	140
Elixir Industries (Aurora)	Manuf. Homes	56
Ulven Forging (Hubbard)	Iron & Steel	38

GK Machine (Donald)	Steel	25
Easy Punch (Hubbard)	Textiles	25

As seen above, the majority of jobs are located outside of Donald but surprisingly involve manufacturing. What is of issue here is the lack of significant local employment opportunities, effectively requiring citizens to seek employment elsewhere. Specific employment information provided by the 2000 Population Census identified the following leading employment sectors and occupational categories:

**Table 4-5
Employment by Industry and Occupation**

Industrial Group	Percentage Employment
Manufacturing (durable goods)	28.9%
Retail Trade	12.0%
Agriculture/Forestry/Mining/Fishery	9.3%
Wholesale Trade	8.6%
Professional, scientific	8.2%
Educational Services	7.6%
Transportation	6.2%
Construction	4.5%
Arts, entertainment	4.1%
Information	3.8%
Other services	3.1%
Public administration	2.1%
Finance, insurance, real estate	1.7%

Occupation	Percentage Employed
Sales and office	30.6%
Managerial and professional	23.7%
Construction, maintenance	17.2%
Production, transportation, material handling	16.5%
Farming, fishing, forestry	6.2%
Service occupations	5.8%

As expected, significant portion of the labor force is employed by firms which provide goods (e.g., manufacturing) which are limited in Donald. This is also the case with the occupations. A majority of the listed occupations (60.1%) involve forms of labor (sales, office, managerial) with limited opportunities in the community. Surprisingly, while farming is a major local industry, only 6.2% of the labor force is employed in that field.

Based on the 2000 Census, some 231 individuals, out of an employed labor force of 286, commute to work with a mean travel time of 21.6 minutes. Given the relatively

small size of the City, it is likely most if not all these individuals commute to jobs outside of Donald. This roughly translates into one local worker for every 4.2 who commute outside Donald.

The significance of these numbers is that the City is becoming more of a place to live rather than work. This is not surprising given its close proximity to I-5. It is also likely reflective of a lack of suitable industrial land. Unless efforts are made to attract industries that can take advantage of the City's proximity to I-5, Donald will move toward the status of a bedroom community instead of taking advantage of its location to promote employment opportunities.

4.4 Major Industry Forecasts and Locational Potential

As noted, according to national and regional trends and forecasts, computer-related, service, and retail and wholesale trade industries are on the rise. Though industries related to manufacturing are forecast to generally decline in the nation, they will continue to grow somewhat in the region. Locally, Donald has a fairly strong service sector (although primarily agricultural related), but is otherwise under-served in all remaining major industry categories. Even with these trends for background, it remains difficult to determine with any precision the future commercial and industrial land needs for Donald. If anything, the recent population growth has indicated the City is becoming more of a bedroom community than an economic center.

As noted earlier, the most significant growth sectors on the national level occurred in services (50.3%), state/local government (21%), retail trade (21%) and transportation, communication and utility sector (19.3%). Within the next decade, significant growth (more than 10%) will occur in education and health care, services, wholesale and retail trade, finance and real estate and government.

Regionally, trade will increase to meet population changes, requiring "people to manage, stock shelves, and run the cash registers." Retail/wholesale trade will continue to be one of the faster-growing sectors through 2016. In a similar vein, the service sector will also grow considerably. Services include a wide variety of activities such as medical, legal, repair, recreation, private employment agencies with the largest growth likely to occur in business and professional services. An aging population will increase employment in health services, the largest category identified by the Employment Department for this Region. Finally, private schools, tourist lodging, amusements, and recreation make up much of the fast-growing part of "other services."

The potential of the major industry categories identified in Table 4-1 is reviewed below:

- A. Manufacturing - There is a single manufacturing firm within the City (G&K Machinery) specializing in agricultural equipment. However, the proximity to I-5

and rail service can provide excellent opportunities for the establishment of similar types of firms.

- B. Mining - This category includes mining and quarrying. Unless new commercial discoveries are made within the vicinity, local growth is not anticipated.
- C. Construction - Construction is generally dependent on activity in other categories and therefore is not viewed as a separate category for Donald.
- D. Transportation, Utilities, Communications - Included in this category is warehousing and distribution centers. Donald has a distinct advantage with its local rail line and close proximity - and easy access - to I-5.
- E. Trade - During the 1988s and 1990s, the City of Salem emerged as the retail center for Marion County and the late 1990s saw the creation of significant retail space at the Woodburn interchange. The Portland-Metro area continues as a strong shopping magnet. Retail expansion is therefore expected to be very limited with a greater potential to serve specific local needs. However, as the City grows there is likely a need for additional commercial zoned land.
- F. Services - Service growth is generally related to retail growth. The state anticipates regional growth in medical, legal, repair, recreation, employment agencies, and other similar activities with the largest growth occurring in business and professional services. At this juncture, Donald is well served by Salem, and to a lesser extent, Woodburn and Portland. It will likely require significant additional population to attract *business and professional services*.
- G. Government - Government will continue to play some small role through the proximity of State and County government offices located in Salem. While employment opportunities for local citizens may be available, these individuals will be required to commute. Minor growth may occur within the region, but not necessarily in Donald.

4.5 Other Sector and Employment Forecasts

In addition to the major industrial categories above, there are specific local industries as well as employment trends that are analyzed below:

- A. Agriculture - The farm area surrounding the City includes a variety of agricultural products which can be further processed. It appears, however, the industry is consolidating, not expanding. For example, regionally, Wilco Farmers closed smaller operations in the last decade to consolidate operations in a few cities. Food processing activities also require significant quantities of water as well as

sewage treatment which may well be beyond the current capabilities of the City's public facility capacity.

- B. Technology - The current hi-tech industry boom is not likely to impact Donald in the near future. Land would need to be made available as well as significant quantities of water. In addition, the City lacks a labor pool with the necessary technical skills; new employees will likely commute, which may reduce congestion in the Metro area further north but in effect, transfers the traffic impacts to the south.
- C. Healthcare - An aging population will increase the demand on healthcare facilities. For most communities, this will involve medical clinics, nursing homes and assisted living centers. As a community within a rural setting and generally low cost housing, Donald has certain advantages which could help attract this type of business and support staff. However, Salem - as well as Woodburn and Portland - currently provides the necessary medical services to meet current and future community health care needs. Health care professionals are more likely to live in Donald and commute elsewhere than see employment opportunities created locally.
- D. Tourism - There is much potential for tourism within the Willamette Valley. Most of this activity centers on the region's wine industry but also includes the State's number one tourist attraction: the Spirit Mountain Casino.

Donald is also located close to Champoeg State Park and within close proximity to the State's major wine producing area. However, tourists drive either through the community on their way to Champoeg, or simply by-pass Donald and remain on I-5. In either case, its location works at a disadvantage. Unless specific attractions are developed for the community or efforts are made to provide tourist services, Donald is unlikely to generate significant interest.
- E. Other - As noted, Donald contains a number of industries serving the agricultural sector. Farm ownership and farm-related industries may be consolidating. However, the expansion of existing firms may be part of that consolidation. Therefore, expansion of existing industries presents employment opportunities for the community.

Donald is in the unusual and advantageous position of proximity to two major transportation corridors: I-5 and the Portland & Western rail line. It would appear this location can offer opportunities for the community by promoting certain distinct advantages. The next Section identifies targeted industries and their site requirements.

4.6 Industry Selection

The previous sections provided a profile of the community and identified economic trends affecting the nation, region and community. In summary, high-tech and services related industries are supplanting traditional manufacturing businesses. Occupational opportunities will include the fields of computers, health care, science and research, education, and a variety of service related businesses. The region is basically following national trends but is likely to see greater overall employment opportunities due to population increases. Locally, the City's labor force is more dependent on *manufacturing employment* than any other segment, but the manufacturing segment is generally in the decline. Salem, as well as Woodburn and Portland, provides much of the retail and service opportunities for the residents.

Using the listing of major industry categories, employment trends, as well as local economic factors, a list of target industries needs to be identified. Based on these factors, it is suggested that the list of target industries that would locate within the City within the planning period should include the following:

- A. Warehousing and Distribution - A distribution center can provide an opportunity for an industry with regional and statewide impact. Based on the City's proximity to I-5 and the railroad, the creation of a distribution center is entirely feasible. Further, these types of businesses are not just involved in the storage and distribution of materials or goods, but *often take the guise of an assembly plant through the repackaging of raw materials or components.*
- B. Expansion of Existing Firms - Land should be provided to allow for the future expansion of existing service businesses. This can occur in existing general industrial areas and avoid their possible relocation to other communities. While there are no significant local employers (involving 100s of jobs) it does not make economic sense for the community to lose existing firms. *As will be seen, this application is in part due to local firms seeking opportunities for expansion.*
- C. Trade and Services - The demand for retail and service businesses will increase as the population increases. This will require existing businesses to expand and provide the need for new retail areas. This *will not* supplant Salem (or Woodburn) as commercial centers, but will provide retail good and service opportunities directed at local residents. This category would also include professional services such as medical offices, attorneys, accountants and real estate agents. Such offices may be placed in existing commercial areas with building specifically designed for office use. As with retail, demand for these services will increase as the population increase.

4.7 Site Requirements - General

The previous section targeted industries and businesses based on trends and forecasts. In general, most activities may occur in either a general commercial zone or a general industrial classification. The following reviews the siting needs for two of the categories.

General Industrial - General industrial is a possible location for distribution businesses and the expansion of existing manufacturers. General industrial siting criteria are:

- Land should be generally flat, with slopes less than 5%, and capable of being provided with urban level sanitary sewer/water services and storm drainage.
- Proximity to a railroad track; while not necessary, *is beneficial*.
- Preferably, the industrial areas should be contiguous to one another to reduce traffic between industrial areas and residential areas.
- Sites should have indirect access to an arterial or collector street and attempt to avoid the use of residential streets.
- If possible, supporting commercial uses should be allowed within the industrial area, or be in close proximity, to reduce travel distance.

General Commercial - General commercial is a possible location for retail trade, personal services and professional services, and may have limited application to distribution. Except for professional offices and clinics, it is not the preferred zone for healthcare facilities. General commercial siting criteria are:

- Access to, and visibility from, an arterial is important. Preferably, business traffic should come along a signalized collector street, perpendicular to an arterial.
- Land should be generally flat, with slopes less than 5%, and capable of being provided with urban level sanitary sewer/water services and storm drainage.
- Consistent with Comprehensive Plan policies, sites should extend or be part of the City's downtown.
- If possible, the sites should be within walking distance of multiple-family developments to reduce travel distance and times.

4.8 Site Requirements - Specific Industries

The siting requirements of each identified industry category are reviewed below:

- A. Warehousing and Distribution - Access to I-5 and the rail line lends itself to this type of business. The City is within a few minutes from the Interstate and a rail line runs through the center of town. Specific needs vary with firm and by product. It would appear that 25 to 50 contiguous acres (e.g., the Winco facility in Woodburn) would be the minimum necessary to accommodate this industry.

It is also important to note development of the area for warehousing and distribution could lend itself to the creation of an industrial park serving other businesses. This could attract firms from the Portland and Salem area in search of lower cost and greater quantities of land for expansion or the establishment of new firms. While this is not a "targeted industry," its potential must be recognized as part of any potential UGB expansion.

- B. Expansion of Existing Firms - Manufacturing requirements vary considerably. It is assumed the current locations are adequate to serve existing businesses unless the specific owners are in need of additional land for expansion. Again, this should be encouraged to avoid losing these firms to other communities. As of this juncture, two firms are interested into expanding onto land outside the UGB.
- C. Trade and Services - The Comprehensive Plan supports a strong downtown. The downtown is well defined but contains some vacant storefronts and is characterized by smaller and difficult to develop parcels. Better utilization of the downtown buildings – especially those currently used as single family homes – can provide some immediate benefits, but additional land will still be required as the City population grows.

4.9 Site Considerations for Other Industries

A number of other industry categories were considered, as were local and regional industries, but were rejected as target industries. Potential land needs for these categories and industries are noted below:

- A. Mining - As noted, unless new commercial discoveries are made within the vicinity, local growth is not expected in this category.
- B. Construction - Construction is generally dependent on activity in other industrial categories. The region contains a number of construction firms so that additional land *specific* to this use is unnecessary.
- C. Government - The vast majority of government jobs are located in Salem. With the exception of the local school district (North Marion), local public sector employment is expected to be very limited. The recent move into a new City Hall likely addressed governmental needs for the foreseeable future.
- D. Agriculture/Food Processing - As noted, it appears the food processing industry is consolidating, not expanding. Since water availability and sewage treatment may be an issue, no additional land is identified for these uses.

- E. Technology - The current hi-tech industry boom (and semi-bust) is not likely to impact Donald in the near future. While sufficient land can be made available for this type of industry, the City lacks a labor pool with the necessary technical skills and is probably too far removed from Metro's "Silicon Forest" to interact with existing firms.
- F. Tourism - Donald is not a destination tourist center; effectively, tourists on I-5 are on their way to other places. Special provisions for this industry are unnecessary.
- G. Healthcare - Facilities such as nursing homes and assisted living centers are potentially allowed in the Commercial zone through interpretation. As self contained facilities, proximity to the downtown is not critical in their location. However, the creation of additional land specifically for this use is not required. Again, due to the location and extent of existing facilities elsewhere in the Valley, new opportunities are unlikely.

4.10 Existing Land Conditions

Industrial

Unlike many small communities, the City of Donald retains a significant industrial land base. The industrial land base represents a significant total of all land within the City (26.5%). There are 29.63 acres of industrial land of which 19.38 acres are developed. Of the remaining Industrial land, 6.38 acres are re-developable and 3.87 acres are vacant. Most of the industrial land is devoted to agricultural-related uses such as feed and fertilizer services, and farm machinery manufacturing. This industrial base provides not only local employment but serves the surrounding farm community.

However, it must be noted there are no vacant or redevelopable parcels exceeding 5-acres in size (see Attachment "A"). Of the six available parcels, two are between three-to-four acres, two are approximately one acre and the last two contain less than a quarter acre. Further, none of the parcels is located adjacent to existing industrial users considering expansion. Effectively, this limits potential uses and certainly will not provide sufficient land for identified target industries. *Therefore, the current inventory of 29.63 acres, including the inventory of available vacant or redevelopable land, will not provide sufficient land to meet expected demand based on identified target industries, including expansion of existing firms.*

Commercial

The City contains approximately 8.61 acres of commercially zoned land. Existing Commercial zoned land is concentrated along Main Street and provides limited services to local residents. There are no banks, gas stations or full-service grocery stores within the City. Gas is available at the I-5 interchange, approximately one mile to the east while groceries, banking, major retail and professional services may be found in Woodburn and Wilsonville, both approximately 10 miles from Donald.

Due to the size, location and lack of available land, the City does not envision the creation of "big-box" retailers to meet commercial needs of the community but expects to continue to rely on neighboring communities to provide the bulk of retail services.

Of the 8.61 acres, a total of 1.00 acre is considered redevelopable land. *This consists of seven parcels each containing a single family home.* No one parcel exceeds 0.19 acres in size. While there are only 0.43 acres of vacant commercial land, the *largest of the three vacant parcels* only contains 0.20 acres.

ORS 660-024-0040(8)(b) allows a local government containing less than 10,000 population to "... assume the retail and service commercial land needs will grow in direct proportion to the forecasted urban area population growth over the 20-year planning period." However, this section does not identify whether the growth should be proportional to existing developed commercial properties or to existing commercially-zoned land. For this reason, an acreage range may be more appropriate.

The current 2007 population of 995 (Portland State University estimate) represents one Commercial-zoned acre for every 116 people while the *developed land ratio* is one acre per 139 people. Assuming these ratios are maintained (reflecting local retail demand), a range of 11.42 to 13.69 acres of Commercial zoned land will be necessary to meet the estimated 2028 population of 1,588. This will require an additional 2.81 acres to 5.08 acres of commercial land.

The City is proposing the addition of 1.67 acres, which addresses part of the expected demand. It must be noted there is an approximate two-acre Industrial-zoned site (T4S; R1W; Sec. 17BC; TL 300, 301, 302) where an approved Measure 37 claim allows commercial uses on the property. While the proposed UGB expansion falls short of the identified range of land needs, this specific Industrial site can provide additional acreage to meet expected demand.

4.11 Summary

The background inventory and analysis offers the following general conclusions:

- A. The largest *employment* category (28.9%) for Donald residents is the manufacturing sector followed by retail trade (12.0%) and resources at 9.3%
- B. Most of the local work force is employed in the sales and office related jobs. Overall, unskilled and semi-skilled jobs dominate *local* employment.
- C. The employment pattern and average commuting time indicate a majority of the employment opportunities are found in the Portland and Salem metropolitan areas or neighboring communities.
- D. It is estimated approximately 4.2 workers are employed elsewhere for every one employed within the City of Donald.
- E. Significant commercial businesses, such as a gas station, bank, major grocery store or medical services, are not available within the City. However, the City recognizes the small population and available services in neighboring communities will likely limit commercial growth in these areas.
- F. Donald anticipates additional external demand for industrial land due to its proximity to I-5 and the existing rail services.
- G. The analysis indicates proposed targeted industries involve warehousing and distribution, improvements in local commercial opportunities and expansion of existing industrial type facilities. The analysis indicated the amount of vacant or redevelopable land available is insufficient to meet demand, is not properly located and does not provide suitably large parcels to meet expected needs.

As a final note, local job growth has a number of benefits beyond the mere job creation. If the firms can capture local employment, there is the potential to reduce traffic impacts associated with commuting. Local development improves the City's tax base and permits either rate reductions to meet current service needs or new revenue to meet program demands. Finally, there are "qualitative" community benefits: residents who live and work in the City are more likely to participate in community affairs.

The next sections provide findings to amend the City's Comprehensive Plan Map to expand the UGB and are the basis for the City's application with Marion County. There are two separate requests in this action involving proposed Industrial and Commercial land. Each request will be addressed separately based on the proposed designation.

5.0 Urban Growth Boundary Amendment - Industrial

5.1 Background

- A. The subject area totals 38.70 acres and is composed of three separate parcels. Soils information is included in Attachment "A." It must be noted the soil maps only approximate the area of the subject Parcels. For this reason, there may be a discrepancy between the soil map and Assessor map regarding parcel size.
1. Parcel 1 - This parcel is located on the north side of the City on the east side of Butteville Road. It contains 26.96 acres and is located within Township 4 South; Range 1 West; Section 17; Tax Lot 1000. The property is composed of 80.9% Woodburn silt loam (WuA) soils with the remainder Amity silt loam (Am - 12.2%) and Concord silt loam (Co - 6.9%). Both Woodburn and Amity are considered Class II soils while Concord is Class III.
 2. Parcel 2 - This would extend property located along the west side of Matthieu Street southward to provide additional storage capacity for an existing propane distribution company. The property contains 6.9 acres and is located within Township 4 South; Range 1 West; Section 17C; Tax Lot 1200. The property is composed of 78.0% Pits (PITS) soils with the remainder Woodburn silt loam (WuA - 213.2%) and Dayton silt loam (Da - 0.8%). "Pits" is considered Class VIII while both Woodburn and Dayton are considered Class II soils.
 3. Parcel 3 - This parcel is located on the south side of Main Street, adjacent to the G&K Machine site. The parcel contains 4.84 acres and is located within Township 4 South; Range 1 West; Section 17CB; Tax Lot 7300. The western parking lot for the firm is located adjacent to this site and its inclusion will allow further expansion of the facility. The property is composed of 97.2% Woodburn silt loam (WuA) soils with the remainder Concord silt loam (Co - 2.8%). Woodburn is a Class II soils while Concord is Class III.
- B. All parcels are vacant and cultivated or left in a natural state. No parcel is located within the identified 100-year flood plain nor contains other identified hazards such as steep slopes. There are no public facilities to the parcels of land, although these services can be extended and access to a public street is available in all cases. The parcels are served by the Aurora Rural Fire Protection District.

- C. All three Parcels are zoned Exclusive Farm Use (EFU) by Marion County. Industrial land is located to the south of Parcel 1, to the north and east of Parcel 2, and the east of Parcel 3. These industrial lands currently contain active users. Also, RM zone land is located to the southeast of Parcel 3.
- D. Based on the evidence generated from the original buildable land inventory and subsequent analysis, there is insufficient land within the existing City limits (i.e., the UGB) to meet the potential and anticipated industrial demands of the community. To address these concerns, the City wishes to provide additional land for existing firms and targeting a specific set of industries to take advantage of the City's location.
- E. The proposal would amend the City of Donald Comprehensive Plan Map to include the three parcels within the City's Urban Growth Boundary. New uses - especially warehousing or trucking facilities - are possible with Parcel 1. Business expansions are possible with Parcel 2 for a propane dealership and Parcel 3 for an existing manufacturing firm (G&K Machine). The proposal would also establish the "Industrial" Plan designation on the land. *There is no concurrent request for an annexation, zone change or development.*

5.2 Findings - UGB Amendment

- A. Criteria to be addressed in the UGB amendment are found in the *Donald Urban Area Growth Management Agreement*, the Statewide Land Use Planning Goals, applicable State Statutes (ORS) and Administrative Rules (OAR) as well as the Donald and Marion County Comprehensive Plans. Each item is reviewed in the following sections.

- B. Donald Urban Area Growth Management Agreement

The adopted Urban Growth Management Agreement establishes requirements and methods for amending the City's Urban Growth Boundary. Amending the UGB is treated as a map amendment to both the City and County Comprehensive Plan maps. Specific decision criteria are found in Section VI.(1). The criteria and findings are as follows:

- 1.a. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.

FINDINGS: The completed Buildable Land Inventory was developed consistent with the requirements in ORS 197.296 in 1998-99 and updated for the purpose of this application in 2008. Results of the analysis identified a need to create additional industrial designated land. While

specific acreage was suggested, the parcels correspond to the City's intent to provide additional land for existing firms and provide new land for potential target industries.

1.b. Need for housing, employment opportunities and livability.

FINDINGS: As part of the original Buildable Land Inventory analysis, there appears to be a reasonable amount of housing available and the City possess a compact livable urban form. However, the City is concerned with the lack of local employment opportunities. New opportunities will allow residents to be employed locally and assist in Donald's economy with a corresponding reduction in external traffic impacts from commuting. Therefore, this request addresses the identified need for employment and its associated benefits on housing and livability.

1.c. Orderly and economic provision for public facilities and services.

FINDINGS: These parcels are located adjacent to the City limits. Services can be readily extended to each of the parcels and no immediate capacity issues were identified by City Public Works Department. Therefore, this action will ensure the orderly and economic provision for public facilities and services.

1.d. Maximum efficiency of land uses within and on the fringe of the existing urban area.

FINDINGS: The Inventory analysis clearly showed that there was a lack of industrial land to permit expansion for existing business as well as to allow for new firms consistent with targeted industries. Further, based on the analysis it is recognized existing vacant and redevelopable land cannot meet this need and this can only be accomplished through the expansion of the UGB. There is no proposal at this time to annex and develop the property. However, these lands are located adjacent to the City limits, serviceable and will be available to meet identified future needs.

1.e. Environmental, energy, economic and social consequences.

FINDINGS: Environmental quality will not be degraded. To maintain air, water and land quality, all new development must connect to public sewer, water and storm services. The action is generally neutral to energy efficiency. However, all new construction will be required to comply with adopted energy efficiency standards. There are economic benefits to the community. These include construction-related employment in additional

to the continual employment potential once new businesses are established or existing ones expanded. Socially, the City is obligated to provide for employment opportunities. This strengthens the community with jobs, taxes and a commitment by residents to participate in local government. The UGB amendment will ensure these important objectives are met.

- 1.f. Retention of agricultural lands as defined, with Class I being the highest priority and Class VI the lowest priority.

FINDINGS: An examination of the "Soil Survey of the Marion County Area, Oregon" and associated maps clearly indicates nearly all alternative land choices involved property with Class II or Class III soils. Land with Class III or IV soils are within close proximity of the City, *but not adjacent* to the current City limits/UGB, and therefore cannot be considered. In other words, for the purposes of any UGB expansion, there is little choice but to incorporate higher Class soils. Facing this dilemma, the City selected those lands that are serviceable, contain sufficient access and meet identified industrial objectives as stated in the analysis. Further, the City attempted to minimize this impact by focusing on land that accommodates existing firms located within the current city limits.

Alternatives analysis, including soil survey information, will be discussed when specifics of OAR 660-024 are addressed.

- 1.g. Compatibility of the proposed urban uses with nearby agricultural activities.

FINDINGS: The City recognizes that with few exceptions, Donald is located within an area of significant agricultural production. Expansion of the City limits will likely have similar impacts regardless which direction the City expands. It is anticipated that the industrial designation will not create traffic impacts or uses (as compared to residential activities) thereby somewhat mitigating impacts on these adjacent farm lands.

C. OAR 660-024

These Administrative Rules clarify Goal 14 procedures and requirements related to the adoption of, or an amendment to, urban growth boundaries (UGB). The following will address specific issues related to the proposed expansion for the industrially related lands. For clarity, only those provisions *applicable* to the request are included.

1. OAR 660-024-000. This Section addresses applicability. For the record, these newly amended provisions apply to this request as the City did not provide notice under the prior rules nor is currently subject to a periodic review work order.
2. OAR 660-024 -0020 notes all statewide goals and related administrative rules are applicable when establishing or amending a UGB, except as follows [OAR 660-024-0020(1)]:
 - (a) *The exceptions process in Goal 2 and OAR 660, division 4, is not applicable unless a local government chooses to take an exception to a particular goal requirement, for example, as provided in OAR 660-004-0010(1);*
 - (b) *Goals 3 and 4 are not applicable;*
 - (c) *Goal 5 and related rules under OAR 660, division 23, apply only in areas added to the UGB, except as required under OAR 660-023-0070 and 660-023-0250;*
 - (d) *The transportation planning rule requirements under OAR 660-012-0060 need not be applied to a UGB amendment if the land added to the UGB is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the boundary or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary;*
 - (e) *Goal 15 is not applicable to land added to the UGB unless the land is within the Willamette River Greenway Boundary;*
 - (f) *Goals 16 to 18 are not applicable to land added to the UGB unless the land is within a coastal shorelands boundary;*
 - (g) *Goal 19 is not applicable to a UGB amendment.*

FINDINGS: Compliance with these provisions is noted as follows:

- a. Goal 1: Citizen Involvement - "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

FINDINGS: The City and County entered into an Urban Growth Management Agreement which specifically addresses the issue of an urban growth boundary expansion. Consistent with the guidelines contained in this agreement, the City conducts hearings before both the Planning Commission and City Council to review the request. The decision of the City Council is final and the decision is forwarded to Marion County for their review and

decision. All hearings will be noticed, open to the public and provide an opportunity for public input in all phases of the planning process.

- b. Goal 2: Land Use Planning - "To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an accurate factual base for such decisions and actions."

FINDINGS: OAR 660-024-0020(1)(a) specifically states the exception process is not applicable unless a local government chooses to take an exception to a specific goal requirement. For the record, the proposal does not involve exceptions to other Goals.

- c. Goal 3: Agricultural Lands - "To preserve and maintain agricultural lands."

FINDINGS: OAR 660-024-0020(1)(b) specifically states Goal 3 is not applicable.

- d. Goal 4: Forest Lands - "To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices and assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and provide for recreational opportunities and agriculture."

FINDINGS: OAR 660-024-0020(1)(b) specifically states Goal 4 is not applicable.

- e. Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources - "To protect natural resources and conserve scenic and historic areas and open space."

FINDINGS: The subject land does not contain identified open space, scenic or historic resources nor are sites containing these resources located on adjacent lands or within the immediate area.

- f. Goal 6: Air, Water and Land Resource Quality - "To maintain and improve the quality of air, water and land resources in the state."

FINDINGS: When developed, the industrial uses will connect to public sewer, water and storm systems, thereby minimizing impact on air, water and land resource quality.

- g. Goal 7: Areas Subject to Natural Disasters and Hazards - "To protect people and property from natural hazards."

FINDINGS: The parcels are not located within an identified natural disaster or hazard area.

- h. Goal 8: Recreational Needs - "To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts."

FINDINGS: Land identified for recreational activities are not included in the UGB amendment nor are they identified recreational land within the vicinity that could be conceivably impacted by this action.

- i. Goal 9: Economic Development - "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens."

FINDINGS: This is the key benefit of the proposed UGB expansion and provides a number of economic benefits. Besides providing employment, jobs will also be created to construct the necessary facilities and roads as well as houses necessary to support a local workforce. In addition, the increased workforce and population will provide a greater market for the City's downtown.

- j. Goal 10: Housing - "To provide for the housing needs of the citizens of the state."

FINDINGS: This action will increase local housing demand but does not promote nor prohibit the creation of needed housing.

- k. Goal 11: Public Facilities and Service - "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."

FINDINGS: The parcels are readily serviceable and can be

integrated within the current public facility system. These lands may therefore be serviced in an orderly and efficient manner consistent with existing public service lines and facilities.

- l. Goal 12: Transportation - "To provide and encourage a safe, convenient and economic transportation system."

FINDINGS: Similar to Goal 11, every effort was made to ensure the expansion would successfully integrate within the existing street system. The parcels either front along major streets or will have access as part of anticipated improvements. In no case are the parcels land-locked or unable to obtain necessary access.

- m. Goal 13: Energy Conservation - This action neither promotes nor precludes energy conservation. Generally, all new development must comply with adopted state energy efficiency standards.

- n. Goal 14: Urbanization - "To provide for an orderly and efficient transition from rural to urban land use."

Urban growth boundaries shall be established to identify and separate urbanizable land from rural land. Establishment and change of boundaries shall be based upon considerations of the following factors:

- (1) Demonstrated need to accommodate long range urban population growth requirements consistent with LCDC goals;
- (2) Need for housing, employment opportunities;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural lands as defined, with Class I being the highest priority and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

FINDINGS: The Goal 14 factors were previously addressed under the Urban Growth Management Agreement in item B., above.

The City completed a Buildable Land Inventory consistent with the requirements in ORS 197.296 and provided updated material

consistent with the intent of this report. As part of the Buildable Land Inventory analysis, the City determined more industrial land was needed to address identified deficiencies. This land will be designated exclusively for industrial purposes and clearly addresses the need for employment opportunities as well as implementing the economic opportunity analysis in Section 4.

Environmental quality will not be degraded. To maintain air, water and land quality, all new development must connect to public sewer, water and storm services. All new construction will be required to comply with adopted energy efficiency standards. There are economic benefits to the community, including employment, construction-related jobs as well as an increased market for local goods and services. Socially, the City is obligated to provide for employment opportunities. This strengthens the community with jobs, taxes and a commitment by residents to participate in local government. The UGB amendment will ensure these important objectives are met. Finally, these lands are serviceable; ensure the orderly and economic provision for public facilities and services.

The Soil Survey indicates that, except for land containing the drainage ways and creeks, land adjacent to the City limits – and reviewed as part of the analysis - is dominated by Class II soils. For the purposes of the UGB expansion, there remains little choice but to incorporate higher Class soils. Therefore, expansion of the City limits will likely have similar impacts regardless which direction the City expands. Facing this dilemma, the City selected those lands that are serviceable and contain sufficient access as well as addressed specific site requirements for targeted industries. Based on input from affected agencies, potential traffic impacts can be mitigated.

- o. Goal 15: Willamette River Greenway; Goal 16: Estuarine Resource; Goal 17: Coastal Shorelands; Goal 18: Beaches and Dunes; Goal 19: Ocean.

FINDINGS: The proposed amendment does not involve land within the Willamette Greenway, or, identified estuarine, shoreland, beach or ocean areas.

Under OAR 660-24-0020(2) the UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient

to determine which particular lots or parcels are included in the UGB. The appropriate maps are included as Attachment "A."

3. 660-024-0030. The County (and effectively the City) is required to establish a 20-year population forecast consistent with statutory requirements for such forecasts under ORS 195.025 and 195.036.

FINDINGS: Such a coordinate population was established by Marion County and established a 20-year forecast of 1,050 for the City by the year 2020. As this number is not current, Subsection (3) provides a "safe harbor" for establishing a new 20-year projection. This was addressed in Section 2.0 of this document and established a new population estimate of 1,588 for the year 2028.

4. OAR 660-024-0040(1) states the UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.

FINDINGS: The subject analysis addresses the employment land needs (in this case, specifically industrial land needs) for a 20-year population projection.

5. OAR 660-024-0040(3) allows a local government may review and amend the UGB in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).

FINDINGS: As noted, the subject analysis addresses the employment land needs (in this case, specifically industrial land needs) for a 20-year population projection. This action therefore addresses a single land need.

6. OAR 660-024-0040(5) states the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an

estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.

FINDINGS: Provisions in OAR 660-009 are reviewed below:

660-009-0005 Definitions

This Section provides definitions for OAR 660-009 and does not establish specific decision criteria.

660-009-0010 Application

The effect of this action is to expand the Urban Growth Boundary. This request does not involve a change in the Plan designation of zoning of land within the UGB nor is this request part of a periodic review work task.

660-009-0015 Economic Opportunities Analysis

Cities and counties must review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses containing the information described in sections (1) to (4) of this rule. This analysis will compare the demand for land for industrial and other employment uses to the existing supply of such land.

(1) Review of National, State, Regional, County and Local Trends. The economic opportunities analysis must identify the major categories of industrial or other employment uses that could reasonably be expected to locate or expand in the planning area based on information about national, state, regional, county or local trends. This review of trends is the principal basis for estimating future industrial and other employment uses as described in section (4) of this rule. A use or category of use could reasonably be expected to expand or locate in the planning area if the area possesses the appropriate locational factors for the use or category of use. Cities and counties are strongly encouraged to analyze trends and establish employment projections in a geographic area larger than the planning area and to determine the percentage of employment growth reasonably expected to be captured for the planning area based on the assessment of community economic development potential pursuant to section (4) of this rule.

FINDINGS: The City completed its review of applicable economic trends, the results of which are contained in Section 4 of this document. The information identified two major components for expansion: the need to provide land for a target industry (warehousing and distribution) and the need to allow expansion of existing industrial users.

(2) *Identification of Required Site Types.* The economic opportunities analysis must identify the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses. Cities and counties are encouraged to examine existing firms in the planning area to identify the types of sites that may be needed for expansion. Industrial or other employment uses with compatible site characteristics may be grouped together into common site categories.

FINDINGS: The City identified target industries and the necessary site characteristics, including anticipated acreage requirements.

(3) *Inventory of Industrial and Other Employment Lands.* Comprehensive plans for all areas within urban growth boundaries must include an inventory of vacant and developed lands within the planning area designated for industrial or other employment use.

(a) *For sites inventoried under this section, plans must provide the following information (applicable provisions):*

(A) *The description, including site characteristics, of vacant or developed sites within each plan or zoning district;*

(B) *A description of any development constraints or infrastructure needs that affect the buildable area of sites in the inventory; and*

(b) *When comparing current land supply to the projected demand, cities and counties may inventory contiguous lots or parcels together that are within a discrete plan or zoning district.*

(c) *Cities and counties that adopt objectives or policies providing for prime industrial land pursuant to OAR 660-009-0020(6) and 660-009-0025(8) must identify and inventory any vacant or developed prime industrial land according to section 3(a) of this rule.*

FINDINGS: The City completed the inventory of existing industrial and commercial land within the Urban Growth Boundary. The results of the survey are contained in Appendix "A." The conclusions of this analysis are contained in Section 4. In summary, the City does not have adequate amounts of industrial lands to meet anticipated needs. The analysis determined available vacant and redevelopable land will not meet the identified needs of the community both in terms of location to serve existing businesses and size to meet identified target industries. Therefore, based on the economic opportunities analysis, the City

concluded expanding the UGB is necessary to allow for the expansion of existing industries, and, to permit the establishment of industries suitable to the community's economic advantage.

(4) Assessment of Community Economic Development Potential. The economic opportunities analysis must estimate the types and amounts of industrial and other employment uses likely to occur in the planning area. The estimate must be based on information generated in response to sections (1) to (3) of this rule and must consider the planning area's economic advantages and disadvantages. Relevant economic advantages and disadvantages to be considered may include but are not limited to:

- (a) Location, size and buying power of markets;*
- (b) Availability of transportation facilities for access and freight mobility;*
- (c) Public facilities and public services;*
- (d) Labor market factors;*
- (e) Access to suppliers and utilities;*
- (f) Necessary support services;*
- (g) Limits on development due to federal and state environmental protection laws; and*
- (h) Educational and technical training programs.*

(5) Cities and counties are strongly encouraged to assess community economic development potential through a visioning or some other public input based process in conjunction with state agencies. Cities and counties are strongly encouraged to use the assessment of community economic development potential to form the community economic development objectives pursuant to OAR 660-009-0020(1)(a).

FINDINGS: The conclusions of the analysis are contained in Section 4. Given the City's location, work force capabilities, public facility service capability and specific advantages as to location it was determined expanding existing firms and allowing for new warehousing and distribution firms provide the best economic development opportunity for the community. These advantages do not appear as readily available in other area communities, although this analysis by itself does not dismiss the possibility of competition in other communities.

The single significant issue to emerge was potential traffic impacts at the Fargo Interchange (Donald-Aurora) on I-5. The Oregon Department of Transportation was made aware of the request and did not formally object

to the UGB amendment. Marion County Public Works expressed concerns regarding traffic impact. In a letter dated October 3, 2007 (Appendix C) they identified specific traffic mitigation measures that will be required when development occurs. They believe these measures are adequate to address the potential traffic as determined by a traffic impact analysis conducted by Group MacKenzie (Appendix D).

Therefore, on balance and after considering the land needs analysis, potential impacts and input from affected agencies, the City determined that the proposed industrial UGB amendment complies with the provisions in this section.

660-009-0020 Industrial and Other Employment Development Policies
(Applicable provisions)

(1) Comprehensive plans subject to this division must include policies stating the economic development objectives for the planning area. These policies must be based on the community economic opportunities analysis prepared pursuant to OAR 660-009-0015 and must provide the following:

(a) Community Economic Development Objectives. The plan must state the overall objectives for economic development in the planning area and identify categories or particular types of industrial and other employment uses desired by the community. Policy objectives may identify the level of short-term supply of land the planning area needs. Cities and counties are strongly encouraged to select a competitive short-term supply of land as a policy objective.

