VOLUME V
CITY COUNCIL PROCEEDINGS (March – September 2005)

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VOLUME V CITY COUNCIL PROCEEDINGS (March – September 2005)

1. **March 28, 2005 Staff Report to City Council**

Exhibit "A"	City of Woodburn 2005 Comprehensive Plan Update (Documents were already provided under the February 3 Planning Commission Meeting in Volume IV.)
Exhibit "B"	Written Testimony and Comments received after close of Planning Commission record on 2/10/05 and before distribution and Staff Report on 3/25/05
B-62	Craig Robinson, received 2/22/05
B-63	Darlene Mahan, Received 2/22/05
B-64	Kim Ashland, received 2/24/05
B-65	Martin Rohrer, received 3/3/05
B-66	Serres Family, received 3/8/05
B-67	Keith Woollen, received 3/14/05
B-68	Department of Land Conservation and Development, received 3/18/05
B-69	Marion County, received 3/21/05
B-70	Richard Edmonds, received 3/22/05
B-71	Kim Ashland, received 3/23/05
B-72	Mark Unger, received 3/23/05
B-73	Rebecca Jordan, Received 3/23/05
B-74	Les Schwab Tires, Received 3/23/05
B-75	Shucks Auto Parts, received 3/23/05
B-76	Bert Jones, received 3/23/05
B-77	Serres Family, received 3/23/05
B-78	Charles Piper, received 3/24/05
B-79	Fins & Feathers Pet Shop, received 3/24/05
B-80	Mark Unger, received 3/24/05
B82	Bert Gottsacker, received 3/24/05
Attachment A	Planning Commission Final Order dated 3/10/05
Attachment B	Staff Memo to Planning Commission dated 2/24/05
Attachment C	Planning Commission Minutes of 2/24/05
Attachment D	Planning Commission Staff Report dated 2/3/05
Attachment E	Planning Commission Minutes of 2/3/05

2. **Winterbrook Memorandum, re: <u>Soil Types by Study Area</u>, April 14, 2004**

3. **April 25, 2005 Staff Report to City Council**

4. **Council Meeting Minutes, April 25, 2005**

5. **Memorandum from David Torgeson, re: <u>Response to Serres Letter dated March 23, 2005</u>, April 15, 2005**

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6. **Winterbrook Memorandum, re: <u>Response to Written Comments to Woodburn City Council</u>, May 2005**

7. **Staff Report to City Council, June 13, 2005 (including Community Development Director Report)**

Exhibit "A" **Draft City of Woodburn 2005 Comprehensive Plan Update (Documents were already provided under the February 3 Planning Commission Meeting in Volume IV.)**

Exhibit "B" **Written testimony and comments received after Planning Commission written testimony deadline on 2/10/05 and before City Council written testimony deadline on 4/20/05:**

B-62: Craig Robinson, received 2/22/05
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B-80: Mark Unger, received 3/24/05
B-81: Mark Unger, received 3/24/05
B-82: Bert Gottsacker, received 3/24/05
B-83: PCUN, received 3/25/05
B-84: Estelle Watson, received 3/28/05
B-85: Michael Sowa, received 3/25/05
B-86: Terry Priser, received 3/25/05
B-87: Robert and Nadine Eckhardt, received 3/28/05
B-88: Kevin Mayne (Sharabarin), received 3/28/05
B-89: Farmworker Housing Dev. Corp., received 3/28.05
B-90: Carla Mikkleson, received 3/28/05
B-91: Lolita Carl, received 3/28/05
B-92: Toni Spencer, received 3/28/05
B-93: Brian Moore, received 3/28/05
B-94: Amanda Dalton, received 3/28/05
B-95: Martin Rohrer, received 3/28/05
B-96: 1000 Friends of Oregon, received 3/31/05
B-97: Kay Peterson, received 4/4/05

B-98: Kay McEwen, received 4/18/05
B-99: Woodburn School District, received 4/19/05
B-100: Kevin Mayne (Krivoshein), received 4/19/05
B-101: Serres Family, received 4/19/05
B-102: Winco Foods, received 4/19/05
B-103: Oregon Dept. of Agriculture, received 4/19/05
B-104: Kevin Mayne (Krivoshein), received 4/20/05
B-105: Kathleen Carl, received 4/20/05
B-106: Renaissance Development, received 4/20/05
B:107: OPUS Northwest, received 4/20/05
B-108: Brian Moore, received 4/20/05
B-109: 1000 Friends of Oregon, received 4/20/05
B-110: Bob Lindsey, received 4/20/05
B-111: Oregon Transportation Commission, received 4/20/05
B-112: Kevin Mayne (Sharabarin), received 4/20/05
B-113: Willamette Valley Realtors Government Affairs Committee, received 4/20/05
Attachment A City Council Minutes of 3/28/05
Attachment B Winterbrook's Responses to Comments
Attachment C Draft Response letter to DLCD
Attachment D Draft Response letter to Marion County
Attachment E Public Works Dept. Response to Serres Family Comments
Attachment F Recommended Revisions to Proposed Amendment Package (Exhibit "A") including revisions to the:
Attachment F-1 Comprehensive Plan Goals and Policies
Attachment F-2 Woodburn Development Ordinance
Attachment F-3 Public Facilities Plan
Attachment G Recommended Map Revisions, June 14, 2005
Attachment H Draft Urban Growth Boundary Coordination Agreement
Attachment I Citizen Involvement Report

8. **City Attorney Memorandum to City Council, re: <u>Reopening Record for Submission of Written Materials</u>, June 13, 2005**

9. **Notice of Opportunity to Submit Additional Written Testimony, June 14, 2005**

10. **Staff Report, July 25, 2005**

Correspondence Received After April 20, 2005 Written Testimony Deadline and Before 6/13/05 City Council Meeting:

Attachment A-1	Daniel Orsborn
Attachment A-2	Serres Family
Attachment A-3	Richard Stein
Attachment A-4	Roger Alfred
Attachment A-5	Richard Stein
Attachment A-6	Roger Alfred
Attachment B	Written Testimony and Correspondence Received After 6/13/05 City Council Meeting and Before 6/27/05 Additional Testimony Deadline:

Attachment B-1	Roger Alfred
Attachment B-2	Brian Moore
Attachment B-3	Serres Family
Attachment B-4	Dan Blem
Attachment B-5	Richard Warnick
Attachment B-6	Keith Woollen
Attachment B-7	Mark Castor

11. Legal Opinion No. 2005-01

12. Letter to Marion County Planning from Community Development Director, June 15, 2005

13. Letter to DLCD from Community Development Director, June 15, 2005

14. August 18, 2005 article from DJC - "Ridgefield growth continues with 330-acre mixed-use project"

15. Items provided to City Council for September 19, 2005 Special Meeting

a. Technical Report 1, Buildable Lands Inventory Inside the Proposed Woodburn Urban Growth Boundary (Winterbrook Planning, Revised July 2005
b. Technical Report 2, Woodburn Residential Land Needs Analysis, Winterbrook Planning, Revised May 2005
c. Woodburn UGB Justification Report (Statewide Planning Goal Findings Draft Subject to City Attorney and Council Review), Revised September 2005
d. City of Woodburn 2005 Public Facilities Plan, Revised September 7, 2005
e. Proposed WDO Amendments, November 2004 (Documents were already provided under the February 3 Planning Commission Meeting in Volume IV.)
f. Urban Growth Boundary Coordination Agreement (Approved by City Council and Marion County Board of Commissioners, October 2005)

16. Winterbrook Memorandum, re: Legislative Amendment 05-01 (Woodburn 2005 Comprehensive Plan Update, September 8, 2005

17. Winterbrook Memorandum, re: OHCS Housing Needs Model Update, September 19, 2005

Item 1

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WOODBURN
OREGON
Incorporated 1889

Agenda Item

March 28, 2005

TO: Honorable Mayor and City Council through City Administrator

FROM: Jim Mulder, Director of Community Development

SUBJECT: **Legislative Amendment 05-01; Woodburn 2005 Comprehensive Plan Update**

RECOMMENDATION:

It is recommended that the City Council receive public testimony pertaining to Legislative Amendment 05-01, leave the record open until April 4, 2005 to accept additional written testimony, and continue deliberation on this matter to April 25, 2005.

BACKGROUND:

This is a proposal initiated by the Woodburn City Council to amend the Woodburn Urban Growth Boundary, Woodburn Comprehensive Plan text and map, Woodburn Development Ordinance, and Woodburn zoning map. These amendments, in part, are proposed to complete the City's Periodic Review Work Program.

The City of Woodburn is currently in state mandated periodic review of its comprehensive plan (Land Conservation and Development Commission Work Order #00784). Under this review, the City is required to complete 11 work tasks. These work tasks are outlined as follows:

- Task 1.a Buildable Land Inventory
- Task 1.b Prepare Growth Management Ordinance
- Task 2 Commercial and Industrial Lands Inventory
- Task 3.a Update Public Facilities Plan
- Task 3.b Revise Transportation System Plan (TSP)
- Task 4 Wetlands Inventory and Natural Resources Study
- Task 5 Recreation, Parks and Open Spaces Plan
- Task 6 Historic District and Downtown Plan
- Task 7 Changes in Goal/Objective, Unanticipated Events

Agenda Item Review: City Administrator _____ City Attorney _____ Finance _____

- Task 8 Update Plan and Zoning Ordinance, Other Related Ordinances
- Task 9 Planning Coordination
- Task 10 Citizen Involvement
- Task 11 Collating/Printing/Mapping

Work Tasks #5 (Recreation, Parks and Open Spaces Plan) and 6# (Historic District and Downtown Plan) have already been completed and acknowledged by the Oregon Land Conservation and Development Commission (LCDC). All remaining tasks have been completed, except for Tasks 9, 10, and 11. Work Task 9 is currently in process with the city coordinating a new urban growth boundary management agreement with Marion County. It is anticipated a new agreement will be approved by the City Council when it adopts the proposed amendments. Work Task 10 is currently in process and will be completed by submitting a citizen involvement report to LCDC after the City Council adopts the proposed amendments. Work Task 11 will be satisfied when the City Council adopts the ordinance approving the proposed amendments.

Completion of the periodic review work program requires the City to revise the Woodburn Comprehensive Plan text and map, Woodburn Development Ordinance, and Woodburn zoning map. In addition, to comply with state statutes mandating the city provide a 20-year buildable land supply, the urban growth boundary (UGB) is proposed to be expanded.

Extensive public involvement has occurred throughout the periodic review process that began in 1997. Most recently, four work sessions with the Planning Commission to review the proposed amendments and three work sessions with the City Council and Planning Commission to review the draft Transportation System Plan Update were completed. Notice of public hearings (pursuant to Measure 56 requirements) regarding the proposed amendments before the Planning Commission on February 3, 2005 and the City Council on March 28, 2005 were mailed to all property owners within the current UGB and the study area for proposed UGB expansion. As required by the Woodburn Development Ordinance, the City Council initiated this legislative land use amendment by resolution on January 10, 2005.

The Planning Commission considered the proposed amendments at a public hearing on February 3, 2005. The Commission received oral and written testimony at the hearing and left the record open until February 10, 2005 to receive additional written testimony. After considering all testimony received, the Commission deliberated on the proposed amendments on February 24,

2005, and directed staff to prepare a final order recommending the City Council approve the proposed amendments. On March 10, 2005, the Commission approved its final order recommending the City Council approve the proposed amendments with two modifications.

First, the Commission found that the Woodburn School District's site east of Highway 99E should be included within the amended UGB. This 19-acre site meets an immediate need for the rapidly growing student population, is adjacent to the UGB and has adequate urban services. The Commission directed staff to justify inclusion of the District's 19-acre site under one of two scenarios: (a) work with the District to provide evidence of a special need that cannot be met on land within the existing or proposed UGB; or (b) if such justification cannot be reasonably provided, identify and remove residential land from another UGB expansion area, as required by state law.

Second, the Commission received considerable testimony in opposition to changing the zoning on properties generally bounded by Second and Fourth Streets and Oak and West Lincoln Streets. Many of the affected properties are currently zoned RS or RM. This area is currently designated as Commercial on the Comprehensive Plan Map and has been thus designated since about 1980. The City staff proposal was to change the RS and RM zoning to be consistent with the Comprehensive Plan Commercial designation but to apply to most restrictive commercial zone, which is CO (Commercial Office). However, because of the significant amount of testimony in opposition to the proposed zone changes to CO and because the City Council has established a goal to update the Downtown Development Plan in the near future, the Commission recommends no change of zoning of properties to CO in the downtown area.

DISCUSSION:

When the proposed amendments are adopted by the City Council and acknowledged by LCDC, the City will have completed its periodic review work program. The proposed amendments, maps, and supporting documents are compiled in a document called the City of Woodburn 2005 Comprehensive Plan Update (Exhibit "A"). In addition, the Planning Commission's Final Order contains findings of fact that demonstrate compliance with the below referenced approval criteria. A summary of the proposed amendments is provided as follows:

Comprehensive Plan Text Amendments

The Comprehensive Plan text is generally reorganized and updated. Significant new and amended goals and policies are proposed as follows:

- Residential Land Use and Housing goals and policies are amended to provide for a Nodal Development Overlay District.

- Industrial Development goals and policies are amended to incorporate recommendations of the 2002 Economic Opportunities Analysis and Development Strategy and to create a Southwest Industrial Reserve Overlay District.

- Marion County Economic Coordination goals and policies are added to provide for coordination with the Marion County Growth Management Framework Plan.

- Commercial Lands goals and policies are amended to encourage infill and redevelopment and to create a Nodal Neighborhood Commercial District.

- Transportation goals and policies are amended to be consistent with the updated Transportation Systems Plan and to create an Interchange Management Area Overlay District.

- Public Facilities goals and policies are added to consolidate and coordinate the water, wastewater, storm water, and transportation plans.

- Natural and Cultural Resources goals and policies are amended to create a Riparian Corridor and Wetland Overlay District.

Woodburn Development Ordinance Amendments

The Woodburn Development Ordinance is amended to implement goals and policies of the Comprehensive Plan. Significant new and amended regulations are proposed as follows:

- Six new overlay districts are created. These are the Nodal Single Family Residential (RSN), Nodal Multi-Family Residential (RMN), Nodal Neighborhood Commercial (NNC), Riparian Corridor and Wetlands Overlay (RCW), Southwest Industrial Reserve Overlay (SWIR), and

Interchange Management Area Overlay (IMA). The regulations of these proposed overlay districts are summarized as follows:

- The RCW will generally restrict development within 50 feet of designated creeks and watercourses.
- The SWIR will require master planning of the district to provide for minimum lot sizes for targeted types of industries.
- The RSN and RMN will allow for higher densities and smaller lot sizes.
- The NNC will be restricted to neighborhood commercial uses and will require provision of public space.
- The IMA will restrict development based on vehicle trip generation based on proposed development.

- Minimum density standards are established in the Single Family Residential District (RS), Retirement Single Family Residential District (R1S), and the Medium Density Residential District (RM).
- Street improvement cross-sectional standards are generally reduced.

Woodburn Comprehensive Plan Map Amendments

The Comprehensive Plan Map is amended to apply land use designations to areas proposed to be added to the City's UGB, to apply proposed overlay districts to areas within the current UGB, and to change land use designations within the current UGB to maximize efficient use of land and provide more appropriate land use designations considering surrounding land use and future development potential. Proposed changes will affect many properties in the proposed UGB and within the existing City limits.

Woodburn Zoning Map Amendments

The Zoning Map is amended to apply the Nodal Single Family Residential (RSN) and Nodal Multi-Family Residential (RMN) overlay districts to existing RS and RM zoned properties south of the southerly extension of Evergreen Road. The Southwest Industrial Reserve Overlay (SWIR) is applied to the southerly portion of the Winco Distribution Center property. The Interchange Management Area Overlay (IMA) is applied to commercial and industrial zoned property

around the freeway interchange and to undeveloped residential zoned property south of the southerly extension of Evergreen Road. In addition, zone changes are proposed to many properties within the existing City limits to maximize efficient use of land and provide more appropriate zoning considering existing comprehensive plan designation, surrounding land use and future development potential.

Woodburn Urban Growth Boundary Amendment

Based on the results of the City's periodic review, the City proposes to expand the UGB to provide a 20-year buildable land supply and provide for 20-year projected economic growth. The City proposes to expand the UGB primarily to the west and southwest of the existing UGB and to the north of the existing UGB on either side of Boones Ferry Road. Smaller UGB expansions are proposed along Highway 99E at the north and south ends of the existing UGB.

The following criteria apply to review of the proposed amendments:

1. City of Woodburn Comprehensive Plan - Chapter IX. Goals and Policies
2. Woodburn Development Ordinance Section 4.1
3. Oregon Revised Statutes, Chapters 197 and 227
4. Statewide Planning Goals 1 through 14

Staff recommends that the City Council receive public testimony pertaining to Legislative Amendment 05-01, leave the record open until April 4, 2005 to accept additional written testimony, and continue deliberation on this matter to April 25, 2005. This should provide staff and the City's planning consultant sufficient time to prepare responses to public testimony and comments received for Council consideration.

FINANCIAL IMPACT:

The proposed amendments, if adopted by the City Council, are anticipated to have a significant positive financial effect on the City. The proposed amendments include addition of approximately 430 acres of industrial land that, when developed, is expected to result in a significant increase in tax revenue received by the City. In addition, the proposed amendments include the creation of a nodal overlay in the southwest portion of the City that will result in higher residential densities and more efficient use of land than presently found in

Woodburn. Higher residential densities generally have a lower per dwelling unit cost of providing public services as compared to lower residential densities.

In addition to direct positive impacts to City finances, the proposed amendments are expected to increase the economic prosperity of the community. The proposed amendments are intended to attract industries that are expected to provide family wage jobs ($35,000 a year or more) that will provide the opportunity for Woodburn residents to raise their income levels. Typically, along with rising income levels come other positive effects to a community such as increased home ownership, improved business and economic climate, lower crime rates, greater community involvement, and a greater ability of the City to provide public services and facilities to its citizens.

Attachments:

Exhibit "A" City of Woodburn 2005 Comprehensive Plan Update (provided to Council under separate cover)

Exhibit "B" Written Testimony and Comments Received After Close of Planning Commission Record on 2/10/05 and Before Distribution of Staff Report on 3/25/05:

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WOODBURN COMPREHENSIVE PLAN – VOLUME I (2004)

PROPOSED GOAL AND POLICY AMENDMENTS

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CITY OF WOODBURN

COMPREHENSIVE PLAN

Volume I Goals and Policies

(2004 Amendment Package)

Prepared by:
The City of Woodburn Planning Department
with Assistance from Winterbrook Planning

Originally Adopted on December 1978

Amended:
March 1981, February 1989, March 1996, April 1997 (Transportation Goals Policy), August 1997 (Downtown Design Conservation District), October 1999 (Annexation and Parks Goals and Policies), July 2003

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Reviewer Notes:

1. Winterbrook Planning has reorganized existing goals and policies from the 1999 Comprehensive Plan as indicated in the Table of Contents above. Most of this text remains unchanged.
2. Recommended deletions are ~~crossed through~~.
3. Recommended new text is presented in *italic*.
4. Existing and proposed goals are shown in **bold.**

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Introduction

How to Use This Plan

The Woodburn Comprehensive Plan is the controlling land use document for the City and its Urban Growth Boundary (UGB). From a land use perspective, the comprehensive plan is like a state or federal constitution: it provides the legal framework and long-term vision for implementing plans and land use regulations. The Woodburn Comprehensive Plan has been found by the Land Conservation & Development Commission (LCDC) to comply with the 14 applicable "Statewide Planning Goals," which are, in effect, state planning requirements that must be met by each city and county in Oregon.

The Woodburn Comprehensive Plan includes two volumes: Volume I includes goals and policies that provide specific direction in making "quasi-judicial" land use decisions; i.e., decisions that require judgment in the application of general policies to specific situations, such as zone changes, annexations, conditional use permits and major variances. Goals set a general direction and are not intended to be decision criteria. Policies that are written in mandatory language (e.g., "shall," "must," "will") are mandatory in character: they must be followed when Woodburn makes a "quasi-judicial" land use decision. In cases where mandatory policies conflict, the City Council may balance these policies in making a decision. Policies that are written in permissive language (e.g., "should," "may," "encourage") indicate the preferred direction of the City, but are not binding on the Council.

Volume I also includes the comprehensive plan map, which indicates on a parcel-specific basis, what land uses will be allowed in the long-term. Where Volume I plan policies conflict with the comprehensive plan map, the specific text of these policies shall control.

Legislative land use decisions (e.g., changes in the text of Volume I or to the comprehensive plan map that apply generally to the City, and not to a specific property or small group of properties) adopted by the City Council must also conform with Volume I goals, policies and maps; or affected goals, policies and maps must be amended by the City Council to be consistent with the Statewide Planning Goals.

Volume II of the Woodburn Comprehensive Plan includes background information that served as the basis for Volume I goals and policies. For example, the basis for Woodburn's population and employment projections, the land needs analysis, maps of environmentally-significant stream corridors and the justification for the Woodburn UGB is included in Volume II. Thus, Volume II forms a part the "legislative history" that supports the goals, policies and plan map.

Planning History

This Plan *first* was developed during the period from December 1976 through March 1981. It was revised through the Periodic Review process in 1988-1989 and was amended again in 1996. It is intended to guide the development and redevelopment of Woodburn for the next 20 years – *until approximately the Year 2025*. Hopefully, through following the Plan the City will maintain and enhance the present quality of life enjoyed by the approximately ~~16~~*,20,*000 people who call Woodburn their home. The Plan is also intended to comply with the requirements of state law, the Land Conservation and Development Commission Goals and *Administrative Rules* ~~Guidelines~~. *The Plan has been coordinated with the Goals and Guidelines expressed in the Marion County Growth Management Framework Plan, adopted in 2003. Volume II of* the Plan is also intended as an informational and data source to persons unfamiliar with Woodburn or who wish to find out more about the City, and to act as an educational document for City Council members, Planning Commission members, staff and other interested parties.

~~The Plan was developed through a series of public workshops. The first workshops were held in December of 1976 where past patterns of City growth were examined and various alternatives for future growth were also considered. Out of these three public workshops, the 1977 "Sketch Plan" was developed. This was to be the general guideline for the consultants which would be working on various aspects of the City's Plan. Over the next 18 months several consultants were hired to develop the more technical aspects of the Comprehensive Plan. Each of the consultants held workshops with the Planning Commission and general public to obtain input during the development of the elements and also after the elements were finished. After the various elements of the Plan were completed, the Planning Commission reexamined the viability of the Sketch Plan. Several changes were deemed necessary due to the new data which had been gathered by the consultants during the planning period. After three public workshops by the City Council. However, additional time was taken to obtain approval from various Local, Regional, and State agencies prior to acknowledgment of compliance from the Land Conservation and Development Commission in March 1981.~~

The plan was extensively amended during the Periodic Review process, which extended from 1992 through 2004, and culminated in the Woodburn 2025 Comprehensive Plan. The primary focus of the periodic review process was economic development and the Council's determination to provide a sufficient industrial land base to provide for family-wage jobs and a sound fiscal basis for the community. As part of this process, the City undertook an Economic Opportunities Analysis, which identified Woodburn's comparative advantages, targeted industries that would likely be attracted to the Woodburn area, and recommended expansion of the UGB to provide suitable industrial sites near Interstate 5 to meet the needs of targeted industrial firms.

Other important objectives of the 2004 amendment package include:

- *Completion of the City's Periodic Review process;*
- *Coordination with Marion County's Framework Plan;*
- *Providing adequate transportation connections;*
- *Providing an adequate buildable lands for a range of housing types and densities;*
- *Increasing land use efficiency within the UGB to minimize impacts on agricultural land; and*
- *Protecting Woodburn's stream corridors and wetlands.*

Natural Setting

Woodburn is a town of approximately ~~16~~20,000 persons located midway between Portland and Salem in Oregon's Willamette Valley. Woodburn is 17 miles north of Salem and is 30 miles south of Portland. Its location is central with respect to transportation corridors running north and south in the Mid Willamette Valley. Interstate 5, the major north-south freeway through Oregon, runs through Woodburn's City limits on the west side of the City. Highway 99E, a secondary major north-south transportation route, runs through the east end of Woodburn. State Highway 214, a primary state road, runs east and west bisecting the town. In addition, there are two railroad tracks that run either through, or in close proximity to it; Southern Pacific Railroad which runs through the center of town and around which Woodburn was originally built, and the Burlington Northern Railroad which runs north and south just west of the present City limits. Due to the location of these major transportation routes, Woodburn has extremely good location with respect to commerce.

The physical setting of the City is on an extremely flat area of the Willamette Valley. The highest point in Woodburn is approximately 187 feet above sea level, located in west Woodburn. The lowest point in the present City limits is approximately 148 feet above sea level, located on the point where Mill Creek drainage channel leaves the City limits. While this gives a relief in the City of 40 feet, most of the area is still extremely flat; averaging about 177 to 182 feet above sea level. This flat plain is divided by two drainage systems; Mill Creek which runs through the center of town, and Senecal Creek which runs through the western city limits. Other than the two drainage channels there are no physical formations of any significance in Woodburn.

The climate of Woodburn is typified by mild, wet winters and warm, dry summers. The daily maximum and minimum mean temperature is 45° F and 32° F in January and 82° F and 51° Fin July. Precipitation varies from an average of 6.9 inches January to .03 inches in July. Another indication of the marked difference in precipitation rates between seasons is the number of days with a cloud cover. January averages 24 cloudy and 4 partly cloudy days as compared to 7 cloudy days and 9 partly cloudy days for the month of July. Winds are generally from the south for 10 months of the year except for July and August when

northerly winds are the rule. Wind velocities range between 6.2 and 8.7 miles per hour.

The soils which have developed in this climate are of two associations, Amity silt loam and Woodburn silt loam. Both of these formations are found throughout the City in all areas except drainage channels. These soils are capability unit Class 11 established by the Soil Conservation Service. The drainage channels contain several different types of associations, most commonly Bashaw clay, Dayton silt loam and Concord silt loam. These soils are extremely wet and boggy and are generally Class III and Class IV soils ~~(See Appendix A)~~.

Because of the flatness of the terrain around Woodburn and also because of the basically stable physical environment there are very few limiting factors relating to urban development. The only two of any significance are floodplain areas which occur around the Mill Creek drainage area and unstable soils. Fortunately, for the most part these unstable soils occur in the floodplain areas. They are mostly of the clay type soils which occur in the low drainage areas and insufficient to provide foundations for normal structures.

Woodburn's Historical Context

Prior to *human settlement,* ~~the arrival of man,~~ the site upon which Woodburn is located would have appeared quite different from today. Several areas in the immediate vicinity of Woodburn, most notably the Senior Estates areas, would have been swampy, boggy lands typified by water tolerant species and created a bountiful habitat for water foul and other species associated with marshes. The main break to this landscape would have been the river canyon areas of Senecal Creek and Mill Creek. This area was generally an active floodplain and was seasonally flooded. The channels at that time were probably very ill-defined, very similar to Senecal Creek today. Vegetation would have been dense, typically there was a thick, shrubby growth in the floodplain areas dominated by water tolerant deciduous trees and an occasional fir tree. However, the composition of vegetation quickly changes as soon as the rise in elevation would allow drainage of the soggy soil. On the slopes of the stream gullies and extending out into the flat areas, one would have found thick growth of firs and oaks, occasionally broken by large grassy plains with scattered oak trees. This change is evident today in the undeveloped areas of Senecal Creek drainage which flows through west Woodburn.

Native Americans ~~After arrival of Indians in the area the open grasslands would have increased in expanse. It is commonly believed that the~~ Indians set annual fires to increase the supply of foods which they gathered from the grassland habitat, *and in so doing increased the area of open grasslands.* When Europeans arrived in the Willamette Valley in 1805 to 1830, they encountered numerous small bands of Native Americans which collectively became known as the Calapooians. This *Native American tribe* inhabited the French Prairie region.

There are no known ~~Indian~~ villages or campsites along the Pudding River drainage in the Woodburn area. However, as this area is one of the first settled by Europeans in Oregon, the early contact with Euro-Americans may have driven the *Native Americans* ~~Indians~~ to other locations. ~~It would be difficult to imagine Indians not establishing campsites in or near the areas around~~ Woodburn ~~as it would have~~ provided ~~a great deal of~~ habitat for wildlife *and was likely the site of Native American settlements.* ~~which was their staple.~~ Treaties signed in 1854 and 1855 officially terminated the Native American occupation of the Willamette Valley. The surviving Calapooians were ordered into the Grand Ronde Reservation west of the Coast Mountains.

The earliest settlers in the Willamette Valley were mostly confined to the region known as French Prairie, a portion of the northern valley comprising 200 square miles on the east side of the Willamette River. Champoeg became the seat for Oregon's provisional government in 1843. The area soon became crowded and diffused growth up the Willamette River. Woodburn, in the southern reaches of the French Prairie, was one of the recipients of early settlers from the northern valley and the fertile adjacent soils allowed it to become known as the trade center of the region. Under the influence of industrial development in the form of steamboat and later the railroads, Woodburn realized growth and prosperity that was not true of many of the earliest settlements in the Valley which became bypassed by these new developments in technology.

The founding of Woodburn is said to have been due to the efforts of Jesse Settlemier who purchased the portion of land where the town is now presently located. The land was purchased during the foreclosure sale which had originally been part of the Jean Dubois homestead in the 1840's. Settlemier apparently saw promise for Woodburn. After founding a nursery in 1863 he focused his energy and resources to attract people in commerce to the area. At this time the existing social and promising economic center of the east French Prairie was Belle Passe, located some 2 ½ miles from Woodburn. Woodburn eventually absorbed the attention previously paid to Belle Passe, and it was thought that Woodburn was coming into the position to capitalize on trade and shipping activities because of its proximity to fast growing Portland and Salem. This in conjunction with its agricultural and commercial potential gave it a key position for subsequent growth and development.

Although Jesse Settlemier was instrumental in designing the physical town site, many claim its real founder was Ben Holladay. If Holladay did not actually found the town site he at least gave it a major stimulus for growth through his building of the railroad. In 1871 his Oregon and California Railroad established a line by way of Woodburn and some ten years later a narrow gauge railroad also made its appearance in Woodburn. 1871 also saw the first platting of the town site of Woodburn with the eastern boundary the Oregon and California Railroad established by Ben Holladay.

Jesse Settlemier's efforts to encourage growth continued during this period. A strong agricultural base, railroad and geographic centrality were its strongest features. In addition, Settlemier was at this time successful in subsidizing the railroad to construct a flag station at Woodburn, giving the town major status. Local sentiment has it that by 1880 Woodburn was on the way to becoming the most prominent city in the Willamette Valley (according to the Woodburn Independent). By 1889 Woodburn was incorporated as a City with a home rule charter. Its first mayor was Jesse Settlemier. A school had already been established in 1885 and in its first year was attended by 65 students. Also, in 1888 the Woodburn Independent, the town newspaper, was established.

During the 1890's, Woodburn was realizing some of the commercial and industrial growth which it had boasted it could achieve. A flour mill, planning mills, lumber yards and a marble works were developed.

During the 1890's and the early 1900's Woodburn hoped to attract other industries and commercial enterprises. Woodburn advertised that its desirable features were less expensive land and fewer labor problems than other areas. It was noted, for example, that Woodburn did not suffer from Portland's rise in land prices as well as its racial clashes between laborers. By 1900 Woodburn had 46 businesses, including 3 hotels, a telephone system, a cannery, a grain works, 10 nurseries, 3 lumber yards and other assorted enterprises such as banks and retail outlets. It also possessed several churches and distinctive social groups.

In the early 1900's Woodburn was introduced to the electric railroad or interurbans, as they were called. This particular line was known as the Oregon Electric. The main line originally bypassed the City by some two miles to the west. Its owner at that time favored west Woodburn for their terminus. By 1910, however, a spur was connected to Woodburn. Oddly enough, a town served by two railroads and having sufficient economy to sustain population in commerce was brought partially to its knees by another form of mechanized technology; the automobile. While the town continued to grow and attract some industry of a specific nature, once highway traffic developed it did so at a much slower rate. Woodburn's growth began to slow as it gave way to a changing economy.

Between 1910 and 1940 Woodburn grew in its population by only some 40 persons. Industry, however, continued to expand in the form of a loganberry juice factory and a cannery. In 1925 came the construction of the Woodburn training school for boys, now MacLaren School. In 1929 the Portland Gas and Coke Company installed service facilities. In subsequent years, Bonneville Power provided electricity to both residents and industry. In 1944 the Birds Eye Division of General Foods built a large cannery facility in Woodburn, attracted by the agricultural productivity of the area. Woodburn promoters at this time maintained that the City still had all the machinery for economic success. It was said by local developers to be a sleeping giant.

While the automobile had retarded its growth as a regional shipping center, the same technology brought suburbia ever closer to the City so that a different type of growth began to occur in Woodburn. During the 1960's Woodburn underwent some interesting demographic changes. In the decade from 1960 to 1970 there were three separate migrations into Woodburn. The first was the immigration of retired people into the Woodburn area mostly through the Senior Estates development. This development, which was conceived in the 1950's and first platted in 1960 continued its development until 1980 when the last lots in Senior Estates were platted. This brought in approximately 2,500 retired persons into the Woodburn area. The same period also saw immigration of Mexican-Americans into Woodburn, initially attracted by the agricultural labor in the area and then settling down to become residents, and the Old Believer Russian migration to Woodburn. Woodburn's growth *from 1970-2000* ~~through the 1970's~~ exceeded that of the State, the Willamette Valley, and other selected locations in the immediate area. Historically, Woodburn has been able to support its population with a full range of City services and has maintained its identity as a community in the area. It is Woodburn's desire to remain as redistribution center for outlying areas of the Valley. Public polls taken in Woodburn have confirmed this goal. Expansion of the City in an orderly and efficient manner will aid in giving the population the commerce and industry it has always historically desired.

A. Comprehensive Plan Designations and Implementation

The Land Use Plan

The Land Use Plan is based on the recent land use inventories, updated land needs analyses, and the revised goals and policies in this Comprehensive Plan. The Land Use Plan represents the most practical arrangement of land uses that considers existing development patterns and the future vision for Woodburn, as embodied in the revised goals and policies.

~~The Plan can best be described by discussing where each of the four major land uses have been located.~~

Comprehensive Plan Designations

Woodburn has six principal comprehensive plan map designations, and two overlay designations, with corresponding zoning districts:

Policy Table 1: Comprehensive Plan Designations and Implementing Zoning Districts

Comprehensive Plan Designation	*Implementing Zoning District(s)*	*Density Range (Units Per Net Buildable Acre)*	*Minimum Lot Sizes or Unit Area in Square Feet*
Low Density Residential *Nodal Development Overlay*	*RS Single Family Residential* *RS1 Retirement Community SFR* *RSN Nodal Development SFR*	*5-7* *9-12* *8-11*	*6,000 Interior Lot* *8,000 Corner Lot* *10,000 Duplex Lot* *3,600 Interior Lot* *3,600 Corner Lot* *4,000 Interior Lot* *4,500 Corner Lot*
Medium Density Residential *Nodal Development Overlay (NDO)*	*RM Medium Density Residential* *RMN Nodal Residential*	*10-16* *10-22*	*2,720 Per M-F Unit* *10,000 Duplex Lot* *1,980 Per M-F Unit* *8,000 Duplex Lot* *3,000 Interior Rowhouse* *3,600 Corner Rowhouse*
Commercial *Nodal Development Overlay (NDO)*	*CG General Commercial* *DDC Downtown Development and Conservation* *CO Commercial Office* *NCN Nodal Neighborhood Commercial*	*Not applicable*	
Industrial *Southwest Industrial Reserve Overlay (SWIO)*	*IP Industrial Park* *LI Light Industrial* *SWIR Southwest Industrial Reserve*	*Not applicable*	
Open Space and Parks	*RCOD Riparian Corridor Overlay District* *P/SP Public Semi-Public*	*Not applicable*	
Public Use	*P/SP Public Semi-Public*	*Not applicable*	

Note: The net buildable area of a parcel excludes land dedicated for public rights-of-way or stormwater easements, common open space, and unbuildable natural areas. For example, if a parcel has 10 acres, and 2 acres are removed for streets and 2 acres are within the floodplain / riparian area, then 6 net buildable acres would remain. The range of allowable densities is calculated based on net buildable acres. An acre has 43,560 square feet. Allowable densities may be increased through the discretionary planned unit development review process.

Plan Implementation

Any comprehensive plan depends on implementation to accomplish the goals and policies established in the plan. Cities have amassed a battery of ordinances to accomplish this purpose. Some ordinances have been more successful than others and in time, no doubt, new methods and techniques will be developed. Implementation should be a continual review of existing ordinances to ensure that they are accomplishing the purposes for which they were originally designed. The City recognizes that over time many of the ordinances which are suggested in this

Sign Ordinance

The City has had a sign ordinance since 1973. It has been successful in controlling proliferation of signs, mostly along main arterials. The Sign Ordinance implements both policies relating to public health, safety and welfare, basically for transportation safety as well as aesthetic goals. This type of ordinance should be continued and a more effective and equitable means of controlling signs should be investigated. This has led to finding alternative types of signs such as monument signs. The objective of monument signs is to reduce the skyscape clutter.

Transportation Plan

The Transportation *System* Plan *(2004) is now being revised to reflect changes in population, employment and land use adopted in the Woodburn Comprehensive Plan (2003). The 2004 TSP* ~~was (Ordinance No. 1915) has been repealed and replaced with Ordinance No. 2170. It defines the~~ *includes* goals and objectives, ~~of the transportation plan,~~ forecasts ~~population and~~ traffic growth in the City, and identifies transportation improvements needed to satisfy the forecasted growth. The plan:

- *Establishes the* functional classification of roads and streets
- Evaluates interchange alternatives
- Establishes alternative modes of transportation
- Meets the ~~basic guidelines established in~~ Oregon Transportation Planning Rule

Capital Improvement Plans

The City is striving toward its goal of orderly growth through adoption of a six year *Capital Improvement Plan* (CIP), which is the City's financial commitment to construct needed public facilities projects. Related to capital improvement plans for public facilities are system development charges which implement the City's goal of charging new development for the additional services that it requires. The Capital Improvements Plan can be utilized as an information tool to assist in the annual budgeting process and guide the expansion and maintenance of the City's streets, water, sewer, storm drains, etc.

The CIP ~~can be broken down into two general categories:~~ *has both* short term *and long-term* projects~~; and long term Projects~~. Short term projects are those planned for construction within six years. These projects indicate detailed descriptions of the location of the projects; the work required; a time line for construction and an estimate of the cost with a breakdown of various funding sources.

Long term projects are those intended to meet the needs of the City through the full twenty year planning period. Recently revised population projections and recent land inventories have revealed hundreds of

available undeveloped acres within the UGB that will require main public services line extensions in the future. A careful study of the long term projects contained in the CIP will reveal that they are generally projects that extend main public facility lines in strategic areas of the undeveloped Urban Growth Boundary. All of the long term projects as outlined in the CIP have been shown to be necessary to maximize the future development potential for the entire urbanizing area.

The CIP is designed so that both short term projects and long term projects are subject to annual review. This way, the City can add, delete, and reprioritize projects as needs change.

Downtown and Urban Renewal

The Urban Renewal Plan is a primary vehicle for revitalizing the Downtown area. One of the main problems with land use and economy in the City has been the stagnated downtown area. In response, the City adopted a downtown development plan. The **Urban Renewal** Plan includes goals and policies addressing financial assistance programs, citizen involvement, and physical improvements. The Plan has been adopted as an element of the Comprehensive Plan **and has a 20-year planning horizon.**

Housing Codes

As many of the structures in the City grow older, run down, deteriorated structures can begin to detract and blight a neighborhood. ~~While this is not a serious problem at present, the potential exists in Woodburn for this to become a problem in the future, as approximately 800 homes will be in excess of 50 years old by the year 2000.~~ **One means of ensuring** ~~To ensure~~ that the housing stock is kept in good shape, **is through city-sponsored** ~~the City has implemented a~~ housing rehabilitation programs.

~~This housing~~ **Housing** rehabilitation programs ~~is currently in operation~~ offer~~ing~~ low interest, deferred loans to low/moderate income homeowners ~~in Woodburn~~ for repair maintenance, and rehabilitation of housing within certain target areas. Areas identified as having the highest percentage of homes in need of basic repair, roofs, foundations, paint, sidewalks, etc., ~~have been~~ **may be** targeted for rehabilitation. **The City is considering implementation of a housing rehabilitation program in FY 2003-04.** ~~At present the City is administering approximately $ 1,000,000 in a revolving loan fund. As these monies are paid back to the City, they will be recycled to do additional housing rehabilitation work.~~

Flood Hazard Zone

The only identified natural hazard in Woodburn is the flood area. As this area contains the most unstable soils for development, the City requires flood hazard area regulations to ensure that building does not occur. The

City has already adopted a Flood Plain Management Ordinance which meets the requirements of the Federal Flood Insurance Program. This ordinance should be monitored for its effectiveness and kept up to date.

Historical Site Zone

As historical sites often require special attention and special regulation, the City has adopted policies to recognize historical sites and to encourage preservation and protection. ~~Policy L-12 of the Plan requires review of development applications for historic properties by the Planning Commission. Any of these above ordinances would be useless if not vigorously enforced by the City. The recent addition of a codes enforcement officer to the Department of Community Development will ensure that City ordinances are enforced and obeyed.~~

Review, Revision and Update

The planning process is continuous. There is no plan which can foresee all of the problems which the future will bring. In most cases for decision the Planning Commission and Council will be petitioned by private citizens to change the Land Use Plan designation of a particular parcel of property. This is a quasi judicial activity and should follow the procedures set out for quasi judicial rulings. However, the Planning Commission should ensure that whatever changes it makes in the Land Use Plan, they are consistent with other goals and policies established in this Plan. These changes, in general, should be justified by a solid body of evidence presented by the petitioner showing the following:

1. Compliance with the goals and policies of the Comprehensive Plan;
2. Compliance with the various elements of the Comprehensive Plan;
3. Compliance with Statewide Goals and guidelines;
4. That there is a public need for the change;
5. That this land best suites that public need; and
6. That the land cannot be suitably used as it is presently designated.

Enforcement Policy

A-1. Land use ordinances adopted by the City shall be strictly enforced. While the Comprehensive Plan and zoning ordinances are important phases of the land use planning process, without strict enforcement of the code, what actually occurs in the City will not have a direct relationship to the plans and ordinances adopted by the Council. Therefore, strict enforcement must be practiced by the City to ensure that the policies of the City are actually being implemented.

B. Citizen Involvement and Agency Coordination

The success of the Woodburn Plan is directly related to establishing a method of receiving citizen input. While complex organizations, such as are required in larger cities,

are not necessary in a City the size of Woodburn, clear lines of communication should be maintained by the Boards, Commissions, Council and staff of the City to the general public. It is essential that a two way flow of communication be maintained for proper City government to occur, especially in land use matters.

Citizen and Agency Involvement Policies

Policies

B-1. It is the policy of the City of Woodburn to solicit and encourage citizen input at all phases of the land use planning process. Since the City is essentially trying to plan the community in accordance with the community's desires, it is essential that the community be consulted at all stages of the planning program to ensure decisions are in accordance with the community's benefit.

B-2. Woodburn will coordinate with affected state agencies regarding proposed comprehensive plan and land use regulation amendments, as required by state law.

(a) The state agency most interested in land use is the Oregon Department of Land Conservation and Development (DLCD). Woodburn will notify DLCD 45 days in advance of the first hearing before the Planning Commission of proposed comprehensive plan or development ordinance amendments.

(b) The state agencies most interested in environmental issues are the Oregon Division of State Lands (DSL), the Oregon Department of Fish and Wildlife (ODFW), the Oregon Department of Environmental Quality (DEQ) and DLCD. These agencies will be notified and asked to comment on changes to City policies and standards regarding Goal 5 (Natural Resources) and Goal 6 (Air, Land and Water Quality) issues.

(c) The state agencies most interested in natural hazards are DLCD (which administers Federal Emergency Management Act flood control programs) and the Oregon Department of Aggregate and Mineral Industries (DOGAMI). These agencies will be notified regarding changes to flood management programs.

(d) The state agencies most interested in parks and recreational facilities and historic preservation are the Oregon Parks Department and the State Office of Historic Preservation. These agencies will be notified and asked to comment when changes to park or historic programs are proposed.

(e) The state agencies most interested in transportation programs and projects are the Oregon Department of Transportation (ODOT) and DLCD. These agencies will be notified and asked to participate in amendments to the Transportation Systems Plan, or regarding plan amendments or zone changes that could adversely affect a state transportation facility.

C. Marion County Coordination

In 2003, Marion County adopted the "Urban Growth Management Framework" as part of its comprehensive plan. The Framework states its purpose on pages 2-3:

"The purpose of the Growth Management Framework is to:

1. *Identify common goals, principles, and tools that will lead to more coordinated planning and promote a collaborative approach to developing solutions to growth issues.*
2. *Be consistent with City plans for growth by modifying the growth projections in response to City feedback.*
3. *Protect farm, forest, and resource lands throughout the County by considering the existing growth capacity of each community, fostering the efficient use of land, and evaluating urban growth boundary expansion needs.*
4. *Maintain physical separation of communities by limiting urbanization of farm and forest lands between cities.*
5. *Maintain community identity by encouraging each community to decide how it should grow and by promoting City decision-making control.*
6. *Support a balance of jobs and housing opportunities for communities and areas throughout the county that contribute to the needs of regional and City economies.*
7. *Provide transportation corridors and options that connect and improve accessibility and mobility for residents along with the movement of goods and services throughout the county.*

The Urban Growth Management Framework is a coordination planning strategy that provides a guide cities may follow when considering urban expansion needs and decisions in response to growth issues. The Framework identifies the areas of interest for the County regarding urbanization and possible measures in the form of coordination guidelines, that cities may choose to pursue to accommodate efficient growth. Within the context of the Framework, coordination guidelines are defined as being 'flexible directions or measures that may be utilized to address specific policy statements.'

The Framework is intended to provide direction and assistance for the cities through a checklist of factors for consideration in making decisions regarding the impacts of growth. The decision as to how to use the Framework and which guidelines may be important and applicable, is up to the cities. The County recognizes there may be several ways to approach and resolve an issue and the Framework provides flexibility for the cities in coordinating planning efforts with the County."

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Marion County Coordination Goals and Policies

Goal

C1. ***To coordinate with Marion County regarding planning issues that extend beyond the boundaries of the City of Woodburn, including population allocations, amendments to acknowledged comprehensive plans and transportation system plans, and achievement of a compact urban growth form, as required by Statewide Planning Goals 2 (Land Use Planning and Coordination), 12 (Transportation) and 14 (Urbanization.)***

Policies

C1.1 *Marion County Framework Plan goals, policies and guidelines will be considered when the City considers plan amendments that require Marion County concurrence.*

C1.2 *The City of Woodburn shall have primary responsibility to plan for community growth within its Urban Growth Boundary, and recognizes its responsibility to coordinate with Marion County to ensure the efficient use of urbanizable land within the Woodburn UGB.*

D. Residential Land Development and Housing

The 2003 Woodburn Housing Needs Analysis forecasted future housing need by type and density. The City is committed to maintaining a 20-year supply of buildable land to meet identified housing needs.

Residential Plan Designations

High Density Residential Lands ~~*(≥ 12 Units per acre)*~~

~~High density residential lands present a conflict in two ways. First of all, as they are residential they must be protected from encroaching commercial and industrial uses or other uses which would be detrimental to any residential use. Also, because they generate more traffic per acre than low density residential uses, they must be located closer to collector and arterial streets.~~ Most ~~of~~ *High Density Residential areas* ~~these~~ are located adjacent to an arterial or collector street or at the intersection of major streets. Care should be taken in developing these areas to ensure that good transportation flow is accommodated and that on-site recreational uses are provided to some extent to alleviate some of the problems caused by living in high density areas. *High Density Residential*

lands are also appropriate in designated Nodal Development areas and near employment centers.

Low Density Residential Lands (~~< 12 units per acre~~)

Low density residential areas are the most sensitive land use and must be intensively protected. In general they are not compatible with commercial and industrial uses and some type of buffering technique must be used to protect them. Also, arterials and other transportation corridors can severely affect the usefulness of low density residential areas. In general, low density residential areas have been located according to existing patterns of development and in areas which are protected from high traffic flows and commercial and industrial uses. When greenways are used as buffers between other land uses and low density residential areas it is extremely important to maintain the visual and physical separation that the greenway provides. *Small lot single family residential development is appropriate in Nodal Development areas and may be allowed in Medium Density Residential areas. Small lot senior housing is encouraged adjacent to existing senior housing areas.*

Public Use

In addition to the four major types of land uses, lands for public use are shown. These are lands which are used or intended for governmental units including lands which are currently owned by the City or School District. Future acquisition sites are not indicated, however, as this may tend to affect the price the public would have to pay. *In most cases, residential land is acquired for park and school use; for this reason, the Public Use category is considered as a "Residential Land Use".* As the location of these sites depends a great deal on price and availability, the City and School District will have to make the decisions at the time the acquisition is needed as to the best location.

Residential Land Use Goals and Policies

Policies

D-1. Residential areas should be designed around a neighborhood concept. Neighborhoods should be an identifiable unit bounded by arterials, non-residential uses, or natural features of the terrain. The neighborhood should provide a focus and identity within the community and should have a community facility, such as a school, park, or privately owned community facility to allow for interaction within the neighborhood.

D-2. Living Environment - Developments in residential area be constructed in such a way that they will not seriously deteriorate over time. Zoning ordinances should be strictly enforced to prevent encroachment of

degrading non-residential uses. Construction standards in the State Building Code shall be vigorously enforced. **Woodburn is committed to adopting a housing code to improve the housing stock in the community.** ~~, and if necessary, additional City determines should be imposed to ensure non-degrading housing units, should be encourage by the City.~~

D-3. Development should promote, through the use of moderate density standards and creative design, a feeling of openness and spaciousness with sufficient landscaped area and open space to create a pleasant living environment. *Higher density areas should be located near jobs, shopping and/or potential transit services.*

D-4. Streets in residential areas should be used by residents for access to collectors and arterials. Residential streets should be designed to minimize their use for through traffic, however, whenever possible dead-end streets and cul-de-sacs should be avoided.

D-5. Residential developments should strive for creative design which will maximize the inherent values of the land being developed and encourage slow moving traffic. Each residential development should provide for landscaping and tree planting to enhance the livability and aesthetics of the neighborhood.

D-6. *Except in areas intended for mixed use,* non-residential uses should be prevented from locating in residential neighborhoods. Existing non-conforming uses should be phased out as soon as possible.

D-7. Home occupations and combination business and home should be allowed **only** if the residential character is unaffected by the use. In the case of home occupations, these can be allowed through the zoning ordinances.

D-8. High traffic generating non-residential uses should not be located in such a manner as to increase traffic flows on residential streets or residential collectors. *However, designated neighborhood commercial centers in Nodal Development areas are exempt from this policy.*

D-9. Industrial and commercial uses which locate adjacent to residential areas should buffer their use by screening and design control, and should be controlled with sufficient setback so as their location will not adversely affect the residential areas.

D-10. High density residential areas should be located so as to minimize the possible deleterious effects on adjacent low density residential developments. When high density and low density areas abut, density

should decrease in those areas immediately adjacent to low density residential land. Whenever possible, buffering should be practiced by such means as landscaping, sight-obscuring fences and hedges, and increased setbacks. *This policy does not apply in Nodal Development areas.*

D-11. Traffic from high density residential areas should have *direct* access to collector or arterial streets without *having to utilize local residential streets to reach shopping and job centers.* ~~going through other residential areas.~~

Housing Goals and Policies

Goal

D2. The housing goal of the City is to ensure that adequate housing for all sectors of the community is provided.

Policies

D2-1. The City will ensure that sufficient land is made available to accommodate the growth of the City, *consistent with the 2003 Housing Needs Analysis*. This requires that sufficient land for both high density and low density residential developments is provided within the confines of the growth and development goals of the City. It is the policy of the City to assist and encourage property owners, whenever possible, to rehabilitate and renew the older housing in the City.

D2-2. It is the policy of the City to encourage a variety of housing types to accommodate the demands of the local housing market. *In Woodburn, the following needed housing types shall be allowed, subject to clear and objective design standards, in the following zoning districts:*

Policy Table 2: Needed Housing Types and Implementing Zoning Districts

Needed Housing Type	***Implementing Zoning District(s)***
Single Family Detached Residential	***RS*** *Single Family Residential* ***RS1*** *Retirement Community SFR* ***RSN*** *Nodal Development SFR*
Manufactured Dwellings On Individual Lots In Parks	***RS*** *Single Family Residential* ***RS1*** *Retirement Community SFR* ***RM*** *Medium Density Residential*
Attached Single Family Residential (Row Houses)	***RMN*** *Nodal Residential*
Duplexes On Corner Lots Generally	***RS*** *Single Family Residential* ***RM*** *Medium Density Residential*
Multi-Family Generally Above Commercial	***RM*** *Medium Density Residential* ***RMN*** *Nodal Residential* ***DDC*** *Downtown Development and Conservation* ***NNC*** *Nodal Neighborhood Commercial*
Government Assisted Housing* ***Farm Worker Housing**** ***Rental Housing****	*These "housing types" are based on financing or tenure, and are not regulated by the City. If the housing type (e.g., single family, manufactured dwelling, attached single family, duplex, or multi-family) is allowed in the underlying zoning district, these "housing types" are allowed subject to applicable design standards.*

**** Note that the City regulates housing development to ensure quality construction and design, but does not regulate based on tenure.***

D2-3. To ensure the new concepts in housing are not restricted unduly by ordinances, the City shall periodically review its ordinances for applicability to the current trends in the housing market. *The R1S District is an example of Woodburn's efforts to providing affordable housing for seniors, by allowing single-family homes on lots as small as 3,600 square feet.*

D2-4. To provide for the persons living in the community of a lower income, the City will accept its regional share of low income housing. This policy is not intended to provide an overabundance of low income housing which would encourage undue migration of low income persons.

D2-5. To provide for needed housing close to neighborhood shopping with a pedestrian orientation, Woodburn shall adopt a new Nodal Development Overlay. This overlay designation shall apply in Southwest Woodburn as shown on the Woodburn Comprehensive Plan Map. Special design standards shall ensure a pedestrian orientation and compatibility between the residential and commercial uses.

D2-6. *Woodburn is committed to providing affordable homeownership opportunities to its citizens. For this reason, Woodburn zoning regulations will allow rowhouses (attached single-family homes) and detached single-family homes on smaller lots (4,000 sq. ft. minimums) within Nodal Development areas.*

D2-7. *Woodburn shall amend existing zoning districts to implement the Nodal Development concept to allow:*
(a) Increased density in the RM Medium Density Residential District;
(b) Rowhouses with alley access and front porches in the RM Medium Density Residential District; and
(c) Small-lot single family homes with alley access and front porches in the RS Single Family District.

E. Industrial Land Development and Employment

The 2002 Woodburn Economic Opportunities Analysis (EOA) and Economic Development Strategy provide the basis and policy direction for Woodburn's economic development efforts. Generally, Woodburn is committed to providing the infrastructure and land base necessary to attract higher-paying, non-polluting jobs. This change is necessary to reverse recent trends that saw Woodburn becoming a bedroom community, with residents commuting to the Portland and Salem areas for employment. For Woodburn to be competitive, it must make the most of its key comparative advantage – location along the Interstate 5 Corridor. Woodburn is surrounded by agricultural resource land, therefore the City cannot avoid using agricultural land to provide suitable industrial sites. Therefore, in order to meet the City's economic development objectives, several large parcels along the I-5 corridor have been reserved exclusively for industrial use. To ensure that these industrial sites along I-5 are used solely for targeted industrial uses, Woodburn has adopted stringent policies to prevent the re-designation of industrial sites in the Southwest Industrial Overlay (SWIO) to commercial or residential uses. In addition, large minimum parcel sizes will ensure needed large industrial sites are preserved.

Industrial Land Designations

Location of industrial lands poses more of a problem than any other use in urban areas. They are essential for the City, and in Woodburn's case, must be expanded to accommodate future needs. In general, this type of land use requires good transportation access, served preferably, but not necessarily, by both railroad and highway. *Reserving industrial sites with direct access to Interstate 5 is critical to the City's economic development efforts. Generally, industrial land* ~~It~~ should not be located adjacent to residential areas without some type of buffering use in between the industrial use and the residential areas; either green space or a major road or other similar buffer. There are five areas which have been established for industrial use in Woodburn. They meet all of the above criteria. They are:

1. In the southeast quadrant of the City;

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2. In the northeast quadrant of the City; the Woodburn Industrial Park and surrounding development;
3. The area between North Front Street and Mill Creek, north of the Woodburn High School;
4. The southwest quadrant of the Interstate-5 interchange area, *which shall be expanded as a result of the 2003 plan amendment process.*
5. The Downtown area.

Each of these areas serve a different purpose in the City's long-range industrial development plans. The majority of the development in the Southeast Industrial area is either in the City limits or closely adjacent to it. The majority of land in this Southeast area is being used for spray irrigation of industrial wastes from the food processing plant. As it has been zoned industrial in the County for some time, the City proposed, and the County agreed, that it would be best to have this area in the Urban Growth Boundary so future expansion of the food processing facility on the industrial land would be controlled and regulated by the City. This industrial area could realize additional development.

The Industrial Park area was really the beginning of Woodburn's industrial expansion in the 1970s. It has been very successful and now covers a large amount of land between the Southern Pacific Railroad and Highway 99-E north of State Highway 214. However, ~~as of the writing of this Plan~~ almost all of the developable land has either been sold to industries which intend to locate in Woodburn or is under development. ~~The remaining vacant land in the Woodburn Industrial Park is committed to development.~~ It is expected that full build-out will be realized *within the next several years.* ~~the years 2000-2003.~~

The industrial area on North Front Street north of the Woodburn High School was selected because of several reasons. First of all, it is close to State Highway 214 and therefore has good highway access. Secondly, a spur line from the Southern Pacific Railroad could be developed to serve industries locating in this area. Thirdly, an excellent buffer exists in the Mill Creek area to buffer the industrial uses from the adjacent residential uses. I t should be pointed out, however, that industrial uses should not be located in or near the floodplain and extensive screening must be employed by industrial uses.

The fourth industrial area, the southwest quadrant of the interchange was selected because it is an excellent site for *target* industries *identified in the Economic Opportunities Analysis.* ~~such as electronic industries. It should be noted that n~~ *N*ot all industries desire to locate on railroads. Indeed some cannot because vibration from the railroad upsets sensitive instruments used in some industrial processes. *The key locational factor desired by targeted industries identified in the EOA is access to, and visibility from, Interstate 5.* Therefore, the industrial area along Interstate-5 provides *the primary location for targeted industries* ~~an alternative for those industries to locate~~ in Woodburn. It also affords excellent

visibility for industries which wish to maintain good visibility and high corporate image.

The fifth Industrial area is the Downtown area. This area is the old downtown industrial center. It is the first and the original Industrial area in Woodburn. This Industrial area is located along the S.P.R.R. in Downtown Woodburn. The railroad was utilized for transportation. This sector has historical significance when considering the path Woodburn has taken. This Industrial area can realize additional development and possible redevelopment.

It should be noted that of the five industrial areas in Woodburn, only two, the North Front Street area and the Interstate 5 area are available for future large-scale industrial expansion.

Industrial Development Goals and Policies

Goal

D1. ***Woodburn shall provide and maintain an adequate supply of suitable industrial sites to attract targeted firms consistent with Statewide Planning Goal 9 (Economy of the State), the recommendations of the 2002 Woodburn Economic Opportunities Analysis and the Woodburn Economic Development Strategy.***

Policies

D1-1 It is the policy of the City to provide for developments that, whenever possible, will allow residents of the City of Woodburn to work in Woodburn and not have to seek employment in other areas. To accomplish this the City should encourage that there be a healthy job market within the City and enough industrial land is available for industrial growth to accommodate the residential growth expected in the City.

D1-2. Industrial land should be located ~~so~~ *to take advantage of* ~~as to ensure that~~ *Interstate 5 access or* ~~road transportation and~~ ~~secondarily,~~ rail transportation *that* is available to the industrial areas.

D1-3. *To minimize impacts on Marion County's agricultural land base, Class I agricultural soils shall be preserved outside the UGB. At the same time, it is important* ~~It is essential~~ that industrial lands be located in *relatively flat* areas, which have *suitable* ~~good~~ soils and *that* are free from flooding dangers.

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D1-4. Industrial areas which are located adjacent to arterial streets or to residential areas should be controlled through site plan review and buffer zones so as to minimize the impact of industrial uses.

D1-5. Industries which, through their operating nature, would contribute *significantly* to a deterioration of the environmental quality of air, land, or water resources of the City should be forbidden to locate within the City limits.

D1-6. The industrial park concept is one which the City deems is the most desirable form of industrial development. Whenever possible the industrial park concept will be encouraged in an attractive and functional design. *Master planning of industrial areas shall be required prior to annexation of industrial land to the City. Master plans shall reserve parcels of sufficient size to meet the needs of targeted industries identified in the EOA.*

D1-7. Industries located in areas which are presently non-conforming shall be encouraged to find other areas to locate.

D1-8. Industrial lands ~~should~~ *shall* be protected from encroachment by commercial or other uses which will either increase the price of industrial land or cause traffic generation which will interfere with the normal industrial practices.

D1-9. The industries attracted and encouraged by the City to locate in Woodburn should generate jobs that would upgrade the skills of the local labor pool.

Goal

D2. ***Woodburn shall reserve suitable sites in the Southwest Industrial Area for targeted industrial firms, as directed by the 2002 Woodburn Economic Opportunities Analysis.***

Policies

D2-1. Woodburn shall designate industrial land near Interstate 5 with a SWIO (Southwest Industrial Overlay) designation. Land within this designation shall be reserved exclusively for industrial uses identified in the EOA, and shall not be converted to another commercial or residential plan designation.

D2-2. A master development plan shall be approved by the City Council prior to annexation to the City. The master plan shall show how streets, sanitary sewer, water and stormwater services will be sized and located

to serve the entire SWIO area. The master plan shall show how arterial, collector and local street access will be provided to each lot if land division is proposed. The proposed master plan shall be referred to Marion County for comment prior to consideration by the City Council.

D2-3. *This SWIO master plan shall demonstrate how sites with the size and access characteristics identified in the EOA will be maintained, consistent with Policy Table 3, below:*

Policy Table 3: Site Sizes That Must be Maintained on Specific Parcels Through the Master Planning Process

Tax Lot Number(s)	*Gross (Buildable) Site Acres*	*Retained Site Size*	*Land Division Permitted?*
West of Interstate 5			
52W11 Tax Lot 300	*108 (91)*	*1 @ 25* *1 @ 10* *2 @ 5*	*Yes, with Master Plan approval*
Eastern portion of 52W14 Tax Lot 1300	*56 (56)*	*1 @ 50 acres Reserved for Firm ≥ 200 employees*	*No*
52W11 Tax Lot 100 (inside existing UGB)	*19 (19)*	*1 @ 19*	*No (Access from TL 300 required)*
52W14 Tax Lot 200	*9 (9)*	*1 @ 9*	*No*
52W14 Tax Lot 600	*13 (13)*	*1 @ 13*	*No*
West of I-5 Tax Lots	***205 (188))***	***See above***	***See above***
East of Interstate 5			
52W13 Tax Lot 1100, 52W14 Tax Lots 1500 and 1600[1]	*103 (100)*	*1 @ 100 acres* Reserved for Firm ≥ 300 employees*	*No, ROW dedication*
52W14 Tax Lot 800	*51 (44)*	*1 @ 15* *1 @ 10*	*Yes, with Master Plan approval; ROW dedication required*
52W14 Tax Lot 900	*43 (36)*	*1 @ 10* *1 @ 25*	*Yes, with Master Plan approval; ROW dedication required*
52W14 Tax Lot 1000	*10 (9)*	*1 @ 9*	*No*
52W14 Tax Lot 1100	*20 (20)*	*1 @ 20*	*No*
East of I-5 Tax Lots	***227 (209)***	***See above***	***No***

** Note: Tax Lots 1100, 1500 and 1600 are considered one 100-acre site; none of these parcels may be developed individually. ROW dedication will be required from Tax Lot 1500 to allow adequate spacing between intersection of Parr Road and Butteville Road, near I-5 Overpass.*

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Marion County Economic Coordination Goals and Policies

Goal

Marion County's economic development goals address the importance of maintaining a diverse employment base with living wage jobs. The goals include:

D3. ***Encourage diversity and balance of job types (e.g., service and industry jobs); promote economic opportunity for all segments of society; encourage a sustainable local and regional economy; and tailor economic development to the unique assets and needs of the county and the City of Woodburn.***

Policies

D3-1. *Consistent with Marion County Framework Plan policies, the City of Woodburn has conducted an Economic Opportunities Analysis (EOA) consistent with the Goal 9 Rule (OAR Chapter 660, Division 9) that:*

(a) Inventories lands suitable for employment use by parcel size;
(b) Calculates the capacity for jobs in existing Commercial and Industrial plan designations;
(c) Forecasts future employment by sector;
(d) Identifies industries that are likely to locate in Woodburn;
(e) Determines the siting needs of targeted industries;
(f) Determines whether there are existing sites within the UGB that meet site suitability criteria and are not needed for other land uses; and
(g) Identify sites outside the UGB that meet site suitability criteria of there are inadequate sites within the UGB.

D3-2 *Expand the Woodburn UGB to meet identified industrial siting needs in the 2002 Woodburn EOA, consistent with the Statewide Planning Goals and other County guidelines adopted as part of this section.*

D3-3 *Review plans and implementing ordinances to ensure an adequate supply of suitable sites to meet the needs of targeted industries, as required by ORS 197.212 et. seq.*

D3-4. *Work with Marion County, economic development agencies, area economic development groups, and major institutions to provide information to support development of a region-wide strategy promoting a sustainable economy.*

F. Commercial Land Development and Employment

Commercial Land Designations

Commercial lands also pose difficulty in deciding their proper location because of the high traffic which is generated by commercial uses and the necessity for good transportation facilities improvements. They also can impact quite severely on adjacent residential uses and this must be considered in their location, and especially in their zoning. The commercial areas of the City should be aimed to develop at higher densities instead of a sprawling type development. There are basically *five* ~~four~~ major commercial areas in Woodburn, and they should serve the City for the foreseeable future.

The first commercial area which the City developed was the downtown. It is located on both sides of a railroad track and despite problems in the recent past, it has remained an essential part of the City's economy. It is in a transitional stage at present as it no longer serves as the center of retailing for Woodburn. *However, Downtown Woodburn has experienced a renaissance of new investment from the Latino community. Downtown Woodburn is becoming known throughout the state for its authentic Mexican cultural amenities, shops and restaurants. Although some buildings suffer* ~~It presently suffers~~ from a lack of maintenance and outmoded buildings, *some have been* ~~. These need to be~~ remodeled and updated *to* ~~so it can~~ provide a greater share of Woodburn's services in the future.

The second large commercial area which has developed in the City is the commercial strip along Highway 99E. The strip zoning along 99E has caused many problems in the City of Woodburn. This is because this type of development is the least efficient use of commercial land and highway frontage. *Woodburn will work with property owners towards* ~~While there is little which can be done with the areas which have already been developed, some of this will be~~ redeveloping *this area* in the future. *By limiting the supply of vacant "green field" commercial land within the UGB, redevelopment of underutilized strip commercial lands is more likely to occur.* ~~, especially north of Lincoln Street.~~ Access control policies shall be observed when street improvements occur.

The third large area of commercial development in the City is the Interstate-5 Interchange. This contains one small shopping center, a large retail use (Wal-Mart), *a developing outlet mall,* ~~already~~ and ~~a~~ *other* ~~large amount of~~ highway related uses. In general, commercial uses on the west side of the freeway should be limited to highway related interchange type uses, while on the east side, a more general commercial nature should be encouraged. There are approximately 60 acres available for development located southwest of Evergreen Road. This land should be developed as a large integrated shopping center when Woodburn's population justifies it. *Access control in the I-5 interchange area is extremely important, because traffic congestion is the limiting factor for growth west of the freeway. This issue is addressed extensively in the 2004 Woodburn Transportation Systems Plan.*

The fourth commercial area is the *Highway* 214/211/99E "Four Corners" intersection. This area has become an important commercial district within the City. This "Four Corners" area serves as a more local retail service center. This commercial district could realize more development in the future. In this area development should be intensified so as to not create another commercial strip development.

The fifth commercial center serves the Nodal Development Overlay area near Parr Road, east of I-5. A 10-acre site has been reserved for neighborhood commercial uses that will serve the higher density, nodal residential development within walking distance (generally one-half mile or less) of the center. The center will be designed with a pedestrian focus, with limited parking. The City shall adopt a new NNC (Nodal Neighborhood Commercial) District to implement this concept.

In addition to these *five* ~~four~~ major areas there are *three* ~~two~~ other minor commercial areas, *two* ~~both~~ of which are set aside for office uses. One at the S-Curve near Cascade Drive and State Highway 214 and one at the northwest quadrant of the intersection of Settlemier Avenue and State Highway 214. To minimize the impact along State Highway 214 only low traffic generating uses such as offices and other service centers should be located. **Large** retail uses are not consistent with the overall plan concept for these two areas**, although neighborhood-serving retail uses such as delicatessens and coffee shops are allowed**. *The third small commercial area will be located along Boones Ferry Road, just north of a tributary to Mill Creek, near the northern edge of the UGB. This 2-acre area will serve the day-to-day retail and service needs of recent and planned residential development in the North Boones Ferry Road area.*

Commercial Lands Goals and Policies

During the 1990s, Woodburn experienced large-scale commercial growth near Interstate 5. Although commercial development has provided jobs for many Woodburn residents, this growth has contributed to congestion at the I-5/Highway 214 Interchange, which has constrained the City's ability to attract basic industrial employment that requires I-5 access. Therefore, Woodburn should discourage additional land for "big box" or large-scale auto-dependent commercial development. Woodburn will encourage infill and redevelopment of existing commercial sites, and will encourage neighborhood-serving commercial developments in Nodal Development areas.

<u>Goal</u>

F1 *Encourage infill and redevelopment of existing commercial areas within the community, as well as nodal neighborhood centers, to meet future commercial development needs.*

Policies

F1-1. The City should at all times have sufficient land to accommodate the retail needs of the City and the surrounding market area *while encouraging commercial infill and redevelopment.* The City presently has *five* ~~four~~ major commercial areas: 99E, 1-5 Interchange, the downtown area, *the Parr Road Nodal Commercial area,* and the 214/211/99E four corners intersection area. No new areas should be established.

F1-2. Lands for high traffic generating uses (shopping centers, malls, restaurants, etc.) should be located on well improved arterials. The uses should provide the necessary traffic control devices needed to ameliorate their impact on the arterial streets.

F1-3. Strip zoning should be discouraged as a most unproductive form of commercial land development. Strip zoning is characterized by the use of small parcels of less than one acre, with lot depths of less than 150 feet and parcels containing multiple driveway access points. Whenever possible, the City should encourage or require commercial developments which are designed to allow pedestrians to shop without relying on the private automobile to go from shop to shop. Therefore, acreage site lots should be encouraged to develop "mall type" developments that allow a one stop and shop opportunity. Commercial developments or commercial development patterns which require the use of the private automobile shall be discouraged.

F1-4. Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas. *Nodal commercial areas should be neighborhood and pedestrian oriented, with parking to the rear or side of commercial buildings, and with pedestrian connections to neighboring residential areas.*

F1-5. It would be of benefit to the entire City to have Woodburn's Downtown Design and Conservation District an active, healthy commercial area. Downtown redevelopment should be emphasized and the City should encourage property owners to form a local improvement district to help finance downtown improvements. **Urban renewal funds may also be used to fund planned improvements.**

F1-6. Commercial office and other low traffic generating commercial retail uses can be located on collectors or in close proximity to residential areas if care in architecture and site planning is exercised. The City should ensure by proper regulations that any commercial uses located

close to residential areas have the proper architectural and landscaping buffer zones.

F1-7. The Downtown Goals and Policies are included in Section K of the Plan and are intended as general guidelines to help the City and its residents reshape the downtown into a vital part of the community. Generally, development goals are broken into four categories, short term goals, intermediate term goals, long term goals, and continual goals. Whenever development is proposed within the CBD these goals should be reviewed and applied as necessary so as to maintain balance and uniformity over time. *Although not part of the Downtown Plan or Woodburn Comprehensive Plan, Urban Renewal funding can help to realize the goals and policies embodied in these land use plans.*

F1-8. Ensure that existing commercial sites are used efficiently. Consider the potential for redevelopment of existing commercial sites and modifications to zoning regulations that intensify development to attract new investment.

F1-9. Adopt a new NNC (Nodal Neighborhood Commercial) District, to be applied in two Nodal Development Overlays:
(a) Near the intersection of Parr Road and the Evergreen Road extension (approximately 10 acres); and
(b) At the north boundary of the UGB along Boones Ferry Road, north of the Mill Creek tributary (2-5 acres).

G. Growth Management and Annexation

Growth Management

~~The proceeding chapter has dealt extensively with growth management. For the City to accomplish its goals it is essential that an ordinance be developed which will act as a standby to give the City a legal basis for stimulating or slowing down growth in accordance to its plans. The City's past experience with the Petaluma type ordinance which establishes a quality point system in allocating a limited number of building permits has been satisfactory, however, as this is an ever changing field, there is no doubt that many new techniques will be developed in the future. The City should continue to investigate any alternative courses of action for growth management. In addition to the three mainstays of implementation, there are several types of implementation which should be reviewed and implemented by the City at a future date.~~

Woodburn has learned from both its successes and mistakes during the last 20 years since the Woodburn Comprehensive Plan was first acknowledged in 1982. Woodburn has used the annexation process effectively to ensure that new development has adequate levels of public facilities and services. Woodburn has

provided relatively affordable housing during a period of rapid growth. Most importantly, Woodburn is proud of its ability to accommodate new residents from diverse economic, social and ethnic backgrounds.

As part of its 2002-04 planning process, Woodburn has incorporated growth management measures to increase efficiency of land use and improved livability, Woodburn is committed to:

- *Reserving land near Interstate 5 for basic employment, rather than freeway oriented commercial development. Woodburn has adopted stringent master planning standards for Industrial development, that ensure efficient land use and retention of scarce industrial sites in the Southwest Woodburn Industrial Overlay (SWIO) area.*
- *Integrating its stream corridors and wetlands into the design of neighborhoods and commercial developments. Accordingly, Woodburn has inventoried its locally significant wetlands and riparian corridors, and protected them from conflicting use by applying the "safe harbor provisions" of the Goal 5 rule.*
- *Using the master planning process as a pre-condition to annexation or development in Nodal Overlay and SWIO areas, to ensure that land is used more wisely and more efficiently.*

Finally, Woodburn is committed to working closely with Marion County in joint efforts to manage growth within and immediately adjacent to the Woodburn UGB. Towards this end, Woodburn has incorporated important goals, policies and guidelines found in the Marion County Urban Growth Management Framework. In particular, Woodburn (as part of the 2003 code update process) has:

- *Zoned land to provide the opportunity for housing to develop at over 10 units per net buildable acre (8 units per gross acre) under clear and objective standards;*
- *Made substantial amendments to the Woodburn Development Ordinance, as discussed in Section D, Housing; and*
- *Adopted minimum density standards that ensure that actual development occurs at 80% or more of the allowable density in each of its residential zoning districts.*

Growth Management Goals *and Policies*

G1. **The City's goal is to** ***manage growth in a balanced, orderly and efficient manner, consistent with the City's coordinated population projection.*** ~~**to grow to a population of approximately 26,000** *35,000* **by the year 2020. This growth shall be orderly and accompanied by the necessary public services. The growth should be balanced in residential, industrial, and retail sectors of the City. The growth shall not add any additional burdens on the City's taxpayers.**~~

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Policies

G1-1. Woodburn will ~~The goal is to~~ assure that all expansion areas of the City are served by public facilities and services with adequate capacity. ~~Woodburn is a City that strives to provide a consistent level of quality public services and facilities to all parts of the City. As the City grows, new development must support and maintain the services and facilities that equal or exceed those in the remainder of the community.~~ Consideration of proposals that are in variance with City capacity standards and facility master plans shall require findings of appropriate mitigating measures by the Public Works Department. Other public service providers such as the School District and Fire District also address capacity considerations.

~~G 2. The goal is to achieve and maintain City boundaries that support the efficient delivery of public services. The urban growth boundary of the City defines the limits of urban development and urban services. In defining the urban service are, the City limits shape the pattern of police patrols, park service areas and the neighborhood residents identify with. The Urban Growth Boundary identifies the ultimate area and shape of the City in the foreseeable future. In order to achieve the efficient delivery of facilities and services, the City must not sprawl as it grows. Rather the City wants to take a pro-active approach and manage growth so that the benefits of a well designed community are achieved.~~

~~G4. The goal is to limit the amount of vacant land within the City in order to enjoy the benefits of an orderly development pattern, that reduces the rate that farm land is converted to urban use and the optimum use of public service and utility capacity. There are multiple benefits to the community from managing the amount and location of land available for residential use.~~

~~(a) Quantitative advantages include more efficient utilization of existing facilities and services that accrue because the amount of by-passed, undeveloped land is reduced. The result includes a more orderly transition in the conversion of farmland to urban uses, conserving agricultural resources in the Urban Growth Boundary to the most practical extent. Furthermore, not only is the investment in unused and underused facilities avoided, but also the operation and maintenance costs are reduced due to a more compact development pattern.~~

~~(b) Based on principles of supply and demand, reducing the available supply of residential land slows the rate of~~

~~development which makes it more manageable. With fewer properties available to develop, the value of existing development and property available to development will increase. With an estimated 16-20 year inventory of vacant single family residential land within the City the immediate prospect of increased land costs does not materially detract from the potential benefits of the goal. The land resources within the Urban Growth Boundary define the land available for urbanization. It is prudent for the City to manage the conversion of this area to urban use in a step wise fashion that recognizes benefits of efficient service and facility delivery and a cohesive pattern of community development and identity.~~

(c) ~~Equally important is the sense of identity and bonding that occurs as a City grows that make a community. A City that is built up in a cohesive pattern as it grows avoids the adverse affects of sprawl and leap from development.~~

G1-2. Woodburn will encourage ~~The goal is to achieve~~ the optimum use of the residential land inventory by ~~: Managing the geographic expansion of the City~~ *providing* ~~es an~~ *opportunities* ~~to initiate the objective of encouraging the inclusion of residential enclaves and the development of~~ *for* infill lots, ~~as a higher priority than land on the fringes of the City limits. Annexation provides a point to introduce this concept to the City by applying it to new territory added to the City.~~

~~(a) Another concept is to~~ intensifying development along transit corridors, *and* ~~due to enhanced accessibility. Increased density may be considered along transit corridors through application of clustering density in PUDs and from more intensive zoning classifications.;~~

~~(b)Annexation provides an opportunity to introduce these concepts into the area by starting with consideration of the requirement in newly annexed areas. The~~ application of minimum densities. ~~will be based on target densities that consider transit service, need and community scale. Target density standards will be established based on specific proposals. In so doing, the City will promote a wider range of living environments and better serve the needs of a diverse population.~~

G1-3. The *City shall provide* ~~goal is to further the incremental extension of~~ an interconnected street system to ~~. An interconnected street system~~ improve the efficiency of movement by providing direct linkages between origins and destinations. ~~It also creates alternative routes. Such a system creates stronger ties among activity centers and makes the development of passed over land~~

~~more attractive. It is common in most communities that streets in new development are "stubbed." This means a dead-end street until the stub is potentially connected by a future phase of development. Annexations provide opportunities to emphasize the ultimate extension and completion of streets. The potential benefit is improved connectivity in the street pattern as the City develops.~~

G1-4. *The City shall* ~~It is the goal to~~ assure the provision of major streets as shown in the Transportation Systems Plan. ~~The TSP lays out the arterial and collector street extensions and improvements necessary to support approximately a doubling of the population within the City. Due to limitations on the responsibility that developers must exercise regarding offsite transportation impacts,~~ The City shall hold development accountable for major streets within and abutting the development. In addition, the policy of the City is to emphasize development outward in successive steps and phases that avoid unnecessary gaps in the development and improvement of the major streets.

~~G8. The goal is to provide opportunities to fulfill community needs identified by the Council. From time to time the site for a facility to service the community is identified at the edge the City. The City Council shall hold a public hearing on such proposals prior to accepting an annexation application to determine that such facilities are of a community wide scope and that a perimeter location is appropriate.~~

G1-5. The ~~goal is to reflect the~~ City's *policy is to consider the* ~~development objectives included in the CIP. The~~ Capital Improvement Program (CIP) *when investing* ~~is the City's process of guiding public investment. Such investment of~~ public funds *or* ~~also serve to~~ leveraging private investment. ~~that coincide with the City's priorities. In order to leverage the greatest benefit from public projects, special consideration will be considered for compatible and mutually supportive private projects.~~

G1-6. The City shall ~~goal is to~~ encourage ~~the~~ high standards of design and flexibility that are enabled by the PUD zone. ~~The Planned Unit Development (PUD) is a planning and design technique that provides greater flexibility in design than is allowed in the application of other techniques, such as the standard subdivision process. The benefits of the PUD techniques include allowing development with mixed uses, housing that is sited based on density with compensating open space, and control of architectural review and common land ownership and management. Consequently, it provides greater opportunities for creative~~

~~solutions and diversity than the application of traditional ordinance requirements.~~

G1-7. The City's policy ~~goal~~ is to accommodate industrial and commercial growth *consistent with the 2001 Woodburn Economic Opportunities Analysis (EOA).* ~~that provides local employment but does not require special community financial incentives. It is clear that local industrial and commercial development will provide local employment. Such local jobs provide opportunities for local residents and for employees attracted to the Woodburn area. To benefit the community, not only must the development create jobs but is must also operate within the capacity of the City's infrastructure. The City is unwilling to absorb the costs of accommodating new employment that require special financial involvement from the City.~~

G1-8. Woodburn's policy ~~The goal~~ is to diversify the local economy. Woodburn seeks to diversify the local economy so that the community will prosper and can weather swings in the business cycle, seasonal fluctuations, and other economic variables. The intent is to provide a broad spectrum of commercial and industrial enterprises. The variety of enterprises will not only provide insulation from negative business factors but a choice in employment opportunities that in turn allows for the diversification in income types.

~~*Urbanization and Coordination Policies*~~

G1-9. To ensure the growth is orderly and efficient, the City shall phase the needed public services in accordance with the expected rate of growth. The extensions of the existing public services should be in accordance with the master plans in this Comprehensive Plan.

G1-10. ~~To ensure that the City's growth does not exceed its ability to provide public services, the City shall adopt a growth control ordinance, similar to the Limited Growth Ordinance now in effect. When and if the growth control is used, the City shall reexamine the public facilities plan and determine at that time if it is in the public interest to expand facilities to accommodate the additional growth.~~

Woodburn will ensure that land is efficiently used within the UGB by requiring master development plans for land within Nodal Overlay or Industrial Overlay designations. Master plans shall address street connectivity and access, efficient provision of public

facilities, and retention of large parcels for their intended purpose(s).

G1-11. The City *shall pay for* ~~'s~~ public facilities ~~now being built are to be paid for by the~~ *with* system development charges from ~~the~~ anticipated growth. ~~To ensure that the City's growth does not fall short of the expected growth rate, the City would only take necessary measures to stimulate growth under extreme circumstances.~~

G1-12. The County shall retain responsibility for regulating land use on lands within the urban growth area until such lands are annexed by the City. The urban growth area has been identified by the City as urbanizable and is considered to be available, over time, for urban development.

G1-13. The City and County shall maintain a process providing for an exchange of information and recommendations relating to land use proposals in the urban growth area and other land use activities being considered within the urban growth area by the County shall be forwarded by the County to the City for comments and recommendations. The City shall respond within twenty days, unless the City requests and the County grants an extension.

~~G1-14. Upon receipt of an annexation request or the initiation of annexation proceedings by the City, the City shall forward information regarding the request (including any proposed zone change) to the County for comments and recommendations. The County shall have twenty days to respond unless they request and the City allows additional time to submit comments before the City makes a decision on the annexation proposal.~~

G1-14. All land use actions within the urban growth area and outside the City limits shall be consistent with the City's Comprehensive Plan and the County's land use regulations.

G1-15. In order to promote consistency and coordination between the City and County, both the City and County shall review and approve amendments of the City's Comprehensive Plan which apply to the portion of the urban growth area outside the City limits. Such changes shall be considered first by the City and referred to the County prior to final adoption. If the County approves a proposed amendment to the City's plan, the change shall be adopted by ordinance, and made a part of the County's plan.

G1-16. The area outside the urban growth boundary shall be maintained in rural and resource uses consistent with the Statewide Land Use Planning Goals.

G1-17. The City and County shall strive to enhance the livability of the urban growth area and to promote logical and orderly development therein in a cost effective manner. The County shall not allow urban density uses within the Urban Growth Boundary prior to annexation to the City unless agreed to in writing by the City. City sewer and water facilities shall not be extended beyond the City limits, except as may be agreed to in writing by the City and County. The City shall be responsible for preparing the public facilities plan.

G1-18. Conversion of land within the boundary to urban uses shall be based on a consideration of:

a. Orderly, economic provision for public facilities and services;
b. Availability of sufficient land for the various uses to ensure choices in the market place;
c. LCDC Goals;
d. Further development of vacant and under utilized residential land within the City's buildable land inventory before annexing additional territory for conversion to residential use at urban densities; and
e. Applicable provisions of the Marion County and City Comprehensive Plans.

G1-19. *Woodburn is committed to working with Marion County to minimize conversion of rural farm and forest lands, by achieving a compact urban growth form. The City shall zone buildable land such that the private sector can achieve 8 units per gross acre, consistent with the City's housing needs analysis. The efficiency standard represents the average density for new housing that will be zoned and allowed under clear and objective standards by the City. Through a combination of infill, redevelopment, vertical mixed use development and provision for smaller lot sizes and a greater variety of housing types, Woodburn provides the opportunity for the private sector to achieve at least 8 dwelling units per gross buildable acre (after removing protected natural areas and land needed for parks, schools and religious institutions). Housing through infill and redevelopment counts as new units, but no new land consumption, effectively increasing the density measurement.*

G1-20. Woodburn shall apply minimum density standard for new subdivisions and planned unit developments of approximately 80%

of the allowed density in each residential zone, as shown on Policy Table 4, below:

Policy Table 4: Minimum Density Standards for Woodburn's Residential Zoning Districts

Zoning District(s)	***Minimum Density Standard In Dwelling Units Per Net Buildable Acre*** [1]
RS *Single Family Residential* ***RS1*** *Retirement Community SFR* ***RSN*** *Nodal Development SFR*	*5.8 DU/ Net Buildable Acre* *9.6 DU/ Net Buildable Acre* *8.7 DU/ Net Buildable Acre*
RM *Medium Density Residential* *(Multi-Family)* *(MD Park, Duplexes, Small Lot SF)* ***RMN*** *Nodal Residential* *(Multi-Family)* *(Row Houses, Duplexes or Small Lot SF)*	 *12.8 DU/ Net Buildable Acre* *10 DU / Net Buildable Acre* *17.6 DU / Net Buildable Acre* *10 DU / Net Buildable Acre*

[1] *Applies to developments approved through the subdivision and planned development process, and does not include protected natural areas, common open space, public rights-of-way or non-residential uses.*

G1-21. As specified in the Marion County Framework Plan, the County's preliminary employment land use needs for Woodburn will be replaced by the more detailed employment forecasts and site suitability analysis found in the 2001 Woodburn Economic Opportunities Analysis (EOA).

G1-22 Woodburn will consider residential and commercial redevelopment and infill potential for purposes of calculating UGB capacity, prior to expanding the UGB. Woodburn will also constrain the supply of commercial land to encourage redevelopment along Highway 214 west of Interstate 5, and along Highway 99W.

G1-23. Woodburn has identified two areas for mixed-use development -- Downtown Woodburn and the Nodal Development District along Parr Road. The Woodburn Land Needs Assessment includes specific estimates of the number of new housing units and commercial jobs that can be accommodated in these overlay districts.

Annexation Goals and Policies

<u>Goal</u>

G2 The goal is to guide the shape and geographic area of the City within the urban growth boundary so the City limits:
(a) Define a compact service area for the City;

(b) Reflect a cohesive land area that is all contained within the City; and

(c) Provide the opportunity for growth in keeping with the City's goals and capacity to serve urban development.

Policies

G2-1. ~~The goals is to~~ *Woodburn will* clearly establish the intent of each proposed expansion of the City; to assess the proposal's conformance with the City's plans and facility capacity and to assess its impact on the community prior to deeming an annexation application complete.

G2-2. ~~The goal is~~ *Woodburn will* achieve *more efficient* ~~greater~~ utilization of land within the City by:

(a) Incorporating all of the territory within the City limits that will be of benefit to the City into the City.

(b) Providing the opportunity for the urban in-fill of vacant and under utilized property that is currently unincorporated and surrounded by the City.

(c) Fostering an efficient pattern of urban development in the City, maximizing the use of existing City facilities and services, and balancing the costs of City services among all benefited residents and development by incorporating all territory into the City limits that will be of benefit.

(d) *Requiring master development plans for land within Nodal Overlay or Industrial Overlay designations prior to annexation. Master plans shall address street connectivity and access, efficient provision of public facilities, and retention of large parcels for their intended purpose(s).*

G2-3. ~~The goal is to~~ *Woodburn will* use annexation as a tool to guide:

(a) The direction, shape and pattern of urban development;

(b) Smooth transitions in the physical identity and the development pattern of the community; and

(c) The efficient use and extension of City facilities and services.

~~G17. The goals is to balance residential development with public facilities and services and with other types of land use in order to allow the community to maintain its equilibrium as it assimilates growth.~~

~~G2-1 Annexation policies are extremely important for the City. While it is important that enough land is available to allow for choice in the market place it is also essential to prevent too much land being~~

~~included in the City limits as this leads to inefficient, sprawling development.~~

G2-4. *Until the 2004 TSP update is adopted by the City,* a detailed Transportation Impact Study with Oregon Department of Transportation involvement will be required prior to the approval of Site Plan, Subdivision or Planned Unit Developments for land annexed to the City west of Interstate 5.

(a) A notification period of 45 days will be provided the Department of Transportation to respond to the before mentioned proposal prior to final City action.

(b) The City shall ensure that any necessary improvements to I-5 or State Highway 219 required by the development of such lands are provided for prior to the issuance of building permits. It is recognized that the Department of Transportation and City will work with developers in transportation issues. Further, the Department of Transportation may not be able to fund such improvements.

(c) It is also understood by the affected parties that the proposed 100 acre Light Industrial site south of Highway 219 will be issued no more than two access permits to Highway 219. One of these will be at M.P. 36.2396 (Between Woodland Avenue and M.P. 36.46689).

G2-5. The City of Woodburn shall actively manage the location, timing, type and amount of land added to the City.

~~G4-4 Prior to deeming an annexation application complete, the applicant for an annexation shall participate in a mandatory pre-application meeting with City staff. The purpose of the meeting is to assess conformance with the City's goals, policies, standards and criteria regarding annexation.~~

~~G5-5 A complete annexation petition/application shall be required to include:~~

~~(a) All the territory that will be enclaved by the petition, or~~

~~(b) Document the lack of consent by the enclaved property owners or by the resident electors necessary to include the enclave(s) as part of the consent annexation application.~~

~~G6-6 Annexation applications that do not conform with the annexation criteria and standards may be considered by the Planning Commission, after a public hearing, for an exception. The Commission may grant an exception based on findings of special circumstances and of substantial conformance with the criteria and standards based on mitigating measures. The City Council may review the Commission's action.~~

H. Transportation

Transportation Goals and Policies

Woodburn is in the process of updating its Transportation System Plan (TSP) in coordination with Marion County, the Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT). The TSP update is based on the "preferred development scenario" adopted as the basis for the 2003 UGB expansion. The goals and policies listed below may require amendment consistent with the 2004 TSP. A new "Marion County Coordination" subsection is added to ensure coordination with the Goals and Policies of the Marion County Growth Management Framework Plan.

Goal

H1. ***Adopt the Woodburn Transportation Systems Plan (TSP) to* establish a framework for the development of facilities to move persons and goods in as safe, effective and efficient a manner as possible ~~under projected year 2020 traffic conditions,~~ *as required by Statewide Planning Goal 12 (Transportation) and OAR Chapter 660, Division 12 (Transportation).***

Policies

H1-1. Develop a transportation system that interconnects residential areas with employment centers, commercial areas, schools, parks, churches and regional transportation networks.

H1-2. Develop a street system wherein arterial streets are of sufficient width to accommodate traffic flows without interruption. Collector streets should function to conduct traffic between arterial streets, which serve to accommodate movement within neighborhoods.

H1-3. Ensure that state and federal highways with routes through the City are improved in accordance with projected traffic volumes and the elements contained within this plan.

H1-4. Develop a public transit system which will provide service and facilities to improve the mobility and accessibility of the transportation disadvantaged, *consistent with ADA requirements and the Woodburn Transportation Systems Plan.*

H1-5. The City shall encourage pedestrian safety and foster pedestrian activity. Sidewalks shall be provided on all arterial, service collector,

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and access streets. Where possible, sidewalks should be detached from the curb, separated by a minimum 4-foot wide parkway strip.

H1-6. The City shall encourage large businesses in Woodburn to set up carpool and vanpool matching programs, based on employees' residential location and work shift.

H1-7. Access to a development site shall be consistent with *access management policies in the TSP.* ~~an adopted access management plan for specific streets.~~ *New development shall meet Oregon Highway Plan access requirements.* ~~(between the west City limits and Settlemier Avenue/Boones Ferry Road) and Highway 99E between Lincoln Street and the South City limits. The 1991 Oregon Highway Plan classifies the following as Category 5 Highways:~~

- ~~Public roads shall be spaced a minimum of one quarter mile apart;~~
- ~~Private driveways shall be full access spaced at least 300 feet apart (which equates to 18 driveways per mile on each side of the roadway); and~~
- ~~Traffic signals shall be spaced at least one quarter mile apart.~~

H1-*8.* *Consistent with the TSP,* ~~Where possible,~~ driveway access along Highway 214 and Highway 99E shall be consolidated. ~~to meet the driveway density guidelines outlined in the Access Management Plan. Where possible, driveway access along the following sections of Highway 214 shall be consolidated:~~

- ~~I-5 / Evergreen Road;~~
- ~~Evergreen Road / Oregon Way;~~
- ~~Oregon Way / Broughton Way; and~~
- ~~Broughton Way / Settlemier Avenue.~~

~~Where possible, driveway access along the following sections of Highway 99E shall be consolidated:~~

- ~~Lincoln Street / Aztec Drive;~~
- ~~Aztec Drive / Laurel Avenue;~~
- ~~Laurel Avenue / Highway 214; and~~
- ~~Highway 214 / End of Curb.~~

~~H1-9. In order to bring Highway 214 and Highway 99E into compliance with the Access Management Policy guidelines, the City of Woodburn shall coordinate with ODOT to:~~

~~(a) Develop a parallel road system to provide local access to businesses adjacent to Highways 214 and 99E and reduce the traffic volumes on Highway 99E;~~

~~(b) *Develop a "ring road" system that connects Butteville Road to Highway 99W, via Crosby and Parr Roads;* and~~

~~(e) Install two-way left turn lanes along the sections of Highways 214 and 99E.~~

Goal

H2. Develop a transportation system that avoids or reduces a reliance upon any one form of transportation.

Policies

H2-1. Encourage the development of transit services by route expansion, increasing levels of service and appropriate street design to facilitate movement of transit vehicles.

H2-2. Develop a bikeway and pedestrian system which will provide routes connecting residential areas to schools, parks, places of employment and commercial areas.

H2-3. Promote optimum efficiency within the transportation system by the use of traffic management techniques including access controls on major arterials. ~~and the utilization of available transit system capacity prior to the construction of major new transportation facilities~~

H2-4. Encourage the design and development of transportation facilities that can be readily modified to accommodate future demands.

H2-5. The City shall encourage a reduction in parking for single-occupancy vehicle travel. Where carpool/vanpool, or shared parking is provided, minimum parking requirements may be reduced by 10%.

Goal

H3. To provide adequate levels of mobility with a minimum of energy consumption and environmental, social, aesthetic and economic impacts.

Policies

H3-1. Encourage the use and development of transportation modes which are the least energy consuming for the movement of people and goods.

H3-2. Provide a level of transportation services to the urban area that are compatible with the environmental, economic and social objectives of the community.

Goal

H4. To develop an area-wide bicycle and pedestrian plan.

Policies

H4-1. To make implementation of the area-wide bicycle and pedestrian plan a cooperative effort between the City of Woodburn and all other governmental jurisdictions within the area.

H4-2. To develop a comprehensive bicycle and pedestrian system including both on-street and off-street routes, which make pedestrian activity and bicycle riding feasible, safe and enjoyable as alternative modes of transportation in the area.

H4-3. To provide bicycle and pedestrian routes that connect residential areas with the major commercial, employment, recreational and institutional network of the area.

H4-4. To provide connections between local bicycle and pedestrian routes and other bicycle and pedestrian routes of a regional, state and national nature.

H4-5. To finance the bicycle and pedestrian system as much as possible with non-local funds. Where local funds are required, expenditures will be carefully programmed through the respective capital improvement programs of the various governmental jurisdictions associated with the plan.

H4-6. To ensure that all new commercial, industrial, institutional, residential and recreational developments consider the elements contained within the bicycle and pedestrian plan, *the City will incorporate standards into its development code.*

H4-7. To establish the administrative capability necessary to implement the area wide bicycle and pedestrian plan.

Goal

H5. Increase safety and improve security for pedestrians, bicyclists and bicycle equipment.

Policies

H5-1. Provide bicycle and pedestrian routes along arterial and collector streets as these streets are improved, or as programmed into jurisdictional capital improvement plans.

H5-2. Establish design standards for all new bicycle and pedestrian facilities that are consistent with state and federal design standards.

H5-3. Establish well-signed bicycle and pedestrian routes throughout the area by installing bike route signs, curb ramps and in some cases safety striping on streets and roads designated by bicycle and pedestrian use in the plan.

H5-4. Establish a bicycle and pedestrian safety plan by implementing an area wide educational and recreational program oriented toward teaching bicycle and pedestrian safety.

H5-5. Amend subdivision and zoning codes to require provisions of bicycle and pedestrian facilities.

Goal

H6. Increase the acceptability for bicycle and pedestrian use.

Policies

H6-1. Provide bicycle and pedestrian routes within all state, regional and local parks and recreation areas by applying for grant assistance to support the development of bicycle and pedestrian systems in parks and open space areas.

H6-2. Plan off-street routes along creeks and establish routes which lead to local and regional open space areas. Establish local loop routes which take advantage of local amenities and historical areas.

H6-3. Construct pedestrian facilities, rest stops, exercise loops and bicycle courses in selected areas.

H6-4. Encourage existing developments to install and construct bicycle and pedestrian facilities whenever improvements are planned.

Goal

H7. *Coordinate with Marion County in planning for a safe and efficient county-wide transportation system by:*

(a) Encouraging use of alternative modes of transportation including mass transit, bicycling, walking and carpooling; and

(b) *Addressing transportation needs appropriate to both urban and rural areas throughout the county.*

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Policies

H7-1. Woodburn shall jointly plan with the county to meet the transportation needs in the future.

(a) The Marion County Transportation System Plan (TSP) will be designed to accommodate the forecast population, housing, and employment identified in the Framework Plan, except where modified by the Woodburn Economic Opportunities Analysis (EOA) and the acknowledged 2003 Woodburn Comprehensive Plan.

(b) Woodburn supports Marion County efforts to investigate countywide alternative transportation, such as inter-City transit, vanpooling, and passenger rail service serving the county and the Willamette Valley region.

H7-2. Woodburn will implement street connectivity standards and street plans as provided in the Woodburn TSP.

(a) Except where topographical conditions or existing development make this standard impractical, new subdivisions and planned developments should have internal connectivity of at least 8 through streets per mile (roughly every 660 feet) for new development, and sufficient collector and arterial systems for local access.

(b) The TSP shall include a map depicting future street connections for areas to be urbanized. ·This is especially important in Nodal and Industrial Overlay areas. The County will coordinate and adopt similar standards for urban areas within its planning jurisdiction. ·

(c) When feasible, the County will utilize local standards such as those in the Woodburn TSP and Woodburn Development Ordinance for development that occurs on unincorporated lands within UGBs.

H7-3. Woodburn will support Marion County efforts to provide transit connections within and between cities. The Woodburn TSP shall include transportation plans for the Woodburn Transit System that is consistent with the population and employment projections in the Woodburn Comprehensive Plan and coordinated with the "preferred alternative" found in the County Framework Plan.

H7-4. Woodburn should provide for a complementary mix of land uses and transportation systems by providing for mixed use development in the Downtown Development and Conservation (DDC) and the Nodal Development Overlay (NDO) districts.

H7-5. Woodburn shall consider traffic calming of through traffic in neighborhoods. Woodburn will coordinate with Marion County in making recommendations for methods and procedures for traffic calming that directly affects a county road, developing recommended best practices for

methods, locations, and processes for traffic calming in both existing and new developments.

H7-6. Woodburn will coordinate with Marion County in planning for freight movement by both rail and truck.

H7-7. The Woodburn TSP shall include measures to improve the walking and biking environment by providing sidewalks in all new developments and by providing an interconnecting system of pedestrian connections. Designing for a comfortable and practical pedestrian environment is especially important in Downtown Woodburn and within the Nodal Overlay District.

Goal

H8. *Coordinate with the Oregon Department of Transportation (ODOT) to maintain highway and intersection capacity, safety and functionality by:*
(a) *Developing and adopting performance standards; and*
(b) *Prohibiting comprehensive plan amendments that do not meet adopted performance standards.*

Policies

H8-1. The Woodburn TSP shall determine sub-areas within the UGB based on potential and substantial adverse impacts to state highway facilities.

(a) Peak hour trip generation estimates and numerical ceilings based on land uses permitted by the 2003 Woodburn Comprehensive Plan shall be determined for each designated sub-area.

(b) The City will coordinate with ODOT in monitoring trip generation impacts for each designated sub-area, considering the cumulative impacts of existing and new development.

(c) Transportation impact studies shall be required for subdivisions and planned developments, and for new commercial, industrial, public and multi-family residential development within designated sub-areas.

(d) Comprehensive Plan amendments that exceed the trip generation ceiling for a designated sub-area shall be prohibited.

(e) Comprehensive Plan amendments from Industrial to Commercial shall be prohibited, regardless of impact, within the SWIR Overlay.

(f) Woodburn shall provide ODOT with copies of transportation impact studies upon request, and as part of the Periodic Review process.

(g) Woodburn shall coordinate with ODOT, DLCD and Marion County to address potential service deficiencies affecting state highway facilities through the Periodic Review process.

H8-2. The City shall implement medium term conservation measures to limit access to Highways 214 and 219. Such measures shall include, but shall not be limited to:

(a) Limitations or prohibition on private access within a quarter of mile east and west of interchange ramp terminals;

(b) Access controls on, public road approaches; and

(c) Raised medians from Woodland to Oregon Way along Highways 219 and 214.

I. Public Facilities

Public Facilities Goals and Policies

Goal

I1. Public facilities and services shall be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas shall be based upon *approved master plans that consider:* (1) the time required to provide the service, (2) reliability of service, (3) financial cost, and (4) levels of service needed and desired.

Policies

I1-1. Public Facilities and services shall be appropriate to support sufficient amounts of land to maintain an adequate housing market in areas undergoing development or redevelopment.

I1-2. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban land uses.

Wastewater Goals and Policies

Goal

I2. Develop a system that will comply with regulatory treatment requirements of the Clean Water Act for anticipated wastewater flows and reduce the amount of pollutants that are released to the environment.

Policies

I2-1. Develop a plan to treat the City's wastewater flows that ensures desired efficient quality is maintained under all flow conditions.

I2-2. Develop a plan for a collection system that has the capacity to convey the wastewater flows generated.

I2-3. Develop a maintenance plan that ensures the wastewater treatment system maintains a high degree of reliability throughout its design lifetime.

I2-4. Develop an active Inflow/Infiltration (I/I) program that will reduce the levels of I/I flows to the treatment facility.

I2-5. Develop a system to monitor and regulate the flows from industrial customers whose wastewater is treated by the City.

Goal

I3. Develop a plan that will economically provide for the treatment of wastewater generated by the City's sewer customers accounting for projected growth through the year 2020.

Policies

I3-1. Project the wastewater treatment needs of the City through 2020 and provide the *land, financial* resources and infrastructure to meet those projected demands.

I3-2. Develop a Capital Improvement Plan to meet the requirements of the Clean Water Act and any other regulatory requirements for the projected system demands.

I3-3. Regularly update the plan to guide the City efficiently through anticipated growth to comply with any changed regulatory requirements and evaluate if existing plans are satisfactory.

I3-4. Evaluate the feasibility of the full range of funding options for wastewater system improvements to fairly distribute costs and regularly evaluate the adequacy of established fees and charges.

I3-5. Evaluate the potential impacts of water conservation programs that mitigate some of the increased demands associated with projected future growth.

I3.-6. *The City shall acquire additional land for a poplar tree plantation for tertiary treatment of waste sludge, as needed to accommodate future growth.*

Domestic Water Goals and Policies

Goal

I4. **Develop a system that will provide the water system□s customers with safe drinking water that meets quality expectations in sufficient quantity to meet the demand.**

Policies

I4-1. Develop a plan to treat the City□s water supply to reduce elevated levels of iron and manganese which provide undesirable aesthetic effects.

I4-2. Develop a plan to monitor and react to changing regulatory requirements to ensure that the City is able to supply water that complies with all provisions of the Safe Drinking Water Act.

I4-3. Develop a supply and distribution system that provides for reliable fire protection.

I4-4. Develop a Wellhead Protection Program for the City which will serve to provide the greatest practical protection for the groundwater resources that provide the City□s drinking water supply.

Goal

I5. **~~Develop a plan that will~~** ***To*** **economically provide safe, plentiful drinking water to the City□s water system customers accounting for projected growth through the year 2020 in accordance with the City of Woodburn Water Master Plan.**

Policies

I5-1. Project the water needs of the system through 2020 and provide the resources and infrastructure to meet these projected demands. Monitor the status of water rights granted the City to utilize groundwater resources from the Troutdale aquifer.

I5-2. Develop a Capital Improvement Plan to meet the water quality goals and requirements, water system distribution needs, desired water storage capacities and future water supply projections.

I5-3. Regularly update the plan to guide the City efficiently through anticipated growth to comply with regulatory requirements, identify additional sources, determine treatment options and evaluate service quality.

I5-4. Evaluate the feasibility of the full range of funding options for water system improvements to fairly distribute costs and regularly evaluate the adequacy of established fees and charges.

I5-5. Evaluate and monitor alternative sources that may need to be utilized if contamination or other situations make the existing source unusable and explore opportunities for regional cooperation in water supply.

I5-6. Evaluate potential impacts of water conservation programs to mitigate some of the increased demands associated with projected future growth.

J. Natural and Cultural Resources

The streams and watersheds within and outside the Woodburn UGB flow without regard to political boundaries, and their health depends on a consistent and coordinated conflict-management approach, involving the City, Marion County, and state agencies such as the Department of Fish and Wildlife, the Water Resources Department, the Division of State Lands, the Environmental Quality Commission, and the Land Conservation and Development Commission. Woodburn is committed to working with the County and these agencies to protect streams, wetlands, riparian corridors, floodplains, and associated wildlife areas from the negative effects of development in accordance with Statewide Planning Goals 5 (Natural Resources), 6 (Water Resources Quality), and 7 (Natural Hazards).

Woodburn's urban natural resources are found within the Mill Creek and Seneca Creek floodplains, riparian areas and locally significant wetlands. Woodburn has adopted a "safe harbor" approach to protecting these riparian corridors and wetlands, in accordance with the Goal 5 administrative rule.

Natural and Cultural Resources Goals and Policies

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Goals

J1. It is the City's goal to preserve the *Mill Creek and Senecal Creek riparian system, including floodplains, riparian areas and locally*

significant wetlands. Woodburn is also committed to protecting fish and wildlife habitat and natural vegetation associated with this riparian system, as shown on the Buildable Lands Map. ~~natural resources in the City including the unique stands of trees, the scenic areas within the City, and the floodway and floodplain.~~

J2. It is the City's goal to preserve its unique and historically significant cultural and historical resources.

J3. It is the City's goal to preserve its air, water and land resources in such a way that the clean air the citizens now enjoy will continue in the future, the good quality and sufficient quantity of water which is now obtained from underground supplies will continue, and that the land resources within the City will be used in such a manner as to ensure that they will remain useful to future generations.

J4. Encourage and work with Marion County, affected state agencies and private landowners to protect water resources in and around the Woodburn UGB by requiring buffer zones to protect streams, floodplains, and significant wildlife areas from the negative effects of development.

Policies

J-1. The City should establish a tree ordinance with measures requiring an inventory of significant tree stands, as well as a means to preserve such stands. A tree planting program to replace lost stands with comparable species should be established.–*Trees within designated floodplains and riparian corridors shall be preserved. Outside of designated floodplains and riparian corridors, d*~~D~~evelopers should *be required to* ~~be encouraged to~~ leave standing trees in developments where *feasible.* ~~it is possible rather than remove them and replant young trees.~~

J-2. *New development within the 100-year f*~~F~~loodplain *shall be prohibited unless no reasonable economic use can be made of a particular parcel of land. Floodplains* should be set aside for City green ways and left in a natural state as much as possible. This would prevent building in the floodplain and provide a natural green way throughout the City. *In cases where limited development is allowed within a floodplain, the flood storage capacity of land within the floodplain shall be maintained through balanced cuts and fills.*

J-3. Woodburn will work with Marion County, watershed groups, affected agencies to protect environmentally sensitive areas critical to watershed health as mapped on the Woodburn Buildable Lands Inventory. Natural and scenic areas *associated with Woodburn's*

riparian systems shall ~~remaining in the City should~~ be preserved *through the City's Riparian Corridor and Wetland Overlay (RCWO) District.*

J-4 *Woodburn has used the Division of State Lands (DSL) standards to identify locally significant wetlands. · Locally-significant wetlands and buffers are protected by RCWO District standards.*

J-5 *The RCWO District is based on the "safe harbor" provisions of the Goal 5 administrative rule (OAR Chapter 660, Division 23) and shall allow for planned public facilities necessary to support urban development on nearby buildable lands. The basic provisions of the RCWO District are as follows:*

(a) Except for planned public facilities and streets and riparian restoration and enhancement projects, new development is prohibited within designated floodplains and riparian corridors.

(b) The riparian corridor width shall be 50 feet from the top-of-bank or edge of associated wetland. These standards require preservation of native vegetation within the 50-foot buffer area.

(c) The riparian corridor width may be reduced by as much as 50% in areas where (1) the riparian vegetation along the stream or wetland is no longer functional, and (2) restoration and enhancement within the remaining riparian area compensates for any lost benefits of a wider buffer based on an approved riparian restoration and enhancement plan. Only native plant species may be used.

(d) In cases where no reasonable use of a parcel within the RCWO District is allowed by strict application of district standards, variances may be approved with mitigation.

J-6. The City shall adhere to the standards set forth by the department of Environmental Quality and the Environmental Protection Agency for air quality and emissions control. In addition, the City should adopt and enforce its own standards above and beyond DEQ's, if it is deemed necessary to protect its citizens from local polluters.

J-7. The primary noise sources within the community are generated by traffic flows on Interstate 5, Pacific Highway 99E, the Railroad, and two industrial sources: North Valley Seeds and Woodburn Fertilizer Company. Noise generated by these sources fall under the jurisdictional responsibilities of the Department of Environmental Quality. Also, any noise pollution sources associated with manufacturing or food processing in the community again are regulated by DEQ. The City shall assist DEQ in the review of development permits to assure that State noise standards are met.

J-8. The City of Woodburn shall coordinate its efforts in resolving solid waste disposal problems with Marion County.

J-9. It is the policy of the City to protect the aquifers by all available means which supply Woodburn's domestic water. *The City will work with Marion County to promote and target restoration efforts to critical groundwater areas and develop water management approaches such as monitoring and evaluation programs based on collaborative actions.*

J-10. For surface water regulations, it is City policy to support the Department of Environmental Quality in enforcement of water quality standards on Mill Creek, Senecal Creek and Pudding River.

J-11. The policy for land use in the City is to use land in such a manner that the particular qualities of *riparian systems and wetlands* ~~each area~~ are enhanced by the development that occurs there. Land use *in buildable areas* should be maximized so that valuable *riparian areas and wet*lands are not wasted. ~~At the same time, land should not be used in such a manner that irreversible damage is done which prohibits further use of the land.~~

J-12. Such uses as landfills, junk yards or industrial burial grounds should not be allowed within the City limits as such uses are wasteful of urban land and are not compatible with urban uses.

J-1*3*. The City should encourage the preservation and restoration of historically *or architecturally* significant buildings within the City. This could be done by giving assistance in seeking government funds and historic recognition*, and by adopting development regulations that encourage preservation of historically or architecturally significant buildings.*. ~~An inventory of historic buildings should be completed and analyzed for priorities.~~

~~J-14. An application for a development involving a structure inventoried as a potential historic site shall be reviewed by the Planning Commission which shall make findings and recommendations concerning the historical status of the structure. The Planning Commission may impose conditions on the structure to satisfy the requirements of Section 35 of the Woodburn Zoning Ordinance.~~

K. Downtown Design

Vision Statements

During 1997, City officials, downtown business and property owners, Downtown Woodburn Association and interested citizens developed vision statements describing character and future revitalization of the Downtown. These vision statements shall be recognized by the City as the overall expression of Downtown's future.

1. IMAGE OF DOWNTOWN: Downtown projects a positive image, one of progress and prosperity. Downtown improvements have been visible and well publicized. Downtown's image consists of a combination of elements – physical appearance, and a look, and feel that it is thriving, safe, and vital.

2. SAFETY: Downtown is a safe, secure place for customers, employees, and the general public. Safety and security are assured by volunteer efforts, and by physical improvements such as lighting which provides a sense of security.

3. SOCIAL: Downtown is a place where a diverse community comes together to work, shop, and play. It is a mirror of the community, the community's "living room". All persons in the community feel welcome, and a part of, their downtown.

4. BUSINESS ENVIRONMENT: Downtown is a thriving environment for a variety of businesses. The area contains a good mix of types of businesses, a good overall marketing program is in place, and businesses provide friendly, reliable customer service and convenient hours of operation. Individual businesses are clean, attractive and present a good physical appearance.

5. ATTRACTORS: downtown is the center of community life, and serves as a focus to define the community's historic and cultural heritage. A community market brings all of the City's diverse communities together every week. Downtown's architecture, the aquatic center and unique businesses serve as a regional attractor. In addition, downtown offers events and opportunities that draw people together to mingle, learn, and enjoy.

6. NEIGHBORHOOD: Downtown is a part of the City's oldest neighborhood. Businesses, government and employment uses are linked to residential neighborhoods, educational facilities, recreation opportunities and good transportation services. Throughout this central neighborhood, both renovation and new development respect the history and traditions of the community.

7. TRANSPORTATION: Downtown is easily accessible via the local street system, public transportation, and other alternate modes of transportation. Special transportation facilities improve circulation patterns within the downtown, and provide links between downtown and key events and places.

8. PARKING: ~~Downtown contains an ample an convenient supply of parking for customers and employees.~~ While it is not ~~possible~~ *appropriate* to provide downtown parking at the same level as found in shopping centers, good utilization and management of the existing supply of downtown parking has been accomplished.

9. IMPLEMENTATION: Implementing the vision for downtown has involved both private and public investments. Investments are made in the management structure for downtown, and in capital improvements to improve the physical elements of downtown. Planning for these investments, and examining options to pay for them is an on-going process involving the City, Woodburn Downtown Association, property and business owners.

Short Term Goals and Policies

Goal

K1. Rehabilitation and Financing of the DDCD.

Policies

K1-1. Because of the decline in both business and industry downtown, many buildings have been abandoned and stand in a state of serious disrepair. It is important in the short term that these undesirable, unsafe structures be condemned and demolished if repair and maintenance is not practical.

Many buildings have been altered without regard to their surroundings, succumbing to short term fads, leaving the buildings quickly looking out of date and incongruent. It is recommended that a system for removing selective building elements, cleaning, maintaining, painting, and adding selective elements be initiated ~~by property owners with overview from the Woodburn Downtown Association (WDA)~~.

K1-2. Encourage a balanced financing plan to assist property owners in the repair and rehabilitation of structures. The Plan may include establishment of the following:

(a) *Support and encourage an effective urban renewal district.*
(b) Provide on-going investments in downtown improvements.
(c) Economic Improvement District - a designated area, within which all properties are taxed at a set rate applied to the value of the property with the tax monies used in a revolving loan fund for building maintenance, and improvement.

(d) Local, State, & National Historic District - a designated district within which resources, and properties are inventoried and identified for historic preservation.
(e) Establish a "501 C-3" tax exempt organization for the purpose of qualifying for grants.
(f) Analyze the feasibility of establishing an urban renewal district as a long-term funding source for Downtown improvements.
(g) Adopt a capital improvement program and funding strategy for Downtown improvements. Capital improvements shall be designed and constructed to be in harmony with the concepts portrayed in the Woodburn Downtown Development Plan, 1997.
(h) Update the Downtown improvement capital program at least every five years, and involve the Woodburn Downtown Association, property and business owners in the update process.

Goal

K2. Improve Citizen Involvement in the DDCD.

Policies

K2-1. *Maintain and support* ~~Encourage~~ the organization of a downtown business watch group, where property owners can assist police in eliminating undesirable, illegal behavior in the DDCD.

K2-2. Business owners should encourage the involvement and education of their employees in downtown activities.~~, such as the Woodburn Chamber of Commerce and the WDA~~

K2-3 ~~Encourage~~ The City *shall* ~~and the Woodburn Downtown Association to~~ oversee all development and ensure general conformance with this document.

Goal

K3. Improve Open Space Within the DDCD.

Policies

K3-1. Introduce new plant materials to the Downtown Design and Conservation District, including: ground cover; shrubs; and trees. A program to introduce new plant materials would enhance the appearance of the entire downtown. Participation on the part of both the City and the downtown merchants will be needed to see these projects through to a reasonable conclusion.

K3-2. Design a set of uniform sign graphics for the DDCD. Using control in developing street graphics provides balance and facilitates easy, pleasant communication between people and their environment. Points of consideration would include: Area of sign, placement, symbols used, extent of illumination, colors, etc.

K3-3. Construct a central downtown plaza or square to serve as a public meeting place and center for cultural activities.

Intermediate Term Goals and Policies

Goal

K4. Improve Pattern of Circulation Within the DDCD.

Policies

K4-1. *Evaluate alternative circulation patterns for traffic flow.* Patterns of pedestrian circulation improved through the repair and/or replacement of sidewalks. A means of providing a sense of place within the downtown accomplished by replacing damaged sections of sidewalk with a decorative brick like pattern of surfacing. Pedestrian safety increased by carrying this surfacing pattern across the streets at each intersection thereby creating a different color and texture over which the automobiles travel.

K4-2. Improve vehicular and safety access into and out of Downtown by improving North and South Front Streets.

K4-3. Curb ramps should be encouraged at all intersections. Improved wheelchair facilities throughout the CBD will provide access to a more diverse cross section of the City's population.

K4-4. Efforts should continue to evaluate the feasibility of bicycle paths linking the CBD with City schools and parks.

Goal

K5. Improve Utilities and Landscaping Within the DDCD.

Policies

K5-1. Plans for capital improvement should include a schedule for replacement of overhead power and telephone lines with underground utilities.

K5-2. Without an adequate system of underground irrigation within the DDCD, plans for landscaping not be as successful. ~~It is therefore recommended that~~ The City *will* include in its Capital Improvement Programs plans to improve underground irrigation systems along streets and at intersections throughout the DDCD.

K5-3. Street lighting can be both ornamental and useful in making the downtown safe and attractive. Cooperation from both private and public interests can result in a street lighting plan that both serves a utility and attracts people to shop in and enjoy the downtown.

K5-4. Because of the costs involved in utility and landscaping improvements and the need to maintain general uniformity in designing improvements such as landscaping and street lighting, the Woodburn *Urban Renewal Agency* ~~Downtown Association (WDA)~~ in cooperation with the City should develop a schedule for improvement that phases development ~~and utilizes annual donations from downtown property owners to assist in the purchase and installation costs~~.

Long Range and Continuous Goals

Goal

K6. Attract Business to the DDCD.

Policies

K6-1. To succeed, the DDCD should function in *four* ways:

(a) As a center for small cottage industry, where goods are produced on a small scale for sale on both a local retail and a regional wholesale level;

(b) As a neighborhood shopping center with retail stores, restaurants, offices and services;

(c) As a City-wide hub with government and public buildings, arts and entertainment centers; *and*

(d) *As a regional and state-wide center that celebrates cultural diversity and offers opportunities for education and tourism.*

K6-2. *Complete alley improvements and implement Urban Renewal Plan.* ~~Encourage improvement of the alley between First Street and Front Street with better pedestrian access, lighting, business access, painting, and landscaping.~~

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Page 79

Neighborhood Conservation Overlay District Goals and Policies

Goal

K7. Preserve, to the greatest extent practical, the architectural integrity of Woodburn's "older" (1890-1940) neighborhoods.

Policies

K7-1. Identify residential neighborhoods that contain dwellings built between 1890-1940 which represents that period of time the DDCD was developing.

K7-2. Encourage those areas that are determined to be the City's older neighborhoods (1890-1940) to implement the neighborhood conservation overlay district.

K7-3. Seek funding sources to assist homeowners in rehabilitation efforts that implement overlay conservation districts standards.

L. Parks and Recreation

Open Space / Parks

~~Open space lands are indicated for three new 3-5 acre neighborhood parks. The vicinities for these parks include east of I-5, north of Parr Road and south of Hayes; another south of Cleveland, east of Union Pacific mainline/Boones Ferry, and west of Hwy. 99E; and another east of Hwy. 99E, south of Blaine and north of Hwy. 211. Additionally, the floodplain areas of the City are indicated for open space. This does not mean that the City will necessarily own these lands, however, any development scheme should leave these floodplain lands as open and undeveloped with structures.~~

~~In 1998, the City annexed the 25 acre Centennial Park site located south of Parr Road. In 1999, the City completed Phase 1 of the park's development including two soccer fields, a softball/baseball field and two playgrounds. Future phases, projected for completion in 2006, will construct three additional softball/baseball fields, picnic and concession facilities, athletic field lighting and hard court play surfaces.~~

~~The other open space uses such as floodplain areas could serve as transportation routes for pedestrian traffic, golf carts and bicycle paths. There would have to be a concerted effort by the City to acquire R.O.W. easements through private properties to establish these routes.~~

Goals and Policies

Goals

R1. *The Woodburn Parks and Recreation Comprehensive Plan shall establish a framework for land acquisition and future park improvements within the community.* **It is the goal of the City to provide adequate parks, recreation facilities, and open space to maintain Woodburn's livability and managed growth, and to provide social, economic and environmental benefits to individuals, families and the community.**

R2. **Downtown Woodburn should remain a centerpiece of activity, culture, and commerce within the City. Library Park, *the Downtown Plaza,* Woodburn Aquatic Center, Settlemier Park, the Woodburn World's Berry Center Museum, and Locomotive Park should be used as catalysts for downtown revitalization.**

Policies

R1-1. The City will ensure that sufficient land is made available for parks and open spaces by adopting the system of facility types and standards in the 1999 Parks and Recreation Comprehensive Plan including: Mini-Parks; Neighborhood/School Parks; Community Parks; Municipal Parks; Greenways, Open Space, Trails and Pathways; and Cultural Resources and/or Special Use Parks/Facilities.

R1-2. The City will ensure the most efficient and effective means of providing sufficient land for neighborhood parks by adopting a neighborhood/school park concept including joint land acquisition and development, thereby strengthening the existing partnership between the City and the Woodburn School District.

R1-3. Where neighborhood/school parks are not feasible, it is the policy of the City to acquire neighborhood parks, when practicable, through the development review process.

R1-4. *As a supplement to the City's neighborhood parks, required nodal master plans shall include provision for adequate park and recreational facilities.* ~~*it* is the policy of the City to encourage new subdivisions to provide mini-parks, meeting City approved standards. The City shall ensure that the excessive maintenance impacts of mini-parks are avoided by requiring ownership to be retained by the developer or a homeowner association, with~~

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~~maintenance provided by the developer, the homeowner association, or by the City through a maintenance LID. These facilities may not be used to reduce the requirements for System Development Charge payments.~~

R1-5. It is the policy of the City to manage Mill Creek, Goose Creek and Senecal Creek corridors as public greenways and pathways; multiple functions will include open space and habitat preservation, flood control, cycling and walking on all-weather pathways, nature recreation and education, and limited playground activities where there is a deficiency of neighborhood parks.

R1-6. To provide for a continuous public greenway and pathway system, it is the policy of the City to acquire privately-owned segments along Mill Creek, Goose Creek, and Senecal Creek and other stream corridors including the west tributary from Settlemier Park to Parr Road. It is the policy of the City to seek dedication of floodplains and creek corridors for natural areas, neighborhood recreation areas, open space and transportation.

R1-7. To ensure adequate maintenance of the City's parks, recreation, and open space facilities, the City will prepare comprehensive management plans including maintenance management standards for each facility.

R1-8. It is the policy of the City to require multi-family housing projects which exceed four (4) units to provide basic neighborhood park and playground facilities, based on development standards of the Recreation and Parks Department.

R1-9. Because recreation participation preferences and interests vary among employment preferences and interests vary among employment ethnic, social, and cultural groups, it is the policy of the City to exercise special sensitivity in selecting the types of recreation programs it offers, and in the design and management of parks, recreation and open space.

M. Energy Conservation (Largely unchanged.)

Energy Conservation Goals and Policies

Goal

1. **The goal of the City is to encourage conservation of energy in all forms, and to conserve energy itself in the City's operations, buildings, and vehicular use.**

Policies

1-1. The City shall review its subdivision and construction codes periodically to ensure that the construction types which most conserve energy are encouraged in this City, but not at the expense of health and safety. The City shall encourage new construction types, within the limits of what can be permitted due to health and safety requirements, to permit further use of the solar energy which is available in the Woodburn area.

1-2. The City shall *increase its commitment to energy conservation, including alternative energy vehicles, increased recycling, and reduction in out-of-direction travel. The City shall encourage its citizens and visitors to conserve energy. Where feasible, the City should* ~~attempt to~~ retrofit~~, when it becomes cost effective,~~ City buildings and structures so that they may be more energy efficient.

1-3. In all new construction for the City energy systems which rely less on fossil fuels shall be investigated, and if cost effective at a long term, shall be utilized.

1-4. Encourage a minimum energy conservation standard for existing residential buildings.

1-5. Revise land development standards to provide solar access.

1-6. Encourage investments in solar energy by protecting solar access .

1-7. Offer developers a density bonus for development utilizing energy conservation and solar energy measures.

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The attachments for Item 10A are not included in the agenda packet. The entire document has been given to the City Council and is available for review by the public in the City Recorder's office, in the City Administrator's office, and at the reference desk of the Woodburn Public Library.

To: City of Woodburn Planning Commission

Feb. 3, 2005 I attended the Public Hearing on proposed amendments on Re-Zoning Property in and around Woodburn.

REC'D FEB 22 2005 WOODBURN DEVELOP

I live at 1345 James St. Currently our House and the ones on either side of us are zoned "RM". We would like to be changed to a zone "RS" and give us some piece of mind knowing we won't be pinned in by Apt. Buildings.

We have lived here for 9 yrs and in that time we have been bothered by the Terra Lyn Apt. which back up to our back fence. At least once or twice a week I have to pick up trash that someone has thrown over the fence or smell some-body urine against the fence. I would hate to have this on 3 sides of me.

We look forward to the change. Sincerely

Exhibit "B"-63

☆ REC'D ☆

FEB 22 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Woodburn Planning Commission

Feburary 22, 2005

Mr. Chairman:

This petition never returned from Texas in time for the Public Hearing on Feburary 3, 2005, please consider it at your meeting, deliberating on what wad said in the public hearing meeting of Feburary 3, 2005.

Thank You

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☆ REC'D ☆

WOODBURN PLANNING COMMISSION METTING

FEBURARY 24, 2005

FEB 22 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

IN THE MATTER OF THE SOUTHWEST INDUSTRIAL RESERVE DISTRICT (SWIR) IN THE WOODBURN GROWTH BOUNDRY EXTENSION.	)))	OBJECTION PARCEL SIZE REQUIREMENT EMPLOYEE REQUIREMENT MASTER PLANNING REQUIREMENT TRANSPORTATION PLAN IN SWIE

RECITALS:

1. We the undersigned are owners of 100 % of the land, by deed, and owned since the 60s, in the proposed Southwest Industrial Reserve District (SWIR).

2. We the undersigned are --100% of the owners of the land in the proposed Southwest Industrial Reserve District.

3. The undersigned are desirous of making this Petition a part of the record of the meeting of Feburary 24,2005, deliberating on what was said at the Public Hearing Feburary 3, 2005.

4. We the undersigned were not approached on any of the planning of the Southwest Industrial Reserve District and therefore feel it is the City of Woodburns responsibility to do their own master planning on any parcels.

5. We the undersigned are oppsed to being told how we will divide our farm land in the Southwest Industrial Reserve District.

6. We the undersigned are opposed to being told who we will sell our land to, in the Southwest Industrial Reserve District, as to the amount of employees that must be employeed.

7. We the undersigned feel we are quite capable of deciding, to who and how we will dispose of our land.

8. We the undersigned are opposed to the Transportation Plan in the Southwest Industrial Reserve District. If the land need is greater that the proposed street width and if it follows a property line and does not take ½ off each side of the proposed street

NOW, THEREFORE, the undersigned hereby:

1. Affix their signature to this document for the purpose of objecting to the above recitals.

2. Certify that they are the owners, either in fee or under contract purchase, of one or more parcels in the proposed Southwest Industrial Reserve District.

NAME	ADDRESS	CITY
Darlene Mahan	3765 PARK PLACE	ADDISON, TX. 75001
John Weiss Jr.	14905 BUTTONWOOD RD.	GERVAIS, OR 97026
Weiss Family LLC		
Delbert Hottsen	8518 Park Rd.	Gervais, 97026
Betty R Hottsen	8518 Park Rd	Gervais OR 97026
Paul [illegible]	8097 Park Rd	Gervais OR 97026
Marie Wilde	8097 Park Rd	Gervais 97026
Melvin O. Seibel	8318 PARK RD NE	97026

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REC'D

MAR 2 2 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

WOODBURN CITY COUNCIL PUBLIC HEARING

MARCH 28, 2005

IN THE MATTER OF THE SOUTHWEST INDUSTRIAL RESERVE DISTRICT (SWIR) IN THE WOODBURN GROWTH BOUNDRY EXTENSION.	OBJECTION TO: PARCEL SIZE REQUIREMENT EMPLOYEE REQUIREMENT MASTER PLANNING REQUIREMENT TRANSPORATION PLAN IN SWIR

RECITALS:

1. We the undersigned are owners of 100 % of the land, by deed, and owned since the 60s, in the proposed Sourhwest Industrial Reserve District(SWIR).

2. We the undersigned are 100% of the owners of the land in the proposed Southwest Industrial Reserve District.

3. The undersigned are desirous of making this Petition a part of the record of the Public Hearing on March 28, 2005 at 7:00 p.m.

4. We the undersigned were not approached on any of the planning of the Southwest Industrial Reserve District and therefore feel it is the City of Woodburns responsibility to do their own master planning on any parcels.

5. We the undersigned are opposed to being told how we will devide our farm land in the Southwest Industrial Reserve District.

6. We the undersigned are opposed to being told who we will sell our land to in the Southwest Industrial Reserve District, as to the amount of employees that must be employeed.

7. We the undersigned feel we are quite capable of deciding, to who and how we will dispose of our land.

8. We the undersigned are opposed to the Transportation Plan in the Southwest Industrial Reserve District. If the land need is greater than the proposed street width and if it follows a property line and does not take ½ off each side of the proposed street.

NOW, THEREFORE, the undersigned hereby:

1. Affix their signature to this document for the purpose of objecting to the above recitals.

2. Certify that they are the owners, either in fee or under contract purchase, of one or more parcels in the proposed Southwest Industrial Reserve District.

NAME	ADDRESS	CITY
Darlene Mahan	3765 PARK PL	ADDISON, TX 75001
John Lewis Jr.	14905 Butteville Rd	Gervais, OR 97026
Lewis Family LLC		
Robert Gottsacker	8518 Parr Rd NE	Gervais, OR 97026
Bette R Gottsacker	8518 Parr Rd NE	Gervais OR 97026
[illegible]	8097 Parr Ln NE	Gervais OR 97026
Mrs. [illegible]	8097 Parr Ln NE	Gervais OR 97026
Melvin C. Seitel	8318 PARR RD NE	GERVAIS 97026

Feb. 16, 2005

TO: Woodburn Planning Commission

FROM: Darma Real Estate = Darlene Mahan

Subject: I was wondering why you are not including my 11.79 acres of land, next to the freeway at Butteville Rd. and end of Parr Rd, into the proposed Urban Growth Boundary? The property discription is: Conversation No. 92-689, acres 11.79, Map 052W15 01400 Code 00100030.

It seems like it would be needed in the U.G.B. if there was any growth at the Gervais Overpass.

Sincerely

Darlene Mahan

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Exhibit "B"-64

February 24, 2005

FEB 24 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

City of Woodburn
Planning Chairman, Commissioners &
Woodburn Planning Commission

It has come to our attention that the Woodburn Comprehensive plan is in the process of being amended or changed. The current comprehensive plan has our properties, 2055 & 2425 Molalla Avenue (approximately 18 acres) slated to go to a commercial type zoning. Due to the recent developments, we do not think that this is the ideal zoning for this property.

We propose that single family residential housing makes more sense at this time due to the following reasons:

1. These 18 acres are isolated on the edge of the new expanded urban growth boundary, far from the 99E traffic streams.

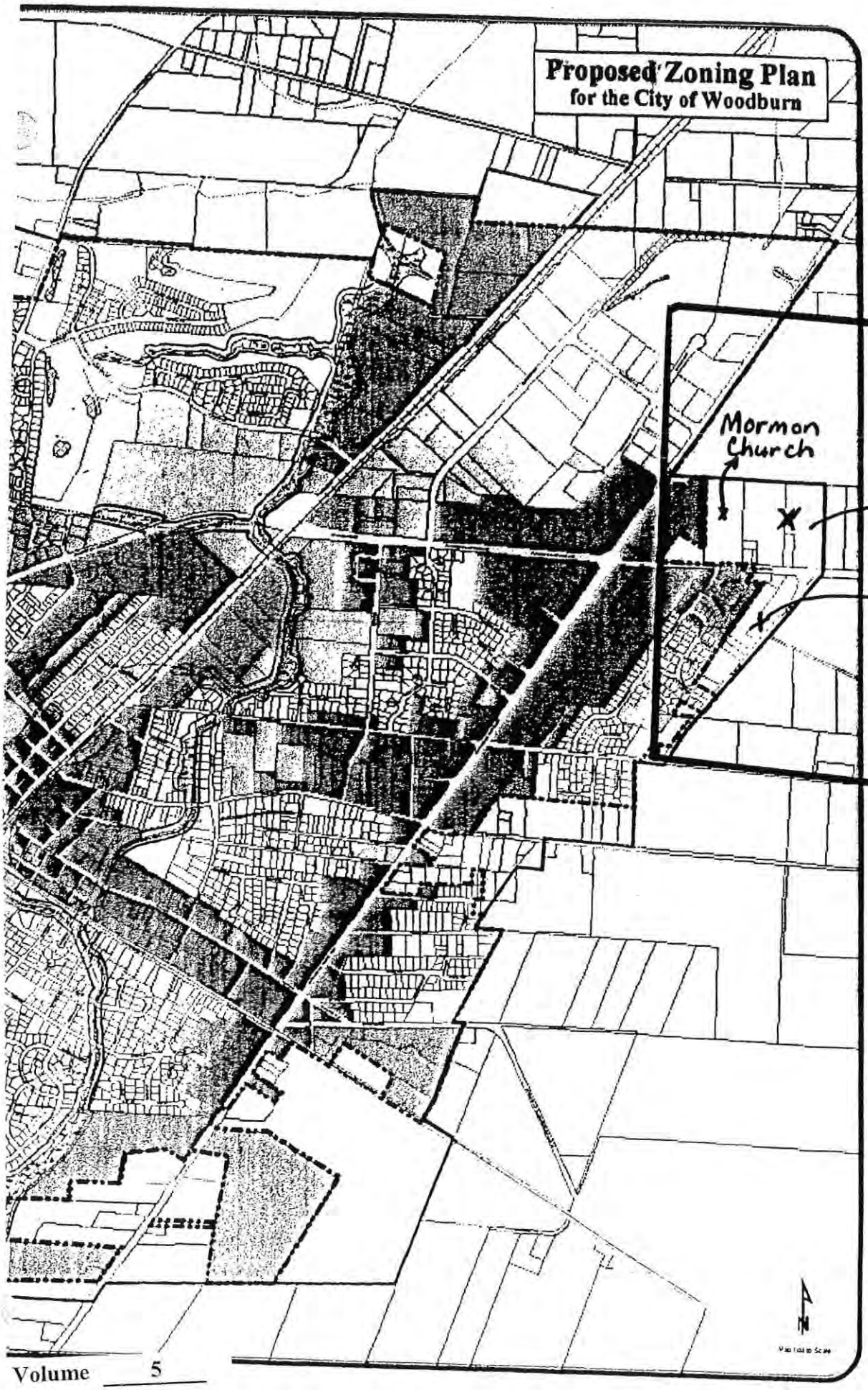
2. The new nine acre Mormon church facility at 2045 Molalla Avenue, our direct neighbor to the West (we share the entire length of the lot), would blend much nicer into a friendly residential setting.

3. The property directly South and across Molalla Highway from our property and parallel to Cooley Road is currently planned to be changed to single family residential. This property lines up directly across from ours. The highest and best use for our properties would be single family residential also.

In conclusion, the direction of the master plan should be modified since the approval of the Mormon church creates more of a community area. Single family residential would better serve the area and create more of a balance.

Sincerely,

Kim Ashland, Property Owner – Contact Person (503) 390-0308
Kevin Ashland, Property Owner
Dan Blem, Property Owner
Ivan Smerkoff, Property Owner



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FEB 2 4 2005
WOODBURN COMMUNITY
DEVELOPMENT DEPT.

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January 13, 2005

☆ REC'D ☆

FEB 2 4 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

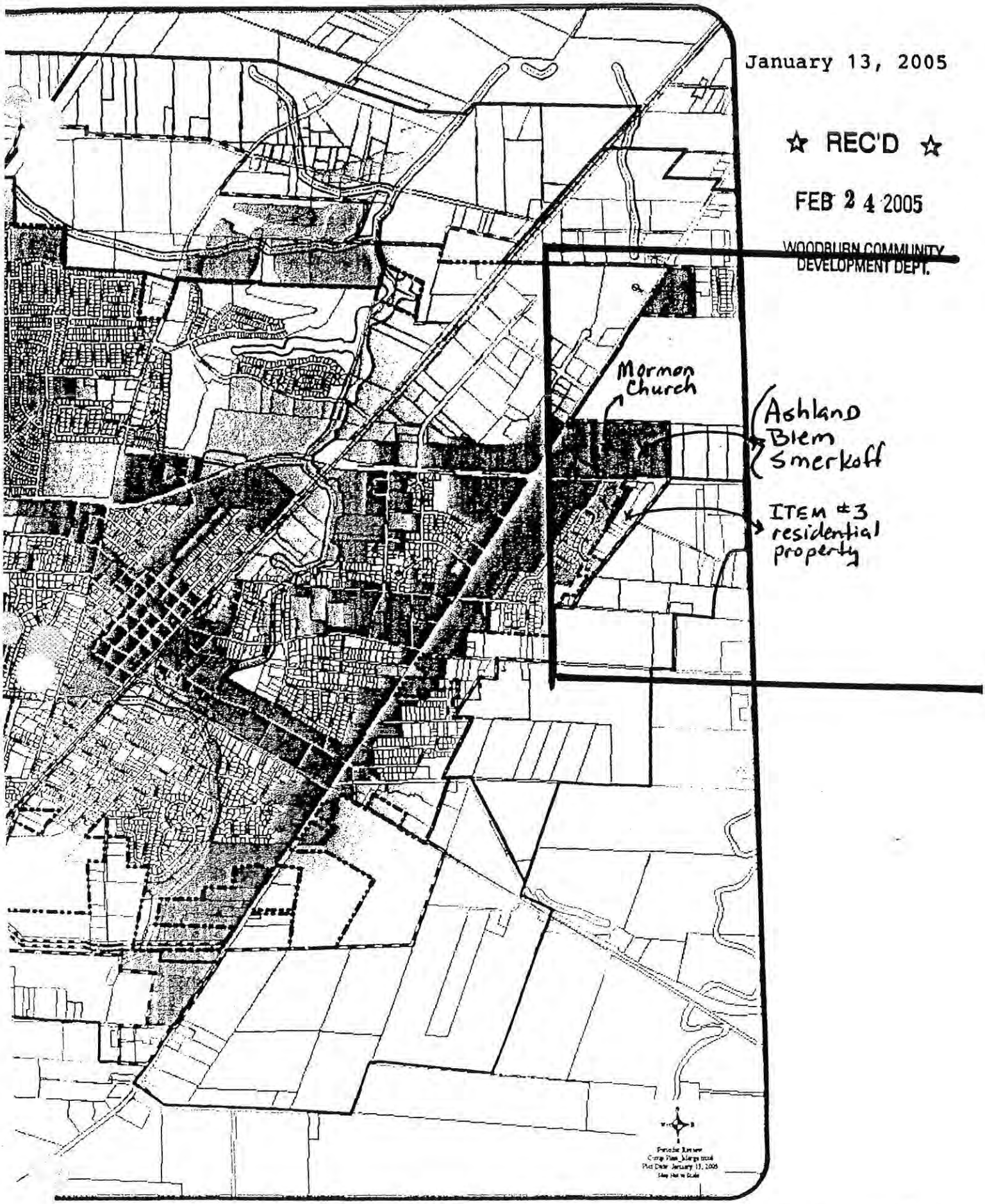

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Exhibit "B"-65

MAR 0 3 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

16 Abelard
Lake Oswego, OR 97035-2342
March 1, 2005

Woodburn City Council
c/o Jim Mulder
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Mayor Figley and Councilors:

This letter and its enclosures are submitted for your consideration relative to your March 28, 2005, hearing on the UGB expansion (and other matters.) I will be testifying at the hearing on behalf of myself and three of my neighbors (Castor, Adney, and Coleman) who also own properties along Arney Road.

The enclosures are:

1. Aerial photograph looking down on Arney Road. The area outlined in red is approximately 125 acres and our four properties comprise about 110 acres of the total of 125 acres.
2. Aerial photograph looking down on the Woodburn I-5 Interchange. Both the approximately 125-acre area and the proposed South By-Pass are shown in red.
3. My map showing the northwest quadrant of staff's proposed UGB adjustments to the Comprehensive Plan. I have added to the map the approximately 125-acre area, the roads, and the identification of the properties owned by their owners.
4. Letter to the Woodburn Planning Commission dated February 7, 2005.
5. Letter to Greg Winterowd and Jim Mulder dated April 29, 2004.
6. Letter to John Brown dated April 26, 1999, with enclosures (which include the July 23, 1996, letter of Robert L. Engle sent on my behalf to Steve Goeckritz.)

As you can see, we have been consistent and persistent in our efforts to be included within the UGB since 1996. I last testified before the Woodburn Planning Commission on February 3, 2005. At their deliberations on February 24, 2005, Jim Mulder was asked by the Planning Commission why he recommended that our area not be included in the currently proposed UGB expansion. He said that his view is that the west part of our area should be developed for multi-family residential use and the rest of our area (that which is north of Woodburn Company Stores) should be developed for commercial use. He said there is already enough proposed to be designated for multi-family residential and commercial uses, and that what we should do is find a developer who will come in after the approval (by Marion County and the State of Oregon) of the UGB expansion and ask for a separate and specific plan amendment (Post-Acknowledgment Plan Amendment). He suggested that one appropriate use for the part of our area along Arney Road would be as the site for a "big box" retailer. (That would be like Home Depot, Costco, Winco, etc.) Three Planning Commissioners said that they agree with Mr. Mulder regarding the appropriateness of a Commercial designation.

We think that the best way to attract a developer who would look at the big picture and who would be willing to make any necessary and appropriate improvements to the roadways and traffic situation and to protect the other neighbors who remain in our area would be for our area to be included within the UGB. What we have had in mind is developing the area for uses that are something between Commercial and Industrial. An example of the kinds of businesses that would fit well into such a development would be distributors or manufacturers who produce a product and show and market a substantial part of their inventory from the site of manufacture. That would be compatible with Woodburn Company Stores, and both would benefit from being in the same visible, successful location. If we are brought into the UGB at this time, we would look for one developer who specializes in that kind of development for all 110 of the 125 acres.

A Post-Acknowledgment Plan Amendment is available only for up to 50 acres. We will, of course, go that route if you so prefer. That process, because it is more limited in terms of the acreage being developed, makes it more difficult for us to find a developer who will be able to look at the big picture, be able to finance all necessary and appropriate improvements, and be able to most properly protect the remaining neighbors.

The South By-Pass concept has been discussed for a long time. Greg Winterowd and Jim Mulder no doubt were influenced by the South By-Pass history and its proponents. Whether the South By-Pass ever gets approved, funded, and built remains to be seen. Even if that all happens, will a freeway exit to accommodate it ever be built? If it is built, will it be within any of our lifetimes? Even if it is built, does it make sense to now develop around it, so that it's more difficult and costly to build the exit? Please look carefully at enclosure #2. Notice the extensive amount of farmland proposed to be brought into the UGB to make the South By-Pass work. Do you wonder if 1,000 Friends of Oregon can find a way to let that picture tell 1,000 words? Now look at the 125 acres we propose to bring into the UGB. It is surrounded on three sides by development, as well as adjoining one of the largest and one of the most successful retail areas in the Pacific Northwest. (Ex-Mayor and new Planning Commissioner Dick Jennings said, during the hearing of the Planning Commission, that it looks like a drunken sailor drew the proposed UGB line around our area and it should be squared off. But then he voted with the others against doing it.)

Do you really think it is more likely that Woodburn will develop all the way to the South By-Pass within the next twenty years or that the area next to Woodburn Company Stores (with streets, power, water, and sewer running right up to it) will likely develop within that twenty-year period? Remember, the whole concept of this part of the planning process is to determine, not only what is a good plan from other than an economic standpoint, but also what will be economically viable within the next twenty years. In other words, good ideas that won't happen (or at least won't happen for a long time) are

not what you are being asked to come up with or to approve, as such ideas will not improve the near-term economy or livability of Woodburn.

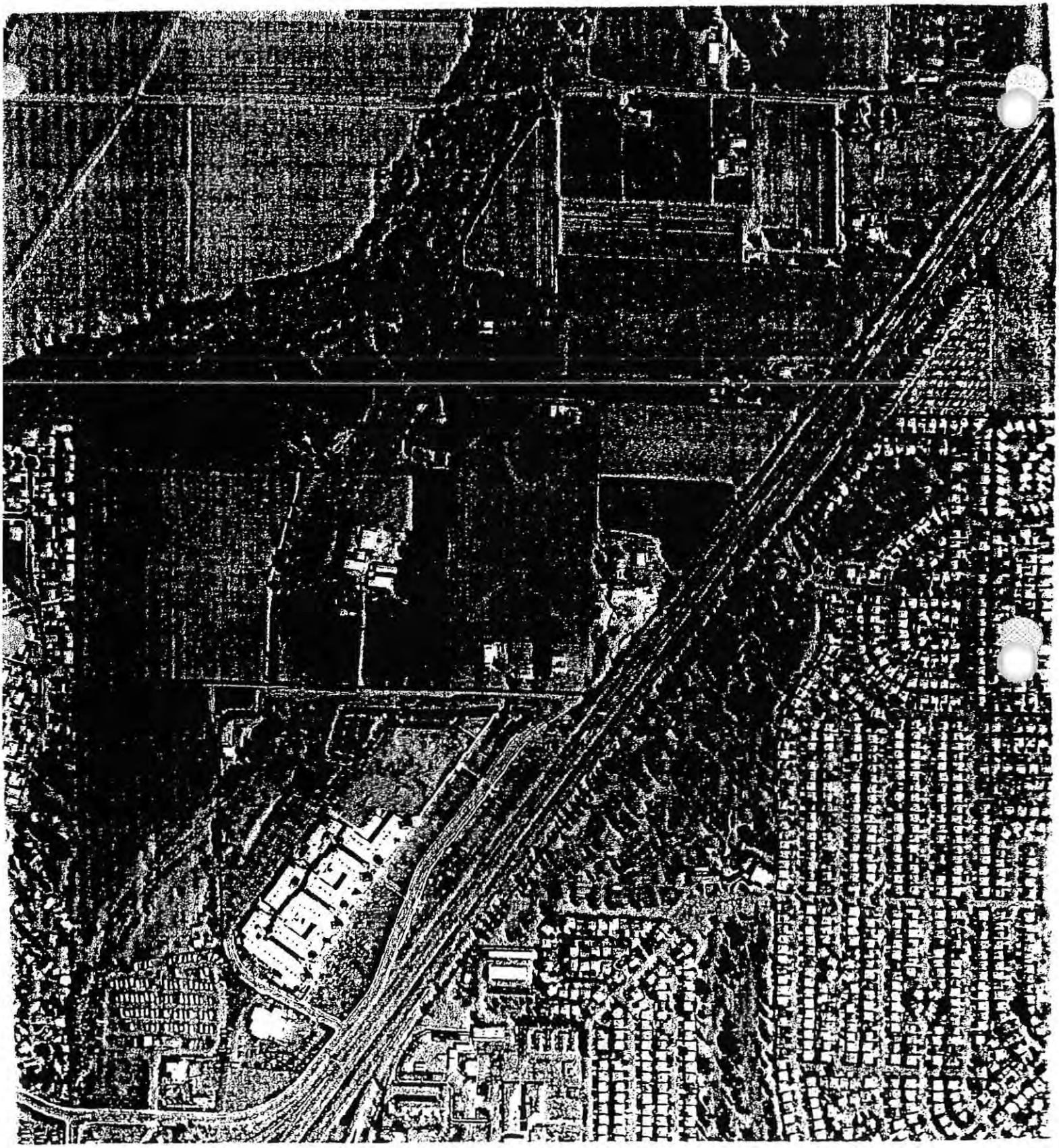
For the past year, the public has been invited to analyze and comment on the proposed UGB expansion. A number of people have done so. I noticed at the Planning Commission hearings that only one minor change to the UGB proposal was suggested by the Planning Commission. Perhaps the proposal is the best we can come up with and, therefore, no changes are appropriate. I would like to think that there is still a reasonable opportunity for some changes or additions to the UGB expansion recommendations. The recommendations are somewhat different than earlier proposals that were formulated by citizen groups after (rather than before) public input. We presented testimony to the Buildable Lands Citizens Advisory Committee (aka Growth Policy Task Force) back in 1999. Dave Christoff chaired that committee. Following the 1999 hearings and that committee's review, that committee's recommendation was that a majority of the 110 acres should be brought into the UGB.

We are not exactly sure what has changed since 1999, other than (1) the successful development and expansion of Woodburn Company Stores, (2) the reversing of the chronological order in which the public hearings were scheduled and the UGB expansion proposal was presented, and (3) changes of the consultant, the Woodburn Planning Department staff, the Woodburn Planning Commission, the Woodburn Mayor, and most of the Woodburn City Council who make the recommendations and decisions. We apparently haven't done a very good job of continually presenting our case, and for that we apologize and ask you for your understanding.

We will appreciate your consideration of our request.

Very truly yours,

Martin W. Rohrer



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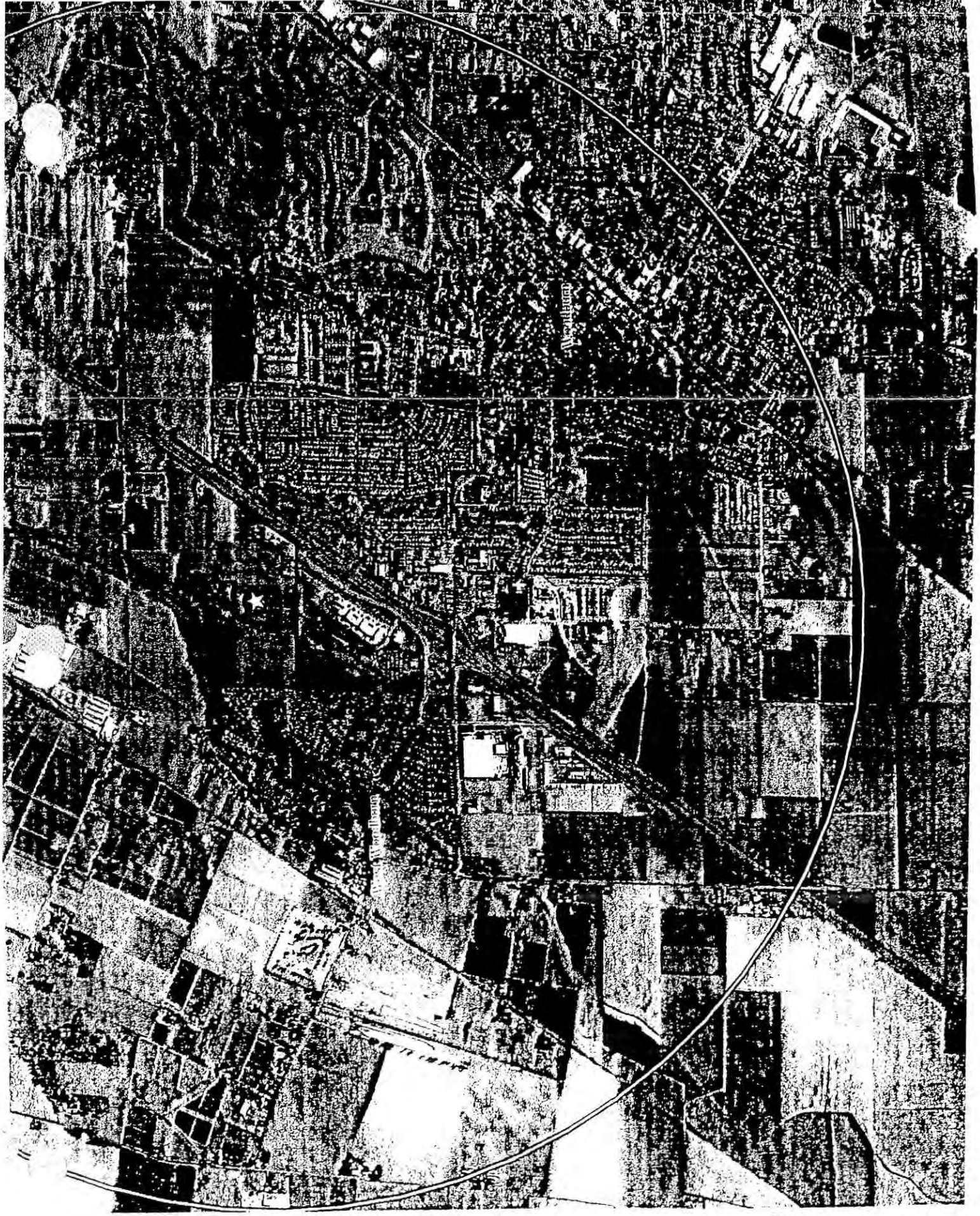

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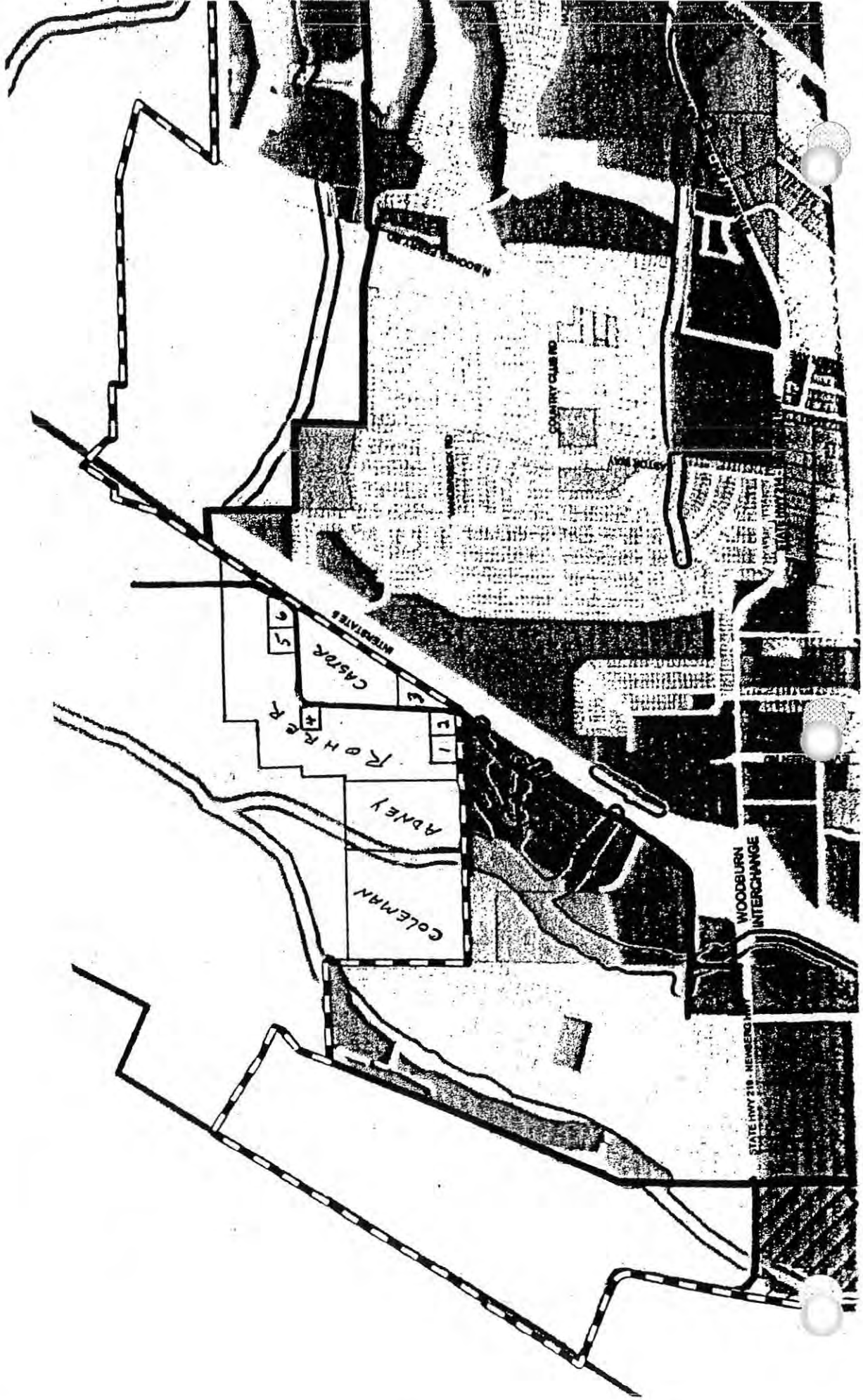

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16 Abelard
Lake Oswego, OR 97035-2342
February 7, 2005

Woodburn Planning Commission
c/o Jim Mulder
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Planning Commissioners:

This is a follow-up to my testimony presented at your hearing on Thursday, February 3, 2005. Please consider this letter in your decision regarding the UGB and include it in the record. My testimony was presented, and this letter is written, on behalf of myself and three families (Castor, Adney, and Coleman) who own about 110 out of the 125 acres in the area along Arney Road and Arney Lane adjoining and immediately north of Woodburn Company Stores. We have consistently represented to the City of Woodburn, since the UGB study began in 1996, that we would all like to be included in any UGB expansion, have all of our properties zoned for Light Industrial development, and cooperate with each other to try to develop our properties as one entire tract of 110 acres. We presented testimony to the Buildable Lands Citizen Advisory Committee (aka Growth Policy Task Force) in 1999 and at the hearings before the Woodburn City Council shortly thereafter. In fact, a majority of our area was then recommended, as a result of the study, for inclusion within an expanded UGB. We were delighted with that recommendation and were ready for the inclusion. We haven't changed our minds. All three of my neighbors were at your February 3 hearing, although I was the only one who spoke. They indicate they will be sending letters for inclusion in the record that support my testimony and written materials.

Two maps and an aerial photograph are enclosed and should be helpful in your understanding of our request. They include:

1. Proposed Comprehensive Plan with staff's recommended UGB adjustments added.
2. My map of the northwest quadrant of Map #1, with the area, roads, and property owners indicated.
3. Aerial photograph of the area we propose for inclusion, with the area outlined and with the double lines showing the current UGB line.

There are three main reasons we feel we should be included in the UGB expansion. They are:

1. Our area is, and has been for about three decades, the area most surrounded by the UGB. That surrounding is even more noticeable if the UGB is now extended both north along Butteville Road and all the way to Crosby Road on the east side of I-5. Maps #1 and #2 show that very clearly. Although rounding off UGB borders may not be required, it would seem to have merit and should be less objectionable to those bureaucrats and groups that are concerned about expansion into agricultural areas.

With Woodburn Company Stores on one side and housing (or freeway) on the other two sides, we are already much more impacted by urbanization than several other areas that are outside of the current UGB, but which are proposed for inclusion.

2. Our area adjoins one of the largest retail centers in the Pacific Northwest. It is hard to believe that it would be appropriate for such an area to not be included in the supply of land that is listed as being made available for development within the next 20 years. More than any other area proposed for inclusion in the UGB expansion, except perhaps the area in the southwest quadrant that is between Butteville Road and the interchange, our area is ready for development. The roads, water, sewer, and power are right at our doorstep. There is no need for a new interchange (although the current one clearly needs improvement) and no need to wait for a south bypass to start development. Our area has been proven to be an area that is viable for development with the success of Woodburn Company Stores, the auto dealers, and the other retail establishments along Arney Road. We believe empirical evidence of superior freeway visibility and traffic flow is demonstrated by that success.
3. We would like to develop our area as a Light Industrial development that takes advantage of the fairly easy access from and to I-5 on the west side of the interchange, freeway visibility, and the traffic already generated by the retail establishments along Arney Road. We think there is a substantial demand for Light Industrial land where manufacturing and similar enterprises are able to market and sell a portion of their goods from the location at which they are manufactured or packaged. (Such sales offices were allowed in recent Woodburn zoning codes. I believe those codes were amended, but it would be beneficial to the City and the businesses to reestablish such permitted uses.) Our area would be ideal to satisfy the particular demand for property where marketing and sales offices are permitted. Examples of those kinds of businesses are manufacturers of clothing, cookware, microbrews, computer hardware, golf clubs, and wine, as well as those who package products such as flower bulbs and high value agricultural products for shipment. It was noted at your hearing that the City needs to provide a variety of industrial options to satisfy different needs. The manufacturers who would be interested in our area might be quite different than those who are interested in areas along Parr Road. You can make land available; but, if it doesn't meet the needs of the buyers/manufacturers, they will go elsewhere to buy and develop.

If what the City of Woodburn wants is to create new, good jobs as soon as possible, it needs to offer land that is what manufacturers want, and land that can most readily and quickly be developed. We feel that our area along Arney Road has those characteristics. We feel it would be compatible with Woodburn Company Stores and other retailers along Arney Road and, in fact, all would benefit from a symbiotic relationship. We appreciate your consideration of our arguments and our request for inclusion.

Very truly yours,

Martin W. Rohrer

16 Abelard
Lake Oswego, OR 97035-2342
April 29, 2004

Greg Winterowd
Winterbrook Planning
310 SW Fourth Ave---Suite 1000
Portland, OR 97204

Jim Mulder
Woodburn Community Development Director
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Gentlemen:

This is a follow-up to the open house you held at Woodburn City Hall on April 16, 2004, for the property owners most directly affected by the proposed UGB changes. I told Greg that I would provide both of you with this letter and its enclosures to explain what I and several other landowners on Arney Road have in mind. Enclosed are the following:

1. My letter to John Brown dated April 26, 1999, and its enclosures.
2. A (rough) map showing the current location of Arney Road, the landowners involved, the current UGB (in blue), and our proposal (in red) for expansion of the UGB and industrial zoning along Arney Road.

As you can see from the enclosures (which include the letter to Steve Goeckritz dated July 23, 1996) and the record you will find from the various hearings we have attended, the four main property owners in this area have consistently requested this expansion of the UGB since the very start of the current UGB expansion process in 1996. We thought we had previously made our case, and have been trying to avoid making pests of ourselves. In fact, most of this Arney Road area was recommended for inclusion in the UGB, with an IL designation, in prior studies commissioned by the City of Woodburn. With Woodburn Company Stores nearing completion, the other improvements to and developments along Arney Road, and the increased need for industrial properties since 1996, we feel the requested expansion is even more needed and reasonable than it was in 1996 and that the same arguments for that requested expansion apply more than ever.

The four owners (Coleman, Adney, Castor, and myself) have three residences on our four properties. Within the area of the requested expansion are five other residences and the concrete plant. The four owners own about 90% of the entire area and, depending on how you calculate industrial acreages, there should be between 110 and 120 acres that could be developed for industrial uses from the four properties. We have had meetings and have somewhat stayed in contact during the planning process. We are all ready to develop our properties when an opportunity presents itself and we have discussed that we

would like to collectively market our properties, to find one buyer/developer for all four of the properties, if possible. The reality seems to be that both developers and manufacturers want to work with larger tracts, and the 110 to120 acres would likely be most attractive. If you review the aerial photo in the enclosures, you can see that the requested UGB expansion area along Arney Road is somewhat outlined as a natural break for the UGB by the trees and Senecal Creek in the back of the area.

My "vision" for the area is something different than the typical industrial development. With its great visibility from and access to I-5 and with its proximity to and the traffic flow associated with Woodburn Company Stores, it would be a great place to have manufacturing facilities for manufacturers that desire an aesthetically pleasing site that their suppliers, shippers, and other visitors can easily locate and access from I-5. The site would have places nearby for the workers to eat and to shop. It would also probably be a plus to these manufacturers if an associated showroom and salesroom for the manufactured goods being produced were allowed, although it appears to me that the development ordinance has been changed to make that more difficult. (I welcome any alternative zoning suggestions you may have in this regard.) Just a few ideas of the products that fit these criteria would be the manufacturing of clothing, shoes, knives, cooking ware, computer hardware, or golf clubs, and flower bulb or nursery plant packaging and shipping. This type of an industrial area would supplement and be compatible with Woodburn Company Stores and the other commercial businesses along Arney Road. The proximity of the commercial and these types of industries that I envision along Arney Road should help to increase business for everyone along the road. I assume that such increased economic activity is one of the main goals that Woodburn wants to accomplish with the UGB expansion. Industrial areas on Parr Road and on the west side of Butteville Road will not be as attractive (at least for the types of industries to which I refer) as the areas on Arney Road. Developers and manufacturers may face a shortage of adequate sites, but they still won't go where their needs and expectations are not met. Waiting for a south by-pass to be constructed and being expected to travel to and from Woodburn via Highway 99E would not be very attractive to the industries that I have in mind. They will simply continue to look in other cities for development and business location. (Admittedly, a south by-pass may work for certain other types of industrial and residential development, so I'm not suggesting it is a bad idea. It is just not likely to attract the industries that I would like to see along Arney Road.)

One concern that has apparently been expressed by ODOT is the traffic created by the new businesses that are already along Arney Road. I have made frequent trips on Arney Road over the past few years and have visited with the neighbors. The general consensus is that there is no particular problem on Arney Road itself. The main problem is on the east side of the freeway exit, with some problem on the west side of the exit. It won't solve the traffic problem to route vehicles around to Butteville Road (either north or

south of Highway 214). Most of that traffic would still take Highway 214 going east and wind up at the exit. The solution is for ODOT to stop passing the buck and to finally put in an adequate interchange cloverleaf. (Consider what a great improvement the new cloverleaf at I-5 and Highway 217 is and how it seems to have solved what formerly was an almost impossible interchange situation.)

Please take a look at your proposed UGB expansion map and note the gap that your latest proposal would create between the residential areas on Butteville Road and the proposed housing area in the southeast quadrant of the intersection of I-5 and Crosby Road. If you were to draw a straight line between the northeast corner of the former and the northwest corner of the latter, it would entirely encompass the entire area that we propose to bring into the UGB on Arney Road. While it may not be a stated goal or absolutely required to round off the UGB, it seems generally desirable. In fact, that objective was at least a stated desire of the Woodburn City Council in prior hearings on this UGB expansion. Bringing within the UGB an area that is bordered on three sides by the City of Woodburn seems even more logical and desirable where the area also adjoins one of the largest retail malls in the State of Oregon and has a completely improved major road and all the necessary utilities right up to its entrance.

My understanding is that you held the open house to encourage input. And I assume that the reason for the input is so that you have the opportunity to make adjustments to your proposal before you present it to the Planning Commission. This is a sincere request that you consider doing so. If you would like us to provide any further information for your consideration, please let me know, and I will be glad to try to obtain it for you. I can generally be reached at my office (503-499-4675) or home (503-635-8768).

Very truly yours,

Martin W. Rohrer

Enclosures
cc: Mr. John Brown

16 Abelard
Lake Oswego, OR 97035-2342
April 26, 1999

Mr. John Brown
City Administrator
City of Woodburn
270 Montgomery
Woodburn, OR 97071

Dear Mr. Brown:

The Buildable Lands Citizen Advisory Committee (aka Growth Policy Task Force) held a meeting for public input on March 30, 1999. The consultants reported their conclusion that, between now and 2020, the City of Woodburn will need about 600 additional acres of land suitable for industrial uses within its Urban Growth Boundary. The comments of Committee members and the testimony of the public seemed to both support that conclusion and indicate a preference for encouraging that type of development. Reference was made to job creation, increasing the tax base, and taking advantage of Woodburn's location and freeway access. I spoke at the hearing with respect to the efforts that Bob Engle (my attorney), my neighbors and I have made over the past three years to position approximately 125 acres owned by my neighbors and myself for inclusion within the Urban Growth Boundary with a Light Industrial designation. This letter and the attachments are what I indicated to the Committee I would forward to them, through you, for their consideration. Please provide each of the members of the Committee and any other officials or staff who you think should receive a copy with one of the enclosed copies. I am also sending copies directly to Mayor Jennings, Chairman Christoff and Steve Goeckritz.

The attachments include:

1. Arial photograph looking south along I-5. The 125 acres is the area I have marked by the enclosed lines. The double lines indicate the current Urban Growth Boundary.
2. The consultants' map showing current Woodburn Comprehensive Plan Zones. I have marked the 125 acres with the blue diagonal lines.
3. Bob Engle's letter of July 23, 1996. It presents our arguments for inclusion of the area within the Urban Growth Boundary and its designation as Light Industrial. The reasoning and conclusions are, I believe, even more valid today than they were in 1996. Since then the outlet mall on the adjoining property has nearly been completed, the demand for freeway industrial properties within Oregon has continued to increase, and the City's own consultants have concluded that 600 more acres of property so designated will be needed by 2020. The 125 acres we ask to have included is probably, of all the alternatives the City has, the best located and most suitable for inclusion and designation as Light Industrial.

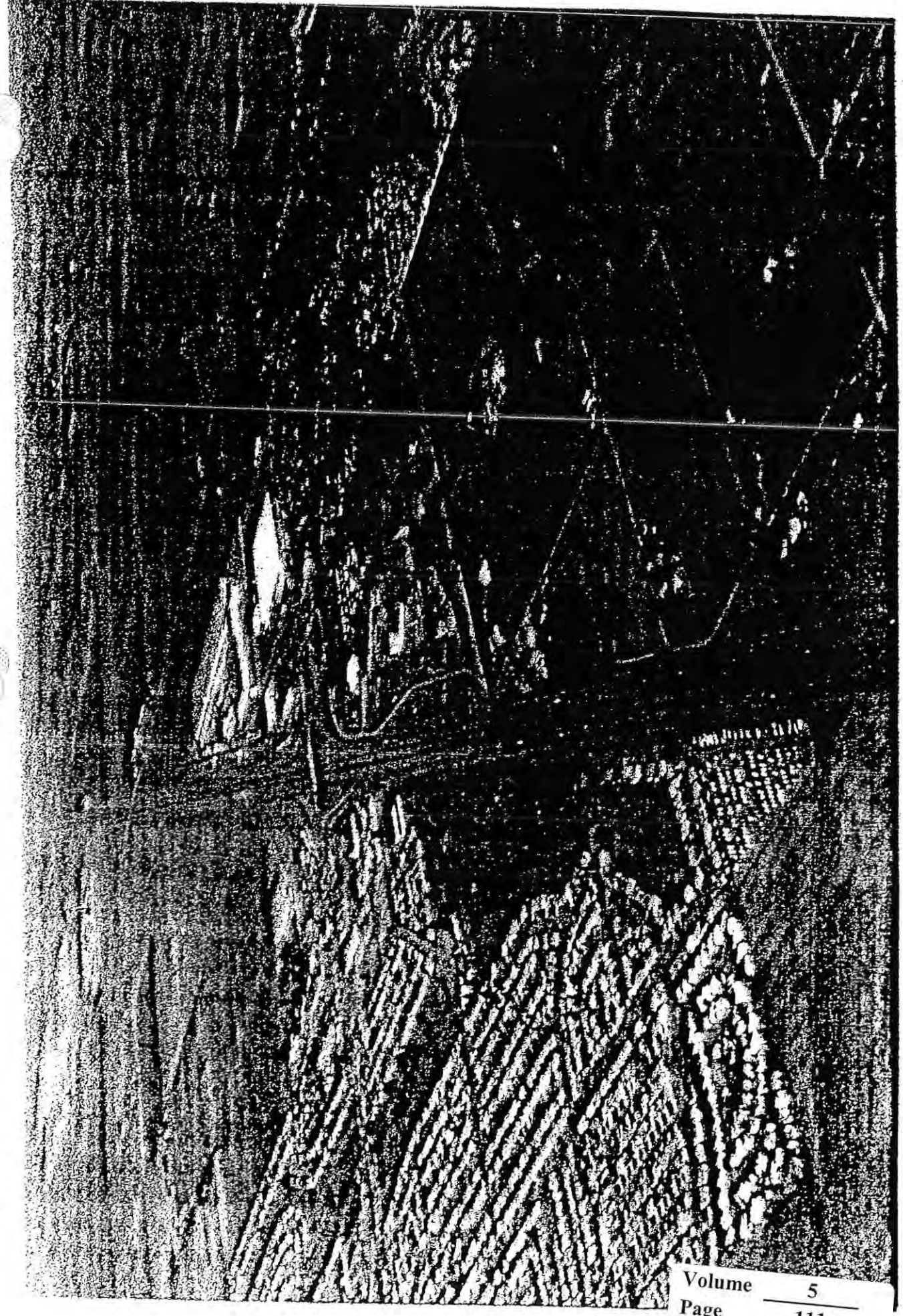
At the March 30 meeting, I was asked if we had discussed our desires with, and received any comments from, the Marion County Commissioners. I responded in the affirmative and that the only concern that had been expressed, by one Commissioner, is with respect to the extending of Woodburn's Urban Growth Boundary closer to Marion County's landfill. My response was and continues to be that, if the concern is that some citizens living north of the current Woodburn City Limits will complain that pollution is adversely impacting their water supply, the best resolution of

that potential problem is to have as many of the current rural residents and any new residents added in the future in that area have the benefit of Woodburn's water and storm drainage systems. The fact is that it may be the controlling of rural development, rather than of proximity to the landfill, that might be appropriate. With respect to the 125 acres, two additional points for Marion County to consider are that (1)the industrial uses we contemplate will probably decrease, rather than increase, the number of residents that would be living on the 125 acres and (2) it is about a full mile between the closest points of both the 125 acres and the landfill (which would mean that any Marion County policy preventing any new development within that distance, i.e., one mile, of any part of the landfill would effectively condemn to varying degrees about 10 square miles on the north border of Woodburn.) From the City of Woodburn's standpoint, we suggest that the issue needs clearly and soon to be addressed with the Marion County Commissioners, because the landfill is just about as close to the most northwestern parts of Senior Estates as it is to the 125 acres and most of any future development north of the current city limits on the east side of the freeway between Crosby Road and Boones Ferry Road would actually be as close or closer to the landfill than the 125 acres is. Pollution concerns respect no freeway boundaries, and new developments in that area east of the freeway would most likely be residential. What the policy of Marion County ought to be is (1)to do more to reduce/eliminate the pollution concerns through good management of the landfill and (2)to encourage expansion of the UGB to the north and require that any new development in the area of concern be connected to Woodburn's water and storm drainage systems.

A final comment that I would like to make is that I personally support the concept of having a pretty firm Urban Growth Boundary and requiring development to occur within it, so long as the supply of the various types of zoned acreages within that UGB are adequate to provide for the reasonable demands for development. It is also appropriate to shift zoning from one type where there is an oversupply to another type where there is an undersupply. The current discussion includes one proposal that would essentially result in meeting the 600 acre industrial land shortfall by changing the designation on single family residential land to a designation of industrial land. That would work where, both economically and politically, in the area under consideration the two designations are interchangeable. However, I submit that almost all of the land within the current UGB that is zoned for single family residential development would be unsuitable for industrial uses of the type we have in mind. For those uses, the land needs to be close to and easily served by a major transportation system and would be best located where the industrial uses would be the most compatible with its neighbors and current uses. We think that, from an economic and political standpoint, the 125 acres and a few other small tracts outside of and on the corners of the current UGB are the appropriate answer to the need for designating 600 more acres as being for Woodburn's future industrial needs. An additional justification for the inclusion of these specific 125 acres within the UGB is that the current UGB is already on three sides of the 125 acres and its inclusion would actually somewhat help to straighten out the UGB lines.

Very truly yours,

Martin W. Rohrer



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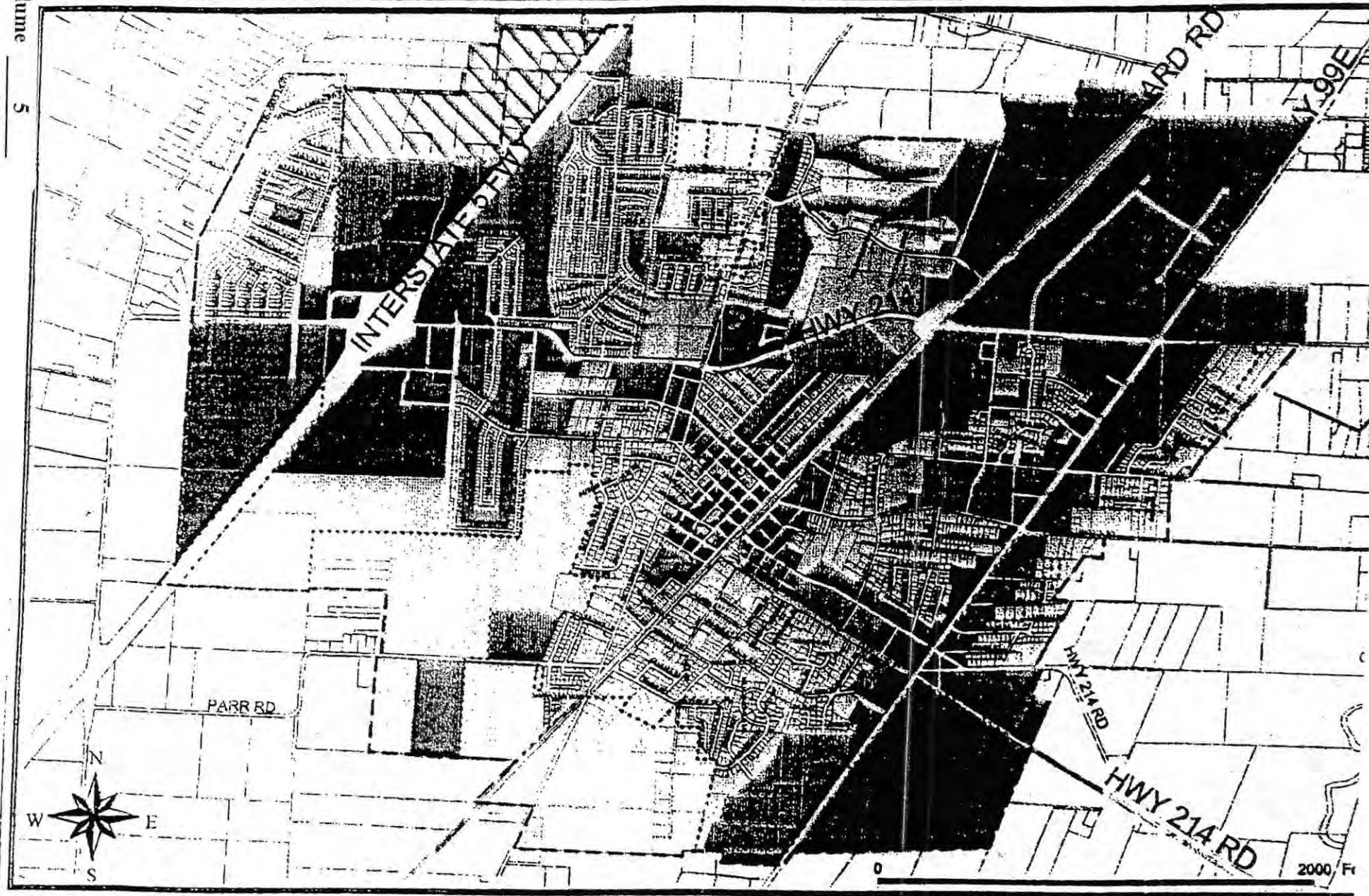


Woodburn Comprehensive

City Limits
Urban Growth Boundary
Residential (<12 units per acre)
Residential (>12 units per acre)
Commercial
Industrial
Open Space
Public Use

City of Woodburn Buildable Lands & Housing Needs Analysis

No parcels were split to make this map. Each parcel is assigned one zone only. Any parcels with split zoning need to be subjected manual. For the purposes of this map, a zone was assigned to the parcel based on the zone for the majority of the parcel.

Data obtained from the Marion/Salem Data Center and is considered current as of April 1, 1998.

Streams, wetlands and riparian [illegible] based on subsequent maps.

Plot [illegible] December 8, 1998

ENGLE & SCHMIDTMAN
ATTORNEYS AT LAW
NORTHWOOD OFFICE PARK - 610 GLATT CIRCLE
WOODBURN, OR 97071

ROBERT L. ENGLE
[illegible] A. SCHMIDTMAN

[illegible]Y M. BUFFINGTON
[illegible]CIATE COUNSEL

HAROLD A. EICHSTEADT
RETIRED 1990

TELEPHONE: (503) 981-0155
FAX: (503) 981-0158

July 23, 1996

Mr. Steve Goeckritz
Planning Director
City of Woodburn
City Hall
Woodburn, OR 97071

Re: Woodburn Comprehensive Plan Periodic Review - Urban Growth Boundary Expansion

Dear Steve:

I recently discussed with you the fact that Woodburn will soon begin the process of considering the extent to which Woodburn's Urban Growth Boundary should be expanded.