(c) Commitment to Provide Adequate Sites and Facilities. The plan must include policies committing the city or county to designate an adequate number of sites of suitable sizes, types and locations. The plan must also include policies, through public facilities planning and transportation system planning, to provide necessary public facilities and transportation facilities for the planning area.

FINDINGS: In September of 2005, the Donald City Council amended the Donald Comprehensive Plan by adding the following new language to the Industrial Land Use Policy:

"Recognizing the importance of job creation and improvement of the local tax base, it is the policy of the City to ensure there is an adequate supply of land for existing and potential industrial users. This policy fully recognizes the City must not only meet current demand for such lands but support necessary amendments to the Urban Growth Boundary to continually provide new development opportunities."

This policy was general to some degree as a specific lands analysis for the UGB amendment had yet to be finalized. However, the policy is clear in that the City wants to maintain an adequate supply of land and is committed to support amendments providing new development opportunities. These opportunities were identified in the analysis in Section 4., and effectively emerge as a result of this UGB expansion. Finally, as previously noted, public facilities, including transportation facilities, can be provided or impacts successfully mitigated effectively implementing existing Plan policies.

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

(1) Identification of Needed Sites. The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.

FINDINGS: The analysis in Section 4 addresses these concerns. Specific industries were targeted, land needs identified, and based on alternatives the specific sites were selected. When annexed and zoned, these lands will effectively implement the City's Comprehensive Plan.

(2) Total Land Supply. Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period.

FINDINGS: The City's current coordinated population projection does not extend beyond 2020. However, pursuant to provisions in OAR 660-024, a new 20-year population estimate for the year 2028 was established and

the subsequent economic opportunities analysis was designed to incorporate the new estimate. The City recognizes that if these lands are fully developed within that time period the City will be obligated to return with additional UGB amendments to address industrial land needs. The City also recognizes the population estimate was specifically designed to address this proposed UGB "employment" amendment and that subsequent revisions may be necessary as part of Marion County's population coordination project.

(3) Short-Term Supply of Land. Plans for cities and counties within a Metropolitan Planning Organization or cities and counties that adopt policies relating to the short-term supply of land must designate suitable land to respond to economic development opportunities as they arise. Cities and counties may maintain the short-term supply of land according to the strategies adopted pursuant to OAR 660-009-0020(2).

FINDINGS: This Section does not apply as Donald is not located within a Metropolitan Planning Organization nor has it adopted short term supply strategies as part of its Comprehensive Plan policies.

However, OAR 660-24-0040(5) states the following:

Except for a metropolitan service district described in ORS 197.015(14), the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.

Again, Donald has not adopted a short-term policy or strategy for industrial land supply. It must be noted however, that upon adoption of this request, the City will contain some 50-acres of vacant or redevelopable land within the UGB. With this addition, some 64% of this land will be readily (if not immediately) available for development. Therefore, while a specific plan is not in place, the immediate and short term needs of the community will be met through this amendment.

(4) If cities and counties are required to prepare a public facility plan or transportation system plan by OAR chapter 660, division 011 or division 012, the city or county must complete subsections (a) to (c) of this section at the time of periodic review. Requirements of this rule apply only to city

and county decisions made at the time of periodic review. Subsequent implementation of or amendments to the comprehensive plan or the public facility plan that change the supply of serviceable land are not subject to the requirements of this section. Cities and counties must:

FINDINGS: This Section does not apply as Donald is not under a periodic review order.

660-009-0030 Multi-Jurisdiction Coordination

(1) Cities and counties are strongly encouraged to coordinate when implementing OAR 660-009-0015 to 660-009-0025.

(2) Jurisdictions that coordinate under this rule may:

(a) Conduct a single coordinated economic opportunities analysis; and

(b) Designate lands among the coordinating jurisdictions in a mutually agreed proportion.

FINDINGS: These provisions do not apply to the request.

- D. OAR 660-02400040(8) allows the use of safe harbors in determining employment needs.

FINDINGS: Employment needs was based on an economic opportunities analysis in Section 4. With the exception of retail and service requirements (see Section 6) a "safe harbor" approach was not used.

- E. 660-024-0050(1) states that when evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For employment land, the inventory must include suitable vacant and developed land designated for industrial or other employment use, and must be conducted in accordance with OAR 660-009-0015(3).

FINDINGS: Such an analysis was conducted in Section 4. It determined that the existing vacant or redevelopable land was inadequate in both size (the largest single, vacant parcel at 3.18 acres) and location to address the requirements of a 25 to 50-acre parcel needed for the identified targeted industry. Therefore a UGB amendment was necessary. Further, it was also determined a UGB expansion was necessary to ensure adequate additional land for existing businesses, also a targeted industry.

- F. 660-024-0050(4) states that if the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the city or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB. Changes to the UGB must be determined by evaluating alternative boundary locations consistent with OAR 660-024-0060.

FINDINGS: An inventory of available parcels made it clear that a 25 to 50-acre parcel was not available nor could be consolidated to meet the identified need. Further, there is no alternative for re-designating such lands (e.g., Residential to Industrial) in sufficient quantities to meet the identified needs. While not part of this analysis, there are slightly more than five-acres of vacant residential land available in the City and said land is not readily consolidated. Its inclusion would eliminate land for future residential uses, thereby necessitating a UGB amendment to address residential requirements. In summary, the land requirements of specific targeted industries cannot be met either partially or fully within the existing UGB. Therefore, it was determined the only suitable alternative was to expand the UGB.

Regarding the existing firms seeking expansion, there is no suitable alternative to obtaining land adjacent to the existing property. In the case of Parcel 2, the property is adjacent to the existing propane business and will be used to provide additional storage of propane tanks. No other adjacent land is available to provide for the necessary expansion. For Parcel 3, the County recognizes the subject G&K Machine property as committed to industrial development. This amendment merely brings existing industrial land into the City's UGB for eventual annexation. Therefore, in both cases, the only possible option to provide for business expansion was to include land located outside the existing UGB.

- G. 660-024-0050(5) notes that when land is added to the UGB, the local government must assign appropriate urban plan designations to the added land, consistent with the need determination. The local government must also apply appropriate zoning to the added land consistent with the plan designation, or may maintain the land as urbanizable land either by retaining the zoning that was assigned prior to inclusion in the boundary or by applying other interim zoning that maintains the land's potential for planned urban development until the land is rezoned for the planned urban uses. The requirements of ORS 197.296 regarding planning and zoning also apply when local governments specified in that statute add land to the UGB.

FINDINGS: Elsewhere in this Section, findings will be created to establish the "Industrial" Plan designation on all property brought into the UGB.

H. 660-024-0060(1) states that when considering a UGB amendment, a local government must determine which land to add by evaluating alternative boundary locations. This determination must be consistent with the priority of land specified in ORS 197.298 and the boundary location factors of Goal 14, as follows:

(a) Beginning with the highest priority of land available, a local government must determine which land in that priority is suitable to accommodate the need deficiency determined under 660-024-0050.

(b) If the amount of suitable land in the first priority category exceeds the amount necessary to satisfy the need deficiency, a local government must apply the location factors of Goal 14 to choose which land in that priority to include in the UGB.

(c) If the amount of suitable land in the first priority category is not adequate to satisfy the identified need deficiency, a local government must determine which land in the next priority is suitable to accommodate the remaining need, and proceed using the same method specified in subsections (a) and (b) of this section until the land need is accommodated.

(d) Notwithstanding subsection (a) through (c) of this section, a local government may consider land of lower priority as specified in ORS 197.298(3).

(e) For purposes of this rule, the determination of suitable land to accommodate land needs must include consideration of any suitability characteristics specified under section (5) of this rule, as well as other provisions of law applicable in determining whether land is buildable or suitable.

FINDINGS: The following addresses the above criteria:

- (a) The highest priority is for lands located within a designated urban reserve. Such a reserve has not been established and therefore does not apply.*
- (b) The second priority is for lands located adjacent to the UGB and are identified as exception or non-resource lands. This option is not available to the City – all adjacent land is zoned for resource (farm) use.*
- (c) The next category is for marginal lands. Again, as all adjacent land is zoned for resource use, this option is not available to the City.*
- (d) In reviewing ORS 197.298(3) the following is noted:*

197.298(3) Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land estimated in

subsection (1) of this section for one or more of the following reasons:

- (a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;
- (b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or
- (c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.

This is, in effect, a two-part request. The first part addresses the provisions for 25-50 acres of land to meet the needs of a targeted industry (warehousing and distribution); the second addresses the need to provide land for allowing the expansion of existing firms.

To recap, a number of parameters were established in determining the requirements for the 25-50 acres for the target warehousing and distribution industry. Given the potential for truck traffic, preferences were given to land located adjacent to existing industrial land, a location that would not direct truck traffic through residential areas, and land where public facilities (primarily sewer and water) could be extended or integrated into the development of the property. Although not required, access to a rail line was certainly considered beneficial.

A number of alternative sites were considered. Many adjacent properties (essentially tax lots) are more than 100-acres in size thereby exceeding the identified employment needs of the community. It is assumed portions of these properties can be included. Each site is reviewed below:

Site #1: T4S; R1W; Sec. 17; TL 100 ~ The area under consideration contains approximately 60 acres and is a portion of a significantly larger parcel. The property is located along Donald Road, adjacent to the City limits and R-7 zoned property. The Site is composed of 83.8% Woodburn silt loam (WuA) soils with the remainder Amity silt loam (Am – 9.7%), Dayton silt loam (Da – 4.5%) and Concord silt loam (Co – 2.0%). The Woodburn, Amity and Dayton soils are considered Class II soils while Concord is a Class III soil.

Part of the property is located adjacent to the railroad tracks. However, the UGB expansion would require considerably more than 25-50 acres of land to take in any portion of the property next to the tracks – hence the inclusion of a 60-acre site. This may not be feasible or supportable at this

time. Further, due to its location on the City's east side, truck traffic will pass through residential areas and the City's downtown to reach the Site.

Site #2: T4S; R1W; Sec. 17; TL 2600 - The parcel contains 132 acres of which only the northerly portion adjacent to Donald Road would be considered for inclusion. The property is located adjacent to the City limits and R-7 zoned property. The Site is composed of 74.3% Woodburn silt loam (WuA) soils with the remainder Dayton silt loam (Da - 11.1%) Amity silt loam (Am - 7.4%), and Concord silt loam (Co - 7.1%). The Woodburn, Amity and Dayton soils are considered Class II soils while Concord is a Class III soil. As with Site #1, the property fronts on Donald Road thereby creating similar traffic concerns. However, unlike the potential of Site #1, there is no rail access to this property.

Site #3: T4S; R1W; Sec. 17C; TL 1300 and TL 1400 - This Site is located along the east side of Butteville Road, on the south side of the City. Adjacent land is zoned R-7. Tax Lot 1400 is located adjacent to the City limits while Tax 1300 is located directly south. The 28.8 acre Site includes all of Tax Lot 1400 and a portion of tax Lot 1300. The Site is composed of 85.2% Woodburn silt loam (WuA) soils with the remainder Dayton silt loam (Da - 14.8%). Both are considered Class II soils. The property is located along the railroad. However, its location directs truck traffic through the city's main intersection (Butteville Road and Main Street) as well as an adjacent residential area.

Site #4: T4S; R1W; Sec. 18; TL 201 - This Site contains 53.8 acres and is located along the west side of Butteville Road, on the southwest side of the City. Adjacent land is zoned R-7. No one particular portion of the site was considered. The Site is composed of 80.8% Woodburn silt loam (WuA) soils with the remainder Woodburn silt loam (WuC - 12.5%), Amity silt loam (Am - 6.1%) and Dayton silt loam (Da - 0.8%). All these are Class II soils. As with Site #3, its location directs truck traffic through the main intersection as well as a residential area. However, the Site is not served by rail.

Site #5: T4S; R1W; Sec. 17BC/18; TL 100 - This 33.5 acre Site is located along the west side of Butteville Road, in the northwesterly portion of the City. Property on the east side of Butteville is primarily zoned Industrial. The Site is composed of 78.2% Woodburn silt loam (WuA) soils with the remainder Amity silt loam (Am - 18.7%) and Concord silt loam (Co - 3.0%). Woodburn and Amity are Class II soils while Concord is a Class III. One advantage of this Site is its location on the north side of the City - truck traffic will not be directed through the city's major intersection or any

residential areas. However, the property is not served by rail. Further, the City's sewage lagoons are to the west of this Site, which may have detrimental impacts on any type of industrial development.

The subject property under consideration is a large parcel (approximately 27-acres) permitting development for a single or multiple users. The land is readily serviceable by the City. The property has access to an improved public road, and, is also located adjacent to a rail line. Its location concentrates industrial development on the north side of the City, provides suitable access to I-5 - consistent the needs of the identified target industry - while reducing impacts on the community by directing truck traffic away from residential areas.

In contrast, the alternatives Sites are lacking certain qualities. Rail access is absent in Sites #2, #4 and #5 and will require considerably more land than is currently justifiable to provide access to Site #1. Sites #3 and #4 require truck traffic to cross the City's main intersection as well as residential areas. Truck traffic will also be directed through the City's downtown and residential areas to access Sites #1 and #2.

All the property under consideration - including Parcel 1 - is composed of primarily Class II soils. The alternative Sites, however, do not contain all the attributes of a location adjacent to other industrial sites, safe access by truck traffic with impacting residential neighborhoods, and access to rail. Therefore, on balance, given the reasonable parameters to establish this type of use, the proposed parcel at Township 4 South; Range 1 West; Section 17; Tax Lot 1000 provides the best alternative of those areas examined and meets the requirements of ORS 197.298(3)(a)(b) and (c).

Regarding expanding existing businesses, it must be noted there is simply no alternative but to use adjacent land. Again, these requests provide additional land for existing industrial users, targeted industries according to the analysis in Section 4. Proximity to the existing plant is key and the deciding factor in location. Therefore, lands in Parcels 2 and 3 comply with provisions in ORS 198.298(3)(a).

I. Additional requirements in OAR 660-024-0060 state the following:

(3) The boundary location factors of Goal 14 are not independent criteria. When the factors are applied to compare alternative boundary locations and to determine the UGB location, a local government must show that all the factors were considered and balanced.

(4) In determining alternative land for evaluation under ORS 197.298, "land adjacent to the UGB" is not limited to those lots or parcels that abut the UGB, but

also includes land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency.

(5) If a local government has specified characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need, the local government may limit its consideration to land that has the specified characteristics when it conducts the boundary location alternatives analysis and applies ORS 197.298.

(6) The adopted findings for UGB adoption or amendment must describe or map all of the alternative areas evaluated in the boundary location alternatives analysis. If the analysis involves more than one parcel or area within a particular priority category in ORS 197.298 for which circumstances are the same, these parcels or areas may be considered and evaluated as a single group.

FINDINGS: The analysis weighed all identified criteria in identifying the preferred location, including siting parameters as well as the priority land determinates [item (3)]. Areas rejected would not need warrant identifying land beyond property adjacent to the UGB [item (4)]. The identified analysis was primarily consistent with the site's preferred characteristics consistent with item (5). The general areas were described pursuant to requirements in item (6).

- J. OAR 660-024(8) states the Goal 14 boundary location determination requires evaluation and comparison of the relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. This evaluation and comparison must be conducted in coordination with service providers, including the Oregon Department of Transportation with regard to impacts on the state transportation system. "Coordination" includes timely notice to service providers and the consideration of evaluation methodologies recommended by service providers. The evaluation and comparison must include:

- (a) The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB;
- (b) The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and
- (c) The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.

FINDINGS: The City is the provider for sanitary sewer and water services. In discussions with staff, there did not appear to be any limitations in extending services to those properties under consideration. Facilities were within close

proximity so that cost was not a significant factor in selecting the preferred alternative. This was especially true for the property located adjacent to existing firms.

The Oregon Department of Transportation was notified of the proposal, as was the Marion County Department of Public Works. Neither agency opposed the request, although Marion County indicated certain improvements to the Fargo Interchange may be required at the time of development. These anticipated improvements were well within the scope of the County's adopted Transportation System Plan (see letter in Attachment "C").

K. ORS 197.298

1. **197.298 Priority of land to be included within urban growth boundary.** (1) *In addition to any requirements established by rule addressing urbanization, land may not be included within an urban growth boundary except under the following priorities:*
 - (a) *First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.*
 - (b) *If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710.*
 - (c) *If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).*
 - (d) *If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both.*

FINDINGS: The City of Donald and Marion County do not have an identified Urban Reserve. Therefore, provisions in item (a) do not apply. Exception lands or non-resource lands are not located adjacent to the City therefore provisions in item (b) do not apply. Marginal lands as identified in ORS 197.247 are not located adjacent to the City limits therefore provisions in item (c) do not apply. The only available lands adjacent to the City are zoned EFU (no adjacent land is zoned for forestry purposes).

Since the expansion involves EFU zoned land, findings must address factors in 197.298(3).

2. *197.298(2) Higher priority shall be given to land of lower capability as measured by the capability classification system or by cubic foot site class, whichever is appropriate for the current use.*

FINDINGS: Soil maps for land adjacent to the City limits, and subject to this request, are included in Attachment "A." The soils are Class II and III and are therefore of a higher class. While a higher priority is given to lower class soils, such soils are not located adjacent to the City limits.

3. *197.298(3) Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land estimated in subsection (1) of this section for one or more of the following reasons:*
 - (a) *Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;*
 - (b) *Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or*
 - (c) *Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.*

FINDINGS: The existing industrial base is inadequate from quantitative and qualitative standpoints and is poorly located to serve the needs of potential businesses and the community. In addition, prior findings indicate additional land will be necessary to address both general and specifically identified economic needs.

In response to these issues, the City will expand the UGB in three locations. Two of the requests provide additional land for *existing* industrial users. In these two instances there are simply no options with regard to land priorities—proximity to the existing plant is key and the deciding factor in location. Therefore, lands in Parcels 2 and 3 comply with provisions in ORS 198.298(3)(a).

The remaining expansion involves land on the north side of the existing City limits. This site was selected for a variety of reasons. The large parcel size permits development for a single or multiple users. The land is readily serviceable by the City. The property has access to an improved

public road, and, is also located adjacent to a rail line. Finally, the property is situated in an area of other industrial users. In this regard, industrial-related traffic will not be directed through the City's commercial and residential areas.

As noted under item "K." above, alternative areas were considered for new industrial land. However, in contrast to the preferred alternative, land located adjacent to the existing UGB either lacks rail access and/or will force industrial traffic through residential or commercial areas.

L. Donald Comprehensive Plan

The Donald Comprehensive Plan does not contain specific policies related to UGB expansion other than use of the guidelines in the contained in the Urban Growth Boundary Agreement and Goal 14. The City previously addressed these items and concludes the prior findings also apply to this policy.

The City Comprehensive Plan Industrial Land Use Policy clearly recognizes the industrial potential of the community, specifically referencing the advantages of access to I-5 and the existing rail line and "encourag(ing) the development of compatible industry in Donald." Further, the City recently adopted a new policy which clearly requires the City to meet the anticipated need for industrial land.

Two of the requests involve the potential expansion of existing firms; the third provides land that can accommodate targeted industries. This later parcel is located on the far north end of the City, away from residential areas to minimize its potential impacts on residential uses, also a Plan concern. On balance, the proposal is consistent with the applicable goals and policies contained in the Comprehensive Plan.

M. Marion County Comprehensive Plan

The Urbanization Goal of Marion County is to provide for an orderly and efficient transition from rural to urban land use. Sub-goals for beneficial patterns of urban land use include the following:

- a. Development of urbanization consistent with area-wide goals and objectives.
- b. Establish Urban Growth Boundaries to identify and separate urbanizable land from rural land and contain urban land uses within those areas most capable of supporting such uses.

- c. To provide for an orderly transition from rural to urban land use.
- d. Development of a population distribution pattern in which most persons employed within an urban community live in and participate in the activities and government of that community.
- e. Development of stable and attractive residential areas protected from incompatible land uses and containing a wide variety of housing types and densities.
- f. Development of a commercial land use pattern which assures a convenient and adequate supply of goods and services to the resident, transient and trade area population.
- g. Development of commercial areas and employment centers that favor being located in relation to the urban transportation system.
- h. Development of industrial land use within urbanized areas unless an industry specifically is best suited to a rural site.
- i. Provision of sufficient areas for future industrial land use.
- j. Direct urbanization away from agricultural areas composed of major units of Class I through IV soils.
- k. Provide adequate review of development of permanent structures in the identified natural hazard or damage areas to minimize potential loss of life or property.

FINDINGS: Growth Boundaries were established consistent with accepted Intergovernmental Agreements. The County anticipates their possible expansion provided it is accomplished in an orderly and efficient manner. To meet future employment objectives requires a boundary amendment. This will ensure housing, jobs and other urban uses are kept within areas that can be serviced by urban-level facilities. The City fully recognizes that there is little alternative to the loss of farmland with higher class soils; there is simply no alternative land available with lower class soils. Based on previous findings, every effort was made to ensure minimal loss of farmland. This was achieved by addressing specific needs of existing firms and providing a framework for possible target industries.

N. Conclusion

As part of the Buildable Land Inventory analysis, the City determined more industrial land was needed to address identified deficiencies. This land will be designated exclusively for industrial purposes and clearly addresses the need for employment opportunities. There are economic benefits to the community, including employment, construction-related jobs as well as an increased market for local goods and services. This strengthens the community with jobs, taxes and a commitment by residents to participate in local government. The UGB amendment will ensure these important objectives are met.

Donald is located within an area of high quality farmland and significant agricultural production. Expansion of the City limits will likely have similar impacts on farm land regardless which direction the City expands. Every effort was made to incorporate only those lands that were serviceable, could be readily integrated into the City's infrastructure and most importantly, met the siting criteria for the identified target industries.

For the reasons noted above, the City believes the proposal complies with the applicable decision criteria in the *Donald Urban Area Growth Management Agreement*, the Statewide Land Use Planning Goals, applicable State statutes and Administrative Rules, and the Donald and Marion County Comprehensive Plans, and, believes it appropriate to amend Donald's Urban Growth Boundary by including the identified parcels.

- O. The Donald Development Ordinance does not contain criteria to amend the Comprehensive Plan Map. However, all actions must be consistent with the Comprehensive Plan and other applicable regulations governing the expansion of the UGB. The prior review established a clear need for the expansion, specifically to address *industrial needs*. City industrial policy will be met through this action. Further, prior findings indicate the request is consistent with UGB expansion policies of the Plan as well as applicable state and local regulations.
- P. For the above noted reasons, the City finds the proposal is consistent with the City Plan and other governing regulations and finds it appropriate to establish the "Industrial " Comprehensive Plan designation on the all properties subject to the Industrial UGB expansion. This complies with provisions in OAR 660-024-0050(5).
- Q. The Department of Land Conservation and Development noted the City's Industrial zone allows both heavy commercial and industrial uses. This raised concerns as to whether the eventual Industrial zoning would limit activities to preferred or at least industrial uses. The City believes industrial employment is

critical and is will to consider satisfactory amendments to the Comprehensive Plan or Development Ordinance to ensure only industrially-related development occurs at the time of annexation and development.

6.0 UGB Amendment - Commercial Land

6.1 Background

- A. The subject area is composed of a single parcel located at the northwest corner of the intersection of Butteville Road and Main Street. The property contains 1.67 acres and is located within Township 4 South; Range 1 West; Section 17BC; Tax Lot 400. The property is composed of 100% Woodburn silt loam (WuA), a Class II soil.
- B. The parcel contains a commercial structure. The land is not located within the identified 100-year flood plain nor contains other identified hazards such as steep slopes. The existing building is connected to City services and has access to a two public, improved streets. The property is served by the Aurora Rural Fire Protection District. The Soil Survey for Marion County identifies primarily Class II and III soils on the property.
- C. The parcel is zoned Exclusive Farm Use (EFU). Industrial land is located to the south and northeast and commercial land to the east and southeast. Remaining adjacent land is in the County and includes the City's wastewater treatment plant to the west.
- D. Based on the evidence generated from the original land inventory and subsequent analysis, there is insufficient land within the existing City limits (i.e., the UGB) to meet population growth. To address these concerns, the City needs to provide not only additional land but land that is locationally suitable. The proposal would amend the City of Donald Comprehensive Plan Map to include the property within the City's Urban Growth Boundary. The proposal would also establish the "Commercial" Plan designation on the land. *There is no concurrent request for an annexation or zone change.*

6.2 Findings - UGB Amendment

- A. Criteria to be addressed in the UGB amendment are found in the *Donald Urban Area Growth Management Agreement*, the *Statewide Land Use Planning goals*, and the *Donald and Marion County Comprehensive Plans*. Each item is reviewed in the following sections.

B. Donald Urban Area Growth Management Agreement

The adopted Urban Growth Management Agreement establishes requirements and methods for amending the City's Urban Growth Boundary. Amending the UGB is treated as a map amendment to both the City and County

Comprehensive Plan maps. Specific decision criteria are found in Section VI.(1). The criteria and findings are as follows:

- 1.a. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.

FINDINGS: The completed Buildable Land Inventory was developed consistent with the requirements in ORS 197.296. The results of the analysis identified a need to create additional commercial land to address long term needs of the community.

- 1.b. Need for housing, employment opportunities and livability.

FINDINGS: As part of the Buildable Land Inventory analysis, there appears to be a reasonable amount of housing available and the City possess a compact livable urban form. However, the City is concerned with the limited commercial opportunities and the lack of parcels of sufficient size (*again note: the largest vacant Commercial zoned parcel contains 0.20 acres*). This action provides a reasonably large parcel of developable land in close proximity to the downtown. The potential development provides local economic benefits while maintaining livability through avoiding conflicts with residential areas.

- 1.c. Orderly and economic provision for public facilities and services.

FINDINGS: The parcel is currently serviced by public sewer and water.

- 1.d. Maximum efficiency of land uses within and on the fringe of the existing urban area.

FINDINGS: The Inventory analysis clearly shows there is a lack of commercial land to meet long term population needs. This location is suitable as it effectively remains part of the downtown area, avoids impacting residential areas and addresses the long term needs of the City. On balance, it provides an efficient use of land to meet specific needs without diminishing other areas of the City.

- 1.e. Environmental, energy, economic and social consequences.

FINDINGS: Environmental quality will not be degraded. To maintain air, water and land quality, new development must remain connected to public sewer and water services. The action is generally neutral to energy efficiency. However, any new construction will be required to comply with

adopted energy efficiency standards. There are economic benefits to the community. These include the potential for jobs and construction-related employment. Socially, the City is obligated to provide for employment opportunities as well as local services.

- 1.f. Retention of agricultural lands as defined, with Class I being the highest priority and Class VI the lowest priority.

FINDINGS: The Soil Survey indicates that, except for land containing the drainage ways and creeks, all land adjacent to the City limits contains Class II or III soils. In other words, for the purposes of any UGB expansion, there is little choice but to incorporate higher Class soils. However, while this parcel contains Class II soils, it is currently developed and effectively committed to non-agricultural uses. This is further reinforced by connection to City sewer and water services. Therefore, there is no net loss of productive agricultural land by its inclusion into the UGB.

- 1.g. Compatibility of the proposed urban uses with nearby agricultural activities.

FINDINGS: The City recognizes that with few exceptions, Donald is located within an area of significant agricultural production. Expansion of the City limits will likely have similar impacts regardless which direction the City expands. However, this land is currently developed for non-agricultural purposes. Further redevelopment is not likely to increase impacts on adjacent farm activities.

C. OAR 660-024

These Administrative Rules clarify Goal 14 procedures and requirements related to the adoption of, or an amendment to, urban growth boundaries (UGB). The following will address specific issues related to the proposed expansion for the industrially related lands. For clarity, only those provisions *applicable* to the request are included.

1. OAR 660-024-000. This Section addresses applicability. For the record, these newly amended provisions apply to this request as the City did not provide notice under the prior rules nor is currently subject to a periodic review work order.
2. OAR 660-024 -0020 notes all statewide goals and related administrative rules are applicable when establishing or amending a UGB, except as follows [OAR 660-024-0020(1)]:

Comprehensive Plan maps. Specific decision criteria are found in Section VI.(1). The criteria and findings are as follows:

- 1.a. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.

FINDINGS: The completed Buildable Land Inventory was developed consistent with the requirements in ORS 197.296. The results of the analysis identified a need to create additional commercial land to address long term needs of the community.

- 1.b. Need for housing, employment opportunities and livability.

FINDINGS: As part of the Buildable Land Inventory analysis, there appears to be a reasonable amount of housing available and the City possess a compact livable urban form. However, the City is concerned with the limited commercial opportunities and the lack of parcels of sufficient size (*again note: the largest vacant Commercial zoned parcel contains 0.20 acres*). This action provides a reasonably large parcel of developable land in close proximity to the downtown. The potential development provides local economic benefits while maintaining livability through avoiding conflicts with residential areas.

- 1.c. Orderly and economic provision for public facilities and services.

FINDINGS: The parcel is currently serviced by public sewer and water.

- 1.d. Maximum efficiency of land uses within and on the fringe of the existing urban area.

FINDINGS: The Inventory analysis clearly shows there is a lack of commercial land to meet long term population needs. This location is suitable as it effectively remains part of the downtown area, avoids impacting residential areas and addresses the long term needs of the City. On balance, it provides an efficient use of land to meet specific needs without diminishing other areas of the City.

- 1.e. Environmental, energy, economic and social consequences.

FINDINGS: Environmental quality will not be degraded. To maintain air, water and land quality, new development must remain connected to public sewer and water services. The action is generally neutral to energy efficiency. However, any new construction will be required to comply with

FINDINGS: OAR 660-024-0020(1)(a) specifically states the exception process is not applicable unless a local government chooses to take an exception to a specific goal requirement. For the record, the proposal does not involve exceptions to other Goals.

- c. Goal 3: Agricultural Lands - "To preserve and maintain agricultural lands."

FINDINGS: OAR 660-024-0020(1)(b) specifically states Goal 3 is not applicable.

- d. Goal 4: Forest Lands - "To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices and assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and provide for recreational opportunities and agriculture."

FINDINGS: OAR 660-024-0020(1)(b) specifically states Goal 4 is not applicable.

- e. Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources - "To protect natural resources and conserve scenic and historic areas and open space."

FINDINGS: The subject land does not contain identified open space, scenic or historic resources nor are sites containing these resources located on adjacent lands or within the immediate area.

- f. Goal 6: Air, Water and Land Resource Quality - "To maintain and improve the quality of air, water and land resources in the state."

FINDINGS: The property is connected to public sewer and water thereby minimizing impact on air, water and land resource quality.

- g. Goal 7: Areas Subject to Natural Disasters and Hazards - "To protect people and property from natural hazards."

FINDINGS: The parcels are not located within an identified natural disaster or hazard area.

- h. Goal 8: Recreational Needs – “To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.”

FINDINGS: Land identified for recreational activities are not included in the UGB amendment nor are they identified recreational land within the vicinity that could be conceivably impacted by this action.

- i. Goal 9: Economic Development - “To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens.”

FINDINGS: This is the key benefit of the proposed UGB expansion and provides a number of economic benefits. The expansion provides employment and will meet local service needs.

- j. Goal 10: Housing – “To provide for the housing needs of the citizens of the state.”

FINDINGS: This action will likely not affect local housing demand; however, the action does not promote nor prohibit the creation of needed housing.

- k. Goal 11: Public Facilities and Service - “To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.”

FINDINGS: The property is currently served by public sewer and water.

- l. Goal 12: Transportation - “To provide and encourage a safe, convenient and economic transportation system.”

FINDINGS: The property fronts along an existing two publically improved streets. Additional transportation facilities are unlikely required to service the property.

- m. Goal 13: Energy Conservation - This action neither promotes nor precludes energy conservation. Generally, all new development must comply with adopted state energy efficiency standards.
- f. Goal 14: Urbanization - "To provide for an orderly and efficient transition from rural to urban land use."

Urban growth boundaries shall be established to identify and separate urbanizable land from rural land. Establishment and change of boundaries shall be based upon considerations of the following factors:

- (1) Demonstrated need to accommodate long range urban population growth requirements consistent with LCDC goals;
- (2) Need for housing, employment opportunities;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural lands as defined, with Class I being the highest priority and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

FINDINGS: The Goal 14 factors were previously addressed under the Urban Growth Management Agreement in item B., above.

The City completed a Buildable Land Inventory consistent with the requirements in ORS 197.296. As part of the Buildable Land Inventory analysis, the City determined additional commercial land was necessary to meet the long-term needs of the community. As previously discussed, this single 1.67 acre parcel addresses a portion of the long term population needs of the City; an additional Industrial zone property (with a Measure 37 approval) can meet the remaining demand.

Environmental quality will not be degraded. To maintain air, water and land quality, any new development must remain connected to public sewer and water services. Any new construction will be required to comply with adopted energy efficiency standards. There are economic benefits to the community, including employment, construction-related jobs as well as an increased

market for local goods and services. Socially, the proposal provides additional commercial land without creating new commercial uses in residential areas. Finally, the parcel is currently committed to non-agricultural uses. This action will therefore not diminish the amount of land currently in farm use.

- o. Goal 15: Willamette River Greenway; Goal 16: Estuarine Resource; Goal 17: Coastal Shorelands; Goal 18: Beaches and Dunes; Goal 19: Ocean.

FINDINGS: The proposed amendment does not involve land within the Willamette Greenway, or, identified estuarine, shoreland, beach or ocean areas.

Under OAR 660-24-0020(2) the UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. The appropriate maps are included as Attachment "B."

3. 660-024-0030. The County (and effectively the City) is required to establish a 20-year population forecast consistent with statutory requirements for such forecasts under ORS 195.025 and 195.036.

FINDINGS: Such a coordinate population was established by Marion County and established a 20-year forecast of 1,050 for the City by the year 2020. As this number is not current, Subsection (3) provides a "safe harbor" for establishing a new 20-year projection. This was done in Section 2.0 of this document establishing a new population estimate of 1,588 for the year 2028.

6. OAR 660-024-0040(1) states the UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.

FINDINGS: The subject analysis addresses the employment land needs (in this case, specifically commercial land needs) for a 20-year population projection.

7. OAR 660-024-0040(3) allows a local government may review and amend the UGB in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).

FINDINGS: As noted, the subject analysis addresses the employment land needs (in this case, commercial land needs) for a 20-year population projection. This action therefore addresses a single land need.

9. OAR 660-024-0040(5) states the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.

FINDINGS: Provisions in OAR 660-009 are reviewed below:

660-009-0005 Definitions

This Section provides definitions for OAR 660-009 and does not establish specific decision criteria.

660-009-0010 Application

The effect of this action is to expand the Urban Growth Boundary. This request does not involve a change in the Plan designation of zoning of land within the UGB nor is this request part of a periodic review work task.

660-009-0015 Economic Opportunities Analysis

Cities and counties must review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses containing the information described in sections (1) to (4) of this rule. This analysis will compare the demand for land for industrial and other employment uses to the existing supply of such land.

(1) *Review of National, State, Regional, County and Local Trends.* The economic opportunities analysis must identify the major categories of industrial or other employment uses that could reasonably be expected to locate or expand in the planning area based on information about national, state, regional, county or local trends. This review of trends is the principal basis for estimating future industrial and other employment uses as described in section (4) of this rule. A use or category of use could reasonably be expected to expand or locate in the planning area if the area possesses the appropriate locational factors for the use or category of use. Cities and counties are strongly encouraged to analyze trends and establish employment projections in a geographic area larger than the planning area and to determine the percentage of employment growth reasonably expected to be captured for the planning area based on the assessment of community economic development potential pursuant to section (4) of this rule.

FINDINGS: The City completed its review of applicable economic trends, the results of which are contained in Section 4 of this document. The information identified the need to provide additional commercial zoned land for local trade and to meet the requirements of a projected increase in population.

(2) *Identification of Required Site Types.* The economic opportunities analysis must identify the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses. Cities and counties are encouraged to examine existing firms in the planning area to identify the types of sites that may be needed for expansion. Industrial or other employment uses with compatible site characteristics may be grouped together into common site categories.

FINDINGS: The City identified the target industry (local retail trade and services) and the necessary site characteristics, including anticipated acreage requirements.

(3) *Inventory of Industrial and Other Employment Lands.* Comprehensive plans for all areas within urban growth boundaries must include an inventory of vacant and developed lands within the planning area designated for industrial or other employment use.

(a) *For sites inventoried under this section, plans must provide the following information (applicable provisions):*

(A) The description, including site characteristics, of vacant or developed sites within each plan or zoning district;

(B) A description of any development constraints or infrastructure needs that affect the buildable area of sites in the inventory; and

(b) When comparing current land supply to the projected demand, cities and counties may inventory contiguous lots or parcels together that are within a discrete plan or zoning district.

(c) Cities and counties that adopt objectives or policies providing for prime industrial land pursuant to OAR 660-009-0020(6) and 660-009-0025(8) must identify and inventory any vacant or developed prime industrial land according to section 3(a) of this rule.

FINDINGS: The City completed the inventory of existing commercial land within the Urban Growth Boundary. The results of the survey are contained in Appendix "A." The conclusions of this analysis are contained in Section 4. In summary, the City does not have adequate amounts of commercial lands to meet projected needs based on population and there is an insufficient quantity of reasonably large parcels for development. Based on the economic opportunities analysis, the City concluded expanding the UGB is necessary.

(4) *Assessment of Community Economic Development Potential.* The economic opportunities analysis must estimate the types and amounts of industrial and other employment uses likely to occur in the planning area. The estimate must be based on information generated in response to sections (1) to (3) of this rule and must consider the planning area's economic advantages and disadvantages. Relevant economic advantages and disadvantages to be considered may include but are not limited to:

(a) Location, size and buying power of markets;

(b) Availability of transportation facilities for access and freight mobility;

(c) Public facilities and public services;

(d) Labor market factors;

(e) Access to suppliers and utilities;

(f) Necessary support services;

(g) Limits on development due to federal and state environmental protection laws; and

(h) Educational and technical training programs.

(5) Cities and counties are strongly encouraged to assess community

economic development potential through a visioning or some other public input based process in conjunction with state agencies. Cities and counties are strongly encouraged to use the assessment of community economic development potential to form the community economic development objectives pursuant to OAR 660-009-0020(1)(a).

FINDINGS: The conclusions of the analysis are contained in Section 4. Given the projected population increase it was determined additional land would be necessary. The projected demand coincides with provisions in OAR 660-024-0040(8). The additional land will also establish a suitable large parcel, an important point as no vacant or redevelopable commercial parcel in the City exceeds 0.20 acres. The subject parcel is currently serviced and the City does not anticipate any transportation related issues. On balance and after considering the land needs analysis and potential impacts, the City determined that the proposed commercial UGB amendment complies with the provisions in this section.

660-009-0020 Industrial and Other Employment Development Policies
(Applicable provisions)

(1) Comprehensive plans subject to this division must include policies stating the economic development objectives for the planning area. These policies must be based on the community economic opportunities analysis prepared pursuant to OAR 660-009-0015 and must provide the following:

(a) Community Economic Development Objectives. The plan must state the overall objectives for economic development in the planning area and identify categories or particular types of industrial and other employment uses desired by the community. Policy objectives may identify the level of short-term supply of land the planning area needs. Cities and counties are strongly encouraged to select a competitive short-term supply of land as a policy objective.

(c) Commitment to Provide Adequate Sites and Facilities. The plan must include policies committing the city or county to designate an adequate number of sites of suitable sizes, types and locations. The plan must also include policies, through public facilities planning and transportation system planning, to provide necessary public facilities and transportation facilities for the planning area.

FINDINGS: General Plan policies call for maintaining the downtown and improving economic opportunities for the City. This parcel will increase the amount of available commercial land which meets an identified need. Further, it logically places a developed and improved parcel within the UGB.

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

(1) Identification of Needed Sites. The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.

FINDINGS: The analysis in Section 4 addresses these concerns. Trade and services is a targeted industry and the population growth will require additional land. When annexed and zoned, this land will effectively implement the City's Comprehensive Plan.

(2) Total Land Supply. Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period.

FINDINGS: The City's current coordinated population projection does not extend beyond 2020. However, pursuant to provisions in OAR 660-024, a new 20-year population estimate for the year 2028 was established and the subsequent economic opportunities analysis was designed to incorporate the new estimate. It is anticipated that with the inclusion of this property, that the supply will address anticipated demand based on population.

(3) Short-Term Supply of Land. Plans for cities and counties within a Metropolitan Planning Organization or cities and counties that adopt policies relating to the short-term supply of land must designate suitable land to respond to economic development opportunities as they arise.

Cities and counties may maintain the short-term supply of land according to the strategies adopted pursuant to OAR 660-009-0020(2).

FINDINGS: This Section does not apply as Donald is not located within a Metropolitan Planning Organization nor has it adopted short term supply strategies as part of its Comprehensive Plan policies.

However, OAR 660-24-0040(5) states the following:

Except for a metropolitan service district described in ORS 197.015(14), the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth.

FINDINGS: Again, Donald has not adopted a short-term policy or strategy for the supply of "employment" lands. It must be noted however, that upon adoption of this request, the City will contain 3.10 acres of developable commercial land within its UGB. Some 1.43 acres will be located within the existing UGB and include this fully serviced parcel. Effectively, 100% of the developable commercial land will be readily (if not immediately) available for development. Therefore, the immediate and short term needs of the community will be met through this amendment.

(4) If cities and counties are required to prepare a public facility plan or transportation system plan by OAR chapter 660, division 011 or division 012, the city or county must complete subsections (a) to (c) of this section at the time of periodic review. Requirements of this rule apply only to city and county decisions made at the time of periodic review. Subsequent implementation of or amendments to the comprehensive plan or the public facility plan that change the supply of serviceable land are not subject to the requirements of this section. Cities and counties must:

FINDINGS: This Section does not apply as Donald is not under a periodic review order.

660-009-0030 Multi-Jurisdiction Coordination

(1) Cities and counties are strongly encouraged to coordinate when

implementing OAR 660-009-0015 to 660-009-0025.

(2) Jurisdictions that coordinate under this rule may:

- (a) Conduct a single coordinated economic opportunities analysis; and
- (b) Designate lands among the coordinating jurisdictions in a mutually agreed proportion.

FINDINGS: These provisions do not apply to the request.

- D. OAR 660-024-0040(8) allows the use of safe harbors in determining employment needs.

FINDINGS: Employment needs was based on an economic opportunities analysis in Section 4.0 as well as the "safe harbor" provisions in this Section. In combination, a need for additional trade and service land was identified and the population projection requires additional commercial land.

- E. 660-024-0050(1) states that when evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For employment land, the inventory must include suitable vacant and developed land designated for industrial or other employment use, and must be conducted in accordance with OAR 660-009-0015(3).

FINDINGS: Such an analysis was conducted in Section 4. It determined that the existing vacant or redevelopable land was inadequate in both size (the largest single, vacant parcel at 0.20 acres) and availability to meet the long-term needs of the City. Therefore a UGB amendment was necessary.

- F. 660-024-0050(4) states that if the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the city or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB. Changes to the UGB must be determined by evaluating alternative boundary locations consistent with OAR 660-024-0060.

FINDINGS: An inventory of available parcels made it clear that a parcel of suitable size was not available nor could be consolidated to meet the identified need. Some of the expected demand may be met by land that is currently

vacant or redevelopable. However, only 1.43 acres are available for development and not one of the ten parcels exceeds 0.20 acres in area. These parcels are not of sufficient size to accommodate a building and off-street parking. The location of additional land need was considered. Currently, there is some potential surplus of residential land within the City (based on estimates of a separate residential buildable lands inventory). However, these properties lie to the south and east of the downtown. Rezoning these lands would create isolated pockets of commercial development with no continuity with either the Main Street downtown or the main north-south roadway of Butteville Road. It would appear that not only a UGB expansion is necessary, but is limited to specific areas of the community.

In summary, estimated needs to meet long-term commercial needs cannot be met either partially or fully within the existing UGB. Therefore, it was determined the only suitable alternative was to expand the UGB.

- G. 660-024-0050(5) notes that when land is added to the UGB, the local government must assign appropriate urban plan designations to the added land, consistent with the need determination. The local government must also apply appropriate zoning to the added land consistent with the plan designation, or may maintain the land as urbanizable land either by retaining the zoning that was assigned prior to inclusion in the boundary or by applying other interim zoning that maintains the land's potential for planned urban development until the land is rezoned for the planned urban uses. The requirements of ORS 197.296 regarding planning and zoning also apply when local governments specified in that statute add land to the UGB.

FINDINGS: Elsewhere in this Section, findings will be created to establish the "Commercial" Plan designation on all property brought into the UGB.

- H. 660-024-0060(1) states that when considering a UGB amendment, a local government must determine which land to add by evaluating alternative boundary locations. This determination must be consistent with the priority of land specified in ORS 197.298 and the boundary location factors of Goal 14, as follows:

(a) Beginning with the highest priority of land available, a local government must determine which land in that priority is suitable to accommodate the need deficiency determined under 660-024-0050.

(b) If the amount of suitable land in the first priority category exceeds the amount necessary to satisfy the need deficiency, a local government must apply the location factors of Goal 14 to choose which land in that priority to include in the UGB.

(c) If the amount of suitable land in the first priority category is not adequate to satisfy the identified need deficiency, a local government must determine which land in the next priority is suitable to accommodate the remaining need, and proceed using the same method specified in subsections (a) and (b) of this section until the land need is accommodated.

(d) Notwithstanding subsection (a) through (c) of this section, a local government may consider land of lower priority as specified in ORS 197.298(3).

(e) For purposes of this rule, the determination of suitable land to accommodate land needs must include consideration of any suitability characteristics specified under section (5) of this rule, as well as other provisions of law applicable in determining whether land is buildable or suitable.

FINDINGS: The following addresses the above criteria:

- (a) The highest priority is for lands located within a designated urban reserve. Such a reserve has not been established and therefore does not apply.
- (b) The second priority is for lands located adjacent to the UGB and are identified as exception or non-resource lands. This option is not available to the City – all adjacent land is zoned for resource (farm) use.
- (c) The next category is for marginal lands. Again, as all adjacent land is zoned for resource use, this option is not available to the City.
- (d) In reviewing ORS 197.298(3) the following is noted:

197.298(3) Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land estimated in subsection (1) of this section for one or more of the following reasons:

- (a) *Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;*
- (b) *Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or*
- (c) *Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.*

FINDINGS: A number of parameters were established in determining the requirements for commercial land. Preferences were given to land located adjacent to the existing downtown (a location that would not direct commercial traffic through residential areas), land adjacent to a collector or arterial street, one that is serviceable and preferably near multi-family users or residential areas.

Alternatives were effectively limited to the proposed parcel. The downtown is basically located along Main Street, west of the railroad tracks and extends out to Butteville Road. Annexing land to the west, south or north of the current UGB would place commercial property away from the downtown, and direct traffic through residential or industrial areas. While this may place such lands closer to population concentrations (the City does not have multi-family development) this was not a significant factor as the relative compact size of community provides ready pedestrian access to the downtown from all residential areas.

The logical area for expansion is the subject property. It is located adjacent to the downtown, fronts along two significant public roadways, fully serviced and meets the land requirements in Section 4 while provide new opportunities for identified target industries of local trade and services. Therefore, on balance, given the reasonable parameters to establish this type of use, the proposed parcel at Township 4 South; Range 1 West; Section 17BC; Tax Lot 400 provides the best alternative of those areas examined and meets the requirements of ORS 197.298(3)(a)(b) and (c).

I. Additional requirements in OAR 660-024-0060 state the following:

(3) The boundary location factors of Goal 14 are not independent criteria. When the factors are applied to compare alternative boundary locations and to determine the UGB location, a local government must show that all the factors were considered and balanced.

(4) In determining alternative land for evaluation under ORS 197.298, "land adjacent to the UGB" is not limited to those lots or parcels that abut the UGB, but also includes land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency.

(5) If a local government has specified characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need, the local government may limit its consideration to land that has the specified characteristics when it conducts the boundary location alternatives analysis and applies ORS 197.298.

(6) The adopted findings for UGB adoption or amendment must describe or map all of the alternative areas evaluated in the boundary location alternatives analysis. If the analysis involves more than one parcel or area within a particular priority category in ORS 197.298 for which circumstances are the same, these parcels or areas may be considered and evaluated as a single group.

FINDINGS: The analysis weighed all identified criteria in identifying the preferred location, including siting parameters as well as the priority land determinates [item (3)]. Areas rejected would not need not warrant identifying land beyond property adjacent to the UGB [tem (4)]. The identified analysis was primarily consistent with the site's preferred characteristics consistent with item (5). The general areas were described pursuant to requirements in item (6).

- J. OAR 660-024(8) states the Goal 14 boundary location determination requires evaluation and comparison of the relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. This evaluation and comparison must be conducted in coordination with service providers, including the Oregon Department of Transportation with regard to impacts on the state transportation system. "Coordination" includes timely notice to service providers and the consideration of evaluation methodologies recommended by service providers. The evaluation and comparison must include:

- (a) *The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB;*
- (b) *The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and*
- (c) *The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.*

FINDINGS: The City is the provider for sanitary sewer and water services. This parcel is fully services, based on discussions with staff, there are no capacity issues. Therefore, cost was not a factor in selecting the preferred alternative.

K. ORS 197.298

1. **197.298 Priority of land to be included within urban growth boundary.** (1) *In addition to any requirements established by rule addressing urbanization, land may not be included within an urban growth boundary except under the following priorities:*
- (a) *First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.*
 - (b) *If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an*

acknowledged comprehensive plan as an exception area or nonresource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710.

- (c) If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).*
- (d) If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both.*

FINDINGS: The City of Donald and Marion County do not have an identified Urban Reserve. Therefore, provisions in item (a) do not apply. Exception lands or non-resource lands are not located adjacent to the City therefore provisions in item (b) do not apply. Marginal lands as identified in ORS 197.247 are not located adjacent to the City limits therefore provisions in item (c) do not apply. The only available lands adjacent to the City are zoned EFU (no adjacent land is zoned for forestry purposes). Since the expansion involves EFU zoned land, findings must address factors in 197.298(3).

- 2. *197.298(2) Higher priority shall be given to land of lower capability as measured by the capability classification system or by cubic foot site class, whichever is appropriate for the current use.*

FINDINGS: Soil maps for the subject property are included in Attachment "A." The soils are Class II and III and are therefore of a higher class. While a higher priority is given to lower class soils, such soils are not located adjacent to the City limits.

- 3. *197.298(3) Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land estimated in subsection (1) of this section for one or more of the following reasons:*
 - (a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;*
 - (b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or*
 - (c) Maximum efficiency of land uses within a proposed urban growth*

boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.

FINDINGS: The existing commercial base is inadequate from quantitative and qualitative standpoints. Prior findings indicate additional land will be necessary to address both general and specifically identified economic needs.

In response to these issues, the City will expand the UGB in one location, adding 1.67 acres. As noted under item "K." above, there are no reasonable alternative areas for consideration. Land located adjacent to the existing UGB is separated from the downtown core area and forces commercial traffic through residential areas. The subject location is located adjacent to the downtown, fully serviced and provides the necessary land in a single parcel.

L. Donald Comprehensive Plan

The Donald Comprehensive Plan does not contain specific policies related to UGB expansion other than use of the guidelines in the contained in the Urban Growth Boundary Agreement and Goal 14. The City previously addressed these items and concludes the prior findings also apply to this policy.

The City Comprehensive Plan Commercial Land Use Policy is not specific as to location and preference of commercial uses. It recognizes the importance of commercial uses meeting local needs and providing for the general economic health of the community. It would appear that this location addresses the need to provide additional land while providing for specific commercial uses. On balance, the proposal is consistent with the applicable goals and policies contained in the Comprehensive Plan.

M. Marion County Comprehensive Plan

The Urbanization Goal of Marion County is to provide for an orderly and efficient transition from rural to urban land use. Sub-goals for beneficial patterns of urban land use include the following:

- a. Development of urbanization consistent with area-wide goals and objectives.
- b. Establish Urban Growth Boundaries to identify and separate urbanizable land from rural land and contain urban land uses within those areas most capable of supporting such uses.

- c. To provide for an orderly transition from rural to urban land use.
- d. Development of a population distribution pattern in which most persons employed within an urban community live in and participate in the activities and government of that community.
- e. Development of stable and attractive residential areas protected from incompatible land uses and containing a wide variety of housing types and densities.
- f. Development of a commercial land use pattern which assures a convenient and adequate supply of goods and services to the resident, transient and trade area population.
- g. Development of commercial areas and employment centers that favor being located in relation to the urban transportation system.
- h. Development of industrial land use within urbanized areas unless an industry specifically is best suited to a rural site.
- i. Provision of sufficient areas for future industrial land use.
- j. Direct urbanization away from agricultural areas composed of major units of Class I through IV soils.
- k. Provide adequate review of development of permanent structures in the identified natural hazard or damage areas to minimize potential loss of life or property.

FINDINGS: Growth Boundaries were established consistent with accepted Intergovernmental Agreements. The County anticipates their possible expansion provided it is accomplished in an orderly and efficient manner. To meet identified commercial objectives requires a boundary amendment. This will ensure housing, jobs and other urban uses are kept within areas that can be serviced by urban-level facilities. The property is fully committed to non-farm activities and served by public facilities. Its loss does not diminish farming activity or potential agricultural production.

N. Conclusion

The City completed a Buildable Land Inventory consistent with the requirements in ORS 197.296. As part of the Buildable Land Inventory analysis, the City

determined additional commercial land was necessary to meet population projects as well as address the needs of a specific target industry (retail trade and services). Along with an Industrial parcel which allows commercial uses (Measure 37 approval) this single 1.67 acre parcel addresses identified needs.

Environmental quality will not be degraded. To maintain air, water and land quality, any new development must remain connected to public sewer and water services. Any new construction will be required to comply with adopted energy efficiency standards. There are economic benefits to the community, including employment, construction-related jobs as well as an increased market for local goods and services. Socially, the proposal provides additional commercial land that will enhance the downtown. The parcel is currently committed to non agricultural uses so that there is no loss of farmland.

For the reasons noted above, the City believes the proposal complies with the applicable decision criteria in the *Donald Urban Area Growth Management Agreement*, the *Statewide Land Use Planning Goals*, and the *Donald and Marion County Comprehensive Plans* and believes it appropriate to amend Donald's Urban Growth Boundary by including the identified parcels.

- O. The Donald Development Ordinance does not contain criteria to amend the Comprehensive Plan Map. However, all actions must be consistent with the Comprehensive Plan and other applicable regulations governing the expansion of the UGB. The prior review established a clear need for the UGB expansion, specifically to address commercial needs. Further, prior findings indicate the request is consistent with UGB expansion policies of the Plan as well as applicable state and local regulations.
- P. For the above noted reasons, the City finds the proposal is consistent with the City Plan and other governing regulations and finds it appropriate to establish the "Commercial " Comprehensive Plan designation on the identified property. This complies with provisions in OAR 660-024-0050(5).

APPENDIX "A"

Industrial (I) Zoned Land within Donald City Limits/UGB

Township Range Section	Tax Lot #	Acreage	Developed Acres	Redevelopable Acres	Vacant Acres
4-1-17BC	200	3.00	3.00	0.00	0.00
	*300	1.00	1.00	0.00	0.00
	*301	0.50	0.50	0.00	0.00
	*302	0.60	0.60	0.00	0.00
4-1-17BD	100	1.94	1.94	0.00	0.00
	200	1.06	1.06	0.00	0.00
	300	1.95	1.95	0.00	0.00
	400	0.31	0.31	0.00	0.00
	500	6.26	6.26	0.00	0.00
4-1-17	700	3.90	0.00	3.90	0.00
	800/900	1.01	0.00	1.01	0.00
	1000	3.78	0.00	0.00	3.78
	1200	1.13	0.00	1.13	0.00
4-1-17CA	4000	0.14	0.14	0.00	0.00
	4100	0.14	0.14	0.00	0.00
4-1-17CB	100	0.29	0.29	0.00	0.00
	200	0.17	0.00	0.17	0.00
	300	0.17	0.00	0.17	0.00
	4401	0.09	0.00	0.00	0.09
	4500	1.33	1.33	0.00	0.00
	4601	0.86	0.86	0.00	0.00
Totals		29.63	19.38	6.38	3.87

* - Approved Measure 37 Claim permits commercial activities on these Industrial-zoned parcels.

Commercial (C) Zoned Land within Donald City Limits/UGB

Township, Range, Section	Tax Lot #	Acreage	Developed Acres	Redevelopable Acres	Vacant Acres
4-1-17	2200	2.19	2.19	0.00	0.00
4-1-17CA	2400	0.51	0.51	0.00	0.00
	2500	0.12	0.12	0.00	0.00
	2600	0.07	0.07	0.00	0.00
	2700	0.11	0.11	0.00	0.00
	2800	0.16	0.16	0.00	0.00
	2900	0.22	0.22	0.00	0.00
	3000	0.11	0.11	0.00	0.00
	3200	0.11	0.11	0.00	0.00
	3400	0.22	0.22	0.00	0.00
	3500	0.11	0.11	0.00	0.00
	3600	0.11	0.11	0.00	0.00
	3700	0.29	0.29	0.00	0.00
	4200	0.17	0.00	0.00	0.17
	4300	0.11	0.11	0.00	0.00
	4400	0.06	0.06	0.00	0.00
	4500	0.06	0.06	0.00	0.00
	4600	0.06	0.06	0.00	0.00
	4601	0.11	0.11	0.00	0.00
	5900	0.17	0.17	0.00	0.00
	6200	0.98	0.98	0.00	0.00
4-1-17CB	400	0.15	0.00	0.15	0.00
	500	0.11	0.00	0.11	0.00
	600	0.12	0.00	0.12	0.00
	800	0.23	0.23	0.00	0.00
	900	0.17	0.00	0.17	0.00
	1000	0.06	0.06	0.00	0.00
	2300	0.06	0.00	0.00	0.06
	2400	0.11	0.11	0.00	0.00
	2500	0.11	0.00	0.11	0.00
	2600	0.15	0.00	0.15	0.00
	3600	0.19	0.00	0.19	0.00
	3700	0.14	0.14	0.00	0.00
	3800	0.55	0.55	0.00	0.00
	3900	0.21	0.21	0.00	0.00
	4400	0.20	0.00	0.00	0.20
Totals		8.61	7.18	1.00	0.43

Parcel #1 - Industrial

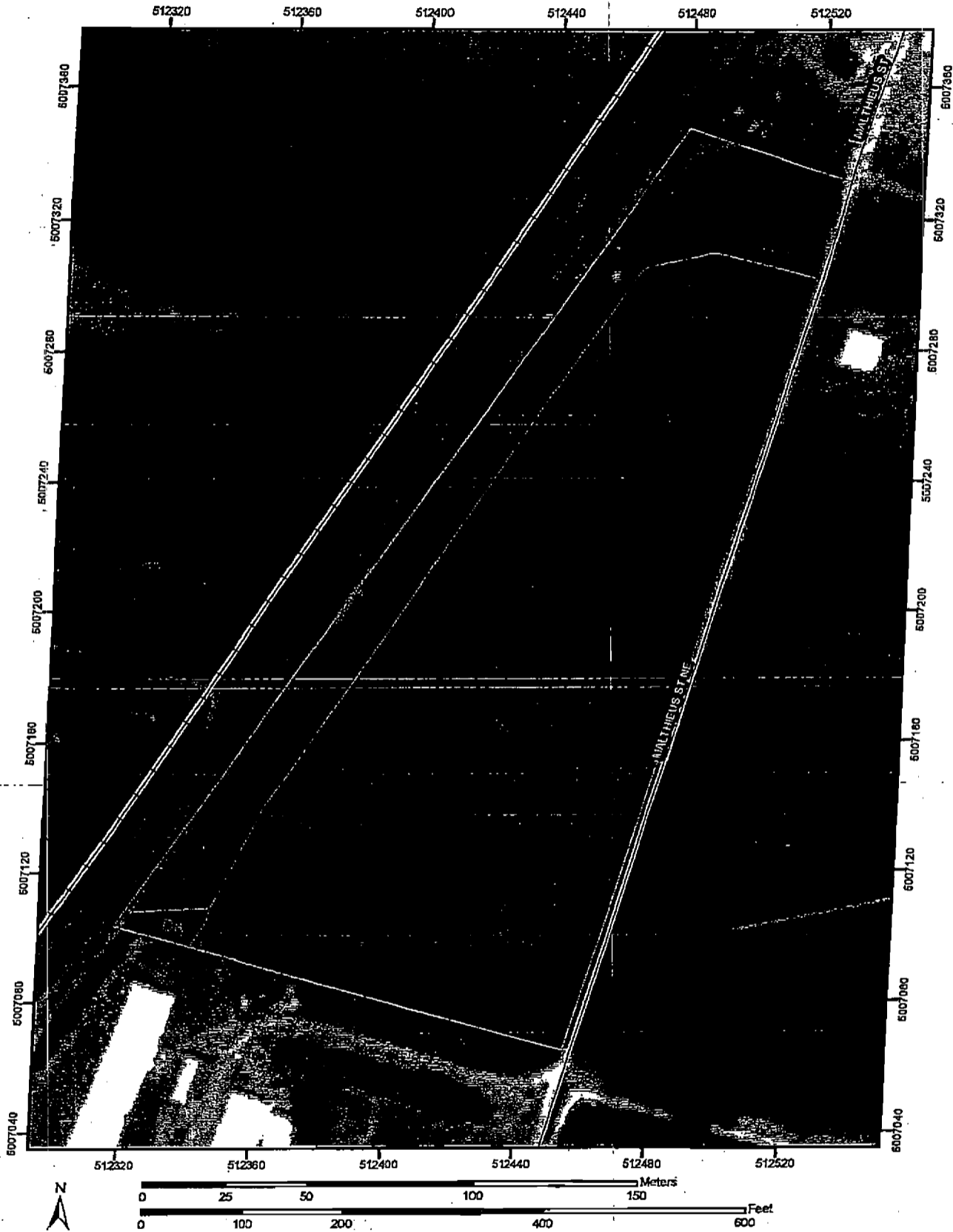


Map Unit Legend

Marion County Area, Oregon (ORB-3)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Am	Amity silt loam	3.3	12.2%
Co	Concord silt loam	1.9	6.9%
WuA	Woodburn silt loam, 0 to 3 percent slopes	21.9	80.9%
Totals for Area of Interest (AOI)		27.0	100.0%

Soil Map—Marion County Area, Oregon

Parcel #2 - Industrial

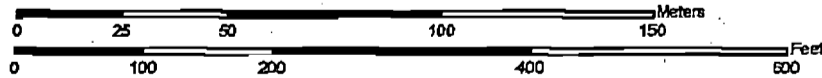


Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Da	Dayton silt loam	0.1	0.8%
PITS	Pits	5.3	78.0%
WuA	Woodburn silt loam, 0 to 3 percent slopes	1.4	21.2%
Totals for Area of Interest (AOI)		6.8	100.0%

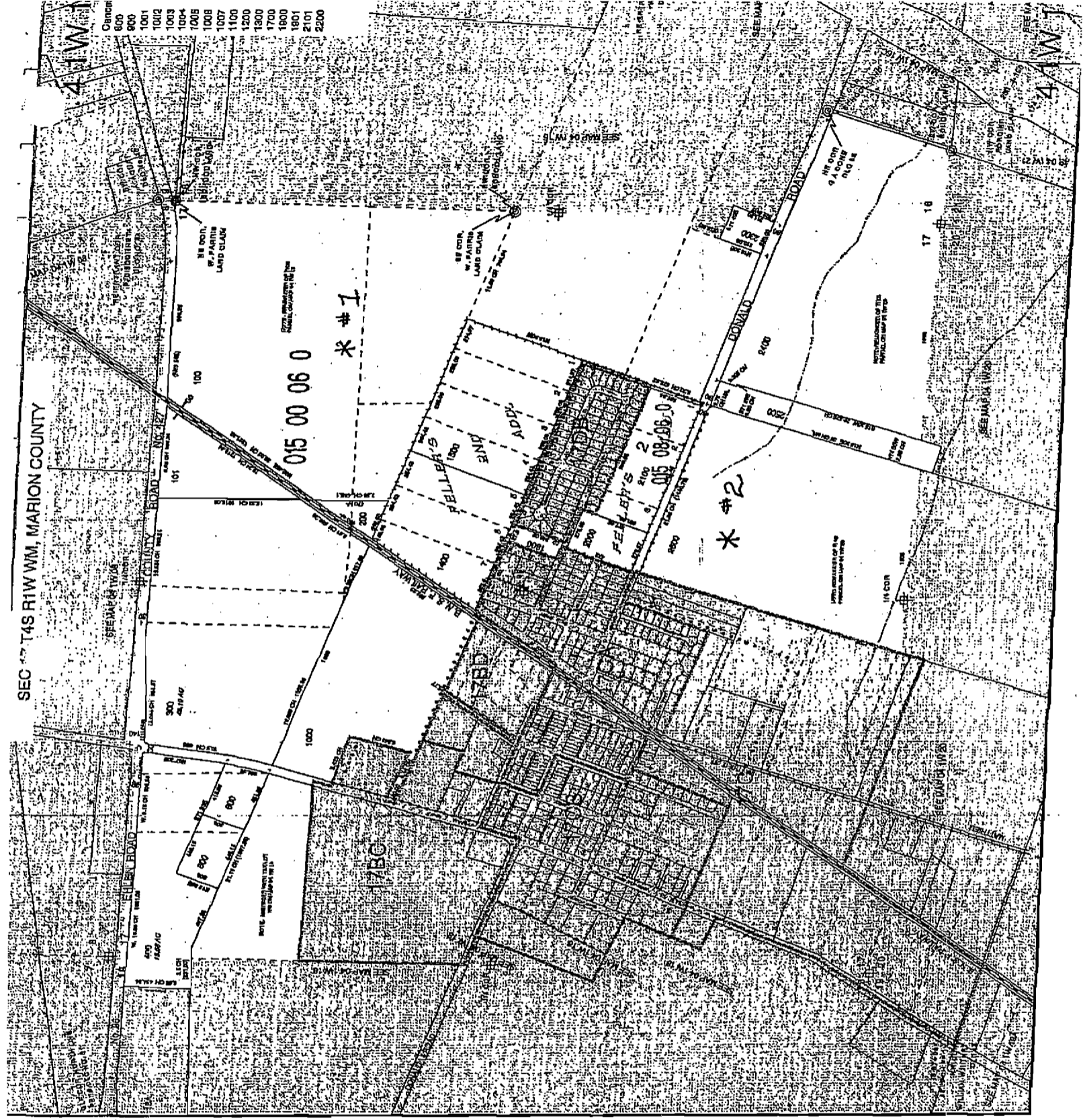
Soil Map—Marion County Area, Oregon

Parcel #3 - Industrial



Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Da	Dayton silt loam	0.1	0.8%
PJTS	Pits	5.3	78.0%
WuA	Woodburn silt loam, 0 to 3 percent slopes	1.4	21.2%
Totals for Area of Interest (AOI)		6.8	100.0%



450000

LINE TYPES

- TAX LOT BOUNDARY
- OLD PROPERTY LINE
- ROAD RIGHT-OF-WAY
- TACED RIGHT-OF-WAY
- RAILROAD
- RAILROAD RIGHT-OF-WAY
- STREAM LAKE ETC TAX LOT BOUNDARY
- STRIP LAKE ETC NON-SECURITY
- SUBDIVISION BOUNDARY
- PARTITION PLAT INT.
- TAX CODE BOUNDARY
- BARBERRY

SYMBOL TYPES

- DATE
- CORNER POINTS
- CURRENT MONUMENTS
- OLLA CORNER
- SECTION
- 1/4 SEC
- 1/16 SEC
- 1/32 SEC

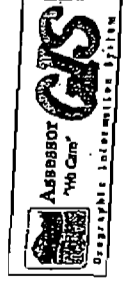
NUMBERS
TAX CODE NO.
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ALLEGED - ALL AREAS EXCEPT ANY PORTION THAT MAY BE WITHIN THE INDICATED PUBLIC RIGHT OF WAY.

THIS MARK - WITH A TEEK MARK IS PLACED ON THE EXTENSION OF A LINE FROM THE DIMENSION CODE TO THE TEEK MARK. USUALLY THIS IS USED WHEN DIMENSIONS OR INTO PUBLIC RIGHT OF WAY.

POINTS ARE USED WITH DIMENSIONS IN AREA OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 400'
or 1:4000
ANIMATED/STATISTICAL SYSTEM

Plot file created: JANUARY 12, 2007

Soil Map—Marion County Area, Oregon

Alternative Site #1

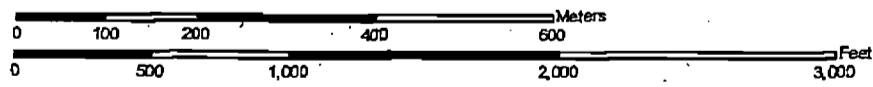


Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Am	Amity silt loam	5.9	9.7%
Co	Concord silt loam	2.7	4.5%
Da	Dayton silt loam	1.2	2.0%
WuA	Woodburn silt loam, 0 to 3 percent slopes	51.0	83.8%
Totals for Area of Interest (AOI)		60.9	100.0%

Soil Map—Marion County Area, Oregon

Alternative Site #2

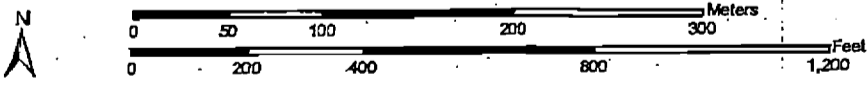


Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Am	Amity silt loam	9.8	7.4%
Co	Concord silt loam	9.4	7.1%
Da	Dayton silt loam	14.7	11.1%
PITS	Pits	0.0	0.0%
Wc	Wapato silty clay loam	0.1	0.1%
WuA	Woodburn silt loam, 0 to 3 percent slopes	98.1	74.3%
Totals for Area of Interest (AOI)		132.2	100.0%

Soil Map—Marion County Area, Oregon

Alternative Site #3

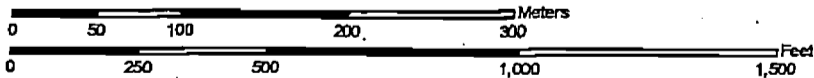


Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Da	Dayton silt loam	4.3	14.8%
WuA	Woodburn silt loam, 0 to 3 percent slopes	24.6	85.2%
Totals for Area of Interest (AOI)		28.8	100.0%

Soil Map—Marion County Area, Oregon

Alternative Site #4



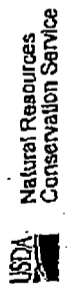
Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Am	Amity silt loam	3.3	6.1%
Da	Dayton silt loam	0.4	0.8%
WuA	Woodburn silt loam, 0 to 3 percent slopes	43.4	80.6%
WuC	Woodburn silt loam, 3 to 12 percent slopes	6.7	12.5%
Totals for Area of Interest (AOI)		53.8	100.0%

Soil Map—Marion County Area, Oregon



Alternative Site #5



Natural Resources
Conservation Service

Web Soil Survey 2.0
National Cooperative Soil Survey

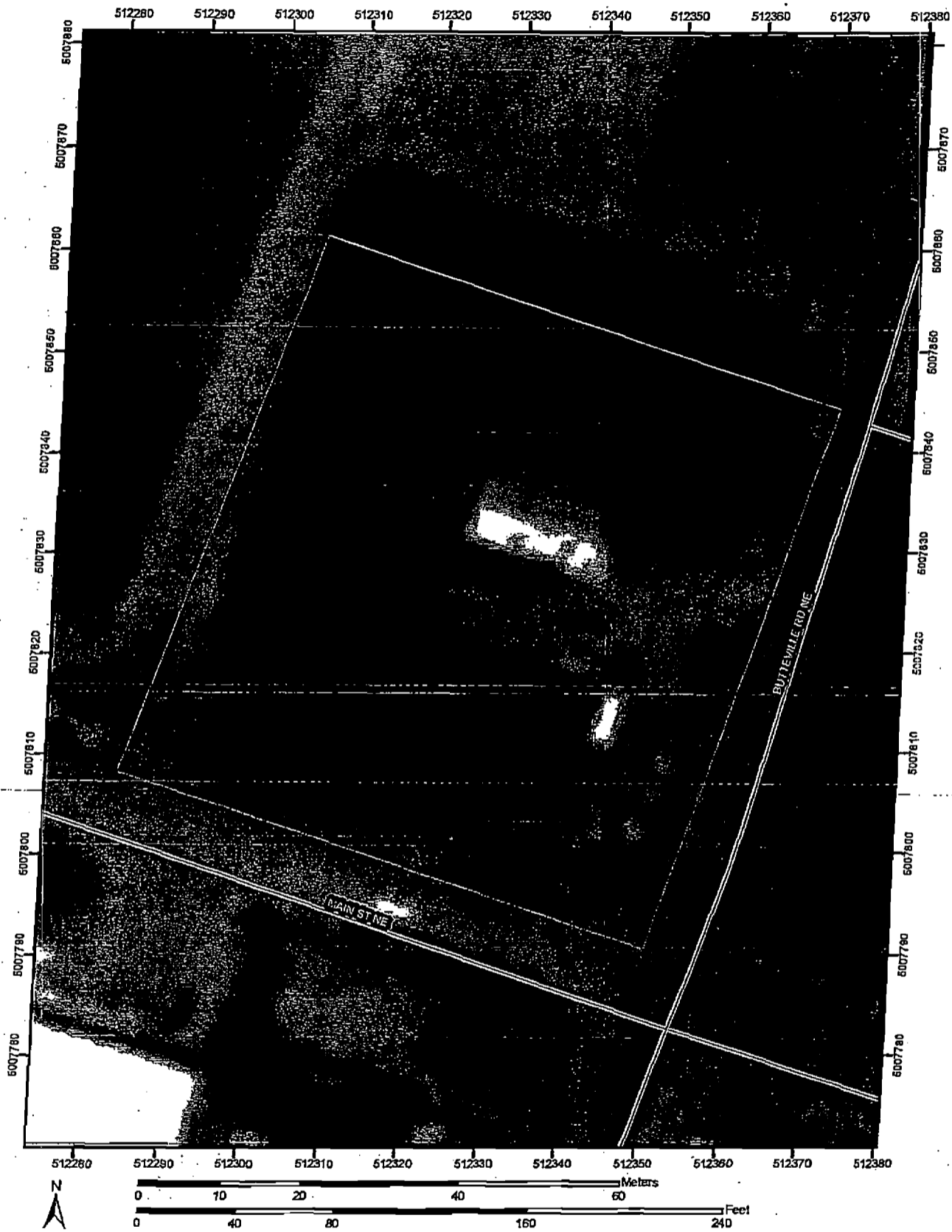
5/16/2008
Page 1 of 3

Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Am	Amity silt loam	6.3	18.7%
Co	Concord silt loam	1.0	3.0%
WuA	Woodburn silt loam, 0 to 3 percent slopes	26.2	78.2%
Totals for Area of Interest (AOI)		33.5	100.0%

Soil Map—Marion County Area, Oregon

Parcel - Commercial



Map Unit Legend

Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
WuA	Woodburn silt loam, 0 to 3 percent slopes	1.3	100.0%
Totals for Area of Interest (AOI)		1.3	100.0%

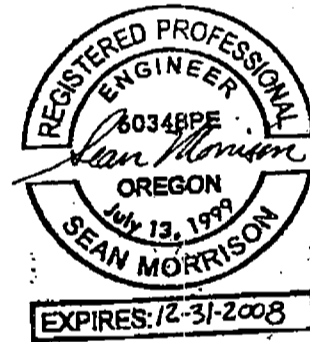
GROUP
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TRANSPORTATION
IMPACT ANALYSIS

**BENNION/FELLER
INDUSTRIAL
PROPERTY**

**PLAN AMENDMENT/
ZONE CHANGE**

Donald, Oregon



Prepared For
Sandorffy-Bennion
Development

Completed On
September 28, 2007

Submittal To
Marion County

Project Number
2070204.00

GROUP MACKENZIE
Since 1960

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I. INTRODUCTION

This transportation impact analysis (TIA) has been prepared to support the comprehensive plan amendment and zone change application for the Bennion/Feller Industrial Property. The analysis addresses the Transportation Planning Rule (TPR) requirements as outlined in Oregon Administrative Rule (OAR) 660-012-0060(1) stating, "Where an amendment to functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures... to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility."