I have asked you to allow me to offer input in that process at this time rather than after the proposal has been developed since it has been my experience that public hearings requesting public comments upon an existing proposal seldom result in any significant change or modification to that proposal.

I am currently representing Martin W. Rohrer, a former partner of this office, who owns 45 acres of real property adjoining the present Urban Growth Boundary west of the freeway and north of the 214 interchange. We ask that the City, in preparing its proposal to Marion County and LCDC, consider expanding the City's Urban Growth Boundary to include all of the approximately 125 acres indicated by the coloring on the attached map. Marty's property is the portion of that 125 acres further indicated by the diagonal lines. We believe that many reasons exist for the inclusion of this 125 acres within the City's Urban Growth Boundary. I will use this letter as an opportunity to list a few of those reasons which we feel are most compelling.

The City of Woodburn will need, within the next planning period, an additional inventory of light industrial and high density residential property. The 125 acres could substantially contribute to meet that need in several ways:

1. The 125 acres could currently be brought within the Urban Growth Boundary and all or most of it zoned for light industrial use with minimal opposition or disruption of current owners and activities. This acreage contains only eight residences. The entire acreage is owned by only eleven separate or joint owners, three of whom are currently operating businesses which might be characterized as light industrial, namely, a cement plant, a wood chip processing plant and a sales yard for heavy equipment. Over 90% of the 125 acres is owned by four of the owners. All are engaged in farming to some degree; but Marty has polled the four owners (Coleman, Adney, Castor and himself) and all would welcome inclusion and light industrial designation. That designation would also be consistent with the business activities of the other owners who are operating the three businesses.

2. Much of the property south of the current Urban Growth Boundary line (previously owned by the Stampleys) has recently been sold and is targeted for commercial use, thus removing that property from the City's inventory of property previously identified as high density residential. A portion of the 125 acres could be zoned high density residential to replace the Stampley property lost for such uses. Particularly appropriate for such zoning would be the Coleman 30-acre farm on the westerly portion of the 125 acres, since it adjoins residential property in the Nazarene Subdivision to the west and the undeveloped property zoned for high density residential to the south of that 30-acre farm.

3. When the Stampley property develops for commercial use, Arney Road will be improved and in all probability straightened to front the northwest side of I-5 providing very favorable access to the subject property from I-5. If that occurs, access to the 125 acres will likely be the best of all similar properties in any of the four quadrants of the interchange.

4. The City would have much greater difficulty handling additional traffic flows east of the 214--I-5 interchange. The development of the subject land, northwest of the 214--I-5 interchange would not detrimentally affect the flow of traffic into Woodburn east on 214. Much of the traffic would access to and from I-5 and only on the west side. Additionally, with proper planning,

traffic moving from the subject area into Woodburn could easily be routed north to Crosby Road, over the Crosby overpass, and east to Boones Ferry or Front Street, entirely avoiding the congestion of 214.

5. Much discussion has occurred on the subject of a new interchange on I-5. It appears likely that a new interchange would be built at Parr Road and not at Crosby Road. Therefore, the development of land in the northwest quadrant of 214 and I-5 would not interfere with the planning and acquisition process of a new interchange and, as noted above, would still permit I-5 access at 214 without substantially increasing traffic east of I-5 on 214 and would encourage destination travel to downtown Woodburn from Crosby Road and not from 214. It is particularly important to note that the interchange planning, funding and construction could tie up further meaningful development of both the southwest and southeast quadrants for over a decade. Only the northwest quadrant can have such development during that period without directly impacting or being impacted by the interchange improvements. A decade could be a very long time for Woodburn to wait for the economic development that could result from such business and housing activity.

6. The subject property, if zoned mostly light industrial, would provide a good transition and buffer between the commercial uses to the south and the agricultural uses to the north. Additionally, if the split zoning mentioned above (with a high density residential designation placed on the westerly 30 acres) is approved, the subject property would also provide a good transition and buffer between the existing single family residential development in the Nazarene Subdivision to the west and the freeway and already existing (and hopefully, expanded) industrial uses in the easterly portion of the 125 acres.

7. Good planning envisions the uniform growth of City boundaries. Currently, the north boundary of the Nazarene Subdivision extends well beyond the north Urban Growth Boundary line of the remaining property west of the freeway. Further, it is likely that the north Urban Growth Boundary of the City east of I-5 will also extend to or near Crosby Road. The extension of the Urban Growth Boundary as here proposed would provide a more uniform north boundary to the City in future planning.

8. The existence of the Marion County Landfill located north of Crosby Road should not discourage the development of this acreage. Once annexed, all development will utilize urban services. Therefore, after inclusion of the subject property within the City of Woodburn and development as proposed,

any concerns related to the landfill should be decreased, rather than increased.

9. Woodburn has just recently been recognized by the developing public. We are in the initial stages of development that we have sought and encouraged for many years. One of the greatest features that makes Woodburn desirable to residents and development is our access to I-5. We need to take advantage of our location and plan for development around the freeway interchange. Substantial development has occurred as planned in the southwest quadrant. Development has and will occur in the southeast quadrant and somewhat in the northeast quadrant. There is no reason why the northwest quadrant should not also be available to this freeway access. In addition to it being desirable to have the properties along the freeway be available for development because of their access, the City also would be benefited in a more general way by the indications that would make them visible from the freeway that Woodburn "welcomes business activity" as would be demonstrated by the kind of development we are suggesting.

In summary, we recommend that the City seriously consider and then propose inclusion of the approximately 125 acres within Woodburn's Urban Growth Boundary during the planning and review process. Although this is not the time to consider the ultimate zoning of the property, we recommend that the City consider designating the property in Woodburn's comprehensive plan for light industrial and high density residential uses as discussed above.

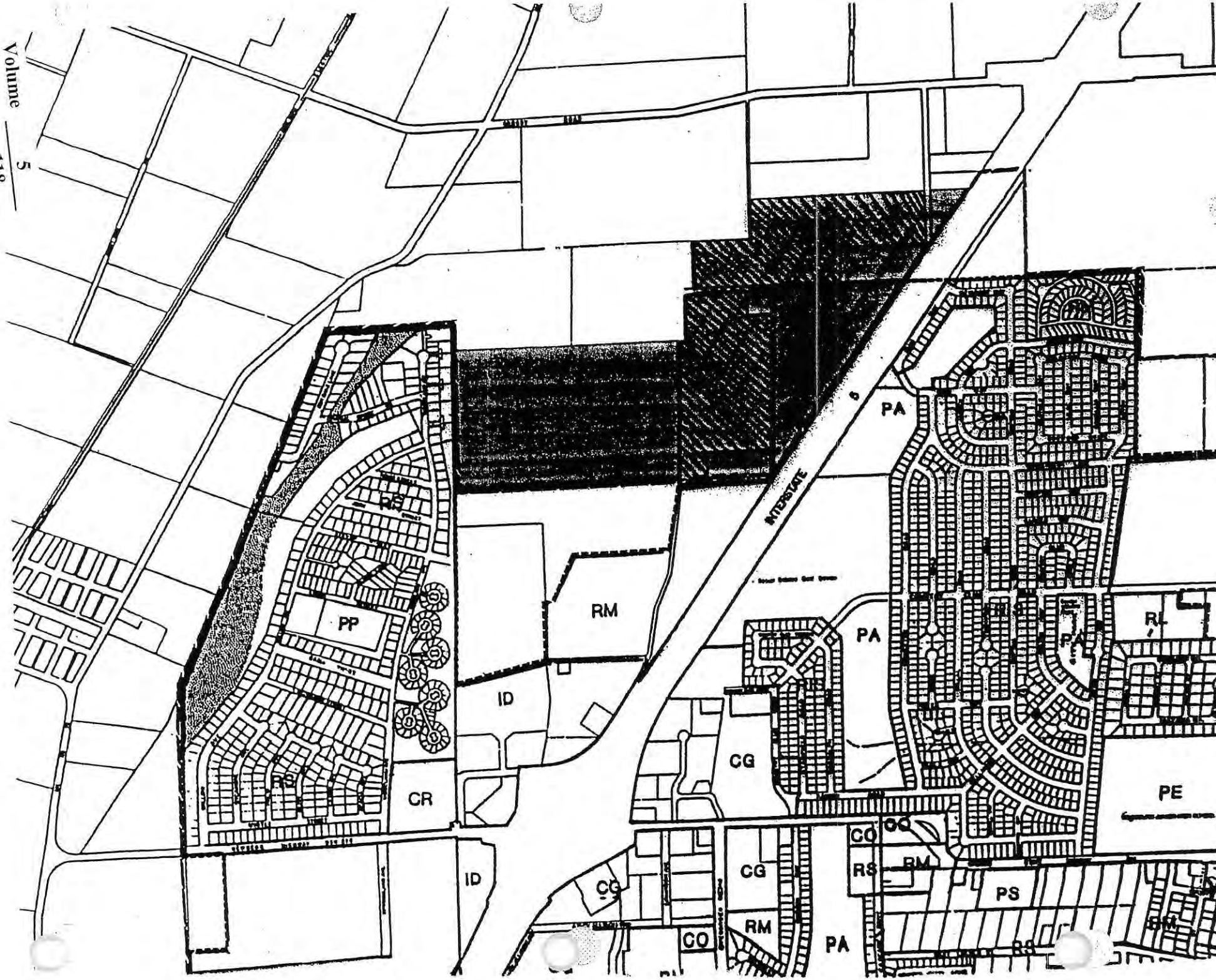
Part of the planning and review process should include completing an inventory of the currently undeveloped, but zoned, land within the Urban Growth Boundary. My sense is that Woodburn has substantially exceeded the growth expectations that were incorporated into the boundary and zoning that were last modified in any significant way almost two decades ago. My sense is also that the inventory of light industrial and high density residential zoned land is the most depleted. Inclusion of this significantly large block of 125 acres, at this time when it is not only available for such use but also arguably the best candidate for such use, especially in the next several years, is an opportunity of which we would like to see Woodburn avail itself.

We would welcome the opportunity to participate in any manner in the initial review process. If further statistical information or citizen input would be deemed by those staff members participating in the review to be beneficial to the process, please advise.

We appreciate very much the opportunity to offer input at this preliminary stage.

Yours truly,

ROBERT L. ENGLE
RLE:hez
cc: Martin W. Rohrer ✓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Letter to the Woodburn City Council, March 1, 2005

MAR 0 8 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

We, the Serres family, would like to address the omission of our farm from the proposed urban growth boundary. Over the past three years we have attempted to illustrate the benefits our farm has to increase the city of Woodburn's livability and quality of life. We learned that our potential participation in Woodburn's vision for the future fell upon deaf ears. Our message was not conveyed to other "players at large". Withholding information regarding this interest of inclusion by the planning department has led us to wonder if our participation in the open forums and hearings was a waste of our time and effort. Was there truly an interest in public input and fair balance of equality of inclusion? Or was the plan already determined privately and public hearings were merely a formality? Perhaps the Woodburn Planning Commission was simply trying to come up with a plan that would satisfy County and State mandated planning requirements. Jim Mulder, Woodburn City Planner, told Serres family members that expanding Woodburn to the East did not fit into his plan. We did not realize that the decision making process would be closed, leaving Woodburn's future solely in one person's hands.

At the Feb. 24, 2005 Woodburn Planning Commission meeting, commission members and the public were lead to believe that our farm would be the most expensive property to include. We would like to clarify this misconception about our farm. As Mr. Mulder stated, sewage doesn't gravity flow uphill. According to the USGS Woodburn 7.5 minute quadrangle map, our farm is located ½ mile South of the Woodburn Sewage Treatment Plant on the same upland bench above the Pudding River.

The City of Woodburn has a gravity flow sewer main running along the North boundary of our farm (Hardcastle Street). We are open to discussion regarding the cost of any pump station and sewer mains required to service our farm's area.

Jim Mulder also mentioned that Eastward expansion onto our farm would incorporate prime farmland and wetlands. Yes, our farm consists of Class II soils, as does the land surrounding Woodburn in ALL directions. The only Class I soils are to the West and North. The same can be said of the wetlands. Our farm is 92% flat land. 8% is rolling forest and Pudding River wetland.

Consideration for inclusion should not be solely based upon the sewage issue. As the saying goes, a picture is worth a thousand words. A tour of our farm would demonstrate the relief of traffic pressure from future growth due to the accessibility of our property. The Woodburn School district's property, which borders our property on two sides, could have improved road access, as well as room for future growth. Our farm also has proven, large capacity wells, expansive views, natural drainage, and forested parkland, all features that can enhance the City of Woodburn.

East side growth would benefit the business community along 99E. Homeowners could enjoy their homes without the noise and air pollution of I-5. The North South

Cooley Road extension suggested by the Woodburn Economic Opportunities Analysis and Development Strategy Final Report would bisect our farm.

It is not reasonable that new development in Woodburn meet the current density standard when the Economic Development Study shows that Woodburn already has an unusually high ratio of people to household. Is our planning commission afraid of pointing this out?

We recognize the long hours and careful review that you have put into this process. We would like for you to remember that it is not our fault that our active interest in this plan was not heard or recognized. We want to be included in this UGB.

It is not too late to make a better plan for Woodburn's future. We invite you to tour our farm so that you can see for yourselves how we can contribute to this vision. Please contact any or all of us at:

Ruth Thompson	981-1931
Paul Serres	981-6098
Rebecca Kirsch	981-0717
Mary Grant	845-2635
Susan Duncan	981-3275

Sincerely,

The Serres Family.

Woodburn Economic Opportunities Analysis and Development Strategy Final Report

Page numbers refer to the page numbers of the .pdf version available on the City of Woodburn web site.

"Public infrastructure and services are the cornerstone of any economic development strategy. If roads, water, sewer, and other public facilities are unavailable or inadequate, industries will have little incentive to locate in a community. For the purpose of this section, we define infrastructure and services to include transportation, water, sewer, storm water, and parks facilities."

--page 100

"I1.2. Determine new transportation facilities needed to implement economic vision and amend TSP as appropriate.

What and why? Good access is essential to the City's economic development strategy. The TSP identifies several new transportation facilities. The key facilities proposed in the TSP include:

- Development of a south side arterial.
- Cooley Road extension to create a new north-south road east of Highway 99."

--page 101

Filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

STATE OF OREGON
(Please type or print)
(Do not write above this line)

STATE ENGINEER
SALEM, OREGON

State Well No. 23/16 [illegible]
Permit No.
G-6044

(1) OWNER:

Name Joe Serras
Address 1840 East Lincoln Road
Woodburn, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED: Threaded ☐ Welded ☒

12" Diam. from top ft. to 215 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS: Perforated? ☒ Yes ☐ No.

Type of perforator used Mills
Size of perforations 7/16 in by 2 3/4 in.
432 perforations from 108 ft. to 130 ft.
360 perforations from 153 ft. to 173 ft.
336 perforations from 181 ft. to 197 ft.
36 217 219

(7) SCREENS: Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller
Yield: 500 gal./min. with 41 ft. drawdown after 5 hrs.
600 " 48 " same "
" 700 " 55 " same "
Bailer test 800 gal./min. with 62 ft. drawdown after same hrs.
900 68 same
Artesian flow
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement and Puddle Clay
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 11½ sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Marion Driller's well number 1709
NW ¼ NW ¼ Section 17 T. 5S R. 1W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 108 ft.
Static level 30 ft. below land surface. Date 3-20-73
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing

Depth drilled 220 ft. Depth of completed well 220 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	3	
Brown silty Clay	3	52	
Gray Sandy Clay (sticky)	52	106	
Cemented black sand & gravel	106	131	
Black sandy clay some gravel	131	151	
Black sand & gravel(cemented)	151	173	
Blue Gravelly Clay	173	180	
Black sand & gravel(cemented)	180	197	
Gray Sandy Clay Sticky	197	215	
Gray Gravell Clay increasing cementation	215	220	

Work started 2-22-73 19 Completed 3-22-73 19
Date well drilling machine moved off of well 3-22-73 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Dallas L Beiss (Drilling Machine Operator) Date 3-22-73, 19

Drilling Machine Operator's License No. 752

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name WILLAMETTE DRILLING COMPANY (Person, firm or corporation) (Type or print)
Address 7641 35th Ave. NE Salem, Oregon 97303
[Signed] Emil D. Beiss (Water Well Contractor)
Contractor's License No. 2 Date 3-22-73, 19

(USE ADDITIONAL SHEETS IF NECESSARY)

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STATE ENGINEER, SALEM, OREGON (Please type or print)

within 30 days from date of well completion

STATE ENGINEER
SALEM OREGON

(Do not write above this line)

State Permit No. G-5360

Henrys / Serres Lane

(1) OWNER:

Name Joseph Serres

Address 1840 East Lincoln Road, Woodburn, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED: Threaded ☐ Welded ☒

12" Diam. from 100 ft. to 240 ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(6) PERFORATIONS: Perforated? ☒ Yes ☐ No.

Type of perforator used Mills

Size of perforations ½ in. by 2½ in.

456 perforations from 135 ft. to 160 ft.

612 perforations from 190 ft. to 223 ft.

perforations from ft. to ft.

(7) SCREENS: Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller

Yield: 300 gal./min. with 20 ft. drawdown after 8½ hrs.

" 500 " 30 " 8½ "

" 700 " 45 " 8½ "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement and middle Clay

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 16 in.

Diameter of well bore below seal 12 in.

Number of sacks of cement used in well seal 6 sacks

Number of sacks of bentonite used in well seal sacks

Brand name of bentonite

Number of pounds of bentonite per 100 gallons of water lbs./100 gals.

Was a drive shoe used? ☒ Yes ☐ No Plug; location ft.

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? Depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Marion Driller's well number 1515

¼ ¼ Section 17 T. 5 S. R. 1W W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 70 ft.

Static level 60 ft. below land surface. Date 10-17-70

Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 12

Depth drilled 280 ft. Depth of completed well 280 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	2	
Yellow Clay	2	35	
Blue Clay	35	70	
Black sand	70	115	
Brown sand and gravel	115	120	
Blue Clay	120	132	
Cemented Gravel	132	162	
Black sand	162	185	
Black sand and gravel	185	195	
Cemented Gravel	195	223	
Blue Clay	223	280	

Work started Sept. 26, 1970 Completed Oct. 19, 1970

Date well drilling machine moved off of well October 19, 1970

Drilling Machine Operator's Certification:

This well was constructed under my direct supervisio Materials used and information reported above are true to m best knowledge and belief.

[Signed] Ronald Maten (Drilling Machine Operator) Date 10-19-70

Drilling Machine Operator's License No. 536

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report true to the best of my knowledge and belief.

Name WILLAMETTE DRILLING COMPANY (Person, firm or corporation) (Type or print)

Address 7641 35th Ave. NE Salem, Oregon

[Signed] Earl D. Beier (Water Well Contractor)

Contractor's License No. 2 Date 10-19-70

(USE ADDITIONAL SHEETS IF NECESSARY)

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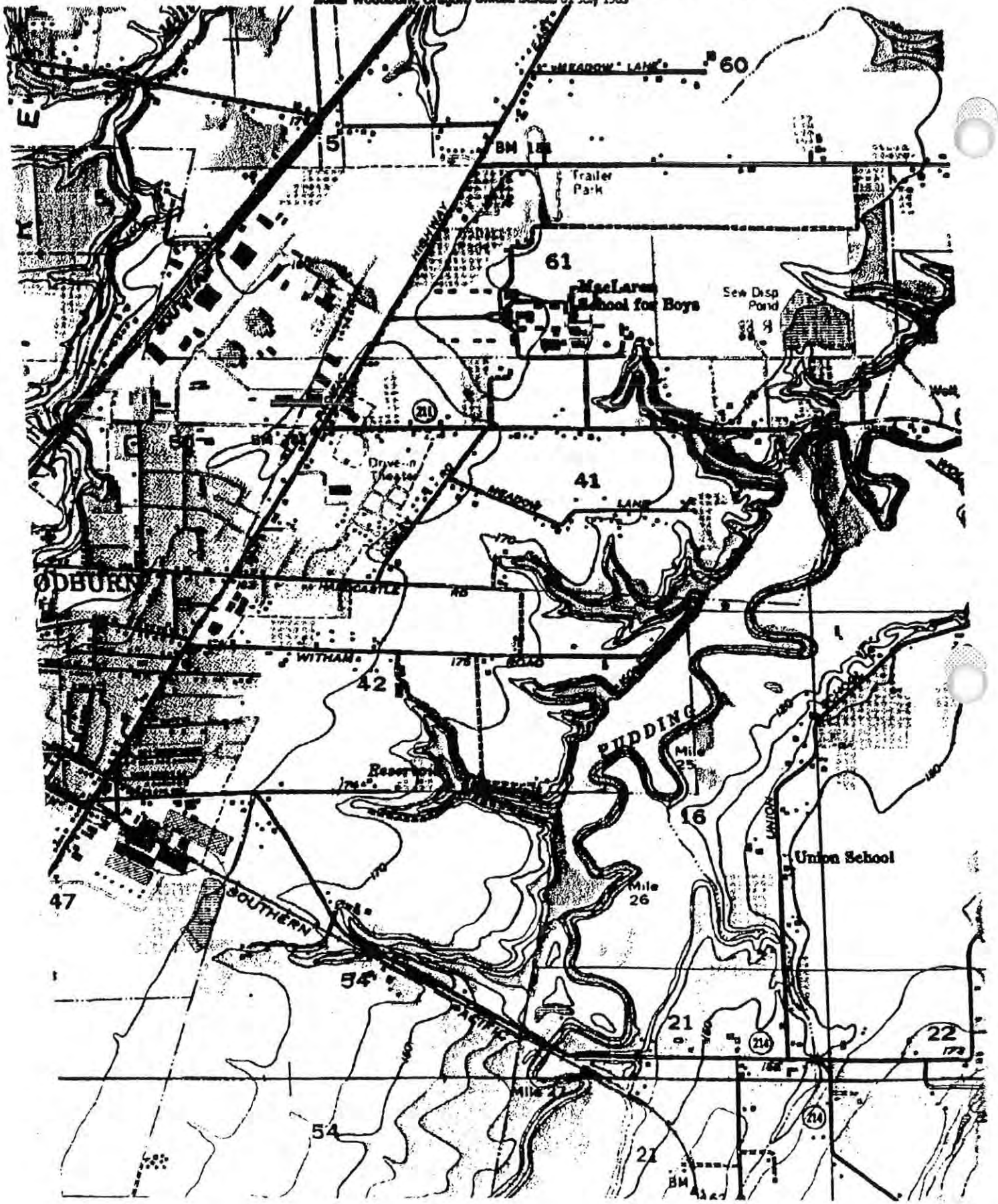
Woodburn, Oregon, United States 01 July 1985



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3/7/200.

March 14, 2005

MAR 1 4 2005

Exhibit "B"- 67

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Dear Mayor,

It appears Woodburn's traffic is beginning to move again and various agencies have determined the overall route. I have concentrated on the traffic between I-5 and 99E. Also 214 to Parr Road extending east from the Butteville overpass. Other people have considered the northern portion of Parr Road as the cities southern arterial and the zoning maps have indicated by arrow the location of the southern arterial. The map shows in dark color the arterial best suited for Woodburn's use as starting at the Butteville overpass on the west and extending to an exchange at Boones Ferry Road. It may be well for those not familiar with Woodburn's to have a map and the location of various business.

ODOT has indicated that they will provide a cloverleaf off of 214 going north on I-5. A similar cloverleaf on the west side to serve traffic going east on 214. This construction may be included in the federal grant. It seems economically sound to do so.

I received a map from Woodburn's Engineering Department showing a ramp off of I-5 containing a two lanes of traffic merging into access traffic on 214, another to traffic on Lawson Way.

I was recently traveling to a newly revised highway in the Tigard area. From it, it seems Woodburn might be able to construct a one way single traffic lane from Taco Bell and Lawson Way to a road servicing Cottage Café, Trailer World, and other businesses that may want to be established in this area provided businesses having a great deal of in and out traffic cannot be located here. Traffic serving the Chevron Station at the SE area would receive the various services offered and exit one way to a road serving traffic from the area of the Cottage Café, Trailer World etc. If it were possible to route traffic in this manner it would greatly enhance the value of the property the city has proposed to purchase for future development. The fact that Garden World located a few miles north of I-5 sold one tree to a New York client for $5,000.00 and Wal-Mart was able to almost double the size of their store in 6/7 years, indicates the city may have a sound investment.

There is no assurance the Chevron will agree to this traffic pattern and if so traffic on 214 will then continue down Lawson, turn right on Stacey Allison, access Harvard, and north entrance of Wal-Mart and continue south past government housing and entrances to Mrs. Smith's property and others and past what would be the north portions of Parr Road if it were extended to Stacey Allison Way. Such a road is shown in black in the enclosed zoning map #1 and is proposed for development at this time as ODOT has informed us that there will be no exit off of I-5 until Exchange 271 can no longer carry the traffic load. Therefore it will be years before the southern arterial could be finished.

We are informed the owners of the land between the continuation of Parr and of the southern portions of Parr Road coming off of Butteville is not desired at this time, If so the traffic coming down Stacey Allison could be routed along the north extension of Parr Road onto the north/south section of Parr Road and then east over the railroad and to a very important interchange as it crosses Boones Ferry.

In order to cover Woodburn's traffic pattern more carefully it is requested you go back to the map #2 and see where Evergreen accesses off of 214. The engineers show drawings

it can be three lanes for a short distance and I suggest the three lanes be carried south to the intersection with Stacey Allison Way. Traffic on Settlemier would absorb that from Hayes, continue south and it is very important that it develop into four lane arterial map #3 with the following exchanges over it. Since designing this arterial it is noted that the Country Meadows addition is proposed in this area, it should be served by a special access and without numerous in and out. The arterial would continue south and absorb the cul-de-sac traffic from government housing and carried across the shopping mall that would be formed by business area between Stacey Allison and Evergreen.

The arterial would continue south to a location where Smith drive would continue west and cross arterial, mall, and connect to Stacey Allison Way.

I do not deal with zoning but Mrs. Smith requested that she meet with me and I showed her a map #4 similar to the one enclosed which shows her farm as low density residential, matching a portion of her present development. This seemed to please her and I mentioned that a portion of her property shown on the map might be used for a school assembly. Since then city has decided the assembly would be better associated with the Aquatic Center.

I did not have time to explain to Mrs. Smith that the developers west of her would be able to zone their property as high density and prevent her from ever developing her property in a proper manner. I should have mentioned she could hire a developer to do this in accordance to with her specifications. In so doing would divide her land into two parcels instead of one. It is possible to have Ben Brown lane extended through her property at a later time without too much interruption of traffic from east to west.

It was pointed out in previous correspondence that 214 as four lanes and Parr Road as four lanes east of exit off of Butteville, that we would have 16 travel passages between I-5 and 99E instead of 6 we have now. (14 if Ben Brown lane was not developed at this time.) This should help in solving Woodburn's traffic.

Mr. Husby and Mr. Cole have indicated that the city would accept the extension of Parr Road east until it crosses Boones Ferry Road and highway 99E and continues to the intersection of the Hillsboro Beaverton Highway shown dotted on Map #3. They would join the city in making sure that the proper right of way was acquired.

I think we were all pleased to find that the people living east of 99E are pleased to be included in the city limits. Such a road is shown dotted on map #3 as extending north crossing 99E, continuing east till it crosses the railroad, goes south on Front Street till it meets Highway 214.

Crosby Road to the north enclosing a residential area continues west to form a loop around the city. A loop that all cities have been trying to create since George Washington was asked to provide for the relocation of the U.S. He hired a New York architect, he created the District of Columbia.

This procedure is recorded in a History Channel Tape entitled, Mr. Dreyfuss goes to Washington, available at the Woodburn Library for viewing. With my Parkinson's, I have not been able to do this in satisfactory form. It may be desirable to have others do this.

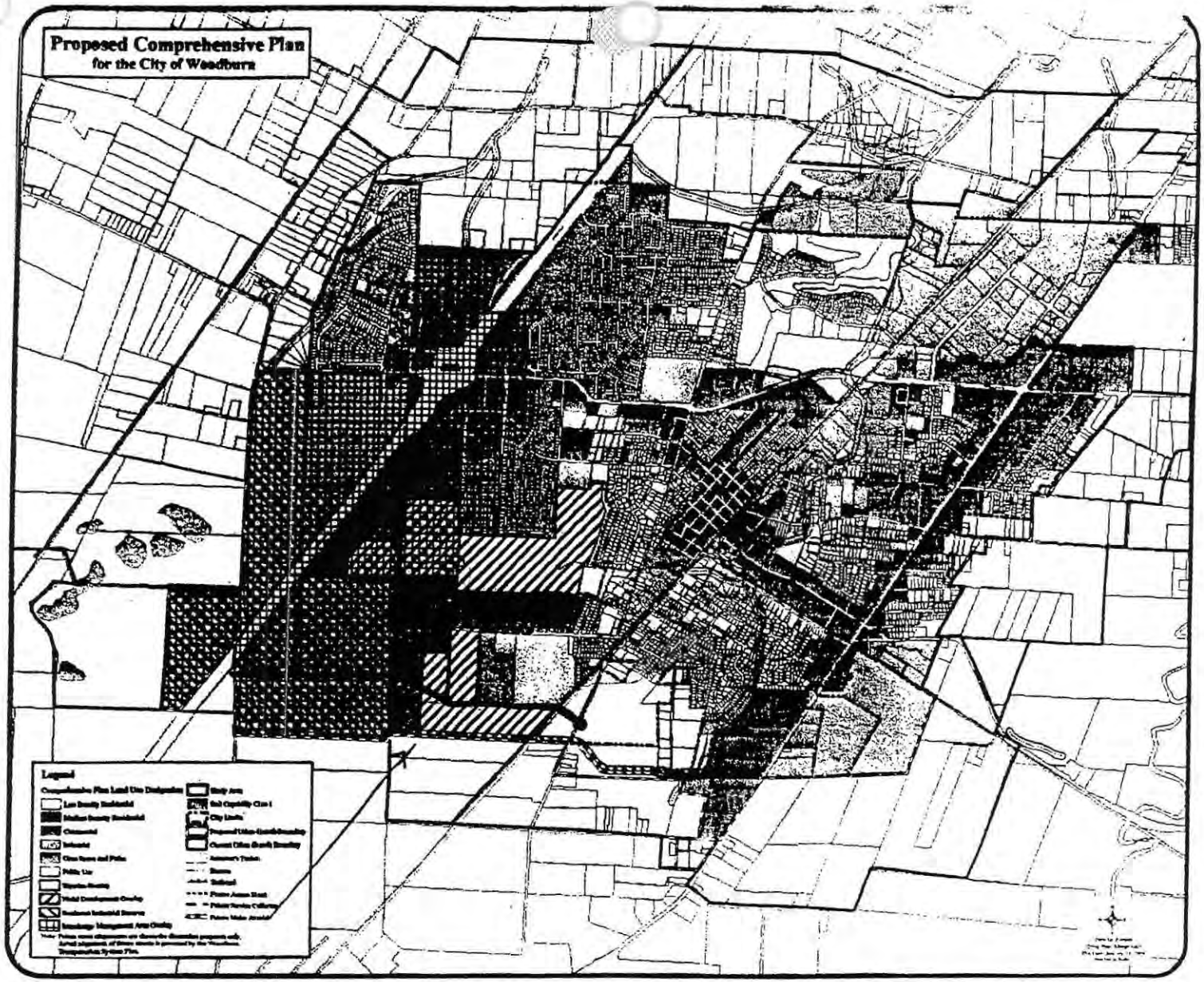
Sincerely,

Keith Woollen
Retired Architect

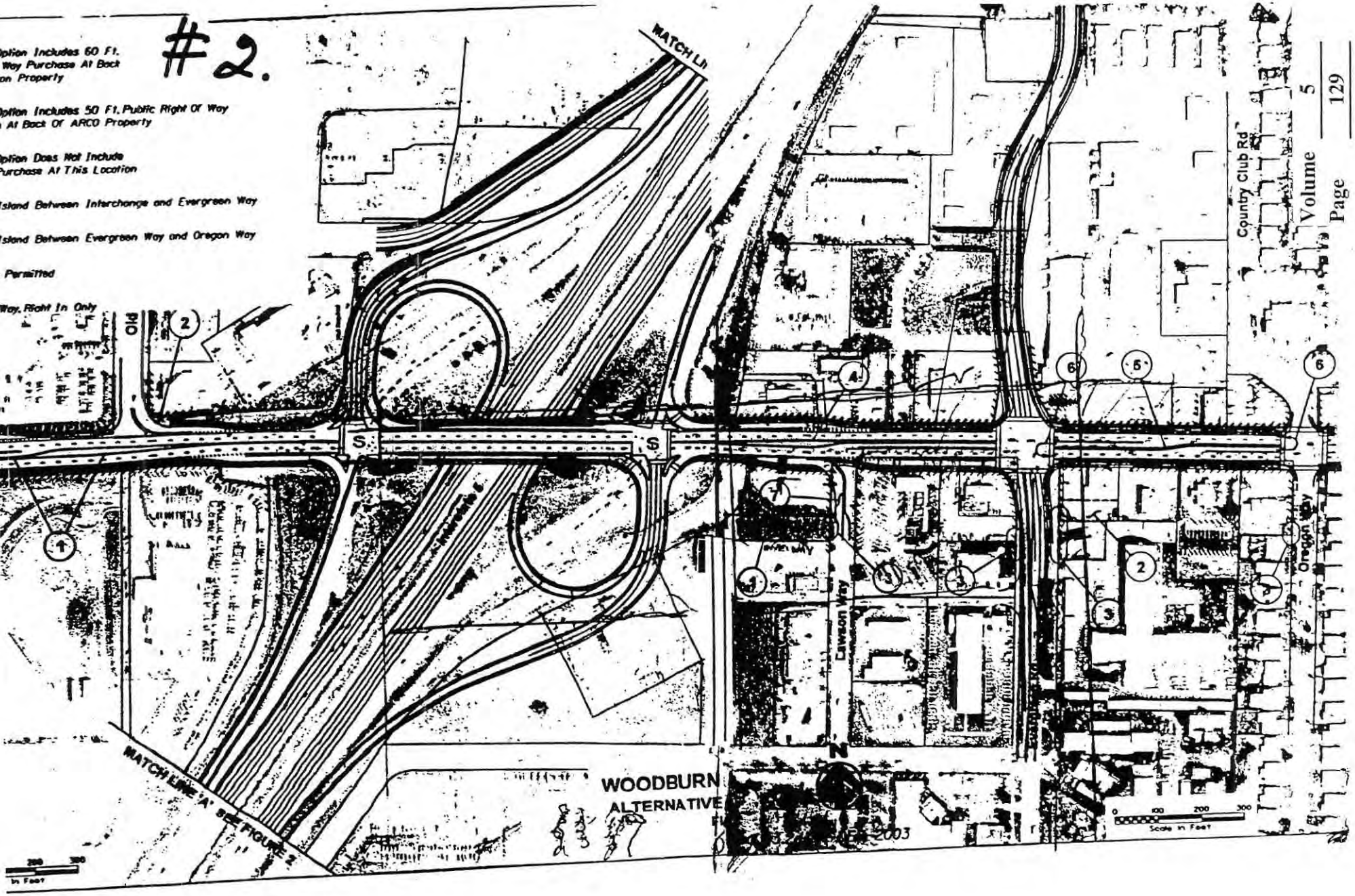
CC: ODOT, Mr Husby, Mr. Cole
County Commissioners
City Public Work, ATT: Randy Rhoman
Hazel Smith
Woodburn Independent

P.S.

The solution to Woodburn's traffic problem is to have the mass of traffic coming over the I-5 exchange; as much as possible, go to highway 214 and the remaining collection down Stacy Allison Way and a four lane expansion of Evergreen till it reaches the east/west southern portion of Parr Road as it reaches the most efficient exchange possible with Boones Ferry Road, it would proceed east to 99E and beyond.



☆ REC'D ☆
MAR 1 4 2005
WOODBURN COMMUNITY
DEVELOPMENT DEPT.



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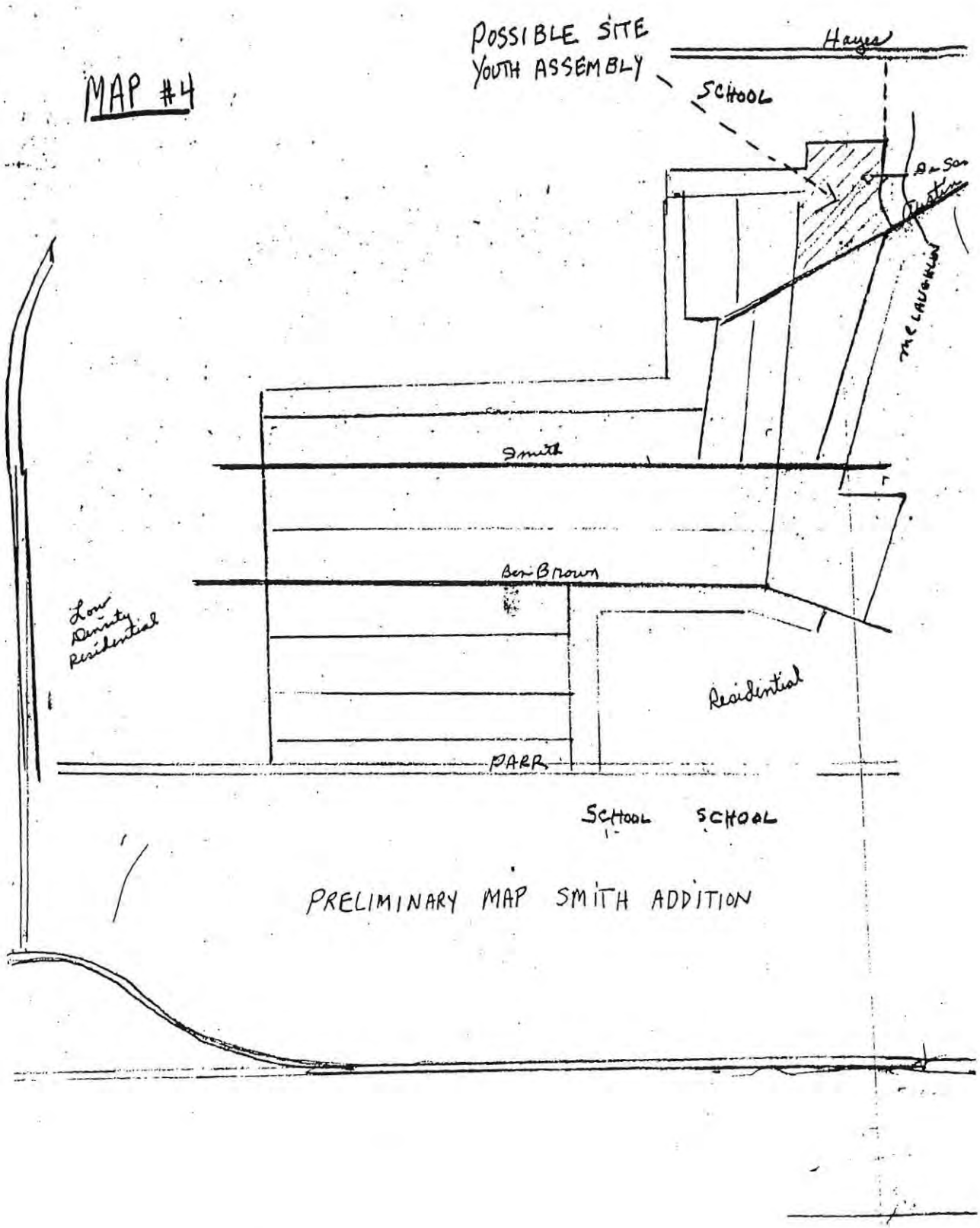
MAP #4
POSSIBLE SITE
YOUTH ASSEMBLY
SCHOOL
Hayes
McLAUGHLIN
Smith
Ben Brown
Low Density Residential
Residential
PARR
SCHOOL
SCHOOL
PRELIMINARY MAP SMITH ADDITION

Oregon ☆ Department of Land Conservati
Theodore R. Kulongoski, Governor
635 C
Salem, Oregon 97301-2524
Phone: (503) 373-0050
First Floor/Coastal Fax: (503) 378-6033
Second Floor/Director's Office: (503) 378-5518
Web Address: http://www.oregon.gov/LCD

Exhibit B -68

RECEIVED
MAR 1 8 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

March 16, 2005

Jim Mulder, Community Planning Director
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97074

RE: Woodburn Periodic Review Amendment Package

Dear Jim:

The following comments are in response to the city's periodic review work program draft amendment package, received by the department on January 21, 2005, and Findings of Fact, received on February 7, 2005. The city requested that the department review the draft submittal for perceived deficiencies as they relate to compliance with specific statewide goals and administrative rules. The work tasks submitted have been reviewed as requested- and these comments reiterate those provided at our March 10, 2005 meeting in Woodburn.

The City of Woodburn's periodic review work program was approved on July 31, 1997. Since that time, the Commission has acknowledged work tasks 5 and 6 (March 2000). This submittal, when completed, will address the remainder of the city's outstanding work program.

The department would like to commend the city for investing considerable time, effort and resources towards completion of its work program. This is a large and complex periodic review package, and the city has prepared a sweeping set of plan, policy, code, and map amendments to meet local housing, transportation, employment, and other needs. The package responds to statewide planning goals and statutory mandates and puts forth plan and policy proposals that will set the context for Woodburn's future development.

The department has not found significant issues with the proposed UGB expansion, but believes that responses to certain requirements and review criteria need to be modified or enhanced to insure the proposal complies with the state planning goals and administrative rules. We request the following comments be included in the official record of this proposed UGB and plan amendment. Our comments have been provided in order of the applicable statewide planning goals, and conclude with recommendations on the plan's draft policy and code amendments.

Goal 1- Public Involvement

Citizen Involvement Plan
The department has received a draft Citizen Involvement Plan, with the understanding that a final version will be completed and submitted to the department upon adoption and submittal of the final plan amendment package. This item is work task 10 of the city's work program.

Goal 2- Land Use Planning

Urban Growth Management Agreement
The department understands the city is currently working with the county on revisions to the city's UGMA and that this product will be submitted after the local adoption process. Submittal and review of these materials are required prior to department approval of the city's work program. This is work task 9 of the city's work program.

Goal 5- Open Spaces, Scenic and Historic Areas, and Natural Resources

Riparian Corridors and Wetlands OAR 660-023-0090-100
The department commends the city's formation of a Riparian Corridor and Wetlands Overlay District (RCW). The city should provide definitions in its code for the terms "undeveloped floodplains," and "100-year floodplain outside of developed areas." Although the "general location" of the RCW district is mapped, without clear definitions for these terms there may be instances where the intent or application of the overlay district is ambiguous.

Groundwater Resources- OAR 660-23-0140
In the water plan of the city's public facilities plan (PFP), it is noted that a *Source Water Protection Plan* for state certification has been developed to protect the city's drinking water supplies.[1] However, in its response to Goal 11 and the PFP work task, the city has noted in its findings: "Woodburn has not opted to delineate a wellhead protection area for wells or well fields."[2] If a source water protection plan has been prepared, the department will need a copy as part of this periodic review submittal. If the city has no intention to have a certified source water protection plan, the PFP needs to be amended to be consistent. While the department encourages the city to prepare a source water protection plan, the Troutdale aquifer is not a critical or restrictively classified groundwater area and so is not subject to mandatory Goal 5 protections as a significant resource.

[1] Draft 2005 Public Facilities Plan, page 7.
[2] Findings of Fact, page 28.

Goal 9- Economic Development

Commitment to provide adequate sites and facilities (OAR 660-009-0020(2)(b))
Woodburn needs to provide a rationale for approximately 65 net buildable acres of land "unretained" within the Southwest Industrial Reserve overlay (SWIR).[3] Although subject to the non-industrial conversion restrictions of the SWIR overlay, this land could potentially be subdivided into smaller lots (<10 acres) of which the city's BLI and EOA have identified there is not a need. The SWIR site requirements table should also account for tax lot 52 W14-1200 (adjacent to Butteville Road and I-5), as it is within the overlay district.

Industrial site serviceability (OAR 660-009-0025(3))
The Goal 9 rule requires that the city's public facilities plan demonstrate how a short-term supply of new industrial and commercial sites will be serviceable.[4] The PFP needs to map and identify needed facilities over the 20-year planning period to serve new employment lands, and specifically demonstrate that a three-year supply of serviceable sites are scheduled for each year, including the final year, of the short-term element of the plan.[5]

The Goal 9 rule requires that this demonstration of short-term serviceable industrial sites is to occur at the time of periodic review.[6] Although the rule makes clear that implementation of or amendments to the comprehensive plan or public facility plan which change the supply of serviceable industrial land are not subject to these rule requirements, the rule does not make a distinction between initial and subsequent periodic reviews that would exempt the city from meeting this requirement. Such a distinction has been relied on, in error, in the city's findings of fact.[7] Therefore, to comply with the rule the city's plan needs to provide specific information regarding a three-year supply of serviceable sites over the short-term (5-years). This information should be incorporated into the city's PFP (work program subtask 3a).

Corrections:

- SWIR Tables identifying required minimum site sizes for specific parcels are inconsistent as found in the Findings of Fact (pages 16, 118, and 204), goal and policy amendments (page 22), and proposed WDO (page 2.1-91). Discrepancies found include wrong tax lot numbers, inconsistent numeric values for buildable

[3] Based on proposed standards table Required Minimum Site Size for Specific Parcels, tax lot 52W 11-300, and tax lot 52W 14- 800.
[4] A site is serviceable if public facilities have adequate capacity to serve development planned in the service area where the site is located or can be upgraded to have adequate capacity within one year; and public facilities are either currently extended to the site or can be provided within one year of application for building permit or request for service extension (OAR 660-009-0005).
[5] OAR 660-009-0025(3)(c).
[6] Pursuant to OAR 660-009-0025 "Requirements of this rule apply only to local government decisions made at the time of periodic review."
[7] Draft City of Woodburn Findings of Fact and Conclusions of Law, Periodic Review and UGB Amendment, Page 165.

site acres, and incomplete and/or inconsistent data for retention of various site sizes.

- In the text of the Goal 9 section of the Findings of Fact (page 88), the following correction needs to be made: *The table identifies a need for five ~~ten~~ sites of 25 acres or larger and at least one site larger than 100 acres.*[8]

- The figure for the "High" industrial employment projection is missing from the "Total employment growth by land use type" table on Findings of Fact, page 104.

- The following correction in the UGB Justification Report needs to be made: reference to ORS 197.212 on pages 5 and 6 should read ORS 197.712.

- A description of Targeted Industry No. 36 was not included in the findings of fact (page 86). The department recommends this be included to be complete and consistent with the city's EOA and other supporting documentation.

Goal 11- Public Facilities and Services

Required elements of Public Facilities Plan- OAR 660-011-0010
The city's public facilities plan (PFP) identifies that service capacity needs can be met through year 2020. However, while many of the required elements of the PFP are included in the draft, or its supplement, *UGB Study Area Public Services Analysis,* this information is not well organized or is incomplete.

General

- The PFP needs to be updated to reflect current information on facility construction and planned facilities within the existing UGB, as well as for proposed expansion areas included in the city's plan amendment. Unlike for wastewater facilities, the PFP does not provide the timing, cost and location for significant water and storm water facilities necessary to serve future development in proposed UGB expansion areas.
- The PFP does not provide an adequate inventory and assessment of existing facilities.
- The UGB expansion area reports indicate that the regions were analyzed independent of other proposed regions, and that the analysis is based on all CIP projects in the master plan being completed. This approach does not address the cumulative effects of development over time and sequencing (timing) of needed facilities.
- Policy statements designating the provider of each public facility system or the city's urban growth management agreement with Marion County must be submitted concurrent with the PFP pursuant to OAR 660-11-0045.

[8] Findings of Fact and Conclusions of Law, page 88.

Waste Water plan

- Projects in the table "Wastewater Long-range Facility Projects (5-20 years)" assume no service extensions will occur in UGB expansion areas until 2010.[9] However, the city's findings indicate all expansion areas are "readily serviceable" (although no definition of this term is provided).[10]
- The estimated timing and location for constructing long-term waste water facilities should be reassessed due to the Goal 9 requirement for a short-term supply of serviceable industrial sites (OAR 660-009-0025(3)).

Water plan

- PFP text indicates four new wells are needed to increase capacity, yet table 12-1A shows six wells proposed (PFP, page 7). This discrepancy should be corrected or explained.
- PFP text indicates storage facilities to be constructed at each of the three new treatment plants, yet table 12-1B shows two storage projects to be built in 2004 (PFP, page 13). Is this information current?
- PFP Table 12-2, "Proposed Distribution System Projects," shows 10 projects, only two of which are future projects. This table should be updated to show planned projects, particularly those identified for future planned growth in proposed expansion areas (PFP, page 15).
- The text indicates that the plan does not include project costs for projects in areas to be developed into the future, and notes that the plans included in "Chapter 10" show possible pipe sizes and locations. This information is necessary to include in the PFP (PFP, page 16).
- The water plan (PFP, page 16), states that expansion areas to be developed in the future are essentially "unknowns" and, therefore, capital improvements for these areas will be planned for later. This is counter to the purpose and intent of Goal 11. Case law has also determined it is not sufficient to simply demonstrate that current services and facilities are adequate to service expansion areas; plans must show that they can provide services into the future.[11]

It is not the intent of Division 11 (OAR 660-011) to cause duplication or to supplant existing applicable plans or programs. For instance, there could be appendices, etc. from the city's current master plans that would provide some of the additional level of information requested here. The city could also make amendments to its supplemental UGB expansion analysis to comply with the rule and incorporate them into the PFP by reference.

---

[9] Draft 2005 Public Facilities Plan, page 22.
[10] Findings of Fact and Conclusions of Law, page 196.
[11] City of LaGrande v. Union County, 25 OR LUBA (1993); 1000 Friends v. City of North Plains, 27 OR LUBA 372 (1994).

Corrections-

- Project descriptions and/or costs do not consistently match information found in the UGB expansion analysis (Findings of Fact, page 195).

- Facility and cost information is not provided for Area 1 in the analysis of UGB expansion areas (Findings of Fact, page195).

- The findings indicate that the "City shall adopt a growth control ordinance" to insure that the city's growth does not exceed its ability to provide public services (Findings of Fact, page 162). What is the status of this ordinance?

- Schools: There are discrepancies in the record concerning land needs for future schools that need to be corrected and clarified. The Residential Land Needs Analysis shows a need of 175 acres by 2020 with an unmet need of 60 acres for schools.[12] The Revised UGB Justification Report indicates there is a need for 223 acres by 2023, with an unmet need of 108 acres.[13] A similar inconsistency is located in the Findings of Fact under "Schools" (page 185) and in the year 2020 Public and Semi Public Land Needs table (page 186).

Goal 12- Transportation System Plan

The department provided comments on the city's TSP in March 2004 and in January of this year. By working with the city's consultant we have narrowed our comments to the following.

Street Standards
The city's local street standards are described in the ordinance (page 9-5) and in the TSP (Figure 7-2). The city has adopted three local street standards as follows:

- *Local Residential with parking both sides: pavement width of 34', ROW of 60';*
- *Local Residential with parking one side: pavement width of 29', ROW of 50';*
- *Local Residential with no parking: pavement width of 24', ROW of 50.*

There is no description or criteria to decide when one of these street sections will be used or required. It appears it will be up to the developer to decide which street section they will use. The department has found that these types of standards do not meet the intent of the Transportation Planning Rule (TPR, OAR 660-012). That is because there is no basis for local governments to require 34 feet of paved width for all local streets that have parking on both sides. It is acceptable for a local government to have a 34 foot street in their ordinance for important and/or heavily-traveled local streets. These are usually defined by a maximum average daily traffic (ADT), such as all local streets expected to carry more than 500 ADT should be 34 feet wide.

[12] Technical Report 2- Residential Land Needs Analysis, page 32.
[13] Revised Woodburn UGB Justification Report, page 11.

However, local governments should also allow a narrower street with parking on both sides for local streets that carry lower volumes of traffic. Alternatively, the department has approved (or is in the process of approving) some local government standards for 32-foot wide local streets that provide curb extensions (bulbouts) that narrow the width of the street to 20 feet (or 22 feet) at intersections and midblock along long blocks (greater than 500 feet).

Block Lengths
It does not appear the city has modified its block length standard. The standard is described on page 2-20 as follows:

"Block length shall not be less than 200 feet and not more than 600 feet, EXCEPT where the dimensions and alignment of existing blocks and streets adjacent to or in the vicinity of a proposed subdivision, topography, adequate lot size, or need for traffic flow warrant other dimensions. The maximum block length shall not exceed 1,200 feet."

The city's latest response to our TSP comments state that the city acknowledges this language is ambiguous, but that they have faced situations where block lengths of 600 feet cannot reasonably be accommodated.[14] The letter also claims the city has found the existing language effective.

This language is clearly ambiguous and appears to open the door to almost any block length less than 1,200 feet for a variety of reasons that may not be completely legitimate. For example, topography in Woodburn should simply not be an issue in terms of determining grades and connections for streets. Also, "adequate lot size" should not be a significant factor to determine whether a block is 600 feet or 1,200 feet long. Similarly, instead of "traffic flow," the language would be improved to read "access management on arterials." The city should also modify the code to require a pedestrian accessway every 600 feet where it is found that a local street connection is impracticable. The department welcomes more information from the city about its existing code language and its effectiveness upon implementation.

Goal 14: Urbanization

Goal 14 provides "seven factors" to evaluate a proposed change in the urban growth boundary. The city needs to demonstrate it has fully considered each factor in its response to the goal requirements. The department wants to emphasize the importance of this step and providing detailed responses in its justification for the UGB amendment.

Factors 1 & 2 - *Demonstrated need to accommodate long range urban population growth requirements consistent with LCDC goals; Need for housing, employment opportunities, and livability*:

Tables in the Findings of Fact (page 89 and 107) show different numbers of vacant industrial parcels available within the existing UGB. This information pulled into the

[14] Draft TSP Comments: Response from City of Woodburn, dated January 4, 2005

Findings of Fact from the Buildable Lands Inventory is not consistent and could justify less industrial land being retained as part of the proposed UGB expansion based on site requirements for targeted industries.

Factor 4- *Maximum efficiency of land uses with and on the fringe of the existing urban area.*

Factor 4 requires Woodburn to consider and encourage the efficient development of lands within the existing UGB, prior to expanding the UGB. This means the city must consider changing plan designations within the *existing* UGB to increase densities and attempt to assemble vacant parcels within the *existing* UGB to produce larger buildable areas to accommodate proposed uses, including site requirements for targeted industries.[15] The city has alluded to these necessary considerations in its findings, but has not provided a full explanation to satisfy them.[16]

Correction

- Findings of Fact, page 197- ORS 197.232 is an incorrect statutory citation. The department assumes the intended citation is ORS 197.732 regarding Goal Exceptions.

Factor 6- *Retention of agricultural land as defined, with Class I being the highest priority and Class VI the lowest priority; and ORS 197.298.*

Goal 14, Factor 6 and ORS 197.298 are not one and the same, so the city should be careful when addressing them together under the same heading. The department believes it is more appropriate to use the format from the UGB Justification Report, where each statutory requirement, and factor 6, has a corresponding response.

Study areas 2 and 7 are proposed for partial expansion. Study Area 2 contains additional areas of lower priority soils that have not been included and has been found to be optimal for expansion based on service efficiency. The city's reliance on the "factor 4-maximize efficiency" finding is on its face, and without further explanation, insufficient to satisfy this criterion. For Study Area 7, findings also need to specifically indicate why additional class III and IV soils in this area were not brought in for expansion instead of other areas containing lower priority soils. Large parcel sizes in this southernmost portion of Study area 7 could also satisfy industrial site requirements. Study area 7 was found to be optimal for expansion based on service efficiency.

In reference to these study areas, the city should elaborate on how the expansion avoids the highest value farmland possible while including the lowest soil classes in a feasible UGB configuration in compliance with factor 6.

---

[15] Concerned Citizens of the Rogue Valley and Don Carroll v. the City of Shady Cove, LUBA 95-173 (1997).
[16] Findings of Fact, page 198.

Correction

- Correction on Findings of Fact, page 211. The referenced "Table 13" is missing, and should be labeled as Table 10, as found in the Revised UGB Justification Report.

Factor 7- *Compatibility of the proposed urban uses with agricultural activities.*

Based on Winterbrook's response to the department's April 2004 comment letter, and as discussed in our March 10, 2005 meeting, the city needs to document its intent and approach to establish "right to farm" covenants that would deed-restrict residential "edge" properties proposed in expansion areas to the north of the city (Study Area 2). Such an approach would also be appropriate for residential edge properties planned for in the southwest part of the city (Study Area 7). In its response letter to the city, Winterbrook wrote:

"As indicated under Goal 14, factor 5 discussion we agreed that additional information related to these Goal 2 standards will be provided in the Goal 14 analysis and in findings. We will consider requiring the property owner to sign a "right to farm" covenant as a condition of annexation of residential land that is adjacent to the UGB."[17]

This action would be a response to Goal 14, Factor 7, but also to Goal 2 (standard 4), to demonstrate "measures have been taken to reduce adverse impacts" from residential development on adjacent agricultural practices. The department believes this approach would effectively address agricultural compatibility issues in these areas.

Corrections

- Findings of Fact, page 197- ORS 197.232 is a wrong statutory citation and does not exist. The department assumes the intended citation is ORS 197.732 regarding Goal Exceptions.

- Table 13 is missing from the Findings of Fact, (page 211) under the Goal 14 analysis, Agricultural Soils and Classifications Summary, and should be relabeled "Table 10."

- Findings of Fact, page 193, correct heading to "Factor 3- Orderly and economic provision of public facilities and services"

Proposed Goal and Policy Amendments

1. Policy Table 1, p 7: Some of the stated density ranges don't appear to be consistent with the stated minimum lot sizes. For example, The Nodal Residential Overlay Zone (RMN) shows a density range of 10-22 dwelling units (du)/acre, but the smallest minimum lot size, 3,000 square feet, yields 14.52 du/gross acre (per net acre would be even less). Another example: The RS1 zone shows a range

[17] Winterbrook Memo to Jim Mulder, April 26, 2004, (page 17), re: April 21, 2004 letter from Kevin Cronin, DLCD to Jim Mulder.

of 9-12 du/acre but there is only one minimum lot size, and no stated maximum lot size.

2. *Zoning* section, p 8 - last sentence, and *Review, Revision and Update* section, p 11, 2nd and 4th sentences: It appears that "Comprehensive Plan" should replace "Land Use Plan."

3. Transportation Plan section, p 9: 2nd sentence is missing a word. Should read: "The 2004 TSP includes goals and objectives ..."

Proposed Land Use Zoning Draft Amendments

Some of the following comments are advisory, and intended to help the city establish standards that will achieve successful developments and a livable community.

1. Section 2.102.07 F. 1. Landscaping and Sidewalks (RS Zone): These regulations allow an option of either curb-tight sidewalks or sidewalks with street trees. In residential zones, a planter strip with street trees between the curb and sidewalk should be required, and needs to be consistent with the proposed street standards in the city's final draft Transportation System Plan.

2. Section 2.105.05 C. 1. a. 2 (CO Zone) and Section 2.106.05 C. 2. a. 2) (CG Zone): Setting a maximum front setback is good, but 150 feet is a very large standard. No parking is allowed in the front setback, which is appropriate, so it seems counter-productive and land intensive to allow buildings to be sited so far back from the street.

3. Section 2.108.06 A. 3. (NNC Zone): Setting a building size limit is a good idea, however 60,000 square feet is too large for a single business in the NNC. This means that you could have a building with 3-5 businesses totaling 180,000-300,000 square feet, which is excessive for achieving the benefits of successful neighborhood nodal development. The single business size limit could be reduced to 5,000-10,000 square feet, or change the 60,000 square foot standard to maximum *building* size (to allow a supermarket).[18]

4. Section 2.108.06 A. 1. (NNC Zone): Similar to the previous comment, 15 acres is too large a maximum site size for the NNC zone. NC zone sites are typically 3-5 acres.[19]

[18] The TGM Model Development Code for Small Cities recommends a maximum Neighborhood Commercial building floor area of 5,000-10,000 square feet, and a maximum single use size of 2,000-5,000 square feet.

[19] Source: TGM Model Development Code for Small Cities

5. Chapter 2.110 (IL Zone): Woodburn has no Heavy or General Industrial Zone, just the IP Zone and IL Zones. The IL allows heavy industrial uses and so should be renamed to General Industrial.

6. Section 2.114.03 (A))(P/SP Zone): Missing word: "Targeted industries and services identified in Table 2.1.21 are allowed in the SWIR ...."

7. Section 2.115.03 A. (RSN Overlay): Missing word: "... are allowed in the RSN Overlay District ..."

8. Section 2.115.03 D. 3. a. 2), 2.115.04 E. 2, 2.116.05 D. 4. a. 2) (rear setbacks): There is only one rear setback standard for all lots. Twenty feet is appropriate for street-access lots but excessive for rear alley-accessed lots. The department recommends 6-8 feet.[20]

Thank you for the opportunity to comment on this package of updates to Woodburn's plan and ordinances. If you have any questions, please don't hesitate to contact me at (503) 373-0050 extension 289 or geoff.crook@state.or.us.

Sincerely,

Geoff Crook
Willamette Valley Regional Representative

cc: Greg Winterowd, Winterbrook Planning
Les Sasaki, Marion County Planning
Rob Hallyburton, DLCD

[20] Source: TGM Model Development Code for Small Cities

☆ REC Exhibit "B"-69

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OPERATIONS

SURVEYOR

March 21, 2005

Jim Mulder, CD Director
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97071

Re: City Council Public Hearing – Woodburn Periodic Review Amendments

Dear Jim:

Marion County Planning has reviewed the Woodburn Periodic Review amendment package that was provided to staff along with the Draft Findings of Fact and Citizen Involvement Report. County staff appreciate the City's coordination effort to involve the County in both the development and review of the various periodic review tasks undertaken by the City to update its comprehensive plan. The amendment package is reflective of the extensive work and time invested by the City in formulating a planning strategy to address growth issues facing the City along with implementing a community vision. The County encourages and supports local decision-making control in accomplishing these planning tasks.

As you are aware, the County has a statutory coordination role to work with cities with regard to planning activities affecting land use. The City and County have coordinated on the review and update of the City's 2020 population projection which is being utilized in the current plan amendment package. Additionally, the City and County have worked together and are involved in the City's Transportation System Plan (TSP) update, the I-5/Woodburn Interchange Area Management Plan and Environmental Assessment, and the development of an updated intergovernmental agreement on urban growth boundary coordination.

It was back in March and April of 2004, that the County along with other agencies and interested persons provided the City with preliminary advisory comments and suggestions regarding the City's draft Periodic Review task amendment proposals. The intent of those staff level discussions/meetings were to provide city staff and the consultant team with preliminary feedback on the proposed amendments and raise concerns or issues prior to development of the final amendment review package. The County appreciates the opportunity to comment on the proposed amendments and realizes that urban growth boundary changes are a cooperative process between the City and County. The following comments are intended to assist the

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City in its review of the proposed amendment package with some of the comments similar to those provided to the City during the County's preliminary review of the draft amendment package in 2004.

Overall, the proposed amendment package contains many good and often innovative measures to increase the efficient use of land, address specific needs, manage existing and future growth issues and preserve/protect local natural resources.

Woodburn Comprehensive Plan Amendments

1. Inclusion of new Marion County Coordination Goals and Policies, Marion County Economic Coordination Goals and Policies, and the incorporation of applicable Marion County Growth Management Framework coordination language, guidelines and policies regarding housing, transportation and the environment into the Woodburn Comprehensive Plan. The County is supportive of these amendments to improve coordination between the City and County and recognize the individual planning interests of both jurisdictions.

2. New plan and zone designations for the proposed nodal development, industrial reserve, and riparian conservation and wetland overlay areas to provide for specific types of development to meet housing, economic development, and resource protection needs. Also the creation of an Interchange Management Area overlay to monitor and manage the transportation capacity, safety and functionality of the system around and at the interchange through trip generation estimates and numerical ceilings based on land use. These overlay designations and the respective implementation measures contained in the Woodburn Development Ordinance are positive approaches to efficiently plan for land use and locational needs, and the County is supportive of these amendments.

3. Residential Land Use and Housing goals and policies that provide for adoption of a housing code to improve the existing housing stock, encourage and provide for a variety of housing types for single-family and multi-family uses, requirements for application of clear and objective design standards, allow for affordable home ownership opportunities through reduced lot sizes and increased housing types, and for efficiency of residential lands by allowing provisions for increased densities. These amendments provide the framework for the City to address housing needs and issues and the County is supportive of these plan amendments.

4. Commercial Land Use goals and policies that encourage the infill and redevelopment of existing commercial areas of the City rather than increasing the commercial land supply or advocating for additional commercial around the interchange area. Also, inclusion of policies encouraging establishment of neighborhood commercial to serve designated nodal development areas and provisions for vertical mixed uses. These amendments recognize the interrelationship of commercial land uses and impacts on the transportation system through increased congestion which can affect the ability of the City to attract other types of desired land uses. The County is supportive of these plan amendments that discourage the establishment of new commercial corridors/areas in the city and place emphasis on redevelopment of the existing commercial areas, including the downtown.

5. Incorporation of the City's May 2001 Economic Opportunities Analysis (EOA) and Economic Development Strategy as part of the Woodburn Comprehensive Plan. The economic development strategy commits the City to provide the infrastructure and land base to attract higher paying jobs, provide for the employment needs of the Woodburn area, utilize any comparative advantages the city enjoys such as its location, target specific industries desirable

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to the city, educate and train the local labor force, improve the quality of life for residents, assist local business development, prevent the redesignation and parcelization of industrial lands, utilize master planning as a tool to efficiently use designated industrial lands, rehabilitate the downtown area, provide financing for marketing and creating economic development programs, and various other measures. The County is supportive of the City's efforts to provide for the employment needs of its residents and the north county region and to work cooperatively with the county in addressing economic growth issues and providing employment opportunities.

Woodburn Development Ordinance

1. New nodal residential zone designations to implement the new plan designations. New land efficiency measures that provide for infill, redevelopment, vertical mixed uses, smaller lots, a variety of housing types, and increased densities. Providing for an increase in the multifamily percentage (35%) of the total new housing mix, the provision of minimum and maximum allowable densities, requirements for development to occur at 80 percent of allowable density, and master planning of designated nodal areas allow for more efficient use of land while meeting the City's expected housing needs. The County is supportive of these implementation measures and of the City's goal to improve its overall residential land efficiency for new single-family and multi-family uses from 5.7 dwelling units/acre over the past 15 years (1988-2002) and 6.7 dwelling units per acre over the past five years (1998-2002) to 7.7 dwelling units/acre consistent with the efficiency guidelines in the County's Growth Management Framework.

2. New industrial overlay zone for the proposed southwest industrial reserve area. The zone provides for the retention of specific parcel sizes, prevents the redesignation and use of industrial lands for non-industrial uses, and requires that master planning of the entire industrial overlay area occur prior to annexation, parcelization and any development of these lands. It is also implied that the parcels within the industrial reserve area will be retained in agricultural use until developed for industrial uses consistent with the zone.

   The County is generally supportive of the concepts of the overlay zone but would recommend that specific language be added stipulating the continued use of these lands/parcels for agricultural use and retention of existing County EFU zoning until developed for industrial purposes. In addition, the master planning requirements and process as specified in the zone are not clear as to whether the review and approval of the master plan is simply for a public facility plan, a conceptual or detailed lot layout plan, an actual development plan or something else. The zone requires that a master plan for the entire overlay zone area is required though it is conceivable development could occur on an individual parcel basis or in phases. It is also not clear if the City Council approval of the master plan could be considered a land use decision or whether such approval is binding as to lot layouts and configurations. The County believes that further considerations of the master planning process being utilized in the overlay zones need to be addressed by the City. Economic Development Policy E 2.2 in the amended Comprehensive Plan states that the proposed master plan shall be referred to Marion County for comment prior to consideration by the the City Council. It is unclear as to what the County would be commenting on under the current proposed master plan requirements contained in the proposed overlay zone.

   A discussion of the parcel sizes and retention of large industrial parcels is contained in the section below on the proposed urban growth boundary amendments.

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3. The Riparian Corridor and Wetland Overlay Zone provides protection standards for undeveloped floodplain, wetland and riparian areas within the city. The zone utilizes the safe harbor provisions under Statewide Planning Goal 5 for riparian resources in providing protection of designated riparian and significant wetland resources. The County is supportive of the City amendments to protect these resources consistent with the Environmental guidelines of the County's Growth Management Framework and safe harbor provisions of Administrative Rules.

Woodburn Transportation System Plan (TSP) Update

County Public Works (Mike McCarthy) was involved throughout the TSP update process and provided input on the plan. All major County issues raised during the TSP process have been adequately addressed and there are no further objections or concerns to the proposed TSP. The County is supportive of the TSP for the progress it would make towards maintaining and improving the transportation system within the Woodburn area. The County does have an interest in making sure that regional traffic utilizing the county road system can get to and from destinations in Woodburn, and to and from the I-5 interchange efficiently, and the County wants to make sure that this efficiency is protected or improved which the updated TSP seems to work towards meeting this end. The TSP identifies a south arterial connecting Highway 99E with the proposed nodal development and industrial reserve area along Parr Road and with Butteville Road. The County will continue to coordinate with the City on transportation issues and projects within the Woodburn area.

Public Facilities Plan

County Public Works and Planning staff reviewed the Public Facilities Plan and the Public Services Analysis of the eight Study Areas considered for possible expansion of the existing urban growth boundary. The County recognizes that the City shall be the provider of public water, sanitary sewer, stormwater, and transportation facilities within the urban growth boundary unless otherwise agreed to by the City, County and any other applicable party. The City is also responsible for preparing the public facilities plan for all lands withing the growth boundary. The County is supportive of the City's Public Facilities Plan and the City's efforts to cost-effectively size and provide the necessary facilities to serve lands within the urban growth boundary. The County also supports City efforts to coordinate its facilities planning with the County with regards to stormwater management and transportation.

Marion County Urban Growth Management Framework

Marion County adopted an Urban Growth Management Framework in 2002 as part of the Urbanization Element of its Comprehensive Plan. The Framework is a coordination planning strategy that provides guidelines a city may choose to follow when coordinating urban growth boundary needs with the county. Decisions on how to use any applicable coordination guidelines of the Framework is up to each city and there can be several approaches taken by the city to coordinate planning efforts with the County consistent with the Framework.

To facilitate coordination between the City and County, the City has amended the updated Woodburn Comprehensive Plan to incorporate applicable policies and guidelines found in the County Framework Plan. In addition, the City will consider these applicable Woodburn Comprehensive Plan policies and guidelines when making land use decisions within the urban growth area of the growth boundary. The County is supportive of the City's approach toward coordinating planning with the County.

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Additionally, the Coordination Agreement between the City and the County is required to be updated as part of Periodic Review to be consistent with the Growth Management Framework. City and County staff have been working together to update the current intergovernmental agreement.

Urban Growth Boundary (UGB) Amendment Proposal

Reviewing the various background studies and documents supporting the City's proposed plan amendments, the existing Woodburn Urban Growth Boundary contains approximately 4,050 acres. The UGB amendment proposal that is part of the City's Periodic Review amendment package is for an expansion of the existing UGB by approximately 1,050 acres. This additional land need to meet projected population, housing, employment and other uses is in addition to the 746 acres of buildable lands within the existing UGB identified in the City's 2002 Buildable Lands Inventory.

The Plan proposal is based on a 2020 projected population of 34,919 utilizing a 2.8 percent annual average growth rate during the 20-year planning horizon of the Plan. The Plan proposal would accommodate an increase in population of 14,059 people over the 2002 city population of 20,860 requiring an additional 4,753 dwelling units, assuming a household size of 2.9 persons per dwelling. The Woodburn area is projected to add 7,153 jobs/employment during the planning period using a medium range employment growth forecast.

The 746 acre supply of buildable land in the current UGB consists of 403 acres of low density residential land, 108 acres of medium density residential land, 6 acres of public/semi-public lands, 108 acres of commercial land and 127 acres of industrial land. In summary, 517 acres of residential land and 235 acres of employment land currently exist within the UGB.

The proposed approximately 1,050 gross acres expansion would add roughly 590 acres of residential land (520 acres of low density residential, 70 acres of medium density), 25 acres of commercial land, 430 acres of industrial land. Of the 1050 acres, 188 acres are residential exception lands and 13 acres are commercial exception lands. In rough land totals, approximately 1100 acres of residential land (this number would be reduced when constrained lands, right-of-way needs and some of the residential exception lands are subtracted) and 690 acres of employment lands would be available for development to meet future housing and employment needs.

Identified land needs from the UGB expansion needs analysis indicate a need for approximately 555 acres of buildable residential land (259 acres of low density residential, 178 acres of nodal low density residential, 66 acres of medium density, 51 acres of nodal medium density) and an additional 210 acres of public/semi-public lands which are accommodated on residential lands. Employment land needs are estimated at 627 acres (141 acres of commercial land and 486 acres of industrial land) with industrial land needs based on the provision of specific site sizes instead of an employee/acre ratio. The EcoNorthwest analysis of projected land need based on forecast employment increase of 7,139 employees was for approximately 369 acres with industrial land needs being 224 acres of the total.

Industrial Land Needs

Statewide Planning Goal 9 (Economic Development) and corresponding Administrative Rule allow for employment land needs to be based on the need to provide for various sites (specified site sizes) to meet likely or expected employment uses that would locate in the area. The City has targeted certain industries that it desires to locate within the community and has specified a range of industrial sites to accommodate these uses. Analysis by the City indicates a need for large parcel sites, generally 20 acres in size or more with specific target industries requiring sites greater than 50 acres. Overall, the

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majority of target industries identified by the City require sites in the 5 to 40 acre range, with several large manufacturing and high tech industries requiring sites over 40 acres.
The City industrial land expansion proposal to the southwest (both west and east of I-5) capitalizes on the I-5 corridor location and proposes a range of sites comprising an approximate 440 acre industri area. The industrial overlay zone requires the provision and retention of 11 sites that are 10 acres size or greater, with the largest being one 100 acre site and a 70 acre site. The remaining nine sites are between 10 and 25 acres, with provisions for various sites under 10 acres in size.

Target industries that employ large numbers of people and have large site requirements (40 acres or more) are highly desirable with a very competitive market to locate such industries within a community. Setting aside two very large sites (100 acres and 70 acres) for such industries may commit a large part of the proposed industrial reserve area and limit the ability of the City to achieve its employment goals through requirements that specific sizes of sites be retained which cannot be reduced in size and may not be flexible to meet the needs of targeted industries once certain sized sites have been utilized. The County would suggest that the upper size limit threshold be reduced to 40 or 50 acres with the number of sites in this range increased to four or five that can not be reduced below the threshold, along with the provision of additional sites in the 10 to 20 acre range. This would allow the City some flexibility in both the layout of sites, the ability to put sites together should larger sites be needed by a target industry, and to configure and allow for smaller sites to meet the majority of the site needs of the targeted industries. By allowing some flexibility in arranging sites to meet targeted industry needs, it would be possible to provide more available sites or increased choices in the size of sites, while also requiring less land to meet the employment needs and economic goals and strategy the City wishes to pursue. Existing industrial lands within the current UGB can also be utilized to meet the industrial land needs of targeted industries that require sites under 10 acres in size.

Residential Land Needs

The residential land need to accommodate an additional 4,753 dwelling units and approximately 14,000 additional people also includes land for public/semi-public uses (schools, parks, institutional uses, churches, governmental uses) which are typically accommodated on residential lands. Analysis indicates a need for 210 acres of land to meet public/semi-public land needs during the planning period. Through the provision of various land efficiency measures, creation of nodal development areas, increased density allowances for single-family and multi-family, infill and redevelopment of existing residential lands and residential exception areas, the projected housing demand can be accommodated by utilizing existing buildable lands within the current growth boundary and the expansion of the boundary to include additional residential lands, primarily for the nodal development area which allows for increased densities to occur over current standards. The residential land need is for approximately 764 acres to meet both the housing demand (555 acres) and public/semi-public land needs (210 acres) for its projected 2020 population. Currently, there are approximately 520 acres within the current boundary for such uses and the proposed UGB expansion is to add nearly 600 acres of residential lands (200 of which is residential exception lands which have limited capacities for additional housing).

The County realizes that the additional residential acreage is not all buildable land due to constraints, allowances for right-of-way/streets (20 percent of gross acreage) and that the net buildable acres within the residential expansion areas would be less. The housing demand over the planning period can reasonably be met by the supply of existing residential land within the current UGB, the addition of residential lands in the nodal overlay area and inclusion of residential areas around the golf course the north. The multi-use nature of public lands may be somewhat more difficult to account for due t locational factors and the neighborhoods that they are intended to serve.

in determining dwelling units needed to accommodate the projected increase in population during the planning period, a critical assumption or factor is household size. The needs analysis utilizes a 2.9 persons per household which is less than the 2000 Census household size of 3.1 for the City. The assumption that household size decreases over time due to a variety of factors tied to urbanization, employment, housing and so forth and as borne out in other studies and areas is reasonable, though trend in Woodburn has been an increase in household size due to demographic characteristics of population. The City's demographics vary greatly from the state, the region, the county and other cities in the area which make comparisons difficult or to follow the trends of these areas when it comes to specific assumptions regarding demographics. The County would just like to mention that an assumption of a higher household size utilized in the analysis for determining dwelling unit needed would result in a lower demand for units within the planning period.

Woodburn Periodic Review Preferred Growth Scenario (UGB amendments)

The Marion County Urban Growth Management Plan preferred growth scenario is for the majority of projected county growth to be directed to the larger urban areas within the county, such as Woodburn. The City of Woodburn preferred growth scenario as proposed by their UGB amendment package is:

1. Expansion of the UGB to include all adjacent rural exception areas.

The County is supportive of the City's proposal to include all adjacent rural exception areas within the amended UGB. These include the 155 acre residential exception area to the northwest, the 13 acre residential exception area to the northeast (east of Highway 99E) though additional capacity or redevelopment is limited, and the 34 acre (13 acres of commercial, 21 acres of residential) exception area to the south along Highway 99E (west side of the highway). Inclusion of these exception areas will allow these areas to transition to urban uses and provided with urban services.

2. Expansion of the UGB to the north and southwest to accommodate residential land needs and the Parr Road Nodal area.

The County is supportive of the City's proposal to expand the UGB to the north to include the 100 acres north of the golf course property within the current UGB. This would allow the portion of the golf course currently outside the UGB and adjoining lands to be developed for upper end residential as future phases of the Tukwila development and utilized as open space and natural resource protection. The City proposal for the area also includes a 2 acre nodal neighborhood commercial area.

The County is supportive of the City's proposal to expand the UGB to the southwest to include approximately 140 acres of residential lands to meet housing needs. This area is part of the proposed Parr Road area Nodal Development Overlay that includes nodal commercial (10 acres), medium density and low density nodal residential areas which are a key component of the City's housing strategy to meet residential needs during the planning period.

The County is not supportive of the City's proposal to include the 160 acres of land to the north, west of Boones Ferry Road, south of Crosby Road, and east of I-5 within the UGB for residential purposes. The residential land needs are being met through the existing residential land supply within the current UGB and the other residential lands being proposed for addition to the UGB.

3. Expansion of the UGB to the west and southwest to accommodate employment/industrial land needs.

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The County is supportive of the City's need to expand the UGB to include industrial lands to meet the employment needs of the Woodburn area. The County supports an expansion to the west and southwest but sees the inclusion of approximately 430 acres of existing farmland in these areas as being more than is needed to meet the economic development objectives of the city and provide for the site needs of targeted industries. As discussed in the section above on Industrial Land Needs, an expansion for industrial lands in this area to include between 300-325 acres would be adequate to meet employment needs and targeted industry site needs in conjunction with the approximately 130 acres of industrial land currently within the existing UGB along with 130 acres of commercial lands being provided. The County has questions about the inclusion of the 56-70 acre parcel west of Butteville Road as part of the proposed industrial reserve area as being an intrusion into the surrounding farmlands without any physical separation from such resource lands or being physically connected to the other lands within the proposed industrial reserve area. Additionally, the City may want to consider lands to the south of Hwy 211 and west of Butteville Road adjacent to the rail line both from an industrial use transportation standpoint, and the possible eventuality of commuter rail service coming to the Willamette Valley.

Thank you for the opportunity to review and comment on the City's Periodic Review amendment package. Hopefully the comments and suggestions provided in this letter will be useful to the City as it reviews and makes a decision on this matter. Please include this as part of the record before the City Council at their public hearing on these amendments on March 28. Staff appreciates the City's efforts to coordinate with the County on its periodic review tasks and other planning issues of mutual interest. Please let me know if I or County staff can be of further assistance in this matter.

Sincerely,

Les Sasaki
Principal Planner
Marion County PW/Planning

cc: Board of Commissioners
John Lattimer
Sterling Anderson
Mike McCarthy
Bill Worcester
Geoff Crook, DLCD
Greg Winterowd

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MAR 2 2 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

WOODBURN EASTSIDE RESIDENTIAL GROWTH

1. **Residential growth on the East side of Woodburn will:**

   a. **Bring more dollars and people to your business.**
   b. **Revitalize Hwy. 99E.**
   c. **Alleviate <u>some</u> of the traffic congestion at Woodburn I-5 Interchange**
   d. **Provide homes away from the noise and pollution of the freeway**
   e. **Provide a better balance for our city**

2. **Makes economic sense because:**

   a. **Sewage treatment plant is on the East Side**
   b. **PGE Sub station is on the East Side**
   c. **Existing city streets abut or intersect available property**
   d. **Good water sources available on the East Side**
   e. **Natural drainage available on the East Side**
   f. **Well rounded growth is good for all**

We understand that many hours have gone into this 20 year plan. That <u>isn't</u> a good enough reason to walk into a 20 year bad plan. We need to consider the overall best interest of Woodburn.

Bottom line, more homes on the East Side mean more $$$ for your business, and a more well rounded community.

Thank you

Richard C. Monk Jr.
owner Mufflers Hitches & More 525 N. Pacific Hwy
owner Woodburn Automotive Repair Center 555 N. Pacific Hwy
I agree with the Sexses Family 100 %

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Exhibit "B"-71

March 21, 2005

MAR 23 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

City of Woodburn
City Council
270 Montgomery Street
Woodburn, OR 97071

RE: Approximately 18 acres Commercial General Property
2145 & 2155 Molalla Road

Attn: Kathy Figley, Walt Nichols, Richard Bjelland, Peter McCallum
Jim Cox, Frank Lonergan & Elida Sifuentez

The property owners listed below feel that this site should be allowed to be zoned single family residential for the following reasons:

1. The proposed LDS church will isolate the 18 acres from the CG zone.
2. The property is too deep for Commercial development. Woodburn does not have any other Commercial site, including malls that have this depth because it is not practical.
3. Property across the street is already Residential.
4. As residential the site embraces the Cities concept of "pocket communities" within walking distance to stores.
5. Residential is a much better use adjacent to the proposed church.
6. Since the city must meet the LCDC commercial land inventory, we suggest that a better place for commercial would be the proposed UGB expansion on the 120 acres on Crosby Road and I-5. This site is proposed residential. It would be better if the West 20+ acres nearest I-5 was zoned CG.
7. It does not seem logical that the City would want to grow the commercial activity East on Molalla Road (Hwy 211) to overtax the last of the two East-West traffic arterioles.

We believe the above items demonstrate the highest and best use for the property as residential than commercial. We have provided an alternative that would balance the inventory requirements for LCDC. We feel the community is better served with these recommendations.

Respectfully,

Kim Ashland

Kim Ashland, Property Owner (503) 390-0308
Kevin Ashland, Property Owner
Dan Blem, Property Owner (503) 704-9742
Ivan Semerikov, Property Owner

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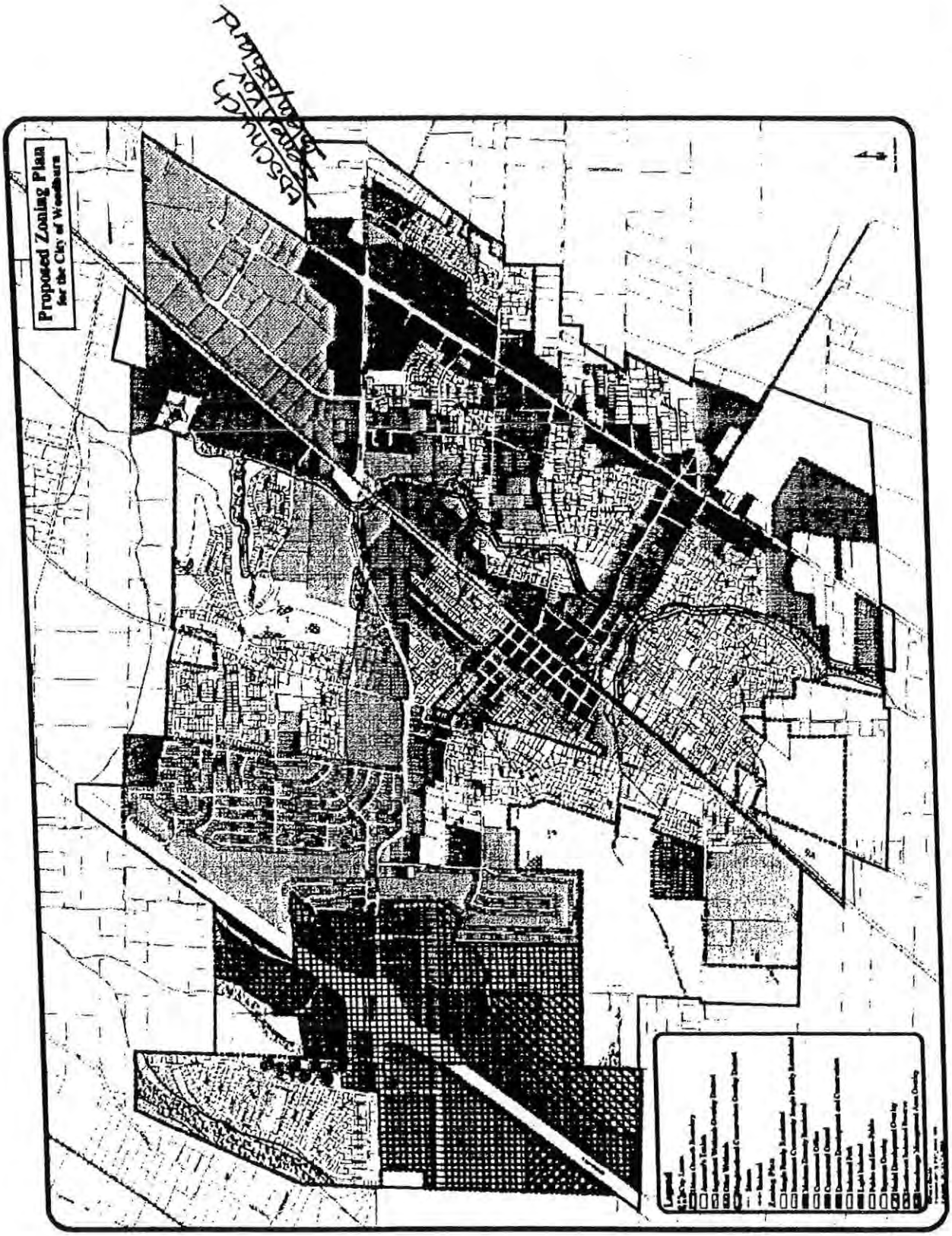

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From: "MARK UNGER" <marklunger@msn.com>
To: <jim.mulder@ci.woodburn.or.us>
Date: 3/23/2005 4:07:19 PM

Dear James P. Mulder,

I am writing to you in regards of my property, 2265 E Hardcastle, Woodburn, OR 97071. I have recieved a proposed UGB (Urban Growth Boundary) map, I see that my property map (enclosed with my letter mailed to you) is partially inside of the UGB and partially outside of it. I feel strongly that it should all be included in the UGB. Also there is a large three to four foot culvert with the city's storm run off that goes through my property to the Pudding River, this would be needed for future development. Will you please consider extending the UGB to encumber the whole property.

Sincerely,
Mark L. Unger

Woowburn City Council
Woodburn City Hall
270 Montgomery Street
Woodburn, Oregon 97071

MAR 23 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 21, 2005

Dear Woodburn City Council:

In October 2004 the citizens of Oregon passed a new land use law, known as Measure 37.

Is the regulations you are holding a Public Hearing on tonight, March 28,2005,compatible with Measure 3737

If it is not, you should send it back to your consultants, as I would think their jobis to make recommendations that abide by all State laws.

You should expect from your consultants, what we expect from you, our Commissioners.

Please don't make us, the citizens of Woodburn liable for Measure 37 claims, that shouldn't be.

Thank You,

Rebbeca Gorham

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Tires Lee Schwab

Exhibit B-77

MAR 23 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

Attn: Honorable Mayor & Members of The Woodburn City Council

As a business manager, when I was informed that the Urban Growth Boundary did not include expansion on the east side of town, I was very confused. I don't understand why the expansion would not include the east side of town. My business is located on the east side of highway 99E. If all the growth in business is directed to the south west side of Woodburn, how could I count on an increase in customer flow? The city of Woodburn is expanding very rapidly, which is a good asset to all retail business. If we limit the expansion to certain areas we are limiting our ability to grow!

Thank you for taking your time to listen to my input.

THE NORTHWEST'S LARGEST INDEPENDENT TIRE DEALER
WITH OVER 300 LOCATIONS IN OREGON, WASHINGTON, IDAHO, MONTANA, CALIFORNIA AND NEVADA

Exhibit "B"-75

March 19, 2005

MAR 23 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

Dear Woodburn Eastside Business Owners,

Are you aware of the Woodburn Comprehensive Land Use Plan (20 year)? Do you know that it includes expanding the Urban Growth Boundary North, South, and West? WHAT HAPPENED TO THE EAST ????

AS AN EAST SIDE BUSINESS OWNER YOU SHOULD KNOW THAT THIS WILL AFFECT YOUR FUTURE !

We, the Serres family on East Lincoln Road, have approached Jim Mulder, your city planner, on multiple occasions about including part of, or our entire 400 acre parcel.

Jim Mulder however, failed to mention this to the Woodburn City Planning commissioners.

You need to write to your Mayor and City Council and ask that they reconsider the effect on our side of town. Business needs to grow in all directions.

TIME IS OF THE ESSENCE. Write now, but in addition, plan to attend the public hearing on this matter on March 28th at 7:00pm at the Woodburn City Hall. You will need to sign up in advance if you care to speak at that hearing, a signup sheet will be provided that night.

On the following page we have listed a few details that you may want to consider as you write your letters.

Thank you,

The Serres Family

We here at Schuck's Auto parts Think Bringing in the East Side of Town is The only prudent & Fair Thing to Do for the Citizens of Woodburn

Alan Clay Manager Store 11 Schucks Auto Supp

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MAR 2 3 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 21, 2005

Honorable Mayor & Members of the Woodburn City Council
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Re: Urban Growth Boundary

I own a business on Hwy 99 in Woodburn and it has come to my attention that there are proposals to expand the Urban Growth Boundary for Woodburn to the West and North of Woodburn, but very little East of Hwy 99. It would sure be nice to get some additional growth east of Hwy 99, which I believe would really help stimulate business along Hwy 99 and make it a more vibrant and viable area. I ask you to consider the area east of Hwy 99 for expansion as I think it would be a very positive thing for Woodburn and the business on Hwy 99. I believe services to that area are in pretty good shape and would appreciate your consideration.

Sincerely,

Bert S. Jones
The End Zone Sports Bar & Grill
980 N Pacific Hwy
Woodburn, OR 97071
503-981-3663
jjones437@wbcable.net

Exhibit "B"-77

MAR 23 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

To: March 23, 2005

Her Honor, Kathy Figley, Mayor, City of Woodburn
Mr. John Brown, Woodburn City Administrator

City Councilor—Ward 1	Walt Nichols
City Councilor—Ward 2	Richard Bjelland
City Councilor—Ward 3	Pete McCallum
City Councilor—Ward 4	Jim Cox
City Councilor—Ward 5	Frank Lonergan
City Councilor—Ward 6	Elida Sifuentez

We, the Serres family, would like to address the omission of our farm from the proposed urban growth boundary. Over the past three years we have called attention to the attributes of our farm that could improve the City of Woodburn's livability and quality of life. However, we feel that our participation through normal channels--the open forums and hearings, our various communications, both written and oral--has failed to convey our message to the parties making UGB decisions.

Since we believe that communication through normal channels has failed, we feel we must write to you directly. We trust that you will carefully consider what we have to say. We would much rather be a part of Woodburn's future than not.

* *

Oregon State Planning Goal #1 provides for citizen involvement. This goal is incorporated in the Woodburn Comprehensive Plan as "Citizen and Agency Involvement Policies", page 12 of *Proposed Woodburn Comprehensive Plan—Volume 1—Goal and Policy Amendments*. We had an expectation of an open and transparent planning process responsive to our input. However, despite Serres Family attendance of public meetings, private discussions with the city planner, and written and telephone commentary to Woodburn City Planning, we have not found the process to be either open or transparent.

Woodburn City Planning presented its draft UGB expansion proposal at a public meeting held April 16, 2004. No explanation of the evaluation criteria and methodology utilized in deciding which properties were excluded from or incorporated into the UGB was provided at this meeting. It was only at the February 24, 2005 Woodburn Planning Commission meeting, when Planning Director Jim Mulder responded to a question by Planning Commissioner David Vancil, that the Serres Family learned that UGB Region 4 had been excluded because it was identified as having the highest infrastructure development costs of any UGB study region.

We have concerns about a decision process based solely upon infrastructure costs. Property value is never solely determined by infrastructure investment. We feel that our

property brings value to the City that other UGB study regions do not and that this value was not considered in the Planning Department's decision-making methodology.

In the quest to determine Planning's decision making process, we obtained a copy of "City of Woodburn UGB Study Area Public Services Analysis, 2004", which does lay out the costs of Sanitary Sewer Service, Storm Sewer Service and Water Service to each of the 8 UGB study Regions. We strongly feel, upon examining this document that the infrastructure cost estimates applicable to the Serres Family property, located in the Southerly 60% of UGB Region 4, are questionable. Let us examine these cost estimates in turn.

First, consider the Woodburn Public Works estimate for Sewer Service. Simple inspection of the USGS Woodburn 7.5 minute topographic map and City of Woodburn Sewer Main Map dated 10/08/02 shows the following to be true of UGB Region 4:

- UGB Region 4 is the second closest to the Woodburn Sewage Treatment Plant.
- UGB Region 4 sits on the same topographic feature as the Woodburn Sewage Treatment Plant—a bench above the Pudding River. Most other study areas are in the Mill Creek or Senecal Creek drainages, requiring sewage to be pumped across the washboard topography created by the parallel drainages of Mill and Senecal Creeks and the Pudding River.
- UGB Region 4 sits at the same elevation as the Woodburn Sewage Treatment Plant.
- The sewer main on Hardcastle Street runs along our North property border. The Woodburn Public Work's sewer main map does not accurately show the terminus of the sewer main, which, as evidenced by manhole risers, ends some distance East of the Hardcastle/Cooley Road intersection.

Despite these facts, the Woodburn Public Works estimate for providing Sanitary Sewer infrastructure to UGB Region 4 is $15,160.00/acre. In comparison Region 6 is the next most expensive at $13,895.00/acre. The remaining areas vary from $10,167.00/acre down to $7,035.94/acre.

What is it that makes sewer service so expensive on our parcel when the USGS map and our familiarity with our property and Woodburn suggests otherwise? Without a public vetting of the models and methodologies used to develop the Sanitary Sewer Infrastructure costs, we can't evaluate the validity of Public Work's numbers, and we don't think members of the Planning Commission and the City Council can do so, either, if all they have is the same Public Works document we have. Based on the information available to us—the maps cited, our knowledge of our property, and our knowledge of the City of Woodburn and its topography—we do not have confidence in Public Work's cost estimate of sanitary sewer infrastructure because it does not make sense that the study area close to the treatment plant, at the same elevation as the treatment plant, with

no intervening ridges between it and the treatment plant would have the absolute highest cost.

Second, let us look at Storm Sewer infrastructure costs. Again, Region 4 has the highest per acre cost at $14,577.00. The next most expensive is Region 6 at $7,737.00/acre with Region 8 the lowest at $6,173.00/acre. This is a tremendous disparity, with the only hint of an explanation being that Public Works states that a 78-inch diameter storm sewer to the Pudding River would be required to service UGB Region 4.

Simple inspection of the USGS Woodburn 7.5 minute topographic map shows that the entirety of the Serres Family property, about 60% of UGB Region 4, slopes at 0 to 3% to the Pudding River. On the Serres property, each and every future East/West street could contain a small storm sewer appropriate for the area that it serves. And no right-of-way problems will be encountered in connecting these small storm sewers to the Pudding River or the Serres Reservoir because the Serres Family owns all of these lands.

Again, Public Work's methodology for developing Storm Sewer costs is not disclosed. However, Public Work's cost estimate for providing UGB Region 4 Storm Sewer service is too high. The stipulation of a 78-inch diameter main drain is completely unnecessary on the Serres tract. Storm drainage can be accomplished through a distributed network of parallel East/West mains.

And how does the Landau/Laurel storm drain capital improvement project fit into this cost picture? This $750,000.00 project, which calls for drainage to the Pudding River, is item 4 on the City's "List of Short Term Projects", found on page 34 of *Draft 2005 Woodburn Public Facilities Plan.* Referring again to the Woodburn 7.5 minute topographic map, the shortest path from Landau Lane to the Pudding River would be straight East through the Serres tract to the Serres reservoir in UGB Region 4.

Third, let us consider water service. Public Work's estimate for Water Services to UGB Region 4 is $9,446.00 per acre, ranking it the second most expensive Region to service. The Serres portion of UGB Region 4 has a 700 gallon-per-minute well located on it. A buried mainline distribution system comes within 150 feet of the City Limits at Tomlin Street. A second, 900 gallon-per-minute well, located just outside the UGB Region 4 boundary is tied in through the mainline system, for a combined capacity of 1,600 gallons per minute. This is 28.5% of the entire City of Woodburn's well capacity of 5,850 gallons per minute (Page 5, Draft 2005 Woodburn Public Facilities Plan).

At one time, during the 1986-1988 drought, the City contacted the Serres family regarding connection of the Serres wells through the Serres distribution system to the City of Woodburn system. The City was aware of the Serres water resource at this time. So was the value of the existing Serres water infrastructure considered in Public Work's water system cost estimate? How can UGB Region 4 have the second highest water system infrastructure cost when the Serres portion already has a developed water resource more than ample to meet the needs of UGB Region 4?

Again, there was no public disclosure or vetting of the methodologies used. Further, there was no pro-active contact by city staff to ascertain or verify pertinent information and features, like the Serres wells, even though city staff should have been aware of them. In the case of the Water Services cost estimate, this lack of transparency made it impossible for the Serres family to correct this error of omission.

Following the February 24, 2005 David Vancil/Jim Mulder exchange Serres family members have informally sought information about the cost analyses prepared by Woodburn Public Works. Based on these informal conversations, our best assessment is that city staff prepared these estimates by applying standardized cost estimating rules to an assumed set of conditions **without** verifying that the assumed conditions corresponded to the true lay of the land, or to identify site specific mitigating factors such as the Serres wells, or Serres' ability to grant multiple storm drain outlets to the Pudding River.

To conclude our review of Woodburn Public Works cost analyses, we feel that all three systems costs, sanitary sewer, storm sewer, and water supply, are suspect and overstate the costs of providing these services to UGB Region 4.

Moving on, lets look at some positive values that the Serres tract can bring to Woodburn.

Parks and Recreation.

Lets start with the fourth major component of Woodburn City public services and Woodburn City system development charges—Parks and Recreation. The *City of Woodburn UGB Study Area Public Services Analysis, 2004* does not provide an estimated cost per acre for Parks and Recreation. However, the importance of Parks and Recreation is noted in *Woodburn Economic Opportunities Analysis and Development Strategy Final Report* (page 100 of the .pdf version). At the December 9, 2004 Woodburn Planning Commission meeting, Planning Director Jim Mulder stated that Woodburn needed a major park. At the same meeting, consultant Greg Winterowd stated that Woodburn lacked funding for major park acquisition.

The Serres tract includes significant acreage, which, due to its location in the Pudding River floodplain or, if not in the Pudding River Floodplain, its classification as wetlands, is suitable primarily for recreational use. This contiguous area includes open fields, hardwood forest, wetlands, mature Douglas Fir timber, a two-acre pond, a half-mile of side streams, and a half-mile of Pudding River frontage, which includes a sandy beach. This site offers recreational and nature study amenities unequaled in the Woodburn area based on the metrics of size, variety of bio types, variety of landforms, presence of year round water flow (Pudding River) and ease of public access (from Hi 214). If a walking trail were constructed inside the perimeter of this area, it would be more than two miles in length.

The Serres Family would rather be included within the UGB and have potential parkland benefit all the citizens of Woodburn. The alternative uses of the potential parkland in a Measure 37 process would be either to divide it up among a number of lots, or having a number of private lots share it. In both of these cases, citizens of Woodburn would not benefit.

Transportation Considerations External to the Serres Tract.

The Serres tract fronts State Highway 214 for a mile on its South and Southwest sides. The Serres tract communicates to State Highway 211 via Cooley Road on the North. It communicates with US 99E through Hardcastle, Lincoln, Tomlin, Laurel, Landau, and possibly Aztec to the West.

Contrary to opinion stated by Woodburn Planning, East Woodburn residents do not access I-5 at the I-5/214 interchange. North bound travelers take 99E and the Aurora I-5 cut off to I-5 at Aurora/Charbonneau. Southbound travelers take 99E south and access I-5 at either the Brooklake Road/I-5 interchange or the 99E/I-5 interchange.

Contrary to Woodburn Planning, we believe that siting residential areas close to the freeway intensifies I-5/214 congestion. For example, consider the future residents of the now approved Montebello Phases II and III. Because of their close proximity to the freeway, these residents will choose to access the freeway at the I-5/214 interchange. In contrast, residents of any future development in UGB Region 4 will access I-5 through the Aurora cut off and Brooks, just as those of us who live in the area do now. Residential development in UGB Regions 1 and 7, and the west sides of Regions 2 and 6 will exacerbate I-5/214 congestion to a far greater extent than will residential development in UGB Region 4.

Transportation Considerations Internal to the Serres Tract.

The entire tract, from the Woodburn City Limits to the Pudding River, Hi. 214 to Hardcastle, is owned by the Serres family. Internal impediments to road/utility design and layout are limited to two public rights of way, East Lincoln Road and Serres Lane, three tax lots owned by one Serres family member, and two residential lots fronting on 214. Implementation of a North/South parallel road East of 99E, as specified by *Final Draft, Woodburn Transportation System Plan*, Policy K-1-10, (Cooley Road to 214) will be easy to accomplish. In contrast, all the other UGB study Regions are more parcelized, posing rights-of-way issues and other barriers to efficient road and utility lay out.

Electric Utility Infrastructure.

The Woodburn PGE substation is located 200 yards West of the Serres tract on 214. Because of this proximity, it will be easy to route any required feeder circuits to service UGB Region 4.

Suitability for High-End Housing.

Our assessment is that the Serres Parcel is best suited for high-end housing. This assessment is at variance with Winterbrook Planning's evaluation. The following comments refer to pages 25 through 28 of *Woodburn Year 2020 UGB Justification Report*.

The Winterbrook study states that UGB Region 4 should not be included in the UGB for the following reasons: high cost of providing city infrastructure, more intensive residential use adjacent to EFU land, and negative consequences for the farming community. We believe the infrastructure cost studies are flawed, as previously detailed. As regards EFU ground bordering low density residential—what's new? Woodburn City neighborhoods and their streets have dead-ended at our farm's property line for the past 30 years. Could someone at Winterbrook explain how converting our land's use classification from EFU to Residential is a negative consequence? We can't think of any.

We have previously expressed concern that Woodburn public works failed to verify its design assumptions with site inspections. We have similar concerns about Winterbrook's assessment of Region 4's suitability for inclusion in the UGB for several reasons. In 2003 both Paul Serres and Susan Duncan participated in Marion County's "Urban Growth Management Framework" workshops held in Woodburn. Both Paul and Susan made written recommendations that the entire Serres tract be included in the UGB. Evidently no land ownership review was performed to identify the EFU landowners to be affected if UGB Region 4 was included in the UGB. If such a study had been performed, it would have shown that the largest affected EFU landowner is the Serres family, which supports Region 4 inclusion in the UGB. Numerous Serres Family members submitted written comments in favor of Region 4 UGB inclusion at the April 16, 2004 meeting. Yet these written comments are not taken into account in Winterbrook's Region 4 assessment.

The Winterbrook study supports inclusion of UGB Region 2 for high-end housing. We do not feel that UGB Region 2's site attributes compare favorably to those of the Serres tract for high-end residential development, except for the semi-private golf course. We recognize that this is a subjective matter, so we strongly urge you to tour both areas to see for yourselves.

As we've noted previously, locating more residential development adjacent to the freeway (Region 2's Western boundary) increases loading of the I-5/214 interchange until a second Woodburn freeway interchange is installed. Since upgrading the Crosby Road overpass to a freeway interchange would be the cheapest and easiest way to provide additional freeway access, shouldn't the planning for this area anticipate this as a possibility, which would mean Crosby Road would become a connector to I-5 with and dramatic traffic load increases on Boones Ferry Road and Front Street, adversely affecting suitability for high end housing?

****

This concludes our letter. We sincerely and earnestly hope that we have raised concerns that merit further discussion and consideration, even if that means delaying your approval of the *2005 Comprehensive Plan Update Periodic Review and Urban Growth Boundary Amendments*. We call these concerns to your attention, not only out of our own interests, but also out of an interest in the Woodburn community at large. From our perspective the process so far has not been transparent. Without access to the process, we can't ascertain, but can only suspect, that errors and omissions have been made in the cost estimates and land use studies.

We do understand that it is difficult for you as city councilors to render good public policy decisions with out accurate information.

Please enter this letter, and its attachments, into the record of public testimony submitted regarding the *2005 Comprehensive Plan Update Periodic Review and Urban Growth Boundary Amendments.*

Sincerely,

Ruth Thompson
Paul Serres
Rebecca Kirsch
Mary Grant
Susan Duncan

Cc:

Claudio Lima, Woodburn Planning Commission Chairman
Patty Grigorieff, Woodburn Planning Commission
Richard Knoles, Woodburn Planning Commission
David Vancil, Woodburn Planning Commission
Ellen Bandelow, Woodburn Planning Commission
Richard Jennings, Woodburn Planning Commission

WHY ?

Why we want to become urbanized, whether it be as a part of the City of Woodburn or through a go-it-alone Measure 37 process.

The purpose of this letter is to let you know why we have made this choice. No doubt this may seem confusing. A great deal of testimony has been submitted to the Woodburn Planning Commission by various individuals and the 1000 Friends of Oregon advocacy group that extols the virtues and values of farming. Why would a farming family abandon its stake in farming enterprise if farming is the hottest enterprise around?

The argument these folks advance is an economic argument, but if you notice, they do not provide farm enterprise statistics to support their argument—only aggregate crop values. The Serres family farm experience does not support the positive economic scenario they portray. The loss of Agripac, Agrifrozen, and Smuckers in Woodburn is a good indicator that our experience is general to area agriculture, not specific to our enterprise.

During the 1940's, 1950's, and 1960's the Serres family farm was diversified in many crops, including walnuts, horseradish, strawberries, all types of row crops, and hops. Through prudent management and adoption of new technology, such as the stationary hop-picker, the farm enterprise grew. The capital generated by the operation was reinvested by purchasing smaller, neighboring farms, which at the time were valued in the real estate market at their farming enterprise value.

Through out this time period, the Serres farm was a major seasonal employer in the immediate Woodburn area. Townspeople were employed stringing and picking pole beans, picking strawberries, cultivating various crops, hand training and picking hops.

Farm management, over time, increased its acreage base in those crops providing the greatest financial return. Technological improvements in both equipment and plant breeding marginalized many crops, like pole beans. One consequence was the loss of diversification across crops, with the farm concentrating on hops. Another consequence was the erosion of profit margin across all crops, including hops.

With a decreasing rate of internal return, the family operation was less able to invest in expansion and new technology. The last land acquisition was the Hermle farm, in 1972.

You will notice that this year there are no more hop fields to the East of town. For the first year in over 70 years the Serres family will not produce a hop crop. Why? We can't grow a labor-intensive crop like hops in a global economy at an acceptable rate of return given the financial risks and high overhead of insurance, workman's comp, etc.

So now the entire farm is in grass seed. And grass seed is the default crop—the low cost, low man-hour/acre crop that you grow when all the other crops you used to grow no longer pay their way. Also, please understand that at 350 planted acres the farm is too small to be a viable stand-alone grass seed enterprise. So the farm takes on custom swathing, combining, and hauling for other grass seed growers and specialty hop equipment manufacturing for the hop industry.

Looking at Serres family enterprise another way, lets consider the number of full time equivalent (fte) jobs the Serres Farm has provided to the Woodburn community over time. During the 1940's, and 50's, the number of fte's increased. Beginning in the 1950's, with improvements in equipment, crops, and cropping systems, the number of fte's began to decline. This decline accelerated dramatically as the family enterprise shifted acreage out of hops in the late 1990's. At the present time, with no hops, the farm employs only four people year round. If the employee hours spent on hop parts manufacturing and custom farming are backed out, the number of fte jobs, including the farm operator, is between 2 and 3.

Looking at the Serres family enterprise from the perspective of return on assets, we see a similar scenario. Return on assets has steadily declined over the past 50 years. Simultaneously, valuation of farmland, particularly farmland adjacent to Urban Growth Boundaries, has increased dramatically above its farm enterprise value. If a market rate of return on land (market value of farm as farmland adjacent to town, **not** developable land) is penciled into the grass seed enterprise budget, the budget does not have a black bottom line.

As pragmatic business people, we recognize that continued farming on our parcel, which can't be expanded, is a marginal enterprise. Further, at our age, with no successors interested in farming, and little free capital, we do not feel that establishing a new farming enterprise, like specialty nursery stock, a prudent investment. We would rather convert our farmland to urban use as a means to provide for our own and our heirs' future.

Sincerely,

The Serres Family

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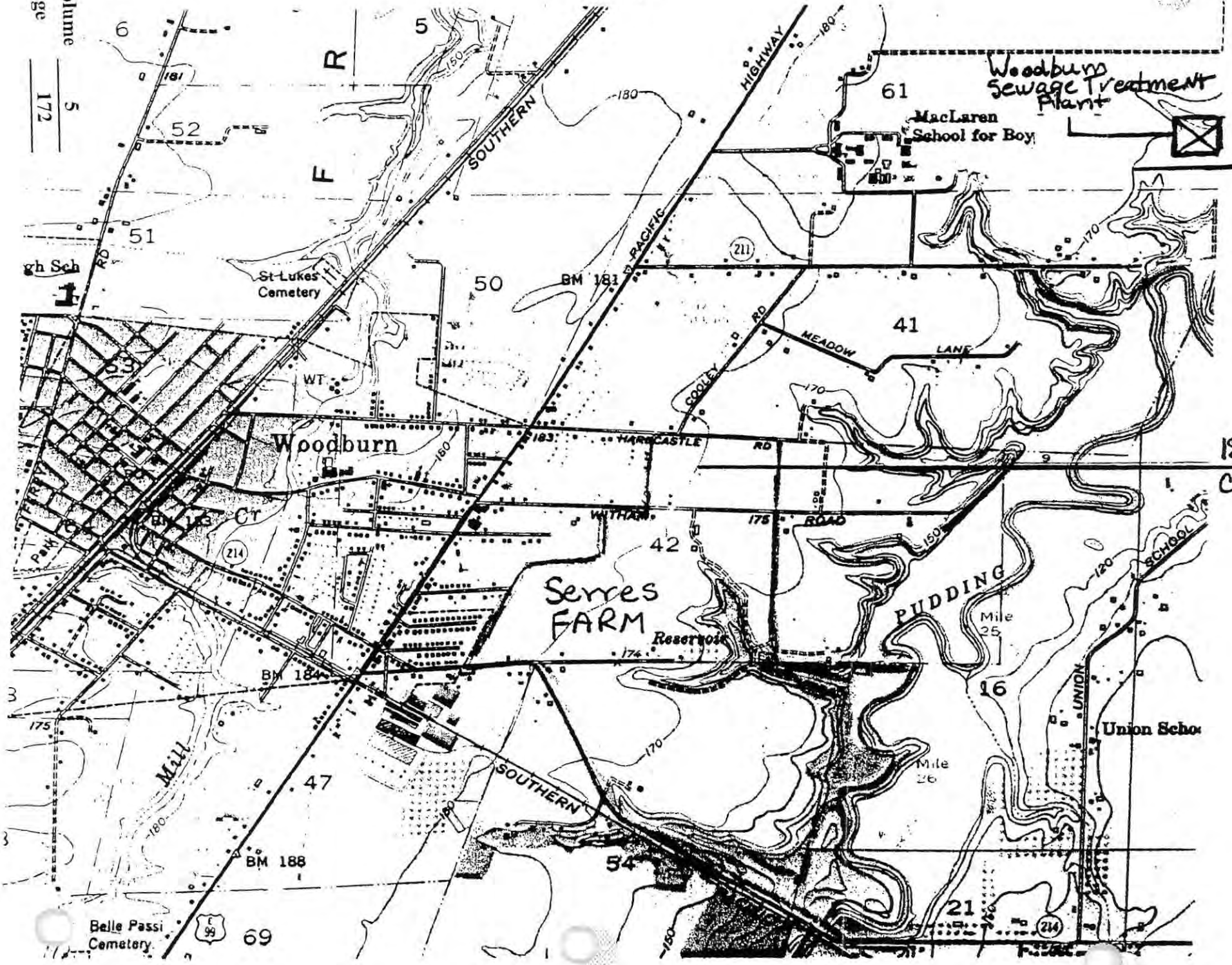

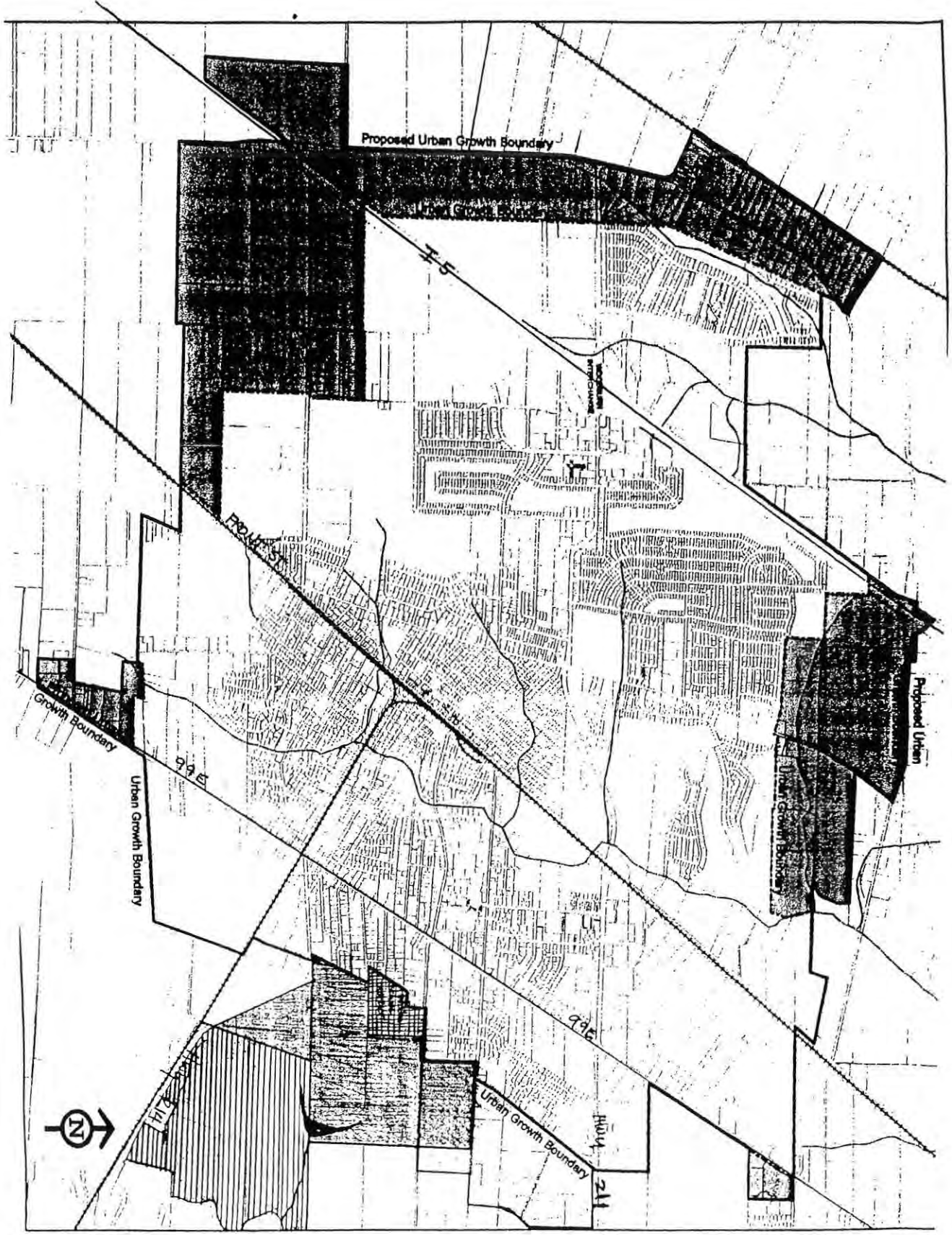

Expansion Areas outside of Current Urban Growth Boundary for the City of Woodburn

Map Not to Scale

Legend

- Streams
- Railroad
- Proposed Urban Growth Boundary
- Study Area 4 Serres f
- Urban Growth Boundar
- Assessor's Taxlots
- UGB Expansion Areas
- Serres Property Ow the Study Area

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Piper's
fine jewelry since 1923

Third Generation

Woodburn
503-982-1321

Wilsonville
503-682-8500

REC'D
MAR 24 2005
WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 22, 2005

Mayor Figley and Woodburn City Council
270 Montgomery St.
Woodburn, Oregon 97071

Mayor Figley and Councilors,

The purpose of my letter is to show support for the inclusion of the "Serres Property" within the urban growth boundary for the City of Woodburn. I am both a resident of the area (2625 Meadow Lane) and a 99E business owner (Mid Valley Plaza). The inclusion appears to be a logical evolution of the growth of our city. Thank you for your consideration of this matter.

Sincerely,

Charles A. Piper

Mailing Address: P.O. Box 626, Hubbard, OR 97032

Exhibit "B"-79

March 22, 2005

MAR 24 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

Honorable Mayor and Members of
The Woodburn City Council
270 Montgomery Street
Woodburn, Oregon 97071

Re: Expansion of the Urban Growth Boundary

Dear Ladies and Gentlemen:

As business owners in the City of Woodburn, potential growth within the city and an expansion of the urban growth boundary, along with the population increases surely to follow are always welcome news. With Woodburn being at the hub of the northern Willamette Valley community, this growth is inevitable.

My business partner and I are very interested in the proposed areas which the city has chosen for expansion and question both the population balance and economic impact of those choices.

Highway 99E is a major commerce thoroughfare for Woodburn, with many well established businesses bringing in money from Portland to Salem. Highway 99E is the road of choice for locals who do not wish to contend with the congested interchange at Mt. Hood Ave. and I-5. To invest in the existing infrastructure and make use of the services already available on 99E by adding housing east of the highway makes more sense than building to the west of I-5 and having those new residents commute to the core area of Woodburn to conduct their business.

We would like to see the city reevaluate this situation and expand the city limits in a way that would invigorate the existing asset of Highway 99E and make use of this thoroughfare to the ease of I-5.

Very Truly Yours,

Scott Henkel Karen Boulegon

Scott Henkel and Karen Boulegon , Fins & Feathers Pet Shop

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Exhibit "B"-80

☆ REC'D ☆

MAR 24 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

March 23, 2005

To James P. Mulder

I am writing to you in regards of my property, 2265 E Hardcastle, Woodburn, OR 97071. I have received a proposed Urban Growth Boundary map, I see that my property map (enclosed) is partially inside of the UGB (Urban Growth Boundary) and partially out of it. I feel strongly that it should all be included in the UGB. Also there is a large three to four foot culvert with the city's storm run off that goes through my property to the Pudding River, this would be needed for future development. Will you please consider extending the UGB to encumber the whole property.

Sincerely,

Mark L. Unger

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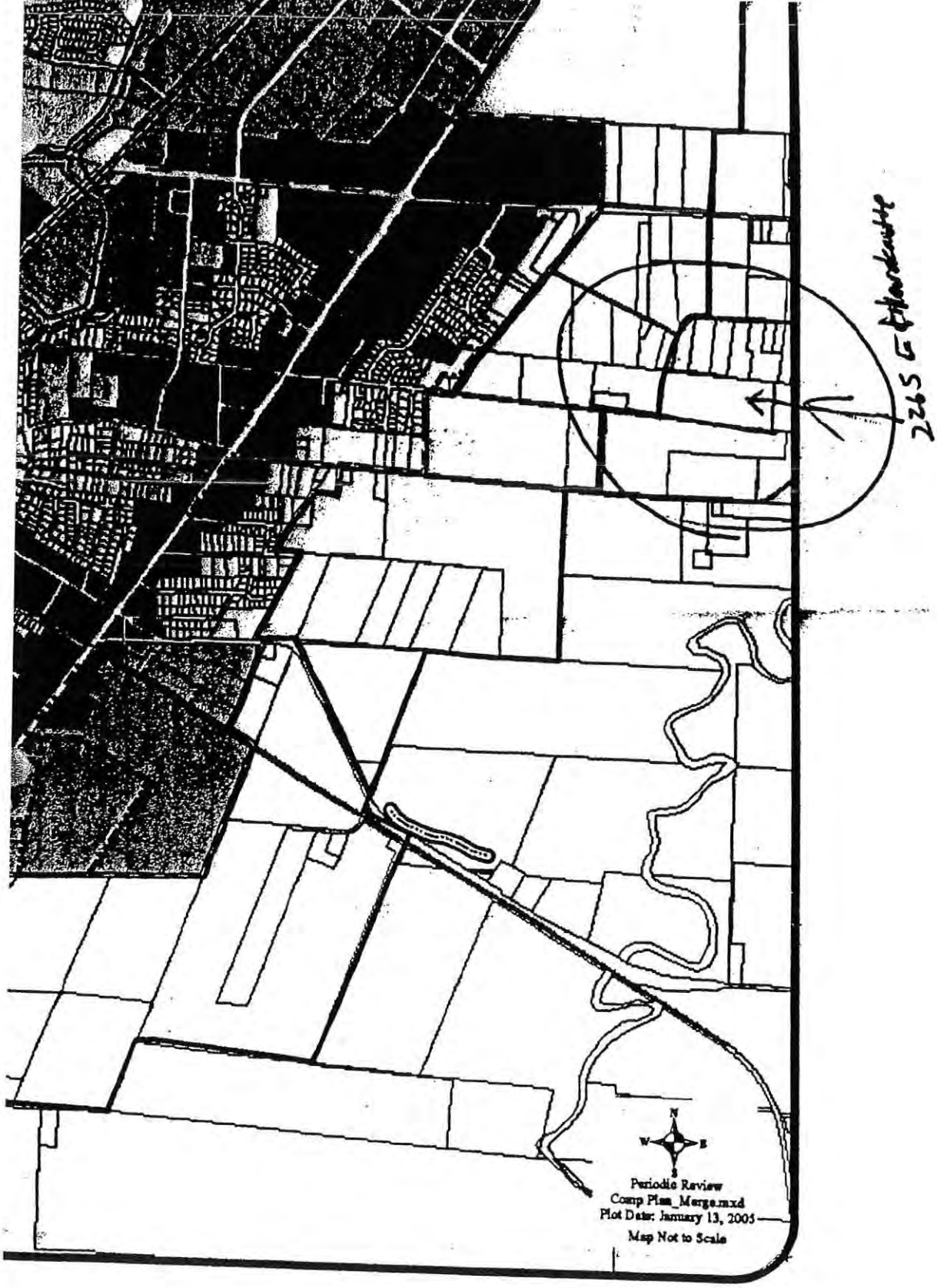

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Exhibit "B"-81

MAR 24 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 23, 2005

To the Honorable Mayor and Members of the Woodburn City Council,

I am writing to you in regards of my property, 2265 E Hardcastle, Woodburn, OR 97071. I have received a proposed Urban Growth Boundary map, I see that my property map (enclosed) is partially inside of the UGB (Urban Growth Boundary) and partially out of it. I feel strongly that it should all be included in the UGB. Also there is a large three to four foot culvert with the city's storm run off that goes through my property to the Pudding River, this would be needed for future development. Will you please consider extending the UGB to encumber the whole property.

I also see that the Serres property (North of mine) is not in the new proposed UGB. I feel that with the natural growth of Woodburn should grow this way because of the natural drainage, and the sewer plant is close, the PGE substation is close, and the traffic is not as congested as West Woodburn. Thank you for your time.

Sincerely,

Mark L. Unger

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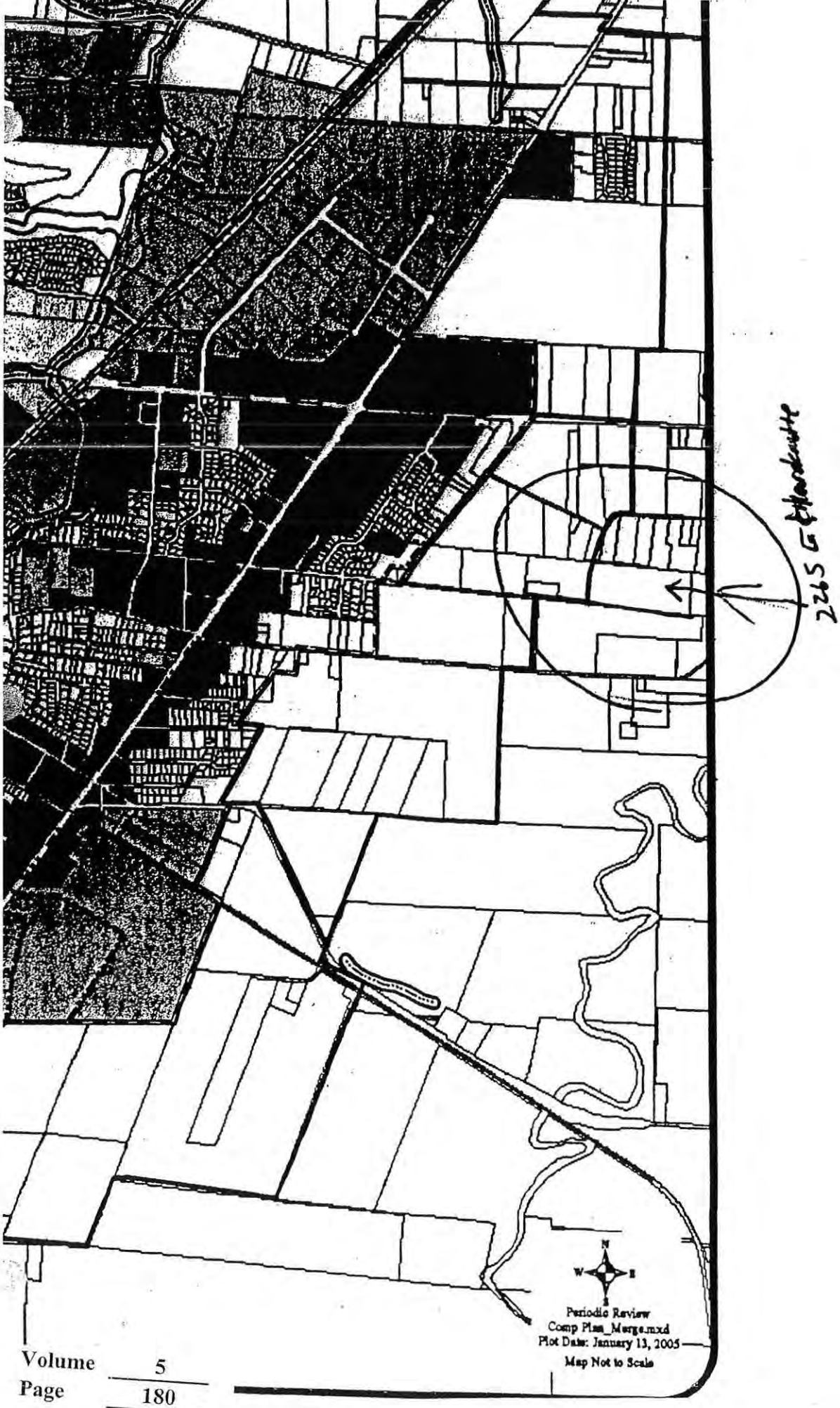

2265 G Hardesty
N
W
E
S
Periodic Review
Comp Plan_Merge.mxd
Plot Date: January 13, 2005
Map Not to Scale

Exhibit "B"-82

Woodburn City Council
Public Hearing on
Comprehensive Plan
and Growth Boundry
March 28, 2005
at 7:00 P.M.

MAR 24 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 24, 2005

Mayor and Council Members:

When the city started their land use planning in earnest, they Adopted Policies to be followed then and in the future. The policy that is not being followed is that all different zone uses and growth boundries are to go to streets or property lines.

I am including a copy of a letter sent to the Planning Commission in 1978, sent by Attorney, Bob Engle in regards to following the property lines.

Reviewing properties within the Southwest Growth Boundry, I find many violations, on the different uses and Growth Boundries. It is very costley to approve somthing knowingly wrong and then have to go back and change it at a latter date, to make it correct, this is taxpayers money.

There are other violations, but I only picked 3- areas , that I am most familiar with, because I live in these areas. I will refer to the areas as #1, #2, and #3.

Area #1 is located on the north side of Parr Rd. Between Stubb Rd. and west to the corner where the proposed Evergreen Street will come to. This area has a number of ownerships, approx. 13, in sizes from 1 acre and larger.

On the map that shows this area it shows a 10 acre tract of Commercial and the balance Medium Density Residental. I do not believe you can do it this way when you have to follow property boundry lines. All these property owners are entitled to know what their property is zoned before the Final Public Hearing. The way it is now some woundn't know for sure what they had.

Area #2 is on the South side of Parr Rd. And it goes from the corner, East to the point of Stubb Rd. ,which is across Parr Rd. On the north side. This is a 41.75 acre tract under a single ownership. And here again they split through the middle of his property with two different zones, here again they violated the policy. In the past the property was always one zone and if later they wanted a different zone they would come in for a zone change.

I would say this should all be Low Denisity Residential and put the Medium Denisity Residential, north and adjacent to Area #1 Medium Density Residential. , which should be adjacent to the Commercial Development. Sometimes parking is available in commercial developments at night, which can be used by people who live in the area.

Area # 3 is on the west side of I-5 Freeway and also on the West side of Butteville Rd. And is adjacent to LeBurn rd on the South side. This is a 226.19 acre tract under one ownership. This property is in two school districts Gervais and Woodburn.

Here again they went through the property about 25% from the front of the property . The planning commission documents shows that it is a 56 acre tract, which is in error. In the past when an error existed it was corrected by moving the line to the boundry line, which in this case it would be moved to the West property line.

Council Members it is my suggestion that you refer all this back to the Planning Commission for corrections of errors and any other corrections that have to be made and then back to the City Council for a new Public Hearing.

Sincerely,

Bert Gottsacker
8518 Parr Rd. NE
Gervais, OR 97026

Enclosures:

Copy of Robert L. Engles letter, to planning commission in 1978.

6 pages of different maps.

3 pages of property profile information.

2 sets of information for public hearing.

EICHSTEADT, BOLLAND & ENGLE
ATTORNEYS AT LAW
345 NORTH SECOND STREET
P. O. BOX 355
WOODBURN, ORE. 97071

HAROLD A. EICHSTEADT
MARVIN O. BOLLAND
ROBERT L. ENGLE
MARK A. SCHMIDTMAN

TELEPHONE
981-0155
AREA CODE
503

February 20, 1978

President and Members of
Planning Commission
City Hall
Woodburn, OR 97071

Re: Woodburn Industrial Park

Gentlemen:

Woodburn Development Corp. has the potential ability to sell approximately 53 acres of land to an industry which we believe would be highly beneficial to the city of Woodburn. The proposed parcel which we have offered to sell is outlined in red on the diagram which is attached hereto as Exhibit "A". The diagram also shows existing city limits line designated by a solid black line and the existing urban growth boundary designated by a dotted black line.

The purpose of this letter is to request that the Woodburn Planning Commission initiate a public hearing held between the Marion County Board of Commissioners and the city of Woodburn necessary to extend the urban growt boundary from the present location north to the line designated in yellow The change in the urban growth boundary is necessary to commence annexation and zone change procedures so that the entire parcel will ultimately be within the city limits of the city of Woodburn and will be zoned Industrial.

The prospective purchaser has not at this time chosen to divulge to Woodburn Development Corp. its name. We are, however, informed by highly reliable sources that the prospective purchaser is a very well known, large and highly competitive industry which will build upon the site a multi-million dollar plant. Its process will be environmentally clean, and the number of employees will have minimum affect upon the school district and community housing needs. The valuation of the entire plant whe completed will be such to be of enormous benefit economically to the city of Woodburn and the surrounding area.

We ask that the city of Woodburn and the commissioners of Marion County consider the northerly extension of the urban growth boundary line for the following reasons:

1) Annexation and zone change are a condition precedent to the closure of the sale.

2) The community benefit to the city of Woodburn and the surrounding area is extremely high while the detriments are for all practical purpos non-existent.

3) The original plat map prepared for the city of Woodburn dated February 4, 1974, designates this entire area as Industrial Park Phase II.

President and Members of
Planning Commission
Woodburn, OR 97071

February 20, 1978

4) The urban growth boundary as presently drawn does not follow existing property lines as required by policy and, therefore, a mistake occurred in the drawing of the original urban growth boundary line in this location

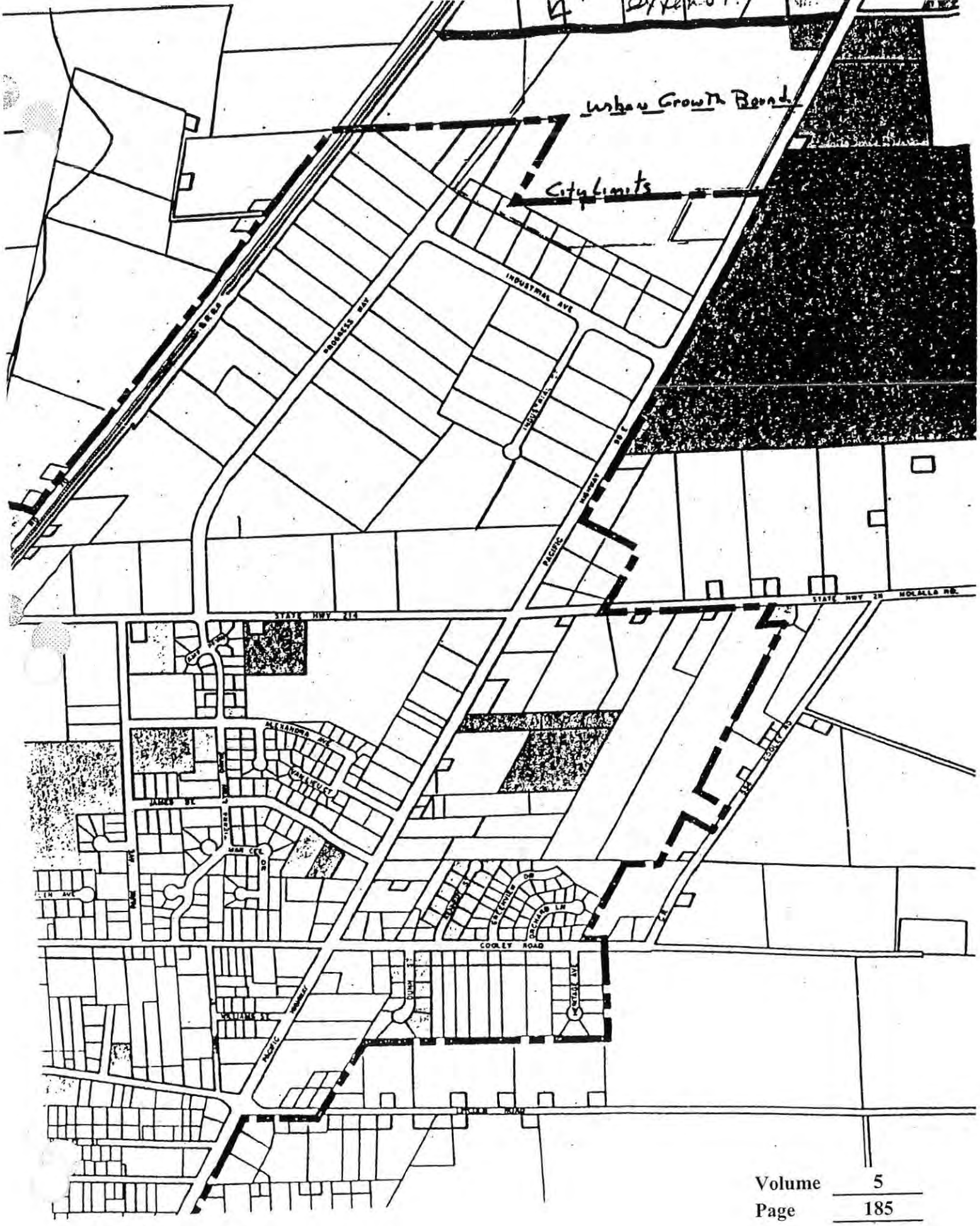
5) There is insufficient land within the existing urban growth boundary to permit this sale to occur.

Respectfully submitted,

WOODBURN DEVELOPMENT CORP.

By: Robert L. Engle
Robert L. Engle, Secretary

RLE:mem



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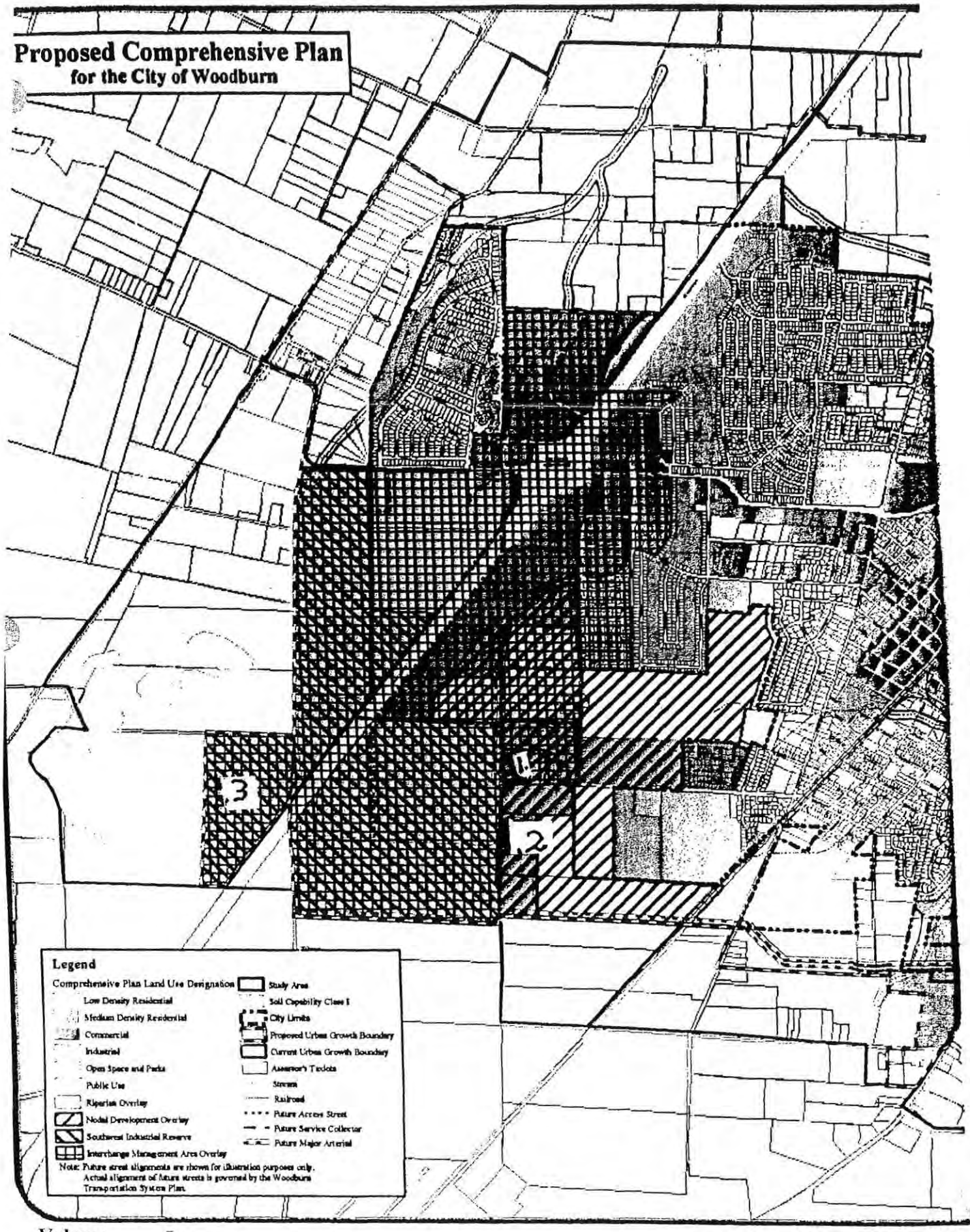

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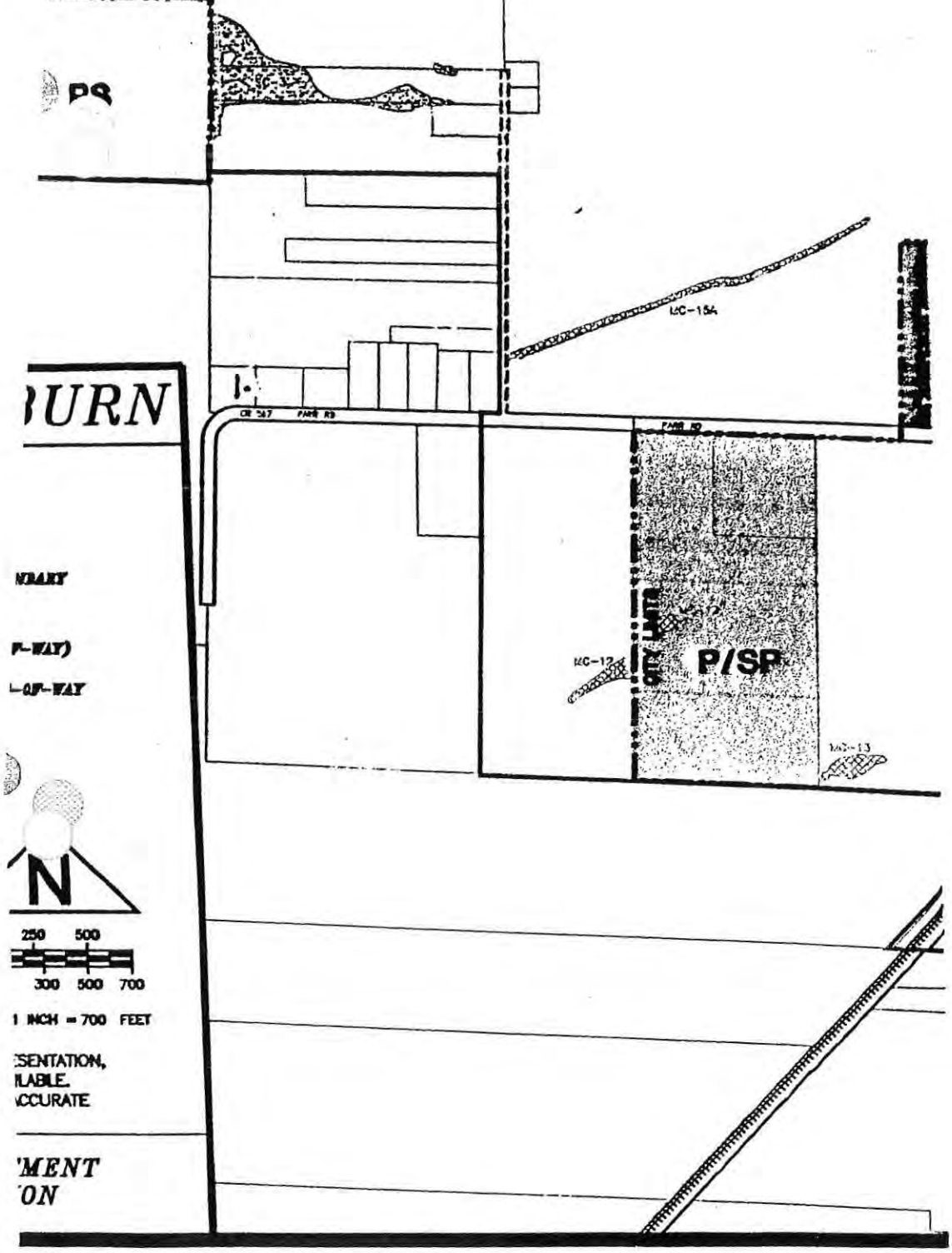

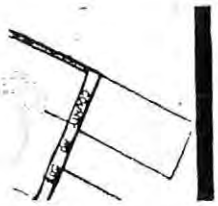

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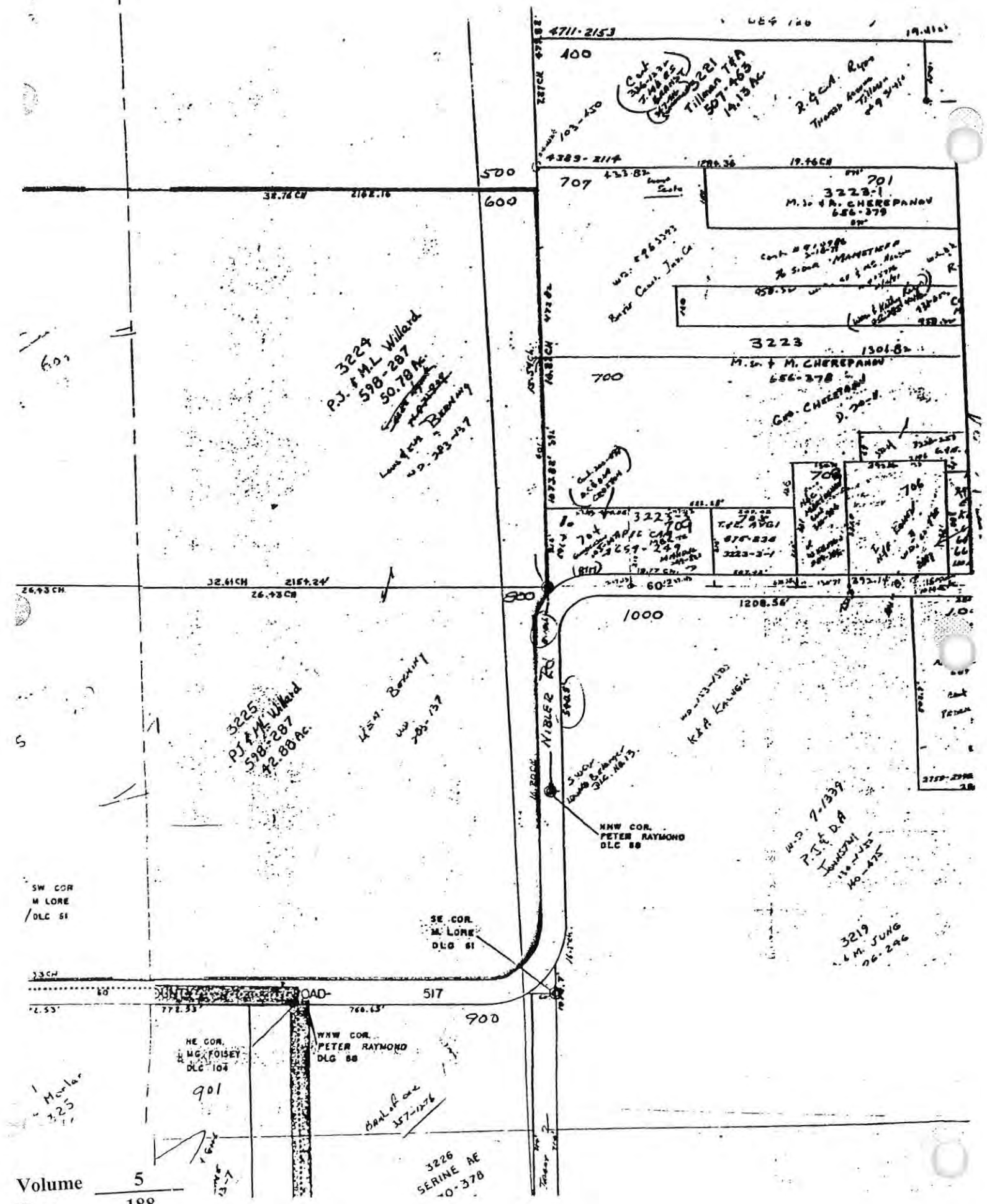

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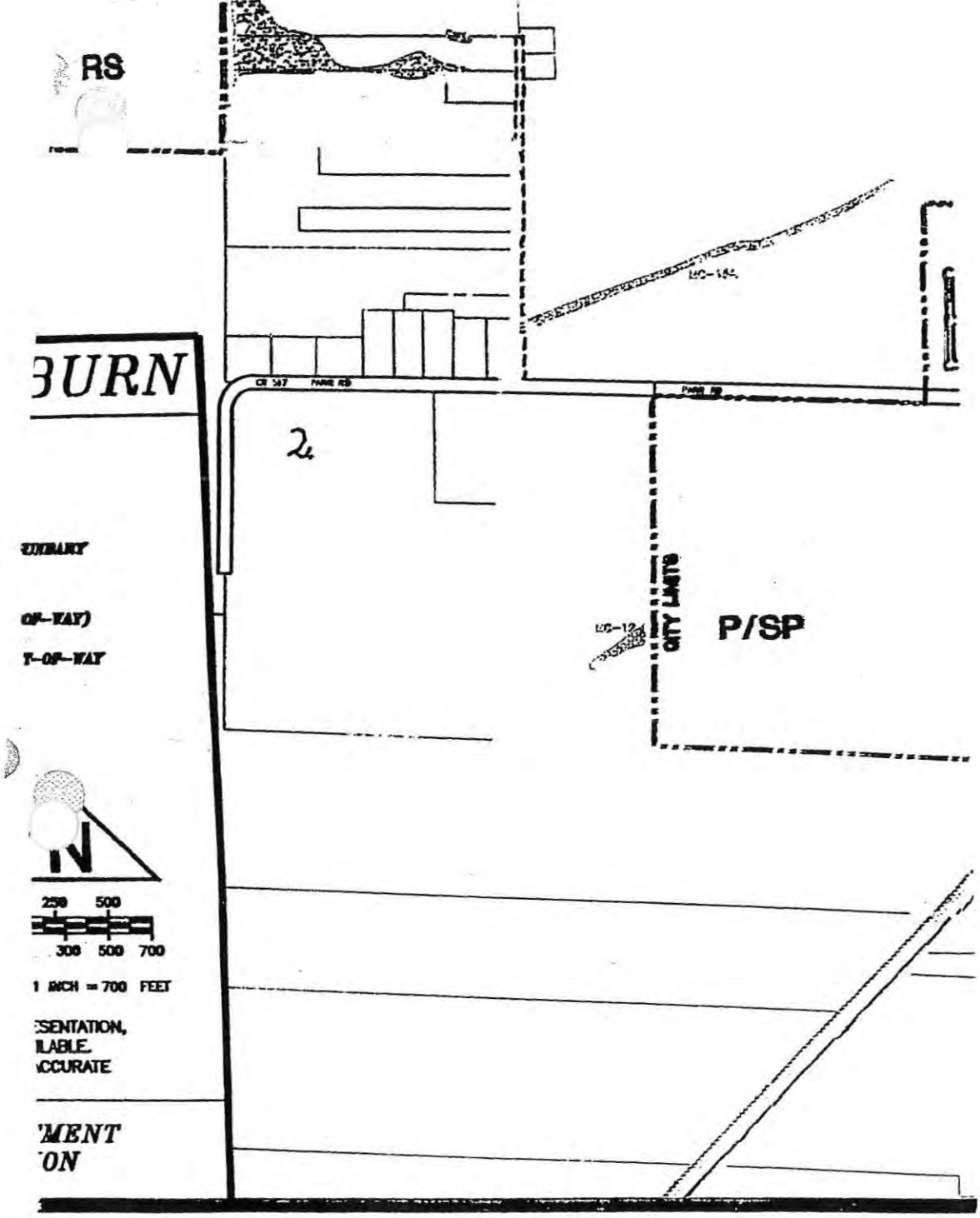

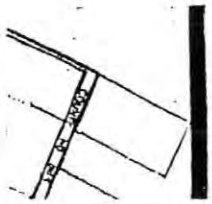

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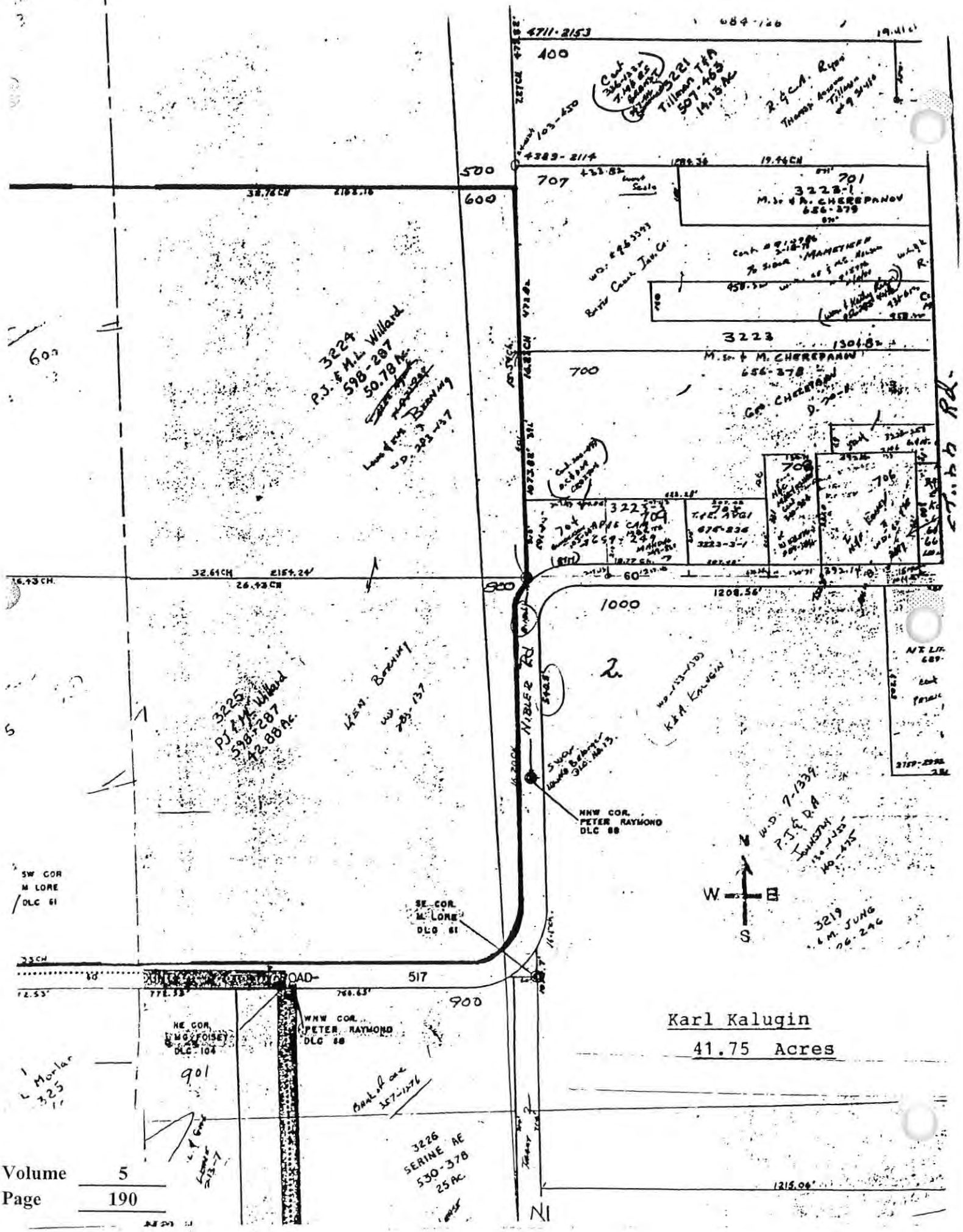

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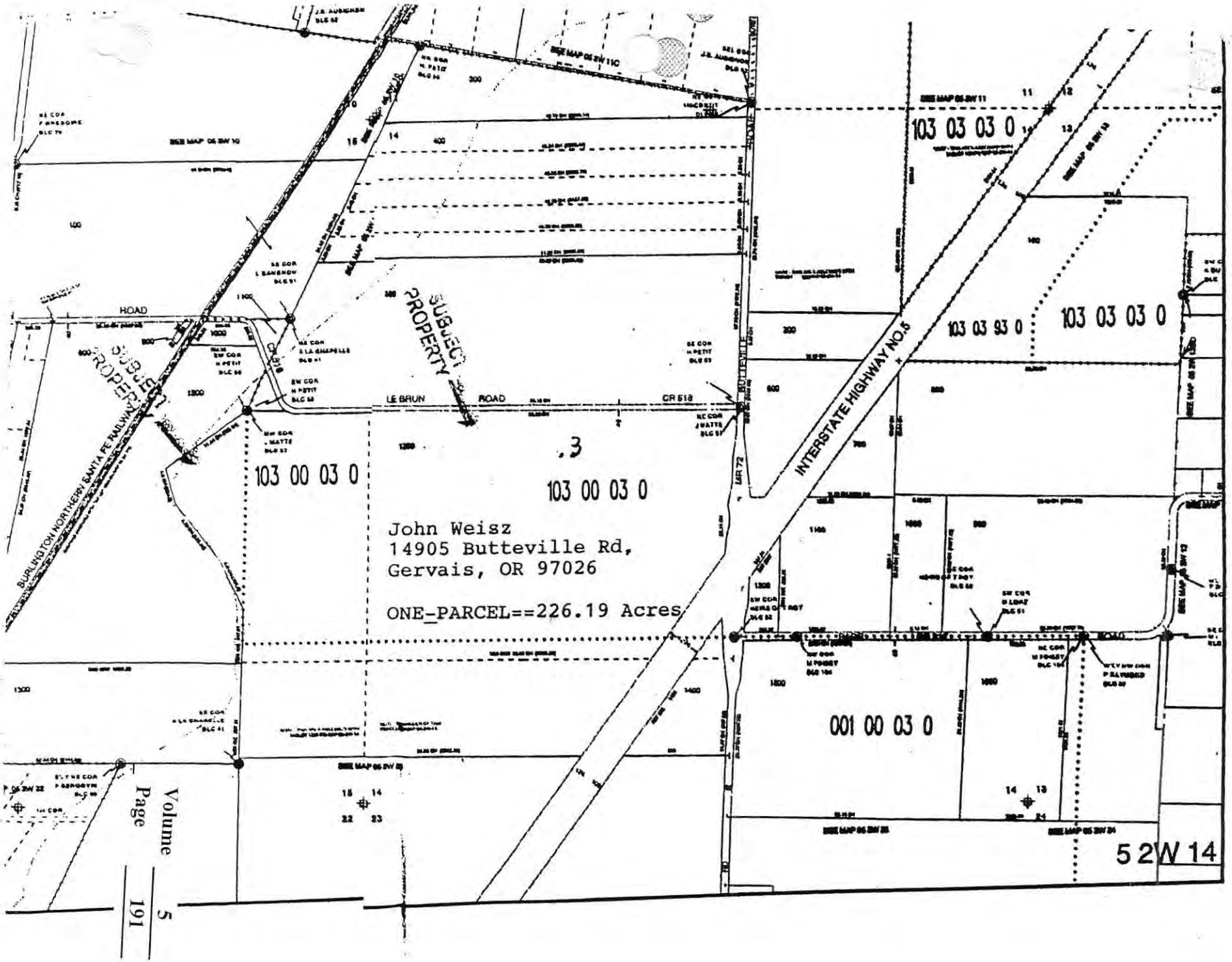

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Fidelity National Title Company

735 Glatt Circle, Woodburn, OR 97071 Phone:1-503-981-0623 Fax:1-503-981-0925
Visit us on the Web at: www.fntic.com/ops/or/salem/index.html
E-mail Customer Service at: customerservicesalem@fnf.com

3.

Front-part with Improvements in Woodburn School District

Prepared For :
Company :
By :

Marion (OR)

PROPERTY PROFILE INFORMATION

Parcel #	: R14794	*Owner Phone*	:
Owner	: **Weisz Family Llc**	*Tenant Phone*	:
CoOwner	:		
Site	: **14905 Butteville Rd NE Gervais 97026**	*Ref Parcel #*	: 052W14 01300
Mail	: 14905 Butteville Rd NE Gervais Or 97026	*Census*	: 103.03 2
Land Use	: 551 Agr,Farm		
Legal	:		
	:		
Zoning	: EFU EXCLUSIVE FARM USE		

Front-part. 151.92-Acres
Back-part. - 74.27-Acres
Total-Parcel-226.19-Acres

ASSESSMENT & TAX INFORMATION

Market Total	: **$445,380**
Mkt Land	: **$145,360**
Mkt Improvmt	: **$300,020**
Exemption	:
03-04 *Taxes*	: **$6,014.41**
Levy Code	: 10300030
Millage Rate	: 13.5040
M50 AssdTotal	: **$445,379**

SALE & LOAN INFORMATION

Sale Date	:
Sale Amount	:
$Cost/SqFt	: $0.00
Document #	: 1666-0370
Deed Type	: Brgn,Grant&Sale
Loan Amount	:
Lender	:
Loan Type	:
Interest Type	:
Vesting	:
Title Co	:
Loan Type	:

School District Information

School District	: Woodburn School

PROPERTY CHARACTERISTICS

Year Built	: 1900
Yr Remodel	:
Bedrooms	: 2
Bathrooms	: 2.00
Total SF	: 1,932 (Does Not Include GarageSF)
Main Floor	: 1,932
Second Floor	:
Basement SF	:
Basement Fin	:
Lot Size Ac	: 151.92
Lot Size SF	:
Roof Type	:
Roof Material	:
Foundation	:
Ext. Material	:
Exterior	:
Patio Type	: Yes
Patio SF	: 3,000
Att Gar SF	:
Garage Type	: Grg-detached
Driveway SF	: 4,500
Dri'way Mat'l	: Asphalt
Heat Source	:
Fireplace	:
Fireplace #	:
BldgCondition	:
Neighborhood	: 04C
Impr Type	:

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The Information Provided Is Deemed Reliable, But Is Not Guaranteed

735 Glatt Circle, Woodburn, OR 97071 Phone:1-503-981-0623 Fax:1-503-981-0925
Visit us on the Web at: www.fntic.com/ops/or/salem/index.html
E-mail Customer Service at: customerservicesalem@fnf.com

Back. Part. NO IMPROVEMENTS
Gervais School District

Front-Part 151.92 Acres
Back-Part 74.27 Acres
Total-Acres 226.19 Ac

Prepared For : BLK
Company :
By : Jenny

Marion (OR)

PROPERTY PROFILE INFORMATION

Parcel #	: R14793	*Owner Phone*	:
Owner	: **Weisz Family Llc**	*Tenant Phone*	:
CoOwner	:		
Site	: **14905 Butteville Rd NE Gervais 97026**	*Ref Parcel #*	: 052W14 01300
Mail	: 14905 Butteville Rd NE Gervais Or 97026	*Census*	: 103.03 2
Land Use	: 551 Agr,Farm		
Legal	:		
	:		
Zoning	: EFU EXCLUSIVE FARM USE		

ASSESSMENT & TAX INFORMATION

Market Total	: **$65,340**
Mkt Land	: **$65,340**
Mkt Improvmt	:
Exemption	:
03-04 Taxes	: **$763.53**
Levy Code	: 00100030
Millage Rate	: 11.6856
M50 AssdTotal	: **$65,339**

SALE & LOAN INFORMATION

Sale Date	:
Sale Amount	:
$Cost/SqFt	: $0.00
Document #	: 1666-0370
Deed Type	: Brgn,Grant&Sale
Loan Amount	:
Lender	:
Loan Type	:
Interest Type	:
Vesting	:
Title Co	:
Loan Type	:

School District Information

School District	: Gervais School

PROPERTY CHARACTERISTICS

Year Built	:
Yr Remodel	:
Bedrooms	:
Bathrooms	:
Total SF	: (Does Not Include GarageSF)
Main Floor	:
Second Floor	:
Basement SF	:
Basement Fin	:
Lot Size Ac	: 74.27
Lot Size SF	:
Roof Type	:
Roof Material	:
Foundation	:
Ext. Material	:
Exterior	:
Patio Type	:
Patio SF	:
Att Gar SF	:
Garage Type	:
Driveway SF	:
Dri'way Mat'l	:
Heat Source	:
Fireplace	:
Fireplace #	:
BldgCondition	:
Neighborhood	: 04C
Impr Type	:

The Information Provided Is Deemed Reliable But Is Not Guaranteed

TICOR TITLE INSURANCE

.3

CONSUMER INFORMATION REPORT

Prepared for _____ _____

_____ _____

_____

Property Address 14905 Butteville Rd. NE Gervais 97026

Enclosed please find the following information per your request:

TAX INFORMATION

Tax Account Number 44161-000

Description 226.19 acres - S14, 15 &23, T5 R2W

Assessed Value-Land 84/5 TCV-95,450

Assessed Value-Improvements 84/5 TCV-51,300

19 83/4 Tax Amounts 2,720.17

Assessed Owner WEISZ, John Jr. et al.

☒ Map ☒ Copy Deed ☐ Contract ☐ Other Document of Record

14 05 2W 1231-5310/V314 P0124 RD

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

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IN THE PLANNING COMMISSION OF WOODBURN, OREGON

LEGISLATIVE AMENDMENT 05-01	)))	**FINAL ORDER**

WHEREAS, the Woodburn City Council initiated a coordinated package of amendments to the Woodburn Development Ordinance (WDO and Zoning Map) and the Woodburn Comprehensive Plan (including text and map amendments, the Woodburn Economic Development Strategy, the Woodburn Transportation Systems Plan Update and the Woodburn Public Facilities Plan); and

WHEREAS, the Planning Commission held four work sessions to consider the amendment package in late 2004; and

WHEREAS, the Planning Commission held a public hearing on February 3, 2005 and left the record open for one week to allow for additional written testimony; and

WHEREAS, the Planning Commission considered the written and oral testimony presented by staff, the consultant team, state agencies, and other interested persons at a public meeting on February 24, 2004 (including Exhibits "B-1" through "B-61" - Written testimony received prior to close of Planning Commission record on February 10, 2005); and closed the hearing; and

WHEREAS, the Commission voted unanimously to recommend City Council approval of the draft revisions to the Woodburn Comprehensive Plan and WDO described in Exhibit A, with two modifications:

1. **School Site.** The Commission found that the Woodburn School District's site east of Highway 99E should be included within the amended UGB. This 19-acre site meets an immediate need for the rapidly-growing student population, is adjacent to the UGB and has adequate urban services. The Commission directed staff to justify inclusion of the District's 19-acre site under one of two scenarios: (a) work with the District to provide evidence of a special need that cannot be met on land within the existing or proposed UGB; or (b) if such justification cannot be reasonably provided, identify and remove residential land from another UGB expansion area, as required by state law.

2. **West Lincoln Street Area.** The Commission received considerable testimony in opposition to changing the zoning on properties generally bounded by Second and Fourth Streets and Oak and West Lincoln Streets. Many of the affected properties are currently zoned RS or RM.

This area is currently designated as Commercial on the Comprehensive Plan Map and has been thus designated since about 1980. The City staff proposal was to change the RS and RM zoning to be consistent with the Comprehensive Plan Commercial designation but to apply to most restrictive commercial zone, which is CO (Commercial Office). However, because of the significant amount of testimony in opposition to the proposed zone changes to CO and because the City Council has established a goal to update the Downtown Development Plan in the near future, the Commission recommends no changes to properties to CO in the downtown area.

FINALLY, the Commission instructed staff to prepare a final order and findings to substantiate the Commission's recommendation to the City Council.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE COMMISSION:

The Planning Commission hereby recommends that the City Council adopt the draft revisions to the Woodburn Comprehensive Plan and WDO as contained in Exhibit "A" and as described below, subject to the two above referenced modifications and based on the findings below.

- Woodburn Comprehensive Plan – Volume I – Goal and Policy Revisions (Winterbrook Planning, 2005)
- Woodburn Economic Development Strategy (ECONorthwest, 2002)
- Woodburn Transportation Systems Plan Update (CH2MHill, 2005)
- Woodburn Public Facilities Plan (City of Woodburn, 2005)
- Woodburn Development Ordinance Revisions (Winterbrook Planning, 2005)

Proposed Plan and Zoning Maps

- Proposed Woodburn Comprehensive Plan and UGB Expansion Map
- Proposed Woodburn Zoning Map

COMMISSION FINDINGS

The Commission bases its recommendation on the background studies and memoranda listed below, which are attached hereto and by reference incorporated herein.

Woodburn Comprehensive Plan and UGB Amendment Justification Studies (Volume II)

- UGB Justification Report (Winterbrook Planning, 2005)
- Technical Report 1 – Buildable Lands Inventory (Winterbrook Planning, 2005)
- UGB Study Area Public Services Analysis (City of Woodburn, 2004)
- Site Requirements For Woodburn Target Industries (ECONorthwest, 2003)

- Technical Report 2 – Residential Land Needs Analysis (Winterbrook Planning, 2004)
- Technical Report 3 – Potential UGB Expansion Area Analysis and Natural Resources Inventory (Winterbrook Planning, 2003)
- Population and Employment Projections 2000-2020 (ECONorthwest, 2003)
- Economic Opportunities Analysis (ECONorthwest, 2002)
- Explanation of Proposed Plan and Zoning Map Changes (City of Woodburn, 2004)

Background Maps

- Buildable Lands Inventory Map (Winterbrook/City of Woodburn, 2004)
- UGB Study Area Natural Resources and Soil Capability Classes Map (2003)

The Planning Commission relies on the following secondary sources in making its recommendation to the City Council:

Additional Background Studies and Plans

- Occupation/Wage Forecast (ECONorthwest, 2003)
- Storm Drainage Master Plan (Crane & Merseth, 2002)
- Water Master Plan (HDR, 2001)
- City of Woodburn Local Wetlands Inventory and Riparian Assessment (Shapiro, 2000)
- Woodburn Local Wetland Inventory Map (Shapiro, 2000)
- Wastewater Facilities Plan, Volumes 1-3 (CH2MHill, 1995)

Population Coordination Documents

- Marion County Comprehensive Plan Amendments Memo (Winterbrook, 2004)
- Evaluation of 2004 OEA Population Forecast (ECONorthwest, 2004)
- Marion County Ordinance 1201 and Findings Approving Population Projection
- Marion County Board Minutes of November 10, 2004

Documents Not Relied Upon

The Planning Commission explicitly does not rely on the following documents in making its recommendation to the City Council because these documents have been superceded by the documents cited above:

- Woodburn Buildable Lands and Urbanization Project (McKeever/Morris, 1998)
- Preliminary Transportation Scenarios (Winterbrook Planning, 2003)

Commission Responses to Objections

In responding to objections raised by FAN and 1000 Friends of Oregon, the Planning Commission relies on the February 16, 2005 Winterbrook Planning Memorandum to the Community Development Director. In particular, the Planning Commission agrees with and understands that industrial land needs determination is based on the siting requirements of targeted employers identified in the Economic Opportunities Analysis (EOA) as authorized under ORS 197.712 *et seq.* and the Goal 9 administrative rule – not on the "employee-to-acre" ratio method preferred by 1000 Friends of Oregon.

In responding to objections raised by other parties, the Planning Commission relies on the February 24, 2005 Memorandum to the Commission from the Community Development Director. In particular, the Commission is persuaded by staff's reasoning with regard to expansion of the UGB to the east because such expansion will not meet the City's land use, transportation and economic goals as well as other areas proposed for inclusion and this area will be substantially more expensive to serve with public facilities. Although the Commission is sympathetic to testimony in support of including the Arney Road area (north of the Woodburn Company Stores) within the 2005 UGB, the Commission agrees with staff that (a) these properties may be justified for inclusion within the UGB for commercial and residential uses in the future, but (b) are not justified for inclusion at this time.

Approved: Claudio Lima — 03/10/05

Claudio Lima, Chairperson — Date

ATTACHMENT B

CITY OF WOODBURN
Community Development

MEMORANDUM

270 Montgomery Street Woodburn, Oregon 97071 (503) 982-5246

Date: February 24, 2005

To: Planning Commission

From: Jim Mulder, Director of Community Development

Subject: Legislative Amendment 05-01, 2005 Comprehensive Plan Update

At its meeting of February 3, 2005, the Planning Commission received oral and written testimony regarding proposed periodic review amendments and proposed urban growth boundary expansion. The Commission closed the hearing for oral testimony and left the record open until 5:00 p.m. on February 10, 2005 for additional written testimony. Attached to this memorandum is a copy of all written testimony received by February 10, 2005.

To address substantive issues raised in oral and written testimony received in conjunction with the public hearing on this matter, staff provides the following responses for Commission consideration.

Oral Testimony:

Terry Cole, ODOT: Comment noted.

Dave Christoff (representing Woodburn School District): See response in Exhibit C.

Nick Harville: Comment noted.

Robert Walter Stack: Comment noted.

Jose Castillo: Comment noted.

Alfonso: Comment noted.

Will Denecke: Comment noted.

Erin Donnelly: See response for Exhibit B-9.

Martin Rohrer: See response for Exhibit B-44.

Diane Mikkleson: Comment noted.

Bob Lindsey: See response for Exhibit B-55.

Kathleen Carl: Comment noted.

Lolita Carl: See response for Exhibit B-60.

Randy Sebastian: Comment noted.

Vasily Mokanukoff: Comment noted.

Pat Doyle: See response for Exhibit B-40.

Toni Spencer: See response for Exhibit B-54.

Kay Peterson: See response for Exhibit B-57.

Tom Fessler: Comment noted.

Mike Celmer: See response for Exhibit B-9.

Roger Alfred: Comment noted.

Sid Friedman: See response for Exhibit B-53.

Theodora Tarbet: See response for Exhibit B-61.

Amanda Deyerle: Comment noted.

Jim Grigorieff: See response for Exhibit B-3.

Craig Robinson: See response for Exhibit B-3.

Tom Brawley: Comment noted.

Written Testimony:

Exhibit B-1 (Metro): See response in Exhibit C.

Exhibit B-2 (Keith Woollen): City's proposed Transportation System Plan is similar except for completing ring road on east side. Completing the ring road to the east may make sense in the very long term, but it would not likely occur within the 20-year planning horizon and does not need to be shown at this time.

Exhibit B-3 (Jim Grigorieff): Zoning on this property and two adjacent properties to the east is RS (Single-Family Residential) and all three are developed with single-family residences. Comprehensive Plan designation is MDR (Medium Density Residential) for all three properties. The City proposal is to change the comprehensive plan to be consistent with zoning and existing use of properties as single-family dwellings. Also, three properties across the street to the south are already zoned RS and designated MDR. The City proposal will make the zoning and designation more consistent. Testimony was received from both of the other properties (Esparanza Alvarez and Craig Robinson) in support of the City proposal. Staff recommends no change to the City proposal.

Exhibit B-4 (Esparanza Alvarez): See response for Exhibit B-3.

Exhibit B-5 (John Catterson): Commercial designation does not extend past Belle Passi Road to discourage extension of strip commercial development along Highway 99E and to provide a transition between urban commercial uses and rural farm uses. Staff recommends no change to the City proposal.

Exhibit B-6 (George Haight): Comment noted.

Exhibit B-7 (Judy and Russell Ficek): This property is part of the Butteville Road exception area that must be included in the proposed UGB expansion before agricultural lands may be brought in. Staff recommends no change to the City proposal.

Exhibit B-8 (Richard Warnick): This property is the only property in the area on the west side of Front Street that is developed with a non-residential use (excluding the City park). An undeveloped 2.74-acre parcel adjoins this property to the west. This property, along with the 2.74-acre parcel and the residential properties to the north are best designated for multi-family residential uses similar to the apartment uses to the north. Access to the 2.74-acre parcel for a single-family subdivision is very difficult and is better suited for multi-family uses. Commercial use is inconsistent and incompatible with adjacent residential uses. Staff recommends no change to the City proposal.

Exhibits B-9 through B-32: All of this testimony pertains to opposition to changing the zoning on properties generally bounded by Second and Fourth Streets and Oak and West Lincoln Streets. Many of the affected properties are currently zoned RS or RM. This area is currently designated as Commercial on the Comprehensive Plan Map and has been thus designated since about 1980. The City proposal is to change the RS and RM zoning to be consistent with the Comprehensive Plan Commercial designation but to apply to most restrictive commercial zone, which is CO (Commercial Office). However, because of the significant amount of testimony in opposition to the proposed zone changes to CO and because the City Council has established a goal to update the Downtown Development Plan in the near future, **staff recommends that the City proposal be modified to not change any property to CO in the downtown area.**

Staff believes a better approach would be to address long-term land use on these properties as part of the future update of the Downtown Development Plan. The update of this plan would provide a more comprehensive approach to determining how these properties fit into the long-term land use, transportation, and economic goals of the downtown and would provide a better opportunity for intensive public involvement in the decision making process through neighborhood meetings, open houses, stakeholder meetings, etc.

Exhibits B-33 and B-34 (Woodburn School District): See response in Exhibit C.

Exhibit B-35 (Ivan Cam): These properties are all located on Carl Road and are a significant distance from the proposed UGB expansion area. Staff recommends no change to the City proposal.

Exhibit B-36 (Kevin Crosby): These properties are generally located north of the proposed Butteville Road exception area that is proposed to be included in the UGB. This area does not satisfy land use, transportation, and economic goals as well as the areas proposed for inclusion in the UGB. The Butteville Road exception area is included because it is parcelized into smaller lots that are not conducive to farming. The Crosby property consists of much larger parcels that are conducive to farming. Staff recommends no change to the City proposal.

Exhibit B-37 (Paul Serres): These properties include a large amount of farmland on the east side of the UGB. This area was not included in the UGB expansion area because it is more expensive to serve with public facilities and the area does not satisfy land use, transportation, and economic goals as well as other areas proposed for inclusion in the UGB. Staff recommends no change to the City proposal.

Exhibit B-38 (Dorothy McCormick): These properties consist of about 39 acres located at the southwest corner of the intersection of Butteville Road and Hwy. 219. This area was not included in the UGB expansion area because it does not satisfy land use goals as well as other areas proposed for inclusion in the UGB. Specifically, there is a need for a 70-acre industrial parcel in the SWIR. The City proposal provides for this parcel on the west side of Butteville Road where it crosses over I-5. The McCormick properties only consist of about 39 acres, which does not satisfy this need. In addition, these properties abut low density residential designated land on two sides which could create compatibility conflicts between industrial and residential uses. Staff recommends no change to the City proposal.

Exhibit B-39 (Roger Alfred): Comment noted.

Exhibit B-40 (Donald Kelley): Comment noted.

Exhibit B-41 (Will Denecke): Comment noted.

Exhibit B-42 (Daniel Koerner): This property is a 2.5 acre parcel located south of the current UGB on the west side of S. Boones Ferry Road. This area was not included in the UGB expansion area because it does not satisfy land use and transportation goals as well as other areas proposed from inclusion in the UGB. In addition this property is separated from the current UGB and only adjoins the current UGB across S. Boones Ferry Road. Staff recommends no change to the City proposal.

Exhibit B-43 (Kuzma Barsukoff): This property is generally located at the southeast corner of the current UGB. This area was not included in the UGB expansion area because it is more expensive to serve with public facilities and the area does not satisfy land use, transportation, and economic goals as well as other areas proposed for inclusion in the UGB. Staff recommends no change to the City proposal.

Exhibits B-44 through B-52 (Marty Rohrer, et. al.): All of this testimony supports including approximately 125 acres of land in the proposed UGB expansion for industrial use. The subject area is generally located north of the existing UGB along both sides of Arney Road north of the Woodburn Company Stores. This area was not included in the UGB expansion area because it does not satisfy land use, transportation, and economic goals as well as other areas proposed for inclusion in the UGB. Specifically, the portion of this area between I-5 and East Senecal Creek is best suited for future commercial uses consistent with Woodburn Company Stores type development. However, the City proposal only justifies 12 acres of new commercial UGB expansion. The portion of this area west of East Senecal Creek is best suited for residential uses because of compatibility considerations with the adjacent residential development in the City and East Senecal Creek. However, residential land needs are better addressed with the City proposal. This area is not best suited for industrial use for the reasons stated above. This area should be preserved for future commercial and residential uses when sufficient justification for such expansion can be provided in the future. Staff recommends no change to the City proposal.

Exhibit B-53 (Sid Friedman, 1000 Friends of Oregon): See response in Exhibit C.

Exhibit B-54 (Toni Spencer): See response in Exhibit C.

Exhibits B-55 and B-56 (Bob Lindsey): See response in Exhibit C.

Exhibit B-57 (Kay Peterson): See response in Exhibit C.

Exhibit B-58 (Mary Jean Fischer): See response in Exhibit C.

Exhibit B-59 (Carla Mikkelson): See response in Exhibit C.

Exhibit B-60 (Lolita Carl): See response in Exhibit C.

Exhibit B-61 (Theodora Tarbet): See response in Exhibit C.

Recommendation: Staff recommends that the Planning Commission direct staff to prepare a final order recommending that the City Council amend the Woodburn Urban Growth Boundary, Woodburn Comprehensive Plan text and map, Woodburn Development Ordinance, and Woodburn zoning map as proposed in the draft "Woodburn 2005 Comprehensive Plan Update" and as modified by this memorandum.

Attachments:

Exhibit "A" - Draft Planning Commission Minutes from 2/3/05 Meeting

Exhibits "B-1" through "B-61" – Written Testimony Received Prior to Close of Planning Commission Record on 2/10/05

Exhibit "C" - Winterbrook Response to Written Comments, dated 2/16/05

Exhibit "D" - 1000 Friends of Oregon Letter to DLCD Regarding McMinnville UGB Amendment, dated 4/8/04

Exhibit "A"

DRAFT

WOODBURN PLANNING COMMISSION SPECIAL MEETING MINUTES
February 3, 2005

CONVENED The Planning Commission met in a special session at 7:00 p.m. in City Hall Council Chambers with Chairperson Lima presiding.

ROLL CALL

Chairperson Lima	**P**
Commissioner Vancil	**P**
Commissioner Grigorieff	**P**
Vice Chairperson Bandelow	**P**
Commissioner Hutchison	**P**

Staff Present: Jim Mulder, Community Development Director
Naomi Zwerdling, Associate Planner
Deniece Won, Assistant City Attorney

Chairperson Lima set the ground rules for the Public Hearing and provided an opening statement.