PROJECT DESCRIPTION

The subject property is approximately 30 acres in size and is bound by Butteville Road to the west and Donald city limits to the south. Figure 1 is a vicinity map showing project location. The current property zone designation is Exclusive Farm Use/Residential Single-Family (EFU/RS). The proposed Rural Marion County zone designation is Industrial (I).

This analysis supports a plan amendment and zone change application by addressing TPR requirements and impacts resulting from a reasonable "worst-case" development scenario in the proposed industrial zone designation. For the proposed Industrial zone, the reasonable "worst-case" development is assumed to be general warehouse with 40% building area coverage. This is a change from the June 15, 2007 Group Mackenzie Revised *Proposed Scope for Traffic Impact Analysis* based on a review of allowed uses in the Marion County Industrial (I) zone. Of the allowed uses, Warehouse has the highest trip generation rate. The list of allowed uses in the Industrial zone is included in the appendix.

SCOPE OF REPORT

This analysis conforms to the Marion County and ODOT requirements for a traffic study including a review of local intersection impact analysis. Based on review of the applicable standards and a discussion with staff, the study area for this analysis includes the following intersections.

TABLE 1 – STUDY INTERSECTIONS	
Intersection	Jurisdiction
Ehlen Road / Butteville Road	Marion County
Ehlen Road / Bents Court	Marion County
Ehlen Road / Bents Road	Marion County
Ehlen Road / I-5 SB Ramps	Marion County/ODOT
Ehlen Road / I-5 NB Ramps	Marion County/ODOT

To address TPR requirements, analyses must compare reasonable "worst-case" trip generation impacts of land uses allowed in the current and proposed zone designations and must evaluate impacts in the planning horizon year. The planning horizon of the Marion County Transportation System Plan (TSP) is 2025. Therefore, analysis scenarios include:

- 2007 Existing Conditions
- 2025 Current Zone Designation with Existing Infrastructure
- 2025 Proposed Zone Designation with Existing Infrastructure
- 2025 Current Zone Designation
- 2025 Proposed Zone Designation

II. EXISTING CONDITIONS

EXISTING SITE CONDITIONS

The 30-acre Bennion/Feller Industrial Property is currently undeveloped and is adjacent to the City of Donald Urban Growth Boundary. The current Marion County property comprehensive plan designation is Primary Agriculture. Current property zoning is Exclusive Farm Use/Residential Single-Family (EFU/RS). Property access is directly to Butteville Road.

TRANSPORTATION FACILITIES

The following table summarizes study area roadway classifications and descriptions as identified by Group Mackenzie staff:

TABLE 2 - ROADWAY CHARACTERISTICS						
Roadway	Classification	Posted Speed	Travel Lanes	Bike Lanes	On-Street Parking	Sidewalks
Ehlen Road	Arterial	35/55	2	No	No	No
Butteville Road	Major Collector	25/55	2	No	No	No
Bents Court	Collector	35	2	No	No	No
Bents Road	Collector	35	2	No	No	No
Interstate 5	Principal Arterial	65	6	No	No	No

All study intersections are currently unsignalized.

PLANNED TRANSPORTATION FACILITIES

The Marion County TSP identifies several projects in the study area. These include:

Ehlen Road/Butteville Road – Signalize intersection and construct necessary supporting roadway approach geometry. The project is unfunded, no construction timeline is identified, and the estimated project cost is \$750,000.

P&W Railroad crossing of Butteville Road – Install mechanical gate crossings, with possible roadway realignment. The project is identified on the 20-year financially constrained plan (5-10 year list) and is funded at \$200,000.

Bents Road/Ehlen Road – Realign Bents Road to the west to align with Bents Court, and signalize intersection. Project could be done concurrent with interchange improvements. The project is identified on the 20-year financially constrained list and is funded at \$1.1 million.

Ehlen Road/I-5 Interchange Ramp Terminal Intersections – Identified as a State Highway Safety Need. The TSP specifically identifies poor alignments, poor ramp turning radii, low capacity and high delay, and crash problems. It recommends widening Ehlen Road at the interchange, installing signals at the ramp terminal intersections, and realigning Bents Road or redesigning the interchange.

The Ehlen Road/I-5 Interchange Ramp Terminal Intersections project is not identified as funded TSP improvement; however, Marion County has established a funding mechanism in a sub-area plan to collect monies to construct interchange improvements. These improvements are currently identified as traffic signals at the two I-5/Ehlen Road ramps and the Ehlen Road/Bents Road intersection. Specific development contributions to these improvements are identified later in this analysis.

Large-scale improvements, such as ramp widening, are outside the scope of this funding mechanism and are the responsibility of ODOT.

Figure 3 depicts existing and planned (2025) intersection approach geometrics with the planned infrastructure improvements.

CRASH ANALYSIS

When evaluating the relative safety of an intersection, consideration is given not only to the total number and types of crashes occurring, but also to the number of vehicles entering the intersection. This leads to the concept known as "crash rate," which is usually expressed in terms of the number of crashes occurring per one million vehicles entering the intersection (mev). Intersections having a crash rate less than 1.0/mev are generally considered relatively safe. At crash rates higher than 1.0/mev, consideration may be given to correcting operational problems.

Crash data for the study area intersections were obtained from ODOT staff for the years 2002 through 2006. Annual traffic entering the intersections was estimated by multiplying the annual daily traffic (ADT) entering the intersection by 365. ADT was estimated by multiplying the intersection PM peak hour volumes by 10. Crash data and crash rates for the study area intersections is presented in the following table:

TABLE 3 - CRASH RATES									
Intersection	2002	2003	2004	2005	2006	Total	ADT	Rate	
Ehlen Road / Butteville Road	4	6	2	5	2	19	7,990	1.30	
Ehlen Road / Bents Road	0	0	0	1	0	1	10,620	0.05	
Ehlen Road / I-5 SB Ramps	3	4	0	2	0	9	12,210	0.40	
Ehlen Road / I-5 NB Ramps	2	2	6	2	6	18	10,860	0.91	

Intersection Crash Summary

Crash rates at the Ehlen Road/Bents Road, Ehlen Road/I-5 Southbound Ramps and Ehlen Road/I-5 Northbound Ramps intersections are all below the threshold rate of 1.0/mev; therefore, it is concluded these intersections do not currently warrant further consideration for safety mitigation measures.

The Ehlen Road/Butteville Road intersection has a crash rate greater than 1.0/mev. As identified in the Marion County TSP, mitigation to correct deficiencies involves signalized intersection and construct necessary supporting roadway approach geometry.

EXISTING TRAFFIC COUNTS

Existing traffic counts were obtained in June 2007. The weekday traffic counts were obtained between 3:00 and 6:00 PM on a mid-week day. Count summaries are included in the appendix.

A seasonal adjustment factor of 3.4% was applied to the traffic volumes at ODOT facilities. The adjustment factor is based on the Seasonal Trend Table and reflects an average between the factors for the "interstate nonurbanized" and "agricultural" peak period seasonal factors. Figure 4 illustrates 2007 existing traffic with the adjusted design volumes.

It should be noted that a system wide peak hour for all the study intersection was used in the analysis. The peak hour factors and heavy vehicle percentages were adjusted for the system-wide peak hour.

III. CURRENT PLAN DESIGNATION CONDITIONS

BACKGROUND TRAFFIC GROWTH

Background growth is general growth in traffic not related to traffic from specific projects. An annual growth rate for each intersection was calculated and used based on future traffic volumes demand projections presented in Table 6-2 of the Marion County Rural Transportation System Plan. These annual growth rates for each intersection were applied to 2007 volumes to determine 2025 volumes. 2025 Background traffic growth is presented in Figure 5. Table 6-2 and growth calculations are included in the appendix.

IN-PROCESS TRAFFIC

In-process traffic is defined as traffic anticipated to be generated by approved projects not yet constructed. The purpose of determining in-process traffic is to identify near-term impacts resulting from development in excess of general planning growth assumptions. According to Marion County transportation staff there is no in-process traffic to include.

CURRENT ZONE DESIGNATION TRAFFIC VOLUMES

Current zone designation traffic volumes are the estimated future traffic volumes without the subject plan amendment and zone change application. 2025 Current Zone Designation traffic is the sum of 2007 existing traffic and 18 years of background growth and is illustrated in Figure 6.

IV. SITE DEVELOPMENT

DEVELOPMENT SCENARIO

The plan amendment and zone change application must address TPR requirements as outlined in OAR 660-012-0060. As such, planning horizon conditions need to be addressed which are identified by the Oregon Highway Plan (OHP) as, *"The greater of 15 years or the planning horizon of the applicable local and regional transportation system plans for amendments to transportation plans, comprehensive plans or land use regulations."*

To address these requirements, analyses must compare reasonable "worst-case" trip generation impacts of land uses allowed in the current and proposed zone designations and must evaluate impacts in the planning horizon year. The Marion County TSP was adopted in 2005. Therefore, the planning horizon of the Marion County TSP is 2025.

TRIP GENERATION – CURRENT ZONE DESIGNATION

Current Marion County comprehensive plan designation for the property is Primary Agriculture. Current property zoning is Exclusive Farm Use/Residential Single-Family (EFU/RS). Development in this zone designation is not anticipated to generate a significant number of vehicle trips. Therefore, as a conservative assumption in this analysis, no additional trip generation is assumed to result from development in the current designation.

TRIP GENERATION – PROPOSED ZONE DESIGNATION

As previously identified, this analysis presents the "worst-case" development scenarios in the proposed Industrial zone designation. A review of allowed uses in Chapter 165 of the Marion County Rural Zoning Ordinance showed warehouses as the highest trip generating land use.

The assumed "worst-case" development necessary to meet TPR analysis requirements is warehouse development with 40% building area coverage.

The following table presents trip generation estimates for the "worst-case" development scenario in the Industrial (I) zone designation. Trip generation for industrial uses are based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, Seventh Edition.

TABLE 4 – TRIP GENERATION – PROPOSED ZONE DESIGNATION						
Use Description and Building Coverage ¹	ITE Code	Size	PM Peak Hour			Daily
			Enter	Exit	Total	Total
Warehouse (ITE Code 150) (40% Building Area Coverage)	110	525,000 SF	62	185	247	2,604

¹ Reference: Oregon Economic and Community Development Department Industrial Development Profile Matrix, May 2003.

For purposes of this analysis, all trips are assumed to be vehicle trips. No additional reductions are made for trips made by alternate modes.

TRIP DISTRIBUTION AND TRAFFIC ASSIGNMENT

Trip distribution for the development scenario was determined based on existing roadway traffic volumes, anticipated trip origins and destinations, and engineering judgement. Trip distribution and resulting traffic assignment are shown in Figure 7.

2025 PROPOSED ZONE DESIGNATION TRAFFIC VOLUMES

Proposed Zone Designation traffic volumes are the sum of Current Zone Designation traffic volumes and worst-case development Proposed Zone Designation assigned traffic volumes. 2025 Proposed Zone Designation traffic volumes are presented in Figure 8.

V. INTERSECTION AND ROADWAY ANALYSIS

OPERATION ANALYSIS DESCRIPTION

Intersection operation characteristics are generally defined by two measurements: volume-to-capacity (v/c) ratio and level-of-service (LOS). ODOT uses v/c ratio to determine intersection performance and Marion County uses both v/c and LOS. Since both agencies have roadways within the project impact area, both measurements are included in the analysis.

Volume-to-capacity (v/c) ratio is a measurement of capacity used by a given traffic movement for an entire intersection. It is defined by the rate of traffic flow or traffic demand divided by the theoretical capacity. Based on the January 2001 revision to the 1999 Oregon Highway Plan (OHP), I-5 is a Statewide National Highway System (NHS) Freight Route. The OHP requires a maximum v/c ratio of 0.85 be maintained at all ramp terminal intersections. The Marion County v/c standard for signalized and unsignalized intersections is 0.85 or less.

LOS is a measure of the average control delay (in seconds) experienced by drivers at an intersection and is described by a letter on the scale from 'A' to 'F'. LOS 'A' represents optimum operating conditions and minimum delay. LOS 'F' indicates over capacity conditions causing unacceptable delay. Marion County considers LOS 'D' the acceptable minimum standard for signalized and all-way stop controlled intersections with individual movements operating at LOS 'E' or better. Other unsignalized intersections shall operate at LOS 'E' or better, although LOS 'F' may be allowed if the movement has a relatively low volume and there is no indication that a safety problem will be created.

OPERATION ANALYSIS

Operation analyses were performed for the weekday PM peak hour at the four study intersections for three different scenarios as follows:

- 2007 Existing Conditions
- 2025 Current Zone Designation with Existing Infrastructure
- 2025 Proposed Zone Designation with Existing Infrastructure
- 2025 Current Zone Designation
- 2025 Proposed Zone Designation

As previously identified, analyses contained in this report were prepared to support a plan amendment and zone change application, not a specific land use application. Therefore, analysis scenarios contemplate transportation impacts resulting from a reasonable worst-case development scenario at the end of the planning period (2025).

Analyses also assume projects identified in 20-year funded list of the Marion County TSP have been constructed. This includes improvements at the Ehlen Road/I-5 interchange ramp terminal intersections identified in the sub-area plan that are funded via a specific Marion County assessment policy.

The computer program Synchro, using Highway Capacity Manual (HCM) techniques, was used to calculate v/c ratios and LOS at the study intersections that are summarized in the following tables. Data output sheets from analyses can be found in the appendix.

The following table presents the results of the intersection operation analyses.

TABLE 5 - INTERSECTION OPERATION ANALYSIS - PM PEAK HOUR													
Intersection	Intersection Control	Movement	2007 Existing Conditions		2025 Current Zone Designation with Existing Infrastructure		2025 Proposed Zone Designation with Existing Infrastructure		2025 Current Zone Designation		2025 Proposed Zone Designation		
			v/c	LOS	v/c	LOS	v/c	LOS	v/c	LOS	v/c	LOS	
Ehlen Rd / Butteville Rd	Two-Way Stop	NB	0.25	B	0.75	E	1.39	F					
		SB	0.17	C	0.64	F	1.03	F					
	All-Way Stop								0.57	C	0.61	E	
Ehlen Rd / Bents Ct	Two-Way Stop	NB Left	0.02	B	0.06	C	0.08	C					
Ehlen Rd / Bents Rd	Two-Way Stop	SB	0.61	E	2.68	F	3.84	F					
Ehlen Rd / Bents Ct / Bents Rd	Signalized								0.79	B	0.83	C	
Ehlen Rd / I-5 SB Ramps	Two-Way Stop	SB	0.78	E	2.46	F	3.13	F					
	Signalized								0.69	C	0.74	C	
Ehlen Rd / I-5 NB Ramps	Two-Way Stop	NB	1.00	F	3.70	F	6.28	F					
	Signalized								0.71	D	0.81	D	

The **Ehlen Road/Butteville Road** intersection currently meets performance standards for capacity and LOS but is anticipated to exceed standards for two-way stop-controlled intersections for LOS with or without the proposed plan amendment and zone change in 2025. With an all-way stop controlled intersection the standard is met in the 2025 current zone designation scenario but in the 2025 proposed zone designation scenario the LOS 'D' standard is exceeded. The LOS for the intersection exceeds Marion County standards due to the eastbound through approach, which operates at LOS 'F'. The Bennion/Feller Industrial plan amendment/zone change 'worst-case' scenario does not add any trips to the eastbound through movement.

The **Ehlen Road/Bents Court** intersection meets standards for capacity and LOS with or without the proposed plan amendment/zone change.

The **Ehlen Road/Bents Road** intersection currently does not meet Marion County standards for capacity and LOS, and will not meet the County standard in the plan year with the existing infrastructure.

The **Ehlen Road/Bents Court/Bents Road** realigned and signalized intersection will meet standards for capacity and LOS for the 2025 current and proposed zone designations.

The **Ehlen Road/I-5 SB Ramps** intersection currently meets standards for capacity and LOS but will not meet the ODOT standard in the plan year with existing infrastructure. With the planned Marion County improvements funded by the sub-area plan, the ramp terminal intersection will meet ODOT standards in 2025 with and without the proposed plan amendment and zone change.

The Ehlen Road/I-5 NB Ramps intersection currently does not meet ODOT standards for capacity and LOS and will continue to do so with the existing infrastructure. With the planned Marion County improvements funded by the sub-area plan, the ramp terminal intersection is anticipated to meet ODOT standards in 2025 with and without the proposed plan amendment and zone change.

QUEUING ANALYSIS

Analyses were performed at the study intersections to determine the existing and anticipated 95th percentile queue lengths during the weekday PM peak hour. SimTraffic software was used with a queue storage assumption of 25 feet per vehicle. Queuing calculation worksheets are located within the appendix. The existing and anticipated queue lengths at the study intersection approaches for the weekday PM peak hour are listed in the tables below.

TABLE 6 - QUEUE LENGTHS (FEET) - PM PEAK HOUR							
Intersection	Lane Group	Movement	2007 Existing Conditions	2025 Current Zone Designation with Existing Infrastructure	2025 Proposed Zone Designation with Existing Infrastructure	2025 Current Zone Designation	2025 Proposed Zone Designation
Ehlen Rd / Butteville Rd	EB	Lt	25	25	25	50	75
	WB	Lt	75	75	75	150	175
	NB	Lt	75	125	425	50	150
		Th				75	200
		Rt				75	75
	SB	Lt	50	75	75	75	75
Th							
Rt							
Ehlen Rd / Bents Ct	NB	Lt	25	25	50		
		Rt	50	75	75		
Ehlen Rd / Bents Rd	SB	Lt	150	>999	>999		
		Rt					
Ehlen Rd / Bents Rd / Bents Ct	EB	Lt				150	200
		Th				925	>999
		Rt					
	WB	Lt				50	50
		Th				700	775
		Rt					
	NB	Lt				25	50
		Th				100	125
		Rt					
	SB	Lt				350	400
		Th				550	>999
		Rt					

TABLE 6 - QUEUE LENGTHS (FEET) - PM PEAK HOUR							
Intersection	Lane Group	Movement	2007 Existing Conditions	2025 Current Zone Designation with Existing Infrastructure	2025 Proposed Zone Designation with Existing Infrastructure	2025 Current Zone Designation	2025 Proposed Zone Designation
Ehlen Rd / I-5 SB Ramps	EB	Th	100	125	125	>999	825
		Rt				250	250
	WB	Lt	125	250	350	225	225
		Th				425	450
	SB	Lt	350	400	400	300	450
		Th				325	425
Rt							
Ehlen Rd / I-5 NB Ramps	EB	Lt	125	200	275	225	175
		Th				425	350
	WB	Lt	25	25	125	>999	>999
		Th				150	150
	NB	Lt	400	425	425	325	475
		Th				275	375
Rt							

The proposed plan amendment and zone change will not significantly affect queue lengths.

MITIGATION

The identified mitigation is consistent with the recommended improvements to the study area and the planned infrastructure improvements identified in the Marion County TSP. The following are the recommended improvements for the study intersections:

Based on our understanding of the TPR, if a transportation facility does not meet the applicable jurisdiction operating standard in the plan year, then mitigation must be identified that will accommodate the proposed plan amendment without further degrading the intersection. If the intersection meets operating standards in the plan year with the current zone designation, but not with the proposed zone designation, then the operating standard must be met.

Our analysis indicates that with the existing infrastructure, with or without the proposed plan amendment and zone change, the study area intersections will not meet ODOT or Marion County operating standards in the plan year.

Accounting for the projects that either have a County funding source or have been identified on the Fiscally Constrained project list of the TSP, we have identified one intersection that will require additional mitigation.

The Ehlen Road/Butteville Road intersection is anticipated to exceed Marion County standards in the PM peak hour for all-way stop controlled intersections in the 2025 Proposed Zone Designation scenario. To meet Marion County standards for the 2025 Proposed Zone Designation, the intersection requires a traffic signal. This mitigation is consistent with the findings associated with the 2005 Specht Development study. The signalization project is identified in the Marion County TSP, but is not on the Fiscally Constrained funded list. The County estimated cost of improvement is \$750,000.

The following table shows the results of the added mitigation to the Ehlen Road/Butteville Road intersection; Synchro analysis worksheets are located within the appendix.

Intersection	Intersection Control	Mitigation	2025 Proposed Zone Designation (Pre-Mitigation)		2025 Proposed Zone Designation (Post-Mitigation)	
			v/c	LOS	v/c	LOS
Ehlen Road / Butteville Road	Two-Way Stop	Signal	0.61	E	0.59	B

VI. IMPROVEMENTS TIMING AND FUNDING

Consistent with TPR requirements, analyses in this TIA assume projects that are identified in the 20-year funded list of the Marion County TSP have been constructed. This includes improvements at the Ehlen Road/I-5 interchange ramp terminal intersections and the realignment of the Bents Road/Ehlen Road intersection. Both projects are identified in the sub-area plan and are funded via a specific Marion County assessment policy.

It is important to note, approval of the comprehensive plan amendment and zone change application for the Bennion/Feller Industrial Property does not itself generate trips. Rather, a specific land use, approved via a specific development application, generates trips. As shown in this TIA, with the planned improvements, the worst-case land use assumption for the proposed plan amendment and zone change results in intersections operating at acceptable standards in the plan year. Therefore, with any future land use application the intersections are also anticipated to operate at acceptable standards in the plan year.

The following section, provided for illustrative purposes only, identifies the specific Marion County assessment policy established to fund future infrastructure relative to the worst-case development scenario presented in this TIA. As previously stated, approval of the comprehensive plan amendment and zone change application does not itself generate trips; therefore, fees should be assessed based on a future specific development application.

MARION COUNTY TRANSPORTATION IMPACT FEE – AURORA/DONALD INTERCHANGE

To address increasing congestion issues in the Fargo interchange area, Marion County prepared a sub-area plan. This plan has several recommendations including access management, bicycle/pedestrian improvements, and an impact fee mechanism to collect funds for interim improvements. Improvements include future traffic signals, additional traffic lanes and/or other capacity improvements, specifically at the Ehlen Road/I-5 NB ramp terminal intersection, the Ehlen Road/I-5 SB ramp terminal intersection, and at the realigned Bents Road-Bents Court/Ehlen Road intersection.

Future development is assessed based on the percentage of traffic added to each intersection during an average day. According to Marion County, the average entering daily traffic volumes are 11,500 at the Ehlen Road/I-5 NB Ramps intersection, 14,500 at the Ehlen Road/I-5 SB Ramps intersection, and 11,500 at the realigned Bents Road-Bents Court/Ehlen Road intersection. The improvement costs at each intersection is estimated to be \$500,000 in 2004 dollars and will be adjusted according to the Seattle Cost of Construction Index as published annually in the December issue of "Engineering News Record."

In addition to the improvements identified in the Marion County sub-area plan, Group Mackenzie has identified in the 2025 proposed zone designation scenario the need for a traffic signal at the Ehlen Road/Butteville Road intersection. The traffic signal and necessary supporting roadway approach geometry is identified in the Marion County TSP; however, it is not funded. The Marion County TSP estimated cost of the improvements is \$750,000.

To determine the potential proportional assessment for the Bennion/Feller Industrial Property the previously identified "worst-case" development scenario was evaluated. The sub-area plan methodology states the fee is based on the percentage of traffic added by the development at each intersection during an average day. Trip distribution for the development scenarios is presented in Figure 7.

With trip distribution known, trip percentages and resulting daily trips at each intersection were calculated and are shown in the following table.

Land Use Designation	Total Daily Trips	Ehlen Rd/ NB Ramp		Ehlen Rd/ Butteville Rd and Bents Rd/Bents Ct and SB Ramp	
		%	Trips	%	Trips
Warehouse	2,604	65%	1,693	90%	2,344

With the number of trips known at the individual intersections, the proportionate share of the intersection improvement costs was calculated based on a percentage of the measured existing daily intersection volumes. The following table shows the proportionate costs based on the "worst case" scenario.

Land Use Designation	Intersection	Established Intersection Volume	Daily Development Trips	% of Total Volume	Proportional Assessment ¹
Warehouse	Ehlen Rd/Butteville Rd	7,150	2,344	24.69%	\$185,170
	Bents Rd/Bents Ct	11,500	2,344	16.93%	\$84,660
	Ehlen Rd/SB Ramp	14,500	2,344	13.91%	\$69,580
	Ehlen Rd/NB Ramp	11,500	1,693	12.83%	\$64,165
	Total				\$403,575

¹ Assessment in 2004 dollars and may be adjusted according to the Seattle Cost of Construction Index.

As illustrated in the previous tables, the worst-case development scenario's proportionate share costs for the improvements are estimated to be \$403,575.

This calculation has been provided for illustrative purposes only. Approval of this comprehensive plan amendment and zone change application does not itself generate trips; therefore, fees should not be assessed based on this analysis. Rather, via conditions of approval for this application, fees should be assessed based on daily trip generation resulting from a specific land use identified in a future specific development application.

VII. SUMMARY

This analysis has been prepared to address Transportation Planning Rule requirements. Oregon Administrative Rule (OAR) 660-012-0060(1) states, "*Where an amendment to functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures... to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.*" As identified in this analysis, the proposed change in plan designation can be approved with implementation of the identified mitigation.

The following conclusions and recommendations are specifically based on materials contained in this analysis:

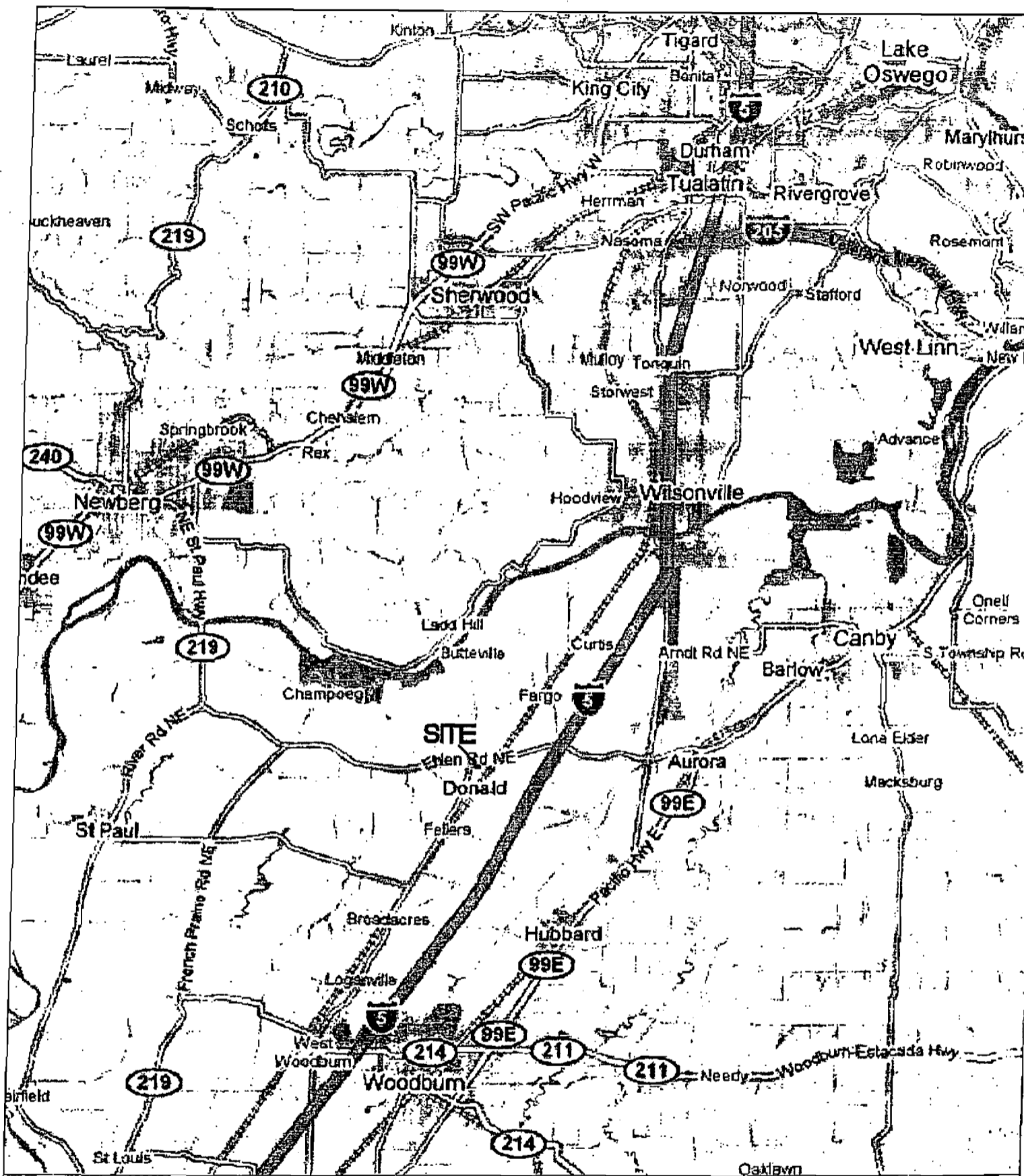
1. The reasonable "worst-case" development scenario for the 30-acre Bennion/Feller property in the proposed Rural Marion County Industrial (I) zone designation is a 525,000 SF Warehouse (40% lot coverage) generating 2,604 daily and 247 PM peak hour trips.
2. Planned infrastructure improvements identified in the Marion County TSP and the sub-area plan include improvements at the Ehlen Road/Butteville Road intersection, the P&W Railroad crossing of Butteville Road, Bents Road/Ehlen Road realignment, and Ehlen Road/I-5 Interchange Ramp Terminal intersections. All improvements are assumed constructed in the plan year (2025) except the identified but unfunded traffic signal at the Ehlen Road/Butteville Road intersection.
3. Crash rates at all but one study area intersection (Ehlen Road/Butteville Road) are below the threshold rate of 1.0/mev. Mitigation identified in the Marion County TSP to signalize the intersection and improve the supporting roadway approach geometry are anticipated to correct existing safety deficiencies.
4. Background growth and seasonal volume adjustments were added to the existing traffic volumes to establish traffic volumes for the 2025 Current Zone Designation. The existing EFU/RS zoning was not assumed to generate any trips.
5. The 2025 Proposed Zone Designation traffic volumes were presented as the sum of the 2025 Current Zone Designation and the worst-case development scenario for the Industrial (I) zoning.
6. With the planned and funded infrastructure improvements identified in the Marion County sub-area plan, in the 2025 Proposed Zone Designation scenario, all intersections will operate at acceptable LOS and v/c performance standards except for the Ehlen Road/Butteville Road intersection.
7. The Ehlen Road/Butteville Road intersection will operate at LOS 'E' in the 2025 Proposed Zone Designation scenario due to the eastbound through traffic on Ehlen Road. The Bennion/Feller property does not add trips to this movement. Consistent with the Marion County TSP, the intersection will require a traffic signal to operate at an acceptable level of service in the 2025 Proposed Zone Designation scenario. Based on the "worst-case" development scenario in the proposed zone, the estimated proportionate share of the estimated costs of improvements is approximately \$185,000.

8. Queuing is not significantly impacted by the proposed plan amendment and zone change.
9. Based on the "worst-case" development scenario in the proposed zone, the estimated contribution to the Marion County sub-area plan totals approximately \$218,400. Approval of this comprehensive plan amendment and zone change application does not itself generate trips; therefore, fees for planned infrastructure improvements should not be assessed based on this analysis. Rather, via conditions of approval for this application, fees should be assessed based on daily trip generation resulting from a specific land use identified in a future specific development application.

VIII. APPENDIX

- A. Figures
- B. Traffic Count Summaries
- C. Crash Data
- D. Background Growth
- E. Capacity Calculations
- F. Queuing Calculations
- G. Scope Letter & Requirements

APPENDIX A
Figures



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NOT TO SCALE

EHLEN RD NE

STRUCURE
PARKING/DELIVERY
AREA

APPROXIMATE
STRUCUTURE
FOOTPRINT

BUTTEVILLE RD NE

SITE
ACCESS
DRIVEWAY

GROUP

MACKENZIE

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CHECKED BY: CMC

JOB NO:
2070204.00

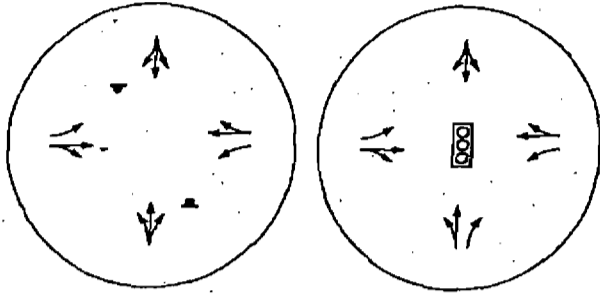
SITE PLAN

BENNION/FELLER INDUSTRIAL PROPERTY
DONALD, OREGON

FIGURE

2

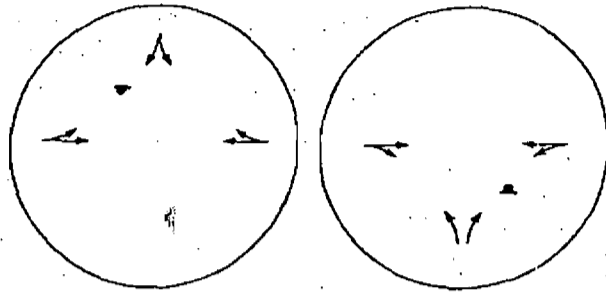
EHLEN ROAD / BUTTEVILLE ROAD



EXISTING GEOMETRY

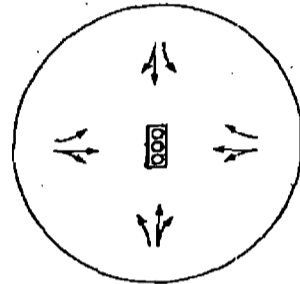
PLANNED GEOMETRY

EHLEN RD / BENTS RD / BENTS CT

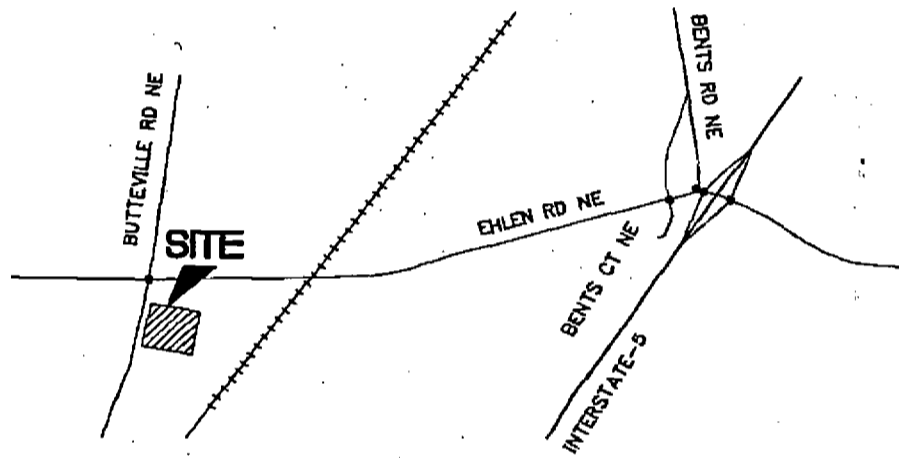


EXISTING GEOMETRY

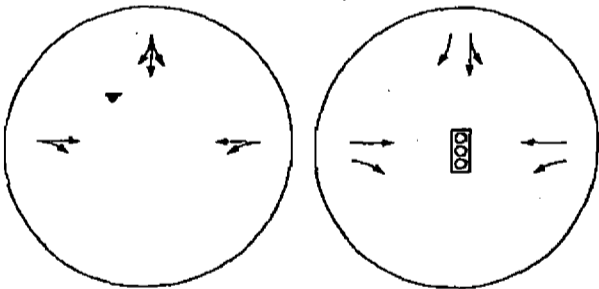
EXISTING GEOMETRY



PLANNED GEOMETRY



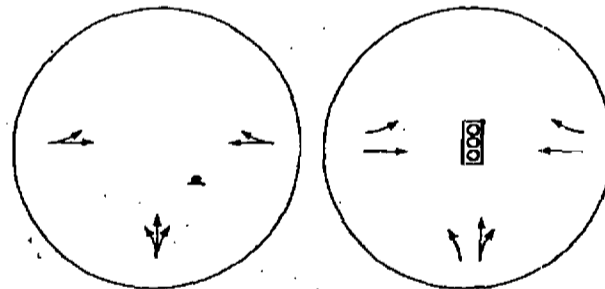
EHLEN ROAD / I-5 SB RAMPS



EXISTING GEOMETRY

PLANNED GEOMETRY

EHLEN ROAD / I-5 NB RAMPS



EXISTING GEOMETRY

PLANNED GEOMETRY

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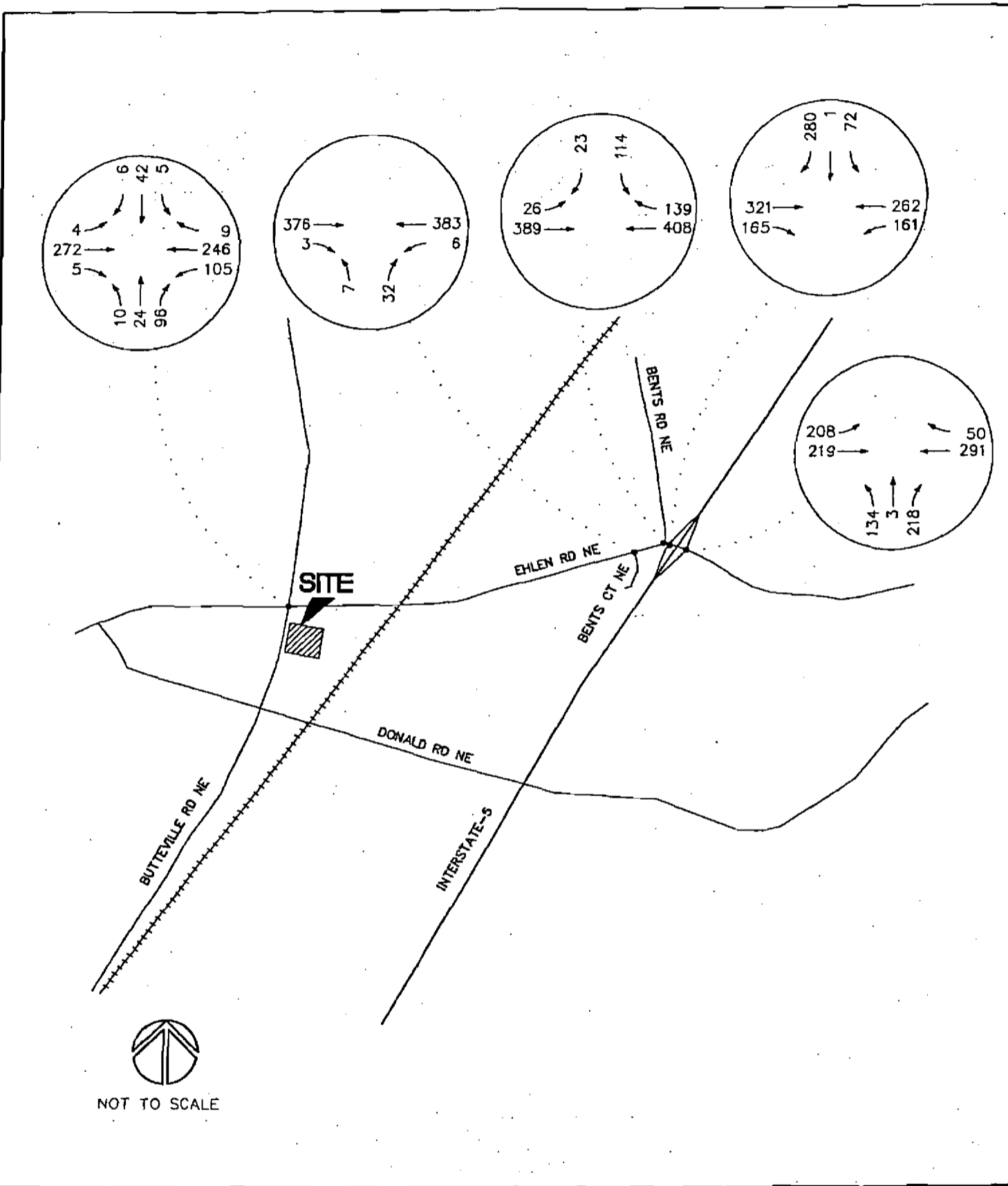
JOB NO:
2070204.00

EXISTING AND PLANNED
INTERSECTION GEOMETRIES

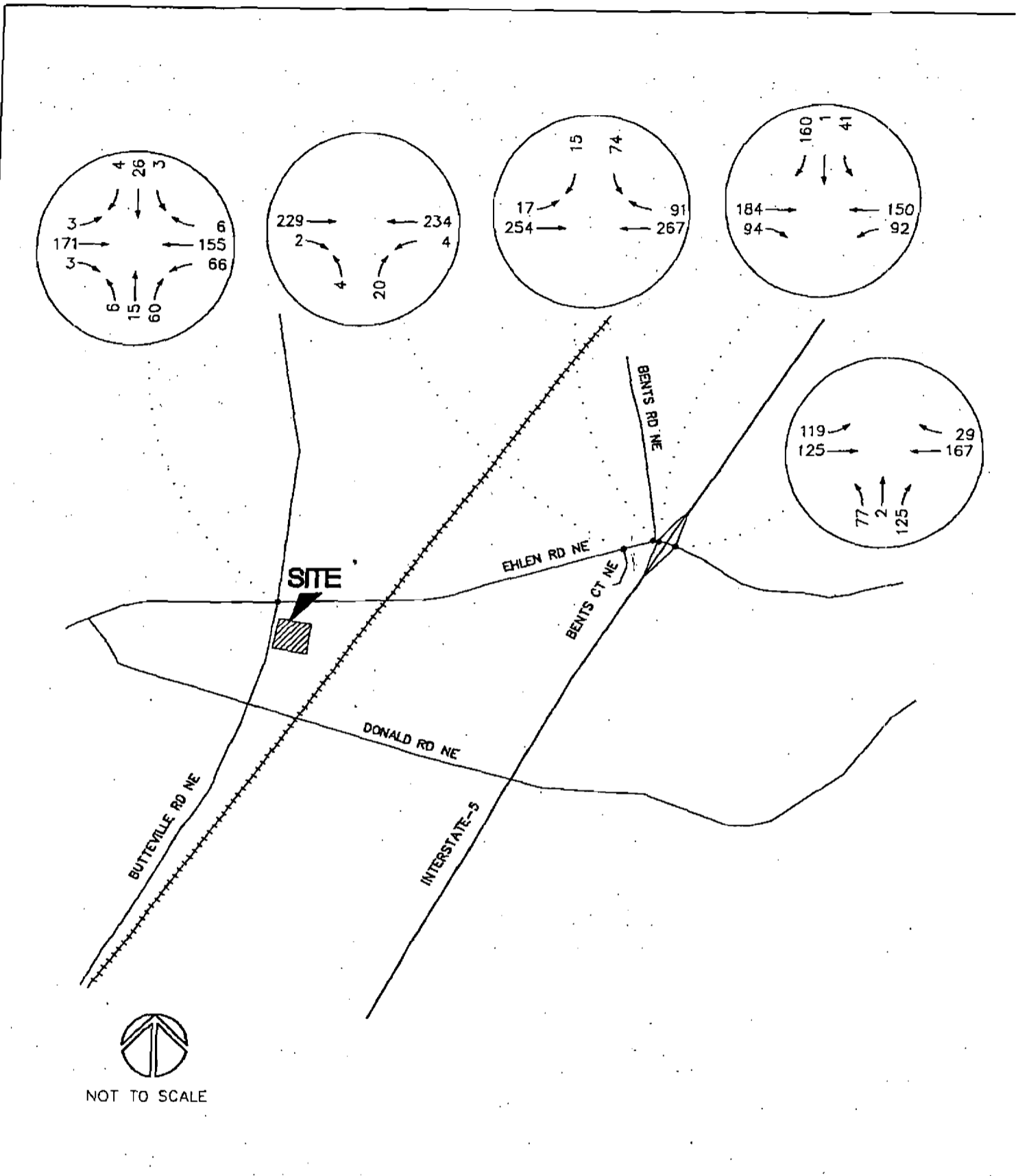
BENNON/FELLER INDUSTRIAL PROPERTY
DONALD, OREGON

FIGURE

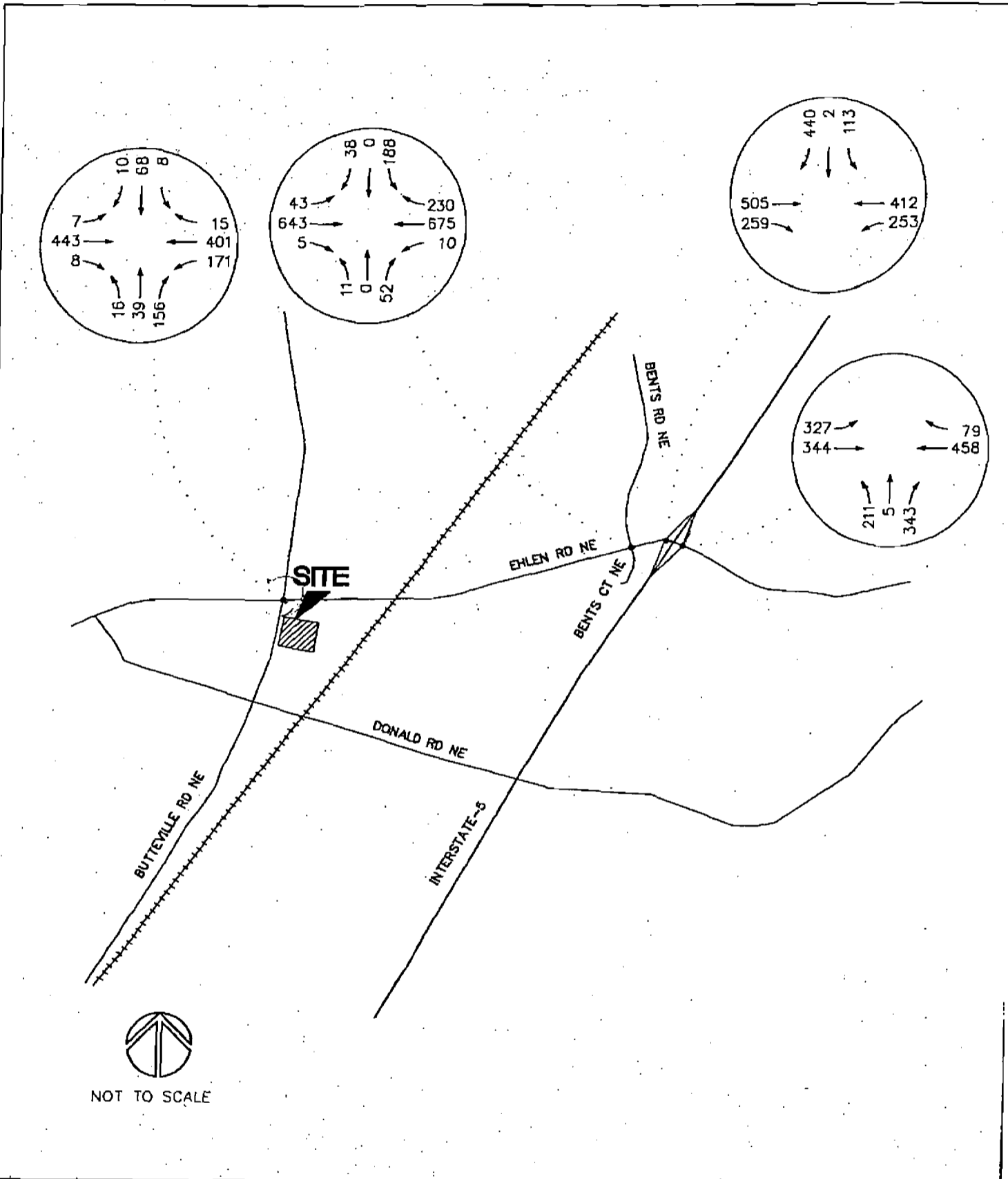
3



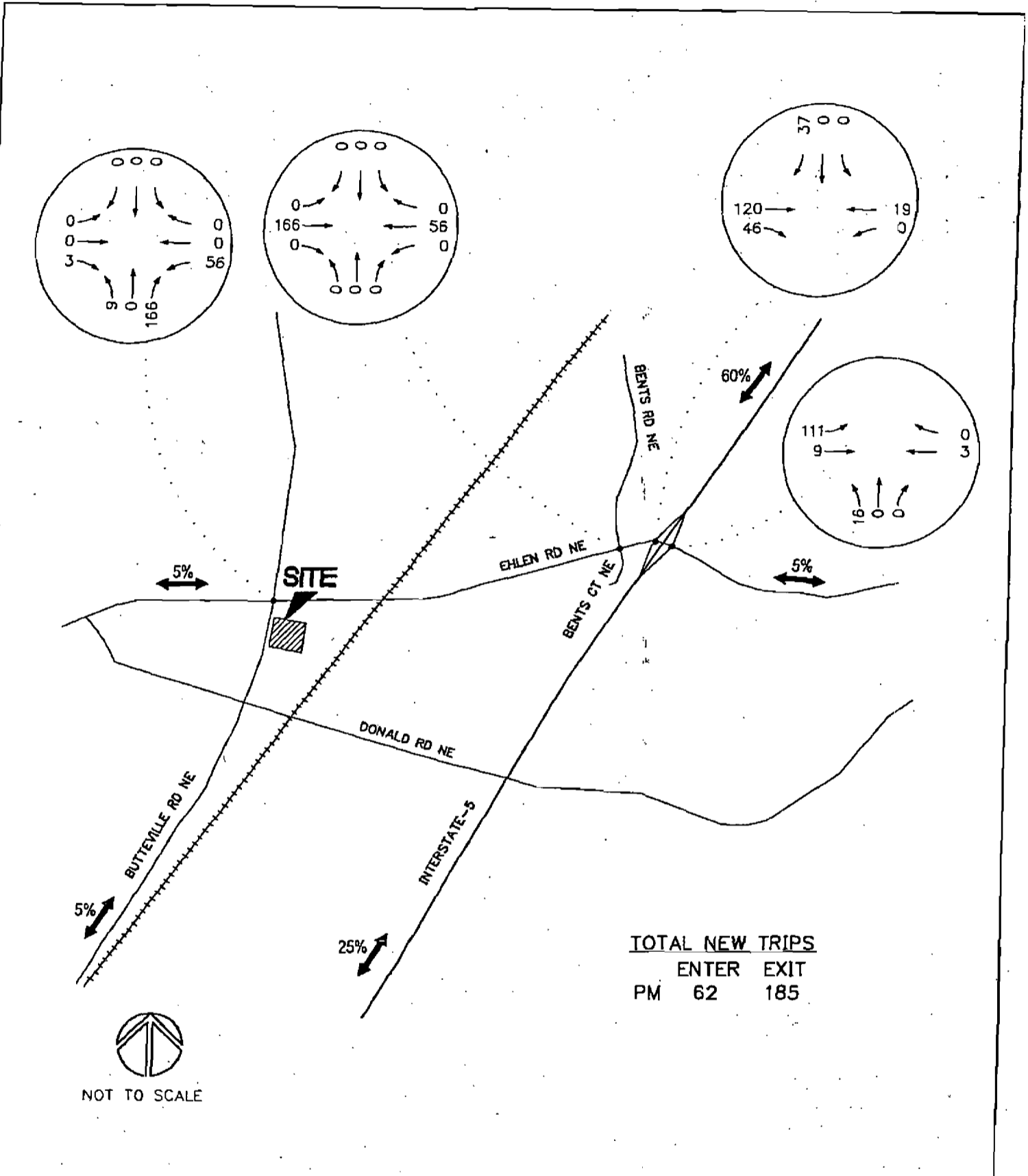
<p>GROUP MACKENZIE</p> <p>Portland OR Vancouver WA Seattle WA 503.224.8580 360.695.7879 206.749.9993</p> <p><small>© GROUP MACKENZIE 2007 ALL RIGHTS RESERVED THESE DRAWINGS ARE THE PROPERTY OF GROUP MACKENZIE AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER WITHOUT PRIOR WRITTEN PERMISSION</small></p>	<p>DATE: 7.3.07 DRAWN BY: WSB CHECKED BY: CMC</p> <p>JOB NO: 2070204.00</p>	<p>2007 EXISTING TRAFFIC INTERSECTION VOLUMES</p> <p>BENNION/FELLER INDUSTRIAL PROPERTY DONALD, OREGON</p>	<p>FIGURE 4</p>
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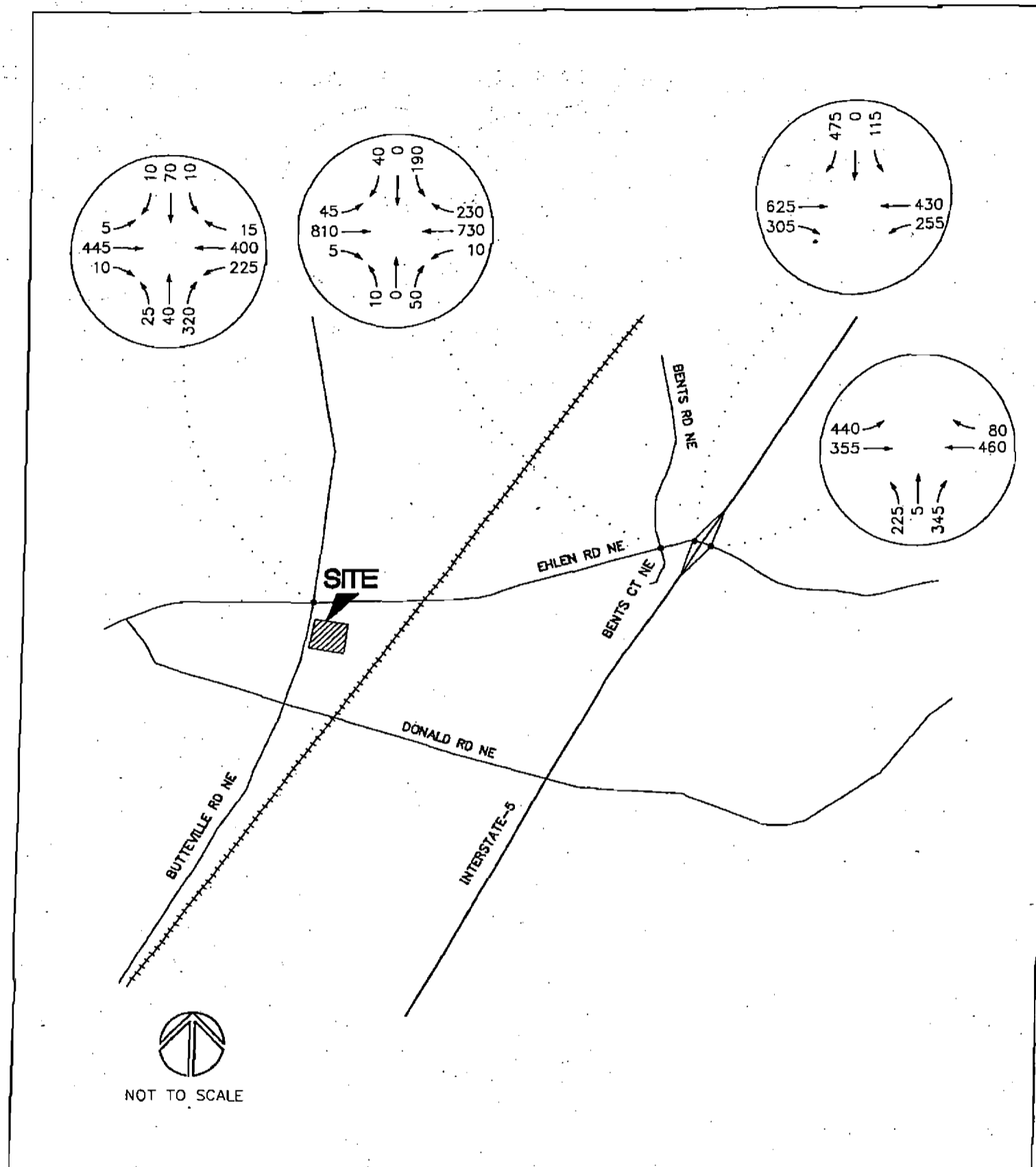


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 CHECKED BY: CMC
 JOB NO:
 2070204.00

**TRIP DISTRIBUTION AND
 TRAFFIC ASSIGNMENT**
 BENNION/FELLER INDUSTRIAL PROPERTY
 DONALD, OREGON

FIGURE
7



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DATE: 7.3.07
 DRAWN BY: WSB
 CHECKED BY: CMC
 JOB NO: 2070204.00

2025 PROPOSED ZONE DESIGNATION
INTERSECTION VOLUMES
 BENNON/FELLER INDUSTRIAL PROPERTY
 DONALD, OREGON

FIGURE
8

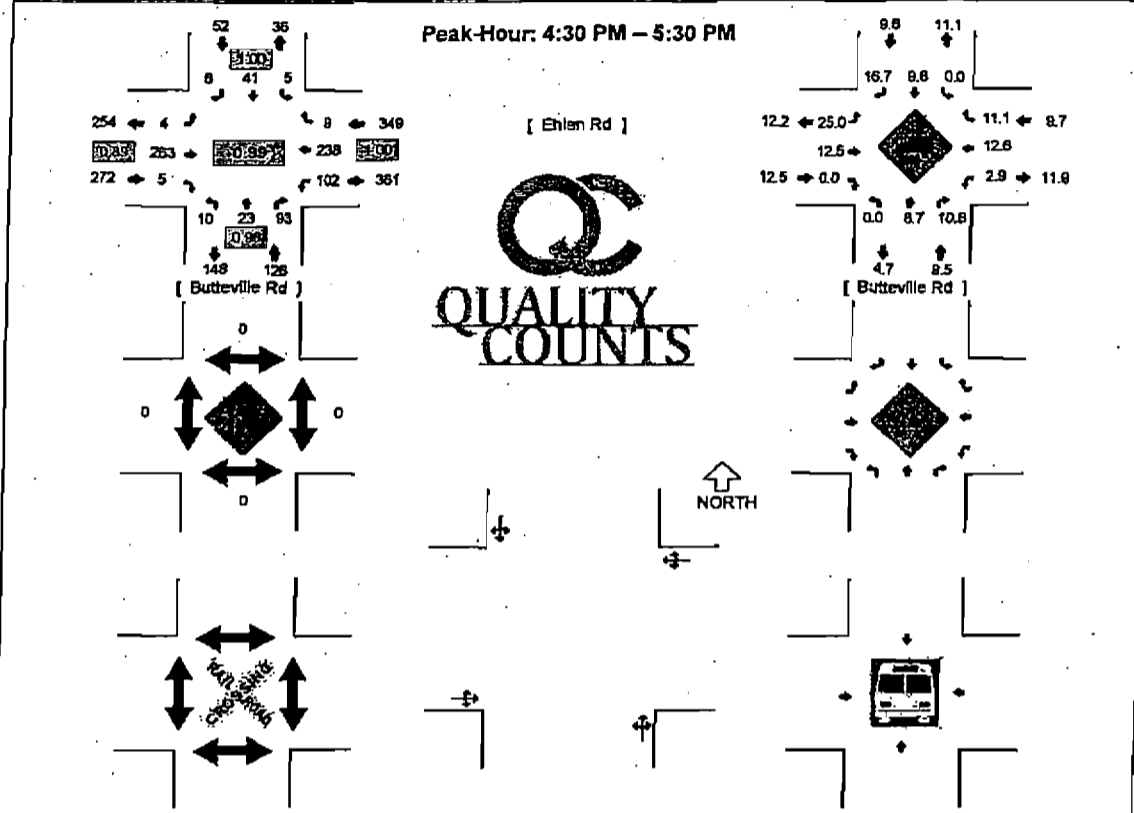
APPENDIX B
**Traffic Count
Summaries**

Type of peak hour being reported: System Peak

Method for determining peak hour: Total Entering Volume

INTERSECTION: Butteville Rd-Ehlen Rd
WEATHER:

QC JOB #: 10264505
DATE: 6/19/2007



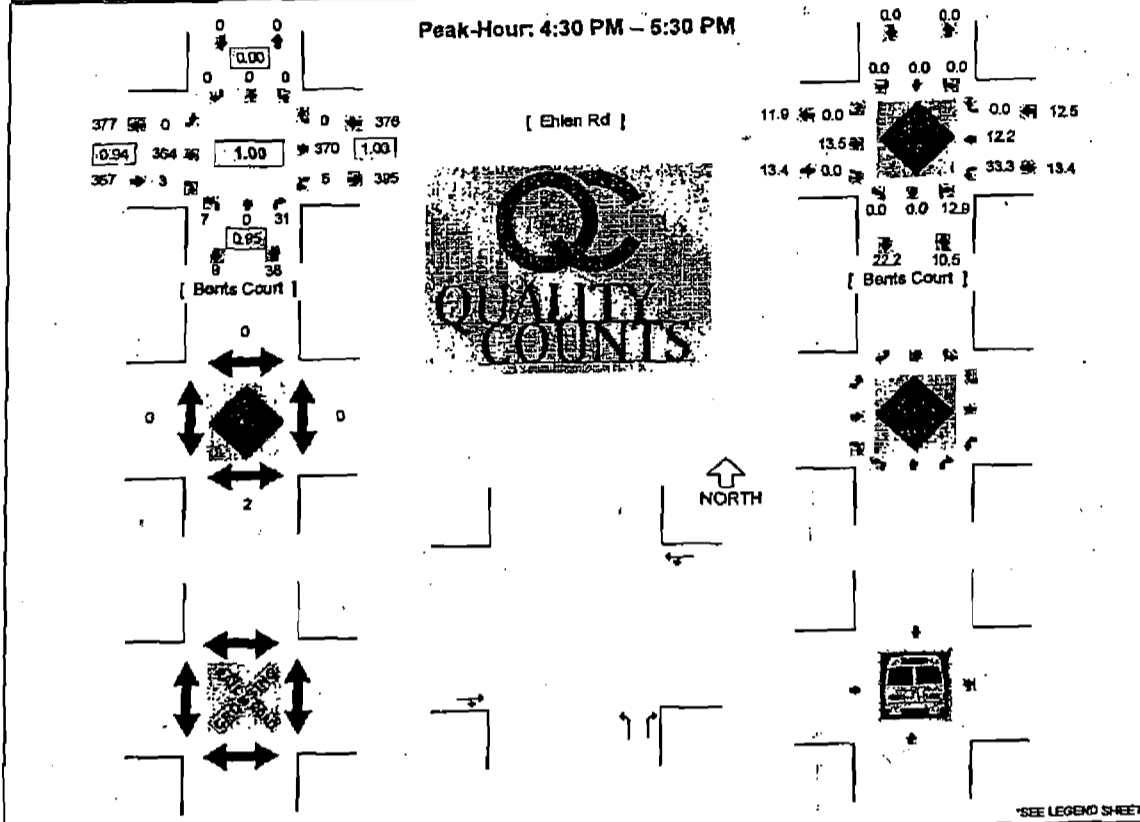
*SEE LEGEND SHEET

5-MIN COUNT PERIOD	Butteville Rd (Northbound)				Butteville Rd (Southbound)				Ehlen Rd (Eastbound)				Ehlen Rd (Westbound)				TOTAL	HOURLY TOTALS
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
3:00 PM	0	4	10	0	2	1	0	0	2	72	0	0	28	54	1	0	174	
3:15 PM	0	4	11	0	0	5	4	0	0	59	2	0	20	49	3	1	158	
3:30 PM	1	5	9	0	1	6	3	0	1	46	1	0	25	60	1	0	159	
3:45 PM	2	3	13	0	0	11	0	0	2	79	0	0	18	57	1	0	188	677
4:00 PM	2	7	12	0	3	7	1	0	3	56	1	0	25	57	3	0	177	680
4:15 PM	1	2	21	0	0	7	1	0	2	73	1	0	21	60	2	0	191	713
4:30 PM	0	4	10	0	2	1	0	0	2	72	0	0	28	54	1	0	174	755
4:45 PM	0	4	11	0	0	5	4	0	0	59	2	0	20	49	3	1	158	759
5:00 PM	1	5	9	0	1	6	3	0	1	46	1	0	25	60	1	0	159	773
5:15 PM	2	3	13	0	0	11	0	0	2	79	0	0	18	57	1	0	188	799
5:30 PM	2	7	12	0	3	7	1	0	3	56	1	0	25	57	3	0	177	773
5:45 PM	1	2	21	0	0	7	1	0	2	73	1	0	21	60	2	0	191	760
PEAK 15-MIN FLOW RATES	Northbound				Southbound				Eastbound				Westbound				TOTAL	
All Vehicles	10	23	93	0	148	128	0	0	10	23	93	0	148	128	0	0	201	755
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stopped Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>Counter Comments:</i>																		

Type of peak hour being reported: System Peak

Method for determining peak hour: Total Entering Volume

INTERSECTION: Bents Court-Ehlen Rd
 WEATHER:
 QC JOB #: 10264504
 DATE: 6/19/2007



SEE LEGEND SHEET

5-MIN COUNT PERIOD BEGINNING AT	Bents Court (Northbound)				Bents Court (Southbound)				Ehlen Rd (Eastbound)				Ehlen Rd (Westbound)				TOTAL	HOURLY TOTALS
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
3:00 PM	2	0	9	0	0	0	0	0	0	82	2	0	1	92	0	0	188	
3:15 PM	0	0	6	0	0	0	0	0	0	73	1	0	3	68	0	0	151	
3:30 PM	1	0	2	0	0	0	0	0	0	69	0	0	5	94	0	0	171	
3:45 PM	1	0	4	0	0	0	0	0	0	93	1	0	6	85	0	0	190	700
4:00 PM	1	0	7	0	0	0	0	0	0	91	0	0	0	82	0	0	181	693
4:15 PM	1	0	4	0	0	0	0	0	0	100	0	0	1	85	0	0	191	733
4:30 PM	5	0	5	0	0	0	0	0	0	97	1	0	3	80	0	0	191	753
4:45 PM	1	0	10	0	0	0	0	0	0	80	0	0	2	98	0	0	191	764
5:00 PM	1	0	4	0	0	0	0	0	0	77	0	0	1	100	0	0	191	781
5:15 PM	0	0	5	0	0	0	0	0	0	110	0	0	0	92	0	0	208	
5:30 PM	0	0	7	0	0	0	0	0	0	78	1	1	0	96	0	0	183	773
5:45 PM	0	0	2	0	0	0	0	0	0	63	0	0	1	96	0	0	162	744

PEAK 15-MIN FLOW RATES	Northbound				Southbound				Eastbound				Westbound				TOTAL
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	
All Vehicles	20	0	20	0	0	0	0	0	0	388	4	0	12	320	0	0	764
Heavy Trucks	0	0	8	0	0	0	0	0	0	44	0	0	0	60	0	0	112
Pedestrians	5				0				0				0				5
Bicycles																	
Railroad																	
Stopped Buses																	

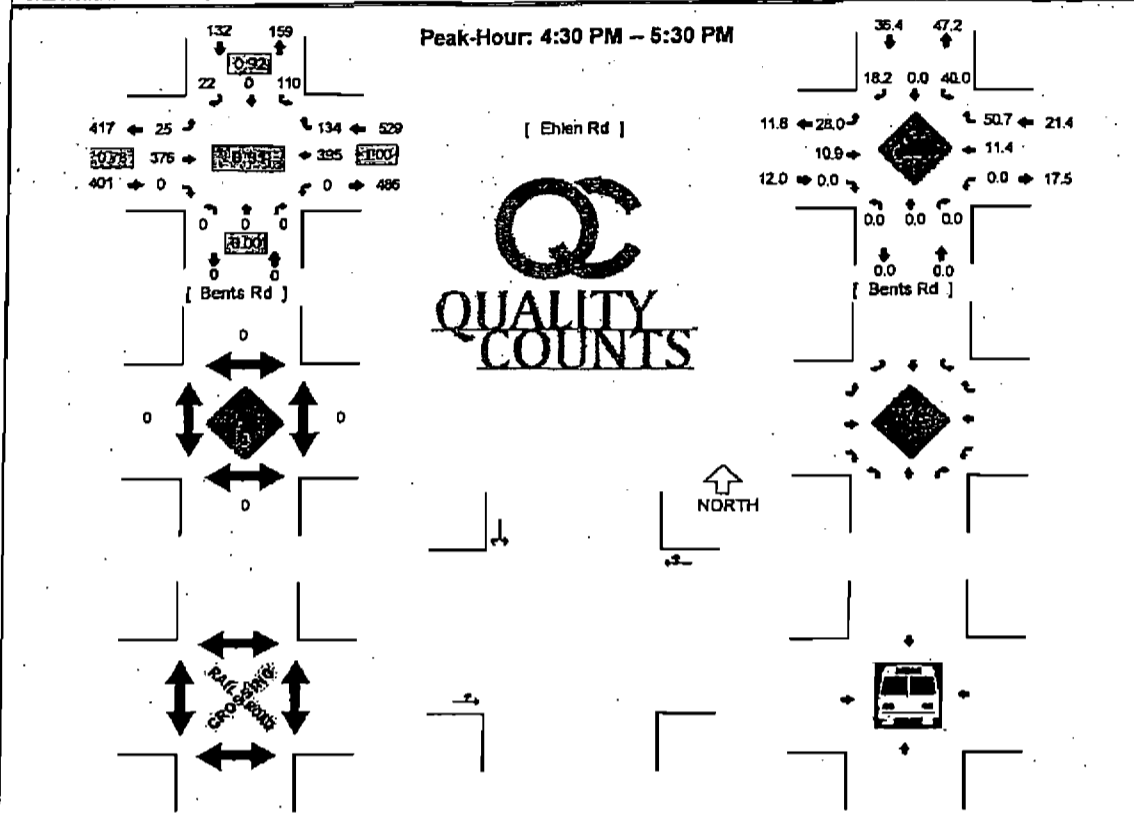
Counter Comments:

Type of peak hour being reported: System Peak

Method for determining peak hour: Total Entering Volume

INTERSECTION: Bents Rd-Ehlen Rd
WEATHER:

QC JOB #: 10264503
DATE: 6/19/2007



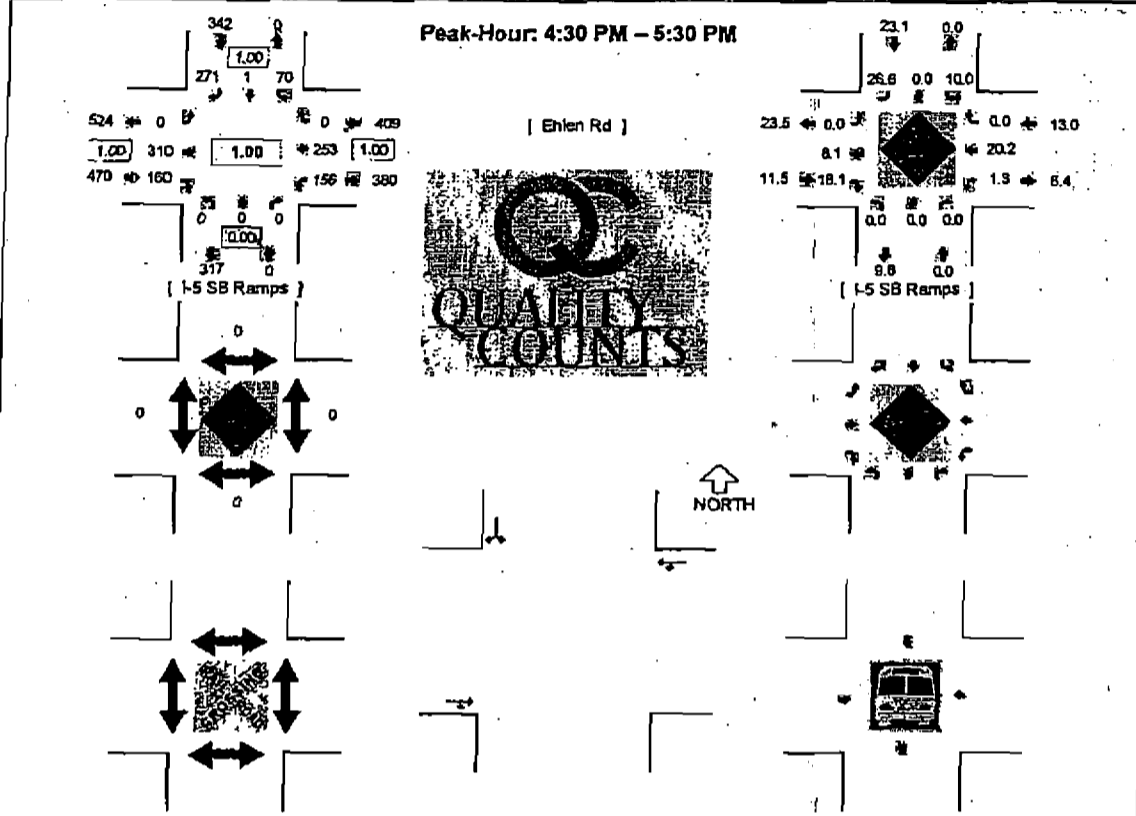
5-MIN COUNT PERIOD	Bents Rd (Northbound)				Bents Rd (Southbound)				Ehlen Rd (Eastbound)				Ehlen Rd (Westbound)				TOTAL	HOURLY TOTALS
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
3:00 PM	0	0	0	0	29	0	2	0	8	93	0	0	0	109	32	0	271	
3:15 PM	0	0	0	0	29	0	4	0	5	94	0	0	0	82	39	0	253	
3:30 PM	0	0	0	0	30	0	1	0	7	73	0	0	0	105	24	0	241	
3:45 PM	0	0	0	0	37	0	5	0	5	95	0	0	0	94	33	0	269	1034
4:00 PM	0	0	0	0	29	0	2	0	3	113	0	0	0	109	29	0	285	1048
4:15 PM	0	0	0	0	29	0	3	0	5	117	0	0	0	94	39	0	287	1082
4:30 PM	0	0	0	0	29	0	3	0	6	122	0	0	0	96	32	0	291	1132
4:45 PM	0	0	0	0	31	0	8	0	7	80	0	0	0	105	33	0	277	1146
5:00 PM	0	0	0	0	31	0	8	0	11	80	0	0	0	100	33	0	255	1094
5:15 PM	0	0	0	0	31	0	8	0	11	80	0	0	0	95	33	0	255	1082
5:30 PM	0	0	0	0	31	0	8	0	7	80	0	0	0	94	42	0	262	1033
5:45 PM	0	0	0	0	27	0	8	0	11	49	0	0	0	96	52	0	243	999
PEAK 15-MIN FLOW RATES	Northbound				Southbound				Eastbound				Westbound				TOTAL	
All Vehicles	0	0	0	0	31	0	8	0	7	80	0	0	0	94	42	0	262	1154
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stopped Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>Counter Comments:</i>																		

Type of peak hour being reported: System Peak

Method for determining peak hour: Total Entering Volume

INTERSECTION: I-5 SB Ramps-Ehlen Rd
WEATHER:

QC JOB #: 10264502
DATE: 6/13/2007



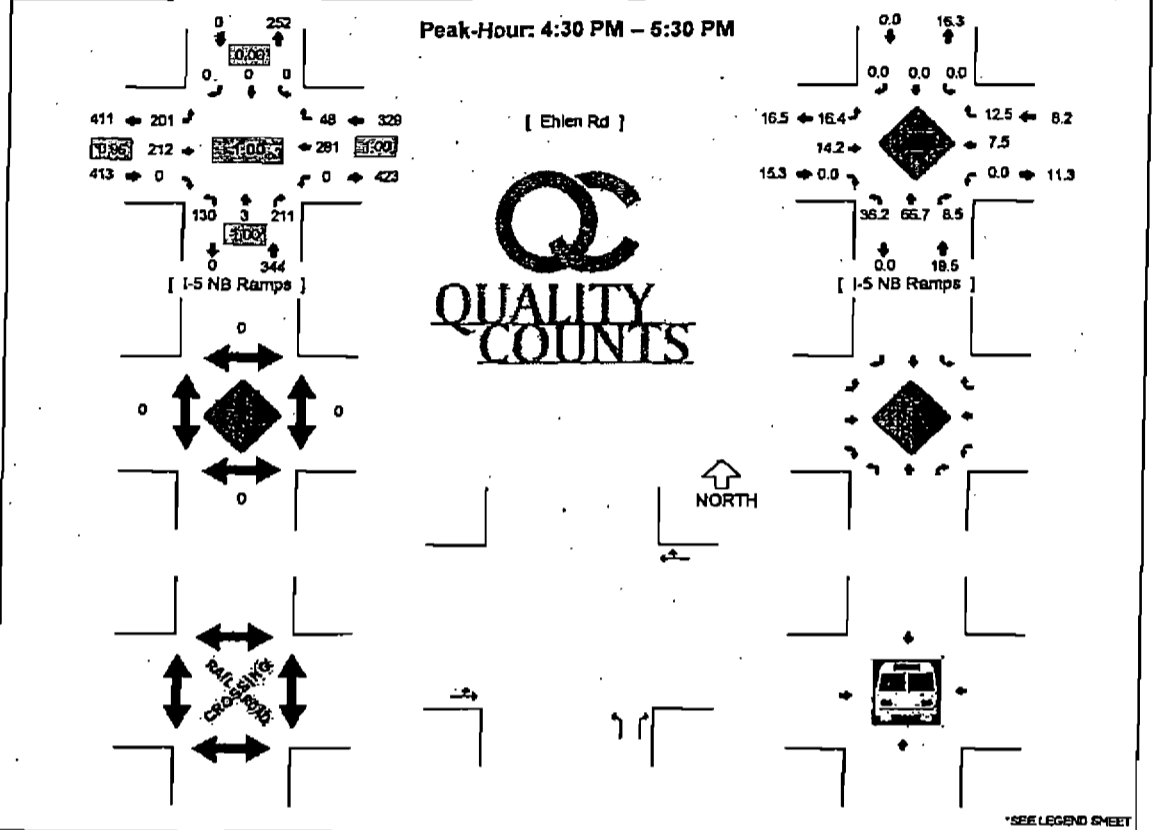
*SEE LEGEND SHEET

5-MIN COUNT PERIOD	I-5 SB Ramps (Northbound)				I-5 SB Ramps (Southbound)				Ehlen Rd (Eastbound)			Ehlen Rd (Westbound)			TOTAL	HOURLY TOTALS		
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru			Right	U
3:00 PM	0	0	0	0	22	1	58	0	0	65	34	0	22	39	0	0	241	
3:15 PM	0	0	0	0	19	0	42	0	0	55	34	0	33	38	0	0	221	
3:30 PM	0	0	0	0	20	1	55	0	0	58	48	0	28	36	0	0	246	
3:45 PM	0	0	0	0	17	0	66	0	0	72	43	0	56	44	0	0	298	1006
4:00 PM	0	0	0	0	20	0	82	0	0	81	38	0	40	54	0	0	315	1080
4:15 PM	0	0	0	0	19	1	73	0	0	70	35	0	47	64	0	0	309	1168
4:30 PM	0	0	0	0	19	1	65	0	0	80	31	0	37	58	0	0	291	1213
4:45 PM	0	0	0	0	16	0	63	0	0	85	31	0	33	50	0	0	318	1233
5:00 PM	0	0	0	0	16	0	62	0	0	83	32	0	48	73	0	0	322	1240
5:15 PM	0	0	0	0	15	0	61	0	0	82	38	0	40	72	0	0	290	1221
5:30 PM	0	0	0	0	22	0	76	0	0	63	29	0	31	63	0	0	284	1214
5:45 PM	0	0	0	0	28	0	68	0	0	62	36	0	42	68	0	0	292	1188

PEAK 15-MIN FLOW RATES	Northbound				Southbound				Eastbound			Westbound			TOTAL		
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru		Right	U
All Vehicles	0	0	0	0	76	4	260	0	0	320	124	0	148	232	0	0	1184
Heavy Trucks	0	0	0	0	14	0	68	0	0	32	20	0	0	44	0	0	168
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stopped Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Counter Comments:

Type of peak hour being reported: System Peak
 Method for determining peak hour: Total Entering Volume
 INTERSECTION: I-5 NB Ramps-Ehlen Rd
 QC JOB #: 10264501
 WEATHER: DATE: 6/13/2007



5-MIN COUNT PERIOD BEGINNING AT	I-5 NB Ramps (Northbound)				I-5 NB Ramps (Southbound)				Ehlen Rd (Eastbound)				Ehlen Rd (Westbound)				TOTAL	HOURLY TOTALS
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
3:00 PM	23	2	29	0	0	0	0	0	48	52	0	0	0	47	8	0	209	
3:15 PM	18	1	29	0	0	0	0	0	41	42	0	0	0	58	11	0	200	
3:30 PM	31	0	42	0	0	0	0	0	36	44	0	0	0	48	11	0	213	
3:45 PM	28	0	51	0	0	0	0	0	53	49	0	0	0	82	14	0	277	899
4:00 PM	24	2	48	0	0	0	0	0	59	61	0	0	0	70	10	0	274	964
4:15 PM	28	0	43	0	0	0	0	0	46	46	0	0	0	75	15	0	253	1017
4:30 PM	32	0	70	0	0	0	0	0	42	46	0	0	0	65	12	0	269	1073
4:45 PM	33	0	71	0	0	0	0	0	46	57	0	0	0	80	13	0	283	1055
5:00 PM	35	0	71	0	0	0	0	0	47	53	0	0	0	78	10	0	283	1063
5:15 PM	32	0	71	0	0	0	0	0	44	53	0	0	0	71	13	0	271	1086
5:30 PM	38	0	71	0	0	0	0	0	48	40	0	0	0	61	12	0	270	1087
5:45 PM	34	2	67	0	0	0	0	0	30	54	0	0	0	74	9	0	270	1094
PEAK 15-MIN FLOW RATES	Northbound				Southbound				Eastbound				Westbound				TOTAL	
All Vehicles	152	10	170	0	0	0	0	0	218	184	0	0	0	250	25	0	651	2474
Heavy Trucks	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	10
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stopped Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Counter Comments:																		

APPENDIX C
Crash Data

CALCULATIONS

Ehlen Road/Butteville Road

Peak Hour Volume = 799 veh

Million Entering Vehicles (MEV) per Year =

$$\left(\frac{\text{Peak Hour Volume} * 10 * 365}{1,000,000} \right) = \left(\frac{799 * 10 * 365}{1,000,000} \right) = 2.92 \text{ MEV / year}$$

Crash Rate =

$$\left(\frac{\left(\frac{\text{Total number of crashes}}{\text{Number of Years}} \right)}{\text{MEV/year}} \right) = \left(\frac{19 \text{ crashes} / 5 \text{ years}}{2.92 \text{ MEV/year}} \right) = 1.30 \text{ crashes / MEV}$$

Ehlen Road/Bents Road

Peak Hour Volume = 1062 veh

Million Entering Vehicles (MEV) per Year =

$$\left(\frac{\text{Peak Hour Volume} * 10 * 365}{1,000,000} \right) = \left(\frac{1062 * 10 * 365}{1,000,000} \right) = 3.88 \text{ MEV / year}$$

Crash Rate =

$$\left(\frac{\left(\frac{\text{Total number of crashes}}{\text{Number of Years}} \right)}{\text{MEV/year}} \right) = \left(\frac{1 \text{ crash} / 5 \text{ years}}{3.88 \text{ MEV/year}} \right) = 0.05 \text{ crashes / MEV}$$

Ehlen Road at Butteville Road in Marion County
 1-1-2002 through 12-31-2006

COLLISION TYPE	FATAL CRASHES	NON-FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	OFF-ROAD
YEAR: 2006													
ANGLE	0	2	0	2	0	7	0	2	0	2	0	2	0
2006 TOTAL	0	2	0	2	0	7	0	2	0	2	0	2	0
YEAR: 2005													
ANGLE	0	3	1	4	0	5	0	2	2	2	2	4	0
TURNING MOVEMENTS	0	1	0	1	0	3	0	0	1	0	0	1	0
2005 TOTAL	0	4	1	5	0	8	0	2	3	2	2	5	0
YEAR: 2004													
ANGLE	0	0	2	2	0	0	0	1	1	1	1	2	0
2004 TOTAL	0	0	2	2	0	0	0	1	1	1	1	2	0
YEAR: 2003													
ANGLE	0	3	1	4	0	5	0	2	2	3	1	4	0
SIDESWIPE - OVERTAKING	0	0	1	1	0	0	0	1	0	1	0	1	0
TURNING MOVEMENTS	0	0	1	1	0	0	0	1	0	0	1	1	0
2003 TOTAL	0	3	3	6	0	5	0	4	2	4	2	6	0
YEAR: 2002													
ANGLE	0	3	1	4	0	13	0	4	0	3	1	4	0
2002 TOTAL	0	3	1	4	0	13	0	4	0	3	1	4	0
FINAL TOTAL	0	12	7	19	0	33	0	13	6	12	7	18	0

Note: Legislative changes to DMV's vehicle crash reporting requirements, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
COUNTY ROAD CRASH LISTING

Ehlen Road at Butteville Road in Marion County
1-1-2002 through 12-31-2006

CD8390 7/12/2007

MARION COUNTY

S D R S W
P R S W
E A U C O DATE MILESPNT COUNTY ROAD
SERV E L G H R DAY DIST FROM FIRST STREET
INTERV D C S L K TIME INTERSECT SECOND STREET

82350 N N N 6/14/2005 6.00 00061
NONE Tue: 2P

INT-TYP (MEDIAN) INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

INT-REL OFF-RO WITH CRASH TYP
RD CHAR (REG) INT-REL OFF-RO WITH CRASH TYP
DIRSCT (FLANER) CORNL DRWY LIGHT SVRTY
LOCIN (FLANER) CORNL DRWY LIGHT SVRTY

Ehlen Road at Benita Road in Marion County
 1-1-2002 through 12-31-2006

COLLISION TYPE	FATAL CRASHES		NON-PROPERTY DAMAGE		TOTAL CRASHES	TOTAL PEOPLE KILLED	TOTAL PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	OFF-ROAD
	FATAL CRASHES	CRASHES	ONLY	PROPERTY DAMAGE										
TURNING MOVEMENTS	0	1	0	0	1	0	1	1	1	0	1	0	1	0
2005 TOTAL	0	1	0	0	1	0	1	1	1	0	1	0	1	0
FINAL TOTAL	0	1	0	0	1	0	1	1	1	0	1	0	1	0

Note: Legislative changes to DMV's vehicle crash reporting requirements, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
COUNTY ROAD CRASH LISTING

Marion County
Ehlen Road at Bents Road in Marion County
1-1-2002 through 12-31-2006

STATE	FED	DATE	TIME	MILEPOST	COUNTY	ROAD	INT-TYP	INT-REL	OFF-RD	CRASH	TRAIL	SPEC	ACTN	CAUSE
STATE	FED	DATE	TIME	DIST FROM	ROAD	DIR	LANES	TRAF-	RD	TYP	OR	USE	EVENT	
STATE	FED	DATE	TIME	INTERSECT	ROAD	RECT	(LANES)	CONTL	DRY	COLL	TYPE	TYPE	LOC	
STATE	FED	DATE	TIME	STREET	ROAD	LOGN			DAY	TYP	SVRTY	SVRTY	ERR	
STATE	FED	DATE	TIME	STREET	ROAD	LOGN			INJ	TYP	SVRTY	SVRTY	ERR	
02	01	06/24/2005	5:18	00096	00096	01	99	99	01	01	01	01	01	02
02	01	06/24/2005	5:18	00096	00096	01	99	99	01	01	01	01	01	02
02	01	06/24/2005	5:18	00096	00096	01	99	99	01	01	01	01	01	02
02	01	06/24/2005	5:18	00096	00096	01	99	99	01	01	01	01	01	02

OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
 CRASH SUMMARIES BY YEAR BY COLLISION TYPE

Pacific Hwy/I-5 (Hwy #1, Route I-5) SB ramps at Ehlen Road in Marion County
 1-1-2002 through 12-31-2006

COLLISION TYPE	FATAL CRASHES		NON-PROPERTY DAMAGE ONLY		TOTAL CRASHES	TOTAL PEOPLE KILLED	TOTAL PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED ROAD	OFF-ROAD
	FATAL CRASHES	NON-PROPERTY DAMAGE ONLY												
YEAR: 2005														
TURNING MOVEMENTS	0	0	2	2	2	0	0	2	2	0	2	0	2	0
2005 TOTAL	0	0	2	2	2	0	0	2	2	0	2	0	2	0
YEAR: 2003														
REAR-END	0	2	2	2	4	0	3	2	4	0	4	0	4	0
2003 TOTAL	0	2	2	2	4	0	3	2	4	0	4	0	4	0
YEAR: 2002														
REAR-END	0	0	3	3	3	0	0	1	3	0	3	0	3	0
2002 TOTAL	0	0	3	3	3	0	0	1	3	0	3	0	3	0
FINAL TOTAL	0	2	7	7	9	0	3	5	9	0	9	0	9	0

Note: Legislative changes to DMV's vehicle crash reporting requirements, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

Pacific Hwy/I-5 (Hwy #1, Routs I-5) NB ramps at Ehlen Road in Marion County
 1-1-2002 through 12-31-2006

COLLISION TYPE	NON-PROPERTY DAMAGE			TOTAL CRASHES	TOTAL PEOPLE KILLED	TOTAL PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER-SECTION RELATED	OFF-ROAD
	FATAL CRASHES	FATAL CRASHES	ONLY										
YEAR: 2006													
NON-COLLISION	0	0	1	1	0	0	1	1	0	0	0	1	0
TURNING MOVEMENTS	0	4	1	5	0	5	3	4	1	5	0	6	0
2006 TOTAL	0	4	2	6	0	5	4	5	1	6	1	6	0
YEAR: 2005													
TURNING MOVEMENTS	0	1	1	2	0	1	0	1	1	2	0	2	0
2005 TOTAL	0	1	1	2	0	1	0	1	1	2	0	2	0
YEAR: 2004													
REAR-END	0	1	1	2	0	1	0	2	0	0	2	2	0
TURNING MOVEMENTS	0	2	2	4	0	2	1	3	1	3	1	4	0
2004 TOTAL	0	3	3	6	0	3	1	5	1	3	3	6	0
YEAR: 2003													
ANGLE	0	1	0	1	0	1	0	1	0	1	0	1	0
REAR-END	0	1	0	1	0	5	0	0	1	1	0	1	0
2003 TOTAL	0	2	0	2	0	6	0	1	1	2	0	2	0
YEAR: 2002													
REAR-END	0	1	0	1	0	1	0	1	0	1	0	1	0
TURNING MOVEMENTS	0	0	1	1	0	0	1	1	0	0	1	1	0
2002 TOTAL	0	1	1	2	0	1	0	2	0	1	1	2	0
FINAL TOTAL	0	11	7	18	0	16	5	14	4	13	6	18	0

Note: Legislative changes to DMV's vehicle crash reporting requirements, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT
 CONTINUOUS SYSTEM CRASH LISTING
 Pacific Hwy/I-5 (Rwy 81, Route 1-5) NB ramps at Eblen Road in Marion County
 1-1-2002 through 12-31-2006

001 PACIFIC

STATE	DATE	TIME	LOCATION	TYPE	SEVERITY	CAUSE
03331	N N N N	09/08/2006	MARION	INTER	01	08
06045	N N N N	11/02/2002	MARION	INTER	01	02
00766	N N N N	02/09/2003	MARION	INTER	01	02
00310	N N N N	01/26/2004	MARION	INTER	01	02
80892	N N N N	02/25/2004	MARION	INTER	01	02
02283	N N N N	06/18/2004	MARION	INTER	01	02

APPENDIX D
**Background
Growth**

Growth Rate Summary Sheet

The following equation was used to calculate the annual background growth rates for each intersection:

$$FV = PV(1 + \%)^{N-1}$$

FV = Future Volumes (2025 Daily Projection)

PV = Present Volumes (2004 Daily Volumes)

N = Number of Years

The following table summarizes the annual background growth rates for each road segment:

Road Segment	Growth Rate
Ehlen Rd - from Donald Rd to Butteville Rd	3.83%
Ehlen Rd - from Butteville Rd to Bents Ct	3.15%
Ehlen Rd - from Bents Ct to I-5	3.63%
Ehlen Rd - from I-5 to Oregon 551	2.72%

For the intersections growth rate we averaged the two rates on each side of the road segment. The following table summarizes the annual background growth rates that was used in the our analysis for each study intersection:

Intersection	Growth Rate
Ehlen Rd / Butteville Rd	3.49%
Ehlen Rd / Bents Ct	3.39%
Ehlen Rd / Bents Rd	3.63%
Ehlen Rd / I-5 NB Ramps	3.18%
Ehlen Rd / I-5 SB Ramps	3.18%

CHAPTER 6: FUTURE TRAFFIC VOLUME PROJECTIONS

When planning ahead to address the needs of our transportation network, it is important to project the level of traffic that we can anticipate during our planning period and beyond. Population growth plays a key role in determining the needs of a transportation system. Generally, an increase in population results in an increase in the use of transportation facilities, which in most cases means more vehicles on the roadways. For this reason, future population growth is often a good indicator of future increases in traffic volumes. To help paint this 'picture,' we have used population figures compiled by the U.S. Census Bureau, Portland State University Population Research Center, and projections developed by Marion County in coordination with the individual cities in Marion County.

Based on this information, County staff has developed projections of what the future traffic volume will be for the major roadways within Marion County in the year 2025. These project the anticipated demand for travel on each road assuming the roadway will have adequate capacity to handle this demand. We then identify locations where capacity problems are anticipated to develop during the 20-year timeframe of this plan, and these locations are described in Chapter 8.

6.1 POPULATION FORECAST

Marion County is required by Oregon Revised Statutes (ORS 195.036) to establish and maintain a population forecast for the entire county, in coordination with the local cities. This forecast is used in maintaining and updating comprehensive plans. As part of the Marion County Comprehensive Plan, 2020 population projections were developed in cooperation with local governments and adopted by the County in October 1998. The adopted 2020 projections utilized population information provided in the 1997 Office of Economic Analysis (OEA) long-range population forecast report for the state and counties, population estimates for cities and counties provided by the Portland State University Population Research Center, and the respective plans and studies of each of the cities. A conservative growth approach focusing on existing Urban Growth Boundary capacities contained in the existing comprehensive plans of the cities was utilized and adopted by the County.

Amendments to the adopted population projections are reviewed and adopted on a periodic basis, as new population data is made available. The City of Woodburn 2020 population projection was updated in November 2004 based on 2000 Census data, the 2004 OEA long-range population forecast report which incorporated 2000 Census data, and a population and employment projection study developed by the city. Marion County will again be addressing the population projections for all the cities and the unincorporated area of the county through a coordinated process to develop and adopt new 2025 or 2030 population projections for use in updating comprehensive plans.

In 1998, Marion County initiated a countywide Growth Management Project that resulted in the 2002 adoption of an Urban Growth Management Framework that is part of the Urbanization Element of the Marion County Comprehensive Plan. The Framework is a coordinated planning strategy that provides the county and cities with a guide when considering urban expansion needs and decisions in response to growth issues. It contains long-range 2050 population forecasts that can be used to begin considering planning issues beyond the standard 20-year horizons of local plans.

CITY	2000 CENSUS	2003 PSU ANNUAL ESTIMATE (Preliminary)	2020 COUNTY FORECAST	2050 LONG-RANGE FORECAST
County Total	284,834	295,900	359,581	500,400

- (1) Marion County portion only (Salem and Keizer forecasts coordinated with SKATS and are portion of entire Salem/Keizer area forecast total)
- (2) Includes Keizer
- (3) Estimated by County staff.
- (4) Most unincorporated urban population included in urban area projections.

6.2 FUTURE TRAFFIC PROJECTIONS

Future traffic volumes have been projected by County Staff for the year 2025. These projections are based on many factors, including:

- Population projections for the areas served by the road
- Anticipated growth of cities
- Anticipated growth of business traffic on the road
- Connections to recreation or tourist activities
- Directness of the route
- Character of the roadway
- Anticipated transportation trends
- Land development patterns

As a reference, Figure 6-1 shows the existing traffic volumes on roadways in rural Marion County. This gives us a picture of the traffic volumes currently on the County road system today.

Figure 6-2 shows projected future traffic volume demand on selected major rural roadways. The projected future traffic volumes have been used to identify roadway segments that could experience heavy traffic and unacceptable levels-of-service within the next 20 years if no improvements are made, such as transit improvements, Transportation System Management (TSM) and Transportation Demand Management (TDM) strategies, or roadway improvements. As it is not possible to predict the growth of a region with complete accuracy, future traffic projections will need to be updated regularly as more accurate and updated information becomes available.

It is important to note that these projections are for future traffic volume demand. This is our estimate of the number of drivers who would want to use that roadway in the year 2025. This would be equivalent to the projected traffic volume on that road if an adequate supply of roadway capacity is available. In some cases, roadway expansion would have to occur before these volumes of traffic could actually travel on that road. If sufficient capacity is not available, drivers would likely divert to other routes. If these other routes are not available, or if they also lack available capacity, some drivers may choose to make the trip to a different location, not make the trip, or reduce their visits to or business in the region.

Figure 6-3 shows the anticipated growth in traffic volume demand on key roadways in Marion County as a percentage of the current traffic volume on the road.

Corridor	From	To	1995 Daily Volume	2004 Daily Volume	2025 Daily Projection
Cascade Hwy	Kaufman Rd	Paradise Alley	3600	4600	6000
Cordon Rd	Caplinger Rd (Salem UGB)	State St	10900	14000	26000
Cordon Rd	State St	Center St	13700	17000	28000
Cordon Rd	Center St	Sunnyview Rd	12500	16000	27000
Cordon Rd	Sunnyview Rd	Silverton Rd	10400	14500	25000
Cordon Rd	Silverton Rd	Hayesville Dr	5400	8000	15000
Cordon Rd	Hayesville Dr	Kale St	4300	7000	13000
Cordon Rd	Kale St	Hazelgreen Rd	3700	6400	12000
Deer Park Rd	Culver Dr	Gaffin Rd	2000	2600	3800
Delaney Rd	Sunnyside Rd	I-5	1600	2600	4500
Delaney Rd	I-5	Battlecreek Rd	3000	3400	5500
Delaney Rd	Battlecreek Rd	Turner UGB	2450	2700	4500
Delaney Rd	Turner UGB	3rd Street	2900	3000	5000
Ehlen Rd	Donald Rd	Butteville Rd	3000	6600	14000
Ehlen Rd	Butteville Rd	Bents Ct	5000	8600	16000
Ehlen Rd	Bents Ct	I-5	5800	9800	20000
Ehlen Rd	I-5	Oregon 551	4100	7600	13000
Ehlen Rd	Oregon 551	Aurora UGB	4800	8300	13500
Gaffin Rd	Cordon Rd	Oregon 22	2800	3800	6000
Golf Club Rd	Oregon 22	Stayton UGB	9500	10000	16000
Hazelgreen Rd	Salem UGB	Cordon Rd	5600	6500	10000
Hazelgreen Rd	Cordon Rd	62nd Ave	4100	5400	8000
Hazelgreen Rd	62nd Ave	Howell Prairie Rd	3800	5000	7600
Hazelgreen Rd	Howell Prairie Rd	Shannon Rd	3100	3700	6500
Hazelgreen Rd	Shannon Rd	Brush Creek Rd	3400	4200	6500
Hazelgreen Rd	Brush Creek Rd	Mt. Angel Hwy	4300	5400	8000
Hazelgreen Rd	Mt. Angel Hwy	Silverton UGB	3100	3700	6500
Howell Prairie Rd	Oregon 214	Jordon Rd	500	700	1000
Howell Prairie Rd	Jordon Rd	Macleay Rd	800	900	1300

Corridor	From	To	1995 Daily Volume	2004 Daily Volume	2025 Daily Projection
Meridian Rd	Hobart Rd	Downs Rd	1700	2000	2800
Meridian Rd	Downs Rd	E. College Rd	2400	2600	3200
Meridian Rd	E. College Rd	Marquam Rd	1800	2000	2800
Meridian Rd	Marquam Rd	Woodburn-Monitor Rd	2000	2200	2800
Mill Creek Rd	Marion Rd	Aumsville	3100	2700	4200
Mill Creek Rd	Aumsville	Golf Club Rd	3700	3300	4500
Mt. Angel-Gervais Rd	Oregon 99E	Howell Prairie Rd	1400	2200	3300
Mt. Angel-Gervais Rd	Howell Prairie Rd	Mt. Angel	1300	1300	1800
Mt. Angel Hwy	Hazelgreen Rd	Mt. Angel	2500	3400	5500
Mt. Angel-Scotts Mills Rd	Meridian Rd	Oregon 213	2000	2200	2700
Mt. Angel-Scotts Mills Rd	Oregon 213	Scotts Mills	1600	1800	2300
North Fork Rd	Oregon 22	Pioneer Rd	1300	1500	2000
Orville Rd	South River Rd	Vitae Springs Rd	1300	1800	3000
River Rd	Keizer City Limits	Brooklake Rd	4900	5800	9500
River Rd	Brooklake Rd	Waconda Rd	4500	5100	8000
River Rd	Waconda Rd	French Prairie Rd	3900	4600	7200
River Rd	French Prairie Rd	Mahony Rd	2200	2500	4500
River Rd	Mahony Rd	Davidson Rd	2500	2800	4700
River Rd	Davidson Rd	St. Paul	2400	2600	4700
River Rd South	Independence Bridge	Orville Rd	3800	4700	6500
River Rd South	Orville Rd	Vitae Springs Rd	2400	2700	4000
River Rd South	Vitae Springs Rd	Sawmill Rd	2400	2800	4100
River Rd South	Sawmill Rd	Riverdale Rd	2500	2900	4200
River Rd South	Riverdale Rd	Salem	2900	3200	5000
Shaw Hwy	Aumsville	Oregon 22	3500	4500	8500
Shaw Hwy	Oregon 22	Brownell Rd	1200	1600	2200
Shaw Hwy	Brownell Rd	Oregon 214	900	1000	1300
Silverton Rd	Cordon Rd	72nd Ave	8900	11000	17500

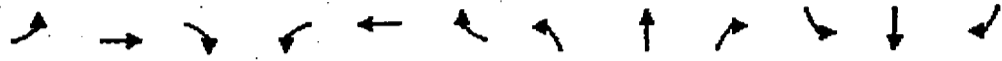
Corridor	From	To	1995 Daily Volume	2004 Daily Volume	2025 Daily Projection
Interstate 5	Ankeny Hill Rd	Jefferson Hwy	49000	60300	100000
Interstate 5	Jefferson Hwy	Delaney Rd	50100	62000	104000
Interstate 5	Delaney Rd	Salem UGB	46900	58100	100000
Interstate 5	Salem UGB	Brooklake Rd	71000	85800	146000
Interstate 5	Brooklake Rd	Woodburn	68900	85300	146000
Interstate 5	Woodburn	Ehlen Rd	64600	84000	155000
Interstate 5	Ehlen Rd	Clackamas County	67400	86400	165000
Oregon 22	Salem UGB	Joseph St	19700	23600	42000
Oregon 22	Joseph St	Silver Falls Hwy	14400	22900	41000
Oregon 22	Silver Falls Hwy	Aumsville	14100	20500	39000
Oregon 22	Aumsville	Golf Club Rd	13800	20000	35000
Oregon 22	Golf Club Rd	Cascade Hwy	10600	13300	26000
Oregon 22	Cascade Hwy	Old Mehama Rd (west int)	10000	12000	18000
Oregon 22	Old Mehama Rd (west int)	Oregon 226	9000	10500	16000
Oregon 22	Oregon 226	North Fork Rd	7100	7900	11500
Oregon 22	North Fork Rd	Mill City	5300	6200	9500
Oregon 22	Mill City	Gates	4800	5000	7500
Oregon 22	Gates	Detroit	3800	4000	5800
Oregon 22	Detroit	Idanha	3100	3600	5000
Oregon 22	Idanha	Linn County	2800	3300	4600
Oregon 99E	Clackamas County	Ehlen Rd	13100	16000	28000
Oregon 99E	Ehlen Rd	Wilsonville-Hubbard Hwy	7500	9500	16000
Oregon 99E	Wilsonville-Hubbard Hwy	Hubbard	12600	16500	32000
Oregon 99E	Hubbard	Woodburn	12000	16000	30000
Oregon 99B	Woodburn	Boones Ferry Rd	10000	12000	17000
Oregon 99E	Boones Ferry Rd	Mt. Angel-Gervais Rd	8500	11600	18000
Oregon 99E	Mt. Angel-Gervais Rd	Waconda Rd	7900	11000	16000
Oregon 99E	Waconda Rd	Brooklake Rd	8800	11000	16000

Corridor	From	To	1995 Daily Volume	2004 Daily Volume	2025 Daily Projection
Jefferson Hwy	Winter Creek Rd	Talbot Rd	2000	3200	5500
Jefferson Hwy	Talbot Rd	Jefferson	4500	5000	8000

APPENDIX E
**Capacity
Calculations**

HCM Unsignalized Intersection Capacity Analysis
 1: Ehlen Rd & Butteville Rd

7/5/2007



	BL	BL	BL	BL	BL	BL	BL	BL	BL	BL	BL
Lane Configurations	↖	↖	↖	↖	↖	↖	↖	↖	↖	↖	↖
Volume (veh)	272	105	246	9	10	24	96	12	10	10	10
Sign Control	Free	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Hourly Volume	272	105	246	9	10	24	96	12	10	10	10
Pedestrians											
Walking Speed (ft/s)											
Right turn flare (veh)											
Median storage (veh)											
pX, platoon unblocked											
vC1, stage 1 conf vol											
vCu, unblocked vol	258	280	773	755	277	857	753	253			
tC, 2 stage (s)											
p0 queue free %	100	91	96	92	87	98	86	99			
Volume Left	4	0	106	0	10	5					
Volume Right											
cSH	1246	1700	1238	1700	522	308					
Queue Length 95th (ft)	0	0	7	0	25	15					
Lane LOS	A	A	A	A	B	C					
Approach LOS					B	C					
Average Delay			4.6								
Intersection Capacity Utilization			3%								
Analysis Period (min)			15								

HCM Unsignalized Intersection Capacity Analysis
 2: Ehlen Rd & Bents Ct

7/5/2007



Lane Configurations	↔ ↘ ↙ ← ↘ ↙					
Volume (veh)	379	6	7	0	1122	650
Sign Control	Free	Free	Free	Stop	Free	Free
Stage	1 2					
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Pedestrians	-					
Walking Speed (ft/s)	-					
Right turn flare (veh)	-					
Median storage (veh)	-					
pX, platoon unblocked	-					
vC1, stage 1 conf vol	-					
vCu, unblocked vol		379	772	378		
tC, 2 stage (s)			99	98	95	
p0 queue free %			99	98	95	
Volume Left	0	6	7	0		
cSH	1700	1122	353	650		
Queue Length 95th (ft)	0	0	2	4		
Lane LOS		A	C	B		
Approach Delay (s)		0.2	1.5	1.5		
Approach LOS			B			
Average Delay			0.7			
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
 3: Ehlen Rd & Bents Rd

7/5/2007



	1	2	3	4	5	6
Lane Configurations		↕	↕	↕	↕	↕
Volume (veh/h)	26	389	408	139	110	23
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Flow (veh/h)	29	27	26	15	125	23
Pedestrians						
Walking Speed (ft/s)						
Right turn flare (veh)						
Median storage (veh)						
pX, platoon unblocked						
vC1, stage 1 conf vol						
vCu, unblocked vol	601			1009	525	
IC, 2 stage (s)						
p0 queue free %	97			44	95	
Capacity (veh/h)	920			224	491	
Volume Left	29	0	125			
cSH	929	1700	246			
Queue Length 95th (ft)	2	0	91			
Lane LOS	A		E			
Approach LOS			E			
Average Delay			5.4			
Intersection Capacity Utilization			68.9%			
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
 4: Ehlen Rd & SB Off-Ramp

7/5/2007

	EB	WB	NB	SB
Lane Configurations	T	T	T	T
Volume (veh/h)	0	321	165	262
Sign Control	Free	Free	Stop	Stop
Grade	0%	0%	0%	0%
Peak Hour Factor	1.00	1.00	1.00	1.00
Flow (veh/s)	0	0.91	0.48	0.76
Pedestrians				
Walking Speed (ft/s)				
Right turn flare (veh)				
Median type	None	None	None	None
Median storage (veh)				
pX, platoon unblocked				
vC, conflict volume	262	321	1268	988
vC1, stage 1 conf vol				
vCu, unblocked vol	262	321	1268	988
tC, 2 stage (s)				
p0 queue free %	100	86	100	100
Capacity (veh/h)	1246	1179	1811	1851
Volume Left	0	161	72	
cSH	1700	1179	454	
Queue Length 95th (ft)	0	12	170	
Lane LOS	A	E		
Approach Delay (s)		36		
Approach LOS		E		
Average Delay		11.3		
Intersection Capacity Utilization		27%	51%	53%
Analysis Period (min)		15		

HCM Unsignalized Intersection Capacity Analysis
 5: Ehlen Rd & NB On-Ramp

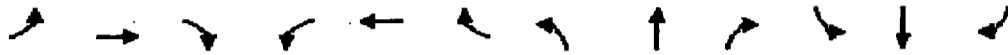
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	EB	WB	WB	NB	NB	SB	SB
Lane Configurations	←	←	←	←	←	←	←
Volume (veh/h)	208	0	219	60	134	219	316
Sign Control	Free	Free	Free	Stop	Stop	Stop	Stop
Stage	0	0	0	1	1	1	1
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Volume (veh/h)	208	0	219	60	134	219	316
Pedestrians							
Lane Width (ft)							
Walking Speed (ft/s)							
Person Blockage							
Right turn flare (veh)							
Median (ft)	None	None	None	None	None	None	None
Median storage (veh)							
Upstream signal (ft)							
pX, platoon unblocked							
vc, conf vol	208	0	219	60	134	219	316
vC1, stage 1 conf vol							
vC2, stage 2 conf vol							
vCu, unblocked vol	341		219		951	976	219
tc, stage 1 (s)							
tc, 2 stage (s)							
pc, 2 stage (s)							
p0 queue free %	82		100		30	98	72
MC capacity (veh/h)	149		316		196	192	110
Volume Capacity	149		316		196	192	110
Volume Left	208	0	134				
Volume Right	0		118				
cSH	1149	1700	356				
Volume Capacity	149		316				
Queue Length 95th (ft)	16	0	286				
Control Delay (s)	5.2		8.5				
Lane LOS	A		F				
Approach Delay (s)	5.2		8.5				
Approach LOS	A		F				
Average Delay			27.7				
Message Speed (utilization)			6.9				
Analysis Period (min)			15				

HCM Unsignalized Intersection Capacity Analysis
 1: Ehlen Rd & Butteville Rd

7/5/2007



	Ehlen Rd		Butteville Rd		Ehlen Rd		Butteville Rd	
Lane Configurations	↖ ↗		↖ ↗		↑		↑	
Volume (Veh/h)	113 8		101 15		16 39		15 38	
Sign Control	Free		Free		#		Stop	
Grade	0%		0%		0%		0%	
Peak Hour Factor	0.99		0.99		0.99		0.99	
Hourly Volume (Veh/h)	113 8		101 15		16 39		15 38	
Pedestrians								
Lane width (ft)								
Walking Speed (ft/s)								
Corner blockage								
Right turn flare (veh)								
Median type	None		None					
Median storage (veh)								
Platoon length (ft)								
pX, platoon unblocked								
IC, 1 stage (s)	120		156		126		131	
vC1, stage 1 conf vol								
vC2, stage 2 conf vol								
vCu, unblocked vol	420		456		1261		1231	
IC, single stage (s)	122		122		72		66	
IC, 2 stage (s)								
p0 queue free %	99		84		79		72	
EM capacity (veh/h)	1062		1062		77		59	
Volume Total	120		120		120		120	
Volume Left	7		0		16		8	
Volume Right	113		101		16		15	
cSH	1082		1700		1064		1700	
Volume to Capacity	0.01		0.27		0.16		0.15	
Queue Length 95th (ft)	0		0		14		140	
Control Delay (s)	83		100		90		100	
Lane LOS	A		A		E		F	
Approach Delay (s)	91		26		48		69	
Approach LOS	A		A		E		F	
Average Delay			13.2					
Intersection Capacity Utilization	0.01		0.27		0.16		0.15	
Analysis Period (min)			15					

HCM Unsignalized Intersection Capacity Analysis
 2: Ehlen Rd & Bents Ct

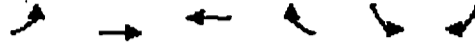
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Lane Configurations					
Volume (veh/h)	608	10	11	0	608
Sign Control	Free	Free	Free	Stop	Stop
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00
Peak Hour Volume (veh)	608	10	11	0	608
Pedestrians					
Lane Width (ft)					
Walking Speed (ft/s)					
Vehicle Blockade					
Right turn flare (veh)					
Median (ft)	None	None	None	None	None
Median storage (veh)					
Upstream Storage (ft)					
pX, platoon unblocked					
Volume (veh/h)	608	10	11	0	608
vC1, stage 1 conf vol					
vC2, stage 2 conf vol					
vCu, unblocked vol	610		1244		608
IC, 1 stage (s)	8.5				
IC, 2 stage (s)					
IP (s)	1.5				
p0 queue free %	99		94		89
Capacity (veh/h)	317		182		286
Volume (veh/h)	610				
Volume Left	0	10	11	0	
Volume Right					
cSH	1700	917	182	480	
Volume to capacity	0.36	0.01	0.06	0.11	
Queue Length 95th (ft)	0	1	5	9	
Control Delay (s)	0.0	10.3	26.0	15.2	
Lane LOS	A		D		B
Approach Delay (s)	0.0	10.3	5.5	15.2	
Approach LOS	C				
Average Delay	0.9				
Intersection Capacity Utilization	0.36				
Analysis Period (min)	15				