PUBLIC HEARING

A. Legislative Amendment 05-02, City-initiated proposal to amend the Woodburn Development Ordinance.

Staff reported the proposal was initiated by the Woodburn City Council to amend the Woodburn Urban Growth Boundary, Woodburn Comprehensive Text and Map, Woodburn Development Ordinance and the Woodburn Zoning Map. These amendments are proposed in order to complete the City's Periodic Review Work Program. He further stated the City of Woodburn is currently in State mandated Periodic Review of its Comprehensive Plan and he outlined the 11 Work Tasks the City is required to complete. Staff also mentioned the City has completed Tasks #5 and #6, Parks and Recreation Plan and the Historic Downtown Plan, they have been acknowledged by the Oregon Land Conservation Development Commission. All remaining Tasks have been completed with the exception of Tasks #9, #10 and #11. Task #9 Coordinating new Urban Growth Boundary Management Agreement with Marion County, which is currently being coordinated and is anticipated to be done by the time the amendment proposal gets to the City Council. Additionally, he said although he has completed the Citizen Involvement Report (Task #10), it would not be finalized until the Council actually adopts the amendments and the same goes for Task #11. Completion of all these Work Tasks requires the City to revise the Woodburn Comprehensive Plan Text and Map, the Development Ordinance and Zoning Map. In addition, to comply with State Statutes mandating the City provide a 20-year buildable lands supply, the Urban Growth Boundary is proposed to be expanded. Staff indicated public hearings on these proposed Legislative Land Use Amendments have been scheduled tonight before the Planning Commission and have also been noticed and scheduled for the City Council on March 28, 2005. The applicable approval criteria that apply to these proposed amendments were outlined by Staff. Once the proposed amendments are adopted by the City Council and acknowledged by LCDC, the City will have completed its Periodic Review Work Program. The proposed amendments, maps and supporting documents are compiled in a document called The City of Woodburn 2005 Comprehensive Plan Update, which has been provided to the Planning Commission. Moreover, an attachment to the Staff Report contains Findings of Fact that demonstrate compliance with the approval criteria, which were provided to the Commission tonight. Staff briefly summarized the proposed amendments as follows:

- Proposed Comprehensive Plan Text Amendments: Residential Land Use and Housing Goals and Policies are amended to provide for a Nodal Development Overlay District. Industrial Development Goals and Policies are amended to incorporate recommendations of the 2002

Economic Opportunities Analysis and Development Strategy and to create a Southwest Industrial Reserve Overlay District. Marion County Economic Coordination Goals and Policies are added to provide for coordination with Marion County Growth Management Framework Plan. Commercial Lands Goals and Policies are amended to encourage infill and redevelopment and to create a Nodal Neighborhood Commercial District. Transportation Goals and Policies are amended to be consistent with the updated Transportation System Plan and to create an Interchange Management Area Overlay District. Public Facilities Goals and Policies are added to consolidate and coordinate the Water, Wastewater, Stormwater and Transportation Plans. Natural and Cultural Resources Goals and Policies are amended to create a Riparian Corridor and Wetlands Overlay District. The Woodburn Development Ordinance is also amended as part of this proposal to implement the Goals and Policies of the Comprehensive Plan and are proposed as follows: Six new overlay districts are created, Nodal Single Family Residential, Nodal Multi-Family Residential, Nodal Neighborhood Commercial, Riparian Corridor and Wetlands Overlay, Southwest Industrial Reserve Overlay and the Interchange Management Area Overlay. Regulations of proposed Overlay Districts are summarized as follows: Riparian Corridor Wetlands Overlay will generally restrict development within 50 ft. of designated creeks and water courses. The Southwest Industrial Reserve will require master planning of the district to provide for minimum lot sizes for targeted types of industries. The Nodal Residential Single Family and Nodal Multi-Family Overlays will allow for higher densities and generally smaller lot sizes. The Neighborhood Commercial Nodal Overlay will be restricted to neighborhood commercial uses and will require dedication of public space. The Interchange Management Area Overlay will generally restrict development based on vehicle trip generation based on proposed development. Minimum density standards are established in the Single Family Residential District, the Retirement Residential District and the Medium Density Residential District and the street improvement cross sectional standards are generally reduced.

- Proposed Comprehensive Plan Map Amendments: In general, the Comprehensive Plan Map is amended to apply land use designations to areas proposed to be added to the City's Urban Growth Boundary, to apply proposed Overlay Districts to areas within the current Urban Growth Boundary and to change land use designations within the current Growth Boundary to maximize efficient use of land and provide more appropriate land use designations considering surrounding land use and future development potential.

- Proposed Zoning Map Amendments: The Zoning Map is amended to apply the Nodal Single Family Residential and Nodal Multi-Family Residential Overlay Districts to existing RS and RM zoned properties South of the Southerly extension of Evergreen Rd., the Southwest Industrial Reserve Overlay is applied to the Southerly portion of the WinCo Distribution Center property, the Interchange Management Area Overlay is applied to Commercial and Industrial zoned property generally located around the freeway interchange and to undeveloped residentially zoned properties South of the Southerly extension of Evergreen Rd. In addition, there are numerous zone changes proposed to properties within the existing City limits to maximize efficient use of land and provide more appropriate zoning considering existing Comprehensive Plan designation, surrounding land use and future development potential.

- Urban Growth Boundary Expansion Map: Based on the results of the City's Periodic Review, the City proposes to expand its Urban Growth Boundary to provide a 20-year buildable land supply and provide for 20-year projected economic growth.

In conclusion, Staff recommended the Planning Commission hear the testimony and leave the record open for seven days to allow additional written testimony, at which time Staff will return on February 24, 2005 with responses to that testimony and the Commission will have the opportunity to review that before they begin deliberations on the matter. Staff recommended after that is all done that eventually the Commission will direct Staff to prepare a Final Order recommending that the Council adopt the proposed amendments to the Woodburn Urban Growth Boundary, Woodburn Comprehensive Plan Text and Map, the Woodburn Development Ordinance and the Woodburn Zoning Map.

Greg Winterowd, Winterbrook Planning Consulting provided more details on the analysis and justification for the proposed amendments. He reviewed several key objectives they had when they began this project four years ago. Firstly, to develop and implement an economic opportunity analysis and strategy, which was adopted in 2002 by the City Council and provides the foundation for most of the planning work done today. He reported the City Council decided it was imperative to provide local jobs in the community so that people would not have to commute to Portland/Salem to work and to improve the quality of peoples lives as well as to make it so everyone in the community had an equal opportunity. The economists that looked at this and indicated the best way to achieve that is to provide land near I-5 because that is where development demand is located. Secondly, it was recognized that you needed to provide choice among suitable industrial sites, which is required by State Statute. Thirdly, provide sufficient buildable land for future housing, parks and schools. Land for quality of life, good neighborhoods and land where people can afford to buy their own homes. Additionally, he stated they also had to look very carefully at the Statewide Planning Goals, which requires the use of land efficiently in order to make sure to use the land within the Urban Growth Boundary efficiently and well. Mr. Winterowd mentioned the City is proposing a substantial increase in net densities on buildable land for that reason. They are asking for a more compact Urban Growth form but with good parks, schools and jobs to balance it out. He reported Oregon has many demanding requirements for compliance with Statewide Planning Goals and Periodic Review to ensure ongoing compliance. Mr. Winterowd stated he believed, at this point, the City has a package of plan amendments that meet the Statewide Planning Goals and achieved legitimate objectives of Periodic Review. Moreover, they looked carefully at the Marion County Framework Plan adopted two years ago and made sure that the critical goals and policies of the framework plan were incorporated into the Woodburn Comprehensive Plan. Next, they looked at the Achilles heel that Woodburn faces in terms of economic development, which is traffic congestion. He said they worked very closely with ODOT on revising the Transportation System Plan and developing ways to limit impacts on the interchange and to create alternative ways to get to that interchange so that it all does not have to go on Highway 211 and Highway 214. Mr. Winterowd further explained the goals require that we take the least productive agricultural land before we move into the more productive land and the direction of growth proposed generally has less productive agricultural land than some of the other choices. He further commented Woodburn is surrounded by Class 2, 3 and some Class 1 agricultural land and the only Class 1 agricultural land proposed for inclusion is land that is within the golf course already. Finally, they wanted to make sure in terms of quality of life and neighborhoods that what remains of Woodburn's wetlands, streams and flood plains are protected so you have open space connections to residential areas for future residents. Mr. Winterowd remarked the goal of a higher employment projection is to have more of a balance between the jobs in this community and the housing that is here. He explained they determined a 20-year land use needs for jobs they began with the Economic Opportunities Analysis and identified probable employment growth and then took a very careful look at the types of industries and basic employment that Woodburn can attract if it provides services, infrastructure and the land along I-5 to do that. They then followed the Statewide Statutory requirement and also a requirement of Statewide Planning Goal #9 and its administrative rule which compares the supply and demand and match them up. He indicated they attempted to provide the type of housing in adequate supply to meet 20-year needs and matched the buildable lands with the housing needs and increased densities. The school needs were based on the existing ratio of developed school land population to make sure there is enough land for schools in the future. Mr. Winterowd stated an important and legitimate requirement in Oregon is that we use land efficiently within the Urban Growth Boundary, which he recommended by planning for higher density, over ten dwelling units per net buildable acre within the proposed buildable areas of the Urban Growth Boundary and increase a portion of multiple-family development to make it more affordable. The use of Nodal Development Pattern, which is an old fashioned situation where you have a neighborhood commercial area surrounded by housing where you can walk, bike or drive a car to get to and from shopping was also recommended. Also proposed is to bring in exception areas, which are those areas that are in the County now that State law requires that we bring in to the Urban Growth Boundary so that they can be provided with urban services and developed more efficiently so we can minimize impacts on agricultural land. Every exception area adjacent to the Growth Boundary has been brought in with the exception of MacLaren School and they did not seem to have a great likelihood of redevelopment at this point. Additionally, Master Planning was looked at in the Nodal Development Areas and in the Southwest industrial reserve. We have allowed the possibility of housing over retail development in Downtown Woodburn and in Nodal Development Areas. Also recommended were minimum density standards so that people do not use land that is zoned for 4,000 sq. ft. lots for 8,000 sq. ft. lots because that would be inefficient and would

discourage development of infill, partially vacant and potentially redevelopable land. In the Nodal Development Areas we have a neighborhood commercial center surrounded by higher density residential, small lots single family supported by integrated park system and multi modal and connected transportation system; Master Planning is required and we have design standards and that everyone has adequate access to parks and schools. He further reported the land located on either side of I-5, accessible to Highway 214 and Highway 211 via Butteville Road and Parr Road and a planned Southern arterial connection between Butteville Road and Highway 99 is reserved solely for industrial use. Mr. Winterowd stated they propose to relieve congestion at Hwy. 214/Hwy. 211/I-5 interchange by taking the traffic out of central Woodburn, moving it West of I-5 where it is easier to get onto I-5 for trucks and employees. Additionally, at the request and in collaboration of the Oregon Department of Transportation (ODOT) developed what is believed to be an innovative way of making sure that the limited access that we have to I-5, even after ODOT and the City of Woodburn spends millions of dollars on improving the interchange, we want to make sure that it does not use up that capacity prematurely and that it is used for planned commercial and industrial trips. Regulations have been developed that indicate you can not exceed specified numbers of trips in the peak hour and if you do, you are either a Conditional Use Permit or you have to find ways to decrease peak hour traffic demand to maintain the capacity of that interchange area for the jobs that the City wants to see. In closing, Mr. Winterowd commented he felt a thorough and credible job has been done in justifying the assumptions used and we have not inflated the land use needs. He briefly reviewed the proposed amendments and said everything else that has been proposed for inclusion within the Urban Growth Boundary is land that has already been determined by Marion County to be so cut up and parcelized that it cannot be used effectively for agricultural purposes. Mr. Winterowd encouraged testimony and requested to critically look at the work done and to tell the Planning Commission exactly what they think.

TESTIMONY

Terry Cole, Oregon Department of Transportation Region 2, 455 Airport Rd. SE, Salem, OR 97310 stated ODOT has worked with the City now for a number of years specifically with reference to the Transportation System Plan Update and are very pleased with the draft Transportation System Plan that has evolved from that process. The protections talked about for future interchange development, the other transportation system policies and plan elements will go a long way towards keeping that interchange in its current configuration and in the future as we hope to have it reconstructed viable through the planning period and beyond. Additionally, Mr. Cole felt what they have come up for Woodburn is an outstanding example that will be looked at as a model throughout the State for how you can protect an interchange in a growing urban area and do it in such a way that it supports local economic development but also retains the ability of people to travel both locally as well as statewide. Mr. Cole urged support and endorsement of the proposed Transportation System Plan and all of the supportive elements of Comprehensive Plan Update, as well as all the other elements submitted tonight.

Dave Christoff, 671 Ironwood Terrace, Woodburn, OR 97071 spoke on behalf of the Woodburn School District. He stated the School District currently owns 19 ½ acres on Lincoln St. and they would like to have that included in the inventory. He indicated the difference between the consultant's numbers and the School Districts numbers shows fairly realistically that there was a shortage in the estimate for the School Districts properties. Currently there are no lands in the City that are large enough to site a school because a school has to be sited on a minimum of 10 acres and preferably a minimum of 15 acre site. Mr. Christoff reported they would like to have this included to the Urban Growth Boundary Expansion for when a bond measure is passed they would have a site in which to build a school on because they do not currently have anything that they could buy that is not already spoken for to site a school that is available to them.

Nick Harville, Executive Director, Woodburn Chamber of Commerce, 2241 Country Club Rd., Woodburn, OR 97071 he reported he has about 15 years of business and economic development experience and he sees Woodburn as a community that has witnessed many changes since it was first established by Jesse Settlemier. Even when the City was incorporated in 1889, Mr. Settlemier knew that diversity of the business and community were going to be the keys to growth of Woodburn. Today, according to the State of Oregon, there are 772 businesses in Woodburn, 75.3 percent of those businesses employ less than 10 people. Mr. Harville explained this is a testament to the number of small businesses that help generate the flow of funds in this community. In looking at the major industries that employ citizens in this community you will find that 34.5 percent are employed in the retail trade and another 23.9 percent are

employed in the service industry. These businesses are important to the community and provide needed services but in order to broaden the tax base, create new family waged jobs and further the diversity of the economy of Woodburn we need to expand and attract new businesses and companies to the area. He further indicated that at the present rate we will run out of developable lands within 5 years. In talking with City officials, the City of Woodburn has the best interest of the entire community at heart. The business development plans for the community call for further diversity and commerce generated, which would further support and enhance infrastructure and services provided by the City, schools and other community agencies and groups. Mr. Harville closed by saying new businesses in town help to support the retail and service businesses that already exist here by providing new dollars in to the community. Woodburn was born from agriculture when Jesse Settlemier used his vision and forethought to settle the community and he provided developable lots for new businesses that wanted to move to Woodburn. History seems to be repeating itself by expanding the Urban Growth Boundaries we are providing space for businesses that want to locate here.

Robert Walter Staack, 245 Ben Brown Lane, Woodburn, OR 97071 commented he owns property at 585 Grant St., which is an area where Nodal density is intended for and he was not clear as to what that would result in on his renters and neighbors.

Greg Winterowd clarified the Nodal development area is located in where Parr Rd. takes a dog leg and what they have tried to do for most of the community of Woodburn is not to go in to neighborhoods and up zone so that people's homes on individual lots are threatened. He further clarified that is why they are moving towards more vacant areas with the exception of Downtown for increased densities.

Jose Castillo, 1068 2nd St., Woodburn, OR 97071 through Chairperson Lima providing Spanish language interpretation, Mr. Castillo indicated he did not understand English very well and therefore, he was unclear as to what the hearing process was about.

Staff reported there is a translator in the Planning office that could assist Mr. Castillo and encouraged he come by the office or he could submit written testimony, if he preferred.

Alfonso, 1279 N. Second St., Woodburn, OR 97071 inquired whether his taxes will go up due to the proposed changes and if Second St. will be paved?

Staff interjected paving is not part of this proposal and he is not aware of any proposal to pave Second St. however, the person to contact regarding that issue would be Randy Rohman with the Public Works Department.

Will Denecke, OPUS Northwest, 1000 SW Broadway, Portland, OR 97034 was present tonight in support of the UGB proposal and would submit a letter to the Commission. He reported OPUS Northwest has 103 acres of industrial property that they are proposing to develop in to an industrial park located on the West side of I-5 and they have been involved in this process for 6-7 years. Mr. Denecke stated it is really nice to see this happening and for them to get to this stage. Additionally, he thought there is very good innovative planning by Staff and Winterbrook Consulting particularly in the areas of target industries and the interchange overlay. He said target industries are very demanding for a developer like OPUS Northwest because they just cannot go in and put up what they want. OPUS will be required to pick industries and job opportunities that fall into categories that the City has laid out with demanding criteria in terms of type as well as wage and income opportunities. Mr. Denecke further commented although it is a challenge for OPUS, it will give Woodburn the opportunity to improve its economic base. The interchange overlay is creative and a constructive approach to the I-5 interchange problem because everybody knows that currently I-5 is a big problem and unless that is managed correctly and improved, it will be a constraint on development for Woodburn and the UGB Expansion area. In closing, he added the discussion about a formula and how property owners might contribute if there is a funding gap and if the City will be looking for additional funding, perhaps in part from stakeholders or property owners, take place sooner rather than later.

Erin Donnelly, 480 N. Third St., Woodburn, OR 97071 commented her property is currently zoned residential and under the new zoning it would change to commercial office. She stated the entire street, with the exception of two properties, is entirely single family housing. It is a very nice neighborhood with

some of the original homes to Woodburn. The notable exception that is not a single family home is the old Woodburn Community Center. Mrs. Donnelly did not feel that it is beneficial to that neighborhood to change it to commercial office to facilitate the sale of the City property. It seemed very logical in her mind that the City has been trying to sell the property for quite some time and that is the connection for the City to want to have that be commercial office. She thought it would be better to keep the homes that are affordable and historical to Woodburn.

Staff interjected the old City Community Center is already zoned Commercial General and is the only commercial general in the Downtown area. The reasoning for the commercial office is to make the zoning consistent with the Comprehensive Land Use Designation, which is commercial. The Comprehensive Plan back in 1980 contemplated that property would all transition to commercial and all we are doing now is making the zoning consistent, which currently is inconsistent. Moreover, it is not legal to have inconsistencies between the zoning and Comprehensive Plan so we are bringing that zoning in to consistency with the Comprehensive Plan and we are trying to put on the least intensive and intrusive type commercial zone, which is commercial office.

Martin Rohrer, 16 Abelard, Lake Oswego, OR 97035 reported he bought a property on Arney Rd. North of the Woodburn Company Stores Outlet Mall back in 1979 and at that time there were three neighbors. He said they have consistently presented to various bodies of Woodburn their desire to go in as a group to develop the area. Mr. Rohrer further commented he and his neighbors were a little surprised when they found that they were not included in the most recent proposal. There are about 150 acres that could be used for industrial land out of about 125 acres in the area that is designated. Firstly, that area is the only area not proposed to be included that is surrounded by three sides by land that would be included in the Urban Growth Boundary. Mr. Rohrer further remarked it would be much easier to make a case before Marion County, LCDC and 1,000 Friends of Oregon if we take land that is already surrounded rather than expanding into areas that are outside the proposed Urban Growth Boundary. Secondly, this property more than any of the others is pretty much ready to go in terms of utilities. It would not require a South bypass and new freeway access and it would simply require starting the development. His vision of an industrial area would allow for sales/marketing offices at the manufacturing location, which is a little different than what is envisioned in the Southwest area. Lastly, Mr. Rohrer stated the property on Arney Rd. comes much closer to meeting the requirements for most manufacturers and developers than the other properties currently proposed to be within the Urban Growth Boundary zone to industrial.

Diane Mikkleson, 1090 N. First St., Woodburn, OR 97071 commented she was testifying as an individual. She said the plan for Woodburn's future presented tonight was designed to shape Woodburn's development as a community for the next 20 years. There are aspects of the plan that appear to deserve support including Downtown development and the plans for expanded recreational facilities and opportunities for Woodburn citizens. It was Ms. Mikkleson's belief that other aspects of the plan need to be given further thought. The quest for mega employers may not be the best economic choice for Woodburn especially if those companies work force needs can not be met by those of us already living in or near Woodburn. Moreover, the drive to expand Woodburn's UGB onto valuable farm lands while allowing vacant and underdeveloped sites within our current boundaries to continue to be idle is, at best, expensive and wasteful. She also remarked the community still relies on agriculture as one of its most important economic factors and we should look for ways to support and further develop this vital industry. A plan that emphasizes the accelerated development of large homes on large lots is not in the best interest of the community whose primary need is for sufficient multi-family housing. Additionally, it is important to support and encourage small and medium sized businesses that exist in Woodburn and actively recruit more of them. The need for a proposed Transportation Plan to create traffic patterns that preserve and promote the integrity and viability of Woodburn's core area rather than creating a ring-road that would pull development further away from existing businesses and already established infrastructure, which costs tax payers millions of additional dollars. She felt we could build a stronger, cohesive community by working together as we move further into the 21st Century.

Bob Lindsey, 7505 Windsor Island Rd. N., Salem, OR said he had the privilege of serving Salem in the years 1967-1977 first as a member of Council and then as Mayor from 1973-1977. He was part of the Urban Growth studies, which led to the concept of Urban Growth Boundaries and brought forth as part of the process Senate Bill 100. Mr. Lindsey commented the proposal brought before the Commission tonight is not in Woodburn's best interest and is a recipe for expectations never met. He further reported

there are two issues that surfaced from the Urban Growth studies in the early 70's that are still germane today. The public cost of development and the ability of urban centers to fund those costs and for cities to survive need to address two issues: patterns of design and development and develop an elastic funding base or they are going to go broke. Mr. Lindsey described the City of Salem as a classic example of an urban center in deep economic trouble. In the summer of 1976, Salem had a triple A credit rating and Salem's credit rating as of today has plummeted down to an A. In Salem as the population numbers increased, all systems came under stress and the numbers increased, the library hours decreased, the aquatic program slipped away, traffic issues greatly increased, the public safety response decreased, the capacity to supply and treat water decreased, and the livability and lovability in Salem is diminished. He further added the consultants proposal in its present form leads you right down that path. Woodburn has more than enough land mass in its existing urban growth boundary to accommodate those population numbers that have been assigned by Marion County. In closing, he pointed out Woodburn is a service center for the agricultural industry and this approach is not within Woodburn's economic capacity. He commented Woodburn's best course of action would be to look inward and play to its strength. The challenge is to create a sense of identify and a place that speaks to livability and the challenge is how to build that livable lovable community and not bring pain and misery to the tax payers.

Kathleen Carl, 13324 Carl Rd. NE, Hubbard, OR 97032 strongly believed that Woodburn's Comprehensive Plan needs to develop an economic model that benefits the existing population like focusing on local businesses rather than large employers. She remarked many new jobs are created without land being developed such as a processing plant or manufacturer adding a second shift or a retail business expands its hours and hires new people. Ms. Carl hoped the Planning Commission looked at the needs of existing business. She believed Woodburn's economic model should focus as much as possible on utilizing existing infrastructure, which takes care of our tax payers investment. Expanding to new land is not of benefit to most taxpayers and a new economic model that turns more inward would capitalize on our assets and help our citizens. Ms. Carl closed by stating Woodburn really needs to build a city that works together and looks at businesses that are putting money into Woodburn's pocket right now. We can accommodate the goals of Woodburn with an expansion that is more limited.

Lolita Carl, 13324 Carl Rd., Hubbard, OR 97032 urged to look 50-75-150 yrs. into the future. She reported her farm has already had five generations of family living on it in only 90 years. If we think short term, our beautiful valley of mild climate and rich resource land will be paved over. Some day we might not be able to afford to import strawberries and apples from thousands of miles away because agriculture is Marion County's number one industry and you can not stack farm fields on top of each other. Moreover, much of the housing and commercial needs for a small city could easily go vertical because it is more efficient to have apartments with several stories over commercial as seen in many Downtowns. Ms. Carl further added this smaller footprint makes the city more walkable more livable and engenders community spirit. She reported Woodburn has ignored the enormous egg production supporting and surrounding it and the thousands of its residents who work in the egg industry. Reference was made to EcoNorthwest Woodburn Economic Analysis and she pointed out most of these people's occupation has not been counted. Additionally, she indicated Woodburn has recently spent a couple of millions of tax payers dollars for land for additional sewage treatment and roadway construction, this only for the land not for the future millions to develop it. She felt Woodburn has a dependable and growing economic base in place with agri-business and the farmers are not pushing for new roads and infrastructure. The ones who are really pushing for development and expansion are consultants who are paid to say we need it. She pointed out Greg Winterowd was simultaneously paid by Opus Northwest to try to get its land in the expanded UGB while being paid by the City of Woodburn, which is a serious conflict of interest that can not be ignored. In closing, Ms. Carl remarked our rich Willamette Valley soil can produce new crops of food every single year to feed endless generations. How many industries can say that?

Randy Sebastian, 1677 Boones Ferry Rd., Lake Oswego, OR supported the Winterowd Planning Plan. He said Woodburn has unique opportunity as the Tukwila Golf Course is the only course in the Portland Metro Area where people can actually buy a new home on a golf course. This is attracting new residents who are coming in from Lake Oswego, Tigard, West Linn, Tualatin and are typically empty nesters paying City taxes whose kids are gone and are not putting pressure on local schools. Moreover, all the utilities are new and are being brought to the site with an emergency access road being built to the site this summer. Mr. Sebastian further commented he has been building at Tukwila Golf Course over the last

four years. Although it was slow to start, we now have great momentum and have a waiting list for future phases for people wanting to move to the Tukwila Golf Course.

Vasily Mokanukoff, 1031 Queen City Blvd., Woodburn, OR 97071 indicated he was not familiar with the proposal and that such plan even existed. He expressed concerns with the amount of acreage that is being proposed for industrialization.

Staff informed Mr. Mokanukoff that all of the proposed plans are on the City's website, at the Library or at City Hall in the Planning Division. He stated one of the Planners could go over any questions Mr. Mokanukoff might have if he came by City Hall.

Pat Doyle, Kelley, Kelley, Doyle, 110 N. Second St., Silverton, OR 97381 represented Mr. Dale Baker who owns 10 acres zoned AR in the Butteville expansion area and there are five homes currently on the property. He indicated they were in favor of the UGB expansion. Mr. Doyle entered a legal memorandum into the record and briefly summarized the contents of the memo. He reported this property is already a goal exception property and it gets a special favor on that basis alone. It is committed to residential use and considered less productive farmland so we are not reaching in to any of the high productive farmland. Secondly, in 1992 the City of Woodburn adopted Ordinance 2081, which essentially expanded the UGB to take in this property. Marion County disagreed with that conclusion at the time based on need, however, in the ensuing years we have seen that in fact that need is there and the 10 acres of land will help the City of Woodburn to meet its buildable lands requirements and will help the City to put people in to homes and to make a more livable community.

Toni Spencer, 13736 Wilco Hwy. NE, Woodburn, OR 97071 stated she is a native Oregonian that has lived most of her life on a working cattle ranch in a rural area. She felt compelled as a concerned citizen to comment on the proposed expansion of the UGB. Ms. Spencer indicated she had great respect for those that live and work on the land as well as she realizes the importance of the economic stability that it provides the community. Agriculture and food products are Oregon's largest export by volume and the value of these products has increased in 16 of the past 18 years, according to the Oregon Department of Agriculture and Marion County ranks number one in Oregon for growth agricultural sales. She expressed concerns in that we may be too eager to include valuable prime farmland in the proposed UGB. There are vacant properties in areas within the current UGB that can be redeveloped and reoccupied. Additionally, there are at least 8 properties in the industrial park just off Hwy. 214 for lease or for sale and there was one 137,000 sq. ft. property sitting empty. Ms. Spencer further commented all vacant buildings are not even counted in the consultant's inventory of vacant industrial properties. She indicated we have a responsibility to solicit new industry in to our underdeveloped and undeveloped properties before we expand the current UGB because we have the capacity for new industries in our current UGB. It was her hope that we carefully determine and decide what is really needed before including prime farmland in the proposed UGB. Although we all would like to see economic progress in Woodburn, we have to remember that new industry can move in, cost the taxpayers millions of dollars in taxes for sewer, water, sidewalks, roads and then up and leave just as fast leaving us with the unemployed and the bill because once prime farmland is paved over, it is gone forever.

Kay Peterson, 13740 Wilco Hwy., NE, Woodburn, OR 97071 she asked the Commission to carefully consider the testimony that is being submitted this evening. We all want Woodburn to be an economically viable community, however, some of us just differ on how to accomplish this. She described her mother having been born in Woodburn and raised on a dairy farm in Hubbard. Additionally, her husband is a small business owner in Woodburn located on Evergreen Rd. South of Hwy. 214 and are members of the Woodburn Chamber of Commerce. Both oppose the proposed expansion of the Urban Growth Boundary. Ms. Peterson commented expanding the UGB would only make the traffic nightmare on Hwy. 214 and the freeway interchange worse. She indicated more and more of her husband's clients have complained about how difficult it is to negotiate the traffic when driving to his office. Pushing growth on Woodburn would do nothing to improve the livability of this community. Ms. Peterson felt it was wrong to take some of the best farmland in the country out of production forever in order to attempt to attract some high tech industry to Woodburn, which she doubted a high tech industry would locate in Woodburn because many of the high tech industries have abandoned the United States and gone to China. Agriculture can quickly retool to respond to current market conditions as other industries just pick up and

leave. In conclusion, Ms. Peterson stated the 500 acres Winterbrook Consulting says is needed for industrial sites should stay as it is, productive farmland for our benefit and that of the future generation.

Tom Fessler, 14025 Dominic Rd., Mt. Angel, OR 97362 said he is a fourth generation farmer in the Woodburn area and is an affected landowner in the expansion proposal. He favored the expansion proposal as it currently stands.

Mike Celmer, 389 W. Hayes St., Woodburn, OR 97071 reported his family searched for about 2 ½ yrs. consistently trying to find a home and ended up in Woodburn across the street from the old community center. He said he works in Woodburn and purchases goods and services here. Mr. Celmer stated he would have like to have known of the proposal four years ago before he purchased his home because he probably would have not ended up living in Woodburn because the proposal affects him financially. He felt if the City continues with this proposal it would take equity away from his home and basically throwing it away.

5-MINUTE BREAK AT 8:45 PM

Roger Alfred, 1120 NW Couch St., Portland, OR 97209 stated he was present tonight on behalf of Renaissance Development. He reported Renaissance Development has developed the Links at Tukwila, which is immediately South of the proposed UGB and supports the proposal put forth by Staff to extend the UGB to include that area to the North which consists mostly of the OGA Golf Course. Mr. Alfred further commented Staff has done a very thorough and very comprehensive analysis. The UGB Amendment is a very complex process that requires the weighing of not only some fairly strict legal rules but also a lot of competing interests, which he felt Staff has done a very good job in weighing all those things. Moreover, the primary thing that the law requires is under Goal 14 is an orderly and efficient extension of urban land onto rural land. The OGA parcel is a unique opportunity from a legal prospective in that you are able to expand onto an area that is not currently in any kind of resource use at all and it is already committed to the golf course use and hopefully where Renaissance will be able to add another 150 homes and not simultaneously taking any farmland out of production. Lastly, Mr. Alfred mentioned expansion in that direction is consistent with prior City decisions in that approval of the most recent phase of the Links of Tukwila Subdivision also included a condition requiring the extension of the road across from the North over to Boones Ferry Rd., which is consistent with the future prospect of more residential development in that area that can fit in the golf course.

Sid Friedman, 1,000 Friends of Oregon, 189 Liberty St. NE #307A, Salem, OR 97071 pointed out many community members have a very different vision for Woodburn's economic future than the vision presented by the consultant. He commented that community vision can be accommodated using very reasonable assumptions that are at least as legally defensible as the consultant's. If the consultant's recommendation is adopted, Woodburn would have 500 net buildable acres of developable industrial land, which is a huge amount of industrial land. He compared Medford's proposed 431 acres of industrial land for the needs of an additional 94,000 thousand people. Salem/Keizer with a population that is seven or eight times the size of Woodburn's thinks it could take decades to develop the 500 acre Mill Creek Industrial site. Additionally, Woodburn has 7% of Marion County's population, 8% of Marion County's jobs and between 1990-2000, it captured 11% of Marion County's job growth. Yet the Winterbrook projection assumes that Woodburn would capture 23% of Marion County's projected future job growth, which he believed was unreasonably optimistic. However, even if this inflated projection occurs, by the consultant's own figures, the 503 acres of industrial land would accommodate far more industrial employees than the 38,136 projected under the consultant's most optimistic scenario.

Theodora Tarbet, 13305 Carl Rd., Hubbard, OR 97032 commented the Economic Opportunities Analysis prepared for Woodburn concedes that it significantly underestimates agricultural employment. The employment in the agricultural sector grew by 40% in the Woodburn zip code between 1990-2000. She indicated the Economic Opportunity Analysis ignores Woodburn's location in the middle of productive farmland and at the center of the County's number one industry. Additionally, it fails to identify Woodburn's role as a commercial and cultural center for the Valley's Hispanic population as a possible advantage. Instead, it lists an employment goal that Woodburn lose up to 222 agricultural section jobs by 2020. Woodburn is surrounded by prime and high value farmland, which is protected by State law and Oregon Revised Statute Chapter 197.298 governs UGB expansions. In particular, it dictates priority

factors for bringing land into a UGB and the Statute requires that land of lower soil classification be included in a UGB before land of higher soil classification. Woodburn should expand further South on to the lands of lower soil quality if Woodburn can prove a factual basis for needing to include more land. The same Statute also prioritizes acknowledged exception areas adjacent to a UGB as land that should be included in the UGB before lower priority lands unless the exception areas can not reasonably accommodate new development. Ms. Tarbet used the Carl Road exception area in which this statute applies. She felt it is not necessary to bring all 13 acres of the exception areas since it can not reasonably accommodate identified land needs.

Amanda Deyerle, 17244 Arbor Rd. NE, Woodburn, OR 97071 addressed the transportation issue and remarked transportation plans are generally highly technical and a person can easily get lost in the numbers. The important part of a transportation plan is how it will affect the livability of neighborhoods and viability of economic activity. Ms. Deyerle pointed out I-5 separates commercial and residential development from the rest of the City and Highway 214 splits schools and neighborhoods on the North from the rest of the community to the South. The Transportation Plan needs to address the fragmentation of commercial and residential areas. She did not believe the funding sources available will be able to make the changes except on a piecemeal basis. In the meantime, development will be occurring that has no access to Parr Rd. and traffic will be forced back in to the residential areas between the proposed industries and Highway 214. Ms. Deyerle reported experience shows that building more roads increases, traffic, increases development and puts tremendous stress on core areas, i.e., Lancaster. She further commented Highway 214 bypass in Woodburn pulls development towards the outer areas economically depressing Downtown and is one of the biggest traffic headaches in the City.

Jim Grigorieff, 1315 James St., Woodburn, OR 97071 indicated he owns property that is adjoined by two RM properties and requested that the property go with the original comprehensive plan and become RM. He stated the property has unique situations, which include a 2-story fourplex directly behind and within 10 ft. of the property line, the entry side of the units face his back yard and the second stories have windows that look right over his back yard. Needless to say they do not share the same privacy as the other RS lots because the other lots have a 25 ft. driveway plus a single-story garage behind them before the 2-story apartments begin and even then they have east and west entry ways, which allows much more privacy as compared to his lot. Mr. Grigorieff also mentioned he purchased Parkdale Manor, which are the apartments to the West of his property and he intends on being on-site manager and provide maintenance for the apartments. In conclusion, he said based on the criteria stated in the notice, his lot would be better served adhering to the original comprehensive plan and going through and RM zone designation because most of the property on the block is made up of two large apartment complexes, the Woodburn Armory and therefore, future development in fitting with the surrounding properties as stated in the notice would convince him that an RM zoning for his lot would be best for the comprehensive plan and for future plans.

Craig Robinson, 1345 James St., Woodburn, OR 97071 said he would like to keep his property RS because he has apartments behind him and gets trash thrown over his fence, urination and all sorts of nuisances and would hate to see this happen on all three sides of his property.

Tom Brawley, 4536 Wintercreek Rd., Jefferson, OR represented the Marion County Farm Bureau and an industry that generated half billion dollars last year, which is agriculture. Marion Country Farm Bureau is interested in keeping and preserving all productive agricultural land. He stated one square mile of land is a lot of land base to be lost to an industry. We have a unique climate and a unique opportunity for more commercial products grown than anywhere else in the world. Natural resources that are non-renewable have to be protected and it begins here and needs to continue. Mr. Brawley commented there are three alternatives, look at infill, reduce the number of acres proposed and ease in to it and not take a big block and look for other avenues, or do nothing and let the status ride as it is. He felt the plan weakens a proven industry for an unknown.

Staff restated the record would be left open until 5 pm Thursday, February 10th and encouraged anyone who would like to submit additional written testimony addressed to City of Woodburn Planning Department, 270 Montgomery St., Woodburn, OR 97071. Staff will then review all the testimony and provide the Commission with responses, as applicable, to that testimony at least a week before the next

hearing, assuming tonight's hearing is continued until February 24th, at which time the Commission may continue with deliberations if they chose to do so.

Vice Chairperson Bandelow moved to close the portion for public testimony except for written testimony that would remain open for an additional seven days and we continue the hearing until February 24th, at which time discussion among the Commission would be open. Commissioner Grigorieff seconded the motion. Motion unanimously carried.

ADJOURNMENT

Vice Chairperson Bandelow moved to adjourn the meeting. Commissioner Hutchison seconded the motion, which carried unanimously. Meeting adjourned at 9:30 pm.

APPROVED_____ _____

CLAUDIO LIMA, CHAIRPERSON DATE

ATTEST_____ _____

Jim Mulder, Date
Community Development Director
City of Woodburn, Oregon

Exhibit B-1

METRO

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793

☆ REC'D ☆

FEB 04 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Council President David Bragdon

February 3, 2005

Jim Mulder
Community Development Director
270 Montgomery Street
Woodburn, OR 97071
Fax: 1-503-982-5244

Subject: Legislative Amendment 05-01, Periodic Review Work Order #00784

Dear Mr. Mulder:

We appreciate the opportunity to comment on the record in your consideration of urban growth boundary (UGB) expansion around Woodburn.

Early in 2004, Marion County Commissioners Patti Milne, Sam Brentano and Janet Carlson and John Brown from Woodburn met with the Metro Council to discuss their concerns about possible expansion of Metro's UGB south of the Willamette River at Wilsonville for industrial use. Marion County officials made it clear they strongly opposed proposals for the Metro Council to expand our Urban Growth Boundary south of Wilsonville. We were grateful that they took the initiative to meet with us concerning the importance of agriculture to Marion County, transportation infrastructure, competition for jobs and new industrial land, and the need to raise the standard of living in Woodburn. At the same time, our staff consulted with staff from cities south of our jurisdiction, including Woodburn, to solicit their views. Again, we heard strong opposition from Marion County jurisdictions and agricultural interests regarding the proposal to move Metro's UGB south of Wilsonville.

During the very constructive conversation at the meeting with Marion County Commissioners, we all agreed we are part of a larger economic unit encompassing the north Willamette Valley. The City of Woodburn and Marion County officials made clear to Metro that actions the Metro Council takes, such as an expansion of the UGB, have an effect on it neighbors. As you probably know, in part due to opposition from our southern neighbors, the Metro Council chose not to expand its UGB south of the river at Wilsonville.

The Metro Council will soon be just finishing up its periodic review process, which included expansion of the UGB and adoption of policies to use the land inside the existing boundary more efficiently. As we wrestled with state planning requirements and how we could create livable and economically viable communities, we referred on more than one occasion to our conversation with the principal representing Woodburn and the County and the lessons learned that afternoon.

Accordingly, we were concerned to learn of the magnitude of the UGB expansion now being contemplated by the City of Woodburn.

Metro is not yet finished with its UGB work. In response to a remand from Land Conservation and Development Commission (LCDC) in December 2004, we expect the Metro Council will have to add several hundred additional acres to the regional UGB in the next several months. It is in the spirit of last year's conversation with you that we would like to offer to meet with Woodburn and Marion County about the UGB policy issues of mutual concern and explore how our common obligations can be addressed in the best public interest. As we discussed last year, decisions made in one of our jurisdictions affect conditions in the other jurisdiction, and vice versa. Woodburn's potential actions could have an influence on the future shape of the metro region, as well as on the transportation facilities (most notably I-5) between the southern edge of the metro region and Woodburn. We hope that the state government will join the affected local jurisdictions in evaluating these external impacts we have on one another. We look forward to meeting with you.

Sincerely,

David Bragdon
Metro Council President

cc: Kathy Fisley, Mayor of the City of Woodburn
John VanLandingham, Chair, LCDC
Sam Brentano, Chair, Marion County Commission
MPAC

Exhibit "B"-2

☆ REC'D ☆

DEC 2 1 2004

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

12-11-2004

To Whom It May Concern:

A comprehensive plan has been basically approved by ODOT, county, city and developers. The plan is enclosed and the perimeter arterials are shown in color and are based on the plan developed to move the U.S. Capitol from Philadelphia to the District of Columbia. George Washington hired a New York architect to develop the perimeter plan for Washington D.C. We find that Woodburn possesses a perimeter plan that complies with that used by large cities.

Constantly moving traffic would exit 271 with a right turn on Lawson; another right to the area where room may be found for another motel and an entrance and exit for the existing restaurant, opposite the north entrance to Wal-Mart. Most traffic would continue on Stacy Allison to Parr Road. Some would exit to Harvard Street east of Wal-Mart. Most will exit to Evergreen. Every effort should be made to widen Evergreen to three lanes, merge with Harvard and the city planning department should redesign this intersection so Evergreen and Harvard would merge to four lanes and proceed south to Parr Road.

The four lane extension of Evergreen should be complete with bicycle lanes, trees, etc. It was never intended that Parr Road north of Centennial Park be used as an arterial express, but that Parr Road south of Centennial Park coming from the Butteville overpass would continue east over the railroad and connect to Boones Ferry going south to 99E.

Since Exit 271 is very apt to be overcrowded in 30-50 years it is important that the right of way for a four lane highway (Evergreen) continue south to the north/south section of Parr Road, then east over a new easement of four lanes, over railroad, and to the intersection of Boones Ferry. This intersection would provide access south to 99E and north to Settlemier and 214. It would be prudent to plan the intersection of the new road south of Centennial Park and Boones Ferry as a first unit of construction. It would also be prudent to add a fifth lane so it can carry traffic from 99E to the new shopping center without interruption. The intersection would provide continuous travel north on Boones Ferry.

The new road south of Centennial Park would be west to Evergreen and go east to a new bridge across the widened 99E with access under the bridge going north to Seattle.

ODOT has assured us that if the perimeter road is followed by the city and others, they would intercede in obtaining the right of way. There is no indication that this resistance will happen and it may be contracted back so it can be used for farm purposes. The right of way intended is for the road marked (proposed new road) on map.

The road would continue east as a perimeter road to the intersection of the Hillsboro Silverton highway where it would form a very important highway from Newberg to Silverton.

The perimeter road would continue to encircle an area already in use for residential and business purposes. The perimeter road turns west and crosses 99E north of

town, goes west over the railroad and so on Front Street to 214. At some future time it would continue west on Crosby Road to intersect with Butteville Road.

The two roads shown through the Smith Addition and Parr Road north of Centennial Park would collect traffic from old town and connect it to the new shopping center south of Wal-Mart.

It seems logical that the area in the Smith Addition be used for residential purposes since there are other areas available and more suitable for manufacturing. The roads would collect traffic developed by those from the Smith Addition.

The lanes of traffic running east and west according to enclosed map four for 214, two for Hayes Street, four for the two lanes through the Smith Addition, two for the road north of Centennial Park and four for the perimeter road south of Centennial Park. A total of sixteen east-west arterials compared to six provided at present time. (Two for 214, two for Hayes, and two for Parr Road north of Centennial Park.) This should tell one that the perimeter road is the proper solution.

This treatise is meant to cover transportation. Zoning must be taken into account because of traffic generated. The area west of I-5 and south of 219 should remain zoned as it is. The area south of Wal-Mart should be zoned for business.

Since it was proposed and bonds sold for a Police Station near Legion Park and access to 214 is difficult to get, it might be better to move all city buses and vehicles to the area near Legion Park. Purchase run down property near City Hall for a new Police Department.

It is obvious that Chemeketa will never be able to house all or Woodburn's growing school population, so with luck and promotion, Woodburn might fall heir to some acreage near the mass transit station on the Oregon Electric right of way.

Recent map of Washington D.C. enclosed. Original draft and reference on film "Mr. Dreyfuss goes to Washington" available through public libraries. Solving Woodburn traffic depends on inducing traffic between Exit 271 and 99E by way of Boones Ferry Road.

It's noted on television airplanes can fly from Los Angeles to New York and back in six hours due to some new airplanes covered with new material. Mr. Husby and I discussed using the right of way of the Oregon Electric Railway as an extension of Portland Transit system. We both agreed it was too early to be considered but maybe we should investigate the possibility of building the transit with the same framework and coverings used on these airplanes. I even dreamt that these passenger cars would be carried on cables on a framework like a ski lift and glide over the traffic below.

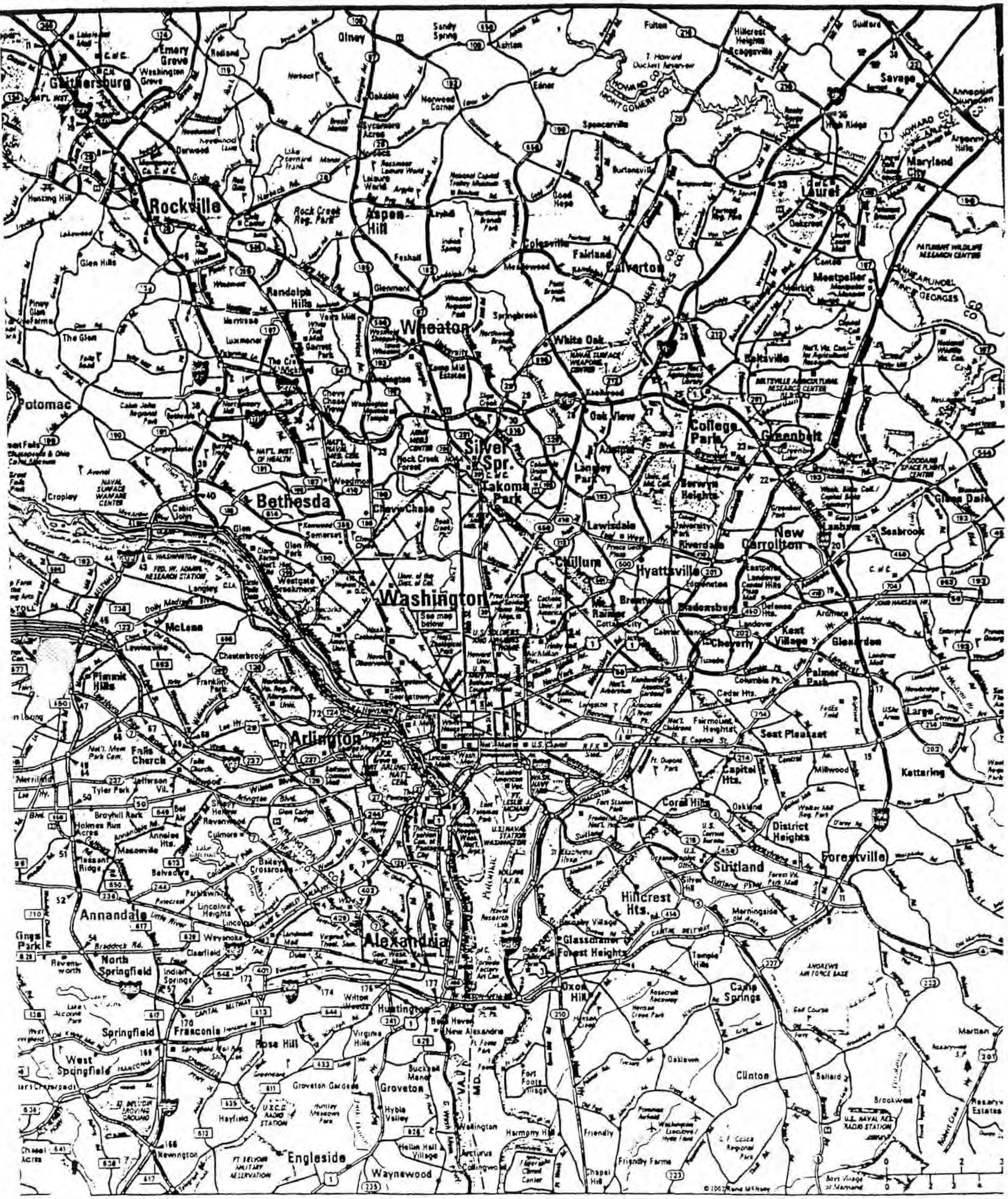
I would like to announce that due to illness I am no longer able to take an active part in solving Woodburn traffic. I believe it would be in order that those receiving this material to be given three or four weeds to study it. At which time Mayor Figley would assemble the group and give each recipient a chance to submit written opinions or short verbal comments. Based on this, elect a small committee to begin solving our traffic as a whole, federal, state, county, city, and the public as quickly as possible.

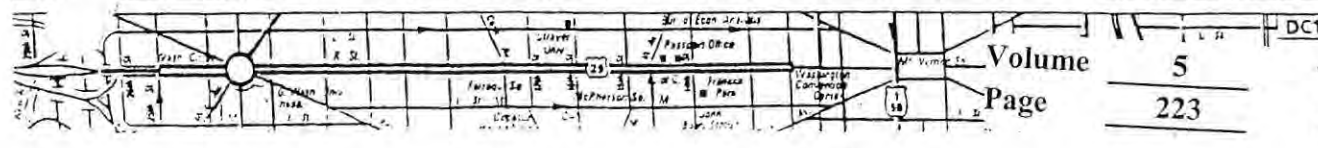
Sincerely

Keith Woollen

Keith Woollen, Retired Architect

CC: ODOT, Mr. Husby, Mr. Cole
County Commissioners
Mayor Figley, City Council, City Planners
City Public Works, ATT: Randy Rhoman
School Board
Hazel Smith
Woodburn Independent





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1 - 25 - 05

☆ REC'D ☆

FEB 03 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To: City of Woodburn Planning Commission

Re: Proposed zone change at 1315 James St.

My name is Jim Grigorieff and I live at 1315 James St.. My wife Elaine and I have lived at this address for 15 years and at the apartments next door for another previous 6 years.. We have seen a lot of changes in our neighborhood and feel very much connected and a part of it. After managing the 22 apartments next door at Park Del Manor for several years we have now taken ownership of this property, as well as the property at 1315 James St.. We would like to respectfully request that the zoning for the property at 1315 James St. be designated as RM.

Some of the reasons why this lot at 1315 is different than the two other RS lots designated for an amended zone change are as follows:

1. This lot has a 2 story 4 plex directly behind and within 10 feet of the property line. The entry side of these units face our back yard. The 2nd stories have windows looking right over our backyard. Needless to say we do not share the same privacy as the other RS lots. These other 2 lots have a 25 ft. driveway plus a single story garage behind them before the 2 story apartments begin and even then they have east and west entry ways. This allows much more privacy.

2. Our lot also has the distinction of having RM zoned properties on 2 sides of the property. Unlike the other two lots in question. The 22 apartment units to the west of our lot and the 4 plex behind us makes this particular lot at 1315 James St. more conducive to an RM designation.

3. We purchased Park Del Manor apartments and the house on 1315 James St. with the intent of being on- site managers and also provide maintenance for the apartments. The RM zone designation would be more conducive to carrying out these plans with less restriction than an RS zone designation.

In conclusion I would like to say that based on the criteria stated on the Notice of Public Hearing that our lot at 1315 James St. would be better served adhering to the original comprehensive plan and go to a RM zone designation. This is because most of the property on this block is made up of the Woodburn Armory and two large apartment complexes. Therefore an eye toward future development and fitting in with the surrounding properties (as stated in the notice) would convince me that an RM zoning for our lot at 1315 James St. would be best for the comprehensive plan and for our future.

Thank you,
JIM GRIGORIEFF

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LEGEND

LINE TYPES

SYMBOL TYPES

NUMBERS

000 00 00 0

NOTICE: This map was created for Assessor's Office use ONLY.

Assessor "We Care" GIS
Geographic Information System

PROPERTIES IN QUESTION
COLORED IN GREEN.
1. 1315 JAMES ST
2.
3. 1315 TIERRA LYNN DR

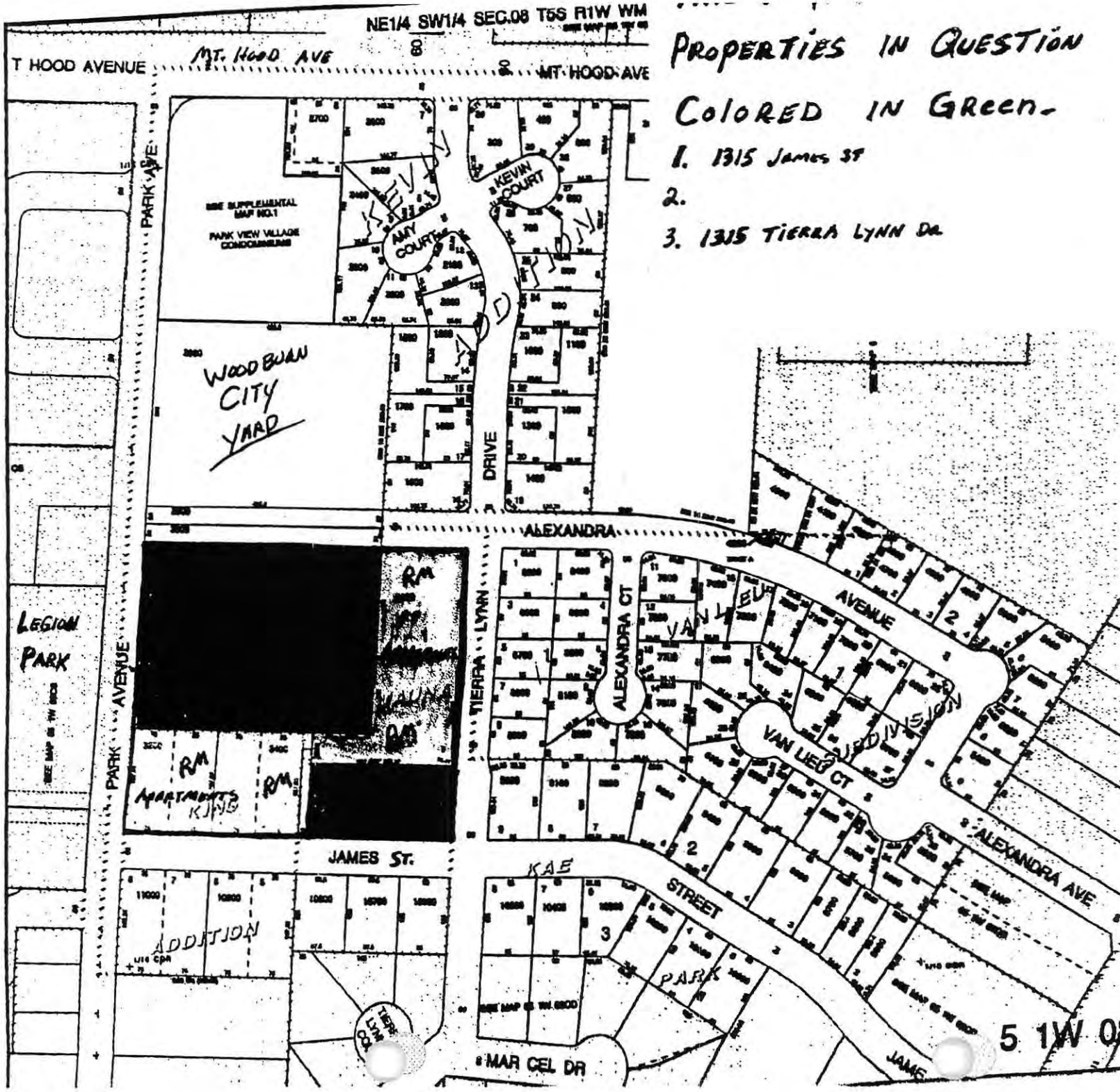


Exhibit "B"-4

To Woodburn Planning Comission,

☆ REC'D ☆

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

I live at 1315 Tierra Lynn Drive. My neighbor who lives at 1315 James Street. Asked me to consider a zone change. I have no plans to sell or add on to my home. I would like to keep the RS zone on my home. and area. Thank You.

Esperanza alvarez

Esperanza Alvarez
315 Tierra Lynn Dr.
Woodburn, OR 97071

FEB 0 3 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Jim:

I writing in regard to any possible impact that the proposed UGB will have on my property. My primary concern or question is this; Why does the proposed Commercial zone stop at Belle Passi Road rather :n proceeding to the south end of the proposed UGB. It seems only natural that at least the frontage)perties would be included as they are much more characteristic of a Commercial nature then that of Residence only. For that matter, why are they included at all, considering that the common boundary appears to be Belle Passi rd, with the exception of the 5 Properties in the corner SW section of Belle Passi & 99E?

Please see the Document that I've prepared giving a brief description and current usage of each of these properties. It seems pretty convincing that this area should be included as Commercial. Please also note that "All" the properties from Belle Passi Road to Woodburn are categorized "Commercial"

FYI: I have lived in my current location for more years then any of the current residents/landowners in this area. I have owned and lived at my current residence located at 1055 S. Pacific Highway for aprox 28 years and have become quite familiar with the neighborhood over that course of time.

Thanks:

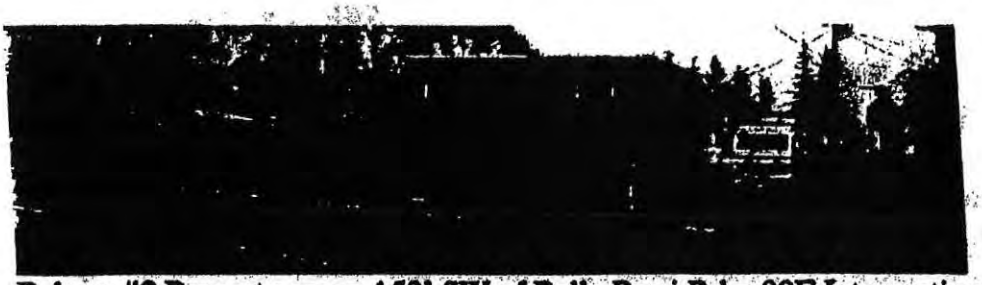
John Catterson
1055 S. Pacific Hwy
Woodburn, Or 97071
1-503-981-4448

PS:I left a message earlier today with hopes of discussing this issue. Please respond if possible today. I would like to attend the meeting, but due to another appointment, I might not be able to.
Mobile Phn 503-984-1121

Highlights West Side 99E just South of Belle Passi Rd

Highlights East Side 99E just South of Belle Passi Rd

Below: #1 Property SW Corner of Belle Passi Rd x 99E Intersection-Current used as residence with large shop being used for commercial/wholesale Woodwork



Below: #2 Property aprox 150' SW of Belle Passi Rd x 99E Intersection-Currently used as Residence & Home Occupation

Below: #3 Property aprox 375' SW of Belle Passi Rd x 99E Intersection-Aprox 20 Site Mobile Home Park

Car Lot on East Side of 99E directly across the highway from Property #2

11844 Chateau Drive N.E.
Woodburn, OR 97071

President George Haight 503-981-8089

Water Master Mike Palmer 503-981-3967

☆ REC'D ☆

FEB 0 9 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

February 7, 2005

Planning Commission
City of Woodburn
270 Montgomery St.
Woodburn, OR 97071

Dear Commissioners,

I attended last week's Public Hearing and was pleased to have confirmed that Chateau Drive (on the Northeast corner of the Study Area off Carl Road) was not currently included in the expansion of the Urban Growth Boundary.

The last seven years I have served as the volunteer President of our 43 lot subdivision's street light taxing authority and community well system. At our annual meeting last month, I addressed the notification mailings from the City that we all received. No one spoke in favor of inclusion. Each time the past seven years when this topic has arisen, I have never had a property owner speak in favor of coming part of the City of Woodburn.

I chose not to speak at the hearing but to submit this letter for your consideration.

Respectfully,

George Haight

George Haight

11844 Chateau Dr NE
Woodburn, OR
503-981-8089
fax 981-1855

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Exhibit "B"-7

☆

February 7, 2005

FEB 0 9 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

City of Woodburn
Planning Commission
270 Montgomery St.
Woodburn, OR 07071

Dear Commissioners:

I attended the meeting held February 3, 2005. I would like to give written testimony concerning the expansion of the urban growth boundary. I realize that the city needs to have lands available for future growth, but I would like to ask the commission to please look at all sides before making a decision.

I reside at 16786 Butteville Rd. NE, Woodburn, OR 97071. One of the issues of concern is traffic. Already semi-trucks use our road as a bypass for the truck scales. I am very concerned about increased traffic when more industrial land is developed on the south side of Butteville Rd. I would hope to see a concrete plan for alleviating this traffic problem before more traffic is dumped onto Butteville Rd. I am especially concerned with the probability of the Seven Oaks subdivision being resurrected. This would allow at least 37 homes (possibly more with the increased density proposed) to be located on these ten acres further adding to the traffic flow. At current time, the property has approval to build seven houses on the site. Four have been built, with one existing farm house and barn also in place. The property will also be connected to Ten Oaks Lane also bringing more traffic from West Woodburn on to Butteville Rd.

Is there not a way that the city can annex in the needed industrial lands without sacrificing rural residential areas? There are several small tree farms and nurseries on our road. These will be greatly affected.

Thank you for your consideration of this testimony.

Judy Ficek Russell Ficek

Judy Ficek Russell Ficek

Cc: Marion County Commissioners

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FEB 10 2005

Woodburn Planning Division, (Jim Mulder);

WOODBURN COMMUNITY DEVELOPMENT DEPT. 2-10-05

My name is Richard Warnick, I own the property at 1365 N. Front st., which is approximately .70 acre zoned CG. I have been told with your proposed amendments that my property could be rezoned to RM if passed. This would radically decrease the value and usage of my property. I would like to make it known that I oppose this amendment on those grounds.

I have recently started a business on one end and getting ready to lease the other partial that I am not using. I was told that I could continue if this were that business or a like business, but that does not address the fact I am going to lease the other end to whomever might want it for what ever type business and that could change from time to time over the years. It also does not address the fact that when I go to sell, no one will want to buy something with those conditions attached. Therefore devaluing the property.

In your notes regarding my property, it states that the buildings are run down and in need of repair, this is not true. There are 10,000 square feet of office, warehouse and shop space that are in excellent condition. I have new metal roof on all of it, metal siding on all the warehouse and shop, new siding on the front of office and the construction of warehouse and shop are steel trusses with some side wall to the south being block construction. Your notes also state that this property touches the RM property to the North, this is also not true. This .70 acre does not abut RM zone property.

There is yet another issue if you are to proceed. I recently went in and took out permits to install storm system and blacktopped everything out front of the property. If you had this in the works why didn't somebody say something instead you took my money and allowed me to invest a rather large sum in storm drain and blacktop.

I don't want to cause problems but I cannot allow this to go through without some provision to leave me zoned as I am.

If you have some ideas how we can work this out please feel free to call 503-871-0361 cell or 503-792-3335 or e-mail at outwest@xpressdata.net or write to Richard Warnick at 9925 72nd ave. Salem, Oregon 97305.

I would appreciate some kind of response.

Thank You ..Richard Warnick

Richard Warnick

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Exhibit "B"-9

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

To the Woodburn Planning Commission: February 10, 2005

On February 10, we delivered to the Planning Commission offices a petition bearing the signatures of what we believe may be nearly every resident homeowner on 2nd and 3rd Streets. The petition also includes signatures from many neighbors in adjacent areas, who would be impacted by the proposal.

On February 10, we also presented approximately 20 signed letters from affected residents requesting that you permit public testimony on February 24 regarding the potential zoning change facing the residential core of historic downtown.

This large amount of signatures and letters were gathered in just two days by four neighbors. This amazing response shows that your constituents desperately want to have a say in the decision you will make about converting their homes into to commercial property.

On behalf of all the petition signors we implore you to accept public testimony on February 24.

Please note that every affected home owner that we contacted readily signed the petition. Please note that virtually every home owner also commented that they felt that the notification sent by the city did not properly convey that the zoning changes affected our area. Even residents who are well-versed in city business, from newspaper reporters to city councilors to business owners, indicated that they did not realize that their homes were included in the proposed changes. Further, many said that because they live in a historic area, they believed that they didn't have to worry about such changes to an almost completely residential area that has been relatively unchanged throughout their lifetimes, and for more than 100 years.

Those of you who serve on the planning commission are our representatives-- and our only voice. We hope that this overwhelming outpouring of extreme concern from virtually an entire neighborhood will convince you that you must advocate on our behalf and arrange to re-open oral testimony on February 24.

Sincerely,

Erin Donnelly

Dan Wells

Ruth and Dan Wells, 503-982-0552
Erin Donnelly and Jeff Nemish, 503-981-9787
Petition Gatherers

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Exhibit "B"-10

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Petition

to Stop the Zoning Change

Proposed for

Residential Downtown Woodburn

The undersigned do not want the downtown historic residential Second and Third Streets area to be zoned commercial/office as proposed by the City of Woodburn. We want this area to remain residential to preserve both the historic and residential character.

Please note:

We believe that this petition has signatures from nearly all of the owner-occupied homes (and most renters) in the affected area.

The petition also contains some signatures from adjacent areas affected by the proposed change.

Please note that EVERY affected resident we contacted readily signed the petition.

No resident in the affected or adjacent areas refused to sign.

Delivered to the City by Ruth Wells on 2-10-05, 503-982-4220

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Name (Signature)	Name (Printed)	Address	Phone #
Erin L Donnelly	ERIN L DONNELLY	480 N. THIRD ST. WDBN	981-9787
[illegible]	Jeffrey C Hemish	480 N. Third St. WDBN	981-9787
Tommy Davidson	Thomas E. Davidson	365 W. Hayes WDBN	981 068
Mary Beth Cornwell	MARY BETH CORNWELL	417 N. SECOND ST. WOODBURN	982-090
Dan Weis	DAN WEIS	275 N 3rd Woodburn	982-0552
Ruth Wells	Ruth Wells	275 N 3rd Wdbn	982-0552
Jennifer L. Hale	Jennifer L. Hale	509 N 3rd Wdbn	982-0284
Kendra Fagan	KENDRA FAGAN	556 N. 3rd Wdbrn	981-7071
Rainero Jonas	Rainero Jonas	556 N. 3rd Woodburn	981-7071
Barbara Thelen	Barbara Thelen	509 N 3RD Wdbn	9820284
Bran Bord	Bran Bord	540 North 3rd Wdbn	981-9728
Robert Thelen	Robert Thelen	509 N 3rd Wdb.	982-0284
Michelle Te	Michelle Te	460 4th St.	981-5715
Charlene Russo	Charlene Russo	723 N 2nd #1 Woodburn	981-5161
Brandy Esteve	Brandy Esteve	723 N 2nd #1 Woodburn	981-5161
Bill Coleman	Bill Coleman	715 Corby St.	981-7547
Carla Coleman	CARLA Coleman	715 Corby St	981-7547
Betty L. Donnelly	Betty L. Donnelly	338 E Lincoln St	981-0820

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To the Woodburn City Planning Commission:

The undersigned do not want the downtown historic residential Second and Third Street areas to become commercial/office as proposed. We want this area to remain residential to preserve both the historic and residential character.

2-7-05

Name (Signature)	Name (Printed)	Address	Phone #
Meagan Wells	MEAGAN WELLS	275 N 3RD, WOODBURN	[redacted]
Chris Wells	CHRIS WELLS	275 N 3rd Wbd	503-[redacted]
Edith Brady	EDITH BRADY	362 GARFIELD	503-981-0065
Kevin F. Brady	KEVIN F. BRADY	362 GARFIELD	503-981-0065
[illegible]	ROBERT DIXON	133 N. 2ND	503-981-1356
[illegible]	JEANE ADAMS	217 N 2ND	5039814584
[illegible]	Dorothy Roetzel	2160 Healthy way	503.981.1277
[illegible]	Michael Santiago	215 3rd St	503 981-8702
[redacted]			
Cheryl Lonergan	Cheryl Lonergan	245 N. 2ND St.	503-981-5395
Frank Lonergan	FRANK LONERGAN	245 N 2ND ST	981-5395
[illegible]	Robert Curnwell	385 Garfield St	981-1216
SR Bramlage	JAMES R. BRAMLAGE	503 COZY WAY	981-4202
Debra Bramlage	DEBRA L. BRAMLAGE	503 COZY WAY	981-4202

To the Woodburn City Planning Commission:

The undersigned do not want the downtown historic residential Second and Third Street areas to become commercial/office as proposed. We want this area to remain residential to preserve both the historic and residential character.

2-7-05

Name (Signature)	Name (Printed)	Address	Phone #
[illegible]	SERGIO RAMIREZ	327 N. THIRD ST. 97071	503 981 58 25
[illegible]	512 N 2d	Margarita Garcia	503-981-6248
Rey Espinoza	Rey Espinoza	543 N THIRD	503 982-7443
[illegible]	Miguel Espinoza	543 N THIRD	↓
Basil Postnikov	Basil Postnikov	226 Heritage Ct.	503 984-1353
Feodosia Kulagin	Feodosia Kulagin	800 N. 3rd St, Wood. OR.	503-982-5182
Jill Pennock	Jill Pennock	572 N. Fifth St.	981-4808
Terry Pennock	TERRY PENNOCK	572 N. FIFTH ST.	981-4808
John Gallagher	JOHN GALLAGHER	578 N. THIRD ST.	982-8210
Anjali Gallagher	Anjali Gallagher	578 N. Third St	982-8210
Jerry Hagenauer	JERRY HAGENAUER	561 ARTHUR ST	981-9344
Candace Hagenauer	Candace Hagenauer	561 Arthur St.	981-9344
Thomas P Drewes	Thomas P Drewes	683 N Second ST	981-0763

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To the Woodburn City Planning Commission:

The undersigned do not want the downtown historic residential Second and Third Street areas to become commercial/office as proposed. We want this area to remain residential to preserve both the historic and residential character.

2-7-05

Name (Signature)	Name (Printed)	Address	Phone #
A S Brannen	A.S. BRANNEN	112 N. Settlem,	503 982-838
Shelli Nañez	Shelli Nañez	495 Arthur St	503 981-6420
Mary Hagemann	MARY HAGEMANN	905 Garfield	503 981-4796
Susanne G Hesse	Susanne G Hesse	578 W. Hayes St Woodburn	503-982-2218
Shaja McLean	Shaja McLean	578 W. Hayes St Woodbn	" "
Scott McLean	Scott McLean	578 W Hayes St	503 982-2218

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Name (Signature)	Name (Printed)	Address	Phone #
Cynthia L Whitney	Cynthia L. Whitney	501 Wheat St.	981-4763
Deborah Higginbotham	DEBORAH HIGGINBOTHAM	468 GARFIELD	982-1122
David Higginbotham	DAVID HIGGINBOTHAM	468 GARFIELD	SAME J

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Name (Signature)	Name (Printed)	Address	Phone #
Lana C. Celmer	Lana C. Celmer	389 W. Hayes NWB	981-3134
Michael T. Celmer	Michael T. Celmer	389 W. HAYES NWB	981-3134

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To the Woodburn City Planning Commission:

The undersigned do not want the downtown historic residential Second and Third Street areas to become commercial/office as proposed. We want this area to remain residential to preserve both the historic and residential character.

2-7-05

Name (Signature)	Name (Printed)	Address	Phone #
[illegible]	Tamara J DePue	209 N Settlemier Ave	503 981-3633
[illegible]	Richard Ellis	209 N Settlemier Ave	503 981 3633
DANIEL J. DINGES	DANIEL DINGES	285 N. 2ND ST	981-8021
Peggy M Dinges	Peggy Dinges	199 N Settlemier	981-8021

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Name (Signature)	Name (Printed)	Address	Phone #
Cindy Thomas	Cindy Thomas	795 Corby St. Wlkb	981-8330

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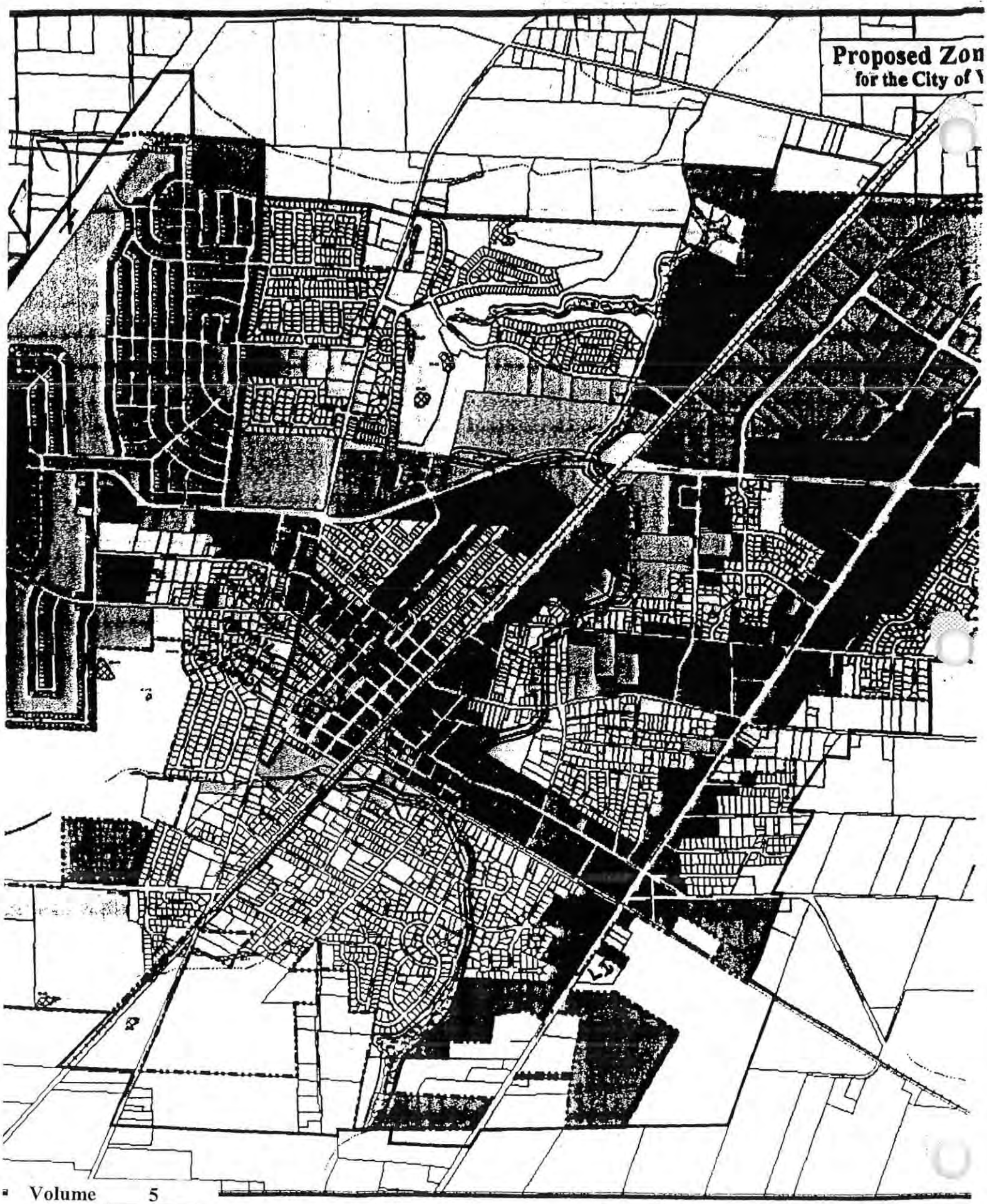

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Woodburn Planning Commission
270 Montgomery St
Woodburn, OR 97071

Exhibit "B"-11

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

February 8, 2005

Commissioners:

In the strongest terms possible, I wish to register my position *against* the proposed zoning changes planned for our Residential area, North Second and Third Street to Commercial/Retail and request that you allow additional public testimony.

There are numerous aspects of this zoning decision that greatly concern me. Primarily, there was not a good faith effort to specifically communicate to the affected home owners with regards to this dramatic change of our zoning and the subsequent limitations to homeowners, as well as the potential impact of the quality of life and loss of property values. The wording in the notification letter was exceptionally vague and left it up to individual homeowners to determine the intent and impact: *"...In addition, zone changes are proposed to many properties within the existing City limits to maximize efficient use of land and provide more appropriate zoning considering existing comprehensive plan designation, surrounding land use and future development potential."*

The apparent lack of understanding and sensitivity of the Planning Commission and their staff in their appreciation of the impact of such a decision on homeowners prior to proposing this zoning change is troubling. In addition, following a Comprehensive Plan (written in 1978 and amended periodically), without reason or forethought, to bring our wood and brick houses, our hearth and homes 'into compliance' with aged pieces of paper does not seem a responsible action by our local government.

Another major concern was the relentless pursuit of the Comprehensive Plan, while ignoring the realities of Woodburn. The downtown is a virtual ghost town, but yet you are proposing to expand the Commercial area. All this is based upon the Comprehensive Plan which projected that the population would be 28,000 in 2014 and, if that is so, the ratio of population to land would indicate a needed 448 acres of commercial land, which would be an increase from 256 acres from 1996. With little or no support from City Government, the downtown has been left vacant, while all substantial commercial growth has happened along I-5 and 99E. There is no logical reason why we should expand the downtown Commercial area into the core of our historical residential area.

In conclusion, I will restate my opposition to the zoning change proposal, ask that you take a hard look at the reasoning behind such a capricious proposal, allow additional testimony at your next meeting and urge you to vote against it.

Sincerely,

Dan Wells

Dan Wells
275 N 3rd
Woodburn, OR 97071

February 9, 2005

FEB 10 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To the city of Woodburn Planning Commission:

I am a recent arrival to the city, having been here just over a year. I moved here in part because of this great neighborhood with its old homes that are so full of life and classic style. I saw this neighborhood as a place that I could raise my future children, as it is a place they could love and enjoy as much as I do, a very diverse and vibrant location. I thought that my children would be able to grow up here and feel safe, a place where neighbors all watch out for each other and their property.

The question I have for you is: why is this change really necessary? After all you currently have a young and diverse community of people who have all invested a lot of money into restoring their homes, and creating a great family residential neighborhood. I did not move here so that I could take my beautiful early 19th century home and turn it into a bar or a doctors office, and I would prefer that my neighbor not have to do the same.

I urge you to question the reason this zoning change is necessary, when this residential community is growing and evolving. Why take what all of us on Third Street have worked so hard to build and ruin it with commercial offices and locations. These homes were built so that people could live in them and raise families in them and I hope my kids will have the opportunity to do the same.

Yours truly,

Jeffrey C Nemish
480 N. Third St.
Woodburn, Or 97071

FEB 10 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

February 8th, 2005

Dear City Planning Commissioners:

I feel that you have put a hit out on the best areas of the city. Converting the residential areas of Second and Third Street into a commercial area would effectively kill the heart of Woodburn. The historic houses on these streets have given a pleasant reminder of our town's beginnings for generations, but now, these reminders are being threatened with conversion into a tavern or flea market—or doomed to sit empty and soulless. This rezoning would successfully transform our traditional downtown in a collection of lifeless boxes—effectively matching our lifeless K-mart.

I have a personal stake in the planning of Woodburn, as someone who has lived his entire life on Third Street; I have a whole life resting within a little plot of Woodburn. And when I bring my children to see where I grew up, am I supposed to show them the used car lot and say, "this is where the Van Winkle kids, my sister and I used to play, right there where that broken down ford is," or will I say, "That rundown, collapsed porch is where I used to sit and wait for a ride to school from the Thomas's." I would much rather say, "That is my room, this is the tree house that my dad built, here is the backyard where we had most of my birthday parties," and those spots need to be there.

As well, family houses are meant to be passed on from generation to generation, not from business to business. The home of my parents, the house they bought months before I was born, could not stay in the hands of my sister or I. This rezoning will bar me from painting my old house with a new coat of paint or giving my old room to my own son one day. If this proposed zoning change goes through, I will lose my chance to keep it my old house.

Sincerely,

Chris Wells
(503) 982-0552
275 North Third Street
Woodburn, Oregon 97071

(541) 954-3657
3867 Colony Oaks Drive
Eugene, Oregon 97405

Exhibit "B"-14

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

To the City Planning Commission,

Re: Proposed Zone Change to North Second and Third Streets

I am a Woodburn resident living in the downtown residential historic district affected by the proposed zoning changes.

I am writing to say that I do not want this boundary change to occur.

I do not want my home or neighborhood to be zoned commercial because of the following reasons (the Woodburn Ordinance is provided as documentation):

- The new zoning allows a tavern, restaurant, pizza delivery store, fast food outlet or other drink and food establishment to open next to me. None of these uses would allow me the relative peace and quiet that I have now. (WDO 2.105.01 K3)

- The new zoning would permit a hotel or motel to be located next to me. That use is not appropriate for the quiet residential streets in my neighborhood. (WDO 2.105.01 K1)

- The new zoning could lower my property values if a problematic business located near me. It could also make it difficult or impossible to sell my home as many families would be unwilling to buy a home that could someday have a bail bond office or parking garage adjacent. These uses are permitted under the proposed change. (WDO 2.105.01 A)

- The new zoning could restrict my ability to use, sell or will my property. For example, if my property sat vacant for as little as six months, that property could lose it's residential designation, and would have to be sold to a business. There are additional circumstances that could prohibit me from using or selling my house in a business zone, or passing it onto my children to be used as a residence. (WDO 2.105.01 A)

- The following businesses are permitted under the zoning change; all are completely inappropriate to a part of town that is almost all residences: Ambulance service, delivery services, pubs, pool halls, warehouses, radio and TV stations. (WDO 2.105.01 C1)

I urge you to allow Second/Third Street neighbors to be able to speak during the February 24, 2005 Planning meeting. The one letter sent by the city was not sufficient for anyone in the neighborhood to realize that there were impending changes in our status. Because of that, we were not even aware of the change during the time when oral testimony was permitted. We very much want to convey the dismay and upset felt by virtually every resident of the affected area. There appears to be universal opposition to the change among the affected residents, and we very much want to be allowed a voice to tell you that before you make a decision that could have a life time of negative impact on us. We urge you to consider permitting brief verbal input at your next meeting.

Signed

Name	Address
DANIEL J. DINGES	285 N. 2ND. ST WOODBURN OR

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Exhibit "B"-15 FEB 10 2005

To the City Planning Commission,

WOODBURN COMMUNITY DEVELOPMENT DEPT.

In many ways, Woodburn's historic downtown has been a hard place to live for the past 25 years. As I type, I hear the boom of a renter's stereo all the way from across the street. While I've always loved the beautiful historic houses that surround my 100 year old home, I quickly grew tired of a small handful of ever-changing renters who blasted stereos throughout the night, sold drugs, stole and chopped up cars, and drove down my narrow street at freeway speeds. But through it all, those of us who love historic homes, continued to restore them and raise our families. Now, the threat to our homes is not just from the on-going crime and unchecked noise from out-of-control renters. Now an even more serious menace originates with the City of Woodburn. This threat is far more frightening than the speeding cars, and much more likely to compel me to finally give up and move out than all the years of booming stereos.

The threat from the proposed zoning change to 2nd and 3rd Streets means that century old family homes could soon co-exist with pubs, pizza shops, and warehouses. The beautiful Victorian on 2nd Street could soon have a tavern or pool hall for a neighbor. A block over, my colorful Craftsman-style house could one day have a view of a run-down motel, per Section 2.105 of the Woodburn Development Ordinance.

Downtown residents like me are confused why this sacrifice is required. It makes no sense. Woodburn is a city of empty boxes. We live among dozens of abandoned buildings. I can't fathom why the Planning Commission could find it necessary to convert our thriving family neighborhood into a business area when this city is over-run with empty structures begging for commercial usage. Why does an ambulance service or boarding house need to be located next to my vegetable garden and tree house? Wouldn't it fit better in one of the dozens of vacant commercial structures?

I don't understand why the zoning change is even being considered at all. "To conform to the Comprehensive Plan," says the Planning Office Director. But why must we cannibalize thriving homes to conform with an antiquated, antediluvian standard developed nearly one-third of a century ago. Adhering to this hopelessly outmoded mandate from the 70's makes no sense. It was intended to provide growing space for a viable commercial downtown that exists only in memory. Our current commercial downtown needs shrinking space, not growing space. This antique plan fits 2005 about as well as 8 track tapes and go-go boots. But there are even more compellingly irrational aspects to this change. By making the residential area become commercial, you're forcing the thriving residential area to become more like the blighted ghost town that is our commercial downtown. It would make far more sense to change commercial downtown to be more like the thriving residential section.

The zoning change appears to residents to be clandestine and undemocratic. Although you intended it to be helpful, the notification letter you sent did not successfully communicate that zoning changes were being considered in our area. Although many downtown residents reported reading the mailing, only 3% of the estimated 30-40 families affected by the downtown zoning change, understood the letter to be an alert to potential changes affecting their neighborhood. A whopping 97% of downtown residents failed to comprehend the alert, suggesting that the mailing was profoundly insufficient. Because of that 97% failure rate, I urge you to re-open oral testimony on February 24.

Affected downtown residents know that the value of their homes would plummet as potential buyers won't buy homes that could one day abut a bail bond office or parking garage. You only need to look around downtown to see there's no market for business property-- even at rock-bottom prices. Further, we know that under the new zoning, circumstances can occur that prohibit owners from living in, selling or bequeathing their homes for use as residences. You need to hear from us first-hand how lives will be destroyed, property values decimated, and the historic neighborhood shattered. You need to hear how families, already worn down by nonstop problems with area renters, will sell and flee, then convert homes into more run-down rentals, hastening the demise of downtown's residential area. Please give us a voice. Let us speak on February 24 so we can save the historic heart and soul of Woodburn.

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2-10-05

Ruth Herman Well
275 N 3rd
503 982 0552

EXHIBIT B -16

February 3, 2005

FEB 1 0 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

City of Woodburn
City Planning Committee
270 Montgomery St.
Woodburn OR 97071

Dear Chairman and Committee Members,

We, the residents of Second St., Third St., West Hayes, Garfield, and Cleveland St. (please see attached map) will be negatively affected by your proposed zoning change where our currently residential zoned district will be changed to light commercial/office zoning.

This is a historical residential district within the City of Woodburn which has housed many of the original residents of Woodburn. Some residences have been standing since early 1900 and have always been private homes. Losing this type of residential history to commercial ventures of any type lessens the value of the area. The area you are considering for commercial/office is a residential area which has been constantly working to revitalize itself over the last 15 years and has been very successful in that venture.

We feel that the value and safety of our neighborhood would be threatened by the fact that we would no longer be able keep single families in these historic homes should they decide to sell for any reason. Eventually we would be stuck between parking lots and dumpsters while trying to raise our families. No longer would we have the next door neighbor who looks out for our home when we're out of town or lets us know that they saw an unfamiliar person perusing our property. We would have a neighbor that only is around from 9am to 5pm a few days a week and would rather tell our children not to ride their bicycles near their parking lot. Also to consider is that some of our homes may be lost to these very parking lots as there is extremely limited on street parking in the area and it is possible that some homes would be torn down to accommodate these lots.

There is also tourism to consider. Valuable tourism could be affected as many tourists visit older towns and desire to see the old homes that have been renovated and appreciate that real families live in them to this day. They are not excited to see a business occupying the onetime residence. These homes are part of our history and create the charm of historic downtown Woodburn, please let them remain the family homes that they have always been.

We respectfully request that the Planning commission take a second look at the proposed rezoning plan for the downtown area and leave this historical residential area alone in its current residential designation.

Respectfully,
~~The Undersigned~~ Eric L. Donnelly
Attachments (2)

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FEB 1 0 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To the City Planning Commission,

Re: Proposed Zone Change to North Second and Third Streets

I am a Woodburn resident living in the downtown residential historic district affected by the proposed zoning changes.

I am writing to say that I do not want this boundary change to occur.

I do not want my home or neighborhood to be zoned commercial because of the following reasons (the Woodburn Ordinance is provided as documentation):

- The new zoning allows a tavern, restaurant, pizza delivery store, fast food outlet or other drink and food establishment to open next to me. None of these uses would allow me the relative peace and quiet that I have now. (WDO 2.105.01 K3)

- The new zoning would permit a hotel or motel to be located next to me. That use is not appropriate for the quiet residential streets in my neighborhood. (WDO 2.105.01 K1)

- The new zoning could lower my property values if a problematic business located near me. It could also make it difficult or impossible to sell my home as many families would be unwilling to buy a home that could someday have a bail bond office or parking garage adjacent. These uses are permitted under the proposed change. (WDO 2.105.01 A)

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- The following businesses are permitted under the zoning change; all are completely inappropriate to a part of town that is almost all residences: Ambulance service, delivery services, pubs, pool halls, warehouses, radio and TV stations. (WDO 2.105.01 C1)

I urge you to allow Second/Third Street neighbors to be able to speak during the February 24, 2005 Planning meeting. The one letter sent by the city was not sufficient for anyone in the neighborhood to realize that there were impending changes in our status. Because of that, we were not even aware of the change during the time when oral testimony was permitted. We very much want to convey the dismay and upset felt by virtually every resident of the affected area. There appears to be universal opposition to the change among the affected residents, and we very much want to be allowed a voice to tell you that before you make a decision that could have a life time of negative impact on us. We urge you to consider permitting brief verbal input at your next meeting.

Signed

Peggy McCuigs

Name Address

199 N Settlemier
Woodburn OR

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Exhibit "B"-18

To the City Planning Commission,

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

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Signed Carla Coleman Bill Cl

Name Address

Carla Coleman 715 Corby St

Bill Coleman 715 Corby St.

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Woodburn Planning Commission
270 Montgomery St.
Woodburn, Oregon 97071

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

February 8, 2005

Dear Commissioners:

I would like to voice my complaint against proposed zoning changes planned for our house and neighbors in the North Second and Third Street neighborhood. Even though I am away at college, I am sufficiently concerned to take the time to write in support against your zoning changes. The potential long-range impact is not insignificant.

Again, I wish to state my opposition to the zoning change proposal and ask that you allow people to speak at your next meeting and request that you vote against it.

Sincerely,

Meagan Wells

Meagan Wells
275 N 3rd
Woodburn, OR 97071

Exhibit "B"-20

To the City Planning Commission,

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

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Signed
Edith L Brady
Kevin F. Brady

Name Address
EDITH BRADY 362 GARFIELD WOODBURN, OR. 97071
Kevin F. Brady

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Exhibit "B" - 27

To the City Planning Commission,

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Re: Proposed Zone Change to North Second and Third Streets

I am a Woodburn resident living in the downtown residential historic district affected by the proposed zoning changes.

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Signed [signature]

Name	Address
Michael T. Celmer	389 W. Hayes St. Woodburn OR 97071

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FEB 1 0 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

To the City Planning Commission,

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Signed Barbara Thelen

Name	Address
Barbara Thelen	509 N 3RD ST WOODBURN

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FEB 1 0 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

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Signed Bramwalathor F. Bond.

Name	Address
Bramwalathor F. Bond	540 North 3rd ST. Woodburn, 97071

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FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

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Signed Robert L. Thelen

Name Address

Robert L. Thelen 509 N 3rd Woodburn OR 97

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FEB 1 0 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To the City Planning Commission,

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Signed
Kelola B. McCrary

Name Address
Kelola B. McCrary / 540 N. 3rd St. / Woodburn, OR 970

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Exhibit B-20

FEB 1 0 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

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Signed [signature]

Name	Address
Jeffrey C Nemish	480 N. Third St Woodburn, OR 97071

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To the City Planning Commission,

Re: Proposed Zone Change to North Second and Third Streets

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Signed Erin L Donnelly

Name	Address
ERIN DONNELLY	480 N. THIRD ST.

FEB 10 2005

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- The new zoning could lower my property values if a problematic business located near me. It could also make it difficult or impossible to sell my home as many families would be unwilling to buy a home that could someday have a bail bond office or parking garage adjacent. These uses are permitted under the proposed change. (WDO 2.105.01 A)

- The new zoning could restrict my ability to use, sell or will my property. For example, if my property sat vacant for as little as six months, that property could lose it's residential designation, and would have to be sold to a business. There are additional circumstances that could prohibit me from using or selling my house in a business zone, or passing it onto my children to be used as a residence. (WDO 2.105.01 A)

- The following businesses are permitted under the zoning change; all are completely inappropriate to a part of town that is almost all residences: Ambulance service, delivery services, pubs, pool halls, warehouses, radio and TV stations. (WDO 2.105.01 C1)

I urge you to allow Second/Third Street neighbors to be able to speak during the February 24, 2005 Planning meeting. The one letter sent by the city was not sufficient for anyone in the neighborhood to realize that there were impending changes in our status. Because of that, we were not even aware of the change during the time when oral testimony was permitted. We very much want to convey the dismay and upset felt by virtually every resident of the affected area. There appears to be universal opposition to the change among the affected residents, and we very much want to be allowed a voice to tell you that before you make a decision that could have a life time of negative impact on us. We urge you to consider permitting brief verbal input at your next meeting.

Signed Candace Hagenauer

Name	Address
Candace Hagenauer	561 Arthur Street Woodburn, OR 97071

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To the City Planning Commission,

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Re: Proposed Zone Change to North Second and Third Streets

I am a Woodburn resident living in the downtown residential historic district affected by the proposed zoning changes.

I am writing to say that I do not want this boundary change to occur.

I do not want my home or neighborhood to be zoned commercial because of the following reasons (the Woodburn Ordinance is provided as documentation):

- The new zoning allows a tavern, restaurant, pizza delivery store, fast food outlet or other drink and food establishment to open next to me. None of these uses would allow me the relative peace and quiet that I have now. (WDO 2.105.01 K3)

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I urge you to allow Second/Third Street neighbors to be able to speak during the February 24, 2005 Planning meeting. The one letter sent by the city was not sufficient for anyone in the neighborhood to realize that there were impending changes in our status. Because of that, we were not even aware of the change during the time when oral testimony was permitted. We very much want to convey the dismay and upset felt by virtually every resident of the affected area. There appears to be universal opposition to the change among the affected residents, and we very much want to be allowed a voice to tell you that before you make a decision that could have a life time of negative impact on us. We urge you to consider permitting brief verbal input at your next meeting.

Signed Jerry Hagenauer

Name	Address
JERRY HAGENAUER	561 ARTHUR ST

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FEB 10 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To the City Planning Commission,

Re: Proposed Zone Change to North Second and Third Streets

I am a Woodburn resident living in the downtown residential historic district affected by the proposed zoning changes.

I am writing to say that I do not want this boundary change to occur.

I do not want my home or neighborhood to be zoned commercial because of the following reasons (the Woodburn Ordinance is provided as documentation):

- The new zoning allows a tavern, restaurant, pizza delivery store, fast food outlet or other drink and food establishment to open next to me. None of these uses would allow me the relative peace and quiet that I have now. (WDO 2.105.01 K3)

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Signed Thomas Drewek

Name	Address
Thomas P Drewek	683 N Second St

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FEB 1 0 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To the City Planning Commission,

Re: Proposed Zone Change to North Second and Third Streets

I am a Woodburn resident living in the downtown residential historic district affected by the proposed zoning changes.

I am writing to say that I do not want this boundary change to occur.

I do not want my home or neighborhood to be zoned commercial because of the following reasons (the Woodburn Ordinance is provided as documentation):

- The new zoning allows a tavern, restaurant, pizza delivery store, fast food outlet or other drink and food establishment to open next to me. None of these uses would allow me the relative peace and quiet that I have now. (WDO 2.105.01 K3)

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Signed
ASBrown

Name Address
112 N. Settlemier Ave

A BRANNEN

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Page 265

FEB 1 0 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To the City Planning Commission,

Re: Proposed Zone Change to North Second and Third Streets

I am a Woodburn resident living in the downtown residential historic district affected by the proposed zoning changes.

I am writing to say that I do not want this boundary change to occur.

I do not want my home or neighborhood to be zoned commercial because of the following reasons (the Woodburn Ordinance is provided as documentation):

- The new zoning allows a tavern, restaurant, pizza delivery store, fast food outlet or other drink and food establishment to open next to me. None of these uses would allow me the relative peace and quiet that I have now. (WDO 2.105.01 K3)

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Signed

Shelli Nañez

Name	Address
Shelli Nañez	495 Arthur Street Woodburn OR 97071

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Exhibit "B"- 33

August 30, 2004

HALLMARK PROPERTIES INC.

Jim Mulder
Director of Community Development
City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

☆ REC'D ☆

AUG 3 0 2004

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Dear Mr. Mulder:

The Woodburn School District has asked me to address the Periodic Review Amendments you submitted to them earlier this year. I have no disputes with the findings other than on page 32 under the "Parks" bullet item.

It looks to me like there is a typo and an error. The typo is minor; it should say "122 acres of 2020 school lands" instead of 120. This then makes the math come out on the "57 acres of park land". Also, it takes 100% of the schools needed land instead of 50% as noted in the preceding sentences. Given that correction it appears that Parks needs an additional 61 acres (50% of 122 = 61 acres).

I am attaching the District's projections for enrollment as it relates to land needs, labeled Exhibit A. This shows by 2013 a need for an additional 70 to 85 acres, and by 2023 a need for 140 to 170 acres. This indicates a need for an additional 18 to 48 acres more the report's findings. Part of this is due to the minimum lot size requirements that it is necessary to site a school facility. The other part is that Woodburn is one of the few cities in Oregon that is growing younger, I.E. more school aged children.

Also enclosed are graphs showing District Enrollment History, Exhibit B, B1, B2, B3 and 2003 Enrollment By Grade, Exhibit C. Exhibits D & E shows 5 to 10 year Projections district wide and by grade.

In addition to this, the District needs to have a property that they can build on before they go out to vote for a bond. Historically that has been a must. Their most urgent need is for a school in the SW portion of the city, east of I-5. However, they currently own a 19-acre site on E. Lincoln Street. It is adjacent to the current UGB but not in the proposed expansion. The District would like this added for future needs.

This 19-acres was acquired in 1998. The District checked with the planning departments at the City and County and they both gave favorable indication that the site would be good for a school. The common element was that they obtain it for future use. The District employed a consultant and their attorney reviewed the process.

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745 Glatt Circle Woodburn, Oregon 97071 503-981-0621 FAX 503-981-7042

At that time it made good sense to the City and the District. It would aid in the development of in-fill lots by extending city services to the property. The County liked that as well. Currently they could almost fill a grade school from the students on the East side of Hwy. 99-E. Once the in-fill lots are developed they should fill that easily. It also would provide additional Park services to an area that needs it and help with the 61-acre deficiency noted above.

Given the District's research and findings within the Periodic Review Amendments report the District would like you to consider two things: First, to increase the future 2020 needs from 122 acres to an additional 48 acres. Secondly they would also like you to add the 19 acres on E. Lincoln Street to the UGB for future planning. If the 19 acres is added, then only 29 acres needs to be added to the 122 acres proposed in the report.

Please contact me if you have other questions regarding this issue.

Respectfully,

David J. Christoff
Principal Broker

Walt Blomberg, Superintendent
Woodburn School District

EXHIBIT A

Woodburn School District 20-Year Projection School Land

Year	Elementary	# Classrooms Reg/Modular	Middle School	# Classrooms Reg/Modular	High School	# Classrooms Reg./Modular	
2003	2371	81/50	1046	49/6	1280	51/8	
2013	3161	163	1586	80	2050	90	
Difference	**790**	**35**	**540**	**25**	**770**	**31**	
Need	**2 schools**	**25-30 acres**	**1 school**	**15-20 acres**	**1 school**	**30-35 acres**	
2023	4114		2126		2820		
Need	2 schools	25-30 acres	1 school	15-20 acres	1 school	30-35 areas	
20-yr.Total	**4 schools**	**50-60 acres**	**2 schools**	**30-40 acres**	**2 schools**	**60-70 acres**	**140-170 acres**

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Exhibit B-3

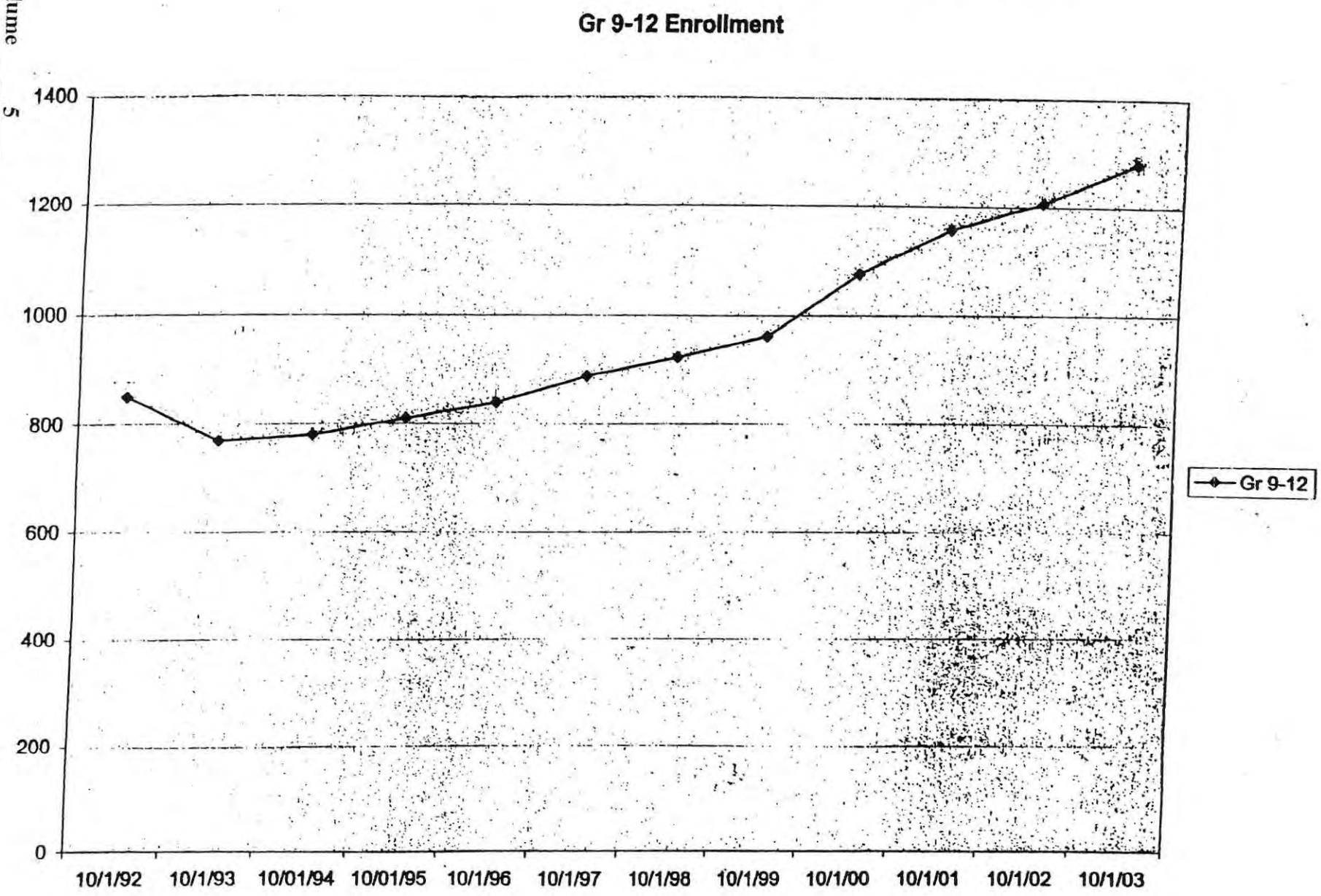


Exhibit B-2

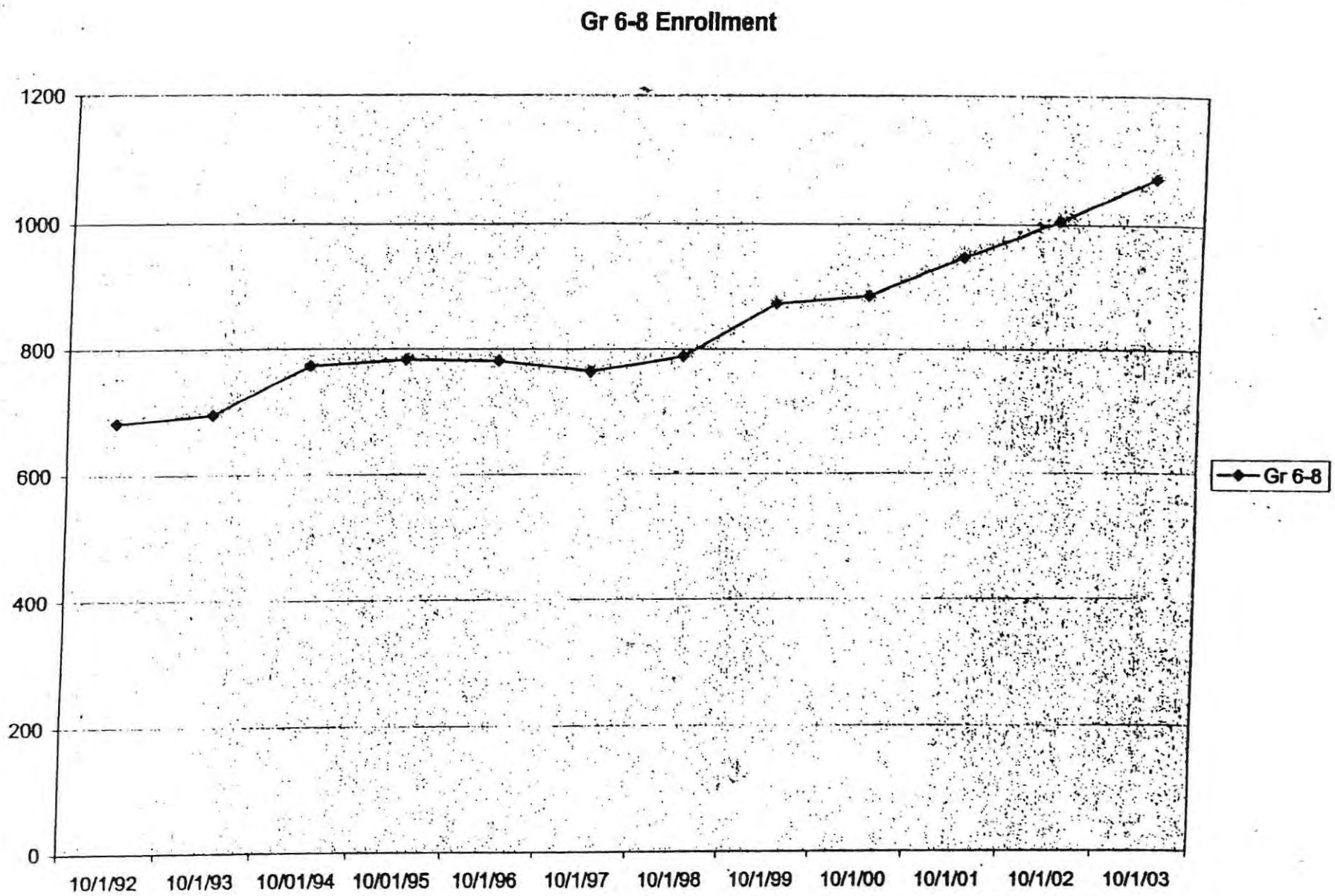

Gr 6-8 Enrollment
1200
1000
800
600
400
200
0
10/1/92
10/1/93
10/01/94
10/01/95
10/1/96
10/1/97
10/1/98
10/1/99
10/1/00
10/1/01
10/1/02
10/1/03
Gr 6-8

Exhibit B-1

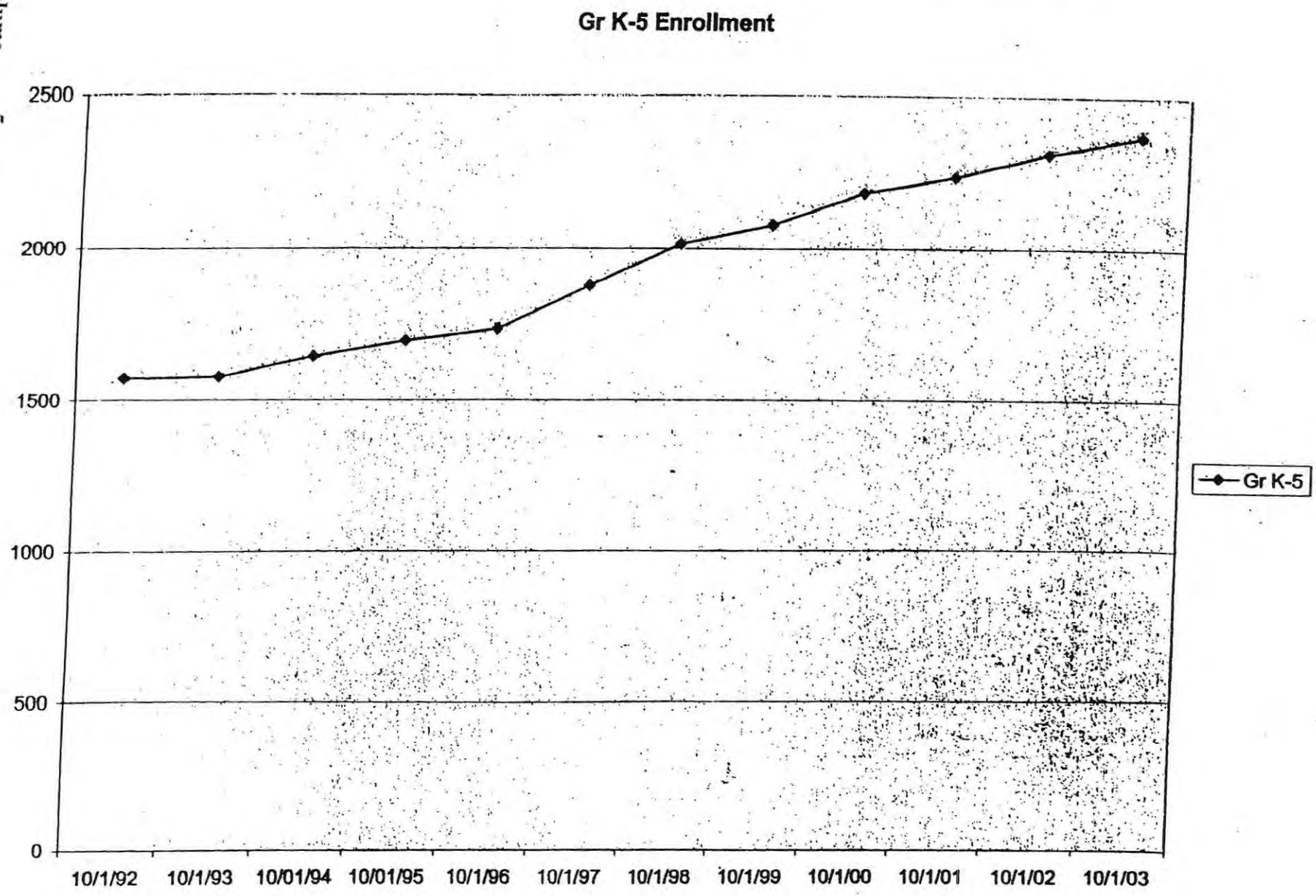

Gr K-5 Enrollment
2500
2000
1500
1000
500
0
10/1/92
10/1/93
10/01/94
10/01/95
10/1/96
10/1/97
10/1/98
10/1/99
10/1/00
10/1/01
10/1/02
10/1/03
Gr K-5

Exhibit B

District Enrollment History

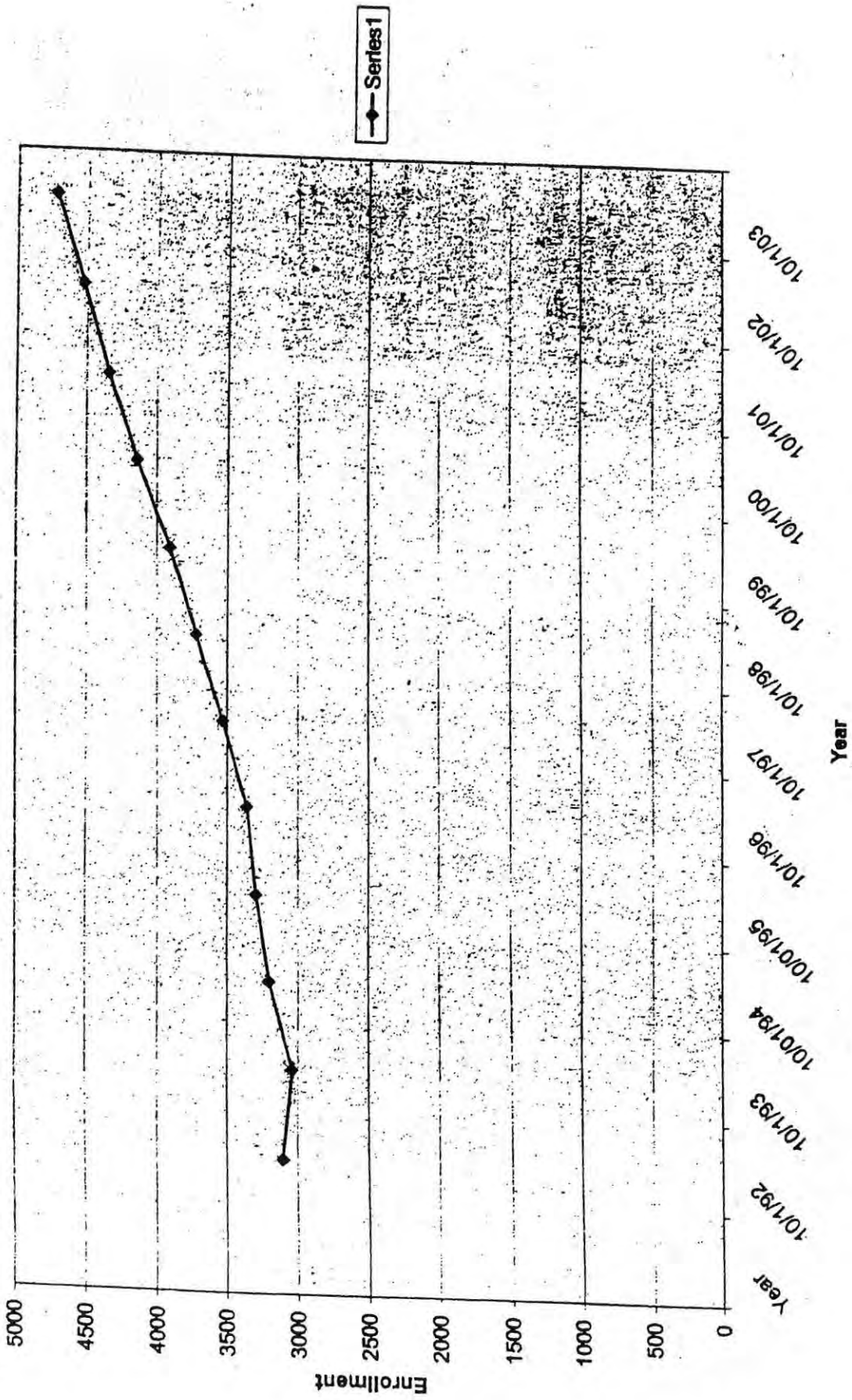
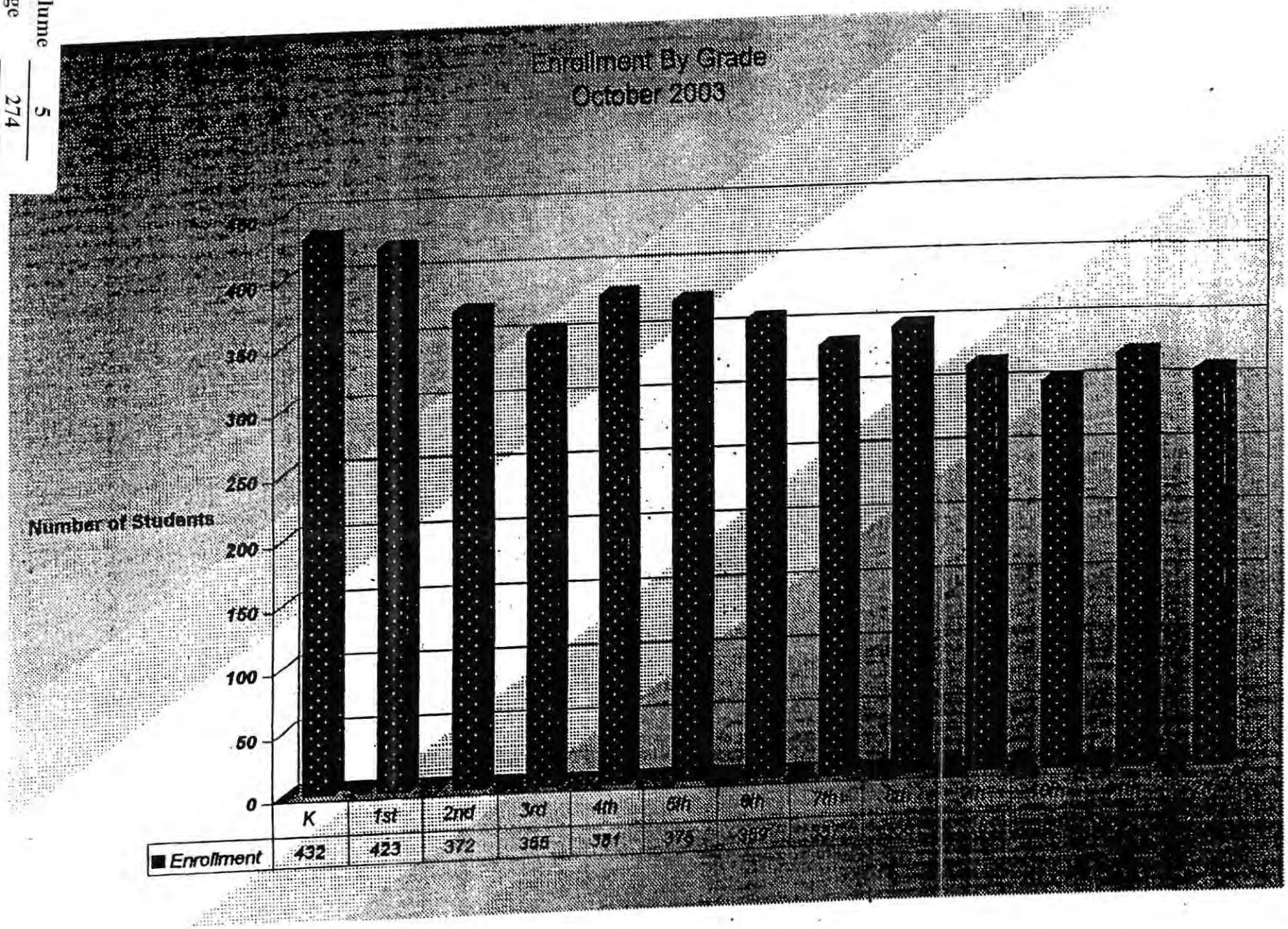
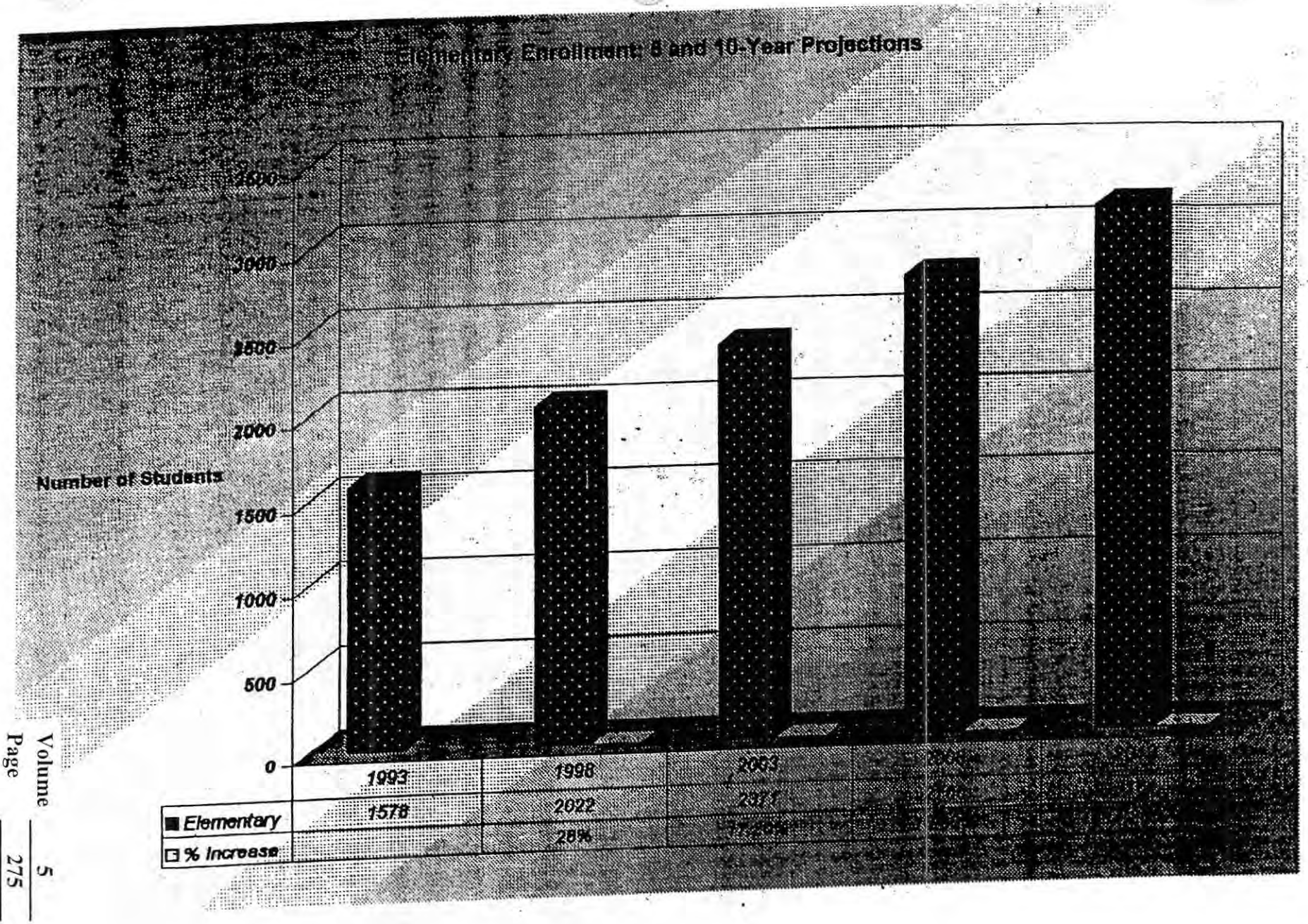
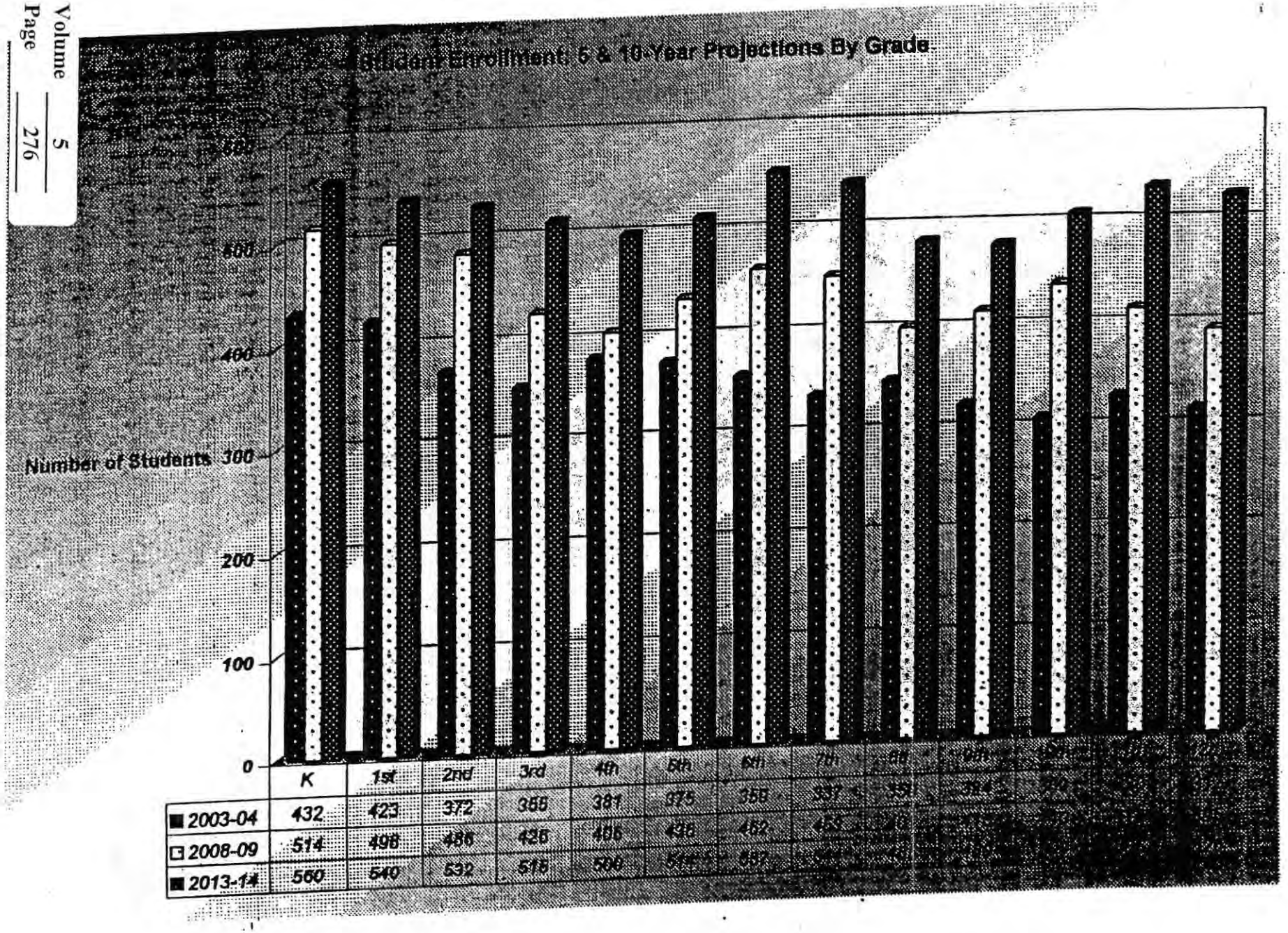


Exhibit C


Enrollment By Grade
October 2003
Number of Students
450
400
350
300
250
200
150
100
50
0
K
1st
2nd
3rd
4th
5th
6th
7th
8th
9th
10th
Enrollment
432
423
372
369
381
375


Elementary Enrollment: 8 and 10-Year Projections
Number of Students
4000
3500
3000
2500
2000
1500
1000
500
0
1993
1998
2003
Elementary
1578
2022
2311
% Increase
28%



	K	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
2003-04	432	423	372	388	381	375	358	337	351	314	[illegible]
2008-09	514	498	486	426	486	436	462	453	[illegible]	[illegible]	[illegible]
2013-14	560	540	532	515	500	514	537	[illegible]	[illegible]	[illegible]	[illegible]

Exhibit "B"-34

HALLMARK PROPERTIES INC.

☆ REC'D ☆

FEB 0 8 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

February 7, 2005

City of Woodburn
Planning Commission
270 Montgomery St.
Woodburn, OR 97071

Dear Commissioners,

RE: School District's 19.5 Acres on E. Lincoln St.

Thanks for extending written testimony for the UGB Expansion, etc. Briefly, the City's consultant estimated in April 2004 the school lands needs to be 122 acres. The District's estimate is closer to 170 acres.

Just using the consultant's number of 122 acres, there are limited sites available within the proposed UGB expansion in which to locate a school. The only added locations with lot sizes adequate for a school are in the Parr Rd. area where the District already has facilities. Assuming the District could buy one of these sites it would still not be sufficient to meet the entire 122 acres. The District already owns the East Lincoln St. property.

Keep in mind the numbers in my August 30, 2004 letter shows a shortfall of 61 acres for Parks and Recreation's needs. This location will give Parks and Recreation another desired site east of Hwy. 99-E.

Another added benefit, which should be embraced by LCDC, is that once the District builds in this area, it will spur in-fill of the residential sites there.

The District needs to own a buildable site prior to going for a bond measure. It makes sense to approve this site based on need, availability, and overall benefit to the City as well as to the District.

Respectfully Submitted,

David J. Christoff

David J. Christoff
Realtor of Record
Woodburn School District

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MLS 745 Glatt Circle Woodburn, Oregon 97071 503-981-0621 FAX 503-981-7042

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Exhibit "B"-35

December 22, 2003

DEC 23 2003

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

Ivan Cam
PO Box 567
9884 Mt. Angel Gervais Road NE
Gervais, OR 97026
503-329-8630

City of Woodburn
Planning Division
270 Montgomery Street Room 4
Woodburn, OR 97071

RE: Urban Growth Boundaries

To Whom It May Concern:

I, Ivan Cam, owner of the following parcels:

#051W04CD00200
#051W04CD00100
#051W04 02800

Would like you to consider these parcels for re-zoning purposes to accommodate urban sprawl. I am attaching property profile information and plot maps for your convenience.

Sincerely,

Ivan Cam

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Page 279

Fidelity National Title

735 Glatt Circle Woodburn, OR 97071 Phone:1-503-981-0623 Fax:1-503-981-0925
Visit us on the Web at: www.fntic.com

Prepared For :
By :Jessica Reed *Marion (OR)*

PROPERTY PROFILE INFORMATION

Parcel #	: R12573	*Owner Phone*	: 503-792-4678
Owner	: Cam Ivan	*Tenant Phone*	:
CoOwner	: Cam Natalia		
Site	: *no Site Address*	*Ref Parcel #*	: 051W04CD00200
Mail	: 9884 Mount Angel Gervais Rd NE Gervais Or 97026us		:
Land Use	: 550 Agr,Farm,Land Only		
Legal	:		
	:		
Zoning	: EFU EXCLUSIVE FARM USE		

ASSESSMENT & TAX INFORMATION

Market Total	: $2,710
Mkt Land	: $2,710
Mkt Improvmt	:
% Improved	:
02-03 *Taxes*	: $30.13
Levy Code	: 01500035
Millage Rate	: 11.1137
M50 AssdTotal	: $2,711

SALE & LOAN INFORMATION

Sale Date	: 06/15/2001
Sale Amount	:
$Cost/SqFt	: $0.00
Document #	: 1795-0293
Deed Type	:
Loan Amount	:
Lender	:
Loan Type	:
Interest Type	:
Vesting	:
Title Co	:
Loan Type	:

PRIOR SALE INFORMATION

Previous Transfer	: 09/14/1998
Previous Sale Amt	: $170,000

PROPERTY CHARACTERISTICS

Year Built	:
Yr Remodel	:
Bedrooms	:
Bathrooms	:
Living Area	:
Main Floor	:
Upper Level	:
Basement SF	:
Basement Fin	:
Lot Size Ac	: 3.00
Lot Size SF	:
Roof Type	:
Roof Material	:
Foundation	:
Ext. Material	:
Exterior	:
Patio Type	:
Patio SF	:
Garage SF	:
Garage Type	:
Driveway SF	:
Dri'way Mat'l	:
Heat Source	:
Fireplace	:
Fireplace #	:
BldgCondition	:
Neighborhood	: 05F
Stat Class	: A80

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The Information Provided Is Deemed Reliable, But Is Not Guaranteed.

735 Glatt Circle Woodburn, OR 97071 Phone:1-503-981-0623 Fax:1-503-981-0925
Visit us on the Web at: www.fntic.com

Prepared For :
By :*Jessica Reed*

Marion (OR)

PROPERTY PROFILE INFORMATION

Parcel #	: R12574	*Owner Phone*	: *503-792-4678*
Owner	: **Cam Ivan**	*Tenant Phone*	:
CoOwner	: Cam Natalia		
Site	: ***no Site Address***	*Ref Parcel #*	: 051W04CD00100
Mail	: 9884 Mount Angel Gervais Rd NE Gervais Or 97026us		:
Land Use	: 550 Agr,Farm,Land Only		
Legal	:		
	:		
Zoning	: EFU EXCLUSIVE FARM USE		

ASSESSMENT & TAX INFORMATION

Market Total	: **$5,300**
Mkt Land	: **$5,300**
Mkt Improvmt	:
% Improved	:
02-03 *Taxes*	: **$58.91**
Levy Code	: 01500035
Millage Rate	: 11.1137
M50 AssdTotal	: **$5,300**

SALE & LOAN INFORMATION

Sale Date	: 06/15/2001
Sale Amount	:
$Cost/SqFt	: $0.00
Document #	: 1795-0293
Deed Type	:
Loan Amount	:
Lender	:
Loan Type	:
Interest Type	:
Vesting	:
Title Co	:
Loan Type	:

PRIOR SALE INFORMATION

Previous Transfer	: 09/14/1998
Previous Sale Amt	: $170,000

PROPERTY CHARACTERISTICS

Year Built	:
Yr Remodel	:
Bedrooms	:
Bathrooms	:
Living Area	:
Main Floor	:
Upper Level	:
Basement SF	:
Basement Fin	:
Lot Size Ac	: 5.85
Lot Size SF	:
Roof Type	:
Roof Material	:
Foundation	:
Ext. Material	:
Exterior	:
Patio Type	:
Patio SF	:
Garage SF	:
Garage Type	:
Driveway SF	:
Dri'way Mat'l	:
Heat Source	:
Fireplace	:
Fireplace #	:
BldgCondition	:
Neighborhood	: 05F
Stat Class	: A80

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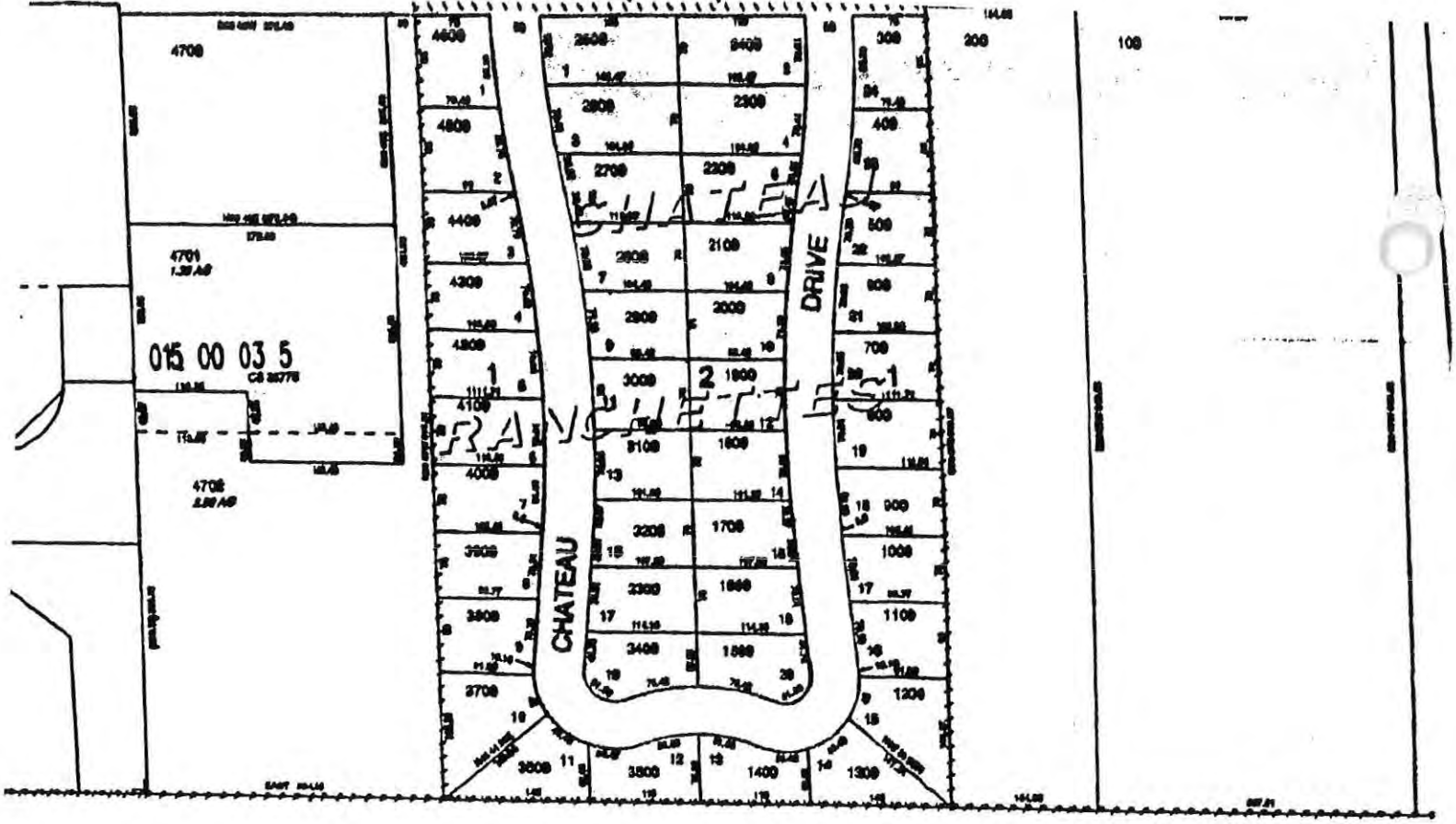
The Information Provided Is Deemed Reliable, But Is Not Guaranteed.



SEE MAP 06 1W 08

103 00 03 5

1/16 COR

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735 Glatt Circle Woodburn, OR 97071 Phone:1-503-981-0623 Fax:1-503-981-0925
Visit us on the Web at: www.fntic.com

Prepared For :
By :Jessica Reed *Marion (OR)*

PROPERTY PROFILE INFORMATION

Parcel #	: R12572	*Owner Phone*	: 503-792-4678
Owner	: **Cam Ivan**	*Tenant Phone*	:
CoOwner	: Cam Natalia		
Site	: ***no Site Address***	*Ref Parcel #*	: 051W04 02800
Mail	: 9884 Mount Angel Gervais Rd NE Gervais Or 97026us		:
Land Use	: 550 Agr,Farm,Land Only		
Legal	:		
	:		
Zoning	: EFU EXCLUSIVE FARM USE		

ASSESSMENT & TAX INFORMATION

Market Total	: **$13,850**
Mkt Land	: **$13,850**
Mkt Improvmt	:
% Improved	:
02-03 *Taxes*	: **$153.92**
Levy Code	: 01500035
Millage Rate	: 11.1137
M50 AssdTotal	: **$13,849**

SALE & LOAN INFORMATION

Sale Date	: 06/15/2001
Sale Amount	:
$Cost/SqFt	: $0.00
Document #	: 1795-0293
Deed Type	:
Loan Amount	:
Lender	:
Loan Type	:
Interest Type	:
Vesting	:
Title Co	:
Loan Type	:

PRIOR SALE INFORMATION

Previous Transfer	: 09/14/1998
Previous Sale Amt	: $170,000

PROPERTY CHARACTERISTICS

Year Built	:
Yr Remodel	:
Bedrooms	:
Bathrooms	:
Living Area	:
Main Floor	:
Upper Level	:
Basement SF	:
Basement Fin	:
Lot Size Ac	: 15.53
Lot Size SF	:
Roof Type	:
Roof Material	:
Foundation	:
Ext. Material	:
Exterior	:
Patio Type	:
Patio SF	:
Garage SF	:
Garage Type	:
Driveway SF	:
Dri'way Mat'l	:
Heat Source	:
Fireplace	:
Fireplace #	:
BldgCondition	:
Neighborhood	: 05F
Stat Class	: A60

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The Information Provided Is Deemed Reliable, But Is Not Guaranteed.

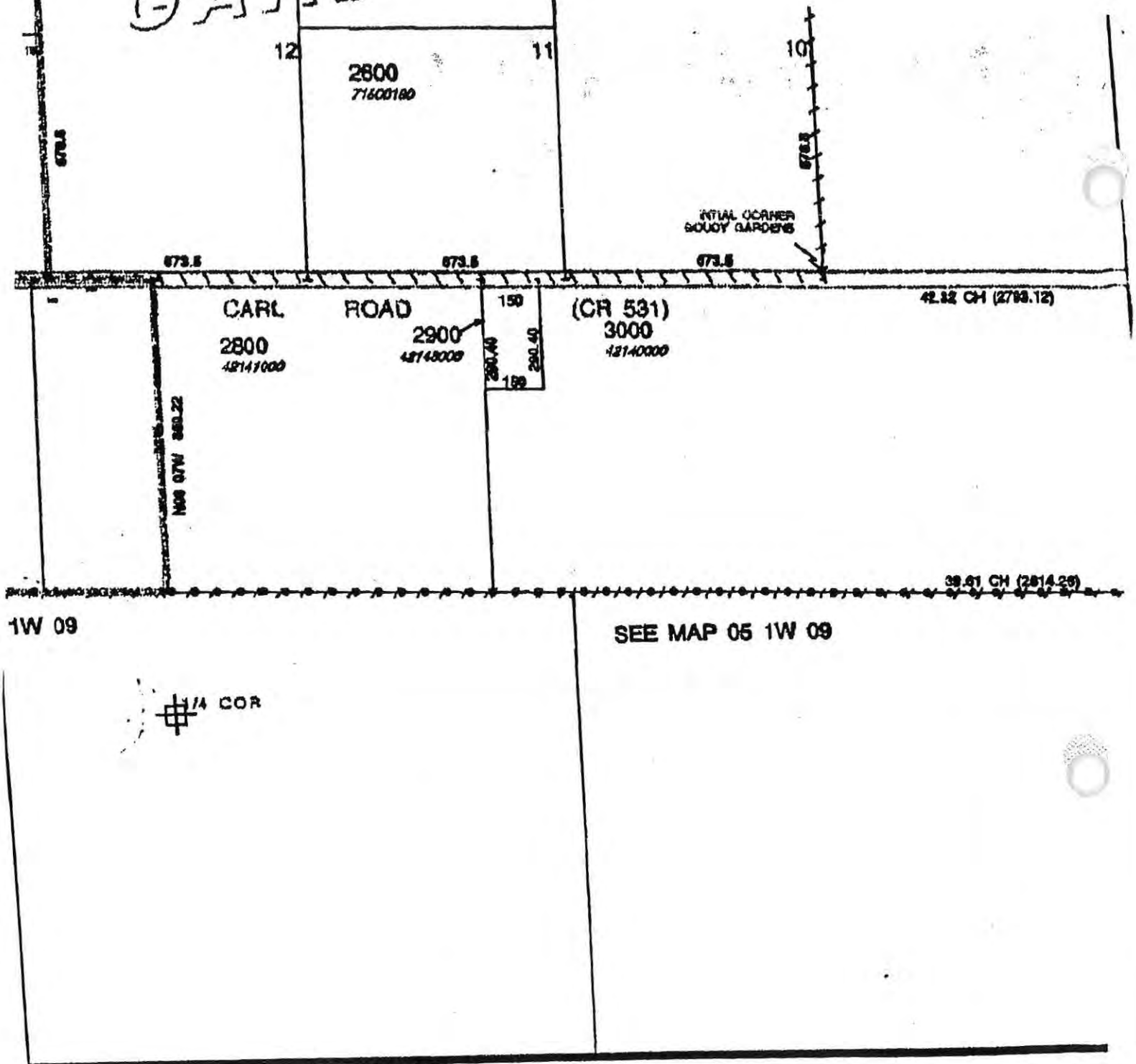

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Exhibit "B"-36

From: Kevin Crosby <kevincrosby@prurep.com>
To: <jim.mulder@ci.woodburn.or.us>
Date: 4/12/2004 6:14:02 PM
Subject: UGB EXPANSION

April 12 04

To Jim Mulder

Jim

In regards to the letter we recieved regarding the proposed expansion of the UGB boundary our hop farm is located north of Woodburn surrounding the Crosby Rd.and Butteville Rd. intersection.
We are being pressured from many directions here are some of the reasons we support an expansion of the UGB over all our land.

1. Wilt in the soil yields are on the decline for hop and crop production.

2. safety issues regarding mud on the road during harvest trellis collapse from car accidents and safety issues resulting from the dramatic increase in traffic that endanger our employees.

3. new regulations that will restrict spraying next to the creek.

I am considering relocateing my hop farm I would strongly support expanding the UGB boundary over the entire 130 acres that myself and my wife jennifer Crosby own.
The inclusion of this land would give the citizens of Woodburn a beautiful parklike setting for bike paths and recreation and very well located building sites that would easily access the freeway at the Donald exit for Portland bound commuters thus minimizeing the congestion at the Woodburn interchange.
In addition to the Crosby land LLC property, my father Ed and Brother Brian own 17 ac bordering the city they wanted me to convey that they also support a UGB expansion. Jim I would appreciate your consideration of our request. I know you have alot to consider.

Regards
Kevin Crosby Jennifer Crosby
Crosby Land LLC

☆ RECD ☆

Exhibit "B"-37

JAN 3 1 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

J ary 30, 2005

Woodburn Planning Commission:

The Serres Family would like to take this opportunity to inform the Planning Commission of our intent to file a Measure 37 claim for waiver of restrictions placed on our property. We understand that the proposed Woodburn UGB was determined in a thorough and thoughtful process that considered current vacant land, possible zoning changes within the existing UGB, location and proximity to roads and services, and protection of Class 1 soils as mandated by the State of Oregon land use regulations. If granted a Measure 37 waiver we will remove obstacles allowing the city to move in the obvious direction.

Please take a moment to consider our position. Successful farming requires nearly continuous growth in size and efficiency using the most current economic farming practices. Further growth of our farm is limited by the Pudding River to the East, the City of Woodburn to the West and North, by State Route 214, the Rail Road and industry to the South. For the past 10 years we have discontinued the use of many economical cultural practices to our economic loss in order to avoid conflict with our city neighbors. To mention a few: aerial spraying, nighttime cultivation and harvesting, application of chicken manure, and limited air blast spraying. We are restricted farmland and the proposed UGB expands onto unrestricted farmland.

We feel that we are positioned well and will be successful in our application for a Measure 37 iver. We are currently planning an upscale residential development with amenities. We feel our operty has a lot to offer the city for it's future growth. The property is located just to the East of Woodburn and has the natural relief for drainage with existing large bioswales. The property is easily accessible from the city by Serres Lane, Hardcastle, Hwy 214, Lincoln or Tomlin. There is easy alternate access to I-5 without using the already clogged Woodburn interchange by going north via Aurora cutoff or south at Brooks.

The diversity of our 400+ acres includes flat and rolling fields, old growth timber, ponds, wetlands, wildlife habitat, Pudding River frontage and incredible views of Mt Hood, These attributes help the city meet the needs of "Woodburn Economic Opportunities Analysis and Development Strategy" and provide an opportunity for improved quality of life. Your move to include this unique park, residential and recreational land in your UGB for all Woodburn residents will be lost forever if we go with private development.

Sincerely,

Paul Serres

Paul Serres, for
The Serres Family

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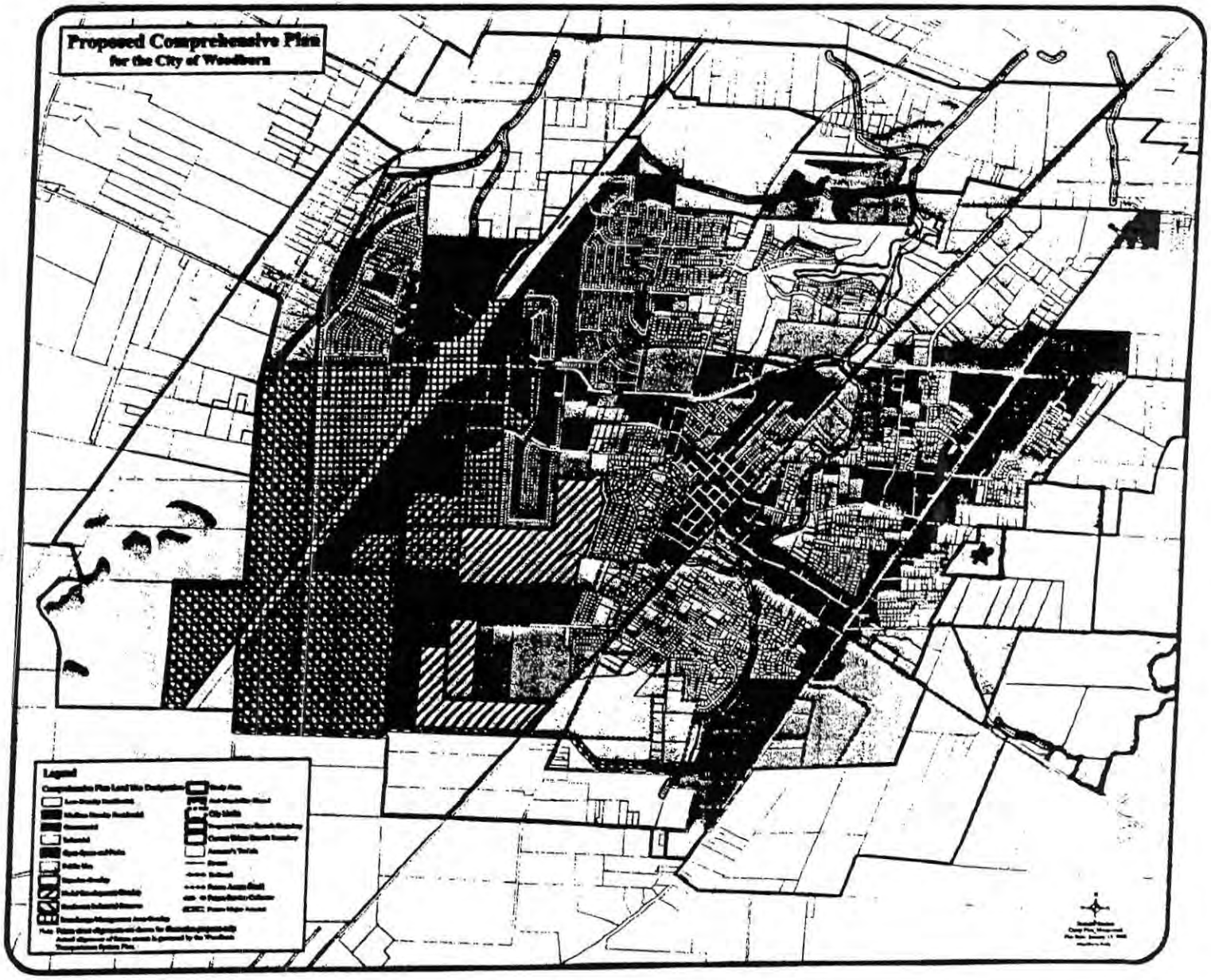
[redacted] = Serres [illegible]

Woodburn Sc[illegible] Dist.



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Priority Mail

EXHIBIT "B"-38

☆ REC'D ☆

FEB 02 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

To: Jim Mulder
City of Woodburn

Re: McCormick Property
Map & Tax Lot # : 052W11C 00100
and 052W11B 01300

Dear Sir,

I am the lady from Las Vegas, NV who has talked with you on several occasions regarding our property at West Woodburn.

This property has been in the family since 1869 with Pat & I owning it since 1960.

We were in the process of filing for Industrial and/or Business Park use under Measure 37 when your Public Notice reached us.

From what I read in your notice & from the maps on the Internet, our property is included in the UGB Amendment Study Area to provide a 20yr land supply, however, the map does not indicate a classification for our property.

Because of the properties unique location (i.e. road frontage; R.R. frontage; and direct access to I-5), we respectfully request to be included in the UGB amendment and to be designated for Industrial/Business Park use.

Please accept this letter as our testimony to the City Planning Comm. hearing and the City Council Hearing. Thank you.

Sincerely,
Dorothy M. McCormick

Patrick & Dorothy McCormick
Apt. 1101
1400 S Valley View Blvd.
Las Vegas, NV 89102

Phone: 1-702-259-9401

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☆ REC'D ☆

FEB 03 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

Perkins Coie

Roger A. Alfred
PHONE: 503.727.2094
FAX: 503.346.2094
EMAIL: ralfred@perkinscoie.com

1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2000
FAX: 503.727.2222
www.perkinscoie.com

February 3, 2005

VIA EMAIL

Jim Mulder
Community Development Director
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97071

Re: Proposed UGB Amendment – OGA Golf Course Property

Dear Jim:

As you know, this office represents Renaissance Development in the ongoing development of the Links at Tukwila residential PUD. We are writing in support of the City's proposal to add portions of the OGA Golf Course to the city's Urban Growth Boundary (UGB). Please include this letter in the record of City proceedings in this matter.

The expansion of the UGB in the area north of the existing UGB and east of Boones Ferry Road provides an orderly and efficient conversion of rural land to urban use consistent with Goal 14, and will help the City maintain a 20-year supply of buildable land for housing needs. The expansion in this direction provides the City with additional acreage for residential development and also adds desireable open space in the form of the existing golf course facility.

The proposed expansion onto the OGA property is also consistent with the City's prior approvals of Phases I-IV of the Tukwila residential development. The City's relatively recent approval of Phase IV of the Tukwila PUD specifically contemplates the extension of Olympic Street across OGA golf course property to Boones Ferry Road. This new road will provide a second means of access for residents and for

[41995-0001/PA050330.150]

emergency service vehicles if required, and is consistent with an urban designation for those portions of the OGA golf course that are not currently within the City's UGB.

Thank you for your consideration of these comments in support of the proposed UGB amendment.

Very truly yours,

Roger A. Alfred

RAA:jmm

cc: Renaissance Development

Exhibit "B"-40

FEB 03 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

IN THE CITY OF WOODBURN

In the Matter of the Woodburn Urban Growth Boundary.	))))	**LEGAL MEMORANDUM**

COMES NOW DALE BAKER, by and through his attorney DONALD M. KELLEY, and hereby provides the following Legal Memorandum in support of the addition of his land to the Urban Growth Boundary of the city of Woodburn. Mr. Baker's land is approximately 10.25 acres along the west side of the city and fronting on the 16600 block of Butteville Road.

SUMMARY OF THE FACTS

In 1988, Mr. Dale Baker applied for and was granted approval by the county to divide his 10.25 acres into seven acreage homesite lots. The land is currently zoned and planned Acreage Residential ("AR"). The city limits of the City of Woodburn lie adjacent to and east of Mr. Baker's property. The Marion County Board of Commissioners (Board) recognized that Mr. Baker's property would likely one day become a part of the City of Woodburn, and therefore required a design allowing for its re-subdivision into urban lots. Marion County Board of Commissioners Order 87-2, p. 2.

In 1991, the City of Woodburn granted approval to the owners of an adjacent property to subdivide that property into urban lots. The new subdivision, Senecal Estates II, had only a

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Attorneys and Counselors
110 NORTH SECOND STREET
SILVERTON, OREGON 97381
(503) 873-8671

single access point, which had the potential to cut off residents from emergency services. In light of this problem, Mr. Baker applied to the City of Woodburn for a change in its Urban Growth Boundary ("UGB"), a Comprehensive Plan change, a zone change, and annexation of the application's property to allow subdivision of the property into more than seven lots and to provide additional access to the adjacent subdivision.

On April 13, 1992, the City of Woodburn passed Ordinance 2081 adopting an amendment to the Woodburn UGB to expand the UGB to include Mr. Baker's 10.25 acres. Justification for Ordinance 2081 included the fact that Mr. Baker's property was not suitable for farming unlike the majority of land surrounding Woodburn, corrected the access problems of Senecal Estates II, created much needed residential housing for west Woodburn, and did not burden the City's emergency services or infrastructure. Although the Marion County Board of Commissioners did not ratify the City's action, Ordinance 2081 is still in effect.

The City of Woodburn continues to grow at a rapid pace and is in an ever-increasing need for new residential homes. By placing Mr. Baker's property within UGB, the City will move towards meeting this need. City Ordinance 2081 stated a public policy of the city of Woodburn to place Mr. Baker's property within the Woodburn UGB. The reasons for the passage of Ordinance 2081 still exist, and have increased with the passage of time. Looking at the Goal 14 factors clearly shows this. Mr. Baker's 10.25 acres should be included when the city of Woodburn expands its UGB to meet the needs of its citizens.

SUMMARY OF BAKER'S ARGUMENTS

The City of Woodburn, by the passage of city Ordinance 2081, acknowledged that Mr. Baker's property should be in the UGB. Furthermore, Mr. Baker's property is unsuitable for agriculture and exempt from Goals 3 and 4, unlike most of the other surrounding properties the City of Woodburn could incorporate. This makes Mr. Baker's property particularly well-suited to meet the needs of the city while protecting Oregon's farmland.

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A. Woodburn's passage of Ordinance 2081, which remains in effect, makes Mr. Baker's property not only the most logical, but also the best, property to include in the City's Urban Growth Boundary.

City Ordinance 2081 placed Mr. Baker's property within the City of Woodburn's UGB. Although Marion County did not agree that the city had shown the need for more land, today the need is clear and if the UGB is to be expanded, Baker's property must be the first land added to the UGB.

An "urban growth boundary" is a boundary line established under Goal 14 to separate urbanizable land from rural land. City of Salem v. Families for Responsible Govt., 298 Or. 574, 577 n.3 (1983), reversed on other grounds, 298 Or. 574, on remand 73 OrApp. 620 (1985).

Goal 14 provides a process for either the establishment or change of a UGB. The purpose of the goal is to provide an orderly and efficient transition from rural to urban land use. 1000 Friends of Oregon v. Wasco County Court, 299 Or. 344 (1985). Goal 14 provides for seven factors which must be considered when establishing or changing a UGB. They are:

> "(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
> (2) Need for housing, employment opportunities and livability;
> (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 land as defined with Class I being the highest priority for retention and Class VI the lowest priority; and
> (7) Compatibility of the proposed urban uses with nearby agricultural activities."

OAR 660-040-010(1)(B). The City of Woodburn determined, with the passing of Ordinance 2081, that Mr. Baker's property met Goal 14 and the concomitant factors.

The City of Woodburn has not repealed Ordinance 2081, it is still a part of the City's law, and will be so until repealed. There was no language that inferred the Ordinance's effect would cease with the passage of time or if some event occurred or failed to occur. The fact

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that the Board refused to ratify the City's Ordinance has no bearing of the Ordinance's status as far as the City is concerned. Ordinance 2081 is a part of Woodburn law. The City's Ordinance remains a proposed UGB within the meaning of Goal 14 for the State and County. See, Cecil v. Jackson, 19 Or LUBA 446, 452 (1990).

B. Baker's property is zoned for residential use, is exempt from Goals 3 and 4 and has priority when deciding which property to include in an expanded Urban Growth Boundary.

Mr. Baker's property is unsuitable for agriculture unlike many other surrounding properties the City of Woodburn could incorporate, making Mr. Baker's property particularly well-suited to meet the needs of the city while protecting Oregon's farmland. The City, Marion County, and the State have concluded that Mr. Baker's property is not desirable for agricultural purposes and exempted it from Goals 3 and 4. When the County changed the zoning from Exclusive Farm Use ("EFU") to AR it examined, with the State, the properties value in this regard. The City was required to make its own determination before the passage of City Ordinance 2081. City, County, and State all agreed that Mr. Baker's property was not well-suited for agricultural.

On January 7, 1992 the Board changed Mr. Baker's property from EFU to AR. In doing so they adopted a list of findings of fact about the property. The Board found that this change was consistent with the Comprehensive Plan. They required that the property be designed to facilitate future redevelopment and incorporation into Woodburn. Most importantly, the Board noted that the County did not want to expand onto good farmland, and changing Mr. Baker's property to AR helped protect the good farmland. Mr. Baker's property is wedged between a city neighborhood and Senecal Creek. Finally, the change from EFU to AR zoning is a result of its exemption from Goals 3 and 4 due.

//

//

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Attorneys and Counselors
110 NORTH SECOND STREET
SILVERTON, OREGON 97381
(503) 873-8671

Although Mr. Baker's property is not subject to Goals 3 and, it is helpful to demonstrate the appropriateness of Mr. Baker's property being included in Woodburn's UGB. Priorities for including land within a UGB are as follows:

(1) Urban reserve land;
(2) Exception and non-resource lands adjacent to a UGB;
(3) Marginal lands designated pursuant to ORS 197.247;
(4) Lands designated for agriculture or forestry, or both.

ORS 197.298(1). Furthermore, the higher the quality of soil, the more inappropriate its inclusion in the UGB. The majority of properties outside the UGB of Woodburn on the East, northwest, and south sides of Woodburn are designated for agriculture or forestry and subject to Goals 3 and 4. Goal 6 requires that the location of an UGB be based on "retention of agricultural land." Branscomb v. LCDC, 297 Or. 142, 146-147 (1984). Of the four categories used in Goal 14, Mr. Baker's land would be considered urban reserve land. Both the City and County have ensured that his property was planned "in a manner that ensures a range of opportunities for the orderly, economic and efficient provision of urban services when [his] lands are included in the UGB." OAR 660-21-040(1). Mr. Baker's property is a buildable property within a urbanizable area that is suitable, available and necessary for residential use. See, ORS 197.295(1).

CONCLUSION

The City of Woodburn should, in reviewing its UGB, give effect to Ordinance 2081, which was passed by the City and remains in effect for inclusion of the Baker property in Woodburn's UGB. Mr. Baker's property is not subject to Goals 3 and 4, which are designed to protect farmland and forestland. Furthermore, Mr. Baker's property is characteristic of urban reserve land, while the remaining land surrounding Woodburn is predominantly quality farmland. State law requires Woodburn first incorporate its urban reserve land, and take farmland only as a last resort.

//

KELLEY · KELLEY · DOYLE
Attorneys and Counselors
110 North Second Street
Silverton, Oregon 97381
(503) 873-8671

RESPECTFULLY SUBMITTED this 15 day of April, 2004 at Silverton, Marion County, Oregon.

KELLEY • KELLEY • DOYLE

By: Donald M. Kelley

DONALD M. KELLEY, OSB#74170
Of Attorneys for Dale Baker

KELLEY · KELLEY · DOYLE
Attorneys and Counselors
110 NORTH SECOND STREET
SILVERTON, OREGON 97381
(503) 873-8671

HE OPUS GROUP
RCHITECTS
ONTRACTORS
EVELOPERS

☆ REC'D ☆

FEB 03 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Exhibit "B"-41

1000 SW Broadway
Suite 1130
Portland, OR 97205
Phone 503-916-8963
Fax 503-916-8964
www.opuscorp.com

February 3, 2005

Planning Commission
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97071

Subject: Woodburn UGB Plan Amendment

Dear Planning Commission:

I am submitting this letter on behalf of Opus Northwest in support of the proposed urban growth boundary expansion plan and plan amendment the city planning commission is formally reviewing tonight at the public hearing.

As you know, Opus Northwest has worked with the City over the past six plus years in support of the City's proposed UGB expansion. Opus has invested a significant amount of money planning for the development of a 103 acre business park Opus controls west of I-5 that is within the City's proposed expanded UGB. The Opus business park is projected to provide over 1.4 million square feet of development ($85 m in value), over 1,400 new jobs, and $1.45 m in annual property taxes for Woodburn when the park is fully built out in 3 to 5 years from the date the UGB is formally approved.

As the City proceeds with planning commission, city council, and Marion County public hearings, Opus would appreciate it if you would send us notice of future hearings to be held. Please also copy Opus on the formal decisions made by each of the public bodies that review the City's proposed UGB plan.

Sincerely,

Will Denecke
Opus Northwest, LLC

cc: Jim Mulder
Corinne Sherton

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Exhibit "B"-42

FEB 03 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

2/2/05

To Whom it may Concern,

I own 2.5 acres, just South of the proposed Urban Growth boundary at 1675 S. Boones Ferry Rd, Woodburn. I would like you to consider including my property in the Urban Growth Boundary. It was a berry field 20 years ago, but really is too small to farm. It would be of more use inside a city.

The map # of my property is 052W24 00300.

Thanks,

Daniel J. Koerner
PO box 634
Woodburn OR 97071
503-982-0435

Exhibit "B"-43

KUZMA BARSUKOFF

5600 s. hwy 211
Hubbard or. 97032
Subject property:
14901 wilco hwy. Ne.
Woodburn or. 97071
971-221-4094

REC'D
FEB 09 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

February 9, 2005

City council
Woodburn or. 97071

Dear members, ladies and gentleman

This letter is concerning the matter of the expansion of the U.G.B. in the surrounding Woodburn area. I support the expansion on the industrial areas. I have several FACTS to back up my opinion

A) One of the sites that would be idea was over looked for the addition of industrial ground was the southeast side of Woodburn on the subject property listed above. This site has the railroad running along the north side of the property line and borders the U.G.B. on one of the three property lines. The nine-area parcel next to my property shares the railroad track and is being developed with a new railroad spur, city water and has been blacked topped with plains for a business to supply the nursery growers. Hwy. 214 are the main artery that supplies the egress and ingress for my property.

B) Some of the complaints of the expansion were the idea of using all the high value farm ground. In fact that on exhibit (A) of the letter shows that most of the production is not a food crops and that is in grass seed, nursery, hay and forage, small woodlots and Christmas a tree. On exhibit (B) is more of the same information showing the increase from 1997 to 2003 of the facts that I stated above. In fact the amount of food crops have declined in production over the course of the years. This is the strongest fact for the expansion.

C) One of the other issues on my so-called high value ground, (WATER). My property at 14901 wilco hwy. 214 Woodburn has no water rights. The Oregon water resource department has no guarantee that I will or ever will be able to receive a water right certificate. If I have no water I have no value.

D) I believe that my 19.05 acres would be an ideal alternative site to add into the U.G.B. expansion with the comprehensive plan of industrial ground to satisfy some of the bellyachers on the south west side of town.

Sincerely,

Kuzma Barsukoff

OFFICIAL SEAL
D YAGER
NOTARY PUBLIC - OREGON
COMMISSION NO. 351493
MY COMMISSION EXPIRES NOV. 5, 2005

STATE OF OREGON, COUNTY OF MARION) ss:
The above document was signed and executed before me this 9th day of Feb., 2005, by KUZMA BARSUKOFF to be his voluntary act.
Before Me:

Notary Public for Oregon My Commission Expires:

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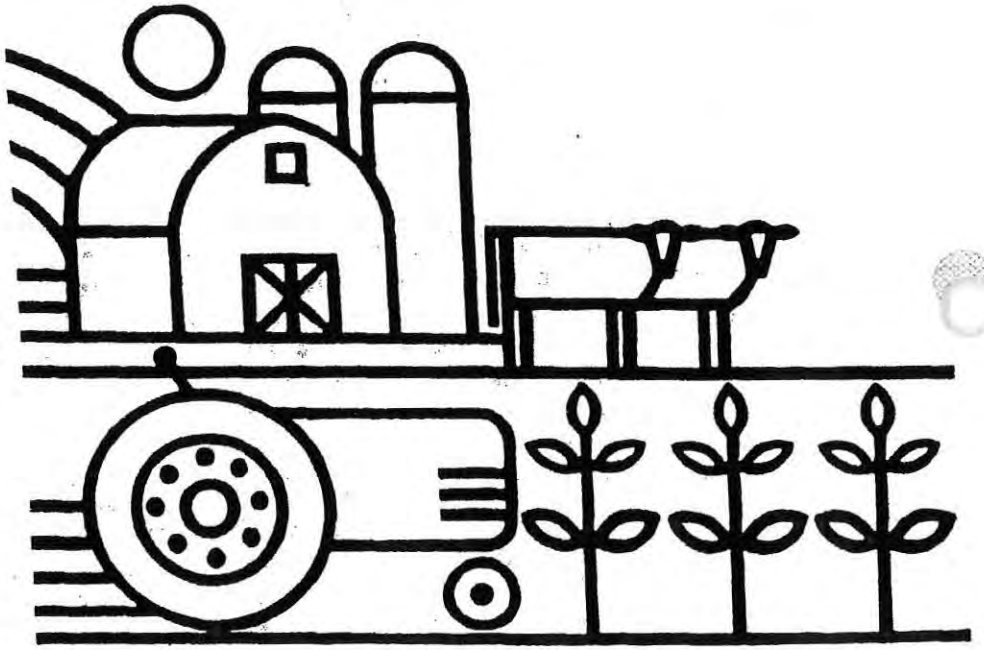
Page 303

1997
Oregon County and State Agricultural Estimates



Special Report 790 / Revised July 1998

OREGON STATE UNIVERSITY EXTENSION SERVICE

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1997 Oregon County and State Agricultural Estimates

Prepared by Sandy Sears
Economic Information Assistant
Oregon State University

The following pages report preliminary estimates for the value of sales and agricultural production for the 1997 crop year. Also reported are revised numbers for 1996 and 1995. Preliminary or first estimates are revised as updated information is received by our office. Estimates are collected and organized through Oregon State University Extension Service personnel. Once county information is complete, state totals are tabulated for this special report.

"Other farm income," particularly *farm forestry* or *small woodlot products*, is included in these agricultural estimates. Farm forestry has become quite significant over the years, reaching $332.2 million (pg. 8). Use caution when comparing these agricultural estimates with the Department of Forestry numbers, as this may lead to the double counting of sales.

This report is designed to provide a quick overview of Oregon's agriculture for this past year. The Extension Service maintains detailed information for Oregon and United States agriculture. Commodity Data Sheets are published throughout the year, reporting major agricultural commodities produced in Oregon. These contain a county-level breakdown of production, data on other Northwest states or other states important to the specific commodity, and total figures for the United States.

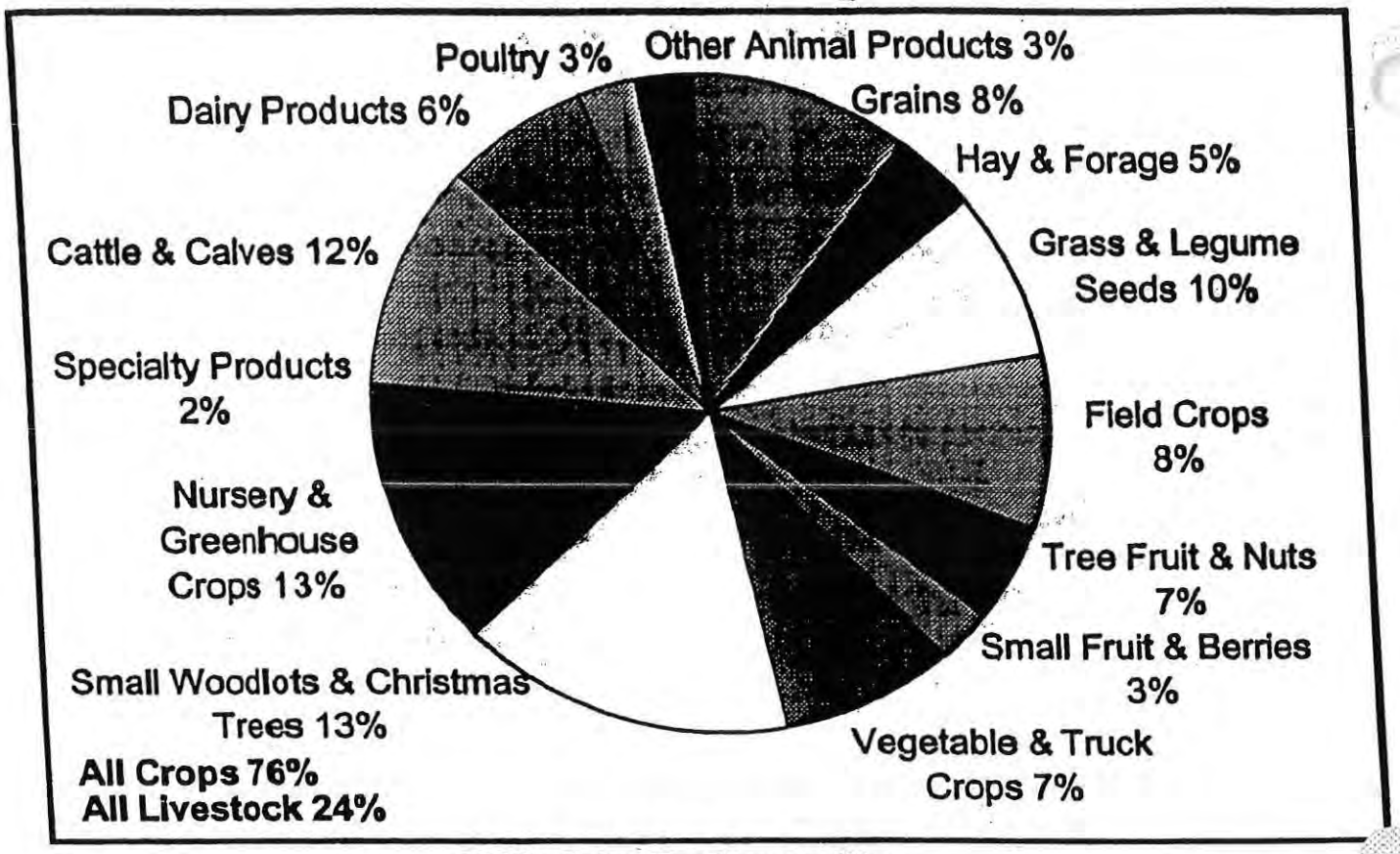
Commodity Data Sheets are published by groupings: grains and hay, field crops, tree fruits and nuts, small fruits and berries, vegetable and truck crops, specialty products, livestock and poultry. If you are interested in more information contained in the Commodity Data Sheets, contact:

Economic Information Office
Agricultural & Resource Economics
Oregon State University
219 Ballard Extension Hall
Corvallis, OR 97331-3601
(541)737-6126

Thank you to all the County Extension agents and specialists who assisted our office with the development of these estimates for all the crops and livestock throughout Oregon.

A special thank-you to Robert Clark of Dixon Creek Software for his programming talents. Mr. Clark rebuilt our software programs which house our statistics and generate our county- and state-level statistical reports.

AGRICULTURAL COMMODITY SALES
OREGON, 1997p



1997p Sales By Commodity
Thousand Dollars

Field Crops	274,859
Grains	269,605
Grass & Legumes	340,175
Hay & Forage	154,259
Nursery & Greenhouse Crops	413,288
Small Fruit & Berries	93,387
Small Woodlots & Christmas Trees	429,029
Specialty Products	60,337
Tree Fruit & Nuts	232,023
Vegetables & Truck Crops	253,156
ALL CROPS	**$2,520,118**
Cattle & Calves	395,362
Dairy Products	207,676
Other Animal Products	90,142
ALL LIVESTOCK	**$781,804**
ALL CROPS & LIVESTOCK	**$3,301,922**

p=preliminary

Source: Economic Information Office, Oregon State Uni[illegible]ty
June 10,

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1997p

District & County	All crops	All animal products	Total sales
	$000		
Benton	77,110	10,754	87,864
Clackamas	209,032	46,181	255,213
Lane	87,179	25,356	112,535
Linn	181,575	37,828	219,403
Marion	361,040	76,045	437,085
Multnomah	53,577	1,432	55,009
Polk	79,620	18,723	98,343
Washington	173,914	14,003	187,917
Yamhill	149,670	26,535	176,205
Willamette Valley	**1,372,717**	**256,857**	**1,629,574**
Clatsop	13,186	5,353	18,539
Columbia	31,798	4,923	36,721
Coos	38,519	22,361	60,880
Curry	18,878	4,177	23,055
Lincoln	12,444	1,682	14,126
Tillamook	9,092	65,353	74,445
Coastal	**123,917**	**103,849**	**227,766**
Douglas	55,255	25,847	81,102
Jackson	59,790	21,571	81,361
Josephine	19,622	10,047	29,669
Southwestern	**134,667**	**57,465**	**192,132**
Gilliam	20,976	3,736	24,712
Hood River	59,265	1,596	60,861
Morrow	92,416	17,951	110,367
Sherman	25,736	7,459	33,195
Umatilla	267,980	40,278	308,258
Wasco	53,682	8,130	61,812
Wheeler	2,190	4,639	6,829
North Central	**522,245**	**83,789**	**606,034**
Baker	14,893	31,743	46,636
Malheur	112,034	45,697	157,731
Union	38,810	9,922	48,732
Wallowa	19,010	18,811	37,821
Eastern	**184,747**	**106,173**	**290,920**
Crook	19,680	18,441	38,121
Deschutes	11,237	14,571	25,808
Grant	7,087	20,244	27,331
Harney	9,749	27,069	36,818
Jefferson	44,344	11,608	55,952
Klamath	66,091	60,454	126,545
Lake	23,637	21,284	44,921
South Central	**181,825**	**173,671**	**355,496**
State total	**$2,520,118**	**$781,804**	**$3,301,922**

Gross Farm & Ranch Sales by Commodity Group
1996r-1997p

Commodity Group	1997p	1996r	Percent Change
Grains	269,605	310,659	-15.2%
Hay & Forage	154,259	148,737	3.6%
Grass & Legumes	340,175	316,973	6.8%
Field Crops	274,859	274,089	0.3%
Tree Fruits & Nuts	232,023	164,291	29.2%
Small Fruits & Berries	93,387	98,915	-5.9%
Vegetables & Truck Crops	253,156	263,602	-4.1%
Specialty Products	902,654	869,656	3.7%
All Crops	**2,520,118**	**2,446,922**	**2.9%**
Cattle & Calves	395,362	252,141	36.2%
Dairy Products	207,676	237,009	-14.1%
Poultry	88,624	86,029	2.9%
Other Animal Products	90,142	75,218	16.6%
All Livestock and Poultry	**781,804**	**650,397**	**16.8%**
Total Sales	**3,301,922**	**3,097,319**	**6.2%**

Oregon's Leading Agricultural Commodities
Ranked by Gross Dollar Sales

Rank	Commodity	1997p	1996r	1995
		$000		
1	Cattle	395,362	252,141	296,285
2	Farm Forest Products	332,182	335,107	409,300
3	Nursery Crops	323,261	307,024	290,966
4	Wheat	227,147	268,492	283,908
5	Dairy Products	207,676	237,009	212,901
6	Potatoes	135,203	124,914	151,609
7	Perennial Ryegrass	129,539	118,438	82,395
8	Alfalfa Hay	104,654	109,387	101,144
9	Christmas Trees	96,847	89,710	85,517
10	Greenhouse Crops	90,027	86,253	83,464
11	Tall Fescue	85,190	88,054	41,857
12	Dry Onions	70,532	75,391	69,666
13	Winter Pears	59,100	60,009	47,530
14	Annual Ryegrass	54,581	41,394	52,433
15	Chicken Eggs	52,515	45,342	36,090
16	Peppermint for Oil	49,033	55,845	58,125
17	Sweet Cherries	46,085	32,138	22,769
18	Hazelnuts	40,141	16,774	35,424
19	Broilers	35,914	40,470	33,760
20	Apples	34,992	15,904	18,205
21	Sweet Corn, Processed	33,109	36,843	35,372
22	Sheep and Lambs	26,658	16,185	14,884
23	Sugar beets for Sugar	25,510	18,300	15,877
24	Hops	25,435	21,709	26,187
25	Snap Beans, Processed	23,794	24,943	26,171
26	Barley	22,754	22,637	20,093
27	Bartlett Pears	22,113	16,891	17,685
28	Cranberries	21,470	18,100	8,432
29	Horses and Mules	21,212	18,250	17,673
30	Other Hay	20,319	14,996	15,470
31	Strawberries	20,229	22,833	26,830
32	Grass and Grain Straw	19,943	14,367	14,235
33	Grapes	19,831	15,301	13,301
34	Veg and Flower Seed	18,658	16,911	16,755
35	All K. Bluegrass	18,596	15,718	11,938
36	Bulbs	15,988	15,370	12,800
37	Marion and Other Blackberries	13,676	19,157	16,244
38	Blueberries	13,572	11,558	6,900
39	Corn for Grain	13,327	13,322	10,007
40	Bentgrass, Creeping	13,243	11,469	9,833
41	Red Raspberries	12,494	12,326	14,250
42	Green Peas	9,375	8,745	15,923
43	Hogs and Pigs	9,202	8,029	8,305
44	Watermelons	8,782	9,762	7,692
45	Orchardgrass	8,639	9,752	13,690

Oregon's Leading Agricultural Commodities Ranked by Gross Dollar Sales (Cont'd)

Rank	Commodity	1997p	1996r	1995
			$000	
46	Mink	7,549	8,177	7,779
47	Squash and Pumpkins	6,860	7,224	5,562
48	Cauliflower, Processed	6,836	4,982	5,630
49	Chewings Fescue	6,267	5,362	3,747
50	Oats	6,239	6,033	5,443
51	Alfalfa Seed	6,193	7,506	7,311
52	Red Clover	5,946	6,053	5,230
53	Sweet Corn, Fresh	5,860	4,836	4,512
54	Silage, Corn	5,314	5,427	3,771
55	Garlic	5,229	8,278	8,981
56	Broccoli, Processed	4,884	5,140	5,180
57	Peaches	4,776	4,133	2,630
58	Turf Sod	4,507	4,089	4,136
59	Lettuce	4,252	3,704	4,602
60	Black Raspberries	4,225	3,175	1,550
61	Carrots, Fresh	4,105	4,353	4,632
62	Sugar beets for Seed	3,912	4,331	5,460
63	Fee Hunting and Recreation	3,783	3,446	3,255
64	Tomatoes	3,703	3,964	3,444
65	Boysenberries	3,672	5,193	3,750
66	Evergreen Blackberries	3,632	6,276	4,592
67	Hay Silage	3,467	4,110	1,127
68	Canola Oil	3,022	19,035	2,878
69	Prunes and Plums	2,931	1,343	855
70	Honey and Beeswax	2,897	2,645	2,071
71	Crimson Clover	2,519	4,315	2,933
72	Red Fescue	2,461	2,002	1,616
73	Cucumbers, Processed	2,459	2,834	4,170
74	Dry Field Beans	2,341	2,251	4,867
75	Bentgrass, Colonial	2,254	2,455	2,316
76	Cants and Muskmelons	2,219	2,113	1,102
77	Spearmint for Oil	2,018	1,807	1,956
78	Cabbage	2,006	1,770	1,408
79	Asparagus	1,822	1,938	1,560
80	Rhubarb	1,615	1,611	1,438
81	Radishes	1,485	1,398	1,548
82	Rabbits	1,466	1,443	1,435
83	Wool	1,332	1,011	1,930
84	Lima Beans	1,299	1,350	1,219
85	Beets, Processed	1,296	1,503	2,008
86	Rutabagas	1,258	1,284	1,166
87	Arrowleaf Clover	1,188	792	1,127
88	Walnuts	1,004	921	1,035
89	Other Commodities	121,909	112,436	115,522
	Total Gross Farm Sales	**3,301,922**	**3,097,319**	**3,068,379**

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Oregon Agricultural Preliminary Estimates, 1997

Commodity	Area Harvested	Yield Per Acre	Production	Price	Value of Production	Percent Sold	Value of Sales
Grains:	Acres	Bushels	Bushels	Per Bushel	$000	Percent	$000
Wheat	918,787	68	62,512,619	$3.71	231,993	98	227,147
Barley	118,443	74	8,736,150	$2.80	24,423	93	22,754
Oats	36,878	88	3,257,345	$2.21	7,194	87	6,239
Corn for Grain	27,966	189	5,281,240	$3.29	17,382	77	13,327
Other Grains	1,520		27,884		167		138
Subtotal	1,103,594		79,815,238		281,159		269,605
Hay and forages:		Tons	Tons	Per Ton			
Alfalfa	398,268	4.7	1,855,465	$104.39	193,690	54	104,654
Other Hay	596,205	2.5	1,471,023	$76.11	111,962	18	20,319
Silage, Corn	29,460	26.9	792,304	$23.09	18,297	29	5,314
Other Forage & Straw	34,515		1,063,760		41,092		23,972
Subtotal	1,058,448				365,041		154,259
Grass and legume seeds:		Pounds	Thousand Pounds	Per Hundred-weight			
Alfalfa Seed	6,916	671	4,643	$133.38	6,193	100	6,193
Bentgrass Seed	13,470	498	6,708	$231.04	15,497	100	15,497
All Kentucky Bluegrass	19,815	942	18,666	$99.62	18,596	100	18,596
Crimson Clover	8,050	415	3,344	$75.33	2,519	100	2,519
Red Clover	13,030	436	5,684	$104.82	5,958	100	5,946
Chewings Fescue	9,036	878	7,934	$78.99	6,267	100	6,267
Tall Fescue	102,202	1427	145,890	$58.39	85,190	100	85,190
Red Fescue	4,216	758	3,197	$76.98	2,461	100	2,461
Annual Ryegrass	119,050	1857	221,133	$24.68	54,580	100	54,581
Perennial Ryegrass	149,223	1435	214,158	$60.49	129,539	100	129,539
Orchardgrass	20,510	900	18,455	$46.81	8,639	100	8,639
Other Seeds	10,440		4,888		4,747		4,747
Subtotal	475,958		654,700		340,187		340,175

Oregon Agricultural Preliminary Estimates, 1997 *(continued)*

Commodity	Area Harvested	Yield Per Acre	Production	Price	Value of Production	Percent Sold	Value of Sales
Field crops:	Acres	Units	Thousand Units	Per Unit	$000	Percent	$000
Potatoes	53,017	500 cwt	26,491	$5.63	149,139	91	135,203
Peppermint for Oil	50,075	71 lbs	3,571	$13.73	49,033	100	49,033
Hops	8,353	1646 lbs	13,748	$1.85	25,435	100	25,435
Sugar beets for Sugar	18,002	23 ton	413	$61.76	25,508	100	25,510
Dry Field Beans	3,570	23 cwt	81	$28.78	2,341	100	2,341
Canola Oil	8,378	2769 lbs	23,198	$0.13	3,022	100	3,022
Sugar beets for Seed	2,887	2459 lbs	7,100	$0.55	3,912	100	3,912
Veg and Flower Seed	10,292				18,658	100	18,658
Other Field Crops	24,551				11,782	100	11,745
Subtotal	179,125				288,830		274,859
Tree fruits and nuts:							
Hazelnuts	27,760	3076 lbs	42,695	$0.47	40,141	100	40,141
Winter Pears	11,489	16.0 ton	183.8	$321.60	59,100	100	59,100
Sweet Cherries	11,261	3.7 ton	41.8	$1,101.56	46,085	100	46,085
Apples	10,014	554 bxs	5,547	$6.31	34,992	100	34,992
Bartlett Pears	4,760	17.5 ton	83.4	$265.19	22,113	100	22,113
Peaches	1,217	214 bxs	260	$18.38	4,776	100	4,776
Prunes and Plums	2,270	4.6 ton	10.5	$280.16	2,931	100	2,931
Grapes	6,540	2.7 ton	17.9	$1,106.15	19,831	100	19,831
Other Tree Fruits & Nuts	2,991				2,054	100	2,054
Subtotal	78,302				232,023		232,023

Oregon Agricultural Preliminary Estimates, 1997 *(continued)*

Commodity	Area Harvested	Yield Per Acre	Production	Price	Value of Production	Percent Sold	Value of Sales
	Acres	Units	Thousand Units	Per Unit	$000	Percent	$000
Small fruits and berries:							
Strawberries	5,115	9852 lbs	50,393	$0.401	20,229	100	20,229
Red Raspberries	3,877	5130 lbs	19,888	$0.628	12,494	100	12,494
Cranberries	2,013	173.6 bbl	350	$61.432	21,470	100	21,470
Blueberries	2,124	8751 lbs	18,588	$0.730	13,572	100	13,572
Black Raspberries	1,190	1934 lbs	2,301	$1.835	4,225	100	4,225
Other Berries	6,340				21,385	100	21,397
Subtotal	**20,659**				**93,375**		**93,387**
Vegetables & truck crops:							
Dry Onions	19,691	558 cwt	10,981	$7.88	86,568	81	70,532
Sweet Corn, Processed	44,840	8.7 ton	389	$85.07	33,109	100	33,109
Snap Beans, Processed	20,780	6.7 ton	140	$170.44	23,794	100	23,794
Green Peas	23,812	1.8 ton	43	$224.66	9,605	98	9,375
Broccoli, Processed	2,540	5.0 ton	13	$387.22	4,884	100	4,884
Cauliflower, Processed	4,035	4.8 ton	20	$350.40	6,836	100	6,836
Cucumbers, Processed	2,680	8.2 ton	22	$111.89	2,459	100	2,459
Sweet Corn, Fresh	2,645	134 cwt	355	$16.50	5,860	100	5,860
Other Fresh Vegetables	12,909				77,435	99	76,932
Other Vegetables & Truck Crops	10,596				19,477	99	19,375
Subtotal	**144,528**				**270,027**		**253,156**
Specialty crops:							
Nursery Crops					323,261	99	323,261
Farm Forest Products					332,182	100	332,182
Christmas Trees	6,748	1281 tree	8,642	$11.21	96,847	100	96,847
Greenhouse Crops					90,027	100	90,027
Bulbs	1,540				15,988	100	15,988
Other Specialty Products	720				44,449	99	44,349
Subtotal					**902,774**		**902,654**
Total all crop sales for 1997:							**2,520,118**

Oregon Agricultural Preliminary Estimates, 1997 *(continued)*

Commodity	Number of Inventory January 1	Quantities Sold	Value of Sales
Livestock and poultry:	**Head**	**Units**	**$000**
Cattle	1,475,335		395,362
Hogs and Pigs	61,880	88,640 head	9,202
Sheep and Lambs	394,893		26,658
Broilers		21,846,000 head	35,914
Chicken Eggs	2,679,200 layers	62,043,000 dozen	52,515
Wool	357,730 shorn	2,380,916 lbs	1,332
Mink	49,200 females	192,650 pelts	7,549
Honey	49,350 hives		2,897
Horses and Mules	115,550		21,212
Dairy Products	92,815	14,977,096 cwt	207,676
Other Misc. Livestock			21,487

Total livestock and poultry sales for 1997: **781,804**

Total agricultural sales, preliminary estimate for 1997: **3,301,922**

Oregon Gross Farm Sales

District & County	Grains	Hays & forage	Grass & legume seeds	Field crops	Tree fruits & nuts	Small fruits & berries	Vegetable crops	Spec. prod.	All crops	Cattle & calves	Dairy products	Eggs & poultry	Misc. ani.	Animal products
Benton	1,843	2,502	22,989	4,809	1,110	871	9,241	33,745	77,110	3,498	6,000	60	1,196	10,754
Clackamas	980	4,003	8,327	1,138	7,795	15,119	15,689	155,981	209,032	6,158	4,500	29,061	6,462	46,181
Lane	1,470	2,069	16,534	5,811	6,811	1,679	10,689	42,116	87,179	8,410	5,200	7,455	4,291	25,356
Linn	1,418	7,944	121,251	10,736	2,821	3,718	8,812	24,875	181,575	6,605	11,500	6,759	12,964	37,828
Marion	3,778	8,035	69,799	32,459	14,030	23,591	67,966	141,382	361,040	9,894	38,000	20,658	7,493	76,045
Multnomah	278	264	152	680	319	4,699	12,126	35,059	53,577	552	230	-	650	1,432
Polk	3,275	3,686	30,697	6,940	10,856	1,668	2,244	20,254	79,620	2,518	10,000	4,194	2,011	18,723
Washington	7,598	3,953	12,866	2,537	13,938	14,629	7,434	110,959	173,914	1,850	8,800	469	2,884	14,003
Yamhill	5,443	4,132	25,221	1,316	20,493	4,576	10,688	77,801	149,670	3,808	11,000	7,645	4,082	26,535
Willamette Valley	26,083	36,588	307,836	66,426	78,173	70,550	144,889	642,172	1,372,717	43,293	95,230	76,301	42,033	256,857
Clatsop	-	88	-	-	-	257	10	12,831	13,186	1,350	1,952	-	2,051	5,353
Columbia	116	275	79	250	19	481	530	30,048	31,798	2,100	2,105	37	681	4,923
Coos	7	174	-	-	20	15,442	136	22,740	38,519	8,471	11,600	-	2,290	22,361
Curry	-	22	-	-	-	5,886	-	12,970	18,878	1,947	547	-	1,683	4,177
Lincoln	-	131	-	-	-	113	60	12,140	12,444	1,122	112	-	448	1,682
Tillamook	-	168	-	-	-	4	80	8,840	9,092	2,805	61,281	-	1,267	65,353
Coastal	123	858	79	250	39	22,183	816	99,569	123,917	17,795	77,597	37	8,420	103,849
Douglas	194	350	40	65	1,969	226	841	51,570	55,255	20,208	-	1,436	4,203	25,847
Jackson	289	1,503	376	-	37,839	-	929	18,854	59,790	11,767	1,509	4,037	4,258	21,571
Josephine	72	770	-	-	1,418	-	670	16,692	19,622	2,600	6,009	23	1,415	10,047
Southwestern	555	2,623	416	65	41,226	226	2,440	87,116	134,667	34,575	7,518	5,496	9,876	57,465
Gilliam	19,895	398	105	126	421	-	-	31	20,976	3,649	-	-	87	3,736
Hood River	40	165	-	-	55,385	313	50	3,312	59,265	550	338	-	708	1,596
Morrow	36,135	5,902	627	39,834	744	78	7,116	1,980	92,416	16,899	-	-	1,052	17,951
Sherman	24,974	206	-	435	49	-	-	72	25,736	1,614	-	5,779	66	7,459
Umatilla	93,349	16,190	11,025	57,241	19,894	37	54,654	15,590	267,980	33,725	353	-	6,200	40,278
Wasco	14,483	1,937	-	316	33,917	-	72	2,957	53,682	6,875	-	-	1,255	8,130
Wheeler	55	391	-	67	-	-	-	1,677	2,190	4,393	-	-	246	4,639
North Central	188,931	25,189	11,757	98,019	110,410	428	61,892	25,619	522,245	67,705	691	5,779	9,614	83,789
Baker	2,233	3,739	-	5,466	-	-	-	3,455	14,893	28,925	2,191	-	627	31,743
Malheur	18,327	6,962	5,197	40,941	461	-	39,571	575	112,034	33,190	9,938	-	2,569	45,697
Union	10,052	2,998	5,198	10,703	1,234	-	152	8,473	38,810	8,972	88	-	862	9,922
Wallowa	5,815	4,156	60	634	-	-	75	8,270	19,010	15,434	-	-	3,377	18,811
Eastern	36,427	17,855	10,455	57,744	1,695	-	39,798	20,773	184,747	86,521	12,217	-	7,435	106,173
Crook	566	4,425	106	13,223	-	-	-	1,360	19,680	17,100	280	-	1,061	18,441
Deschutes	209	5,878	80	2,248	-	-	-	2,822	11,237	5,568	2,586	-	6,417	14,571
Grant	48	1,037	-	324	480	-	-	5,198	7,087	19,800	-	2	442	20,244
Harney	630	6,864	46	-	-	-	-	2,209	9,749	26,060	-	-	1,009	27,069
Jefferson	5,031	6,488	9,400	18,315	-	-	3,321	1,789	44,344	10,487	-	-	1,121	11,608
Klamath	10,372	26,194	-	18,230	-	-	-	11,295	66,091	45,806	11,557	1,009	2,082	60,454
Lake	630	20,260	-	15	-	-	-	2,732	23,637	20,652	-	-	632	21,284
South Central	17,486	71,146	9,632	52,355	480	-	3,321	27,405	181,825	145,473	14,423	1,011	12,764	173,671
[illegible]	[illegible]	154,259	340,175	274,859	232,023	93,387	253,156	902,654	2,520,118	395,362	207,676	88,624	90,142	781,804

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Oregon Gross Farm Sales ($000) 1990

District & County	Grains	Hays & forage	Grass & legume seeds	Field crops	Tree fruits & nuts	Small fruits & berries	Vegetable crops	Spec. prod.	All crops	Cattle & calves	Dairy products	Eggs & poultry	Misc. animals	All animal products	Tot gro sal
Benton	2,003	2,026	22,671	6,201	793	830	8,587	34,003	77,114	1,600	6,760	69	949	9,378	86,4
Clackamas	1,423	2,764	8,249	1,078	3,553	14,654	16,553	148,033	196,307	3,763	5,170	26,990	5,699	41,622	237,9
Lane	1,679	1,903	15,980	7,588	3,953	1,817	10,110	43,839	86,869	4,838	6,260	8,743	3,695	23,536	110,4
Linn	1,954	5,898	115,196	10,728	1,840	3,669	9,125	23,970	172,380	4,062	14,470	7,749	11,101	37,382	209,7
Marion	6,034	7,267	65,745	31,740	6,880	30,973	67,863	138,549	355,051	5,902	45,870	18,755	7,008	77,535	432,5
Multnomah	520	143	154	562	242	4,240	8,930	31,463	46,254	533	520	-	571	1,624	47,8
Polk	4,907	3,335	27,261	7,361	6,133	2,176	3,124	20,204	74,501	2,199	11,340	4,544	1,545	19,628	94,1
Washington	12,226	3,823	12,911	1,636	8,841	15,505	8,073	106,292	169,307	1,769	12,330	404	2,726	17,229	186,53
Yamhill	9,170	3,432	20,654	2,011	11,482	4,973	11,564	78,001	141,287	2,874	13,420	8,301	3,520	28,115	169,40
Willamette Valley	39,916	30,591	288,821	68,905	43,717	78,837	143,929	624,354	1,319,070	27,540	116,140	75,555	36,814	256,049	1,575,11
Clatsop	-	76	-	-	-	308	10	11,602	11,996	892	2,120	-	2,226	5,238	17,23
Columbia	137	307	68	255	31	587	481	32,802	34,668	1,486	1,990	39	577	4,092	38,76
Coos	6	173	-	-	22	13,410	60	23,189	36,860	3,676	12,960	-	1,423	18,059	54,91
Curry	-	25	-	-	-	4,508	-	13,076	17,609	1,045	590	-	947	2,582	20,19
Lincoln	-	130	-	-	-	135	60	15,445	15,770	520	150	-	331	1,001	16,77
Tillamook	-	122	-	-	-	53	-	8,199	8,374	2,288	64,399	-	1,133	67,820	76,19
Coastal	143	833	68	255	53	19,001	611	104,313	125,277	9,907	82,209	39	6,637	98,792	224,06
Douglas	180	1,798	92	25	1,700	441	1,228	47,570	53,034	8,001	170	1,104	4,812	14,087	67,121
Jackson	383	1,480	256	99	40,417	100	653	13,132	56,520	7,906	1,640	3,590	3,704	16,840	73,360
Josephine	84	819	-	-	1,530	68	670	13,659	16,830	1,779	6,510	19	1,353	9,661	26,491
Southwestern	647	4,097	348	124	43,647	609	2,551	74,361	126,384	17,686	8,320	4,713	9,869	40,588	166,972
Gilliam	27,252	508	138	138	278	-	-	31	28,345	2,259	-	-	84	2,343	30,688
Hood River	53	179	-	-	48,305	327	50	3,160	52,074	401	340	-	678	1,419	53,493
Morrow	35,752	11,387	199	41,796	560	116	9,167	2,002	100,979	9,757	-	-	1,039	10,796	111,775
Sherman	34,964	183	-	320	60	-	-	60	35,587	999	-	4,794	104	5,897	41,484
Umatilla	96,554	16,583	6,646	62,551	1,930	25	34,693	9,475	228,457	25,376	490	-	3,622	29,488	257,945
Wasco	20,222	2,101	-	167	23,165	-	234	2,003	47,892	4,263	-	-	1,244	5,507	53,399
Wheeler	51	395	-	61	-	-	-	1,471	1,978	2,720	-	-	188	2,908	4,886
North Central	214,848	31,336	6,983	105,033	74,298	468	44,144	18,202	495,312	45,775	830	4,794	6,959	58,358	553,670
Baker	1,744	3,070	-	5,043	-	-	-	3,626	13,483	15,607	2,740	-	499	18,846	32,329
Malheur	24,248	7,998	6,414	41,589	633	-	65,772	575	147,229	34,871	11,630	-	1,503	48,004	195,233
Union	6,359	2,992	4,173	11,317	1,430	-	83	10,601	36,955	5,504	120	-	713	6,337	43,292
Wallowa	5,071	3,876	60	-	-	-	102	7,290	16,399	7,385	-	-	1,214	8,599	24,998
Eastern	37,422	17,936	10,647	57,949	2,063	-	65,957	22,092	214,066	63,367	14,490	-	3,929	81,786	295,852
Crook	1,060	4,102	71	9,677	-	-	810	773	16,493	12,190	310	-	839	13,339	29,832
Deschutes	293	5,194	100	2,293	-	-	-	2,459	10,339	4,462	2,930	-	6,243	13,635	23,974
Grant	52	893	-	349	513	-	-	6,172	7,979	8,146	-	23	372	8,541	16,520
Harney	670	6,371	46	-	-	-	-	2,644	9,731	19,786	-	-	730	20,516	30,247
Jefferson	6,867	4,982	9,889	14,140	-	-	5,600	1,072	42,550	7,738	-	-	682	8,420	50,970
Klamath	7,816	22,870	-	15,354	-	-	-	10,485	56,525	20,856	11,780	905	1,564	35,105	91,630
Lake	925	19,532	-	10	-	-	-	2,729	23,196	14,688	-	-	580	15,268	38,464
South Central	17,683	63,944	10,106	41,823	513	[illegible]	6,410	26,334	166,813	87,866	15,020	928	11,010	114,824	281,637
[illegible]	[illegible]	316,973	274,089	164,291	9[illegible]	[illegible]	263,602	869,656	2,446,922	252,141	237,009	86,029	75,21[illegible]	[illegible]0,397	3,097,319

Oregon Counties, 1997p

District & County	Grains	Hays & forage	Grass & legume seeds	Field crops	Tree fruits & nuts	Small fruits & berries	Vegetable crops	Spec. prod.	Total acres
Bo[illegible]	5,600	9,900	35,480	4,690	633	190	10,805	1,300	68,598
Clackamas	3,600	30,100	8,820	577	4,795	4,120	5,443	1,930	59,385
Lane	4,200	25,760	25,700	5,915	4,150	397	7,511	340	73,973
Linn	4,400	22,650	192,700	13,515	1,803	705	8,773	130	244,676
Marion	11,700	25,800	75,020	15,529	7,998	6,295	39,835	2,510	184,687
Multnomah	920	4,760	340	300	125	1,385	5,451	80	13,361
Polk	11,900	18,600	45,650	5,276	5,598	490	2,105	580	90,199
Washington	24,030	26,520	21,495	1,160	7,645	3,700	6,430	290	91,270
Yamhill	17,800	25,000	35,040	1,120	10,825	1,000	7,031	250	98,066
Willamette Valley	**84,150**	**189,090**	**440,245**	**48,082**	**43,572**	**18,282**	**93,384**	**7,410**	**924,215**
Clatsop	0	5,300	0	0	0	55	0	330	5,685
Columbia	400	9,900	250	200	23	126	950	50	11,899
Coos	100	19,450	0	0	35	1,462	60	25	21,132
Curry	0	1,700	0	0	0	523	0	210	2,433
Lincoln	0	3,500	0	0	0	25	10	30	3,565
Tillamook	0	9,750	0	0	0	7	20	90	9,867
Coastal	**500**	**49,600**	**250**	**200**	**58**	**2,198**	**1,040**	**735**	**54,581**
Douglas	650	13,720	90	20	1,015	75	223	250	16,043
Jackson	1,275	35,150	400	0	6,335	0	625	145	43,930
Josephine	425	13,250	0	0	334	0	290	100	14,399
Southwestern	**2,350**	**62,120**	**490**	**20**	**7,684**	**75**	**1,138**	**495**	**74,372**
[illegible]lam	110,061	3,335	160	460	50	0	0	0	114,066
[illegible]d River	250	2,900	0	0	13,385	64	30	10	16,639
[illegible]rrow	164,003	22,508	710	16,380	659	25	4,803	0	209,088
Sherman	121,845	1,900	0	445	15	0	0	0	124,205
Umatilla	350,750	53,300	8,808	36,614	4,550	15	29,258	430	483,725
Wasco	66,800	7,100	0	615	7,255	0	60	28	81,858
Wheeler	400	11,100	0	70	0	0	0	0	11,570
North Central	**814,109**	**102,143**	**9,678**	**54,584**	**25,914**	**104**	**34,151**	**468**	**1,041,151**
Baker	10,500	72,400	0	2,745	0	0	0	0	85,645
Malheur	57,200	91,600	6,600	26,067	334	0	12,515	0	194,31[illegible]
Union	44,000	34,300	7,825	12,559	531	0	500	10	99,72[illegible]
Wallowa	23,460	46,000	250	293	0	0	50	0	70,05[illegible]
Eastern	**135,160**	**244,300**	**14,675**	**41,664**	**865**	**0**	**13,065**	**10**	**449,73[illegible]**
Crook	1,875	35,020	140	9,673	0	0	0	0	46,70
Deschutes	700	32,000	70	1,611	0	0	0	185	34,56
Grant	350	36,500	0	400	209	0	0	0	37,45
Harney	5,100	106,000	400	0	0	0	0	0	111,5[illegible]
Jefferson	15,800	20,675	10,010	10,711	0	0	1,750	142	59,0[illegible]
Klamath	39,300	74,000	0	12,100	0	0	0	360	125,7[illegible]
Lake	4,200	107,000	0	80	0	0	0	0	111,2[illegible]
South Central	**67,325**	**411,195**	**10,620**	**34,575**	**209**	**0**	**1,750**	**687**	**526,3[illegible]**
State Total	**1,103,594**	**1,058,448**	**475,958**	**179,125**	**78,302**	**20,659**	**144,528**	**9,805**	**3,070,4[illegible]**

[illegible]rce: Compiled by Extension Economic Information Office, Oregon State Unviersity.
[illegible]mates are not included for many specialty crops, pastureland, and rangeland.

June 15, 1[illegible]

Harvested Acreage Summary
Oregon Counties, 1996r

District & County	Grains	Hays & forage	Grass & legume seeds	Field crops	Tree fruits & nuts	Small fruits & berries	Vegetable crops	Spec. prod.	Total acres
Benton	5,420	10,660	34,960	4,863	624	180	9,905	1,400	68,01[illegible]
Clackamas	4,340	31,210	8,720	770	4,923	4,030	6,357	1,880	62,230
Lane	4,580	31,650	25,350	5,930	4,141	420	6,080	320	78,471
Linn	5,590	24,610	191,280	9,685	1,791	675	9,090	120	242,841
Marion	14,460	27,240	69,000	16,723	7,732	6,225	38,000	2,500	181,880
Multnomah	1,610	4,830	350	350	120	1,350	3,690	100	12,400
Polk	15,240	19,280	42,550	6,113	5,522	470	3,328	580	93,083
Washington	35,420	27,120	19,530	900	8,359	3,715	7,003	290	102,337
Yamhill	23,830	26,510	28,590	1,848	10,234	995	8,358	250	100,615
Willamette Valley	**110,490**	**203,110**	**420,330**	**47,182**	**43,446**	**18,060**	**91,811**	**7,440**	**941,869**
Clatsop	0	5,080	0	0	0	55	0	10	5,145
Columbia	510	10,090	130	190	34	116	755	40	11,865
Coos	100	19,250	0	0	35	1,311	60	20	20,776
Curry	0	1,780	0	0	0	464	0	235	2,479
Lincoln	0	3,330	0	0	0	25	10	40	3,405
Tillamook	0	9,670	0	0	0	15	0	20	9,705
Coastal	**610**	**49,200**	**130**	**190**	**69**	**1,986**	**825**	**365**	**53,375**
Douglas	720	37,810	200	15	1,114	110	393	250	40,612
Jackson	1,870	35,030	290	55	7,009	15	405	130	44,804
Josephine	700	13,030	0	0	455	10	290	100	14,585
Southwestern	**3,290**	**85,870**	**490**	**70**	**8,578**	**135**	**1,088**	**480**	**100,001**
Gilliam	121,550	5,550	200	450	45	0	0	0	127,[illegible]
Hood River	200	2,900	0	0	13,319	64	30	10	16,[illegible]
Morrow	160,530	43,530	230	19,790	772	30	6,955	0	231,8[illegible]
Sherman	130,620	1,880	0	270	15	0	0	0	132,785
Umatilla	352,470	56,210	7,090	31,160	3,341	10	28,825	380	479,486
Wasco	71,930	10,210	0	240	6,369	0	220	20	88,989
Wheeler	540	11,370	0	70	0	0	0	0	11,980
North Central	**837,840**	**131,650**	**7,520**	**51,980**	**23,861**	**104**	**36,030**	**410**	**1,089,395**
Baker	11,260	73,270	0	2,620	0	0	0	0	87,150
Malheur	64,590	96,070	7,800	30,080	334	0	12,580	0	211,454
Union	45,190	36,030	7,061	10,960	490	0	470	10	100,211
Wallowa	27,750	48,540	250	0	0	0	170	0	76,71[illegible]
Eastern	**148,790**	**253,910**	**15,111**	**43,660**	**824**	**0**	**13,220**	**10**	**475,52[illegible]**
Crook	3,870	34,950	120	10,001	0	0	300	0	49,24[illegible]
Deschutes	1,220	31,780	120	1,770	0	0	0	144	35,03[illegible]
Grant	380	36,060	0	380	196	0	0	0	37,01[illegible]
Harney	5,730	104,910	400	0	0	0	0	0	111,04[illegible]
Jefferson	17,860	16,910	11,230	9,573	0	0	2,000	130	57,70[illegible]
Klamath	39,370	75,530	0	12,615	0	0	0	325	127,84[illegible]
Lake	5,290	111,920	0	80	0	0	0	0	117,29[illegible]
South Central	**73,720**	**412,060**	**11,870**	**34,419**	**196**	**0**	**2,300**	**599**	**535,16[illegible]**
State Total	**1,174,740**	**1,135,800**	**455,451**	**177,501**	**76,974**	**20,285**	**145,274**	**9,304**	**3,195,32[illegible]**

Source: Compiled by Extension Economic Information Office, Oregon State Unviersity.
Estimates are not included for many specialty crops, pastureland, and rangeland.

June 15,

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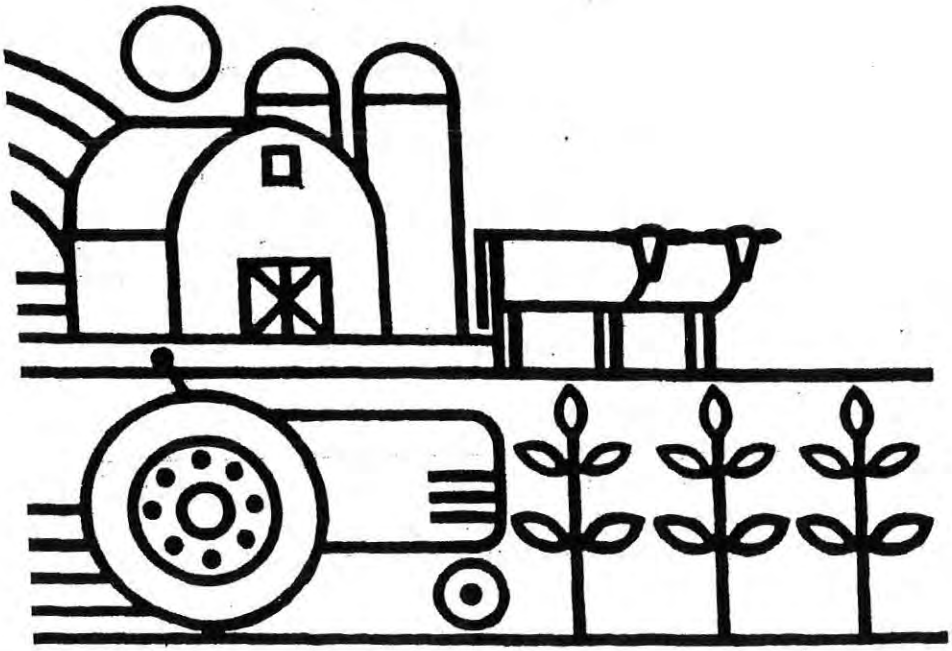
2003
Oregon County and State Agricultural Estimates



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2003 Oregon County and State Agricultural Estimates

Oregon Agricultural Information Network (OAIN)
Extension Economic Information Office
Department of Agricultural & Resource Economics
Oregon State University

This report provides a quick overview of Oregon's recent crop and livestock production. The following pages include 2003 preliminary estimates for production and value. In addition, there are revised estimates for 2002 and 2001. Preliminary or first estimates are revised as needed when updated information is received. All of the data reported here were in our database as of January 21, 2004. We collect only farmgate level data. That means that no transportation charges or government payments are included in our price estimates.

Web access is provided for you to review and download the publicly available numbers that we update periodically in our database. The URL for our homepage is: http://ludwig.arec.orst.edu/econinfo. This publication, as well as earlier versions, can be obtained by clicking on the "Commodity Data Sheets" button on our homepage and then clicking on "All Commodity Summaries."

To see any portion of our database accessible to the public, you may click on the homepage button, "OAIN Databases." No username or password is required; just click on the "Next" button below the login boxes. You may then bring up preformatted reports on the menu provided or click on "User Defined Report/Query" to create your own tables. These tables may be downloaded for printing or you may cut/paste them into an EXCEL spreadsheet for further analysis.

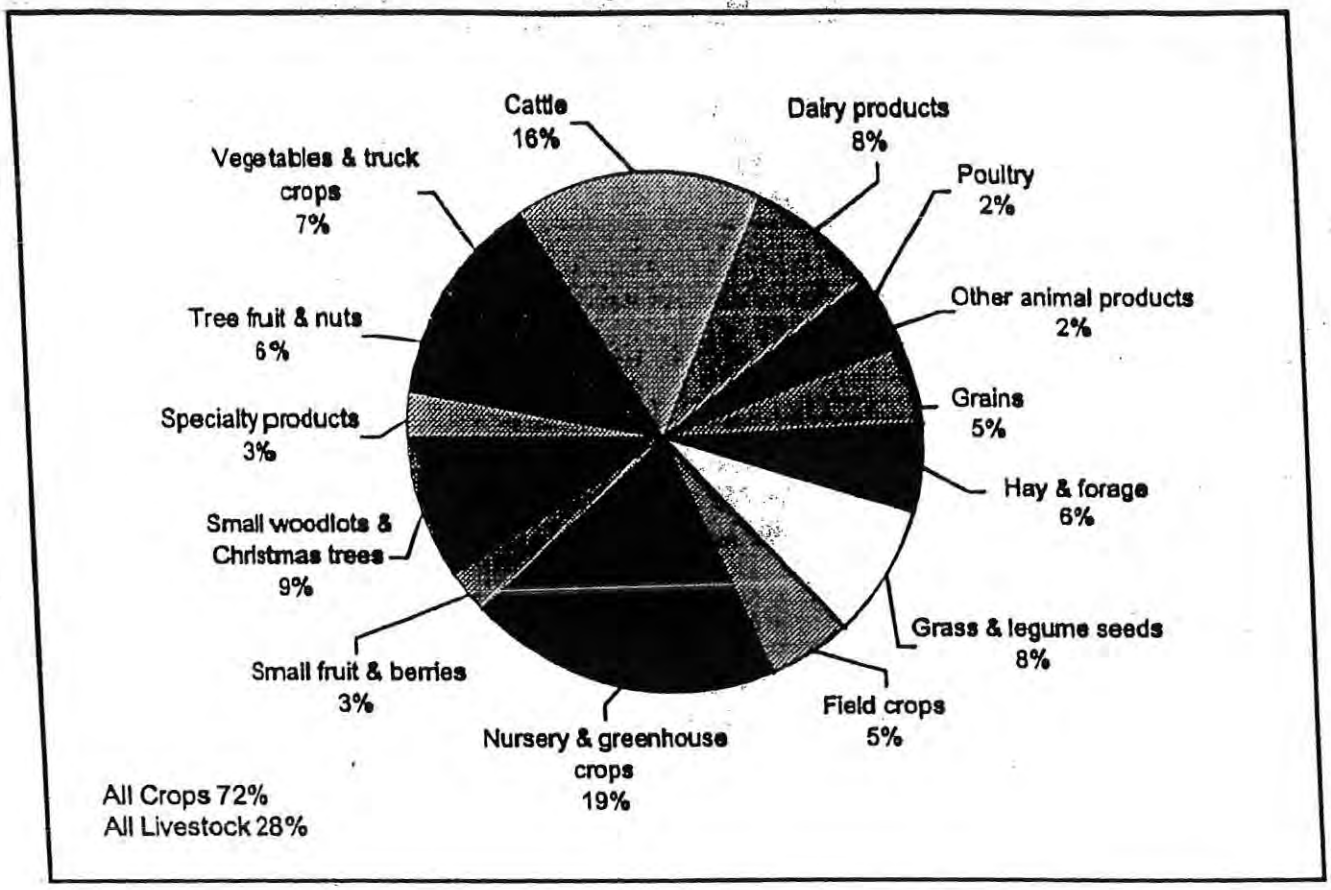
We try hard to protect confidential data from being viewed by agricultural industry members or the general public. That is done by hiding them within our database or by combining them with other commodities in county, regional, or statewide summaries. Our definition of confidentiality is similar to that used by the Oregon Agricultural Statistics Service, USDA: any data that represent fewer than three producers or one producer with 60 percent or more of the identified production are confidential.

The data we provide are obtained from a team of about 70 Extension agents and specialists from around the state. They are knowledgeable about selected crop and livestock production in the counties that they serve. These numbers reflect the best judgment of these OSU faculty members with respect to commodity production, prices, and usage patterns over time. The data represent overall annual values. It is important to recognize that their choices for aggregating data may shift the gross farm sales ranking of specific commodities and sectors.

Commodities such as some livestock forages are frequently produced, in part, for on-farm use. A single price estimate is made for each county's production regardless of whether it is sold in an open market environment or consumed as an input to the production of other commodities, e.g., beef cattle, dairy cattle, or sheep. The value of production estimate reflects the entire value of the commodity without regard to whether it is sold or consumed on-farm. The percent of sales for the commodity is also estimated. That percentage is multiplied by the value of production estimate to derive the estimated value of sales. Thus, for commodities that are consumed on-farm in other enterprises, the value of production would be significantly higher than the value of sales.

A special thank you to Robert Clark, Dixon Creek Software, Corvallis, Oregon. Mr. Clark was the programmer who created the software necessary to make the OAIN system operational. We are now able to collect and disseminate data electronically through our Website. He continues to provide technical support and improvements for our system.

Oregon, 2003p



2003p Sales by Commodity

$1,000

Field Crops	185,438
Grains	160,478
Grass & Legume Seeds	287,729
Hay & Forage	205,685
Nursery & Greenhouse Crops	673,315
Small Fruit & Berries	98,171
Small Woodlots & Christmas Trees	308,236
Specialty Products	102,016
Tree Fruit & Nuts	222,337
Vegetables & Truck Crops	244,241
All Crops	**$2,487,646**
Cattle & Calves	543,048
Dairy Products	282,030
Other Animal Products	72,832
Poultry	80,227
All Livestock	**$978,137**
All Crops & Livestock	**$3,465,783**

p=preliminary.
Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

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District & County	All Crops $1,000	All Animal Products $1,000	Total Sales $1,000
Benton	79,754	11,036	90,790
Clackamas	297,749	43,430	341,179
Lane	88,230	25,530	113,760
Linn	149,832	40,625	190,457
Marion	403,147	83,113	486,260
Multnomah	69,026	2,443	71,469
Polk	93,520	25,759	119,279
Washington	206,708	16,250	222,958
Yamhill	193,828	31,173	225,001
Willamette Valley	**1,581,794**	**279,359**	**1,861,153**
Clatsop	2,773	5,479	8,252
Columbia	20,267	3,359	23,626
Coos	34,250	15,705	49,955
Curry	20,511	4,240	24,751
Lincoln	8,118	1,626	9,744
Tillamook	2,308	87,177	89,485
Coastal	**88,227**	**117,586**	**205,813**
Douglas	36,827	18,990	55,817
Jackson	48,670	22,628	71,298
Josephine	10,990	11,767	22,757
South Western	**96,487**	**53,385**	**149,872**
Gilliam	9,400	8,039	17,439
Hood River	53,530	1,126	54,656
Morrow	86,630	93,123	179,753
Sherman	21,022	2,071	23,09
Umatilla	155,760	44,124	199,88
Wasco	56,020	8,690	64,710
Wheeler	1,658	6,970	8,628
North Central	**384,020**	**164,143**	**548,163**
Baker	13,994	37,636	51,630
Malheur	95,161	79,271	174,432
Union	27,449	11,683	39,132
Wallowa	17,263	16,736	33,999
Eastern	**153,867**	**145,326**	**299,193**
Crook	11,675	24,368	36,043
Deschutes	8,379	11,120	19,499
Grant	8,522	17,501	26,023
Harney	15,294	42,338	57,632
Jefferson	29,753	13,337	43,090
Klamath	85,329	81,662	166,991
Lake	24,300	28,011	52,311
South Central	**183,252**	**218,337**	**401,589**
State Total	$2,487,647	$978,136	$3,465,783

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p=preliminary.
Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

2003p, 2002r, & Percentage Change

Commodity Group	2003p $1,000	2002r $1,000	Percent Change
Grains	160,478	155,712	3.1%
y & Forage	205,685	203,425	1.1%
rass & Legume Seeds	287,729	277,804	3.6%
Field Crops	185,438	211,061	-12.1%
Tree Fruit & Nuts	222,337	190,279	16.8%
Small Fruit & Berries	98,171	83,534	17.5%
Vegetables & Truck Crops	244,241	218,466	11.8%
Specialty Products[1]	1,083,567	1,040,838	4.1%
All Crops	**2,487,646**	**2,381,119**	**4.5%**
Cattle & Calves	543,048	462,488	17.4%
Dairy Products	282,030	271,065	4.0%
Poultry	80,227	81,808	-1.9%
Other Animal Products	72,832	69,569	4.7%
All Livestock & Poultry	**978,137**	**884,930**	**10.5%**
otal Sales	3,465,783	3,266,049	6.1%

p=preliminary, r=revised.

[1]Crops included in Specialty Products are nursery crops, bulbs, greenhouse crops, turf, miscellaneous specialty crops, rm forest products (small woodlots), Christmas trees, hybrid poplars, and fee hunting and recreation.

Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

Ranked by Gross Dollar Sales

Rank	Commodity	2003p $1,000	2002r $1,000	2001r $1,000
1	Cattle	543,048	462,488	506,654
2	Nursery Crops	542,797	488,410	482,967
3	Dairy Products	282,030	271,065	268,379
4	Christmas Trees	158,003	160,190	150,938
5	Farm Forest Products	150,233	169,659	165,898
6	Wheat	134,602	126,342	121,916
7	Greenhouse Crops	130,518	129,248	135,350
8	Perennial Ryegrass	126,541	88,993	98,093
9	Alfalfa Hay	116,849	121,250	120,082
10	Potatoes	103,281	126,760	129,084
11	Tall Fescue	76,129	87,158	114,589
12	Dry Storage Onions	62,761	42,077	75,527
13	Winter Pears	53,040	48,901	45,628
14	Sweet Cherries	52,294	36,064	31,979
15	Other Hay	51,288	46,575	35,469
16	Chicken Eggs	43,016	43,431	48,989
17	Broilers	36,787	37,985	41,991
18	Apples	34,202	31,965	25,851
19	Annual Ryegrass	34,082	36,056	39,862
20	Wine Grapes	33,404	30,521	29,068
21	Grass & Grain Straw	26,750	25,961	25,170
22	Peppermint for Oil	25,414	22,184	23,644
23	Hazelnuts	23,751	12,220	20,310
24	Blueberries	21,217	19,587	15,900
25	Sweet Corn, Processed	21,006	18,010	18,321
26	Marion & Other Blackberries	20,924	15,294	16,071
27	Bulbs	20,400	20,745	20,610
28	Horses & Mules	20,098	18,800	18,045
29	Hops	20,043	22,726	23,378
30	Strawberries	19,384	16,500	15,027
31	Bartlett Pears	18,662	22,805	23,982
32	Snap Beans, Processed	18,067	20,894	22,506
33	Cranberries	17,591	9,322	6,245
34	Sheep & Lambs	15,839	14,446	13,089
35	Barley	13,081	14,214	8,911
36	Squash & Pumpkins	12,317	11,554	12,316
37	Veg & Flower Seed	11,542	12,929	12,156
38	Tomatoes	10,931	8,120	7,416
39	Kentucky Bluegrass	10,723	16,659	15,849
40	Sweet Corn, Fresh	10,203	8,790	8,046
41	Bentgrass, Creeping	9,755	9,896	10,249
42	Sugarbeets for Sugar	9,592	11,299	13,018
43	Orchardgrass	9,105	11,275	10,739
44	Hogs & Pigs	8,801	8,992	9,589
45	Corn for Grain	8,065	8,169	6,835

(continued on page 5)

p=preliminary, r=revised.

Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

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Ranked by Gross Dollar Sales *(continued)*

Rank	Commodity	2003p $1,000	2002r $1,000	2001r $1,000
46	Red Raspberries	7,064	10,420	8,130
[illegible]	Garlic	6,973	8,249	7,942
[illegible]	Silage, Corn	6,662	5,726	6,207
[illegible]	Lettuce	6,586	6,296	6,145
50	Mink	6,387	6,919	7,645
51	Fee Hunting & Recreation	6,270	5,612	5,182
52	Other Onions	5,981	3,292	0
53	Green Peas	5,133	6,252	6,470
54	Turf Sod	4,803	4,663	4,647
55	Evergreen Blackberries	4,585	2,970	2,770
56	Oats	4,541	6,847	3,085
57	Sugarbeet for Seed	4,480	4,113	5,415
58	Hay Silage	4,031	3,787	4,243
59	Black Raspberries	3,964	5,473	5,621
60	Red Clover	3,464	4,606	4,379
61	Alfalfa Seed	3,428	3,983	6,155
62	Hybrid Poplars (Cottonwoods)	3,305	3,185	4,085
63	Boysenberries	3,282	3,599	3,905
64	Honey & Beeswax	3,239	2,896	1,875
65	Watermelons	3,098	4,865	6,949
66	Peaches	3,065	2,817	2,623
67	Crimson Clover	2,662	1,726	1,351
68	Carrots, Fresh	2,621	3,614	2,834
[illegible]	Cabbage	2,196	2,160	2,168
[illegible]	Cantaloupes & Muskmelons	2,084	988	2,445
71	*Poa trivialis* (Roughstalk Bluegrass)	2,035	3,408	3,408
72	Rabbits	1,931	1,874	1,838
73	Chewings Fescue	1,920	2,862	4,376
74	Red Fescue	1,805	2,589	2,688
75	Snap Beans, Fresh	1,746	1,257	1,031
76	Radishes	1,555	1,645	1,510
77	Asparagus	1,512	979	1,958
78	Dry Field Beans	1,444	1,516	1,210
79	Bentgrass, Colonial	1,416	1,421	1,586
80	Rhubarb	1,244	1,144	910
81	Cucumbers, Fresh	1,213	1,064	908
82	Rutabagas	1,195	1,124	1,112
83	Prunes & Plums	1,090	1,930	1,632
84	Walnuts	1,080	1,084	1,152
	Selected Processing Vegetables (excluded - confidentiality)	11,912	11,587	8,140
	Other Commodities	154,615	148,971	137,783
	Total Gross Farm Sales	**3,465,783**	**3,266,042**	**3,329,249**

p=preliminary, r=revised.

Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

Oregon Agricultural Estimates for Selected Commodities, 2003p

Commodity	Area Harvested	Yield per Acre	Production	Price	Value of Production	Percent Sold	Valu S
Grains	*Acres*	*Bushels*	*Bushels*	*Per Bushel*	*$1,000*	*Percent*	*$1,*
Wheat	946,700	42	40,206,600	$3.65	146,939	92	134,
Barley	82,050	59	4,820,050	$2.86	13,763	95	13,
Oats	27,760	74	2,054,200	$2.31	4,744	96	4,
Corn for Grain	20,750	182	3,767,500	$2.41	9,089	89	8,
Other Grains	2,330	(X)	30,264	(X)	234	81	1
Subtotal	**1,079,590**	**(X)**	**50,878,614**	**(X)**	**174,769**	**92**	**160,**
Hay & Forages	*Acres*	*Tons*	*Tons*	*Per Ton*	*$1,000*	*Percent*	*$1,0*
Alfalfa Hay	410,900	4.4	1,826,205	$94.25	172,121	68	116,8
Other Hay	632,150	1.9	1,215,405	$81.92	99,565	52	51,2
Silage, Corn	22,440	26.7	598,522	$24.45	14,634	46	6,6
Other Forage & Straw	49,050	(X)	1,192,750	(X)	39,648	78	30,8
Subtotal	**1,114,540**	**(X)**	**4,832,882**	**(X)**	**325,968**	**63**	**205,6**
Grass & Legume Seeds	*Acres*	*Pounds*	*1,000 Pounds*	*Per Cwt*	*$1,000*	*Percent*	*$1,00*
Alfalfa Seed	4,500	666	2,999	$114.30	3,428	100	3,42
Bentgrass Seed	8,200	557	4,571	$244.40	11,171	100	11,17
All Kentucky Bluegrass	20,490	981	20,097	$78.33	15,742	81	12,75
Crimson Clover	6,760	716	4,840	$55.00	2,662	100	2,66
Red Clover	11,860	462	5,480	$63.21	3,464	100	3,46
Chewings Fescue	4,920	894	4,400	$43.63	1,920	100	1,92
Tall Fescue	140,990	1442	203,340	$37.45	76,144	100	76,12
Red Fescue	7,390	829	6,129	$45.13	2,766	65	1,80
Annual Ryegrass	117,250	1624	190,408	$17.91	34,100	100	34,08
Perennial Ryegrass	167,130	1256	209,950	$60.27	126,546	100	126,54
Orchardgrass	18,920	815	15,425	$59.06	9,110	100	9,10
Other Seeds	13,104	(X)	3,260	(X)	4,700	99	4,66
Subtotal	**521,514**	**(X)**	**670,899**	**(X)**	**291,753**	**99**	**287,73**

lculations may not balance due to rounding. p=preliminary, (X)=not applicable.
Source: Oregon Agricultural Information Network (OAIN), Extension Economic In n Office, Oregon State University.

(continued on page 7)

Oregon Agricultural Estima r Selected Commodities, 2003p *(continued)*

Commodity	Area Harvested	Yield per Acre	Production	Price	Value of Production	Percent Sold	Valu Sa
Field Crops	*Acres*	*Units*	*1,000 Units*	*Per Unit*	*$1,000*	*Percent*	*$1,*
Potatoes	46,180	522 cwt	24,116	$4.60	110,819	93	103,
Peppermint for Oil	21,510	94 lb	2,021	$12.78	25,836	98	25,
Hops	5,746	1,630 lb	9,366	$2.14	20,043	100	20,
Sugarbeets for Sugar	9,470	30 ton	283	$33.89	9,592	100	9,
Dry Field Beans	3,120	17 cwt	52	$28.42	1,478	98	1,
Canola Oil	90	1,100 lb	99	$0.10	10	100	
Sugarbeet for Seed	2,903	2,659 lb	7,718	$0.58	4,480	100	4,
Veg & Flower Seed	5,674	(X)	(X)	(X)	11,632	99	11,
Other Field Crops	15,245	(X)	(X)	(X)	9,735	99	9,
Subtotal	**109,938**	**(X)**	**(X)**	**(X)**	**193,625**	**96**	**185,**
Tree Fruit & Nuts	*Acres*	*Units*	*1,000 Units*	*Per Unit*	*$1,000*	*Percent*	*$1,0*
Hazelnuts	28,815	1,616 lb	46,570	$0.51	23,751	100	23,75
Winter Pears	15,581	12.1 ton	188	$282.36	53,040	100	53,04
Sweet Cherries	12,674	3.7 ton	47	$1,110.55	52,337	100	52,29
Apples	7,152	470 box	3,361	$10.22	34,331	100	34,20
Bartlett Pears	5,061	13.4 ton	68	$275.26	18,677	100	18,66
Peaches	1,004	172 box	173	$17.95	3,108	99	3,06
Prunes & Plums	1,868	3.0 ton	6	$198.20	1,102	99	1,09
Wine Grapes	10,438	2.5 ton	26	$1,317.82	34,042	98	33,40
Other Tree Fruits & Nuts	2,444	(X)	(X)	(X)	2,846	99	2,82
Subtotal	**85,037**	**(X)**	**(X)**	**(X)**	**223,234**	**100**	**222,33**

Calculations may not balance due to rounding. p=preliminary, (X)=not applicable.
Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

(continued on page 8)

Oregon Agricultural Estimates for Selected Commodities, 2003p *(continued)*

Commodity	Area Harvested	Yield Per Acre	Production	Price	Value of Production	Percent Sold	Value Sal
Small Fruit & Berries	*Acres*	*Units*	*1,000 Units*	*Per Unit*	*$1,000*	*Percent*	*$1,0*
Strawberries	3,130	13,353 lb	41,795	$0.466	19,458	100	19,3
Red Raspberries	2,563	3,792 lb	9,718	$0.727	7,064	100	7,0
Cranberries	2,702	163.5 bbl	442	$39.811	17,592	100	17,5
Blueberries	3,050	8,550 lb	26,078	$0.815	21,262	100	21,21
Black Raspberries	1,205	2,301 lb	2,773	$1.430	3,964	100	3,96
Other Berries	7,744	(X)	(X)	(X)	28,972	100	28,95
Subtotal	**20,394**	**(X)**	**(X)**	**(X)**	**98,312**	**100**	**98,17**
Vegetables & Truck Crops	*Acres*	*Units*	*1,000 Units*	*Per Unit*	*$1,000*	*Percent*	*$1,00*
Dry Onions	21,310	578 cwt	12,321	$6.48	79,833	86	68,742
Sweet Corn, Processed	28,290	9.1 ton	258	$81.42	21,006	100	21,006
Snap Beans, Processed	16,545	6.3 ton	104	$174.50	18,067	100	18,067
Sweet Corn, Fresh	3,545	191 cwt	678	$15.22	10,320	99	10,203
Other Fresh Vegetables	14,543	(X)	(X)	(X)	90,624	99	89,414
Other Processed Vegetables	22,256	(X)	(X)	(X)	14,098	100	14,098
Other Vegetables & Truck Crops	13,930	(X)	(X)	(X)	22,802	100	22,711
Subtotal	**120,419**	**(X)**	**(X)**	**(X)**	**256,750**	**95**	**244,241**
Specialty Crops	*Acres*	*Units*	*1,000 Pounds*	*Per Unit*	*$1,000*	*Percent*	*$1,000*
Nursery Crops	(X)	(X)	(X)	(X)	544,188	99	542,797
Farm Forest Products	(X)	(X)	(X)	(X)	150,233	100	150,233
Christmas Trees	6,540	1,285 tree	8,406	$18.80	158,003	100	158,003
Greenhouse Crops	(X)	(X)	(X)	(X)	132,140	98	130,518
Bulbs	1,300	(X)	(X)	(X)	20,625	98	20,400
Other Specialty Products	2,730	(X)	(X)	(X)	90,285	90	81,617
Subtotal	**(X)**	**(X)**	**(X)**	**(X)**	**1,095,474**	**99**	**1,083,566**
Total All Crop Sales							**2,487,646**

ulations may not balance due to rounding. p=preliminary, (X)=not applicable.
ricultural ... York (QAIN), Extension Economic Info... Office, Oregon State University.

(continued on page 9)

Oregon Agricultural Estima r Selected Commodities, 2003p *(continued)*

Commodity	Number of Inventory January 1	Quantity Sold*	Value o Sale
Livestock & Poultry	*Head*	*Units*	*$1,000*
Cattle	1,632,800	(X)	543,048
Hogs & Pigs	72,700	108,564 head	8,801
Sheep & Lambs	294,900	(X)	15,839
Broilers		18,304,500 head	36,787
Chicken Eggs	2,618,600 layers	64,957,000 dozen	43,016
Wool	226,600 shorn	1,567,843 lb	570
Mink	47,200 females	223,000 pelts	6,387
Honey	49,500 hives	(X)	3,239
Horses & Mules	123,600	(X)	20,099
Dairy Products	113,810	22,164,100 cwt	282,030
Other Misc. Livestock	(X)	(X)	18,322
Total Livestock & Poultry			978,138
Total Agricultural Sales			3,465,784

*Production and value estimates are aggregated up from individual county data. Livestock such as cattle and sheep may be present in a given county for only some portion of the year. For these commodities, the production and value are based on the value added while the livestock were present in the county, rather than on the number of animals sold.
Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

Oregon Gross Farm Sale[illegible],000), 2003p

[illegible]	Grains	Hays & Forage	Grass & Legume Seeds	Field Crops	Tree Fruit & Nuts	Small Fruit & Berries	Vegetable Crops	Spec. Prod.	Crops Not Disclosed	All Crops	Cattle & Calves	Dairy Products	Eggs & Poultry	Misc. Animals	Livestock Not Disclosed	All Animal Products	Total Gross Sales
[illegible]ton	1,091	3,778	17,186	3,068	2,516	1,717	11,134	39,264	-	79,754	4,200	5,524	78	1,234	-	11,036	90,790
[illegible]kanes	817	2,472	6,965	1,224	5,335	14,187	20,827	245,922	-	297,749	7,404	3,826	25,288	6,912	-	43,430	341,179
[illegible]	746	8,849	13,536	5,698	9,496	1,953	10,798	37,154	-	88,230	8,010	5,978	7,697	3,845	-	25,530	113,760
[illegible]	4,748	15,067	83,204	7,972	4,063	3,839	12,487	18,452	-	149,832	7,267	14,825	6,805	11,728	-	40,625	190,457
[illegible]ton	4,001	11,321	56,981	26,182	10,254	30,387	54,971	209,049	-	403,146	9,481	43,033	23,280	7,320	-	83,114	486,260
[illegible]tomah	436	-	-	-	505	3,758	10,538	52,396	1,394	69,027	-	-	-	-	2,443	2,443	71,470
[illegible]	5,087	3,416	34,965	3,685	9,696	2,289	2,486	31,894	-	93,520	4,301	14,562	4,720	2,176	-	25,759	119,279
[illegible]ington	6,427	-	16,426	-	10,367	14,969	6,977	146,251	5,291	206,708	3,390	9,206	462	3,192	-	16,250	222,958
[illegible]hill	5,652	3,976	30,581	573	17,992	5,634	10,879	118,540	-	193,827	5,754	13,558	7,841	4,020	-	31,173	225,000
[illegible]mmette Valley	29,005	48,879	259,844	48,402	70,226	78,733	141,097	898,922	6,685	1,581,793	49,807	110512	76,171	40,427	2,443	279,360	1,861,153
[illegible]sop	-	153	-	-	-	-	-	2,430	190	2,773	1,700	2,205	1	1,574	-	5,480	8,253
[illegible]mbia	-	494	17	-	-	-	-	17,998	1,758	20,267	2,280	-	-	510	568	3,358	23,625
[illegible]	-	267	-	-	-	12,210	-	21,700	73	34,250	9,434	5,439	-	832	-	15,705	49,955
[illegible]y	-	14	-	-	-	5,280	-	15,195	22	20,511	3,298	270	-	672	-	4,240	24,751
[illegible]olin	-	92	-	-	-	-	-	7,845	181	8,118	1,300	-	-	-	326	1,626	9,744
[illegible]mook	-	388	-	-	-	-	-	1,720	200	2,308	4,500	82,590	-	87	-	87,177	89,485
[illegible]stal	-	1,408	17	-	-	17,490	-	66,888	2,424	88,227	22,512	90,504	1	3,675	894	117,586	205,813
[illegible]glas	-	4,894	-	-	2,542	748	1,878	26,311	454	36,827	15,499	-	-	-	3,491	18,990	55,817
[illegible]sion	191	5,972	356	73	33,971	-	1,826	6,280	-	48,669	15,500	742	3,966	2,420	-	22,628	71,297
[illegible]phine	-	2,337	-	-	1,847	-	768	6,144	94	10,990	3,800	5,940	-	2,028	-	11,768	22,758
[illegible]th Western	191	13,203	356	73	38,160	748	4,472	38,735	548	96,486	34,799	6,682	3,966	4,448	3,491	53,386	149,872
[illegible]rn	7,583	571	-	780	-	-	36	150	280	9,400	8,000	-	-	39	-	8,039	17,439
[illegible]River	11	4	-	-	49,715	152	51	3,597	-	53,530	-	-	-	-	1,126	1,126	54,656
[illegible]ver	15,306	14,936	2,506	37,326	527	-	12,245	3,785	-	86,631	43,470	-	-	-	49,653	93,123	179,754
[illegible]man	19,649	170	-	-	-	-	-	500	704	21,023	2,000	-	-	-	71	2,071	23,094
[illegible]lla	36,954	9,223	11,486	33,093	20,563	12	30,978	13,451	-	155,760	41,477	594	-	2,053	-	44,124	199,884
[illegible]co	13,329	2,150	-	101	39,365	-	92	984	-	56,021	-	-	-	-	8,690	8,690	64,711
[illegible]ler	-	696	-	-	-	-	-	850	111	1,657	6,851	-	-	119	-	6,970	8,627
[illegible]h Central	92,832	27,750	13,992	71,300	110,170	164	43,402	23,317	1,095	384,022	101,798	594	-	2,211	59,540	164,143	548,165
[illegible]	1,173	3,657	-	6,338	-	-	-	2,826	-	13,994	35,620	-	-	1,106	910	37,636	51,630
[illegible]ur	12,972	6,679	3,210	19,277	1,967	-	50,775	280	-	95,160	70,022	7,608	-	1,641	-	79,271	174,431
[illegible]	5,029	3,761	2,227	13,267	-	-	-	2,013	1,153	27,450	10,743	-	-	-	940	11,683	39,133
[illegible]wa	3,073	11,326	609	1	-	-	53	2,201	-	17,263	15,914	-	-	822	-	16,736	33,999
[illegible]en	22,247	25,423	6,046	38,883	1,967	-	50,828	7,320	1,153	153,867	132,299	7,608	-	3,569	1,850	145,326	299,193
[illegible]	1,069	6,006	130	2,024	-	-	1,453	992	-	11,674	24,000	-	-	368	-	24,368	36,042
[illegible]ates	-	4,764	-	484	-	-	-	2,884	247	8,379	6,181	2,789	-	2,150	-	11,120	19,499
[illegible]	40	1,963	-	-	-	-	-	-	6,519	8,522	16,901	-	1	600	-	17,502	26,024
[illegible]y	96	14,438	28	-	-	-	-	730	-	15,294	40,934	-	-	1,404	-	42,338	57,632
[illegible]on	3,283	8,433	7,052	8,278	-	-	1,773	935	-	29,754	11,283	-	-	2,054	-	13,337	43,091
[illegible]th	10,855	29,314	-	13,230	-	-	-	31,930	-	85,329	65,622	13,512	9	2,519	-	81,662	166,991
[illegible]	258	19,312	-	-	-	-	-	4,730	-	24,300	27,455	-	-	556	-	28,011	52,311
Central	15,803	84,230	7,210	24,018	-	-	3,226	42,201	8,766	183,252	192,376	16,301	10	9,651	-	218,338	401,590
Undisclosed	600	4,794	266	2,763	1,814	1,036	1,215	6,183	18,671	-	9,456	49,828	80	8,854	68,218		
Total	160,478	205,887	287,731	185,437	222,337	98171	244,240	1,083,566	-	2,487,647	543,047	282,029	80,228	72,835	-	978,139	3,465,786

[illegible]preliminary. A "-" indicates the data may not exist or may not be displayed due to confidentiality rules.
[illegible] "Undisclosed" values are the sum of all values hidden by the dashes (-) in any particular row or column.
[illegible] Information Office, Oregon State University.

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Oregon Gross Farm Sales ($1,000), 2002r

2002r District & County	Grains	Hays & Forage	Grass & Legume Seeds	Field Crops	Tree Fruit & Nuts	Small Fruit & Berries	Vegetable Crops	Nursery Prod.	Crops Not Disclosed	All Crops	Cattle & Calves	Dairy Products	Eggs & Poultry	Misc. Animals	Livestock Not Disclosed	All Animal Products	Total Gross Sales
Benton	1,860	4,184	17,088	2,969	2,010	1,617	10,743	8,122	29,018	77,611	2,300	4,885	87	1,202	-	8,474	86,085
Clackamas	914	2,626	6,219	832	3,619	13,980	20,302	234,012	-	282,504	7,422	3,586	25,587	6,651	-	43,246	325,750
Lane	1,301	9,091	13,285	4,158	7,066	1,805	8,744	35,249	-	80,699	7,500	6,125	7,911	3,813	-	25,349	106,048
Linn	4,843	15,727	81,925	6,798	2,327	3,678	10,918	25,814	-	152,030	6,110	13,080	7,029	11,660	-	37,879	189,909
Marion	3,912	10,373	45,221	26,218	7,948	25,813	55,018	192,554	-	367,057	8,507	41,983	23,267	7,254	-	81,011	448,068
Multnomah	615	1,004	-	-	569	4,440	10,899	48,756	495	66,778	1,302	-	-	-	938	2,240	69,018
Polk	3,626	3,504	29,517	4,652	8,096	2,004	2,302	31,342	-	85,043	3,642	13,291	4,463	1,870	-	23,266	108,309
Washington	8,113	-	16,626	-	8,520	14,681	6,386	140,378	6,371	201,075	2,690	8,550	429	2,786	-	14,455	215,530
Yamhill	4,929	4,211	29,043	423	15,819	4,507	10,795	108,573	-	178,300	4,571	11,992	7,890	4,350	-	28,803	207,103
Willamette Valley	**30,113**	**50,720**	**238,924**	**46,050**	**55,974**	**72,525**	**136,107**	**824,800**	**35,884**	**1,491,097**	**44,044**	**103,492**	**76,663**	**39,586**	**938**	**264,723**	**1,755,820**
Clatsop	-	-	-	-	-	-	-	2,476	320	2,796	1,700	2,205	1	1,936	-	5,842	8,638
Columbia	-	475	-	-	-	580	802	15,985	187	18,029	1,600	-	-	478	447	2,525	20,554
Coos	-	267	-	-	-	6,469	18	22,060	55	28,869	9,434	6,092	-	991	-	16,517	45,386
Curry	-	14	-	-	-	2753	-	16,280	20	19,067	3,960	-	-	-	1,092	5,052	24,119
Lincoln	-	66	-	-	-	-	-	7,330	176	7,572	1,269	-	-	-	316	1,585	9,157
Tillamook	-	379	-	-	-	-	-	2,029	170	2,578	4,385	85,121	-	112	-	89,618	92,196
Coastal	**-**	**1,201**	**-**	**-**	**-**	**9,802**	**820**	**66,160**	**928**	**78,911**	**22,348**	**93,418**	**1**	**3,517**	**1,855**	**121,139**	**200,050**
Douglas	-	4,969	175	-	2,599	654	1,856	26,904	562	37,719	23,849	-	-	-	3,863	27,712	65,431
Jackson	130	1,455	370	96	33,023	-	1,649	6,183	-	42,906	11,000	750	3,868	2,362	-	17,980	60,886
Josephine	132	1,480	-	-	1,389	-	768	5,559	-	9,328	2,700	5,837	24	1,967	-	10,528	19,856
South Western	**262**	**7,904**	**545**	**96**	**37,011**	**654**	**4,273**	**38,646**	**562**	**89,953**	**37,549**	**6,587**	**3,892**	**4,329**	**3,863**	**56,220**	**146,173**
Gilliam	9,920	632	-	117	-	-	-	-	280	10,949	6,800	-	-	40	-	6,840	17,789
Hood River	11	40	-	-	50,307	152	51	3,597	-	54,158	450	331	-	626	-	1,407	55,565
Morrow	10,929	8,895	2,264	39,827	-	-	7,217	5,619	4,063	78,814	36,000	-	-	-	42,910	78,910	157,724
Sherman	19,094	192	-	-	48	-	-	-	840	20,174	1,850	-	-	-	65	1,915	22,089
Umatilla	36,919	14,658	18,374	43,957	16,433	12	33,206	18,441	-	182,000	32,512	619	-	2,102	-	35,233	217,233
Wasco	8,530	2,470	-	-	22,236	-	-	1,069	234	34,719	8,500	-	-	868	-	9,368	44,087
Wheeler	34	1,364	-	76	-	-	-	1,560	-	3,034	4,240	-	-	118	-	4,358	7,392
North Central	**85,437**	**28,251**	**20,638**	**83,977**	**89,204**	**164**	**40,474**	**30,286**	**5,417**	**383,848**	**90,352**	**950**	**-**	**3,754**	**42,975**	**138,031**	**521,879**
Baker	1,678	4,078	-	7,303	-	-	-	3,074	-	16,133	28,722	-	-	-	1,950	30,672	46,805
Malheur	15,190	8,810	3,685	27,969	2,610	-	31,807	270	-	90,441	61,096	8,481	-	1,549	-	71,126	161,567
Union	2,455	5,010	5,339	12,343	-	-	-	2,855	757	28,759	8,650	-	-	-	888	9,538	38,297
Wallowa	3,373	8,070	568	-	-	-	-	2,684	66	14,761	13,736	-	-	793	-	14,529	29,290
Eastern	**22,696**	**26,068**	**9,592**	**47,615**	**2,610**	**-**	**31,807**	**8,883**	**823**	**150,094**	**112,204**	**8,481**	**-**	**2,342**	**2,838**	**125,865**	**275,959**
Crook	792	6,512	276	2,082	-	-	2,122	1,043	-	12,827	19,555	-	-	516	-	20,071	32,898
Deschutes	122	4,649	-	411	-	-	-	2,783	-	7,965	6,181	2,897	-	2,250	-	11,328	19,293
Grant	30	1,988	-	-	469	-	-	-	8,374	10,861	15,123	-	-	-	541	15,664	26,525
Harney	101	13,465	51	-	-	-	-	825	-	14,442	35,068	-	-	1,239	-	36,307	50,749
Jefferson	3,275	10,405	7,598	10,319	-	-	2,536	906	-	35,039	5,688	-	-	1,473	-	7,161	42,200
Klamath	12,304	28,566	-	17,241	-	-	-	24,094	-	82,205	51,735	11,385	8	2,161	-	65,289	147,494
Lake	246	19,016	-	-	-	-	-	4,620	-	23,882	22,641	-	-	488	-	23,129	47,011
South Central	**16,870**	**84,601**	**7,925**	**30,053**	**469**	**-**	**4,658**	**34,271**	**8,374**	**187,221**	**155,991**	**14,282**	**8**	**8,127**	**541**	**178,949**	**366,170**
Total Undisclosed	335	4,681	180	3,270	5,011	391	328	37,792	51,988	-	-	43,857	1,243	7,910	53,010		
State Total	**155,713**	**203,426**	**277,804**	**211,061**	**190,279**	**83,536**	**218,467**	**1,040,838**	**-**	**2,381,124**	**462,488**	**271,067**	**81,807**	**69,565**	**-**	**884,927**	**3,266,051**

r=revised. A "-" indicates the data may not exist or may not be displayed due to confidentiality rules.
The "not disclosed" values are the sum of all values hidden by the dashes (-) in any particular row or column.
Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

2003p District & County	Grains	Hays & Forage	Grass & Legume Seeds	Field Crops	Tree Fruit & Nuts	Small Fruit & Berries	Vegetable Crops	Spec. Prod.	Acres Not Disclosed	Total Acres
Benton	3,700	13,450	37,130	2,040	759	-	6,448	-	1,656	65,183
Clackamas	2,850	22,800	8,920	684	4,798	3,655	5,854	2,230	-	51,791
Lane	2,550	31,350	29,090	3,740	4,547	-	2,735	-	750	74,762
Linn	14,600	36,400	195,430	7,315	1,851	710	8,164	270	-	264,740
Marion	12,600	17,800	70,610	10,058	8,575	6,535	26,826	2,055	-	155,059
Multnomah	1,400	4,900	-	-	267	1,005	3,835	70	460	11,937
Polk	16,500	16,600	57,065	1,442	5,870	535	1,963	620	-	100,595
Washington	21,700	19,240	30,190	575	7,615	3,125	5,105	250	-	87,800
Yamhill	18,150	24,700	49,065	708	11,505	1,095	5,223	220	-	110,666
Willamette Valley	**94,050**	**187,240**	**477,500**	**26,562**	**45,787**	**16,660**	**66,153**	**5,715**	**2,866**	**922,533**
Clatsop	-	5,050	-	-	-	-	-	30	72	5,152
Columbia	-	8,300	-	-	-	-	-	90	1,748	10,138
Coos	-	18,500	-	-	25	1,850	-	60	120	20,555
Curry	-	2,050	-	-	-	800	-	-	215	3,065
Lincoln	-	1,400	-	-	-	-	-	-	55	1,455
Tillamook	-	9,500	-	-	-	-	-	-	50	9,55(
Coastal	-	**44,800**	-	-	**25**	**2,650**	-	**180**	**2,260**	**49,91!**
Douglas	-	39,250	-	-	1,508	208	658	220	1,170	43,01
Jackson	1,460	21,300	350	37	8,960	-	551	10	-	32,66
Josephine	-	12,700	-	-	655	-	405	10	850	14,62
South Western	**1,460**	**73,250**	**350**	**37**	**11,123**	**208**	**1,614**	**240**	**2,020**	**90,3(**
Gilliam	95,040	2,150	-	390	101	-	60	-	560	98,3(
Hood River	200	900	-	-	14,807	40	30	10	-	15,9(
Morrow	217,300	50,000	2,695	18,050	261	-	9,002	-	2,000	299,3
Sherman	122,720	600	-	-	-	-	-	-	202	123,5
Umatilla	293,350	25,900	12,565	19,305	3,695	-	27,326	-	205	382,3
Wasco	86,770	5,600	-	640	8,394	-	73	20	-	101,4
Wheeler	-	7,650	-	-	-	-	-	-	480	8,1
North Central	**815,380**	**92,800**	**15,260**	**38,385**	**27,258**	**40**	**36,491**	**30**	**3,447**	**1,029,(**
Baker	7,250	75,850	-	-	-	-	-	-	2,930	86,(
Malheur	50,100	96,500	4,310	16,050	315	-	11,950	-	-	179,
Union	35,300	38,000	11,092	12,235	-	-	-	-	415	97,
Wallowa	17,700	45,650	2,012	15	-	-	810	-	-	66,
Eastern	**110,350**	**256,000**	**17,414**	**28,300**	**315**	-	**12,760**	-	**3,345**	**428,**
Crook	2,700	39,000	200	1,699	-	-	1,016	-	-	44
Deschutes	-	24,000	-	370	-	-	-	-	730	25
Grant	400	44,200	-	-	-	-	-	-	112	44
Harney	2,900	123,000	280	-	-	-	-	-	-	126
Jefferson	8,800	20,450	8,900	4,115	-	-	1,240	-	65	4:
Klamath	38,400	83,000	-	6,900	-	-	-	-	-	12
Lake	2,400	126,800	-	-	-	-	-	-	-	12
South Central	**55,600**	**460,450**	**9,380**	**13,084**	-	-	**2,256**	-	**907**	**54**
Total Undisclosed	2,750	-	1,610	3,570	529	836	1,145	4,405	14,845	
State Total	**1,079,590**	**1,114,540**	**521,514**	**109,938**	**85,037**	**20,394**	**120,419**	**10,570**	-	**3,06**

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Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

& County	Grains	Hays & Forage	Legume Seeds	Field Crops	Tree Fruits & Nuts	Small Fruits & Berries	Vegetable Crops	Spec. Prod.	Acres Not Disclosed	Total Acres
Benton	3,900	13,850	38,160	2,070	741	-	7,930	-	1,548	68,199
Clackamas	2,400	23,050	9,540	581	4,805	3,600	5,410	2,405	-	51,771
[illegible]	2,550	31,650	30,480	3,260	4,492	365	2,900	370	-	76,067
[illegible]	9,600	36,500	200,160	6,840	1,721	685	8,840	250	-	264,596
[illegible]n	8,850	17,800	71,530	9,150	8,512	6,407	29,039	2,100	-	153,388
Multnomah	1,600	5,300	350	-	277	1,070	4,246	-	250	13,093
Polk	10,550	17,300	55,032	1,655	5,540	510	1,895	610	-	93,092
Washington	23,050	20,060	31,820	-	7,635	3,010	4,661	-	890	91,126
Yamhill	13,750	25,200	50,780	442	11,305	1,000	5,223	240	-	107,940
Willamette Valley	**76,250**	**190,710**	**487,852**	**23,978**	**45,028**	**16,647**	**70,144**	**5,975**	**2,688**	**919,272**
Clatsop	-	5,300	-	-	-	-	-	-	102	5,402
Columbia	-	8,850	-	-	-	-	842	40	533	10,265
Coos	-	18,500	-	-	25	1,588	10	60	110	20,293
Curry	-	2,100	-	-	-	688	-	-	215	3,003
Lincoln	-	1,300	-	-	-	-	-	-	55	1,355
Tillamook	-	9,000	-	-	-	-	-	20	20	9,040
Coastal	-	**45,050**	-	-	**25**	**2,276**	**852**	**120**	**1,035**	**49,358**
Douglas	-	36,750	590	-	1,184	161	631	220	628	40,164
Jackson	1,100	21,000	380	50	8,585	-	540	10	-	31,665
Josephine	1,150	12,800	-	-	555	-	418	35	-	14,958
South Western	**2,250**	**70,550**	**970**	**50**	**10,324**	**161**	**1,589**	**265**	**628**	**86,787**
Gilliam	115,200	2,550	-	803	-	-	-	-	50	118,603
Hood River	200	880	-	-	14,932	40	30	10	-	16,092
Morrow	202,600	25,550	2,324	17,190	-	-	4,460	-	2,951	255,075
Sherman	132,130	1,000	-	180	12	-	-	-	-	133,322
[illegible]atilla	293,600	36,100	15,548	24,226	3,830	-	30,771	-	205	404,280
[illegible]sco	82,290	6,150	-	-	7,918	-	-	-	829	97,187
[illegible]heeler	400	7,650	-	80	-	-	-	-	-	8,130
North Central	**826,420**	**79,880**	**17,872**	**42,479**	**26,692**	**40**	**35,261**	**10**	**4,035**	**1,032,689**
Baker	5,700	75,600	-	3,300	-	-	-	-	-	84,600
Malheur	51,800	98,350	4,430	21,160	315	-	11,050	-	-	187,105
Union	35,100	38,170	13,940	13,090	-	-	-	-	390	100,690
Wallowa	15,700	45,600	2,392	-	-	-	-	-	266	63,958
Eastern	**108,300**	**257,720**	**20,762**	**37,550**	**315**	**-**	**11,050**	**-**	**656**	**436,353**
Crook	2,050	40,500	380	1,694	-	-	1,020	-	-	45,644
Deschutes	300	22,500	-	167	-	-	-	-	80	23,047
Grant	350	44,000	-	-	115	-	-	-	-	44,465
Harney	2,800	124,000	460	-	-	-	-	-	-	127,260
Jefferson	8,750	24,050	10,610	4,596	-	-	1,219	-	65	49,290
Klamath	42,400	82,000	-	5,550	-	-	-	-	-	129,950
Lake	2,500	127,000	-	-	-	-	-	-	-	129,500
South Central	**59,150**	**464,050**	**11,450**	**12,007**	**115**	**-**	**2,239**	**-**	**145**	**549,156**
Total Undisclosed	750	-	80	2,067	1,386	483	158	4,265	9,187	
State Total	**1,073,120**	**1,107,960**	**538,986**	**118,131**	**83,885**	**19,607**	**121,291**	**10,635**		**- 3,073,61!**

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Source: Oregon Agricultural Information Network (OAIN), Extension Economic Information Office, Oregon State University.

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Revised July 2003. Revised March 2004.

Exhibit "B"-44

JAN 21 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

16 Abelard
Lake Oswego, OR 97035-2342
January 19, 2005

Mr. Jim Mulder
Woodburn Community Development Director
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Jim:

This is to remind you to send copies of the letter (and enclosures), which I delivered to you at the December 9 meeting, to the Planning Commission members before the hearings that start February 3.

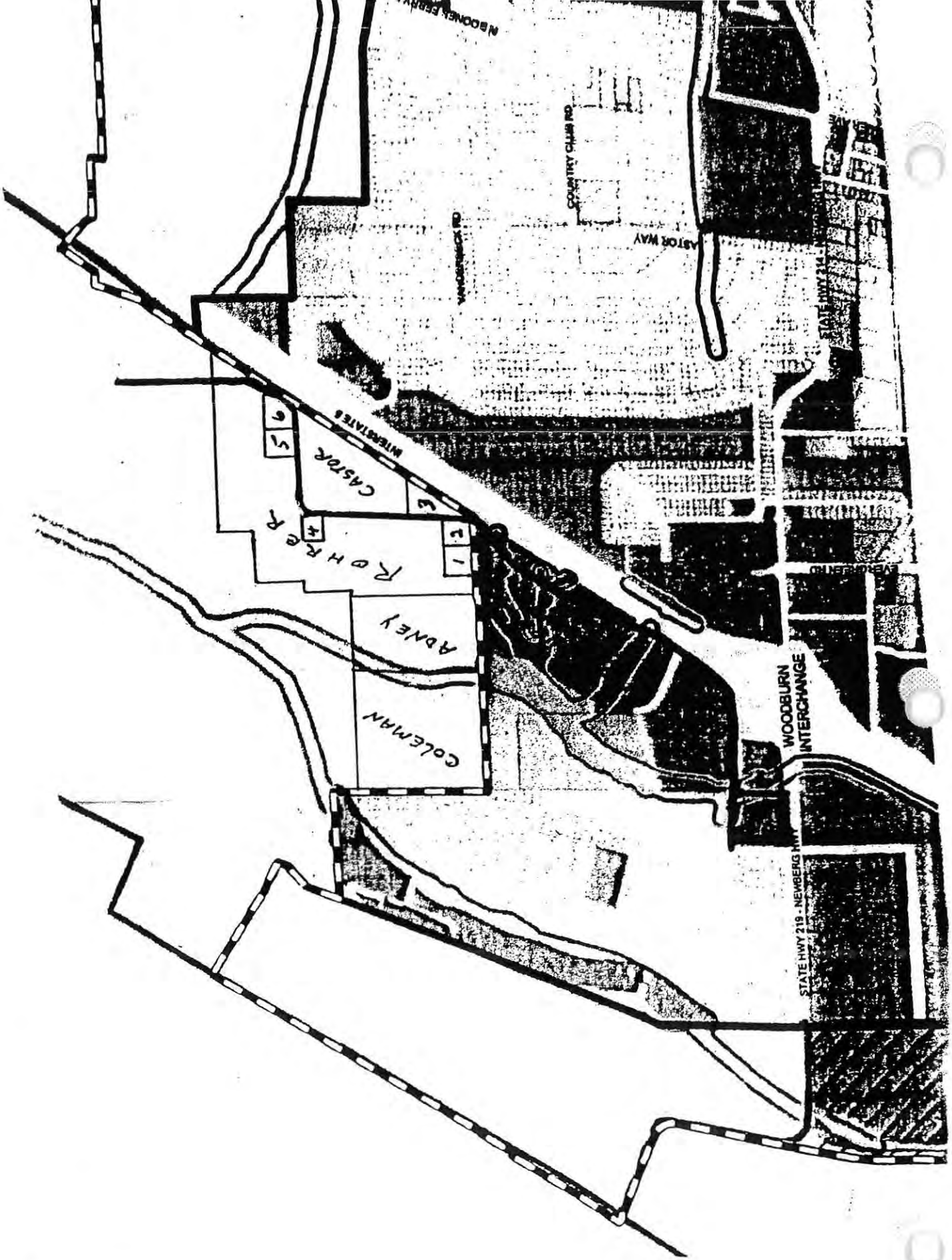
Enclosed herewith is a map of just the northwest quadrant of the map that you and Greg Winterowd prepared to show your proposed UGB additions. On the enclosed map I have added the area that my neighbors and I are requesting that you and the Planning Commission members consider for inclusion along with the other proposed UGB additions. I will bring additional copies of the enclosed map for distribution to the Planning Commission members when I present oral testimony at the hearings.

Thanks for your help and consideration. I will see you at the hearings.

Very truly yours,

Martin W. Rohrer

Enclosure



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Page 338

16 Abelard
Lake Oswego, OR 97035-2342
December 9, 2004

Jim Mulder
Woodburn Community Development Director
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Mr. Mulder:

Enclosed are 10 copies of the letter (and its enclosures) that I sent to you and Greg Winterowd on April 29, 2004. Please provide each of the Planning Commission members with a copy, in advance of the formal hearings that will be held early in 2005 with respect to UGB expansion.

I took the liberty of affixing the map that was the second enclosure on the front of the letter, because it should be helpful in allowing the commission members to quickly identify the properties that are involved in my request. The map is rough, and I should add that the curve on Arney Road that is at the north end of the outlet mall has been substantially straightened from what shows on the map from which I worked.

I look forward to presenting testimony at the UGB expansion hearing, as will my neighbors on Arney Road.

Thank you for your assistance.

Very truly yours,

Martin W. Rohrer

Enclosures

Exhibit "B"-46

16 Abelard
Lake Oswego, OR 97035-2342
April 29, 2004

Greg Winterowd
Winterbrook Planning
310 SW Fourth Ave---Suite 1000
Portland, OR 97204

☆ REC'D ☆
APR 30 2004
WOODBURN COMMUNITY DEVELOPMENT DEPT.

Jim Mulder
Woodburn Community Development Director
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Gentlemen:

This is a follow-up to the open house you held at Woodburn City Hall on April 16, 2004, for the property owners most directly affected by the proposed UGB changes. I told Greg that I would provide both of you with this letter and its enclosures to explain what I and several other landowners on Arney Road have in mind. Enclosed are the following:

1. My letter to John Brown dated April 26, 1999, and its enclosures.
2. A (rough) map showing the current location of Arney Road, the landowners involved, the current UGB (in blue), and our proposal (in red) for expansion of the UGB and industrial zoning along Arney Road.

As you can see from the enclosures (which include the letter to Steve Goeckritz dated July 23, 1996) and the record you will find from the various hearings we have attended, the four main property owners in this area have consistently requested this expansion of the UGB since the very start of the current UGB expansion process in 1996. We thought we had previously made our case, and have been trying to avoid making pests of ourselves. In fact, most of this Arney Road area was recommended for inclusion in the UGB, with an IL designation, in prior studies commissioned by the City of Woodburn. With Woodburn Company Stores nearing completion, the other improvements to and developments along Arney Road, and the increased need for industrial properties since 1996, we feel the requested expansion is even more needed and reasonable than it was in 1996 and that the same arguments for that requested expansion apply more than ever.

The four owners (Coleman, Adney, Castor, and myself) have three residences on our four properties. Within the area of the requested expansion are five other residences and the concrete plant. The four owners own about 90% of the entire area and, depending on how you calculate industrial acreages, there should be between 110 and 120 acres that could be developed for industrial uses from the four properties. We have had meetings and have somewhat stayed in contact during the planning process. We are all ready to develop our properties when an opportunity presents itself and we have discussed that we

would like to collectively market our properties, to find one buyer/developer for all four of the properties, if possible. The reality seems to be that both developers and manufacturers want to work with larger tracts, and the 110 to120 acres would likely be most attractive. If you review the aerial photo in the enclosures, you can see that the requested UGB expansion area along Arney Road is somewhat outlined as a natural break for the UGB by the trees and Senecal Creek in the back of the area.

My "vision" for the area is something different than the typical industrial development. With its great visibility from and access to I-5 and with its proximity to and the traffic flow associated with Woodburn Company Stores, it would be a great place to have manufacturing facilities for manufacturers that desire an aesthetically pleasing site that their suppliers, shippers, and other visitors can easily locate and access from I-5. The site would have places nearby for the workers to eat and to shop. It would also probably be a plus to these manufacturers if an associated showroom and salesroom for the manufactured goods being produced were allowed, although it appears to me that the development ordinance has been changed to make that more difficult. (I welcome any alternative zoning suggestions you may have in this regard.) Just a few ideas of the products that fit these criteria would be the manufacturing of clothing, shoes, knives, cooking ware, computer hardware, or golf clubs, and flower bulb or nursery plant packaging and shipping. This type of an industrial area would supplement and be compatible with Woodburn Company Stores and the other commercial businesses along Arney Road. The proximity of the commercial and these types of industries that I envision along Arney Road should help to increase business for everyone along the road. I assume that such increased economic activity is one of the main goals that Woodburn wants to accomplish with the UGB expansion. Industrial areas on Parr Road and on the west side of Butteville Road will not be as attractive (at least for the types of industries to which I refer) as the areas on Arney Road. Developers and manufacturers may face a shortage of adequate sites, but they still won't go where their needs and expectations are not met. Waiting for a south by-pass to be constructed and being expected to travel to and from Woodburn via Highway 99E would not be very attractive to the industries that I have in mind. They will simply continue to look in other cities for development and business location. (Admittedly, a south by-pass may work for certain other types of industrial and residential development, so I'm not suggesting it is a bad idea. It is just not likely to attract the industries that I would like to see along Arney Road.)

One concern that has apparently been expressed by ODOT is the traffic created by the new businesses that are already along Arney Road. I have made frequent trips on Arney Road over the past few years and have visited with the neighbors. The general consensus is that there is no particular problem on Arney Road itself. The main problem is on the east side of the freeway exit, with some problem on the west side of the exit. It won't solve the traffic problem to route vehicles around to Butteville Road (either north or

south of Highway 214). Most of that traffic would still take Highway 214 going east and wind up at the exit. The solution is for ODOT to stop passing the buck and to finally put in an adequate interchange cloverleaf. (Consider what a great improvement the new cloverleaf at I-5 and Highway 217 is and how it seems to have solved what formerly was an almost impossible interchange situation.)

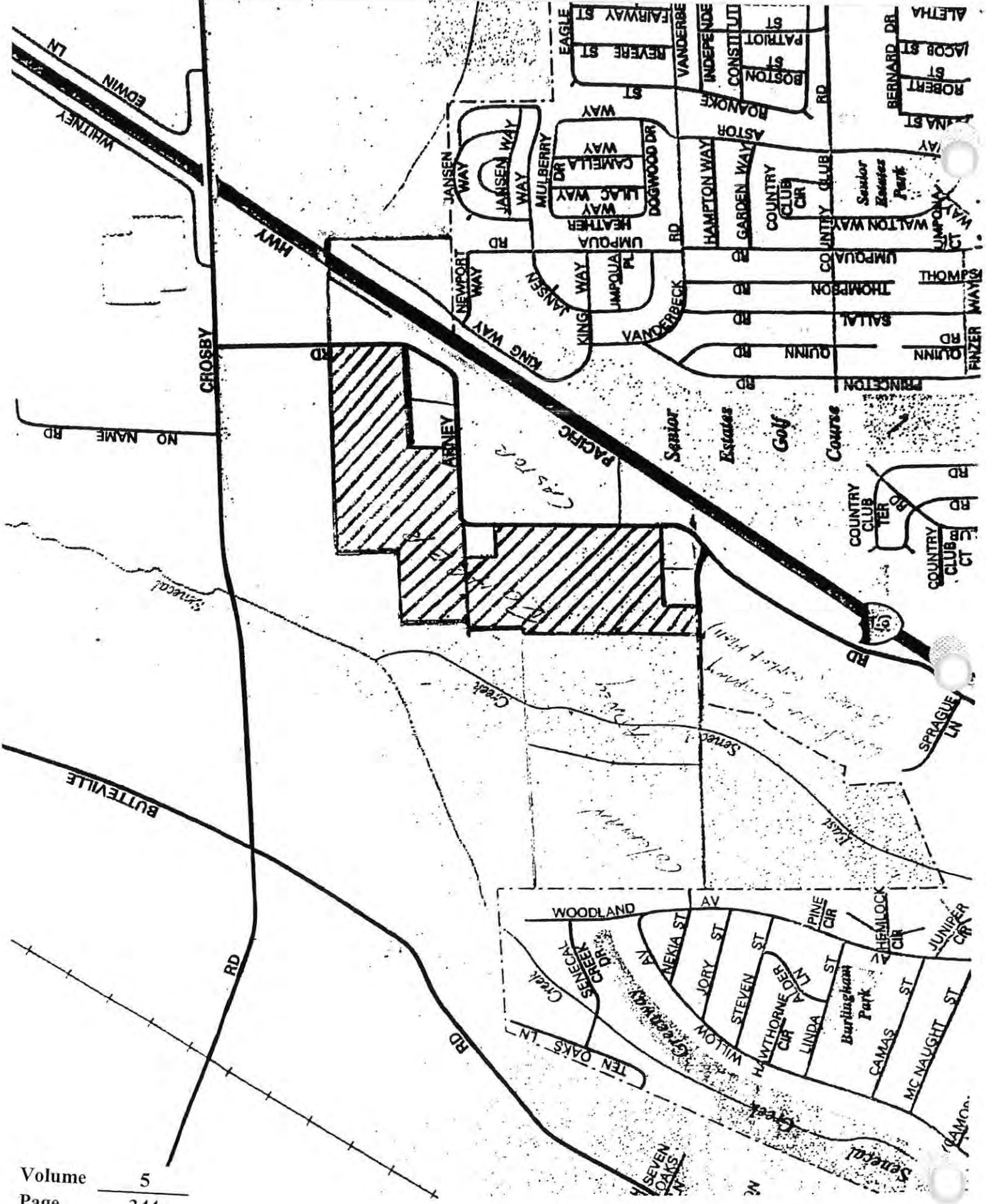
Please take a look at your proposed UGB expansion map and note the gap that your latest proposal would create between the residential areas on Butteville Road and the proposed housing area in the southeast quadrant of the intersection of I-5 and Crosby Road. If you were to draw a straight line between the northeast corner of the former and the northwest corner of the latter, it would entirely encompass the entire area that we propose to bring into the UGB on Arney Road. While it may not be a stated goal or absolutely required to round off the UGB, it seems generally desirable. In fact, that objective was at least a stated desire of the Woodburn City Council in prior hearings on this UGB expansion. Bringing within the UGB an area that is bordered on three sides by the City of Woodburn seems even more logical and desirable where the area also adjoins one of the largest retail malls in the State of Oregon and has a completely improved major road and all the necessary utilities right up to its entrance.

My understanding is that you held the open house to encourage input. And I assume that the reason for the input is so that you have the opportunity to make adjustments to your proposal before you present it to the Planning Commission. This is a sincere request that you consider doing so. If you would like us to provide any further information for your consideration, please let me know, and I will be glad to try to obtain it for you. I can generally be reached at my office (503-499-4675) or home (503-635-8768).

Very truly yours,

Martin W. Rohrer

Enclosures
cc: Mr. John Brown



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Page 344

Lake Oswego, OR 97035-2342
April 26, 1999

Mr. John Brown
City Administrator
City of Woodburn
270 Montgomery
Woodburn, OR 97071

Dear Mr. Brown:

The Buildable Lands Citizen Advisory Committee (aka Growth Policy Task Force) held a meeting for public input on March 30, 1999. The consultants reported their conclusion that, between now and 2020, the City of Woodburn will need about 600 additional acres of land suitable for industrial uses within its Urban Growth Boundary. The comments of Committee members and the testimony of the public seemed to both support that conclusion and indicate a preference for encouraging that type of development. Reference was made to job creation, increasing the tax base, and taking advantage of Woodburn's location and freeway access. I spoke at the hearing with respect to the efforts that Bob Engle (my attorney), my neighbors and I have made over the past three years to position approximately 125 acres owned by my neighbors and myself for inclusion within the Urban Growth Boundary with a Light Industrial designation. This letter and the attachments are what I indicated to the Committee I would forward to them, through you, for their consideration. Please provide each of the members of the Committee and any other officials or staff who you think should receive a copy with one of the enclosed copies. I am also sending copies directly to Mayor Jennings, Chairman Christoff and Steve Goeckritz.

The attachments include:

1. Arial photograph looking south along I-5. The 125 acres is the area I have marked by the enclosed lines. The double lines indicate the current Urban Growth Boundary.
2. The consultants' map showing current Woodburn Comprehensive Plan Zones. I have marked the 125 acres with the blue diagonal lines.
3. Bob Engle's letter of July 23, 1996. It presents our arguments for inclusion of the area within the Urban Growth Boundary and its designation as Light Industrial. The reasoning and conclusions are, I believe, even more valid today than they were in 1996. Since then the outlet mall on the adjoining property has nearly been completed, the demand for freeway industrial properties within Oregon has continued to increase, and the City's own consultants have concluded that 600 more acres of property so designated will be needed by 2020. The 125 acres we ask to have included is probably, of all the alternatives the City has, the best located and most suitable for inclusion and designation as Light Industrial.

At the March 30 meeting, I was asked if we had discussed our desires with, and received any comments from, the Marion County Commissioners. I responded in the affirmative and that the only concern that had been expressed, by one Commissioner, is with respect to the extending of Woodburn's Urban Growth Boundary closer to Marion County's landfill. My response was and continues to be that, if the concern is that some citizens living north of the current Woodburn City Limits will complain that pollution is adversely impacting their water supply, the best resolution of

that potential problem is to have as many of the current rural residents and any new residents added in the future in that area have the benefit of Woodburn's water and storm drainage systems. The fact is that it may be the controlling of rural development, rather than of proximity to the landfill, that might be appropriate. With respect to the 125 acres, two additional points for Marion County to consider are that (1)the industrial uses we contemplate will probably decrease, rather than increase, the number of residents that would be living on the 125 acres and (2) it is about a full mile between the closest points of both the 125 acres and the landfill (which would mean that any Marion County policy preventing any new development within that distance, i.e., one mile, of any part of the landfill would effectively condemn to varying degrees about 10 square miles on the north border of Woodburn.) From the City of Woodburn's standpoint, we suggest that the issue needs clearly and soon to be addressed with the Marion County Commissioners, because the landfill is just about as close to the most northwestern parts of Senior Estates as it is to the 125 acres and most of any future development north of the current city limits on the east side of the freeway between Crosby Road and Boones Ferry Road would actually be as close or closer to the landfill than the 125 acres is. Pollution concerns respect no freeway boundaries, and new developments in that area east of the freeway would most likely be residential. What the policy of Marion County ought to be is (1)to do more to reduce/eliminate the pollution concerns through good management of the landfill and (2)to encourage expansion of the UGB to the north and require that any new development in the area of concern be connected to Woodburn's water and storm drainage systems.

A final comment that I would like to make is that I personally support the concept of having a pretty firm Urban Growth Boundary and requiring development to occur within it, so long as the supply of the various types of zoned acreages within that UGB are adequate to provide for the reasonable demands for development. It is also appropriate to shift zoning from one type where there is an oversupply to another type where there is an undersupply. The current discussion includes one proposal that would essentially result in meeting the 600 acre industrial land shortfall by changing the designation on single family residential land to a designation of industrial land. That would work where, both economically and politically, in the area under consideration the two designations are interchangeable. However, I submit that almost all of the land within the current UGB that is zoned for single family residential development would be unsuitable for industrial uses of the type we have in mind. For those uses, the land needs to be close to and easily served by a major transportation system and would be best located where the industrial uses would be the most compatible with its neighbors and current uses. We think that, from an economic and political standpoint, the 125 acres and a few other small tracts outside of and on the corners of the current UGB are the appropriate answer to the need for designating 600 more acres as being for Woodburn's future industrial needs. An additional justification for the inclusion of these specific 125 acres within the UGB is that the current UGB is already on three sides of the 125 acres and its inclusion would actually somewhat help to straighten out the UGB lines.

Very truly yours,

Martin W. Rohrer

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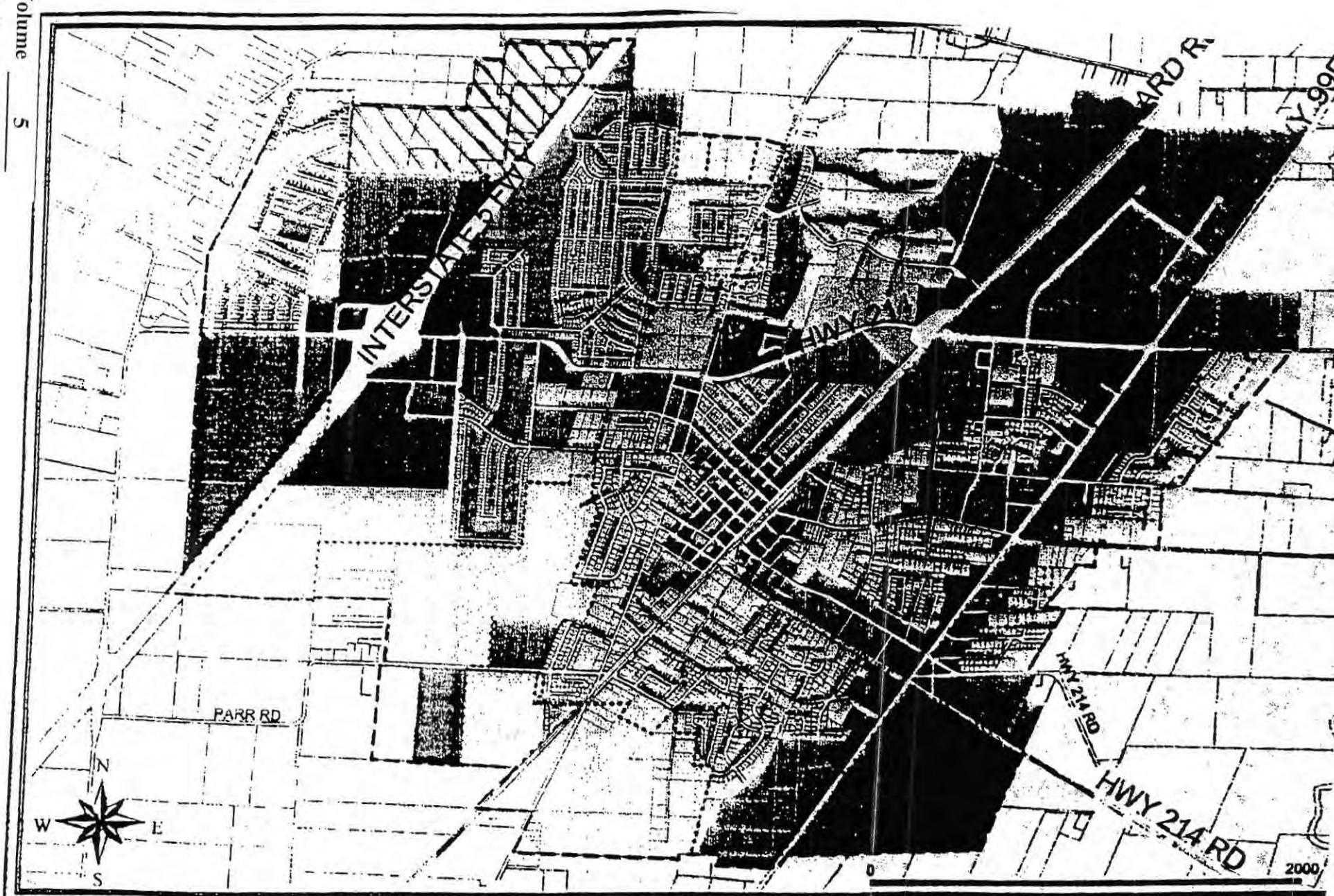


Woodburn Comprehensive Plan Zones

City Limits
Urban Growth Boundary
Residential (<12 units per acre)
Residential (>12 units per acre)
Commercial
Industrial
Open Space
Use

City of Woodburn Buildable Lands & Housing Needs Analys

Plotted: December 8, 19

ENGLE & SCHMIDTMAN
ATTORNEYS AT LAW
NORTHWOOD OFFICE PARK - 610 GLATT CIRCLE
WOODBURN, OR 97071

ROBERT L. ENGLE
KIRK A. SCHMIDTMAN

TI[illegible] M. BUFFINGTON
A[illegible]TE COUNSEL

HAROLD A. SCHISTEADT
RETIRED 1988

TELEPHONE: (503) 981-0158
FAX: (503) 981-0158

July 23, 1996

Mr. Steve Goeckritz
Planning Director
City of Woodburn
City Hall
Woodburn, OR 97071

Re: Woodburn Comprehensive Plan Periodic Review - Urban Growth Boundary Expansion

Dear Steve:

I recently discussed with you the fact that Woodburn will soon begin the process of considering the extent to which Woodburn's Urban Growth Boundary should be expanded.

I have asked you to allow me to offer input in that process at this time rather than after the proposal has been developed since it has been my experience that public hearings requesting public comments upon an existing proposal seldom result in any significant change or modification to that proposal.

I am currently representing Martin W. Rohrer, a former partner of this office, who owns 45 acres of real property adjoining the present Urban Growth Boundary west of the freeway and north of the 214 interchange. We ask that the City, in preparing its proposal to Marion County and LCDC, consider expanding the City's Urban Growth Boundary to include all of the approximately 125 acres indicated by the coloring on the attached map. Marty's property is the portion of that 125 acres further indicated by the diagonal lines. We believe that many reasons exist for the inclusion of this 125 acres within the City's Urban Growth Boundary. I will use this letter as an opportunity to list a few of those reasons which we feel are most compelling.

The City of Woodburn will need, within the next planning period, an additional inventory of light industrial and high density residential property. The 125 acres could substantially contribute to meet that need in several ways:

1. The 125 acres could currently be brought within the Urban Growth Boundary and all or most of it zoned for light industrial use with minimal opposition or disruption of current owners and activities. This acreage contains only eight residences. The entire acreage is owned by only eleven separate or joint owners, three of whom are currently operating businesses which might be characterized as light industrial, namely, a cement plant, a wood chip processing plant and a sales yard for heavy equipment. Over 90% of the 125 acres is owned by four of the owners. All are engaged in farming to some degree; but Marty has polled the four owners (Coleman, Adney, Castor and himself) and all would welcome inclusion and light industrial designation. That designation would also be consistent with the business activities of the other owners who are operating the three businesses.

2. Much of the property south of the current Urban Growth Boundary line (previously owned by the Stampleys) has recently been sold and is targeted for commercial use, thus removing that property from the City's inventory of property previously identified as high density residential. A portion of the 125 acres could be zoned high density residential to replace the Stampley property lost for such uses. Particularly appropriate for such zoning would be the Coleman 30-acre farm on the westerly portion of the 125 acres, since it adjoins residential property in the Nazarene Subdivision to the west and the undeveloped property zoned for high density residential to the south of that 30-acre farm.

3. When the Stampley property develops for commercial use, Arney Road will be improved and in all probability straightened to front the northwest side of I-5 providing very favorable access to the subject property from I-5. If that occurs, access to the 125 acres will likely be the best of all similar properties in any of the four quadrants of the interchange.

4. The City would have much greater difficulty handling additional traffic flows east of the 214–I-5 interchange. The development of the subject land, northwest of the 214–I-5 interchange would not detrimentally affect the flow of traffic into Woodburn east on 214. Much of the traffic would access to and from I-5 and only on the west side. Additionally, with proper planning,

traffic moving from the subject area into Woodburn could easily be routed north to Crosby Road, over the Crosby overpass, and east to Boones Ferry or Front Street, entirely avoiding the congestion of 214.

5. Much discussion has occurred on the subject of a new interchange on I-5. It appears likely that a new interchange would be built at Parr Road and not at Crosby Road. Therefore, the development of land in the northwest quadrant of 214 and I-5 would not interfere with the planning and acquisition process of a new interchange and, as noted above, would still permit I-5 access at 214 without substantially increasing traffic east of I-5 on 214 and would encourage destination travel to downtown Woodburn from Crosby Road and not from 214. It is particularly important to note that the interchange planning, funding and construction could tie up further meaningful development of both the southwest and southeast quadrants for over a decade. Only the northwest quadrant can have such development during that period without directly impacting or being impacted by the interchange improvements. A decade could be a very long time for Woodburn to wait for the economic development that could result from such business and housing activity.

6. The subject property, if zoned mostly light industrial, would provide a good transition and buffer between the commercial uses to the south and the agricultural uses to the north. Additionally, if the split zoning mentioned above (with a high density residential designation placed on the westerly 30 acres) is approved, the subject property would also provide a good transition and buffer between the existing single family residential development in the Nazarene Subdivision to the west and the freeway and already existing (and hopefully, expanded) industrial uses in the easterly portion of the 125 acres.

7. Good planning envisions the uniform growth of City boundaries. Currently, the north boundary of the Nazarene Subdivision extends well beyond the north Urban Growth Boundary line of the remaining property west of the freeway. Further, it is likely that the north Urban Growth Boundary of the City east of I-5 will also extend to or near Crosby Road. The extension of the Urban Growth Boundary as here proposed would provide a more uniform north boundary to the City in future planning.

8. The existence of the Marion County Landfill located north of Crosby Road should not discourage the development of this acreage. Once annexed, all development will utilize urban services. Therefore, after inclusion of the subject property within the City of Woodburn and development as proposed,

any concerns related to the landfill should be decreased, rather than increased.

9. Woodburn has just recently been recognized by the developing public. We are in the initial stages of development that we have sought and encouraged for many years. One of the greatest features that makes Woodburn desirable to residents and development is our access to I-5. We need to take advantage of our location and plan for development around the freeway interchange. Substantial development has occurred as planned in the southwest quadrant. Development has and will occur in the southeast quadrant and somewhat in the northeast quadrant. There is no reason why the northwest quadrant should not also be available to this freeway access. In addition to it being desirable to have the properties along the freeway be available for development because of their access, the City also would be benefited in a more general way by the indications that would make them visible from the freeway that Woodburn "welcomes business activity" as would be demonstrated by the kind of development we are suggesting.

In summary, we recommend that the City seriously consider and then propose inclusion of the approximately 125 acres within Woodburn's Urban Growth Boundary during the planning and review process. Although this is not the time to consider the ultimate zoning of the property, we recommend that the City consider designating the property in Woodburn's comprehensive plan for light industrial and high density residential uses as discussed above.

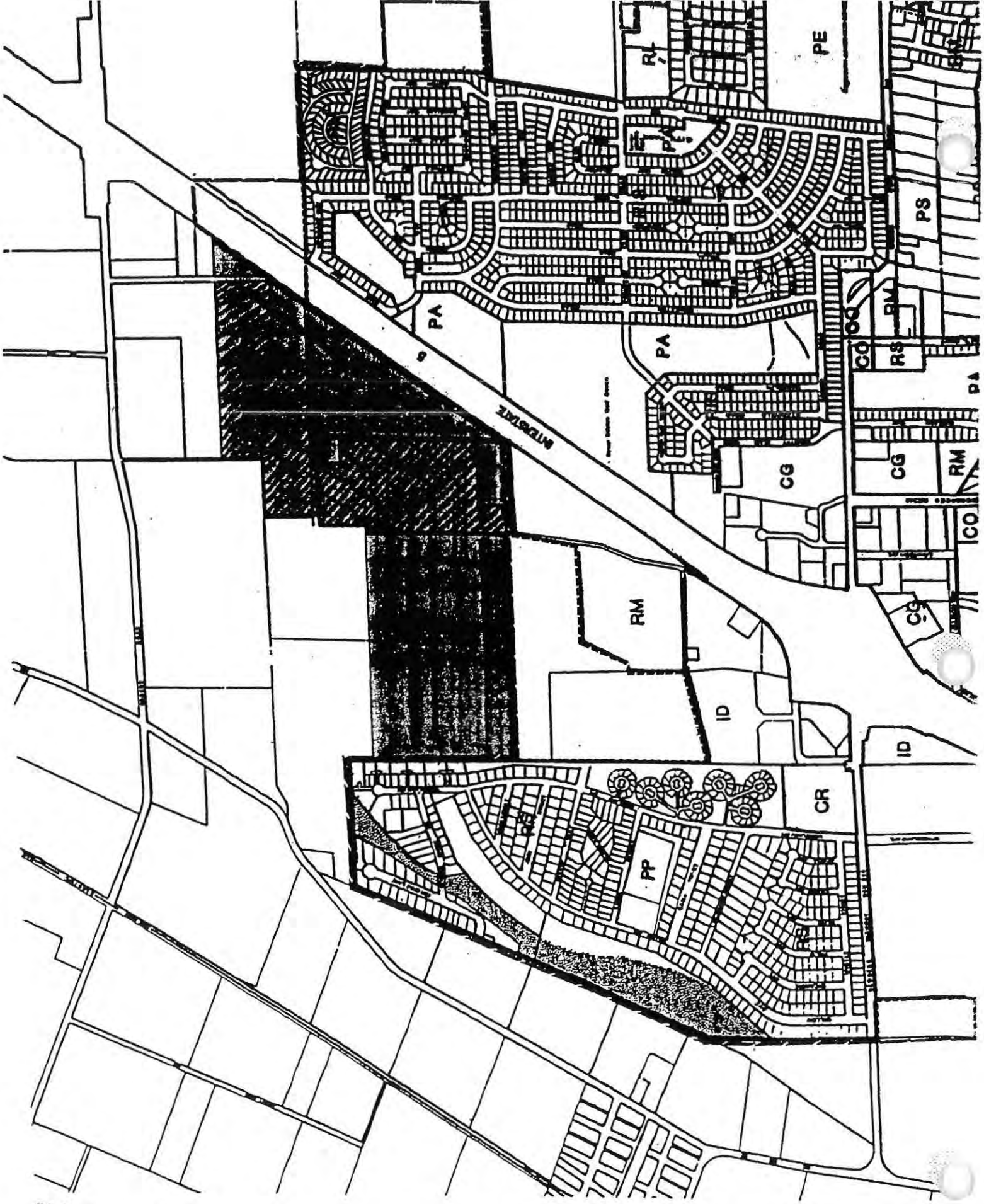
Part of the planning and review process should include completing an inventory of the currently undeveloped, but zoned, land within the Urban Growth Boundary. My sense is that Woodburn has substantially exceeded the growth expectations that were incorporated into the boundary and zoning that were last modified in any significant way almost two decades ago. My sense is also that the inventory of light industrial and high density residential zoned land is the most depleted. Inclusion of this significantly large block of 125 acres, at this time when it is not only available for such use but also arguably the best candidate for such use, especially in the next several years, is an opportunity of which we would like to see Woodburn avail itself.

We would welcome the opportunity to participate in any manner in the initial review process. If further statistical information or citizen input would be deemed by those staff members participating in the review to be beneficial to the process, please advise.

We appreciate very much the opportunity to offer input at this preliminary stage.

Yours truly,

ROBERT L. ENGLE
RLE:hez
cc: Martin W. Rohrer ✓



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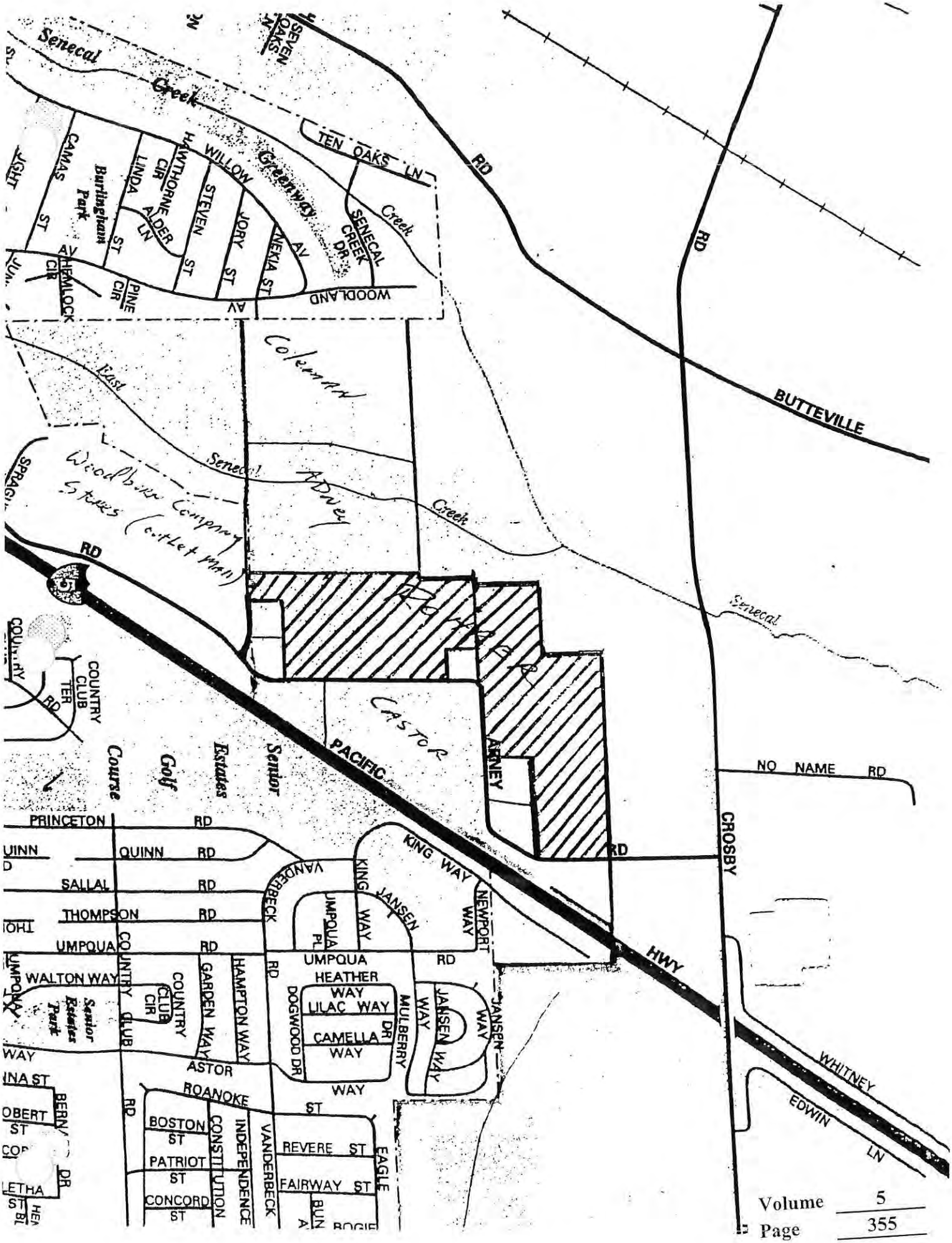

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Exhibit B-98

16 Abelard
Lake Oswego, OR 97035-2342
February 7, 2005

Woodburn Planning Commission
c/o Jim Mulder
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

☆ REC'D ☆
FEB 0 8 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

Dear Planning Commissioners:

This is a follow-up to my testimony presented at your hearing on Thursday, February 3, 2005. Please consider this letter in your decision regarding the UGB and include it in the record. My testimony was presented, and this letter is written, on behalf of myself and three families (Castor, Adney, and Coleman) who own about 110 out of the 125 acres in the area along Arney Road and Arney Lane adjoining and immediately north of Woodburn Company Stores. We have consistently represented to the City of Woodburn, since the UGB study began in 1996, that we would all like to be included in any UGB expansion, have all of our properties zoned for Light Industrial development, and cooperate with each other to try to develop our properties as one entire tract of 110 acres. We presented testimony to the Buildable Lands Citizen Advisory Committee (aka Growth Policy Task Force) in 1999 and at the hearings before the Woodburn City Council shortly thereafter. In fact, a majority of our area was then recommended, as a result of the study, for inclusion within an expanded UGB. We were delighted with that recommendation and were ready for the inclusion. We haven't changed our minds. All three of my neighbors were at your February 3 hearing, although I was the only one who spoke. They indicate they will be sending letters for inclusion in the record that support my testimony and written materials.

Two maps and an aerial photograph are enclosed and should be helpful in your understanding of our request. They include:

1. Proposed Comprehensive Plan with staff's recommended UGB adjustments added.
2. My map of the northwest quadrant of Map #1, with the area, roads, and property owners indicated.
3. Aerial photograph of the area we propose for inclusion, with the area outlined and with the double lines showing the current UGB line.

There are three main reasons we feel we should be included in the UGB expansion. They are:

1. Our area is, and has been for about three decades, the area most surrounded by the UGB. That surrounding is even more noticeable if the UGB is now extended both north along Butteville Road and all the way to Crosby Road on the east side of I-5. Maps #1 and #2 show that very clearly. Although rounding off UGB borders may not be required, it would seem to have merit and should be less objectionable to those bureaucrats and groups that are concerned about expansion into agricultural areas.

With Woodburn Company Stores on one side and housing (or freeway) on the other two sides, we are already much more impacted by urbanization than several other areas that are outside of the current UGB, but which are proposed for inclusion.

2. Our area adjoins one of the largest retail centers in the Pacific Northwest. It is hard to believe that it would be appropriate for such an area to not be included in the supply of land that is listed as being made available for development within the next 20 years. More than any other area proposed for inclusion in the UGB expansion, except perhaps the area in the southwest quadrant that is between Butteville Road and the interchange, our area is ready for development. The roads, water, sewer, and power are right at our doorstep. There is no need for a new interchange (although the current one clearly needs improvement) and no need to wait for a south bypass to start development. Our area has been proven to be an area that is viable for development with the success of Woodburn Company Stores, the auto dealers, and the other retail establishments along Arney Road. We believe empirical evidence of superior freeway visibility and traffic flow is demonstrated by that success.
3. We would like to develop our area as a Light Industrial development that takes advantage of the fairly easy access from and to I-5 on the west side of the interchange, freeway visibility, and the traffic already generated by the retail establishments along Arney Road. We think there is a substantial demand for Light Industrial land where manufacturing and similar enterprises are able to market and sell a portion of their goods from the location at which they are manufactured or packaged. (Such sales offices were allowed in recent Woodburn zoning codes. I believe those codes were amended, but it would be beneficial to the City and the businesses to reestablish such permitted uses.) Our area would be ideal to satisfy the particular demand for property where marketing and sales offices are permitted. Examples of those kinds of businesses are manufacturers of clothing, cookware, microbrews, computer hardware, golf clubs, and wine, as well as those who package products such as flower bulbs and high value agricultural products for shipment. It was noted at your hearing that the City needs to provide a variety of industrial options to satisfy different needs. The manufacturers who would be interested in our area might be quite different than those who are interested in areas along Parr Road. You can make land available; but, if it doesn't meet the needs of the buyers/manufacturers, they will go elsewhere to buy and develop.

If what the City of Woodburn wants is to create new, good jobs as soon as possible, it needs to offer land that is what manufacturers want, and land that can most readily and quickly be developed. We feel that our area along Arney Road has those characteristics. We feel it would be compatible with Woodburn Company Stores and other retailers along Arney Road and, in fact, all would benefit from a symbiotic relationship. We appreciate your consideration of our arguments and our request for inclusion.

Very truly yours,

Martin W. Rohrer

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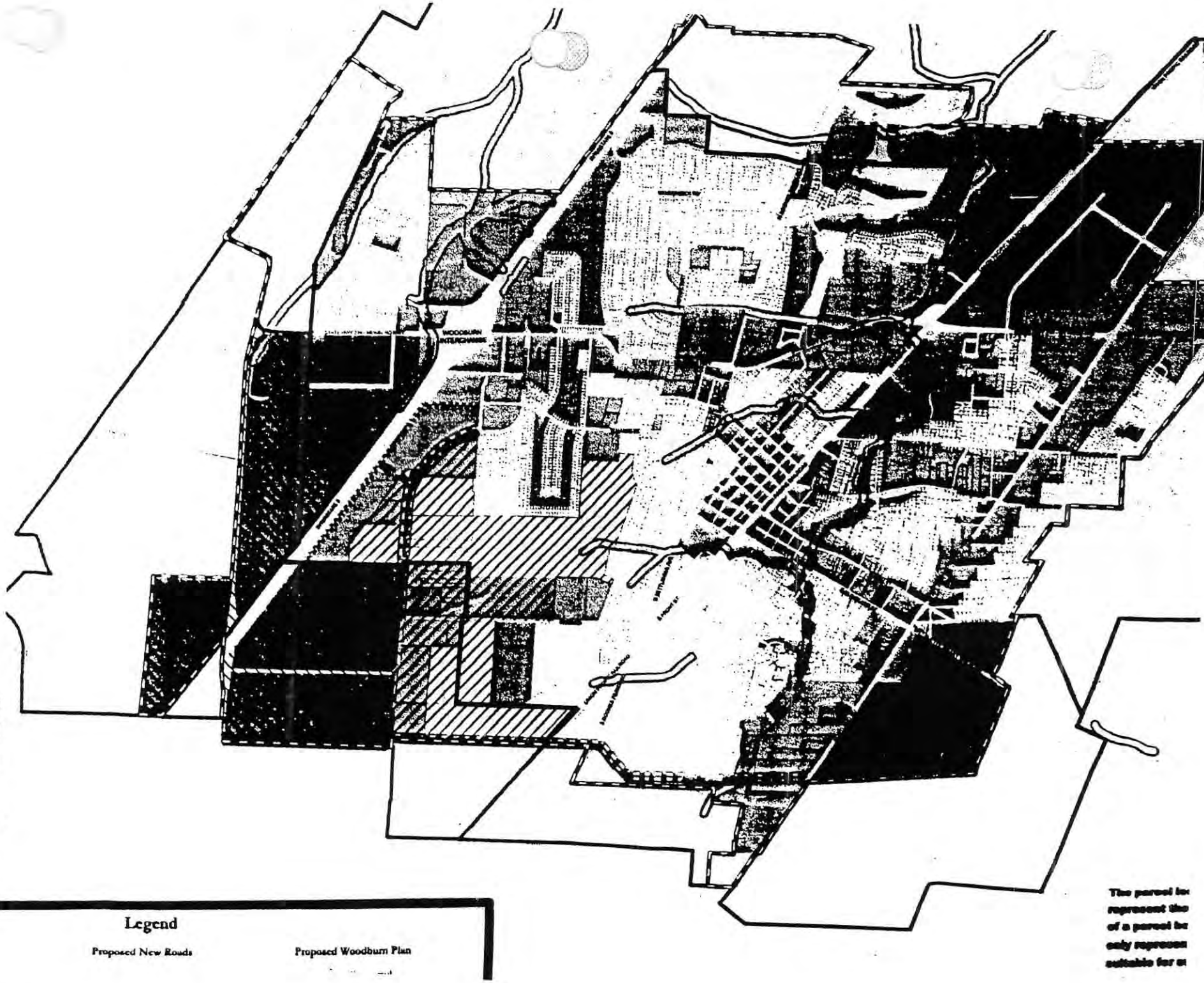

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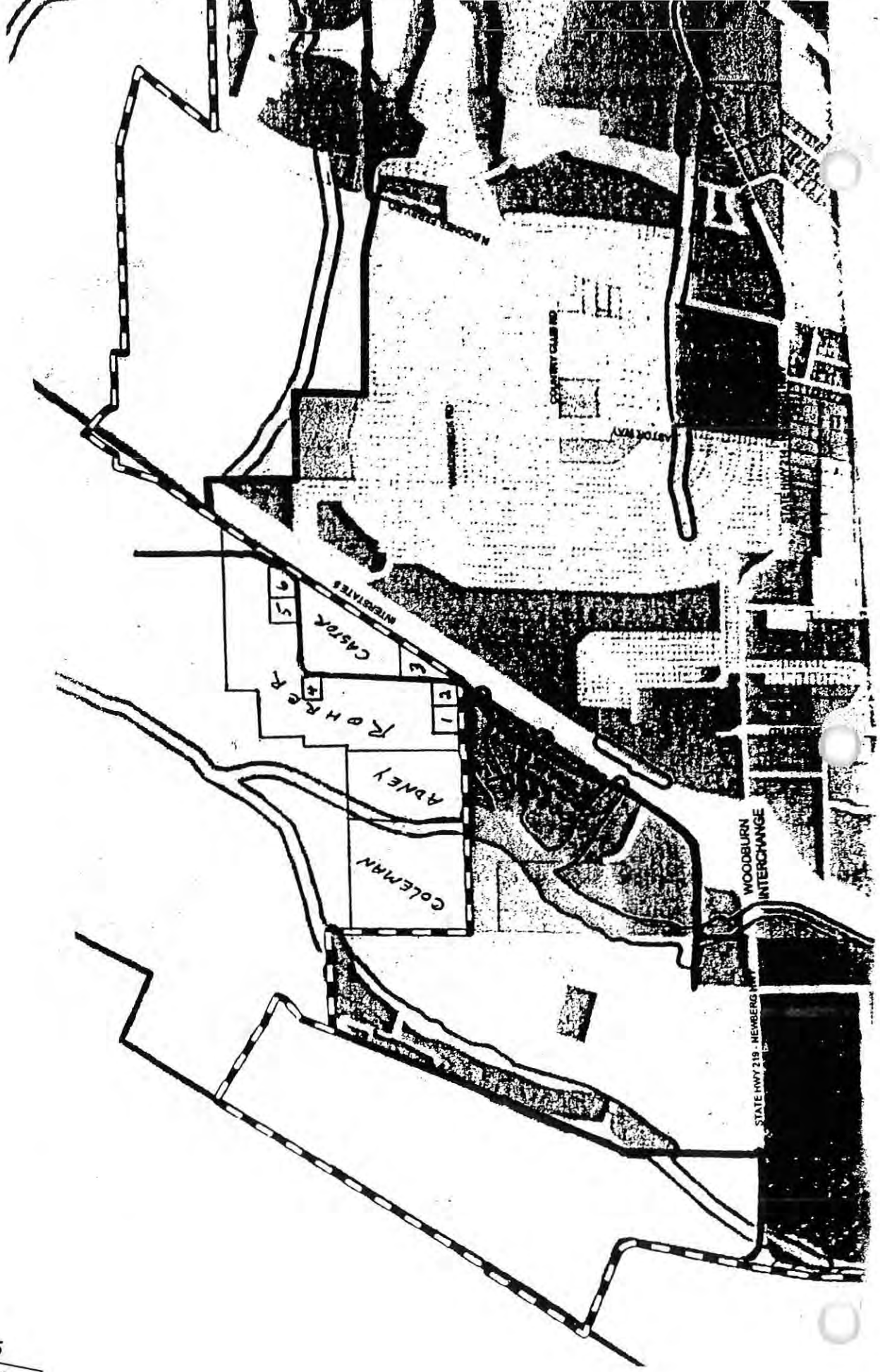

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Mark L. Castor
7052 SE Scenic Drove
Prineville, OR 97754

☆ REC'D
AUG 25 2004
WOODBURN COMMUNITY
DEVELOPMENT DEPT.

August 20, 2004

Mr. Greg Winterowd
Winterbrook Planning
310 SW Fourth Ave—Suite 1000
Portland, OR 97204

Mr. Jim Mulder
Woodburn Community Development Director
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Gentlemen,

I am writing to you regarding the UGB changes involving Arney Road. I am a landowner of 16548 Arney Road NE. I am writing to let you know that we are ready to develop our poperty when the opportunity arrises. We lost our father in 1988 and our mother has lived there up until she died in April of 2004. I, along with my 2 brothers and 1 sister own the property there on Arney Road and we are wanting to be included in the UGB expansion area along Arney Road.

Mr. Martin Rohrer wrote to you on April 29, 2004 and included us in his letter to you regarding the follow up to the open house you held at Woodburn City Hall on April 16, 2004. I, along with my brothers and sister, want to be able to participate in any future meetings that you have regarding the UGB changes involving our property. Please feel ~~free~~ free to write me, or call me at (541) 416-1082.

Sincerely,

Mark L. Castor

Mark L. Castor

CC: Mr. Martin Rohrer
Mr. Denis Castor - 192 Cummings Way, Keizer, OR 97303
Mr. Perri Castor - 16548 Arney Road NE, Woodburn, OR 97071
Mrs. Patti Allen - 3607 SE Umatilla Loop, Prineville, OR 97754

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☆ REC'D ☆

FEB 10 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Exhibit "B"-50

Dennis Castor
192 Cummings Lane
Keizer, Or. 97303

Woodburn Planning Commission
c/o Jim Mulder
Woodburn City Hall
270 Montgomery Street
Woodburn, Or. 97071

Dear Planning Comissioners:

This letter is a follow up on the hearing on Thursday, February 3rd, 2005. Please conside this letter in your decision regarding the UGB and please include it in the record. My name is Dennis Castor, my address is 192 Cumming Lane, Keizer, Or. 97303. I am one of the owners at 16548 Arney Rd., Woodburn, Or. 9 We (Dennis, Mark, Patti, Perri Castor) are read to develop. We support Martin Rohrer's testi given on Thursday, February 3rd, 2005. I als would like to add that back in the early 80' or whenever the planning commission was ac UGB, my father, Nile Castor and neighbor, C Senner, voted to be included in the UGB, bu voted incorrectly (misunderstanding the wordi which excluded the 125 acres in the area a Arney Rd. adjoining and immediately north

Woodburn Company Stores. We have been approached over the years by businesses that are very interested in locating in this area which would be lucrative to the city of Woodburn. Thank you for your consideration.

Yours truly,

Dennis Castor

Dennis Castor

Exhibit "B"-5 1

COLEMAN CORRALS, INC.

FEB 0 8 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

FEB. 4, 05

City of Woodburn
Planning Dept.

I attended your meeting the evening of Feb 3rd, but was only there 3 hour before I was called away. Marty Rohrer submitted a presentation that evening of which myself and 3 other land owners are included. He has my full concent to include my land in his dealings.

Coleman property consist of 28.42 acres in Township 5 Range 2w Section 1 in Tax Lot 01100. Marty Rohrer will speak on my behalf.

Thanks
Steve Coleman

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WOODBURN COMMUNITY DEVELOPMENT DEPT.

2/7/05

To: Woodburn Planning Commission,

Re:

On Thursday, Feb. 3rd, a meeting was held regarding the proposed comprehensive plans for the City of Woodburn. We were at that meeting (in the over-flow crowd in hall), to say we were in support/agreement with the comments stated by Martin Rohrer.

Signed,

Virginia Arney

9075 Arney Ln NE
Woodburn, OR 97071

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FRIENDS OF OREGON
... Office • P.O. Box 2992 • Grants Pass, OR 97528 • (541) 474-115
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Exhibit B-55

February 10, 2005

Woodburn Planning Commission
City of Woodburn
270 Montgomery St.
Woodburn, OR 97071

☆ REC'D ☆

FEB 1 0 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

re: Woodburn Periodic Review

Dear Planning Commissioners and Staff:

We support efforts to actively plan for and shape Woodburn's future and appreciate your careful review of the "periodic review" package recommended by Winterbrook Consulting. At the conclusion of the public hearing on February 3rd, the written record was left open until 5 PM, February 10th. We wish to supplement our oral remarks with the following written comments. Please include them in the official record of this proceeding.

I. Introduction

At last Thursday's well-attended public hearing, the Planning Commission heard from a large number of community members concerned about Woodburn's future. Many expressed a vision for Woodburn's economic future that is very different from that presented by the Greg Winterowd, consultant from Winterbrook Planning. This community vision can be accommodated using very reasonable assumptions that are at least as legally defensible as the consultant's.

Winterbrook is recommending a UGB expansion of 752 net buildable acres, or about 930 total acres. Almost all of this acreage is prime farmland. Much of Winterbrook's UGB proposal is predicated on a very aggressive development strategy that we believe is both outdated and unrealistic. Therefore, it is not in Woodburn's best long-term interests or in the best interest of the surrounding community.

Most new jobs are created by small to medium sized businesses, especially those businesses that already have ties to the community. Nonetheless, Woodburn's economic development strategy primarily relies upon the inclusion of very large parcels of land in the UGB to attract new large employers. The largest of these parcels is intended to lure a high-tech computer silicon plant. This is an industry that is shrinking, not growing, in the United States and the Pacific Northwest.

We believe Woodburn would be wiser to instead focus its efforts both on the retention and expansion of existing employers and on attracting new small to medium-sized employers who can:

a) Strengthen Woodburn's core business district. For example, an economic development strategy that attracts office workers to the periphery of the downtown core will provide potential downtown retailers with a pool of customers within walking distance of their businesses. The new Chemeketa campus on the north end of downtown is a good first step in this direction.

b) Complement existing industries and the existing local economy. Year in and year out, Marion County leads all Oregon counties in gross agricultural sales. Agriculture is a traded sector industry. Agricultural exports rank #2 among all Oregon exports, accounting for 25% of all Oregon exports in 2002. 80% of production leaves the state, 40% leaves the country. In 2002, Agricultural exports increased 4% to $1.13 billion while high-tech decreased 31%. Woodburn is located in the agricultural heartland of Marion County, where direct agricultural sales topped half a billion dollars in 2004 for the first time in any Oregon county.

Farmland is not undeveloped land waiting for urbanization. It is already developed industrial land that supports the leading industry in Marion County. The agricultural industry is a primary driver of Woodburn's economy. Winterbrook's proposal would harm the local economy by undercutting the land base that supports this leading industry.

II. Winterbrook's Industrial Land and Employment Projections

If Winterbrook's preferred scenario is adopted, Woodburn will have 503 net buildable acres of industrial land. This is huge amount of industrial land for a city the size of Woodburn. For comparison, Medford is proposing to add 431 acres of industrial land to its UGB for the needs of an additional 94,000 people. Bend recently added 338 industrial acres to its UGB for the needs of an additional 48,000 people. Salem/Keizer, with a population 7 or 8 times that of Woodburn's thinks it could take decades to develop the 500-acre Mill Creek industrial site. McMinnville just adopted period review amendments based on a need for 174 acres of vacant industrial land for the needs of an additional 13,567 people.

Winterbrook recommends an extremely optimistic forecast of 8,373 new jobs by 2020[1], of which 3,836 will use industrial land.[2] This is a substantial jump from Winterbrook's previously recommended forecast of 7,140 new jobs.[3] We believe this significantly overstates what can reasonably be expected to occur.

Woodburn has about 7% of Marion County's population and just under 8% of Marion County's jobs.[4] Between 1990 and 2000, 11.2% of all job growth in Marion County

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[1] Revised Woodburn UGB Justification Report, Winterbrook Planning, January 2005. p. 2.
[2] Technical Report 2.B, Winterbrook Planning, May 2003, p. 8 Table 6
[3] Woodburn UGB Justification Report, Winterbrook Planning, November 2003.
[4] In 2000, total employment in Marion County was 131,622. Total employment in Woodburn was 10,388 or 7.9% of Marion County's total. Source: "Woodburn Economic Opportunities Analysis," phase one report, May 2001, p. 2-10, and "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum to Winterbrook, April 29, 2002, p.16

occurred in Woodburn.[5] Even Winterbrook's previously recommended forecast of 7,140 new jobs assumed that Woodburn would capture 20% of all job growth forecast for Marion County.[6] This new higher forecast would account for 23% of all future Marion County job growth. This is unrealistic.

However, even if Winterbrook's most optimistic projection were to occur, by Winterbrook's own figures Woodburn's 503 acres of industrial land will accommodate far more than the 3,836 new industrial employees and Woodburn's total employment land will accommodate far more employees than Winterbrook expects to locate on employment land.

From Technical Report 2.B, Winterbrook Planning, May 2003, p. 8:

Table 6. Total employment growth by land use type, Woodburn UGB, 2000-2020

Land Use Category	Employment Growth 2000-2020 Low	Medium	High
Commercial	1,164	1,476	1,810
Office	1,311	1,508	1,718
Industrial	**2,759**	**3,280**	**3,836**
Public	747	876	1,011
Total	5,981	7,140	8,375

Basic Assumptions

Commercial Retail: 20 employees per acre
Commercial Office: 30 employees per acre
Industrial: 14 employees per acre

What does this mean in terms of land need, assuming the *highest* projection and assuming *every* new industrial, commercial and office job requires development?

Commercial: 1,810 jobs at 20 per acre = 91 acres of developable land
Office: 1,718 jobs at 30 per acre = 57 acres of developable land
Industrial: 3,836 jobs at 14 per acre = 274 acres of developable land

Land Use Category	Land Need	In Existing UGB	Deficit	WPS proposes to add to UGB	WPS proposed Total
Commercial & Office	148 acres	108 acres	40 acres	32 acres	140 acres
Industrial	**274 acre**	**127 acres**	**147 acres**	**376 acres**	**503 acres**
	422	235	187	408	643 acres

[5] Source: Oregon Office of Economic Analysis and "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum to Winterbrook, April 29, 2002, p.8
[6] Revised Woodburn UGB Justification Report, Winterbrook Planning, January 2005. p. 5

- Even under the most aggressive assumptions, WPS is recommending adding to the UGB more than 2 ½ times the needed industrial land.

- Under reasonable assumptions, expected employment growth can be easily accommodated with a much smaller expansion or potentially on existing land

The assumptions above are taken directly from Winterbrook's background documents. They assume that Woodburn captures 23% of Marion County job growth and that *every* new industrial, commercial and office job requires development. Even under these unreasonable assumptions, the industrial portion of Winterbrook's recommended expansion is more than double what is needed for the number of employees who will use industrial land.

Winterbrook's own technical reports include 3 UGB expansion scenarios: an "Intensification" expansion of 447 net buildable acres, a "Medium UGB expansion" of 481 net buildable acres and a "Large UGB expansion" of 558 net buildable acres. For your reference, these are attached to this testimony. As the text of the "Large" expansion scenario explains, it is based on the highest employment forecast and provides alternative sites for target industries identified in the Economic Alternative Opportunities Analysis. At 752 net buildable acres, Winterbrook is now recommending a UGB expansion that is nearly 200 acres larger than his "Large Expansion" scenario.

III. Purported Need for 125 Acre Parcel

The industrial portion of Winterbrook's UGB expansion proposal is based in part on "a need for one very large site of 100 acres or more."[7] The Economic Opportunities Analysis includes a list of target industries (Table 4-4) and their site requirements (Table 4-5).[8]

The largest site requirements for any target industry listed in Table 4-5 is Electronics- Fab Plants at 40-80 acres+. The text of the EOA identifies these as "silicon chip fabrication plants," with site requirements that exceed 100 acres.[9] Since 2000, the silicon chip industry in the northwest has closed many plants and retains significant unused capacity.

It is unreasonable to base a portion of the UGB expansion on the expectation that a silicon chip fabrication plant will locate in Woodburn.

IV. Reasonable Assumptions for Industrial Land

The following industrial land assumptions are reasonable and legally defensible. They assume disproportionately large, but credible, increases in Woodburn's employment. They show that using reasonable assumptions, Woodburn's industrial land needs can be accommodated between 161 and 195 acres of industrial land. Since Woodburn already has

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[7] "Woodburn UGB Justification Report" November 2003, p.9
[8] "Woodburn Economic Opportunities Analysis," phase one report, May 2001, pp. 4-8, 4-9
[9] "Woodburn Economic Opportunities Analysis," phase one report, May 2001, p. 4-8

127 buildable acres of industrial land within its UGB, Woodburn only needs to add between 34 and 68 acres of buildable industrial land to its UGB.

A. Industrial Job Growth

As noted above, the consultant previously recommended a forecast of 7,139 new jobs between 2000 and 2020.[10] This is an aggressive forecast that accounts for 20% of all job growth forecast for Marion County. It assumes a 2.65% average annual growth in employment within Woodburn's UGB.[11] Winterbrook's Revised Woodburn UGB Justification Report calls this forecast "optimistic."[12] Nonetheless, this "optimistic" forecast requires only minimal expansion for industrial land.

B. Inconsistency between employment growth period and land inventory

Winterbrook recommended UGB expansion is based in part on a projection of job growth from 2000 to 2020.[13] It is based upon a land inventory conducted in 2002. Two years of job growth were absorbed by the date of the inventory, but the consultant continues to project a need for new land for these jobs, even though they have already been accommodated.

The forecasted employment growth of 7,139 new jobs assumes a 2.65% average annual growth in employment within Woodburn's UGB.[14] The first two years increment of this growth is already accounted for on land that is not included in the land inventory.

At 2.65% annual growth rate, 558 jobs were absorbed by the time of the land inventory, leaving a need to accommodate 6,581 new jobs in all employment sectors. Winterbrook assumes that 46% of all new jobs will locate on industrial land. This means that 3,027 new jobs will locate on industrial land through 2020.

C. All New Employment Does Not Require New Development

Considerable employment growth occurs on existing developed employment land. In the real world many new jobs are created without land being developed or redeveloped; a restaurant adds additional staff in the dining room and kitchen, a processing plant or manufacturer adds a second shift, a retail business expands its hours and hires new people to work those hours. Metro recently found that 21% of new industrial jobs and 52% of non-industrial jobs are absorbed on developed land without expanding onto vacant land. [15]

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[10] "Revised Woodburn UGB Justification Report," January 2005, p.5

[11] "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum, April 29, 2002, Tables 8 and 10, pp. 16-17

[12] "Revised Woodburn UGB Justification Report," January 2005, p.5

[13] "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum, April 29, 2002. See also "Woodburn UGB Justification Report" November 2003, p. 8

[14] "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum, April 29, 2002, Tables 8 and 10, pp. 16-17

[15] Metro Report, September 1999, Urban Growth Report Update" p.51

These numbers are supported by a recent McMinnville Chamber of Commerce Business Survey conducted by EcoNorthwest which found, "that nearly half [45%] of the respondents that indicated they had expansion plans will not need any additional floor space to accommodate new employees."[16]

We note that EcoNorthwest is one of Woodburn's current consultants. In a recent Economic Opportunities Analysis prepared for McMinnville, this same consultant found:

"Some employment growth will be accommodated on existing developed land, as when an existing firm adds employees without expanding space... if a jurisdiction has high vacancy rates... then more of the future employment growth can be accommodated in existing buildings. We assume rates of 7% [commercial and office] and 10% [industrial]..."[17]

We believe the rates assumed by EcoNorthwest in McMinnville are too low and that empirical data supports much higher rates. However, Woodburn should recognize that at least some new jobs will not require new vacant or redevelopable land.

Even if only 10% of the 3,027 new industrial jobs do not require buildable industrial land, that means that only 2,725 new jobs will need to be accommodated on buildable industrial land.

D. Industrial Land Conclusions

Under the "optimistic" forecast of 7,139 total new jobs, 2,725 new jobs will require buildable industrial land. Winterbrook includes a "basic assumption" that jobs will utilize industrial land at 14 employees per acre.[18] Thus, only 195 acres of buildable industrial land are needed to accommodate this job growth. Applying the same set of assumptions used above to the consultant's lower forecast of 5,981 total new jobs between 2000 and 2020 results in a need for 161 acres of buildable industrial land.

Since Woodburn already has 127 buildable acres of industrial land within its UGB, only 34 to 68 net buildable acres of industrial land needs to be added to the UGB to meet the need for 161 to 195 net buildable acres. Winterbrook recommends adding 376 net buildable acres of industrial land to the UGB, which is 308 to 342 acres more than the 34 to 68 acre deficit.

Winterbrook's highest employment forecast is significantly higher than his "optimistic" forecast. Nonetheless, even if this highest forecast is used, under reasonable assumptions regarding job absorption, these jobs would only require 229 acres of industrial land, leaving a deficit of only 102 acres to be added to the 127 net buildable acres already in the UGB.

Based on generous but reasonable assumptions regarding industrial employment, the overall UGB expansion should be reduced by at least 308 acres; from the 752 net buildable acres recommended by Winterbrook to no more than 444 net buildable acres.

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[16] McMinnville Business Survey Results, EcoNorthwest, September 2001, p.11
[17] McMinnville Economic Opportunities Analysis, EcoNorthwest, November 2001, pp. 6-3 to 6-4
[18] Technical Report 2.B, Winterbrook Planning, May 2003, p. 8

V. Expansion Areas

It is generally recognized that Woodburn has traffic problems associated with the I-5 interchange with Highway 14. These traffic problems will only be exacerbated by expansion west of the freeway. Winterbrook recommends a major expansion west of the freeway for industrial purposes and for residential purposes west of Butteville Road. Such an expansion is ill-advised and is not warranted under state law.

ORS 197.298 establishes the priorities for inclusion of land within a UGB. Under this statute, exception land must be brought in before farmland *unless it cannot reasonably accommodate identified land needs.* If farmland must be included, land of lower soil classification must be included before land of higher classification unless it cannot reasonably accommodate identified land needs.

Goal 14 has similar provisions. It requires urban growth boundaries to be based upon several factors, including:

(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
(2) Need for housing, employment opportunities, and livability;
(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 land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
(7) Compatibility of the proposed urban uses with nearby agricultural activities.

Exception Areas

According to Winterbrook, the Northeast Rural Residential (Carl Road) area "has no remaining development capacity,"[19] and neither this exception area nor the Southeast Residential Exceptions Area contain land that is "usable for urban purposes."[20] Because these areas cannot reasonably accommodate identified land needs and because they would be a significant unbuffered intrusion into surrounding agricultural land they should be excluded from the UGB expansion under ORS 197.298 and factor 7 of Goal 14.

Similarly, the Butteville Road Rural Residential area west of Butteville Road has an average parcel size of less than 2 acres.[21] Because it is so heavily parcelized, further development beyond limited low-density residential development is unlikely. Woodburn has a surplus of low density residential land for housing; Winterbrook allocates this surplus to schools, parks,

[19] "Revised Woodburn UGB Justification Report," January 2005, p.22
[20] "Revised Woodburn UGB Justification Report," January 2005, p. 38
[21] "Revised Woodburn UGB Justification Report," January 2005, p.24

and churches. These uses require parcels substantially larger than those found in the Butteville Road area. Therefore, this exception area cannot accommodate the identified land needs.

In addition, the Butteville Road Area is located west of Butteville Road adjacent to unbuffered farmland and is separated from most of Woodburn by the traffic problems around the freeway interchange. Its inclusion in the UGB would not be consistent with the various Goal 14 factors. For these reasons, it should be excluded from the UGB expansion under ORS 197.298 and Goal 14.

We agree that the Southeast Commercial Exceptions Area should be brought into the UGB.

Resource Land

Under ORS 197.298 Woodburn should not expand onto the prime farmland west of the freeway and north of the existing UGB. Instead, any expansion onto resource land should be southward onto the predominantly non-prime soils south of Parr Road between Boones Ferry Road and I-5.

VI. Recommendations

- Adopt an employment forecast of either 5,981 or 7,139 total new jobs, based on the consultant's "Woodburn Population and Employment Projections, 2000-2020.
- Eliminate Silicon Chip Fabrication plants from the list of target industries.
- Reduce the overall size of the UGB expansion to no more than 444 net buildable acres, based on generous, but reasonable assumptions regarding industrial employment.
- Eliminate the Northeast Rural Residential (Carl Road) area, the Southeast Residential Area, and the Butteville Road Rural Residential area from the proposed UGB expansion because they cannot reasonably accommodate identified land needs and because their inclusion would be inconsistent with various factors of Goal 14.
- Exclude prime farmland west of the freeway and north of the existing UGB from the proposed expansion. Instead, any expansion onto resource land should be southward onto the predominantly non-prime soils south of Parr Road between Boones Ferry Road and I-5.

We hope these comments are helpful. They address what we see as the most significant issues raised by the consultant's proposal. We will try to address any remaining technical issues prior to the hearing before the City Council. Once again, please include this

testimony in the official record of this proceeding and please provide us with written notice of your decision.

Sincerely,

Sid Friedman

Attachments: Winterbrook UGB Scenarios from Technical Report 2.B
"Site Requirements of Target Industries" p. 3
ORS 197.298
Goal 14

Cc: Marion County
DLCD
Oregon Department of Agriculture
Marion County Farm Bureau

SCENARIO #1 INTENSIFICATION (447 ACRES)

Based on medium employment forecast (7,140 new jobs) with intensification measures to increase density within UGB for residential and commercial land needs. This was the smallest UGB expansion to provide additional buildable land to meet future residential and industrial use needs. Measures used to increase density and efficiency of land use are marked with a "*".

***High Density Residential:** 16 dwelling units per acre. Using an assumption of 16 du/net acre increases Woodburn's potential supply of high density units by approximately 420.

North Golf Course: LDR – 6 units per acre. Total of 144 additional potential dwelling units.

North LDR: 6 units per acre. Total of 240 additional potential dwelling units.

South HWY 99E Exception Area: Commercial. Total of 170 additional potential employees.

***Commercial:** Primarily redevelopment and intensification within existing commercial areas. Total additions of 473 potential employees. This measure saves a need for approximately 24 acres of commercial land.

***Mixed Use Node:** LDR (8 units per acre), HDR (24 units per acre), Commercial (24 employees per acre). Increasing LDR density from 6 to 8 units per acre within the Node adds 102 potential dwelling units. Increasing HDR density from 12 to 24 units per acre within the Node adds 200 potential dwelling units. Increasing Commercial employees per acre from 20 to 24 within the node adds 177 potential employees.

***Public/Government:** Satisfied thru LDR. Scenario 1 assumes that 876 potential government and education employees will be added on existing, developed residential land.

Industrial: West Industrial Area with no alternative sites. Adds 1,732 potential industrial employees on 155 acres.

Table 7. Scenario 1: Surplus and Deficit Comparisons

Current Surplus (Deficit)				
Land Use	Supply	Demand	Surplus (Deficit)	Scenario Adds
Res. Low (DU)	2,368 du	3,749 du	(1,381) du	1,443 du
Res. High (DU)	1,679 du	1,874 du	(195) du	200 du
Commercial (EMP)	1,888 emp	2,678 emp	(790) emp	790 emp
Industrial (EMP)	1,651 emp	3,578 emp	(1,927) emp	1,927 emp
Public (Acres)	6.1 ac	36.1 ac	(30) ac	30 ac

Current Surplus (Deficit) Acres					20 Year Surplus (Deficit) Acres			
Land Use	Supply	Demand	Surplus (Deficit)	UGB Expand	ResLow	ResHigh	COM	IND
Res. Low (acres)	403	625	(222)	258	10			
Res. High (acres)	108	117	(9)	0		0		
Commercial (acres)	96	134	(38)	5			0	
Industrial (acres)	119	256	(136)	155				0
Public (Acres)	6	36	(30)	30	0			
Total				447				

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SCENARIO #2 MEDIUM UGB EXPANSION (481 ACRES)

Based on medium employment forecast (7,140 new jobs) without intensification measures for residential land needs, but includes a mix of intensification (redevelopment) and additional buildable land to meet future commercial land needs. Industrial land added to UGB to meet basic employment needs plus provide one alternative suitable site for target industries identified in the Economic Opportunities Analysis. Measures used to increase density and efficiency of land use are marked with a "*".

High Density Residential: 12 dwelling units per acre.

NW Exception Area: Very Low Density Residential – 3 units per acre. This allows 218 potential dwelling units in the NW Exception Area.

North Golf Course: LDR – 6 units per acre. Total of 144 additional potential dwelling units.

North LDR: 6 units per acre. Total of 240 additional potential dwelling units.

South HWY 99E Exception Area: Commercial.

***Commercial:** Primarily redevelopment and intensification within existing commercial areas. Total additions of 473 potential employees. This measure saves a need for approximately 24 acres of commercial land.

***Mixed Use Node:** LDR (8 units per acre), HDR (24 units per acre), Commercial (24 employees per acre). Increasing LDR density from 6 to 8 units per acre within the Node adds 102 potential dwelling units. Increasing HDR density from 12 to 24 units per acre within the Node adds 200 potential dwelling units. Increasing Commercial employees per acre from 20 to 24 within the node adds 177 potential employees. The increased densities in this node represent approximately 34 residential acres, and 9 commercial acres.

***South Residential:** LDR (6 units per acre) 75%, HDR (12 units per acre) 25%. This adds a potential for 240 low density dwelling units and 120 high density units.

***Public/Government:** Satisfied thru LDR. Scenario 2 assumes that 876 potential government and education employees will be added on existing, developed residential land. This saves a need for approximately 44 acres of public/government land.

Basic Industrial: West Industrial Area. Adds 1,732 potential industrial employees on 155 acres.

One Suitable Industrial Site: South – potential business park near node. Adds 1,086 potential industrial employees on 78 acres.

Table 8. Scenario 2: Surplus and Deficit Comparisons

Current Surplus (Deficit)				
Land Use	Supply	Demand	Surplus (Deficit)	Scenario Adds
Res. Low (DU)	2,368 du	3,749 du	(1,381) du	1,426 du
Res. High (DU)	1,256 du	1,874 du	(618) du	616 du
Commercial (EMP)	1,888 emp	2,678 emp	(790) emp	790 emp
Industrial (EMP)	1,651 emp	3,578 emp	(1,927) emp	2,711 emp
Public (Acres)	6 ac	36 ac	(30) ac	30 ac

Current Surplus (Deficit) Acres					20 Year Surplus (Deficit) Acres			
Land Use	Supply	Demand	Surplus (Deficit)	UGB Expand	ResLow	ResHigh	COM	IND
Res. Low (acres)	403	625	(222)	240	8			
Res. High (acres)	108	156	(48)	27		0		
Commercial (acres)	96	134	(38)	5			0	
Industrial (acres)	119	256	(136)	180				56
Public (Acres)	6	36	(30)	30	0			
Total				481				

SCENARIO #3 LARGE UGB EXPANSION (558 ACRES)

Basically, the same assumptions and measures as Scenario #2, but it is based on high employment forecast (8,375 new jobs) and provides two alternative suitable sites for target industries identified in the Economic Opportunities Analysis.

High Density Residential: 12 dwelling units per acre.

NW Exception Area: Very Low Density Residential – 3 units per acre. This allows 218 potential dwelling units in the NW Exception Area.

North Golf Course: LDR – 6 units per acre. Total of 144 additional potential dwelling units.

North LDR: 6 units per acre. Total of 240 additional potential dwelling units.

South HWY 99E Exception Area: Commercial.

***Commercial:** Redevelopment and intensification. Total additions of 30 potential employees through redevelopment and 443 potential employees through intensification. This measure saves a need for approximately 24 acres of commercial land.

Commercial: Add two neighborhood commercial sites (north and south). Adds a total of 300 potential jobs.

***Mixed Use Node:** LDR (8 units per acre), HDR (24 units per acre), Comm. (24 employees per acre). Increasing LDR density from 6 to 8 units per acre within the Node adds 102 potential dwelling units. Increasing HDR density from 12 to 24 units per acre within the Node adds 200

potential dwelling units. Increasing Commercial employees per acre from 20 to 24 within the node adds 177 potential employees. The increased densities in this node represent a need for approximately 34 residential acres, and 9 commercial acres.

***South Residential:** LDR (6 units per acre) 75%, HDR (12 units per acre) 25%. This adds a potential for 240 low density dwelling units and 120 high density units.

***Public/Government:** Satisfied thru LDR. Scenario 2 assumes that 876 potential government and education employees will be added on existing, developed residential land. This saves a need for approximately 44 acres of public/government land.

Basic Industrial: West Industrial Area. Adds 1,732 potential industrial employees on 155 acres.

Two Suitable Industrial Sites: (1) South. Adds 1,086 potential industrial employees on 78 acres; and (2) West. Adds 593 potential industrial employees on 42 acres.

Table 9. Scenario 3: Surplus and Deficit Comparisons

Current Surplus (Deficit)				
Land Use	Supply	Demand	Surplus (Deficit)	Scenario Adds
Res. Low (DU)	2,368 du	3,749 du	(1,381) du	1,417 du
Res. High (DU)	1,256 du	1,874 du	(618) du	670 du
Commercial (EMP)	1,888 emp	3,175 emp	(1,287) emp	1,290 emp
Industrial (EMP)	1,651 emp	4,216 emp	(2,565) emp	3,304 emp
Public (Acres)	6 ac	36 ac	(30) ac	30 ac

Current Surplus (Deficit) Acres					20 Year Surplus (Deficit) Acres			
Land Use	Supply	Demand	Surplus (Deficit)	UGB Expand	ResLow	ResHigh	COM	IND
Res. Low (acres)	403	625	(222)	245	6			
Res. High (acres)	108	156	(48)	31		4		
Commercial (acres)	96	159	(63)	30			0	
Industrial (acres)	119	301	(182)	222				53
Public (Acres)	6	36	(30)	30	0			
Total				558				

Valley realtors and developers were with expertise on developments in target areas in the Willamette Valley.

The required site and building characteristics for the target industries identified in the EOA range widely. As such, a variety of parcel sizes, building types and land use designations will be required to attract target industries. Overall, the most important factors echoed throughout the literature and interviews include appropriate parcel size and location, labor force quality, access to the Interstate highway system, and proximity to customers.

The Woodburn EOA concluded that the site needs of target industries generally fall into one of four types of site classifications: large lot industrial sites (40-80+ acre parcels); campus research and development (R&D) and smaller manufacturing sites (20 to 40 acre parcels); smaller light industrial/office sites (4-20 acre parcels); and speculative space within office/flex and mixed-use developments.

Large lot target industries include Electronic and Electric Equipment manufacturing (i.e., silicon chip fabrication plants). These users are generally more land intensive (typical site requirements exceed 100 acres) and have a relatively high level of environmental and water system impacts.

Industries with firms that may locate in campus research and development (R&D) and manufacturing sites include Electronic and Electric Equipment and the rest of the manufacturing industries may fall into this category.

Smaller light industrial/office sites (4-20 acre parcels) and speculative space within office/flex and mixed-use developments could accommodate smaller manufacturing firms, firms in Wholesale Trade and all of the Non-Industrial target industries.

Table 3 summarizes the lot sizes needed for firms in target industries for which data is available at this time. The acreage figures for some target industries are slightly different than those reported in the EOA. This reflects the additional research conducted on the site needs of target industries for this analysis.

Oregon's Statewide Planning Goals & Guidelines

Goal 14: Urbanization

OAR 660-015-0000(14)

(Please Note: Amended 09/28/00; Effective 10/04/00)

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 the 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, and livability;

(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 land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,

(7) Compatibility of the proposed urban uses with nearby agricultural activities.

The results of the above considerations shall be included in the comprehensive plan. In the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable lands from rural land, shall follow the procedures and requirements as set forth in the Land Use Planning goal (Goal 2) for goal exceptions.

Any urban growth boundary established prior to January 1, 1975, which includes rural lands that have not been built upon shall be reviewed by the governing body, utilizing the same factors applicable to the establishment or change of urban growth boundaries.

Establishment and change of the boundaries shall be a cooperative process between a city and the county or counties that surround it.

Land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses. Conversion of urbanizable land to urban uses shall be based on consideration of:

(1) Orderly, economic provision for public facilities and services;

(2) Availability of sufficient land for the various uses to insure choices in the market place;

(3) LCDC goals or the acknowledged comprehensive plan; and,

(4) Encouragement of development within urban areas before conversion of urbanizable areas.

In unincorporated communities outside urban growth boundaries counties may approve uses, public facilities and services more intensive than allowed on rural lands by Goal 11 and 14, either by exception to those

goals, or as provided by Commission rules which ensure such uses do not:

(1) adversely affect agricultural and forest operations, and

(2) interfere with the efficient functioning of urban growth boundaries.

Notwithstanding the other provisions of this goal, the commission may by rule provide that this goal does not prohibit the development and use of one single-family dwelling on a lot or parcel that:

(a) was lawfully created;

(b) lies outside any acknowledged urban growth boundary or unincorporated community boundary;

(c) is within an area for which an exception to Statewide Planning Goal 3 or 4 has been acknowledged; and

(d) is planned and zoned primarily for residential use.

GUIDELINES

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area, (2) the needs of the forecast population, (3) the carrying capacity of the planning area, and (4) open space and recreational needs.

2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.

3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

1. The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion.

2. The type, design, phasing and location of major public transportation facilities (i.e., all modes: air, marine, rail, mass transit, highways, bicycle and pedestrian) and improvements thereto are factors which should be utilized to support urban expansion into urbanizable areas and restrict it from rural areas.

3. Financial incentives should be provided to assist in maintaining the use and character of lands adjacent to urbanizable areas.

4. Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.

5. Additional methods and devices for guiding urban land use should include but not be limited to the following: (1) tax incentives and disincentives; (2) multiple use and joint development practices; (3) fee and less-than-fee acquisition techniques; and (4) capital improvement programming.

6. Plans should provide for a detailed management program to assign respective implementation roles and

responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

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.

(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.

(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. [1995 c.547 s.5; 1999 c.59 s.56]

Testimony 2-3-05

FEB 03 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

- My name is Toni Spencer. I live at 13736 Witco Hwy NE, a small farm outside of Woodburn.

I am a native Oregonian raised on a working cattle ranch and have lived most of my life in a rural environment.

- Although I do not profess to be an expert on Community Development and Planning. I feel compelled as a concerned citizen to comment on the proposed expansion of the Urban Growth Boundary.

- I have great respect for those who live and work on the land. I also respect and realize the importance of the economic stability that it provides the community. Anyone can be proud to live here. Consider the fact that agriculture is a viable industry.

  - Agriculture and food products are Oregon's largest export by volume.

- Agriculture ranks 2nd at nearly 2 billion

- The value of these products has increased in 16 of the past 18 years according to Katy Coba, Director of the Oregon Department of Agriculture

- Marion County ranks #1 in Oregon for gross Agricultural Sales at 518 m

• I worry that we may be too eager to include valuable, prime farmland in the proposed UGB.

• I have looked at areas within the current UGB and I see vacant properties commercial, industrial and residential that can be redeveloped and reoccupied.

- I took a drive through the industrial park, just off 214. I saw at least 8 properties for lease or for sale. One property was 137,000 sq ft!

- Unlike bear ground, this building, all vacant buildings are not even counted in the Consultants inventory of vacant industrial properties.

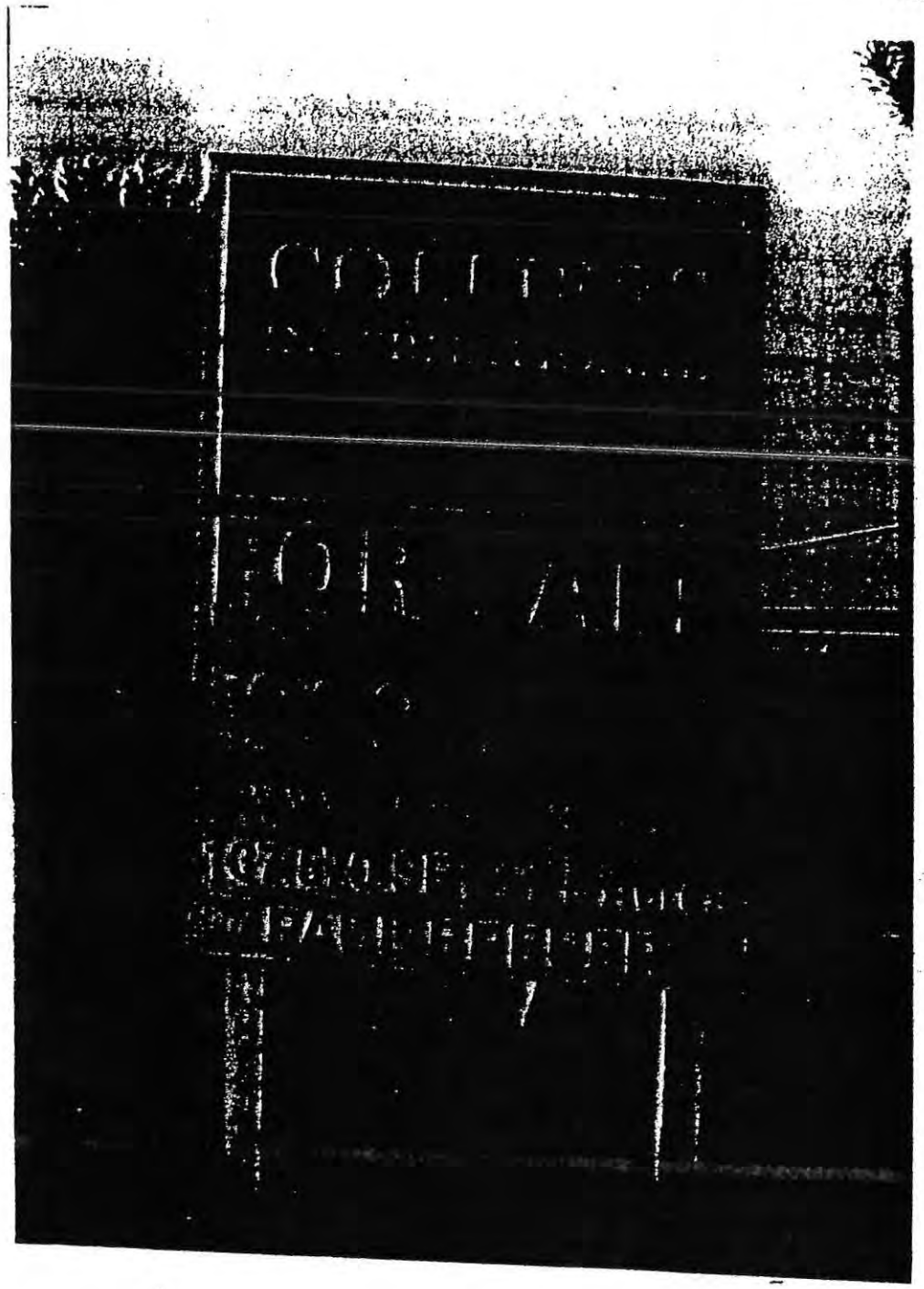
- Before we expand the current UGB, we have a responsibility to solicit new industry into our undeveloped and underdeveloped properties. We have the capacity for new industries in our current UGB.

- My hope is that we carefully determine and decide what is really needed before including prime farm land in the proposed UGB.

- We all would like to see economic progress in Woodburn, but remember, new industry can move in and cost us, the taxpayers, millions of dollars in taxes for sewer, water, sidewalks and roads and then up and move out, just as fast. Leaving us with unemployed workers and the bill. Once this productive farmland is paved over, It is gone, forever.

Thank You

FEB 10 2005
WOODBURN COMMUNITY
DEVELOPMENT DEPT.



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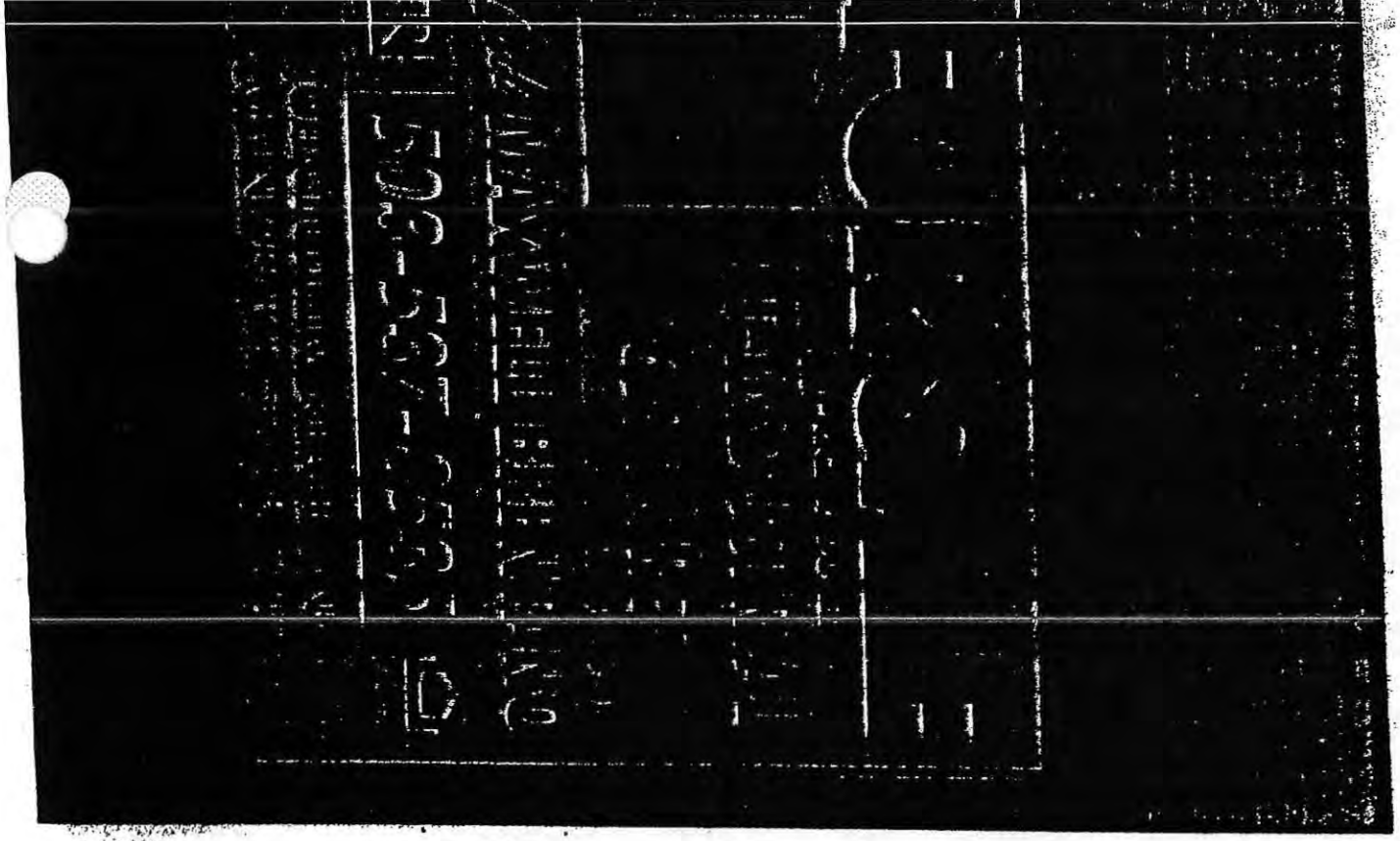

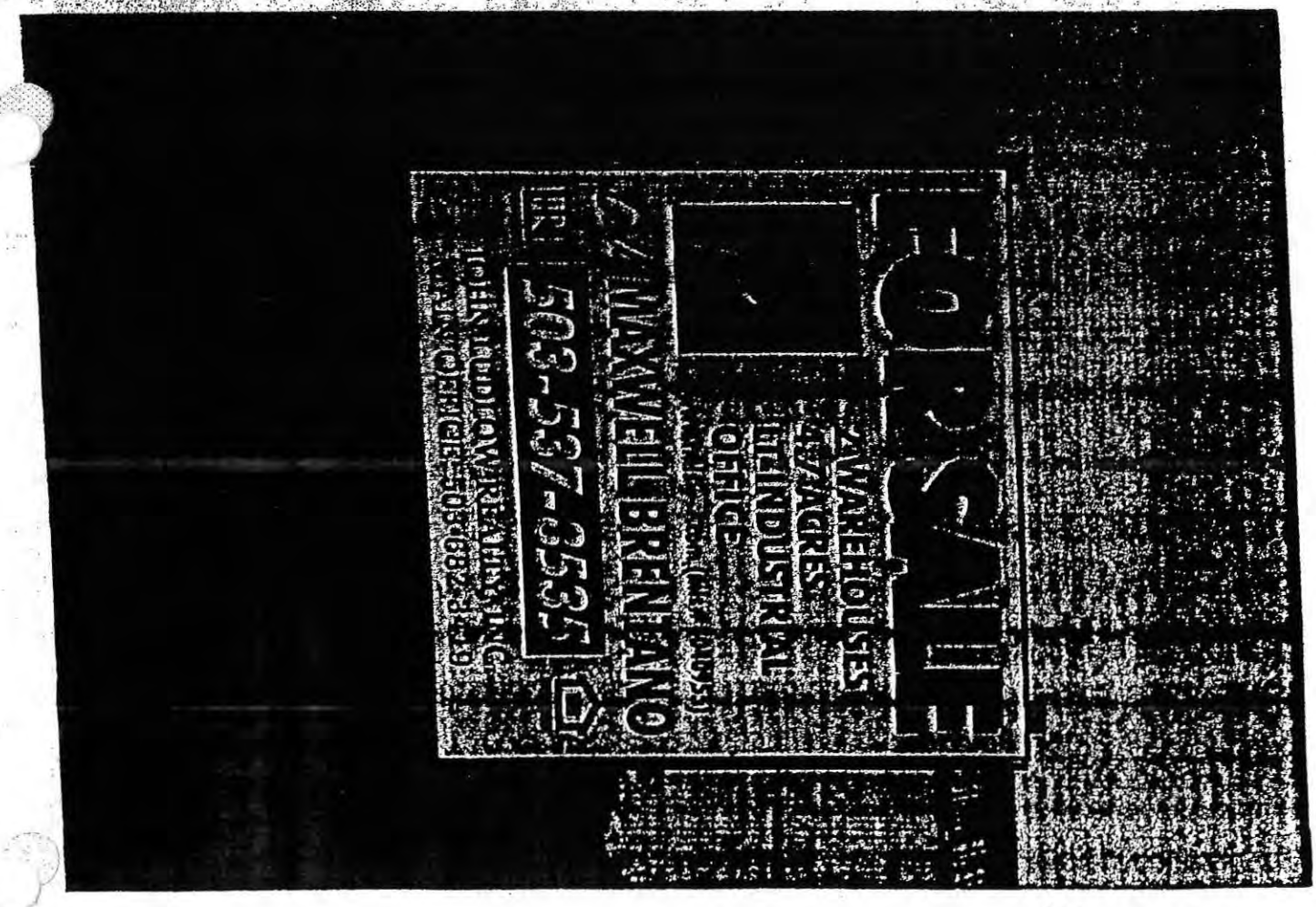
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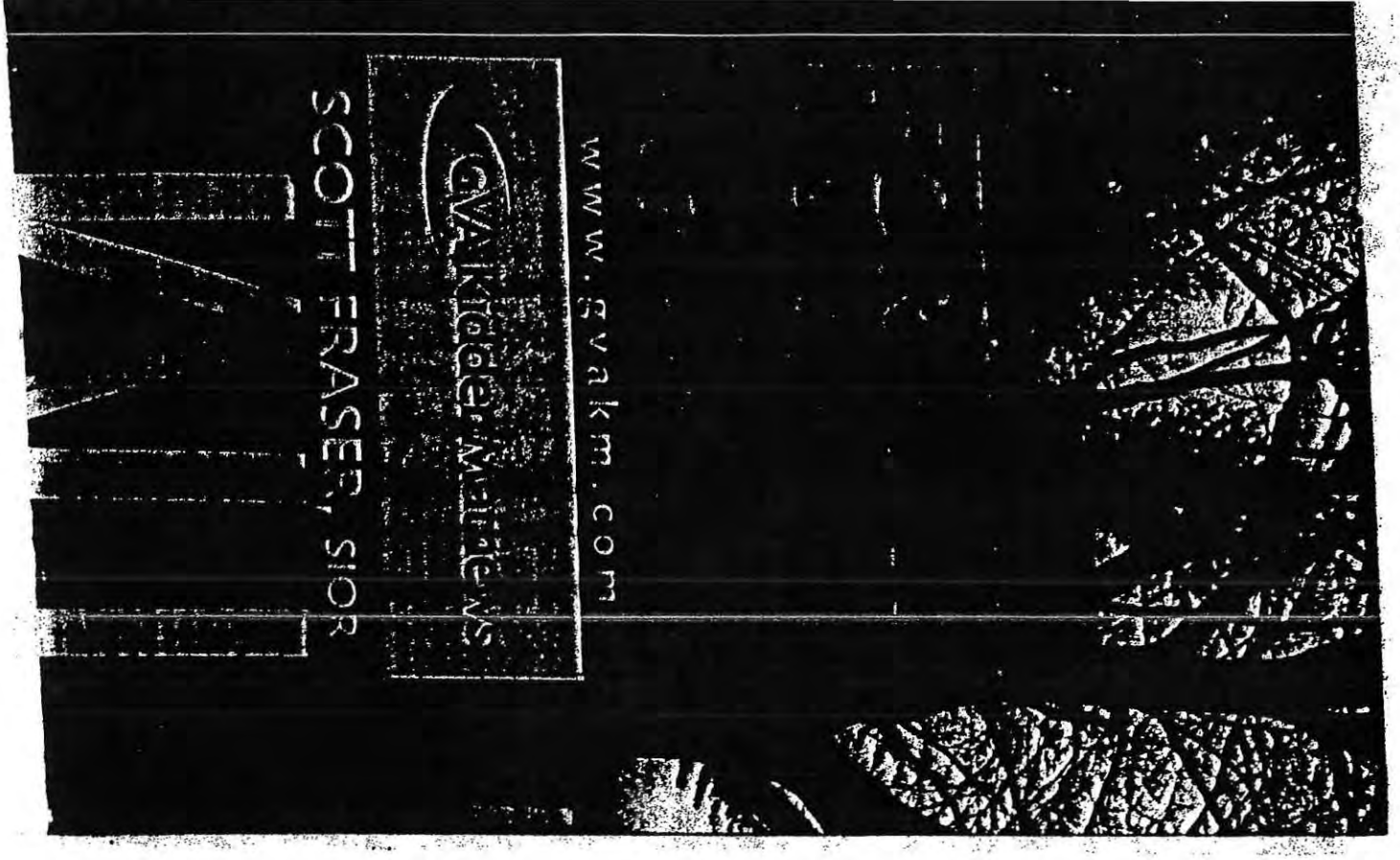
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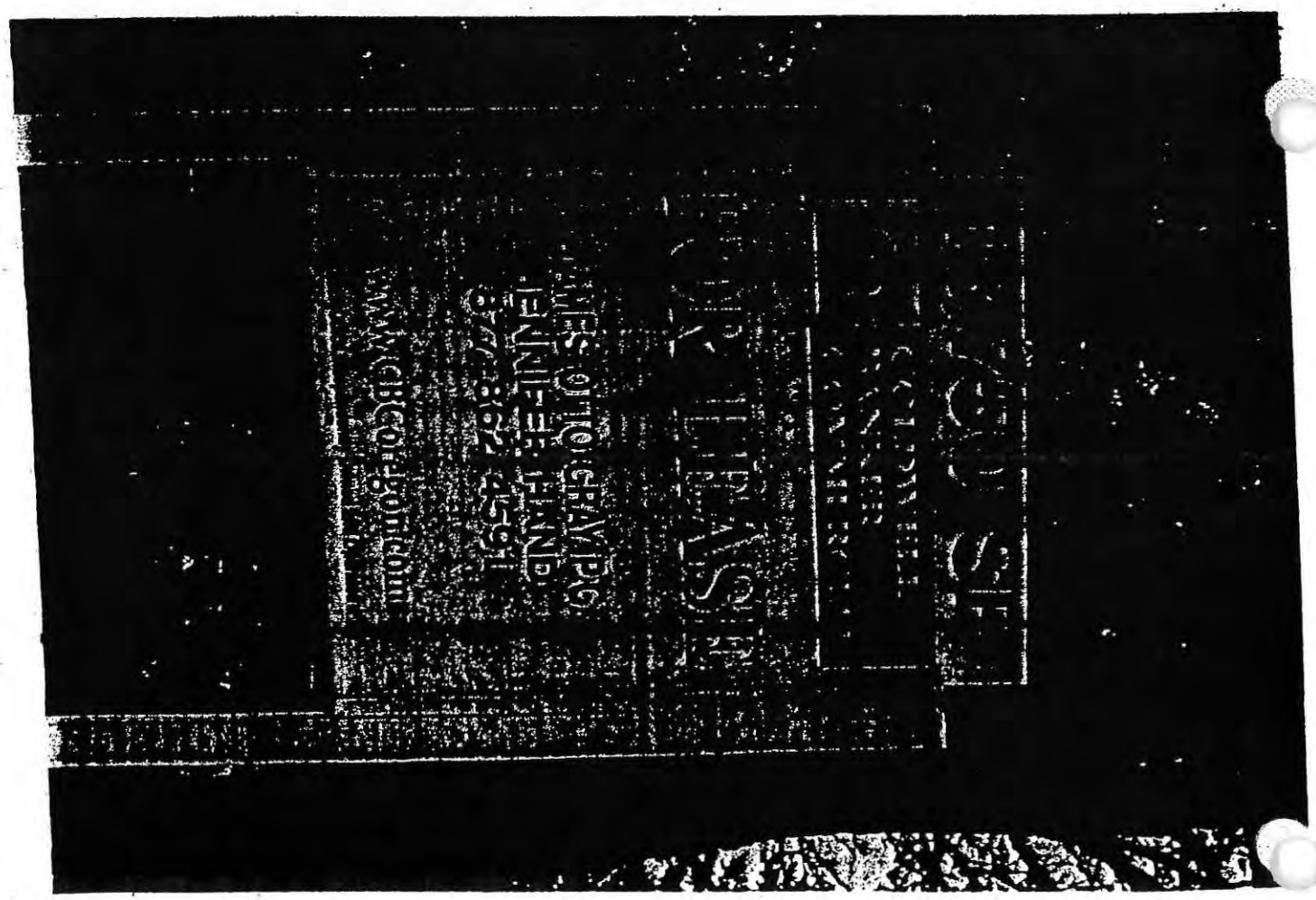
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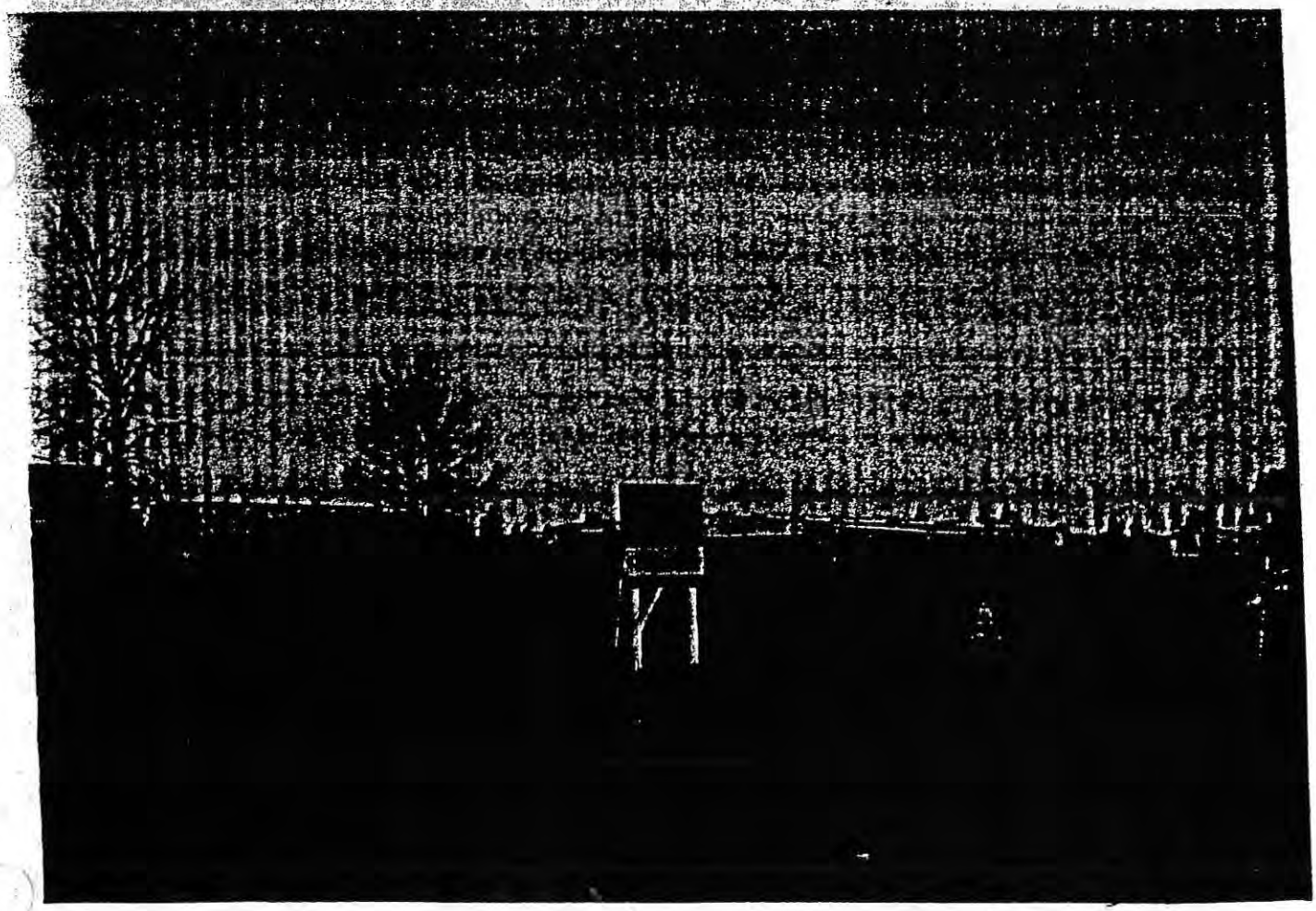

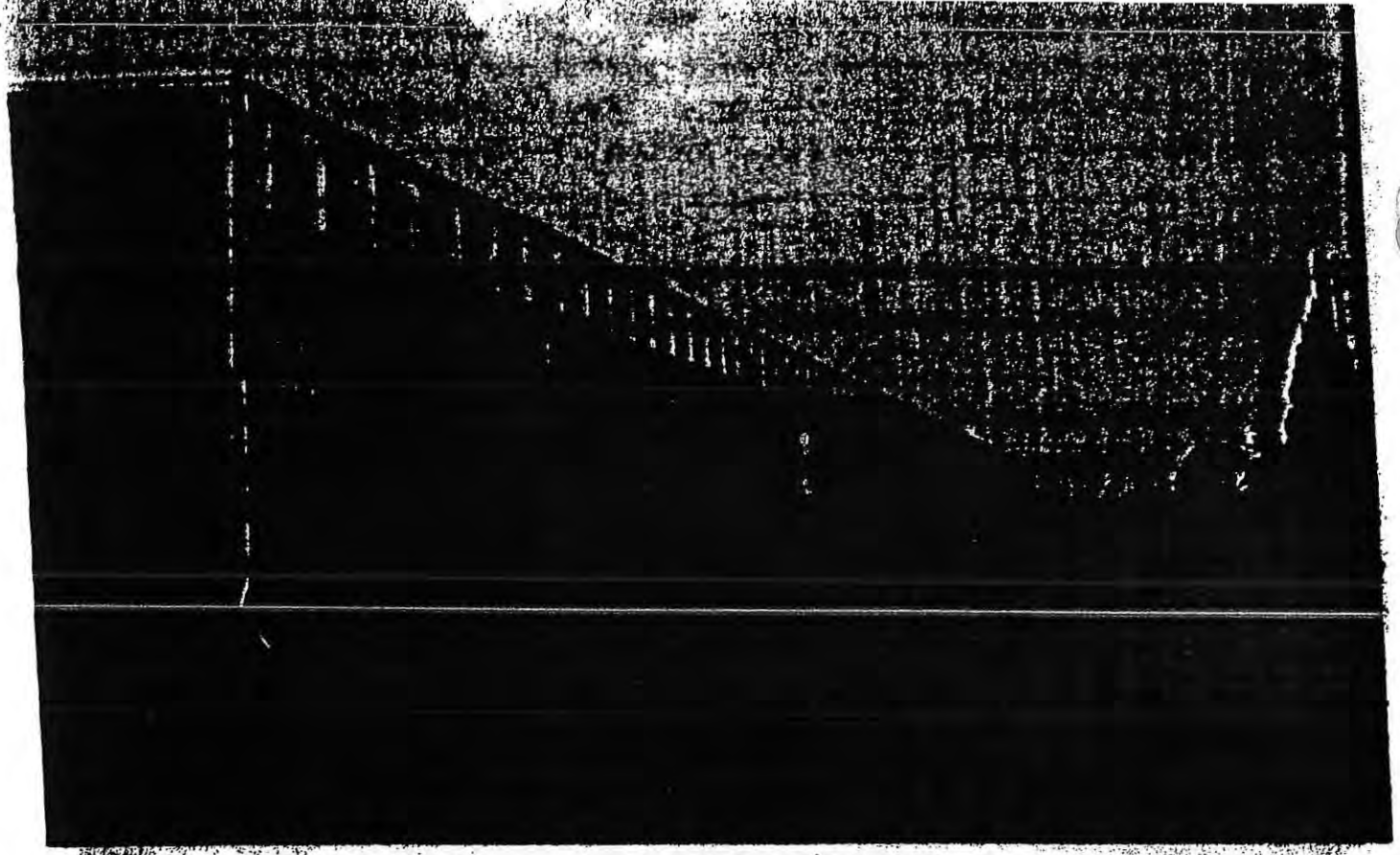

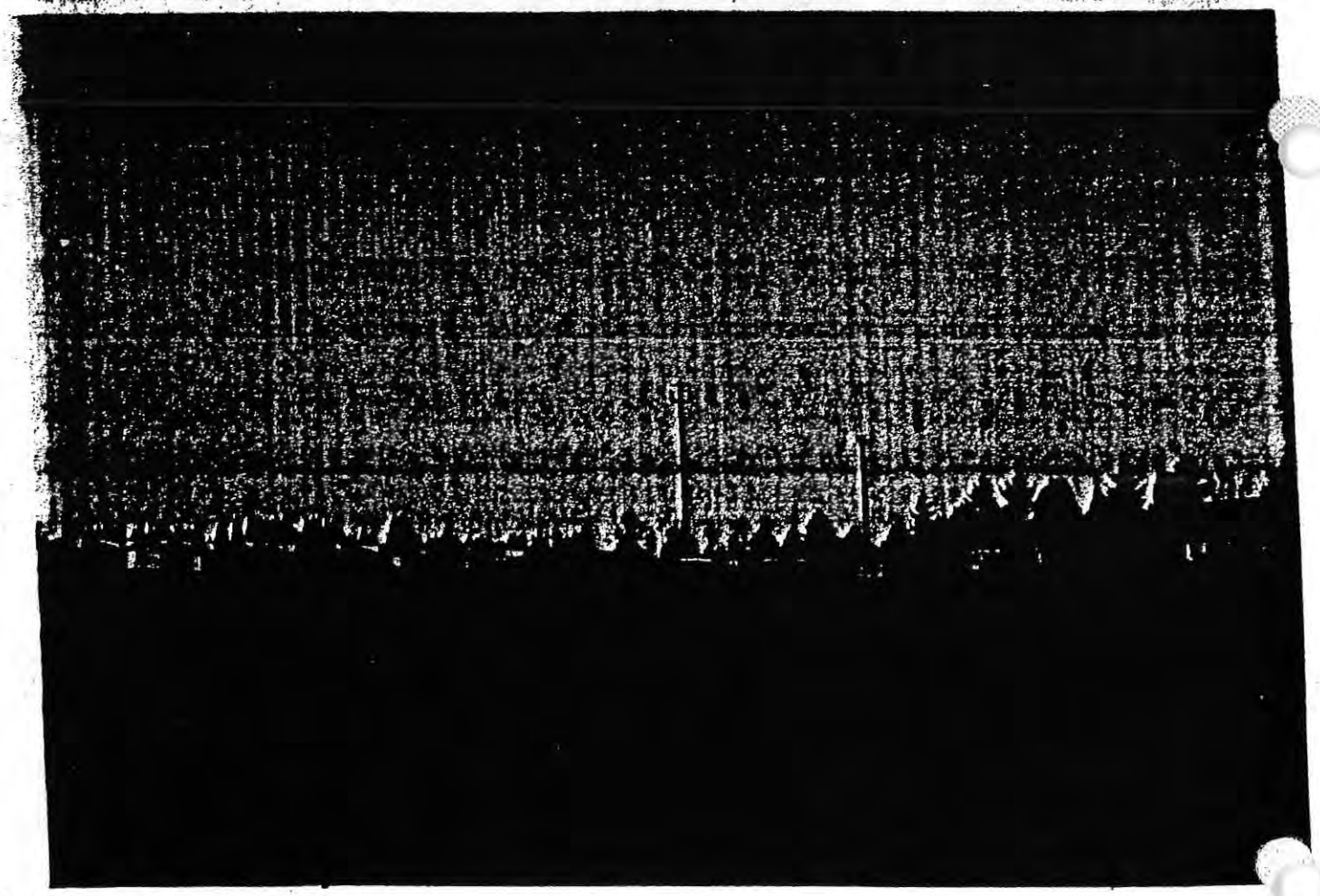

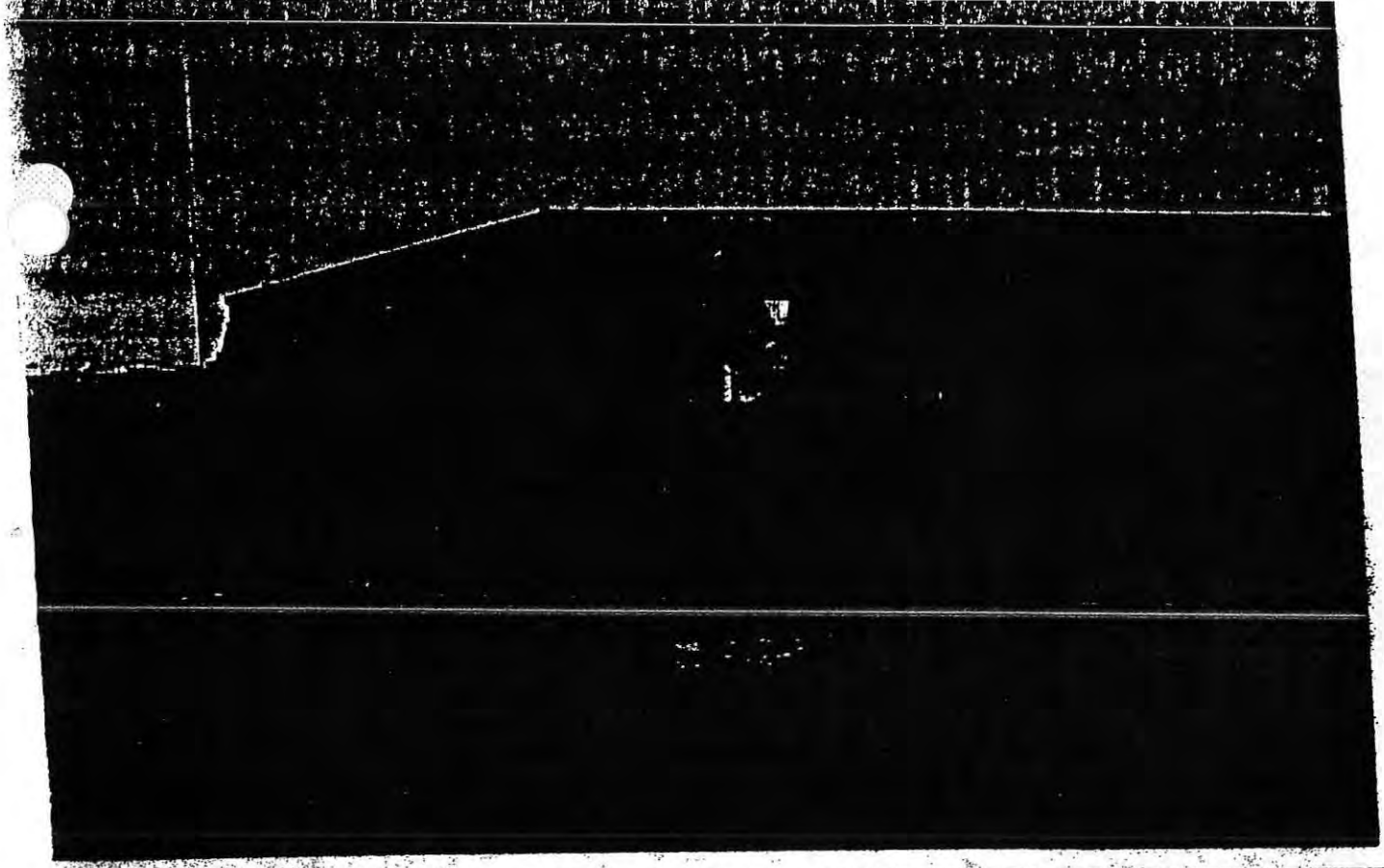

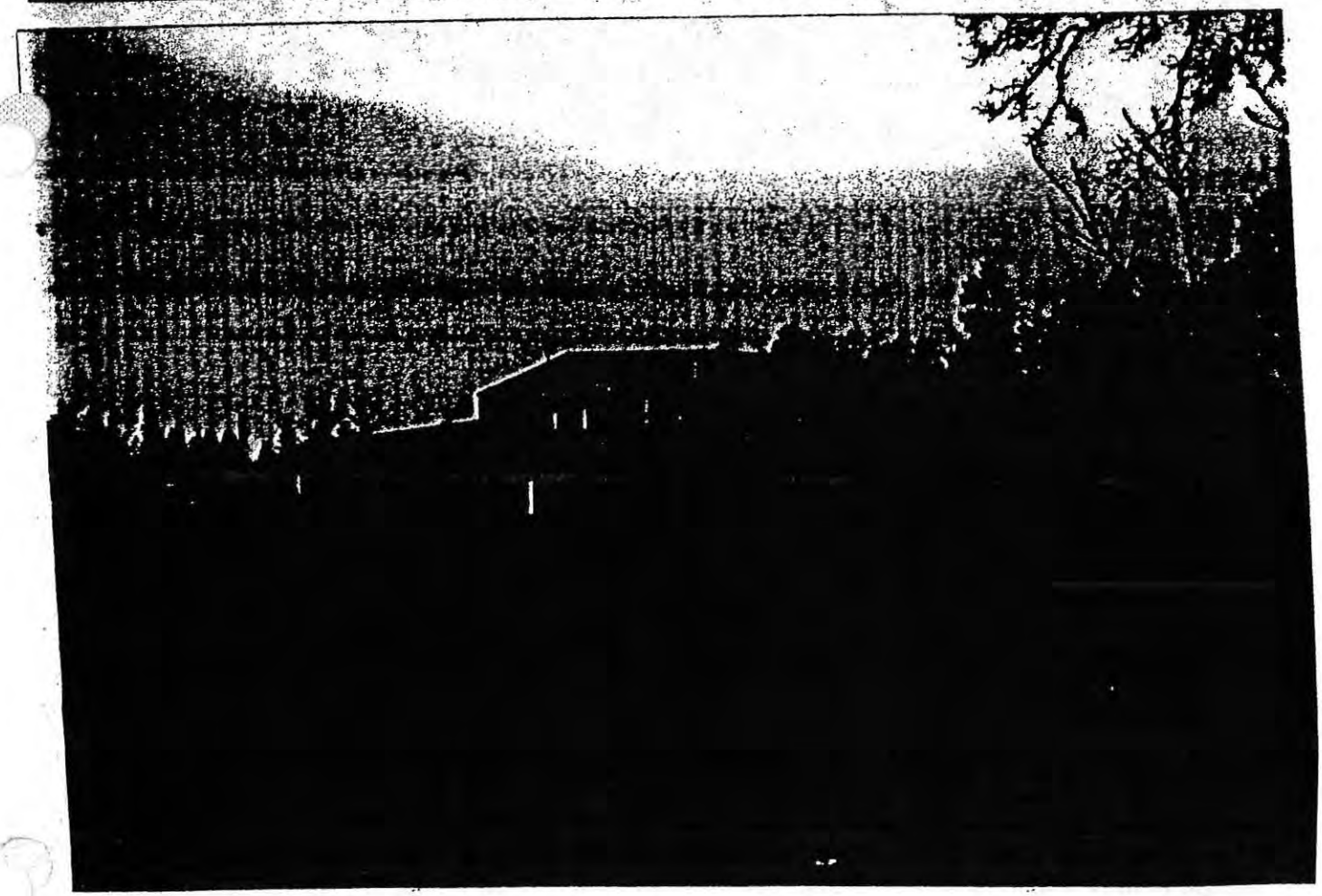

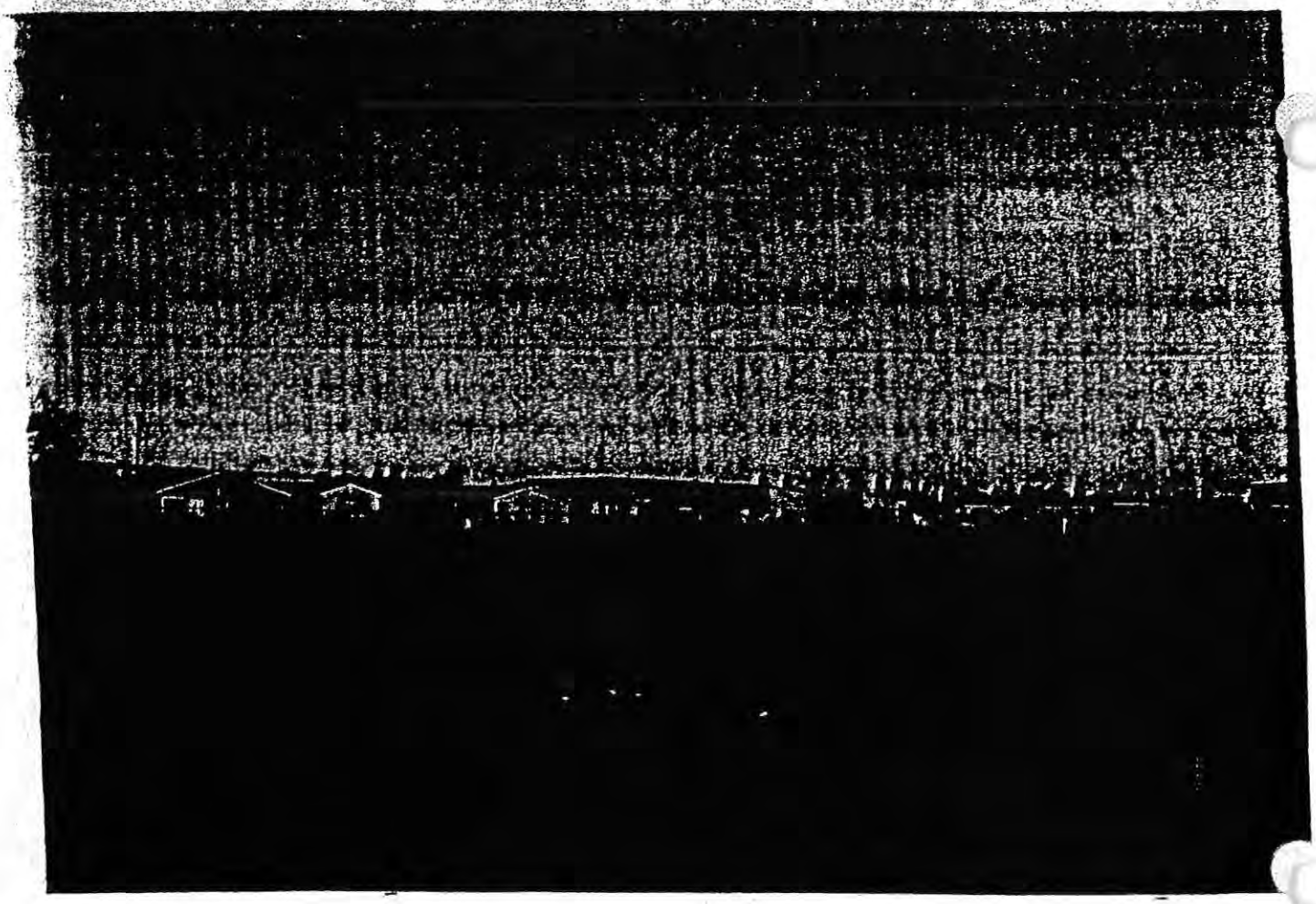

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Bob Lindsey
7505 Windsor Is Rd N
Salem, OR 97303

FEB 0 3 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

Background:

1967 to 1977, Privilege of serving Salem - member of council ,-as Mayor, 73 thru 77. part of the Urban growth studies which led to concept of urban growth boundaries. part of the process that brought forth Sen. bill 100.. Negotiated the UGB & implementation of Sen.100 for City of Salem. 10 years around city hall you get a feeling for what makes cities work and not work.

I can tell you that the proposal in front of you is not in Woodburn's best interest. Short or long term. Proposal in it's present form is a recipe for expectations never met. Recipe for disaster.

Two issues surfaced from the Urban growth studies of early 70(s) that are still germane today.The public cost of Development and ability of Urban centers to fund those costs..For cities to survive they need to address two issues: patterns of design and development and develop an elastic funding base or go broke. Example, we only need to look a few miles south.The City of Salem is a classic example of urban center in deep economic trouble.

Summer of 1976, Standard and Poor gave Salem a triple AAA credit rating. Salem credit rating has plummeted to an A.

pop # increased - All systems came under stress.
Library hours decreased
aquatic programs slipped away
traffic issues increased exponentially
public safety response decreased.
capacity to supply, & treat water decreased
livability diminished.

Consultants proposal leads you down that same path.

Wood burn has more than enough land mass within existing UGB to accommodate Population # assigned by Marion County.

Wood burn has acres an acres of under utilized land
You are a service center for the Agriculture industry.
This approach is not within your economic capacity.

We suggest that you stay within existing service systems to create an economic and liveable-loveable model that brings benefit to the taxpayers.

You do not need to look outward.--Yout best course of action is look inward -- play to your strengths -- -- regroup, rethink -- organize a plan that speaks to community, speaks to Live ability, speaks to sense of place

The challenge is create that sense of identity--a sense of place -- Challenge is how to build a liveable, lovable community. Your Challange is to create benefit for the taxpayer-- not pain & misery.

Those should be the goals

FEB 1 0 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

2/10/05

TO: Woodburn Planning Commission
270 Montgomery St.
Woodburn, OR 97071

Subject: Comprehensive Plan Public Hearing

Hello All,

The program as presented puts the commission in a very difficult decision making position. Wherein; any course of action you recommend will be viewed as wrong. I get a sense from this opening shot that many of Woodburn havr little awareness of what is proposed and that there may not be much support if you push this issue too fast without strong support from community as a whole.

The most significant moment of hearing came early on from the Gentleman who asked, " Will this plan make my taxes go up"? Plan as presented is very vulnerable on this point. There are plenty of examples to answer the question with a " yes", this program, in this form, will cause taxes to go up and service levels go down.

Many elements presented are unattainable for a variety of reasons, political and economic. ie, Nodal areas, transportation plan, parks. I see no element dealing with issue of increased railroad traffic through core of city. Looking to increased industrial land mass in hopes of creating benefit for Woodburn is risky. Plan that does not integrate school locations is seriously flawed.

What I took away from public hearing of Thursday eve would suggest that a very deliberate, thoughtful review is in order. You need to develop support for a plan to succeed. Plan without solid support from community as a whole will be no plan. Just an exercise.

Challenge is to create benefit and comfort. Not Pain & Misery

Respectfully,

Bob Lindsey
7505 Windsor Is Rd N
Salem, OR 97303

503 551 8585

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FEB 1 0 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

My name is Kay Peterson. I live at 13740 Wilco Hwy. NE, Woodburn. Before I begin, I would like to thank you, the Woodburn Planning Commission for your service to the community. I, too, wanted to serve on the Planning Commission, but unfortunately, my application was not accepted.

I would ask that you carefully consider the testimony that is being submitted this evening. We all want Woodburn to be an economically viable community; some of us just differ on how to accomplish this.

My mother was born in Woodburn and raised on a dairy farm in Hubbard. My husband is a small business owner. It is located on Evergreen Road, just south of Highway 214. We are members of the Woodburn Chamber of Commerce. We are both opposed to the proposed expansion of the UGB. The city has only recently begun to address the current traffic mess on Hwy. 214 and the freeway interchange. Expanding the UGB is only going to make this traffic nightmare worse. More and more of my husband's clients have complained about how difficult it is to negotiate the traffic when driving to his office. Of what benefit is growth going to be if people can't get to our business? Pushing growth on Woodburn will do nothing to improve the livability of this community. Why sprawl even more on the west- side of the I-5 freeway? We will never wake up from our traffic nightmare if we expand the UGB onto the west–side of I-5.

It is just flat out wrong to take some of the best farmland in the country out of production forever in order to attempt to attract some high tech industry to Woodburn. I say attempt because I quite honestly doubt that a high tech industry will locate in Woodburn. Many high tech industries such as computer chip factories have abandoned the United States and gone to China, just ask Salem, Gresham, or Hillsboro. Agriculture can quickly retool, so to speak, to respond to current market conditions- other industries just pick up and leave.

The security of our country depends on us being as strong as possible economically. Every day the economic security of our country is compromised as more and more farmland is eaten up for development. Do you know that for the first time in the history of our country the United States imports more food than it exports? Do we want to be dependent on foreign countries for our food in the same way we are dependent on foreign oil? Each acre eaten up by development adds up quickly. These 500 plus acres Winterbrook Consulting says is needed for industrial sites should stay as it is, productive farmland, for our benefit and for the benefit of future generations.

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FEB 07 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

February 7, 2005

City of Woodburn
Planning Commission
270 Montgomery St
Woodburn, OR 97071

Woodburn Planning Commission members:

My name is Mary Jean Fischer and I live at 160 Heritage Court, Woodburn, OR 97071. I have lived in Woodburn for 40+ years. I am writing about the UGB proposed changes. I am very concerned about the annexation of 423 acres into the UGB. I feel we should utilize existing space before going out of the current boundaries. We currently have empty industrial buildings. Drive through the Industrial Park or north on Front Street. Several buildings have for sale signs or buildings for lease. Our forefathers settled French Prairie because of the rich, fertile soil. The land West of the Freeway is some of the best land in the valley. Now developers want to put it under concrete. We cannot make more land. Once it is under concrete it is gone. Let's think beyond the immediate. Yes, now a lot of our food is imported but do we want to put ourselves into the position of relying on other countries for food like we do for oil. Our country right now seems to be obsessed with importing food. We need to recognize that being able to supply our food is a national security item.

Agriculture is the leading employer of Marion County. The majority of residents of Woodburn are employed in agriculture. Your talking about people's livelihood. People work here and spend money here-groceries, gas and clothing.

Woodburn has moved from a strictly agriculture community to an agriculture/industrial but the industry is agriculture based. This town was once known as The Berry Capital of the World. Now it is known as the nursery and flower center of Oregon.

Let's not do to this community that has happen to so many communities. Developers come in and make all kinds of promises. They get their money and are gone. They don't care once they get the money. Everyone testifying for development had addresses outside of Woodburn. Doesn't that tell you something? We don't want another Hillsboro or Gresham. All kinds of deals were made to Planning Commissions or whomever. Expensive infrastructure-streets, water, sewer lines, etc. was done. Large buildings were built and then they moved on leaving large empty building sitting empty. Cathedral City, CA took a million dollar hit when they gave Wal-Mart a sweet deal.

Now the building and land sit empty. Why have these expensive infrastructure projects when these structures are already in place in several areas of the community?

I find it interesting that a community of 90,000 in Medford is considering less land in their UGB than we a city of 24,000 that may be 34,000 in 20 years.

I think before extending and investing in UGB we should deal with Hwy 214. What a nightmare going West or East. I am fortunate to live on the East side of town so if I need I-5 I go to Brooks or Hubbard. Last summer it took my son-in-law one-half hour to get from to US Bank from 99E on a Friday. Many of us use side streets to maneuver around 214.

I am for progress but let's do it with proper planning. Let's not let developers be the driving force. I think the local community has a much better idea of how this community should grow.

I appreciate your time and energy on the commission so thanks so much for all you do.

Sincerely,

Mary Jean Fischer

Mary Jean Fischer
160 Heritage Court
Woodburn, OR 97071

February 10, 2005

Exhibit "B"-59

Carla Mikkelson
17244 Arbor Grove Road NE
Woodburn, OR 97071

☆ REC'D ☆

FEB 10 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

Woodburn Planning Commission
c/o Community Development Department
City Hall
Woodburn, OR 97071

Dear Commissioners:

I belong to many groups and am a Commissioner on the Marion County Planning Commission, however I want to make clear that I am speaking as a private citizen.

I have lived on a farm outside of Woodburn most of my life (so far) and I confess my first questioning of Woodburn's UGB expansion was that it took up too much agricultural land. But I have other concerns about the plan beyond this.

Woodburn has suffered from a lack of vision, not a lack of planning. What kind of community did we want to build with the comprehensive plan in the 70's? The plan developed only met the requirements of the state. It didn't have a direction. So Woodburn grew, but in an ad hoc fashion. City government itself didn't function particularly well. So I believe that this plan is handicapped from the start. How do you take a town that is socially, ethnically, and physically fractured and make a community out of it?

I believe we can use this plan to help build a community by remembering that the purpose of the plan should be to benefit the people currently living here. We also need to remember Woodburn's historic (and current) role as the center of agricultural life in Marion County. As I am sure you've heard a zillion times, agriculture is still Marion County's number one industry. While processing jobs have been lost, please remember that nurseries and other farms have increased their employment, which doesn't show up in the job inventory.

I believe the plan addresses some important issues and in some places supports the community well: wetland preservation for greenways and parks; downtown redevelopment; improved public transit and bicycle/pedestrian improvements; and economic growth that results in better paying jobs are all valuable parts of the plan and should be supported

Parts of this plan, however, make everything harder to achieve. The economic model of aggressive expansion puts a lot of pressure on local taxpayers. Single- family housing never recoups the initial investment in city services. Industrial sites can be a tax positive, but only over the long haul. So the initial burden of expansion is put on current taxpayers. As noted in the hearing, there are people living in Woodburn who would like to see their tax dollars go to

improving their own streets, rather than expanding services to new housing and industries in the expansion area.

The industries Woodburn will try to attract are not in Woodburn's best interest. Chip plants and other electronic industries produce much pollution, as they use hazardous chemicals. It's not just to keep a room clean that people have to wear "acid gear". Also, the high paying jobs in these plants go to individuals who have associate, bachelor, and advanced graduate degrees. The starting wages for less skilled work are in the $8-9/hour range. Census data shows that bachelors and advanced degrees are sparse in Woodburn. If there are not enough Woodburn citizens to fill these jobs, they will go to the unemployed or underemployed, highly skilled individuals in the metropolitan area who are looking for jobs since the electronics industry downturn.

The transportation plan also causes problems for the rest of the community. Instead of trying to build links between isolated pockets of the city (west of I-5, north of 214, east of 99E) the plan calls for roads to be linked to "ring" the UGB. Many communities try these "ring roads" to reduce traffic. Unfortunately, since developing open space is easier than redeveloping urban space, development races to the undeveloped areas along these roads, causing the same traffic issues the roads were built to reduce, and leaving poorly maintained or abandoned development behind. I don't know how many of you may remember Woodburn before the 214 cutoff was built. This cutoff was designed to avoid downtown, thereby speeding traffic to 99E. The same pattern evolved: development followed the new road, devastating downtown Woodburn. And the traffic which was supposed to flow quickly to 99E is blocked by traffic lights and at rush hour barely moves at all. And if you still don't believe that this will happen here, look at the Salem Parkway. It, too, was supposed to move traffic quickly from I-5 to downtown Salem. The area was zoned industrial. But a new city administration grew impatient and changed the zone to commericial when a 900,000 square foot mall, Keizer Station was proposed. Keizer Station construction has only been delayed by a land dispute. Development follows new roads and will again with the proposed transportation plan.

Two "nit picks". The proposed industrial land east of I-5 does not have direct access to I-5. The plan is to send industrial traffic south to Parr Road and over Butteville Road to 214 and then to I-5. This is a trip of about 2.5 miles, which is the equivalent of being 2.5 miles from the freeway. It also requires considerable road building and intersection improvement, expensive propositions. The other is, I don't care that there are all those people in the metropolitan area just panting to buy a house on a golf course. They are not Woodburn's concern. The people already here are.

Growth will happen in Woodburn no matter what. But if you plan to absorb over 20% of the job growth in Marion County, you are not only optimistic, you are aggressive in seeking out growth. In my vision of Woodburn it does not serve anyone's interest have massive growth. A slower pace of growth would allow services to catch up, slow the need for massive infrastructure spending, and better serve the needs of Woodburn's taxpayers. Small and medium-sized businesses in the community need the support of the City to survive and grow; transportation needs to provide ways for citizens to get around their city as well as for travelers to get through it; neighborhoods need sidewalks, street lights, and green spaces; downtown needs to be revived and serve as the core of the community. This is how I envision Woodburn, and where the plan

helps this vision I support it. But I don't think anyone gains by having Woodburn become more industrialized, polluted and sprawled.

Thank you for reading this letter.

Sincerely,

Carla Mikkelson

Carla Mikkelson

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Written Testimony for Woodburn Planning Commission Hearing on the Proposed Amendments to Woodburn's Comprehensive Plan; February 10, 2005

To the Woodburn Planning Commission:

Thank you for your efforts to make Woodburn a community that works.

Hopefully you will each take a Woodburn map with the present UGB and proposed UGB expansion lines clearly marked and **drive these boundaries.** I think you will be amazed at how much under-developed land is within the present UGB and how much of the proposed expansion is onto prime farmland. If you drive around the already included industrial areas of Progress Way and North Front Street, as well as north of Parr Road, you will see acres and acres of land for sale.

We need to support and sustain the small businesses that are already here and provide so many jobs. For instance, Woodburn Veterinary Clinic is an agriculture-related business that employs 14 people! Local farmers do major business with Lenon Implement and Woodburn Fertilizer, but I have known some who have begun to drive miles further to St. Paul and Donald to avoid Woodburn's traffic.

I urge you not to think 20 years into the future, but 50, 75, 150 years. Our family farm just outside of Woodburn has already had five generations of our family living on it, in only 90 years.

If we think short-term, our beautiful valley of mild climate, rich soil, and abundant resource land will be paved over. This is some of the nation's most valuable soil, and the plants and crops that can be grown here include kiwis, wheat, vegetables, berries, nuts, grapes, and nursery stock. In my lifetime, on our farm, we have raised corn, peas, flax, wheat, clover, alfalfa, hazelnuts, beef and dairy cattle, grass seed, fruit, berries, hogs, sheep, trees and chickens.

Perhaps you are looking at a grass seed field and thinking: "What good is that? Let's put in some houses or a commercial or industrial park."

Because we now have a planet of 6 ½ billion people, 1-2 billion of whom are starving. Because the oil reserves are being used up, and we might not be able to afford to import strawberries and apples from thousands of miles away. Because agriculture is Marion County's #1 industry.

Yes, Marion County leads the state in agricultural production and Woodburn is in the heart of Marion County's agricultural land. Our county is #1 in nursery and greenhouse, 2nd in milk, and 3rd in Christmas trees.

You cannot stack farm fields on top of each other. But much of the housing and commercial needs for a small city such as Woodburn could easily go more vertical. It is much more efficient use of land and infrastructure to have apartments with several stories and housing over commercial, as seen in many downtowns. The happy result is that it also makes a community more walk-able, more livable, and engenders a community spirit.

Woodburn is ignoring the enormous agricultural production surrounding it, as well as the fact that thousands of its residents work in the agriculture industry.

☆ REC'D ☆

FEB 1 0 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Most of these people's occupations have not been counted, as indicated in Eco Northwest's Woodburn Economic Opportunities Analysis, page 2-3.

Even if Woodburn's population increases at the rate some people predict, we can still accommodate it within our present urban growth boundary. We can save ourselves billions of dollars in taxes for new roads and infrastructure. There are presently hundreds of acres for industrial development within our current urban growth boundary. Many of these sites have been abandoned or not yet developed. They already have sewer and power and roads. It behooves us to take care of these areas first, and conserve our precious prime farmland.

The City of Woodburn has just recently spent a couple million of the taxpayer's money for land for additional sewage treatment operation and roadway construction. This only for the land, not the millions to develop the infrastructure on the land. This is only the beginning of a huge drain on the taxpayer. We must take care to develop and re-develop the land that is already within the present urban growth boundary, already with its streets, power, and sewer facilities in place. Let's use common sense.

Already, Woodburn has a huge economic base in place with agribusiness. The numbers are in for the year 2004, and they are up for the mid-valley by 5.6%. The gross value for all farm commodities in Marion County is $519 million. The farmers that are the backbone of this industry are not pushing for new roads and infrastructure.

The ones who are really pushing for development and expansion are the consultants who are paid to say we need it. People such as Greg Winterowd, who was paid by Opus Northwest to try and get its land in an expanded UGB and also paid by the City of Woodburn. This is a huge conflict of interest that cannot be ignored.

Please take a moment to reflect on the importance of our decisions today. Think of the early settlers, my own relatives included, who had no idea what the value of one huge old growth tree would be today. Now think of one acre of land today. With our rich Willamette Valley soil, it can produce new crops of food every single year to feed many, many people for endless generations. How many industries can say that?

Respectfully,

Lolita Carl

Lolita Carl
13324 Carl Road N.E.
Hubbard, Oregon 97032

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period include Forestry (-54), Building Materials stores (-16), and Heavy Construction (-10).

Table 2-2. Covered employment and payroll in the 97071 zip code area, 1990 and 1999

Sector / Industry	SIC 2	1990 Units	1990 Emp	1990 Payroll	1999 Units	1999 Emp	1999 Payroll
Agriculture, Forestry, Fishing		69	948	$13,466,736	67	1,321	$23,372,828
Agricultural Production - Crops	01	36	678	$9,196,066	35	775	$16,397,609
Agricultural Services	07	14	70	$1,010,554	17	409	$4,858,483
Forestry	08	17	90	$844,724	4	36	$508,996
Mining		0	0	$0	0	0	$0
Construction		66	203	$4,594,630	68	383	$11,096,132
General Building Contractors	15	20	63	$1,979,043	28	172	$5,006,499
Heavy Construction	16	3	23	$481,216	3	13	$466,973
Special Trade Contractors	17	32	117	$2,434,271	57	198	$5,621,660
Manufacturing		36	1,734	$34,467,829	36	2,113	$56,636,169
Food & Kindred Products	20	5	693	$12,012,491	7	776	$18,147,293
Lumber & Wood Products	24	12	767	$15,569,328	11	1,013	$25,990,873
Printing & Publishing	27	7	32	$506,196	4	27	$629,528
Industrial Machinery & Equipment	35	3	79	$2,115,220	3	129	$4 [illegible]61,930
Transportation & Utilities		22	179	$4,871,968	24	288	$8,[illegible]99,996
Trucking & Warehousing	42	12	64	$1,451,818	12	123	$3,881,292
Communications	48	3	16	$272,567	5	23	$697,267
Wholesale Trade		20	102	$2,229,820	22	294	$8,396,088
Durable Goods	50	10	59	$1,328,490	10	166	$4,849,320
Nondurable Goods	51	10	43	$901,321	12	128	$3,446,768
Retail Trade		109	1,166	$16,782,983	146	2,346	$64,993,666
Building Materials	52	12	160	$4,188,413	11	144	$4,234,232
General Merchandise	53	2	72	$842,786	5	307	$5,062,822
Food Stores	54	16	274	$3,636,546	17	880	$27,846,473
Automotive Dealers & Service	55	22	196	$3,448,543	19	274	$8,844,059
Apparel	56	6	16	$171,914	17	61	$628,853
Furniture	57	8	16	$246,322	14	42	$723,056
Eating & Drinking	58	26	366	$2,722,863	37	548	$6,353,271
Miscellaneous Retail	59	16	47	$622,572	26	84	$1,296,869
Finance, Insurance, & Real Estate		26	149	$3,226,183	63	223	$6,764,001
Depository Institutions	60	4	73	$2,279,960	14	76	$2,472,876
Insurance Agents	64	9	24	$462,612	9	24	$673,363
Real Estate	65	11	50	$467,258	25	111	$1,910,099
Services		125	697	$7,469,169	157	905	$16,626,274
Hotels & Lodging Places	70	3	33	$251,334	6	58	$647,896
Personal Services	72	12	51	$612,328	11	49	$979,574
Business Services	73	10	39	$510,162	16	88	$[illegible] 146,371
Auto Repair & Services	75	9	56	$918,196	13	59	$[illegible],814,526
Miscellaneous Repair	76	4	5	$62,766	7	7	$173,212
Amusement & Recreation	79	4	37	$279,751	8	65	$714,622
Health Services	80	29	216	$2,966,182	26	212	$4,777,740
Legal Services	81	5	15	$293,641	9	16	$427,066
Educational Services	82	2	23	$232,099	4	29	$477,842
Social Services	83	13	24	$266,746	14	185	$3,495,529
Membership Organizations	86	19	66	$554,416	23	87	$1,190,291
Engineering & Management	87	10	23	$418,003	11	20	$645,501
Private Households	88	4	5	$41,107	6	3	$105,865
Nonclassifiable	99	10	2	$86,158	5	6	$77,252
Government		4	471	$9,803,193	5	842	$20,916,041
Local		3	471	$9,602,250	4	841	$20,569,365
Total Covered Employment		476	6,662	$96,460,258	593	8,714	$206,576,427

Source: Oregon Employment Department. Confidential ES-202 Employment Data provided to ECONorthwest.
Notes: Woodburn area employment summarized by ECONorthwest; Covered employment does not include most farm employment, thus the table underestimates total employment.

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Note! →

Strong agricultural showing may help stave off development

I have harped again and again on the importance of the value of the agricultural sector to the overall economy of the Salem area. I may sound like a broken record, but it is for good reason. There are many factors related to the agricultural economy that contribute to its importance, including its size, the amount of exporting that is done, the value added to raw products and the consistency of it in the long term.

JOHN BURT

Agriculture

The first measure of an economic sector is the value of the product as it leaves the gate. We call this the "Farm Gate" value for agriculture, but it can be the gate of a manufacturing company as well. Oregon State University Extension Service collects data from every county in Oregon each year and reports on the value of agricultural production. These numbers for 2004 have just been released and I'd like to take a look at the results for the Mid-Valley.

The best news is that the numbers are up 5.6 percent from 2003. The gross value for all commodities is $519 million for Marion County, $124 million for Polk County and $242 million for Yamhill County. The three-county total is $885 million

Remember that these figures are at the farm gate, that is before any processing or value added takes place. We take acres times yield times price, or head of livestock times price. That gives us the gross value of production.

than for many other sectors of the economy. We use a multiplier of 2.0 to 2.5 for agriculture to get the overall impact on the local economy. Do the math and we're approaching $2 billion.

What is the commodity makeup here in the Mid-Valley?

The split between crops and livestock runs about 80/20 crops to livestock. It varies a little each year and by county, but has remained at about this level for several years. Ranking the top commodities in our three counties shows nursery and greenhouse commodities first with $289 million, a whopping 32.6 percent of the total; grass and legume seeds next at $136 million; then dairy products at $86 million; vegetables at $76 million; and tree fruits and nuts at $44 million.

Once again Marion County at $519 million is the No. 1 agricultural producing county in Oregon, followed by Clackamas County at $354 million.

Consistency is another attribute that keeps the agricultural sector strong.

Looking back during the past 15 years gives credence to this statement. The total value for the three counties was $511 million in 1990, $602 in 1995, $760 in 2000, and now $885 in 2004 for an average growth rate of 4.9 percent in this span. Since the value of agricultural products aren't directly a product of inflation, these growth numbers don't need to be adjusted for inflation. The only time there was a decrease was between 2001 and 2002 where the value dipped 1.9 percent. This is a track record other sectors are hard pressed to follow.

Finally, the real value of the agricultural economy is the fact that it is based on our natural resources: our world-class soils, available water and beneficial growing climate. A strong agriculture will help protect and conserve these resources and may be the best way to hold off the pressure to develop these lands for other uses.

John Burt is staff chairman of the Oregon State University/Marion and Polk County Extension Service. He can be reached at John.burt@oregonstate.edu or (503) 373-3757.

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Conflict of interest cited

5068

A consultant on land use advised a developer, a group says.

BY MICHAEL ROSE
Statesman Journal

WOODBURN — A consultant hired by the city of Woodburn had a conflict of interest when he recommended expanding the city's urban growth boundary, according to land-use group 1000 Friends of Oregon.

Portland-based consultant Gregory Winterowd of Winterbrook Planning advised the city of Woodburn and real estate developer Opus Northwest. Opus intends to develop a 130-acre site along Interstate 5, west of the WinCo Distribution Center.

The dispute is whether Winterowd — hired by the city to provide impartial advice — should have taken money from a developer whose project depends on getting agricultural land brought into the urban growth boundary and rezoned for industry.

"How can we possibly rely on the objectivity of his analysis?" said Sid Friedman, planning advocate for 1000 Friends of Oregon.

Woodburn officials should view Winterowd's recommendations with skepticism or fall back on an earlier land-use study done by McKeever-Morris that suggested there was no need to expand the urban growth boundary, Friedman said.

Winterowd described 1000 Friends' allegations that he acted improperly as "a below-the-belt hit." The consultant said he took pains to inform 1000 Friends and the city about his work with Opus.

"Clearly, I don't believe there was a conflict because the city was fully aware of it," he said.

The American Institute of Certified P... code of ethics states ... a planner should fully disclose any "reasonably foreseeable conflict" to clients before performing work. A planner working for a real estate development client while also serving a public agency that may have a role in reviewing the client's projects is one example of "reasonably foreseeable conflict," according to an advisory issued by the trade group.

Richard A. Winters / Statesman J...

EXPANSION: Land west of the WinCo Distribution Center in Woodburn is slated for development. A land-use group is concerned that a consultant to the city regarding this parcel also advised the develop...

Woodburn has been targeted as a site for industrial development, but some activists and farmers are objecting.

KAY WORTHINGTON
...ean Journal

Woodburn officials said Winterowd's work for Opus "was acknowledged verbally" by the city, according to a Dec. 11 letter from the city manager to 1000 Friends.

Winterowd said he assisted Opus with designing a master plan for its property, but that work came several months after his company made the determination that the Opus site would, in all likelihood, be part of Woodburn's urban growth boundary.

Opus also paid for his participation in meetings with state agencies, the governor's office, Marion County and 1000 Friends. In all, the consultant said Opus paid him about $3,000.

"I would never compromise a planning process for a little bit of money, or a lot of money," said Winterowd, who used to be a member of 1000 Friends.

The complaints particularly sting, he said, because the master plan he prepared for Opus was intended to prevent the traffic congestion and sprawl detested by 1000 Friends.

Woodburn officials said that they have reviewed 1000 Friends' complaints about Winterowd and found them unfounded.

Winterowd no longer works for Opus on the Woodburn project, he said.

"I don't see this as a story, although the 1000 Friends are trying to make it one," said John Brown, city administrator for Woodburn. "This is a difficult enough process without having third parties coming in from the outside," he added.

The Opus site might become a focal point for contrasting views of Ore... future: saving land... agriculture or rolling... the welcome mat for... estate developers. ...cently was identified... one of 25 locations... "statewide significance... job creation" by state... nomic development... cials.

Woodburn has... cussed adding about... acres of land to its... growth boundary, ... ing the Opus parcel... process, which has... ongoing since 1997... be approved by the... county and state a... before any land is a... Woodburn. It could... months, or even y... appeals are filed, ... the proposed expan... approved.

1000 Friends' Fr...

SEE WOODB...

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To: Woodburn Planning Commission

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Re.: Testimony to be submitted to record for Woodburn Planning Commission Hearing on February 3, 2005

From: Theodora Tarbet 13305 Carl Road, Hubbard OR 97032; February 10, 2005

The Economic Opportunity Analysis prepared for Woodburn states that "covered employment does not include most farm employment, thus the table underestimates total employment."[1] Even so, the referenced table shows that employment in the agriculture, forestry, fishing sector grew by 39% in the Woodburn zip code between 1990 and 1999.[2] At 14% of Woodburn residents' total employment for 1997, farm, forest, and fishing employ the highest percentage of Woodburn residents. No other employment sector employs a higher percentage of Woodburn's residents.[3]

The Economic Opportunity Analysis, when considering Woodburn's comparative advantage, ignores Woodburn's location in the middle of productive farmland and at the center of the County's #1 industry. It also fails to identify Woodburn's role as a commercial and cultural center for the valley's Hispanic population as a possible advantage. Instead, it lists as an "employment goal" that Woodburn lose between 55 and 222 agriculture sector jobs, based on low to high employment growth forecasts for 2000 to 2020.[4]

Woodburn is surrounded by prime and high-value farmland, which is protected by state law. Oregon Revised Statute (ORS) Chapter 197.298 governs UGB expansions. In particular, it dictates priority factors for bringing land into a UGB. The statute requires that land of lower soil classification be included in a UGB before land of higher soil classification.[5] If Woodburn can prove a factual basis for needing to include more land, it should expand further south onto the lands of lower soil quality.

This statute also prioritizes acknowledged exception areas adjacent to a UGB as land that should be included in the UGB before lower-priority lands UNLESS the exception area cannot reasonably accommodate new development.[6] The Northeast Rural Residential Exception Area (13 gross acres) is an example of land to which this statute applies. According to Winterbrook Planning's "Revised Woodburn UGB Justification Report," "The Northeast Rural Residential Exceptions Area is fully developed for urban low density residential uses and has no remaining development capacity.[7] Therefore, it is not necessary to bring it into the UGB since it cannot reasonably accommodate identified land needs.[8]

Theodora Tarbet

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[1] Woodburn Economic Opportunities Analysis, Eco Northwest, May 2001, p. 2-3 Table 2-2
[2] Woodburn Economic Opportunities Analysis, Eco Northwest, May 2001, p. 2-4 Table 2-3
[3] Woodburn Economic Opportunities Analysis, Eco Northwest, May 2001, p. 3-10 Table 3-8
[4] Technical Report 2.B, Winterbrook Planning, May 2003, p. 7 Table 5
[5] Oregon Revised Statutes Chapter 197.298 2
[6] Oregon Revised Statutes Chapter 197.298 1(b), 3(a)
[7] Revised Woodburn UGB Justification Report, January 2005, p. 22 and p. 26
[8] Oregon Revised Statutes Chapter 197.298 1(b), 3(a)

fewer than 50 jobs in the 1990–1999 period. Industries that lost jobs over this period include Forestry (-54), Building Materials stores (-16), and Heavy Construction (-10).

Table 2-2: Covered employment and payroll in the 97071 zip code area, 1990 and 1999*

		1990			1999		
Sector / Industry	SIC 2	Units	Emp	Payroll	Units	Emp	Payroll
Agriculture, Forestry, Fishing		66	948	$13,466,736	67	1,321	$23,372,828 ✓
Agricultural Production - Crops	01	36	678	$9,196,066	35	775	$16,397,505 ✓
Agricultural Services	07	14	70	$1,010,654	17	403	$4,859,483 ✓
Forestry	08	17	90	$844,724	4	36	$506,996
Mining		0	0	$0	0	0	$0
Construction		55	283	$4,894,539	58	383	$11,666,132
General Building Contractors	15	20	63	$1,979,043	28	172	$5,006,499
Heavy Construction	16	3	23	$481,216	3	13	$466,973
Special Trade Contractors	17	32	117	$2,434,271	57	198	$5,621,660
Manufacturing		36	1,734	$34,467,829	36	2,113	$56,636,169
Food & Kindred Products	20	5	683	$12,012,491	7	776	$18,147,289 ✓
Lumber & Wood Products	24	12	767	$18,668,328	11	1,013	$25,966,873
Printing & Publishing	27	7	32	$508,196	4	27	$629,528
Industrial Machinery & Equipment	36	3	79	$2,116,220	3	129	$4,181,930
Transportation & Utilities		22	179	$4,671,066	24	288	$8,790,996
Trucking & Warehousing	42	12	64	$1,461,818	12	123	$3,861,292
Communications	48	3	16	$272,567	5	23	$697,287
Wholesale Trade		29	102	$2,229,829	22	294	$8,396,866
Durable Goods	50	10	59	$1,328,499	10	168	$4,848,320
Nondurable Goods	51	10	43	$901,321	12	126	$3,448,768
Retail Trade		109	1,166	$16,782,983	146	2,349	$54,983,656
Building Materials	52	12	160	$4,168,413	11	144	$4,234,232
General Merchandise	53	2	72	$842,768	5	307	$5,062,822
Food Stores	54	16	274	$3,638,546	17	560	$27,848,473
Automotive Dealers & Service	55	22	196	$3,448,543	19	274	$8,844,069
Apparel	56	8	16	$171,914	17	61	$628,863
Furniture	57	8	16	$246,322	14	42	$723,066
Eating & Drinking	58	25	386	$2,722,863	37	548	$6,363,271
Miscellaneous Retail	59	16	47	$622,572	26	84	$1,298,569
Finance, Insurance, & Real Estate		26	149	$3,226,183	53	223	$6,764,091
Depository Institutions	60	4	73	$2,279,960	14	76	$2,472,876
Insurance Agents	64	9	24	$462,612	9	24	$673,383
Real Estate	65	11	50	$487,258	25	111	$1,910,099
Services		128	597	$7,466,169	157	906	$16,626,274
Hotels & Lodging Places	70	3	33	$251,334	6	58	$647,896
Personal Services	72	12	51	$612,328	11	49	$979,574
Business Services	73	10	39	$510,182	16	68	$1,146,371
Auto Repair & Services	75	9	56	$916,196	13	59	$1,814,526
Miscellaneous Repair	76	4	5	$82,768	7	7	$173,212
Amusement & Recreation	79	4	37	$279,751	8	65	$714,622
Health Services	80	29	216	$2,966,182	26	212	$4,777,740
Legal Services	81	5	15	$293,841	9	16	$427,066
Educational Services	82	2	23	$232,099	4	29	$477,842
Social Services	83	13	24	$266,748	14	165	$3,496,529
Membership Organizations	86	19	68	$554,415	23	67	$1,190,291
Engineering & Management	87	10	23	$418,003	11	20	$645,501
Private Households	88	4	5	$41,107	6	3	$106,886
Nonclassifiable	99	10	2	$86,369	5	6	$77,262
Government		4	471	$9,803,993	5	842	$20,916,041
Local		3	471	$9,802,259	4	841	$20,869,366
Total Covered Employment		476	5,562	$96,486,258	593	8,714	$206,576,427

Source: Oregon Employment Department. Confidential ES-202 Employment Data provided to ECONorthwest.
Notes: Woodburn area employment summarized by ECONorthwest; Covered employment does not include most farm employment, thus the table underestimates total employment.

Table 2-3: Covered employment growth and average payroll per employee in the 97071 zip code area

Sector / Industry	Emp Growth 1990-1998		Pay/Emp 98
Agriculture, Forestry, Fishing	372	38%	$17,693
Agricultural Production - Crops	97	14%	$19,868
Agricultural Services	333	476%	$12,058
Forestry	-54	-60%	$14,139
Mining	0	0%	n/a
Construction	180	89%	$28,949
General Building Contractors	109	173%	$29,108
Heavy Construction	-10	-43%	$35,921
Special Trade Contractors	81	69%	$28,392
Manufacturing	379	22%	$28,330
Food & Kindred Products	83	12%	$23,386
Lumber & Wood Products	246	32%	$25,657
Printing & Publishing	-5	-16%	$23,316
Industrial Machinery & Equipment	50	63%	$32,416
Transportation & Utilities	109	61%	$36,556
Trucking & Warehousing	59	92%	$31,555
Communications	7	44%	$30,317
Wholesale Trade	192	188%	$28,558
Durable Goods	107	181%	$29,815
Nondurable Goods	85	196%	$26,928
Retail Trade	1,174	101%	$23,602
Building Materials	-16	-10%	$29,404
General Merchandise	235	326%	$16,491
Food Stores	606	221%	$31,646
Automotive Dealers & Service	79	41%	$31,548
Apparel	45	281%	$13,586
Furniture	26	163%	$17,216
Eating & Drinking	162	42%	$11,594
Miscellaneous Retail	37	79%	$15,463
Finance, Insurance, & Real Estate	74	50%	$26,848
Depository Institutions	3	4%	$32,536
Insurance Agents	0	0%	$28,058
Real Estate	61	122%	$17,206
Services	308	52%	$18,261
Hotels & Lodging Places	25	76%	$11,171
Personal Services	-2	-4%	$19,991
Business Services	49	126%	$13,027
Auto Repair & Services	3	5%	$27,365
Miscellaneous Repair	2	40%	$24,745
Amusement & Recreation	28	76%	$10,994
Health Services	-4	-2%	$22,537
Legal Services	1	7%	$26,692
Educational Services	6	26%	$16,477
Social Services	161	671%	$18,895
Membership Organizations	21	32%	$13,682
Engineering & Management	-3	-13%	$32,275
Private Households	-2	-40%	$35,295
Nonclassifiable	3	150%	$16,460
Government	371	79%	$24,840
Local	370	79%	$24,815
Total Employment	3,162	57%	$23,592

Source: Oregon Employment Department. Confidential ES-202 Employment Data provided to ECONorthwest. Growth and pay per employee calculated by ECONorthwest.

CONTEXT FOR ECONOMIC GROWTH IN WOODBURN

Economic development in Woodburn over the next twenty years will occur in the context of long-term national trends. The most important of these trends includes:

- Continued westward migration of the U.S. population, and the increasing role of amenities and other non-wage factors as determinants of the location decisions of households and firms.
- Growth in Pacific Rim trade.
- The growing importance of education as a determinant of wages and household income.
- The decline of employment in resource-intensive industries and the increase in employment in service-oriented and high-tech manufacturing sectors of the economy.
- The increasing integration of non-metropolitan and metropolitan areas.

Short-term national trends will also affect economic growth in the region, but these trends are difficult to predict. At times these trends may run counter to the long-term trends described above. A recent example is the downturn in Asian economies, which caused Oregon's exports to Pacific Rim countries to decline. This in turn led to layoffs in the Lumber & Wood Products and high-tech Manufacturing industries. The Asian economies, however, have substantially recovered, and Pacific Rim trade will continue to play a significant role in the national, state, and local economy. This report takes a long-run perspective on the Woodburn economy (as the Goal 9 requirements intend) and does not attempt to predict short-run business cycles.

Economic development in Woodburn will also be affected by long-run economic trends in Oregon and the Willamette Valley. The

statewide population as a whole. Moreover, far fewer Hispanics are in professional occupations. This suggests that Hispanics earn less than other groups. According to the Oregon Employment Department, "there is little doubt that in Oregon, income levels are lower than those for all Oregonians."

Table 3-8 shows the percent of population by occupation. This table shows that a larger share of Woodburn residents are in the Farm/Forest/Fishing, Laborer & Handler, and Machine & Transportation Operators occupations, which are generally low-skill and low-wage occupations. Woodburn has a correspondingly low share of population in Executive/Administrative/Managerial and Professional occupations, which are generally high-skill and high-wage occupations.

Table 3-8. Percent of population by occupation, 1997

Occupation	Oregon	North Valley	Marion County	Woodburn
Execs, Admin, Mgrs	12%	13%	12%	9%
Professional	14%	15%	13%	9%
Technical	3%	3%	3%	2%
Sales	12%	12%	11%	9%
Admin & Clerical	15%	16%	16%	11%
HH Services	0%	0%	0%	0%
Other Services	13%	12%	15%	14%
Craft & Precision Prod.	11%	11%	11%	12%
Machine & Trans Operators	11%	10%	10%	14%
Laborer & Handler	4%	4%	4%	6%
Farm, Forest, Fishing*	4%	3%	6%	14%
Total	100%	100%	100%	100%

Source: Claritas, REZIDE 1996. Percents calculated by ECONorthwest.

The data in this section suggests that the labor force in Woodburn may lack the skills needed in industries with high-skill and high-wage occupations. If Woodburn wants to attract high-skill and high-wage industries it will need to rely on workers who reside outside of Woodburn, attract higher-skilled residents, or improve the education and training of existing residents.

HOUSING

Housing is an important component of any economic development strategy. Goal 10 requires cities to develop strategies to provide housing affordable to households at all income levels. In addition to concerns about availability of housing affordable to lower income households, issues of providing higher quality housing for managers need to be considered in both housing and economic development strategies.

Moreover, ORS 197.296 requires communities to inventory buildable residential lands and conduct a housing needs analysis. Woodburn completed

Residential Land Needs Analysis

Residential land needs used in the Urban Growth Scenarios are based on a very simple residential land need analysis methodology. Total residential units were determined through the formula:

(2020 Population Projection - Current (2000) Population) / Household Size

Household unit type was estimated as 66% low density, 33% high density.

Winterbrook used base densities of 6 units per acre for low density, and 12 units per acre for medium density residential land under these scenarios, except where otherwise indicated. Exception area density was projected at half base density, due to the inefficiency of developing around existing development. Existing zoning and comprehensive plan densities were used to determine this base projected density under these scenarios.

Winterbrook is completing a more detailed Residential Land Needs Analysis based on the Housing Model created by Richard Bjelland. The basic assumptions used in this iteration of the scenarios will be replaced by results from the detailed needs analysis, for the analysis of the preferred scenario.

Commercial Land Needs Analysis

Commercial land needs used in the Urban Growth Scenarios were based on the EcoNorthwest Population and Employment Forecast (April 2002) and Land Needs and Site Requirements for Woodburn Target Industries (EcoNorthwest, November 2002).

~~Woodburn's employment goals by sector are shown in Table 5.~~ The highest growth sectors are industrial, retail, and service. ~~Agricultural employment drops slightly under this analysis, as Woodburn focuses on other industries.~~

~~Table 5. Employment goal by sector in Woodburn's UGB, 2000-2020~~

Sector	Covered 2000	Total 2000	~~Employment Growth 2000-2020~~ ~~Low~~	~~Medium~~	~~High~~
~~Agriculture~~	1,122	1,368	~~-222~~	~~-141~~	~~-55~~
Industrial	960	1,171	2,430	2,685	2,957
Retail	2,670	3,256	1,164	1,476	1,810
Service	1,207	1,472	1,311	1,508	1,718
Education	638	778	532	624	723
Government	225	275	215	252	288
Other	1,696	2,068	551	736	934
Total	8,518	10,388	5,981	7,140	8,375

Source: ECONorthwest. Site Requirements for Woodburn Target Industries Table 3

EcoNorthwest allocated the employment sectors to land use categories, which led to the forecasted employment growth in Table 6. Under all the growth options, the greatest amount of employment growth is forecast for industrial.

5., 6., 8.

Oregon Revised Statutes

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.

(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.

(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. [1995 c.547 s.5; 1999 c.59 s.56]

- Application of highly conservative assumptions for new commercial land (only 20 commercial acres are proposed within the 20-year planning period), accompanied by a virtual prohibition on Commercial plan amendments near Interstate 5.
- Liberal assumptions regarding redevelopment of commercial land, "infill" on residential land, and the availability of undeveloped portions of existing industrial land.
- Very strong measures to ensure that industrially-designated land within the Southwest Industrial Area (SWIR) is retained in agricultural use until targeted employer requirements are met.
- Master planning requirements for the SWIR and the Parr Road Nodal Development Area prior to annexation and provision of urban services.
- Minimum density requirements for all residential land.
- Clear and objective protection measures for Woodburn's floodplains, wetlands and riparian corridors.

Existing Marion County zoning maintains large lot sizes through EFU zoning for large vacant parcels within the unincorporated urbanizable area. EFU zoning will continue to apply to such lands until a master plan showing maximum efficiency of land use has been approved by the City, the land is annexed, and urban zoning has been applied.

Except for the MacLaren School (a state juvenile detention facility), all non-resource land (i.e., areas that already have built and committed exceptions) adjacent to the Woodburn UGB are proposed for inclusion within the expanded UGB. Woodburn has five existing exceptions areas adjacent to the 2004 UGB:

- Butteville Road Rural Residential Exception Area (155 gross acres)
- Northeast (Hwy 99W) Rural Residential Exceptions Area (13 gross acres)
- MacLaren School Institutional Exceptions Area
- Southeast (Hwy 99W) Commercial Exceptions Area (13 gross acres)
- Southeast (Hwy 99W) Residential Exceptions Area (21 gross acres)

The need for low density infill housing can be accommodated to a limited extent within the Butteville Road, Northeast and Southeast Rural Residential Exceptions Areas. The Butteville Road and Southeast Rural Residential Exceptions Area have the capacity for limited infill at an estimated density of 3 units per net buildable acre. At this density, the Butteville Road area has the capacity for 295 units and the Southeast area has the capacity for 45 units. The Northeast Rural Residential Exceptions Area is fully developed for urban low density residential uses and has no remaining development capacity.

The need for institutional growth cannot be met by the MacLaren School exceptions area. This state facility already has urban services and is not available to meet long-term institutional needs in Woodburn.

The need for highway commercial uses can be met to a limited extent within the Southeast Commercial Exceptions Area. This area has a range of low-intensity development uses. We have assumed that these and other strip commercial properties along Highway 99W will redevelop over time, thus reducing the need to designate new commercial areas on resource land.

this Study Area provides Woodburn a location to site upscale homes and meet housing needs for families at or above median income levels.

Environmental Consequences

Study Area 2 contains some wetland areas within the western portion that will be protected. Residential development around these areas does constitute a negative environmental consequence. However, most of the natural areas in this Study Area are within or associated with the developed golf course, so there is unlikely to be further negative environmental consequences. A natural drainageway is located along the northern boundary of the golf course and will not be impacted by the proposed UGB expansion.

Energy Consequences

Study Area 2 feeds into Boones Ferry Road, which leads directly to Woodburn's downtown core shopping and dining opportunities – a positive energy consequence to residential development. Study Area 2 can be efficiently served by public facilities and would continue a relatively compact urban form (by closing a gap in the UGB), which are also positive energy consequences of the proposed expansion in this area. Energy consumption will be reduced by the proposed nodal development. By placing neighborhood commercial next to higher density residential, reliance on automobiles for shopping and services will be reduced in favor of bicycle and foot travel. This will have positive energy consequences.

Study Area 3

Study Area 3 is located on the northeast border of the existing Woodburn UGB. This site is bounded to the west by Union Pacific Railway and the UGB, east by the eastern edge of the MacLaren School for Boys, north by Dimmick Road NE, and south by Highway 211 (Estacada Highway).

Land uses in Study Area 3 are mixed – some farming on EFU land, two developed residential areas with rural residential exceptions, and the MacLaren Youth Correctional Facility. The only land proposed for inclusion within Study Area 3 is a rural residential exception area adjacent to the existing UGB that is fully developed as a residential subdivision. This land is proposed for inclusion to ensure compliance with Factor 6 and ORS 197.298 requirements that exception lands be included before farmlands.

Economic Consequences

Study Area 3 would not meet the industrial siting needs, as it has fairly small parcel sizes and does not have good access to I-5. The economic value of industrial expansion in this Study Area would be minimal, since the City would be obligated to provide services to an area that is unlikely to meet the siting needs of targeted employers.

Study Area 3 is removed from residential neighborhoods within Woodburn, and is located near industrial and commercial areas, and a correctional facility. Though Study Area 3 can be provided efficiently with public services, its location makes it relatively less desirable for residential expansion. However, the developed rural residential exception area in Study Area 3 is proposed for inclusion within the UGB to ensure ORS 197.298 priorities are met.

WINTER BROOK
COMMUNITY RESOURCE PLANNING

MEMORANDUM

To: Jim Mulder, Community Development Director

From: Greg Winterowd; Jesse Winterowd

Date: February 16, 2005

Re: Response to Written Comments to Woodburn Planning Commission

This Memorandum responds to issues raised at the February 3, 2005 public hearing before the Woodburn Planning Commission regarding the 2005 legislative plan and code amendment package.

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Woodburn School District / Hallmark Properties

In his February 7, 2005 letter, David J. Christoff (writing on behalf of the District) recommends that the UGB be expanded to include the District's 19-acre site on E. Lincoln Street (adjacent to the UGB in Study Area 4). To support his recommendation, Mr. Christoff states that the District will need 170 *additional* acres to meet the need for a new high school, a new middle school and two new elementary schools by the Year 2023. Because the District must purchase land well in advance of school construction, this land is needed by the Year 2020.

In our original 2003 analysis, Winterbrook determined that the District had 115 acres of school land. We projected future school land needs based on the existing ratio of developed school land to population. At five acres per 1,000 population, this yielded 175 total school acres and a shortfall of 60 acres. In August of 2004, the District identified a need for 18-48 acres more than we had estimated in 2003 (i.e., 78-108 *additional* acres, or 193-223 total acres).

As a result of the District's August 2004 letter, we updated the UGB Justification Report and projected a need for 223 total school acres. We also updated the buildable lands inventory to account for several minor discrepancies, and because we had miscalculated the buildable land

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area associated with the golf course in Study Area 2 (North Woodburn). This increase in buildable golf course land compensated for the increased District land needs projection.

Because schools typically are sited on residential land, the need for schools is met by land planned for residential use. The Revised UGB Justification Report shows that the proposed 2005 UGB includes just enough residential land to accommodate residential, park, school and religious institutional needs. Therefore, the District and the City have two options:

1. **Remove approximately 19 residential acres from another UGB expansion area.** This option is problematical, because the proposed UGB was carefully drawn to provide buffers (roads, streams corridors, existing exceptions areas) from adjoining agricultural land. For example, if we were to remove land in the Crosby Road area (North Woodburn or Study Area 2), urban land would directly abut agricultural land, which would not happen if the northern UGB line were Crosby Road.

2. **Determine whether a special need exists for a school site east of Highway 99E.** ORS 197.298(3)(a) allows farm land to be included within a UGB to meet a special need. It is our understanding that the District has an immediate need for a school site of approximately 20 buildable acres east of Highway 99E to serve a growing student population in this area. Locating a school east of Highway 99E will also reduce the need for students to cross this busy highway, and thus will improve public safety. We have reviewed residentially-designated sites east of Highway 99E in Woodburn. There are none over 10 acres. Therefore, the District may want to present a more detailed explanation of the siting criteria it used to select the 19-acre site, and why expansion of the UGB is necessary to meet a special school need.

   Recommendation
   The District chose a school site adjacent to the UGB with available urban services that meets an immediate need for the rapidly-growing student population. Inclusion of the school site may be justifiable under two scenarios: (1) remove residential land from another expansion area, or (b) provide evidence of a special need that cannot be met on land within the existing or proposed UGB.

Metropolitan Service District

In his February 3, 2005 letter, Metro Council President David Bragdon expressed gratitude to City and Marion County officials for meeting with Metro officials last Spring to discuss potential impacts from Metro's proposed UGB expansion south of Wilsonville. Both Marion County and Woodburn officials wrote to Metro requesting that the regional UGB *not* be expanded south of Wilsonville, in part because Woodburn itself was in the process of expanding its UGB to provide industrial land based on its 2001 EOA. Mr. Bragdon also expressed concern regarding the magnitude of the UGB expansion contemplated by the City of Woodburn. Noting that Metro's UGB expansion decision was remanded by LCDC in December of 2004, Mr. Bragdon extended an invitation to meet with Metro and State officials

regarding external impacts – notably on Interstate 5 – from potential UGB expansion in both jurisdictions.

Woodburn's UGB expansion proposal has been coordinately closely with Marion County, ODOT and DLCD, and had been publicly presented at the joint Planning Commission – City Council work session in November of 2003. This expansion was based on the Economic Opportunities Analysis developed by ECONorthwest and accepted by the Woodburn City Council in 2001.

Recommendation

We recommend that Woodburn and Marion County officials accept Mr. Bragdon's invitation to meet with Metro, Marion County, ODOT and DLCD officials to discuss potential I-5 and related impacts prior to the Woodburn City Council public hearing on this matter.

1000 Friends of Oregon

In his February 10, 2005 letter, Mr. Sid Friedman of 1000 Friends of Oregon submitted an eight-page letter with several issues. Each issue is addressed in the order presented.

In his Introduction (Section I), Mr. Friedman suggests that rather than follow the direction outlined in the Council-approved Economic Opportunities Analysis (EOA) and Economic Development Strategy[1], that the Planning Commission focus on an alternative economic strategy that does not rely on the comparative advantages offered by access to Interstate 5, or commitment of high quality agricultural land to meet long-term employment needs. His proposed economic strategy relies primarily on office development near Downtown and along Highway 99W, redevelopment of existing industrial sites, and the existing agricultural economy.

In Section II, entitled "Winterbrook's Industrial Land and Employment Projections," Mr. Friedman objects to "Winterbrook's optimistic forecast of 8,373 new jobs by 2020." Mr. Friedman makes a number of selective comparisons with other jurisdictions and concludes that the employment projection is "unrealistic." In subsequent paragraphs, Mr. Friedman quotes from a transportation alternatives study[2] regarding employee-per-acre ratios, and concludes that Woodburn has too much industrial land.

Pages 2-3 of the 1000 Friends' letter offer an alternative economic development strategy to the one found approved by the Woodburn City Council (i.e., the Economic Opportunities Analysis (EOA) and Economic Development Strategy (EDS) prepared by ECONorthwest in

[1] These documents are included in the Planning Commission's packet of materials and were prepared by ECONorthwest in 2001-02.

[2] The Revised UGB Justification Report at page 20 makes it clear that this background study does not provide justification for the UGB expansion, but was used early in the process to analyze transportation impacts from various land use scenarios.

2001). Rather than follow the direction provided in the ECONorthwest documents approved by the City Council, 1000 Friends wants the City to concentrate on the growth of existing firms rather than *also* trying to attract new firms to the area, especially those firms that require large sites. We view this as a policy issue that has already been decided by the City Council, based on the expert advice provided by ECONorthwest.

ECONorthwest is a respected firm in this field and by the Land Conservation and Development Commission (LCDC). The Woodburn EOA and EDS provide a solid factual base for determining the types of industries that Woodburn can reasonably attract in the future. ECONorthwest's work constitutes the basis for Winterbrook's proposed allocations of industrial land. For all these reasons, we recommend that the Planning Commission continue to rely on ECONorthwest's analysis and recommendations.

The Woodburn City Council, not Winterbrook, has decided to pursue a strong economic growth strategy. Such an approach is encouraged by ORS 197.212 and the Goal 9 Rule (OAR 660, Division 009). These documents require cities "to identify the types of sites that are likely to be needed by industrial and commercial uses which might expand or locate in the planning area." Woodburn's 2001 EOA did this. The EOA makes it clear that Woodburn lacks the types of sites necessary to attract basic employment to Woodburn, and that provision of suitable sites for such employment likely will lead to increased employment and growth in family income. Woodburn's EDS makes a strong commitment to bringing targeted industries to the community. ORS 197.712(2)(c) states that "Comprehensive plans and land use regulations shall provide for at least an adequate supply of sites of suitable sizes, types, locations and service levels for industrial and commercial uses consistent with plan policies." This is exactly what the plan proposed by Winterbrook is intended to do.

Mr. Friedman makes selective comparisons with other jurisdictions. We believe that Wilsonville compares more favorably to Woodburn than do Medford, McMinnville or Salem/Keizer. Woodburn and Wilsonville are mid-sized communities with direct I-5 access. Wilsonville is located 18 miles south of Portland; Woodburn is located 19 miles north of Salem and 14 miles south of Wilsonville. When the Columbia Regional Association of Governments (the predecessor to Metro) established the regional UGB in 1977, Wilsonville had a great deal of vacant industrial and commercial land along I-5, but relatively little population or employment.

In 1980, Wilsonville had a population of 2,920 and relatively few jobs. Wilsonville was surrounded by agricultural land and, before the construction of I-5, relied heavily on the agricultural economy. As of September 1999, Wilsonville had over 800 acres of developed industrial land and 200 acres of vacant industrial land. By 2003, according to the most recent PSU population estimate, Wilsonville had 15,880 residents – more than a five-fold increase from 1980. Moreover, according to Department of Revenue data, Wilsonville had 18,118 covered employees. Thus, Wilsonville had 1.14 employees for every City resident.

It is not unreasonable to believe that Woodburn could achieve a similar level of growth, given its location along I-5 and the availability of flat, well-service industrial sites that are protected from commercial and residential development. Woodburn's high employment projection for 2020 is 18,762 employees, with a projected population of 34,919. If both projections are realized, Woodburn would have a ratio of 0.54 employees per City resident – which is less than half of Wilsonville's current ratio.

From the above comparison, it is clear that the size of a community has little to do with its employment or population growth potential. Woodburn's EOA instructs the City to capitalize on its I-5 location and the availability of large tracts flat, serviceable industrial land. Unlike Wilsonville in the 1980s and 90s, Woodburn has taken aggressive steps to preserve capacity at its only interchange.[3] Woodburn also proposes strong policies to reserve its industrial land supply exclusively for basic employment uses. Thus, if ECONorthwest and Winterbrook have over-estimated potential basic employment opportunities, unused industrial land will be retained in large parcels exclusively for agricultural use.

Finally, as noted in the Woodburn Housing Needs Analysis (Winterbrook 2003), Wilsonville families have much higher incomes that in Woodburn. In 2000, the median family income in Wilsonville was $65,172. Unfortunately, in Woodburn the median family income was only $36,730 – 46% lower than in Wilsonville. The City Council was aware of these disparities and opportunities, and the high number of Woodburn residents that commute to Portland or Salem for employment, when it adopted the strong economic development policies embodied in the Woodburn EOA and EDS. The approach recommended by Mr. Friedman would do little to raise family incomes in Woodburn, or to achieve the jobs-housing balance sought by the City.

The final point made by Mr. Friedman (Section III, page 4) **in bold** is that the proposed UGB expansion includes almost 200 more net buildable acres than did the "large UGB expansion scenario" found in an earlier transportation alternatives study. This transportation alternatives study was used early in the process and does not serve as the basis for the proposed UGB expansion. There are several reasons for the 200-acre difference:

1. First, the 2002 transportation study did not include land for parks, schools or religious institutions (210 acres);
2. Second, the 2002 study was based on developed employee-per-acre estimates, and did not attempt to match the siting requirements of targeted industries to actual sites on the ground, as required by Goal 9 and ORS 197.712; and
3. Third, these estimates did not account for land needed for the South Arterial.

[3] A major reason why Metro decided not to expand the UGB east of Wilsonville to accommodate industrial land needs was the lack of road capacity. Woodburn has coordinated closely with ODOT in proposing to adopt interchange capacity management standards to ensure that commercial traffic does not use up the limited capacity of the I-5 / Highway 214 interchange. Although Woodburn is often criticized for approving an outlet mall west of I-5, this mall pales in comparison with commercial development served by I-5 in Wilsonville.

It is quite possible that all reserved industrial sites will not fully develop over the next 15 years, because Woodburn may not be successful in attracting targeted industries to all the sites that have been reserved – exclusively – for targeted employers. In addition, it is not unusual for firms to purchase large tracts of land to preserve future growth options, which results (in the short term) in relatively low employee-to-acre ratios. The EOA calls for a choice among industrial sites that meet the siting requirements of targeted industries. If such sites are not provided, then Woodburn cannot achieve its economic development objectives. If such sites are provided but not used for employment, then those sites that are not used must be retained in agricultural use.

In Section III, Mr. Friedman opines that the UGB should not include a 100-acre site for a large industrial user, such as a silicon chip manufacturing plant. Noting that the silicon chip manufacturing industry has closed plants since 2000, he concludes that Woodburn should not reserve a site for such a large user.

In response, we note that this is a long-range plan and that the silicon chip industry may recover during this period. We also note that there may be other emerging industries that require such a large site. A single 100-acre site is reserved for a single user and would be served by the Southern Arterial – east of I-5. If the site is not needed for such a user, then except for land needed for the South Arterial, it will remain in agricultural production.

In Section IV, Mr. Friedman calculates that Woodburn's industrial land needs can be met on 161-195 acres of land, most of which (127 acres) is already within the UGB. What Mr. Friedman fails to recognize is that most of this land does not meet the site size requirements or locational requirements specified by ECONorthwest. Moreover, the 127 acres of industrial land is located along Highway 99E, and therefore does not have direct access to I-5. In fact, Mr. Friedman's suggestion would exacerbate transportation congestion at the I-5 interchange upon which Woodburn's economic future depends. Mr. Friedman's "plan" would require truck traffic to use the east Highway 214 access to I-5, which is more congested than the west access. Mr. Friedman's "plan" would route such traffic through the center of town – rather than creating alternative routes to the west I-5 access via Butteville Road, Crosby Road and the proposed South Arterial.

Subsection IV.A simply repeats earlier arguments. In Subsection IV.B, Mr. Friedman continues in his misperception that Woodburn has projected industrial land need based on employees-per-acre. As noted above, this is inaccurate. Following ORS 197.712 and the Goal 9 Rule, ECONorthwest determined the size and locational requirements of targeted industries and Winterbrook's proposed UGB expansion includes sites that meet these criteria.

Also in Subsection IV.A, Mr. Friedman argues that Woodburn "used up" some of its projected employment over the period from 2000-2002. This comment is both irrelevant and inaccurate. Woodburn has not experienced significant employment growth from 2000-2002 for two basic reasons: first, Oregon was in a recession, and second, Woodburn has not had suitable industrial sites near I-5. The lack of industrial development of industrial sites along

Highway 99E underscores the conclusion of the EOA that without large sites near I-5, Woodburn is unlikely to reach its employment and family income goals.

In Subsection III.C, Mr. Friedman repeats the argument that employment growth occurs on existing employment land "in the real world." In Woodburn's "real world," the reverse has often been the case. Many commercial and industrial buildings are boarded up. Food processing plants have closed their doors, and reopened when automation reduces production costs as well as the number of employees at the plant. Moreover, Mr. Friedman is simply incorrect when he states that Winterbrook did not consider underdeveloped portions of existing industrial sites. As noted in the Buildable Lands Inventory (Winterbrook 2004), 114 acres of Woodburn's employment land (62 industrial acres and 52 commercial acres) are partially developed. Winterbrook counted this acreage as buildable and available for intensification. Winterbrook also assumed redevelopment of 12 industrial acres based on low improvement to land value ratios. In any case, Mr. Friedman's basic argument is based on the erroneous assumption that industrial land needs are based on projected employee-to-acre ratios, which they are not.

In Section V, Mr. Friedman recognizes that there are traffic problems associated with the I-5 / Highway 214 interchange, and reaches the erroneous conclusion that "these problems will only be exacerbated by expansion west of the freeway." As noted in Mr. Terry Cole's testimony (ODOT) and in the proposed TSP, industrial development west of I-5 which will help pay for planned road improvements, will have the effect of reducing congestion at this interchange.

Next, Mr. Friedman introduces us to ORS 197.298 priorities for inclusion of land within UGBs. He then proceeds to misquote the statute. ORS 197.298 is clear in stating that first priority for inclusion is given to "urban reserve" land (Woodburn has not such land); and that second priority is given to exceptions areas, such as Butteville Road. Subsection (3) of the statute states that lower priority land "may" be included before high priority lands if "specific types of identified needs cannot be reasonably accommodated on higher priority lands."

Mr. Friedman goes on to argue – in contradiction to previous positions taken by 1000 Friends in McMinnville and the Portland region – that exceptions areas outside of Woodburn should be exempt from this statute. For example, Mr. Friedman states that:

> "The Butteville Road Rural Residential area west of Butteville Road has an average parcel size of less than 2 acres. Because it is so heavily parcelized, further development beyond limited low-density residential development is unlikely. Woodburn has a surplus of low density residential land for housing; Winterbrook allocates this surplus to schools, parks and churches. These uses require parcels substantially larger than those found in the Butteville Road area. Therefore, this exception area cannot reasonably accommodate the identified land needs."

Contrast this statement with 1000 Friends' recent objections to McMinnville's decision not to include several exceptions areas from the existing McMinnville UGB. We have included 1000 Friends April 8, 2004 objection letter as part of the record. Countering the McMinnville's finding that an exceptions area lying across the Yamhill River cannot reasonably meet the City's need for transit-oriented development, 1000 Friends argues that:

> "This response misconstrues the statutory requirement in ORS 197.298. The question is not whether or not this exception area can reasonably accommodate pedestrian and transit oriented development in a neighborhood activity center. The area can only be excluded if it cannot reasonably accommodate some portion of the identified need for housing, employment, and public and semi-public uses."[4]

First, there is no "surplus" of residential land, because residentially-designated land is needed for parks, schools and religious institutions. Second, the Butteville Road exception area *can* reasonably accommodate a portion of identified needs for low density residential development. Third, two parcels in the Butteville Road area have more than five buildable acres, and therefore could meet the needs of a small religious institution or neighborhood park. In conclusion, following Mr. Friedman's advice on this issue would violate ORS 197.298 priorities for inclusion of land within the UGB.

Mr. Friedman also argues that the Northeast Rural Residential exceptions area served by Carl Road should not be included within the UGB has no remaining development capacity. He also argues that inclusion of the existing, developed manufactured dwelling park within the UGB "would be a significant unbuffered intrusion into surrounding agricultural land."

The reason for including the manufactured dwelling park within the UGB is to allow for the possibility that urban services may eventually be required to serve the park or to facilitate redevelopment of the site for another urban use. The park residents benefit from proximity to the City and do no pay for urban services. Should the park's sewer or water systems fail in the future, it is likely that the owner would come to the City and request urban services. Under Goal 11, this can only happen as a result of a health hazard annexation or a UGB amendment. Thus, Winterbrook continues to recommend inclusion of the Northeast Rural Residential exceptions areas to meet both (a) a livability need for existing and future residents of the park, and (b) an urban efficiency need, to ensure efficient provision of urban services should such be required in the future. The notion that inclusion of a developed manufactured dwelling park into the UGB would be a "significant unbuffered intrusion into surrounding agricultural land" is unfounded. The park and its "unbuffered impacts" already exist and would not be exacerbated by having urban services.

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[4] 1000 Friends cites *Residents of Rosemont v. Metro* 173 Or App 321, fn. 6 (2001):

> "... we agree with LUBA that the 'reasonably accommodate' inquiry in criterion ii is whether the areas that do not require a new exception *can* accommodate the use at all, not whether they can do so as efficiently or beneficially as the proposed exception area might."

In conclusion, Winterbrook continues to recommend that all exceptions areas except McLaren School be included within the UGB, consistent with ORS 197.298 priorities. McLaren School is developed and publicly-owned, and would not meet any identified City growth need and is unlikely to benefit from extension of urban services.

Section VI of Mr. Friedman's letter summarizes 1000 Friends' objections. The first four of these recommendations are addressed and require no further comment. The fifth recommendation is not supported by the text of the letter, but raises a new issue that deserves further discussion:

> "Exclude prime farmland west of the freeway and north of the existing UGB from the proposed expansion. Instead, any expansion onto resource land should be southward onto the predominantly non-prime soils south of Parr Road between Boones Ferry Road and I-5."

Exclusion of prime farm land west of the I-5, combined with inclusion of land south of Parr Road, would be impractical and would not meet Woodburn's economic development or transportation system needs. This is true for a number of reasons discussed in the Revised UGB Justification Report and in Planning Commission work sessions held this fall:

1. The success of the economic development program depends on the availability of large, flat and serviceable industrial sites proximate to a functioning I-5 Interchange. In order to relieve traffic congestion at the eastern access to Highway 214 interchange, traffic must be routed via an improved Butteville Road to the western I-5 interchange access. Interchange improvements must also be made and paid for, in significant part by industrial land developers.

2. In order for Butteville Road to be improved as an urban arterial street, land to the east of Butteville Road (west of I-5) must be developed. The 100-acre Opus Northwest site is on the Governor's Industrial Task Force list of prime industrial sites in Oregon. Leaving this site out of the UGB would make it impractical to fund Butteville Road improvements.

3. As 1000 Friends recommends, the proposed plan does include land south of Parr Road, in Study Area 7, where there is a greater concentration of Class III soils than any of the other UGB expansion alternatives.[5] Inclusion of this area also provides for the Southern Arterial connection to Highway 99E. This arterial street will serve as the buffer from agricultural land further to the south.

[5] Study Area 2 (North Woodburn) also includes a large Class III soils area west of I-5 and south of Crosby Road, which is proposed for inclusion within the UGB. Other study areas are comprise primarily of Class II soils, except in along unbuildable riparian corridors, where Class IV soils are present.

4. The Marion County Comprehensive Plan recognizes Woodburn as the growth center of north Marion County.[6] A goal of the Marion County Comprehensive Plan is to "Maintain physical separation of communities by limiting urbanization of farm and forest lands between cities." The Gervais UGB is located approximately one mile from the proposed southern UGB. If Woodburn were to extend further to the south, towards Gervais, it would be more difficult to maintain a "physical separation" between the two cities.

Recommendation

We do not recommend any additional changes as a result of Mr. Friedman's February 7, 2005 letter. However, we note that a number of changes were made to the Revised UGB Justification Report in response to an earlier letter from Mr. Friedman to the City of Woodburn.

Woodburn Friends and Neighbors (FAN)

The Planning Commission received a number of written comments from members of FAN or Friends of Marion County. We summarize each of the comments below:

- **Toni Spencer**, who lives on a small farm outside of Woodburn, comments on the importance of the agricultural economy in Marion County, and the need to preserve farm land. She points out that there are a number of vacant properties and buildings along Highway 99E.
- **Bob Lindsey**, the previous Mayor of Salem, opines that "the consultant's proposal" is not within the City's economic capacity. The City should focus inward to avoid "pain and misery."
- **Kay Peterson**, who lives east of Woodburn, its opposed to the UGB expansion because of "the traffic mess on Highway 214 and the freeway interchange." "Sprawling" to the west side of the freeway will make matters worse. It's "just flat wrong to take some of the best farmland in the country out of production forever in order to attempt to attract some high tech industry to Woodburn." The security of our country depends on a strong economy, which depends on agriculture.
- **Mary Jean Fischer** lives at 160 Heritage Court in Woodburn. She feels that the City should use existing space before going outside the current boundary. The land west of the freeway is some of the best land around. Once it is paved over, it is lost forever. We don't want another Hillsboro or Gresham. We don't want some Wal-Mart sitting empty after the city invests in infrastructure. Highway 214 is a nightmare.

[6] According to the Growth Management of the Marion County Comprehensive Plan:
"The north County area contains the cities of Aurora, Donald, Gervais, Hubbard, St. Paul, and Woodburn, with Woodburn being the largest community and projected to accommodate the most growth in this area of the county. The north County area is also affected by growth and development in adjoining Clackamas County which forms the southern boundary of the Portland metropolitan region."

- **Carla Mikkelson**, a Marion County Planning Commissioner, spoke as an individual and lives on a farm outside of Woodburn. Woodburn is a fractured community and has suffered from a lack of vision. She believes the plan supports the community well with respect to wetland and stream corridor preservation, parks, downtown redevelopment, improved public transit, bike/ped improvements, and economic development. However, the aggressive economic expansion proposed in this plan will burden taxpayers. "The industries Woodburn will try to attract are not in Woodburn's best interest." The plan errs in proposing a ring road system, which will attract development. "The proposed industrial land east of I-5 does not have direct access to I-5. It is 2.5 miles to the freeway." She also expressed concern about people outside the community wanting to buy a house on a golf course. She opposes a plan that would absorb 20% of the job growth in Marion County.
- **Lolita Carl**, who lives on Carl Road NE, believes that too much farm land is being included in the UGB when there is plenty of empty space in the City. We should support small businesses. "Even if Woodburn's population increases at the rate some people predict, we can still accommodate it within our present urban growth boundary."
- **Theodora Tarbet**, who also lives on Carl Road, points out a quote from the EOA stating that "covered employment does not include most farm employment, thus the table underestimates total employment." Even so, 14% of Woodburn residents are employed in farm, forest and fishing industries. The EOA ignores Woodburn's comparative advantage in agriculture. Woodburn should expand further south on lower value agriculture land, as required by ORS 197.298. Because the Northeast Rural Residential exceptions area is fully developed and cannot reasonably meet an identified need, it should not be brought into the UGB. Ms. Tarbet's letter includes 8 footnotes and includes copies of pages from the EOA.

Each of these letters reiterate public testimony provided at the February 3, 2005 Planning Commission public hearing. Each argues for a smaller UGB that preserves agricultural land. Most argue for a greater focus on existing small businesses and support for Marion County's agricultural economy, which boast the highest gross sales of any county in Oregon. Most cite traffic problems at the Highway 214 / I-5 Interchange. Several argue that taxes will increase to pay for infrastructure.

All of the issues related to Statewide Planning Goal and ORS 197.298 compliance were addressed in Mr. Friedman's letter and were responded to above. In essence, each of the FAN members is asking for a different Economic Opportunities Analysis and Economic Development Strategy than approved by the City Council in 2002. While these documents strongly support the growth of existing businesses, they also call attention to Woodburn's strongest comparative advantage – its I-5 location and the availability of suitable (flat and serviceable) industrial sites near the I-5 interchange.

In our view, supporting industrial development near I-5 complements – rather than detracts from – downtown commercial and office development. The City Council's intent is to require industrial developers to pay their fair share of infrastructure improvements necessary to serve the Southwest Industrial Reserve (SWIR). Thus, the dire predictions of Mayor Bob Lindsey are unlikely to occur. By increasing family wages and strengthening the City's tax base, Woodburn residents will spend more money on local retail sales and services, and the City will be able to invest more heavily in Downtown Woodburn and redevelopment along Highway 99E. For reasons stated above, and made clear in the 2005 Transportation System Plan, providing alternative east–west and north–south routes through Woodburn will reduce traffic congestion generally, and will allow traffic to reach the I-5 interchange from the west, thus avoiding the bottleneck to the east.

We appreciate Ms. Mikkelson's comments regarding some of the beneficial aspects of the proposed plan. She is correct in noting that industrial sites located to the east of I-5, along Parr Road and the proposed South Arterial, require 2.5 miles of street improvements to reach the farthest parcel. These street improvements will be paid for by land developers and transportation impacts fees. Had we based our proposed UGB expansion solely on industrial transportation access – and not balanced access considerations against the preservation of Class I farm soils – we would have recommended "double-loading" Butteville Road to reduce travel distance to the freeway interchange. However, because there are large inclusions of Class I soils on the west side of Butteville Road, we recommended including Class II and III soils in the Parr Road area instead.[7]

FAN is correct that this proposal, regrettably, commits some 430 acres of highly productive land to eventual industrial development. The City Council is extremely appreciative of the role agricultural plays in both the local and regional economy. The Council explicitly recognized the trade-off between agricultural land preservation and the need to provide for basic employment when it approved the EOA and EDS in 2002. The proposed plan before

[7] When Metro conducted its industrial siting analysis last year, it applied three basic criteria to identify blocks of industrial land:

- access to transportation facilities (within two miles of a major interchange)
- proximity to other industrial uses (within one mile)
- less than ten percent slope

In 2003, Winterbrook applied similar criteria for Southwest Industrial Reserve designation as follows:

- blocks of land contiguous to or within the existing UGB
- direct access to the I-5 / Highway 219 interchange via an existing or planned arterial street without the need to drive through urban residential neighborhoods, or use of Highway 214 east of the interchange to access I-5
- within a two mile radius of the I-5 interchange
- adjacent to existing industrial development
- five or less percent slope
- consistent with site size requirements outlined by ECONorthwest (October 2003 memorandum entitled "Site Requirements of Targeted Industries" and summarized on Table 7 of the Revised UGB Justification Report)
- Avoid Class I agricultural soils
- If base siting requirements (needs) are met, go first to Class III soils and then to Class II soils

the Planning Commission is intended to carry out the Council's balanced economic directive to provide suitable industrial sites for targeted industries while minimizing impacts on agricultural land.

In closing, we would like to build upon the recurrent observation made by FAN members and 1000 Friends of Oregon: Marion County has led all other Oregon counties in gross farm and ranch sales for many years. Table 1 below summarizes gross sales for the top four Oregon counties in 2003 and 2005.

Table 1 County Gross Farm and Ranch Sales (2003 – 2005)

County	2003 Sales	2005 Sales	Percent Increase
Marion County	$486 million	$518 million	7%
Clackamas County	$341 million	$354 million	4%
Washington County	$222 million	$252 million	14%
Yamhill County	$225 million	$242 million	8%

Source: Oregon Department of Agriculture Website.

Each of the top four counties increased agricultural sales from 2003 to 2005. Diversity in agricultural products accounts for much of this increase. However, the shift in agricultural products appears to be related to urban development, since Marion, Clackamas, Washington and Yamhill Counties have all experienced high growth rates over the last 20 years. For example, nursery and wine grape sales typically are spurred by the landscaping needs and consumption habits of nearby urban communities.

However, there does not appear to be a correlation between growth in the agricultural economy and urban growth boundary expansions. Both Clackamas and Washington Counties have "lost" agricultural land to UGB expansions in the last 10 years. To our knowledge, Marion County and Yamhill County have not experienced major UGB expansion during this period. Washington County, which has had several UGB expansions, showed the greatest percentage increase in farm and ranch sales from 2003 – 2005.

The point is that expansion of Woodburn's UGB by approximately 430 acres to meet its industrial land siting needs will not necessarily undermine Marion County's agricultural economy – either in the short- or long-term. In the short-term, this "industrial" land will continue to be farmed. Incrementally, this land will convert from agricultural to industrial production, with corresponding increases in family wages and local property taxes. In the long-term, the local market for products such as nursery stock and wine grape sales will increase, which may further change the nature of agricultural production in Marion County. Thus, it is far from clear that loss of farm land to urban development inevitably damages the regional agricultural economy. By planning for higher urban residential densities than most other Willamette Valley communities and increasing family incomes, Woodburn is minimizing the loss of agricultural land while helping to create local markets for agricultural products.

Recommendation

We do not recommend any additional changes as a result of FAN members' testimony. For the most part, their testimony reiterated issues raised in Mr. Friedman's February 10, 2005 letter.

Summary of Expansion Areas

Last week Planning Director Jim Mulder requested a summary of proposed plan designations within the proposed UGB expansion area. The UGB Justification Report, while focusing on detailed descriptions of need and comparisons of need to supply, did not include summaries of the expansion area by study area or by plan designation. Tables 2 and 3 below provide this information. Table 2 shows the total expansion acreage by study area. These acres are "gross" acres, indicating that they do not account for natural areas or right-of-way deductions. There are a total of 1,020 gross acres included in the proposed UGB expansion areas.

Table 2: Expansion Acres by Study Area

Study Area	Gross Expansion Acres
1	116
2	262
3	13
4	0
5	0
6	31
7	397
8	200
Total	1,020

Table 3 shows expansion acreages by proposed plan designation. Table 3 also shows "Net Buildable" acres for each designation, indicating available developable area after reductions for natural areas and rights-of-way. The Preferred Scenario proposes 845 net buildable acres for inclusion into the Woodburn UGB.

Table 3: Expansion Acres by Plan

Plan	Gross Expansion Acres	Net Buildable Expansion Acres
Single Family	207	158
Exception Single Family	116	107
Nodal Single Family	54	43
Medium Density Residential	11	10
Nodal Medium Density Residential	51	42
Commercial (Including Exception Areas)	50	32
Southwest Industrial Reserve	433	376
Public / Open Space	97	77
Totals	1,020	845

Attached: 1000 Friends of Oregon Letter to Department of Land Conservation and Development Regarding McMinnville Periodic Review Task 1 and UGB Amendment (April 8, 2004)

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LAND CONSERVATION AND DEVELOPMENT

April 8, 2004

Department of Land Conservation and Development
Lane Shetterly, Director
Jim Hinman, Urban Specialist
Eric Jacobson, Transportation Specialist
635 Capitol Street, Suite 150
Salem, OR 97301-2540

Re: REFERRAL OF THE CITY OF McMINNVILLE'S PERIODIC REVIEW TASK 1 AND UGB AMENDMENT

Dear Mr. Shetterly, Hinman and Jacobson:

1000 Friends of Oregon, Friends of Yamhill County and Larry Rucker filed valid objections to the planning action referenced above. The Department issued a Report and Response to objections dated March 30, 2004. While there are some conclusions in that Report with which we disagree, it is one of the most thorough and well-written reports and responses we have seen and we wish to recognize the diligence of DLCD staff in its preparation.

The Report asks that "objectors take the opportunity in an exception to point out, if needed, any objections they believe the department has missed or mis-categorized below."

We have the following exceptions to the Report. In addition to the issues noted herein, we also hereby renew all issues and points raised in our original objections.

Exception 1

Objection 2. Housing Needs Analysis lacks an adequate factual basis, fails to comply with statute and rule.

The central point of this objection and its sub-parts is that the City's determination of housing need by type and density range is inadequate and underestimates needed density.[1] We explicitly object to the city's determination of needed density within this objection.

However, the Response to Objections (Response) never explicitly addresses whether or not the City's determination of needed density is adequate. For this reason, it fails to

[1] The City concludes that "needed density" is 7.2 dwelling units per net buildable acre and that "needed housing" results in a split of 60% single-family and 40% to multi-family (consisting of 12% townhouses and 28% apartments)

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adequately address our objection. Nonetheless, a conclusion that the city's determination of needed housing density was acceptable would be inconsistent with other explicit conclusions within the Response and with the position DLCD has previously taken before LUBA and the City.

c. The City has not correlated projected future income levels with housing need to make an accurate conclusion about needed housing types and densities.

McMinnville is required to determine, plan, and zone for the full range of housing types to meet the need shown for housing at particular price ranges and rent levels. ORS 197.303, 197.296, Goal 10, OAR ch. 660, div. 008. However, the City has not correlated projected future income levels with housing need to make an accurate conclusion about needed housing types and densities, and land.

The Response (p. 45) asserts:

> "The city compared the forecast ability to pay for housing with housing costs to determine the needed housing mix (HNA, Chapter 5, Tables 5-19 and 5-22)."

This response misunderstands the data in these tables. Both these tables consider McMinnville's population in the year 2000, not its projected population.

Table 5-19 is labeled "Rough estimate of housing affordability, McMinnville, 2000, for the year 2000 total of 9,151 households." Table 5-22 also considers financially attainable housing types for a total of 9,151 households. Neither of these tables or anything else in the HNA compares the forecasted ability of McMinnville's forecasted population to pay for housing costs, nor does the HNA anywhere correlate projected future income levels with housing need. Table 5-22 also assumes that only High Income and Upper Middle Income households will be able to afford new housing, and that the housing needs of all other households will be met by "used housing," as higher income households "move up."

DLCD already identified this failure in the Housing Needs Analysis in its prior appeal to LUBA of this same Housing Needs Analysis that is at issue here. *DLCD v. City of McMinnville, 41 Or LUBA 210 (2001).*

The Department's Assistant Attorney General Steve Shipsey, DLCD contended:

> "The challenged decision improperly construes the applicable law... Without proper analysis of housing need under ORS 197.296(3), the required comparison under ORS 197.296(5) is not possible." (brief, p. 2)
>
> "By a May 22, 2001 letter, DLCD ... recommended that the city make a more direct correlation between affordability and housing type and density..." (brief, p. 4)

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"The challenged decision does not comply with Statewide Planning Goal 10, improperly construes ORS 197.296 and 197.303, and is based on assumptions that are not supported by evidence in the record..." (brief p. 9)

"Goal 10 requires comprehensive plans to encourage adequate amounts of affordable housing... Goal 10, ORS 197.303(1) and OAR 660-008-0005(11) all define "needed housing" units as "housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels..." (brief, p. 10)

"The City's methodology runs the foregoing inquiry on its head..." (brief p. 11)

"Rather than creating policies to meet identified needs for affordable housing, the challenged decision relies, in "Reaganomics" fashion, on the "trickle-down effect" of building new, single-family dwellings thereby vacating older existing units to meet housing needs of low and moderate income persons.

"The challenged decision does not respond to the comments of the Community Development Law Center that rents and housing prices are rising in McMinnville at a rate higher than incomes, and that under those conditions the "trickle-down" theory has not proven effective elsewhere in the state... the challenged decision does not respond to this issue with substantial evidence that the trickle-down effect will meet the housing needs of low and moderate income people" (brief, pp.12-13)

"Goal 10 requires that household income be compared to housing prices to determine whether housing is affordable to the city's households. The challenged decision is forthright in its inability to do so based on substantial evidence in the record." (brief, p. 13)

LUBA remanded the appeal on other grounds, but the City has not revised the Housing Needs Analysis in a manner that addresses the Department's legal concerns. The HNA does not correlate projected income levels to housing costs and it has not included substantial evidence in the record to determine whether housing is affordable to the city's households. For these reasons the determination of needed housing, including type and density, fails to comply with statute, goal, and rule.

b. Government-Assisted Housing

The Response (p. 44) concludes that the City has not demonstrated that the need for government-assisted housing has been met and that this will have several impacts. It will affect how many units by type at various price ranges and rent levels are needed; which

plan designations and zones allow the various housing types at the "needed" price ranges and rent levels; and how many acres of land are needed in each zone. We agree with the Department's conclusion. **This will also clearly affect the determination of needed density**, and thus the City must also make changes to its needed density projections based on the need for government-assisted housing.

c. Special Populations

Objection 2 d. The city did not address the housing needs of special populations.

The Response (p. 4) concludes that this objection:

> "did not demonstrate that the city failed to meet any planning requirement in statute or rule. "Special needs housing" is not a needed housing type as defined by statute or rule. Therefore, the city is not required to address housing for "special populations" as a needed housing type. Nevertheless, the city did consider the housing needs of special populations (HNA, pages 5-28, 5-29). Also, the city allows various types of special needs housing in its residential zones. The objection does not demonstrate that the city has failed to provide for a housing need."

This is an erroneous conclusion. ORS 197.296, ORS 197.303, and Goal 10 require local plans to provide for *all* needed housing types. As noted elsewhere in the Response:

> 'State policy on needed housing is set forth in ORS 197.307:
>
> (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.
>
> (2) Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable decent, safe and sanitary housing.
>
> (3)(a) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing, including housing for farmworkers, shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need. . . ' (emphasis added)

The HNA did consider, identify, and quantify several "special populations" and concludes that they have housing needs distinctly different than the general population. Yet, the City acknowledges that it did "not attempt to estimate the number or types of units needed to house individuals with special housing needs."[2]

These include runaway youth, elderly and frail individuals, large families, *farmworkers*, persons recently released from state institutions, and persons infected with the HIV virus, among others.[3] The HNA estimates the number of persons in McMinnville, historically

[2] *HNA*, p. 5-28
[3] *HNA*, p. 5-28

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and in the year 2020, that fall into these categories. It estimates that in 2020, there will be 97 runaway youths, 4,736 migrant workers, between 1,595-3587 persons with psychiatric disabilities, and 1,087 persons needing daily living assistance.[4]

These are not insignificant numbers of persons needing special housing. They total at least 7,115 persons and up to 9,507 persons, or 16 percent to 22 percent of the projected population in 2021. Farmworkers alone will total about 11 percent of McMinnville's population.

ORS 197.296, ORS 197.303 and Goal 10 require local plans to provide for *all* needed housing types. ORS 197.307 explicitly defines farmworker housing as a needed housing type.

Under statute and Goal, the city cannot identify and quantify a population with distinctly different housing needs and then fail to provide for it, especially when that population will comprise such a significant portion of the total population.

Those agencies that serve these populations – and which were cited to the City – point out that special needs housing will not be met in single-family homes on large lots.[5] These special populations are likely to need higher density housing. As already noted, the City concedes that it did "not attempt to estimate the number or types of units needed to house individuals with special housing needs."[6]

Because the city does not address the needed housing of a portion of its current and future population, it has failed to comply with ORS 197.296(3), 197.303, Goal 10, and OAR ch. 660, div. 008.

Because the City did not account for these needed housing units in calculating needed density and needed housing-types, it underestimates needed density and miscalculates the needed split between single-family and multi-family housing types.

d. Historical density, needed density, and single-family, multi-family split

Objection 2.b: McMinnville has underestimated the historical density of the City, resulting in an underestimate of the amount and percentage of multi-family housing that will be needed in the future. Thus, the City has failed to comply with both ORS 197.296(3)(b) and (c).

ORS 197.296 has been amended and the statutory cites in our objection are no longer numbered correctly. We should instead have cited ORS 197.296(3)(b) and 197.296 (5)(a)(A).

The Response to Objections states (p. 4):

[4] *HNA*, p. 5-25, Table 5-28
[5] *HNA*, p. 5-29, sources for Table 5-28 and LUBA record at 637
[6] *HNA*, p. 5-28

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> "The department understands this issue to relate to the split between single family and multiple family housing rather than density per se. Therefore, this issue is also addressed below in CDLC objection 2. 1000 Friends argues that since there was very little buildable land zoned for multiple family use after 1995, the historical data on single family and multiple family construction does not represent the actual housing need. The city's data from 1988 represents a longer period which is likely to even out short-term fluctuations in housing construction."

This response misunderstands our argument and therefore fails to adequately address our objection. While historical density, needed density, and the projected split between single family and multiple family housing are related, our objection relates to all three issues.

As we state in this objection, use of a time period when almost no land zoned for multi-family existed skews the baseline density forecast and results in an inaccurate conclusion regarding needed housing and needed density. This violates ORS 197.296(3)(b) and 197.296(5)(a)(A), ORS 197.302, Goal 10, and the Goal 10 Housing Rule.

For a significant period between 1988-2000, little land in the City was zoned for multi-family housing and, as a result, little was built. From 1991-95, the City had an ample supply of R-4 zoned land and, consequently, saw 649 multi-family housing units built. By the end of 1995, multi-family development had begun to exhaust the supply of R-4 zoned land. The land supply was not replenished, and therefore from 1996-2000, only 41 units of multi-family housing were built.[7] By 1995, McMinnville had only 1.2 net buildable acres zoned for R-4.[8] Only 6% of all multi-family housing building permits (41 of 722) issued between 1988 and 2000 were issued after 1996, when there was essentially no land zoned R-4.[9]

DLCD errs in concluding that the city's data from 1988 represents a longer period which is likely to even out short-term fluctuations in housing construction. The issue is not short and long term construction trends, but rather land availability. The fact is that when properly zoned R-4 land was available for multi-family units, they were built in large numbers, when R-4 land was no longer available, their construction plummeted.

This is emphasized by a 2001 letter from the Housing Authority of Yamhill County, which "remains deeply concerned about the availability of land for multi-family dwellings in the City of McMinnville."[10] The Housing Authority testified that for several

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[7] *HNA*, Table 4-1

[8] The record of the LUBA challenge to the city's adoption of the *HNA* was placed in the record of this proceeding. See Supp. LUBA record 230 Table C-1, see also LUBA record at 636. While the City claims that as of 2000, it had 37 gross buildable acres zoned R-4 (R. 23, Table 3-2), as explained in testimony, this was the result of a single planned unit development project that included multi-family housing.

[9] *HNA*, Table 4-1 and LUBA record at 636

[10] LUBA record at 473

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years, it has been looking for multi-family zoned land in McMinnville on which to build higher-density, affordable housing, but has found none.[11]

Historical data skews the baseline density forecast and skews the split between multi-family and single-family housing away from apartments because it includes a period of time when land was not available for apartments. As a result, the City has underestimated needed density, underestimated the percentage of needed multi-family housing, and overestimated the amount of land needed for residential uses.

Exception 2

Objection 3. The Revised Buildable Lands Analysis is based on assumptions that future development will occur at lower than historical densities in some residential zones. These assumptions fail to comply with factor 4 of Goal 14, Goal 10, 197.303 and 197.296.

The Response to Objections states (p. 4):

> "1000 Friends argues that the city's needed (planned) densities by zoning district (Appendix B, Table 8) are less than the actual densities achieved in each zone since 1988 (HNA, Table 4-8). While the facts cited are correct, 1000 Friends has not drawn a correct conclusion. Overall, the city has increased density rather than decreased it as the objection asserts."

This response misunderstands our argument and therefore fails to adequately address our objection. We do not argue that planned densities are less than the actual densities achieved in *each* zone, nor do we assert that the City has planned to decrease overall density. We correctly point out that the city's UGB expansion is based on assumptions that future development will occur at densities lower than the historical densities that have occurred in *some* residential zones, including the R-2, R-3, and R-4 zones. This is evident from a comparison between the baseline data in Table 4-8 of the *Housing Needs Analysis* and the assumptions in Table 8 of the *BLA*.[12]

There is no apparent factual basis for these assumptions. The City has not amended its code to restrict the allowed uses in these specific zones in a manner that would reduce the likely density of future housing, nor does the city advance

[11] The Housing Authority points out that while the City claims there are 53.7 gross buildable acres zoned R-4, most of it is unbuildable according to the City. (LUBA R. 473)

[12] Table 4-8 (page 4-9) of the *Housing Needs Analysis (HNA)* contains 12 years of historical data regarding residential development in McMinnville. This includes data on overall density built in each zone and data on density by housing type within each zone.

Table 8 (page B-19) of the *BLA* projects land need and density by zoning and housing-type for the 2003-2023 planning period. It includes overall projected density for each zone. It also projects total housing units and land need for each specific housing type within each zone, which allows for easy calculation of projected density by housing type within each zone.

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any argument as to why it believes development is likely to use land less efficiently (and presumably less profitably) than it has in the past.

It is true, as pointed out in the Response to Objections, that the city has created a new "R-5" multifamily zone. DLCD suggests the city has reallocated some multi-family units away from the other zones to this new one. However, this does not explain or support the drop in projected density in the specific zones.

The City presents no rationale in its findings for assuming the future drops in density in the R-2, R-3, and R-4 zones. The City concedes, "that assumed densities in some zones are lower than historical densities," but contends that, "with the exception of the R-4 zone, the differences are negligible."[13]

The differences are not negligible and the largest impact is in the R-2 zone, not the R-4 zone, the city's existing multi-family zone. The total impact of assuming lower than historical densities in various zones is 72 gross buildable acres or 13.4% of the portion of UGB expansion attributable to housing.[14]

R-2 zone

The city's unexplained assumption that development in certain specific zones will in the future use land less efficiently is particularly unreasonable in the R-2 zone. As noted above, the City has not amended its code to restrict the allowed uses in the R-2 zone in a manner that would reduce the likely density of future housing. On the contrary, the City has amended its regulations to allow accessory dwelling units in it, which will have the affect of increasing density over historical patterns.

Nonetheless, while development in the R-2 zone has historically been at 4.9 dwelling units (du)/gross acre, the *BLA* projects it to occur in the future at only 4.5 du/gross acre in the future.

Historically, 38% of all units built in the R-2 zone have been attached housing or multi-family (545 units out of 1,448 total units). No code changes were adopted that would alter provisions allowing apartments and attached housing in the R-2 zone. Table 8 shows that in the future all new housing in the R-2 zone is projected to be single-family detached or manufactured homes in subdivisions. It is not reasonable to assume that the number of multi-family and attached housing units built in the R-2 zone will drop from 545 over twelve years to 0 over twenty years.

The Response to Objections elsewhere recognizes the unreasonableness of this assumption in respect to redevelopment and recommends the Commission remand the Buildable Lands Analysis for the city to consider redevelopment potential in the R-2 zone with multiple family dwellings. Since it is implausible to assume that no *redevelopment* with multi-family housing will occur within the R-2 zone, it is even more implausible for

[13] See memorandum dated August 12, 2003, "RESPONSE TO COMMENTS RECEIVED..." F.5
[14] See Table 11 of the *BLA*, p. B-15

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the City to conclude that no new development of multi-family or attached housing will occur in the R-2 zone.

Moreover, the new R-5 zone, advanced by DLCD as an explanation for the drop in density within specific zones, allows only multi-family housing, it does not allow attached housing. Its adoption cannot explain the assumption that zero attached housing units will be built in the R-2 zone over the next twenty years.

R-3 zone

Table 4-8 shows that in the R-3 zone, single-family detached housing has historically developed at 4.2 du/gross acre. Table 8 shows that the *BLA* projects it to occur in the future at only 4.05 du/gross acre. (300 units on 74 gross acres)

As noted above, the City has not amended its code to restrict the allowed uses in the R-3 zone in a manner that would reduce the likely density of future housing. On the contrary, the City has amended its regulations to allow accessory dwelling units in it, which will have the affect of increasing density over historical patterns.

The Report relies on the R-5 zone, a multi-family zone, as an explanation for the drop in density within these zones. However, this cannot explain why *single-family housing* within the R-3 zone will occur in the future at a lower density than it has in the past.

R-4 zone

Table 4-8 shows that density in the R-4 zone has historically been 9.2 du/gross acre. Table 8 shows that the *BLA* projects it to occur in the future at only 8.8 du/gross acre.

As noted above, the City has not amended its code to restrict the allowed uses in the R-2 zone in a manner that would reduce the likely density of future housing. On the contrary, the City has amended its regulations to allow accessory dwelling units in it, which will have the affect of increasing density over historical patterns.

Moreover, the gross density of apartments built in the R-4 zone has been 16 units/gross acre. The city projects new apartment development in the R-4 zone to occur in the future at only 15 du/gross acre. Even if some new multi-family units have been "reallocated" from the R-4 zone to the R-5 zone that cannot explain why those apartments that *are* built within the R-4 zone will be built at lower density than apartments have been built in that zone in the past.

R-5 zone

New apartment development in the new R-5 zone is also projected to occur at only 15 du/gross acre. Historically, apartments in the existing multi-family R-4 zone have been built at 16 du/gross acre. Minimum lot areas within the new R-5 zone for multi-family

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housing are identical to those in the R-4 zone. The City has not explained why it expects new multi-family housing built in its highest density zone to occur at lower densities than historical densities for new multi-family housing in the R-4 zone.

Moreover, the code amendments adopted for the R-5 zone state:

> "Residential densities within this zone are typically 14 to 26 units per acre."[15]

This suggests average mid-range density within the R-5 zone will be about 20 units per acre.

The following chart demonstrates that if the new development in the zones and types specified above were projected to occur at historical densities, rather than at lower than historical densities, residential land need would be reduced by 72 gross buildable acres.

This chart shows that historically residential development within specific zones has occurred[16] in higher densities than forecasted within those zones[17] for the next twenty years. As a result, more acreage would have to be developed for the same volume of housing.

Zone	Historical DU/ac	Acres Needed at Historical Densities	Projected DU/ac	Acres Needed at Projected Lower *Densities*	Additional Impact
R-2	4.9 du/ac	408 gross acres	4.3 du/ac	465 gross acres	57 additional
R-3 single family det	4.2 du/ac	71 gross acres	4.05 du/ac	74 gross acres	3 additional
R-4	9.2 du/ac	151 gross acres	8.8 du/ac	158 gross acres	7 additional
R-4 multi	16 du/ac	37 gross acres	15 du/ac	40 gross acres	(3 - see R-4 above)
R-5	16 du/ac	67 gross acres	15 du/ac	72 gross acres	5 additional
					72 Additional Acres

Exception 3

Objection 11. Compliance with the Transportation Planning Rule

The Response agrees with this objection and (p. 25):

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[15] *BLA*, p. E-17

[16] Illustrated in Table 4-8 of the May 2001 *McMinnville Housing Needs Analysis* – "*HNA*" p. 4-5, prepared by ECONorthwest.

[17] Illustrated in Table 8 of the May 2000 *Revised Buildable Land Analysis* – "*BLA*" p. B-15.

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"... recommends the Commission remand the rezonings in Table 73 for the City to either complete a transportation analysis specific to these parcels or for this analysis to be completed through the City's subsequent periodic review TSP work task."

It is not clear to us that the Response's recommendation to remand the rezoned land in Table 73 is captured adequately in Item 3. g) of the Report itself (Report, p. 9):

"3. Remand the plan to amend plan and implementing regulations to make them internally consistent, consistent with the findings used to justify the UGB amendment, and to comply with applicable goal requirements, including the following tasks:

* * *

g) Conduct an analysis to determine the traffic impacts of the rezonings in Table 73 and include findings to address OAR 660-012-060 or complete such an analysis in a transportation systems plan."

The rezonings in Table 73 *could* be considered to be separate from the periodic review submittal. For this reason, we filed an appeal at LUBA specifically challenging certain rezoned properties in Table 73. All parties agreed to stay the LUBA proceedings, pending the outcome of the Commission's proceedings. For this reason, we request that the Commission's remand order explicitly state that the rezonings in Table 73 are not acknowledged until the analysis and findings referred to in item 3. g) are completed. This would allow our LUBA appeal to be withdrawn.

Exception 4

Objection 12. Proposal to rezone land to Commercial on Hwy 18 at Cruikshank and Loop Roads and on Hwy 18 by overpass to downtown

The City has proposed rezoning 20.6 acres on Hwy 18 at Cruikshank and Loop Roads for commercial uses. (See *MGMUP*, appendix F). The specific properties proposed for rezoning to commercial are identified on *MGMUP* page F-15 as properties #11, #12, #13, and #14.

The city redesignated these parcels from Mixed Use to Commercial and rezoned them Agricultural Holding (AH) to General Commercial (C-3) for Parcels 11, 12, and 14 (Ordinance No. 4795(f)(13)).[18] These redesignations along Highway 18 seem to directly contradict the City's stated commitment, repeated in the text of the plan amendments, to avoid auto-oriented, strip commercial development. Moreover, this particular location, at the gateway to the city on the state highway bypass, is a particularly inappropriate location for commercial uses.

[18] Due to a typographical error, Ordinance No. 4795 does not specifically rezone Parcel 13

Parcels 12 and 13

The Response notes (p. 26):

> "The city's C-3 zone allows uses that can generally be considered consistent with strip commercial development. However, in this instance, the city has applied conditions of approval to Parcel 12 that limit the range of allowed uses to farming, sewage pump station, public service and public utility buildings, and public safety facilities... It was clearly the city's intent to apply the conditions of development approval that have been applied to Parcel 12 also to Parcel 13."

This response begs the question. The conditions applied by the city actually limit the allowed uses to those allowed in the Agricultural Holding zone.[9] If the City wishes to restrict uses to those allowed in the Agricultural Holding zone, there is no reason to rezone the property from Agricultural Holding to General Commercial. The applied conditions are not consistent with either the plan designation of Commercial or the applied General Commercial zone.

Parcels 11 and 14

The Response notes (p. 26):

> "Conditions have not been placed on the rezoning of Parcels 11 and 14. However, these parcels are 0.8 and 1.9 acres in size, respectively, and do not front on Hwy. 18, and do not contribute to or extend adjacent strip commercial development."

This response misunderstands the issue. Parcels 11 and 14 are about 100 yards from the Highway and clearly visible from it. They are large enough for fast food drive-ups, gas stations, and other strip commercial uses allowed in the General Commercial zone.

The city has a comprehensive plan goal and policy to discourage auto-oriented strip commercial development throughout the city (Goal IV 3 and policy 24.00 on p. D-2 of Appendix D). Regardless of whether Parcels 11 and 14 have direct driveway access to Highway 18, and regardless of whether or not there already is adjacent strip commercial development, locating fast-food drive-ups and other strip commercial uses on these parcels is inconsistent with these plan goals and policies.

Exception 5

Objection 13. Specific Amendments to Plan Text and Code Text

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[9] McMinnville Zoning Ordinance Chapter 17.45 subsections 17.45.030 and 17.45.040

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As part of its decision, the City has adopted numerous amendments to the text of the comprehensive plan and the development code. Many are good policy.

However, some of these amendments will result in less efficient use of land and increased auto-dependency in violation of previously cited statutes and rules. In addition, there are several changes to the plan and code that were proposed but not adopted, which should be made as part of this comprehensive review to bring the code into compliance with the plan and to eliminate conflicting plan and code provisions. The citations below are to specific page numbers in the *MGMUP* appendices and/or to the numbers of proposed or existing plan and code provisions:

Exception 5.a

Existing Plan Policy 71.01 (p. D-6) restricts development on the "west side" of the City to 6 units per acre, "outside of designated Neighborhood Activity Centers or planned or existing transit corridors (500 feet either side of route." This was due to sewer capacity problems. Now that the Cozine Trunkline has been built, this restriction is no longer necessary.

The Response notes (p. 29):

> "The department does not agree with this objection. This policy limits density on the west side of the city to six units per acre, except for neighborhood activity centers and existing transit corridors *(500 feet on either side of the route)*. Since the city has planned to meet the identified need for medium- and high-density housing in neighborhood activity centers and transit corridors, there is no requirement for the city to allow higher density in other areas." (emphasis added)

The 500-foot distance from either side of transit corridors needs to be amended to be consistent with other conclusions in the Response and Report.

The Report (p. 8) recommends the Commission require the city to:

> "a) Amend Policy 71.13 to indicate high-density housing is a suitable use: (1) within a one- half mile corridor centered on existing or planned public transit routes and modify the transit corridor enhancement analysis and conclusions and (2) within one-quarter mile from neighborhood and general commercial shopping centers or designated activity center.
>
> b) Develop a program that will achieve the 10 dwelling units per acre within transit corridors by identifying additional vacant, underdeveloped, and redevelopable parcels that may be suitable for medium- and high-density housing within this half-mile corridor.

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c) Rezone those parcels identified as suitable for medium- and high-density housing in order to implement the plan."

A one half-mile corridor centered on existing or planned public transit routes would extend 1320 feet on either side of the corridor. The language in Policy 71.01 restricting density to no more than 6 units per acre in areas beyond a 500-foot distance from either side of transit corridors needs to be amended to 1320 feet to be consistent with these other conclusions in the Response and Report.

Exception 5.b

Proposed plan policy 188.00(4) (p. D-15) Neighborhood Activity Centers. This plan policy states that NAC support areas consist of medium and higher density housing (R-3, R-4, and R-5). However, the individual illustrative activity center maps are inconsistent with this policy. They depict large areas of low-density residential (R-2) in NAC support areas. These low-density residential areas go beyond the limited narrow areas for low-density residential described in the plan and zone text for specific NAC's.

The Response (p. 30) states:

> "The department does not agree with this objection. As described in the department's response to 1000 Friends' objection 8, the designation of some R-2 land in the support area of an NAC does not defeat its purpose. As long as the city provides sufficient land to meet the need for medium and high density housing, it is not required to designate all land in the support area for higher density housing."

This response misunderstands our argument and thus fails to adequately respond to our objection. We agree that as long as the city provides sufficient land to meet the need for medium and high density housing, nothing in statute goal or rule requires it to designate all land in Activity Center support areas for medium or high density housing. However, the City's own plan states:

> "An activity center has a support area consisting of medium and higher density housing." (policy 188.00(4))

In addition, the adopted plan amendments state that low density residential development should be restricted to limited areas and that, "[areas in] proximity to jobs, commercial and public facilities and services should be zoned for smaller lots." [20] The specific plan policies and zone text the city adopted for the NACs further limit areas of low-density zoning.[21] These issues are addressed in our Objection 8.C. The Response to that objection recognizes that the illustrative plans must be internally consistent with the plan

[20] *MGMUP*, p. D-7-8
[21] *MGUMP*, pp. D-21-24

policies and recommends that they be remanded, "in order to make these plans internally consistent with the plan policies."[22]

The City defines the R-2 zone as a low-density zone.[23] Plan policy 188.00(4) defines activity support areas as consisting of medium and higher density housing. Illustrative Plans that depict low-density R-2 zoning in these support areas are inconsistent with the adopted plan policy. Therefore, the illustrative plans should be remanded in order to make these plans internally consistent with the plan policy.

Exception 5.c

Proposed plan policy 188.03 (p. D-20) Neighborhood Activity Centers. This plan policy restricts high-density housing (housing at densities of 8 du/net acre or greater) to areas no more than 220 yards from an NAC focus area and restricts "medium density housing" (housing at densities of 4 du/net acre or greater) to no more than 440 yards from an NAC focus area. These policies effectively dictate that all housing more than 440 yards from an NAC focus area will be less than 4 du/net acre.

This plan policy prevents the critical mass of compact development necessary to the success of the NACs and thus undermines their purpose and function. In addition, it mandates inefficient use of residential land and thus inflates projected land needs and the size of the proposed UGB expansion, contrary to Goal 14 and to the Department's recommendation regarding Policy 71.13.

As noted above, the Department's Response and Report conclude that Plan policy 71.13 must be amended:

> "...to indicate high-density housing is a suitable use... within *one-quarter* mile from neighborhood and general commercial shopping centers or designated activity center."[24] (Emphasis added)

The Department's recommended remand regarding policy 71.13 doubles the distance from a NAC focus area in which high-density housing is allowed from 660 to 1320 feet. Because Policy 188.03 restricts high and medium density housing to within 660 feet of a NAC focus area, it is inconsistent with the Department's recommendation, and should be included in the remand order.

The Department's Response to our objection on 188.03 concludes (p. 30):

> "This policy has little, if any, effect on the amount of land brought into the UGB."

The Response does not indicate how it reached this conclusion, but it is in error.

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[22] Response, p. 21
[23] Plan Policy 71.36. Appendix D, p. D-7
[24] Report p. 9

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If high-density housing is only allowed within a radius of 660 feet from a focus area, this encompasses an area of 31.4 acres in each NAC. If the radius doubles to 1320 feet, the area within which high-density housing is allowed jumps to125.6 acres,[25] a net insignificant difference of 94.2 acres.

Since the city has designated four Neighborhood Activity Centers, a total of 377 gross acres, or approximately 200 net acres, will be affected if Policy 188.03 is amended to be consistent with the Department's recommendation regarding policy 71.13. The City has defined medium density as 4-8 units per net acre and high-density as 8-30 units per net acre. Even at the minimum of these density ranges, an additional 1200 housing units would be accommodated within a quarter-mile of the NAC focus areas.

At the city's assumed overall density of 7.5 units/net buildable acre, urban growth boundary expansion would be reduced by about 160 net buildable acres. We therefore do not agree that policy 188.03 has little or no effect on the amount of land brought into the UGB.

Policy 188.03 must be amended to be consistent with the required amendment to Plan Policy 71.12 and to be consistent with Goal 14 and ORS 197.296.

Exception 5-d

Proposed plan policy 188.05 (p. D-20) Neighborhood Activity Centers.

This policy allocates 5 to 10 acres of land in each NAC to accommodate 50,000 to 100,000 sq. ft. of retail floor space and an additional 2.5 to 10 acres to accommodate 25,000 to 100,000 sq. ft. of office. This is an enormous amount of land for the proposed amount of retail and office floor space. Such a large ratio of land to floor space in NAC's is inconsistent with the stated purpose of NACs and inflates the size of the UGB expansion.

The Response states (p. 31)

> "This policy contains standards for the size and arrangement of uses within NACs. The city limits groceries to 50,000 sq. ft., other retail to 30,000 sq. ft., and total retail to 100,000 sq. ft. These thresholds are well below the size of "big box" stores. The question should not be whether the city has planned for too much commercial use in NACs, but how they can get enough mixed-uses to make these centers thrive."

This response misunderstands our argument and thus fails to adequately respond to our objection. We are not arguing that the city has planned for too much commercial use in the NACs or that the buildings themselves are too large. We are arguing that the amount

[25] The formula is pi x radius squared. Divide by 43560 to translate square feet to acreage.

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of land the city allocates to accommodate the proposed amount of commercial and office floor space is too large.

The allocated land to floor area ratios contained in Policy 188.03 translate into floor area ratios of .23. The response to objection 4 notes that, "floor area ratios of 0.20 to 0.30 are typical of auto-oriented commercial buildings," and that office uses have more in common with public uses, which the city has planned with a floor area ratio of 0.52 than with retail commercial uses.[26]

According to the *MGMUP*, the NACs are intended to be compact, pedestrian-friendly, and transit-supportive. The city's findings do not explain why such an excessive amount of land will be needed to accommodate the projected amount of needed building space. This inflates employment land need projections significantly.

The very high ratio of land allocated for commercial and office floor space in the NACs is inconsistent with their stated purpose, Goal 14, and ORS 197.296

Exception 6

Objection 14 McMinnville's proposed UGB amendment does not comply with ORS 197.298 Goal 14, ORS 197.732(1)(c)(B), and Goal 2, Part II(c)(2).

a. Exception areas

Under ORS 197.298, the highest priority lands for inclusion in an expanded UGB is land that is designated urban reserve land. Since McMinnville has no urban reserves, highest priority lands for inclusion is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land.

There are nine "exception areas" adjacent to McMinnville's UGB. The city proposes to include only four of these areas within its UGB, and instead include the lowest priority land – i.e. prime farmland - . The five *excluded* exception areas are Westside Road, Baker's Village, Riverside North, Booth Bend Road, and Old Sheridan Road. The Response agrees that the City has not justified the exclusion of Westside Road, but accepts the exclusion of the other areas.

For the excluded exception areas, the City's findings rely in varying degrees on the cost of providing these areas with urban services. The findings and the *MGMUP* contain tables ranking the exception areas.[27] These tables assign a service cost of high, medium, or low, based on a raw dollar number, not a cost per acre.[28] Costs exceeding $300,000 were ranked high, costs of $200,000 to $800,000 were ranked medium and costs under $200,000 were ranked low, regardless of how many acres would be served.

[26] Response, p. 6
[27] *MGMUP*, p. C-211; Findings, Table 17, p. 48
[28] Findings, Table 17, p. 48, see note beneath table

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Thus, the city could conclude that a cost of $150,000 to serve 11 buildable acres- $13,636 per buildable acre- was a low cost and a cost of $850,000 to serve 126 buildable acres- $6746 per buildable acre- was a high cost.

This analysis is inadequate to address Goal 14, factors 3 and 4, and Goal 2, Part II.

Burn's Village

According to the *MGMUP*, the Burn Village area contains approximately 126 gross vacant buildable acres.[29]

The Response agrees that this area should be excluded from the UGB for two reasons, which we address in order below:

1. "First, this area cannot reasonably accommodate the need for pedestrian and transit oriented development in a neighborhood activity center."[30]

The Response misconstrues the statutory requirement in ORS 197.298. The question is not whether or not this exception area can reasonably accommodate pedestrian and transit oriented development in a neighborhood activity center. The area can only be excluded if it cannot reasonably accommodate some portion of the identified need for housing, employment, and public and semi-public uses:

> "...we agree with LUBA that the "reasonably accommodate" inquiry in criterion ii is whether the areas that do not require a new exception *can* accommodate the use at all, not whether they can do so as efficiently or beneficially as the proposed exception area might."

Residents of Rosemont v. Metro, 173 Or App 321, fn. 6 (2001)

The evidence in the record does not support a finding that the Burn's Village exception area cannot reasonably accommodate a portion of these identified land needs.

In addition, the Response reaches conclusions regarding the commercial area of Burn's Village that are unsupported by evidence. The response states:

> "To make this area pedestrian-friendly would require that speeds on the highway be reduced and stoplights be installed, severely impacting the function of the highway."[31]

The Department does not explain why reducing speeds on the highway and installing stoplights would seriously impact its function. Nor is there any evidence in the record to

[29] *MGMUP*, p. C-36
[30] Response, p. 39
[31] Response, p. 39

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support such a conclusion. Many state highways function with reduced speeds and stoplights (or pedestrian overpasses).

2. The response also states:

> "Second, the department agrees that this area cannot reasonably be served with streets, water and sewers because of the separation from the remainder of the city caused by a floodplain and the negative impact of the state highway... ODOT has stated its opposition to the inclusion of this area in the UGB."[32]

While the Response lists this as one reason, it can be divided into two: a) whether or not this area can be reasonably be served with urban services; and b) the impact of the state highway.

a) Urban Services

Regarding urban services, the city concludes that, "urban services can be extended to this area... at a higher cost relative to other urbanizable areas."[33] The record contains no actual cost estimates or costs per buildable acre. As the Response elsewhere points out, while the standard "does not require the city to show that it is impossible to serve an exception area... the city needs to show, for residential uses for example, that the costs of serving new homes would too high to allow the development of housing at the price ranges and rent levels which are needed."[34] The city has not made any such finding nor is there evidence in the record to support such a finding.

It will almost always be cheaper to extend urban services into prime flat farmland than exception areas. A higher relative cost does not mean the higher priority exception area cannot reasonably accommodate the identified need. In this case, however, there is no evidence in the record to conclude that the cost of infrastructure in Bunn Village will be high *per buildable acre or housing unit.*

The record contains no cost estimates to support the conclusion that the cost of providing urban services will be high nor does it quantify how much higher the relative costs will be. In fact, the *MGMUP* states that the cost of sewer "have not been calculated," and cost of water service, "have not been determined."[35]

Since the City did not determine the cost of providing urban services to Bunn village either in the aggregate or on a per acre or housing unit basis, they cannot conclude these costs are high.

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[32] Response, p. 40
[33] *MGMUP*, p. C-27
[34] Response, p. 38
[35] *MGMUP*, p. C-29

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b) Impact of the state highway

The response overstates ODOT's position in asserting, "ODOT has stated its opposition to the inclusion of this area in the UGB."

In its letter to the city, ODOT actually said:

> "ODOT does not support the extension of the UGB to include this area. Increased development/redevelopment that could be encouraged in this area *may* adversely affect traffic safety and operations on OR 99W." (emphasis added)
>
> "If the City chooses to include this area in a UGB expansion, ODOT strongly recommends that an overlay, or conditions of approval, be adopted that require the City and ODOT to adopt an access management plan for 99W prior to the development or redevelopment of any parcels within Area NR-8. This will identify highway improvements required as a result of future development that will ensure that safety and traffic operations are maintained at an acceptable level."[36]

While ODOT did not support inclusion of Bunn's Village, it did not oppose it either, and its letter states that with an access management plan and highway improvements, the function of the highway could be maintained at an acceptable level.

The DLCD Response also states:

> "If this area were to develop, the city would need to provide alternate local street connections to the remainder of the city rather than rely on just the state highway. Providing alternate street connections is not reasonable since each connection would require a bridge crossing of the river and floodplain."[37]

The North Yamhill River is not the Willamette River. One can throw a stone across it. Bridgeheads are frequently located within a one hundred year floodplain. There is no evidence to support a finding that construction of a new bridge for local access separated from 99W is unreasonable nor is there anything to suggest that more than one new bridge for local access would be needed.

Finally, our objection points out that the "leg" of Hawn Creek Road includes only 16.52 buildable acres and the City failed to consider the possibility of including only the approximately 110 net buildable acres in the non-linear portion of Bunn Village closer to the City. The Response does not address this possibility.

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[36] MGMUP, p. C-209
[37] Response, p.

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Booth Bend Road

In accepting the exclusion of the Booth Bend Road area, the Response states:

> "... this area is problematic since it would be an isolated extension of the UGB across the highway, making walking to nearby destinations extremely difficult. North Plains was not required to cross a state highway to urbanize a small exception area. McMinnville should not be required to urbanize this area. This exception area cannot reasonable (sic) accommodate the need for a compact, pedestrian-friendly urban area."[38]

This conclusion misunderstands the relevant facts. Unlike North Plains, McMinnville's pre-expansion UGB *already* extends across Highway 18. In fact, the city has proposed to include an additional 321-acre area of prime farmland on this same side of Highway 18 that directly abuts the Booth Bend Road area to the east. This is the Three Mile Lane within which the city has planned for a Neighborhood Activity Center.

While the Booth Bend area by itself is too small to accommodate a Neighborhood Activity Center the school district has just purchased a future elementary school site less than 1000 feet from the boundary of the sub-area.[39] The evidence in the record does not support a finding that the Booth Bend Road exception area could not reasonably accommodate a portion of identified residential and employment land needs. According to the *MGMUP*, it contains approximately 15 gross vacant buildable acres (31% of the total acreage in the sub-area).[40] The *MGMUP* concludes that, "urban services necessary to support [urban densities]... can be extended to it."[41] Costs of providing water and electrical service are estimated as low.[42] Adjacent areas within the existing UGB are developed residential areas.[43]

This area should be included in the expansion area.

Old Sheridan Road

In accepting the exclusion of the Old Sheridan Road Area the Response states (p. 40):

> "The department agrees with the city's findings that transportation facilities cannot reasonably be provided to this area under ORS 197.298(3)(b). This area extends in a linear fashion southwest along Highway 99W. Portions of the area on the south and east side of the highway should be excluded for the same reasons as the Booth Bend Road area, above. The long, narrow shape of this area fronting on the highway

[38] Response, p. 40
[39] News-Register article placed in local record.
[40] *MGMUP*, p. C-88
[41] *MGMUP*, p. C-93
[42] *MGMUP*, p. C-92
[43] *MGMUP*, p. C-84

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> would extend urban traffic out past the present UGB. Since the highway is the most direct way to reach almost all other destinations in the city, the additional traffic would necessarily use the highway for most trips rather than any local streets."

This response misunderstands the relevant facts. Regarding the parcels south and east of the highway, we note that unlike North Plains, McMinnville's pre-expansion UGB *already* extends across Highway 18.

As for the transportation issue, the conclusion that the additional traffic would necessarily use the highway for most trips rather than any local streets is simply wrong. The area also fronts Old Sheridan Road, which provides an equally direct to reach almost all other destinations in the city.

In fact, urban levels of residential development are already occurring within the adjacent part of the city to the east that also lies between Highway 18 and Old Sheridan Road. This development has no access to Highway 18 and takes all access from Old Sheridan Road. This is clearly illustrated in Figure 51 the MGMUP, Appendix C, page C-100.

According to the *MGMUP*, the Old Sheridan Road area contains approximately 35.5 gross buildable acres and the sub-area is virtually flat.[44] Adjacent areas within the existing UGB are already developed or planned to develop with residential uses.[45] The *MGMUP* concludes that, "urban services necessary to support [urban densities]... can be extended to it."[46] Costs of providing water and electrical services are estimated to be moderate and low, respectively.[47] While sewer costs are estimated to be high, this is due in part to the cost of providing service to the southern portions of the sub-area, which are more distant from the existing UGB.[48] The City did not consider the costs of sewer service if just the portions of the sub-area closest to the UGB were to be included.

Riverside North

In accepting the exclusion of the Riverside North Area, the Response states (*p.* 40):

> "The department agrees with the city that this area cannot reasonably accommodate residential use because of the noise and odor associated with the adjacent sewage treatment plant, industrial use and railroad. This location is not suitable for residential use."

This is a large area. It contains developable land that is up to half a mile from either the sewage treatment plant or any industrial use. There should be ample opportunities to provide buffering between any incompatible uses.

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[44] *MGMUP*, p. C-97
[45] *MGMUP*, p. C-100
[46] *MGMUP*, p. C-107
[47] *MGMUP*, p. C-106
[48] *MGMUP*, p. C-106

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This area is within the "natural edge" of the Yamhill River that the *MGMUP* states should define the urban area. It contains over 36 gross vacant buildable acres.[49] It is evident from the aerial photo on page C-42 of the *MGMUP* that virtually all of the land outside of the floodplain is vacant. The sub-area is "predominantly flat to gently rolling terrain..."[50] The *MGMUP* concludes that, "urban services necessary to support [urban densities]... can be extended to it."[51]

In concluding that this sub-area could not reasonably accommodate identified land needs, the City relies heavily on its proximity to nearby industrial uses, especially Cascade Steel.[52] This reliance is misplaced for the following reasons:

- The City has not adequately addressed the possibility of bringing Riverside North into the UGB as industrial land, and then rezoning existing industrial land within the existing UGB for residential and/or commercial uses. This would allow identified land needs to be reasonably accommodated on higher priority lands, rather than lowest priority lands. Among other possible areas, the aerial photos in the record show a large, vacant tract of industrially zoned land directly adjacent to the western edge of the Riverside South sub-area, between Blossom Drive, Miller Street, and Colvin Lane.[53] The Riverside South sub-area is proposed for inclusion within the UGB to be used for residential uses. Redesignation of these adjacent vacant parcels from industrial to residential would reduce potential land use conflicts. Ironically, similar potential conflicts are the very reasons the city advances for excluding Riverside North.

- Elsewhere the City has and continues to plan for and allow extensive areas of residential uses adjacent to industrial uses. See *MGMUP*, p. 7-30.

- Over the 20-year planning period, potential conflicts with Cascade Steel may cease to exist. There are no assurances the steel mill will continue to operate in light of current trends.

B. *Resource Areas*

Floodplain Areas

We objected to the expansion of the UGB *beyond* the buildable portions of the Three Mile Lane, Norton Lane, and Grandhaven sub-areas to include hundreds of unbuildable acres of prime farmland located in floodplain. The City classifies all land in floodplains as unbuildable. In each instance, the buildable areas are adjacent to the existing UGB and inclusion of these extra unbuildable acres of farmland is neither justified nor

[49] *MGMUP*, p. C-45
[50] *MGMUP*, p. C-41
[51] *MGMUP*, p. C-45
[52] *MGMUP* pp. C-52 and C-142
[53] *MGMUP*, pp. C-57, C-4, p. 7-30

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necessary.[24] In these three resource sub-areas, the City has unnecessarily included large areas that cannot reasonably accommodate identified needs.

The Response agrees with this objection with respect to the Three Mile Lane and Norton Lane areas and states (p. 42):

> "To address this issue the city needs to either delete the unbuildable floodplain portions of these sites from the UGB or justify a need for these lands for urban use under Goal 14, Factors 1 and 2."

Although we raised this same issue with respect to the Grandhaven area, where floodplain appears to equal about 40% of the total area, the Response seems to have missed our inclusion of the Grandhaven area in our objection and does not address it.

We believe this is an oversight that should be corrected.

Conclusion

Once again, we wish to express our appreciation for the Department's diligence in working to ensure appropriate resolution of this matter.

Sincerely,

For Merilyn Reeves
Merilyn Reeves
Friends of Yamhill County

For Larry Rucker
Larry Rucker

For Mary Kyle McCurdy
Mary Kyle McCurdy
1000 Friends of Oregon

Sid Friedman
1000 Friends of Oregon

Attachment:
Petitioners brief LUBA No. 2001-093

[24] See MGMUP, Figures 73, 77, 85, 109 pp. C-147, C-152, C-163, C-197

FROM WINTERBROOK

WOODBURN PLANNING COMMISSION MEETING MINUTES
February 24, 2005

CONVENED The Planning Commission met in a regular session at 7:00 p.m. in City Hall Council Chambers with Chairperson Lima presiding.

ROLL CALL

Chairperson	**Lima**	**P**
Vice Chairperson	**Bandelow**	**P**
Commissioner	**Vancil**	**P**
Commissioner	**Grigorieff**	**P**
Commissioner	**Hutchison**	**P**
Commissioner	**Jennings**	**P**

Staff Present: Jim Mulder, Community Development Director
Naomi Zwerdling, Senior Planner
Deniece Won, Assistant City Attorney

Also Present: Greg Winterowd, Winterbrook Planning

Chairperson Lima provided an opening statement for Public Hearing.

Staff introduced the newly appointed Planning Commissioner and former City of Woodburn Mayor, Richard Jennings.

The Commissioners welcomed Commissioner Jennings.

MINUTES

A. Woodburn Planning Commission Special Meeting Minutes of February 3 , 2005

Vice Chairperson Bandelow moved to accept the minutes as presented. Commissioner Vancil seconded the motion, which unanimously carried.

B. Woodburn Planning Commission Meeting Minutes of February 10 , 2005

Commissioner Vancil made a motion to accept the minutes as written. Motion was seconded by Vice Chairperson Bandelow, which carried unanimously.

BUSINESS FROM THE AUDIENCE

None

COMMUNICATIONS

A. Woodburn City Council Meeting Minutes of January 24, 2004

PUBLIC HEARING

A. Legislative Amendment 05-02, City-initiated proposal to amend the Woodburn Development Ordinance. (continued from February 3, 2005)

Chairperson Lima clarified there would only be Commission discussion tonight because the hearing was closed at the last meeting. He indicated persons with questions or concerns will have another opportunity to come before the City Council and clarified the Planning Commission are not the final decision maker body.

EX-PARTE CONTACTS

Commissioner Jennings reported for the record he received a letter concerning this item on the agenda, which he handed over to the City Administrator.

Commissioner Vancil also indicated he had an ex-parte contact with one of the property owners since the last hearing.

Staff indicated he also received a copy of the letter Commissioner Jennings referred to as well as a few other letters after the close of the hearing. He stated he would forward those letters to the City Council when they have their hearing so that they will be able to review that testimony at that time. Staff mentioned the Commission received copies in their packets of all the testimony, a copy of the minutes of that meeting, and a copy of Staff's comments on the testimony that was received. Staff recommended the zoning in the Downtown areas of Second and Third St. be left the way it is based on the substantial amount of testimony from the neighbors. He further commented that issue can be revisited when the City updates its Downtown Plan, which is a Council goal. The anticipation is that they would be able to update the Downtown Plan by July 2006 and as part of that process it would allow you to look at the issue of what future land use should be in the Downtown area in context of the Downtown Plan. Staff further remarked it would also provide a better forum to have a greater public outreach and involvement as far as having either neighborhood meetings or open houses to allow the affected property owners to come in and review in detail what is being proposed in the Downtown area and see how they would then fit in and allow them to comment.

DISCUSSION

Commissioner Vancil referred to the issues of the location of industrial land in regards to I-5, the lack of land that has that kind of capability and he questioned why wasn't the land North of the outlet center on Arney Rd. considered?

Greg Winterowd responded the City looked at the information provided by EcoNorthwest, searched throughout the Urban Growth Boundary for industrial land that met State requirements including some land on Highway 99 and compared the need with the supply and looked for I-5 sites. He further commented what is being referred to as too much land is simply a linking of the site requirements identified in 2001 in the Economic Opportunity Analysis with available parcels immediately outside the Urban Growth Boundary. Mr. Winterowd emphasized you need at least an adequate supply of suitable sites to meet the identified needs from the Economic Opportunity Analysis, as required by State Statute ORS 197.712. Additionally, we want to make sure agricultural land is used exclusively for industrial with very strong policies to protect it, master planning requirements to make sure it is developed efficiently and prohibitions on changes to commercial zoning. With those provisions, it would be an agricultural use in the event we do not need all that land. In closing, Mr. Winterowd reported it was his thought they followed State law and followed what the City Council determined the direction should be on economic development three years ago.

Staff commented various property owners North of the Woodburn Company Stores are requesting that about 125 acres be brought in as industrial land. He further indicated the primary argument against that is that Staff does not see that as the best use of that property as industrial land and it would actually be better utilized as commercial property, especially the portions between the tributary of Senecal Creek and I-5, which would be more of an extension of the commercial type development of the Outlet Mall. The property between Senecal Creek and the residential area on Woodland would be better suited to residential type development whether that be single or multi-family. Based on that and based on the fact that they are only proposing to bring in 12 acres of commercial, they are not showing the need or justification to bring in any more than that, certainly not anything close to 125 acres. He also addressed the issue regarding bringing that in as industrial property and indicated that does not meet the land use, transportation nor the economic goals because the Economic Opportunity Analysis and the strategy adopted and accepted by the City Council, emphasized the importance of being along the freeway but also part of that plan is to try and consolidate it in the Southwest area. Additionally, the lower quality soils to the South support going that direction more than they support going to the North. From a transportation standpoint, that makes a lot more sense because we have the proposed South arterial that

would allow traffic to come around and get onto the backside of the interchange. Moreover, with the precarious funding for the upgraded interchange particularly over the short term, it will be extremely important to try to get as much traffic to feed around to the Westside of the interchange.

Commissioner Jennings inquired if those property owners have the option to make an application should they decide that industrial would not work but commercial will as it comes before the City Council? He indicated he would hate to see those people shut out and if there is a way in which they can accomplish their mission and we could accomplish ours all at the same time then we are all happy.

Staff responded that is currently an option independent of this process. Any proposal for urban growth expansion under 50 acres can be done as a Post Acknowledgement Plan Amendment, which means the City Council and County would approve it and it would only be subject to appeal to the State Land Use Board of Appeals.

Commissioner Vancil mentioned one of the issues discussed in the Transportation Plan was that we want to restrict the number of trips around that interchange and the Oregon Department of Transportation would have a fit because of the commitments that potentially have been made throughout this whole planning process to not putting more large big box type developments because we cannot handle the capacity now. He was confused how trips generated on Arney Rd. would be any different than trips generated on Butteville Rd. Secondly, he stated he was taken by surprise when the written testimony came in to find out that the owners of the land on the East side of town were interested in developing that land because that is not something that had been discussed in any of the meetings that he attended during this process since last October. Upon investigation, Commissioner Vancil discovered that the family that owns land to the East made the City aware that they were interested in developing that area nine months ago but the Commission were never told that was even on the table. He urged the Commission to consider the reduction of some of the land between Crosby Rd. and the freeway or the reduction of some of the land that is proposed for Nodal Development and add 100 acres on the other side of town. Commissioner Vancil pointed out we have the transportation infrastructure to do some development on that side of town. In closing, he stated he supported not changing the Downtown neighborhood into a commercial area because that is a neighborhood we should be committed to preserve.

Vice Chairperson Bandelow indicated it was her understanding the reason why they were not going East prior to Measure 37, at which time there was no consideration of going in that direction, is the quality of the farmland that we would have met with if we felt we had any opposition to expanding to Class 2 or Class 3 soils that are around the freeway. It was her understanding that the farmland to the East has always been prime farmland and there are some wetlands on that property and things she thought would have brought in horrendous opposition.

Staff explained part of the reason they did not propose to go out that direction deals with State Statutes and the priority for bringing land in. Firstly, that area is predominantly Class 2 soils, which is prime farmland around Woodburn. Secondly, another factor they had to look at and analyze was the cost of providing public services. He reported out of the analysis done by the Public Works Department, there were eight study areas around the UGB that were studied and that was the one area that was shown to be the most expensive area to service mainly because of the pump station requirement because it slopes away from the City toward the river. Thirdly, transportation was an important factor why they were not proposing to expand out that direction because they are trying to minimize the additional traffic going down Highway 214 to the interchange. This traffic is the least likely to come around the backside of the interchange. Although not every larger property owner said they wanted to come in, not one has said they did not want to come in. He further stated it has only been smaller property owners that have not wanted to come in. He indicated he was surprised that Commissioner Vancil was surprised that the property owners on the East side want to come in because there are requests from property owners all the way around the UGB that said they want to come in.

Greg Winterowd commented he perceived the most important thing to do was to find the best industrial

land and use that as a basis for doing further planning. In this situation, they knew they needed the freeway land to make the economy work as directed by the City Council. Additionally, once they allocated the industrial land and they looked where the South arterial would go, they then had to fill in the land that was between the South arterial and the existing City limits. Moreover, they had a huge area of undeveloped land already within the growth boundary that had enormous potential to be planned for higher density, which is why they went to the Southwest. He further indicated because of that, the need to increase densities and to create some sort of neighborhood around the commercial. The options began to run out at that point because they used up all of their land need and if you were to add land in you would probably have to take it out of someplace. However, that does not mean there are not places that you could look at taking land out but it is hard along the Southwest corner because if the South arterial is a difficult thing to achieve, it will be impossible to achieve unless we have development next to it to help pay for it.

Commissioner Jennings commented 100 percent of the people he talked to living on East Lincoln, Serres Ln., Tomlin, etc. say that if they are not broke, don't fix them. He agreed with Commissioner Bandelow in that the farmland on the West side is muck.

Vice Chairperson Bandelow agreed with Commissioner Vancil as far as the Downtown area. She further stated although the goal is to try to make everything be equal and not have the Comprehensive Plan in opposition to the zoning inside the City perhaps we were looking at it the wrong way and need to go in the other direction and change the Comprehensive Plan rather than the zone in the Downtown area. Moreover, she strongly agreed with the goals that were set for the Urban Growth Boundary because this has been a community that has had double-digit unemployment for a long time. She liked the idea that the large tracks are set aside and the 100 acre site will stay in farmland until it is going to be filled with one employer that could make a real difference to the City. Additionally, she thought it is a good goal to have those targeted industries coming in. Commissioner Bandelow further indicated she liked the way the UGB is set and had no real arguments with it. However, the property by the School District needs to be brought in either by creating an exception/exemption and show that there is a need or take out some of the residential that is being brought in and replace it with the School District property. She questioned how difficult would it be to bring the School District property under a special need case or would it be something we would be fighting for too long a period because the School District needs to prepare their plans soon.

Greg Winterowd stated he had a great deal of sympathy for the School District as they have a very tight budget and need to be fiscally responsible when they purchase land. It appeared to him that they chose the site on the East side for a reason (student population, crossing Hwy. 99E to get to school, etc.) yet there wasn't enough information in the record for Staff to tell the Commission it is a sure thing. There was a plea to the School District to sit down with Staff and do more advanced facilities planning so we have a better understanding of their rationale for why the school needs to be located there. It was Mr. Winterowd's recommendation to come up with a Statute of Special Need as a way to go. However, we should probably be looking at removal of approximately 20 acres of land elsewhere in the absence of the Statute. He indicated most of the lines on the UGB are pretty straight and most of the buffers from agricultural land are major roads or streams and he was somewhat reluctant of taking pac-man bites out of the UGB until the special need option was explored further.

Vice Chairperson Bandelow indicated although that made sense to her, there are time constraints and the UGB is something we do not want to be dragging our feet on in any case.

Greg Winterowd suggested that she recommend that we include that site and that the first preference of the Commission would be to work with the School District to find a locational justification for including that site within the Urban Growth Boundary and failing that, to look at another area to be removed. He indicated the intervening property would also be brought in.

Chairperson Lima requested clarification as to why another piece of land would need to be removed?

Greg Winterowd explained you have to project land use needs 20 years in advanced under Oregon Law. The figures for the Housing, Industrial, Parks and School Needs Analysis together come in within 8 acres of the total what they said they needed and what they currently have. It is his goal to minimize the likelihood of a remand when we go to Land Conservation Development Commission (LCDC). It would be an automotic remand if we have more land than we can justify. Therefore, we have to have the supply side and the needs side matching up.

Commissioner Vancil asked whether the testimony received from the School District indicating we were either 37 or 49 acres short is incorrect and the City's math is correct?

Greg Winterowd replied the School District's math is correct. He further stated we looked at their math and incorporated in to our numbers and because we made a mistake last year in the Buildable Lands Inventory mapping where we thought more of the land by the golf course was unbuildable was actually developed. In going back to look at the mapping mistake, the additional land that the school needed almost exactly matched our mistake. Therefore, although there was a misconception by the School District that we did not listen to them because the numbers looked the same from the work that was done, we did listen. Mr. Winterowd further commented there could be a case made that we need a school in a particular location in the growth boundary to serve the needs of that neighborhood. However, he did not have the information to know whether a good case could be made for that. He indicated he would need to work with the City Attorney's office, City Planning Staff and the School District to make sure we have a reasonable case before we put the City at risk for having the plan returned back to us. Nonetheless, the Commission should ask themselves what land should we take out of the UGB if we cannot make a case.

Vice Chairperson Bandelow expressed concerns with the freeway overlay zone although it is something that the Oregon Department of Transportation (ODOT) states we have to have and have to include to gain their support for our UGB expansion. She stated she is bothered by the idea of ODOT becoming an operative of our City planning although she is aware that the two have to interconnect because transportation is a key part of that. Vice Chairperson Bandelow further commented it will effectively constrain the development of some areas particularly if someone brings in a business that takes up a lot of trips when you have an overlay zone that spells out certain number of trips for certain numbers of properties. However, although she was not concerned so much with the area that we currently have, she was concerned with things that may occur in the future. Nonetheless, she would be in favor with the discussed exceptions of the school property and the Downtown area.

Commissioner Grigorieff thanked Staff for considering the Downtown area properties. She agreed with the plan but was concerned about the school property. She questioned whether Staff had any idea of where the 20 acres would be taken out if they decided to go with that option to accommodate the School District's property and whether this gets decided tonight?

Staff replied a recommendation would be made tonight and ultimately the Council would provide direction as to making whatever changes. He further explained it is not as simple as changing the map because all of the supporting justification documents are based on this proposal. Staff compared the process as a house of cards in that we are trying to satisfy all the State Statutes and rules in constructing this house of cards. However, when you start tinkering with different things, you may have to rebuild the house of cards because it is not just a matter of taking one card out and sliding another one in.

Commissioner Jennings suggested not to demand a change be made tonight and to make a recommendation that it be changed at the Council hearing.

Staff indicated it would take some time and analysis to try to figure out where to subtract land from and the impact that would have on the Transportation Systems Plan and on all the other supporting documents.

Vice Chairperson Bandelow commented if we are going to forward recommendations that the Council first

proceed on looking at whether or not we can do this as a Statute of Special Needs for the school and failing that being probable, at least we should be able to have some probability as to whether or not that would work, then recommend to the City Council that they then remove some land if that does not seem plausible. She felt it would seem with what is currently going on in the State Legislature with the desperate need for money for schools, a case should be able to be made for property that is already owned by a school. Vice Chairperson Bandelow further remarked the cost would be horrendous for the School District if they had to purchase property somewhere in the residential areas.

Staff interjected that is Staff's recommendation and they are not opposed to bring that property in. However, we do not have enough information to create a strong case to justify bringing the property in as a special exception area, which is why we need to obtain that information from the School District. He indicated although Staff has met with the School District, it is up to the school to be proactive in pursuing this.

Greg Winterowd interjected a lot of school districts have master facilities plans that indicate where they need schools, why, when and how much. He stated Woodburn is in the metropolitan area in terms of LCDC and the scrutiny we get from 1,000 Friends of Oregon. The worse thing we could do to the School District and the City, is to take something that is not going to fly to the State and just have it sent back. Mr. Winterowd commented we need to come up with something that resembles a facility plan working with the district so we can be of help to them rather than throwing them a rope when we have the rope to break.

Commissioner Vancil asked Mr. Winterowd whether there haven't been specific discussions with the School District about their needs during the four years he has been working on this and he just went on formulas?

Greg Winterowd responded the School District was contacted early and often. We kept trying to get more information from them but they did not have the information. Mr. Winterowd emphasized we are not simply number crunching and really want to find a way to make this work for the School District. The district supplied numbers of acres, which is different than a specific locational justification for why we have to be at this edge of the UGB. The numbers are not good enough by itself because we need to have a school site of x-number of acres.

Commissioner Hutchison commented the need for growth in this community is one he felt is necessary and he was in favor of the entire process. He was pleased to see that the zoning in the Downtown area was not going to be changed due to the public outcry and testimony received. Commissioner Hutchison stated he thought it would be great to address the School District property issue through the special needs provision. He addressed the transportation overlay and remarked he felt we would exceed capacity before the year 2020. Moreover, the expectation on the one intersection is unrealistic because people are going to get tired of going the back road. He also commented the area behind Smith Addition near the Nellie Muir School is zoned for 3,000 sq. ft. row houses in the Nodal area for affordable housing and it seemed like it would support the industrial site. However, he did not see other Nodal areas anywhere else and it seemed we would be congesting the roads if the Nodal housing is developed before the Industrial area, which is needed to develop the South arterial.

Greg Winterowd clarified you do not want to just have high density housing with no jobs to support it or else it would be a recipe for not good planning. He further elaborated we are looking at a plan that has a lot of interconnected parts and advancing it is an act of faith to a certain extent when planning for 20 years because you can not predict the future. Mr. Winterowd stated they have tried to set up the most likely way to get good access to Butteville Rd. to the West side of the freeway and they believed the likelihood of that industrial area developing very rapidly because services are there and there have been a lot of people knocking on the door. He did not believe the industrial part is a pipe dream, although he does believe it will take a while to get around to the Southeast area on the East side of the freeway. The City has been working very hard to get Evergreen through to connect to Parr Rd. and when that happens

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it will provide a pretty direct shot from Parr Rd. across the freeway to Butteville to the Westside and he thought people would begin to use that as an alternative. Mr. Winterowd further explained part of the Nodal concept is to have a 10-12 acre commercial area some day as the housing comes. The strong hope in Nodal development is that it would be a neighborhood where you could walk to the store and not need to get in your car and go to I-5. Additionally, there are some pretty tough design standards for this development so that it does not turn in to a slum.

Commissioner Hutchison felt Wal-Mart is the dominant shopping area and people are going to go there irregardless. Therefore, we need to make sure that we can get people there.

Greg Winterowd indicated we have a Transportation System Plan but it does depend on things working out and there will be short-term periods when there is an imbalance that will occur. He believed as you get more jobs and the demand for housing will also increase because people want to have affordable housing opportunities near those jobs.

Commissioner Hutchison thought the funding for the Transportation Plan was a little general and he did not know why he did not have a specific forecast of the amount of money needed to make that happen.

Greg Winterowd said it is tough when doing a 20-year plan to have that level of specificity. Therefore, they think they have ODOT funding for the interchange improvements and we know the biggest contributor to the street system is going to be private developers. They are hopeful to have other sources that can help soften the blow to the State and to the private developers.

Commissioner Jennings interjected he was not a stranger to transportation as he was a charter member of the Mid-Willamette Valley Commission on Transportation and was also the Chairperson of the task force that drew up the first transportation plan for the City, which took three years to accomplish. He stated there is no way in the world that you are going to be accurate in computing costs 20-years from now and what those dollars are going to really mean. Commissioner Jennings also stated it would have to be a living document where dollars, ideas and plans change and able to change that TSP to live with it.

Staff also added one of the primary reasons the Urban Growth Boundary was set where they did was to try and maximize developers paying for the improvements because there would be no way the funding will be available to pay for that if the City had to somehow come up with the funds to extend the arterials.

Commissioner Hutchison inquired why the property owners by the outlet center could not have submitted for commercial zoning instead of industrial?

Staff clarified the property owners, separate from this process, could submit an application to the City to bring it in. However, he is not saying it would be an automatic approval because there are multiple factors that apply to whether that can come in or not under the post acknowledgement plan amendment process. The Oregon Department of Transportation (ODOT) would be concerned about the transportation impacts of bringing in more commercial land.

Vice Chairperson Bandelow also added at this point our goal is to get in more industrial and bring in an industry that would provide higher paying jobs because we have a pretty fair supply of minimum wage employment.

Staff indicated they thought it should be up to the property owners to carry the water to justify bringing that land in than to have that jeopardize this process.

Commissioner Jennings stated he supports leaving the Downtown zoning the way it is to allow the Downtown Development Plan take care of it. He reported he watched the hearing from the comfort of his home and heard all of the testimony that was given. Commissioner Jennings remarked it became very apparent to him that there are farmers that live in the area that want to be incorporated in to the UGB change. He also found other people testified who are farmers not affected necessarily by the UGB

change and they do not want it to happen. He questioned whether outsiders are going to tell us what we are going to do with our ground and remarked that would be over his dead body. Commissioner Jennings further mentioned it is the property owner's privilege to sell their ground for development if they are included in the UGB. However, the land would remain agricultural if they are included in the UGB and they do not want to sell their property. Additionally, he made reference to open space and clarified the land is not available to us if the owner of that property chooses not to develop it. He reported he reviewed the documentation and felt qualified to vote tonight. He supported the plan with the modifications to remove the rezoning of the Downtown area; otherwise he would not support it. He also mentioned one of his goals while still in office was to square off the UGB. However, the document has been in the works for over five years and we have to move forward with it and he believed Staff and the public have done a good job in trying to incorporate what is best for the City of Woodburn.

Chairperson Lima pointed out all of the oral and written testimony certainly made an impact. He was pleased the proposed industrial would remain agricultural if it is not used as industrial. He voiced concerns regarding the transportation overlay and said it needs to be reviewed in great detail as we are growing in leaps and bounds and we do not make mistakes that could possibly jeopardize the transportation in Woodburn. He indicated although the plan is not perfect it is a good first step and he supported it. Additionally, he was in favor of Vice Chairperson Bandelow's possible motion to invite the School District to work with Staff.

Commissioner Vancil reported he drove out to Fairwood Village and the areas East of Clackamas Town Center to take a look at the existing Nodal Development. He stated he was not certain in his mind that Woodburn is ready for Nodal Development during this development cycle; perhaps the 2020 development cycle is where that needs to be looked at. Additionally, he commented the Montebello residential area is pretty dense to him and described Nodal development as being about double that density. He indicated he is not as concerned about it becoming a slum or ghetto as he is about the density and what that means during the development cycle. Commissioner Vancil mentioned Settlemier Ave. is how you get from point A to point B in this town and expressed concerns that we decided, as a condition, to recommend that we preserve the historic homes on Settlemier Ave. when we talk about the transportation plan and so there were some adjustments to allow that. However, shoving hundreds if not thousands of people in to that end of town with no guarantees about the transportation issues is a dangerous direction to go. He also thought one of the reasons why there isn't a major grocery store in Woodburn Crossing is because it is too much of a hassle to get to that end of town. Balancing the growth so that we are not putting it all out where we do not have the roads is something that needs to be considered. Commissioner Vancil posed the question if the owner of that land does not want to develop as Nodal and we recommend tonight and the Council approves the Nodal zoning, would that mean that the owner of that property would have to develop that as Nodal development or not develop it?

Greg Winterowd explained the Ordinance states you can go back to 80 percent of the density overall. The average lot size is between 4,000-5,000 sq. ft. you can go to the standard 5,500-6,000 sq. ft. in some portions. Therefore, you can have some combination of larger lots and smaller lots and you are not forced to do it according to a simple plan. Moreover, the hope is that the property owners get together and create for themselves a master plan about how they would like that area to develop. The master planning requirement is there so people will think about the impacts on their neighbors when they do the development ; there is some coordination on how that occurs and there is also some phasing so it does not all occur in a haphazard fashion.

Commissioner Jennings added a report coming out of the Mid-Willamette Valley Commission on Transportation (MWVC) indicates it could appear that we could be well on the road toward getting the road improvements done by the year 2008.

Vice Chairperson Bandelow stated she liked the Nodal development concept but was also not convinced that Woodburn is ready for it right now. However, she is being asked to make a recommendation on a plan that is for the next 20 years and she thought by 2025 it will be done.

Staff reminded the Commission that there would be about 200 acres of low-density residential land where there would be a continuation of the minimum 6,000 sq. ft. lot type development. He further clarified they are not proposing all future development be all higher density type single family development. Moreover, it may be that over the next 5 to 10 years it may be that the area to the North will be the area that will develop first but it all will depend upon the market.

Chairperson Lima stated there is some potential for disaster if Nodal development is not properly planned.

Commissioner Vancil said we do too many variances on the width of roads and now we are talking about a Transportation System Plan that is a multi-year plan and we have not addressed it. Moreover, the work needs to be done before we do the Transportation System Plan as part of the Periodic Review because it is waste of the taxpayer's money to continue to play this variance game with the transportation standards.

Vice Chairperson Bandelow clarified the issue is when developing a single or infill lot development normally you would have to put in the full street improvements even though that street is a half street or it has sidewalks only on one side. Therefore, the party then has to apply for a variance in order to do it. She thought perhaps there may be a way to address, other than in this plan, where it is no longer a requirement to do a variance where you have a street that is not developed on both sides, that the single party should not have to come before the Planning Commission and apply for a variance. It is very expensive and extremely time consuming.

Staff stated there is a fundamental policy issue here as far as how to accomplish upgrading roads to the standards that the City desires, which essentially are reflected in the Transportation System Plan. They did try to accommodate that to a certain extent in the Downtown area by at least stating that the standards are more flexible in the historical Downtown area as far as what street standards are. He further stated it is a case by case basis as to whether the City should require that or not and it has to do with funding. The City is not likely to have the funds to upgrade streets on its own so we really need to put it on the back of those people that are developing but it needs to be proportional to the impact that they are creating. The variance is the process we have available to determine that, which is the discretionary land use process the City has to make such a determination. Moreover, we have typically required the boundary street improvement and again, it depends upon the magnitude of the development as to whether they actually then have to go beyond their property and also do additional improvements. The Commission has denied development on Ogle St. because of the lack of the street improvements and a variance was not granted in that situation. Staff reported making the cost of a variance for at least smaller projects, i.e., minor partition or small design review, more proportional to the scope of their development will be addressed as part of the budget process in updating the fee schedule.

Commissioner Vancil commented it seemed to him some type of wording should indicate that you have to do the street improvements in new and unpaved areas because he thought it is not a good idea to just shove this along during the Periodic Review process.

Staff remarked they would have done that by now if it were that easy based on their experience of implementing the code. He said they did not have any standards or requirements for street improvements before the Council adopted the updated Development Ordinance in 2002 and it was more or less determined by the Public Works Department according to what their policy had been. The City was in a very weak position when they were challenged on that and went to court because it wasn't a standard. It was the policy direction of the City Council at the time that they wanted to put the City in the strongest position to defend itself for requiring improvements proportional to the impact of the development.

Commissioner Jennings reported the City granted a nonremonstrance back when the apartments were constructed on Country Club Rd. However, that will not hold up in court because they do not have to do it but the City allowed that to happen. He agreed in that we should get away from granting all kinds of variances but they have to be done on a case-to-case basis. It was further reported by Commissioner

Jennings that it is possible that the City may have to pick up the tab for all of the improvements in front of the apartment complex on Country Club Rd. because what was granted by the City will not hold up in court.

Vice Chairperson Bandelow suggested perhaps reducing the cost for a variance for street improvements when it applies to a minor partition.

Commissioner Vancil thought it is the responsibility of the Commission to make sure that we do not end up having volumes of restrictions about developing a piece of property in the City of Woodburn. The Commission needs to recommend to Council that they slash granting variances on things that they are time and time again granting.

Deniece Won addressed the variance and street standards issues and the Supreme Courts decision in Dolan on exactions on development approvals having to be proportional. She commented part of the court decision is that if the City is going to make an exaction, the burden is upon us to prove the proportionality and the variance vehicle that is drafted in the WDO was a mechanism to reverse the burdens and put it upon the applicants. We have a standard that you have to improve the road system but if you feel that violates your constitutional rights, then you need to tell us why it violates your rights by means of the variance, which is a way out. Although the variance may be a cost and some time for the Commission in reviewing that, it can be saving a great deal of cost in litigation. She prefaced the Transportation System Plan is a 20-year objective for street improvements and there are various ways of building those improvements to get to that long-term goal such as exactions and development charges for the new growth, the City could make a contribution or obtain grants or get people to build a part of that. It was her thought that the issue of the variance isn't an issue related to the transportation plan but an administrative issue related to the workings of the WDO and the place to address that would be potentially in the discussions that are about to occur when we get done with this project on larger subjects for the annual review of the WDO.

Commissioner Vancil inquired if that issue escaped the recent annual review?

Staff replied that issue was not addressed this time around. However, that can certainly be initiated the next round of updates.

Greg Winterowd interjected the periodic review amendments include WDO amendments but they are to implement a new plan not to fix lingering problems that exist.

Commissioner Hutchison said there is too much Nodal development in the one central area unless there is a guarantee that the permits for these developments are going to be released in proportion to the growth of the job force to support that area.

Greg Winterowd mentioned that the 1,000 Friends of Oregon provided testimony regarding how supposedly we were squandering land, moving in to farmland and being very wasteful of our valuable resource. The alternative is to have lower density housing however, if we do that we run in to Marion County and their Framework Plan, the 1,000 Friends of Oregon and their claim of wastefulness and LCDC staff who will say we are using too much land for housing and population. He indicated the reason it is written that way is to focus first on the industrial and also take precautions to make sure that the higher densities we are proposing are well planned and that they do have access on to arterial and collector streets through the Transportation System Plan. We would be expanding the UGB further than we are already if we were to abandon the notion of higher density housing now. It was Mr. Winterowd's prediction that we would have this plan back in our laps fairly quickly and we would have to start all over again. Although he was not saying that no concerns exist about higher density, they have done everything they can through the planning process and design controls to let the market work. There are a lot of steps along the way to make adjustments to make it work better. However, if you do it now it makes it tougher to get the whole package through. Additionally, the Planning Commission has the ability through the master planning process to say although it is understood that the market may not be there yet

for this, show us where we can make up for that. Therefore, overall we are achieving the density objective for this but it does not say everybody has to plan for 3,000 sq. ft. lots. The whole intent of this is to create homeownership opportunities and to de-emphasize apartments in favor of smaller lots that have design review and front porches. He indicated there would be the same effect on the transportation system if you spread all those houses out on to farmland, it would just be more spread out. The tough question is what are we going to do instead and how are we going to get through the process if we don't do this now.

Commissioner Jennings mentioned the goal of the City Council is that the mean salary in Woodburn would be between $36,000 to $40,000, which means we are going to create the jobs to support it. Moreover, the politics of the picture is that this plan will not get through DLCD if you do not include the high density housing and it would cost the City a lot more in tax dollars.

Chairperson Lima asked if there is a plan to issue permits according to the number of jobs created by the industrial area?

Greg Winterowd answered you cannot create a quota on housing but you can create conditions required for annexation and once you are annexed, you have design review. Through the master plan and design review process Staff tried to give the Planning Commission as much authority as they could under the law without violation housing goal #10 that gives you the authority to phase development as jobs occur.

Staff commented we are not in a situation where Woodburn controls its complete destiny, not in the State of Oregon. He said it is not a given that it will be low-quality low-income type housing as it could be very nice and expensive housing.

Commissioner Vancil asked Staff if we approve the plan as written, what is to stop a century farm from developing anyway in a Measure 37 atmosphere?

Staff responded it should not impact or make a difference on what is currently being considered.

Vice Chairperson Bandelow used the Serres property as an example and clarified their claim under Measure 37 would be with the County because they are not part of the City and are not being hurt by the City. Therefore, the City is not going to bear that burden of having to pay them off or allow the development and provide services. However, it would not be a cost that Woodburn will have to bear if they come in under Measure 37 and develop on their own.

Commissioner Jennings also added the City does not have to approve the annexation if they were included and came in if you have good reason to not approve it.

Randy Rohman, Public Works Department explained we are in a gravity system and 92-93 percent of the sewage ends up over in the Mill Creek lift station by the High School, which gets pumped to the treatment plant. There is a break in that area where the ground starts to flow towards the Pudding River and that ground ends up being lower. Therefore, you have no way of getting that sewer to the rest of the City by way of a gravity system and you have to install lift stations along that area. The cost of lift stations makes it disproportionally more expensive to put in that sort of development. He indicated the major point is that you do not have the opportunity to put a gravity system in that area whereas, there is a major lift station in the area to the West adjacent to Wal-Mart that has about a 39-40 ft. wet well that allows that entire area to be fed by gravity to that station. The lift stations have a life span as well as a relatively significant maintenance cost and replacement would be borne by all of the users citywide, not just the development. It is the most expensive place and naturally that would be the place you would look to last. Mr. Rohman mentioned there are business decisions made when looking at infrastructure and expansion and you try to avoid the highest cost areas.

Vice Chairperson Bandelow made a motion to recommend to the City Council approval of Legislative Amendment 05-01 of the Woodburn Comprehensive Plan Update with the exceptions that the City

Council work to achieve a Statute of Special Needs for School District property located on the Eastern boundary and as a backup plan if that proves too difficult to do, that they keep open the option of removing some residential property in order to bring in the school property; and that the zone change be removed for the Downtown area from the Development Ordinance.

Commissioner Jennings questioned if in fact we end up having to take in two pieces of property that are not listed today, would that trigger another public hearing so the property owners have a right to protest and would they be noticed?

Staff responded technically they do not have to be noticed because everyone within the study area has already received notice and you could consider that the onus is on each property owner to follow the process all the way through and not assume that something might not change. However, although we are not required to send individual notice, we certain could do so if that were the case.

Commissioner Vancil seconded the motion, which unanimously carried.

ITEMS FOR ACTION

A. Final Order for Partition 04-06, Variance 04-26 and Variance 05-02, request to partition property located at 1123 McKinley Street into two parcels, variance request to the street standards on McKinley Street and variance request to lot orientation, Greg Allen.

Commissioner Jennings announced he would abstain from voting on this issue and would not partake in the discussion because he was not present at that meeting and was unable to review the materials.

Vice Chairperson Bandelow moved to approve the Final Order as written. Commissioner Hutchison seconded the motion. Motion carried.

DISCUSSION ITEMS

Staff expressed gratitude and appreciation to the Commission for all of their hard work during the Woodburn 2005 Comprehensive Plan Update process.

Commissioner Jennings requested Mr. Terry Cole, Oregon Department of Transportation, provide an update as to where we are on the interchange upgrade.

Terry Cole, Oregon Department of Transportation reported we are moving towards a public hearing on the environmental assessment document and hope to have that completed next Fall. Funding for design and some right-of-way purchase is available; however, they do not have funding for construction but are hopeful in obtaining that. He indicated although it is a $40 million project and as it stands right now $34 million shortfall in what they need to get to make that happen, it is the number one priority with the Mid-Willamette Valley Commission on Transportation. Mr. Cole further commented he thought they possibly could have the project ready to go by 2008 but they are really going to have to do a lot hard work to get the funding by that time. Having said that, he stated they have a lot of interested private parties and ODOT is certainly interested in finding any way to help get the project moving. They will be looking at very innovative and creative ways in the coming months to try to put together a coalition of funds.

REPORTS

None

BUSINESS FROM THE COMMISSION

None

ADJOURNMENT

Commissioner Jennings moved to adjourn the meeting. Vice Chairperson Bandelow seconded the motion, which carried unanimously. Meeting adjourned at 9:50 pm.

APPROVED _____ 03/10/05
CLAUDIO LIMA, CHAIRPERSON DATE

ATTEST _____ 3-10-05
Jim Mulder, Date
Community Development Director
City of Woodburn, Oregon

CITY OF WOODBURN, OREGON
PLANNING COMMISSION
STAFF REPORT

February 3, 2005

LEGISLATIVE AMENDMENT 05-01
"Woodburn 2005 Comprehensive Plan Update"

I. PROPOSAL:

This is a proposal initiated by the Woodburn City Council to amend the Woodburn Urban Growth Boundary, Woodburn Comprehensive Plan text and map, Woodburn Development Ordinance, and Woodburn zoning map. These amendments, in part, are proposed to complete the City's Periodic Review Work Program.

II. RELEVANT FACTS:

The City of Woodburn is currently in state mandated periodic review of its comprehensive plan (Land Conservation and Development Commission Work Order #00784). Under this review, the City is required to complete 11 work tasks. These work tasks are outlined as follows:

- Task 1.a Buildable Land Inventory
- Task 1.b Prepare Growth Management Ordinance
- Task 2 Commercial and Industrial Lands Inventory
- Task 3.a Update Public Facilities Plan
- Task 3.b Revise Transportation System Plan (TSP)
- Task 4 Wetlands Inventory and Natural Resources Study
- Task 5 Recreation, Parks and Open Spaces Plan
- Task 6 Historic District and Downtown Plan
- Task 7 Changes in Goal/Objective, Unanticipated Events
- Task 8 Update Plan and Zoning Ordinance, Other Related Ordinances
- Task 9 Planning Coordination
- Task 10 Citizen Involvement
- Task 11 Collating/Printing/Mapping

Work Tasks #5 (Recreation, Parks and Open Spaces Plan) and 6# (Historic District and Downtown Plan) have already been completed and acknowledged by the Oregon Land Conservation and Development Commission (LCDC). All remaining tasks have been completed, except for Tasks 9, 10, and 11. Work Task 9 is currently in process with the city coordinating a new urban growth boundary management agreement with Marion County. It is anticipated a new agreement will be approved by the City Council when it adopts the proposed amendments. Work Task 10 is currently in process and will be completed by

submitting a citizen involvement report to LCDC after the City Council adopts the proposed amendments. Work Task 11 will be satisfied when the City Council adopts the ordinance approving the proposed amendments.

Completion of the periodic review work program requires the City to revise the Woodburn Comprehensive Plan text and map, Woodburn Development Ordinance, and Woodburn zoning map. In addition, to comply with state statutes mandating the city provide a 20-year buildable land supply, the urban growth boundary (UGB) is proposed to be expanded.

Extensive public involvement has occurred throughout the periodic review process that began in 1997. Most recently, four work sessions with the Planning Commission to review the proposed amendments and three work sessions with the City Council and Planning Commission to review the draft Transportation System Plan Update were completed. Public hearings on the proposed legislative land use amendments are scheduled before the Planning Commission on February 3, 2005 and the City Council on March 28, 2005. As required by the Woodburn Development Ordinance, the City Council initiated this legislative land use amendment by resolution on January 10, 2005.

III. APPLICABLE APPROVAL CRITERIA:

A. City of Woodburn Comprehensive Plan - Chapter IX. Goals and Policies
B. Woodburn Development Ordinance Section 4.1
C. Oregon Revised Statutes, Chapters 197 and 227
D. Statewide Planning Goals 1 through 14

IV. ANALYSIS:

When the proposed amendments are adopted by the City Council and acknowledged by LCDC, the City will have completed its periodic review work program. The proposed amendments, maps, and supporting documents are compiled in a document called the City of Woodburn 2005 Comprehensive Plan Update (Exhibit "A"). In addition, an attachment to this staff report contains draft findings of fact (Exhibit "B") that demonstrate compliance with the above referenced approval criteria. A summary of the proposed amendments is provided below.

Comprehensive Plan Text Amendments

The Comprehensive Plan text is generally reorganized and updated. Significant new and amended goals and policies are proposed as follows:

- Residential Land Use and Housing goals and policies are amended to provide for a Nodal Development Overlay District.

- Industrial Development goals and policies are amended to incorporate recommendations of the 2002 Economic Opportunities Analysis and Development Strategy and to create a Southwest Industrial Reserve Overlay District.

- Marion County Economic Coordination goals and policies are added to provide for coordination with the Marion County Growth Management Framework Plan.

- Commercial Lands goals and policies are amended to encourage infill and redevelopment and to create a Nodal Neighborhood Commercial District.

- Transportation goals and policies are amended to be consistent with the updated Transportation Systems Plan and to create an Interchange Management Area Overlay District.

- Public Facilities goals and policies are added to consolidate and coordinate the water, wastewater, storm water, and transportation plans.

- Natural and Cultural Resources goals and policies are amended to create a Riparian Corridor and Wetland Overlay District.

Woodburn Development Ordinance Amendments

The Woodburn Development Ordinance is amended to implement goals and policies of the Comprehensive Plan. Significant new and amended regulations are proposed as follows:

- Six new overlay districts are created. These are the Nodal Single Family Residential (RSN), Nodal Multi-Family Residential (RMN), Nodal Neighborhood Commercial (NNC), Riparian Corridor and Wetlands Overlay (RCW), Southwest Industrial Reserve Overlay (SWIR), and Interchange Management Area Overlay (IMA). The regulations of these proposed overlay districts are summarized as follows:

    - The RCW will generally restrict development within 50 feet of designated creeks and watercourses.

    - The SWIR will require master planning of the district to provide for minimum lot sizes for targeted types of industries.

    - The RSN and RMN will allow for higher densities and smaller lot sizes.

- The NNC will be restricted to neighborhood commercial uses and will require dedication of public space.

- The IMA will restrict development based on vehicle trip generation based on proposed development.

- Minimum density standards are established in the Single Family Residential District (RS), Retirement Single Family Residential District (R1S), and the Medium Density Residential District (RM).

- Street improvement cross-sectional standards are generally reduced.

Woodburn Comprehensive Plan Map Amendments

The Comprehensive Plan Map is amended to apply land use designations to areas proposed to be added to the City's UGB, to apply proposed overlay districts to areas within the current UGB, and to change land use designations within the current UGB to maximize efficient use of land and provide more appropriate land use designations considering surrounding land use and future development potential. Proposed changes will affect many properties in the proposed UGB and within the existing City limits.

Woodburn Zoning Map Amendments

The Zoning Map is amended to apply the Nodal Single Family Residential (RSN) and Nodal Multi-Family Residential (RMN) overlay districts to existing RS and RM zoned properties south of the southerly extension of Evergreen Road. The Southwest Industrial Reserve Overlay (SWIR) is applied to the southerly portion of the Winco Distribution Center property. The Interchange Management Area Overlay (IMA) is applied to commercial and industrial zoned property around the freeway interchange and to undeveloped residential zoned property south of the southerly extension of Evergreen Road. In addition, zone changes are proposed to many properties within the existing City limits to maximize efficient use of land and provide more appropriate zoning considering existing comprehensive plan designation, surrounding land use and future development potential.

Woodburn Urban Growth Boundary Amendment

Based on the results of the City's periodic review, the City proposes to expand the UGB to provide a 20-year buildable land supply and provide for 20-year projected economic growth. The City proposes to expand the UGB primarily to the west and southwest of the existing UGB and to the north of the existing UGB on either side of Boones Ferry Road. Smaller UGB expansions are proposed along Highway 99E at the north and south ends of the existing UGB.

V. RECOMMENDATION:

Staff recommends that the Planning Commission direct staff to prepare a final order recommending that the City Council adopt the proposed amendments to the Woodburn Urban Growth Boundary, Woodburn Comprehensive Plan text and map, Woodburn Development Ordinance, and Woodburn zoning map.

Attachments:

Exhibit "A" - City of Woodburn 2005 Comprehensive Plan Update (previously provided to Planning Commission)

Exhibit "B" - Draft Findings of Fact (to be delivered to Planning Commission at 2/3/05 hearing)

Exhibit "C" - Written testimony received prior to 2/3/05 public hearing:

C-1: Letter from Woodburn School District, received 8/30/04
C-2: Correspondence from Martin Rohrer, received 1/21/05
C-3: Letter from Keith Woollen, received 12/21/04
C-4: Letter from Mark Castor, received 8/25/04
C-5: Letter from Ivan Cam, received 12/23/03
C-6: E-mail from Kevin Crosby, received 4/12/04
C-7: Letter from Paul Serres, received 1/3/05

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WOODBURN PLANNING COMMISSION SPECIAL MEETING MINUTES
February 3, 2005

CONVENED The Planning Commission met in a special session at 7:00 p.m. in City Hall Council Chambers with Chairperson Lima presiding.

ROLL CALL

Chairperson Lima	P
Commissioner Vancil	P
Commissioner Grigorieff	P
Vice Chairperson Bandelow	P
Commissioner Hutchison	P

Staff Present: Jim Mulder, Community Development Director
Naomi Zwerdling, Associate Planner
Deniece Won, Assistant City Attorney

Chairperson Lima set the ground rules for the Public Hearing and provided an opening statement.

PUBLIC HEARING

A. Legislative Amendment 05-02, City-Initiated proposal to amend the Woodburn Development Ordinance.

Staff reported the proposal was initiated by the Woodburn City Council to amend the Woodburn Urban Growth Boundary, Woodburn Comprehensive Text and Map, Woodburn Development Ordinance and the Woodburn Zoning Map. These amendments are proposed in order to complete the City's Periodic Review Work Program. He further stated the City of Woodburn is currently in State mandated Periodic Review of its Comprehensive Plan and he outlined the 11 Work Tasks the City is required to complete. Staff also mentioned the City has completed Tasks #5 and #6, Parks and Recreation Plan and the Historic Downtown Plan, they have been acknowledged by the Oregon Land Conservation Development Commission. All remaining Tasks have been completed with the exception of Tasks #9, #10 and #11. Task #9 Coordinating new Urban Growth Boundary Management Agreement with Marion County, which is currently being coordinated and is anticipated to be done by the time the amendment proposal gets to the City Council. Additionally, he said although he has completed the Citizen Involvement Report (Task #10), it would not be finalized until the Council actually adopts the amendments and the same goes for Task #11. Completion of all these Work Tasks requires the City to revise the Woodburn Comprehensive Plan Text and Map, the Development Ordinance and Zoning Map. In addition, to comply with State Statutes mandating the City provide a 20-year buildable lands supply, the Urban Growth Boundary is proposed to be expanded. Staff indicated public hearings on these proposed Legislative Land Use Amendments have been scheduled tonight before the Planning Commission and have also been noticed and scheduled for the City Council on March 28, 2005. The applicable approval criteria that apply to these proposed amendments were outlined by Staff. Once the proposed amendments are adopted by the City Council and acknowledged by LCDC, the City will have completed its Periodic Review Work Program. The proposed amendments, maps and supporting documents are compiled in a document called The City of Woodburn 2005 Comprehensive Plan Update, which has been provided to the Planning Commission. Moreover, an attachment to the Staff Report contains Findings of Fact that demonstrate compliance with the approval criteria, which were provided to the Commission tonight. Staff briefly summarized the proposed amendments as follows:

- Proposed Comprehensive Plan Text Amendments: Residential Land Use and Housing Goals and Policies are amended to provide for a Nodal Development Overlay District. Industrial Development Goals and Policies are amended to incorporate recommendations of the 2002

Economic Opportunities Analysis and Development Strategy and to create a Southwest Industrial Reserve Overlay District. Marion County Economic Coordination Goals and Policies are added to provide for coordination with Marion County Growth Management Framework Plan. Commercial Lands Goals and Policies are amended to encourage infill and redevelopment and to create a Nodal Neighborhood Commercial District. Transportation Goals and Policies are amended to be consistent with the updated Transportation System Plan and to create an Interchange Management Area Overlay District. Public Facilities Goals and Policies are added to consolidate and coordinate the Water, Wastewater, Stormwater and Transportation Plans. Natural and Cultural Resources Goals and Policies are amended to create a Riparian Corridor and Wetlands Overlay District. The Woodburn Development Ordinance is also amended as part of this proposal to implement the Goals and Policies of the Comprehensive Plan and are proposed as follows: Six new overlay districts are created, Nodal Single Family Residential, Nodal Multi-Family Residential, Nodal Neighborhood Commercial, Riparian Corridor and Wetlands Overlay, Southwest Industrial Reserve Overlay and the Interchange Management Area Overlay. Regulations of proposed Overlay Districts are summarized as follows: Riparian Corridor Wetlands Overlay will generally restrict development within 50 ft. of designated creeks and water courses. The Southwest Industrial Reserve will require master planning of the district to provide for minimum lot sizes for targeted types of industries. The Nodal Residential Single Family and Nodal Multi-Family Overlays will allow for higher densities and generally smaller lot sizes. The Neighborhood Commercial Nodal Overlay will be restricted to neighborhood commercial uses and will require dedication of public space. The Interchange Management Area Overlay will generally restrict development based on vehicle trip generation based on proposed development. Minimum density standards are established in the Single Family Residential District, the Retirement Residential District and the Medium Density Residential District and the street improvement cross sectional standards are generally reduced.

- Proposed Comprehensive Plan Map Amendments: In general, the Comprehensive Plan Map is amended to apply land use designations to areas proposed to be added to the City's Urban Growth Boundary, to apply proposed Overlay Districts to areas within the current Urban Growth Boundary and to change land use designations within the current Growth Boundary to maximize efficient use of land and provide more appropriate land use designations considering surrounding land use and future development potential.

- Proposed Zoning Map Amendments: The Zoning Map is amended to apply the Nodal Single Family Residential and Nodal Multi-Family Residential Overlay Districts to existing RS and RM zoned properties South of the Southerly extension of Evergreen Rd., the Southwest Industrial Reserve Overlay is applied to the Southerly portion of the WinCo Distribution Center property, the Interchange Management Area Overlay is applied to Commercial and Industrial zoned property generally located around the freeway interchange and to undeveloped residentially zoned properties South of the Southerly extension of Evergreen Rd. In addition, there are numerous zone changes proposed to properties within the existing City limits to maximize efficient use of land and provide more appropriate zoning considering existing Comprehensive Plan designation, surrounding land use and future development potential.

- Urban Growth Boundary Expansion Map: Based on the results of the City's Periodic Review, the City proposes to expand its Urban Growth Boundary to provide a 20-year buildable land supply and provide for 20-year projected economic growth.

In conclusion, Staff recommended the Planning Commission hear the testimony and leave the record open for seven days to allow additional written testimony, at which time Staff will return on February 24, 2005 with responses to that testimony and the Commission will have the opportunity to review that before they begin deliberations on the matter. Staff recommended after that is all done that eventually the Commission will direct Staff to prepare a Final Order recommending that the Council adopt the proposed amendments to the Woodburn Urban Growth Boundary, Woodburn Comprehensive Plan Text and Map, the Woodburn Development Ordinance and the Woodburn Zoning Map.

Greg Winterowd, Winterbrook Planning Consulting provided more details on the analysis and justification for the proposed amendments. He reviewed several key objectives they had when they began this project four years ago. Firstly, to develop and implement an economic opportunity analysis and strategy, which was adopted in 2002 by the City Council and provides the foundation for most of the planning work done today. He reported the City Council decided it was imperative to provide local jobs in the community so that people would not have to commute to Portland/Salem to work and to improve the quality of peoples lives as well as to make it so everyone in the community had an equal opportunity. The economists that looked at this and indicated the best way to achieve that is to provide land near I-5 because that is where development demand is located. Secondly, it was recognized that you needed to provide choice among suitable industrial sites, which is required by State Statute. Thirdly, provide sufficient buildable land for future housing, parks and schools. Land for quality of life, good neighborhoods and land where people can afford to buy their own homes. Additionally, he stated they also had to look very carefully at the Statewide Planning Goals, which requires the use of land efficiently in order to make sure to use the land within the Urban Growth Boundary efficiently and well. Mr. Winterowd mentioned the City is proposing a substantial increase in net densities on buildable land for that reason. They are asking for a more compact Urban Growth form but with good parks, schools and jobs to balance it out. He reported Oregon has many demanding requirements for compliance with Statewide Planning Goals and Periodic Review to ensure ongoing compliance. Mr. Winterowd stated he believed, at this point, the City has a package of plan amendments that meet the Statewide Planning Goals and achieved legitimate objectives of Periodic Review. Moreover, they looked carefully at the Marion County Framework Plan adopted two years ago and made sure that the critical goals and policies of the framework plan were incorporated into the Woodburn Comprehensive Plan. Next, they looked at the Achilles heel that Woodburn faces in terms of economic development, which is traffic congestion. He said they worked very closely with ODOT on revising the Transportation System Plan and developing ways to limit impacts on the interchange and to create alternative ways to get to that interchange so that it all does not have to go on Highway 211 and Highway 214. Mr. Winterowd further explained the goals require that we take the least productive agricultural land before we move into the more productive land and the direction of growth proposed generally has less productive agricultural land than some of the other choices. He further commented Woodburn is surrounded by Class 2, 3 and some Class 1 agricultural land and the only Class 1 agricultural land proposed for inclusion is land that is within the golf course already. Finally, they wanted to make sure in terms of quality of life and neighborhoods that what remains of Woodburn's wetlands, streams and flood plains are protected so you have open space connections to residential areas for future residents. Mr. Winterowd remarked the goal of a higher employment projection is to have more of a balance between the jobs in this community and the housing that is here. He explained they determined a 20-year land use needs for jobs they began with the Economic Opportunities Analysis and identified probable employment growth and then took a very careful look at the types of industries and basic employment that Woodburn can attract if it provides services, infrastructure and the land along I-5 to do that. They then followed the Statewide Statutory requirement and also a requirement of Statewide Planning Goal #9 and its administrative rule which compares the supply and demand and match them up. He indicated they attempted to provide the type of housing in adequate supply to meet 20-year needs and matched the buildable lands with the housing needs and increased densities. The school needs were based on the existing ratio of developed school land population to make sure there is enough land for schools in the future. Mr. Winterowd stated an important and legitimate requirement in Oregon is that we use land efficiently within the Urban Growth Boundary, which he recommended by planning for higher density, over ten dwelling units per net buildable acre within the proposed buildable areas of the Urban Growth Boundary and increase a portion of multiple-family development to make it more affordable. The use of Nodal Development Pattern, which is an old fashioned situation where you have a neighborhood commercial area surrounded by housing where you can walk, bike or drive a car to get to and from shopping was also recommended. Also proposed is to bring in exception areas, which are those areas that are in the County now that State law requires that we bring in to the Urban Growth Boundary so that they can be provided with urban services and developed more efficiently so we can minimize impacts on agricultural land. Every exception area adjacent to the Growth Boundary has been brought in with the exception of MacLaren School and they did not seem to have a great likelihood of redevelopment at this point. Additionally, Master Planning was looked at in the Nodal Development Areas and in the Southwest industrial reserve. We have allowed the possibility of housing over retail development in Downtown Woodburn and in Nodal Development Areas. Also recommended were minimum density standards so that people do not use land that is zoned for 4,000 sq. ft. lots for 8,000 sq. ft. lots because that would be inefficient and would

discourage development of infill, partially vacant and potentially redevelopable land. In the Nodal Development Areas we have a neighborhood commercial center surrounded by higher density residential, small lots single family supported by integrated park system and multi modal and connected transportation system; Master Planning is required and we have design standards and that everyone has adequate access to parks and schools. He further reported the land located on either side of I-5, accessible to Highway 214 and Highway 211 via Butteville Road and Parr Road and a planned Southern arterial connection between Butteville Road and Highway 99 is reserved solely for Industrial use. Mr. Winterowd stated they propose to relieve congestion at Hwy. 214/Hwy. 211/I-5 interchange by taking the traffic out of central Woodburn, moving it West of I-5 where it is easier to get onto I-5 for trucks and employees. Additionally, at the request and in collaboration of the Oregon Department of Transportation (ODOT) developed what is believed to be an innovative way of making sure that the limited access that we have to I-5, even after ODOT and the City of Woodburn spends millions of dollars on improving the interchange, we want to make sure that it does not use up that capacity prematurely and that it is used for planned commercial and industrial trips. Regulations have been developed that indicate you can not exceed specified numbers of trips in the peak hour and if you do, you are either a Conditional Use Permit or you have to find ways to decrease peak hour traffic demand to maintain the capacity of that interchange area for the jobs that the City wants to see. In closing, Mr. Winterowd commented he felt a thorough and credible job has been done in justifying the assumptions used and we have not inflated the land use needs. He briefly reviewed the proposed amendments and said everything else that has been proposed for inclusion within the Urban Growth Boundary is land that has already been determined by Marion County to be so cut up and parcelized that it cannot be used effectively for agricultural purposes. Mr. Winterowd encouraged testimony and requested to critically look at the work done and to tell the Planning Commission exactly what they think.

TESTIMONY

Terry Cole, Oregon Department of Transportation Region 2, 455 Airport Rd. SE, Salem, OR 97310 stated ODOT has worked with the City now for a number of years specifically with reference to the Transportation System Plan Update and are very pleased with the draft Transportation System Plan that has evolved from that process. The protections talked about for future interchange development, the other transportation system policies and plan elements will go a long way towards keeping that interchange in its current configuration and in the future as we hope to have it reconstructed viable through the planning period and beyond. Additionally, Mr. Cole felt what they have come up for Woodburn is an outstanding example that will be looked at as a model throughout the State for how you can protect an interchange in a growing urban area and do it in such a way that it supports local economic development but also retains the ability of people to travel both locally as well as statewide. Mr. Cole urged support and endorsement of the proposed Transportation System Plan and all of the supportive elements of Comprehensive Plan Update, as well as all the other elements submitted tonight.

Dave Christoff, 671 Ironwood Terrace, Woodburn, OR 97071 spoke on behalf of the Woodburn School District. He stated the School District currently owns 19 ½ acres on Lincoln St. and they would like to have that included in the inventory. He indicated the difference between the consultant's numbers and the School Districts numbers shows fairly realistically that there was a shortage in the estimate for the School Districts properties. Currently there are no lands in the City that are large enough to site a school because a school has to be sited on a minimum of 10 acres and preferably a minimum of 15 acre site. Mr. Christoff reported they would like to have this included to the Urban Growth Boundary Expansion for when a bond measure is passed they would have a site in which to build a school on because they do not currently have anything that they could buy that is not already spoken for to site a school that is available to them.

Nick Harville, Executive Director, Woodburn Chamber of Commerce, 2241 Country Club Rd., Woodburn, OR 97071 he reported he has about 15 years of business and economic development experience and he sees Woodburn as a community that has witnessed many changes since it was first established by Jesse Settlemier. Even when the City was incorporated in 1889, Mr. Settlemier knew that diversity of the business and community were going to be the keys to growth of Woodburn. Today, according to the State of Oregon, there are 772 businesses in Woodburn, 75.3 percent of those businesses employ less than 10 people. Mr. Harville explained this is a testament to the number of small businesses that help generate the flow of funds in this community. In looking at the major industries that employ citizens in this community you will find that 34.5 percent are employed in the retail trade and another 23.9 percent are

employed in the service industry. These businesses are important to the community and provide needed services but in order to broaden the tax base, create new family waged jobs and further the diversity of the economy of Woodburn we need to expand and attract new businesses and companies to the area. He further indicated that at the present rate we will run out of developable lands within 5 years. In talking with City officials, the City of Woodburn has the best interest of the entire community at heart. The business development plans for the community call for further diversity and commerce generated, which would further support and enhance infrastructure and services provided by the City, schools and other community agencies and groups. Mr. Harville closed by saying new businesses in town help to support the retail and service businesses that already exist here by providing new dollars in to the community. Woodburn was born from agriculture when Jesse Settlemier used his vision and forethought to settle the community and he provided developable lots for new businesses that wanted to move to Woodburn. History seems to be repeating itself by expanding the Urban Growth Boundaries we are providing space for businesses that want to locate here.

Robert Walter Staack, 245 Ben Brown Lane, Woodburn, OR 97071 commented he owns property at 585 Grant St., which is an area where Nodal density is intended for and he was not clear as to what that would result in on his renters and neighbors.

Greg Winterowd clarified the Nodal development area is located in where Parr Rd. takes a dog leg and what they have tried to do for most of the community of Woodburn is not to go in to neighborhoods and up zone so that people's homes on individual lots are threatened. He further clarified that is why they are moving towards more vacant areas with the exception of Downtown for increased densities.

Jose Castillo, 1068 2nd St., Woodburn, OR 97071 through Chairperson Lima providing Spanish language interpretation, Mr. Castillo indicated he did not understand English very well and therefore, he was unclear as to what the hearing process was about.

Staff reported there is a translator in the Planning office that could assist Mr. Castillo and encouraged he come by the office or he could submit written testimony, if he preferred.

Alfonso, 1279 N. Second St., Woodburn, OR 97071 inquired whether his taxes will go up due to the proposed changes and if Second St. will be paved?

Staff interjected paving is not part of this proposal and he is not aware of any proposal to pave Second St. however, the person to contact regarding that issue would be Randy Rohman with the Public Works Department.

Will Denecke, OPUS Northwest, 1000 SW Broadway, Portland, OR 97034 was present tonight in support of the UGB proposal and would submit a letter to the Commission. He reported OPUS Northwest has 103 acres of industrial property that they are proposing to develop in to an industrial park located on the West side of I-5 and they have been involved in this process for 6-7 years. Mr. Denecke stated it is really nice to see this happening and for them to get to this stage. Additionally, he thought there is very good innovative planning by Staff and Winterbrook Consulting particularly in the areas of target industries and the interchange overlay. He said target industries are very demanding for a developer like OPUS Northwest because they just cannot go in and put up what they want. OPUS will be required to pick industries and job opportunities that fall into categories that the City has laid out with demanding criteria in terms of type as well as wage and income opportunities. Mr. Denecke further commented although it is a challenge for OPUS, it will give Woodburn the opportunity to improve its economic base. The interchange overlay is creative and a constructive approach to the I-5 interchange problem because everybody knows that currently I-5 is a big problem and unless that is managed correctly and improved, it will be a constraint on development for Woodburn and the UGB Expansion area. In closing, he added the discussion about a formula and how property owners might contribute if there is a funding gap and if the City will be looking for additional funding, perhaps in part from stakeholders or property owners, take place sooner rather than later.

Erin Donnelly, 480 N. Third St., Woodburn, OR 97071 commented her property is currently zoned residential and under the new zoning it would change to commercial office. She stated the entire street, with the exception of two properties, is entirely single family housing. It is a very nice neighborhood with

some of the original homes to Woodburn. The notable exception that is not a single family home is the old Woodburn Community Center. Mrs. Donnelly did not feel that it is beneficial to that neighborhood to change it to commercial office to facilitate the sale of the City property. It seemed very logical in her mind that the City has been trying to sell the property for quite some time and that is the connection for the City to want to have that be commercial office. She thought it would be better to keep the homes that are affordable and historical to Woodburn.

Staff interjected the old City Community Center is already zoned Commercial General and is the only commercial general in the Downtown area. The reasoning for the commercial office is to make the zoning consistent with the Comprehensive Land Use Designation, which is commercial. The Comprehensive Plan back in 1980 contemplated that property would all transition to commercial and all we are doing now is making the zoning consistent, which currently is inconsistent. Moreover, it is not legal to have inconsistencies between the zoning and Comprehensive Plan so we are bringing that zoning in to consistency with the Comprehensive Plan and we are trying to put on the least intensive and intrusive type commercial zone, which is commercial office.

Martin Rohrer, 16 Abelard, Lake Oswego, OR 97035 reported he bought a property on Arney Rd. North of the Woodburn Company Stores Outlet Mall back in 1979 and at that time there were three neighbors. He said they have consistently presented to various bodies of Woodburn their desire to go in as a group to develop the area. Mr. Rohrer further commented he and his neighbors were a little surprised when they found that they were not included in the most recent proposal. There are about 150 acres that could be used for industrial land out of about 125 acres in the area that is designated. Firstly, that area is the only area not proposed to be included that is surrounded by three sides by land that would be included in the Urban Growth Boundary. Mr. Rohrer further remarked it would be much easier to make a case before Marion County, LCDC and 1,000 Friends of Oregon if we take land that is already surrounded rather than expanding into areas that are outside the proposed Urban Growth Boundary. Secondly, this property more than any of the others is pretty much ready to go in terms of utilities. It would not require a South bypass and new freeway access and it would simply require starting the development. His vision of an industrial area would allow for sales/marketing offices at the manufacturing location, which is a little different than what is envisioned in the Southwest area. Lastly, Mr. Rohrer stated the property on Arney Rd. comes much closer to meeting the requirements for most manufacturers and developers than the other properties currently proposed to be within the Urban Growth Boundary zone to industrial.

Diane Mikkleson, 1090 N. First St., Woodburn, OR 97071 commented she was testifying as an individual. She said the plan for Woodburn's future presented tonight was designed to shape Woodburn's development as a community for the next 20 years. There are aspects of the plan that appear to deserve support including Downtown development and the plans for expanded recreational facilities and opportunities for Woodburn citizens. It was Ms. Mikkleson's belief that other aspects of the plan need to be given further thought. The quest for mega employers may not be the best economic choice for Woodburn especially if those companies work force needs can not be met by those of us already living in or near Woodburn. Moreover, the drive to expand Woodburn's UGB onto valuable farm lands while allowing vacant and underdeveloped sites within our current boundaries to continue to be idle is, at best, expensive and wasteful. She also remarked the community still relies on agriculture as one of its most important economic factors and we should look for ways to support and further develop this vital industry. A plan that emphasizes the accelerated development of large homes on large lots is not in the best interest of the community whose primary need is for sufficient multi-family housing. Additionally, it is important to support and encourage small and medium sized businesses that exist in Woodburn and actively recruit more of them. The need for a proposed Transportation Plan to create traffic patterns that preserve and promote the integrity and viability of Woodburn's core area rather than creating a ring-road that would pull development further away from existing businesses and already established infrastructure, which costs tax payers millions of additional dollars. She felt we could build a stronger, cohesive community by working together as we move further into the 21st Century.

Bob Lindsey, 7505 Windsor Island Rd. N., Salem, OR said he had the privilege of serving Salem in the years 1967-1977 first as a member of Council and then as Mayor from 1973-1977. He was part of the Urban Growth studies, which led to the concept of Urban Growth Boundaries and brought forth as part of the process Senate Bill 100. Mr. Lindsey commented the proposal brought before the Commission tonight is not in Woodburn's best interest and is a recipe for expectations never met. He further reported

there are two issues that surfaced from the Urban Growth studies in the early 70's that are still germane today. The public cost of development and the ability of urban centers to fund those costs and for cities to survive need to address two issues: patterns of design and development and develop an elastic funding base or they are going to go broke. Mr. Lindsey described the City of Salem as a classic example of an urban center in deep economic trouble. In the summer of 1976, Salem had a triple A credit rating and Salem's credit rating as of today has plummeted down to an A. In Salem as the population numbers increased, all systems came under stress and the numbers increased, the library hours decreased, the aquatic program slipped away, traffic issues greatly increased, the public safety response decreased, the capacity to supply and treat water decreased, and the livability and lovability in Salem is diminished. He further added the consultants proposal in its present form leads you right down that path. Woodburn has more than enough land mass in its existing urban growth boundary to accommodate those population numbers that have been assigned by Marion County. In closing, he pointed out Woodburn is a service center for the agricultural industry and this approach is not within Woodburn's economic capacity. He commented Woodburn's best course of action would be to look inward and play to its strength. The challenge is to create a sense of identify and a place that speaks to livability and the challenge is how to build that livable lovable community and not bring pain and misery to the tax payers.

Kathleen Carl, 13324 Carl Rd. NE, Hubbard, OR 97032 strongly believed that Woodburn's Comprehensive Plan needs to develop an economic model that benefits the existing population like focusing on local businesses rather than large employers. She remarked many new jobs are created without land being developed such as a processing plant or manufacturer adding a second shift or a retail business expands its hours and hires new people. Ms. Carl hoped the Planning Commission looked at the needs of existing business. She believed Woodburn's economic model should focus as much as possible on utilizing existing infrastructure, which takes care of our tax payers investment. Expanding to new land is not of benefit to most taxpayers and a new economic model that turns more inward would capitalize on our assets and help our citizens. Ms. Carl closed by stating Woodburn really needs to build a city that works together and looks at businesses that are putting money into Woodburn's pocket right now. We can accommodate the goals of Woodburn with an expansion that is more limited.

Lolita Carl, 13324 Carl Rd., Hubbard, OR 97032 urged to look 50-75-150 yrs. into the future. She reported her farm has already had five generations of family living on it in only 90 years. If we think short term, our beautiful valley of mild climate and rich resource land will be paved over. Some day we might not be able to afford to import strawberries and apples from thousands of miles away because agriculture is Marion County's number one industry and you can not stack farm fields on top of each other. Moreover, much of the housing and commercial needs for a small city could easily go vertical because it is more efficient to have apartments with several stories over commercial as seen in many Downtowns. Ms. Carl further added this smaller footprint makes the city more walkable more livable and engenders community spirit. She reported Woodburn has ignored the enormous egg production supporting and surrounding it and the thousands of its residents who work in the egg industry. Reference was made to EcoNorthwest Woodburn Economic Analysis and she pointed out most of these people's occupation has not been counted. Additionally, she indicated Woodburn has recently spent a couple of millions of tax payers dollars for land for additional sewage treatment and roadway construction, this only for the land not for the future millions to develop it. She felt Woodburn has a dependable and growing economic base in place with agri-business and the farmers are not pushing for new roads and infrastructure. The ones who are really pushing for development and expansion are consultants who are paid to say we need it. She pointed out Greg Winterowd was simultaneously paid by Opus Northwest to try to get its land in the expanded UGB while being paid by the City of Woodburn, which is a serious conflict of interest that can not be ignored. In closing, Ms. Carl remarked our rich Willamette Valley soil can produce new crops of food every single year to feed endless generations. How many industries can say that?

Randy Sebastian, 1677 Boones Ferry Rd., Lake Oswego, OR supported the Winterowd Planning Plan. He said Woodburn has unique opportunity as the Tukwila Golf Course is the only course in the Portland Metro Area where people can actually buy a new home on a golf course. This is attracting new residents who are coming in from Lake Oswego, Tigard, West Linn, Tualatin and are typically empty nesters paying City taxes whose kids are gone and are not putting pressure on local schools. Moreover, all the utilities are new and are being brought to the site with an emergency access road being built to the site this summer. Mr. Sebastian further commented he has been building at Tukwila Golf Course over the last

four years. Although it was slow to start, we now have great momentum and have a waiting list for future phases for people wanting to move to the Tukwila Golf Course.

Vasily Mokanukoff, 1031 Queen City Blvd., Woodburn, OR 97071 indicated he was not familiar with the proposal and that such plan even existed. He expressed concerns with the amount of acreage that is being proposed for industrialization.

Staff informed Mr. Mokanukoff that all of the proposed plans are on the City's website, at the Library or at City Hall in the Planning Division. He stated one of the Planners could go over any questions Mr. Mokanukoff might have if he came by City Hall.

Pat Doyle, Kelley, Kelley, Doyle, 110 N. Second St., Silverton, OR 97381 represented Mr. Dale Baker who owns 10 acres zoned AR in the Butteville expansion area and there are five homes currently on the property. He indicated they were in favor of the UGB expansion. Mr. Doyle entered a legal memorandum into the record and briefly summarized the contents of the memo. He reported this property is already a goal exception property and it gets a special favor on that basis alone. It is committed to residential use and considered less productive farmland so we are not reaching in to any of the high productive farmland. Secondly, in 1992 the City of Woodburn adopted Ordinance 2081, which essentially expanded the UGB to take in this property. Marion County disagreed with that conclusion at the time based on need, however, in the ensuing years we have seen that in fact that need is there and the 10 acres of land will help the City of Woodburn to meet its buildable lands requirements and will help the City to put people in to homes and to make a more livable community.

Toni Spencer, 13736 Wilco Hwy. NE, Woodburn, OR 97071 stated she is a native Oregonian that has lived most of her life on a working cattle ranch in a rural area. She felt compelled as a concerned citizen to comment on the proposed expansion of the UGB. Ms. Spencer indicated she had great respect for those that live and work on the land as well as she realizes the importance of the economic stability that it provides the community. Agriculture and food products are Oregon's largest export by volume and the value of these products has increased in 16 of the past 18 years, according to the Oregon Department of Agriculture and Marion County ranks number one in Oregon for growth agricultural sales. She expressed concerns in that we may be too eager to include valuable prime farmland in the proposed UGB. There are vacant properties in areas within the current UGB that can be redeveloped and reoccupied. Additionally, there are at least 8 properties in the industrial park just off Hwy. 214 for lease or for sale and there was one 137,000 sq. ft. property sitting empty. Ms. Spencer further commented all vacant buildings are not even counted in the consultant's inventory of vacant industrial properties. She indicated we have a responsibility to solicit new industry in to our underdeveloped and undeveloped properties before we expand the current UGB because we have the capacity for new industries in our current UGB. It was her hope that we carefully determine and decide what is really needed before including prime farmland in the proposed UGB. Although we all would like to see economic progress in Woodburn, we have to remember that new industry can move in, cost the taxpayers millions of dollars in taxes for sewer, water, sidewalks, roads and then up and leave just as fast leaving us with the unemployed and the bill because once prime farmland is paved over, it is gone forever.

Kay Peterson, 13740 Wilco Hwy., NE, Woodburn, OR 97071 she asked the Commission to carefully consider the testimony that is being submitted this evening. We all want Woodburn to be an economically viable community, however, some of us just differ on how to accomplish this. She described her mother having been born in Woodburn and raised on a dairy farm in Hubbard. Additionally, her husband is a small business owner in Woodburn located on Evergreen Rd. South of Hwy. 214 and are members of the Woodburn Chamber of Commerce. Both oppose the proposed expansion of the Urban Growth Boundary. Ms. Peterson commented expanding the UGB would only make the traffic nightmare on Hwy. 214 and the freeway interchange worse. She indicated more and more of her husband's clients have complained about how difficult it is to negotiate the traffic when driving to his office. Pushing growth on Woodburn would do nothing to improve the livability of this community. Ms. Peterson felt it was wrong to take some of the best farmland in the country out of production forever in order to attempt to attract some high tech industry to Woodburn, which she doubted a high tech industry would locate in Woodburn because many of the high tech industries have abandoned the United States and gone to China. Agriculture can quickly retool to respond to current market conditions as other industries just pick up and

leave. In conclusion, Ms. Peterson stated the 500 acres Winterbrook Consulting says is needed for industrial sites should stay as it is, productive farmland for our benefit and that of the future generation.

Tom Fessler, 14025 Dominic Rd., Mt. Angel, OR 97362 said he is a fourth generation farmer in the Woodburn area and is an affected landowner in the expansion proposal. He favored the expansion proposal as it currently stands.

Mike Celmer, 389 W. Hayes St., Woodburn, OR 97071 reported his family searched for about 2 ½ yrs. consistently trying to find a home and ended up in Woodburn across the street from the old community center. He said he works in Woodburn and purchases goods and services here. Mr. Celmer stated he would have like to have known of the proposal four years ago before he purchased his home because he probably would have not ended up living in Woodburn because the proposal affects him financially. He felt if the City continues with this proposal it would take equity away from his home and basically throwing it away.

5-MINUTE BREAK AT 8:45 PM

Roger Alfred, 1120 NW Couch St., Portland, OR 97209 stated he was present tonight on behalf of Renaissance Development. He reported Renaissance Development has developed the Links at Tukwila, which is immediately South of the proposed UGB and supports the proposal put forth by Staff to extend the UGB to include that area to the North which consists mostly of the OGA Golf Course. Mr. Alfred further commented Staff has done a very thorough and very comprehensive analysis. The UGB Amendment is a very complex process that requires the weighing of not only some fairly strict legal rules but also a lot of competing interests, which he felt Staff has done a very good job in weighing all those things. Moreover, the primary thing that the law requires is under Goal 14 is an orderly and efficient extension of urban land onto rural land. The OGA parcel is a unique opportunity from a legal prospective in that you are able to expand onto an area that is not currently in any kind of resource use at all and it is already committed to the golf course use and hopefully where Renaissance will be able to add another 150 homes and not simultaneously taking any farmland out of production. Lastly, Mr. Alfred mentioned expansion in that direction is consistent with prior City decisions in that approval of the most recent phase of the Links of Tukwila Subdivision also included a condition requiring the extension of the road across from the North over to Boones Ferry Rd., which is consistent with the future prospect of more residential development in that area that can fit in the golf course.

Sid Friedman, 1,000 Friends of Oregon, 189 Liberty St. NE #307A, Salem, OR 97071 pointed out many community members have a very different vision for Woodburn's economic future than the vision presented by the consultant. He commented that community vision can be accommodated using very reasonable assumptions that are at least as legally defensible as the consultant's. If the consultant's recommendation is adopted, Woodburn would have 500 net buildable acres of developable industrial land, which is a huge amount of industrial land. He compared Medford's proposed 431 acres of industrial land for the needs of an additional 94,000 thousand people. Salem/Keizer with a population that is seven or eight times the size of Woodburn's thinks it could take decades to develop the 500 acre Mill Creek Industrial site. Additionally, Woodburn has 7% of Marion County's population, 8% of Marion County's jobs and between 1990-2000, it captured 11% of Marion County's job growth. Yet the Winterbrook projection assumes that Woodburn would capture 23% of Marion County's projected future job growth, which he believed was unreasonably optimistic. However, even if this inflated projection occurs, by the consultant's own figures, the 503 acres of industrial land would accommodate far more industrial employees than the 38,136 projected under the consultant's most optimistic scenario.

Theodora Tarbet, 13305 Carl Rd., Hubbard, OR 97032 commented the Economic Opportunities Analysis prepared for Woodburn concedes that it significantly underestimates agricultural employment. The employment in the agricultural sector grew by 40% in the Woodburn zip code between 1990-2000. She indicated the Economic Opportunity Analysis ignores Woodburn's location in the middle of productive farmland and at the center of the County's number one industry. Additionally, it fails to identify Woodburn's role as a commercial and cultural center for the Valley's Hispanic population as a possible advantage. Instead, it lists an employment goal that Woodburn lose up to 222 agricultural section jobs by 2020. Woodburn is surrounded by prime and high value farmland, which is protected by State law and Oregon Revised Statute Chapter 197.298 governs UGB expansions. In particular, it dictates priority

factors for bringing land into a UGB and the Statute requires that land of lower soil classification be included in a UGB before land of higher soil classification. Woodburn should expand further South on to the lands of lower soil quality if Woodburn can prove a factual basis for needing to include more land. The same Statute also prioritizes acknowledged exception areas adjacent to a UGB as land that should be included in the UGB before lower priority lands unless the exception areas can not reasonably accommodate new development. Ms. Tarbet used the Carl Road exception area in which this statute applies. She felt it is not necessary to bring all 13 acres of the exception areas since it can not reasonably accommodate identified land needs.

Amanda Deyerle, 17244 Arbor Rd. NE, Woodburn, OR 97071 addressed the transportation issue and remarked transportation plans are generally highly technical and a person can easily get lost in the numbers. The important part of a transportation plan is how it will affect the livability of neighborhoods and viability of economic activity. Ms. Deyerle pointed out I-5 separates commercial and residential development from the rest of the City and Highway 214 splits schools and neighborhoods on the North from the rest of the community to the South. The Transportation Plan needs to address the fragmentation of commercial and residential areas. She did not believe the funding sources available will be able to make the changes except on a piecemeal basis. In the meantime, development will be occurring that has no access to Parr Rd. and traffic will be forced back in to the residential areas between the proposed industries and Highway 214. Ms. Deyerle reported experience shows that building more roads increases, traffic, increases development and puts tremendous stress on core areas, i.e., Lancaster. She further commented Highway 214 bypass in Woodburn pulls development towards the outer areas economically depressing Downtown and is one of the biggest traffic headaches in the City.

Jim Grigorieff, 1315 James St., Woodburn, OR 97071 indicated he owns property that is adjoined by two RM properties and requested that the property go with the original comprehensive plan and become RM. He stated the property has unique situations, which include a 2-story fourplex directly behind and within 10 ft. of the property line, the entry side of the units face his back yard and the second stories have windows that look right over his back yard. Needless to say they do not share the same privacy as the other RS lots because the other lots have a 25 ft. driveway plus a single-story garage behind them before the 2-story apartments begin and even then they have east and west entry ways, which allows much more privacy as compared to his lot. Mr. Grigorieff also mentioned he purchased Parkdale Manor, which are the apartments to the West of his property and he intends on being on-site manager and provide maintenance for the apartments. In conclusion, he said based on the criteria stated in the notice, his lot would be better served adhering to the original comprehensive plan and going through and RM zone designation because most of the property on the block is made up of two large apartment complexes, the Woodburn Armory and therefore, future development in fitting with the surrounding properties as stated in the notice would convince him that an RM zoning for his lot would be best for the comprehensive plan and for future plans.

Craig Robinson, 1345 James St., Woodburn, OR 97071 said he would like to keep his property RS because he has apartments behind him and gets trash thrown over his fence, urination and all sorts of nuisances and would hate to see this happen on all three sides of his property.

Tom Brawley, 4536 Wintercreek Rd., Jefferson, OR represented the Marion County Farm Bureau and an industry that generated half billion dollars last year, which is agriculture. Marion Country Farm Bureau is interested in keeping and preserving all productive agricultural land. He stated one square mile of land is a lot of land base to be lost to an industry. We have a unique climate and a unique opportunity for more commercial products grown than anywhere else in the world. Natural resources that are non-renewable have to be protected and it begins here and needs to continue. Mr. Brawley commented there are three alternatives, look at infill, reduce the number of acres proposed and ease in to it and not take a big block and look for other avenues, or do nothing and let the status ride as it is. He felt the plan weakens a proven industry for an unknown.

Staff restated the record would be left open until 5 pm Thursday, February 10th and encouraged anyone who would like to submit additional written testimony addressed to City of Woodburn Planning Department, 270 Montgomery St., Woodburn, OR 97071. Staff will then review all the testimony and provide the Commission with responses, as applicable, to that testimony at least a week before the next

hearing, assuming tonight's hearing is continued until February 24th, at which time the Commission may continue with deliberations if they chose to do so.

"ce Chairperson Bandelow moved to close the portion for public testimony except for written testimony at would remain open for an additional seven days and we continue the hearing until February 24th, at hich time discussion among the Commission would be open. Commissioner Grigorieff seconded the motion. Motion unanimously carried.

ADJOURNMENT

Vice Chairperson Bandelow moved to adjourn the meeting. Commissioner Hutchison seconded the motion, which carried unanimously. Meeting adjourned at 9:30 pm.

APPROVED _____ 02/24/05
CLAUDIO LIMA, CHAIRPERSON DATE

ATTEST _____ 2-24-05
Jim Mulder
Community Development Director
City of Woodburn, Oregon
Date

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Item 2

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Page 500

WINTER BROOK
COMMUNITY RESOURCE PLANNING

MEMORANDUM

To: File

From: Jesse Winterowd

Date: April 14, 2004

Re: Soil Types by Study Area

This memorandum identifies the types of soil present in each Study Area and descriptions of these soil types as shown in the Soil Survey of Marion County Area (US Department of Agriculture, 1972).

Table 1. Soil Types and Study Areas

Map Unit Name	Map Symbol	Capability unit	High value farmland	Study Areas
AMITY SILT LOAM	Am	IIw-2	Yes	1-8
BASHAW CLAY	Ba	IVw-2	Yes	2, 6
CONCORD SILT LOAM	Co	IIIw-2	Yes	1-5, 7-8
DAYTON SILT LOAM	Da	IVw-1	Yes	1-3, 5-8
LABISH SILTY CLAY LOAM	La	IIIw-2	No	2, 3
TERRACE ESCARPMENTS	Te	IVe-2	No	2, 4, 5
WAPATO SILTY CLAY LOAM	Wc	IIIw-2	No	2, 3, 8
WOODBURN SILT LOAM	WuA, WuC, WuD	IIw-1, IIe-1, IIIe-1	Yes	1-6, 8

Amity Series The Amity series consists of somewhat poorly drained soils that have formed in mixed alluvial silts. These soils have slopes of 0 to 2 percent. They occur on broad valley terraces at elevations of 150 to 350 feet. The average annual precipitation is between 40 and 45 inches. The average annual air temperature is 52° to 54° F., and the length of the frost-free season is 190 to 210 days. In areas that are not cultivated, the vegetation is mainly grasses, shrubs, hardwoods, :and scattered, Douglas-firs. Amity soils are associated with Dayton and Concord soils. In a typical profile, the surface layer is very dark grayish-brown silt loam that is mottled in the lower part and is about 17 inches thick. The subsurface layer is mottled dark-gray silt loam about 7 inches thick. The subsoil is A substratum of mottled olive-brown silt loam underlies the subsoil. The **Amity soils are used mainly for cereal grains, grass grown for seed, and pasture. When irrigated, areas that are drained can be used for all the crops commonly grown in the survey area. Amity soils are found in all Study Areas.**

Bashaw Series The Bashaw series consists of poorly drained and very poorly drained soils that have formed in alluvium. These soils are in backwater areas of the flood plains and in

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drainage channels of silty alluvial terraces. They have slopes of 0 to 1 percent. Elevations range from 100 to 400 feet. The average annual precipitation is between 40 and 45 inches, the average annual air temperature is 52° to 54° F., and the length of the frost-free season is 200 to 210 days. In areas that are not cultivated, the vegetation is mainly annual and perennial grasses, wild blackberries, sedges, rushes, willows, and a few ash and oak trees. Bashaw soils are associated with Wapato soils. In a typical profile, the surface layer is about 31 inches thick and consists of mottled very dark gray clay in the uppermost 3 inches and of mottled black clay below. The upper part of the substratum, just beneath the surface layer, is very dark gray clay that extends to a depth of 48 inches. The lower part of the substratum is dark grayish-brown clay or sandy clay that extends to a depth of 60 inches or more. The substratum is mottled throughout. **The Bashaw soils are used mainly for pasture. Bashaw soils are found in Study Areas 2 and 6, underlying riparian portions of each Study Area.**

Concord Series The Concord series consists of poorly drained soils that have formed in alluvium of mixed mineralogy. These soils are on broad valley terraces, in slightly concave depressions and in drainageways. They have slopes of 0 to 2 percent. Elevations range from 125 to 350 feet. The average annual precipitation is 40 to 45 inches, the average annual air temperature is 52° to 54° F., and the length of the frost-free season is 200 to 210 days. In areas that are not cultivated, the vegetation is mainly rushes, sedges, wild blackberry, hazel, annual grasses, and ash trees. Concord soils are associated with Amity and Dayton soils. In a typical profile, the surface layer is very dark grayish-brown silt loam about 6 inches thick. The subsurface layer is mottled dark-gray silt loam about 9 inches thick. Just below the subsurface layer is a layer of mottled gray and dark-gray silty clay about 4 inches thick. The subsoil is about 10 inches thick. It consists of mottled grayish-brown silty clay in the upper part and of mottled dark grayish-brown silty clay in the lower part. The substratum of mottled dark grayish-brown silt loam extends to a depth of 60 inches or more. **Concord soils that are neither drained nor irrigated are used mainly for cereal grains, pasture, hay, and grass grown for seed. When irrigated, the drained areas are used mainly for berries and vegetables. Concord soils are found in Study Areas 1, 2, 3, 4, 5, 7, and 8.**

Dayton Series The Dayton series consists of soils that are poorly drained. These soils have formed mainly in old mixed alluvium, but their upper layers may have been influenced, to some extent, by loess. The soils are on broad valley terraces, and they occur in drainageways and in shallow depressions. Slopes range from 0 to 2 percent, and elevations range from 125 to 350 feet. The average annual precipitation is 40 to 45 inches, the average annual air temperature is 52° to 54° F., and the length of the frost-free season is 190 to 210 days. In areas that are not cultivated, the vegetation is mainly annual and perennial grasses, wild rose, and scattered ash trees. Dayton soils are associated with Amity and Concord soils. In a typical profile, the surface layer is very dark grayish-brown silt loam about 7 inches thick. The subsurface layer is mottled dark-gray silt loam about 6 inches thick. The subsoil is mottled and consists of a layer of clay about 33 inches thick. It is dark gray in the upper part and is grayish brown in the lower part. The substratum is mottled grayish-brown silty clay loam that extends to a depth of 60 inches or more. **The Dayton soils are used mainly for small grains,**

pasture, hay, and grass grown for seed. Daytona Soils are found in Study Areas 1, 2, 3, 5, 6, 7, and 8.

Labish Series The Labish series consists of poorly drained soils that have formed in mixed mineral and organic material. These soils have slopes of 0 to 1 percent. They occur on the bottoms of former shallow lakes at elevations of 150 to 175 feet. The average annual precipitation is between 40 and 45 inches, the average annual air temperature is 53° F., and the length of the frost-free season is 200 to 210 days. In areas that are not cultivated, the vegetation is mainly sedges, tussocks, and . willows. Labish soils are associated with Semiahmoo soils. In a typical profile the surface layer is black and is about 7 inches tick. It consists of silty clay loam in the upper part and of silty clay in the lower part. The next layer is very dark brown silty clay about 9 inches thick. Below this is very dark gray clay that extends to a depth of 60 inches or more. **The Labish soils are used mainly for onions, small grains, pasture, and hay. Labish soils are found primarily in Study Area 2, with a small inclusion in Study Area 3.**

Terrace Escarpments Terrace escarpments (Te) consists of gravelly and silty alluvium that is too variable in characteristics to be classified as soil. It is moderately steep or steep and occurs along the sidewalls of the major streams, on terrace scarps, and on the side slopes bordering channels of intermittent streams. The vegetation is mainly Douglas-fir, maple, hazel, swordfern, brackenfern, poison-oak, tussock, sedges, and grasses. This land type is suitable for pasture and for use as woodland. **The short, steep slopes make tillage impracticable. Terrace escarpments are found in Study Areas 2, 4, and 5.**

Wapato Series The Wapato series consists of poorly drained soils that have formed in mixed alluvium. These soils are nearly level. They occur in depressions and overflow channels on flood plains at elevations of 100 to 650 feet. The average annual precipitation is 40 to 45 inches, the average annual air temperature is about 53° F., and the length of the frost-free season is 200 to 210 days. In areas that are not cultivated, the vegetation is mainly willow, ash, tussocks, sedges, and grasses. Wapato soils are associated with McBee and Bashaw soils. In a typical profile, the surface layer is mottled very dark brown silty clay loam about 16 inches thick. The subsoil is mottled very dark grayish-brown silty clay loam about 20 inches thick. The substratum is mottled dark-brown silty clay loam that extends to a depth of 60 inches or more. The Wapato soils are used mainly for pasture, hay, small grains, vegetables, and caneberries. Willamette Series The Willamette series consists of deep, well-drained soils that have formed in silty alluvium. These soils are on low, broad valley terraces. They have slopes of 0 to 12 percent. Elevations range from 150 to 350 feet. The average annual precipitation is 40 to 45 inches, the average annual air temperature is 50° to 54° F., and the length of the frost-free season is 200 to 210 days. In areas that are not cultivated, the vegetation is mainly oatgrass and other native grasses, hazel, blackberry, Oregon white oak, and Douglas-fir. Willamette soils are associated with Woodburn soils. In a typical profile, the surface layer is very dark grayish-brown silt loam about 12 inches thick. A subsurface layer that also consists of very dark grayish-brown silt loam and that is about 5 inches thick is just beneath the surface layer. The upper part of the subsoil is dark-brown silt loam about 7 inches thick; the middle

part of the subsoil is dark-brown silty clay loam about 14 inches thick; and the lower part is dark-brown silt loam about 16 inches thick. A substratum of dark yellowish-brown silt loam underlies the subsoil, and it extends to a depth of 65 inches or more. **The Willamette soils are used mainly for small grains, pasture, hay, orchards, berries, and vegetables. Willamette soils are Class I soils around Woodburn and are found in Study Areas 2, 3, and 8.**

Woodburn Series The Woodburn series consists of moderately well drained soils that have formed in silty alluvium and loess of mixed mineralogy. These soils are on broad valley terraces. They have slopes of 0 to 20 percent. Elevations range from 150 to 350 feet. The average annual precipitation is 40 to 45 inches, the average annual air temperature is 52° to 54° F., and the length of the frost-free season is 200 to 210 days. In areas that are not cultivated, the vegetation is mainly grass and Douglas-fir. Woodburn soils are associated with Willamette soils. In a typical profile, the surface layer is about 17 inches thick and is very dark brown silt loam in the upper part and dark-brown silt loam in the lower part. The subsoil is about 37 inches thick. It is dark yellowish-brown silty clay loam in the upper part; mottled dark-brown silty clay loam in the middle part; and mottled, dark-brown silt loam in the lower part. The substratum is dark-brown silt loam that extends to a depth of 68 inches or more. **The Woodburn soils are used mainly for small grains, pasture, hay, orchards, berries, and vegetables. Woodburn soils range from Class II to IV and are the predominant soil type in all Study Areas except Study Area 7, which includes substantial portions of Amity and Concord soils.**

6/13/05

Proposed Amendments to Statewide Planning Goal 14
Draft, Adopted April 28, 2005
(NOTE: New text is underlined and deleted text is in ~~strikethrough~~).

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Part 1: Urban Growth Boundaries

Urban growth boundaries shall be established and maintained by cities, counties and regional governments to provide land for urban development needs and to identify and separate urban and urbanizable land from rural land. Establishment and change of urban growth boundaries shall be a cooperative process among cities, counties and, where applicable, regional governments. An urban growth boundary and amendments to the boundary shall be adopted by all cities within the boundary and by the county or counties within which the boundary is located, consistent with intergovernmental agreements, except for the Metro regional urban growth boundary established pursuant to ORS chapter 268, which shall be adopted or amended by the Metropolitan Service District.

Land Need

Establishment and change of ~~the~~ urban growth boundaries shall be based ~~upon considerations of~~ on the following ~~factors~~:

(1) Demonstrated need to accommodate long range urban population, ~~growth requirements~~ consistent with ~~LCDC goals~~ a 20-year population forecast coordinated with affected local governments; and

(2) ~~The~~ Demonstrated need for land suitable to accommodate housing, employment opportunities, ~~and~~ livability or uses such as public facilities, streets and roads, schools, parks or open space, ***or any combination of the need categories in this subsection (2).***

In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need.

Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.

Boundary Location

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

(1) Efficient accommodation of identified land needs ~~(4) Maximum efficiency of land uses within and on the fringe of the existing urban area.~~

(2) Orderly and economic provision of ~~for~~ public facilities and services;

(3) Comparative environmental, energy, economic and social consequences; and

~~(6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority.~~

(4)~~(7)~~ Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

~~The results of the above considerations shall be included in the comprehensive plan. In the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable lands from rural land shall follow the procedures and requirements as set forth in the Land Use Planning goal (Goal 2) for goal exceptions.~~

~~Any urban growth boundary established prior to January 1, 1975, which includes rural lands that have not been built upon shall be reviewed by the governing body, utilizing the same factors applicable to the establishment or change of urban growth boundaries.~~

~~Establishment and change of the boundaries shall be a cooperative process between a city and county or counties that surround it.~~ *(Moved to pg. 1, Lines 10,11)*

Urbanizable Land

Land within urban growth boundaries shall be considered available for urban development consistent with plans for the provision of urban facilities and services. Comprehensive plans and implementing measures shall manage the use and division of urbanizable land to maintain its potential for planned urban

development until appropriate public facilities and services are available or planned.

~~Land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses. Conversion of urbanizable land to urban uses shall be based on consideration of:~~

~~(1) Orderly, economic provision for public facilities and services;~~

~~(2) Availability of sufficient land for the various uses to insure choices in the market place;~~

~~(3) LCDC goals or the acknowledged comprehensive plan; and,~~

~~(4) Encouragement of development within urban areas before conversion of urbanizable areas.~~

Part 2: Unincorporated Communities *(No change to this part of the goal)*

In unincorporated communities outside urban growth boundaries counties may approve uses, public facilities and services more intensive than allowed on rural lands by Goal 11 and 14, either by exception to those goals, or as provided by commission rules which ensure such uses do not adversely affect agricultural and forest operations and interfere with the efficient functioning of urban growth boundaries.

Notwithstanding the other provisions of this goal, the commission may by rule provide that this goal does not prohibit the development and use of one single-family dwelling on a lot or parcel that:

(a) Was lawfully created;

(b) Lies outside any acknowledged urban growth boundary or unincorporated community boundary;

(c) Is within an area for which an exception to Statewide Planning Goal 3 or 4 has been acknowledged; and

(d) Is planned and zoned primarily for residential use.

GUIDELINES

The following text would be added as a new Planning Guideline # 4. All other guidelines would be unchanged:

4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

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ORS 197 (Comprehensive Planning) Statutes

Related to UGB Expansion

ECONOMIC DEVELOPMENT

197.707 Legislative intent. It was the intent of the Legislative Assembly in enacting ORS chapters 195, 196, 197, 215 and 227 not to prohibit, deter, delay or increase the cost of appropriate development, but to enhance economic development and opportunity for the benefit of all citizens. [1983 c.827 §16]

197.710 [1973 c.482 §3; repealed by 1977 c.665 §24]

197.712 Commission duties; comprehensive plan provisions; public facility plans; state agency coordination plans; compliance deadline; rules. (1) In addition to the findings and policies set forth in ORS 197.005, 197.010 and 215.243, the Legislative Assembly finds and declares that, in carrying out statewide comprehensive land use planning, the provision of adequate opportunities for a variety of economic activities throughout the state is vital to the health, welfare and prosperity of all the people of the state.

(2) By the adoption of new goals or rules, or the application, interpretation or amendment of existing goals or rules, the Land Conservation and Development Commission shall implement all of the following:

(a) Comprehensive plans shall include an analysis of the community's economic patterns, potentialities, strengths and deficiencies as they relate to state and national trends.

(b) Comprehensive plans shall contain policies concerning the economic development opportunities in the community.

(c) Comprehensive plans and land use regulations shall provide for at least an adequate supply of sites of suitable sizes, types, locations and service levels for industrial and commercial uses consistent with plan policies.

(d) Comprehensive plans and land use regulations shall provide for compatible uses on or near sites zoned for specific industrial and commercial uses.

(e) A city or county shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. The public facility plan shall include rough cost estimates for public projects needed to provide sewer, water and transportation for the land uses contemplated in the comprehensive plan and land use regulations. Project timing and financing provisions of public facility plans shall not be considered land use decisions.

(f) In accordance with ORS 197.180, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other state agencies and with the public facility plans of cities and counties. In addition, state agencies that

issue permits affecting land use shall identify in their coordination programs how they will coordinate permit issuance with other state agencies and cities and counties.

(g) Local governments shall provide:

(A) Reasonable opportunities to satisfy local and rural needs for residential and industrial development and other economic activities on appropriate lands outside urban growth boundaries, in a manner consistent with conservation of the state's agricultural and forest land base; and

(B) Reasonable opportunities for urban residential, commercial and industrial needs over time through changes to urban growth boundaries.

(3) A comprehensive plan and land use regulations shall be in compliance with this section by the first periodic review of that plan and regulations. [1983 c.827 §17; 1991 c.612 §17]

197.717 Technical assistance by state agencies; information from Economic and Community Development Department; model ordinances; rural economic development. (1) State agencies shall provide technical assistance to local governments in:

(a) Planning and zoning land adequate in amount, size, topography, transportation access and surrounding land use and public facilities for the special needs of various industrial and commercial uses;

(b) Developing public facility plans; and

(c) Streamlining local permit procedures.

(2) The Economic and Community Development Department shall provide a local government with "state and national trend" information to assist in compliance with ORS 197.712 (2)(a).

(3) The Land Conservation and Development Commission shall develop model ordinances to assist local governments in streamlining local permit procedures.

(4) The Department of Land Conservation and Development and the Economic and Community Development Department shall establish a joint program to assist rural communities with economic and community development services. The assistance shall include, but not be limited to, grants, loans, model ordinances and technical assistance. The purposes of the assistance are to remove obstacles to economic and community development and to facilitate that development. The departments shall give priority to communities with high rates of unemployment. [1983 c.827 §18; 1995 s.s. c.3 §36h; 1996 c.6 §10]

HOUSING NEED

197.303 "Needed housing" defined. (1) As used in ORS 197.307, until the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing" means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing" also means:

(a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490; and

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions.

(2) Subsection (1)(a) and (d) of this section shall not apply to:

(a) A city with a population of less than 2,500.

(b) A county with a population of less than 15,000.

(3) A local government may take an exception to subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1]

197.296 Factors to establish sufficiency of buildable lands within urban growth boundary; analysis and determination of residential housing patterns. (1)(a) The provisions of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2) At periodic review pursuant to ORS 197.628 to 197.650 or at any other legislative review of the comprehensive plan or regional plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary

and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of housing need by type and density range, in accordance with ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

(A) Vacant lands planned or zoned for residential use;

(B) Partially vacant lands planned or zoned for residential use;

(C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and

(D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity and need pursuant to subsection (3) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last periodic review or five years, whichever is greater. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) Demographic and population trends;

(D) Economic trends and cycles; and

(E) The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity and need. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period for economic cycles and trends longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting

housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or more of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary;

(b) Amend its comprehensive plan, regional plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or

(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.

(7) Using the analysis conducted under subsection (3)(b) of this section, **the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years.** If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the **local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.**

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) The local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.

(9) In establishing that actions and measures adopted under subsections (6) or (7) of this section demonstrably increase the likelihood of higher density residential

development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section and is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section. **Actions or measures, or both, may include but are not limited to:**

(a) Increases in the permitted density on existing residential land;

(b) Financial incentives for higher density housing;

(c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;

(d) Removal or easing of approval standards or procedures;

(e) Minimum density ranges;

(f) Redevelopment and infill strategies;

(g) Authorization of housing types not previously allowed by the plan or regulations;

(h) Adoption of an average residential density standard; and

(i) Rezoning or redesignation of nonresidential land. [1995 c.547 §3; 2001 c.908 §1; 2003 c.177 §1]

UGB EXPANSION PRIORITIES

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.

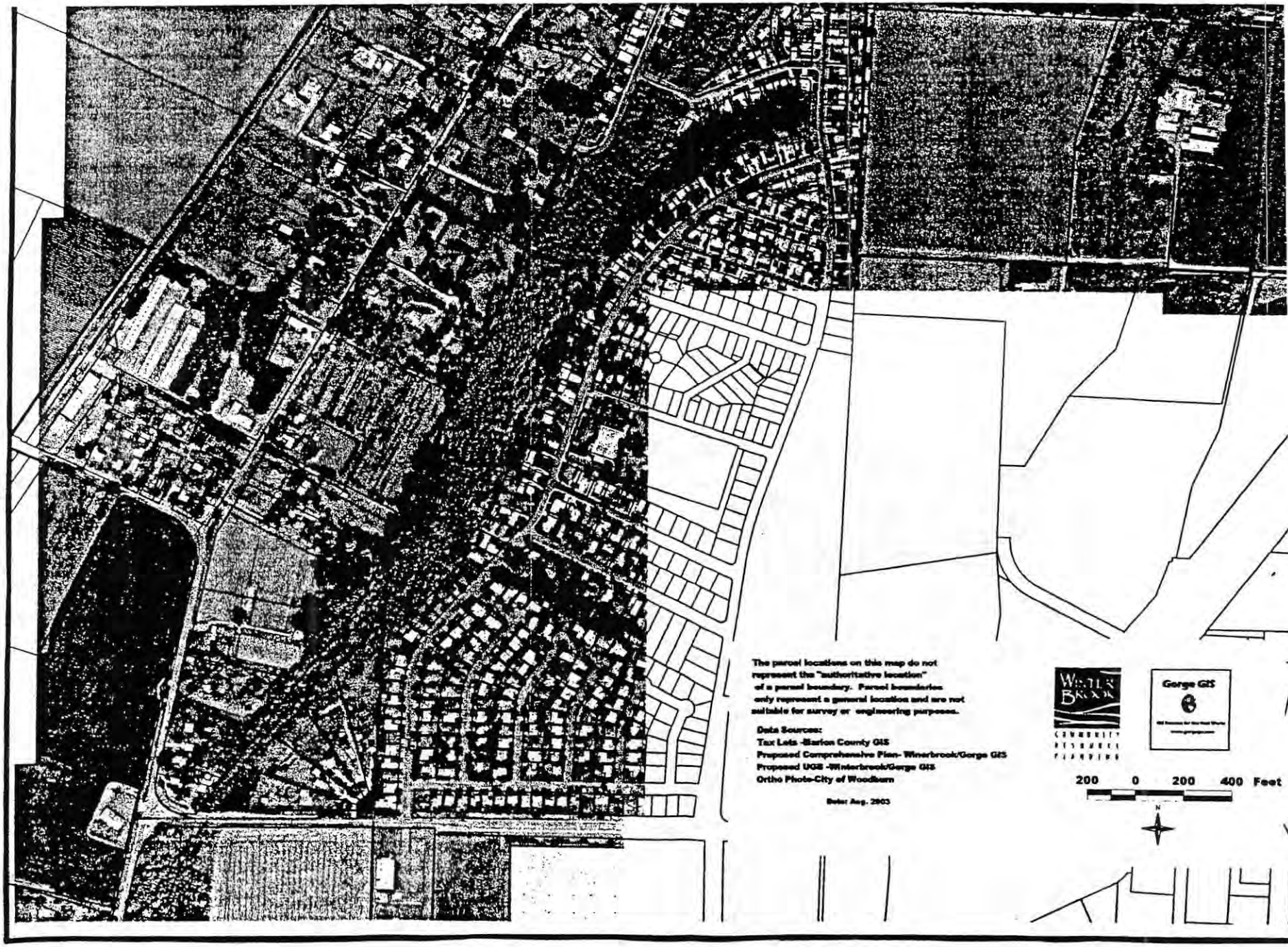
(2) Higher priority shall be given to land of lower capability as measured by the capability classification system or by cubic foot site class, whichever is appropriate for the current use.

(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. [1995 c.547 §5; 1999 c.59 §56]


The parcel locations on this map do not represent the "authoritative location" of a parcel boundary. Parcel boundaries only represent a general location and are not suitable for survey or engineering purposes.
Data Sources:
Tax Lots -Marion County GIS
Proposed Comprehensive Plan- Winterbrook/Gorge GIS
Proposed UGB -Winterbrook/Gorge GIS
Ortho Photo-City of Woodburn
Gorge GIS
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WOODBURN
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Agenda Item 11A

April 25, 2005

TO: Honorable Mayor and City Council through City Administrator

FROM: John C. Brown, City Administrator

SUBJECT: **Legislative Amendment 05-01; Woodburn Comprehensive Plan Update**

RECOMMENDATION:

It is recommended the City Council commence deliberations on Legislative Amendment 05-01, the Woodburn Comprehensive Plan update. It is also recommended, due to the probable duration of deliberations, that the Mayor establish a time limit for deliberation in this meeting and continue deliberations to May 23, 2005, and future meetings as may be necessary.

BACKGROUND:

On March 28, 2005, the City Council conducted a public hearing on the City's draft periodic review work program and draft transportation system plan. The Council received oral testimony from 30 individuals and organizations, and received 34 pieces of written testimony. The Mayor closed the public hearing to oral testimony, but allowed for submission of additional written testimony until April 20, 2005. Based on hearing testimony, the Mayor and Councilors expressed the need for further information regarding the draft plans. The Council agreed to commence deliberations at its April 25, 2005 meeting but sought to use the meeting, and potentially subsequent meetings, to review the material with staff in greater depth. April 25th was set as a meeting date, to allow time for staff to prepare responses to the testimony received on March 28th, and the written testimony received by April 20th. The Mayor encouraged each Councilor with questions or concerns to contact staff in the interim, so staff would be prepared to discuss those matters on the 25th.

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sparse language that is included in Measure 37. This is the first time the City is addressing a Measure 37 issue and the Council needs to be extremely careful in how it is approach so that the Council does not establish precedence. He felt that the most critical aspect is to determine if there is a legitimate claim before the Council. According to his reading of the language and different reports, it must be established and proved that there is a loss of value as a result of actions taken by the City to make a valid Measure 37 claim. In this particular case, the Council does not have the formal evidence before them and, for that reason and at this point in time, he felt that it would be premature for the Council to accept the Measure 37 claim and process it further.

2980 **LONERGAN/NICHOLS...** deny Measure 37 Claim M37 04-01 based upon the information contained in Mr. Mulder's staff report dated April 21, 2005.
On roll call vote, the motion passed unanimously.

3073 **LEGISLATIVE AMENDMENT 05-01: WOODBURN COMPREHENSIVE PLAN UPDATE.**

Mayor Figley stated that the public hearing has been closed and deliberations will begin at this meeting. Written testimony has also been closed and the Council has received additional testimony which the staff is compiling for the Council. No final decisions will be made at this meeting, however, the Council has a number of questions that staff and others associated with this project will be answering during the deliberation process. She briefly reviewed the list of questions included in the City Administrator's staff report for the benefit of the audience. Members of the panel to answer the Mayor and Council's questions were Community Development Director Mulder, Terry Cole (ODOT Representative), Greg Winterowd (Planning Consultant), and Assistant City Engineer Torgeson.

1) Interchange Management Area (IMA)-

Mayor Figley questioned how this area would affect (a) the owner and would be developer of a parcel south of Capital Development newly included in the Urban Growth Boundary (UGB) as part of this process, or (b) the expansion of any of the uses already in existence west of the freeway, or (c) the development or redevelopment of some of the commercial areas east of the freeway, or (d) the small applicants with relatively insignificant traffic impact.

Greg Winterowd stated that the IMA overlay is one of the cornerstones of the overall program since adequate access to I-5 is necessary to have a solid industrial growth program. The west side of I-5 has the least amount of traffic congestion. The proposed ordinance does not regulate residential land, parcels of less than 1 acre, or developed commercial and industrial parcels. In regards to the re-development of the Brice property, they would not be affected and there would be no impact. In regards to Capital Development, there could be an impact since the intention of this ordinance would be that when they come in to develop they would do a detail traffic impact study and they would

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look for ways to reduce the impact from commercial development on the freeway so that capacity would be retained. Traffic generation during peak hours is of great concern and alternatives that can be considered by a developer are staggering work hours or avoiding drive-thrus. The key is to work with developers to keep the numbers below the threshold. Through the conditional use process, the Planning Commission and Council can look at transportation demand management to reduce the number of trips if at all possible and, once they have done all that they can, allow that parcel to exceed the budget because it has so much value to achieve the economic developments of the City as expressed in the Economic Opportunities Analysis and the Economic Development Strategy. In terms of the WinCo expansion, it could be that a part of their development goes over the property line but there are still 18 or 19 acres of undeveloped property. WinCo's past history of traffic generation has been that they are not primarily peak hour generators of traffic, therefore, they would have a relatively low impact on the interchange and may very well have fewer than the allocated number of trips providing the next user with some potential benefit. This is a cumulative impact analysis and, in working with ODOT, staff feels that there is plenty of capacity for the next 20 years. The purpose of the parcel specific is to try and get the developers to work with the City in coming up with transportation demand managers to preserve capacity for the life of this plan.

Terry Cole, ODOT, stated that a transportation model was used to translate the City's future population and employment projections which were then translated into future trip impact and distributed throughout this particular area. The goal is not to reduce what might otherwise occur in the area but to accommodate what is expected to occur in the area. Another issue is that they have tried to develop the interchange overlay in a way that supports the City's other economic development goals and objectives.

Councilor Lonergan questioned why the City of Woodburn is the beneficiary of this overlay plan by ODOT.

Mr. Cole stated that there are other interchange management plans being prepared along the I-5 corridor. As per ODOT's Administrative Rule on access management and the 1999 & 2000 adopted Oregon Highway Plan, interchange area management plans are now required of improvement projects that the State undertakes. In Woodburn's situation, a trip budget is proposed to accommodate how the City expects to grow and what is unique about this plan is that the City has looked at its economic future to try and identify its position in this valley marketplace. The overlay zone is a way to support the Council's goal and objectives.

4718 Councilor McCallum questioned what the most severe penalties that could be imposed to organizations or business if they go beyond the trip budget.

Mr. Cole stated that the trip budget is for undeveloped commercial and industrial lands in the proposed UGB and has been set at about 2,500 trips in the peak hour which is about 10% of the average daily traffic out of this area. Currently the average trips per day is 22,000 and he did not feel that they had been overly conservative in looking at the City's

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growth future. In a worst case scenario, an intergovernmental agreement with ODOT will include a review period every three years so that adjustments can be discussed in the event the current list of targeted industries do not materialize and other industries are interested in coming to Woodburn.

Director Mulder reiterated that trip usage that exceeds the allocated amount for a parcel would require a conditional use which then makes it a discretionary approval by the Council.

Mr. Winterrowd cautioned the Council to carefully monitor this program for its actual performance. In regards to the EcoNorthwest projections, staff looked at the high end of the employee projection and the Interchange Management Overlay accommodates that many employees. ODOT wants to be assured that the huge investment they would be making on the interchange improvement will be used efficiency.

Terry Cole stated that ODOT does share the City's concern but they are trying to look at a new way of managing their investment and still support the growth of cities. He mentioned that the proposed ordinance also calls for a mandatory notification when the City reaches a 33% and 66% level of usage of the allocated trips so that ODOT and the City can see how they are pacing themselves over time. He reminded the Council that there are areas outside of the City that will use this interchange since it is the North Marion County interchange and there is a concern that Woodburn could use up the capacity. However, the City's history shows that Woodburn has grown in accordance with their Comprehensive Plan which is a protection to the City.

Councilor Bjelland stated that the use of the Interchange Management agreement is something that is going to be required of all interchanges that will be improved or developed in the future. This is not a case of Woodburn being the only City required to have the agreement, however, with the stage that the City is currently in, the City has an opportunity to make this a positive situation since Woodburn is competing with a number of other areas for a very scarce amount of transportation dollars. The plan will give the City a step ahead of the other cities asking for their interchanges to be improved. He did not see where they would be any problems over the next 10 years or more and, if so, the City will be re-visiting this ordinance and working with ODOT as per the agreement. He reiterated that this is a very aggressive assumption on employee projections and he expressed his support of the proposed Interchange Management Area.

Councilor McCallum stated that the key is to carefully monitor what is going on in the interchange area and the Council be kept informed by staff and other agencies where the City is at on this issue.

Terry Cole stated that the Rickreall interchange has an interchange management area and has recently been approved by the Oregon Transportation Commission (OTC) for improvements. In this case, the Polk County Commissioners committed protection of the resource lands and their ability to protect the investment and resource lands around this interchange was instrumental in gaining the OTC support and moving the project forward

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in a timely manner.

6470 2) Public Facilities Plan Methodology and its inclusion or exclusion of property north of the outlet mall, all of the property in the study area for the Serres property, and evaluation of the Serres property versus the Fessler property as residential area -
Greg Winterowd stated that the key factor that staff needed to address in expanding the UGB is ORS 197.298 priorities. Agricultural land suitably was looked at closely around the urban growth boundary and there are two concentrations of Class III soils. He agreed with comments made by 1000 Friends of Oregon in that the largest concentration is to the south and it extends beyond the study area. The second smaller but significant Class III soil concentration is located in the north study near I-5. In a UBG proposed expansion, the exception areas are brought in first then State law requires that Class III land areas are brought in before Class II or I areas. Around Woodburn, Class IV and V soils are associated with streams and are on unbuildable land. The proposed UGB was drawn, in significant part, to go to those Class III concentrations. State Statute also states that if it is necessary to get to Class III land to provide services, you can go across Class II land to get to the area plus you also need a good buffer between the farmland the urban development. Roads are a good natural buffer and the Fessler property is bounded by Crosby Road, Boones Ferry Road, and I-5. Also, the golf course provides a good amenity and a neighborhood that provides for a higher end housing. The primary reason for the Serres property not being recommended in the UGB is that all of the buildable land in that area is Class II soil with a small inclusion of Class III and some Class IV and V soils. This Class II soil goes all of the way to the Pudding River and there is not enough need to justify going that far south to include that large block of land. In his opinion, if the Serres property is brought in, the City would lose at LCDC because Class II soils would be brought in that are not needed to get to Class III soils and the City would not be consistent with the priorities in ORS 298. Public Works was asked to do a systematic area by area analysis at the planning level and the results were that the east was more expensive to serve than north, and the southwest is less expensive to serve. If the east was less expensive, the recommendation would still be to the north since it is Class III soils. Assistant City Engineer Torgeson provided the Council with the written summary of the methodology for calculations for infrastructure improvements within each of the study areas. A map was generated for each of the study areas and the maps contain the points of connection and the description of the capacity from within the areas as well as the areas from the current UGB towards those areas. The conclusions included both the elements of the cost of improvements within the proposed expansion areas as well as the cost of improvements that might be necessary to upgrade existing facilities. Some of the areas presented greater cost because of topography and relationship to existing systems. It was noted that there may be costs associated with increasing size of existing lines to service new development or they may be a need to install a pump station and delivery line

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to take sewage to the treatment plant. The purpose was to draw comparative values based on a rational approach. He also stated that LCDC had very few comments or criticism of the work done by the engineering staff on the calculation methodology.

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0800 3) School District Property -
Mayor Figley stated that it was her understanding that there were differences of opinions at the Planning Commission level and she questioned if (1) it was true that bringing in the acreage would require the same amount of acreage somewhere else cannot be brought in, and (2) if it could be justified that the property be brought in.
For clarification, Councilor McCallum stated that the Planning Commission did vote to bring in the property.
Greg Winterowd stated that he and Director Mulder had recommended that either land currently in the UGB is traded, or come up with a special need as allowed under ORS 197.298 which would allow for the inclusion of the school property. Based on the work he has done, he did not feel that either of these options would work well. He stated that the School District does have land and facility needs, however, the property chosen has Class II soils entirely, is expensive to serve without great access, and has two boundaries abutting agricultural land without a road or anything to serve as a buffer. These are situations that put the overall proposalof the City in jeopardy. In his opinion, the only way it could be brought in is if it came in with the Serres property, if this property was found justifiable, so that the cost of services could be spread out over a large area. The proposed UGB would go to year 2020 and exact needs over the next 15 years indicate that there is a need for higher density areas which the nodal overlay area would address. As soon as land is added that is difficult to justify from a priority standpoint, the City will set themselves up for a remand and, over time, this land may be justifiable because they may be able to come up with a more specific study that says why they need a site to serve specific populations on the east side of Highway 99E.
Councilor McCallum questioned Mr. Winterowd as to his meaning of the word "jeopardy".
Mr. Winterowd stated that he has seen his role in working for the City over the past three years as doing his utmost to develop a plan that meets the City's local objectives and minimizing the risk of remand from the Land Conservation Development Commission without sacrificing the core values of jobs, good neighborhoods, and transportation. When he sees that the possibility of a 20-acre site for a School District could get the City's plan sent back for remand, then his tendency is to recommend against the inclusion of the property. With an urban growth boundary expansion, there are a multitude of assumptions that need to be justified and the City needs to have a little flexibility if they want to get approval from LCDC the first time through.
Councilor Bjelland stated that he and Mr. Winterowd sit on the State's Urban Growth Boundary Amendment work group advising LCDC and the DLC on how to improve the

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urban growth boundary amendment process to make it easier for cities to go through as opposed to the seven or eight years it has taken Woodburn to get through the periodic review process. The soils issue is a classic example of where state law dictates what cities can do in expanding their urban growth boundary. LCDC has to follow state law and any city that cannot show that it has taken every effort to use other available lands is leaving themself open to remand and successful overturn by parties interested in not seeing any expansion of urban growth boundary. Woodburn needs to be very careful in looking at where we would expand our urban growth boundary, and make sure that we are following and have done the research to justify the areas that are proposed within the expansion area. He stated that there are other alternatives available to the School if they can justify that particular location and it does not have to be part of the UGB process. Based on what he has heard today, he feels that the City would probably be better served by not including that property as part of the UGB expansion because of the issues that have been raised and the exposure it can create for the City.

1600 Councilor McCallum stated that the School District will need more than 20 acres over the next 15 years and he hoped that barriers are not established since we need to work with them to assist them with their future facility needs.

Councilor Bjelland stated that he wants to make sure that the City accommodates all of the potential public, private, housing, employment needs with the UGB and the school is a significant part based on the projected student population of this planning time frame and how many acres are needed to support this student population.

Greg Winterowd stated that there is a need for affordable land for school sites. In regards to the process, the School District was asked about three years ago if they had a facility plan. The reply was that there was no clear plan available nor did they provide any clear projection of land needs. Staff then looked at the existing ratio of population of developed school land and used that as a placeholder number to insure that there was enough land. This number resulted in another 55 acres and the School District wrote a letter to say that they needed more land. The proposed plan before the Council would include 108 acres of residential land within the UGB to meet school needs. The problem is that the School does not own the land so they will need to purchase it at a higher price if it is in a UGB. He recommended that the Council follow Councilor McCallum's advice and work with the District at a later date to come up with a facilities plan which can then be examined by the Council to see if there are sites within the UGB that meet those siting requirements. The Council would then look at the unmet need and encourage the District to work with some of the new landowners being proposed in this inclusion and then apply the criteria to determine whether the land inside the UGB will meet the need or perhaps it may be necessary to go to the outside. Utilizing that approach, he felt that the District can be successful.

Councilor Bjelland stated that it is also necessary to see where the projected population of the housing will be so that the school sites can be located. This periodic review and UGB

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expansion process will determine where the housing population will be which will then dictate to a certain extent the location of the schools.
Director Mulder stated that the City had recently received a letter from the School District which will be provided to the Council along with all of the other written testimony that came in to the City prior to the April 20, 2005 deadline by the May 9, 2005 meeting.
Councilor Lonergan questioned what will happen if the 20 acres is left out of the proposed UGB expansion area.
Mr. Winterowd stated that the School District would then own 20 acres of agricultural land that they cannot build on unless or until the UGB is expanded or they found another site.

2188 4) Alternatives that provide flexibility in protecting large industrial parcels from subdivisions -
Mayor Figley stated that the City is trying to avoid having the unbuildable or poorly usable remnants of land that exist elsewhere around the City that can accommodate the small fabrication or assembly operations. She shared the concern expressed by Marion County regarding the need for flexibility in different parcels.
Mr. Winterowd stated that the Economic Opportunities Analysis calls for a variety of site sizes and some larger sites have been reserved, however, to meet the smaller site needs, there are a number of sites available along Highway 99E without any restrictions on parceling them to meet certain kinds of needs. The Southwest Industrial Reserve (SWIR) provides for two categories of parcels that have somewhat different functions. Category 1 are the three large parcels which would allow industrial parks with the largest parcel size required being 25 acres. Two of these parcels are located on Evergreen Road and the other parcel is located on Butteville Road. These sites also allow the breakdown to smaller parcels under the notion that there would be a master planned industrial area to show how a variety of industrial site needs could be met within the next one to three years with those three sites. Category 2 are further away and will probably be available after the 3 year period since they are not shovel ready and may be dependent upon the construction of a south arterial. The proposed plan would have Evergreen Road extending to the south, Butteville Road extending to the south, and the Butteville overpass built which is also the south arterial roadway. Those three more flexible parcels in the industrial park would pay for the road extensions to serve their neighbors. Those sites would have a restriction against land divisions. He suggested that the City consider reviewing the Economic Opportunities Analysis in five years to see how growth has occurred and then adjust the plan accordingly.
Councilor Bjelland stated that Oregon has a severe shortage of larger industrial sites for locating businesses that want to locate or expand in Oregon. If Woodburn has 25 acre or larger sites available, then the City has an opportunity to attract the type of industries that the City is looking for to locate in Woodburn.

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2967 5) Rationale for the proposed commercial zoning on the north side of Highway 211 east of Highway 99E -
Director Mulder stated that there are two 10-acre parcels that were addressed during the public hearing and staff is not proposing any change on those properties. Both parcels are currently within the City's UGB but outside of the city limits. Currently, the parcels have a Comprehensive Plan designation of commercial and staff had not considered making a change on these properties as a part of this process. With the property owners requesting that the parcels be changed to residential, staff has taken another look at those parcels and recommends that the designation not be changed. This amendment process has already established that the City is constraining the amount of commercial land and the acreage should be retained. In regards to the location, this is the only significant area of vacant commercial land on the east side of the City and there would be some compatibility issues with the surrounding area.
Councilor Lonergan stated that his concern was on the third lot where the Church will be developing and he questioned compatibility of commercial on the west and east sides of this Church along with the residential property across the street from the parcels.
Director Mulder reiterated that this property has been designated as commercial for almost 30 years. As a part of this process, he did not do a review of each parcel designation but did address some of the more obvious issues where there is inconsistency with existing zoning and the Comprehensive Plan designation. He also stated that the Church has turned in an application but it is not deemed complete as of this date. He did not feel that having a Church on the one parcel would have much of an affect on compatibility other than the continuity of commercial use.

3570 (6) Nodal Overlay rationale -
Mr. Winterowd stated that the nodal overlay concept was an attempt to provide affordable home ownership opportunities based on the housing needs analysis. To be affordable, smaller lot sizes are necessary along with varied housing options. The nodal development would have a combination of somewhat higher density multiple family near a commercial center graduating down to the possibility of some row houses which are increasingly popular and then some small lot single family. The standards that have been developed elsewhere in the City for single family housing especially in the downtown area would be applied to insure a good design. The nodal overlay shows the State that the City is increasing density and it shows the County that there is a way to meet density guidelines that they proposed. He feels that including this overlay area will give the City a better position for acknowledgment the first time before LCDC.
Councilor Lonergan expressed concern on including a higher density area when the City is already experiencing traffic problems and he sees his job as protecting the livability the residents have at this time. He felt that row housing is attractive but he is afraid of the transportation impact.

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Mr. Winterowd stated that his concerns have validity, however, he disagreed with one comment in that if there was a development pattern with the same number of people, then there would be more land required and people would have to drive to a commercial area since they would be further out, therefore, the affect on congestion might be worse for the same number of people in a smaller area.
Councilor McCallum concurred with the point made relating to services in the area in that a resident could walk to since it could reduce the amount of driving depending upon the services within the local area.
Councilor Bjelland stated that nodal development will not work in many parts of Woodburn since they do not have access to the commercial and employment opportunities. This particular area is adjacent to what could be a major employment base and would provide an opportunity for people living in that area to walk to work and be close to other commercial activities.
Director Mulder stated that he had initial concerns on this proposal but agreed that this would be the location if it is going to work. It was also noted that the DLCD has not identified any flaws with this nodal overlay area.

4762 7) Commercial property on Highway 99E at the extreme north side -
Director Mulder stated that staff will be proposing that the area be modified to low density residential and the designation is a mapping error.
Mayor Figley stated that the proposed schedule is for staff to have an organized set of materials for their review at the May 9, 2005 regular meeting and then deliberations will be resumed on May 23, 2005.
Administrator Brown stated that the Council does have some time flexibility in the event they would like to continue their deliberations until a Council meeting in June 2005.
Director Mulder stated that he will also be including a memo with the materials that will be including revisions to the Comprehensive Plan goals and policies and to the draft Development Ordinance amendments.

5335 **COUNCIL BILL 2569 - RESOLUTION AUTHORIZING THE TRANSFER OF OPERATING CONTINGENCY APPROPRIATIONS DURING FISCAL YEAR 2004-05.**
Council Bill 2569 was introduced by Councilor Sifuentez. The bill was read by title only since there were no objections from the Council.
Councilor Lonergan stated that he was very familiar with the Attorney firm and felt that it would be to the City's benefit to have an attorney assisting with labor negotiations with the Police Association. He questioned the amount that was being set aside for labor negotiations since it seemed very low.
Administrator Brown stated that the amount he is requesting in this resolution will be enough for this fiscal year and additional funds are being proposed for the next fiscal year. If the City goes to arbitration, then he will need to come back to the Council for

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Woodburn Public Works

Memo

To: Jim Mulder, Director - Community Development

From: David Torgeson, Assistant City Engineer DNT.

CC: Bob Shields, City Attorney

Date: April 15, 2005

Re: Response to Serres Letter dated March 23, 2006

The Serres family owns tracts included in an area (Region 4 of the UGB Study Area Public Facilities Analysis) that was evaluated by Public Works, to determine rough costs of providing public water, sanitary sewer, and storm drainage. This memo responds to concerns the family has raised in a letter addressed to the Mayor and Council dated March 23, 2005.

Water Supply

The Serres family letter implies that two wells on their property could be used as part of the City water supply system. With the development of a water treatment system for the City the Serres wells would have to be piped to the treatment plant on Parr Road or National Way for treatment before being put into the distribution system as drinking water. Piping for this connection of wells to treatment plant would be prohibitively costly.

The Serres family provided well logs for the two wells in their March 8, 2005 letter and review of these logs has determined that the wells are not constructed to city standards which call for a gravel packed screened well with cement grout seal to just above the level from which the water is drawn. The wells on the Serres property are perforated casing with no gravel pack and the seal was done with dirt and cement and only goes approximately 20 feet below the surface. Given the heavy agricultural use of the property over the years since the wells were constructed and the inadequate well seal, there is a real potential that hazardous agricultural chemicals could have contaminated the wells.

Wells on the east side of the city have higher concentrations of arsenic as well. The two city wells on the east side have arsenic concentrations of 12 and 13 parts per billion (ppb). The well at McClaren School, according to data on the State or Oregon

Health Division Drinking Water Program website, has an arsenic concentration of 19 ppb. The new federal standard for arsenic that is effective in January 2006 is 10 ppb. This new limit is one of the reasons the city is proceeding with water treatment facilities. Given the location of the Serres wells in the same general area there is a strong possibility that their wells have arsenic levels above what will be the new federal standard. Again if the arsenic concentration is consistent with other wells on the east side of the city, treatment would be required and as discussed above such costs are prohibitive.

The contention that wells on the Serres property could become part of the City drinking water distribution system is not supported by the information stated above.

Water Distribution System

The letter indicates that a six-inch line is available at the west edge of the Serres ownership. This line does not have capacity for further expansion of service area, and will not have sufficient capacity to supply demands when Serres property is developed.

Sanitary Sewer System

The letter assumes that adequate gravity service is available to the Serres property. This is not true. Only a small part of the property could be drained by gravity to the Greenview Sewer Pump Station, which has not been designed for expanded service area. (A major upgrade in the existing pressure force main at Greenview will be needed if additional flow is to be handled.) The configuration of the receiving works at the treatment plant necessitates that all sewage be pumped to that point. Development of any part of the Serres property will require either a new sewer pump station and dedicated force main delivering to the treatment plant, or extensive modifications to the existing collection system. The costs developed by Public Works considered the former case.

Storm Drainage

The study methodology simplified the storm drainage system. In theory, all runoff from a 100-year storm was conveyed to a single discharge point. The pipe required to convey this flow served as the basis for estimating cost to serve. The Serres letter is correct that landforms and phasing of development will likely result in several pipes, rather than the one large pipe. Additional factors (like detention of runoff), beyond the scope of the Public Facilities Plan, may also influence future decisions about location, size, and cost of drainage facilities.

Methodology

An outline of the approach that Public Works used to generate the estimated costs of infrastructure for all UGB expansion areas is attached. Area 4, which contains the Serres tract, was evaluated in the same fashion as all other Areas.

Conclusion

The analysis of the 8 subregions of the study area for UGB expansion was conducted to provide a planning level (as opposed to a precise engineering design level) comparison of the estimated public facility costs of expanding the UGB into each subregion. This analysis was conducted using the attached methodology. This methodology was uniformly applied to each subregion. The analysis of Region 4 using this methodology is accurate. The Serres letter analyzes facilities at a greater level of detail than was contemplated within the methodology used for all the other subregions. Even when this greater level of detail is applied to Region 4, the comparative conclusions of the Public Facilities Analysis remain accurate.

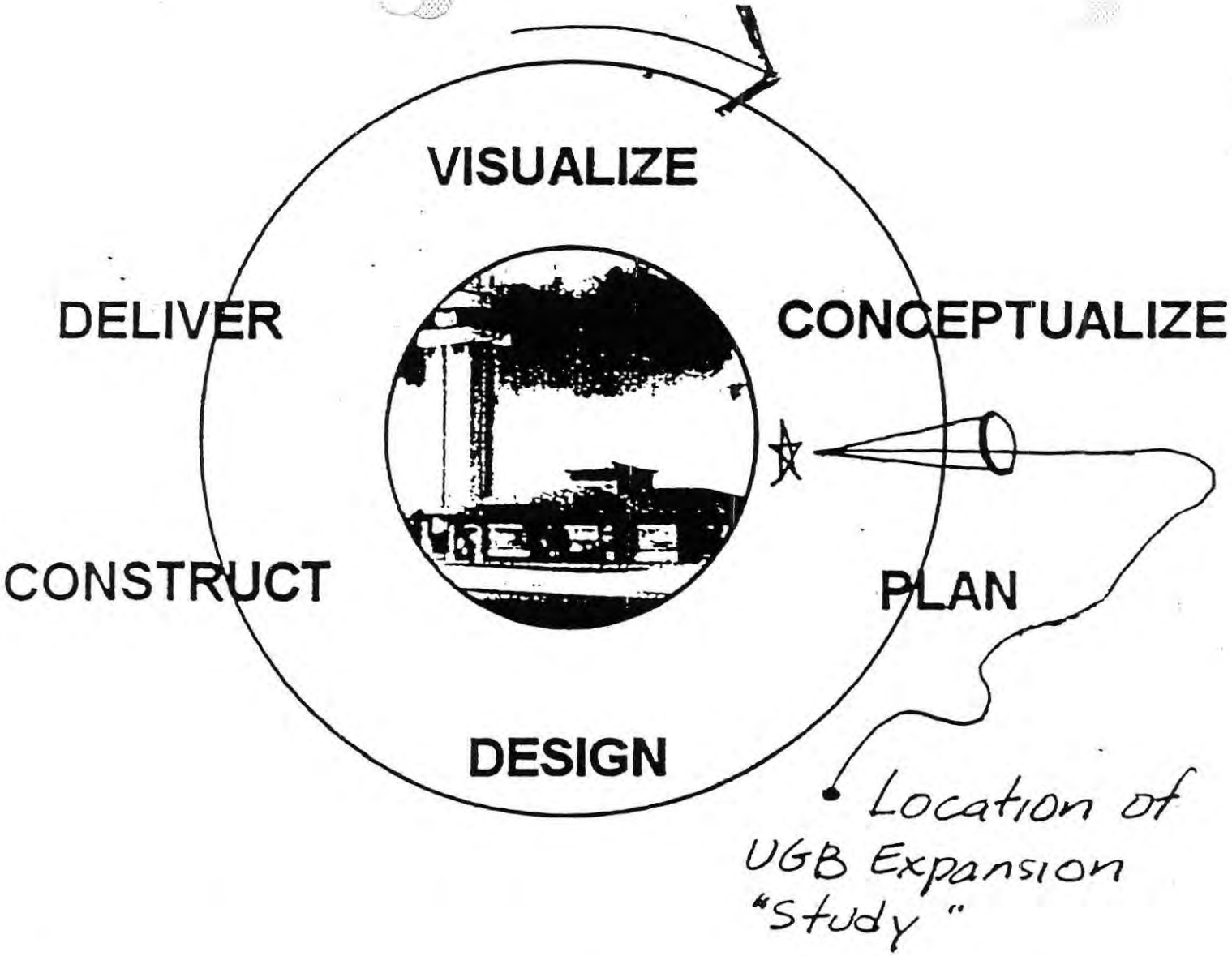
Storm Sewer

All areas: 0.5 cubic feet per second (cfs) per acre This empirical value was applied uniformly, regardless of projected land use, because little difference was discernable between runoff factors in conditions of a design storm.

Discharge from subareas larger than 150 acres were analyzed as Primary Drainage ways, in accordance with definitions from the Storm Drainage Master Plan (SDMP). Areas greater than 50, but less than 150 acres were described as Secondary Drainage ways. The SDMP instructs that conveyance systems for Primary Drainage ways accommodate runoff from 100-year event. Secondary Drainage ways are designed for 50-year events. The sizes of pipes were determined based upon their estimated slope and approximate design runoff for the tributary subarea.

9. The estimates considered that planning has already been made for some major infrastructure projects (mostly within the current Service Areas, and shown in a five-year plan called Capital Improvement Program, or "CIP"). Calculations were performed assuming that water, sanitary sewer, and storm drainage Capital Improvement Projects shown in the budget for fiscal year 2004-20005 were accomplished before any of these expansion projects were under taken.

10. Some infrastructure elements within the existing UGB would need upgrading to serve individual expansion subareas. Some of these improvements were not included in the CIP. Where additional improvements were necessary to existing systems situated within the existing service limits, the cost of improvements was estimated by application of historic construction cost records. These costs were added to other cost elements related to provision of service within each subarea. Included were water booster stations and sanitary sewer pump stations whose locations and sizes are shown on work maps that were prepared in course of the work.


VISUALIZE
CONCEPTUALIZE
PLAN
DESIGN
CONSTRUCT
DELIVER
Location of
UGB Expansion
"Study"

S.A.P.
EVALUATION OF WATER REQUIREMENTS FOR UGB INCREASE

PROP ZONE	RES AC	COMM/IND ACREAGE	RESIDENTAL AVERAGE DD 1315.4GPD/AC	RESIDENTAL MAXIMUM DD 5130.2gpd/AC	COMMERCIAL/INDUSTRIAL AVERAGE DD 381.9gpd/AC	COMMERCIAL/INDUSTRIAL MAXIMUM DD 1489.4gpd/AC	TOTAL RES FIRE FLOW (2 HRS)	TOTAL COM/IND FIRE FLOW (2 HRS)	TOTAL MDD W/FF
1	362	239	476,175	1,857,132	92,995	355,967	1,977,132	955,967	2,933,099
2	436	214	573,514	2,236,767	83,267	318,732	2,356,767	918,732	3,275,499
3	100	234	131,540	513,020	91,049	348,520	633,020	948,520	1,581,540
4	343	0	451,182	1,759,659	0	0	1,879,659	0	1,879,659
5	0	431	0	0	167,702	641,931	0	1,241,931	1,241,931
6	189	0	248,611	969,608	0	0	1,089,608	0	1,089,608
7	382	128	502,483	1,959,736	49,805	190,643	2,079,736	790,643	2,870,380
8	457	296	601,138	2,344,501	115,174	440,862	2,464,501	1,040,862	3,505,364
SUB-TOTAL	2,269	1,542	2,984,643	11,640,424	599,992	2,296,655	12,480,424	5,896,655	18,377,079

NOTE: Phase III of WTP build out will have producible product of 10.8 MGD and 6.1 MG storage.

STORM DRAIN COST ANALYSIS OF EXTENDED BOUNDARIES BY REGION

PROP ZONE	RES AC	COMM/IND ACREAGE	RESIDENTAL SD COST PER AC	COM/IND SD COST PER AC	TOTAL RESIDENTAL COST	TOTAL COM/IND COST	TOTAL	Q (cfs) BASED ON 0.5 CFS/AC
1	362	239	$7,800.00	$3,600.00	$2,823,600.00	$860,400.00	$3,684,000.00	300.5
2	436	214	$7,800.00	$3,600.00	$3,400,800.00	$770,400.00	$4,171,200.00	325
3	100	234	$7,800.00	$3,600.00	$780,000.00	$842,400.00	$1,622,400.00	167
4	343	0	$7,800.00	$3,600.00	$2,675,400.00	$0.00	$2,675,400.00	171.5
5	0	431	$7,800.00	$3,600.00	$0.00	$1,551,600.00	$1,551,600.00	215.5
6	189	0	$7,800.00	$3,600.00	$1,474,200.00	$0.00	$1,474,200.00	94.5
7	382	128	$7,800.00	$3,600.00	$2,979,600.00	$460,800.00	$3,440,400.00	255
8	457	296	$7,800.00	$3,600.00	$3,564,600.00	$1,065,600.00	$4,630,200.00	376.5
SUB-TOTAL	2,269	1,542			$17,698,200.00	$5,551,200.00	$23,249,400.00	

NOTE Cost per acre are based upon SDC Recipt history.

SANITARY SEWER COST ANALYSIS OF EXTENDED BOUNDARIES BY REGION

PROP ZONE	RES AC	COMM/IND ACREAGE	RESIDENTAL SD COST PER AC	COM/IND SD COST PER AC	TOTAL RESIDENTAL COST	TOTAL COM/IND COST	TOTAL
1	362	239	$10,800.00	$5,000.00	$3,909,600.00	$1,195,000.00	$5,104,600.00
2	436	214	$10,800.00	$5,000.00	$4,708,800.00	$1,070,000.00	$5,778,800.00
3	100	234	$10,800.00	$5,000.00	$1,080,000.00	$1,170,000.00	$2,250,000.00
4	343	0	$10,800.00	$5,000.00	$3,704,400.00	$0.00	$3,704,400.00
5	0	431	$10,800.00	$5,000.00	$0.00	$2,155,000.00	$2,155,000.00
6	189	0	$10,800.00	$5,000.00	$2,041,200.00	$0.00	$2,041,200.00
7	382	128	$10,800.00	$5,000.00	$4,125,600.00	$640,000.00	$4,765,600.00
8	457	296	$10,800.00	$5,000.00	$4,935,600.00	$1,480,000.00	$6,415,600.00
SUB-TOTAL	2,269	1,542			$24,505,200.00	$7,710,000.00	$32,215,200.00

NOTE Cost per acre are based upon SDC Recipt history.

SANITARY SEWER FLOW RATES BY REGION

PROP ZONE	RES AC	COMM/IND ACREAGE	RESIDENTAL FLOW Rate 1420 GPD/AC	COM/IND FLOW Rate 700 GPD/AC	TOTAL FLOW TO POC PER DAY	CFS
1	362	239	514,040	167,300	681,340	1.05
2	436	214	619,120	149,800	768,920	1.19
3	100	234	142,000	163,800	305,800	0.47
4	343	0	487,060	0	487,060	0.75
5	0	431	0	301,700	301,700	0.47
6	189	0	268,380	0	268,380	0.42
7	382	128	542,440	89,600	632,040	0.98
8	457	296	648,940	207,200	856,140	1.32
SUB-TOTAL	2,269	1,542	3,221,980	1,079,400	4,301,380	6.66

WATER SUPPLY COST ANALYSIS OF EXTENDED BOUNDARIES BY REGION

PROP ZONE	RES AC	COMM/IND ACREAGE	RESIDENTAL SD COST PER AC	COM/IND SD COST PER AC	TOTAL RESIDENTAL COST	TOTAL COM/IND COST	TOTAL
1	362	239	$9,000.00	$5,100.00	$3,258,000.00	$1,218,900.00	$4,476,900.00
2	436	214	$9,000.00	$5,100.00	$3,924,000.00	$1,091,400.00	$5,015,400.00
3	100	234	$9,000.00	$5,100.00	$900,000.00	$1,193,400.00	$2,093,400.00
4	343	0	$9,000.00	$5,100.00	$3,087,000.00	$0.00	$3,087,000.00
5	0	431	$9,000.00	$5,100.00	$0.00	$2,198,100.00	$2,198,100.00
6	189	0	$9,000.00	$5,100.00	$1,701,000.00	$0.00	$1,701,000.00
7	382	128	$9,000.00	$5,100.00	$3,438,000.00	$652,800.00	$4,090,800.00
8	457	296	$9,000.00	$5,100.00	$4,113,000.00	$1,509,600.00	$5,622,600.00
SUB-TOTAL	2,269	1,542			$20,421,000.00	$7,864,200.00	$28,285,200.00

NOTE Cost per acre are based upon SDC Recipt history.

REGION No. 7

REVISED
JUNE 3, 2004

GENERAL:

- Approximately 379 AC total area. For evaluation purposes this region is divided into 285 AC of Residential and 94 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 6100 LF of 12-inch dia. main looped at a cost of $700,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (2.3 MGD).
- Estimated cost of construction of distribution infrastructure is $3.0 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region will require construction of 1000 LF of new gravity sewer line to connect to the existing system at the South end of Harvard St. at a cost of $80,000.
- The existing gravity collection system at Harvard St. would require being upsized for approximately 3300 LF to I-5 pump station at an estimated cost of $250,000.
- Estimated new collections systems cost is $3.5 million and will generate an approximate load of 0.7 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- A new collection system would connect to the existing system on the West end of Parr Rd. and require upsizing the existing collector to a 42-inch dia. line at a cost of $200,00, approximately 190 cfs.
- Estimated new collections systems cost is $2.5 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 3,700,000
Sanitary Sewer	$ 3,830,000
Storm Sewer	$ 2,700,000
Total	$10,230,000

REGION No. 8

REVISED AREA
JUNE 3, 2004

GENERAL:

- Approximately 213 AC total area. For evaluation purposes this region is divided into 17 AC of Residential and 196 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system can be looped to the adjacent existing system without requiring any additional distribution line between systems.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (1.1 MGD).
- Estimated cost of construction of distribution infrastructure is $1.2 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- A new collection system would connect to the existing system on the West end of S. Woodland Ave. flowing to I-5 pump station.
- Estimated new collections systems cost is $1.2 million and will generate an approximate load of 0.25 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to both fingers of Senecal Cr. to service this area. Approximately 110 cfs.
- Estimated new collections systems cost is $838,000.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$1,200,000
Sanitary Sewer	$1,200,000
Storm Sewer	$838,000
Total	$3,238,000

REGION No. 1

GENERAL:

- Approximately 155 AC total area. For evaluation purposes, this region was divided into 155 AC of Residential and 0 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system can be looped to the adjacent existing system without requiring any additional distribution line between systems.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (0.92 MGD).
- Estimated cost of construction of distribution infrastructure is $1.40 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- A new collection system would connect to the existing system on the West end of S. Woodland Ave. flowing to I-5 pump station.
- Existing collector would require upsizing to a 24-inch dia. line at a cost of $250,00.
- Estimated new collections systems cost is $1.67 million and will generate an approximate load of 0.35 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to both fingers of Senecal Cr. to service this area, approximate 77.5 cfs.
- Estimated new collections systems cost is $1.21 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$1,400,000
Sanitary Sewer	$1,670,000
Storm Sewer	$1,210,000
Total	$4,280,000

REGION No. 2

GENERAL:

- Approximately 257 AC total area. For evaluation purposes this region was divided into 255 AC of Residential and 2 AC of Commercial/Industrial.
- Flow rates for water, sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 1300LF of 12-inch dia. main looped to the adjacent existing system at a cost of $180,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (1.1 MGD).
- Estimated cost of construction of distribution infrastructure is $1.31million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region would require construction of a new gravity system to connect to the existing system at the North end of Boones Ferry Rd.
- From the Boones Ferry Rd. connection point, approximately 4000 LF of collector will have to upsized to the Goose Cr. connection of the parallel westerly reliever at a cost of $500,000.
- Estimated new collections systems cost is $1.29 million and will generate an approximate load of 0.28 cfs
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to upper Mill Cr. to service this area, approximately 128 cfs.
- Estimated new collections systems cost is $930,000.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 1,490,000
Sanitary Sewer	$ 1,790,000
Storm Sewer	$ 930,000
Total	$4,210,000

REGION No. 3

GENERAL:

- Approximately 13 AC total area. For evaluation purposes this region was divided into 0 AC of Residential and 13 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 400LF of 12-inch dia. main looped to the adjacent existing system at a cost of $60,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (0.74 MGD).
- Estimated cost of construction of distribution infrastructure is $66,000.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region would require construction of a new gravity system to connect to the existing system at Industrial Pump Station on Industrial Way at a cost of $100,000.
- Estimated new collections systems cost is $65,000 and will generate an approximate load of 0.01 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage is adequate to handle outfall. The region would require construction of approximately 700 LF storm sewer conveyance system, Easterly to the natural drainage at a cost of $75,000 approximately 6.5 cfs.
- Estimated new collections systems cost is $47,000.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 126,000
Sanitary Sewer	$ 165,000
Storm Sewer	$ 122,000
Total	$ 413,000

REGION No. 6

GENERAL:

- Approximately 34 AC total area. For evaluation purposes this region was assigned into 21 AC of Residential and 13 AC Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 500 LF of 12-inch dia. main looped at a cost of $600,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (0.23 MGD).
- Estimated cost of construction of distribution infrastructure is $260,000.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region will require construction of a new lift station along the Southerly finger of Mill Cr. and behind Shalimar trailer park at a cost of $350,000.
- The new lift station would then require a new force main of approximately 1800 LF to connect to the existing gravity collection system at Bridlewood Ln. and Brown St. at an estimated cost of $250,000.
- Estimated new collections systems cost is $290,000 and will generate an approximate load of 0.06 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to South Mill Cr. to service this area, approximately 17 cfs.
- Estimated new collections systems cost is $210,000.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 860,000
Sanitary Sewer	$ 890,000
Storm Sewer	$ 210,000
Total	$ 1,960,000

REGION No. 1

GENERAL:

- Approximately 600 AC total area. For evaluation purposes, this region was divided into 360 AC of Residential and 240 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system can be looped to the adjacent existing system without requiring any additional distribution line between systems.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (2.93 MGD).
- Estimated cost of construction of distribution infrastructure is $4.48 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region would be expected to require construction of a new lift station in the Northern most point at an estimated cost of $600,000.
- The new lift station would then require a new force main of approximately 3200 LF to connect to the existing gravity collection system on King Way at an estimated cost of $400,000.
- Estimated new collections systems cost is $5.10 million and will generate an approximate load of 1.05 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to both fingers of Senecal Cr. to service this area, approximate 300 cfs.
- Estimated new collections systems cost is $4.17 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$4,480,000
Sanitary Sewer	$6,100,000
Storm Sewer	$4,170,000
Total	$14,700,000

REGION No. 2

GENERAL:

- Approximately 650 AC total area. For evaluation purposes this region was divided into 440 AC of Residential and 210 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 1300LF of 12-inch dia. main looped to the adjacent existing system at a cost of $180,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (3.3 MGD).
- Estimated cost of construction of distribution infrastructure is $5.02 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region would require construction of a new gravity system to connect to the existing system at the North end of Boones Ferry Rd.
- From the Boones Ferry Rd. connection point, approximately 4000 LF of collector will have to upsized to the Goose Cr. connection of the parallel westerly reliever at a cost of $500,000.
- Estimated new collections systems cost is $5.78 million and will generate an approximate load of 1.19 cfs
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to upper Mill Cr. to service this area, approximately 325 cfs.
- Estimated new collections systems cost is $4.17 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 5,200,000
Sanitary Sewer	$ 6,280,000
Storm Sewer	$ 4,170,000
Total	$15,650,000

REGION No. 3

GENERAL:

- Approximately 334 AC total area. For evaluation purposes this region was divided into 100 AC of Residential and 234 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 400LF of 12-inch dia. main looped to the adjacent existing system at a cost of $60,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (1.6 MGD).
- Estimated cost of construction of distribution infrastructure is $2.09 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region would require construction of a new gravity system to connect to the existing system at Industrial Pump Station on Industrial Way.
- From the connection point, approximately 450 LF of collector will have to upsized to the Industrial Way Pump Station at a cost of $100,000.
- Estimated new collections systems cost is $2.25 million and will generate an approximate load of 0.5 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage is adequate to handle outfall of only a small portion to upper Mill Cr. The bulk of the region would require construction of approximately 3500 LF of 78-inch dia. pipeline Easterly to the Pudding River at a cost of $1.3 million, approximately 167 cfs.
- Estimated new collections systems cost is $1.62 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 2,150,000
Sanitary Sewer	$ 2,350,000
Storm Sewer	$ 2,920,000
Total	$ 7,420,000

REGION No. 4

GENERAL:

- Approximately 343 AC total area. For evaluation purposes this region was determined to be all Residential and no Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 1100LF of 12-inch dia. main looped to the adjacent existing system at a cost of $154,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (1.88 MGD).
- Estimated cost of construction of distribution infrastructure is $3.1 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region would require construction of a new lift station, off Hwy. 211 then a 5000 LF of force main to the WWTP at a cost of $1.5 million.
- Estimated new collections systems cost is $3.70 million and will generate an approximate load of 0.75 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage is inadequate to handle outfall. Runoff would, therefore, require construction of approximately 3500 LF of 78-inch dia. pipeline Easterly to the Pudding River at a cost of $1.3 million, approximately 170 cfs.
- Estimated new collections systems cost is $2.68 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 3,240,000
Sanitary Sewer	$ 5,200,000
Storm Sewer	$ 5,000,000
Total	$13,440,000

REGION No. 5

GENERAL:

- Approximately 430 AC total area. For evaluation purposes this region was assigned into 430 AC of Commercial/Industrial and no Residential.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 3600LF of 12-inch dia. main looped at a cost of $500,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (1.24 MGD).
- Estimated cost of construction of distribution infrastructure is $2.20 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region will require construction of a new lift station in the Northwest corner of the region at an estimated cost of $350,000.
- The new lift station would then require a new force main of approximately 4800 LF to connect to the existing gravity collection system at the Mill Cr. trunk line off of Cleveland St. at an estimated cost of $750,000.
- Estimated new collections systems cost is $2.16 million and will generate an approximate load of 0.50 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage is inadequate to handle outfall. Runoff, therefore, requires construction of approximately 4500 LF of 84-inch dia. pipeline Easterly to the Pudding River at a cost of $2.0 million, approximately 216 cfs.
- Estimated new collections systems cost is $1.55 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

Cost Estimate Summary:

Water Improvements	$ 2,700,000
Sanitary Sewer	$ 3,260,000
Storm Sewer	$ 3,150,000
Total	$ 9,110,000

REGION No. 6

GENERAL:

- Approximately 190 AC total area. For evaluation purposes this region was assigned into 190 AC of Residential and no Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 5000LF of 12-inch dia. main looped at a cost of $600,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (1.09 MGD).
- Estimated cost of construction of distribution infrastructure is $1.7 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region will require construction of a new lift station along the Southerly finger of Mill Cr. and behind Shalimar trailer park at a cost of $350,000.
- The new lift station would then require a new force main of approximately 1800 LF to connect to the existing gravity collection system at Bridlewood Ln. and Brown St. at an estimated cost of $250,000.
- Estimated new collections systems cost is $2.04 million and will generate an approximate load of 0.40 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to South Mill Cr. to service this area, approximately 95 cfs.
- Estimated new collections systems cost is $1.47 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 2,300,000
Sanitary Sewer	$ 2,640,000
Storm Sewer	$ 1,470,000
Total	$ 6,410,000

REGION No. 7

GENERAL:

- Approximately 510 AC total area. For evaluation purposes this region was divided into 380 AC of Residential and 130 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system will require extension of the existing distribution system by approximately 6100 LF of 12-inch dia. main looped at a cost of $700,000.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (2.87 MGD).
- Estimated cost of construction of distribution infrastructure is $4.1 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- This region will require construction of 1000 LF of new gravity sewer line to connect to the existing system at the South end of Harvard St. at a cost of $80,000.
- The existing gravity collection system at Harvard St. would require being upsized for approximately 3300 LF to I-5 pump station at an estimated cost of $250,000.
- Estimated new collections systems cost is $4.77 million and will generate an approximate load of 1.0 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

STORM SEWER SYSTEM:

- A new collection system would connect to the existing system on the West end of Parr Rd. and require upsizing the existing collector to a 42-inch dia. line at a cost of $200,00, approximately 255 cfs.
- Estimated new collections systems cost is $3.44 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$ 4,790,000
Sanitary Sewer	$ 5,100,000
Storm Sewer	$ 3,640,000
Total	$13,530,000

REGION No. 8

GENERAL:

- Approximately 750 AC total area. For evaluation purposes this region was divided into 457 AC of Residential and 296 AC of Commercial/Industrial.
- Flow rates for water; sewer and storm distribution and collection systems are based on zoning densities appropriate to the assigned land use and Master Plan consumption/contribution rates.
- When and where practical topographic geography was considered in gravity systems.
- This region was analyzed independent of other proposed regions.
- The analysis is based on all CIP projects, identified in the current Master Plan Documents, have been completed.

WATER DISTRIBUTION SYSTEM:

- A new distribution system can be looped to the adjacent existing system without requiring any additional distribution line between systems.
- Flow rates were based upon Master Plan use rates per capita and 2-hour fire durations (3.5 MGD).
- Estimated cost of construction of distribution infrastructure is $5.62 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

SANITARY SEWER SYSTEM:

- A new collection system would connect to the existing system on the West end of S. Woodland Ave. flowing to I-5 pump station.
- Existing collector would require upsizing to a 24-inch dia. line at a cost of $250,00.
- Estimated new collections systems cost is $6.42 million and will generate an approximate load of 1.32 cfs.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

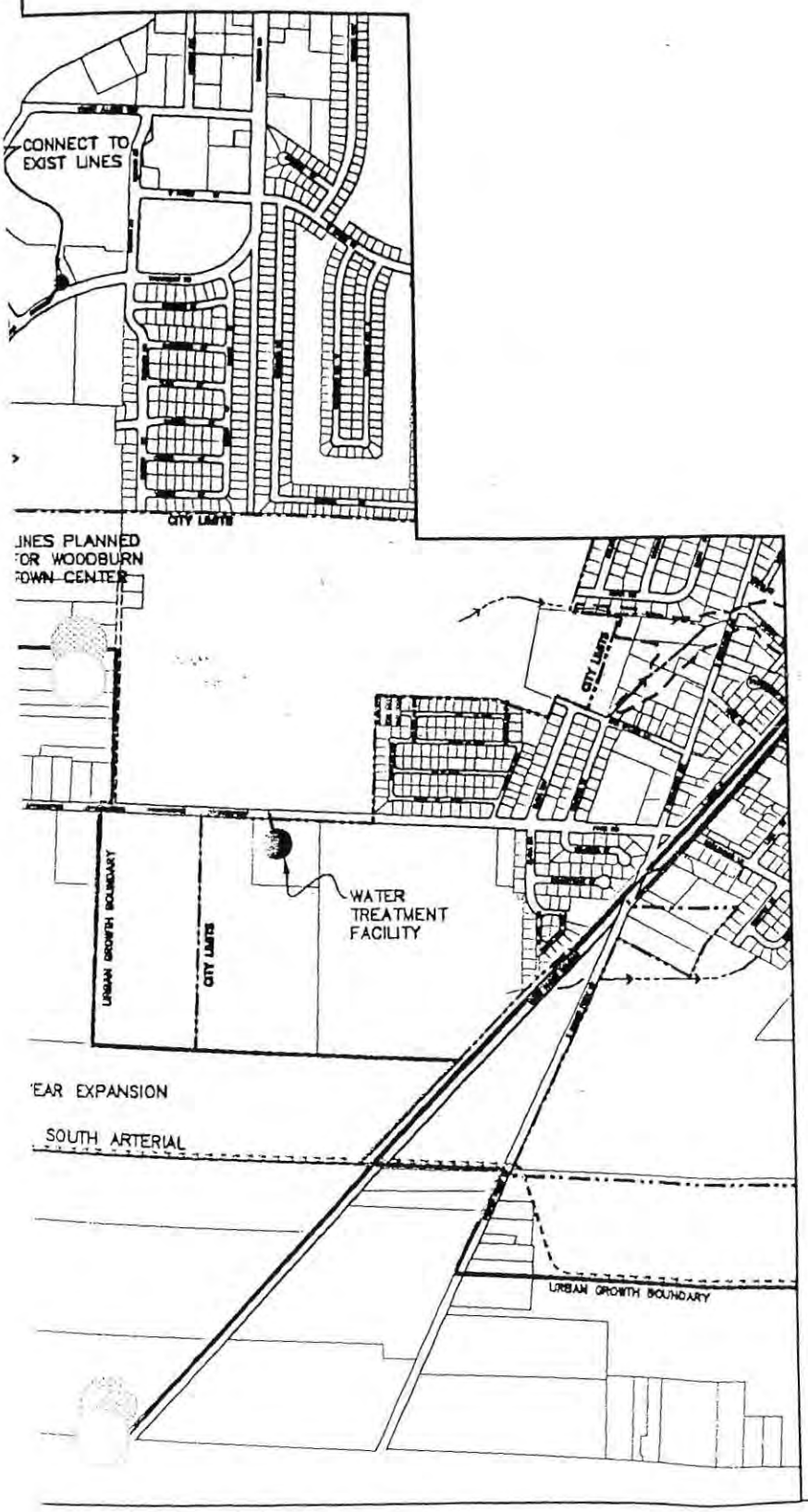
STORM SEWER SYSTEM:

- Natural drainage appears adequate to handle outfall(s) to both fingers of Senecal Cr. to service this area. Approximately 375 cfs.
- Estimated new collections systems cost is $4.63 million.
- Analysis indicates the existing system (i.e. current 2004 service area) will support the improvements, estimated costs are shown below in the summary.

COST ESTIMATE SUMMARY:

Water Improvements	$5,620,000
Sanitary Sewer	$6,670,000
Storm Sewer	$4,630,000
Total	$16,920,000

DOMESTIC WATER SERVICE TO INDUSTRIAL AREAS

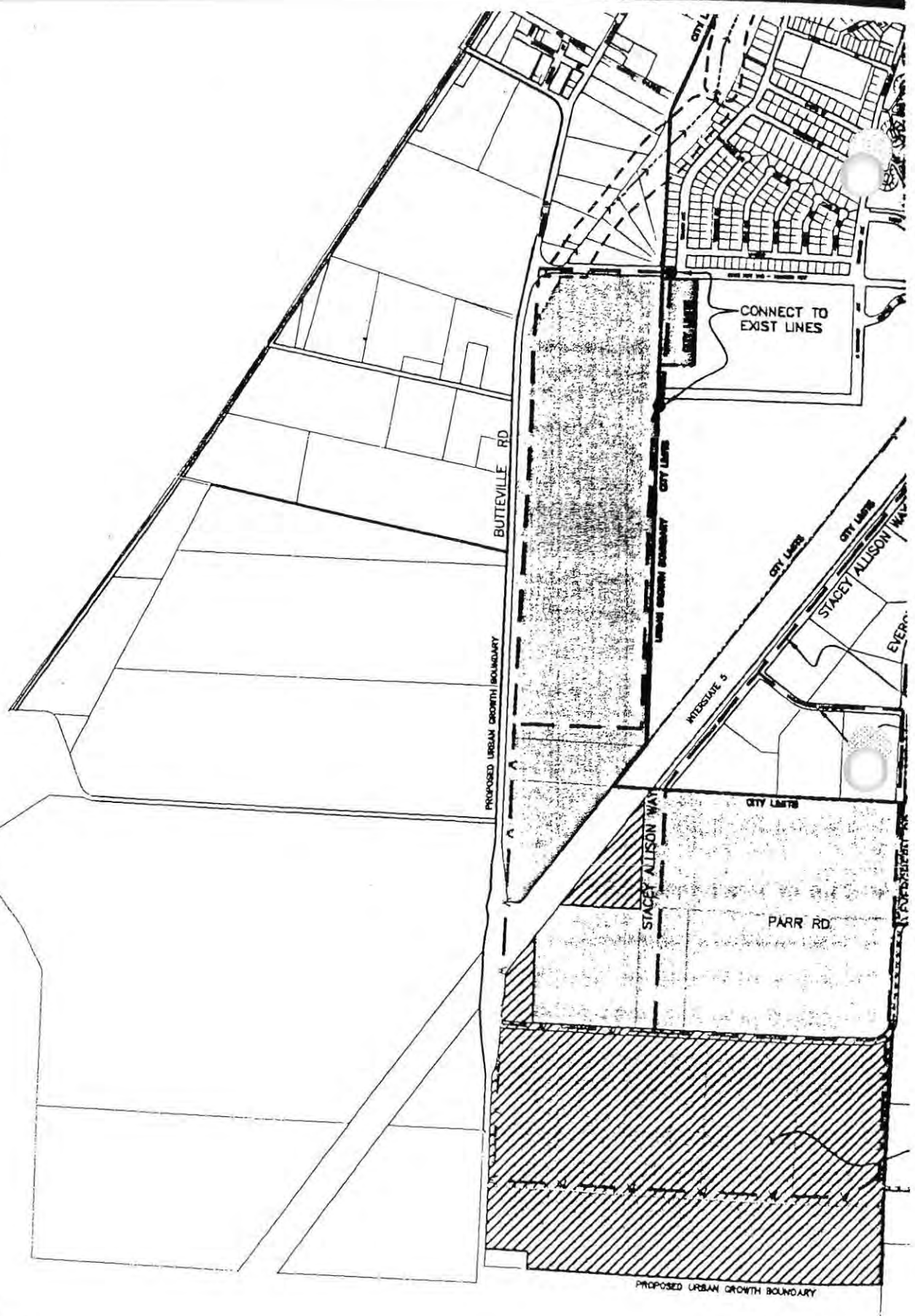


APPENDIX TO PUBLIC FACILITIES PLAN

— — — PIPES NECC. TO SERVE 1-5 YEAR WINDOW

—— W —— PIPES NECC. TO SERVE 5-10 YEAR WINDOW

(SEE TABLE FOR PROJECT COSTS)



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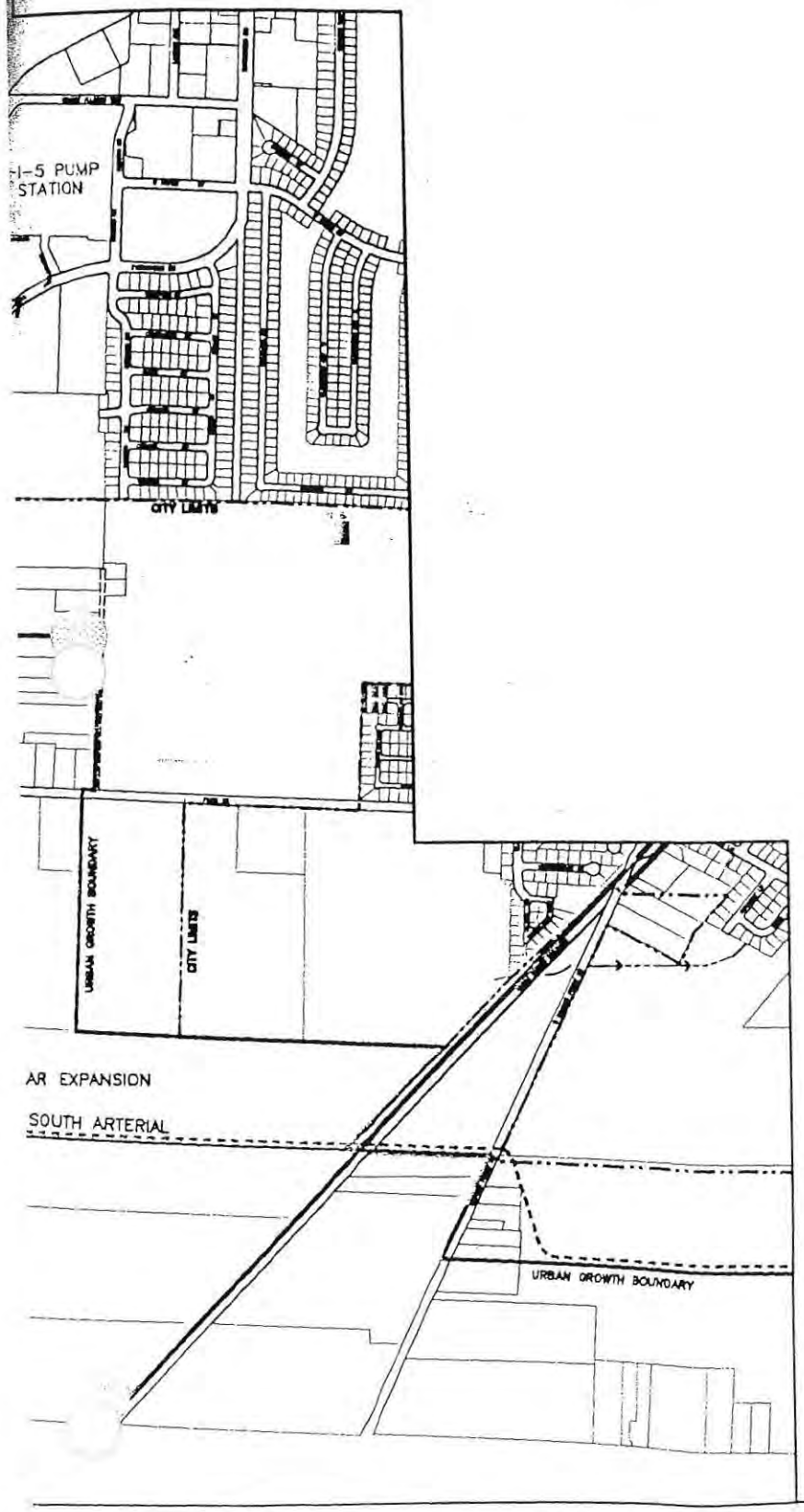
CITY OF WOODBURN
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
PLOT DATE: MAY 27, 2005
OVERALL SCALE: 1" = 1200'

SANITARY SEWER SERVICE TO INDUSTRIAL AREAS

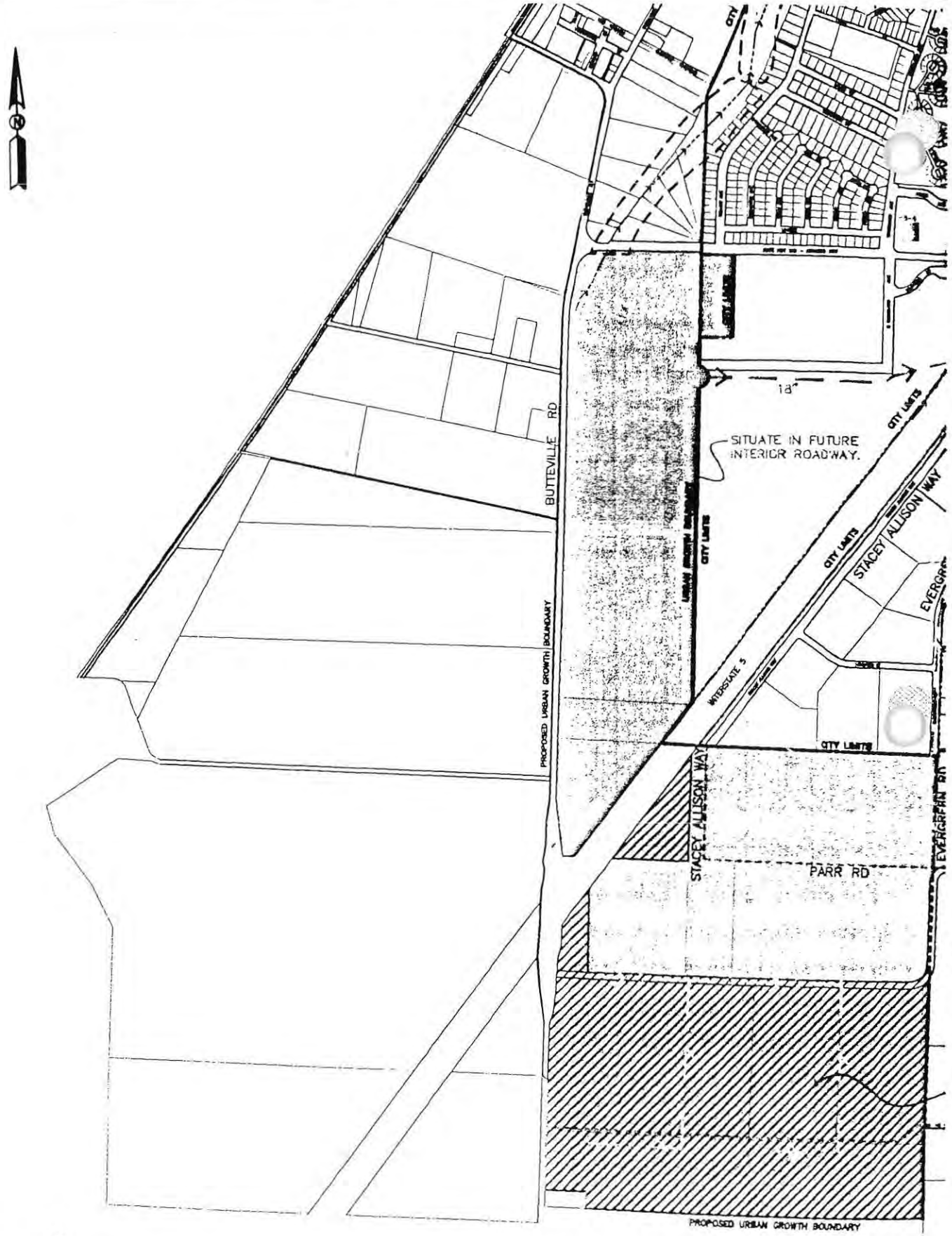


APPENDIX TO PUBLIC FACILITIES PLAN

— — — PIPES NECC. TO SERVE 1-5 YEAR WINDOW

—— S —— PIPES NECC. TO SERVE 5-10 YEAR WINDOW

(SEE TABLE FOR PROJECT COSTS)



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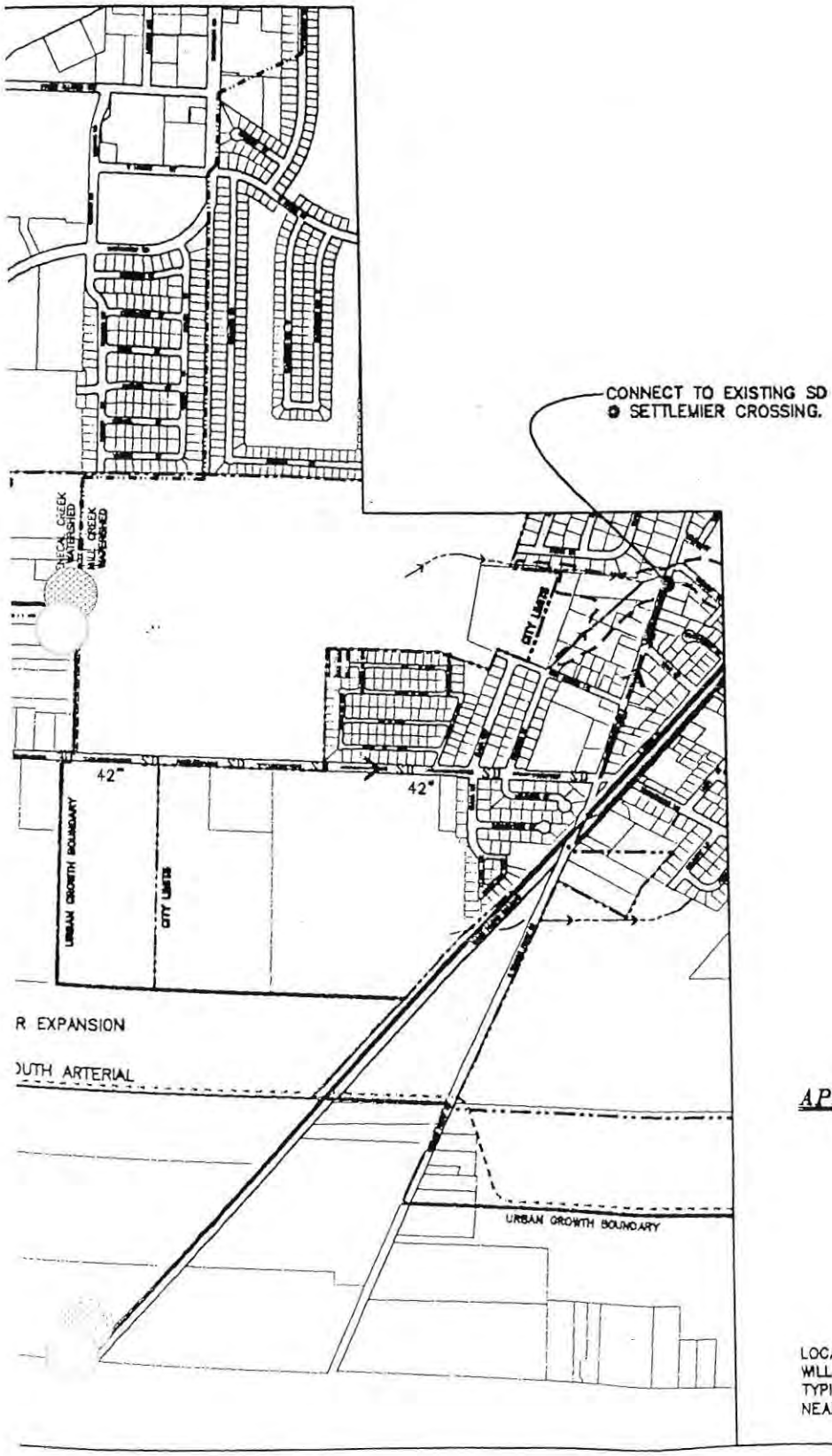
CITY OF WOODBURN
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
PLOT DATE: MAY 27, 2008
OVERALL SCALE: 1" = 1200'

STORM SEWER SERVICE TO INDUSTRIAL AREAS



APPENDIX TO PUBLIC FACILITIES PLAN

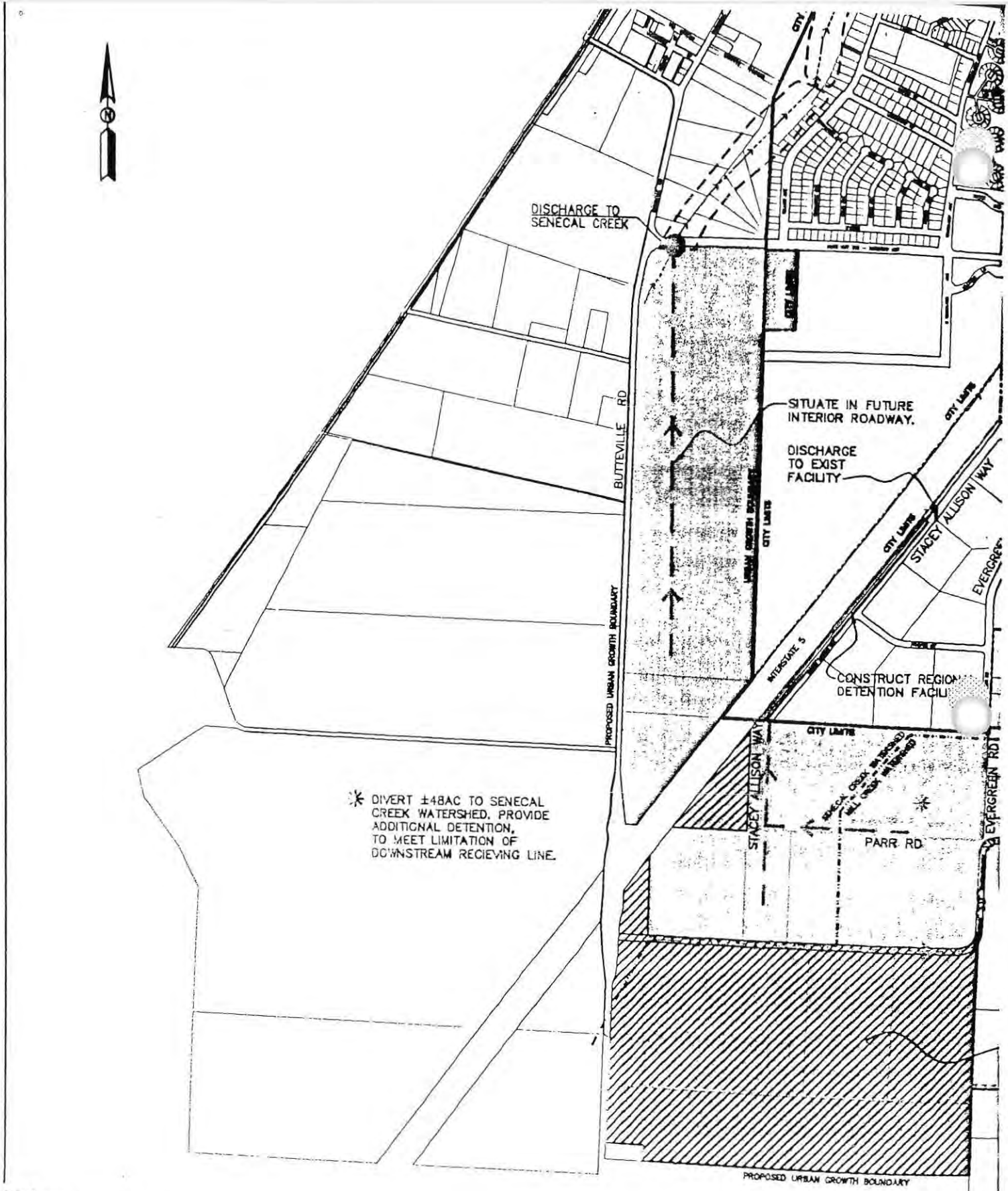
— · — · — BASIN BOUNDARY

— — — PIPES NECC. TO SERVE 1-5 YEAR WINDOW

—— SD —— PIPES NECC. TO SERVE 5-10 YEAR WINDOW

(SEE TABLE FOR PROJECT COSTS)

LOCATION OF STORM DRAIN COLLECTION LINES WILL BE DETERMINED BY MARKET-DRIVEN FACTORS. TYPICALLY, LEAST COST OF SERVICE WILL OCCUR NEAREST TO POINTS OF CONNECTION NOTED ABOVE.



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CITY OF WOODBURN
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
PLOT DATE: MAY 27, 2005
OVERALL SCALE: 1" = 1200'

Item 6

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WINTER BROOK
COMMUNITY RESOURCE PLANNING

MEMORANDUM

To: Jim Mulder, Community Development Director

From: Greg Winterowd; Jesse Winterowd

Date: May, 2005

Re: Response to Written Comments to Woodburn City Council

This Memorandum responds to issues raised before the City Council on or before April 20, 2005, when the Council closed the hearing record regarding the 2005 legislative plan and code amendment package. This letter is intended to complement your letters to the Department of Land Conservation and Development (DLCD) and the Marion County Community Development Department (County).

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B-63 Darlene Mahan (4/22/05)

In a petition dated February 4, 2004, Southwest Industrial Reserve (SWIR) property owners expressed their opposition to master planning, minimum employee, transportation planning, and minimum lot size requirements. The petition notes that area property owners have held title to their property since the 1960s and "are quite capable of deciding who and how we will dispose land."

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greg@winterbrookplanning.com

Except for Opus Northwest (which has contracted to purchase land from Ms. Mahan), none of the property owners had contacted City staff prior to signing the petition. Since this petition was filed with the City, it is our understanding that SWIR property owners have held internal meetings and now understand that their land cannot be justified for inclusion within the Woodburn UGB *unless* suitable sites are reserved for employment categories identified in the Economic Opportunities Analysis.

Retention of large sites within the SWIR for targeted firms – because they are flat, serviceable and accessible to I-5 – are critical to the success of Woodburn's Economic Development Strategy. It is our understanding that SWIR property owners now realize that the City can provide urban services to their property only if their land is included with the UGB and protected for targeted employment through SWIR policies.

Ms. Mahan is the owner of Darma Real Estate, the company that is selling its property to Opus Northwest. In a separate February 16, 2005 letter, Ms. Mahan wonders why her triangular-shaped 11.79 property located east of I-5 and west of Butteville Road (at the west terminus of Parr Road) was not included with the proposed UGB. Ms. Mahan's 11.75-acre property is irregularly shaped and comprised of a combination of Class II and III agricultural soils.

It should be noted that the 2005 Woodburn Transportation System Plan (TSP) calls for the improvement of Butteville Road to arterial street status to the point where it intersects with the planned South Arterial. The TSP also calls for the closure of Parr Road before it intersects with Butteville Road, thus limiting access to this 11.75-acre parcel, thus limiting access to this parcel in the long-term. As noted in the 2005 UGB Justification Report, development of Ms. Mahan's property would not meet a specific site need that cannot be met within the existing or proposed UGB.

Recommendation

No changes are recommended to the UGB as a result of the property owner petition or Ms. Mahan's letter. Darma Real Estate's 11.75-acre parcel is not recommended for inclusion within the Woodburn UGB because the City's long-term employment needs can be better met on other sites within the existing or proposed UGB. As noted below, changes are recommended in the location of the UGB as a result of comments received from DLCD, Marion County, 1000 Friends and the Oregon Department of Agriculture.

B-68 Department of Land Conservation and Development (DLCD) (3/18/05)

Included in the Council's packet is a draft response to comments raised by Geoff Crook, Willamette Valley Regional Representative for DLCD. Mr. Crook's letter is thoughtful and well-documented. It is also generally supportive of the Planning Commission's recommended Comprehensive Plan and Woodburn Development Ordinance (WDO) amendment package.

Recommendation

The revised package before the Council includes changes that respond to most of the technical issues raised in his March 18, 2005 letter. In particular:

- **The recommended UGB now *excludes* a parcel with primarily Class II soils west of Butteville Road and *includes* a parcel with primarily Class III soils south of Parr Road.**
- **Class I agricultural soils on the golf course site north of the UGB are recommended for removal.**
- **SWIR minimum lot size tables have been revised to be fully consistent with the site suitability tables prepared by ECONorthwest.**
- **The UGB Justification Report has been revised to correct internal consistency issues.**
- **Industrial sites within the UGB that are immediately serviceable have been described and mapped.**
- **Substantial changes have been made to the draft Public Facilities Plan.**
- **Minor changes have been made to the draft Transportation Systems Plan and implementing WDO provisions.**

B-69 Marion County (3/21/05)

Included in the Council's packet is a draft response to comments raised by Les Sasaki, Marion County Senior Planner. Mr. Sasaki's letter also is thoughtful and generally supportive of the Planning Commission's recommended Comprehensive Plan and WDO amendment package.

Recommendation

The revised package before the Council includes changes that respond to most of the issues raised in his March 18, 2005 letter. In particular:

- **The recommended UGB now *excludes* a parcel with primarily Class II soils west of Butteville Road and *includes* a parcel with primarily Class III soils south of Parr Road.**
- **SWIR minimum lot size tables have been revised to make it clear that two large sites located adjacent to the UGB are may be divided into a range of lot sizes consistent with the site suitability tables prepared by ECONorthwest.**
- **The Buildable Lands Inventory, Housing Needs Analysis and UGB Justification Report has been revised to clarify methods and results of the land needs assessment.**
- **City and County planning staff have reached tentative agreement on revisions to the Urban Growth Management Agreement.**

B-77, B-101 Serres Family (3/23/05 and 4/19/05)

In Exhibits B-77 and B-101, several members of the Serres family and their consultant, Jeff Tross, present their case to include the Serres family farm into the Woodburn UGB. Other exhibits include supportive comments from Highway 99E business owners.

The Serres family owns property to the Pudding River – both inside and beyond Study Area 4 (East) – and has requested that all of their family property be included within the UGB. However, the Serres Tract *within Study Area 4 (East)* includes 10 parcels comprising 204 acres. The Serres family believes that their land is best suited for high-end residential and park use. They go on to suggest that agricultural land west of Boones Ferry Road and south of Crosby Road (the Fessler property east of I-5), should be removed to allow inclusion of the Serres Tract.

In Exhibit B-101, members of the Serres family are highly critical of the Public Works Department planning level analysis that led to Winterbrook's conclusion that service costs are considerably higher for Study Area 4 (East) than most of the other seven study areas. They also criticize aspects of Winterbrook's Economic, Social, Environmental and Energy (ESEE) analysis that outlines the benefits and limitations of each study area.

As discussed at the Council's April 25, 2005 public hearing, the Public Works Department stands by the basic conclusions reached in its analysis of relative public facilities costs. Study Area 2 is expensive to serve when compared with most other study areas. Winterbrook will amend the ESEE analysis to recognize more of the positive economic, social and energy consequences (potential high end home sites, potential linear nature parks along the Pudding River and its tributaries, and proximity to Highway 99E businesses) associated with inclusion of the Serres property.

<u>However, the over-riding reason for rejecting all of Study Area 4 is the fact that it is comprised primarily of Class II agricultural soils, with no large inclusions of buildable Class III soils. Ninety percent of the Serres property within Study 4 is comprised of Class II agricultural soils.</u> Unlike the Study Areas 2 (North) and 7 (Southwest), there are no substantial Class III soil areas on the Serres Tract within Study Area 4. Although 11 of the 204 acres within the Serres Tract (7%) have Class VI soils, this land is confined within unbuildable stream corridors. Only 3% of the Serres Tract has land with Class III soils, which are located at the edge of riparian corridors or drainage areas.

Looking beyond the eastern boundary of Study Area 4 to other land owned by the Serres family, there are substantial inclusions of Class I agricultural soil formed by Pudding River alluvial deposits. If the UGB were to extend to the Pudding River as suggested by the Serres family, Class I soils would also be included.

It should be noted that Exhibit 108, Mr. Brian Moore, the lawyer for the Fesslers (whose property located between Boones Ferry Road and I-5, south of Crosby Road) makes a reasonable case for inclusion of the Fessler property, based on Goal 14 (Urbanization) and ORS 197.298

priorities. He also provides supporting evidence regarding the relative costs to service the Study Areas 2 (North) and 4 (East).

Finally, members of the Serres family have stated their intent to file a Measure 37 claim with Marion County *if* they are not included within the UGB. Their stated intention is to use this claim as leverage to bring their land into the UGB. For the record, Serres family are not the only landowners at the perimeter of the existing Woodburn UGB who have potential Measure 37 claims. For example, the Fessler and Weisz families also have owned and farmed land in the area for many years.

Recommendation
No changes are recommended to the Comprehensive Plan and WDO amendment package as a result of the Serres family testimony. Winterbrook will make changes to the ESEE analysis found in the UGB Justification Report to recognize potentially positive economic, social and energy consequences identified in materials submitted by the Serres family.

B-80-81 Mark Unger (3/24/05)

Mr. Unger would like his property to be included within the proposed UGB. Mr. Unger owns property on East Hardcastle Road that located about a quarter mile outside the existing and proposed UGB, but is split by the eastern boundary of Study Area 4 (East). Mr. Unger's property is comprised primarily of Class II agricultural soils, *except* for unbuildable riparian area (a tributary to Pudding Creek – a portion of which is culverted) that divides the property.

Recommendation
No changes are recommended to the Comprehensive Plan and WDO amendment package. Please see related response to Serres family comments.

B-82 Bert Gottsacker (3/24/05)

Mr. Gottsacker is concerned that proposed street and plan designation boundaries do not always follow property lines. Mr. Gottsacker references a "policy" (actually the policy preference of an attorney representing a property owner in a plan amendment application) that "requires" location of plan designation boundaries along property or streets, and cites examples in the proposed Comprehensive Plan map of properties with split designations.

Mr. Gottsacker is correct in noting that a few properties along major streets have split designations. The proposed designations allow Nodal Medium Density Residential along Parr Road and Evergreen Drive, with Nodal Low Density Residential located to the rear. There is no Comprehensive Plan policy that *requires* location of plan designations along property lines.

It should be noted that one of the "split" properties cited by Mr. Gottsacker is located west of Butteville Road, and is no longer proposed for inclusion within the SWIR or UGB based ORS 197.298 "priorities" and comments from DLCD, ODA, Marion County and 1000 Friends. Mr. Gottsacker owns the property south of the proposed South Arterial that has Class III soils and is

proposed for inclusion within the SWIR and UGB. None of Mr. Gottsacker's properties have split designations.

Recommendation
No changes are recommended to the Comprehensive Plan and WDO amendment package.

B-83, B-89 PCUN and FHDC

Mr. Ramon Ramirez of Pineros y Compesinos del Noroeste (PCUN) testified in favor of UGB expansion to provide more non-agricultural job opportunities for the over 5,000 farmworkers represented by his organization. Mr. Ramirez noted that targeted light manufacturing and warehousing employers typically employ large numbers of Latino workers and provide opportunities for farmworkers to expand and strengthen their job skills and opportunities for their children.

In a similar vein, Mr. Roberto Jimenez of the Farmworkers Housing Development Corporation (FHDC) also supported UGB expansion as holding "great economic potential for the future of farmworkers and their families locally." Mr. Jimenez notes that "better-paying jobs would allow farmworkers to buy homes and more beyond affordable housing," thus creating space for those in greater need at Nuevo Amanecer and Esperanza Court. Finally, Mr. Jimenez notes that:

> *"FHDC believes that whatever low-paying job loss [in agriculture] is associated with developing the land brought into the UGB would be minimal and greatly outweighed by new job creation...Together we can strengthen the community of all residents of and improve the quality of life in the Woodburn area."*

Recommendation
Testimony from PCUN and FHDC strongly support the City's decision to provide for basic employment opportunities on land now designated for agricultural use.

B-88, B-112 Sharabarin Property (3/28/05 and 4/20/05)

Exhibits B-88 and B-112 include letters from attorney Kevin Maine on behalf of the Sharabarin family, who own 7.45 acres of Class II agricultural soils at the northeast corner of Highway 99E and Carl Road in Study Area 3 (Northeast). The Sharabarin property abuts a manufactured dwelling park in an exception area proposed for inclusion within the UGB. The Sharabarin family would like their land designated for commercial use – in order to construct a personal storage facility.

To justify his client's request, Mr. Maine misquotes page 39 of the UGB Justification Report in stating that "Winterbrook determined the City will need an additional 202 acres of commercial property by 2020." In fact, this is what the report said:

> "The 2004 (existing) Woodburn UGB has 460 developed commercial acres and 108 net buildable acres (including vacant and partially developed land.) A commonly-accepted

method of projecting buildable commercial land need (and one that has been acknowledged in many Oregon plans) is to determine the existing ratio of developed commercial acres to population, and multiply this ratio by planned population growth. Using this method, Woodburn would need 310 net buildable commercial acres to meet 2020 commercial land needs. Since Woodburn has 108 net buildable commercial acres, this would result in a need for an additional 202 net buildable commercial acres.

We did not use this method, because we have intentionally under-allocated commercial land to encourage redevelopment along Highway 214, Highway 99E and in Downtown Woodburn. If we were to have extended the existing ratio of commercial land to employment through 2020, we would have added approximately 202 – rather than 32 – net buildable acres."... (Emphasis in the original.)

Based on ECONorthwest's high employment projection, Woodburn will need 141 (108 plus 32) net buildable acres of commercial land by the Year 2020. The Planning Commission's recommended plan includes 140 net buildable commercial acres (including nodal commercial and exceptions areas). Based on the information provided by Winterbrook on page 39 of the UGB Justification Report, increasing the supply of commercial land on Highway 99E would have the effect of discouraging – rather than encouraging – the redevelopment of commercial land in Downtown Woodburn and along Highway 99E.

We note that there is a significant difference between targeted basic employment categories identified in the EOA and retail / service uses that typically locate in Woodburn's commercial zones. The former tend to pay higher wages and serve a wider market area, while the latter pay lower wages and (with the exception of outlet malls) serve a more localized population. Woodburn must compete with other I-5 locations for targeted employment firms, whereas commercial uses are more likely to redevelop under-utilized land as necessary to serve local markets. This is why ECONorthwest and Winterbrook applied an employee-per-acre ratio for commercial land uses, while applying more specific site suitability criteria to provide choice among sites to meet the requirements of targeted basic employers.

Recommendation
No changes are recommended to the Comprehensive Plan and WDO package at this time.

B-94, B-112 Amanda Dalton (3/28/05) and Realtors Groups (4/20/05)

Ms. Dalton, Government Affairs Coordinator for the North Willamette Association of Realtors (among other real estate groups) wrote in opposition to the Interchange Management Area (IMA) Overlay District. She raised concerns regarding Measure 37 claims, limitations on commercial growth, and the potential for statewide precedent.

It is important to recognize that the peak hour trip generation limits imposed by the IMA trip budget are based on plan designations in the proposed Comprehensive Plan and associated trip generation figures used in the development of the 2005 Transportation Systems Plan (TSP). The

IMA trip budget is intended to allow planned commercial development to proceed based on the trip generation figures used in the TSP – but prohibit net increases in commercially-designated land within the overlay district that would take vehicle trip capacity reserved for basic employment. Notably, the IMA overlay district applies only to vacant parcels and therefore will not restrict redevelopment of intensification of commercial uses in most commercial areas in Woodburn.

Finally, the IMA overlay district is an essential element of Woodburn's overall economic development strategy and is necessary to ensure that ODOT's considerable investment in the Woodburn interchange is wisely used. If interchange capacity were to be used for commercial development, then there would be insufficient capacity for targeted, basic employment.

In an April 20, 2005 letter, the boards of several valley realtors associations signed a similar letter, and opined that the "small property" exemption should be reinstated in the draft IMA Overlay District. This provision was reviewed with ODOT staff and found acceptable.

Recommendation
Mr. Mulder has recommends amending the draft IMA Overlay District to reinstate a small property exemption.

B-95 Martin Rohrer (3/28/05)

In Exhibit B-95 and related exhibits (B-65), Mr. Rohrer makes a persuasive case to include 125 acres of land, located between Crosby Road and the Woodburn Company Stores, in Study Area 1 (Northwest). Mr. Rohrer believes that this land is best suited for mixed use industrial. He goes on to suggest that agricultural land west of Butteville Road or land in the Parr Road area east of I-5, could be removed to allow inclusion of the Crosby Road property. Mr. Rohrer notes that previous Council-appointed committee had recommended inclusion of this area for a mixture of commercial and light industrial uses.

The 125 acres in question is designated "Agriculture" on the Marion County Comprehensive Plan map, and is zoned Exclusive Farm Use. This subarea is comprised primarily of Class II agriculture soils, with the exception of unbuildable riparian corridors which are primarily Class IV agricultural soils with narrow strips of Class III soils are the riparian edge. To access this land, one either would need to drive through the Woodburn Company Store area to reach Highway 214 and the I-5 Interchange, or access the interchange through the Butteville Road residential exceptions area. There are no large blocks of Class III soils in this area, nor can such large blocks be reached by extending services through this area.

Since the Committee finished its work in 1999, the Council has reviewed and accepted the Economic Opportunities Analysis (EOA) and the Economic Development Strategy (EDS), Winterbrook Planning has carefully analyzed alternative UGB expansion areas based on the Statewide Planning Goals and applicable Oregon statutes, and the Transportation Systems Plan has been extensively revised to provide for alternative east-west routes through Woodburn. All of this work pointed towards reservation of large blocks of land along Butteville and Parr Roads, with minimal development constraints and readily available urban services. ORS 197. 298

priorities directed employment growth towards the large blocks of Class III soils immediately south of Parr Road. In order to reach this Class III soils area, intervening Class II agricultural land along Parr and Butteville Roads must be developed. The Planning Commission has reviewed the proposed Comprehensive Plan and Development Ordinance Package, made changes, and provided its recommendation to the City Council.

The Planning Commission recommended that this area not be included in the UGB expansion area because it did not satisfy land use, transportation, and economic goals as well as other areas proposed for inclusion in the UGB. Specifically, the portion of this area between I-5 and East Senecal Creek is best suited for future commercial uses consistent with Woodburn Company Stores type development. However, the City proposal only justifies 32 acres of commercial UGB expansion. The portion of this area west of East Senecal Creek is best suited for residential uses because of compatibility considerations with the adjacent residential development in the City and East Senecal Creek. However, residential land needs are better addressed with the City proposal. This area is not best suited for industrial use for the reasons stated above. This area should be preserved for future commercial and residential uses when sufficient justification for such expansion can be provided in the future.

Both Jim Mulder and I very much appreciate the professionalism and thoughtfulness with which Mr. Rohrer presented his case. We also respect the hard work done in 1998-99 by citizen review committees. However, the inclusion of this land for the proposed uses would require a wholesale revision to the Comprehensive Plan and Development Ordinance package recommended by the Planning Commission. This would result in additional costs and delay and would jeopardize the City's ability to receive acknowledgement form the LCDC and funding from ODOT.

Recommendation

No changes are recommended to the Comprehensive Plan and Development Ordinance package at this time. This land is, however, a prime candidate for inclusion for a mixture of commercial and residential uses in the future.

B-96, B-109 1000 Friends of Oregon (3/30/05, 4/20/05)

In its March 30, 2005 letter to the City Council, 1000 Friends included copies of previous submissions to the Planning Commission. Winterbrook responded to 1000 Friends earlier concerns in our February 16, 2005 memorandum. This memorandum was incorporated in the Planning Commission's final order recommending approval of the 2005 Comprehensive Plan and Development Ordinance amendment package to the City Council. Here, we respond only to new issues raised by 1000 Friends in their March 30 and April 20, 2005 letters to the City Council. Other exhibits (for example, B-84 and B-90-92) echo themes developed in the 1000 Friends letters.

Residential Land Need and Supply. On page 3 of the March 30 letter, after an incomplete and misleading analysis, 1000 Friends argues that the proposed UGB has too much residential land. To clarify and minimize continued misperception and misuse of Winterbrook's data and

analysis, we have restructured the residential land needs analysis and buildable lands inventory to reach the same conclusion that we reached two years ago:

- Woodburn lacks buildable land within the existing UGB to accommodate Year 2020 residential, public and semi-public land needs.
- With the proposed UGB amendment, Woodburn will have enough – but not too much – buildable residential land to meet Year 2020 needs.

For a complete discussion of Woodburn's residential land needs and supply analysis, please see Community Development Director Mulder's May 2005 letter to Marion County. In summary, 1000 Friends over-simplified land assessment methods do not consider the facts that (a) Woodburn has many smaller residential parcels that will not develop at 100% efficiency (e.g., a 9,000 square foot lot in a 6,000 square foot zone) (b) that land within residential exceptions areas is unlikely to develop at full density due to small parcel sizes, opposition to annexation, and the inefficient location of homes on existing parcels, and (c) because Woodburn allows a wide range of housing types at varying densities in its zones, it is inappropriate to assume that housing will develop at the maximum density allowed by the zone.

To put matters in perspective, consider the following data and ratios.

- Woodburn's population is projected to grow by 67% from 2002 through 2020 (from 20,860 to 34,919).
- In 2002, Woodburn had 1,182 acres of fully developed residential land (957 single family residential and 225 multi-family residential) – exclusive of (a) 132 acres of partially developed and "infill" residential land, and (b) land developed for churches, schools and parks.
- If we were to increase its buildable residential land supply in proportion to population growth (67%), Woodburn would need 792 vacant buildable residential acres – <u>without meeting public and semi-public land needs</u> (210 additional net buildable acres).
- The expanded UGB includes only 736 net buildable acres, including partially vacant and infill lots, to accommodate Year 2020 residential, <u>and</u> public and semi-public land needs.
- Woodburn does not have "too much" residential land. Rather, Woodburn has substantially reduced residential land needs through land use efficiency measures (higher and minimum densities) and by reliance on infill to meet long term residential needs.

As an aside, Mr. Friedman faults Winterbrook's previous work for assuming that public park and school needs, as well as religious institutional needs, will be met on land designated for residential use." The primary basis for this assumption is my personal experience in planning over the last 30 years: new religious institutions, parks and schools typically locate in residential areas because such uses are allowed by zoning, residential land is relatively inexpensive, and schools, parks and institutions usually require larger, vacant parcels. In Woodburn, residential land typically is less expensive than commercial land. Moreover, Woodburn's residential zones allow school, park and institutional needs through the

conditional use process. Woodburn's proposed Southwest Industrial Reserve zone – which has most of the remaining non-residential buildable land – does not allow residential, park or school uses.

Finally, Woodburn does not have a surplus of land in any use category. If some public and semi-public land needs happen to be met on land zoned for industrial or commercial use, then there may be a shortage in these categories and a slight surplus in the residential land category. However, Woodburn's UGB now has only a 15 (not 20) year land supply. The miniscule public and semi-public acreage that *might* occur on non-residential land will be needed to meet 20-year land needs before the ink is dry on this plan, and well before 1000 Friends exhausts its appeal rights.

Industrial Land Need and Supply. On pages 3-10 of the March 30 letter (Section III.D) based on projecting "employee-per-acre" ratios, Mr. Friedman argues that the proposed UGB has too much industrial and commercial land. We have responded, repeatedly and exhaustively, to most of 1000 Friends arguments and will not do so again.

On page 9, after acknowledging that Winterbrook did analyze the redevelopment potential of existing industrial parcels based on the ratio of improvement to land values, Mr. Friedman argues that Winterbrook failed to examine the potential for existing underutilized *buildings* to accommodate need. This claim was reiterated in Mr. Friedman's April 20, 2005 letter.

- First, we know of no Statewide Planning Goal, rule or statutory requirement that requires such an analysis. Cities are required to conduct buildable lands inventories, not vacant or underutilized *building* inventories.
- Second, in Woodburn's case, the availability of vacant buildings in the Highway 99E area supports ECONorthwest's and Winterbrook's conclusion that Woodburn's primary comparative advantage is its location relative to I-5, not to Highway 99E or the existing railroad tracks.
- Third, in testimony to the City Council, Roy Clor of SEDCOR stated that purchase agreements were pending regarding the use of two of the industrial buildings in question. Mr. Clor's testimony recognizes that industrial and commercial buildings frequently change hands and accommodate various numbers of workers during their useful lives. Woodburn consistently has encouraged the re-use of existing industrial buildings and vacated industrial sites for years. There is nothing inconsistent with supporting intensification of existing industrial sites and buildings *while at the same time* providing new sites with I-5 access for targeted employers.[1]
- Finally, Woodburn has not "turned its back on under-utilized areas of town" as stated by Mr. Friedman. Woodburn's existing, largely developed industrial properties are being actively marketed and are capable of absorbing additional employment, as indicated by Mr. Clor's testimony. Partially vacant sites also allow for the expansion

[1] In his April 20 letter, Mr. Friedman neglected to note that Mr. Clor spoke in support of the SWIR and UGB expansion to meet industrial land needs.

of existing industrial uses. However, Woodburn's vacant buildings, redevelopable sites, and partially developed parcels are located in the Highway 99E and eastern railroad area, and do not meet the site suitability requirements of most new employment categories targeted in the EOA.

In conclusion, ORS 197.712 and the Goal 9 Rule do not require cities to evaluate the employee capacity of vacant or under-utilized buildings; rather, this statute and this rule focus on the site suitability needs of targeted industries – just as Woodburn has done.

Expansion Areas. On page 10-12 of the March 30 letter (Section V) 1000 Friends cites ORS 197.298 priorities and argues against expanding onto higher quality agricultural land and for expanding to the Southeast to access Class III agricultural soils south of Parr Road between Boones Ferry Road and the Freeway.

We agree in part with 1000 Friends on this issue. The first priority for expansion should be to exceptions areas, as Woodburn has done. The second priority should be to Class III (rather than to Class I or II soils) where possible. As I explained at the City Council hearing on April 25, 2005, there are two large concentrations of Class III soil within the eight UGB study areas.[2] However, to provide these Class III areas with transportation, sewer, water and storm drainage services, intervening areas with Class II soils must first be developed. This is allowable under ORS 197.298(3)(a) – specific siting needs of targeted employers and ORS 197.298(3)(c) – maximum efficiency of land use requires extension of services through lower priority lands to include or serve higher priority lands.

As pointed out by 1000 Friends and others, there are two areas with Class I and II soils that do not meet this test:

(1) A 56-acre parcel located west of Butteville Road in Study Area 8 (West) which has predominantly Class II agricultural soils; and
(2) A hazelnut orchard located within the golf course in Study Area 2 (North) with predominantly Class I and II soils.

Both these areas are recommended for exclusion from the proposed UGB.

School Expansion Site. On page 13 of the March 30 letter (Section V) 1000 Friends argues against inclusion of the 19-acre site owned by the Woodburn School District in Study Area 4 (East). At the Planning Commission public hearing, Mr. Mulder and myself recommended inclusion of the school district site *if* (a) specific need for a site at this location could be identified by the District, or (b) a surplus of residential land within the UGB could be demonstrated. We agree, unfortunately, with 1000 Friends that neither of these tests have

[2] In fact, Study Area 7 (Southwest) was expanded to include a larger portion of the Class III soils concentration south of the planned South Arterial.

been met, and that the school site cannot be included within the UGB consistent with ORS 197.298 priorities.

Recommendation

Three changes are recommended in response 1000 Friends comments regarding the application of ORS 197.298 and Goal 14 Factors 3-7:

(1) Removal of the predominantly Class II agricultural parcel west of Butteville Road in Study Area 8 (56 acres), and replacement with a predominantly Class III agricultural parcel south of the South Arterial in Study Area 7 (50 acres).

(2) Removal of approximately 100 acres of predominantly Class I and II soils associated with the golf course on land east and north of the emergency access road in Study Area 2 (North).

(3) Exclusion of the 19-acre Woodburn School District site on predominantly Class II agricultural soils in Study Area 4 (East). (Please see additional discussion under Exhibit B-99.)

B-99 David Christoff on Behalf of the Woodburn School District (4/18/05)

Woodburn School District would like to add 19.5 acres on East Lincoln Street to the UGB to allow construction of a school. Based on the District architect's recommendation, the District needs sites of 12-15 acres for an elementary school, 20-25 acres for a middle school, and 40 or more acres for a high school. Overall, the District estimates that it will need 170 acres to accommodate school needs through the Year 2020. Since 1992, the District had looked for other sites within the UGB but was unsuccessful in finding any at a reasonable price. The District sold a 10-acre site adjacent to Senior Estates in 1997 for $45,000 per acre and purchased the 19.5 Lincoln Street site for $20,000 per acre "with the blessing of the City Planning Department, the County Planning Department, the advise of the District's attorneys, and input of their architect and private consultant." The District needs a school east of Highway 99E to accommodate existing and future student growth. At the time, the Serres property "was ideal and very logical land for future expansion as residential."

We have no personal knowledge of what Keith Liden, a consultant who contracted with the City to prepare the 1999-2000 Buildable Lands Inventory, or Steve Goeckritz, the previous planning director, may have told the District. We did incorporate the need figures provided by the District in April 2004 into our residential land needs analysis. The 108-acre vacant buildable land figure is consistent with land needs for two elementary schools, a middle school and a high school.

We also know that the site has predominantly Class II agricultural soils and that we lack sufficient information to justify inclusion of this property as a "special need" under ORS 197.298(3). We also know that 1000 Friends will appeal any decision made by the City and Marion County to LCDC, and that bringing the District's property into the UGB would jeopardize the LCDC's acknowledgment of Woodburn's Comprehensive Plan and WDO amendment package.

Recommendation

For reasons stated above, we cannot recommend inclusion of the District's property at this time. We do recommend that the District complete a facilities master plan

that systematically describes existing and future school siting needs. Such a plan, coupled with an exhaustive alternatives sites analysis, could be used as the basis for future plan amendments to accommodate school land needs.

B-100 Krivoshein Property (4/19/05)

Exhibit B-100 includes a letter from attorney Kevin Maine on behalf of the Krivoshein family, who own 32.5 acres of predominantly Class II agricultural soils north of Hardcastle Road in Study Area 4 (North). Mr. Maine questions several of Winterbrook's "liberal" assumptions regarding the development of infill and partially developed residential properties.

Recommendation
No changes are recommended to the Comprehensive Plan and Development Ordinance package at this time. Please see discussion of Serres property above.

B-103 Oregon Department of Agriculture

In Exhibit 103, Mr. James Johnson provided comments related to Goal 14, Factors 6 (retention and buffering of agricultural land) and ORS 197.298 (urban growth boundary expansion priorities). Mr. Johnson notes his agreement with comments provided by DLCD, but expressed concern with the proposed expansions located west of I-5 and north of the existing UGB, because these areas have relatively high value Class II soils. Mr. Johnson recommends that growth be directed as much as possible to the area with predominantly Class III agricultural soils located south of the existing UGB – between Boones Ferry Road and I-5 (Southwest Study Area 7). In closing, Mr. Johnson also speaks to the need for buffers to minimize impacts from planned *residential* development on farming operations in the area.

Table B shows a total of 926 gross acres are proposed for inclusion within the Woodburn UGB. After accounting for unbuildable wetlands, floodplains and riparian areas – and for street rights-of-way – 766 net buildable acres are proposed for inclusion within the 2005 UGB. **Most of this land (413 gross acres of 45% of the total UGB expansion area) is located in Southwest Woodburn in Study Area 7, between Boones Ferry Road and Interstate 5. This area has predominantly Class III agricultural soils.**

We have explained in the UGB Justification Report, and before the Planning Commission and City Council, the importance of including largely Class II agricultural land between the existing UGB and Butteville Road. This land must develop in order for Butteville Road to be improved to urban standards, thus providing access from industrial sites to the southeast (in Study Area 7) to the east access to I-5 Interchange. The Butteville Road properties also have the most direct access to the eastern I-5 Interchange and have been recognized by the Industrial Lands Advisory Committee as one of 25 sites of statewide significance. Development of this area is also necessary to provide a looped water system to commercial and industrial land on both sides of I-5. However, due to the presence of Class I agricultural soils, no land is proposed for inclusion west of Butteville Road.

A similar situation exists for property north of the UGB. In order to reach the second largest inclusion of Class III soils in any of the study areas, Boones Ferry Road must be improved to urban standards and urban services must be extended through Class II soils. However, the same cannot be said for land east of the emergency access road and north of the UGB in the North Study Area 2 (the "golf course property), which is comprised of Class I and II soils that do not need to be developed to serve buildable land with concentrations of Class III soils.

Regarding buffers, the UGB is designed in almost every case to utilize existing roads or streams as buffers. Thus, after removing the 56-acre property west of Butteville Road, this arterial street provides a buffer along the proposed western boundary of the UGB in Study Areas 1 and 8. Similarly, Crosby Road provides a buffer separating proposed residential development from agricultural land to the north in Study Area 2. In Study Area 7, residential land will be buffered from agricultural land by the South Arterial.

Finally, by substituting a 50-acre Class III agricultural property in Study Area 7 (south of the South Arterial) for a 56-acre Class II agricultural property in Study Area 8 (west of Butteville Road), ORS 197.298 priorities are met. As implied in Mr. Johnson's letter, the most significant adverse impacts on agricultural operations come from residential – not industrial uses. For this reason, Winterbrook recommends directing industrial development to Class III soils despite the lack of a road buffer for the 50-acre property located south of the South Arterial.

Two changes are recommended in response ODA comments regarding the application of ORS 197.298 and Goal 14 Factors 6-7:

(1) Removal of the predominantly Class II agricultural parcel west of Butteville Road in Study Area 8 (56 acres), and replacement with a predominantly Class III agricultural parcel south of the South Arterial in Study Area 7 (50 acres).

(2) Removal of approximately 100 acres of predominantly Class I and II soils associated with the golf course on land east and north of the emergency access road in Study Area 2 (North).

B-111 Oregon Transportation Commission

In his April 19, 2005 letter to Mayor Figley, Mr. Stuart Foster, Chairman of the Oregon Transportation Commission, expressed his support and appreciation for the high quality transportation planning performed by the City in coordination with ODOT staff. Mr. Foster was especially supportive of the Interchange Management Area Overlay Zone. Mr. Foster concludes by noting that additional work must be completed by property owners, ODOT staff and the City regarding funding for interchange improvements. It is our understanding that discussions are now taking place among these groups to satisfy the OTC's concern.

We recommend that the City continue to work with ODOT, Marion County, and affected property owners towards an equitable funding agreement for planned I-5 Interchange improvements.

Summary of Expansion Areas

The UGB Justification Report, while focusing on detailed descriptions of need and comparisons of need to supply, did not include summaries of the expansion area by study area or by plan designation. Tables A and B below provide this information.

Table A shows the total expansion acreage by study area. These acres are "gross" acres, indicating that they do not account for protected natural areas or right-of-way deductions. There are a total of 926 gross acres included in the proposed UGB expansion areas.

Table A: Expansion Acres by Study Area

Study Area	Gross Expansion Acres
1 Northwest	116
2 North	188
3 Northeast	13
4 East	0
5 Southeast	0
6 South	31
7 Southwest	448
8 West	130
Total	926

Table B shows expansion acreages by proposed land use category. Table B also shows "Net Buildable" acres for each designation, indicating available developable area after reductions for natural areas and rights-of-way. After accounting for proposed changes to the UGB, we recommend adding 766 net buildable acres to the existing Woodburn UGB.

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Table B: UGB Expansion Acres by Land Use Category

Plan	Gross Expansion Acres	Net Buildable Expansion Acres
Single Family	192	145
Exception Area Single Family	116	107
Nodal Single Family	84	67
Medium Density Residential	0	0
Nodal Medium Density Residential	62	51
Commercial (Including Exception Areas)	50	32
Southwest Industrial Reserve	413	363
Public / Open Space	8	0
Totals	**926**	**766**

Conclusion

In this memorandum, we have attempted to provide an objective review of comments received from the general public, landowners, special interest groups, and state agencies. The proposed UGB expansion is barely adequate to meet Year 2020 growth needs. Most of those who commented argued for or against competing UGB expansion areas.

As pointed out by several state agencies and 1000 Friends of Oregon, ORS 197.298 priorities require that cities look first to "exceptions areas" to meet identified expansion needs, then to lower value agricultural land, and finally to higher value agricultural land. In the Woodburn area, areas with Class IV and higher agricultural soils are associated with unbuildable wetlands and riparian corridors, and therefore do not meet identified urban land needs. After bringing in adjacent exceptions areas, this leaves buildable Class III soils as the highest priority for meeting Woodburn's growth needs.

Woodburn has included all adjacent exceptions areas except a state-owned juvenile detention facility and still lacks an adequate buildable land supply. Woodburn has two large concentrations of Class III soils:

- the smaller is located in the North Study Area 2 east of Boones Ferry Road, and
- the larger is located in Southwest Study Area 7 south of Parr Road.

ORS 197.298(3) allows for exceptions to the its own priorities in order to meet specific site suitability needs or to maximize land use efficiency. Both Class III soils areas are separated from the existing UGB by areas with Class II agricultural soils. These intervening Class II soils must be developed to ensure efficient urbanization and to provide urban services to Class III soil areas.

The Serres family (East Study Area 4) and property owners represented by Mr. Rohrer (Northwest Study Area 1) have put forth good cases for inclusion of their properties within the UGB. However, neither area meets ORS 197.298 priorities or exceptions to these priorities and therefore would be vulnerable to legal challenge. Moreover, to include either area would require extensive amendments to the Comprehensive Plan, Public Facilities Plan, Transportation Systems Plan and Woodburn Development Ordinance. Such changes would be costly and time-consuming to prepare – and would not help achieve the objectives set forth in the Woodburn Economic Opportunities Analysis, Woodburn Economic Development Strategy or Woodburn Housing Needs Analysis.

1000 Friends continues to argue for a different economic development program than the one described in Woodburn's Economic Opportunities Analysis and Economic Development Strategy. However, 1000 Friends has found no support for its position from the Department of Land Conservation and Development (DLCD), the Oregon Department of Transportation (ODOT), the Oregon Department of Agriculture or Marion County. These agencies generally are supportive of the economic development approach taken by the Planning Commission in its recommendations to City Council.

DLCD has recommended many technical changes to the Comprehensive Plan, Public Facilities Plan (PFP), WDO and findings justifying the UGB. Minor amendments to the Comprehensive Plan, Public Facilities Plan, Transportation Systems Plan, and WDO recommended by Mr. Mulder are responsive to DLCD's concerns. Changes to the updated Transportation Systems Plan (TSP) will also be required to address changes in the UGB and timing issues related to servicing industrial land within the Southwest Industrial Reserve.

Marion County and 1000 Friends raised concerns regarding the number of acres proposed for inclusion within the UGB. Both have misinterpreted background materials prepared by Winterbrook. We are in the process of making changes to background documents and the UGB Justification Report to respond to issues raised by state agencies, the county and 1000 Friends – including minor changes in the location of the proposed UGB. Winterbrook will finalize the changes in concert with the City Attorney's office once the Council has made final decisions on the 2005 Comprehensive Plan and Woodburn Development Ordinance amendment package.

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WOODBURN
OREGON
Incorporated 1889

Agenda Item 11A

June 13, 2005

TO: Honorable Mayor and City Council

FROM: John C. Brown, City Administrator

SUBJECT: **Periodic Review, Legislative Amendment 05-01**

BACKGROUND AND DISCUSSION:

Two staff reports are included in your agenda package related to this item. The first is a report prepared by the Community Development Director. This report was distributed to you approximately 10 days ago, with the various referenced attachments and exhibits. The City Attorney prepared the second report, within the past few days. The City Attorney's report is provided as a supplement to the Director's report, and provides you with an opportunity to accept additional written material that was submitted after the April 20, 2005 deadline for written testimony, should you choose to accept it. Both the Director and the City Attorney will be available at your June 13, 2005 meeting to discuss their respective reports.

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WOODBURN
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Agenda Item

June 13, 2005

TO: Honorable Mayor and City Council through City Administrator

FROM: Jim Mulder, Director of Community Development JM

SUBJECT: **Legislative Amendment 05-01 (Woodburn 2005 Comprehensive Plan Update) - Staff Responses to Comments and Recommended Revisions to Periodic Review Amendments**

RECOMMENDATION:

It is recommended that the City Council instruct staff to prepare an ordinance adopting Legislative Amendment 05-01, subject to the revisions recommended within this memorandum.

BACKGROUND:

At its meeting of March 28, 2005, the City Council received oral and written testimony regarding proposed periodic review amendments and proposed urban growth boundary expansion. The Council closed the hearing for oral testimony and established a deadline of April 20, 2005 to receive additional written testimony. At its meeting of April 25, 2004, the Council began deliberating on the proposed amendments. Attached to this memorandum is a copy of all written testimony received after the Planning Commission deadline for receiving written testimony on February 10, 2005 and before the City Council deadline on April 20, 2005. In addition, the City Council meeting minutes of March 28, 2005 are attached, which contain the oral testimony received at the hearing on this matter.

DISCUSSION:

To address substantive issues raised in oral and written testimony received in conjunction with the public hearing on this matter, staff provides the following responses for Council consideration.

Oral Testimony

Amanda Dalton: See response to Exhibit B-113.

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Sid Friedman, 1000 Friends of Oregon: See response to Exhibit B-96 in Attachment B.

Terry Cole, ODOT: These comments demonstrate the Oregon Department of Transportation's (ODOT) support of the draft Transportation System Plan.

Les Sasaki, Marion County: See Attachment D.

Kim Ashland: See response to Exhibit B-71.

Gene Vliet: These comments pertain to the street improvement requirements of the current Woodburn Development Ordinance (WDO). The applicability of street improvement requirements is dependent upon the scope of the development in conjunction with a development application. The WDO provides potential relief in the form of an exception or variance from street improvement requirements if a significant hardship is determined to apply to a specific development application or the required improvements are determined to be not feasible. This determination can only be made based on a specific development proposal.

Rick Warnick: These comments pertain to property located at 1365 N. Front Street that is currently designated Commercial on the Comprehensive Plan Map (CPM) and zoned CG (Commercial General). Mr. Warnick commented that he would like the CPM and zoning to remain commercial. The Planning Commission recommended changing the CPM to Medium Density Residential and zoning to RM (Medium Density Residential). This property is one of 14 neighboring properties designated to change to multi-family residential use. Of these properties the subject property is the only one that has a commercial use. Tax Assessor information indicates that the existing building on the 0.7-acre parcel was constructed in 1964 and consists of approximately 9,000 square feet. Assessor information also indicates the value of the improvements ($132,000) is slightly more than the value of the land ($126,000) (Parcels where the improvement value is less than the value of the land are typically considered to be under utilized and ripe for redevelopment). This property is recommended for Medium Density Residential for the following reasons:

1. The property's improvement value is not significantly higher than its land value.

2. The property is generally located in the middle of a larger area

recommended for Medium Density Residential.

3. The property's existing commercial use is not consistent with the adjacent single-family dwellings and Single Family Residential (RS) zoning to the west.

4. Leaving this property as commercial would result in a 0.7-acre commercial property that is isolated from other commercial properties (i.e., "spot zoning").

5. The property could be redeveloped with the larger vacant property to the west, which could potentially provide access from Front Street to First Street and Second Street (First and Second Streets currently are long dead-end streets). This could provide an opportunity to significantly improve an existing access deficiency in the area.

Lolita Carl: See response to Exhibit B-96 in Attachment B.

Kathleen Carl: See response to Exhibit B-96 in Attachment B.

Paul Serres: See response to Exhibit B-77 in Attachment B and Attachment E.

Licetin Andrade: These comments support the proposed amendments.

Susan Duncan: See response to Exhibit B-77 in Attachment B and Attachment E.

Jeff Tross: See response to Exhibit B-77 in Attachment B and Attachment E..

Ruth Thompson: See response to Exhibit B-77 in Attachment B and Attachment E.

Mary Grant: See response to Exhibit B-77 in Attachment B and Attachment E.

Toni Spencer: See response to Exhibit B-96 in Attachment B.

Kay Peterson: See response to Exhibit B-96 in Attachment B.

Erin Donnelly: These comments generally concur with the Planning Commission's recommendation to not change the zoning of the area around Second and Third Streets to Commercial Office (CO).

Ray Clore: These comments support the proposed urban growth boundary expansion and Economic Development Strategy of the City. They support the need for industrial zoned land of sufficient size to attract the types of industries targeted by the Economic Development Strategy. They also provide evidence to counter an assertion that the City has an overabundance of vacant industrial buildings.

Dave Christoff: See response to Exhibit B-113.

Bob Thelen: See response to Exhibit B-77 in Attachment B and Attachment E.

Bob Fessler: These comments support the proposed UGB expansion of the area generally west of Boones Ferry Road and south of Crosby Road. Staff agrees with the comments that the surrounding streets would provide a buffer between urban and rural use and the soils in this area are generally of lower quality than other potential areas that could be designated for Low Density Residential.

Martin Rohrer: See response to Exhibit B-95 in Attachment B.

Carla Mikkelson: See response to Exhibit B-96 in Attachment B.

Diane Mikkelson: See response to Attachment D.

Don Kelley: These comments relate to three main issues: 1) Support of proposed UGB expansion in the Butteville Road area that includes Mr. Baker's property; 2) Request to separate approval of amendments into two phases to allow exception areas to be acknowledged before non-exception areas; 3) Request that potential unintended consequences of implementation of Interchange Management Area (IMA) Overlay District be considered. Regarding the second issue, staff does not believe separating the approval process into different parts or phases is advantageous, or even feasible, because the justification and supporting documents for the UGB expansion take into account the expansion areas as a whole, both exception and non-exception areas. Breaking the approval process up could jeopardize bringing in the non-exception areas that include the industrial and nodal development areas. In addition, it cannot be assumed that it is any less likely that the non-exception areas will be challenged, because testimony has been received that has specifically challenged the proposed UGB expansion to the Butteville Road area. Regarding the third issue, city staff, ODOT, and the consultants continue to carefully consider potential consequences and have recommended amendments to the draft IMA Overlay District (see Attachment F) to address issues raised in comments received.

Dan Wells: See response to Erin Donnelly above.

Mark Unger: See response to Exhibit B-80 in Attachment B.

Dan Osborn: These comments oppose the inclusion of the Woodburn School District property on East Lincoln Road in the proposed UGB. Although, not included in the staff recommended UGB expansion proposal, the Planning Commission recommended including the property.

Brian Moore: These comments support the proposed inclusion of the Fessler property (discussed above) in the UGB.

Roger Alfred: These comments support the proposed inclusion of the property around the OGA Golf Course in the UGB.

Written Testimony

Exhibit B-62 (Craig Robinson): These comments support the proposed comprehensive plan change on three adjacent lots at the northwest corner of James Street and Tierra Lynn Drive from Medium Density Residential to Low Density Residential to be consistent with the existing zoning of the property as RS (Single Family Residential) and use as single family residences.

Exhibit B-63 (Darlene Mahan): See response to Exhibit B-63 in Attachment B.

Exhibit B-64 (Kim Ashland): See response to Exhibit B-71.

Exhibit B-65 (Martin Rohrer): See response to Exhibit B-95 in Attachment B.

Exhibit B-66 (Serres Family): See response to Exhibit B-77 in Attachment B and Attachment E.

Exhibit B-67 (Keith Woollen): These comments generally concur with the proposed Transportation System Plan, with the exception of the east arterial road. An east arterial is not proposed at this time because no UBG expansion is proposed on the east side of the city which would be necessary to justify a need for it at this time.

Exhibit B-68 (DLCD): See Attachment C.

Exhibit B-69 (Marion County): See Attachment D.

Exhibit B-70 (Richard Edmonds): See response to Exhibit B-77 in Attachment B.

Exhibit B-71 (Kim Ashland): These comments pertain to two properties each approximately 9 acres located on the north side of Mollala Road adjacent to the easterly UGB boundary. These properties are within the current UGB, but not in the city limits. They both have CPM designations of Commercial. These comments request that the CPM be changed to Low Density Residential. No change is proposed to the subject property, because vacant commercial land is already being constrained by the UGB expansion proposal and removing approximately 18 acres of commercial land from within the current UGB now, will make it difficult to add it back later. This is because commercial UGB expansions are much more difficult to justify as opposed to residential or industrial expansions because it is more feasible to redevelop commercial uses to address commercial land needs than industrial or residential uses. Also, these properties represent the largest vacant commercial site on the east side of the city. In addition, Low Density Residential development would not be compatible with the adjacent Maclaren facility to the north, the highway to the south, commercial land to the west, and farmland to the east.

Exhibit B-72 (Mark Unger): See response to Exhibit B-80 in Attachment B.

Exhibit B-73 (Rebecca Jordan): These comments pertain to Measure 37 issues as they relate to the proposed amendments. Potential Measure 37 implications were discussed with the Planning Commission. The Planning Commission did not recommend any changes to the proposed amendments based on its consideration of potential Measure 37 implications.

Exhibit B-74 (Les Schwab Tires): See response to Exhibit B-77 in Attachment B.

Exhibit B-75 (Chucks Auto Parts): See response to Exhibit B-77 in Attachment B.

Exhibit B-76 (Bert Jones): See response to Exhibit B-77 in Attachment B.

Exhibit B-77 (Serres Family): See response to Exhibit B-77 in Attachment B and Attachment E.

Exhibit B-78 (Charles Piper): See response to Exhibit B-77 in Attachment B.

Exhibit B-79 (Fins & Feathers Pet Shop): See response to Exhibit B-77 in Attachment B.

Exhibit B-80 (Mark Unger): See response to Exhibit B-80 in Attachment B.

Exhibit B-81 (Mark Unger): See response to Exhibit B-80 in Attachment B.

Exhibit B-82 (Bert Gottsacker): See response to Exhibit B-82 in Attachment B.

Exhibit B-83 (PCUN): These comments express support for the proposed amendments, especially those amendments that will lead to economic development and higher paying jobs in the city.

Exhibit B-84 (Estelle Watson): See response to Exhibit B-96 in Attachment B.

Exhibit B-85 (Michael Sowa): See response to Exhibit B-77 in Attachment B.

Exhibit B-86 (Terry Priser): See response to Exhibit B-77 in Attachment B.

Exhibit B-87 (Robert and Nadine Eckhardt): See response to Exhibit B-77 in Attachment B.

Exhibit B-88 (Kevin Mayne - Sharabarin): See response to Exhibit B-88 in Attachment B.

Exhibit B-89 (Farmworker Housing Dev. Corp.): These comments express support for the proposed amendments, especially those amendments that will lead to economic development and higher paying jobs in the city.

Exhibit B-90 (Carla Mikkleson): See response to Exhibit B-96 in Attachment B.

Exhibit B-91 (Lolita Carl): See response to Exhibit B-96 in Attachment B.

Exhibit B-92 (Toni Spencer): See response to Exhibit B-96 in Attachment B.

Exhibit B-93 (Brian Moore): These comments support the proposed UGB expansion of the area generally west of Boones Ferry Road and south of Crosby Road. Staff agrees with the comments that the surrounding streets would provide a buffer between urban and rural use and the soils in this area are generally of lower quality than other potential areas that could be designated for Low Density Residential.

Exhibit B-94 (Amanda Dalton): See response to Exhibit B-113.

Exhibit B-95 (Martin Rohrer): See response to Exhibit B-95 in Attachment B.

Exhibit B-96 (1000 Friends of Oregon): See response to Exhibit B-96 in Attachment B.

Exhibit B-97 (Kay Peterson): See response to Exhibit B-96 in Attachment B.

Exhibit B-98 (Kay McEwen): See response to Exhibit B-96 in Attachment B.

Exhibit B-99 (Woodburn School District): See response to Exhibit B-99 in Attachment B.

Exhibit B-100 (Kevin Mayne - Krivoshein): See response to Exhibit B-100 in Attachment B.

Exhibit B-101 (Serres Family): See response to Exhibit B-77 in Attachment B and Attachment E.

Exhibit B-102 (Winco Foods): These comments pertain to concerns regarding implications the proposed Interchange Management Area (IMA) Overlay may have on future expansion and operation of the Winco Foods property. The southerly 19 acres of the 80-acre Winco property are vacant and were included in the proposed IMA. However, information provided by Winco makes it clear that the 19 acres will be held for future expansion of Winco and will not be available for development by another party. Staff recommends that the 19 acres be removed from the regulatory provisions of the IMA, because the property is to be held for expansion of an existing use and most of the 80-acre property is developed. In addition, staff recommends that the 19 acres be removed from the SWIR designation and zone to keep the comprehensive plan designation and zoning on the entire property consistent.

Exhibit B-103 (Oregon Dept. of Agriculture): See response to Exhibit B-103 in Attachment B.

Exhibit B-104 (Kevin Mayne - Krivoshein): See response to Exhibit B-100 in Attachment B.

Exhibit B-105 (Kathleen Carl): See response to Exhibit B-96 in Attachment B.

Exhibit B-106 (Renaissance Development): These comments indicate that the developer of the area around the OGA Golf Course intends to develop the area around the golf course outside of the current UGB.

Exhibit B-107 (OPUS Northwest): These comments support the proposed UGB expansion to include the approximately 100-acre property at the southeast corner of Highway 219 and Butteville Road. Staff agrees with the comments that the property is ideally situated for immediate industrial development with the types of industries targeted in the Economic Opportunities Analysis and Development Strategy.

Exhibit B-108 (Brian Moore): These comments support the proposed UGB expansion to include the area generally west of Boones Ferry Road and south of Crosby Road. Staff agrees with the comments that the surrounding streets would provide a good buffer between urban and rural use and the soils in this area are generally of lower quality than other potential areas that could be designated for Low Density Residential.

Exhibit B-109 (1000 Friends of Oregon): See response to Exhibit B-96 in Attachment B.

Exhibit B-110 (Bob Lindsey): See response to Exhibit B-96 in Attachment B.

Exhibit B-111 (Oregon Transportation Commission): See response to Exhibit B-111 in Attachment B.

Exhibit B-112 (Kevin Mayne - Sharabarin): See response to Exhibit B-88 in Attachment B.

Exhibit B-113 (Willamette Valley Realtors Govt. Affairs Committee): These comments pertain to the Interchange Management Area (IMA) Overlay. Three major concerns are raised: 1) Negative impact statewide; 2) Ballot Measure 37; and 3) Small development exception. The first concern asks three questions. Is this effectively a pilot program that ODOT wants to extend across Oregon? Will residential development be subjected to the overlay district requirements? Will the district be expanded to encompass even more of Woodburn? The answer to the first question can only be answered by ODOT, but staff's understanding is the Oregon Transportation Commission is moving toward requiring IMAs to receive priority for ODOT funding support for major interchange improvements. The answer to the second question is: residential development is not subject to

the IMA regulations. The answer to the third question is: there is no expectation at this time to expand the IMA.

The second stated concern asks several questions regarding potential Measure 37 claims that could result from adoption of the IMA. The adoption of the IMA could potentially result in Measure 37 claims being filed. If the City Council (and possibly ODOT) believes a particular claim is valid it will have the option of waiving the regulation or paying compensation. This decision would be made on a case-by-case basis.

The third stated concern requests an exception for smaller developments to be included in the IMA regulations. Staff has reviewed the IMA regulations in further detail and recommends multiple revisions to further refine and clarify them. One revision modifies the applicability section to establish a threshold of 20 peak hour vehicles trips before a development is subject to the IMA. In addition, the table that lists the parcels that are subject to the IMA is revised to include only vacant commercial and industrial parcels that are least one acre in size.

Recommended Revisions to Proposed Amendments

After consideration of oral and written comments received from DLCD, Marion County and other interested parties and after further staff review and analysis of the proposed amendments, staff has drafted revisions to the proposed Comprehensive Plan Goals and Policies, Woodburn Development Ordinance and Public Facilities Plan (see Attachment F). These recommended revisions would replace the respective portions of the original public hearing draft amendment package (Exhibit "A"). Any necessary revisions to the Transportation System Plan will be made by the consultant after final direction is received from the Council on the recommended revisions discussed in this memorandum. The substantive proposed revisions are summarized as follows:

<u>Revisions to Proposed Comprehensive Plan Map (CPM) and Zoning Map</u>:

1. Revise CPM and zoning map to reflect approval of a zone change from RS (Single Family Residential) to RM (Medium Density Residential) for Boones Ferry Place. The City Council recently approved a zone change from RS to RM on property generally located at the southwest corner of Boones Ferry Road and Country Club Road. This change is not currently represented on the proposed CPM and zoning map. It is recommended that the proposed CPM for this property be changed to MDR and the zoning be changed to RM.

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2. Revise the proposed zoning map in the downtown area to retain the existing zoning instead of the proposed Commercial Office (CO) zoning. The Planning Commission and staff recommend this change.

3. Revise the boundary of the Interchange Management Area Overlay on the CPM and zoning map to better reflect the areas that are subject to the overlay.

4. Revise the CPM to change the designation on the exception area at the southeast corner of Carl Road and Highway 99E from Commercial to Medium Density Residential. This corrects a mapping error and makes the map consistent with the existing use of property as a mobile home park.

5. Revise the CPM to remove the easterly portion of the OGA Golf Course from the proposed UGB expansion to avoid Class I soils.

6. Revise the CPM to relocate the industrial designated 50-acre UGB expansion at the northwest quadrant of I-5 and Butteville Road to a 50-acre parcel located south of the proposed South Arterial.

7. Revise CPM and zoning map to remove SWIR designation and zoning from south end of Winco Foods property.

Revisions to Proposed Comprehensive Plan Goals and Policies (Volume I):

1. Density ranges on Pages 7 and 32 are revised to be consistent with proposed lot sizes.

2. Comprehensive Plan change criteria on Page 11 are revised to be consistent with criteria for a plan change in the WDO.

3. Policy Table 3 (Page 22) is revised to address changes in the parcels recommended to be included in the SWIR and to provide a more complete range of parcel sizes consistent with the recommendations of the Economic Opportunities Analysis and Development Strategy.

4. Goal G-2.4 (Page 33) is deleted because the updated TSP will be adopted concurrently with proposed periodic review amendments.

5. Transportation goals (Goal H) are revised to be consistent with the goals

and policies in the draft TSP.

Revisions to Proposed Woodburn Development Ordinance (WDO):

1. The proposed WDO amendments are generally supplemented and revised to provide proper cross referencing to applicable sections of the WDO and to address standards and guidelines of other sections that should apply to the new zoning districts. Also, only those specific subsections of main sections (e.g. Section 2.102 RS zone) that are to be revised are included in these draft amendments whereas the original draft amendments contained all zoning districts whether there were changes proposed or not.

2. The NNC District (Section 2.108) is generally reformatted to be consistent with the format and regulations for commercial zones. Substantive revisions include reducing the maximum size of a NNC District from 15 to 12 acres.

3. The RCWOD District (Section 2.113) is generally reformatted to be consistent with the format for other zoning districts and revised to better reflect the specific language found in the State Administrative Rules regulating wetland and riparian ordinances.

4. The SWIR District (Section 2.114) is generally reformatted to be consistent with the format and regulations for the IP zone. Table 2.1.22 is revised to address changes in the parcels recommended to be included in the SWIR and to more clearly address recommendations of the Economic Opportunities Analysis and Development Strategy.

5. The Nodal Overlay Districts (Section 2.115) are generally reformatted to be consistent with the format and regulations for residential zones. Substantive revisions include adjustments to building setbacks.

6. The IMA Overlay District (Section 2.116) is generally reformatted to be consistent with the format for other zoning districts. Substantive revisions include establishing a minimum threshold for applicability of the district, revising Table 2.116.1 to correct errors, and making the section clearer and more concise.

7. Street Standards (Section 3.101), Special Street Setbacks (Section 3.103), Off Street Parking and Loading (Section 3.105), Administration and

Procedures (Section 4.101), and Type IV Application Requirements (Section 5.104) are revised to incorporate recommended code revisions from the draft TSP.

8. Block standards (Section 3.101.02.G) are revised to remove some exceptions to the maximum 600-foot block standard.

Revisions to Proposed Transportation System Plan (TSP):

1. Revise maps and illustrations to show revised urban growth boundary and study area boundary.

2. Revise Figure 7-2 to add a cross section for cul-de-sac streets not exceeding 250 feet in length showing a right-of-way width of 50 feet and a curb-to-curb width of 26 feet (one 12-foot travel lane with 7-foot wide parking on each side).

3. Revise IMA Overlay District boundary to better reflect the areas that are subject to the overlay.

Revisions to Proposed Public Facilities Plan (PFP):

1. Revise PFP to address DLCD comments and to provide more up to date information regarding public facility inventories and improvement schedules. In addition, an appendix has been added analyzing the ability to serve the eight study areas for UGB expansion and an appendix has been added that indicates the infrastructure projects needed and associated costs to serve a short-term supply of industrial land in the Southwest Industrial Reserve.

Revisions to Supporting Studies and Documents (Volume II):

1. Supporting documents are revised to support the above recommended revisions and to address comments received from the Council, Planning Commission, DLCD, Marion County, and other interested parties. UGB Study Area Public Services Analysis becomes an appendix to the Public Facilities Plan. The revised supporting documents will be provided to the Council with the ordinance to adopt the proposed periodic review amendments after receiving final Council direction.

Other Issues

Task 9 of the City's Periodic Review Work Program requires the City to review and update its Urban Growth Boundary Agreement with Marion County for coordinating land use within the Urban Growth Boundary. City staff has worked with County staff in developing an updated Urban Growth Boundary Coordination Agreement. The recommended draft agreement is provided for Council consideration in Attachment H.

Task 10 of the City's Periodic Review Work Program requires the City to submit a citizen involvement report to LCDC upon conclusion of periodic review. The Citizen Involvement Report, as of May 27, 2005, is provided in Attachment I.

Attachments:

Exhibit "A" Draft City of Woodburn 2005 Comprehensive Plan Update (previously provided to Council under separate cover)

Exhibit "B" Written Testimony and Comments Received After Planning Commission Written Testimony Deadline on 2/10/05 and Before City Council Written Testimony Deadline on 4/20/05:

B-62: Craig Robinson, received 2/22/05
B-63: Darlene Mahan, received 2/22/05
B-64: Kim Ashland, received 2/24/05
B-65: Martin Rohrer, received 3/3/05
B-66: Serres Family, received 3/8/05
B-67: Keith Woollen, received 3/14/05
B-68: DLCD, received 3/18/05
B-69: Marion County, received 3/21/05
B-70: Richard Edmonds, received 3/22/05
B-71: Kim Ashland, received 3/23/05
B-72: Mark Unger, received 3/23/05
B-73: Rebecca Jordan, received 3/23/05
B-74: Les Schwab Tires, received 3/23/05
B-75: Shucks Auto Parts, received 3/23/05
B-76: Bert Jones, received 3/23/05
B-77: Serres Family, received 3/23/05
B-78: Charles Piper, received 3/24/05
B-79: Fins & Feathers Pet Shop, received 3/24/05
B-80: Mark Unger, received 3/24/05
B-81: Mark Unger, received 3/24/05
B-82: Bert Gottsacker, received 3/24/05
B-83: PCUN, received 3/25/05
B-84: Estelle Watson, received 3/28/05

B-85: Michael Sowa, received 3/25/05
B-86: Terry Priser, received 3/25/05
B-87: Robert and Nadine Eckhardt, received 3/28/05
B-88: Kevin Mayne (Sharabarin), received 3/28/05
B-89: Farmworker Housing Dev. Corp., received 3/28/05
B-90: Carla Mikkleson, received 3/28/05
B-91: Lolita Carl, received 3/28/05
B-92: Toni Spencer, received 3/28/05
B-93: Brian Moore, received 3/28/05
B-94: Amanda Dalton, received 3/28/05
B-95: Martin Rohrer, received 3/28/05
B-96: 1000 Friends of Oregon, received 3/31/05
B-97: Kay Peterson, received 4/4/05
B-98: Kay McEwen, received 4/18/05
B-99: Woodburn School District, received 4/19/05
B-100: Kevin Mayne (krivoshein), received 4/19/05
B-101: Serres Family, received 4/19/05
B-102: Winco Foods, received 4/19/05
B-103: Oregon Dept. of Agriculture, received 4/19/05
B-104: Kevin Mayne (Krivoshein), received 4/20/05
B-105: Kathleen Carl, received 4/20/05
B-106: Renaissance Development, received 4/20/05
B-107: OPUS Northwest, received 4/20/05
B-108: Brian Moore, received 4/20/05
B-109: 1000 Friends of Oregon, received 4/20/05
B-110: Bob Lindsey, received 4/20/05
B-111: Oregon Transportation Commission, received 4/20/05
B-112: Kevin Mayne (Sharabarin), received 4/20/05
B-113: Willamette Valley Realtors Govt. Affairs Committee, received 4/20/05

Attachment A	City Council Minutes of 3/28/05
Attachment B	Winterbrook's Responses to Comments
Attachment C	Draft Response Letter to DLCD
Attachment D	Draft Response Letter to Marion County
Attachment E	Public Works Dept. Response to Serres Family Comments
Attachment F	Recommended Revisions to Proposed Amendment Package (Exhibit "A") including revisions to the Comprehensive Plan Goals and Policies (Attachment F-1), Woodburn Development Ordinance (Attachment F-2), and the Public Facilities Plan (Attachment F-3)
Attachment G	Recommended Map Revisions, dated 6/13/05

Attachment H	Draft Urban Growth Boundary Coordination Agreement
Attachment I	Citizen Involvement Report

To: City of Woodburn Planning Commission

On Feb. 3, 2005 I attended the Public Hearing on proposed amendments on Re-Zoning Property in and around Woodburn.

☆ REC'D ☆ FEB 22 2005 WOODBURN DEVELOP

I live at 1345 James St. Currently our House and the ones on either side of us are zoned "RM". We would like to be changed to a zone "RS" and give us some piece of mind knowing we won't be pinned in by Apt. Buildings.

We have ~~lived~~ lived here for 9 yrs and in that time we have been bothered by the Terra Lyn Apt. which back up to our back fence. At least once or twice a we I have to pick up trash that someone has thrown over the fence or smell some-body urine against the fence. I would hate to have this on 3 sides of me.

We look forward to the change. Sincerely

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☆ REC'D ☆

FEB 22 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Woodburn Planning Commission

February 22, 2005

Mr. Chairman:

This petition never returned from Texas in time for the Public Hearing on Feburary 3, 2005, please consider it at your meeting, deliberating on what wad said in the public hearing meeting of Feburary 3, 2005.

Thank You

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☆ REC'D ☆

WOODBURN PLANNING COMMISSION METTING

FEBURARY 24, 2005

FEB 22 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

IN THE MATTER OF THE SOUTHWEST INDUSTRIAL RESERVE DISTRICT (SWIR) IN THE WOODBURN GROWTH BOUNDRY EXTENSION.	)))	OBJECTION PARCEL SIZE REQUIREMENT EMPLOYEE REQUIREMENT MASTER PLANNING REQUIREMENT TRANSPORTATION PLAN IN SWIE

RECITALS:

1. We the undersigned are owners of-100 % of the land, by deed, and owned since the 60s, in the proposed Southwest Industrial Reserve District (SWIR).

2. We the undersigned are --100% of the owners of the land in the proposed Southwest Industrial Reserve District.

3. The undersigned are desirous of making this Petition a part of the record of the meeting of Feburary 24,2005, deliberating on what was said at the Public Hearing Feburary 3, 2005.

4. We the undersigned were not approached on any of the planning of the Southwest Industrial Reserve District and therefore feel it is the City of Woodburns responsibility to do their own master planning on any parcels.

5. We the undersigned are oppsed to being told how we will divide our farm land in the Southwest Industrial Reserve District.

6. We the undersigned are opposed to being told who we will sell our land to, in the Southwest Industrial Reserve District, as to the amount of employees that must be employeed.

7. We the undersigned feel we are quite capable of deciding, to who and how we will dispose of our land.

8. We the undersigned are opposed to the Transportation Plan in the Southwest Industrial Reserve District. If the land need is greater that the proposed street width and if it follows a property line and does not take ½ off each side of the proposed street

NOW, THEREFORE, the undersigned hereby:

1. Affix their signature to this document for the purpose of objecting to the above recitals.

2. Certify that they are the owners, either in fee or under contract purchase, of one or more parcels in the proposed Southwest Industrial Reserve District.

NAME	ADDRESS	CITY
Darlene Makan	3765 PARK PLACE	ADDISON, TX. 75001
John Weiss Jr.	14905 Butteville Rd	Hubbard, OR 97026
Weiss Family LLC		
Delbert Hotteck	8518 Park Rd.	Gervais, 97026
Betty R. Hotteck	8518 Park Rd	Gervais OR 97026
Paul Schulz	8097 Park Rd	Gervais OR 97026
Marie Wilde	8097 Park Rd	Gervais 97026
Melvin A. Seibel	8318 PARK RD NE	97026

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MAR 2 2 '2005

WOODBURN CITY ADMINISTRATOR'S OFFICE

WOODBURN CITY COUNCIL PUBLIC HEARING

MARCH 28, 2005

IN THE MATTER OF THE SOUTHWEST INDUSTRIAL RESERVE DISTRICT (SWIR) IN THE WOODBURN GROWTH BOUNDRY EXTENSION.	OBJECTION TO: PARCEL SIZE REQUIREMENT EMPLOYEE REQUIREMENT MASTER PLANNING REQUIREMENT TRANSPORATION PLAN IN SWIR

RECITALS:

1. We the undersigned are owners of 100 % of the land, by deed, and owned since the 60s, in the proposed Sourhwest Industrial Reserve District(SWIR).

2. We the undersigned are 100% of the owners of the land in the proposed Southwest Industrial Reserve District.

3. The undersigned are desirous of making this Petition a part of the record of the Public Hearing on March 28, 2005 at 7:00 p.m.

4. We the undersigned were not approached on any of the planning of the Southwest Industrial Reserve District and therefore feel it is the City of Woodburns responsibility to do their own master planning on any parcels.

5. We the undersigned are opposed to being told how we will devide our farm land in the Southwest Industrial Reserve District.

6. We the undersigned are opposed to being told who we will sell our land to in the Southwest Industrial Reserve District, as to the amount of employees that must be employeed.

7. We the undersigned feel we are quite capable of decidir to who and how we will dispose of our land.

8. We the undersigned are opposed to the Transportation in in the Southwest Industrial Reserve District. If the land need is greater than the proposed street width and if it follows a property line and does not take ½ off each side of the proposed street.

NOW, THEREFORE, the undersigned hereby:

1. Affix their signature to this document for the purpose of objecting to the above recitals.

2. Certify that they are the owners, either in fee or under contract purchase, of one or more parcels in the proposed Southwest Industrial Reserve District.

NAME	ADDRESS	CITY
Darlene Mahan	3765 PARK PL	ADDISON, TX 75001
John Berg Jr	14905 Butteville Rd	Gervais, OR 97026
Berg Family LLC		
Robert Gottschalk	8518 Parr Rd NE	Gervais, OR 97026
Betty R Gottschalk	8518 Parr Rd NE	Gervais OR 97026
[illegible]	8097 Parr Ln NE	Gervais OR 97026
Mrs. [illegible]	8097 Parr Ln NE	Gervais OR 97026
Melvin C. Bibel	8318 PARR RD NE	GERVAIS 97026

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Feb. 16, 2005

TO: Woodburn Planning Commission

FROM: Darma Real Estate = Darlene Mahan

Subject: I was wondering why you are not including my 11.79 acres of land, next to the freeway at Butteville Rd. and end of Parr Rd. into the proposed Urban Growth Boundary? The property discription is: Annexation No. 92-689, acres 11.79, Map 052W1 01400 Code 00100030.

It seems like it would be needed in the U.G.B. if there was any growth at the Gervais Overpass.

Sincerely

Darlene Mahan

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Exhibit "B"-64

February 24, 2005

FEB 2 4 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

City of Woodburn
Planning Chairman, Commissioners &
Woodburn Planning Commission

It has come to our attention that the Woodburn Comprehensive plan is in the process of being amended or changed. The current comprehensive plan has our properties, 2055 & 2425 Molalla Avenue (approximately 18 acres) slated to go to a commercial type zoning. Due to the recent developments, we do not think that this is the ideal zoning for this property.

We propose that single family residential housing makes more sense at this time due to the following reasons:

1. These 18 acres are isolated on the edge of the new expanded urban growth boundary, far from the 99E traffic streams.

2. The new nine acre Mormon church facility at 2045 Molalla Avenue, our direct neighbor to the West (we share the entire length of the lot), would blend much nicer into a friendly residential setting.

3. The property directly South and across Molalla Highway from our property and parallel to Cooley Road is currently planned to be changed to single family residential. This property lines up directly across from ours. The highest and best use for our properties would be single family residential also.

In conclusion, the direction of the master plan should be modified since the approval of the Mormon church creates more of a community area. Single family residential would better serve the area and create more of a balance.

Sincerely,

Kim Ashland, Property Owner – Contact Person (503) 390-0308
Kevin Ashland, Property Owner
Dan Blem, Property Owner
Ivan Smerkoff, Property Owner

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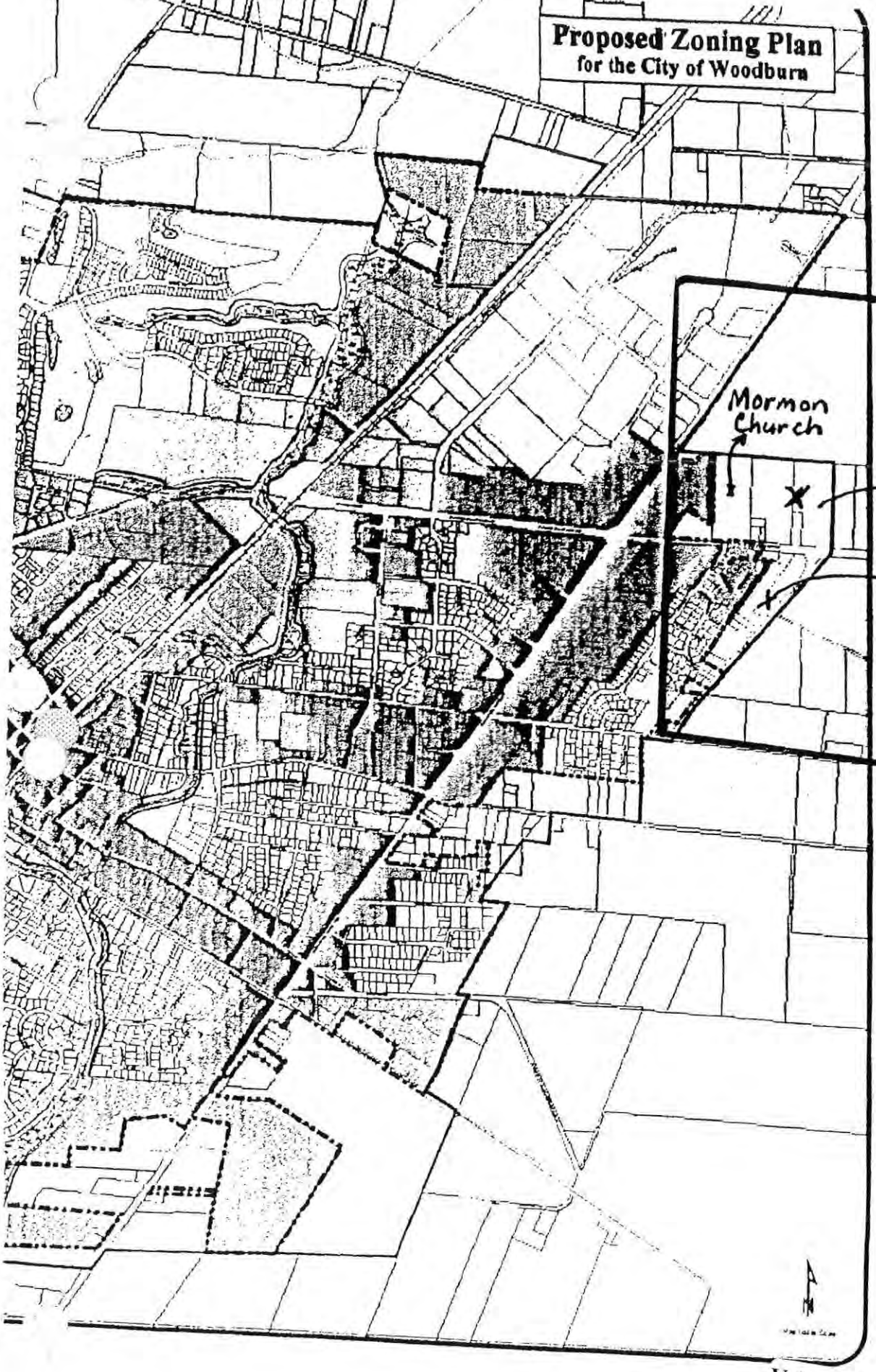

☆ REC'D ☆
FEB 2 4 2005
WOODBURN COMMUNITY
DEVELOPMENT DEPT.

January 13, 2005

☆ REC'D ☆

FEB 24 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

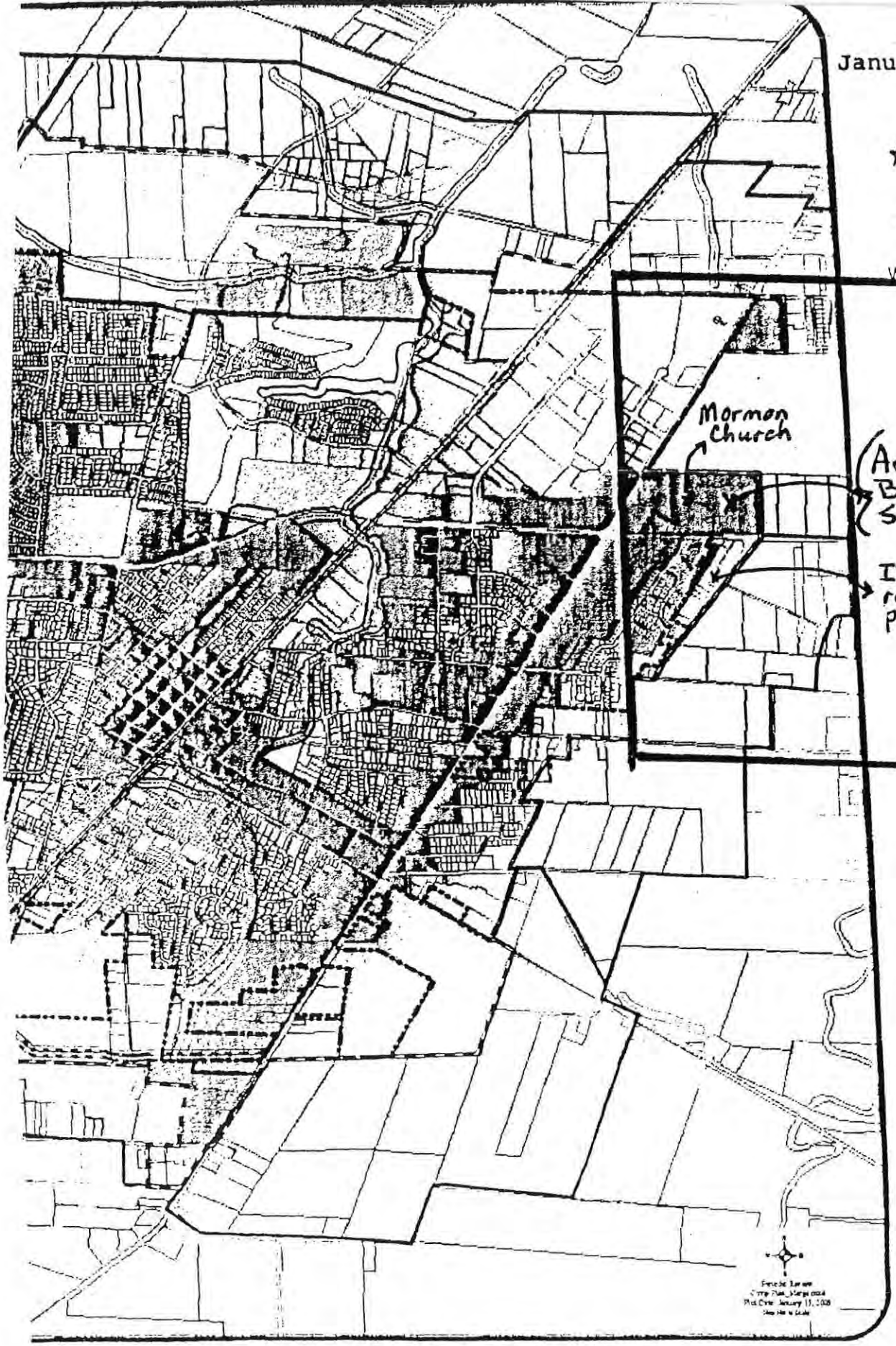

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Exhibit "B"-65

MAR 0 3 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

16 Abelard
Lake Oswego, OR 97035-2342
March 1, 2005

Woodburn City Council
c/o Jim Mulder
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Mayor Figley and Councilors:

This letter and its enclosures are submitted for your consideration relative to your March 28, 2005, hearing on the UGB expansion (and other matters.) I will be testifying at the hearing on behalf of myself and three of my neighbors (Castor, Adney, and Coleman) who also own properties along Arney Road.

The enclosures are:

1. Aerial photograph looking down on Arney Road. The area outlined in red is approximately 125 acres and our four properties comprise about 110 acres of the total of 125 acres.
2. Aerial photograph looking down on the Woodburn I-5 Interchange. Both the approximately 125-acre area and the proposed South By-Pass are shown in red.
3. My map showing the northwest quadrant of staff's proposed UGB adjustments to the Comprehensive Plan. I have added to the map the approximately 125-acre area, the roads, and the identification of the properties owned by their owners.
4. Letter to the Woodburn Planning Commission dated February 7, 2005.
5. Letter to Greg Winterowd and Jim Mulder dated April 29, 2004.
6. Letter to John Brown dated April 26, 1999, with enclosures (which include the July 23, 1996, letter of Robert L. Engle sent on my behalf to Steve Goeckritz.)

As you can see, we have been consistent and persistent in our efforts to be included within the UGB since 1996. I last testified before the Woodburn Planning Commission on February 3, 2005. At their deliberations on February 24, 2005, Jim Mulder was asked by the Planning Commission why he recommended that our area not be included in the currently proposed UGB expansion. He said that his view is that the west part of our area should be developed for multi-family residential use and the rest of our area (that which is north of Woodburn Company Stores) should be developed for commercial use. He said there is already enough proposed to be designated for multi-family residential and commercial uses, and that what we should do is find a developer who will come in after the approval (by Marion County and the State of Oregon) of the UGB expansion and ask for a separate and specific plan amendment (Post-Acknowledgment Plan Amendment). He suggested that one appropriate use for the part of our area along Arney Road would be as the site for a "big box" retailer. (That would be like Home Depot, Costco, Winco, etc.) Three Planning Commissioners said that they agree with Mr. Mulder regarding the appropriateness of a Commercial designation.

We think that the best way to attract a developer who would look at the big picture and who would be willing to make any necessary and appropriate improvements to the roadways and traffic situation and to protect the other neighbors who remain in our area would be for our area to be included within the UGB. What we have had in mind is developing the area for uses that are something between Commercial and Industrial. An example of the kinds of businesses that would fit well into such a development would be distributors or manufacturers who produce a product and show and market a substantial part of their inventory from the site of manufacture. That would be compatible with Woodburn Company Stores, and both would benefit from being in the same visible, successful location. If we are brought into the UGB at this time, we would look for one developer who specializes in that kind of development for all 110 of the 125 acres.

A Post-Acknowledgment Plan Amendment is available only for up to 50 acres. We will, of course, go that route if you so prefer. That process, because it is more limited in terms of the acreage being developed, makes it more difficult for us to find a developer who will be able to look at the big picture, be able to finance all necessary and appropriate improvements, and be able to most properly protect the remaining neighbors.

The South By-Pass concept has been discussed for a long time. Greg Winterowd and Jim Mulder no doubt were influenced by the South By-Pass history and its proponents. Whether the South By-Pass ever gets approved, funded, and built remains to be seen. Even if that all happens, will a freeway exit to accommodate it ever be built? If it is built, will it be within any of our lifetimes? Even if it is built, does it make sense to now develop around it, so that it's more difficult and costly to build the exit? Please look carefully at enclosure #2. Notice the extensive amount of farmland proposed to be brought into the UGB to make the South By-Pass work. Do you wonder if 1,000 Friends of Oregon can find a way to let that picture tell 1,000 words? Now look at the 125 acres we propose to bring into the UGB. It is surrounded on three sides by development, as well as adjoining one of the largest and one of the most successful retail areas in the Pacific Northwest. (Ex-Mayor and new Planning Commissioner Dick Jennings said, during the hearing of the Planning Commission, that it looks like a drunken sailor drew the proposed UGB line around our area and it should be squared off. But then he voted with the others against doing it.)

Do you really think it is more likely that Woodburn will develop all the way to the South By-Pass within the next twenty years or that the area next to Woodburn Company Stores (with streets, power, water, and sewer running right up to it) will likely develop within that twenty-year period? Remember, the whole concept of this part of the planning process is to determine, not only what is a good plan from other than an economic standpoint, but also what will be economically viable within the next twenty years. In other words, good ideas that won't happen (or at least won't happen for a long time) are

not what you are being asked to come up with or to approve, as such ideas will not improve the near-term economy or livability of Woodburn.

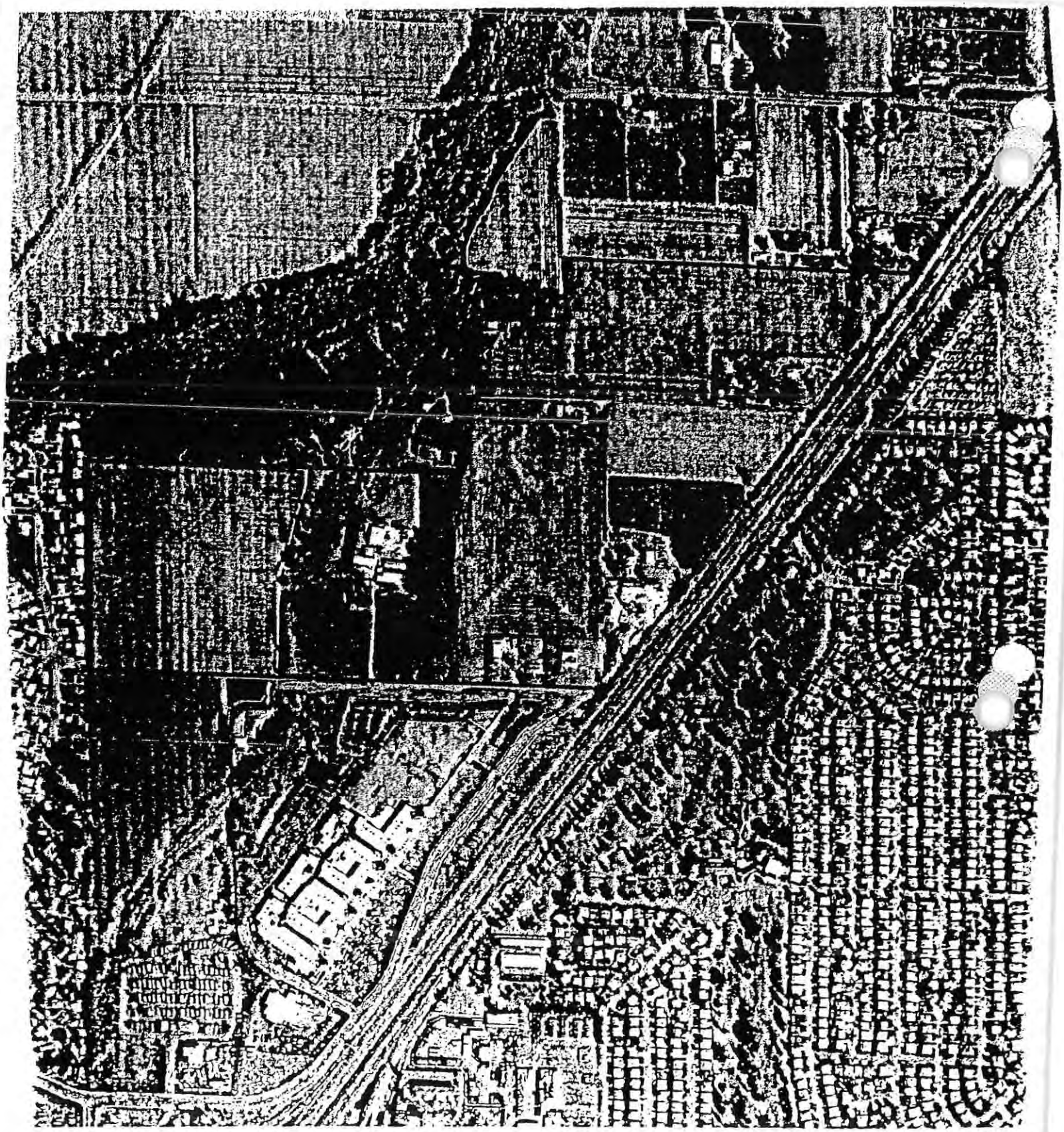
For the past year, the public has been invited to analyze and comment on the proposed UGB expansion. A number of people have done so. I noticed at the Planning Commission hearings that only one minor change to the UGB proposal was suggested by the Planning Commission. Perhaps the proposal is the best we can come up with and, therefore, no changes are appropriate. I would like to think that there is still a reasonable opportunity for some changes or additions to the UGB expansion recommendations. The recommendations are somewhat different than earlier proposals that were formulated by citizen groups after (rather than before) public input. We presented testimony to the Buildable Lands Citizens Advisory Committee (aka Growth Policy Task Force) back in 1999. Dave Christoff chaired that committee. Following the 1999 hearings and that committee's review, that committee's recommendation was that a majority of the 110 acres should be brought into the UGB.

We are not exactly sure what has changed since 1999, other than (1) the successful development and expansion of Woodburn Company Stores, (2) the reversing of the chronological order in which the public hearings were scheduled and the UGB expansion proposal was presented, and (3) changes of the consultant, the Woodburn Planning Department staff, the Woodburn Planning Commission, the Woodburn Mayor, and most of the Woodburn City Council who make the recommendations and decisions. We apparently haven't done a very good job of continually presenting our case, and for that we apologize and ask you for your understanding.

We will appreciate your consideration of our request.

Very truly yours,

Martin W. Rohrer



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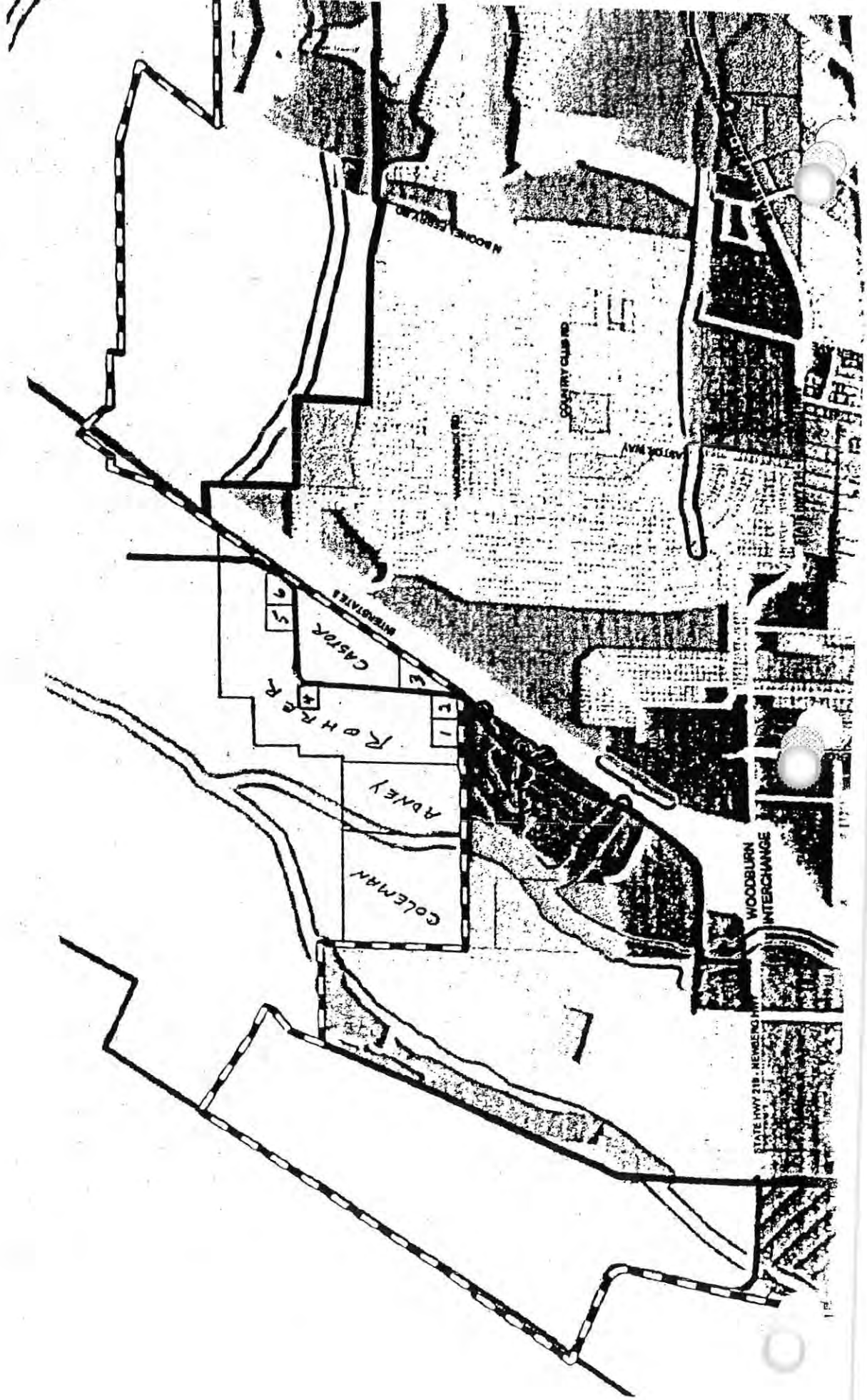

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16 Abelard
Lake Oswego, OR 97035-2342
February 7, 2005

Woodburn Planning Commission
c/o Jim Mulder
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Planning Commissioners:

This is a follow-up to my testimony presented at your hearing on Thursday, February 3, 2005. Please consider this letter in your decision regarding the UGB and include it in the record. My testimony was presented, and this letter is written, on behalf of myself and three families (Castor, Adney, and Coleman) who own about 110 out of the 125 acres in the area along Arney Road and Arney Lane adjoining and immediately north of Woodburn Company Stores. We have consistently represented to the City of Woodburn, since the UGB study began in 1996, that we would all like to be included in any UGB expansion, have all of our properties zoned for Light Industrial development, and cooperate with each other to try to develop our properties as one entire tract of 110 acres. We presented testimony to the Buildable Lands Citizen Advisory Committee (aka Growth Policy Task Force) in 1999 and at the hearings before the Woodburn City Council shortly thereafter. In fact, a majority of our area was then recommended, as a result of the study, for inclusion within an expanded UGB. We were delighted with that recommendation and were ready for the inclusion. We haven't changed our minds. All three of my neighbors were at your February 3 hearing, although I was the only one who spoke. They indicate they will be sending letters for inclusion in the record that support my testimony and written materials.

Two maps and an aerial photograph are enclosed and should be helpful in your understanding of our request. They include:

1. Proposed Comprehensive Plan with staff's recommended UGB adjustments added.
2. My map of the northwest quadrant of Map #1, with the area, roads, and property owners indicated.
3. Aerial photograph of the area we propose for inclusion, with the area outlined and with the double lines showing the current UGB line.

There are three main reasons we feel we should be included in the UGB expansion. They are:

1. Our area is, and has been for about three decades, the area most surrounded by the UGB. That surrounding is even more noticeable if the UGB is now extended both north along Butteville Road and all the way to Crosby Road on the east side of I-5. Maps #1 and #2 show that very clearly. Although rounding off UGB borders may not be required, it would seem to have merit and should be less objectionable to those bureaucrats and groups that are concerned about expansion into agricultural areas.

With Woodburn Company Stores on one side and housing (or freeway) on the other two sides, we are already much more impacted by urbanization than several other areas that are outside of the current UGB, but which are proposed for inclusion.

2. Our area adjoins one of the largest retail centers in the Pacific Northwest. It is hard to believe that it would be appropriate for such an area to not be included in the supply of land that is listed as being made available for development within the next 20 years. More than any other area proposed for inclusion in the UGB expansion, except perhaps the area in the southwest quadrant that is between Butteville Road and the interchange, our area is ready for development. The roads, water, sewer, and power are right at our doorstep. There is no need for a new interchange (although the current one clearly needs improvement) and no need to wait for a south bypass to start development. Our area has been proven to be an area that is viable for development with the success of Woodburn Company Stores, the auto dealers, and the other retail establishments along Arney Road. We believe empirical evidence of superior freeway visibility and traffic flow is demonstrated by that success.
3. We would like to develop our area as a Light Industrial development that takes advantage of the fairly easy access from and to I-5 on the west side of the interchange, freeway visibility, and the traffic already generated by the retail establishments along Arney Road. We think there is a substantial demand for Light Industrial land where manufacturing and similar enterprises are able to market and sell a portion of their goods from the location at which they are manufactured or packaged. (Such sales offices were allowed in recent Woodburn zoning codes. I believe those codes were amended, but it would be beneficial to the City and the businesses to reestablish such permitted uses.) Our area would be ideal to satisfy the particular demand for property where marketing and sales offices are permitted. Examples of those kinds of businesses are manufacturers of clothing, cookware, microbrews, computer hardware, golf clubs, and wine, as well as those who package products such as flower bulbs and high value agricultural products for shipment. It was noted at your hearing that the City needs to provide a variety of industrial options to satisfy different needs. The manufacturers who would be interested in our area might be quite different than those who are interested in areas along Parr Road. You can make land available; but, if it doesn't meet the needs of the buyers/manufacturers, they will go elsewhere to buy and develop.

If what the City of Woodburn wants is to create new, good jobs as soon as possible, it needs to offer land that is what manufacturers want, and land that can most readily and quickly be developed. We feel that our area along Arney Road has those characteristics. We feel it would be compatible with Woodburn Company Stores and other retailers along Arney Road and, in fact, all would benefit from a symbiotic relationship. We appreciate your consideration of our arguments and our request for inclusion.

Very truly yours,

Martin W. Rohrer

16 Abelard
Lake Oswego, OR 97035-2342
April 29, 2004

Greg Winterowd
Winterbrook Planning
310 SW Fourth Ave---Suite 1000
Portland, OR 97204

Jim Mulder
Woodburn Community Development Director
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Gentlemen:

This is a follow-up to the open house you held at Woodburn City Hall on April 16, 2004, for the property owners most directly affected by the proposed UGB changes. I told Greg that I would provide both of you with this letter and its enclosures to explain what I and several other landowners on Arney Road have in mind. Enclosed are the following:

1. My letter to John Brown dated April 26, 1999, and its enclosures.
2. A (rough) map showing the current location of Arney Road, the landowners involved, the current UGB (in blue), and our proposal (in red) for expansion of the UGB and industrial zoning along Arney Road.

As you can see from the enclosures (which include the letter to Steve Goeckritz dated July 23, 1996) and the record you will find from the various hearings we have attended, the four main property owners in this area have consistently requested this expansion of the UGB since the very start of the current UGB expansion process in 1996. We thought we had previously made our case, and have been trying to avoid making pests of ourselves. In fact, most of this Arney Road area was recommended for inclusion in the UGB, with an IL designation, in prior studies commissioned by the City of Woodburn. With Woodburn Company Stores nearing completion, the other improvements to and developments along Arney Road, and the increased need for industrial properties since 1996, we feel the requested expansion is even more needed and reasonable than it was in 1996 and that the same arguments for that requested expansion apply more than ever.

The four owners (Coleman, Adney, Castor, and myself) have three residences on our four properties. Within the area of the requested expansion are five other residences and the concrete plant. The four owners own about 90% of the entire area and, depending on how you calculate industrial acreages, there should be between 110 and 120 acres that could be developed for industrial uses from the four properties. We have had meetings and have somewhat stayed in contact during the planning process. We are all ready to develop our properties when an opportunity presents itself and we have discussed that we

would like to collectively market our properties, to find one buyer/developer for all four of the properties, if possible. The reality seems to be that both developers and manufacturers want to work with larger tracts, and the 110 to120 acres would likely be most attractive. If you review the aerial photo in the enclosures, you can see that the requested UGB expansion area along Arney Road is somewhat outlined as a natural break for the UGB by the trees and Senecal Creek in the back of the area.

My "vision" for the area is something different than the typical industrial development. With its great visibility from and access to I-5 and with its proximity to and the traffic flow associated with Woodburn Company Stores, it would be a great place to have manufacturing facilities for manufacturers that desire an aesthetically pleasing site that their suppliers, shippers, and other visitors can easily locate and access from I-5. The site would have places nearby for the workers to eat and to shop. It would also probably be a plus to these manufacturers if an associated showroom and salesroom for the manufactured goods being produced were allowed, although it appears to me that the development ordinance has been changed to make that more difficult. (I welcome any alternative zoning suggestions you may have in this regard.) Just a few ideas of the products that fit these criteria would be the manufacturing of clothing, shoes, knives, cooking ware, computer hardware, or golf clubs, and flower bulb or nursery plant packaging and shipping. This type of an industrial area would supplement and be compatible with Woodburn Company Stores and the other commercial businesses along Arney Road. The proximity of the commercial and these types of industries that I envision along Arney Road should help to increase business for everyone along the road. I assume that such increased economic activity is one of the main goals that Woodburn wants to accomplish with the UGB expansion. Industrial areas on Parr Road and on the west side of Butteville Road will not be as attractive (at least for the types of industries to which I refer) as the areas on Arney Road. Developers and manufacturers may face a shortage of adequate sites, but they still won't go where their needs and expectations are not met. Waiting for a south by-pass to be constructed and being expected to travel to and from Woodburn via Highway 99E would not be very attractive to the industries that I have in mind. They will simply continue to look in other cities for development and business location. (Admittedly, a south by-pass may work for certain other types of industrial and residential development, so I'm not suggesting it is a bad idea. It is just not likely to attract the industries that I would like to see along Arney Road.)

One concern that has apparently been expressed by ODOT is the traffic created by the new businesses that are already along Arney Road. I have made frequent trips on Arney Road over the past few years and have visited with the neighbors. The general consensus is that there is no particular problem on Arney Road itself. The main problem is on the east side of the freeway exit, with some problem on the west side of the exit. It won't solve the traffic problem to route vehicles around to Butteville Road (either north or

south of Highway 214). Most of that traffic would still take Highway 214 going east and wind up at the exit. The solution is for ODOT to stop passing the buck and to finally put in an adequate interchange cloverleaf. (Consider what a great improvement the new cloverleaf at I-5 and Highway 217 is and how it seems to have solved what formerly was an almost impossible interchange situation.)

Please take a look at your proposed UGB expansion map and note the gap that your latest proposal would create between the residential areas on Butteville Road and the proposed housing area in the southeast quadrant of the intersection of I-5 and Crosby Road. If you were to draw a straight line between the northeast corner of the former and the northwest corner of the latter, it would entirely encompass the entire area that we propose to bring into the UGB on Arney Road. While it may not be a stated goal or absolutely required to round off the UGB, it seems generally desirable. In fact, that objective was at least a stated desire of the Woodburn City Council in prior hearings on this UGB expansion. Bringing within the UGB an area that is bordered on three sides by the City of Woodburn seems even more logical and desirable where the area also adjoins one of the largest retail malls in the State of Oregon and has a completely improved major road and all the necessary utilities right up to its entrance.

My understanding is that you held the open house to encourage input. And I assume that the reason for the input is so that you have the opportunity to make adjustments to your proposal before you present it to the Planning Commission. This is a sincere request that you consider doing so. If you would like us to provide any further information for your consideration, please let me know, and I will be glad to try to obtain it for you. I can generally be reached at my office (503-499-4675) or home (503-635-8768).

Very truly yours,

Martin W. Rohrer

Enclosures
cc: Mr. John Brown

16 Abelard
Lake Oswego, OR 97035-2342
April 26, 1999

Mr. John Brown
City Administrator
City of Woodburn
270 Montgomery
Woodburn, OR 97071

Dear Mr. Brown:

The Buildable Lands Citizen Advisory Committee (aka Growth Policy Task Force) held a meeting for public input on March 30, 1999. The consultants reported their conclusion that, between now and 2020, the City of Woodburn will need about 600 additional acres of land suitable for industrial uses within its Urban Growth Boundary. The comments of Committee members and the testimony of the public seemed to both support that conclusion and indicate a preference for encouraging that type of development. Reference was made to job creation, increasing the tax base, and taking advantage of Woodburn's location and freeway access. I spoke at the hearing with respect to the efforts that Bob Engle (my attorney), my neighbors and I have made over the past three years to position approximately 125 acres owned by my neighbors and myself for inclusion within the Urban Growth Boundary with a Light Industrial designation. This letter and the attachments are what I indicated to the Committee I would forward to them, through you, for their consideration. Please provide each of the members of the Committee and any other officials or staff who you think should receive a copy with one of the enclosed copies. I am also sending copies directly to Mayor Jennings, Chairman Christoff and Steve Goeckritz.

The attachments include:

1. Arial photograph looking south along I-5. The 125 acres is the area I have marked by the enclosed lines. The double lines indicate the current Urban Growth Boundary.
2. The consultants' map showing current Woodburn Comprehensive Plan Zones. I have marked the 125 acres with the blue diagonal lines.
3. Bob Engle's letter of July 23, 1996. It presents our arguments for inclusion of the area within the Urban Growth Boundary and its designation as Light Industrial. The reasoning and conclusions are, I believe, even more valid today than they were in 1996. Since then the outlet mall on the adjoining property has nearly been completed, the demand for freeway industrial properties within Oregon has continued to increase, and the City's own consultants have concluded that 600 more acres of property so designated will be needed by 2020. The 125 acres we ask to have included is probably, of all the alternatives the City has, the best located and most suitable for inclusion and designation as Light Industrial.

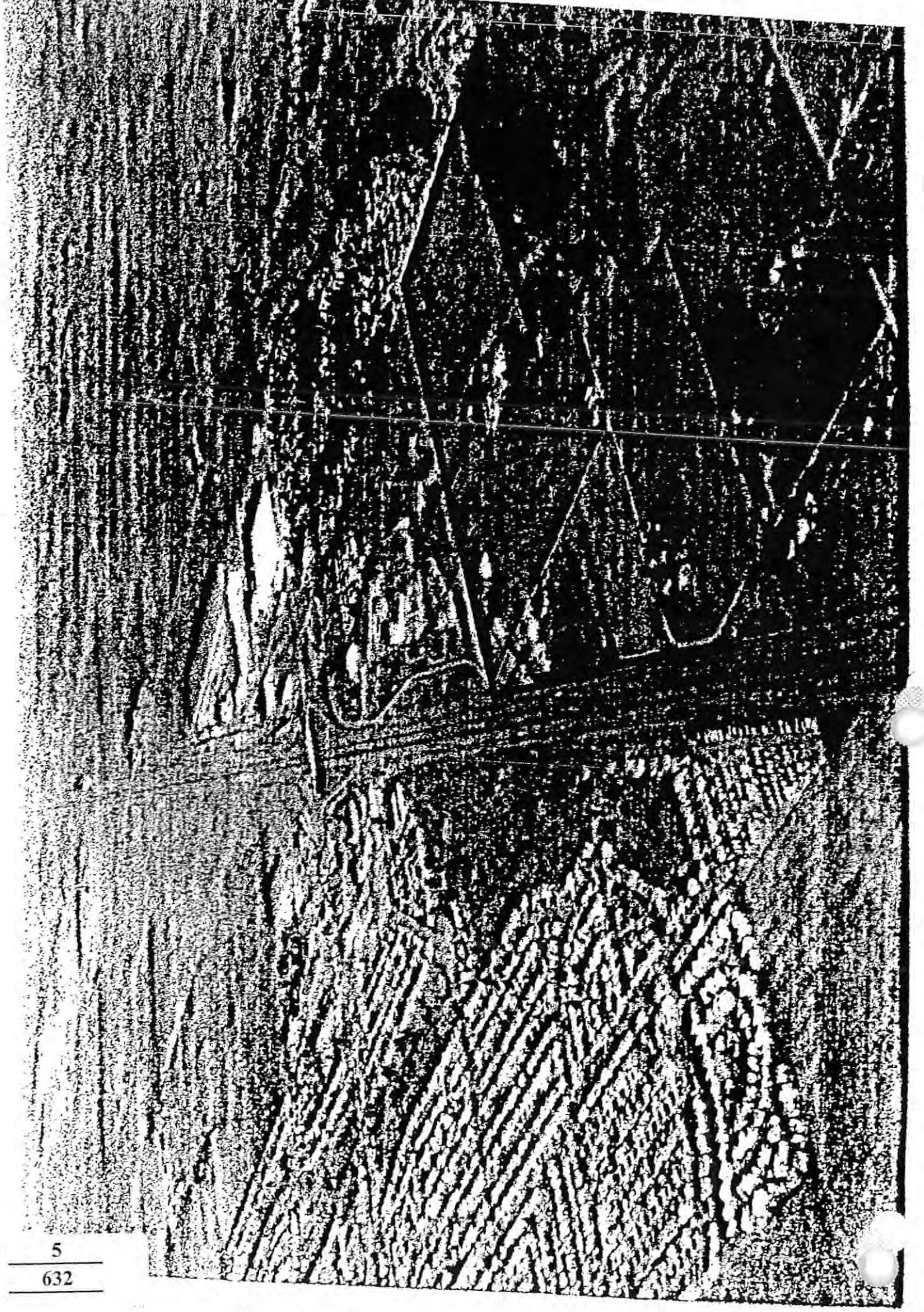
At the March 30 meeting, I was asked if we had discussed our desires with, and received any comments from, the Marion County Commissioners. I responded in the affirmative and that the only concern that had been expressed, by one Commissioner, is with respect to the extending of Woodburn's Urban Growth Boundary closer to Marion County's landfill. My response was and continues to be that, if the concern is that some citizens living north of the current Woodburn City Limits will complain that pollution is adversely impacting their water supply, the best resolution of

that potential problem is to have as many of the current rural residents and any new residents added in the future in that area have the benefit of Woodburn's water and storm drainage systems. The fact is that it may be the controlling of rural development, rather than of proximity to the landfill, that might be appropriate. With respect to the 125 acres, two additional points for Marion County to consider are that (1)the industrial uses we contemplate will probably decrease, rather than increase, the number of residents that would be living on the 125 acres and (2) it is about a full mile between the closest points of both the 125 acres and the landfill (which would mean that any Marion County policy preventing any new development within that distance, i.e., one mile, of any part of the landfill would effectively condemn to varying degrees about 10 square miles on the north border of Woodburn.) From the City of Woodburn's standpoint, we suggest that the issue needs clearly and soon to be addressed with the Marion County Commissioners, because the landfill is just about as close to the most northwestern parts of Senior Estates as it is to the 125 acres and most of any future development north of the current city limits on the east side of the freeway between Crosby Road and Boones Ferry Road would actually be as close or closer to the landfill than the 125 acres is. Pollution concerns respect no freeway boundaries, and new developments in that area east of the freeway would most likely be residential. What the policy of Marion County ought to be is (1)to do more to reduce/eliminate the pollution concerns through good management of the landfill and (2)to encourage expansion of the UGB to the north and require that any new development in the area of concern be connected to Woodburn's water and storm drainage systems.

A final comment that I would like to make is that I personally support the concept of having a pretty firm Urban Growth Boundary and requiring development to occur within it, so long as the supply of the various types of zoned acreages within that UGB are adequate to provide for the reasonable demands for development. It is also appropriate to shift zoning from one type where there is an oversupply to another type where there is an undersupply. The current discussion includes one proposal that would essentially result in meeting the 600 acre industrial land shortfall by changing the designation on single family residential land to a designation of industrial land. That would work where, both economically and politically, in the area under consideration the two designations are interchangeable. However, I submit that almost all of the land within the current UGB that is zoned for single family residential development would be unsuitable for industrial uses of the type we have in mind. For those uses, the land needs to be close to and easily served by a major transportation system and would be best located where the industrial uses would be the most compatible with its neighbors and current uses. We think that, from an economic and political standpoint, the 125 acres and a few other small tracts outside of and on the corners of the current UGB are the appropriate answer to the need for designating 600 more acres as being for Woodburn's future industrial needs. An additional justification for the inclusion of these specific 125 acres within the UGB is that the current UGB is already on three sides of the 125 acres and its inclusion would actually somewhat help to straighten out the UGB lines.

Very truly yours,

Martin W. Rohrer



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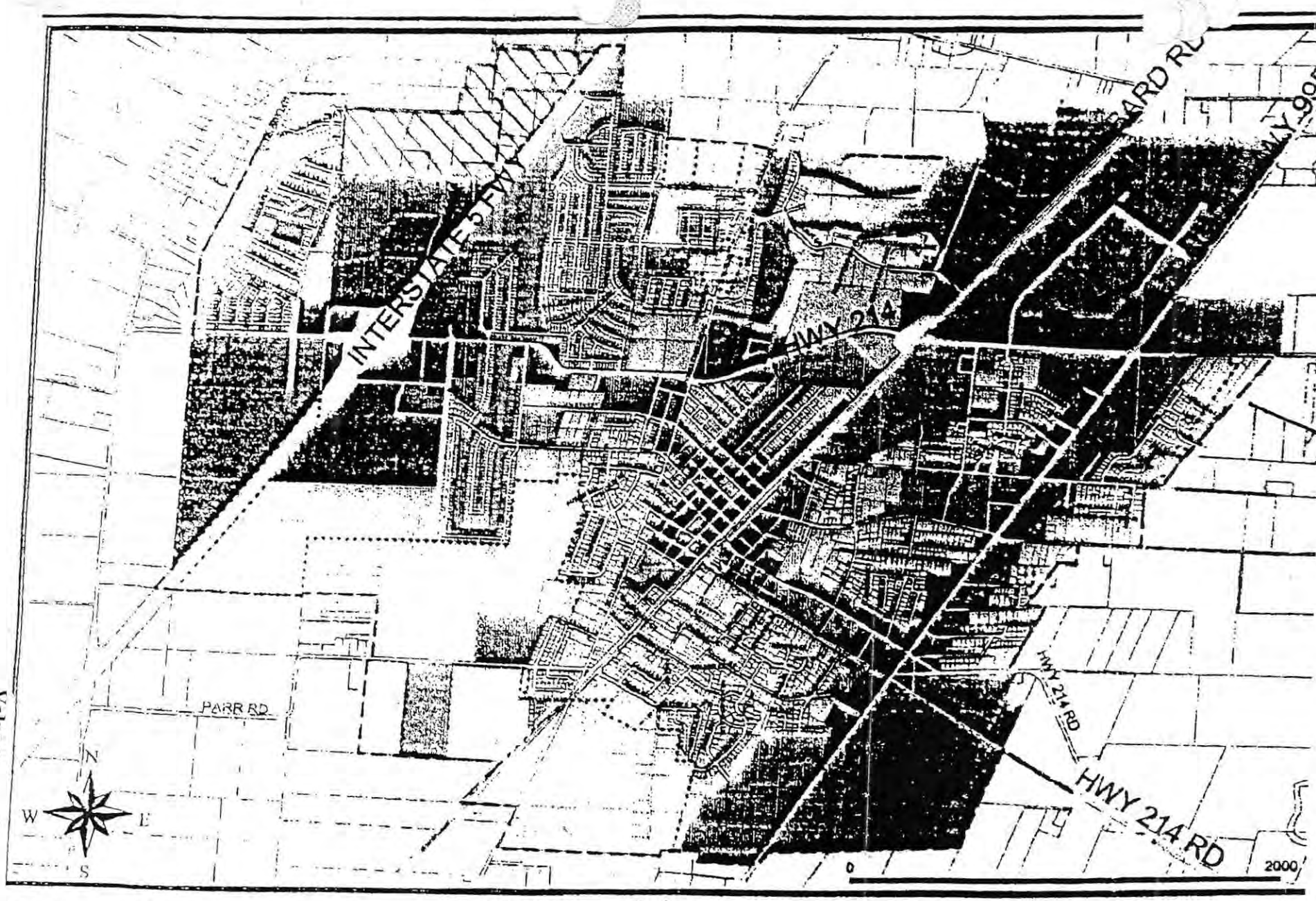

Woodburn Comprehensive

City Limits
Urban Growth Boundary
Residential (<12 units per acre)
Residential (>12 units per acre)
Commercial
Industrial
Open Space

City of Woodburn Buildable Lands & Housing Needs Analys

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Plotted: December 8, 19[illegible]

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RETIRED 1980

TELEPHONE: (503) 981-
FAX: (503) 981

July 23, 1996

Mr. Steve Goeckritz
Planning Director
City of Woodburn
City Hall
Woodburn, OR 97071

Re: Woodburn Comprehensive Plan Periodic Review - Urban Growth Boundary Expansion

Dear Steve:

I recently discussed with you the fact that Woodburn will soon begin the process of considering the extent to which Woodburn's Urban Growth Boundary should be expanded.

I have asked you to allow me to offer input in that process at this time rather than after the proposal has been developed since it has been my experience that public hearings requesting public comments upon an existing proposal seldom result in any significant change or modification to that proposal.

I am currently representing Martin W. Rohrer, a former partner of this office, who owns 45 acres of real property adjoining the present Urban Growth Boundary west of the freeway and north of the 214 interchange. We ask that the City, in preparing its proposal to Marion County and LCDC, consider expanding the City's Urban Growth Boundary to include all of the approximately 125 acres indicated by the coloring on the attached map. Marty's property is the portion of that 125 acres further indicated by the diagonal lines. We believe that many reasons exist for the inclusion of this 125 acres within the City's Urban Growth Boundary. I will use this letter as an opportunity to list a few of those reasons which we feel are most compelling.

The City of Woodburn will need, within the next planning period, an additional inventory of light industrial and high density residential property. The 125 acres could substantially contribute to meet that need in several ways:

1. The 125 acres could currently be brought within the Urban Growth Boundary and all or most of it zoned for light industrial use with minimal opposition or disruption of current owners and activities. This acreage contains only eight residences. The entire acreage is owned by only eleven separate or joint owners, three of whom are currently operating businesses which might be characterized as light industrial, namely, a cement plant, a wood chip processing plant and a sales yard for heavy equipment. Over 90% of the 125 acres is owned by four of the owners. All are engaged in farming to some degree; but Marty has polled the four owners (Coleman, Adney, Castor and himself) and all would welcome inclusion and light industrial designation. That designation would also be consistent with the business activities of the other owners who are operating the three businesses.

2. Much of the property south of the current Urban Growth Boundary line (previously owned by the Stampleys) has recently been sold and is targeted for commercial use, thus removing that property from the City's inventory of property previously identified as high density residential. A portion of the 125 acres could be zoned high density residential to replace the Stampley property lost for such uses. Particularly appropriate for such zoning would be the Coleman 30-acre farm on the westerly portion of the 125 acres, since it adjoins residential property in the Nazarene Subdivision to the west and the undeveloped property zoned for high density residential to the south of that 30-acre farm.

3. When the Stampley property develops for commercial use, Arney Road will be improved and in all probability straightened to front the northwest side of I-5 providing very favorable access to the subject property from I-5. If that occurs, access to the 125 acres will likely be the best of all similar properties in any of the four quadrants of the interchange.

4. The City would have much greater difficulty handling additional traffic flows east of the 214--I-5 interchange. The development of the subject land, northwest of the 214--I-5 interchange would not detrimentally affect the flow of traffic into Woodburn east on 214. Much of the traffic would access to and from I-5 and only on the west side. Additionally, with proper planning,

traffic moving from the subject area into Woodburn could easily be routed north to Crosby Road, over the Crosby overpass, and east to Boones Ferry or Front Street, entirely avoiding the congestion of 214.

5. Much discussion has occurred on the subject of a new interchange on I-5. It appears likely that a new interchange would be built at Parr Road and not at Crosby Road. Therefore, the development of land in the northwest quadrant of 214 and I-5 would not interfere with the planning and acquisition process of a new interchange and, as noted above, would still permit I-5 access at 214 without substantially increasing traffic east of I-5 on 214 and would encourage destination travel to downtown Woodburn from Crosby Road and not from 214. It is particularly important to note that the interchange planning, funding and construction could tie up further meaningful development of both the southwest and southeast quadrants for over a decade. Only the northwest quadrant can have such development during that period without directly impacting or being impacted by the interchange improvements. A decade could be a very long time for Woodburn to wait for the economic development that could result from such business and housing activity.

6. The subject property, if zoned mostly light industrial, would provide a good transition and buffer between the commercial uses to the south and the agricultural uses to the north. Additionally, if the split zoning mentioned above (with a high density residential designation placed on the westerly 30 acres) is approved, the subject property would also provide a good transition and buffer between the existing single family residential development in the Nazarene Subdivision to the west and the freeway and already existing (and hopefully, expanded) industrial uses in the easterly portion of the 125 acres.

7. Good planning envisions the uniform growth of City boundaries. Currently, the north boundary of the Nazarene Subdivision extends well beyond the north Urban Growth Boundary line of the remaining property west of the freeway. Further, it is likely that the north Urban Growth Boundary of the City east of I-5 will also extend to or near Crosby Road. The extension of the Urban Growth Boundary as here proposed would provide a more uniform north boundary to the City in future planning.

8. The existence of the Marion County Landfill located north of Crosby Road should not discourage the development of this acreage. Once annexed, all development will utilize urban services. Therefore, after inclusion of the subject property within the City of Woodburn and development as proposed.

any concerns related to the landfill should be decreased, rather than increased.

9. Woodburn has just recently been recognized by the developing public. We are in the initial stages of development that we have sought and encouraged for many years. One of the greatest features that makes Woodburn desirable to residents and development is our access to I-5. We need to take advantage of our location and plan for development around the freeway interchange. Substantial development has occurred as planned in the southwest quadrant. Development has and will occur in the southeast quadrant and somewhat in the northeast quadrant. There is no reason why the northwest quadrant should not also be available to this freeway access. In addition to it being desirable to have the properties along the freeway be available for development because of their access, the City also would be benefited in a more general way by the indications that would make them visible from the freeway that Woodburn "welcomes business activity" as would be demonstrated by the kind of development we are suggesting.

In summary, we recommend that the City seriously consider and then propose inclusion of the approximately 125 acres within Woodburn's Urban Growth Boundary during the planning and review process. Although this is not the time to consider the ultimate zoning of the property, we recommend that the City consider designating the property in Woodburn's comprehensive plan for light industrial and high density residential uses as discussed above.

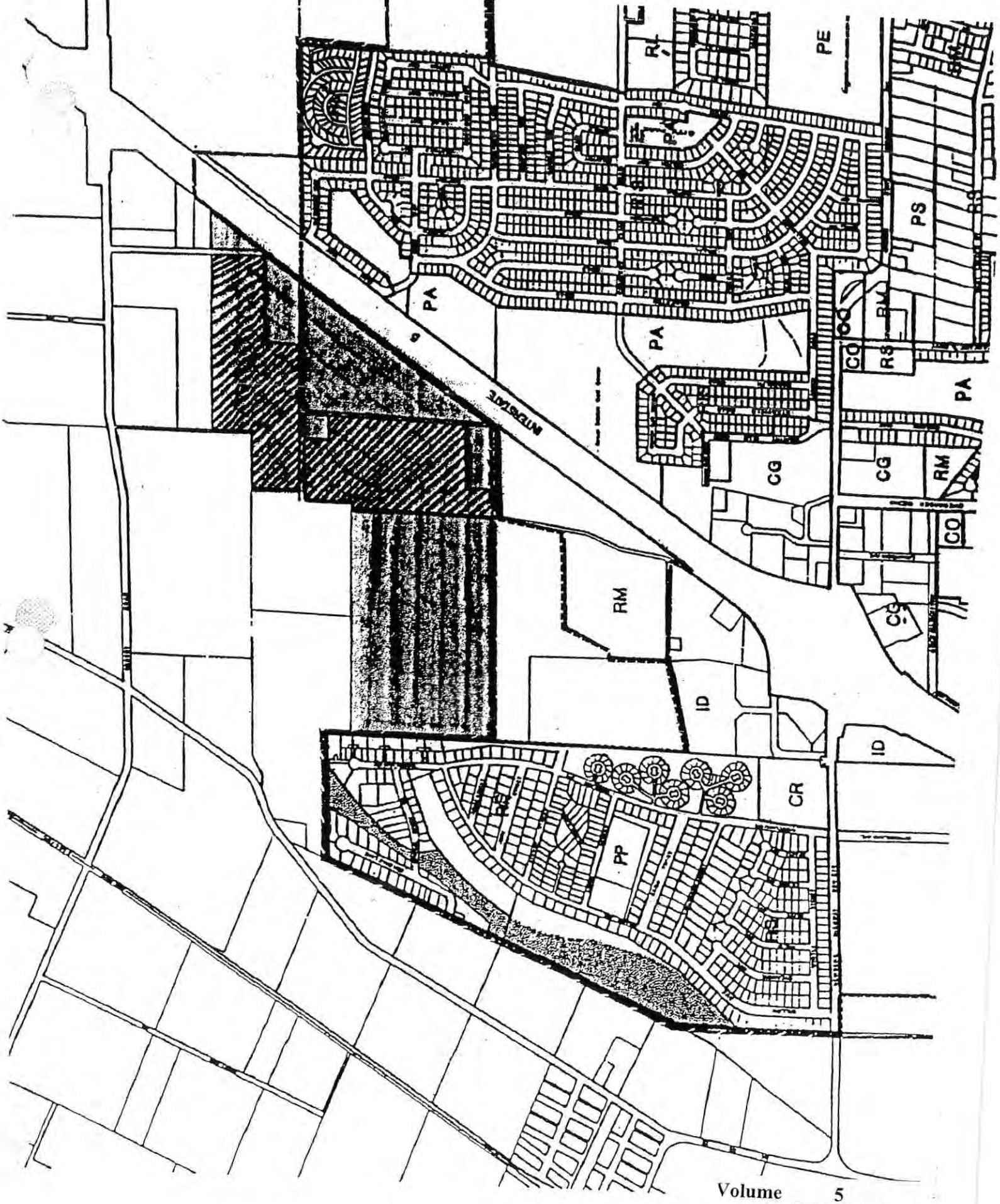
Part of the planning and review process should include completing an inventory of the currently undeveloped, but zoned, land within the Urban Growth Boundary. My sense is that Woodburn has substantially exceeded the growth expectations that were incorporated into the boundary and zoning that were last modified in any significant way almost two decades ago. My sense is also that the inventory of light industrial and high density residential zoned land is the most depleted. Inclusion of this significantly large block of 125 acres, at this time when it is not only available for such use but also arguably the best candidate for such use, especially in the next several years, is an opportunity of which we would like to see Woodburn avail itself.

We would welcome the opportunity to participate in any manner in the initial review process. If further statistical information or citizen input would be deemed by those staff members participating in the review to be beneficial to the process, please advise.

We appreciate very much the opportunity to offer input at this preliminary stage.

Yours truly,

ROBERT L. ENGLE
RLE:hez
cc: Martin W. Rohrer ✓



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Letter to the Woodburn City Council, March 1, 2005

MAR 0 8 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

We, the Serres family, would like to address the omission of our farm from the proposed urban growth boundary. Over the past three years we have attempted to illustrate the benefits our farm has to increase the city of Woodburn's livability and quality of life. We learned that our potential participation in Woodburn's vision for the future fell upon deaf ears. Our message was not conveyed to other "players at large". Withholding information regarding this interest of inclusion by the planning department has led us to wonder if our participation in the open forums and hearings was a waste of our time and effort. Was there truly an interest in public input and fair balance of equality of inclusion? Or was the plan already determined privately and public hearings were merely a formality? Perhaps the Woodburn Planning Commission was simply trying to come up with a plan that would satisfy County and State mandated planning requirements. Jim Mulder, Woodburn City Planner, told Serres family members that expanding Woodburn to the East did not fit into his plan. We did not realize that the decision making process would be closed, leaving Woodburn's future solely in one person's hands.

At the Feb. 24, 2005 Woodburn Planning Commission meeting, commission members and the public were lead to believe that our farm would be the most expensive property to include. We would like to clarify this misconception about our farm. As Mr. Mulder stated, sewage doesn't gravity flow uphill. According to the USGS Woodburn 7.5 minute quadrangle map, our farm is located ½ mile South of the Woodburn Sewage Treatment Plant on the same upland bench above the Pudding River.

The City of Woodburn has a gravity flow sewer main running along the North boundary of our farm (Hardcastle Street). We are open to discussion regarding the cost of any pump station and sewer mains required to service our farm's area.

Jim Mulder also mentioned that Eastward expansion onto our farm would incorporate prime farmland and wetlands. Yes, our farm consists of Class II soils, as does the land surrounding Woodburn in ALL directions. The only Class I soils are to the West and North. The same can be said of the wetlands. Our farm is 92% flat land. 8% is rolling forest and Pudding River wetland.

Consideration for inclusion should not be solely based upon the sewage issue. As the saying goes, a picture is worth a thousand words. A tour of our farm would demonstrate the relief of traffic pressure from future growth due to the accessibility of our property. The Woodburn School district's property, which borders our property on two sides, could have improved road access, as well as room for future growth. Our farm also has proven, large capacity wells, expansive views, natural drainage, and forested parkland, all features that can enhance the City of Woodburn.

East side growth would benefit the business community along 99E. Homeowners could enjoy their homes without the noise and air pollution of I-5. The North South

Cooley Road extension suggested by the Woodburn Economic Opportunities Analysis and Development Strategy Final Report would bisect our farm.

It is not reasonable that new development in Woodburn meet the current density standard when the Economic Development Study shows that Woodburn already has an unusually high ratio of people to household. Is our planning commission afraid of pointing this out?

We recognize the long hours and careful review that you have put into this process. We would like for you to remember that it is not our fault that our active interest in this plan was not heard or recognized. We want to be included in this UGB.

It is not too late to make a better plan for Woodburn's future. We invite you to tour our farm so that you can see for yourselves how we can contribute to this vision. Please contact any or all of us at:

Ruth Thompson	981-1931
Paul Serres	981-6098
Rebecca Kirsch	981-0717
Mary Grant	845-2635
Susan Duncan	981-3275

Sincerely,

The Serres Family.

Woodburn Economic Opportunities Analysis and Development Strategy Final Report

Page numbers refer to the page numbers of the .pdf version available on the City of Woodburn web site.

"Public infrastructure and services are the cornerstone of any economic development strategy. If roads, water, sewer, and other public facilities are unavailable or inadequate, industries will have little incentive to locate in a community. For the purpose of this section, we define infrastructure and services to include transportation, water, sewer, storm water, and parks facilities."

--page 100

"I1.2. Determine new transportation facilities needed to implement economic vision and amend TSP as appropriate.

What and why? Good access is essential to the City's economic development strategy. The TSP identifies several new transportation facilities. The key facilities proposed in the TSP include:

- Development of a south side arterial.
- Cooley Road extension to create a new north-south road east of Highway 99."

--page 101

within 30 days from the date of well completion.

(Do not write above this line)

SALEM, OREGON Permit No. G-6044

(1) OWNER:

Name Joe Serres

Address 1840 East Lincoln Road

Woodburn, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐

Cable ☒ Jetted ☐

Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐

Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED: Threaded ☐ Welded ☒

12" Diam. from top ft. to 215 ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(6) PERFORATIONS: Perforated? ☒ Yes ☐ No.

Type of perforator used Mills

Size of perforations 7/16 in. by 2 3/4 in.

432 perforations from 108 ft. to 130 ft.

360 perforations from 153 ft. to 173 ft.

336 perforations from 181 ft. to 197 ft.

36 217 219

(7) SCREENS: Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller

Yield: 500 gal./min. with 41 ft. drawdown after 5 hrs.

" 600 " 49 " same "

" 700 " 58 " same "

Bailer test 800 gal./min. with 62 ft. drawdown after same hrs.

Artesian flow 900 68 same

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement and Puddle Clay

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 16 in.

Diameter of well bore below seal 12 in.

Number of sacks of cement used in well seal 11½ sacks

Number of sacks of bentonite used in well seal sacks

Brand name of bentonite

Number of pounds of bentonite per 100 gallons of water lbs./100 gals.

Was a drive shoe used? ☒ Yes ☐ No Plugged Size; location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? Depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Marion Driller's well number 1709

NE ¼ NE ¼ Section 17 T. 5S R. 1W W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 108 ft.

Static level 30 ft. below land surface. Date 3-20-73

Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing

Depth drilled 220 ft. Depth of completed well 220 ft.

Formations: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	3	
Brown silty Clay	3	52	
Gray Sandy Clay (sticky)	52	106	
Cemented black sand & gravel	106	131	
Black sandy clay some gravel	131	151	
Black sand & gravel (cemented)	151	173	
Blue Gravelly Clay	173	180	
Black sand & gravel (cemented)	180	197	
Gray Sandy Clay Sticky	197	215	
Gray Gravell Clay increasing cementation	215	220	

Work started 2-22-73 19 Completed 3-22-73 19

Date well drilling machine moved off of well 3-22-73 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervisio Materials used and information reported above are true to best knowledge and belief.

[Signed] Dallas L Beiss (Drilling Machine Operator) Date 3-22-73, 19

Drilling Machine Operator's License No. 752

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report true to the best of my knowledge and belief.

Name WILLAMETTE DRILLING COMPANY (Person, firm or corporation) (Type or print)

Address 7641 35th Ave. NE Salem, Oregon 9738

[Signed] Emil D. Beiss (Water Well Contractor)

Contractor's License No. 2 Date 3-22-73, 19

(USE ADDITIONAL SHEETS IF NECESSARY)

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within 30 days from date of well completion

STATE ENGINEER
SALEM OREGON

(Do not write above this line) G-5360 Henrys / Serrestine

(1) OWNER:

Name Joseph Serres

Address 1840 East Lincoln Road, Woodburn, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED: Threaded ☐ Welded ☒

12 " Diam. from Top ft. to 240 ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

PERFORATIONS: Perforated? ☒ Yes ☐ No.

Type of perforator used Mills

Size of perforations ½ in. by 2½ in.

456 perforations from 138 ft. to 160 ft.

612 perforations from 190 ft. to 223 ft.

perforations from ft. to ft.

(7) SCREEN: Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller

Yield: 300 gal./min. with 20 ft. drawdown after 8½ hrs.

" 500 " 30 " 8½ "

" 700 " 45 " 8½ "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement and middle Clay

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 16 in.

Diameter of well bore below seal 12 in.

Number of sacks of cement used in well seal 6 sacks

Number of sacks of bentonite used in well seal sacks

Brand name of bentonite

Number of pounds of bentonite per 100 gallons of water lbs./100 gals.

Was a drive shoe used? ☒ Yes ☐ No Size: Shoe location ft.

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? Depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Marion Driller's well number 1515

¼ ¼ Section 17 T. 5 S. R. 1W W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 70 ft.

Static level 60 ft. below land surface. Date 10-17-70

Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 12

Depth drilled 280 ft. Depth of completed well 280 ft.

Formations: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	2	
Yellow Clay	2	38	
Blue Clay	38	70	
Black sand	70	115	
Brown sand and gravel	115	120	
Blue Clay	120	132	
Cemented Gravel	132	162	
Black sand	162	185	
Black sand and gravel	185	195	
Cemented Gravel	195	223	
Blue Clay	223	280	

Work started Sept. 26, 1970 Completed Oct. 19, 1970

Date well drilling machine moved off of well October 19, 1970

Drilling Machine Operator's Certification:

This well was constructed under my direct supervisi Materials used and information reported above are true to best knowledge and belief.

[Signed] Ronald Matson (Drilling Machine Operator) Date 10-19-70

Drilling Machine Operator's License No. 536

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this repo true to the best of my knowledge and belief.

Name WILLAMETTE DRILLING COMPANY (Person, firm or corporation) (Type or print)

Address 7641 35th Ave. NE Salem, Oregon

[Signed] Earl O. Reiers (Water Well Contractor)

Contractor's License No. 2 Date 10-19-70

(USE ADDITIONAL SHEETS IF NECESSARY)

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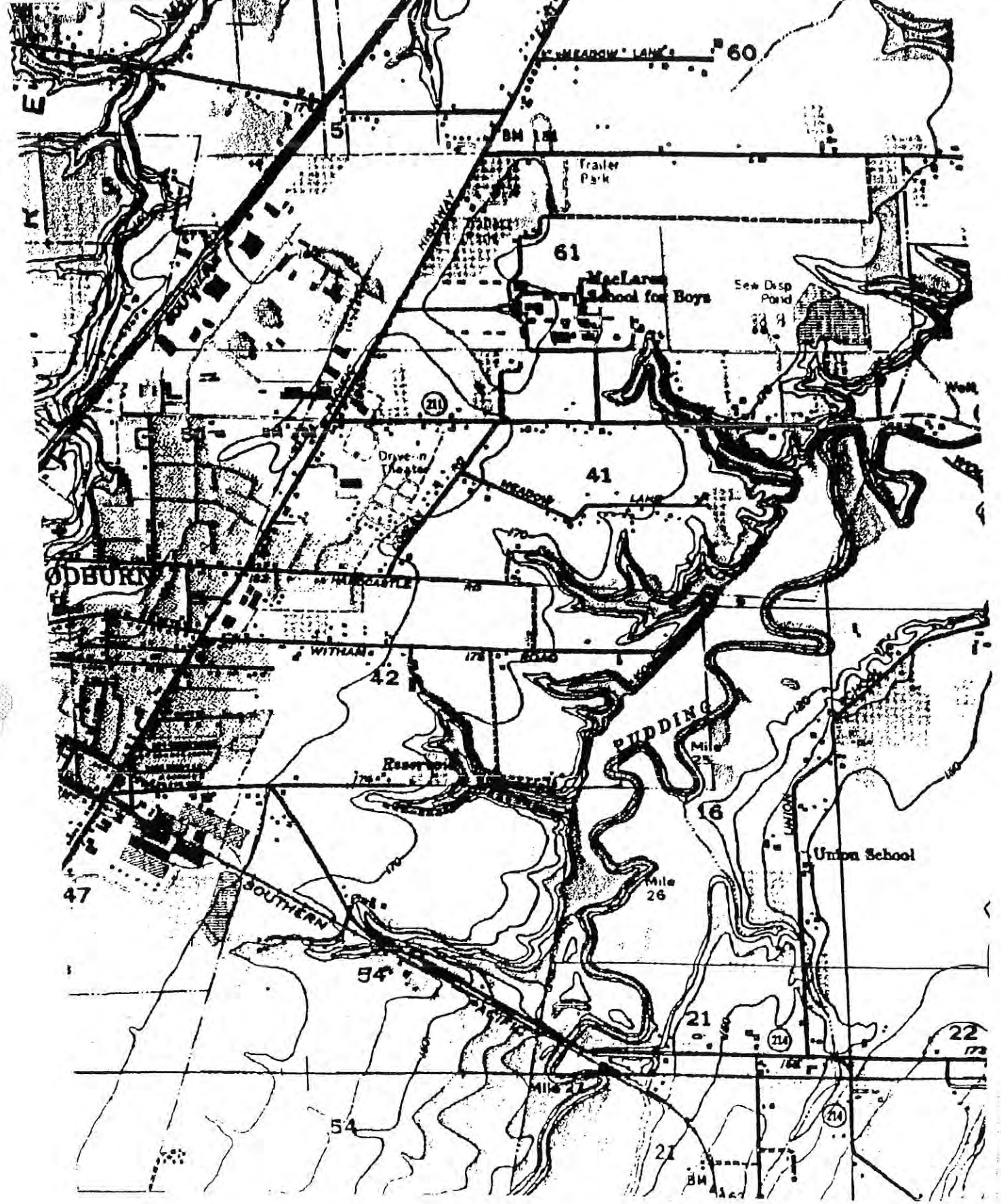

3/7/2

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MAR 1 4 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

Dear Mayor,

It appears Woodburn's traffic is beginning to move again and various agencies have determined the overall route. I have concentrated on the traffic between I-5 and 99E. Also 214 to Parr Road extending east from the Butteville overpass. Other people have considered the northern portion of Parr Road as the cities southern arterial and the zoning maps have indicated by arrow the location of the southern arterial. The map shows in dark color the arterial best suited for Woodburn's use as starting at the Butteville overpass on the west and extending to an exchange at Boones Ferry Road. It may be well for those not familiar with Woodburn's to have a map and the location of various business.

ODOT has indicated that they will provide a cloverleaf off of 214 going north on I-5. A similar cloverleaf on the west side to serve traffic going east on 214. This construction may be included in the federal grant. It seems economically sound to do so.

I received a map from Woodburn's Engineering Department showing a ramp off of I-5 containing a two lanes of traffic merging into access traffic on 214, another to traffic on Lawson Way.

I was recently traveling to a newly revised highway in the Tigard area. From it, it seems Woodburn might be able to construct a one way single traffic lane from Taco Bell and Lawson Way to a road servicing Cottage Café, Trailer World, and other businesses that may want to be established in this area provided businesses having a great deal of in and out traffic cannot be located here. Traffic serving the Chevron Station at the SE area would receive the various services offered and exit one way to a road serving traffic from the area of the Cottage Café, Trailer World etc. If it were possible to route traffic in this manner it would greatly enhance the value of the property the city has proposed to purchase for future development. The fact that Garden World located a few miles north of I-5 sold one tree to a New York client for $5,000.00 and Wal-Mart was able to almost double the size of their store in 6/7 years, indicates the city may have a sound investment.

There is no assurance the Chevron will agree to this traffic pattern and if so traffic on 214 will then continue down Lawson, turn right on Stacey Allison, access Harvard, and north entrance of Wal-Mart and continue south past government housing and entrances to Mrs. Smith's property and others and past what would be the north portions of Parr Road if it were extended to Stacey Allison Way. Such a road is shown in black in the enclosed zoning map #1 and is proposed for development at this time as ODOT has informed us that there will be no exit off of I-5 until Exchange 271 can no longer carry the traffic load. Therefore it will be years before the southern arterial could be finished.

We are informed the owners of the land between the continuation of Parr and of the southern portions of Parr Road coming off of Butteville is not desired at this time, If so the traffic coming down Stacey Allison could be routed along the north extension of Parr Road onto the north/south section of Parr Road and then east over the railroad and to a very important interchange as it crosses Boones Ferry.

In order to cover Woodburn's traffic pattern more carefully it is requested you go back to the map #2 and see where Evergreen accesses off of 214. The engineers show drawings

the intersection with Stacey Allison Way. Traffic on Settlemier would absorb that from Hayes, continue south and it is very important that it develop into four lane arterial map #3 with the following exchanges over it. Since designing this arterial it is noted that the Country Meadows addition is proposed in this area, it should be served by a special access and without numerous in and out. The arterial would continue south and absorb the cul-de-sac traffic from government housing and carried across the shopping mall that would be formed by business area between Stacey Allison and Evergreen.

The arterial would continue south to a location where Smith drive would continue west and cross arterial, mall, and connect to Stacey Allison Way.

I do not deal with zoning but Mrs. Smith requested that she meet with me and I showed her a map #4 similar to the one enclosed which shows her farm as low density residential, matching a portion of her present development. This seemed to please her and I mentioned that a portion of her property shown on the map might be used for a school assembly. Since then city has decided the assembly would be better associated with the Aquatic Center.

I did not have time to explain to Mrs. Smith that the developers west of her would be able to zone their property as high density and prevent her from ever developing her property in a proper manner. I should have mentioned she could hire a developer to do this in accordance to with her specifications. In so doing would divide her land into two parcels instead of one. It is possible to have Ben Brown lane extended through her property at a later time without too much interruption of traffic from east to west.

It was pointed out in previous correspondence that 214 as four lanes and Parr Road as four lanes east of exit off of Butteville, that we would have 16 travel passages between I-5 and 99E instead of 6 we have now. (14 if Ben Brown lane was not developed at this time.) This should help in solving Woodburn's traffic.

Mr. Husby and Mr. Cole have indicated that the city would accept the extension of Parr Road east until it crosses Boones Ferry Road and highway 99E and continues to the intersection of the Hillsboro Beaverton Highway shown dotted on Map #3. They would join the city in making sure that the proper right of way was acquired.

I think we were all pleased to find that the people living east of 99E are pleased to be included in the city limits. Such a road is shown dotted on map #3 as extending north crossing 99E, continuing east till it crosses the railroad, goes south on Front Street till it meets Highway 214.

Crosby Road to the north enclosing a residential area continues west to form a loop around the city. A loop that all cities have been trying to create since George Washington was asked to provide for the relocation of the U.S. He hired a New York architect, he created the District of Columbia.

This procedure is recorded in a History Channel Tape entitled, Mr. Dreyfuss goes to Washington, available at the Woodburn Library for viewing. With my Parkinson's, I have not been able to do this in satisfactory form. It may be desirable to have others do this.

Sincerely,

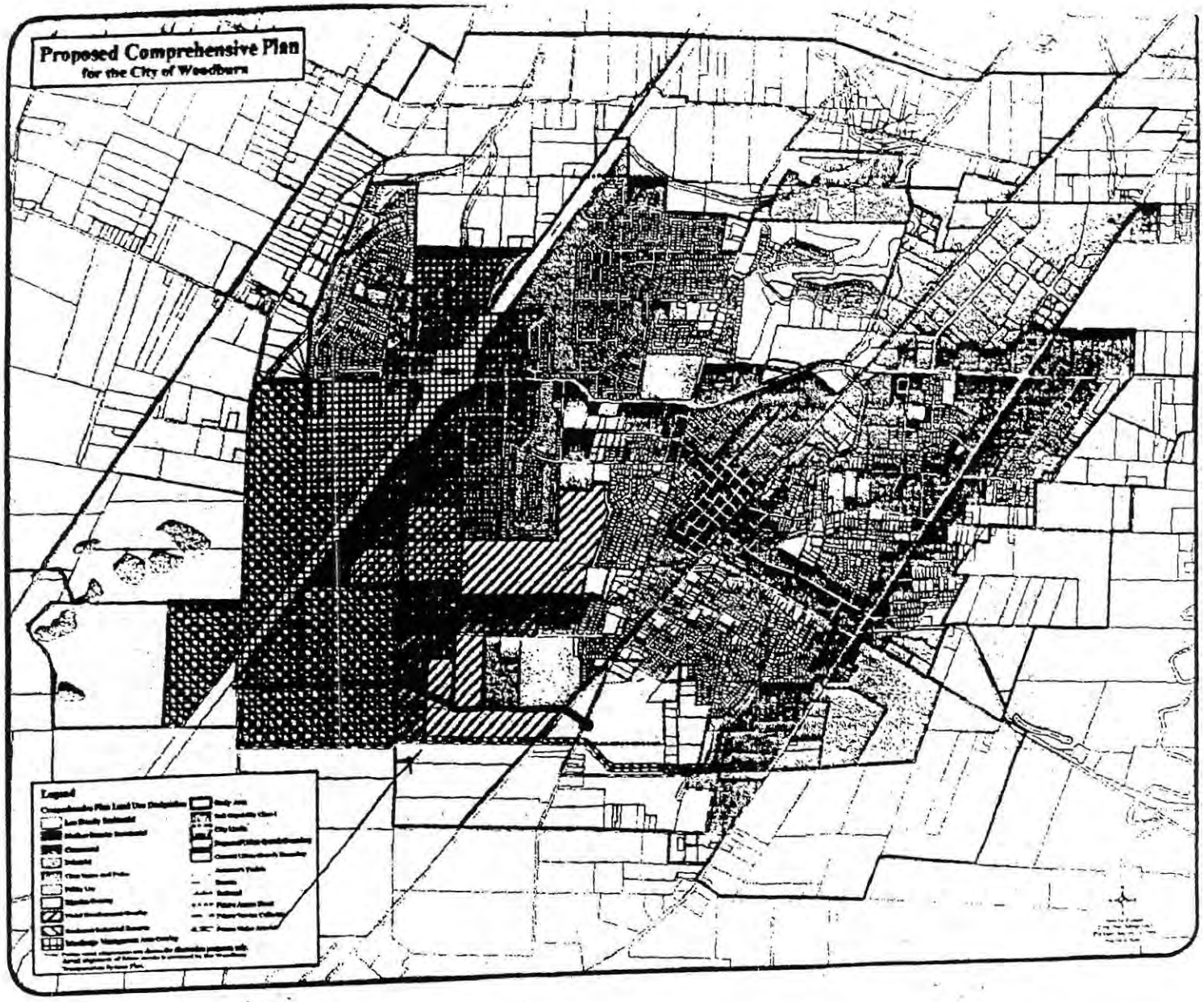
Keith Woollen
Retired Architect

CC: ODOT, Mr Husby, Mr. Cole
County Commissioners
City Public Work, ATT: Randy Rhoman
Hazel Smith
Woodburn Independent

P.S.

The solution to Woodburn's traffic problem is to have the mass of traffic coming over the I-5 exchange; as much as possible, go to highway 214 and the remaining collection down Stacy Allison Way and a four lane expansion of Evergreen till it reaches the east/west southern portion of Parr Road as it reaches the most efficient exchange possible with Boones Ferry Road, it would proceed east to 99E and beyond.

1.



☆ REC'D ☆
MAR 1 4 2005
WOODBURN COMMUNITY
DEVELOPMENT DEPT.

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#2.

on Includes 60 Ft
y Purchase At Bac
Property

on Includes 50 Ft. Public Right Of Way
Back Of ARCO Property

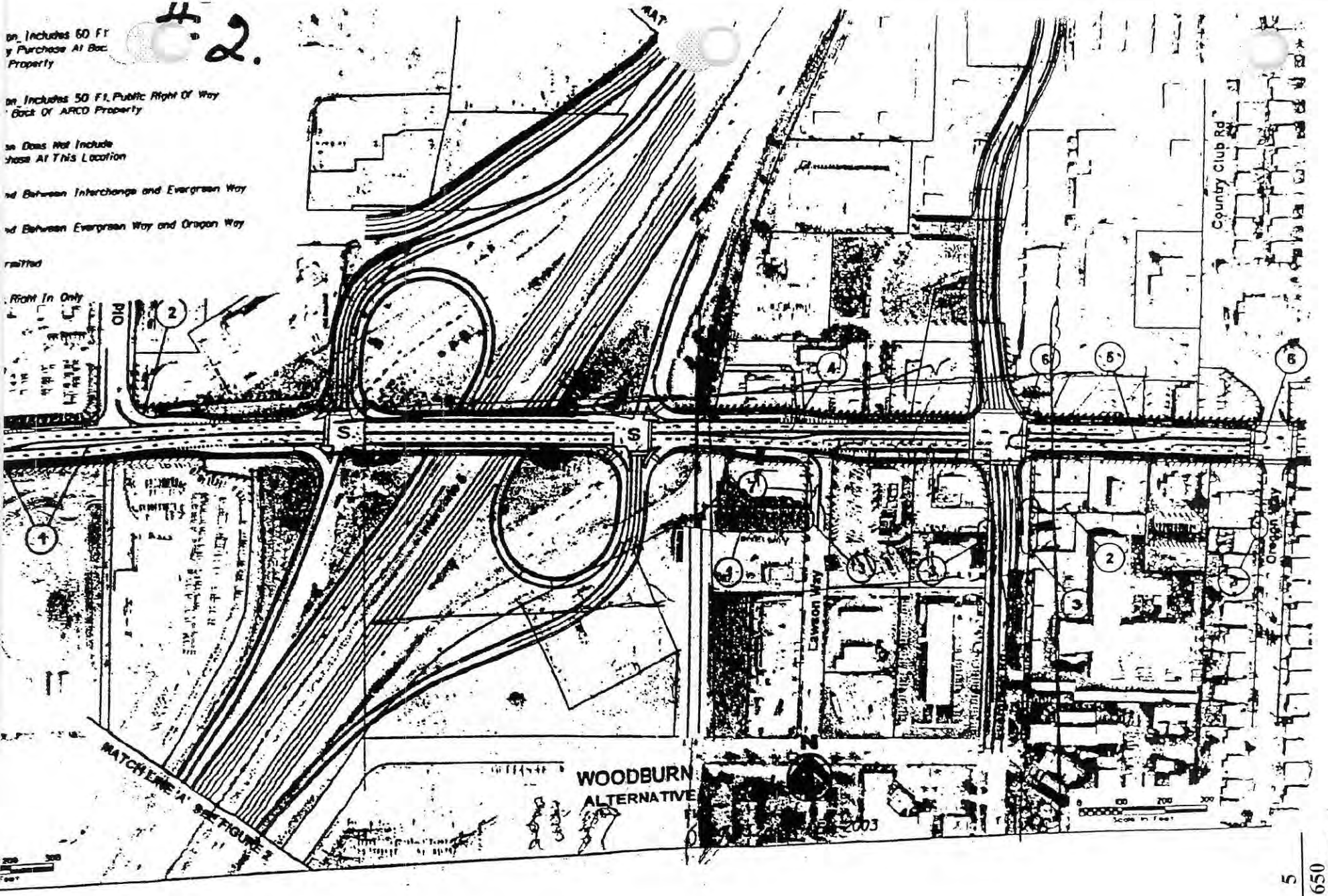
on Does Not Include
chase At This Location

nd Between Interchange and Evergreen Way

nd Between Evergreen Way and Oregon Way

rmitted

Right In Only



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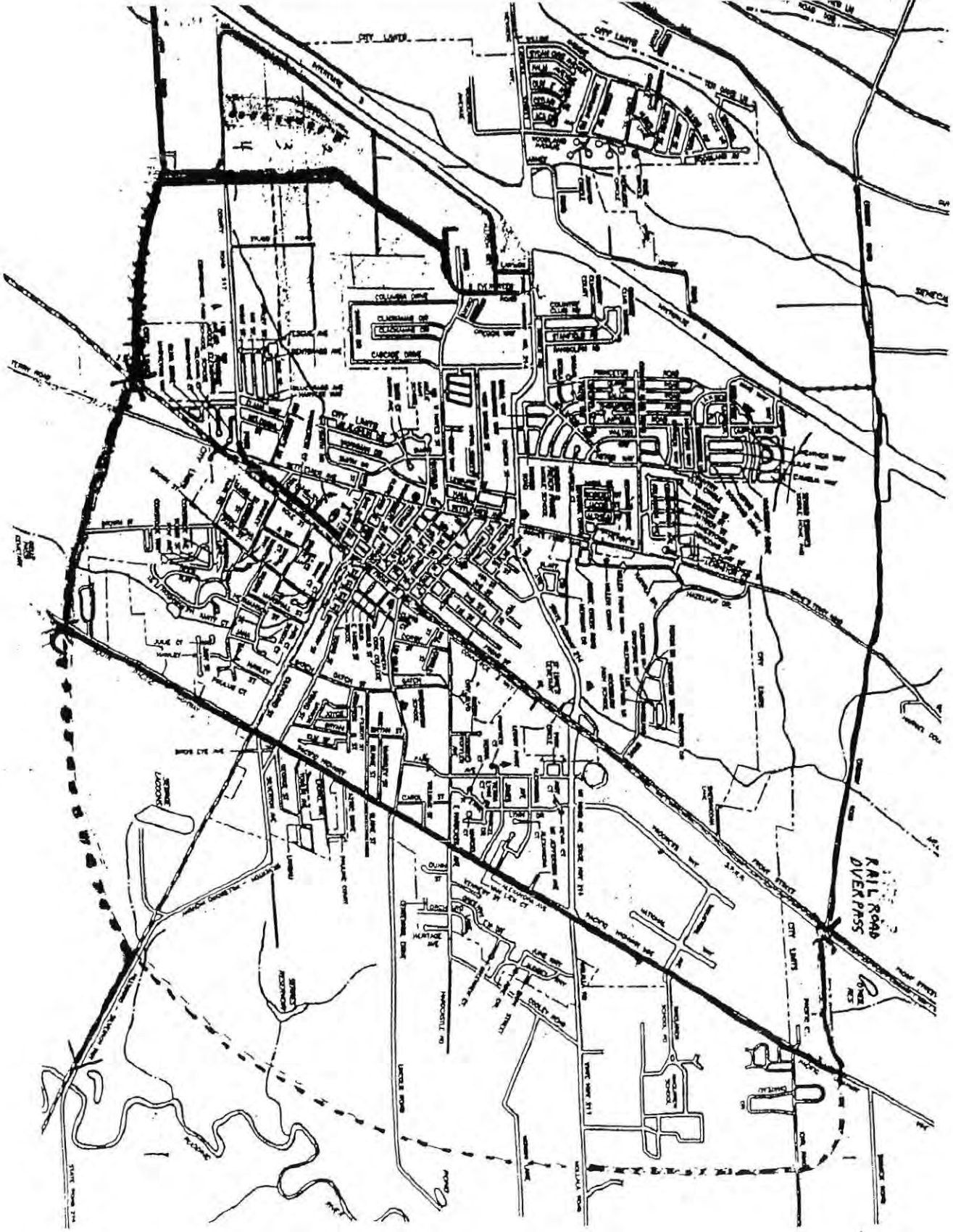

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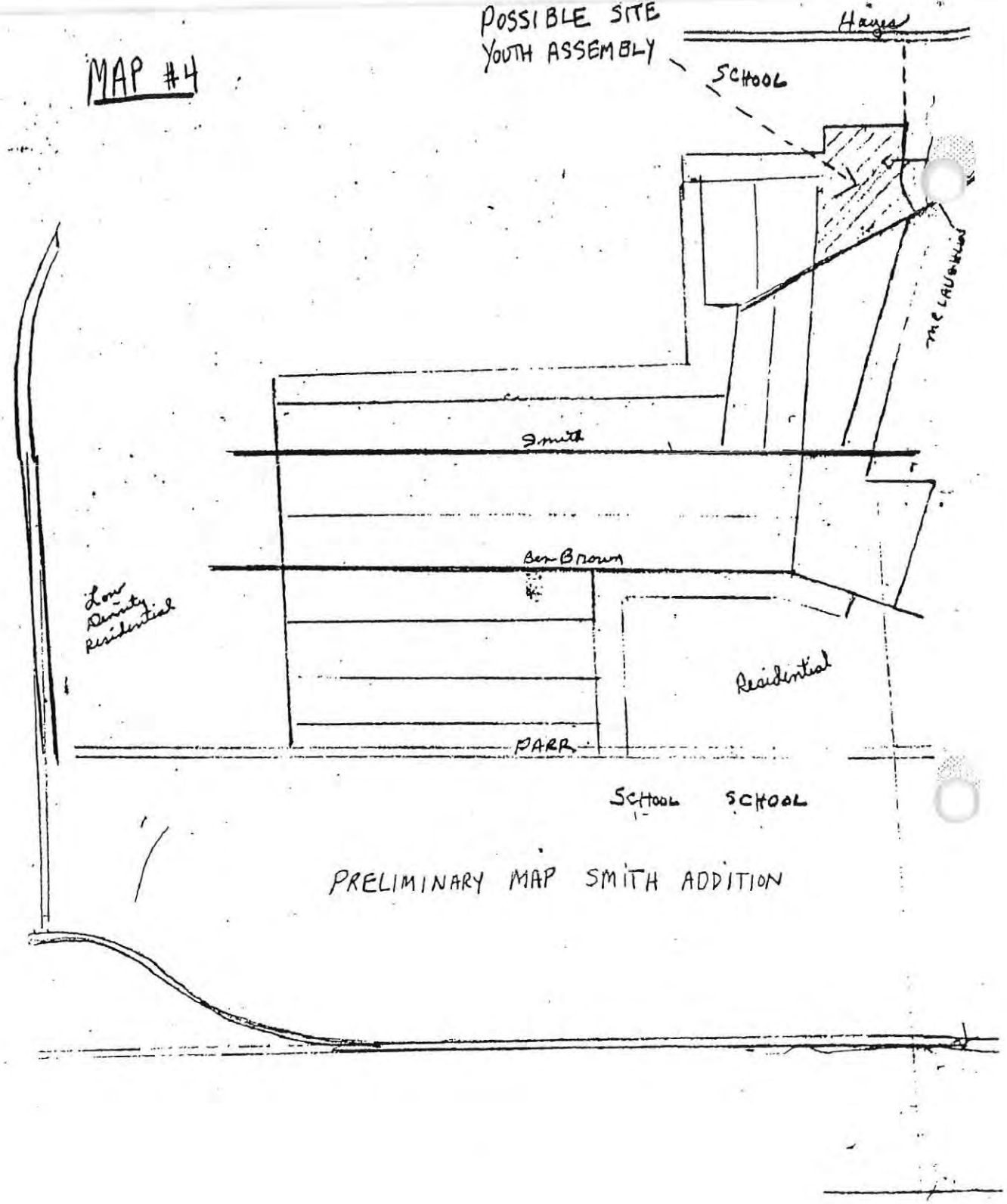
MAP #4
POSSIBLE SITE
YOUTH ASSEMBLY
SCHOOL
Hayes
McLAUGHLIN
Smith
Ben Brown
Low Density Residential
Residential
PARK
SCHOOL
SCHOOL
PRELIMINARY MAP SMITH ADDITION

Oregon
Theodore R. Kulongoski, Governor

635 C
Salem, Oregon 97301-2524
Phone: (503) 373-0050
First Floor/Coastal Fax: (503) 378-6033
Second Floor/Director's Office: (503) 378-5518
Web Address: http://www.oregon.gov/LCD

MAR 1 8 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

March 16, 2005

Jim Mulder, Community Planning Director
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97074

RE: Woodburn Periodic Review Amendment Package

Dear Jim:

The following comments are in response to the city's periodic review work program draft amendment package, received by the department on January 21, 2005, and Findings of Fact, received on February 7, 2005. The city requested that the department review the draft submittal for perceived deficiencies as they relate to compliance with specific statewide goals and administrative rules. The work tasks submitted have been reviewed as requested- and these comments reiterate those provided at our March 10, 2005 meeting in Woodburn.

The City of Woodburn's periodic review work program was approved on July 31, 1997. Since that time, the Commission has acknowledged work tasks 5 and 6 (March 2000). This submittal, when completed, will address the remainder of the city's outstanding work program.

The department would like to commend the city for investing considerable time, effort and resources towards completion of its work program. This is a large and complex periodic review package, and the city has prepared a sweeping set of plan, policy, code, and map amendments to meet local housing, transportation, employment, and other needs. The package responds to statewide planning goals and statutory mandates and puts forth plan and policy proposals that will set the context for Woodburn's future development.

The department has not found significant issues with the proposed UGB expansion, but believes that responses to certain requirements and review criteria need to be modified or enhanced to insure the proposal complies with the state planning goals and administrative rules. We request the following comments be included in the official record of this proposed UGB and plan amendment. Our comments have been provided in order of the applicable statewide planning goals, and conclude with recommendations on the plan's draft policy and code amendments.

Goal 1- Public Involvement

Citizen Involvement Plan

The department has received a draft Citizen Involvement Plan, with the understanding that a final version will be completed and submitted to the department upon adoption and submittal of the final plan amendment package. This item is work task 10 of the city's work program.

Goal 2- Land Use Planning

Urban Growth Management Agreement

The department understands the city is currently working with the county on revisions to the city's UGMA and that this product will be submitted after the local adoption process. Submittal and review of these materials are required prior to department approval of the city's work program. This is work task 9 of the city's work program.

Goal 5- Open Spaces, Scenic and Historic Areas, and Natural Resources

Riparian Corridors and Wetlands OAR 660-023-0090-100

The department commends the city's formation of a Riparian Corridor and Wetlands Overlay District (RCW). The city should provide definitions in its code for the terms "undeveloped floodplains," and "100-year floodplain outside of developed areas." Although the "general location" of the RCW district is mapped, without clear definitions for these terms there may be instances where the intent or application of the overlay district is ambiguous.

Groundwater Resources- OAR 660-23-0140

In the water plan of the city's public facilities plan (PFP), it is noted that a *Source Water Protection Plan* for state certification has been developed to protect the city's drinking water supplies.[1] However, in its response to Goal 11 and the PFP work task, the city has noted in its findings: "Woodburn has not opted to delineate a wellhead protection area for wells or well fields."[2] If a source water protection plan has been prepared, the department will need a copy as part of this periodic review submittal. If the city has no intention to have a certified source water protection plan, the PFP needs to be amended to be consistent. While the department encourages the city to prepare a source water protection plan, the Troutdale aquifer is not a critical or restrictively classified groundwater area and so is not subject to mandatory Goal 5 protections as a significant resource.

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[1] Draft 2005 Public Facilities Plan, page 7.

[2] Findings of Fact, page 28.

Goal 9- Economic Development

Commitment to provide adequate sites and facilities (OAR 660-009-0020(2)(b))
Woodburn needs to provide a rationale for approximately 65 net buildable acres of land "unretained" within the Southwest Industrial Reserve overlay (SWIR).[3] Although subject to the non-industrial conversion restrictions of the SWIR overlay, this land could potentially be subdivided into smaller lots (<10 acres) of which the city's BLI and EOA have identified there is not a need. The SWIR site requirements table should also account for tax lot 52 W14-1200 (adjacent to Butteville Road and I-5), as it is within the overlay district.

Industrial site serviceability (OAR 660-009-0025(3))
The Goal 9 rule requires that the city's public facilities plan demonstrate how a short-term supply of new industrial and commercial sites will be serviceable.[4] The PFP needs to map and identify needed facilities over the 20-year planning period to serve new employment lands, and specifically demonstrate that a three-year supply of serviceable sites are scheduled for each year, including the final year, of the short-term element of the plan.[5]

The Goal 9 rule requires that this demonstration of short-term serviceable industrial sites is to occur at the time of periodic review.[6] Although the rule makes clear that implementation of or amendments to the comprehensive plan or public facility plan which change the supply of serviceable industrial land are not subject to these rule requirements, the rule does not make a distinction between initial and subsequent periodic reviews that would exempt the city from meeting this requirement. Such a distinction has been relied on, in error, in the city's findings of fact.[7] Therefore, to comply with the rule the city's plan needs to provide specific information regarding a three-year supply of serviceable sites over the short-term (5-years). This information should be incorporated into the city's PFP (work program subtask 3a).

Corrections:

- SWIR Tables identifying required minimum site sizes for specific parcels are inconsistent as found in the Findings of Fact (pages 16, 118, and 204), goal and policy amendments (page 22), and proposed WDO (page 2.1-91). Discrepancies found include wrong tax lot numbers, inconsistent numeric values for buildable

[3] Based on proposed standards table Required Minimum Site Size for Specific Parcels, tax lot 52W 11-300, and tax lot 52W 14- 800.
[4] A site is serviceable if public facilities have adequate capacity to serve development planned in the service area where the site is located or can be upgraded to have adequate capacity within one year; and public facilities are either currently extended to the site or can be provided within one year of application for building permit or request for service extension (OAR 660-009-0005).
[5] OAR 660-009-0025(3)(c).
[6] Pursuant to OAR 660-009-0025 "Requirements of this rule apply only to local government decisions made at the time of periodic review."
[7] Draft City of Woodburn Findings of Fact and Conclusions of Law, Periodic Review and UGB Amendment, Page 165.

site acres, and incomplete and/or inconsistent data for retention of various site sizes.

- In the text of the Goal 9 section of the Findings of Fact (page 88), the following correction needs to be made: *The table identifies a need for five ~~ten~~ sites of 25 acres or larger and at least one site larger than 100 acres.*[8]

- The figure for the "High" industrial employment projection is missing from the "Total employment growth by land use type" table on Findings of Fact, page 104.

- The following correction in the UGB Justification Report needs to be made: reference to ORS 197.212 on pages 5 and 6 should read ORS 197.712.

- A description of Targeted Industry No. 36 was not included in the findings of fact (page 86). The department recommends this be included to be complete and consistent with the city's EOA and other supporting documentation.

Goal 11- Public Facilities and Services

Required elements of Public Facilities Plan- OAR 660-011-0010
The city's public facilities plan (PFP) identifies that service capacity needs can be met through year 2020. However, while many of the required elements of the PFP are included in the draft, or its supplement, *UGB Study Area Public Services Analysis*, this information is not well organized or is incomplete.

General

- The PFP needs to be updated to reflect current information on facility construction and planned facilities within the existing UGB, as well as for proposed expansion areas included in the city's plan amendment. Unlike for wastewater facilities, the PFP does not provide the timing, cost and location for significant water and storm water facilities necessary to serve future development in proposed UGB expansion areas.
- The PFP does not provide an adequate inventory and assessment of existing facilities.
- The UGB expansion area reports indicate that the regions were analyzed independent of other proposed regions, and that the analysis is based on all CIP projects in the master plan being completed. This approach does not address the cumulative effects of development over time and sequencing (timing) of needed facilities.
- Policy statements designating the provider of each public facility system or the city's urban growth management agreement with Marion County must be submitted concurrent with the PFP pursuant to OAR 660-11-0045.

[8] Findings of Fact and Conclusions of Law, page 88.

Waste Water plan

- Projects in the table "Wastewater Long-range Facility Projects (5-20 years)" assume no service extensions will occur in UGB expansion areas until 2010.[9] However, the city's findings indicate all expansion areas are "readily serviceable" (although no definition of this term is provided).[10]
- The estimated timing and location for constructing long-term waste water facilities should be reassessed due to the Goal 9 requirement for a short-term supply of serviceable industrial sites (OAR 660-009-0025(3)).

Water plan

- PFP text indicates four new wells are needed to increase capacity, yet table 12-1A shows six wells proposed (PFP, page 7). This discrepancy should be corrected or explained.
- PFP text indicates storage facilities to be constructed at each of the three new treatment plants, yet table 12-1B shows two storage projects to be built in 2004 (PFP, page 13). Is this information current?
- PFP Table 12-2, "Proposed Distribution System Projects," shows 10 projects, only two of which are future projects. This table should be updated to show planned projects, particularly those identified for future planned growth in proposed expansion areas (PFP, page 15).
- The text indicates that the plan does not include project costs for projects in areas to be developed into the future, and notes that the plans included in "Chapter 10" show possible pipe sizes and locations. This information is necessary to include in the PFP (PFP, page 16).
- The water plan (PFP, page 16), states that expansion areas to be developed in the future are essentially "unknowns" and, therefore, capital improvements for these areas will be planned for later. This is counter to the purpose and intent of Goal 11. Case law has also determined it is not sufficient to simply demonstrate that current services and facilities are adequate to service expansion areas; plans must show that they can provide services into the future.[11]

It is not the intent of Division 11 (OAR 660-011) to cause duplication or to supplant existing applicable plans or programs. For instance, there could be appendices, etc. from the city's current master plans that would provide some of the additional level of information requested here. The city could also make amendments to its supplemental UGB expansion analysis to comply with the rule and incorporate them into the PFP by reference.

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[9] Draft 2005 Public Facilities Plan, page 22.
[10] Findings of Fact and Conclusions of Law, page 196.
[11] City of LaGrande v. Union County, 25 OR LUBA (1993); 1000 Friends v. City of North Plains, 27 OR LUBA 372 (1994).

Corrections-

- Project descriptions and/or costs do not consistently match information found in the UGB expansion analysis (Findings of Fact, page 195).

- Facility and cost information is not provided for Area 1 in the analysis of UGB expansion areas (Findings of Fact, page195).

- The findings indicate that the "City shall adopt a growth control ordinance" to insure that the city's growth does not exceed its ability to provide public services (Findings of Fact, page 162). What is the status of this ordinance?

- Schools: There are discrepancies in the record concerning land needs for future schools that need to be corrected and clarified. The Residential Land Needs Analysis shows a need of 175 acres by 2020 with an unmet need of 60 acres for schools.[12] The Revised UGB Justification Report indicates there is a need for 223 acres by 2023, with an unmet need of 108 acres.[13] A similar inconsistency is located in the Findings of Fact under "Schools" (page 185) and in the year 2020 Public and Semi Public Land Needs table (page 186).

Goal 12- Transportation System Plan

The department provided comments on the city's TSP in March 2004 and in January of this year. By working with the city's consultant we have narrowed our comments to the following.

Street Standards
The city's local street standards are described in the ordinance (page 9-5) and in the TSP (Figure 7-2). The city has adopted three local street standards as follows:

- *Local Residential with parking both sides: pavement width of 34', ROW of 60';*
- *Local Residential with parking one side: pavement width of 29', ROW of 50';*
- *Local Residential with no parking: pavement width of 24', ROW of 50.*

There is no description or criteria to decide when one of these street sections will be used or required. It appears it will be up to the developer to decide which street section they will use. The department has found that these types of standards do not meet the intent of the Transportation Planning Rule (TPR, OAR 660-012). That is because there is no basis for local governments to require 34 feet of paved width for all local streets that have parking on both sides. It is acceptable for a local government to have a 34 foot street in their ordinance for important and/or heavily-traveled local streets. These are usually defined by a maximum average daily traffic (ADT), such as all local streets expected to carry more than 500 ADT should be 34 feet wide.

[12] Technical Report 2- Residential Land Needs Analysis, page 32.
[13] Revised Woodburn UGB Justification Report, page 11.

However, local governments should also allow a narrower street with parking on both sides for local streets that carry lower volumes of traffic. Alternatively, the department has approved (or is in the process of approving) some local government standards for 32-foot wide local streets that provide curb extensions (bulbouts) that narrow the width of the street to 20 feet (or 22 feet) at intersections and midblock along long blocks (greater than 500 feet).

Block Lengths

It does not appear the city has modified its block length standard. The standard is described on page 2-20 as follows:

"Block length shall not be less than 200 feet and not more than 600 feet, EXCEPT where the dimensions and alignment of existing blocks and streets adjacent to or in the vicinity of a proposed subdivision, topography, adequate lot size, or need for traffic flow warrant other dimensions. The maximum block length shall not exceed 1,200 feet."

The city's latest response to our TSP comments state that the city acknowledges this language is ambiguous, but that they have faced situations where block lengths of 600 feet cannot reasonably be accommodated.[14] The letter also claims the city has found the existing language effective.

This language is clearly ambiguous and appears to open the door to almost any block length less than 1,200 feet for a variety of reasons that may not be completely legitimate. For example, topography in Woodburn should simply not be an issue in terms of determining grades and connections for streets. Also, "adequate lot size" should not be a significant factor to determine whether a block is 600 feet or 1,200 feet long. Similarly, instead of "traffic flow," the language would be improved to read "access management on arterials." The city should also modify the code to require a pedestrian accessway every 600 feet where it is found that a local street connection is impracticable. The department welcomes more information from the city about its existing code language and its effectiveness upon implementation.

Goal 14: Urbanization

Goal 14 provides "seven factors" to evaluate a proposed change in the urban growth boundary. The city needs to demonstrate it has fully considered each factor in its response to the goal requirements. The department wants to emphasize the importance of this step and providing detailed responses in its justification for the UGB amendment.

Factors 1 & 2 - *Demonstrated need to accommodate long range urban population growth requirements consistent with LCDC goals; Need for housing, employment opportunities, and livability*:

Tables in the Findings of Fact (page 89 and 107) show different numbers of vacant industrial parcels available within the existing UGB. This information pulled into the

[14] Draft TSP Comments: Response from City of Woodburn, dated January 4, 2005

Findings of Fact from the Buildable Lands Inventory is not consistent and could justify less industrial land being retained as part of the proposed UGB expansion based on site requirements for targeted industries.

Factor 4- *Maximum efficiency of land uses with and on the fringe of the existing urban area.*

Factor 4 requires Woodburn to consider and encourage the efficient development of lands within the existing UGB, prior to expanding the UGB. This means the city must consider changing plan designations within the *existing* UGB to increase densities and attempt to assemble vacant parcels within the *existing* UGB to produce larger buildable areas to accommodate proposed uses, including site requirements for targeted industries.[15] The city has alluded to these necessary considerations in its findings, but has not provided a full explanation to satisfy them.[16]

Correction

- Findings of Fact, page 197- ORS 197.232 is an incorrect statutory citation. The department assumes the intended citation is ORS 197.732 regarding Goal Exceptions.

Factor 6- *Retention of agricultural land as defined, with Class I being the highest priority and Class VI the lowest priority; and ORS 197.298.*

Goal 14, Factor 6 and ORS 197.298 are not one and the same, so the city should be careful when addressing them together under the same heading. The department believes it is more appropriate to use the format from the UGB Justification Report, where each statutory requirement, and factor 6, has a corresponding response.

Study areas 2 and 7 are proposed for partial expansion. Study Area 2 contains additional areas of lower priority soils that have not been included and has been found to be optimal for expansion based on service efficiency. The city's reliance on the "factor 4-maximize efficiency" finding is on its face, and without further explanation, insufficient to satisfy this criterion. For Study Area 7, findings also need to specifically indicate why additional class III and IV soils in this area were not brought in for expansion instead of other areas containing lower priority soils. Large parcel sizes in this southernmost portion of Study area 7 could also satisfy industrial site requirements. Study area 7 was found to be optimal for expansion based on service efficiency.

In reference to these study areas, the city should elaborate on how the expansion avoids the highest value farmland possible while including the lowest soil classes in a feasible UGB configuration in compliance with factor 6.

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[15] Concerned Citizens of the Rogue Valley and Don Carroll v. the City of Shady Cove, LUBA 95-173 (1997).

[16] Findings of Fact, page 198.

Correction

- Correction on Findings of Fact, page 211. The referenced "Table 13" is missing, and should be labeled as Table 10, as found in the Revised UGB Justification Report.

Factor 7- *Compatibility of the proposed urban uses with agricultural activities.*

Based on Winterbrook's response to the department's April 2004 comment letter, and as discussed in our March 10, 2005 meeting, the city needs to document its intent and approach to establish "right to farm" covenants that would deed-restrict residential "edge" properties proposed in expansion areas to the north of the city (Study Area 2). Such an approach would also be appropriate for residential edge properties planned for in the southwest part of the city (Study Area 7). In its response letter to the city, Winterbrook wrote:

"As indicated under Goal 14, factor 5 discussion we agreed that additional information related to these Goal 2 standards will be provided in the Goal 14 analysis and in findings. We will consider requiring the property owner to sign a "right to farm" covenant as a condition of annexation of residential land that is adjacent to the UGB."[17]

This action would be a response to Goal 14, Factor 7, but also to Goal 2 (standard 4), to demonstrate "measures have been taken to reduce adverse impacts" from residential development on adjacent agricultural practices. The department believes this approach would effectively address agricultural compatibility issues in these areas.

Corrections

- Findings of Fact, page 197- ORS 197.232 is a wrong statutory citation and does not exist. The department assumes the intended citation is ORS 197.732 regarding Goal Exceptions.

- Table 13 is missing from the Findings of Fact, (page 211) under the Goal 14 analysis, Agricultural Soils and Classifications Summary, and should be relabeled "Table 10."

- Findings of Fact, page 193, correct heading to "Factor 3- Orderly and economic provision of public facilities and services"

Proposed Goal and Policy Amendments

1. Policy Table 1, p 7: Some of the stated density ranges don't appear to be consistent with the stated minimum lot sizes. For example, The Nodal Residential Overlay Zone (RMN) shows a density range of 10-22 dwelling units (du)/acre, but the smallest minimum lot size, 3,000 square feet, yields 14.52 du/gross acre (per net acre would be even less). Another example: The RS1 zone shows a range

[17] Winterbrook Memo to Jim Mulder, April 26, 2004, (page 17), re: April 21, 2004 letter from Kevin Cronin, DLCD to Jim Mulder.

of 9-12 du/acre but there is only one minimum lot size, and no stated maximum lot size.

2. *Zoning* section, p 8 - last sentence, and *Review, Revision and Update* section, p 11, 2nd and 4th sentences: It appears that "Comprehensive Plan" should replace "Land Use Plan."

3. Transportation Plan section, p 9: 2nd sentence is missing a word. Should read: "The 2004 TSP includes goals and objectives ..."

Proposed Land Use Zoning Draft Amendments

Some of the following comments are advisory, and intended to help the city establish standards that will achieve successful developments and a livable community.

1. Section 2.102.07 F. 1. Landscaping and Sidewalks (RS Zone): These regulations allow an option of either curb-tight sidewalks or sidewalks with street trees. In residential zones, a planter strip with street trees between the curb and sidewalk should be required, and needs to be consistent with the proposed street standards in the city's final draft Transportation System Plan.

2. Section 2.105.05 C. 1. a. 2 (CO Zone) and Section 2.106.05 C. 2. a. 2) (CG Zone): Setting a maximum front setback is good, but 150 feet is a very large standard. No parking is allowed in the front setback, which is appropriate, so it seems counter-productive and land intensive to allow buildings to be sited so far back from the street.

3. Section 2.108.06 A. 3. (NNC Zone): Setting a building size limit is a good idea, however 60,000 square feet is too large for a single business in the NNC. This means that you could have a building with 3-5 businesses totaling 180,000-300,000 square feet, which is excessive for achieving the benefits of successful neighborhood nodal development. The single business size limit could be reduced to 5,000-10,000 square feet, or change the 60,000 square foot standard to maximum *building* size (to allow a supermarket).[18]

4. Section 2.108.06 A. 1. (NNC Zone): Similar to the previous comment, 15 acres is too large a maximum site size for the NNC zone. NC zone sites are typically 3-5 acres.[19]

[18] The TGM Model Development Code for Small Cities recommends a maximum Neighborhood Commercial building floor area of 5,000-10,000 square feet, and a maximum single use size of 2,000-5,000 square feet.

[19] Source: TGM Model Development Code for Small Cities

5. Chapter 2.110 (IL Zone): Woodburn has no Heavy or General Industrial Zone, just the IP Zone and IL Zones. The IL allows heavy industrial uses and so should be renamed to General Industrial.

6. Section 2.114.03 (A))(P/SP Zone): Missing word: "Targeted industries and services identified in Table 2.1.21 are allowed in the SWIR ...."

7. Section 2.115.03 A. (RSN Overlay): Missing word: "... are allowed in the RSN Overlay District ..."

8. Section 2.115.03 D. 3. a. 2), 2.115.04 E. 2, 2.116.05 D. 4. a. 2) (rear setbacks): There is only one rear setback standard for all lots. Twenty feet is appropriate for street-access lots but excessive for rear alley-accessed lots. The department recommends 6-8 feet.[20]

Thank you for the opportunity to comment on this package of updates to Woodburn's plan and ordinances. If you have any questions, please don't hesitate to contact me at (503) 373-0050 extension 289 or geoff.crook@state.or.us.

Sincerely,

Geoff Crook
Willamette Valley Regional Representative

cc: Greg Winterowd, Winterbrook Planning
Les Sasaki, Marion County Planning
Rob Hallyburton, DLCD

[20] Source: TGM Model Development Code for Small Cities

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March 21, 2005

Jim Mulder, CD Director
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97071

Re: City Council Public Hearing – Woodburn Periodic Review Amendments

Dear Jim:

Marion County Planning has reviewed the Woodburn Periodic Review amendment package that was provided to staff along with the Draft Findings of Fact and Citizen Involvement Report. County staff appreciate the City's coordination effort to involve the County in both the development and review of the various periodic review tasks undertaken by the City to update its comprehensive plan. The amendment package is reflective of the extensive work and time invested by the City in formulating a planning strategy to address growth issues facing the City along with impleme ng community vision. The County encourages and supports local decision-maki control in accomplishing these planning tasks.

As you are aware, the County has a statutory coordination role to work with cities with regard to planning activities affecting land use. The City and County have coordinated on the review and update of the City's 2020 population projection whic is being utilized in the current plan amendment package. Additionally, the City an County have worked together and are involved in the City's Transportation System Plan (TSP) update, the I-5/Woodburn Interchange Area Management Plan and Environmental Assessment, and the development of an updated intergovernmenta agreement on urban growth boundary coordination.

It was back in March and April of 2004, that the County along with other agencies and interested persons provided the City with preliminary advisory comments and suggestions regarding the City's draft Periodic Review task amendment proposal. The intent of those staff level discussions/meetings were to provide city staff and consultant team with preliminary feedback on the proposed amendments and rais concerns or issues prior to development of the final amendment review package. The County appreciates the opportunity to comment on the proposed amendmen and realizes that urban growth boundary changes are a cooperative process between the City and County. The following comments are intended to assis

City in its review of the proposed amendment package with some of the comments similar to those provided to the City during the County's preliminary review of the draft amendment package in 2004.

Overall, the proposed amendment package contains many good and often innovative measures to increase the efficient use of land, address specific needs, manage existing and future growth issues, preserve/protect local natural resources.

Woodburn Comprehensive Plan Amendments

1. Inclusion of new Marion County Coordination Goals and Policies, Marion County Economic Coordination Goals and Policies, and the incorporation of applicable Marion County Growth Management Framework coordination language, guidelines and policies regarding housing, transportation and the environment into the Woodburn Comprehensive Plan. The County is supportive of these amendments to improve coordination between the City and County and recognize the individual planning interests of both jurisdictions.

2. New plan and zone designations for the proposed nodal development, industrial reserve, and riparian conservation and wetland overlay areas to provide for specific types of development to meet housing, economic development, and resource protection needs. Also the creation of an Interchange Management Area overlay to monitor and manage the transportation capacity, safety and functionality of the system around and at the interchange through trip generation estimates and numerical ceilings based on land use. These overlay designations and the respective implementation measures contained in the Woodburn Development Ordinance are positive approaches to efficiently plan for land use and locational needs, and the County is supportive of these amendments.

3. Residential Land Use and Housing goals and policies that provide for adoption of a housing code to improve the existing housing stock, encourage and provide for a variety of housing types for single-family and multi-family uses, requirements for application of clear and objective design standards, allow for affordable home ownership opportunities through reduced lot sizes and increased housing types, and for efficiency of residential lands by allowing provisions for increased densities. These amendments provide the framework for the City to address housin needs and issues and the County is supportive of these plan amendments.

4. Commercial Land Use goals and policies that encourage the infill and redevelopment of existir commercial areas of the City rather than increasing the commercial land supply or advocating for additional commercial around the interchange area. Also, inclusion of policies encouraging establishment of neighborhood commercial to serve designated nodal development areas anc provisions for vertical mixed uses. These amendments recognize the interrelationship of commercial land uses and impacts on the transportation system through increased congestio which can affect the ability of the City to attract other types of desired land uses. The County supportive of these plan amendments that discourage the establishment of new commercial corridors/areas in the city and place emphasis on redevelopment of the existing commercial areas, including the downtown.

5. Incorporation of the City's May 2001 Economic Opportunities Analysis (EOA) and Economic Development Strategy as part of the Woodburn Comprehensive Plan. The economic development strategy commits the City to provide the infrastructure and land base to attract higher paying jobs, provide for the employment needs of the Woodburn area, utilize any comparative advantages the city enjoys such as its location, target specific industries desira

local business development, prevent the redesignation and parcelization of industrial lands, utilize master planning as a tool to efficiently use designated industrial lands, rehabilitate the downtown area, provide financing for marketing and creating economic development programs, and various other measures. The County is supportive of the City's efforts to provide for the employment needs of its residents and the north county region and to work cooperatively with the county in addressing economic growth issues and providing employment opportunities.

Woodburn Development Ordinance

1. New nodal residential zone designations to implement the new plan designations. New land efficiency measures that provide for infill, redevelopment, vertical mixed uses, smaller lots, a variety of housing types, and increased densities. Providing for an increase in the multifamily percentage (35%) of the total new housing mix, the provision of minimum and maximum allowable densities, requirements for development to occur at 80 percent of allowable density, and master planning of designated nodal areas allow for more efficient use of land while meeting the City's expected housing needs. The County is supportive of these implementation measures and of the City's goal to improve its overall residential land efficiency for new single-family and multi-family uses from 5.7 dwelling units/acre over the past 15 years (1988-2002) and 6.7 dwelling units per acre over the past five years (1998-2002) to 7.7 dwelling units/acre consistent with the efficiency guidelines in the County's Growth Management Framework.

2. New industrial overlay zone for the proposed southwest industrial reserve area. The zone provides for the retention of specific parcel sizes, prevents the redesignation and use of industrial lands for non-industrial uses, and requires that master planning of the entire industrial overlay area occur prior to annexation, parcelization and any development of these lands. It is also implied that the parcels within the industrial reserve area will be retained in agricultural use until developed for industrial uses consistent with the zone.

   The County is generally supportive of the concepts of the overlay zone but would recommend that specific language be added stipulating the continued use of these lands/parcels for agricultural use and retention of existing County EFU zoning until developed for industrial purposes. In addition, the master planning requirements and process as specified in the zone are not clear as to whether the review and approval of the master plan is simply for a public facility plan, a conceptual or detailed lot layout plan, an actual development plan or something else. The zone requires that a master plan for the entire overlay zone area is required though is conceivable development could occur on an individual parcel basis or in phases. It is also not clear if the City Council approval of the master plan could be considered a land use decision or whether such approval is binding as to lot layouts and configurations. The County believes that further considerations of the master planning process being utilized in the overlay zones need to be addressed by the City. Economic Development Policy E 2.2 in the amended Comprehensive Plan states that the proposed master plan shall be referred to Marion County for comment prior to consideration by the the City Council. It is unclear as to what the County would be commenting on under the current proposed master plan requirements contained in the proposed overlay zone.

   A discussion of the parcel sizes and retention of large industrial parcels is contained in the section below on the proposed urban growth boundary amendments.

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undeveloped floodplain, wetland and riparian areas within the city. The zone utilizes the safe harbor provisions under Statewide Planning Goal 5 for riparian resources in providing protection of designated riparian and significant wetland resources. The County is supportive of the City's amendments to protect these resources consistent with the Environmental guidelines of the County's Growth Management Framework and safe harbor provisions of Administrative Rules.

V dburn Transportation System Plan (TSP) Update

County Public Works (Mike McCarthy) was involved throughout the TSP update process and provided input on the plan. All major County issues raised during the TSP process have been adequately addressed and there are no further objections or concerns to the proposed TSP. The County is supportive of the TSP for the progress it would make towards maintaining and improving the transportation system within the Woodburn area. The County does have an interest in making sure that regional traffic utilizing the county road system can get to and from destinations in Woodburn, and to and from the I-5 interchange efficiently, and the County wants to make sure that this efficiency is protected or improved which the updated TSP seems to work towards meeting this end. The TSP identifies a south arterial connecting Highway 99E with the proposed nodal development and industrial reserve area along Parr Road and with Butteville Road. The County will continue to coordinate with the City on transportation issues and projects within the Woodburn area.

Public Facilities Plan

County Public Works and Planning staff reviewed the Public Facilities Plan and the Public Services Analysis of the eight Study Areas considered for possible expansion of the existing urban growth boundary. The County recognizes that the City shall be the provider of public water, sanitary sewer, stormwater, and transportation facilities within the urban growth boundary unless otherwise agreed to by the City, County and any other applicable party. The City is also responsible for preparing the public facilities plan for all lands withing the growth boundary. The County is supportive of the City's Public Facilities Plan and the City's efforts to cost-effectively size and provide the necessary facilities to serve lands within the urban growth boundary. The County also supports City efforts to coordinate its facilities planning with the County with regards to stormwater management and transportation.

Marion County Urban Growth Management Framework

Marion County adopted an Urban Growth Management Framework in 2002 as part of the Urbanizatio Element of its Comprehensive Plan. The Framework is a coordination planning strategy that provides guidelines a city may choose to follow when coordinating urban growth boundary needs with the county. Decisions on how to use any applicable coordination guidelines of the Framework is up to each city and there can be several approaches taken by the city to coordinate planning efforts with th County consistent with the Framework.

To facilitate coordination between the City and County, the City has amended the updated Woodburr Comprehensive Plan to incorporate applicable policies and guidelines found in the County Framewoı Plan. In addition, the City will consider these applicable Woodburn Comprehensive Plan policies anc guidelines when making land use decisions within the urban growth area of the growth boundary. Tl County is supportive of the City's approach toward coordinating planning with the County.

ɜ part of Periodic Review to be consistent with the Growth Management Framework. City and ounty staff have been working together to update the current intergovernmental agreement.

Irban Growth Boundary (UGB) Amendment Proposal

Reviewing the various background studies and documents supporting the City's proposed plan ımendments, the existing Woodburn Urban Growth Boundary contains approximately 4,050 acres. The UGB amendment proposal that is part of the City's Periodic Review amendment package is for a. expansion of the existing UGB by approximately 1,050 acres. This additional land need to meet projected population, housing, employment and other uses is in addition to the 746 acres of buildable lands within the existing UGB identified in the City's 2002 Buildable Lands Inventory.

The Plan proposal is based on a 2020 projected population of 34,919 utilizing a 2.8 percent annual average growth rate during the 20-year planning horizon of the Plan. The Plan proposal would accommodate an increase in population of 14,059 people over the 2002 city population of 20,860 requiring an additional 4,753 dwelling units, assuming a household size of 2.9 persons per dwelling. The Woodburn area is projected to add 7,153 jobs/employment during the planning period using a medium range employment growth forecast.

The 746 acre supply of buildable land in the current UGB consists of 403 acres of low density residential land, 108 acres of medium density residential land, 6 acres of public/semi-public lands, 108 acres of commercial land and 127 acres of industrial land. In summary, 517 acres of residential land and 235 acres of employment land currently exist within the UGB.

The proposed approximately 1,050 gross acres expansion would add roughly 590 acres of residential land (520 acres of low density residential, 70 acres of medium density), 25 acres of commercial land, and 430 acres of industrial land. Of the 1050 acres, 188 acres are residential exception lands and acres are commercial exception lands. In rough land totals, approximately 1100 acres of residenti land (this number would be reduced when constrained lands, right-of-way needs and some of the residential exception lands are subtracted) and 690 acres of employment lands would be available development to meet future housing and employment needs.

Identified land needs from the UGB expansion needs analysis indicate a need for approximately 555 acres of buildable residential land (259 acres of low density residential, 178 acres of nodal low densit residential, 66 acres of medium density, 51 acres of nodal medium density) and an additional 210 acres of public/semi-public lands which are accommodated on residential lands. Employment land needs are estimated at 627 acres (141 acres of commercial land and 486 acres of industrial land) wit industrial land needs based on the provision of specific site sizes instead of an employee/acre ratio. The EcoNorthwest analysis of projected land need based on forecast employment increase of 7,139 employees was for approximately 369 acres with industrial land needs being 224 acres of the total.

Industrial Land Needs

Statewide Planning Goal 9 (Economic Development) and corresponding Administrative Rule allow fc employment land needs to be based on the need to provide for various sites (specified site sizes) to meet likely or expected employment uses that would locate in the area. The City has targeted certai industries that it desires to locate within the community and has specified a range of industrial sites t accommodate these uses. Analysis by the City indicates a need for large parcel sites, generally 20 acres in size or more with specific target industries requiring sites greater than 50 acres. Overall

majority of target industries identified by the City require sites in the 5 to 10 acre range, with several large manufacturing and high tech industries requiring sites over 40 acres.
The City industrial land expansion proposal to the southwest (both west and east of I-5) capitalizes on the I-5 corridor location and proposes a range of sites comprising an approximate 440 acre industrial area. The industrial overlay zone requires the provision and retention of 11 sites that are 10 acres in size or greater, with the largest being one 100 acre site and a 70 acre site. The remaining nine sites are between 10 and 25 acres, with provisions for various sites under 10 acres in size.

Target industries that employ large numbers of people and have large site requirements (40 acres or more) are highly desirable with a very competitive market to locate such industries within a community. Setting aside two very large sites (100 acres and 70 acres) for such industries may commit a large part of the proposed industrial reserve area and limit the ability of the City to achieve its employment goals through requirements that specific sizes of sites be retained which cannot be reduced in size and may not be flexible to meet the needs of targeted industries once certain sized sites have been utilized. The County would suggest that the upper size limit threshold be reduced to 40 or 50 acres with the number of sites in this range increased to four or five that can not be reduced below the threshold, along with the provision of additional sites in the 10 to 20 acre range. This would allow the City some flexibility in both the layout of sites, the ability to put sites together should larger sites be needed by a target industry, and to configure and allow for smaller sites to meet the majority of the site needs of the targeted industries. By allowing some flexibility in arranging sites to meet targeted industry needs, it would be possible to provide more available sites or increased choices in the size of sites, while also requiring less land to meet the employment needs and economic goals and strategy the City wishes to pursue. Existing industrial lands within the current UGB can also be utilized to meet the industrial land needs of targeted industries that require sites under 10 acres in size.

Residential Land Needs

The residential land need to accommodate an additional 4,753 dwelling units and approximately 14,000 additional people also includes land for public/semi-public uses (schools, parks, institutional uses, churches, governmental uses) which are typically accommodated on residential lands. Analysis indicates a need for 210 acres of land to meet public/semi-public land needs during the planning period. Through the provision of various land efficiency measures, creation of nodal development areas, increased density allowances for single-family and multi-family, infill and redevelopment of existing residential lands and residential exception areas, the projected housing demand can be accommodated by utilizing existing buildable lands within the current growth boundary and the expansion of the boundary to include additional residential lands, primarily for the nodal development area which allows for increased densities to occur over current standards. The residential land need for approximately 764 acres to meet both the housing demand (555 acres) and public/semi-public lar needs (210 acres) for its projected 2020 population. Currently, there are approximately 520 acres within the current boundary for such uses and the proposed UGB expansion is to add nearly 600 acr of residential lands (200 of which is residential exception lands which have limited capacities for additional housing).

The County realizes that the additional residential acreage is not all buildable land due to constraints allowances for right-of-way/streets (20 percent of gross acreage) and that the net buildable acres within the residential expansion areas would be less. The housing demand over the planning perioc can reasonably be met by the supply of existing residential land within the current UGB, the additior residential lands in the nodal overlay area and inclusion of residential areas around the golf course i the north. The multi-use nature of public lands may be somewhat more difficult to account for due t locational factors and the neighborhoods that they are intended to serve.

planning period, a critical assumption or factor is household size. The needs analysis utilizes a 2.9 persons per household which is less than the 2000 Census household size of 3.1 for the City. The assumption that household size decreases over time due to a variety of factors tied to urbanization, employment, housing and so forth and as borne out in other studies and areas is reasonable, though the trend in Woodburn has been an increase in household size due to demographic characteristics of its population. The City's demographics vary greatly from the state, the region, the county and other cities in the area which make comparisons difficult or to follow the trends of these areas when it comes to specific assumptions regarding demographics. The County would just like to mention that an assumption of a higher household size utilized in the analysis for determining dwelling unit needed would result in a lower demand for units within the planning period.

Woodburn Periodic Review Preferred Growth Scenario (UGB amendments)

The Marion County Urban Growth Management Plan preferred growth scenario is for the majority of projected county growth to be directed to the larger urban areas within the county, such as Woodburn. The City of Woodburn preferred growth scenario as proposed by their UGB amendment package is:

1. Expansion of the UGB to include all adjacent rural exception areas.

The County is supportive of the City's proposal to include all adjacent rural exception areas within the amended UGB. These include the 155 acre residential exception area to the northwest, the 13 acre residential exception area to the northeast (east of Highway 99E) though additional capacity or redevelopment is limited, and the 34 acre (13 acres of commercial, 21 acres of residential) exception area to the south along Highway 99E (west side of the highway). Inclusion of these exception areas will allow these areas to transition to urban uses and provided with urban services.

2. Expansion of the UGB to the north and southwest to accommodate residential land needs in the Parr Road Nodal area.

The County is supportive of the City's proposal to expand the UGB to the north to include the 100 acres north of the golf course property within the current UGB. This would allow the portion of the golf course currently outside the UGB and adjoining lands to be developed for upper end residential as future phases of the Tukwila development and utilized as open space and natural resource protection. The City proposal for the area also includes a 2 acre nodal neighborhood commercial area.

The County is supportive of the City's proposal to expand the UGB to the southwest to include approximately 140 acres of residential lands to meet housing needs. This area is part of the proposed Parr Road area Nodal Development Overlay that includes nodal commercial (10 acres), medium density and low density nodal residential areas which are a key component of the City's housing strategy to meet residential needs during the planning period.

The County is not supportive of the City's proposal to include the 160 acres of land to the north, west of Boones Ferry Road, south of Crosby Road, and east of I-5 within the UGB for residential purposes. The residential land needs are being met through the existing residential land supply within the current UGB and the other residential lands being proposed for addition to the UGB.

3. Expansion of the UGB to the west and southwest to accommodate employment/industrial land needs.

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employment needs of the Woodburn area. The County supports an expansion to the west and southwest but sees the inclusion of approximately 430 acres of existing farmland in these areas as being more than is needed to meet the economic development objectives of the city and provide for the site needs of targeted industries. As discussed in the section above on Industrial Land Needs, an expansion for industrial lands in this area to include between 300-325 acres would be adequate to meet employment needs and targeted industry site needs in conjunction with the approximately 130 acres of industrial land currently within the existing UGB along with 130 acres of commercial lands being provided. The County has questions about the inclusion of the 56-70 acre parcel west of Butteville Road as part of the proposed industrial reserve area as being an intrusion into the surrounding farmlands without any physical separation from such resource lands or being physically connected to the other lands within the proposed industrial reserve area. Additionally, the City may want to consider lands to the south of Hwy 211 and west of Butteville Road adjacent to the rail line both from an industrial use transportation standpoint, and the possible eventuality of commuter rail service coming to the Willamette Valley.

Thank you for the opportunity to review and comment on the City's Periodic Review amendment package. Hopefully the comments and suggestions provided in this letter will be useful to the City as it reviews and makes a decision on this matter. Please include this as part of the record before the City Council at their public hearing on these amendments on March 28. Staff appreciates the City's efforts to coordinate with the County on its periodic review tasks and other planning issues of mutual interest. Please let me know if I or County staff can be of further assistance in this matter.

Sincerely,

Les Sasaki
Principal Planner
Marion County PW/Planning

cc: Board of Commissioners
John Lattimer
Sterling Anderson
Mike McCarthy
Bill Worcester
Geoff Crook, DLCD
Greg Winterowd

MAR 2 2 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

WOODBURN EASTSIDE RESIDENTIAL GROWTH

1. **Residential growth on the East side of Woodburn will:**

   a. **Bring more dollars and people to your business.**
   b. **Revitalize Hwy. 99E.**
   c. **Alleviate <u>some</u> of the traffic congestion at Woodburn I-5 Interchange**
   d. **Provide homes away from the noise and pollution of the freeway**
   e. **Provide a better balance for our city**

2. **Makes economic sense because:**

   a. **Sewage treatment plant is on the East Side**
   b. **PGE Sub station is on the East Side**
   c. **Existing city streets abut or intersect available property**
   d. **Good water sources available on the East Side**
   e. **Natural drainage available on the East Side**
   f. **Well rounded growth is good for all**

We understand that many hours have gone into this 20 year plan. That <u>isn't</u> a good enough reason to walk into a 20 year bad plan. We need to consider the overall best interest of Woodburn.

Bottom line, more homes on the East Side mean more $$$ for your business, and a more well rounded community.

Thank you

Richard Bronk
owner Mufflers Hitches & More 525 N. Pacific Hw
owner Woodburn Automotive Repair Center 555 N. Pacific
I agree with the Sexes Family 100 %

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March 21, 2005

MAR 2 3 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

City of Woodburn
City Council
270 Montgomery Street
Woodburn, OR 97071

RE: Approximately 18 acres Commercial General Property
2145 & 2155 Molalla Road

Attn: Kathy Figley, Walt Nichols, Richard Bjelland, Peter McCallum
Jim Cox, Frank Lonergan & Elida Sifuentez

The property owners listed below feel that this site should be allowed to be zoned single family residential for the following reasons:

1. The proposed LDS church will isolate the 18 acres from the CG zone.
2. The property is too deep for Commercial development. Woodburn does not have any other Commercial site, including malls that have this depth because it is not practical.
3. Property across the street is already Residential.
4. As residential the site embraces the Cities concept of "pocket communities" within walking distance to stores.
5. Residential is a much better use adjacent to the proposed church.
6. Since the city must meet the LCDC commercial land inventory, we suggest that a better place for commercial would be the proposed UGB expansion on the 120 acres on Crosby Road and I-5. This site is proposed residential. It would be better if the West 20+ acres nearest I-5 was zoned CG.
7. It does not seem logical that the City would want to grow the commercial activity East on Molalla Road (Hwy 211) to overtax the last of the two East-West traffic arterioles.

We believe the above items demonstrate the highest and best use for the property as residential than commercial. We have provided an alternative that would balance the inventory requirements for LCDC. We feel the community is better served with these recommendations.

Respectfully,

Kim Ashland

Kim Ashland, Property Owner (503) 390-0308
Kevin Ashland, Property Owner
Dan Blem, Property Owner (503) 704-9742
Ivan Semerikov, Property Owner

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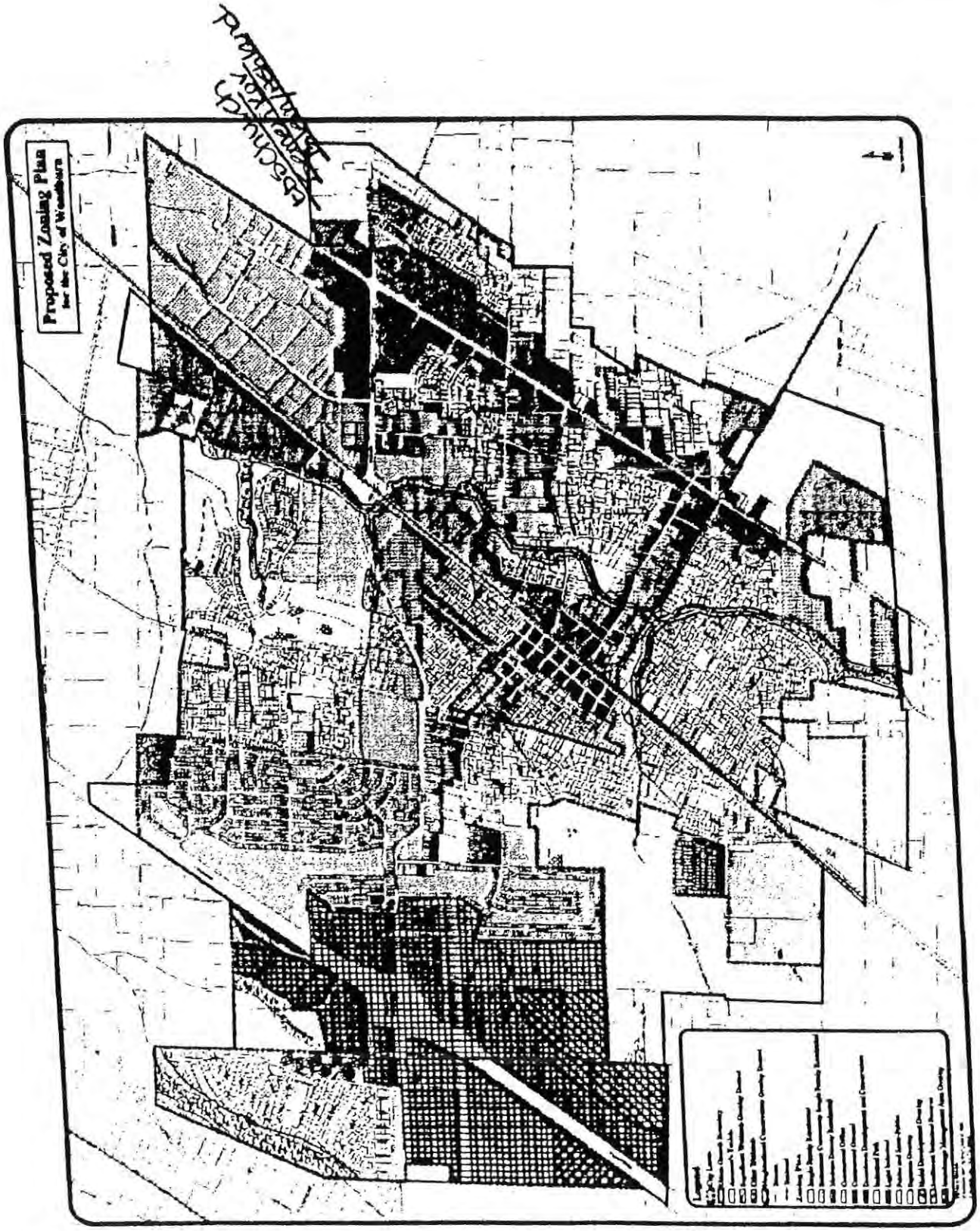

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From: "MARK UNGER" <marklunger@msn.com>
To: <jim.mulder@ci.woodburn.or.us>
Date: 3/23/2005 4:07:19 PM

Dear James P. Mulder,

I am writing to you in regards of my property, 2265 E Hardcastle, Woodburn, OR 97071. I have recieved a proposed UGB (Urban Growth Boundary) map, I see that my property map (enclosed with my letter mailed to you) is partially inside of the UGB and partially outside of it. I feel strongly that it should all be included in the UGB. Also there is a large three to four foot culvert with the city's storm run off that goes through my property to the Pudding River, this would be needed for future development. Will you please consider extending the UGB to encumber the whole property.

Sincerely,
Mark L. Unger

Woowburn City Council
Woodburn City Hall
270 Montgomery Street
Woodburn, Oregon 97071

MAR 2 3 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 21, 2005

Dear Woodburn City Council:

In October 2004 the citizens of Oregon passed a new land use law, known as Measure 37.

Is the regulations you are holding a Public Hearing on tonight, March 28,2005,compatible with Measure 3737

If it is not, you should send it back to your consultants, as I would think their jobis to make recommendations that abide by all State laws.

You should expect from your consultants, what we expect from you, our Commissioners.

Please don't make us, the citizens of Woodburn liable for Measure 37 claims, that shouldn't be.

Thank You,

Rebecca Gorham

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MAR 2 3 2005

Attn: Honorable Mayor & Members of The Woodburn City Council

WOODBURN
CITY ADMINISTRATOR'S OFFICE

As a business manager, when I was informed that the Urban Growth Boundary did not include expansion on the east side of town, I was very confused. I don't understand why the expansion would not include the east side of town. My business is located on the east side of highway 99E. If all the growth in business is directed to the south west side of Woodburn, how could I count on an increase in customer flow? The city of Woodburn is expanding very rapidly, which is a good asset to all retail business. If we limit the expansion to certain areas we are limiting our ability to grow!

Thank you for taking your time to listen to my input.

THE NORTHWEST'S LARGEST INDEPENDENT TIRE DEALER
WITH OVER 300 LOCATIONS IN OREGON, WASHINGTON, IDAHO, MONTANA, CALIFORNIA AND NEVADA

March 19, 2005

MAR 2 3 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

Dear Woodburn Eastside Business Owners,

Are you aware of the Woodburn Comprehensive Land Use Plan (20 year)? Do you know that it includes expanding the Urban Growth Boundary North, South, and West? WHAT HAPPENED TO THE EAST ????

AS AN EAST SIDE BUSINESS OWNER YOU SHOULD KNOW THAT THIS WILL AFFECT YOUR FUTURE !

We, the Serres family on East Lincoln Road, have approached Jim Mulder, your city planner, on multiple occasions about including part of, or our entire 400 acre parcel.

Jim Mulder however, failed to mention this to the Woodburn City Planning commissioners.

You need to write to your Mayor and City Council and ask that they reconsider the effect on our side of town. Business needs to grow in all directions.

TIME IS OF THE ESSENCE. Write now, but in addition, plan to attend the public hearing on this matter on March 28th at 7:00pm at the Woodburn City Hall. You will need to sign up in advance if you care to speak at that hearing, a signup sheet will be provided that night.

On the following page we have listed a few details that you may want to consider as you write your letters.

Thank you,

The Serres Family

We here at Schuck's Auto parts think bringing in the East Side of Town is the only prudent & fair thing to do for the Citizens of Woodburn

Alan Clay Manager Schucks Auto

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March 19, 2005

MAR 2 3 2005

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CITY ADMINISTRATOR'S OFFICE

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The Serres Family

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We here at Schuck's Auto Parts think bringing in the East Side of Town is the only prudent & fair thing to do for the citizen of Woodburn

Alan Ag
Manager Store
Schucks Autos

MAR 2 3 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 21, 2005

Honorable Mayor & Members of the Woodburn City Council
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Re: Urban Growth Boundary

I own a business on Hwy 99 in Woodburn and it has come to my attention that there are proposals to expand the Urban Growth Boundary for Woodburn to the West and North of Woodburn, but very little East of Hwy 99. It would sure be nice to get some additional growth east of Hwy 99, which I believe would really help stimulate business along Hwy 99 and make it a more vibrant and viable area. I ask you to consider the area east of Hwy 99 for expansion as I think it would be a very positive thing for Woodburn and the business on Hwy 99. I believe services to that area are in pretty good shape and would appreciate your consideration.

Sincerely,

Bert S. Jones
The End Zone Sports Bar & Grill
980 N Pacific Hwy
Woodburn, OR 97071
503-981-3663
jjones437@wbcable.net

MAR 23 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To: March 23, 2005

Her Honor, Kathy Figley, Mayor, City of Woodburn
Mr. John Brown, Woodburn City Administrator

City Councilor—Ward 1	Walt Nichols
City Councilor—Ward 2	Richard Bjelland
City Councilor—Ward 3	Pete McCallum
City Councilor—Ward 4	Jim Cox
City Councilor—Ward 5	Frank Lonergan
City Councilor—Ward 6	Elida Sifuentez

We, the Serres family, would like to address the omission of our farm from the proposed urban growth boundary. Over the past three years we have called attention to the attributes of our farm that could improve the City of Woodburn's livability and quality of life. However, we feel that our participation through normal channels--the open forums and hearings, our various communications, both written and oral--has failed to convey our message to the parties making UGB decisions.

Since we believe that communication through normal channels has failed, we feel we must write to you directly. We trust that you will carefully consider what we have to say. We would much rather be a part of Woodburn's future than not.

* *

Oregon State Planning Goal #1 provides for citizen involvement. This goal is incorporated in the Woodburn Comprehensive Plan as "Citizen and Agency Involvement Policies", page 12 of *Proposed Woodburn Comprehensive Plan—Volume 1—Goal and Policy Amendments*. We had an expectation of an open and transparent planning process responsive to our input. However, despite Serres Family attendance of public meetings, private discussions with the city planner, and written and telephone commentary to Woodburn City Planning, we have not found the process to be either open or transparent.

Woodburn City Planning presented its draft UGB expansion proposal at a public meeting held April 16, 2004. No explanation of the evaluation criteria and methodology utilized in deciding which properties were excluded from or incorporated into the UGB was provided at this meeting. It was only at the February 24, 2005 Woodburn Planning Commission meeting, when Planning Director Jim Mulder responded to a question by Planning Commissioner David Vancil, that the Serres Family learned that UGB Region 4 had been excluded because it was identified as having the highest infrastructure development costs of any UGB study region.

We have concerns about a decision process based solely upon infrastructure costs. Property value is never solely determined by infrastructure investment. We feel that our

property brings value to the City that other UGB study regions do not and that this value was not considered in the Planning Department's decision-making methodology.

In the quest to determine Planning's decision making process, we obtained a copy of "City of Woodburn UGB Study Area Public Services Analysis, 2004", which does lay out the costs of Sanitary Sewer Service, Storm Sewer Service and Water Service to each of the 8 UGB study Regions. We strongly feel, upon examining this document that the infrastructure cost estimates applicable to the Serres Family property, located in the Southerly 60% of UGB Region 4, are questionable. Let us examine these cost estimates in turn.

First, consider the Woodburn Public Works estimate for Sewer Service. Simple inspection of the USGS Woodburn 7.5 minute topographic map and City of Woodburn Sewer Main Map dated 10/08/02 shows the following to be true of UGB Region 4:

- UGB Region 4 is the second closest to the Woodburn Sewage Treatment Plant.
- UGB Region 4 sits on the same topographic feature as the Woodburn Sewage Treatment Plant—a bench above the Pudding River. Most other study areas are in the Mill Creek or Senecal Creek drainages, requiring sewage to be pumped across the washboard topography created by the parallel drainages of Mill and Senecal Creeks and the Pudding River.
- UGB Region 4 sits at the same elevation as the Woodburn Sewage Treatment Plant.
- The sewer main on Hardcastle Street runs along our North property border. The Woodburn Public Work's sewer main map does not accurately show the terminus of the sewer main, which, as evidenced by manhole risers, ends some distance East of the Hardcastle/Cooley Road intersection.

Despite these facts, the Woodburn Public Works estimate for providing Sanitary Sewer infrastructure to UGB Region 4 is $15,160.00/acre. In comparison Region 6 is the next most expensive at $13,895.00/acre. The remaining areas vary from $10,167.00/acre down to $7,035.94/acre.

What is it that makes sewer service so expensive on our parcel when the USGS map and our familiarity with our property and Woodburn suggests otherwise? Without a public vetting of the models and methodologies used to develop the Sanitary Sewer Infrastructure costs, we can't evaluate the validity of Public Work's numbers, and we don't think members of the Planning Commission and the City Council can do so, either, if all they have is the same Public Works document we have. Based on the information available to us—the maps cited, our knowledge of our property, and our knowledge of the City of Woodburn and its topography—we do not have confidence in Public Work's cost estimate of sanitary sewer infrastructure because it does not make sense that the study area close to the treatment plant, at the same elevation as the treatment plant, with

no intervening ridges between it and the treatment plant would have the absolute highest cost.

Second, let us look at Storm Sewer infrastructure costs. Again, Region 4 has the highest per acre cost at $14,577.00. The next most expensive is Region 6 at $7,737.00/acre with Region 8 the lowest at $6,173.00/acre. This is a tremendous disparity, with the only hint of an explanation being that Public Works states that a 78-inch diameter storm sewer to the Pudding River would be required to service UGB Region 4.

Simple inspection of the USGS Woodburn 7.5 minute topographic map shows that the entirety of the Serres Family property, about 60% of UGB Region 4, slopes at 0 to 3% to the Pudding River. On the Serres property, each and every future East/West street could contain a small storm sewer appropriate for the area that it serves. And no right-of-way problems will be encountered in connecting these small storm sewers to the Pudding River or the Serres Reservoir because the Serres Family owns all of these lands.

Again, Public Work's methodology for developing Storm Sewer costs is not disclosed. However, Public Work's cost estimate for providing UGB Region 4 Storm Sewer service is too high. The stipulation of a 78-inch diameter main drain is completely unnecessary on the Serres tract. Storm drainage can be accomplished through a distributed network of parallel East/West mains.

And how does the Landau/Laurel storm drain capital improvement project fit into this cost picture? This $750,000.00 project, which calls for drainage to the Pudding River, is item 4 on the City's "List of Short Term Projects", found on page 34 of *Draft 2005 Woodburn Public Facilities Plan*. Referring again to the Woodburn 7.5 minute topographic map, the shortest path from Landau Lane to the Pudding River would be straight East through the Serres tract to the Serres reservoir in UGB Region 4.

Third, let us consider water service. Public Work's estimate for Water Services to UGB Region 4 is $9,446.00 per acre, ranking it the second most expensive Region to service. The Serres portion of UGB Region 4 has a 700 gallon-per-minute well located on it. A buried mainline distribution system comes within 150 feet of the City Limits at Tomlin Street. A second, 900 gallon-per-minute well, located just outside the UGB Region 4 boundary is tied in through the mainline system, for a combined capacity of 1,600 gallons per minute. This is 28.5% of the entire City of Woodburn's well capacity of 5,850 gallons per minute (Page 5, Draft 2005 Woodburn Public Facilities Plan).

At one time, during the 1986-1988 drought, the City contacted the Serres family regarding connection of the Serres wells through the Serres distribution system to the City of Woodburn system. The City was aware of the Serres water resource at this time. So was the value of the existing Serres water infrastructure considered in Public Work's water system cost estimate? How can UGB Region 4 have the second highest water system infrastructure cost when the Serres portion already has a developed water resource more than ample to meet the needs of UGB Region 4?

Again, there was no public disclosure or vetting of the methodologies used. Further, there was no pro-active contact by city staff to ascertain or verify pertinent information and features, like the Serres wells, even though city staff should have been aware of them. In the case of the Water Services cost estimate, this lack of transparency made it impossible for the Serres family to correct this error of omission.

Following the February 24, 2005 David Vancil/Jim Mulder exchange Serres family members have informally sought information about the cost analyses prepared by Woodburn Public Works. Based on these informal conversations, our best assessment is that city staff prepared these estimates by applying standardized cost estimating rules to an assumed set of conditions **without** verifying that the assumed conditions corresponded to the true lay of the land, or to identify site specific mitigating factors such as the Serres wells, or Serres' ability to grant multiple storm drain outlets to the Pudding River.

To conclude our review of Woodburn Public Works cost analyses, we feel that all three systems costs, sanitary sewer, storm sewer, and water supply, are suspect and overstate the costs of providing these services to UGB Region 4.

Moving on, lets look at some positive values that the Serres tract can bring to Woodburn.

Parks and Recreation.

Lets start with the fourth major component of Woodburn City public services and Woodburn City system development charges—Parks and Recreation. The *City of Woodburn UGB Study Area Public Services Analysis, 2004* does not provide an estimated cost per acre for Parks and Recreation. However, the importance of Parks and Recreation is noted in *Woodburn Economic Opportunities Analysis and Development Strategy Final Report* (page 100 of the .pdf version). At the December 9, 2004 Woodburn Planning Commission meeting, Planning Director Jim Mulder stated that Woodburn needed a major park. At the same meeting, consultant Greg Winterowd stated that Woodburn lacked funding for major park acquisition.

The Serres tract includes significant acreage, which, due to its location in the Pudding River floodplain or, if not in the Pudding River Floodplain, its classification as wetlands, is suitable primarily for recreational use. This contiguous area includes open fields, hardwood forest, wetlands, mature Douglas Fir timber, a two-acre pond, a half-mile of side streams, and a half-mile of Pudding River frontage, which includes a sandy beach. This site offers recreational and nature study amenities unequaled in the Woodburn area based on the metrics of size, variety of bio types, variety of landforms, presence of year round water flow (Pudding River) and ease of public access (from Hi 214). If a walking trail were constructed inside the perimeter of this area, it would be more than two miles in length.

The Serres Family would rather be included within the UGB and have potential parkland benefit all the citizens of Woodburn. The alternative uses of the potential parkland in a Measure 37 process would be either to divide it up among a number of lots, or having a number of private lots share it. In both of these cases, citizens of Woodburn would not benefit.

Transportation Considerations External to the Serres Tract.

The Serres tract fronts State Highway 214 for a mile on its South and Southwest sides. The Serres tract communicates to State Highway 211 via Cooley Road on the North. It communicates with US 99E through Hardcastle, Lincoln, Tomlin, Laurel, Landau, and possibly Aztec to the West.

Contrary to opinion stated by Woodburn Planning, East Woodburn residents do not access I-5 at the I-5/214 interchange. North bound travelers take 99E and the Aurora I-5 cut off to I-5 at Aurora/Charbonneau. Southbound travelers take 99E south and access I-5 at either the Brooklake Road/I-5 interchange or the 99E/I-5 interchange.

Contrary to Woodburn Planning, we believe that siting residential areas close to the freeway intensifies I-5/214 congestion. For example, consider the future residents of the now approved Montebello Phases II and III. Because of their close proximity to the freeway, these residents will choose to access the freeway at the I-5/214 interchange. In contrast, residents of any future development in UGB Region 4 will access I-5 through the Aurora cut off and Brooks, just as those of us who live in the area do now. Residential development in UGB Regions 1 and 7, and the west sides of Regions 2 and 6 will exacerbate I-5/214 congestion to a far greater extent than will residential development in UGB Region 4.

Transportation Considerations Internal to the Serres Tract.

The entire tract, from the Woodburn City Limits to the Pudding River, Hi. 214 to Hardcastle, is owned by the Serres family. Internal impediments to road/utility design and layout are limited to two public rights of way, East Lincoln Road and Serres Lane, three tax lots owned by one Serres family member, and two residential lots fronting on 214. Implementation of a North/South parallel road East of 99E, as specified by *Final Draft, Woodburn Transportation System Plan*, Policy K-1-10, (Cooley Road to 214) will be easy to accomplish. In contrast, all the other UGB study Regions are more parcelized, posing rights-of-way issues and other barriers to efficient road and utility lay out.

Electric Utility Infrastructure.

The Woodburn PGE substation is located 200 yards West of the Serres tract on 214. Because of this proximity, it will be easy to route any required feeder circuits to service UGB Region 4.

Suitability for High-End Housing.

Our assessment is that the Serres Parcel is best suited for high-end housing. This assessment is at variance with Winterbrook Planning's evaluation. The following comments refer to pages 25 through 28 of *Woodburn Year 2020 UGB Justification Report.*

The Winterbrook study states that UGB Region 4 should not be included in the UGB for the following reasons: high cost of providing city infrastructure, more intensive residential use adjacent to EFU land, and negative consequences for the farming community. We believe the infrastructure cost studies are flawed, as previously detailed. As regards EFU ground bordering low density residential—what's new? Woodburn City neighborhoods and their streets have dead-ended at our farm's property line for the past 30 years. Could someone at Winterbrook explain how converting our land's use classification from EFU to Residential is a negative consequence? We can't think of any.

We have previously expressed concern that Woodburn public works failed to verify its design assumptions with site inspections. We have similar concerns about Winterbrook's assessment of Region 4's suitability for inclusion in the UGB for several reasons. In 2003 both Paul Serres and Susan Duncan participated in Marion County's "Urban Growth Management Framework" workshops held in Woodburn. Both Paul and Susan made written recommendations that the entire Serres tract be included in the UGB. Evidently no land ownership review was performed to identify the EFU landowners to be affected if UGB Region 4 was included in the UGB. If such a study had been performed, it would have shown that the largest affected EFU landowner is the Serres family, which supports Region 4 inclusion in the UGB. Numerous Serres Family members submitted written comments in favor of Region 4 UGB inclusion at the April 16, 2004 meeting. Yet these written comments are not taken into account in Winterbrook's Region 4 assessment.

The Winterbrook study supports inclusion of UGB Region 2 for high-end housing. We do not feel that UGB Region 2's site attributes compare favorably to those of the Serres tract for high-end residential development, except for the semi-private golf course. We recognize that this is a subjective matter, so we strongly urge you to tour both areas to see for yourselves.

As we've noted previously, locating more residential development adjacent to the freeway (Region 2's Western boundary) increases loading of the I-5/214 interchange until a second Woodburn freeway interchange is installed. Since upgrading the Crosby Road overpass to a freeway interchange would be the cheapest and easiest way to provide additional freeway access, shouldn't the planning for this area anticipate this as a possibility, which would mean Crosby Road would become a connector to I-5 with and dramatic traffic load increases on Boones Ferry Road and Front Street, adversely affecting suitability for high end housing?

* *

This concludes our letter. We sincerely and earnestly hope that we have raised concerns that merit further discussion and consideration, even if that means delaying your approval of the *2005 Comprehensive Plan Update Periodic Review and Urban Growth Boundary Amendments*. We call these concerns to your attention, not only out of our own interests, but also out of an interest in the Woodburn community at large. From our perspective the process so far has not been transparent. Without access to the process, we can't ascertain, but can only suspect, that errors and omissions have been made in the cost estimates and land use studies.

We do understand that it is difficult for you as city councilors to render good public policy decisions with out accurate information.

Please enter this letter, and its attachments, into the record of public testimony submitted regarding the *2005 Comprehensive Plan Update Periodic Review and Urban Growth Boundary Amendments*.

Sincerely,

Ruth Thompson
Paul Serres
Rebecca Kirsch
Mary Grant
Susan Duncan

Cc:

Claudio Lima, Woodburn Planning Commission Chairman
Patty Grigorieff, Woodburn Planning Commission
Richard Knoles, Woodburn Planning Commission
David Vancil, Woodburn Planning Commission
Ellen Bandelow, Woodburn Planning Commission
Richard Jennings, Woodburn Planning Commission

WHY ?

Why we want to become urbanized, whether it be as a part of the City of Woodburn or through a go-it-alone Measure 37 process.

The purpose of this letter is to let you know why we have made this choice. No doubt this may seem confusing. A great deal of testimony has been submitted to the Woodburn Planning Commission by various individuals and the 1000 Friends of Oregon advocacy group that extols the virtues and values of farming. Why would a farming family abandon its stake in farming enterprise if farming is the hottest enterprise around?

The argument these folks advance is an economic argument, but if you notice, they do not provide farm enterprise statistics to support their argument—only aggregate crop values. The Serres family farm experience does not support the positive economic scenario they portray. The loss of Agripac, Agrifrozen, and Smuckers in Woodburn is a good indicator that our experience is general to area agriculture, not specific to our enterprise.

During the 1940's, 1950's, and 1960's the Serres family farm was diversified in many crops, including walnuts, horseradish, strawberries, all types of row crops, and hops. Through prudent management and adoption of new technology, such as the stationary hop-picker, the farm enterprise grew. The capital generated by the operation was reinvested by purchasing smaller, neighboring farms, which at the time were valued in the real estate market at their farming enterprise value.

Through out this time period, the Serres farm was a major seasonal employer in the immediate Woodburn area. Townspeople were employed stringing and picking pole beans, picking strawberries, cultivating various crops, hand training and picking hops.

Farm management, over time, increased its acreage base in those crops providing the greatest financial return. Technological improvements in both equipment and plant breeding marginalized many crops, like pole beans. One consequence was the loss of diversification across crops, with the farm concentrating on hops. Another consequence was the erosion of profit margin across all crops, including hops.

With a decreasing rate of internal return, the family operation was less able to invest in expansion and new technology. The last land acquisition was the Hermle farm, in 1972.

You will notice that this year there are no more hop fields to the East of town. For the first year in over 70 years the Serres family will not produce a hop crop. Why? We can't grow a labor-intensive crop like hops in a global economy at an acceptable rate of return given the financial risks and high overhead of insurance, workman's comp, etc.

So now the entire farm is in grass seed. And grass seed is the default crop—the low cost, low man-hour/acre crop that you grow when all the other crops you used to grow no longer pay their way. Also, please understand that at 350 planted acres the farm is too small to be a viable stand-alone grass seed enterprise. So the farm takes on custom swathing, combining, and hauling for other grass seed growers and specialty hop equipment manufacturing for the hop industry.

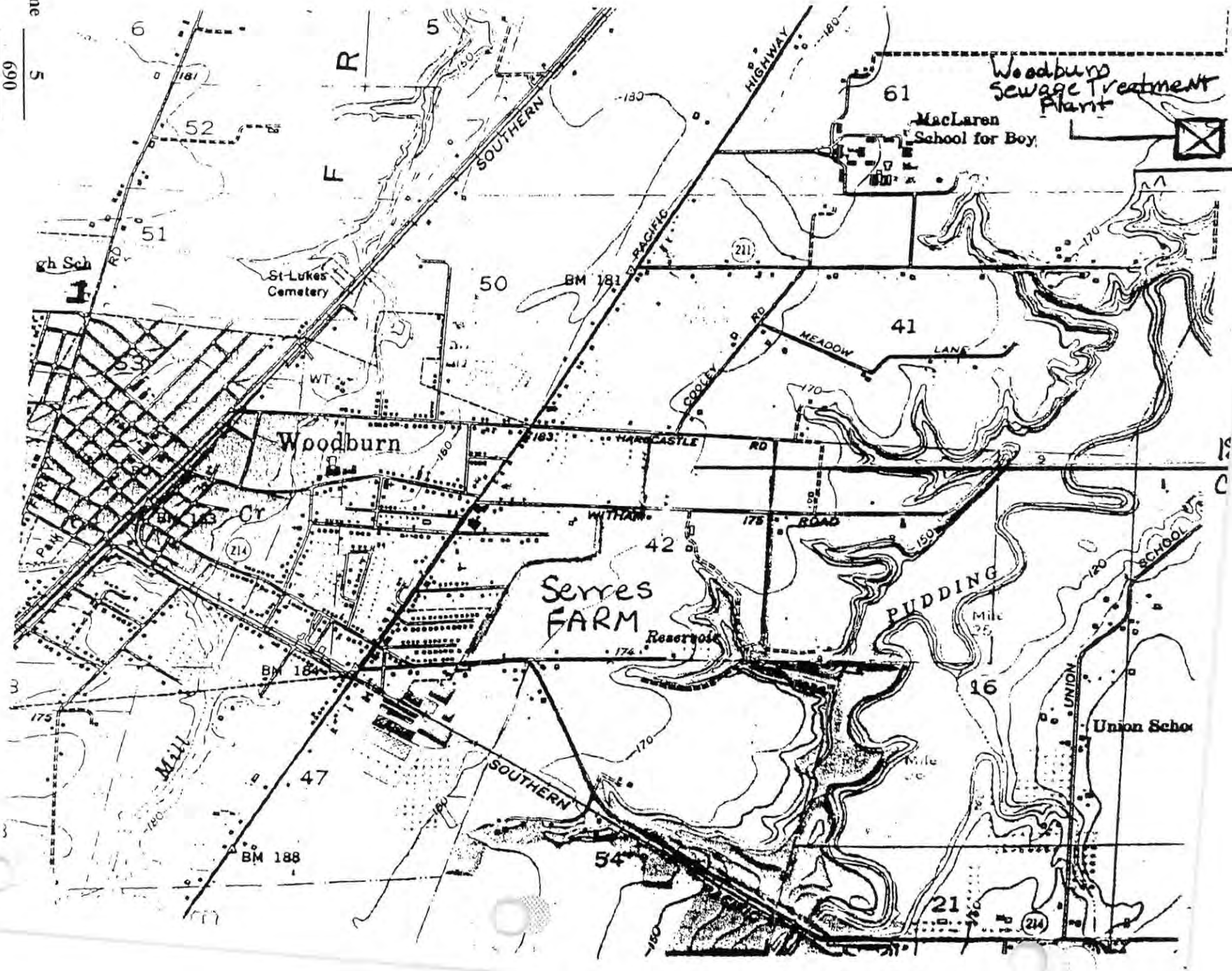
Looking at Serres family enterprise another way, lets consider the number of full time equivalent (fte) jobs the Serres Farm has provided to the Woodburn community over time. During the 1940's, and 50's, the number of fte's increased. Beginning in the 1950's, with improvements in equipment, crops, and cropping systems, the number of fte's began to decline. This decline accelerated dramatically as the family enterprise shifted acreage out of hops in the late 1990's. At the present time, with no hops, the farm employs only four people year round. If the employee hours spent on hop parts manufacturing and custom farming are backed out, the number of fte jobs, including the farm operator, is between 2 and 3.

Looking at the Serres family enterprise from the perspective of return on assets, we see a similar scenario. Return on assets has steadily declined over the past 50 years. Simultaneously, valuation of farmland, particularly farmland adjacent to Urban Growth Boundaries, has increased dramatically above its farm enterprise value. If a market rate of return on land (market value of farm as farmland adjacent to town, not developable land) is penciled into the grass seed enterprise budget, the budget does not have a black bottom line.

As pragmatic business people, we recognize that continued farming on our parcel, which can't be expanded, is a marginal enterprise. Further, at our age, with no successors interested in farming, and little free capital, we do not feel that establishing a new farming enterprise, like specialty nursery stock, a prudent investment. We would rather convert our farmland to urban use as a means to provide for our own and our heirs' future.

Sincerely,

The Serres Family


Woodburn Sewage Treatment Plant
MacLaren School for Boy
St Lukes Cemetery
Woodburn
Serres FARM
Reservoir
PUDDING
Union Scho
SOUTHERN
HIGHWAY
PACIFIC
MEADOW LANE
COOLEY RD
HARRICASTLE RD
WITHAM ROAD
UNION
SCHOOL
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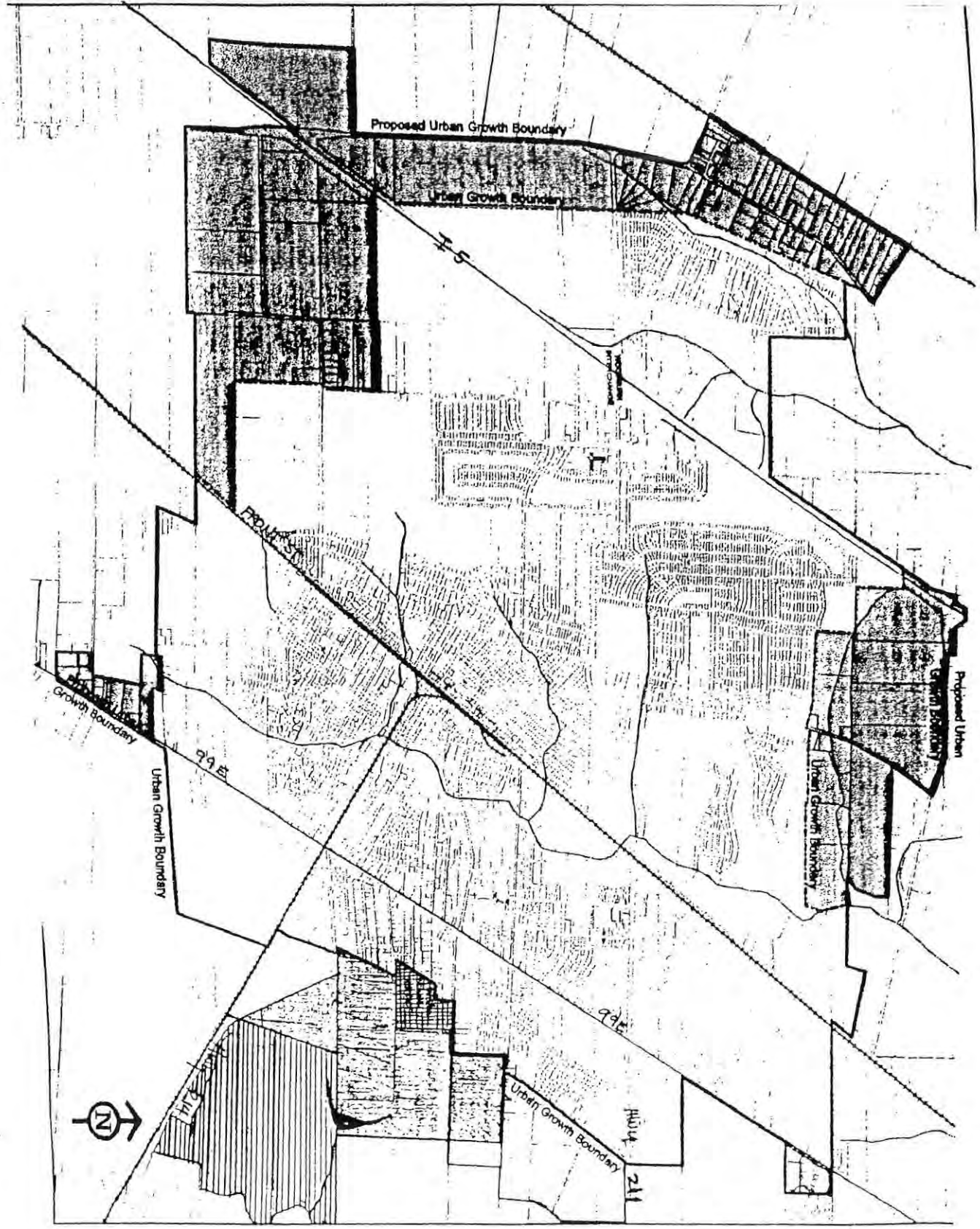

Expansion Areas outside of Current Urban Growth Boundary for the City of Woodburn

Map Not to Scale

Legend

- Streams
- Railroad
- Proposed Urban Growth Boundary
- Study Area 4 Sem
- Urban Growth Boun
- Assessor's Taxlots
- UGB Expansion Ar
- Serres Property the Study Ar

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Page 692

Piper's
fine jewelry since 1923

Woodburn
503-982-1321
Wilsonville
503-682-8500

REC'D
MAR 24 2005
WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 22, 2005

Mayor Figley and Woodburn City Council
270 Montgomery St.
Woodburn, Oregon 97071

Mayor Figley and Councilors,

The purpose of my letter is to show support for the inclusion of the "Serres Property" within the urban growth boundary for the City of Woodburn. I am both a resident of the area (2625 Meadow Lane) and a 99E business owner (Mid Valley Plaza). The inclusion appears to be a logical evolution of the growth of our city. Thank you for your consideration of this matter.

Sincerely,

Charles A. Piper

Mailing Address: P.O. Box 626, Hubbard, OR 97032

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Page 694

March 22, 2005

MAR 24 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

Honorable Mayor and Members of
The Woodburn City Council
270 Montgomery Street
Woodburn, Oregon 97071

Re: Expansion of the Urban Growth Boundary

Dear Ladies and Gentlemen:

As business owners in the City of Woodburn, potential growth within the city and an expansion of the urban growth boundary, along with the population increases surely to follow are always welcome news. With Woodburn being at the hub of the northern Willamette Valley community, this growth is inevitable.

My business partner and I are very interested in the proposed areas which the city has chosen for expansion and question both the population balance and economic impact of those choices.

Highway 99E is a major commerce thoroughfare for Woodburn, with many well established businesses bringing in money from Portland to Salem. Highway 99E is the road of choice for locals who do not wish to contend with the congested interchange at Mt. Hood Ave. and I-5. To invest in the existing infrastructure and make use of the services already available on 99E by adding housing east of the highway makes more sense than building to the west of I-5 and having those new residents commute to the core area of Woodburn to conduct their business.

We would like to see the city reevaluate this situation and expand the city limits in a way that would invigorate the existing asset of Highway 99E and make use of this thoroughfare to the ease of I-5.

Very Truly Yours,

Scott Henkel Karen Boulegon

Scott Henkel and Karen Boulegon , Fins & Feathers Pet Shop

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☆ REC'D ☆

March 23, 2005

MAR 2 4 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

To James P. Mulder

I am writing to you in regards of my property, 2265 E Hardcastle, Woodburn, OR 97071. I have received a proposed Urban Growth Boundary map, I see that my property map (enclosed) is partially inside of the UGB (Urban Growth Boundary) and partially out of it. I feel strongly that it should all be included in the UGB. Also there is a large three to four foot culvert with the city's storm run off that goes through my property to the Pudding River, this would be needed for future development. Will you please consider extending the UGB to encumber the whole property.

Sincerely,

Mark L. Unger

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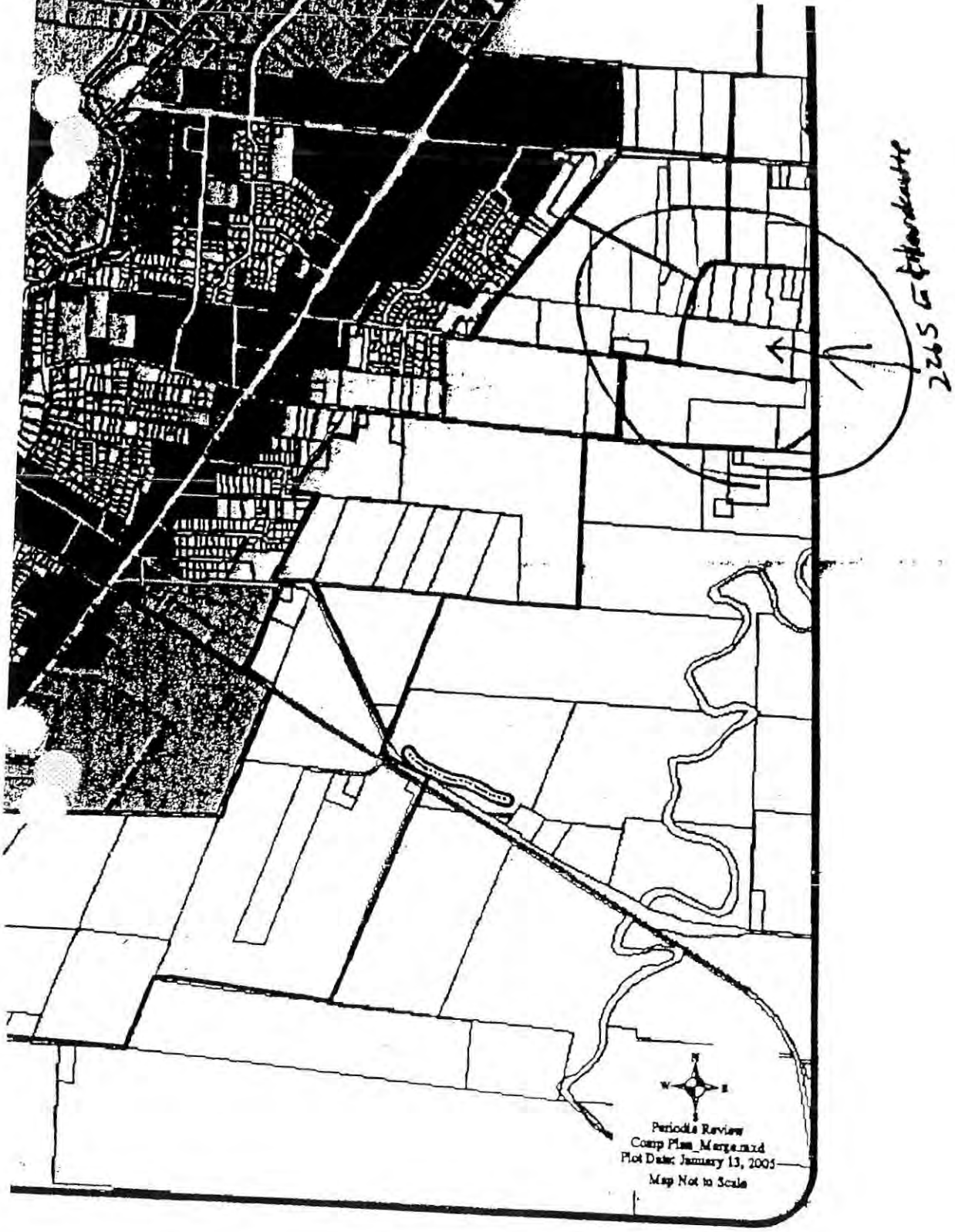
2265 Etheridge
N
W
E
S
Periodic Review
Comp Plan_Merge.mxd
Plot Date: January 13, 2005
Map Not to Scale

MAR 2 4 2005

March 23, 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

To the Honorable Mayor and Members of the Woodburn City Council,

I am writing to you in regards of my property, 2265 E Hardcastle, Woodburn, OR 97071. I have received a proposed Urban Growth Boundary map, I see that my property map (enclosed) is partially inside of the UGB (Urban Growth Boundary) and partially out of it. I feel strongly that it should all be included in the UGB. Also there is a large three to four foot culvert with the city's storm run off that goes through my property to the Pudding River, this would be needed for future development. Will you please consider extending the UGB to encumber the whole property.

I also see that the Serres property (North of mine) is not in the new proposed UGB. I feel that with the natural growth of Woodburn should grow this way because of the natural drainage, and the sewer plant is close, the PGE substation is close, and the traffic is not as congested as West Woodburn. Thank you for your time.

Sincerely,

Mark L. Unger

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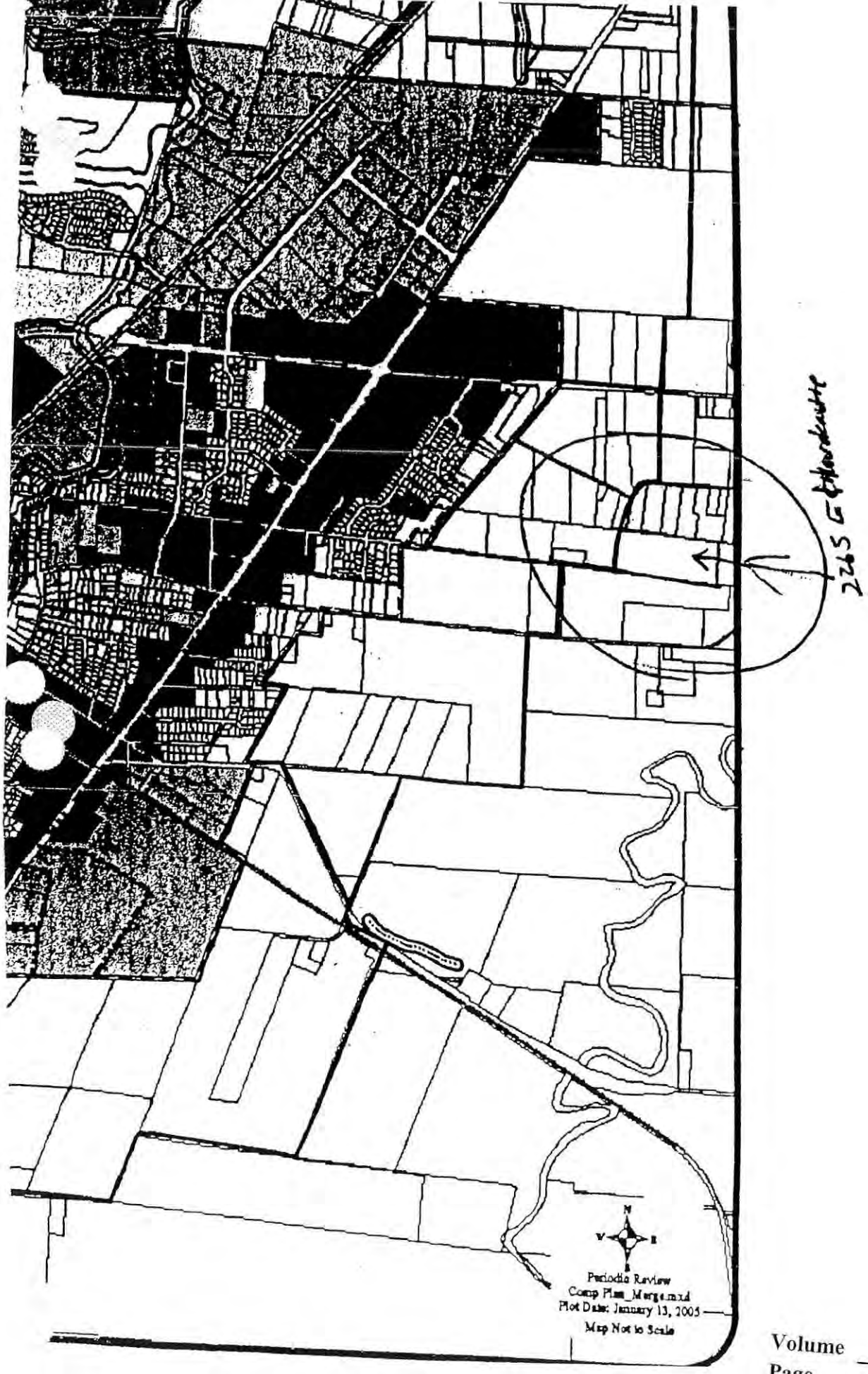
2265 Gilmerton
N
W
E
S
Periodic Review
Comp Plan_Merge.mxd
Plot Date: January 13, 2005
Map Not to Scale

Woodburn City Council
Public Hearing on
Comprehensive Plan
and Growth Boundry
March 28, 2005
at 7:00 P.M.

MAR 2 4 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 24, 2005

Mayor and Council Members:

When the city started their land use planning in earnest, they Adopted Policies to be followed then and in the future. The policy that is not being followed is that all different zone uses and growth boundries are to go to streets or property lines.

I am including a copy of a letter sent to the Planning Commission in 1978, sent by Attorney, Bob Engle in regards to following the property lines.

Reviewing properties within the Southwest Growth Boundry, I find many violations, on the different uses and Growth Boundries. It is very costley to approve somthing knowingly wrong and then have to go back and change it at a latter date, to make it correct, this is taxpayers money.

There are other violations, but I only picked 3- areas , that I am most familiar with, because I live in these areas. I will refer to the areas as #1, #2, and #3.

Area #1 is located on the north side of Parr Rd. Between Stubb Rd. and west to the corner where the proposed Evergreen Street will come to. This area has a number of ownerships, approx. 13, in sizes from 1 acre and larger.

On the map that shows this area it shows a 10 acre tract of Commercial and the balance Medium Density Residental. I do not believe you can do it this way when you have to follow property boundry lines. All these property owners are entitled to know what their property is zoned before the Final Public Hearing. The way it is now some woundn't know for sure what they had.

Area #2 is on the South side of Parr Rd. And it goes from the corner, East to the point of Stubb Rd. ,which is across Parr Rd. On the north side. This is a 41.75 acre tract under a single ownership. And here again they split through the middle of his property with two different zones, here again they violated the policy. In the past the property was always one zone and if later they wanted a different zone they would come in for a zone change.

I would say this should all be Low Denisity Residential and put the Medium Denisity Residential, north and adjacent to Area #1 Medium Density Residential. , which should be adjacent to the Commercial Development. Sometimes parking is available in commercial developments at night, which can be used by people who live in the area.

Area # 3 is on the west side of I-5 Freeway and also on the West side of Butteville Rd. And is adjacent to LeBurn rd on the South side. This is a 226.19 acre tract under one ownership. This property is in two school districts Gervais and Woodburn.

Here again they went through the property about 25% from the front of the property . The planning commission documents shows that it is a 56 acre tract, which is in error. In the past when an error existed it was corrected by moving the line to the boundry line, which in this case it would be moved to the West property line.

Council Members it is my suggestion that you refer all this back to the Planning Commission for corrections of errors and any other corrections that have to be made and then back to the City Council for a new Public Hearing.

Sincerely,

Bert Gottsacker
8518 Parr Rd. NE
Gervais, OR 97026

Enclosures:

Copy of Robert L. Engles letter, to planning commission in 1978.

6 pages of different maps.

3 pages of property profile information.

2 sets of information for public hearing.

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Page 702

EICHSTEADT, BOLLAND & ENGLE
ATTORNEYS AT LAW
345 NORTH SECOND STREET
P. O. BOX 355
WOODBURN, ORE. 97071

HAROLD A. EICHSTEADT
MARVIN O. BOLLAND
ROBERT L. ENGLE
KIRK A. SCHMIDTMAN

TELEPHONE
981-0155
AREA CODE
503

February 20, 1978

President and Members of
Planning Commission
City Hall
Woodburn, OR 97071

Re: Woodburn Industrial Park

Gentlemen:

Woodburn Development Corp. has the potential ability to sell approximatel 53 acres of land to an industry which we believe would be highly beneficial to the city of Woodburn. The proposed parcel which we have offere to sell is outlined in red on the diagram which is attached hereto as Exhibit "A". The diagram also shows existing city limits line designated by a solid black line and the existing urban growth boundary designated by a dotted black line.

The purpose of this letter is to request that the Woodburn Planning Commission initiate a public hearing held between the Marion County Board o Commissioners and the city of Woodburn necessary to extend the urban gro boundary from the present location north to the line designated in yello The change in the urban growth boundary is necessary to commence annexation and zone change procedures so that the entire parcel will ultimatel be within the city limits of the city of Woodburn and will be zoned Ir trial.

The prospective purchaser has not at this time chosen to divulge to Woodburn Development Corp. its name. We are, however, informed by highl reliable sources that the prospective purchaser is a very well known, large and highly competitive industry which will build upon the site a multi-million dollar plant. Its process will be environmentally clean, and the number of employees will have minimum affect upon the school dis trict and community housing needs. The valuation of the entire plant wh completed will be such to be of enormous benefit economically to the ci of Woodburn and the surrounding area.

We ask that the city of Woodburn and the commissioners of Marion County consider the northerly extension of the urban growth boundary line for the following reasons:

1) Annexation and zone change are a condition precedent to the closure of the sale.

2) The community benefit to the city of Woodburn and the surrounding area is extremely high while the detriments are for all practical purpo non-existent.

3) The original plat map prepared for the city of Woodburn dated Febru ary 4, 1974, designates this entire area as Industrial Park Phase II

resident and Members of
Planning Commission
Woodburn, OR 97071

February 20, 1978

4) The urban growth boundary as presently drawn does not follow existing property lines as required by policy and, therefore, a mistake occurred in the drawing of the original urban growth boundary line in this location

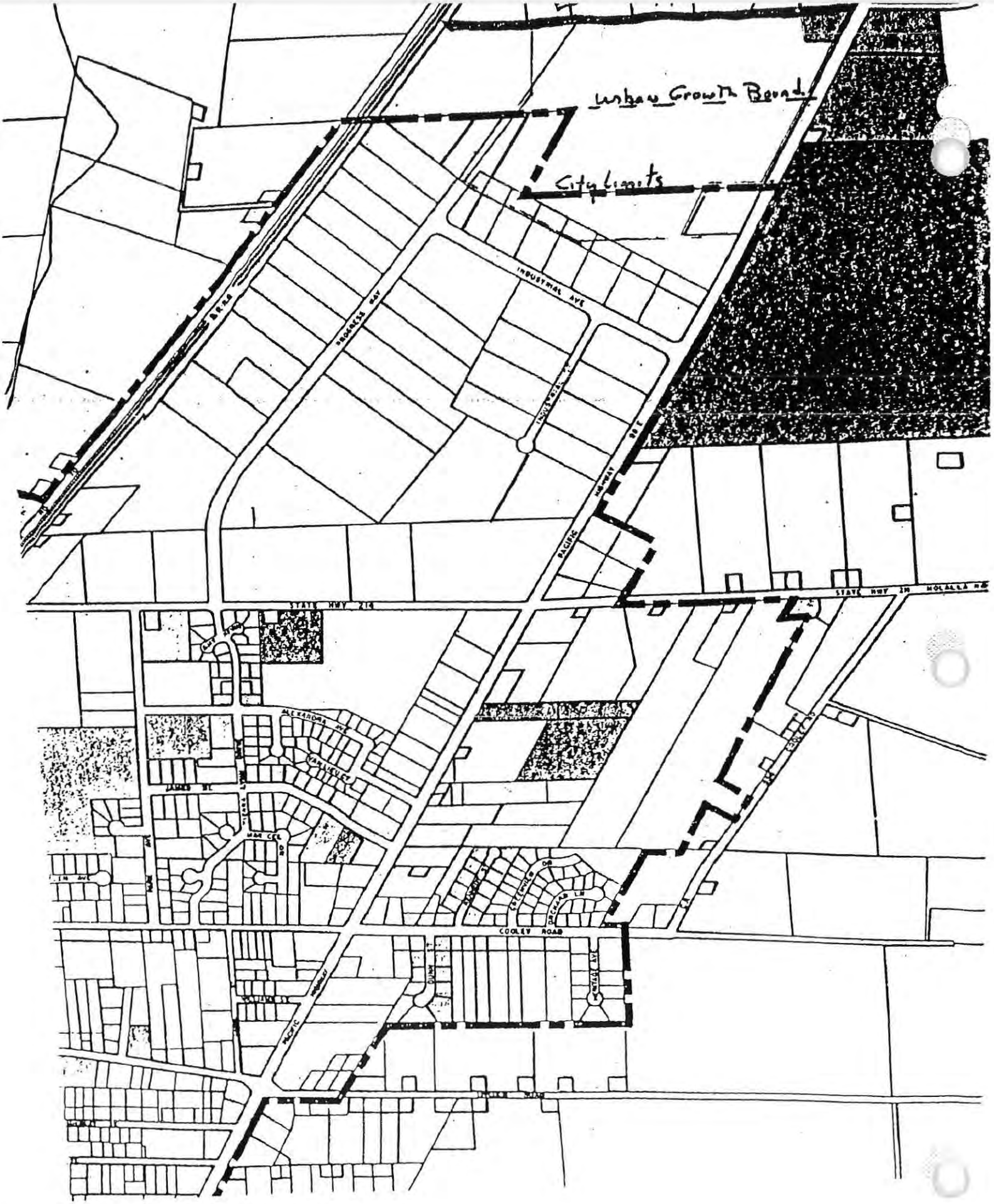
5) There is insufficient land within the existing urban growth boundary to permit this sale to occur.

Respectfully submitted,

WOODBURN DEVELOPMENT CORP.

By: Robert L. Engle
Robert L. Engle, Secretary

RLE:mem



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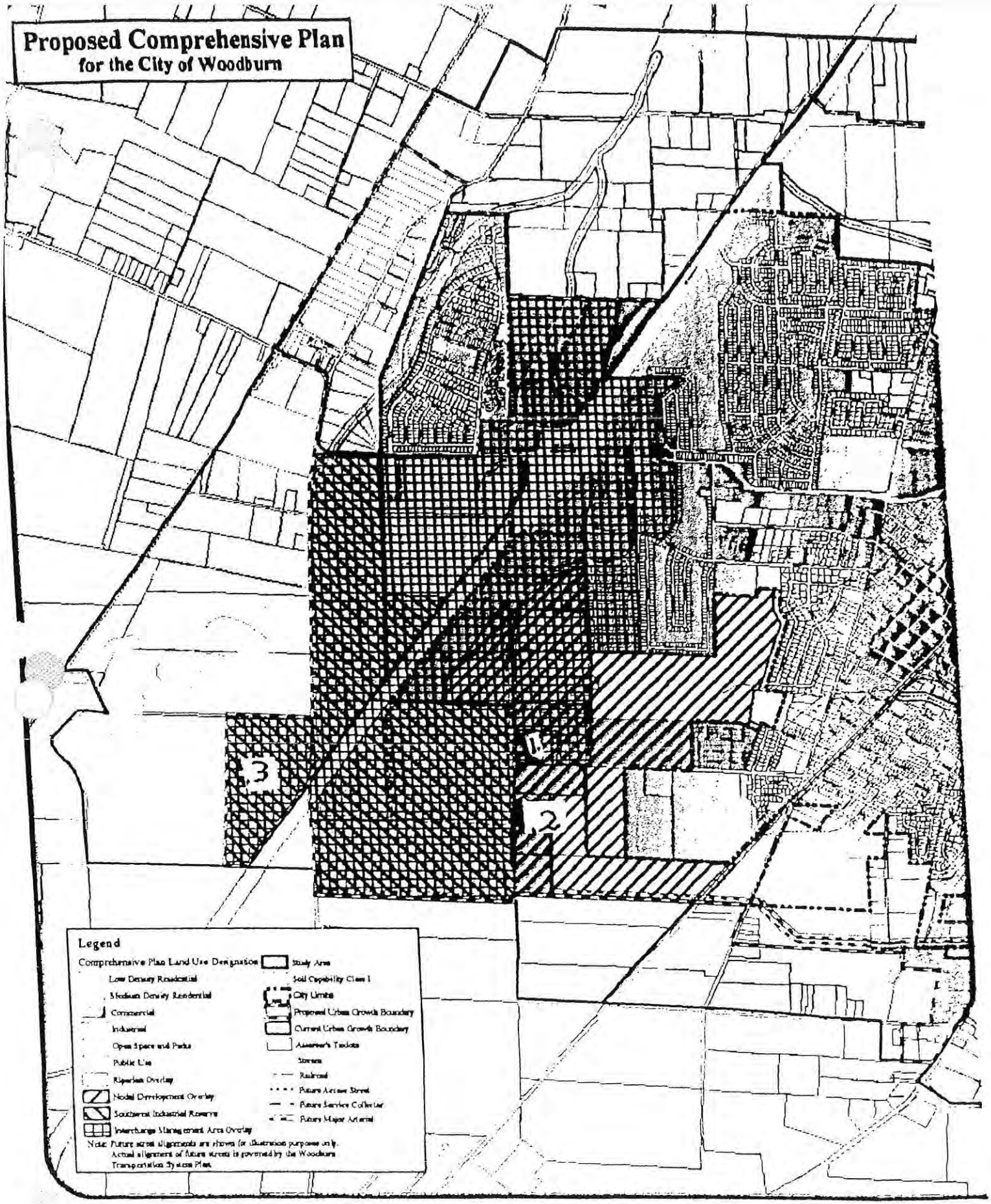
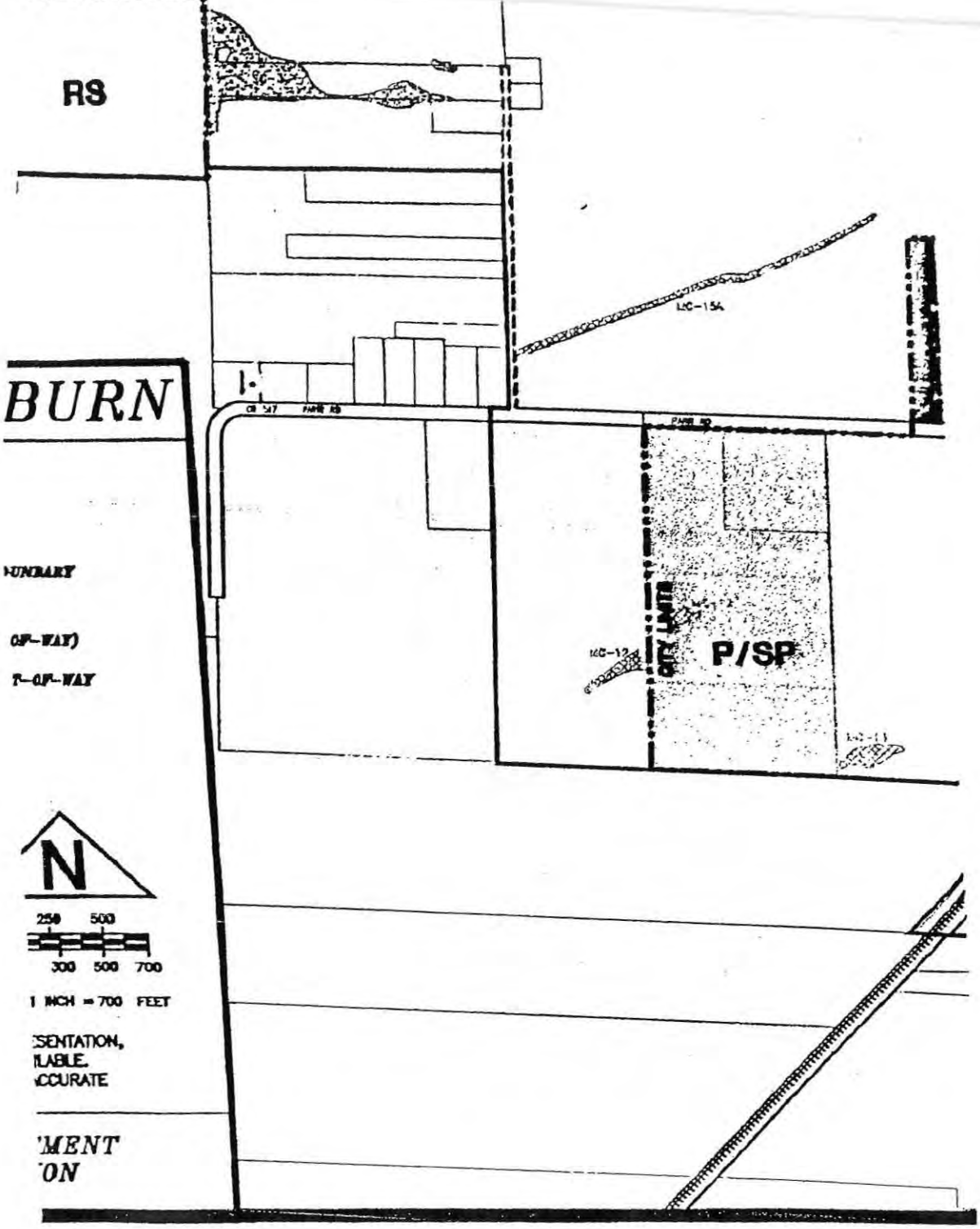
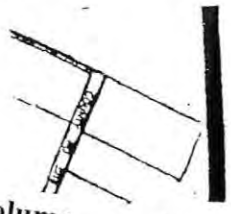

Proposed Comprehensive Plan
for the City of Woodburn
1
2
3
Legend
Comprehensive Plan Land Use Designation
Low Density Residential
Medium Density Residential
Commercial
Industrial
Open Space and Parks
Public Use
Riparian Overlay
Nodal Development Overlay
Southeast Industrial Reserve
Interchange Management Area Overlay
Study Area
Soil Capability Class I
City Limits
Proposed Urban Growth Boundary
Current Urban Growth Boundary
Assessor's Tax lots
Streets
Railroad
Future Access Street
Future Service Collector
Future Major Arterial
Note: Future street alignments are shown for illustration purposes only.
Actual alignment of future streets is governed by the Woodburn
Transportation System Plan.





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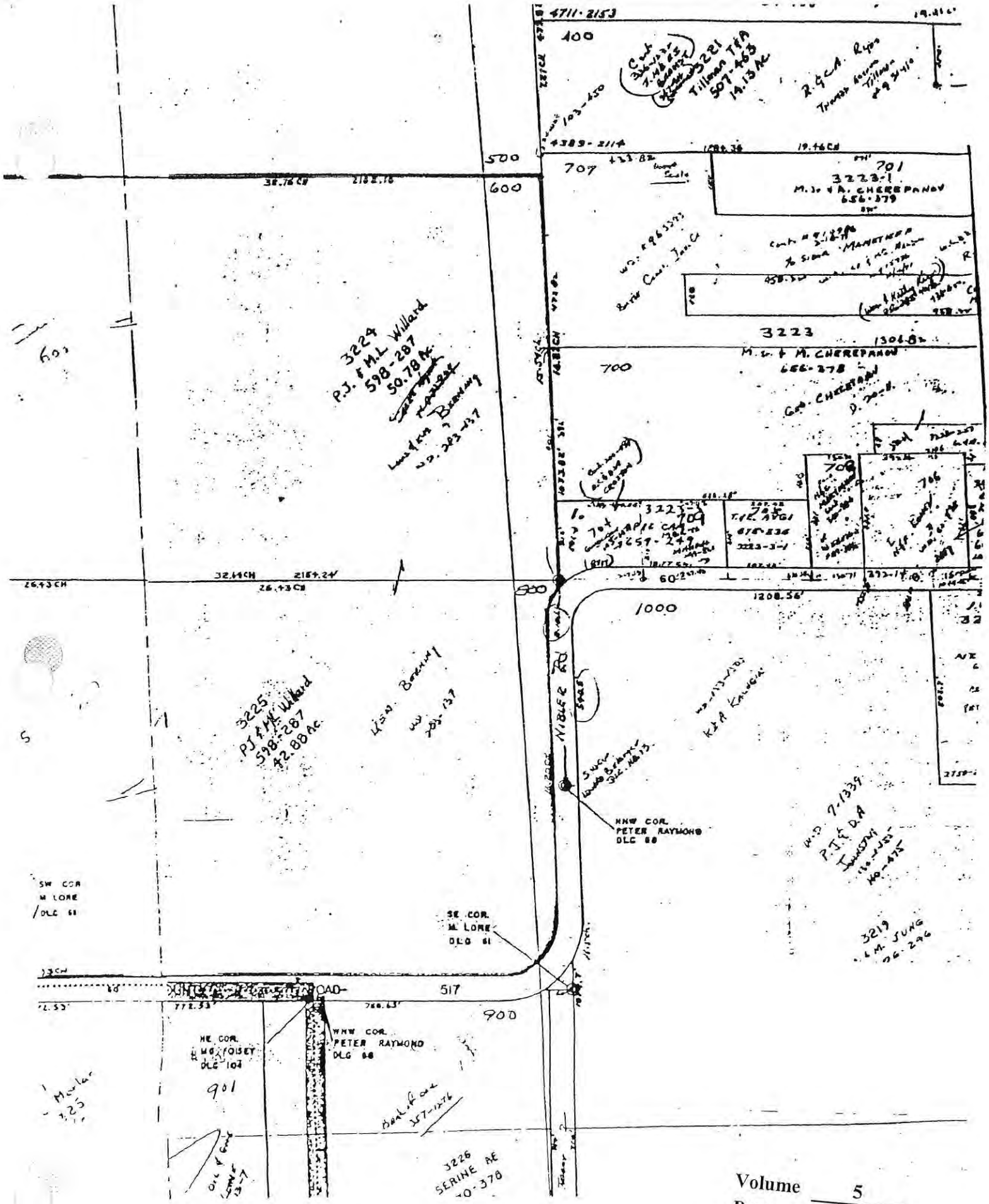

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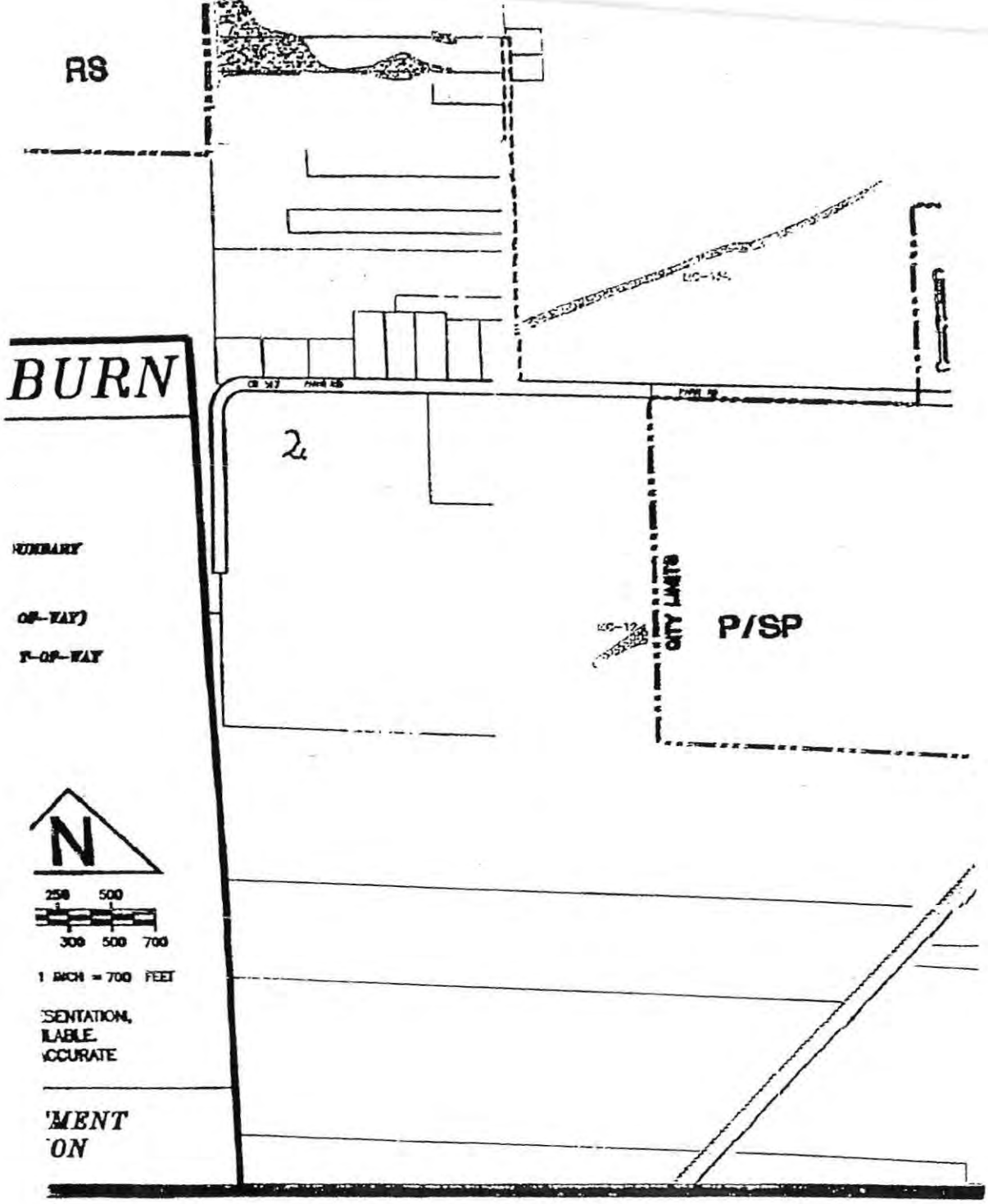

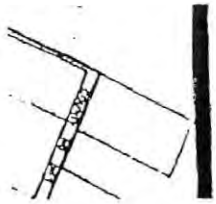

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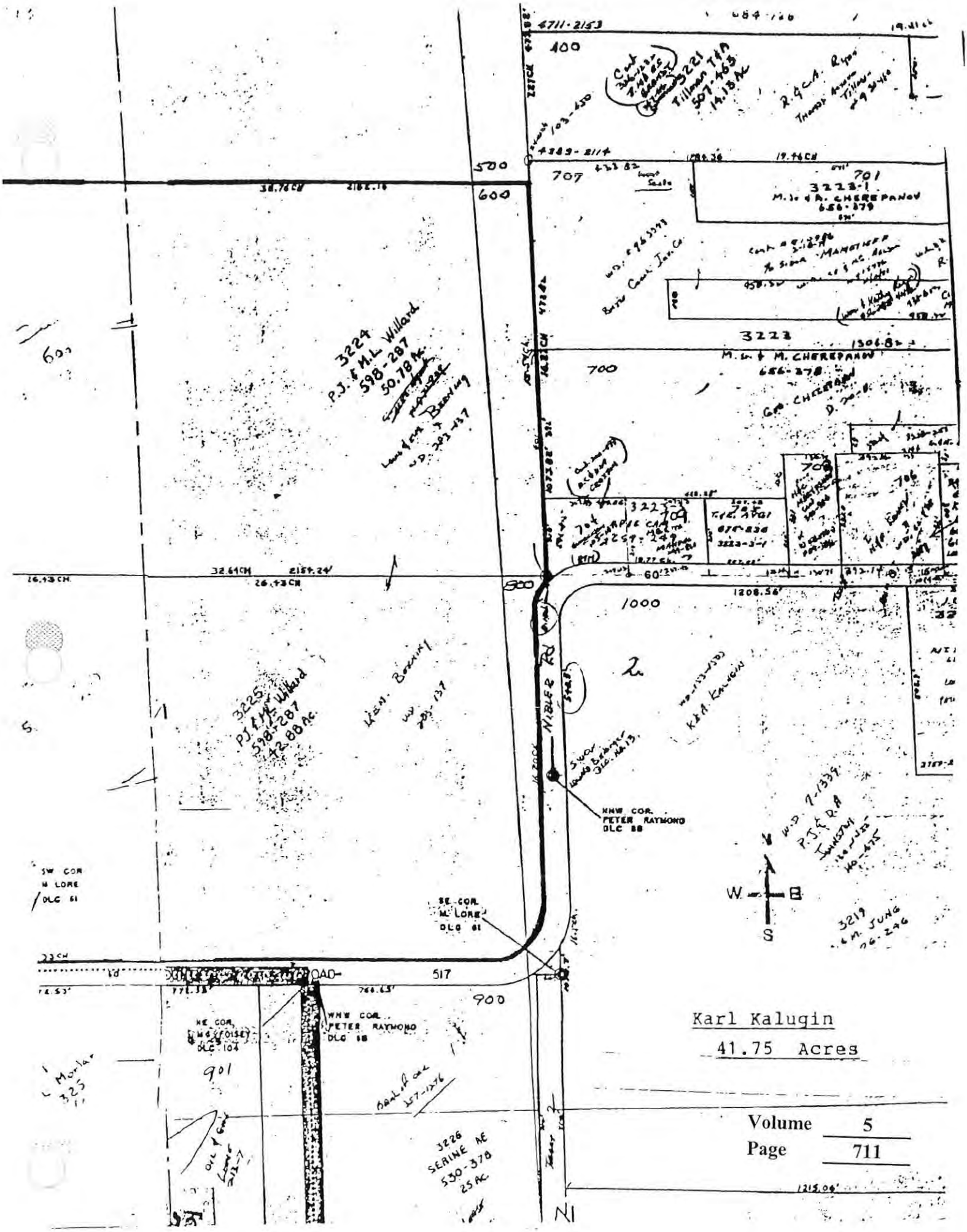

Karl Kalugin

41.75 Acres

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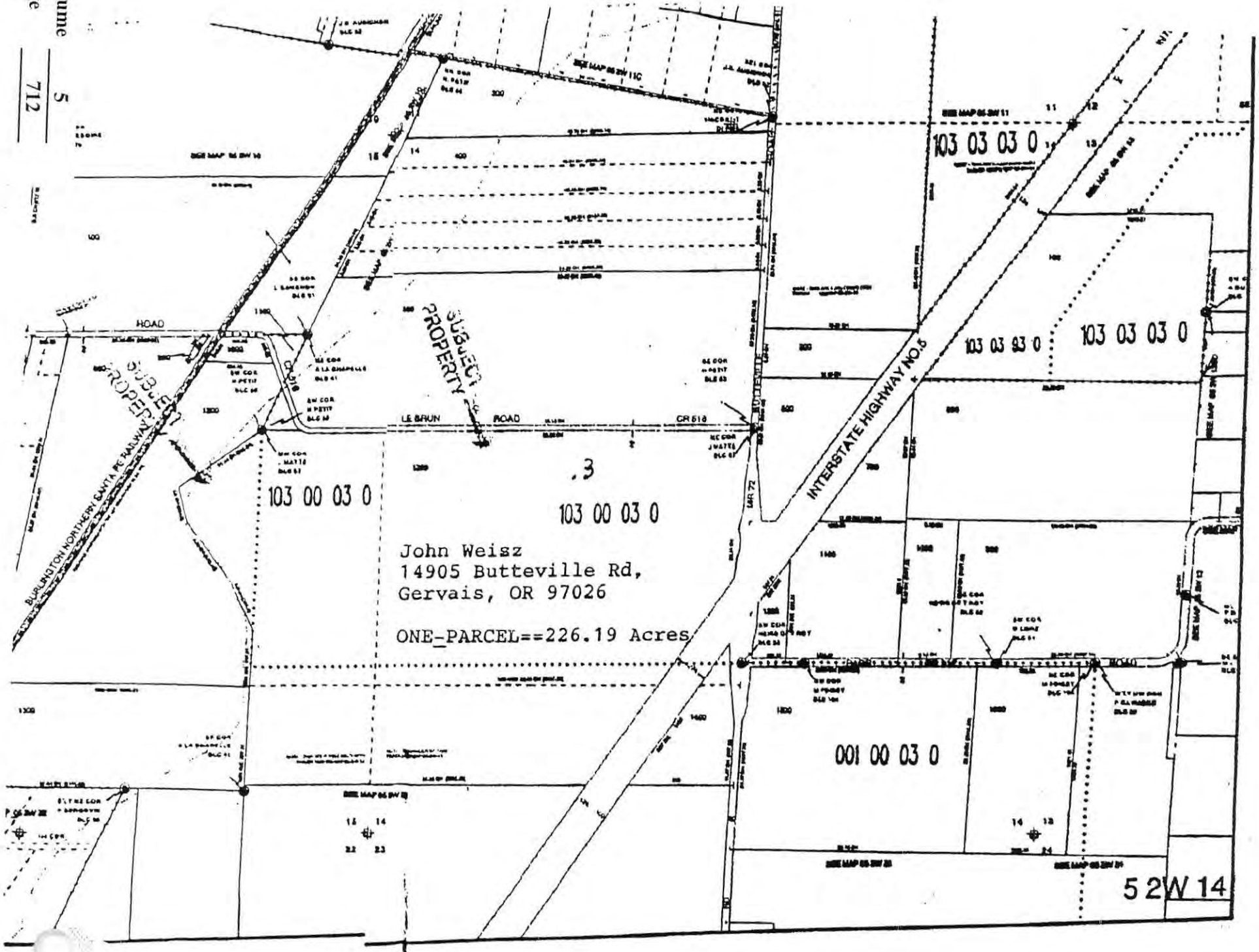
103 03 03 0
103 03 03 0
103 03 03 0
ROAD
SUBJECT PROPERTY
SUBJECT PROPERTY
LE BRUN ROAD
CR 518
BUTTEVILLE
INTERSTATE HIGHWAY NO.5
BURLINGTON NORTHERN SANTA FE RAILWAY
103 00 03 0
.3
103 00 03 0
John Weisz
14905 Butteville Rd,
Gervais, OR 97026
ONE_PARCEL==226.19 Acres
001 00 03 0
ROAD
5 2W 14

735 Glatt Circle, Woodburn, OR 97071 Phone:1-503-981-0623 Fax:1-503-981-0925
Visit us on the Web at: www.fntic.com/ops/or/salem/index.html
E-mail Customer Service at: customerservicesalem@fnf.com

3.

Front-part with Improvements in Woodburn School District

pared For :
npany :
By :

Marion (OR)
PROPERTY PROFILE INFORMATION

Parcel #	: R14794	Owner Phone	:
Owner	: **Weisz Family Llc**	Tenant Phone	:
CoOwner	:		
Site	: **14905 Butteville Rd NE Gervais 97026**	Ref Parcel #	: 052W14 01300
Mail	: 14905 Butteville Rd NE Gervais Or 97026	Census	: 103.03 2
Land Use	: 551 Agr,Farm		
Legal	:		
	:		
Zoning	: EFU EXCLUSIVE FARM USE		

Front-part. 151.92-Acres
Back-part. - 74.27-Acres
Total-Parcel-226.19-Acres

ASSESSMENT & TAX INFORMATION

Market Total	: **$445,380**
Mkt Land	: **$145,360**
Mkt Improvmt	: **$300,020**
Exemption	:
03-04 Taxes	: **$6,014.41**
Levy Code	: 10300030
Millage Rate	: 13.5040
M50 AssdTotal	: **$445,379**

SALE & LOAN INFORMATION

Sale Date	:
Sale Amount	:
$Cost/SqFt	: $0.00
Document #	: 1666-0370
Deed Type	: Brgn,Grant&Sale
Loan Amount	:
Lender	:
Loan Type	:
Interest Type	:
Vesting	:
Title Co	:
Loan Type	:

School District Information

School District	: Woodburn School

PROPERTY CHARACTERISTICS

Year Built	: 1900
Yr Remodel	:
Bedrooms	: 2
Bathrooms	: 2.00
Total SF	: 1,932 (Does Not Include GarageSF)
Main Floor	: 1,932
Second Floor	:
Basement SF	:
Basement Fin	:
Lot Size Ac	: 151.92
Lot Size SF	:
Roof Type	:
Roof Material	:
Foundation	:
Ext. Material	:
Exterior	:
Patio Type	: Yes
Patio SF	: 3,000
Att Gar SF	:
Garage Type	: Grg-detached
Driveway SF	: 4,500
Dri'way Mat'l	: Asphalt
Heat Source	:
Fireplace	:
Fireplace #	:
BldgCondition	:
Neighborhood	: 04C
Impr Type	:

The Information Provided Is Deemed Reliable But Is Not Guaranteed

735 Glatt Circle, Woodburn, OR 97071 Phone: 1-503-981-0623 Fax: 1-503-981-0925
Visit us on the Web at: www.fntic.com/ops/or/salem/index.html
E-mail Customer Service at: customerservicesalem@fnf.com

Back. Part. NO IMPROVEMENTS

Prepared For : BJK
Company : Gervais School DISTRICT
By : Jenny

Front-Part 151.92 Acres
Back-Part 74.27 Acres
Total-Acres 226.19.

Marion (OR)

PROPERTY PROFILE INFORMATION

Parcel #	: R14793	Owner Phone	:
Owner	: Weisz Family Llc	Tenant Phone	:
CoOwner	:		
Site	: 14905 Butteville Rd NE Gervais 97026	Ref Parcel #	: 052W14 01300
Mail	: 14905 Butteville Rd NE Gervais Or 97026	Census	: 103.03 2
Land Use	: 551 Agr,Farm		
Legal	:		
	:		
Zoning	: EFU EXCLUSIVE FARM USE		

ASSESSMENT & TAX INFORMATION

Market Total	: $65,340
Mkt Land	: $65,340
Mkt Improvmt	:
Exemption	:
03-04 Taxes	: $763.53
Levy Code	: 00100030
Millage Rate	: 11.6856
M50 AssdTotal	: $65,339

SALE & LOAN INFORMATION

Sale Date	:
Sale Amount	:
$Cost/SqFt	: $0.00
Document #	: 1666-0370
Deed Type	: Brgn,Grant&Sale
Loan Amount	:
Lender	:
Loan Type	:
Interest Type	:
Vesting	:
Title Co	:
Loan Type	:

School District Information

School District	: Gervais School

PROPERTY CHARACTERISTICS

Year Built	:
Yr Remodel	:
Bedrooms	:
Bathrooms	:
Total SF	: (Does Not Include GarageSF)
Main Floor	:
Second Floor	:
Basement SF	:
Basement Fin	:
Lot Size Ac	: 74.27
Lot Size SF	:
Roof Type	:
Roof Material	:
Foundation	:
Ext. Material	:
Exterior	:
Patio Type	:
Patio SF	:
Att Gar SF	:
Garage Type	:
Driveway SF	:
Dri'way Mat'l	:
Heat Source	:
Fireplace	:
Fireplace #	:
BldgCondition	:
Neighborhood	: 04C
Impr Type	:

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Page 714

The Information Provided Is Deemed Reliable But Is Not Guaranteed

TICOR TITLE INSURANCE

.3

CONSUMER INFORMATION REPORT

Prepared for _____ _____

_____ _____

_____

Property Address 14905 Butteville Rd. NE Gervais 97026

Enclosed please find the following information per your request:

TAX INFORMATION

Tax Account Number 44161-000

Description 226.19 acres - S14, 15 &23, T5 R2W

Assessed Value-Land 84/5 TCV-95,450

Assessed Value-Improvements 84/5 TCV-51,300

19 83/4 Tax Amounts 2,720.17

Assessed Owner WEISZ, John Jr. et al.

☒ Map ☒ Copy Deed ☐ Contract ☐ Other Document of Record

14 05 2W 1231-5310/V314 P0124 RD

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

Pineros y Campesinos Unidos del Noroeste
Northwest Treeplanters and Farmworkers United

300 Young St. / Woodburn, Oregon 97071 / (503) 982-0243 / (503) 982-1031 (FA
e-mail: farmworkerunion@pcun.org *website:* www.pcun.org

REC'D

MAR 25 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 24, 2005

Re: Proposed Urban Growth Boundary Expansion

Dear Mayor Figley and Woodburn City Councilors,

PCUN, Oregon's farmworker union headquartered in Woodburn, hereby extends our support for the proposed expansion of the Urban Growth Boundary and adjustments in the comprehensive plan which are pending before you.

As you may be aware, PCUN will reach an important milestone next month: our 20th anniversary, pursuing better living and working conditions for Oregon farmworkers. In these past twenty years, we have registered more than 5,000 farmworkers. A very substantial portion work or reside in Woodburn and our headquarters has been located in Woodburn throughout our entire history. Therefore, we feel that we can offer a special and important perspective regarding farmworkers' conditions and interests in this community. Central to our mission have always been issues like housing, immigration, education, economic development, and civic participation which are of concern to Latino immigrants, including farmworkers.

We observe an accelerating trend in Oregon generally, and Woodburn specifically, of increased employment of Latino immigrants in non-agricultural sectors. Many of these workers are former farmworkers. Woodburn and surrounding communities are home to light manufacturing, warehouse, and other businesses whose workforces which include a substantial number (in some cases, a majority) of Latinos. While we advocate for better farm labor conditions, we also support measures which facilitate farmworkers' opportunities to expand and strengthen their job skills and which offer opportunities for their children who, unlike their parents, are educated in local schools.

We believe that the City's vision and plan for attracting and siting businesses which can offer such opportunities serves the interests of the farmworker and Latino communities in Woodburn. Expanding the Urban Growth Boundary and making adjustments in the Comprehensive Plan are, in our view, necessary steps to advance that plan. We look forward to partnering with you and others to make that vision a reality.

Sincerely yours,

Ramón Ramírez
President

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Page 716

Exhibit "B"-84

☆ REC'D ☆

MAR 28 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

March 24, 2005

John Brown, City Administrator
City of Woodburn
270 Montgomery St.
Woodburn, OR 97071

Re: Urban Growth Boundary Expansion

Dear Mr. Brown:

Woodburn's desire to expand their urban growth boundary is a concern to all Oregonians. The rich farmland on the outskirts of Woodburn is one of our most precious resources and is some of the best agricultural land in our nation. Taking parcels of 800 to 900 acres at a time and developing them while there is other existing vacant or otherwise usable land within the UGB is unconscionable. Woodburn already sizably diminished its surrounding farmland a few years ago to allow for the WinCo Distribution Center the ongoing phases of the Factory Outlet Mall, and the huge car lots which border I-5 where Oregon Agriculture signs used to dangle from the fencing at the edge of huge crop fields.

The decisions made by local governments to make these types of expansions are setting precedents, and what may seem like a "small" parcel of land to sacrifice for your city will result in other municipalities gaining speed for their arguments to expand. The loss of both farmland and forests within our state will multiply at a devastating rate.

The officials who are deciding on these significant changes should consider that bringing more industry and population to this area will not necessarily improve the economy. As you well know, there is great cost to expanding infrastructure, increasing emergency services, and building new schools, etc. Beyond that, increased population has a direct correlation to higher crime rate, and most importantly, if we continue to diminish our agricultural land, where are the crops to be grown to feed the growing population?

Bigger is not necessarily better. Those who are benefiting from the enormous push to develop every available acre in this valley are the developers, the builders, and the real estate industry. The rest of us are living with an ever-increasing encroachment on our environment and the open spaces we have enjoyed in the past.

Development should occur as a matter of need, and not for greed. If you want to invite new industry to your city, sites should be planned on existing vacant or reusable land within the existing boundaries. Farmland that is paved over will never be returned to its natural state, and no amount of money can replace our natural resources once they are depleted. If our local governments cannot

look at the whole picture as to how their individual actions affect the state and even national resources, perhaps these land management decisions need to be made at a higher level.

Our future is in your hands.

Sincerely yours,

Estelle J. Watson
2120 SE Robins Lane, #33
Salem, OR 97301

cc: Governor Ted Kulongoski
Woodburn City Council
Woodburn Planning Commission

POSTNET
CREATE • DUPLICATE • DELIVER

Exhibit "B"-85

03/24/2005

www.postnet.com

REC'D
MAR 25 2005
WOODBURN
CITY ADMINISTRATOR'S OFFICE

Honorable Mayor & members of the
Woodburn City Council
Woodburn City Hall
270 Montgomery Street
Woodburn, Or 97071

I am a life long resident of the city of Woodburn and a current business owner.

In the Urban growth boundary changes, it appears that the East side of Woodburn has been forgotten or left out of the "planning future"

The expansion for residential growth on the East side of Woodburn will

a. Bring more dollars and people to this side of town.
b. Revitalize the 99E area, which by the current looks of things is attracting new and existing businesses
c. Shift a portion of the traffic now headed to the I-5 interchange to 99E.
d. Provide a choice of home away from the freeway congestion and pollution.
e. Assure that the City will grow other than an "I-5 strip" city that appears to be the direction now headed.

I am fully conscious of the fact that many hours of planning have gone into this 20 year plan, but I do not feel that an overall view has been presented. Woodburn can use the growth, but growth that is inclusive of and diverse enough to allow an overall growth and not spot growth.

I do encourage you to rethink the process and include the property owned by the Serres Family as an integral part of the 20 year comprehensive Plan

Respectfully,

Michael J. Sowa
Owner Postnet

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Page 719

1700 Mt. Hood Ave Woodburn, Oregon 97071 Oregon 97071 503•981•6700 fax 503•981•6711

Exhibit "B"-86

REC'D

MAR 25 2005

REC'D

WOODBURN
CITY ADMINISTRATOR'S OFFICE MAR 2 5 2005

WOODBURN
CITY ADMINISTRATOR'S OFFICE

March 24, 2005

Honorable Mayor & Woodburn City Council
Woodburn City Hall
20 Montgomery Street
Woodburn, Or. 97071

Dear Mayor & Woodburn City Council:

It has been brought to my attention that the Woodburn Comprehensive Land Use Plan which includes expanding the Urban Growth Boundary North, South, & West and not in the East. Is about to become a reality. As a business owner (D&D Restaurant and The Bunker Bar & Grill) I am very concerned. Our business depends on Urban Growth, not across town but in our immediate vicinity. As some of you might know we are in the process of completing our new restaurant. We have been in an economical crunch for the last 4 years and now seem to be the right time to develop a new business. Mid-Valley Plaza (formerly North Park) has taken on a new look with Safeway and Rite-Aid gone and Mid-Valley Bank, Diesel Fitness, Gen-X, and The Bunker Bar & Grill moving in. We are hoping this well revitalize the over due economy in this area. I know that The Bunker Bar & Grill will employ at least 30 employees. We make these investments with Urban Growth in mind which includes the East side of Woodburn. I hope you will consider the East side in your planning in the future as we count on it for our survival. Thank you for your time and I hope I haven't offended anyone with this latter as it is a letter of deep concern.

Sincerely,

Terry Priser
D&D Restaurant

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Page 720

Exhibit "B"-87

3/23/05

REC'D
MAR 28 2005
WOODBURN
CITY ADMINISTRATOR'S OFFICE

Attn: Mayor +
City Council

We are new in Woodburn, having moved here 6 mos. ago from another state. We had a new home built in Tukwila, which is a tremendous development. However, from the time of our first visit to Woodburn in 2003, it was obvious the city growth was lopsided in favor of the west I-5 area, which has developed a bad traffic congestion problem and it appears to have gotten worse since then.

So, why haven't you looked to the East to expand city development? There are numerous benefits in going East of Hwy 99, which outweigh anything the west can offer. And... NO, Woodburn doesn't need another golf course.

Woodburn does need (East of 99) some gated high end communities w/ houses of $350,000-750,000 and some of $175,000-350,000. Homes of this value will attract a population approaching retirement, with no children, which will not impact the schools, but will bring $ to the community + its established businesses.

Come on Mr Mayor + Council, wake up and smell the tulips.... to the East.

Robert + Nadine Eckhardt

CASE IH

AG WEST SUPPLY

BOB ECKHARDT
BRANCH MANAGER

TEL: (800) 929-5761
CELL: (503) 932-2543

2929 N. PACIFIC HWY.
WOODBURN, OR 97071 USA
TEL: (503) 981-0151
FAX: (503) 981-0335

Bob & Nadine Eckhardt

Home: 503-981-5724
Office & Fax: 503-981-5725
Email: BNEckhardt@aol.com

At Goose Hollow
2516 Meridian Court
Woodburn, OR 97071

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Exhibit "B"-88

BREWSTER & MAYNE, P.C.
687 Court Street NE, Suite 600
Salem, OR 97301
Phone: 503-362-2511
Fax: 503-371-4849

☆ REC'D ☆

MAR 2 8 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 503-982-5243
To: City Council
Of: City of Woodburn
From: Kevin E. Mayne
Client/Matter: Legislative Amendment 05-01
Date: March 28, 2005

DOCUMENTS	NUMBER OF PAGES*
Cover	1
Letter with attachments	6

COMMENTS: Please present the attached to the Council for consideration at tonight's meeting. Thank you.

The attached communication may contain confidential information which is intended only for the individual or entity named on this cover sheet. If you are not the above-named recipient or the agency or employee of the intended recipient you are prohibited from reading, disseminating, copying, or distributing the information contained herein. It is requested that if this communication was transmitted to you erroneously, please notify the sender immediately and immediately return all originals which were transmitted.

* IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 503-362-2511.

BREWSTER & MAYNE, P.C.
687 Court Street NE, Suite 600
Salem, OR 97301
Phone: 503-362-2511
Fax: 503-371-4849

Sydney E. Brewster
Kevin E. Mayne

March 28, 2005

Woodburn City Council
Woodburn City Hall
270 Montgomery St.
Woodburn, OR 97071

By fax: 503-982-5243

Re: Legislative Amendment 05-01: Woodburn 2005 Comprehensive Plan Update
Inclusion of Sharabarin Property

Dear Mayor Figley and Council Members:

On behalf of Vasily and Marina Sharabarin, we ask that the Council consider including the Sharabarin property in the expanded UGB. In addition, we ask that this letter and its attachments be included in the public record for purposes of the hearing on this matter, and join with planning staff's request that the record remain open until April 4, 2005 to present additional written testimony.

With the realization that the Council's time will be encumbered this evening by several parties interested in the above amendment, I have included an attachment with several "bullet" points. The remainder of this letter discusses those points in detail.

Summary of Request

The Sharabarins own a 7-acre parcel located at the southeast corner of Hwy 99E and Carl Road (Parcel #R48666)(see attachments). The property is undeveloped and the Sharabarins would like to develop it for commercial purposes in the future, perhaps as a location for self storage. The property is currently zoned EFU but is not being farmed and is adjacent to mobile home developments on its south and east sides. To the west is Hwy 99E, and to the southwest is property located within the City of Woodburn and zoned industrial. Scattered residential and farm buildings are located to the north and west.

The Need for Additional Commercial Property

The City hired Winterbrook Planning to study the need for additional land to be added to the UGB to meet projected growth by the year 2020. Winterbrook determined in its Woodburn Year 2020 UGB Justification Report ("the Report") that there are 460 acres of developed

commercial land within the existing UGB, and 108 buildable acres. Report, pg. 39. Based on those findings and projected population increases, Winterbrook determined *the City will need an additional 202 acres of commercial property* by 2020. *Id.* The Report admits that it has "under-allocated" commercial land to encourage redevelopment of existing commercial parcels and proposes adding only 32 net buildable acres of commercial land. *Id.*

Even assuming the 108 acres currently located within the UGB could be developed, the addition of 32 acres equals 140 acres, leaving a deficit of 62 acres necessary to meet the necessary 202.

As noted, the Report under-allocates commercial land in order to encourage redevelopment along Highway 214, Hwy 99 and downtown. But from a practical standpoint, there is a significant question as to whether 62 of the other 460 developed acres will be redeveloped as hoped, and the Report provides no justification as to when or how this might take place.

The need for additional vacant commercial property can clearly be supported by these figures. Even with the addition of the Sharabarin property, the City could arguably justify including an *additional* 55 acres of commercial land within the expanded UGB.

Existing Goal Exception Areas

The Proposed Comprehensive Plan includes the parcel located directly south of the Sharabarin parcel. Inclusion of this parcel as commercial property meets the City's responsibility to give first priority to existing exception areas. ORS 197.298. However, the property is fully developed (see aerial) and from a practical standpoint, it will not add any buildable commercial land to the UGB. Inclusion of the vacant Sharabarin parcel will add vacant buildable commercial land.

Costs of Expansion of Utilities

In its Report, Winterbrook divided the potential UGB expansion area into eight study areas. The Sharabarin property is located in Study Area 3, which is essentially the corner north of Hwy 211.

In its analysis of the criteria necessary for a Goal 14 expansion, the Report reached the conclusion that Study Area 3 has one of the top rankings for cost of expanding public facilities and services into that area. Report, pp. 17-21. The conclusion was that the area would be the second cheapest to develop in terms of public utilities.

The Appropriate Land Designation is Commercial

The Report raises concerns about additional congestion on City streets and the I-5/Hwy 214 interchange. In order to avoid this, the City wants to promote growth in its southwest sector, where it is working with ODOT to place another interchange. The long-term transportation goal on the east side is to route traffic around the east and south sides of the City, rather than increasing traffic on Hwy 214.

In order to meet these goals and mitigate potential traffic problems, the Report suggests placing new residential property (a high generator of vehicle trips) primarily at the southwest corner and north sides of the City. The Report also suggests avoiding the placement of additional residential areas north of Hwy 211 and east of Hwy 99E, because the area is primarily industrial, commercial and agricultural. Designating the Sharabarin parcel as commercial and including it within the UGB will comply with this policy. It will not add residential development.

If self-storage is eventually placed on the property, the primary customer base will be from City residents and not from "tourists" who use the commercial services along I-5. Thus, the use should not negatively impact the I-5/Hwy 214 interchange.

Final Thoughts

With its proximity to mobile home parks on the south and east, and with Hwy 99E to the west, transition of the Sharabarin property to commercial use should not negatively impact the surrounding environment. In fact, the Report states on page 27, "Development of the area for industrial or commercial uses would not cause adverse social consequences from land use incompatibility . . . . " (emphasis added). Development should not have a negative environmental effect on Mill Creek, which is located to the west across Hwy 99E.

The City needs more commercial property than that proposed with the current UGB expansion. The Sharabarin parcel provides an ideal parcel size for commercial development, and in its undeveloped state its addition to the UGB makes practical sense. Therefore, we ask that the Council include the Sharabarin property as part of the City's UGB expansion.

Yours truly,

Kevin E. Mayne

Kevin E. Mayne

Enc. Map of property
Aerial of property
cc: Client

Rationale for Including Sharabarin Property in Expanded UGB

The property: A 7-acre undeveloped lot located at the southeast corner of Carl Road and Hwy 99E, northeast of current city limits.

- The property is adjacent to a mobile home park that the City is considering including in the expanded UGB as commercial property. The park is currently zoned AR and is being included as an existing exception area. The Sharabarin property has mobile homes to the east and southeast as well. These are also zoned AR.

- The City needs more commercial land than proposed in the UGB Justification Report. The Report admits the City will need 202 net buildable acres. However, the Report proposes adding only 32 net buildable acres. Thus, the City could easily justify the inclusion of 7 additional acres designated commercial.

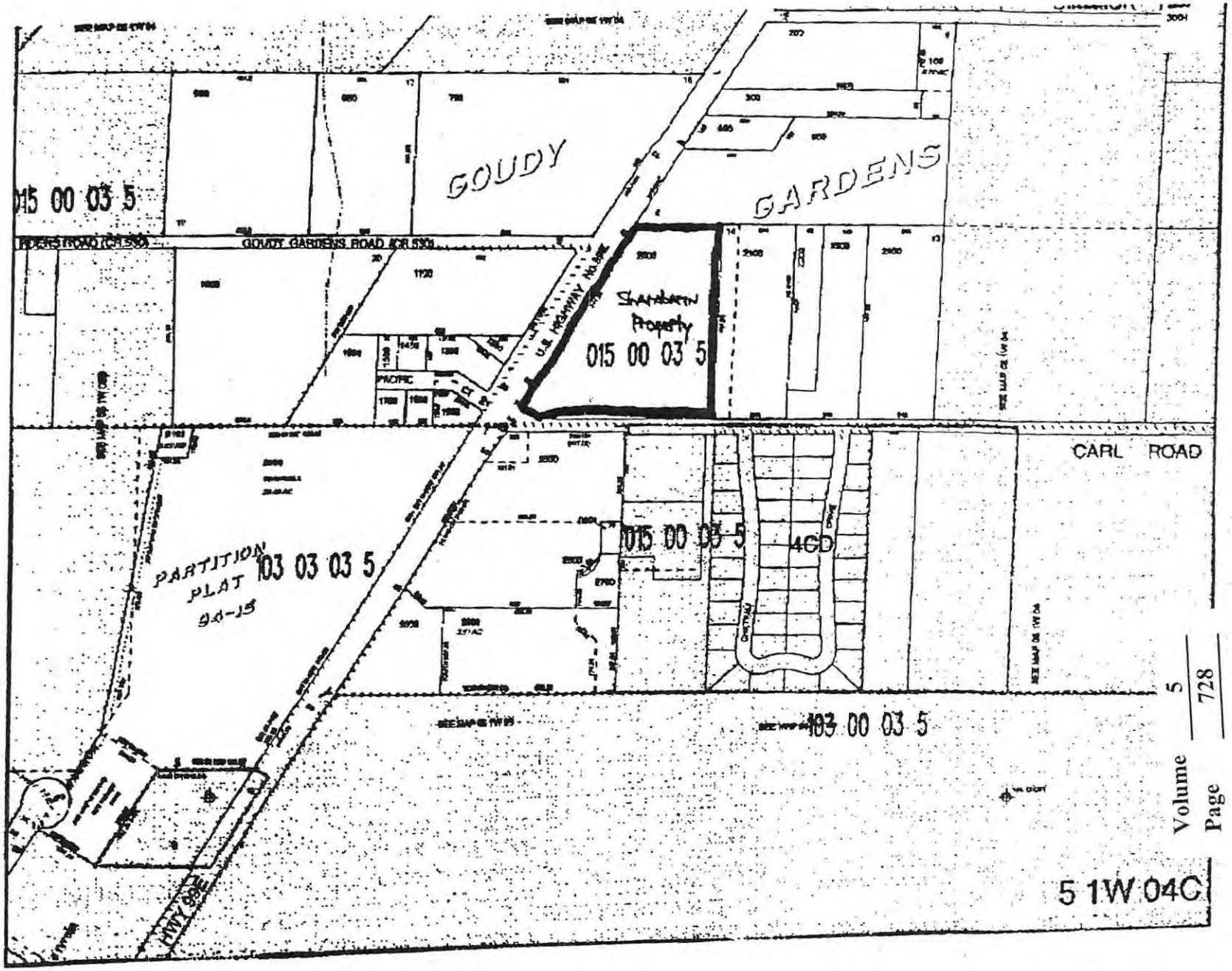
- The property, located in Study Area 3, has one of the top rankings for cost of expanding public facilities and services into that area. In other words, the cost to extend services to the property would be lower than in all but one of the other seven study areas.

- The request is in harmony with the City's goal of keeping the northeast corner of the City primarily in industrial and commercial use.

- Customers of a self-storage operation would be mainly local, which means that customers would come from within city limits. This would avoid an increase in congestion at the I-5/Hwy 214 interchange. In addition, much of the customer traffic would come from Hwy 99E rather than along the Hwy 214 corridor.

- The City would still meet the requirements of ORS 197.298, since it can give first priority to including existing exception areas and still show a need for the Sharabarin property.

- The property is zoned EFU but is not in farm use, so no active farmland will be removed from use and there will be no negative impact on surrounding agricultural uses. There will be no negative environmental consequences to Mill Creek, which is located on the other side of Hwy 99E.



SYMBOL TYPES

NUMBERS

000 00 00 0

NOTICE: This map was created for Assessor's Office use ONLY.

Assessor "We Care" GIS Geographic Information System

SCALE 1" = 200'

Printed: October 11, 2004

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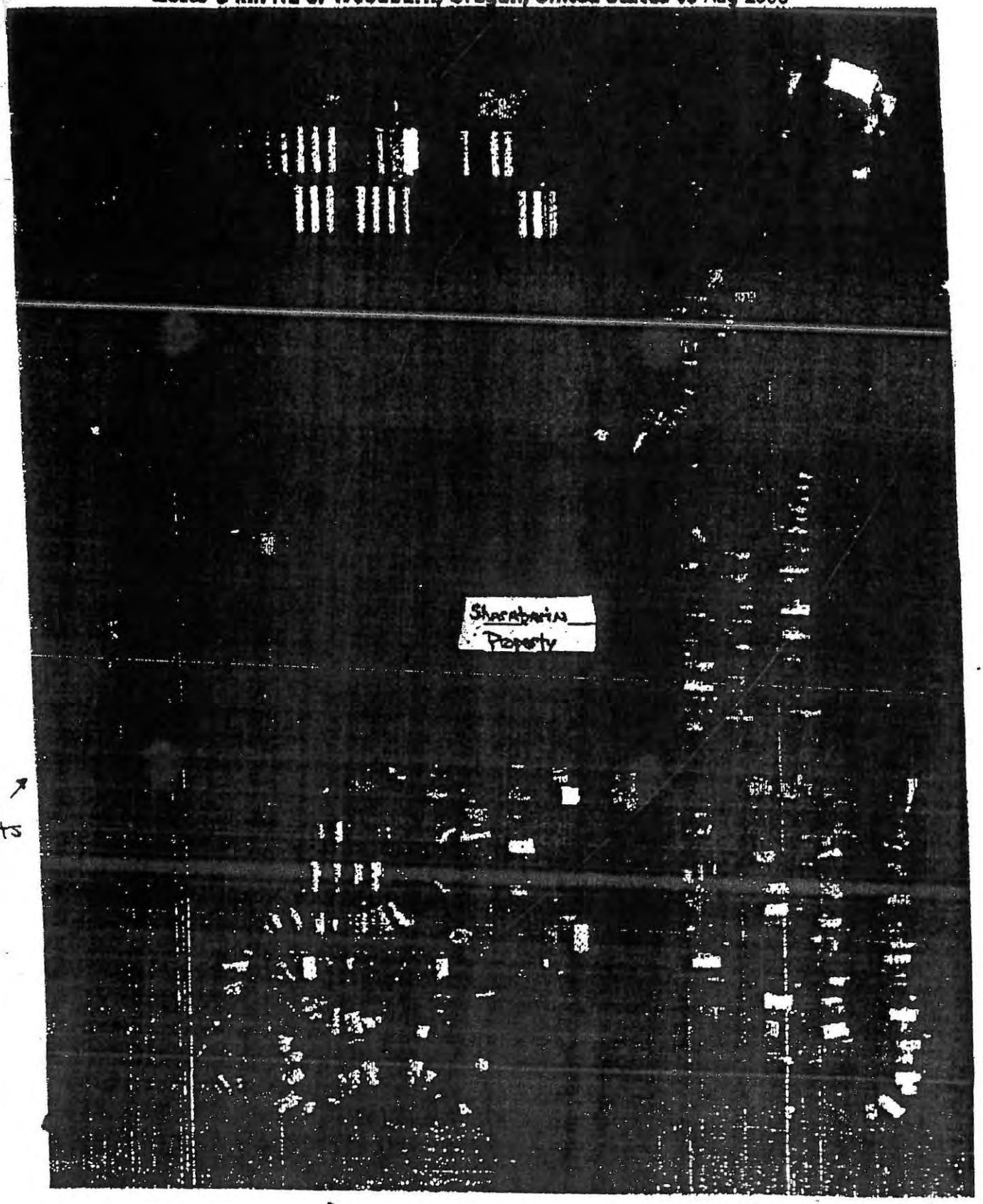
Send To Printer Back To TerraServer Change to 11x17 Print Size Landscape Show Grid Lines Change to

USGS 3 km NE of Woodburn, Oregon, United States 05 Aug 2000



City Limits

Exception area proposed for inclusion

Farmworker Housing Development Corporation

Corporacion de Desarrollo de Vivienda Campesina

www.FHDC.org

Rec'd 3/28/05 6:51pm

March 26, 2005

City Council
City of Woodburn
P.O. Box 942848
Woodburn, OR 97017

all - Home

Re: Urban Growth Boundary Expansion Proposal

Dear Mayor Figley Council Members:

The City of Woodburn's proposal to expand the urban growth boundary is a bold and progressive move. The City's proposal holds great economic potential for the future of farmworkers and their families locally. For this reason, FHDC supports the expansion of the existing urban growth boundary.

FHDC has built and managed affordable farmworker housing that promotes community involvement. The farmworkers and their families who reside at Nuevo Amanecer and Esperanza Court study at the Cipriano Ferrel Education Center to learn computer skills, gain leadership training, and promote civic participation. They acquire these new skills in the hope of improving their families' economic situation. The type of jobs that would be created were the UGB expanded call for just the skills that these farmworkers are learning.

The UGB expansion plan would accelerate opportunities and alternatives. These better-paying jobs would allow farmworkers to buy homes and move beyond affordable housing. This in turn would create room at Nuevo Amanecer and Esperanza Court for other farmworkers who desperately need the housing and support services that FHDC provides. Our experience shows us that farmworkers dearly want the better opportunities for their children contemplated in the UGB expansion plan. The children of farmworkers are currently compelled to leave Woodburn in search of just the better-paying year-round jobs the plan seeks to create. FHDC believes that whatever low-paying job loss is associated with developing the land brought into the UGB would be minimal and greatly outweighed by new job creation.

EQUAL HOUSING OPPORTUNITY

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Page 730

1274 Fifth Street 1A • Woodburn, Oregon 97071 • (503) 981-1618 • Fax (503) 981-3

Farmworker Housing Development Corporation

Corporacion de Desarrollo de Vivienda Campesina

www.FHDC.org

FHDC will work closely with the City on these initiatives to help fulfill the vision of better-paying and steadier jobs for farmworkers and their children. Together we can strengthen the community for all residents of and improve the quality of life in the Woodburn area.

Sincerely,

Calli - Home

Roberto Jiménez
Executive Director

EQUAL HOUSING OPPORTUNITY

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1274 Fifth Street 1A • Woodburn, Oregon 97071 • (503) 981-1618 • Fax (503) 981-3

RECEIVED 3/28/05 9:15

March 28, 2005

Mr. John Brown, City Administrator
City of Woodburn
Woodburn City Hall
Woodburn, OR 97071

Dear Mr. Brown, Mayor Figley, and Members of the City Council:

In my testimony to the Planning Commission I stated that I did not like the "vision" for Woodburn implied in the Comprehensive Plan Amendments currently proposed. I tried to briefly articulate my own vision for the community. Exploring the City's website, I discovered the vision statement for the community:

Woodburn will be a vibrant, full-service, market-based community that retains its small town feel and values. Woodburn will be a community of unity, pride, and charm. It will be a sustainable, but technologically advanced community with a functional multi-modal transportation system. Woodburn will thrive as a regional focus for the advancement and enjoyment of the arts, culture, leisure, and recreational activities, and be a great place to live.

I believe that any changes to the Comprehensive Plan should be judged against the criteria listed in the vision statement. Unfortunately, many of the Plan changes do not support the above.

The economic analysis apparently adopted by the city council in 2002 does not follow this vision statement. If Woodburn is to be market-based, why is it going to such great lengths to attract industries which have not been attracted to the area before – industries creating jobs for which citizens of Woodburn are singularly unqualified? Even if high-tech industries were to come to Woodburn instead of to countries where they don't need to worry about minimum wages and worker and environmental protection laws, how does this support a small town feel and values and where on earth is the charm? Even though high-tech industries have no smoke stacks they produce much pollution and I don't know if the water/sewer infrastructure the city plans to develop for the area will have to have the capacity to handle massive amounts of acids, heavy metals, and other pollutants – an infrastructure which will be paid for by increasing taxes, increasing fees, or both on current citizens. As for keeping workers in Woodburn and away from commuting, the City is ignoring the fact that many people already commute **to** Woodburn for their job. My daughter and son, in seven years of attending schools in Woodburn, had no teacher who actually lived in the community. High tech workers in Hillsboro, Beaverton, and Gresham would be the most likely candidates for employment in a high-tech plant and they would most likely commute from their current residences. Woodburn citizens would still have to commute to other jobs.

A very important part of attracting new businesses and new citizens to any community is the quality of the schools. While Woodburn schools are unduly punished by state and federal rating systems, the perception is still that Woodburn has very poor schools. Until this perception can

be reduced or eliminated Woodburn will not attract the types of businesses which need an educated work force and which pay higher salaries.

Winterbrook Consultants states that the cost of road development and improvement will be paid by development fees. But they also state in their February 16, 2005 memo that without the Opus NW parcel, there will not be enough fees to make Butteville Road improvements. This is one of my gravest concerns with this plan. If only one piece of it goes down, the whole plan tumbles like dominoes. Right now you are planning that industrial traffic will move on a road that doesn't exist, to two roads that need to be improved, to an I-5 interchange that hasn't begun to be improved. Residential and industrial development completed before all of the proposed road improvements will only cause greater congestion and neighborhood deterioration.

And building a road system which essentially "rings" Woodburn is a terrible idea. I know that the ODOT engineer approved the plan; but he is an engineer, not an economist. He cannot predict behavior, only numbers of trips generated per day and the optimal number of curb cuts along major highways. If any of you can, please remember what Woodburn was like before the 214 cut off. The original argument for the cut off was to speed traffic through Woodburn and avoid congestion downtown. What happened was that downtown, a once vital part of Woodburn, was left to decay. Empty storefronts and high crime rates moved in as commercial and industrial development moved to the new areas along 214. The new road quickly became jammed with traffic trying to access commercial development and others trying to just get through town. (I support improving Fifth Avenue and having a light at 5th & 214, but it does defeat the original purpose of "speeding people" through the area.) Without the energy and commitment of Hispanic business owners, downtown Woodburn would have never recovered. And it still needs much in the way of infrastructure improvements. The City is to be commended for their commitment to the downtown. That is why I believe these ring roads are a mistake. Building a road only adds to traffic congestion as people feel they are able to make more trips. Development then follows. The Salem Parkway is one example. It was built to get from I-5 to Salem more quickly and to provide a transportation corridor for industrial development zoned in the area. Instead of industrial development the zone was changed and an unnecessary 900,000 square feet of mall space is going there instead - a mall that generally produces minimum wage jobs and will tremendously increase the traffic along the Parkway. These roads will only create pressure to develop further away from what should be Woodburn's core. I know that the city is trying to develop ordinances which will prevent this, but Keizer thought they would protect industrial land, too.

To support the multi-modal transportation system, less money should be spent "ringing" the city and more on improving the infrastructure within the city. My family cannot remember the last time the city paved in front of our property on North First Street which we have owned since 1960 – in fact some of the holes in the street reveal what appear to be bricks or cobbles. Improving and increasing public transit is important and I agree with the City in their desire to add to the system. I also support their plan to make bicycling easier and safer. But these are the only parts of the transportation plan which appear to support the vision statement.

I think wetland and greenway protections are a good idea and support the city's goals. However, it is also the only part of the plan which supports the last part of the vision "advancement and

enjoyment of the arts, culture, leisure, and recreational activities", and I think I am being generous here by including those improvements in leisure and recreational activities. I see nothing about arts and culture, which I would strongly support. As for a "community of unity, pride, and charm" - well, there's quite a way to go, isn't there?

The vision in this plan is one of more industry, more pollution, more traffic headaches and more questionable development all in the name of jobs. How much of our "small town values" will we compromise to get jobs? How can Winterbrook Consultant, the City of Woodburn, or even Opus NW guarantee that jobs will come here and that they will pay well? They can't.

Please don't turn your back on the vision statement that the City itself produced. I originally opposed this plan because of the size of the expansion. But reading it has led me to oppose much of it because it serves a vision of Woodburn that is all wrong. Woodburn is not Wilsonville – how many historic buildings are located there? How many agricultural workers live there? How many Russians and Hispanics live there? Woodburn is not Hillsboro – it's hard to keep small town values when your population increases from 30,000 in 1980 to almost 80,000 by 2004. Hillsboro has become a community where a modest three bedroom two-bath house now costs $250,000. Is this what we want for Woodburn? Surely we could have come up with a plan which focused on Woodburn's unique history and status in the Willamette Valley instead of saying "since I-5 goes through it we must build."

I am not an outsider. My address is not in downtown Portland. I have no financial ties to any corporation wanting to build in this town. The City of Woodburn was not the only entity paying Winterbrook Consultants for results. It's regrettable that the city has chosen to continue retaining Winterbrook Consultants. But I hope in this process my observations and opinions can receive as much consideration as anyone elses.

Sincerely,

Carla Mikkelson

Carla Mikkelson
17244 Arbor Grove Road NE
Woodburn, OR 97071

Exhibit "B"-91

Rec'd 3/28/05 9:00 pm

To: Woodburn City Council
Re: Testimony to be submitted to record for Woodburn City Council Hearing on March 28, 2005
From: Lolita Carl 13324 Carl Rd NE, Hubbard OR, 97032

I'm Lolita Carl, a full time farmer. Five generations have lived on our farm, located just 560 feet from land the City of Woodburn purchased to expand its sewage treatment plant.

Farm land is not land sitting idly by, waiting to be develp ed into industry. It is already in the agricultural industry, with production that topped well over half a billion dollars in Marion County in 2004. Our industry has been supporting local stores and businesses and citizens for generations.

At the February 3rd (Planning Commission) hearing, Greg Winterowd said he likes straight lines in Urban Growth Boundaries. Yet each corner of the proposed UGB has fingers of land jutting across major roadways and logical boundaries.

Oregon Revised Statute (ORS) chapter 197.298 governs UGB expansion. It prioritizes acknowledged exception areas adjacent to a UGB as land that should be included in the UGB before lower priority lands UNLESS the exception area cannot reasonably accomodate new development.(1) The Northeast Rural Residential Area (13 gross acres) that juts across 99E along Carl Road is an example of land to which this statute applies. According to Winterbrook Planning's Revised Woodburn UGB Justification Report, "The Northeast Rural Residential Exception Area is fully developed for urban low density uses and has no remaining development capacity."(2) Therefore, it is not necessary to bring it into the UGB since it cannot reasonably accomodate identified land needs.(3)

It's outrageous that this fully developed residential area be zoned comercial. It is zoned Exclusive Farm Use (EFU) on the North and East sides. We farmers on Carl Road already have a hard time getting our farm equipment and livestock loads onto 99E to go to Lenon's, Woodburn Fertilizer, the Vet Clinic and the auction without further traffic congestion, that commercial development brings.

You cannot stack farm fields on top of each other. But much of housing and commerical can be, engendering community spirit in a walkable, liveable way.

Farm crops can easily be changed year to year, meeting market demands and staying in constant production. We might not be able to afford to import strawberries and peas from thousands of miles away someday! Please think 100 years into the future, not a measly twenty. Our rich Willamette Valley soil can produce new crops of food every year to feed many people for endless generations. How many industries can say that?

(1) Oregon Revised Statutes 197.298 1(b), 3(a)
(2) Revised Woodburn UGB Justification Report, January 2005, p.22 and p26
(3) Oregon Revised Statutes 197.298 1(b), 3(a)

1, 3.

Oregon Revised Statutes

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.

(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.

(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. [1995 c.547 s.5; 1999 c.59 s.56]

- Application of highly conservative assumptions for new Commercial land (only 12 new commercial acres are proposed within the 20-year planning period), accompanied by a virtual prohibition on Commercial plan amendments near Interstate 5.
- Liberal assumptions regarding redevelopment of commercial land, "infill" on residential land, and the availability of undeveloped portions of existing industrial land.
- Very strong measures to ensure that industrially-designated land within the Southwest Industrial Area (SWIR) is retained in agricultural use until targeted employer requirements are met.
- Master planning requirements for the SWIR and the Parr Road Nodal Development Area prior to annexation and provision of urban services.
- Minimum density requirements for all residential land.
- Clear and objective protection measures for Woodburn's floodplains, wetlands and riparian corridors.

Existing Marion County zoning maintains large lot sizes through EFU zoning for large vacant parcels within the unincorporated urbanizable area. EFU zoning will continue to apply to such lands until a master plan showing maximum efficiency of land use has been approved by the City, the land is annexed, and urban zoning has been applied.

Except for the MacLaren School (a state juvenile detention facility), all non-resource land (i.e., areas that already have built and committed exceptions) adjacent to the Woodburn UGB are proposed for inclusion within the expanded UGB. Woodburn has five existing exceptions areas adjacent to the 2004 UGB:

- Butteville Road Rural Residential Exception Area (155 gross acres)
- Northeast (Hwy 99W) Rural Residential Exceptions Area (13 gross acres)
- MacLaren School Institutional Exceptions Area
- Southeast (Hwy 99W) Commercial Exceptions Area (13 gross acres)
- Southeast (Hwy 99W) Residential Exceptions Area (21 gross acres)

The need for low density infill housing can be accommodated to a limited extent within the Butteville Road, Northeast and Southeast Rural Residential Exceptions Areas. The Butteville Road and Southeast Rural Residential Exceptions Area have the capacity for limited infill at an estimated density of 3 units per net buildable acre. At this density, the Butteville Road area has the capacity for 295 units and the Southeast area has the capacity for 45 units The Northeast Rural Residential Exceptions Area is fully developed for urban low density residential uses and has no remaining development capacity.

The need for institutional growth cannot be met by the MacLaren School exceptions area. This state facility already has urban services and is not available to meet long-term institutional needs in Woodburn.

The need for highway commercial uses can be met to a limited extent within the Southeast Commercial Exceptions Area. This area has a range of low-intensity development uses. We have assumed that these and other strip commercial properties along Highway 99W will redevelop over time, thus reducing the need to designate new commercial areas on resource land.

this Study Area provides Woodburn a location to site upscale homes and meet housing needs for families at or above median income levels.

Environmental Consequences

Study Area 2 contains some wetland areas within the western portion that will be protected. Residential development around these areas does constitute a negative environmental consequence. However, most of the natural areas in this Study Area are within or associated with the developed golf course, so there is unlikely to be further negative environmental consequences. A natural drainageway is located along the northern boundary of the golf course and will not be impacted by the proposed UGB expansion.

Energy Consequences

Study Area 2 feeds into Boones Ferry Road, which leads directly to Woodburn's downtown core shopping and dining opportunities – a positive energy consequence to residential development. Study Area 2 can be efficiently served by public facilities and would continue a relatively compact urban form (by closing a gap in the UGB), which are also positive energy consequences of the proposed expansion in this area. Energy consumption will be reduced by the proposed nodal development. By placing neighborhood commercial next to higher density residential, reliance on automobiles for shopping and services will be reduced in favor of bicycle and foot travel. This will have positive energy consequences.

Study Area 3

Study Area 3 is located on the northeast border of the existing Woodburn UGB. This site is bounded to the west by Union Pacific Railway and the UGB, east by the eastern edge of the MacLaren School for Boys, north by Dimmick Road NE, and south by Highway 211 (Estacada Highway).

Land uses in Study Area 3 are mixed – some farming on EFU land, two developed residential areas with rural residential exceptions, and the MacLaren Youth Correctional Facility. The only land proposed for inclusion within Study Area 3 is a rural residential exception area adjacent to the existing UGB that is fully developed as a residential subdivision. This land is proposed for inclusion to ensure compliance with Factor 6 and ORS 197.298 requirements that exception lands be included before farmlands.

Economic Consequences

Study Area 3 would not meet the industrial siting needs, as it has fairly small parcel sizes and does not have good access to I-5. The economic value of industrial expansion in this Study Area would be minimal, since the City would be obligated to provide services to an area that is unlikely to meet the siting needs of targeted employers.

Study Area 3 is removed from residential neighborhoods within Woodburn, and is located near industrial and commercial areas, and a correctional facility. Though Study Area 3 can be provided efficiently with public services, its location makes it relatively less desirable for residential expansion. However, the developed rural residential exception area in Study Area 3 is proposed for inclusion within the UGB to ensure ORS 197.298 priorities are met.

Woodburn City Council meeting March 28, 2005 UGB expansion

Hello. My name is Lolita Carl. 13324 Carl Road NE Hubbard, OR 97

RECEIVED 3/28/05

I am here to urge you to think not 20 years into the future, but 50, 75, 150 years. Our farm has already had five generations of our family living on it, in only 90 years.

If we think short-term, our beautiful valley of mild climate, rich soil, and abundant resource land will be paved over. This is some of the nation's most valuable soil, and the plants and crops that can be grown here include grain, grass seed, vegetables, fruits, nuts, grapes, alfalfa, livestock and nursery stock.

Perhaps you are looking at a grass seed field and thinking: "What good is that? Let's put in some houses or a commercial or industrial park."

Because some day we might not be able to afford to import strawberries and apples from thousands of miles away. Because agriculture is Marion County's #1 industry.

You cannot stack farm fields on top of each other. But much of the housing and commercial needs for a small city such as Woodburn could easily go more vertical. It is much more efficient to have apartments with several stories and housing over commercial, as seen in many downtowns. The happy result of this smaller footprint is that it also makes a city more walk-able, more livable, and engenders community spirit.

Woodburn is ignoring the enormous agricultural production supporting and surrounding it, as well as the fact that thousands of its residents work in the ag industry. Most of these people's occupation has not been counted, as indicated in Eco Northwest's Woodburn Economic Analysis.

The City of Woodburn has just recently spent a couple million of the taxpayer's money for land for additional sewage treatment and roadway construction. This, only for the land, not the millions to develop it.

Already, Woodburn has a dependable and growing economic base in place with agribusiness. The farmers that

are the backbone of this industry are not pushing for new roads and infrastructure.

The ones who are really pushing for development and expansion are the consultants who are paid to say we need it. For example, Greg Winterowd, the consultant who was paid by Opus Northwest to try to get its land in an expanded UGB and also paid by the City of Woodburn. This is a serious conflict of interest that cannot be ignored.

Please take a moment to reflect on the importance of our decisions today. Think of the early settlers, who had no idea what the value of one huge old growth tree would be today. Now think of one acre of land today. With our rich Willamette Valley soil, it can produce new crops of food every single year to feed many, many people for endless generations. How many industries can say that?

record for Woodburn City Council Hearing on March 28, 2005

WOODBURN

CONTINUED FROM B9

said his group will file appeals to block attempts to develop the Opus site, drawing the line on attempts to gobble up more farmland. Clashes over the best use of land near Interstate 5 in Woodburn go way back.

■ Woodburn Company Stores, a factory outlet mall built along the freeway, remains a sore point for 1000 Friends. Once the Opus site is brought into the urban growth boundary, 1000 Friends officials say, there are few guarantees that it will actually become an industrial park and generate family-wage jobs.

■ In 1996, former Gov. John Kitzhaber singled out the WinCo Distribution Center in Woodburn as an example of how Oregon's land-use laws have failed to protect prime farmland.

But the counterpoint are from those, such as an industrial land advisory committee members appointed by the Oregon Economic and Community Development Depart-

ment, who maintain that state needs large chunks industrial land along the way.

Chris Warner, director Oregon Gov. Ted Kulongoski's economic revitalization said the advisory group the Opus property was a controversial choice for its properties designated as land for job creation. W said he wasn't aware complaints about Winter dual role with the city a developer.

In retrospect, Win said, working with Opus mistake. The controversy generated threatens to shadow the quality of th done for Woodburn, he s

Woodburn Mayor Figley said she didn't pain any follow-up by t about the issues raised Friends and farmers a day's City Council m The city was interested ing industrial develope the Opus site will beco toward cause along, she

Michael Rose can be r at (503) 399-6857 or mr Statesman-Journal.com

Conflict of interest cited

5088

A consultant on land use advised a developer, a group says.

BY MICHAEL ROSE
Statesman Journal

WOODBURN — A consultant hired by the city of Woodburn had a conflict of interest when he recommended expanding the city's urban growth boundary, according to land-use group 1000 Friends of Oregon.

Portland-based consultant Gregory Winterowd of Winterbrook Planning advised the city of Woodburn and real estate developer Opus Northwest. Opus intends to develop a 130-acre site along Interstate 5, west of the WinCo Distribution Center.

The dispute is whether Winterowd — hired by the city to provide impartial advice — should have taken money from a developer whose project depends on getting agricultural land brought into the urban growth boundary and rezoned for industry.

"How can we possibly rely on the objectivity of his analysis?" said Sid Friedman, planning advocate for 1000 Friends of Oregon.

Woodburn officials should view Winterowd's recommendations with skepticism or fall back on an earlier land-use study done by McKeever-Morris that suggested there was no need to expand the urban growth boundary, Friedman said.

ANDREA J. WRIGHT / Statesman J

EXPANSION: Land west of the WinCo Distribution Center in Woodburn is slated for development. A land-use group is concerned that a consultant to the city regarding this parcel also advised the develo

Farmland in Woodburn has been targeted as a site for industrial development, but some activists and farmers are objecting.

KAY WORTHINGTON/ Statesman Journal

example of "reasonably foreseeable conflict," according to an advisory issued by the trade group.

Woodburn officials said Winterowd's work for Opus "was acknowledged verbally" by the city, according to a Dec. 11 letter from the city manager to 1000 Friends.

Winterowd said he assisted Opus with designing a master plan for its property, but that work came several months after his company made the determination that the Opus

mise a planning process for a little bit of money, or a lot of money," said Winterowd, who used to be a member of 1000 Friends.

The complaints particularly sting, he said, because the master plan he prepared for Opus was intended to prevent the traffic congestion and sprawl detested by 1000 Friends.

Woodburn officials said that they have reviewed 1000 Friends' complaints about Winterowd and found them unfounded.

Winterowd no longer

The Opus site migh come a focal point for trasting views of Ore future: saving lan agriculture or rollin the welcome mat fo estate developers. cently was identifi one of 25 locatio "statewide significan job creation" by stat nomic development cials.

Woodburn has cussed adding about acres of land to its growth boundary, i ing the Opus parce

Sunday, Jan 23, 2005

Strong agricultural showing may help stave off development

I have harped again and again on the importance of the value of the agricultural sector to the overall economy of the Salem area. I may sound like a broken record, but it is for good reason. There are many factors related to the agricultural economy that contribute to its importance, including its size, the amount of exporting that is done, the value added to raw products and the consistency of it in the long term.

JOHN BURT

Agriculture

The first measure of an economic sector is the value of the product as it leaves the gate. We call this the "Farm Gate" value for agriculture, but it can be the gate of a manufacturing company as well. Oregon State University Extension Service collects data from every county in Oregon each year and reports on the value of agricultural production. These numbers for 2004 have just been released and I'd like to take a look at the results for the Mid-Valley.

The best news is that the numbers are up 5.6 percent from 2003. The gross value for all commodities is $519 million for Marion County, $124 million for Polk County and $242 million for Yamhill County. The three-county total is $885 million

Remember that these figures are at the farm gate, that is before any processing or value added takes place. We take acres times yield times price, or head of livestock times price. That gives us the gross value of production.

The next measure of economic impact is the value added, which translates into a "multiplier" and is higher for agriculture than for many other sectors of the economy. We use a multiplier of 2.0 to 2.5 for agriculture to get the overall impact on the local economy. Do the math and we're approaching $2 billion.

What is the commodity makeup here in the Mid-Valley?

The split between crops and livestock runs about 80/20 crops to livestock. It varies a little each year and by county, but has remained at about this level for several years. Ranking the top commodities in our three counties shows nursery and greenhouse commodities first with $289 million, a whopping 32.6 percent of the total; grass and legume seeds next at $135 million; then dairy products at $86 million; vegetables at $76 million; and tree fruits and nuts at $44 million.

Once again Marion County at $519 million is the No. 1 agricultural producing county in Oregon, followed by Clackamas County at $354 million.

Consistency is another attribute that keeps the agricultural sector strong.

Looking back during the past 15 years gives credence to this statement. The total value for the three counties was $511 million in 1990, $602 in 1995, $760 in 2000, and now $885 in 2004 for an average growth rate of 4.9 percent in this span. Since the value of agricultural products aren't directly a product of inflation, these growth numbers don't need to be adjusted for inflation. The only time there was a decrease was between 2001 and 2002 where the value dipped 1.9 percent. This is a track record other sectors are hard pressed to follow.

Finally, the real value of the agricultural economy is the fact that it is based on our natural resources: our world-class soils, available water and beneficial growing climate. A strong agriculture will help protect and conserve these resources and may be the best way to hold off the pressure to develop these lands for other uses.

John Burt is staff chairman of the Oregon State University/Marion and Polk County Extension Service. He can be reached at John.burt@oregonstate.edu or (503) 373-3757.

Submission to record for Woodburn City Council Hear on March 28, 2005 7pm

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Of the 39 individual industries shown in Table 2-3, 22 of them added fewer than 50 jobs in the 1990–1999 period. Industries that lost jobs over this period include Forestry (-54), Building Materials stores (-16), and Heavy Construction (-10).

Table 2-2. Covered employment and payroll in the 97071 zip code area, 1990 and 1999

		1990			1999		
Sector / Industry	SIC 2	Units	Emp	Payroll	Units	Emp	Payroll
Agriculture, Forestry, Fishing		69	948	$13,466,736	67	1,321	$23,372,828
Agricultural Production - Crops	01	36	678	$9,196,086	35	775	$15,397,605
Agricultural Services	07	14	70	$1,010,654	17	403	$4,859,483
Forestry	08	17	90	$844,724	4	36	$508,995
Mining		0	0	$0	0	0	$0
Construction		55	203	$4,894,530	88	383	$11,096,132
General Building Contractors	15	20	63	$1,979,043	28	172	$5,006,499
Heavy Construction	16	3	23	$481,216	3	13	$466,973
Special Trade Contractors	17	32	117	$2,434,271	57	198	$5,621,660
Manufacturing		35	1,734	$34,457,829	36	2,113	$56,636,169
Food & Kindred Products	20	5	693	$12,012,491	7	776	$18,147,293
Lumber & Wood Products	24	12	767	$15,669,328	11	1,013	$25,990,873
Printing & Publishing	27	7	32	$508,198	4	27	$629,528
Industrial Machinery & Equipment	35	3	79	$2,115,220	3	129	$4,[illegible]81,930
Transportation & Utilities		22	179	$4,071,066	24	288	$8,799,896
Trucking & Warehousing	42	12	64	$1,451,818	12	123	$3,881,292
Communications	48	3	16	$272,567	5	23	$697,267
Wholesale Trade		20	102	$2,229,829	22	294	$8,396,088
Durable Goods	50	10	59	$1,328,499	10	166	$4,849,320
Nondurable Goods	51	10	43	$901,321	12	128	$3,446,768
Retail Trade		109	1,166	$16,782,383	146	2,346	$54,993,666
Building Materials	52	12	160	$4,186,413	11	144	$4,234,232
General Merchandise	53	2	72	$842,786	5	307	$5,062,822
Food Stores	54	16	274	$3,639,546	17	880	$27,848,473
Automotive Dealers & Service	55	22	195	$3,448,543	19	274	$8,844,059
Apparel	56	6	16	$171,914	17	61	$828,853
Furniture	57	8	16	$246,322	14	42	$723,056
Eating & Drinking	58	25	366	$2,722,883	37	548	$6,353,271
Miscellaneous Retail	59	16	47	$522,572	26	84	$1,298,869
Finance, Insurance, & Real Estate		26	149	$3,228,183	53	223	$6,764,001
Depository Institutions	60	4	73	$2,279,960	14	76	$2,472,876
Insurance Agents	64	9	24	$462,812	9	24	$673,383
Real Estate	65	11	50	$457,256	25	111	$1,910,099
Services		125	697	$7,469,169	167	908	$16,626,274
Hotels & Lodging Places	70	3	33	$251,334	6	58	$647,896
Personal Services	72	12	51	$612,328	11	49	$979,574
Business Services	73	10	39	$510,182	16	88	$1,146,371
Auto Repair & Services	75	9	56	$918,196	13	59	$1,814,526
Miscellaneous Repair	76	4	5	$82,786	7	7	$173,212
Amusement & Recreation	79	4	37	$279,751	8	65	$714,622
Health Services	80	29	216	$2,965,182	26	212	$4,777,740
Legal Services	81	5	15	$293,841	9	16	$427,066
Educational Services	82	2	23	$232,099	4	29	$477,842
Social Services	83	13	24	$268,748	14	185	$3,495,529
Membership Organizations	86	19	66	$554,415	23	87	$1,190,291
Engineering & Management	87	10	23	$418,003	11	20	$545,501
Private Households	88	4	5	$41,107	6	3	$105,885
Nonclassifiable	99	10	2	$86,169	5	6	$77,252
Government		4	471	$9,803,393	5	842	$20,916,041
Local		3	471	$9,802,259	4	841	$20,869,365
Total Covered Employment		475	6,552	$96,460,268	593	8,714	$208,576,427

Source: Oregon Employment Department. Confidential ES-202 Employment Data provided to ECONorthwest.
Notes: Woodburn area employment summarized by ECONorthwest; Covered employment does not include most farm employment, thus the table underestimates total employment.

on March 28, 2005

Table 2-3. Covered employment growth and average payroll per employee in the 97071 zip code area

Sector / Industry	Emp Growth 1990-1999		Pay/Emp 99
Agriculture, Forestry, Fishing	372	39%	$17,693
Agricultural Production - Crops	97	14%	$19,868
Agricultural Services	333	476%	$12,058
Forestry	-54	-60%	$14,139
Mining	0	0%	n/a
Construction	180	89%	$28,969
General Building Contractors	109	173%	$29,108
Heavy Construction	-10	-43%	$35,921
Special Trade Contractors	81	69%	$28,392
Manufacturing	379	22%	$26,330
Food & Kindred Products	83	12%	$23,386
Lumber & Wood Products	246	32%	$25,657
Printing & Publishing	-5	-16%	$23,316
Industrial Machinery & Equipment	50	63%	$32,418
Transportation & Utilities	109	61%	$30,556
Trucking & Warehousing	59	92%	$31,555
Communications	7	44%	$30,317
Wholesale Trade	192	188%	$28,558
Durable Goods	107	181%	$29,815
Nondurable Goods	85	198%	$26,928
Retail Trade	1,174	101%	$23,502
Building Materials	-16	-10%	$29,404
General Merchandise	235	328%	$16,491
Food Stores	606	221%	$31,646
Automotive Dealers & Service	79	41%	$31,548
Apparel	45	281%	$13,588
Furniture	28	163%	$17,216
Eating & Drinking	162	42%	$11,594
Miscellaneous Retail	37	79%	$15,463
Finance, Insurance, & Real Estate	74	50%	$25,848
Depository Institutions	3	4%	$32,538
Insurance Agents	0	0%	$28,058
Real Estate	61	122%	$17,208
Services	308	52%	$18,261
Hotels & Lodging Places	25	76%	$11,171
Personal Services	-2	-4%	$19,991
Business Services	49	126%	$13,027
Auto Repair & Services	3	5%	$27,365
Miscellaneous Repair	2	40%	$24,745
Amusement & Recreation	28	76%	$10,994
Health Services	-4	-2%	$22,537
Legal Services	1	7%	$26,692
Educational Services	6	26%	$16,477
Social Services	161	671%	$18,895
Membership Organizations	21	32%	$13,682
Engineering & Management	-3	-13%	$32,275
Private Households	-2	-40%	$35,295
Nonclassifiable	3	150%	$15,450
Government	371	79%	$24,840
Local	370	79%	$24,815
Total Employment	3,162	57%	$23,592

Source: Oregon Employment Department. Confidential ES-202 Employment Data provided to ECONorthwest. Growth and pay per employee calculated by ECONorthwest.

CONTEXT FOR ECONOMIC GROWTH IN WOODBURN

Economic development in Woodburn over the next twenty years will occur in the context of long-term national trends. The most important of these trends includes:

- Continued westward migration of the U.S. population, and the increasing role of amenities and other non-wage factors as determinants of the location decisions of households and firms.
- Growth in Pacific Rim trade.
- The growing importance of education as a determinant of wages and household income.
- The decline of employment in resource-intensive industries and the increase in employment in service-oriented and high-tech manufacturing sectors of the economy.
- The increasing integration of non-metropolitan and metropolitan area

Short-term national trends will also affect economic growth in the region, but these trends are difficult to predict. At times these trends may run counter to the long-term trends described above. A recent example is the downturn in Asian economies, which caused Oregon's exports to Pacific Rim countries to decline. This in turn led to layoffs in the Lumber & Wood Products and high-tech Manufacturing industries. The Asian economies, however, have substantially recovered, and Pacific Rim trade will continue to play a significant role in the national, state, and local economy. This report takes a long-run perspective on the Woodburn economy (as the Goal 9 requirements intend) and does not attempt to predict short-run business cycles.

Economic development in Woodburn will also be affected by long-run economic trends in Oregon and the Willamette Valley. The

March 28, 2005

ability to compete well in the job market. A much higher percentage of Hispanics are in Farm, Forestry, and Agricultural occupations than the statewide population as a whole. Moreover, far fewer Hispanics are in professional occupations. This suggests that Hispanics earn less than other groups. According to the Oregon Employment Department, "there is little doubt that in Oregon, income levels are lower than those for all Oregonians."

Table 3-8 shows the percent of population by occupation. This table shows that a larger share of Woodburn residents are in the Farm/Forest/Fishing, Laborer & Handler, and Machine & Transportation Operators occupations, which are generally low-skill and low-wage occupations. Woodburn has a correspondingly low share of population in Executive/Administrative/Managerial and Professional occupations, which are generally high-skill and high-wage occupations.

Table 3-8. Percent of population by occupation, 1997

Occupation	Oregon	North Valley	Marion County	Woodburn
Execs, Admin, Mgrs	12%	13%	12%	9%
Professional	14%	15%	13%	9%
Technical	3%	3%	3%	2%
Sales	12%	12%	11%	9%
Admin & Clerical	15%	16%	16%	11%
HH Services	0%	0%	0%	0%
Other Services	13%	12%	15%	14%
Craft & Precision Prod.	11%	11%	11%	12%
Machine & Trans Operators	11%	10%	10%	14%
Laborer & Handler	4%	4%	4%	6%
Farm, Forest, Fishing	4%	3%	6%	14%
Total	100%	100%	100%	100%

Source: Claritas. REZIDE 1996. Percents calculated by ECONorthwest.

The data in this section suggests that the labor force in Woodburn may lack the skills needed in industries with high-skill and high-wage occupations. If Woodburn wants to attract high-skill and high-wage industries it will need to rely on workers who reside outside of Woodburn, attract higher-skilled residents, or improve the education and training of existing residents.

HOUSING

Housing is an important component of any economic development strategy. Goal 10 requires cities to develop strategies to provide housing affordable to households at all income levels. In addition to concerns about availability of housing affordable to lower income households, issues of providing higher quality housing for managers need to be considered in both housing and economic development strategies.

Moreover, ORS 197.296 requires communities to inventory buildable residential lands and conduct a housing needs analysis. Woodburn completed

RECEIVED 3/28/05

Testimony 3-28-05

- My name is Toni Spencer. I live at 13736 Wilco Hwy, NE, a small farm outside of Woodburn.

- I am a native Oregonian raised on a working cattle ranch and have lived most of my life in a rural environment.

- Although I do not profess to be an expert on Community Development and Planning, I feel compelled as a concerned citizen to comment on the proposed expansion of the urban growth boundary.

- I have great respect for those who live and work on the land. I also respect and realize the importance of the economic stability that it provides the community. Anyone can be proud to live here. Consider the fact that agricultu is a viable industry.

  - Agriculture and food products are Oregons largest export by volume and its 2nd largest export in value at $2 billion dollars annually

- According to Katy Coba, Director of the Oregon Dept of Agriculture the value of these products has increased in 16 of the past 18 years. Food processing adds another $2 billion dollars annually.

- Marion County ranks #1 in Oregon for gross agricultural sales at $518 million dollars annually.

- I worry that we may be too eager to include valuable, prime farmland in the proposed UGB.

- I have looked at areas within the current UGB and I see vacant properties, commercial, industrial and residential that can be redeveloped and reoccupied.

  - I took a drive through the industrial park, just off hwy 214. I saw at least 8 properties for lease or for sale. One building is 137,000 sq ft

- Despite what the consultants now say, any vacant building of significant value, is not counted in the consultants inventory of vacant industrial properties.

- Before we expand the current UGB, we have a responsibility to solicit new industry into our underdeveloped and undeveloped properties. We have the capacity for new industries in our current UGB.

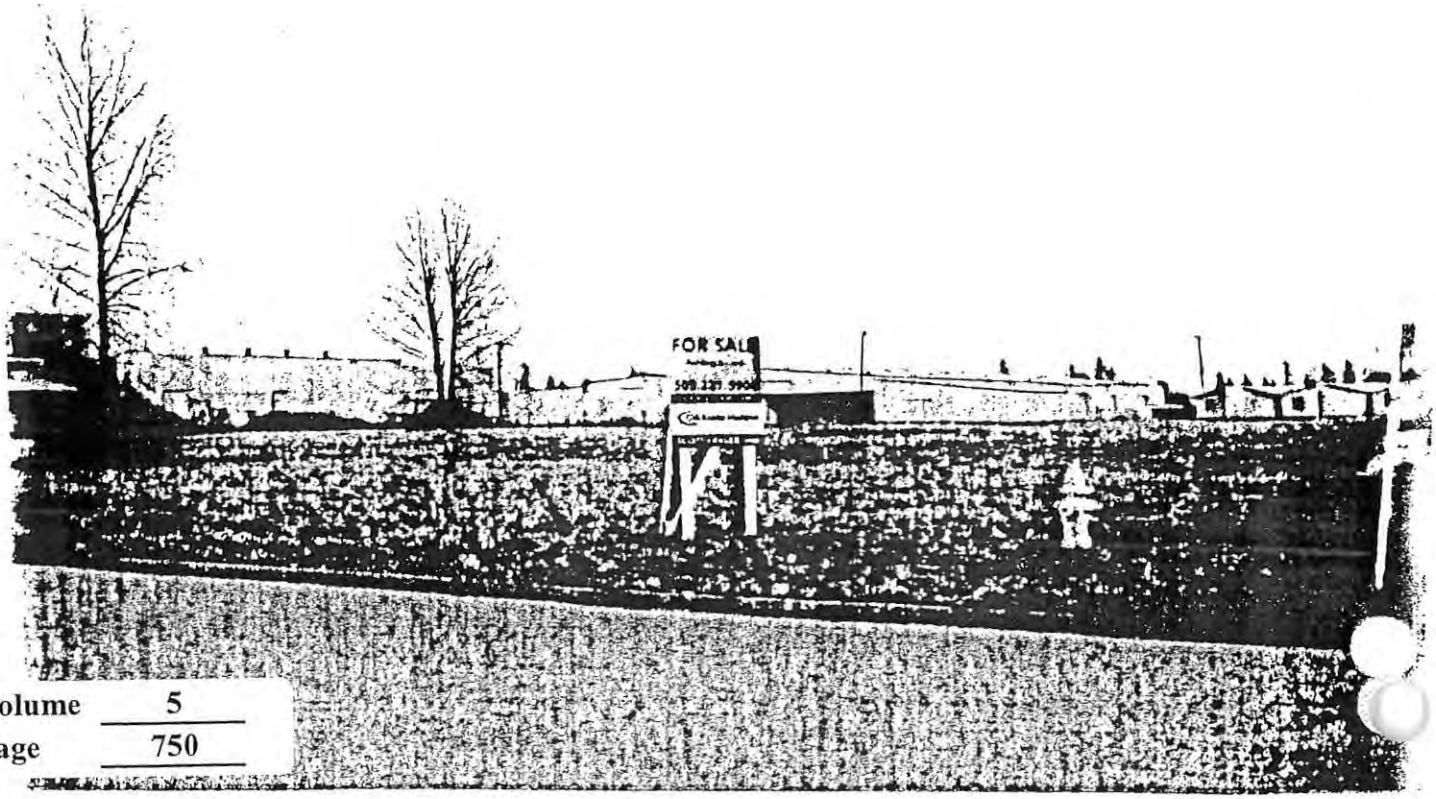
- My hope is that we carefully determine and decide what is really needed before including prime farmland in the proposed UGB

- We all would like to see economic progress in Woodburn, but remember, new industry can move in and cost us, the taxpayers, millions of dollars for sewer, water, sidewalks and roads and then up and move out, just as fast. Leaving us with the unemployed workers and the bill. Or

this productive farmland is paved over, it is gone forever.

Thank You,

Toni Spencer



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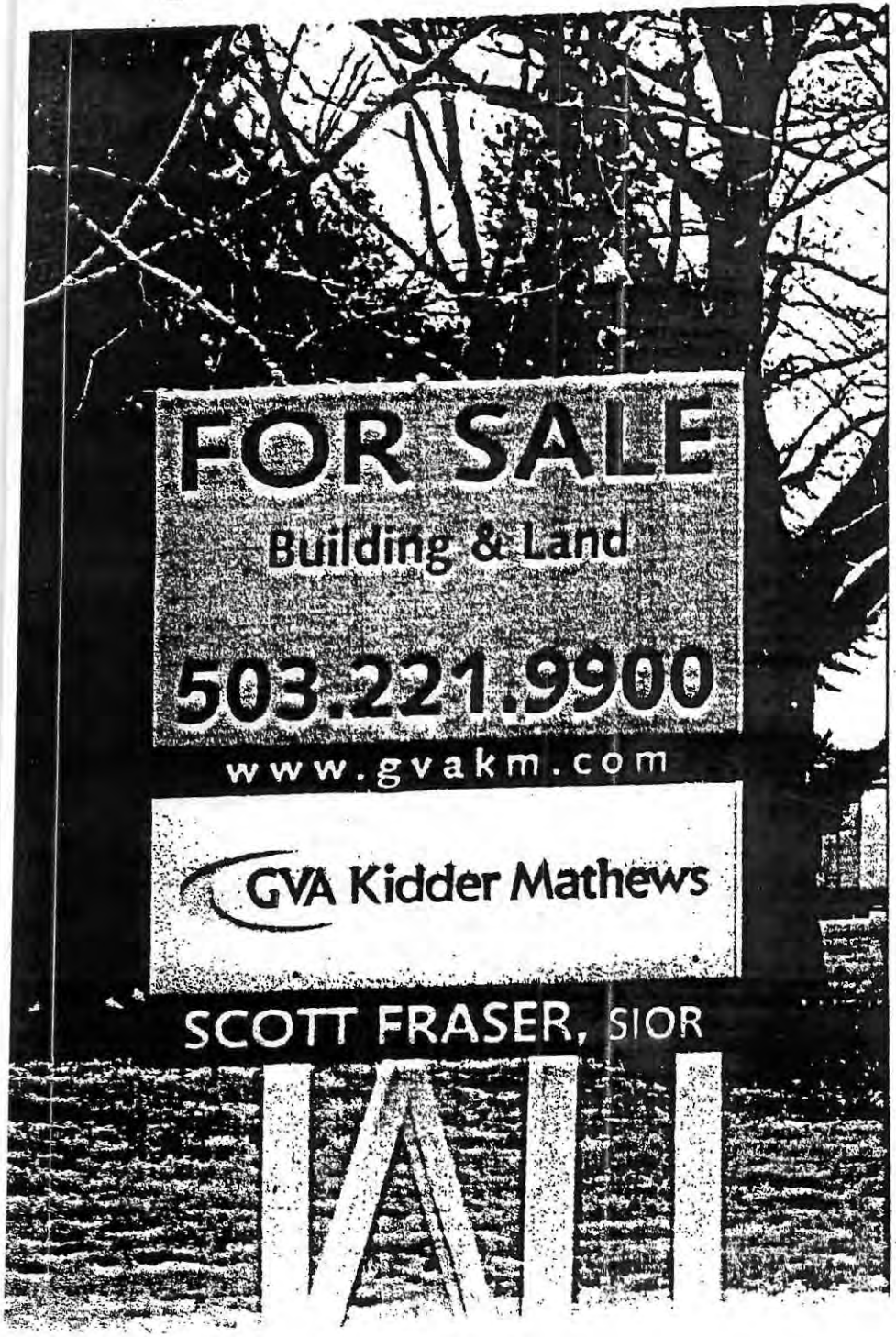

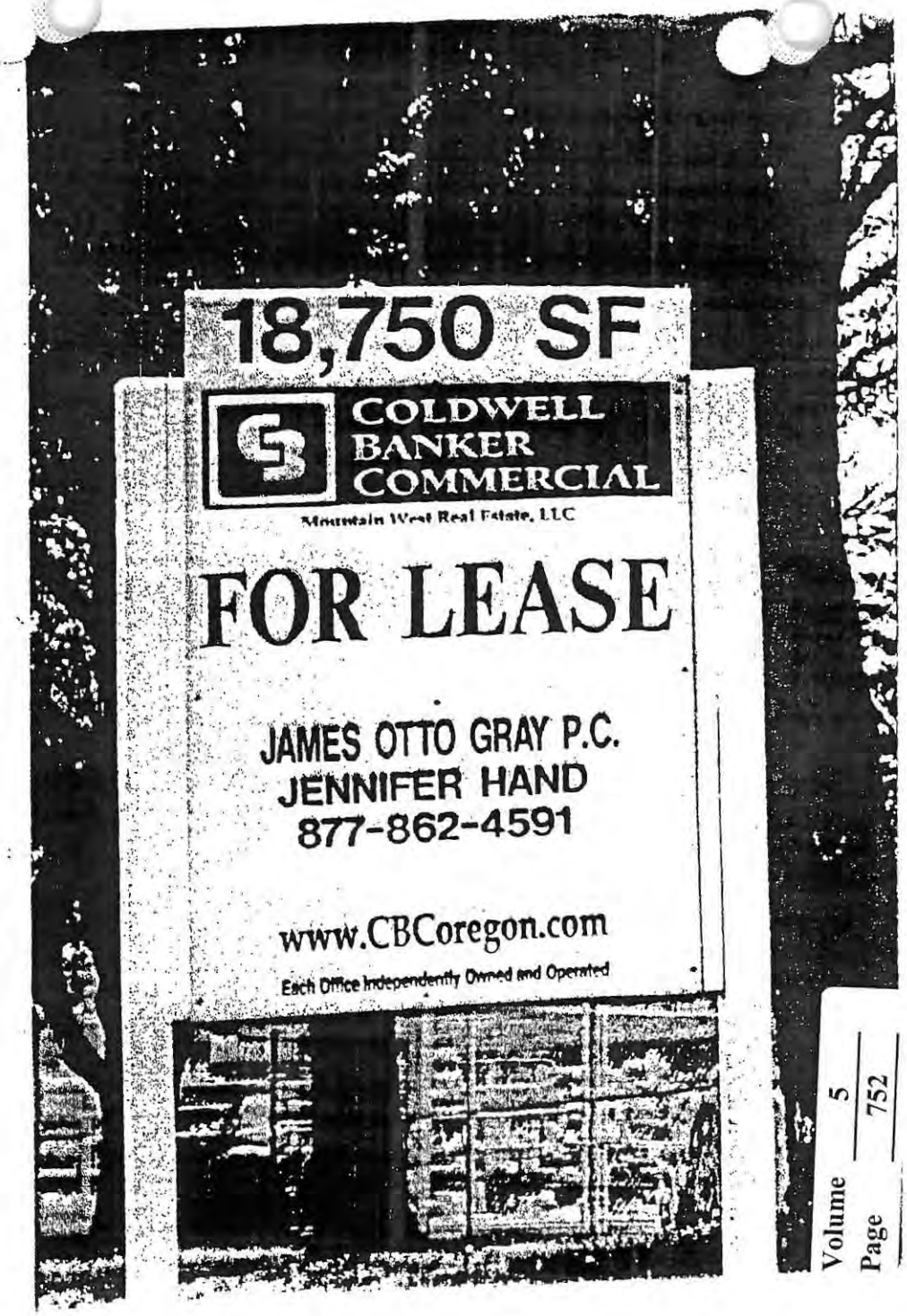

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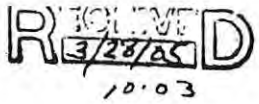
Exhibit "B"-93



March 28, 2005

Woodburn City Council
270 Montgomery Street
Woodburn, Oregon 97071

RE: UGB Amendment - Fessler Property

Dear Councilors:

This office represents the Fessler family, farmers in the Woodburn area for four generations with a strong interest in Woodburn's economic growth and livability.

As owners of property to be included in the expanded Urban Growth Boundary, the Fesslers urge your approval of the proposed expansion. Their property consists of 120 acres on the northernmost tip of the proposed UGB (Study Area 2) and is bordered on three sides by I-5, Crosby Road, and Boones Ferry Road. Under the proposed Comprehensive Plan, the property would be designated Low Density Residential.

In addition, the Fesslers respectfully request that no portion of their property be removed from the expansion as a result of the potential addition of School District property to the proposed expansion. The Planning Commission has recommended to Council that 19 acres owned by the Woodburn School District be added also as Low Density Residential to the southeastern edge of the proposed expansion. The Fesslers do not oppose the addition of the School District's property. However, if the Council decides to add these 19 acres, and, as a result, also decides to reduce Low Density Residential acreage from another area of the proposed expansion, the Fesslers request that such reduction be made on other areas of the expansion. The reasons for this request are as follows:

1. **Existing Buffers between Residential & Agricultural Uses**

The Fessler property as a whole is ideally situated for low density residential development not only because of its close proximity to existing public services and flat terrain, but also because I-5, Crosby Road, and Boones Ferry Road provide a buffer between the proposed residential use on the Fessler property, and the agricultural uses surrounding the property. Leaving a piece of the Fessler

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operty as agricultural land would eliminate these existing buffers since that land retained as ricultural would directly abut residential property. Further, under the Woodburn Transportation Systems Plan, Crosby Road is to be upgraded to minor arterial standards, which will not only enhance it as a buffer between residential and agricultural uses, but will also improve access and transportation generally for the residential area proposed on and around the Fessler property (See *Revised Woodburn UGB Justification Report*, 41).

2. Soil Values

Other properties also to be designated Low Density Residential are better suited for removal from the proposed expansion based on soil value. The Fessler property contains Class II, III, and IV soils, but has no Class I soils. If the Council indeed decides to remove Low Density Residential acreage from the proposed expansion, other areas contain higher value soils (i.e. Class I soils) and should be removed first. Preserving soils capable of the highest value agricultural production is not only economically beneficial, but is also required by Statewide Planning Goal 14, Factor 6, as well as ORS 197.298(2). Factor 6 and ORS 197.298(2) require jurisdictions to give lower capability soils higher priority for inclusion in a UGB. Or, in other words, Class I soils should be removed from the proposed UGB expansion before Class II and III soils are removed.

3. Efficiency

Lastly, by including all of the Fessler property in the UGB expansion, Council will promote efficient development and avoid inefficient use of land. Large-tract development enables City Planning and Public Works to plan services for a large area at one time rather than sporadically as piecework. Similarly, the soft costs of developing property, such as site design, engineering, obtaining permits and approvals, and legal fees, can be spread over more acres.

We again urge your approval of the proposed expansion and, for the reasons set forth above, ask that if the Council intends to reduce Low Density Residential acreage, that it be done on properties more suitable for reduction than the Fessler's. Thank you for your consideration of this matter. We look forward to your decision.

Sincerely,

BRIAN G. MOORE
bmoore@sglaw.com
Voice Message #366

BGM:ms

H:\Docs\15000-15499\15087\Letter Council.2.Doc

view of what is sufficient to accommodate peak hour trips is obviously far below what would be expected in the area covered by the IMA Overlay District.

We are unsure what will happen once the cap has been reached, and ask the City if all non-residential development will be halted as result. In essence, we believe this proposal will impose an indefinite growth moratorium in this area of Woodburn once the 2,500 trip Areawide Trip Budget has been reached.

Concern #3: Negative Impact Statewide

While we recognize the proposed IMA Ordinance affects only Woodburn and the I-5/Hwy 214 interchange, it is apparent that ODOT clearly views this as a pilot which could be extended to interchanges across Oregon.

In Conclusion:

We encourage the Council to view the Proposed IMA Ordinance as affecting more than just Woodburn, to oppose ODOT's attempt to use Woodburn as a test case for vehicle trip-based regulation, to further investigative the impact on Woodburn's commercial and industrial maturity, and to protect the city from the potential of costly litigation as a result of Measure 37 claims.

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In my previous oral and written testimony, I have given numerous examples of the kinds of uses that we have in mind for our area. Copies of my letters to you dated March 1, 2005, and to the Planning Commission dated February 7, 2005, are attached at the end of the handout. They contain many of those examples. I won't go through them again here. I do want to point out, however, that our vision is not ours alone.

In case you don't know or have forgotten, in 1999 a City Council-appointed committee called "Buildable Lands Citizen Advisory Committee" held numerous hearings and reported findings and recommendations to the City. Dave Christoff chaired that committee. The recommendations were shelved because of the conflict with Marion County over the future population figures to be assigned to the City for purposes of determining land needs. By the time the population issue was resolved, the players (including the consultant, the planning staff, and most of the elected and appointed officials) had changed and the recommendations came out very differently, including the current proposal that bets most of Woodburn's future on the construction and success of a South By-Pass.

Let me tell you about the recommendations of Dave Christoff's committee. That committee recommended that 65 acres of our area be brought into the UGB and designated Light Industrial, with a Mixed Use Campus District designation. I will let you read from the committee's report for yourselves. It is attached in the middle of the handout. Included also are maps related to the committee's recommendations. I would like to highlight several comments and findings. They said (and I run several clauses together) "There are a number of commercial and industrial uses that compliment one another... A mixed use campus ... district ... would allow the opportunity for specific industrial and commercial uses to be in close association with one another...The mixed use campus would be subject to a strict design standard."

We and that committee don't have exactly the same concept in mind, but it is pretty close. We think that, not only do many commercial and industrial uses conducted by different businesses compliment one another, but also it is often difficult to tell exactly which one a particular business is. For example, you would normally say a shoe maker has a commercial operation at a retail location, but an industrial one where the shoes are made. However, what would it be in a location where they make the shoes, but they also have a showroom and salesroom as part of their entire business at that same location? We think that uses and businesses that have some of the characteristics of both commercial and industrial are also appropriate for our area. We would like to see an area similar to some of the areas along the west side of I-5 near Lake Oswego, along I-5 through Wilsonville, near Portland Airport, and along Highways 26 and 217. We disagree with the committee to the extent that we think that you should now bring the entire 125 acres into the Urban Growth Boundary. Things have changed in several respects since 1999, including Woodburn Company Stores and other retail businesses along Arney Road, the population projections, and the urbanization of our

1. Our area is and has been for about the past 30 years the area most surrounded by the UGB. That will be even more true if you now extend the UGB north along Butteville Road and all the way to Crosby Road on the east side of I-5. You can see that very clearly on the first page of the maps in the handout. As former Mayor, now Planning Commissioner, Dick Jennings so colorfully suggested at the hearing a month ago, "It looks like a drunken sailor drew the proposed UGB line in that area." He then went on to acknowledge that squaring off the UGB around our area is something he has wanted and promised to do for quite some time. However, he decided to not recommend that action at the Planning Commission hearing.
2. Our area is already surrounded and affected by urbanization. This is basically the same reason that we should be considered an "exception area". Our area adjoins Woodburn Company Stores, the manufactured homes portion of the old Nazarene District, and I-5. Our parcels are small, especially in comparison to the parcels along the proposed South By-Pass and on the west side of Butteville Road. Our area will draw far less attention from conservation organizations and from county and state officials, who will be scrutinizing this proposal very carefully. Our parcels haven't been fully farmed for quite some time. It will have far less impact on local farming for our area to be developed than it will for those other parcels to be developed.
3. Our area already has streets, power, water, and sewer running right up to it. There is no need to wait for a South By-Pass (or a new freeway exit) to be approved, funded, and built. And there is no need to wait for or to pay for utilities and infrastructure to be drug nearly one mile to a South By-Pass before industrial development could commence there. You might be talking about a difference of over 20 years. If the purpose of this periodic review process is to designate an available 20-year supply of land, isn't it relevant how ready the land is for development and whether the area has economic viability? Hasn't Woodburn Company Stores, which is one of the largest and most successful retail developments in the Pacific Northwest, proven that our area is viable in terms of location, visibility, and traffic flow?

In summary, we feel that our area should be included within the UGB based on its own merits. Your consideration of our position will very much be appreciated.

One final matter that I would like to get in the record is that I wish to express my thanks to both Greg Winterowd and Jim Mulder for the time, coaching, and courtesies they have extended. We simply have a slight difference of opinion on this particular matter.

Very truly yours,

Martin W. Rohrer

Martin W. Rohrer

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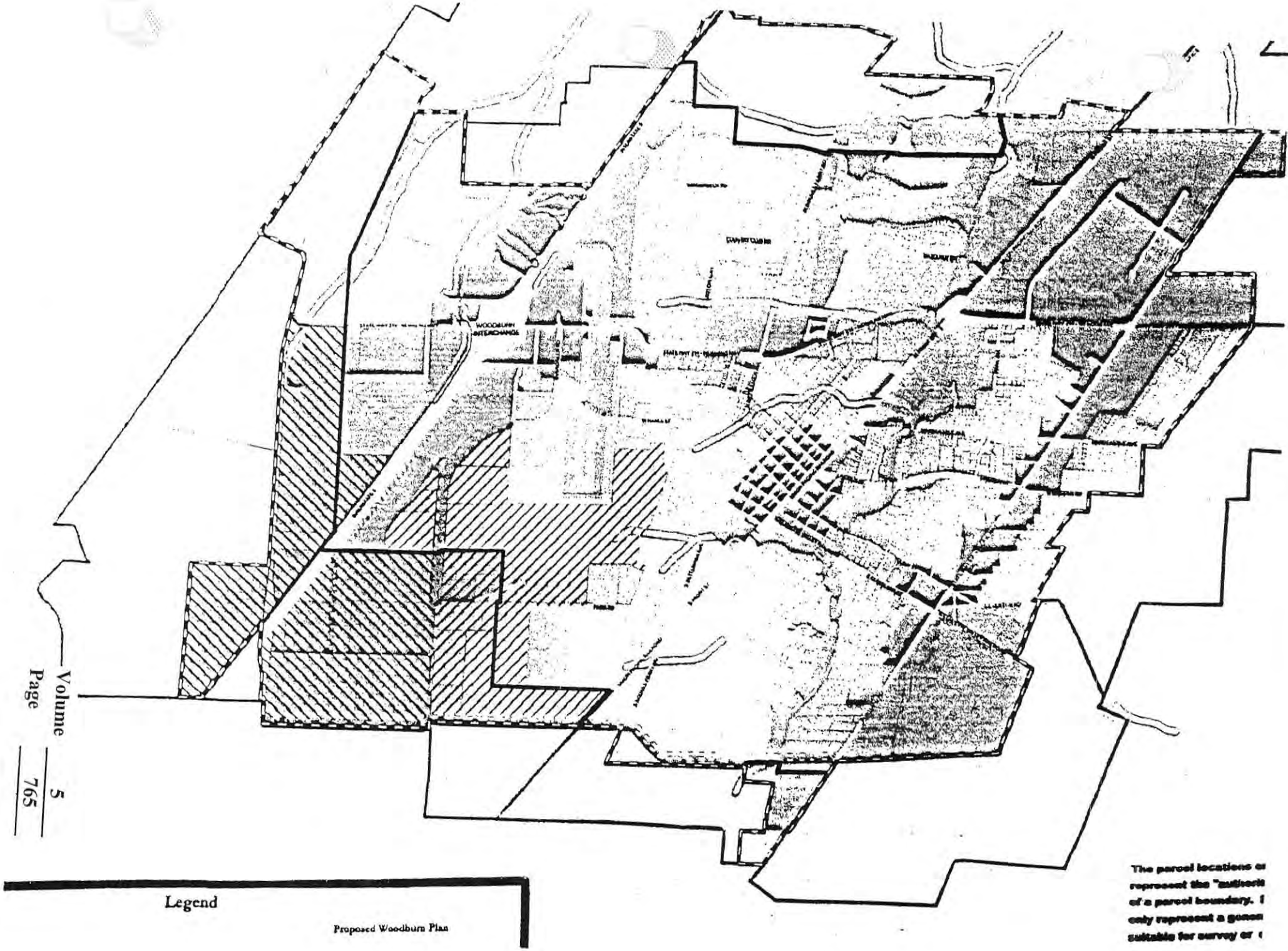
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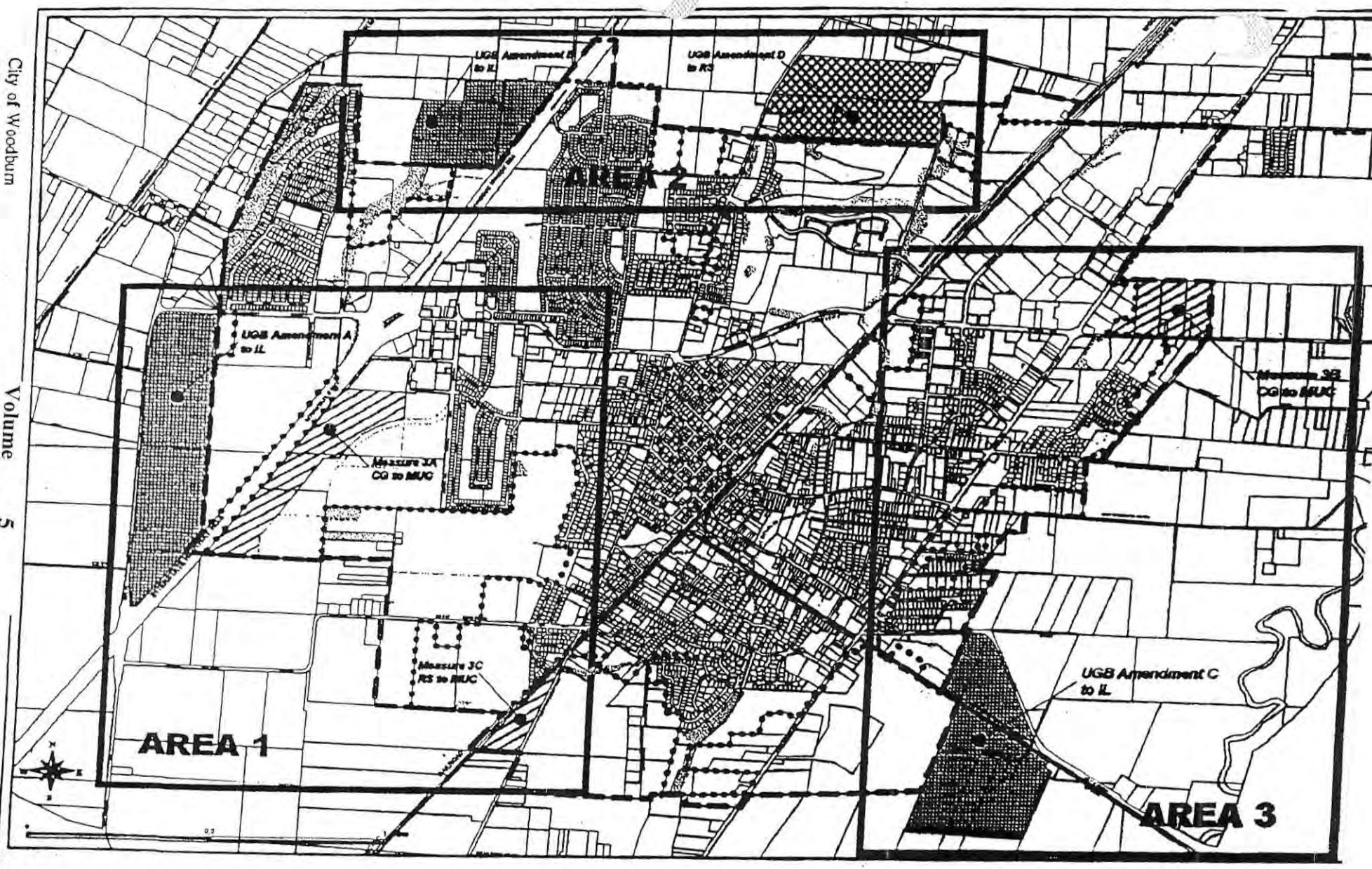

City of Woodburn

Growth Management Advisory Committee Recommendations

Legend

- City Limits
- Urban Growth Boundary

Recommended Zone Changes

- Light Industrial
- Medium Density Residential
- Mixed Use Campus

City of Woodburn Buildable Lands & Housing Needs Analysis

Data obtained from the Marion/Polk Data Center and is considered current as of April 1, 1998. City Limits considered as as of December, 1998.

Plotted: September 20, 19

Figure 3

Urban Growth Boundary Amendments

As can be seen in Table 6, the measures proposed by the Committee yield a shortage of industrial land, according to the assumed need (Table 5). To help off-set this shortage, the Committee recommends expanding the UGB in three areas to increase the city's industrial land base (Figure 3). The Committee also recommends including all of the Tukwila residential development in the UGB.

- **Description:** The Committee recommends the following measures to expand the UGB:

  A. 130 acres (97.5 acres net) as Industrial located west of the Waremart property.

  B. 65 acres (48.8 acres net) as Industrial located northwest of the I-5 interchange.

  C. 82 acres (61.5 acres net) as Industrial located adjacent to other industrial uses in the southeast corner of the city.

  D. 38.3 acres (28.7 acres net) as LDR located adjacent to the northern city limit.

- **Potential Issues:** Additions to the UGB must be justified according the evaluation criteria in the Woodburn Comprehensive Plan Goals and Policies and Oregon Revised Statutes which are listed later in this report. Findings to support the proposed expansion are presented in Appendix H.

- **Estimated Result:** The industrial land base will be increased substantially

- **Net Gain:**

  207.8 net acres - Industrial land to be added to the existing 107.9 net acres.
  28.7 net acres - Residential land to be added to the existing 535 net acres.

Comprehensive Plan and Zoning Ordinance Amendments

To support the Committee recommendations, a number of Comprehensive Plan and Zoning Ordinance amendments are proposed. These are described in Appendix I.

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- An opportunity to work and live within the same community thereby reducing commuting time for residence. This would promote energy conservation by reducing fuel consumption.
- The areas proposed for industrial designation have the ability to be provided with city services.
- There are no identified water or sewer capacity issues.
- The proposed industrial properties have direct access to state highways and/or city arterial streets.
- The City of Woodburn sites on predominantly Class II (Amity and Woodburn) soils. The city has no option on this matter but to place such uses on Class II soils.

UGB Amendment A

This site is approximately 130 acres in size and lies on the south side of State Highway 219 adjacent to the Waremart facility and is outside the City's UGB. Any site approved for UGB expansion by the City Council it will be subject to justification under ORS 197.298 and Statewide Goals 14 Urbanization and Goal 2 Land Use Planning exceptions process.

FINDINGS:

- Is contiguous to the city limits and Urban Growth Boundary.
- Completes area adjacent to existing/successful industrial sites.
- Has direct access to Butteville County Road and Woodland Avenue and arterial that connects to State Highway 219.
- Has convenient access to the I-5 Interchange.
- Water, sewer, storm and the Woodland arterial are stubbed to the west property line of this tract.

UGB Amendment B

Site number three consists of approximately 65± acres adjacent to Interstate 5 and north of the Factory Outlet and would be designated MUC. These properties are outside the city's Urban Growth Boundary but contiguous to that boundary.

FINDINGS:

- The use of these parcels for industrial activity serves as a buffer to freeway noise for the residential uses to the west.
- Is a better neighbor to adjacent wetland/greenways and existing residential area than current farming practices, i.e., chemicals, and pesticides pollution.
- Provides a buffer to vehicular pollution between freeway and farmland uses to the west.
- Public facilities and an arterial street abut these parcels.
- It upholds the concept of maintaining industrial uses on the periphery of the city.

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APPENDIX I

RECOMMENDED COMPREHENSIVE PLAN AND ZONING ORDINANCE AMENDMENTS

Growth Management Committee Recommendations

PROPOSED COMPREHENSIVE PLAN GOALS & POLICIES

GOAL: Provide a wider range of housing alternatives that encourages larger residential lot sizes providing a balance to the city's housing needs.

Policies:

- Require Single Family Residential properties that are annexed to the City be a minimum of 8,000 square feet in size (exceptions for PUD's). This will require amending the city's zoning ordinance to allow another residential zoning district.
- Encourage residential properties annexed be designed as Planned Unit Developments (PUD's).
- Allow a mix of uses within a residential PUD being annexed that provides such amenities as private or public parks, open space and low intensity neighborhood commercial uses.

GOAL: Provide for diversification in land uses by allowing for an industrial (at least 50% or more) and commercial mix.

Policies:

There are a number of commercial and industrial uses that compliment one another.

- Create a mixed use campus (MUC) district that would allow the opportunity for specific industrial and commercial uses to be in close association with one another.
- The mixed use campus would be subject to a strict design standard.
- All Commercial uses in the MUC district would be required to have a minimum floor area ration (FAR) of .4.

RECOMMENDATION:

- Expand the Urban Growth Boundary to allow for additional light industrial development.
- Adopt policies that must be met to justify any UGB expansion for industrial development. Note: Any site approved for UGB expansion will be subject to justification under ORS 197.28 and Statewide Goals 14 Urbanization and Goal 2 Land Use Planning exceptions process.

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16 Abelard
Lake Oswego, OR 97035-2342
March 1, 2005

Woodburn City Council
c/o Jim Mulder
Woodburn City Hall
270 Montgomery Street
Woodburn, OR 97071

Dear Mayor Figley and Councilors:

This letter and its enclosures are submitted for your consideration relative to your March 28, 2005, hearing on the UGB expansion (and other matters.) I will be testifying at the hearing on behalf of myself and three of my neighbors (Castor, Adney, and Coleman) who also own properties along Arney Road.

The enclosures are:

1. Aerial photograph looking down on Arney Road. The area outlined in red is approximately 125 acres and our four properties comprise about 110 acres of the total of 125 acres.
2. Aerial photograph looking down on the Woodburn I-5 Interchange. Both the approximately 125-acre area and the proposed South By-Pass are shown in red.
3. My map showing the northwest quadrant of staff's proposed UGB adjustments to the Comprehensive Plan. I have added to the map the approximately 125-acre area, the roads, and the identification of the properties owned by their owners.
4. Letter to the Woodburn Planning Commission dated February 7, 2005.
5. Letter to Greg Winterowd and Jim Mulder dated April 29, 2004.
6. Letter to John Brown dated April 26, 1999, with enclosures (which include the July 23, 1996, letter of Robert L. Engle sent on my behalf to Steve Goeckritz.)

As you can see, we have been consistent and persistent in our efforts to be included within the UGB since 1996. I last testified before the Woodburn Planning Commission on February 3, 2005. At their deliberations on February 24, 2005, Jim Mulder was asked by the Planning Commission why he recommended that our area not be included in the currently proposed UGB expansion. He said that his view is that the west part of our area should be developed for multi-family residential use and the rest of our area (that which is north of Woodburn Company Stores) should be developed for commercial use. He said there is already enough proposed to be designated for multi-family residential and commercial uses, and that what we should do is find a developer who will come in after the approval (by Marion County and the State of Oregon) of the UGB expansion and ask for a separate and specific plan amendment (Post-Acknowledgment Plan Amendment). He suggested that one appropriate use for the part of our area along Arney Road would be as the site for a "big box" retailer. (That would be like Home Depot, Costco, Winco, etc.) Three Planning Commissioners said that they agree with Mr. Mulder regarding the appropriateness of a Commercial designation.

not what you are being asked to come up with or to approve, as such ideas will not improve the near-term economy or livability of Woodburn.

For the past year, the public has been invited to analyze and comment on the proposed UGB expansion. A number of people have done so. I noticed at the Planning Commission hearings that only one minor change to the UGB proposal was suggested by the Planning Commission. Perhaps the proposal is the best we can come up with and, therefore, no changes are appropriate. I would like to think that there is still a reasonable opportunity for some changes or additions to the UGB expansion recommendations. The recommendations are somewhat different than earlier proposals that were formulated by citizen groups after (rather than before) public input. We presented testimony to the Buildable Lands Citizens Advisory Committee (aka Growth Policy Task Force) back in 1999. Dave Christoff chaired that committee. Following the 1999 hearings and that committee's review, that committee's recommendation was that a majority of the 110 acres should be brought into the UGB.

We are not exactly sure what has changed since 1999, other than (1) the successful development and expansion of Woodburn Company Stores, (2) the reversing of the chronological order in which the public hearings were scheduled and the UGB expansion proposal was presented, and (3) changes of the consultant, the Woodburn Planning Department staff, the Woodburn Planning Commission, the Woodburn Mayor, and most of the Woodburn City Council who make the recommendations and decisions. We apparently haven't done a very good job of continually presenting our case, and for that we apologize and ask you for your understanding.

We will appreciate your consideration of our request.

Very truly yours,

Martin W. Rohrer

With Woodburn Company Stores on one side and housing (or freeway) on the other two sides, we are already much more impacted by urbanization than several other areas that are outside of the current UGB, but which are proposed for inclusion.

2. Our area adjoins one of the largest retail centers in the Pacific Northwest. It is hard to believe that it would be appropriate for such an area to not be included in the supply of land that is listed as being made available for development within the next 20 years. More than any other area proposed for inclusion in the UGB expansion, except perhaps the area in the southwest quadrant that is between Butteville Road and the interchange, our area is ready for development. The roads, water, sewer, and power are right at our doorstep. There is no need for a new interchange (although the current one clearly needs improvement) and no need to wait for a south bypass to start development. Our area has been proven to be an area that is viable for development with the success of Woodburn Company Stores, the auto dealers, and the other retail establishments along Arney Road. We believe empirical evidence of superior freeway visibility and traffic flow is demonstrated by that success.
3. We would like to develop our area as a Light Industrial development that takes advantage of the fairly easy access from and to I-5 on the west side of the interchange, freeway visibility, and the traffic already generated by the retail establishments along Arney Road. We think there is a substantial demand for Light Industrial land where manufacturing and similar enterprises are able to market and sell a portion of their goods from the location at which they are manufactured or packaged. (Such sales offices were allowed in recent Woodburn zoning codes. I believe those codes were amended, but it would be beneficial to the City and the businesses to reestablish such permitted uses.) Our area would be ideal to satisfy the particular demand for property where marketing and sales offices are permitted. Examples of those kinds of businesses are manufacturers of clothing, cookware, microbrews, computer hardware, golf clubs, and wine, as well as those who package products such as flower bulbs and high value agricultural products for shipment. It was noted at your hearing that the City needs to provide a variety of industrial options to satisfy different needs. The manufacturers who would be interested in our area might be quite different than those who are interested in areas along Parr Road. You can make land available; but, if it doesn't meet the needs of the buyers/manufacturers, they will go elsewhere to buy and develop.

If what the City of Woodburn wants is to create new, good jobs as soon as possible, it needs to offer land that is what manufacturers want, and land that can most readily and quickly be developed. We feel that our area along Arney Road has those characteristics. We feel it would be compatible with Woodburn Company Stores and other retailers along Arney Road and, in fact, all would benefit from a symbiotic relationship. We appreciate your consideration of our arguments and our request for inclusion.

Very truly yours,

Martin W. Rohrer

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We believe Woodburn would be wiser to instead focus its efforts both on the retention and expansion of existing employers and on attracting new small to medium-sized employers who can:

a) Strengthen Woodburn's core business district. For example, an economic development strategy that attracts office workers to the periphery of the downtown core will provide potential downtown retailers with a pool of customers within walking distance of their businesses. The new Chemeketa campus on the north end of downtown is a good first step in this direction.

b) Complement existing industries and the existing local economy. Year in and year out, Marion County leads all Oregon counties in gross agricultural sales. Agriculture is a traded sector industry. Agricultural exports rank #2 among all Oregon exports, accounting for 25% of all Oregon exports in 2002. 80% of production leaves the state, 40% leaves the country. In 2002, Agricultural exports increased 4% to $1.13 billion while high-tech decreased 31%. Woodburn is located in the agricultural heartland of Marion County, where direct agricultural sales topped half a billion dollars in 2004 for the first time in any Oregon county.

Farmland is not undeveloped land waiting for urbanization. It is already developed industrial land that supports the leading industry in Marion County. The agricultural industry is a primary driver of Woodburn's economy. Winterbrook's proposal would harm the local economy by undercutting the land base that supports this leading industry.

II. Winterbrook's proposed UGB contains significantly more buildable land than stated in the UGB Justification Report or Buildable Lands Inventory

We believe Winterbrook overstates the amount of land needed to meet Woodburn's projected land needs. Moreover, his recommended UGB expansion contains significantly more buildable land than his own reports conclude are needed.

Winterbrook is recommending a UGB expansion of 845 net buildable acres, or 1,020 total acres.[1] This would be significantly more buildable acreage within Woodburn's UGB than is indicated by either Winterbrook's January 2005 "Revised UGB Justification Report,"[2] or by Winterbrook's July 2004 "Technical Report 1, Buildable Lands Inventory Inside the Proposed Woodburn Urban Growth Boundary."[3] No justification is provided for the inclusion for this unneeded acreage.

Both the Technical Report and the UGB Justification Report indicate that there are currently 752 net buildable acres within Woodburn's UGB.[4] According to the Technical Report, under the consultant's preferred scenario there will be 1506 net buildable acres within the

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[1] Winterbrook Memorandum, February 16, 2005, p. 14.
[2] Winterbrook January 2005 "Revised UGB Justification Report," p. 42, Table 16: Preferred Scenario
[3] Winterbrook July 2004 Buildable Lands Inventory Inside the Proposed Woodburn Urban Growth Boundary," p. 4, Table 1: Buildable Lands Summary, Preferred Scenario
[4] Technical Report 1, p. 3 Table A and UGB Justification Report, p. 4, Table 1

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and Economic Development Strategy prepared by EcoNorthwest have been approved by the City Council.[13]

We are not aware of any recorded vote by the City Council to approve or adopt these documents. Citizen participation is the first goal of Oregon's land use planning program. Because these documents are proposed for adoption as part of this hearing, these policy issues have not "already been decided," and this is the proper time and forum to address them.

If Winterbrook's preferred scenario is adopted, Woodburn will have 503 net buildable acres of industrial land. This is huge amount of industrial land for a city the size of Woodburn. For comparison, Medford is proposing to add 431 acres of industrial land to its UGB for the needs of an additional 94,000 people. Bend recently added 338 industrial acres to its UGB for the needs of an additional 48,000 people. Salem/Keizer, with a population 7 or 8 times that of Woodburn's thinks it could take decades to develop the 500-acre Mill Creek industrial site. McMinnville just adopted period review amendments based on a need for 174 acres of vacant industrial land for the needs of an additional 13,567 people.

Winterbrook concludes that the relatively large amount of industrial land within the Wilsonville city limits forms a more appropriate basis for his recommendations for Woodburn than the urban growth boundaries cited above.[14] The consultant overlooks the fact that the Wilsonville city limits comprise a much smaller subarea of the much larger Metro UGB. Wilsonville is the only city in Metro that has more employees than residents. It has a large number of warehousing and distribution jobs due to its location at the junction of two interstate highways.

It is not unusual for industrial uses to be concentrated within a portion of a UGB. In fact, that is what Winterbrook recommends for Woodburn. We do not believe that the disproportionately large amount of industrial land that Winterbrook proposes for inclusion in Woodburn's UGB can be justified by a comparison to a subarea of the Metro UGB.

Winterbrook recommends an extremely optimistic forecast of 8,373 new jobs by 2020[15], of which 3,836 will use industrial land.[16] This is a substantial jump from Winterbrook's previously recommended forecast of 7,140 new jobs.[17] We believe this significantly overstates what can reasonably be expected to occur.

Woodburn has about 7% of Marion County's population and just under 8% of Marion County's jobs.[18] Between 1990 and 2000, 11.2% of all job growth in Marion County

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[13] Winterbrook Memorandum, February 16, 2005, p.4, p. 11

[14] Winterbrook Memorandum, February 16, 2005, p. 4.

[15] Revised Woodburn UGB Justification Report, Winterbrook Planning, January 2005. p. 2.

[16] Technical Report 2.B, Winterbrook Planning, May 2003, p. 8 Table 6

[17] Woodburn UGB Justification Report, Winterbrook Planning, November 2003.

[18] In 2000, total employment in Marion County was 131,622. Total employment in Woodburn was 10,388 or 7.9% of Marion County's total. Source: "Woodburn Economic Opportunities Analysis," phase one report, May 2001, p. 2-10, and "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum to Winterbrook, April 29, 2002, p.16

- Even under the most aggressive assumptions, WPS is recommending adding to the UGB more than 2 ½ times the needed industrial land.

- Under reasonable assumptions, expected employment growth can be easily accommodated with a much smaller expansion or potentially on existing land

The assumptions above are taken directly from Winterbrook's background documents. They assume that Woodburn captures 23% of Marion County job growth and that *every* new industrial, commercial and office job requires development. Even under these unreasonable assumptions, the industrial portion of Winterbrook's recommended expansion is more than double what is needed for the number of employees who will use industrial land.

Winterbrook states, "if ECONorthwest and Winterbrook have over-estimated potential basic employment opportunities, unused industrial land will be retained in large parcels exclusively for agricultural use. We have the following responses:

a) if ECONorthwest and Winterbrook have over-estimated potential basic employment opportunities, land must be removed from the proposed UGB pursuant to Goal 14 and ORS 197.296.
b) we concur with the comments of Marion County recommending that specific language be added stipulating the continued use of these lands/parcels for agricultural use and retention of existing County EFU zoning until developed for industrial purposes.
c) Even if the land does temporarily remain in agricultural use, the agriculural industry will not make the major investments in them to produce higher-value agricultural products and increase employment.

III. Purported Need for 125 Acre Parcel

The industrial portion of Winterbrook's UGB expansion proposal is based in part on "a need for one very large site of 100 acres or more."[21] The Economic Opportunities Analysis includes a list of target industries (Table 4-4) and their site requirements (Table 4-5).[22]

The largest site requirements for any target industry listed in Table 4-5 is Electronics- Fab Plants at 40-80 acres+. The text of the EOA identifies these as "silicon chip fabrication plants," with site requirements that exceed 100 acres.[23] Since 2000, the silicon chip industry in the northwest has closed many plants and retains significant unused capacity.

Mr. Winterowd speculates that, "the silicon chip industry may recover during this period... [or] that there may be other emerging industries that require such a large site."[24]

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[21] "Woodburn UGB Justification Report" November 2003, p.9
[22] "Woodburn Economic Opportunities Analysis," phase one report, May 2001, pp. 4-8, 4-9
[23] "Woodburn Economic Opportunities Analysis," phase one report, May 2001, p. 4-8
[24] Winterbrook Memorandum, February 16, 2005, p. 6

We also note that Winterbrook's conclusion is at odds with the conclusions reached by EcoNorthwest when a similar issue arose in McMinnville. In that instance, EcoNorthwest concluded that it was necessary to revise land need projections to remove that portion of land need that had been absorbed on parcels that were removed from a later buildable lands inventory.

The City should reduce projected industrial need by 34 acres to account for industrial development that has occurred on land removed from the inventory. Alternatively, the City should calculate the percentage of projected industrial need that was absorbed between 2000 and 2002.

The forecasted employment growth of 7,139 new jobs assumes a 2.65% average annual growth in employment within Woodburn's UGB.[31] The first two years increment of this growth is already accounted for on land that is not included in the land inventory.

At 2.65% annual growth rate, 558 jobs were absorbed by the time of the land inventory, leaving a need to accommodate 6,581 new jobs in all employment sectors. Winterbrook assumes that 46% of all new jobs will locate on industrial land. This means that 3,027 new jobs will locate on industrial land through 2020.

C. All New Employment Does Not Require New Development

Considerable employment growth occurs on existing developed employment land. In the real world many new jobs are created without land being developed or redeveloped; a restaurant adds additional staff in the dining room and kitchen, a processing plant or manufacturer adds a second shift, a retail business expands its hours and hires new people to work those hours. Metro recently found that 21% of new industrial jobs and 52% of non-industrial jobs are absorbed on developed land without expanding onto vacant land. [32]

These numbers are supported by a recent McMinnville Chamber of Commerce Business Survey conducted by EcoNorthwest which found, "that nearly half [45%] of the respondents that indicated they had expansion plans will not need any additional floor space to accommodate new employees." [33]

We note that EcoNorthwest is one of Woodburn's current consultants. In a recent Economic Opportunities Analysis prepared for McMinnville, this same consultant found:

"Some employment growth will be accommodated on existing developed land, as when an existing firm adds employees without expanding space... if a jurisdiction has high vacancy

[31] "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum, April 29, 2002, Tables 8 and 10, pp. 16-17
[32] Metro Report, September 1999, Urban Growth Report Update" p.51
[33] McMinnville Business Survey Results, EcoNorthwest, September 2001, p.11

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regarding job absorption, these jobs would only require 229 acres of industrial land, leaving a deficit of only 102 acres to be added to the 127 net buildable acres already in the UGB.

Winterbrook contends that much of Woodburn's existing industrial land is of inappropriate parcel sizes. Either the land can be used to meet industrial needs or it cannot. If it cannot, as part of this periodic review, Woodburn should rezone the land for other urban uses and adjust land needs for those other uses accordingly. If the existing industrial land cannot meet any identified urban land needs, the land should be removed from the UGB.

Based on generous but reasonable assumptions regarding industrial employment, the overall UGB expansion should be reduced by at least 208 acres; from the 654 net buildable acres recommended by Winterbrook in the UGB Justification Report to no more than 444 net buildable acres.

V. Expansion Areas

It is generally recognized that Woodburn has traffic problems associated with the I-5 interchange with Highway 14. These traffic problems will only be exacerbated by expansion west of the freeway. Winterbrook recommends a major expansion west of the freeway for industrial purposes and for residential purposes west of Butteville Road. Such an expansion is ill-advised and is not warranted under state law.

ORS 197.298 establishes the priorities for inclusion of land within a UGB. Under this statute, exception land is of higher priority for inclusion within a UGB than farmland. Land of higher priority, like exception lands, must be brought in before farmland unless specific types of identified land needs cannot be reasonably accommodated on higher priority lands. If farmland must be included, land of lower soil classification must be included before land of higher classification unless specific types of identified land needs cannot be reasonably accommodated on the poorer soils.

Goal 14 has similar provisions. It requires urban growth boundaries to be based upon several factors, including:

(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
(2) Need for housing, employment opportunities, and livability;
(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 land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
(7) Compatibility of the proposed urban uses with nearby agricultural activities.

Exception Areas

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According to Winterbrook, the Northeast Rural Residential (Carl Road) area "has no remaining development capacity,"[44] and this exception area does not contain land that is "usable for urban purposes."[45] Because this area cannot reasonably accommodate any of Woodburn's identified land needs Woodburn can justify its exclusion from the UGB. Of greater concern, the consultant has proposed to designate this piece for commercial development. More strip commercial development heading north along Highway 99E is not an appropriate land use in this area. This area is currently in residential use. If it is included in the UGB, the City should plan designate it for residential uses, rather than commercial uses.

Because these areas cannot reasonably accommodate identified land needs and because they would be a significant unbuffered intrusion into surrounding agricultural land they should be excluded from the UGB expansion under ORS 197.298 and factor 7 of Goal 14.

We agree that the Southeast Commercial Exceptions Area should be brought into the UGB.

Resource Land

Under ORS 197.298 Woodburn should not expand onto the prime farmland west of the freeway and north of the existing UGB. Instead, any expansion onto resource land should be southward onto the predominantly non-prime soils south of Parr Road between Boones Ferry Road and I-5. If land needs cannot be met on land north of the proposed South Arterial, additional poorer soils are adjacent south of the proposed South Arterial. The reasons Winterbrook cites for expanding onto better soils west and north of the existing UGB are not sufficient justification to ignore the statutory directive.

Of particular concern is the SW intruding into prime farmland west of Butteville Road. This approximately 60 acre piece of Class II has particularly high potential for conflicts with surrounding agriculture because it juts out into surrounding farmland without any physical buffers.

In discussing land west of the freeway proposed for industrial use Winterbrook states that, "The 100-acre Opus Northwest site is on the Governor's Industrial Task Force list of prime industrial sites in Oregon." This statement is in error. It is true that the Opus site was discussed by an advisory committee and was included in its report. However, the site was not on the Governor's certified list of industrial sites because of the land use obstacles to its inclusion within the UGB.

In addition, Winterbrook has proposed the inclusion of 29 acres of Class I soils north of the existing UGB. Winterbrook states that these Class I soils are within a master-planned golf course.[46] While these lands may be owned by the golf course, we believe they are actually in farm use as a hazelnut orchard. The long-range plans of the golf course are not sufficient justification to ignore the statutory directive.

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[44] "Revised Woodburn UGB Justification Report," January 2005, p.22
[45] "Revised Woodburn UGB Justification Report," January 2005, p. 38
[46] "Revised Woodburn UGB Justification Report," January 2005, p.35

onto the predominantly non-prime soils south of Parr Road between Boones Ferry Road and I-5.

We hope these comments are helpful. They address what we see as the most significant issues raised by the consultant's proposal. We will try to address any remaining technical issues prior to the hearing before the City Council. Once again, please include this testimony in the official record of this proceeding and please provide us with written notice of your decision.

Sincerely,

Sid Friedman

Attachments: Soils Maps (1 set submitted)

Cc: (w/o attachments)
Marion County
DLCD
Oregon Department of Agriculture
Marion County Farm Bureau

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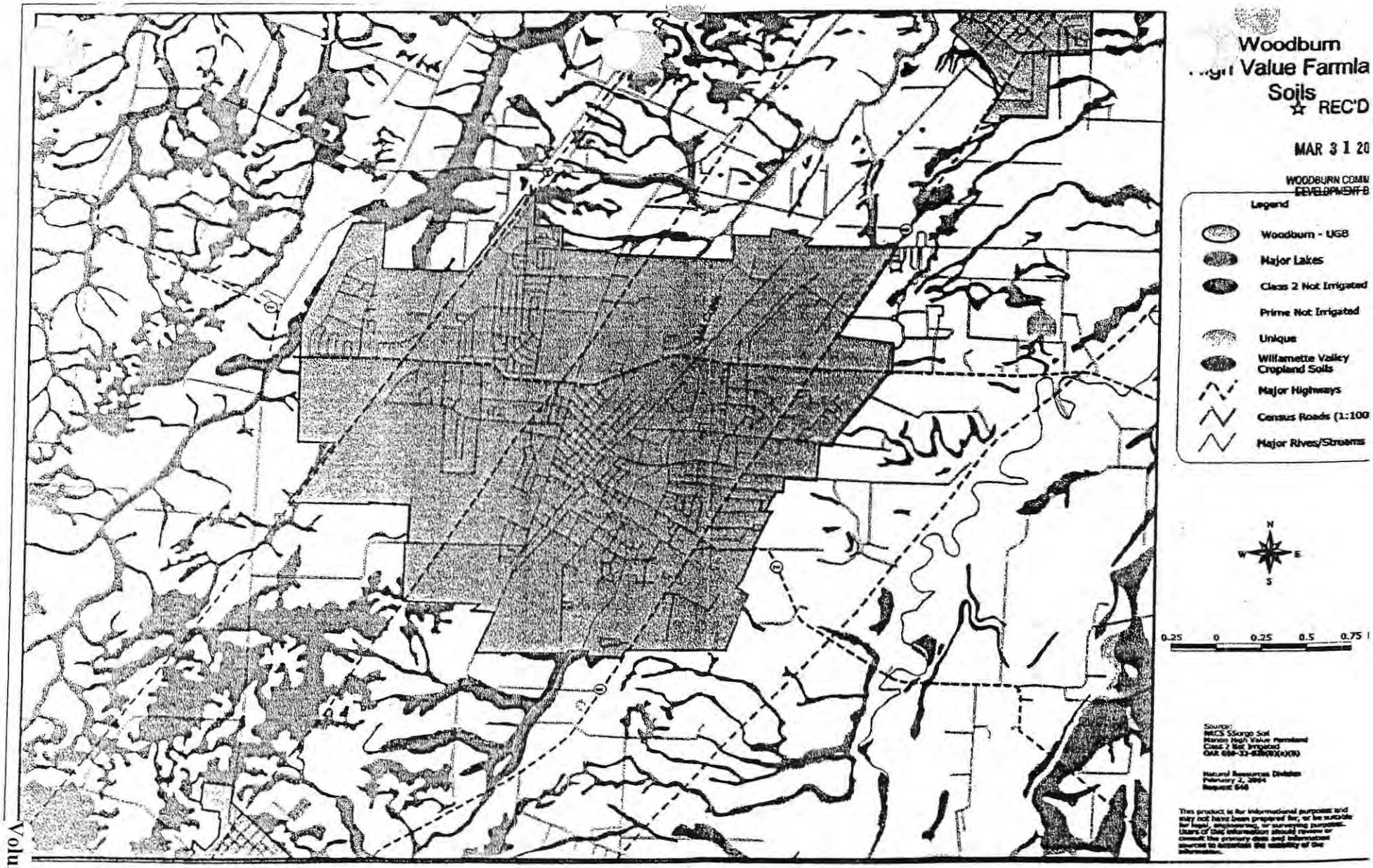
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Natural Resources Division
February 2, 2004
Request 646
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and we have to drive all the way across town to buy groceries from Roth's or Safeway. It would make more sense to me to reduce density on the west boundary and to develop more neighborhoods like Smith Addition (with breathing space) on the east side of town, plus develop a neighborhood school over there. In that way, Woodburn will grow symmetrically, like a tree, rather than as a "strip mall," which is the concomitant to "strip mining" in mining/planning circles.

Woodburn used to be "The Berry Capitol of the World," but sold out, leaving this younger generation bereft of a wonderful social system that we enjoyed growing up here. We who grew up in that generation often gather and share stories of how much we enjoyed growing up here, going out to the berry fields during the summer months in platoons, enjoying the Woodburn Swimming Pool and the Pix Theater afterwards. This younger group of kids has been cheated out of a healthy social system, and we feel sorry for them. Woodburn now calls itself "Tree City," and the symbol of a tree growing unfettered to full growth and maturity is a worthy paradigm and model to emulate. Therefore, I encourage City Hall to set aside the plan offered by the planning consultant; thank him for his time and pay him his due. But actually, that plan is not worthy of the City of Woodburn; we deserve better. We need to go back to the drawing table and set at a collaborative table of stakeholders, including the Woodburn School District, the Serres Family, the Historic Downtown sector, including the Sanchez Family (who has inherited your abandonment), the Castro Family, the Woodburn community and forge out a new plan.

Don't sell out our core values. Walk humbly and justly and tenderly; keep in balance and harmony with nature. All that glitters is not gold. Remember to compost: return to the soil and overturn the humus so that the nutrients can be released. Keep the poisons out of the soil so that we keep our watershed pure. **We have got to hold in highest esteem and regard the purity of the Woodburn Watershed.** Clean air, clean water, healthy family systems, high quality education, a clean downtown area. (Kids are telling us that you can go downtown and get drugs, that the police don't do anything about it.) A town where people want to live—not just drive here to work, but living elsewhere because there's nothing to do here; it's boring. And being under a "code of silence" of a population that's taking over illegally is neither fair nor just to our community; although "adverse possession" is a legal strategy, if we don't do anything about it, those who take possession by adverse possession get to take ownership. (It is ironic that my dad left Tulane University because it taught Napoleonic Law and came to finish law school at Willamette University which is English law, but that (as I read in the Woodburn Independent), Mexico is under the rule of