HCM Unsignalized Intersection Capacity Analysis
 3: Ehlen Rd & Bents Rd

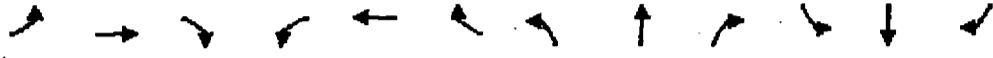
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Lane Configurations	←		→		↘	
Volume (veh)	47	0	207	657	1700	93
Sign Control	Free	Free	Free	Free	Free	Stop
Grade	0	0	0	0	0	0
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91
Hourly Volume (veh)	27	0	117	422	954	207
Pedestrians						
Walking Speed (ft/s)						
Right turn flare (veh)						
Median storage (veh)	None					
Upstream signal (ft)						
pX, platoon unblocked						
vC1, stage 1 conf vol						
vCu, unblocked vol	995			1669		868
IC, 2 stage (s)						
p0 queue free %	93			0		86
Volume Left	47	0	207			
cSH	657	1700	93			
Queue Length 95th (ft)	6	0	586			
Lane LOS	A		F			
Approach LOS	F					
Average Delay	107.4					
Analysis Period (min)	15					

HCM Unsignalized Intersection Capacity Analysis
 4: Ehlen Rd & SB Off-Ramp

7/5/2007



	EB	NB	SB
Lane Configurations	↑	↑	↑
Volume (veh/h)	0	505	1994
Sign Control	Free	Free	Stop
Peak Hour Factor	1.00	1.00	1.00
Flow Rate (Vph)	0	505	1994
Pedestrians			
Lane Width (ft)			
Walking Speed (ft/s)			
Percent Blockage			
Right turn flare (veh)			
Median type	None	None	
Median storage (veh)			
Distance (ft)			
pX, platoon unblocked			
vC1, stage 1 conf vol			
vC2, stage 2 conf vol			
vCu, unblocked vol	412	505	1994
tC, 2 stage (s)			
p0 queue free %	100	75	100
Volume Left	0	253	113
Volume Right		259	440
cSH	1700	1005	226
Queue Length 95th (ft)	0	25	1143
Lane LOS		A	F
Approach Delay (s)			F
Approach LOS			F
Average Delay		198.7	
Intersection Capacity Utilization		27.5%	100.0%
Analysis Period (min)		15	

HCM Unsignalized Intersection Capacity Analysis
 5: Ehlen Rd & NB On-Ramp

7/5/2007



	EB	WB	NB	SB
Lane Configurations	←	→	↔	↔
Volume (veh)	327	0	211	0
Sign Control	Free	Free	Stop	Stop
Grade (%)	0%	0%	0%	0%
Peak Hour Factor	1.00	1.00	1.00	1.00
Hourly Flow Rate (veh)	327	0	211	0
Pedestrians				
Lane Width (ft)				
Walking Speed (ft/s)				
Perpendicular				
Right turn flare (veh)				
Median type	None	None	None	None
Median storage (veh)				
Upstream signal (ft)				
pX, platoon unblocked				
vC, conflicting volume	537	344	1496	1535
vC1, stage 1 conf vol				
vC2, stage 2 conf vol				
vCu, unblocked vol	537	344	1496	1535
c, single (s)				
tC, 2 stage (s)				
p0 queue free %	66	100	0	93
Sv capacity (veh/h)	969	1700	151	151
Volume Left	327	0	211	0
Volume Right	0	0	0	0
cSH	969	1700	151	151
Volume to Capacity	0.34	0.32	0.37	0.37
Queue Length 95th (ft)	38	0	Err	Err
Control Delay (s)	107	Err	Err	Err
Lane LOS	A	F	Err	Err
Approach Delay (s)	107	Err	Err	Err
Approach LOS	F	Err	Err	Err
Average Delay		3166.1		
Intersection Capacity Utilization		0.32		
Analysis Period (min)		15		

HCM Unsignalized Intersection Capacity Analysis
 1: Ehlen Rd & Butteville Rd

9/27/2007



Lane Configurations	↵		↶		↷		↵		↶		↷	
Volume (veh/h)	43	11	227	401	15	25	399	322	8	68	10	
Sign Control	Free		Free		Stop		Stop		Stop		Stop	
Grade (%)	0%		0%		0%		0%		0%		0%	
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicle (%)	0%	0%	2%	0%	15%	2%	0%	3%	0%	0%	0%	0%
Pedestrians												
Lane Width (ft)	11											
Walking Speed (ft/s)	3.1											
Green Time (s)	30											
Right turn flare (veh)	None											
Median storage (veh)	None											
Upstream Signal (ft)	None											
pX, platoon unblocked	0											
vC1, stage 1 conf vol	420											
vC2, stage 2 conf vol	459											
vCu, unblocked vol	420		459		1375	1346	453	1678	1344	413		
IC, 2 stage (s)	30											
IC, 1 stage (s)	30											
p0 queue free %	99		78		51	65	45	59	40	98		
Capacity (veh/h)	1082	1700	1061	1700	280	85	1082	1700	1061	1700	280	85
Volume Right	7	0	229	0	25	8	399	322	8	68	10	
cSH	1082	1700	1061	1700	280	85	1082	1700	1061	1700	280	85
Volume Right	7	0	229	0	25	8	399	322	8	68	10	
Queue Length 95th (ft)	0	0	21	0	519	146	0	0	0	0	0	0
Control Delay (s)	0.1	0.1	9.3	0.0	28.2	14.0	0.1	0.1	0.1	0.1	0.1	0.1
Lane LOS	A		A		F	F	A	A	A	A	A	A
Approach Delay (s)	0.1	0.1	9.3	0.0	28.2	14.0	0.1	0.1	0.1	0.1	0.1	0.1
Approach LOS	A		A		F	F	A	A	A	A	A	A
Average Delay	68.8											
Intersection Capacity Utilization	70.4%											
ICU Level Service	D											
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis
 2: Ehlen Rd & Bents Ct

9/27/2007



Lane Configurations	→		↘		↙	
Volume (veh/h)	776	10	11	0	152	52
Sign Control	Free	Free	Free	Stop	Stop	Stop
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Volume (veh)	776	10	11	0	152	52
Pedestrians						
Walking Speed (ft/s)						
Percent Blocked						
Right turn flare (veh)						
Median type	None		None		None	
Median storage (veh)						
Stream signal (ft)						
pX, platoon unblocked						
vC, unblocked vol	776	1466	774			
vC1, stage 1 conf vol						
vCu, unblocked vol	776	1466	774			
tC, 2 stage (s)						
pD queue free %	99	92	86			
Volume (veh)	776	133	385			
Volume Left	0	10	11	0		
Volume Right	0	0	0	152		
cSH	1700	793	133	385		
Volume to Capacity	0.46	0.03	0.08	0.14		
Queue Length 95th (ft)	0	1	7	12		
Control Delay (s)	0.0	0.0	0.0	6.7		
Lane LOS	A		D	C		
Approach Delay (s)	0.0	0.0	0.0	0.0		
Approach LOS	C					
Average Delay	0.9					
Intersection Capacity Utilization	0.46					
Analysis Period (min)	15					

HCM Unsignalized Intersection Capacity Analysis
 3: Ehlen Rd & Bents Rd

9/27/2007



Lane Configurations	←	→	↔
Volume (veh/h)	309	230	188
Sign Control	Free	Free	Stop
Grade	0%	0%	0%
Peak Hour Factor	0.91	0.91	0.91
Peak Hour Volume	337	253	207
Pedestrians			
Lane Width (ft)			
Walking Speed (ft/s)			
Percent Blockage			
Right turn flare (veh)			
Median type	None	None	
Median storage (veh)			
Queue length (ft)			
pX, platoon unblocked			
vC1, stage 1 conf vol	1056	1913	930
vC2, stage 2 conf vol			
vCu, unblocked vol	1056	1913	930
IC, 2 stage (s)			
p0 queue free %	92	0	85
Volume			
Volume Left	47	0	207
Volume Right			
cSH	623	1700	65
Queue Length 95th (ft)	6	0	Err
Control Delay (s)			
Lane LOS	A		F
Approach LOS			F
Average Delay			
		1109.2	
Intersection Capacity Utilization			
		102.13%	100.00%
Analysis Period (min)			
		15	

HCM Unsignalized Intersection Capacity Analysis
 4: Ehlen Rd & SB Off-Ramp

9/27/2007



Lane Configurations	→			←			↔					
Volume (veh/h)	0	305	1253	231	0	0	0	113	1562	431		
Sign Control	Free			Free			Stop			Stop		
Grade (%)	0%			0%			0%			0%		
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly flow rate (veh)	0	625	305	253	231	0	0	0	113	431		
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Parking Space (veh)												
Right turn flare (veh)												
Median type	None			None								
Median storage (veh)												
Upstream Signal (ft)												
pX, platoon unblocked												
vC, conflict volume	431			625			2192	1714	778	1714	1562	431
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	431			625			2192	1714	778	1714	1562	431
tC, 1 stage (s)												
tC, 2 stage (s)												
p0 queue free %	100			72			100	100	100	0	97	18
MS, active (veh/h)	0			1902			5	68	400	29	58	58
Volume Total	330	625	592	231	0	0	0	0	113	1562	431	
Volume Left	0	253	113									
Volume Right	305	10	177									
cSH	1700	905	189									
Volume to Capacity	0.37	0.20										
Queue Length 95th (ft)	0	29	Err									
Control Delay (s)	0.00	6	Err									
Lane LOS		A	F									
Approach Delay (s)	0.00	6	Err									
Approach LOS			F									
Average Delay			2685.3									
Intersection Capacity Utilization			14.6%			10.1%						
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis
 5: Ehlen Rd & NB On-Ramp

9/27/2007



	NB			SB		
Lane Configurations	↔			↔		
Volume (veh/h)	438	353	227	0	161	79
Sign Control	Free			Free		
Speed (mi/h)	0			0%		
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Volume (veh/h)	438	353	227	0	161	79
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage (veh)						
Upstream (ft)						
pX, platoon unblocked						
vC1, stage 1 conf vol	438	353	1730	1769	353	2075
vC2, stage 2 conf vol						
vCu, unblocked vol	540	353	1730	1769	353	2075
tc, 1 stage (s)	40	42	73	167	67	103
tc, 2 stage (s)						
p0 queue free %	55	100	0	88	47	100
scapach (veh/h)	966	1700	92	10	652	54
Summary						
Volume Left	438	0	227			
Volume Right	0	353	79			
cSH	966	1700	92			
Volume to Capacity	0.45	0.32	0.28			
Queue Length 95th (ft)	60	0	Err			
Control Delay (s)	36	0.0	Err			
Lane LOS	A		F			
Approach Delay (s)	95	0.0	Err			
Approach LOS			F			
Average Delay						
Average Delay	3020.4					
Intersection Capacity Utilization						
Intersection Capacity Utilization	0.45					
Analysis Period (min)						
Analysis Period (min)	15					

HCM Unsignalized Intersection Capacity Analysis
 1: Ehlen Rd & Butteville Rd

9/27/2007



Lane Configurations	↖		↗		↘		↙		↕			
Sign Control	Stop		Stop		Stop		Stop		Stop			
Volume (vph)	7	443	8	171	401	15	16	39	156	8	68	10
Hourly flow rate (vph)	7	447	8	173	405	15	16	39	158	8	69	10
Volume Total (vph)	7	456	173	420	56	158	87					
Volume Right (vph)	0	8	0	15	0	158	10					
Departure Headway (s)	7.3	6.7	7.1	6.5	7.9	7.1	8.0					
Capacity (veh/h)	471	523	495	537	429	478	414					
Approach Delay (s)	35.9		22.2		11.7		12.9					
HCM Level of Service	C		C		D		D		D		D	
Analysis Period (min)	15		15		15		15		15		15	

HCM Signalized Intersection Capacity Analysis
 2: Ehlen Rd & Bents Rd/Bents Ct

9/27/2007



Lane Configurations	A		B		C		D	
Volume (vph)	230	188	107	230	117	80	52	188
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800
Volume to Capacity	0.13	0.10	0.06	0.13	0.07	0.04	0.03	0.10
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Flt Protected	0.95	1.00	0.95	1.00	0.95	1.00	0.95	1.00
Flt Permitted	0.17	1.00	0.32	1.00	0.73	1.00	0.55	1.00
Peak-hour factor, PHF	0.92	1.00	1.00	1.00	0.92	1.00	0.92	0.92
RTOR Reduction (vph)	0	0	0	11	0	0	46	0
Heavy Vehicles (%)	2%	13%	13%	13%	2%	11%	2%	11%
Protected Phases	4		8		2		1	
Actuated Green, G (s)	79.7	79.7	79.7	79.7	13.0	13.0	32.3	32.3
Actuated g/C Ratio	0.66	0.66	0.66	0.66	0.11	0.11	0.27	0.27
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
v/s Ratio Prot	0.41		0.58		0.00		0.07	
v/c Ratio	0.24	0.61	0.03	0.88	0.09	0.04	0.58	0.03
Progression Factor	1.00	1.00	0.61	0.47	1.00	1.00	1.00	1.00
Delay (s)	8.7	12.5	4.2	15.3	49.5	48.4	38.9	32.4
Approach Delay (s)	12.2		15.2		48.6		37.8	
HCM Volume to Capacity ratio	0.79							
Intersection Capacity Utilization	76.6%				ICU Level of Service D			

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis
4: Ehlen Rd & SB Off-Ramp

9/27/2007



Lane Configurations	←				→				←			
Volume (v)	150	259	253	12	0	0	0	0	0	0	0	0
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Lane Util. Factor	1.00	1.00	1.00	1.00						1.00	1.00	
Fit Protected	1.00	1.00	0.95	1.00						0.95	1.00	
Fit Permitted	1.00	1.00	0.32	1.00						0.95	1.00	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
RTOR Reduction (vph)	0	0	130	0	0	0	0	0	0	0	0	249
Heavy Vehicles (%)	12%	12%	12%	13%	13%	13%	0%	0%	0%	23%	23%	23%
Protected Phases	4				8				6			
Actuated Green, G (s)	59.8				59.8				52.2			
Actuated g/C Ratio	0.50				0.50				0.44			
Vehicle Extension (s)	3.0				3.0				3.0			
v/s Ratio Prot	0.31				0.26							
v/c Ratio	0.63	0.19	0.99	0.52						0.19	0.35	
Progression Factor	0.88	0.74	0.67	0.54						1.00	1.00	
Delay (s)	20.8	12.5	65.1	11.5						21.6	24.4	
Approach Delay (s)	17.9				31.9				23.9			
HCM Volume to Capacity ratio	0.69											
Intersection Capacity Utilization	77.3%											
ICU Level of Service	D											

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HCM Signalized Intersection Capacity Analysis
 5: Ehlen Rd & NB On-Ramp

9/27/2007



Lane Configurations	←		→		←		→		←		→	
Volume (vph)	327	342	0	0	458	79	211	219	0	0	0	0
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
sat. flow (veh/s)	4.7	4.9	0	0	6.7	1.1	2.1	2.2	0	0	0	0
Lane Util. Factor	1.00	1.00			1.00	1.00	1.00	1.00				
Flt Protected	0.95	1.00			1.00	1.00	0.95	1.00				
sat. flow (prot)	4.5	4.9			6.7	1.1	2.0	2.2				
Flt Permitted	0.95	1.00			1.00	1.00	0.95	1.00				
sat. flow (perm)	4.5	4.9			6.7	1.1	2.0	2.2				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	327	342	0	0	458	79	211	219	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	39	0	229	0	0	0	0
Adj. Sat. Flow (veh/s)	4.5	4.9			6.7	1.1	2.1	2.2				
Heavy Vehicles (%)	15%	15%	15%	8%	8%	8%	20%	20%	20%	0%	0%	0%
Protected Phases	7	4			8		5	2				
Actuated Green, G (s)	30.7	72.2			37.5	37.5	39.8	39.8				
Actuated g/C Ratio	0.26	0.60			0.31	0.31	0.33	0.33				
Vehicle Extension (s)	3.0	3.0			3.0	3.0	3.0	3.0				
v/s Ratio Prot	0.22	0.22			0.27		0.15	0.09				
v/c Ratio	0.86	0.37			0.88	0.09	0.45	0.28				
Progression Factor	0.85	0.40			1.00	1.00	1.00	1.00				
Delay (s)	52.8	5.1			54.6	29.3	32.1	31.2				
Approach Delay (s)		28.3			50.9		31.5	0.0				
HCM Volume to Capacity ratio	0.71											
Intersection Capacity Utilization	77.3%				ICU Level of Service		D					

c Critical Lane Group

HCM Unsignalized Intersection Capacity Analysis
 1: Ehlen Rd & Butteville Rd

9/27/2007



Lane Configurations	↖		↗		←		→		↘		↙	
Sign Control	Stop		Stop		Stop		Stop		Stop		Stop	
Volume (vph)	7	443	11	227	401	15	25	39	322	8	68	10
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Hourly flow rate (vph)	7	447	11	229	405	15	25	39	325	8	69	10
Volume Total (vph)	7	459	229	420	65	325	87					
Volume Left (vph)	0	11	0	15	0	325	10					
Volume Right (vph)	0	0	0	0	0	0	0					
Departure Headway (s)	8.3	7.8	8.1	7.5	8.4	7.5	9.0					
Capacity (veh/h)	415	459	444	477	424	471	374					
Control Delay (s)	64.7	34.4	21.5	14.5								
Approach Delay (s)	64.7	34.4	21.5	14.5								
Approach LOS	E	E	D	D	D	D	D					
HCM Level of Service	E											
Intersection Sat Utilization	0.26											
Analysis Period (min)	15											

HCM Signalized Intersection Capacity Analysis

1: Ehlen Rd & Butteville Rd

9/27/2007



Lane Configurations	←		→		←		→		←		→	
Volume (vph)	443	111	277	40	24	39	322	8	108	10		
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Flow Estimation (s)	2.70	2.50	2.70	2.40	2.70	2.40	2.70	2.40	2.70	2.40	2.70	2.40
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Flt-Protected	0.95	1.00	0.95	1.00	0.95	1.00	0.98	1.00	0.95	1.00	0.98	1.00
Sat Flow (Prot)	1513	1587	1513	1528	1513	1528	1432	1391	1513	1528	1432	1391
Flt-Permitted	0.95	1.00	0.95	1.00	0.95	1.00	0.88	1.00	0.95	1.00	0.97	1.00
Sat Flow (Perm)	1513	1587	1513	1528	1513	1528	1432	1391	1513	1528	1432	1391
Peak-hour factor, PHF	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
RTOR Reduction (vph)	0	1	0	0	1	0	0	0	276	0	4	0
Heavy Vehicles (%)	13%	13%	13%	10%	10%	10%	10%	10%	10%	10%	10%	10%
Protected Phases	7	4	3	8	2	6						
Actuated Green, G (s)	0.5	29.6	16.8	45.9	10.3	10.3	10.3	10.3	10.3	10.3	10.3	10.3
Effective Green (s)	0.5	29.6	16.8	45.9	10.3	10.3	10.3	10.3	10.3	10.3	10.3	10.3
Actuated g/C Ratio	0.01	0.43	0.24	0.67	0.15	0.15	0.15	0.15	0.15	0.15	0.15	0.15
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
v/s Ratio Prot	0.00	0.29	0.15	0.26	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04
v/c Ratio	0.64	0.67	0.60	0.39	0.30	0.23	0.30	0.23	0.30	0.23	0.30	0.23
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Delay (s)	115.7	18.1	25.7	5.3	26.8	26.3	26.8	26.3	26.8	26.3	26.8	26.3
Approach Delay (s)		19.6		12.5		26.4		27.1		26.4		27.1
HCM Average Control Delay (s)		18.3		12.0		26.4		27.1		26.4		27.1
HCM Volume to Capacity ratio		0.59										
Intersection Capacity Utilization		61.2%										
ICU Level of Service												
Analysis Period (min)												

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis
 2: Ehlen Rd & Bents Rd/Bents Ct

9/27/2007



Lane Configurations	↖		↗		↖		↗		↖		↗	
Capacity (vph)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Flt Protected	0.95	1.00	0.95	1.00	0.95	1.00	0.95	1.00	0.95	1.00	0.95	1.00
Flt Permitted	0.16	1.00	0.25	1.00	0.73	1.00	0.53	1.00				
Peak-hour factor, PHF	0.92	1.00	1.00	1.00	0.92	1.00	0.92	1.00	0.92	0.92	0.92	0.92
RTOR Reduction (vph)	0	0	0	10	0	0	47	0	0	31	0	0
Heavy Vehicles (%)	2%	13%	13%	13%	13%	2%	11%	2%	11%	2%	2%	2%
Protected Phases	4		8		2		1		6			
Actuated Green, G (s)	83.5	83.5	83.5	83.5	10.7	10.7	28.5	28.5				
Actuated g/C Ratio	0.70	0.70	0.70	0.70	0.09	0.09	0.24	0.24				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0				
v/s Ratio Prot	0.51		0.62		0.00		0.08		0.01			
v/c Ratio	0.24	0.74	0.04	0.89	0.10	0.04	0.66	0.03				
Progression Factor	1.00	1.00	0.69	0.76	1.00	1.00	1.00	1.00				
Delay (s)	7.3	13.9	4.0	19.2	52.2	50.5	45.1	35.3				
Approach Delay (s)	13.6		19.1		50.8		43.5					
HCM Volume to Capacity ratio	0.83											
Intersection Capacity Utilization	79.7%											
ICU Level of Service	D											

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis
4: Ehlen Rd & SB Off-Ramp

9/27/2007



Lane Configurations	←				→				←			
Volume (vph)	625	1805	263	431	0	0	0	0	110	110	110	110
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Est. Sat. (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Util. Factor	1.00	1.00	1.00	1.00					1.00	1.00		
Fit Protected	1.00	1.00	0.95	1.00					0.95	1.00		
Sat. Flow (vph)	1800	1800	1710	1800					1710	1800		
Fit Permitted	1.00	1.00	0.29	1.00					0.95	1.00		
Sat. Flow (vph)	1800	1800	486	1800					1710	1800		
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	625	1805	263	431	0	0	0	0	110	110	110	110
RTOR Reduction (vph)	0	0	125	0	0	0	0	0	0	0	0	305
Peak Hour Flow (vph)	625	1805	263	431	0	0	0	0	110	110	110	110
Heavy Vehicles (%)	12%	12%	12%	13%	13%	13%	0%	0%	0%	23%	23%	23%
Protected Phases	4				8				6			
Permitted Phases									6			
Actuated Green, G (s)	69.9	69.9	69.9	69.9					42.1	42.1		
Effective Green, g (s)	69.9	69.9	69.9	69.9					42.1	42.1		
Actuated g/C Ratio	0.58	0.58	0.58	0.58					0.35	0.35		
Clearance Time (s)	3.0	3.0	3.0	3.0					3.0	3.0		
Vehicle Extension (s)	3.0	3.0	3.0	3.0					3.0	3.0		
v/s Ratio Prot	0.39			0.27								
v/s Ratio Perm												
v/c Ratio	0.67	0.23	0.94	0.46					0.24	0.39		
Progression Factor	0.87	1.10	1.99	1.91					1.00	1.00		
Delay (s)	16.1	13.3	74.9	27.6					28.7	32.0		
Approach Delay (s)	15.2			45.1			0.0		31.4			
HCM Volume to Capacity Ratio	0.74											
Intersection Capacity Utilization	83.9%				ICU Level of Service				E			

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis
 5: Ehlen Rd & NB On-Ramp

9/27/2007



	Ehlen Rd		NB On-Ramp		Ehlen Rd		NB On-Ramp		Ehlen Rd		NB On-Ramp	
Lane Configurations	← ↑		← ↑		← ↑		← ↑		← ↑		← ↑	
Volumes (vph)	438	353	0	461	79	227	0	438	353	0	461	79
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost Time (s)	40		40		40		40		40		40	
Lane Util. Factor	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Fit Protected	0.95	1.00		1.00	1.00	0.95	1.00		1.00	1.00		1.00
Satd. Flow (perm)	167	166		166	117	123	176		166	166		166
Fit Permitted	0.95	1.00		1.00	1.00	0.95	1.00		1.00	1.00		1.00
Satd. Flow (perm)	167	166		166	117	123	176		166	166		166
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	438	353	0	461	79	227	0	438	353	0	461	79
RTOR Reduction (vph)	0	0	0	0	0	37	0	248	0	0	0	0
Adj. Satd. Flow (vph)	438	353	0	461	79	227	0	438	353	0	461	79
Heavy Vehicles (%)	15%	15%	15%	8%	8%	8%	20%	20%	20%	0%	0%	0%
Protected Phases	7		4		8		5		2			
Permitted Phases												
Actuated Green, G (s)	38.6	78.8		36.2	36.2	33.2	33.2		38.6	78.8		36.2
Effective Green, G _E (s)	38.6	78.8		36.2	36.2	33.2	33.2		38.6	78.8		36.2
Actuated g/C Ratio	0.32	0.66		0.30	0.30	0.28	0.28		0.32	0.66		0.30
Clearance Time (s)	3.0	3.0		3.0	3.0	3.0	3.0		3.0	3.0		3.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0		3.0	3.0		3.0
Lane Grp Cap (vph)	176	162		166	117	123	176		166	166		166
v/s Ratio Prot	c0.29	0.23		c0.28		c0.16	0.08		c0.29	0.23		c0.28
v/s Ratio Perm												
v/c Ratio	0.92	0.34		0.92	0.10	0.58	0.28		0.92	0.34		0.92
Uniform Delay (s)	39.4	4.0		61.9	30.3	39.4	36.0		39.4	4.0		61.9
Progression Factor	0.71	0.42		1.00	1.00	1.00	1.00		0.71	0.42		1.00
Incremental Delay (s)	20.3	1.0		21.7	0.1	20.0	22.0		20.3	1.0		21.7
Delay (s)	48.1	4.0		61.9	30.3	39.4	36.0		48.1	4.0		61.9
Level of Service	D		E		D		D		D		E	
Approach Delay (s)	28.4		57.2		37.4		0.0		28.4		57.2	
Approach LOS	D		E		D		D		D		E	
ICU Volume to Capacity Ratio	0.81		0.81		0.81		0.81		0.81		0.81	
ICU Level of Service	D		E		D		D		D		E	
Analysis Period (min)	15											

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APPENDIX F
**Queuing
Calculations**

Queuing and Blocking Report
 Weekday PM Peak Hour

7/2/2007

Intersection: 1: Ehlen Rd & Butteville Rd

Directions Served	L	TR	L	LTR	LTR
Maximum Queue (ft)	22	12	92	38	64
Average Queue (ft)	1	1	24	39	25
95th Queue (ft)	8	6	63	69	30
Link Distance (ft)	1746			3757	
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)	100				
Storage Blk Time (%)					
Queuing Penalty (veh)					

Intersection: 2: Ehlen Rd & Bents Ct

Directions Served	LT	L	R
Maximum Queue (ft)	27	3	7
Average Queue (ft)	1	6	24
95th Queue (ft)	12	25	58
Link Distance (ft)	743	1020	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	175		
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 3: Ehlen Rd & Bents Rd

Directions Served	LT	TR	LR
Maximum Queue (ft)	133	87	183
Average Queue (ft)	24	32	81
95th Queue (ft)	84	77	115
Link Distance (ft)	743	40	1512
Upstream Blk Time (%)			
Queuing Penalty (veh)	8		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Queuing and Blocking Report
 Weekday PM Peak Hour

7/2/2007

Intersection: 4: Ehlen Rd & SB Off-Ramp

Directions Served	TR	LT	LTR
Maximum Queue (ft)	17	35	41
Average Queue (ft)	38	64	182
95th Queue (ft)	98	136	341
Link Distance (ft)	40	346	
Upstream Blk Time (%)			
Queuing Penalty (veh)	7		
Storage Blk Time (%)			
Queueing Penalty (veh)			

Intersection: 5: Ehlen Rd & NB On-Ramp

Directions Served	LT	TR	LTR
Maximum Queue (ft)	160	21	203
Average Queue (ft)	58	1	197
95th Queue (ft)	120	11	392
Link Distance (ft)	346	1675	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Blk Time (%)			
Queueing Penalty (veh)			

Zone Summary

Zone Wide Queuing Penalty (veh)	
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Queuing and Blocking Report
 Weekday PM Peak Hour

7/5/2007

Intersection: 1: Ehlen Rd & Butteville Rd

Directions Served	L	TR	L	TR	LTR	LTR
Maximum Queue (ft)	17	35	29	25	149	10
Average Queue (ft)	1	2	31	1	63	35
95th Queue (ft)	16	20	70	19	111	71
Link Distance (ft)		1746		2365		3757
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)	100		100		200	
Storage Blk Time (%)						
Queuing Penalty (veh)						

Intersection: 2: Ehlen Rd & Bents Ct

Directions Served	LT	L	R
Maximum Queue (ft)	48	12	72
Average Queue (ft)	4	10	36
95th Queue (ft)	30	33	65
Link Distance (ft)	743		1020
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	175		175
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 3: Ehlen Rd & Bents Rd

Directions Served	LT	TR	LR
Maximum Queue (ft)	30	17	150
Average Queue (ft)	56	42	1378
95th Queue (ft)	182	92	1926
Link Distance (ft)	743	40	1512
Upstream Blk Time (%)	13		65
Queuing Penalty (veh)		21	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Queuing and Blocking Report
 Weekday PM Peak Hour

7/5/2007

Intersection: 4: Ehlen Rd & SB Off-Ramp

Directions Served	TR	LT	LTR
Maximum Queue (ft)	122	342	400
Average Queue (ft)	61	135	383
95th Queue (ft)	100	269	410
Link Distance (ft)	40	346	
Upstream Blk Time (%)			
Queuing Penalty (veh)	31	2	
Storage Blk Dist (ft)			
Storage Blk Time (%)			
Downstream Penalty (veh)			

Intersection: 5: Ehlen Rd & NB On-Ramp

Directions Served	LT	TR	LTR
Maximum Queue (ft)	274	79	403
Average Queue (ft)	110	7	407
95th Queue (ft)	207		432
Link Distance (ft)	346	1675	
Upstream Blk Time (%)	10		
Queuing Penalty (veh)	1		
Storage Blk Dist (ft)			
Storage Blk Time (%)			
Downstream Penalty (veh)			

Zone Summary

Zone Wide Queuing Penalty	57
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Queuing and Blocking Report
 Weekday PM Peak Hour

9/27/2007

Intersection: 1: Ehlen Rd & Butteville Rd

Directions Served	L	TR	L	TR	LTR	LTR
Maximum Queue (ft)						
Average Queue (ft)	4	2	36	1	195	36
95th Queue (ft)						
Link Distance (ft)		1746		2365		3757
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Blk Dist (ft)		100		200		
Storage Blk Time (%)						
Queueing Penalty (veh)						

Intersection: 2: Ehlen Rd & Bents Ct

Directions Served	LT	L	R
Maximum Queue (ft)			
Average Queue (ft)	6	12	34
95th Queue (ft)			
Link Distance (ft)	743		1020
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Blk Dist (ft)			
Storage Blk Time (%)			
Queueing Penalty (veh)			

Intersection: 3: Ehlen Rd & Bents Rd

Directions Served	LT	TR	LR
Maximum Queue (ft)			
Average Queue (ft)	126	35	1450
95th Queue (ft)			
Link Distance (ft)	743	40	1512
Upstream Blk Time (%)			
Queuing Penalty (veh)		21	0
Storage Blk Dist (ft)			
Storage Blk Time (%)			
Queueing Penalty (veh)			

Queuing and Blocking Report
 Weekday PM Peak Hour

9/27/2007

Intersection: 4: Ehlen Rd & SB Off-Ramp

Directions Served	TR	LT	LTR
Maximum Queue (ft)	128	959	207
Average Queue (ft)	70	185	378
95th Queue (ft)	128	959	207
Link Distance (ft)	40	346	
Storage Blk Time (%)	5		
Queuing Penalty (veh)	46	20	
Storage Blk Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Ehlen Rd & NB On-Ramp

Directions Served	LT	TR	LTR
Maximum Queue (ft)	122	20	33
Average Queue (ft)	148	23	403
95th Queue (ft)	122	20	33
Link Distance (ft)	346	1675	
Storage Blk Time (%)	0		
Queuing Penalty (veh)	1		
Storage Blk Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Zone Summary

Zone-wide Queuing Penalty (veh)	
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Queuing and Blocking Report
Weekday PM Peak Hour

7/5/2007

Intersection: 1: Ehlen Rd & Butteville Rd

Movement	EB	WB	WB	WB	NE	NE	SB	SB
Directions Served	L	TR	L	TR	LT	R	LTR	
Maximum Queue (ft)	104	492	214	248	74	85	74	
Average Queue (ft)	10	161	70	115	29	40	33	
95th Queue (ft)	52	345	150	217	59	69	62	
Link Distance (ft)		1746		2366			3757	
Upstream Blk Time (%)								
Queuing Penalty (veh)								
Storage Bay Dist (ft)	170		200				300	
Storage Blk Time (%)		28	0	1				
Queuing Penalty (veh)								

Intersection: 2: Ehlen Rd & Bents Rd/Bents Ct

Movement	EB	WB	WB	NE	NE	SB	SB	
Directions Served	L	TR	L	TR	L	TR	L	TR
Maximum Queue (ft)	207	1309	189	794	286	115	318	639
Average Queue (ft)	51	383	7	364	8	39	185	142
95th Queue (ft)	142	626	42	691	32	69	349	559
Link Distance (ft)		3903		818		1012		1541
Upstream Blk Time (%)								
Queuing Penalty (veh)				7				
Storage Bay Dist (ft)	200		200		175		300	
Storage Blk Time (%)	0	21		.17		0	18	0
Queuing Penalty (veh)	150	9		2		0	7	11

Intersection: 4: Ehlen Rd & SB Off-Ramp

Movement	NE	WB	WB	SB	SB	
Directions Served	T	R	L	T	LT	R
Maximum Queue (ft)	838	175	172	845	382	325
Average Queue (ft)	542	114	140	225	122	176
95th Queue (ft)	1038	240	217	476	307	333
Link Distance (ft)	818			320		
Upstream Blk Time (%)				10		
Queuing Penalty (veh)	105			65		
Storage Bay Dist (ft)		150	150			300
Storage Blk Time (%)	37	3	22	10	1	4
Queuing Penalty (veh)	97	13	89	25	4	4

Queuing and Blocking Report
 Weekday PM Peak Hour

7/5/2007

Intersection: 5: Ehlen Rd & NB On-Ramp

Directions Served	L	T	T	R	L	TR
Maximum Queue (ft)	160	267	775	57	162	118
Average Queue (ft)	105	30	160	1	313	265
Link Distance (ft)		320	1670			
Upstream Blk Time (%)						
Queuing Penalty (veh)		85	0			
Storage Blk Dist (ft)	150			150		
Storage Blk Time (%)	31	9	54	0		
Queueing Penalty (veh)	105	30	160	1	313	265

Zone Summary

Zone Wide Queuing Penalty	696
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Queuing and Blocking Report
Weekday PM Peak Hour

9/27/2007

Intersection: 1: Ehlen Rd & Butteville Rd

Directions Served	L	TR	L	TR	LT	R	LTR
Maximum Queue (ft)	121	241	71	171	204	170	59
Average Queue (ft)	16	801	92	131	43	105	34
95th Queue (ft)	133	1505	70	225	145	207	69
Link Distance (ft)		1746		2366			3757
Upstream Blk Time (s)		15		15			15
Queuing Penalty (veh)		0		0			0
Storage Bay Dist (ft)	100		200			300	
Storage Blk Time (%)	0	90	0	2		2	
Queuing Penalty (veh)	0	6		0		0	

Intersection: 2: Ehlen Rd & Bents Rd/Bents Ct

Directions Served	L	TR	T	T	L	TR	L	TR	L	TR
Maximum Queue (ft)	221	1007	379	171	145	171	56	325	111	196
Average Queue (ft)	66	3224	617	421	9	383	13	61	286	650
95th Queue (ft)	194	5113	663	1351	62	1779	12	124	400	593
Link Distance (ft)		3903	1288	2366		818		1012		1541
Upstream Blk Time (s)		15		15		15		15		15
Queuing Penalty (veh)		249	161	11		8		0		0
Storage Bay Dist (ft)	200				200		175		300	
Storage Blk Time (%)	0	61				15		1	59	0
Queuing Penalty (veh)	0	26				0		22		0

Intersection: 4: Ehlen Rd & SB Off-Ramp

Directions Served	T	R	L	T	LT	R
Maximum Queue (ft)	237	175	174	110	300	327
Average Queue (ft)	827	133	152	272	254	229
95th Queue (ft)	136	241	246	456	462	415
Link Distance (ft)	818			320		
Upstream Blk Time (s)	15			15		15
Queuing Penalty (veh)	398			108		
Storage Bay Dist (ft)	150	150				300
Storage Blk Time (%)	55	5	25	9	19	10
Queuing Penalty (veh)	167	23	106	22	91	11

Queuing and Blocking Report
 Weekday PM Peak Hour

9/27/2007

Intersection: 5: Ehlen Rd & NB On-Ramp

Directions Served	L	T	T	R	L	TR	#
Maximum Queue (ft)	56	34	24	17	15	40	#
Average Queue (ft)	170	328	637	51	304	166	#
95th Queue (ft)	182	338	218	153	482	377	#
Link Distance (ft)		320	1670				
Upstream Blk Time (s)		37	0				
Queuing Penalty (veh)		275	0				
Storage Bay Dist (ft)		150		150			
Storage Blk Time (%)	52	1	52	0			
Storage Penalty (veh)	185			60			

Zone Summary

Zone Type	Queueing Penalty	1929
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APPENDIX G
**Scope Letter &
Requirements**

**GROUP
MACKENZIE**

May 29, 2007 (revised June 15, 2007)

Marion County Planning Division
Attention: Byron Meadows
PO Box 14500
Salem, Oregon 97309

Re: **Bennion/Feller Property, Donald, Oregon**
Proposed Scope for Traffic Impact Analysis
Project Number 2070204.00

Dear Mr. Meadows:

Based on our meeting on June 14th with Marion County and ODOT staff, Group Mackenzie is providing this revised proposed Traffic Impact Analysis (TIA) scope and area of influence to support an urban growth boundary expansion, plan amendment and zone change application for the Bennion/Feller property in Donald, Oregon. In addition, data from the completed TIA will be used to accurately estimate the proportionate share of costs to be assessed by Marion County against the Bennion/Feller Property.

The proposed TIA to support this land use application will address Transportation Planning Rule (TPR) requirements outlined in Oregon Administrative Rule (OAR) 660-012-0060. The purpose of this letter is to confirm Marion County staff approval for the proposed TIA scope of work. The following base assumptions are provided for your review and approval.

PROPERTY ZONE DESIGNATION

The current property zone designation is Exclusive Farm Use/Residential Single-Family (EFU/RS).

The proposed property zone designation is Industrial (I).

PROPOSED DEVELOPMENT

The subject property is approximately 30 acres in size. Reasonable "worst-case" development of this property is a general light industrial use with 40% building area coverage. This assumption results in a building size of 525,000 square feet.

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Locations:

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Seattle, Washington
Vancouver, Washington

TRIP GENERATION

Trip generation for the proposed general light industrial land use will be based on data contained in the ITE *Trip Generation Manual*, 7th Edition. The following table presents anticipated development trip generation.

TRIP GENERATION – PROPOSED ZONE DESIGNATION						
Land Use	ITE Code	Size	PM Peak Hour			Daily
			Enter	Exit	Total	Total
Scenario 1 – General Light Industrial (40% Building Area Coverage)	110	525,000 SF	62	453	515	3,659

For purposes of this analysis, all trips are assumed to be motor vehicle trips. No additional reductions are made for trips made by alternate modes. Consistent with Marion County requirements, truck trip generation will be shown separately.

TRIP DISTRIBUTION AND TRAFFIC ASSIGNMENT

Trip distribution for the development scenarios will be determined based on existing roadway traffic volumes and anticipated trip origins and destinations and engineering judgement. Anticipated trip distribution is shown in the attached Figure 7. A separate distribution figure will be shown for truck traffic.

DEVELOPMENT SCENARIOS

The proposed TIA must address TPR requirements as outlined in OAR 660-012-0060. As such, planning horizon conditions need to be addressed which are identified by the Oregon Highway Plan (OHP) as, “The greater of 15 years or the planning horizon of the applicable local and regional transportation system plans for amendments to transportation plans, comprehensive plans or land use regulations.”

To address these requirements, analyses must compare “reasonable worst-case” trip generation impacts of land uses allowed in the current and proposed zone designations and must evaluate impacts in the planning horizon year. The planning horizon of the Marion County TSP is 2025. As such, analysis scenarios will include:

- 2007 Existing Conditions
- 2007 Proposed Zone Designation with existing infrastructure
- 2025 Current Zone Designation
- 2025 Proposed Zone Designation

STUDY AREA

The proposed TIA study area intersections are identified in the following table.

STUDY INTERSECTIONS	
Intersection	Jurisdiction
Ehlen Road/I-5 NB Ramps	Marion County/ODOT
Ehlen Road/I-5 SB Ramps	Marion County/ODOT
Bents Road/Ehlen Road	Marion County
Bents Court/Ehlen Road	Marion County
Ehlen Road/Butteville Road	Marion County

BACKGROUND GROWTH

Background growth is general growth in traffic not related to traffic from specific projects. For purposes of the proposed TIA, background growth for each intersection will be based on future traffic volume demand projections for each roadway found in Figure 6-2 of the Marion County TSP.

SEASONAL ADJUSTMENTS

A seasonal adjustment factor of 3.4% will be applied to the traffic volumes at ODOT facilities. The adjustment factor is based on the Seasonal Trend Table and the 3.4% reflects an average between the factors for the "interstate nonurbanized" and "agricultural" peak period seasonal factors.

IN-PROCESS TRAFFIC

In-process traffic is defined as traffic anticipated to be generated by approved projects not yet constructed. The purpose of determining in-process traffic is to identify near-term impacts resulting from development in excess of general planning growth assumptions. Marion County staff has indicated there are no in process projects to be included.

FUTURE CAPITAL IMPROVEMENTS

Based on TPR requirements, TIA plan year analysis needs to include transportation facility improvements identified in the adopted transportation system plan that are reasonably likely to be provided by the end of the planning period (in this instance Year 2025). Such projects include those identified on the Financially Constrained list of the Marion County TSP.

A related portion of the TPR also states, "Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems

development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted."

The Draft Marion County TSP identifies several projects in the study area including:

- **Ehlen Road/I-5 Interchange Ramp Terminal Intersections** – Identified as a State Highway Safety Need. The TSP specifically identifies poor alignments, poor ramp turning radii, low capacity and high delay, and crash problems. It recommends widening Ehlen Road at the interchange, installing signals at the ramp terminal intersections, realigning Bents Road, or redesigning the interchange.

The Ehlen Road/I-5 Interchange Ramp Terminal Intersections project is not identified as funded TSP improvement; however, Marion County has established a funding mechanism in a sub-area plan to collect monies to construct interchange improvements. These improvements are currently identified as traffic signals at the two I-5/Ehlen Road ramps and the Ehlen Road/Bents Road intersection. Specific development contributions to these improvements are identified later in this analysis.

Large-scale improvements, such as ramp widening, are outside the scope of this funding mechanism and are the responsibility of ODOT.

- **Bents Road/Ehlen Road** – Realign Bents Road to the west to align with Bents Court and signalize intersection. Project could be done concurrent with interchange improvements. The project is identified on the 20-year financially constrained list and is funded at \$1.1 million.
- **Ehlen Road/Butteville Road** – Signalize intersection and construct necessary supporting roadway approach geometry. The project is unfunded, no timeline is identified and the estimated cost is \$750,000.
- **P&W Railroad crossing of Butteville Road** – Installation of mechanical gate crossings with possible roadway realignment. The project is identified on the 20-year financially constrained plan (5-10 year list) and is funded at \$200,000.

Consistent with the policies and methodologies identified in the Transportation Planning Rule, because they are either identified on the County TSP 20 year financially constrained list or have a dedicated funding mechanism in place, the following projects will be included in the 2025 scenarios as constructed: Ehlen Road/I-5 Interchange Ramp Terminal Intersection improvements, Bents Road/Ehlen Road realignment, and P&W Railroad crossing of Butteville Road improvements.

SUMMARY

In summary, we propose to use the following assumptions when preparing the TIA to support the urban growth boundary expansion, plan amendment and zone change for the Bennion/Feller property:

1. Reasonable worst-case development assumption of general light industrial with 40% building area coverage.
2. Trip Generation estimates using the ITE *Trip Generation Manual*, 7th Edition for the PM peak hour and ADT. For a 525,000 square foot general light industrial development results in 3,659 ADT and 515 PM peak hour trips.
3. Trip distribution will be based on attached Figure 7.
4. Analysis years include 2007 existing conditions, 2007 conditions with an approved zone change, and 2025 with and without the proposed zone change.
5. Study area to include the following intersections:
 - a. Ehlen Road/I-5 NB Ramps
 - b. Ehlen Road/I-5 SB Ramps
 - c. Bents Road/Ehlen Road
 - d. Bents Court/Ehlen Road
 - e. Ehlen Road/Butteville Road
6. Background traffic growth rate will be based on table 6-2 of the Marion County TSP.
7. Seasonal adjustments of 3.4% will be applied to ODOT intersections.
8. No in-process development has been identified by Marion County staff.
9. Infrastructure improvements for purposes of TPR analysis are assumed to include Ehlen Road/I-5 Interchange Ramp Terminal Intersections, Bents Road/Ehlen Road realignment, and the P&W Railroad crossing of Butteville Road.

Marion County Planning Division
Bennion/Feller Property, Donald, Oregon
Project Number 2070204.00
May 29, 2007 (revised June 15, 2007)
Page 6

INTENT/OUTCOME

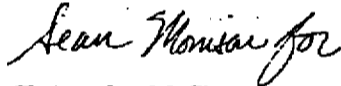
This letter proposes the above-identified TIA scope of services and reflects comments made previously by Marion County staff. It is intended for Marion County staff to review this scope, and respond to us in writing acknowledging scope acceptance.

When preparing the TIA and determining development-related impacts, we anticipate identifying transportation impacts the Applicant will be required to mitigate including a proportional share contribution to TSP-identified improvements. After completing the TIA, we anticipate the Applicant entering into a 'memorandum of understanding' type of agreement with Marion County identifying the payment of monies accounting for Applicant's proportional share contribution.

The anticipated outcome from TIA completion and resulting memorandum of understanding is Marion County support of the Applicant's proposed land use action. This support will be specifically demonstrated via a letter prepared by Marion County Staff submitted into the public record for the subject land use action stating the Applicant's TIA-identified infrastructure mitigation and the memorandum of understanding address Transportation Planning Rule requirements as more specifically identified in OAR 66-012-0060.

If you have questions or need further information, please give us a call.

Sincerely,



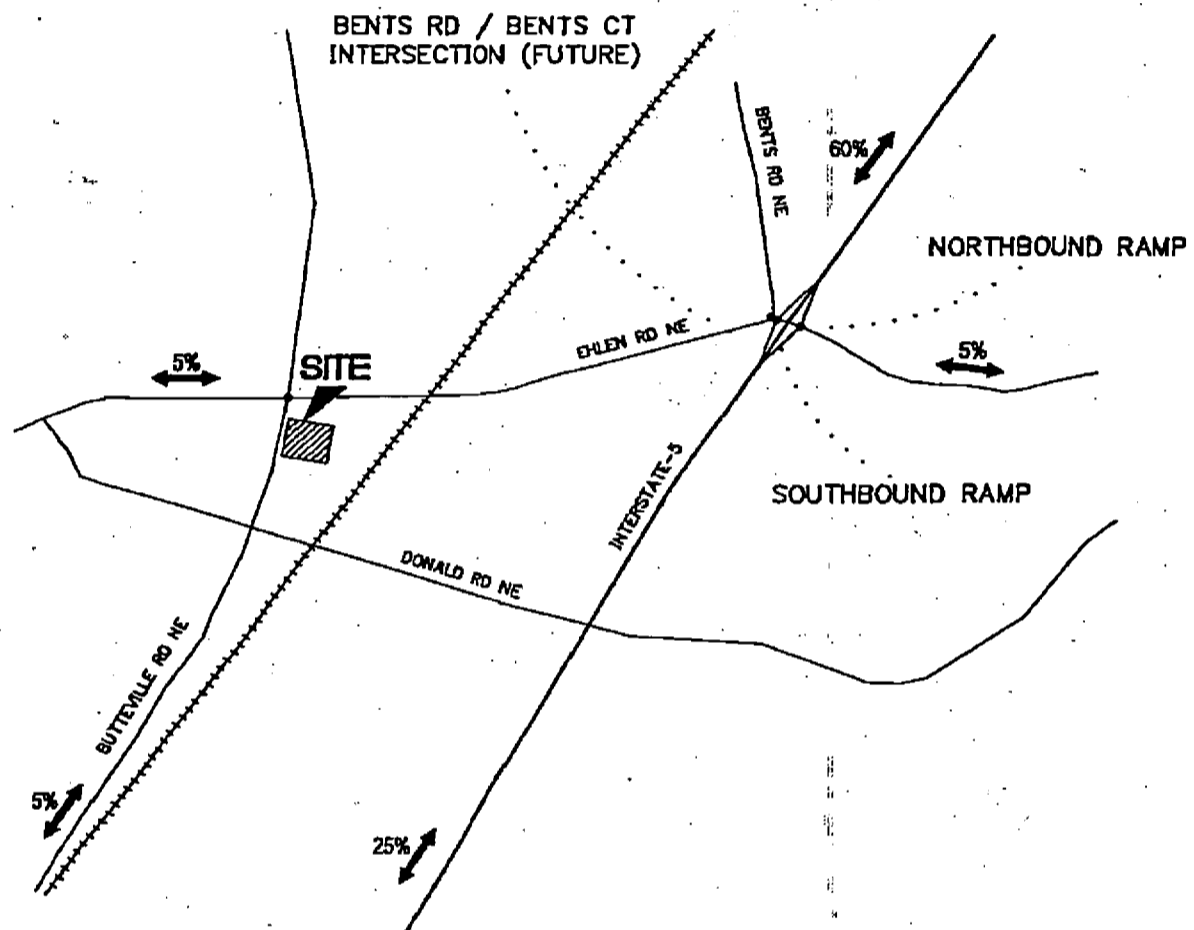
Christopher M. Clemow, P.E.
Director of Transportation Engineering

Enclosures: Figure 7

c: Roy Bennion, Paul Nelson – Sandorffy-Bennion Development
John Pinkstaff – Lane Powell PC
Gerry Juster – ODOT Region 2
Mike McCarthy, Karen Odeuthal – Marion County



NOT TO SCALE



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DATE: 3.13.06
 DRAWN BY: WSB
 CHECKED BY: PRB
 JOB NO:
 2050410.00

**ESTIMATED TRIP
 DISTRIBUTION PATTERN**
 FELLER PROPERTY UGB
 DONALD, OREGON

FIGURE
7

POLICY AND PROCEDURE

MARION COUNTY DEPARTMENT OF PUBLIC WORKS TRANSPORTATION IMPACT ANALYSIS (TIA) REQUIREMENTS

A Transportation Impact Analysis (TIA) evaluates the adequacy of the existing transportation system to serve a proposed development, and the expected effects of the proposed development on the transportation system. The TIA should provide adequate information for County staff to evaluate the development proposal and, when appropriate, recommend conditions of approval.

Throughout the Transportation Impact Analysis process (and beginning as early as possible), cooperation between County staff, the applicant, and the applicant's traffic engineer is encouraged to provide the best possible conditions for the traveling public and potential users of the proposed development, and to reduce TIA report revisions and review time. If County staff can be of assistance in any way during this process, or if any questions arise about this process, please do not hesitate to consult us for clarification or assistance.

Marion County staff may, at its discretion, and depending on the specific situation, require additional study components in a TIA or waive requirements deemed inappropriate. Marion County staff may waive a TIA that would otherwise be required if the developer agrees to certain conditions of development.

Marion County assumes no liability for any costs or time delays (either direct or consequential) associated with Traffic Impact Analysis preparation and review. Marion County Public Works reserves the right to charge an hourly fee to cover staff time for excessive or repeated reviews necessitated by TIA inaccuracies or deficiencies.

When Will A Transportation Impact Analysis Be Required?

A Transportation Impact Analysis shall be required for:

- A) Any proposed development that can be reasonably expected to generate more than 600 vehicle trip ends during a single day and/or more than 100 vehicle trip ends during a single hour.
- B) Any proposed zone change that, in typical build-out scenarios, can be reasonably expected to generate more than 300 vehicle trip ends more than the previous zoning during a single day.
- C) Any development within the Urban Growth Boundary of a city if the development would meet that city's criteria for requiring a Transportation Impact Analysis.

A Transportation Impact Analysis may be required for:

- A) Any proposed development that can be reasonably expected to generate more than 200 vehicle trip ends during a single day or more than 40 vehicle trip ends during a single hour.
 - B) Any case in which, based on the engineering judgement of the Public Works Director, the proposed development or land use action would significantly affect the adjacent transportation system. Examples of such cases include, but are not
-

limited to: non-single family development in single-family residential areas, proposals adding traffic to or creating known or anticipated safety or neighborhood traffic concerns, or proposals that would generate a high percentage of truck traffic (more than 5% of site traffic).

Calculation Of Trip Generation And Distribution

Trip generation data provided in the most recent edition of the ITE publication *Trip Generation* should be used unless more appropriate data is available. Average trip generation formulas (where applicable) or rates are normally used; however, more conservative calculations may be required by staff in some cases. Directional trip distribution assumptions should be based on historical data, existing and future travel characteristics, and capacity constraints. County staff may require data collection at similar facilities if County staff determines that insufficient trip generation data is currently available. *To reduce revisions and review time, approval of the trip generation and distribution assumptions (including any applicable pass-by, internal, or diverted linked trip percentages) and methodology should be obtained from the Public Works Department before using these assumptions in the Transportation Impact Analysis.*

Determination Of The Area For Which Analysis Is Required

The Transportation Impact Analysis shall address at least the following areas:

A) All proposed site access points.

B) Any road segment or intersection where the proposed development can be expected to generate more than 360 additional vehicle trips during a single day or more than 60 additional vehicle trips during a single hour (these typical volumes may need to be adjusted for unusual situations, such as heavy truck traffic, safety issues, or capacity limitations). If a two-way-stop controlled intersection currently functions acceptably and the proposed development would be expected to generate a total of less than 60 additional vehicle trips per day on the minor leg(s) of the intersection, it need not be included in the study area as a result of this requirement. County staff may, at their discretion, choose to waive study of certain intersections if they deem such study to be unnecessary.

C) Any road segment or intersection where the additional traffic volume created by the proposed development is greater than 10 percent of the current traffic volume (for road segments) or the current entering volume (for intersections). Public Works staff may, at their discretion, choose to waive study of certain intersections in some cases.

D) For developments expected to generate more than 30 truck trips per day, the TIA study area shall include the route(s) that these trucks would take from the site to and from the arterial system.

E) Any other intersections adjacent to the subject property.

F) For developments expected to generate a significant percentage of truck traffic (more than 5 percent of site traffic), consult Public Works staff to determine the study area.

G) Any other intersections identified by Public Works staff as having capacity, safety, neighborhood, and/or geometric concerns. Consultation in advance with

Public Works staff to determine the extent of the study area is strongly encouraged.

Horizon Year

The horizon year of a Transportation Impact Analysis is the most distant future year that shall be considered in the Transportation Impact Analysis. The horizon year will be a specified number of years after the development opens, and this number will vary depending on the size of the development, any land-use plan changes necessary to allow it, its uses, and the anticipated time until full buildout. The following table shows the TIA horizon year (expressed in years after the development is planned to open) for developments expected to generate less than 5% truck traffic:

<u>Development Type / Trip Generation Per Day</u>	<u>Horizon Year</u>
Any Zone Change	20 years
Other Development, Less Than 1,000	0 years
Other Development, 1,000 to 1,999	5 years
Other Development, 2,000 to 4,999	10 years
Other Development, 5,000 or more	20 years

For developments expected to generate more than 5% truck traffic, consult County staff for the TIA horizon year. County staff may, at their discretion, reduce the horizon year in cases where less future study is necessary.

Transportation Impact Analysis (TIA) Report Requirements

The preparer is encouraged to coordinate preparation with County staff and staff from other jurisdictions, as appropriate to ensure that all necessary components are included in the TIA and to reduce TIA revision and review time.

In order to be reviewed, the Transportation Impact Analysis (TIA) report shall include at least the following minimum components (incomplete reports will be returned to the applicant's representative for completion):

- 1) The TIA report shall be signed and stamped by a Professional Civil or Traffic Engineer registered in the state of Oregon.
- 2) An executive summary, discussing the development, the major findings of the analysis, and the mitigation measures proposed.
- 3) A vicinity map showing the location of the proposed project in relation to the transportation system of the area.
- 4) A complete description of the proposed development, including a site plan, with the best available information as to the nature and size of each proposed use, and the proposed location and traffic control of all proposed access points

(including the distance from all proposed access points to adjacent accesses and/or streets).

5) A brief description of the current (and proposed, if applicable) land uses adjacent to the site, including the location, size, zoning, current use, and future use of any land parcels that are not part of the subject application, but may use the subject parcel for all or part of their access. If there is potential for development of these parcels, include the best available information as to the potential future use of each parcel.

6) A description of the TIA study area, including roadway names, locations and functional classifications, intersection lane configuration and traffic control (including signal timing), existing Right-of-Way, transit routes and stops (if any), pedestrian and bicycle facilities, and planned transportation system improvements.

7) Existing traffic volumes (measured during design conditions and/or the peak season within the previous 12 months, unless County staff deems newer counts necessary due to recent development or seasonal variations). Consult County staff to determine what type of count data (turning movement, ADT, or classification) is necessary.

8) Accident data within the study area for the most recent available three year period (accident data can be obtained from the Oregon Department of Transportation).

9) Existing performance of the transportation system, including Levels of Service (LOS) and Volume/Capacity ratios (V/C) for all intersections and road segments as appropriate within the study area.

10) Complete trip generation figures for all aspects of the proposed development, including number of trips by vehicle type and size, and time-of-day and entering/exiting percentages. These figures shall include trip generation figures for any other proposed developments on the subject property, and/or any proposed developments that would share access with the subject property. For developments expected to generate a significant amount of truck traffic (more than 30 trucks per day), include separate figures for trucks. Document the sources of this trip generation data. If the source is other than ITE's *Trip Generation*, the preparer must obtain approval of the use of such data from County staff before using it in the TIA.

11) Trip generation figures for any pending and approved developments that would affect the study area. County staff will facilitate procurement of applicable data in these cases.

12) Identification of the critical analysis period(s) and justification of this identification.

13) Trip distribution for the proposed development. For developments expected to generate more than 30 truck trips per day, include separate trip distribution figures for trucks.

14) Forecast traffic volumes without the development, in the year that the proposed development is planned to open, and in the horizon year (consult

County staff for information to determine these future traffic volumes). If phased development is proposed, include projections for the year that each phase of the development is planned to be complete.

15) Forecast performance (including LOS and V/C) of the transportation system without the development in the year that each phase is planned to be complete and in the horizon year.

16) Forecast traffic volumes, including the proposed development traffic, in the year that each phase of the development is planned to open, and in the horizon year.

17) Forecast performance (including LOS and V/C) of the transportation system, with the proposed development, in the years that each phase of the proposed development is planned to open, and in the horizon year. Include analysis of signal warrants, signal progression, queue lengths, and other traffic flow characteristics as appropriate. For developments expected to generate a significant percentage of truck traffic, demonstrate how the analysis adequately accounts for the presence of these trucks in the traffic flow.

18) Safety analysis of the site accesses, including sight distance and operational characteristics.

19) Analysis of right and left turn lane warrants, queue lengths, acceleration lanes, throat lengths, channelization, and other characteristics of the site accesses as appropriate.

20) Comparison of the location and spacing of the proposed accesses with Marion County standards, the standards of the appropriate city for developments within Urban Growth Boundaries, and/or Oregon Department of Transportation standards for developments near state highways.

21) Analysis of the parking needs of the proposed development, the adequacy of the proposed facilities to meet those needs as appropriate, and the conformance of the proposed parking facilities to applicable standards.

22) Evaluation as appropriate of the turning and traveling characteristics of the vehicles that will be using the proposed development and the adequacy of the geometrics of the existing and proposed roadway (public and/or private) configurations to accommodate these characteristics.

23) Analysis as necessary of the adequacy of the internal vehicle and pedestrian circulation systems to serve the proposed development and how the design of the development addresses the Transportation Planning Rule requirements regarding pedestrian-, bicycle-, and transit-friendly developments.

24) Analysis as appropriate of any potential adverse or controversial effects of the proposed development on the transportation system or quality of life in the area. Examples of possible effects include, but are not limited to, infiltration of non-residential traffic into residential neighborhoods, traffic noise, creation of potential for traffic violations, conflicting turning movements with other driveways, etc.

25) Analysis as appropriate of the effect of the proposed development on pedestrian and bicycle transportation in the area, and any new pedestrian or bicycle transportation needs arising from the development.

26) Listing of all intersections and locations that are projected to not meet Marion County (or other jurisdiction, as appropriate) intersection performance standards in the TIA study area during the required analysis period (see methodologies for Marion County intersection performance standards).

27) Description and analysis of mitigation measures necessary to bring these intersections and locations into compliance with the applicable standards. Include analysis showing that these measures will bring these locations into compliance and include signal, turn lane, or other warrant analyses as appropriate. The TIA shall also specify the timing and phasing of any new traffic signals and the length of any new turn lanes. Any mitigation measures recommended in the TIA shall be physically and economically feasible, and this feasibility may need to be demonstrated in questionable cases.

28) Copies of raw traffic count data used in the analysis (this may be presented in an appendix).

29) Calculation sheets and/or computer software output for all LOS and V/C calculations in the analysis. For signalized intersections, this must include the signal timing used in the analysis (this may be presented in an appendix).

30) Warrant worksheets for signals, turn lanes, signal phasing, all-way-stops, and other proposed measures as appropriate (this information may be presented in an appendix).

Additional Study Requirements

The basic TIA report requirements are listed in the previous section. Additional information and analysis will be necessary to properly analyze many development scenarios, and the Transportation Impact Analysis shall include a complete analysis of the existing conditions and the proposed development. The applicant and/or the traffic engineer can and should submit any additional information that may be helpful to County staff in understanding the proposed development and/or the traffic that it would generate.

County staff may require additional study beyond the scope of the original TIA, especially in cases where additional transportation system concerns arise either as part of the traffic analysis process, as part of the approval process, or from the general public. County staff may also, at their discretion, choose to waive certain report requirements where they deem such analysis to be unnecessary. Please do not hesitate to contact County staff if there is any question as to whether or not certain analysis information should be included in the TIA.

Methodologies and Analysis Parameters

A) All signalized and all-way-stop controlled intersections shall operate at a Level Of Service D or better (all individual movements shall operate at LOS E or better) with a Volume/Capacity ratio of 0.85 or less. Other unsignalized intersections (including unsignalized private accesses) shall operate at Level Of Service E or better, although LOS F may be allowed if the movement has a relatively low volume (as determined by County staff) and there is no indication that a safety problem will be created. Intersections within the Urban Growth Boundary of a

city shall also meet the intersection performance standards of that city. Intersections near state highways shall also meet the standards of the Oregon Department of Transportation.

B) Acceptable analysis methods include the most recent Highway Capacity Manual, PASSERII, HRR211, TRANSYT-7F, SIGCAP, and UNSIG10 for most cases. For high percentages of truck traffic, unusual types of intersections, or other cases which do not specifically fit the circumstances for which the above analysis tools are intended, or if the engineer believes that another analysis method more accurately models the situation, consult County staff for determination of the appropriate analysis procedure. Analysis performed using methods not accepted by County staff will be returned to the applicant's representative for revision and correction.

C) Signal timing used in capacity or progression analysis shall use the same cycle length as is currently in use at the intersection, unless specifically noted otherwise, and shall not exceed 136 seconds. Signal timing shall provide adequate available green time (according to Marion County standards) for pedestrian crossing in all directions, and shall provide a minimum of 15 seconds of available green time for protected left turn phases, and a minimum of 10 seconds of available green time for protected/permissive left turn phases. Current yellow and all-red time shall not be decreased.

D) Saturation flow rates greater than 1800 passenger cars per hour per lane shall not be used unless specifically measured at that location.

E) Peak Hour Factors greater than 0.85 shall not be used unless justified by specific counts at that location.

F) Arrival Type 3 (random arrivals) shall be used in signalized intersection analysis unless specific measurements at that intersection indicate otherwise.

G) Signal Progression shall be analyzed in all cases where either a new signal or a change in signal timing is proposed on a roadway with more than two traffic signals (including the new signal, if appropriate) in the space of one mile. A minimum greenband width equal to 40 percent of the cycle length shall be maintained on all arterials, at a progression speed within five miles per hour of the posted speed limit.

H) Any proposed signal timing shall provide adequate green time for pedestrians to cross all legs in all directions, at a speed of 4 feet per second, plus a six-second cushion.

I) All calculations and analysis results should be reasonable, understandable, consistent, and fully explained. Calculations, graphs, tables, data, and/or analysis results that are contrary to good common sense will not be accepted, and may lead to the TIA being returned to the applicant's representative for correction.

J) The conclusions presented in the TIA shall be consistent with and supported by the data, calculations, and analysis in the report. Inconsistent and/or unsupported conclusions will not be accepted, and may lead to the TIA being returned to the applicant's representative for correction.

K) Provide two copies of the Transportation Impact Analysis report for County Staff to review. If any portion of the study area falls within another jurisdiction (such as a state highway or a city), consult that jurisdiction to determine the number of additional copies that they will need for their review.

L) The attached checklist will be used by County staff to determine if a TIA contains sufficient information to be reviewed. Incomplete and/or unacceptable TIAs will be returned to the applicant's representative for completion and/or correction. Acceptance for review does not certify adequacy and is in no way an approval. Additional information may be required after acceptance of the TIA for review.

M) Cooperation between the applicant, the applicant's traffic engineer, and County staff is strongly encouraged throughout the TIA process. The applicant or applicant's traffic engineer should not hesitate to contact County staff if any uncertainties should arise.

CHAPTER 165

I - INDUSTRIAL ZONE

Adopted 07/28/04

Section Title

165.010 Purpose

165.020 Permitted Uses

165.030 Uses Permitted Subject to Pollution Control Authority

165.040 Conditional Uses

165.050 Approval Standards for Conditional Uses

165.060 Scale of Industrial Uses

165.070 Prohibited and Lawfully Established Existing Uses

165.080 Property Development Standards

165.090 Landscaping

165.010 PURPOSE. The purpose of the I (Industrial) zone is to implement the Rural Development policies of the Comprehensive Plan and recognize existing industrial uses in rural and natural resource areas of the county. This zone is applied to land committed to, or intended for, industrial uses outside Urban Unincorporated Communities, Rural Communities, and Rural Service Centers, as those terms are defined in the Comprehensive Plan and Oregon Administrative Rules. The purpose and intent of the industrial zone is to provide for the location, in rural areas, of needed industrial uses which are not dependent upon urban services. The I zone encourages orderly and compatible development of industrial uses, including agricultural related industry, on rural lands. These lands are suited for industrial use due to marginal agricultural soils, adverse circumstances such as shape, proximity to railroad or transmission line corridors or proximity to markets or resources. The Industrial zone may be appropriate in rural areas designated in the Marion County Comprehensive Plan as Industrial or in locations which meet the intent of the zone.

The uses within the I zone are functionally classified by description of the particular activity or by reference to a category in the "Standard Industrial Classification Manual, (SIC)." The SIC index number is referenced as an aid to interpretation of uses. Where the term used to describe a use is defined in Chapter 110, the definition takes precedence over any SIC classification.

165.020 PERMITTED USES. Within any I zone no building, structure, or premises shall be used, or arranged, except as permitted by this ordinance. Only the following uses may be permitted at a scale appropriate to serve the rural area, subject to section 165.060:

(A) Agricultural Services and Forestry (SIC 07 and 08);

(B) Contracting and service facilities (SIC 15, 16, 17);

- (C) Tobacco processing (SIC 21);
 - (D) Textile products manufacture (SIC 22);
 - (E) Textiles and apparel manufacture and fabrication of textile products (SIC 23);
 - (F) Printing, publishing and allied industries (SIC 27);
 - (G) Rubber and allied products manufacturing (SIC 30);
 - (H) Cement, clay, glass and stone products manufacturing facilities (SIC 32, except 323 glass products made of purchased glass);
 - (I) Metal fabricated products manufacturing facilities (SIC 34, except SIC 347 coating and engraving and except SIC 348 ordinance and ammunition manufacturing);
 - (J) Appliances, office and electrical product equipment manufacturing (SIC 36);
 - (K) Woodworking machinery, including sawmill equipment (SIC 3553);
 - (L) Coal and wood fuel dealers (SIC 5989);
 - (M) Transportation equipment, manufacture and repair (SIC 37, except 3743 railroad equipment, see 165.040(E));
 - (N) Professional, scientific and controlling equipment manufacturing (SIC 38);
 - (O) Wholesales firms (SIC 50 and 51);
 - (P) Other uses:
 - (1) Metal working equipment and machinery manufacturing wholly within a building;
 - (2) Warehouses (SIC 42 except 4225);
 - (3) Utilities-primary equipment and storage yard;
 - (4) Auction house or market;
 - (5) Heavy construction equipment rental and leasing (SIC 7353);
 - (6) Textiles and apparel-other facilities:
 - (a) Cleaning and dyeing plants;
 - (b) Laundry plant;
 - (c) Storage of fur and clothing;
 - (Q) Wireless communication facilities attached, subject to section 125.110;
-

(R) Utility facilities necessary for public service;

(S) Caretaker dwelling;

(T) Fire station;

(U) New industrial uses, sited on an abandoned or diminished mill site, which means a mill, plant or other facility engaged in the processing or manufacturing of wood products, including sawmills and facilities for the production of plywood, veneer, hardboard, panel products, pulp and paper, that: (a) was closed after January 1, 1980 or was operating at less than 25 percent capacity since January 1, 2003; and (b) contains or contained permanent buildings used in the production or manufacturing of wood products;

(V) Uses legally established and existing on the date of adoption of this ordinance. Such uses are permitted pursuant to this section only on the lot(s) or parcel(s) where they existed on the date of adoption of this ordinance, subject to 165.070.

165.030 USES PERMITTED SUBJECT TO POLLUTION AUTHORITY APPROVAL. Upon the issuance of all required permits by the Oregon Department of Environmental Quality the following additional uses shall be permitted in an I zone, subject to section 165.060:

(A) Food, grain, feed and derivative products processing (SIC 20);

(B) Lumber and Wood Products (SIC 24);

(C) Furniture and plumbing fixtures manufacturing (SIC 25);

(D) Wood and lumber products processing, manufacturing and storage facilities (SIC 261);

(E) Fabrication of paperboard containers and boxes (SIC 265);

(F) Manufacturing of chemical and allied products (SIC 28);

(G) Petroleum products and gasoline storage only, provided all storage is underground.

165.040 CONDITIONAL USES. When authorized under the procedure provided for conditional uses in this ordinance, the following uses will be permitted in an I zone, subject to section 165.060:

(A) Mining, pits and quarries facilities (SIC 14);

(B) Petroleum, petroleum products, by-products manufacturing and storage facilities (SIC 29);

(C) Metals, primary, manufacturing facilities (SIC 33);

(D) Machinery manufacturing facilities (SIC 35);

(E) Railroad equipment manufacturing (SIC 3743);

(F) Automobile Wreckers (SIC 5093);

(G) Welding shop (SIC 7692);

- (H) Blacksmith (SIC 7699);
- (I) Public power generation;
- (J) Solid Waste Disposal Sites (see Specific Conditional Uses, Section 120.310-120.380);
- (K) Sand and Gravel Resource Sites (see Specific Conditional Uses, Section 120.410-120.480);
- (L) Heliport;
- (M) Wireless communication facilities (see Specific Conditional Uses, Section 120.080);
- (N) Recreational vehicle, mobile home and boat repair and manufacturing;
- (O) Kennels, boarding and raising of animals;
- (P) Public power generation facilities;
- (Q) Mineral and aggregate resource operations;
- (R) Training facilities in conjunction with industrial activities;
- (S) Manufacturing, processing, trucking, wholesale distribution, and storage uses not listed in section 165.020 or 165.030 and not exceeding 35,000 square feet of floor (SIC 20 through 39 and 42).

165.050 APPROVAL STANDARDS FOR CONDITIONAL USES. Conditional use requests in the I zone are subject to the following criteria:

- (A) The use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use;
- (B) The proposed use will not, by itself or in combination with existing uses, result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations;
- (C) The proposed use will not, by itself or in combination with existing uses, exceed the carrying capacity of the soil or of existing water supply resources and sewer services;
- (D) The traffic generated by the proposed use is consistent with the identified function, capacity, and level of service of transportation facilities serving the use; or improvements are imposed that maintain the existing level of service;
- (E) The proposed use will not create significant adverse effects on existing uses or permitted uses on adjacent land, considering such factors as noise, dust and odors; and,
- (F) The proposed use shall not have industrial or manufacturing processes that require water or discharges of wastewater except upon demonstration that the use has an on-site sewage disposal site approved by Marion County or the Oregon Department of Environmental Quality.

165.060 SCALE OF INDUSTRIAL USES.

(A) New permitted and conditional uses may be established up to a maximum of 35,000 square feet of floor area.

(B) Lawfully established uses existing as of the date of adoption of this ordinance may be expanded up to 35,000 square feet of floor area, or an additional 25% of the floor area that existed as of the date of adoption of this ordinance, whichever is greater.

(C) The following uses are not subject to the size limitations established in (A) and (B):

(1) Industrial uses involved in the primary processing of raw materials produced in rural areas are not subject to size limitations;

(2) Uses described in section 165.020(U) of this Chapter;

(3) Public uses.

(D) Except as established in (B) and (C), for a use to exceed the square foot limitations requires taking an exception to Goal 14. Such exception shall be processed as an amendment to the Marion County Comprehensive Plan.

165.070 PROHIBITED AND LAWFULLY ESTABLISHED EXISTING USES.

(A) Uses of structures and land not specifically permitted in the Industrial zone.

(B) New residential dwellings except when accessory to a primary use. However, a dwelling which legally existed at the time of adoption of this Ordinance shall not be a nonconforming use, and may be may be remodel, expanded, or replaced.

(C) Lawfully established industrial uses that existed prior to zoning or established through the applicable land use process on or before the date of this ordinance, not otherwise listed in the zone, are allowed outright and shall not be classified as non-conforming uses.

(D) All other lawfully established, existing uses and structures not specifically permitted in the I zone shall be considered nonconforming uses subject to the provisions of Chapter 114.

165.080 PROPERTY DEVELOPMENT STANDARDS.

(A) Height. The maximum height of any structure shall be 35 feet.

(B) Setbacks.

(1) Front Yard - No structure other than a fence, wall, or sign shall be located closer than 20 feet from a public right-of-way. When by ordinance a greater setback or a front yard of greater depth is required than specified in this section, then such greater setback line or front yard depth shall apply (see Section 113).

(2) Side and rear yard - No side or rear yard setback is required where abutting property is zoned for commercial or industrial use. Where not abutting a commercial or industrial zone, structures other than fences, walls, and signs shall be set back a minimum of 10 feet.

(3) Parking - Parking spaces may abut a public right-of-way and side and rear property lines adjacent to commercial, industrial, or public zones, subject to the landscaping requirements in
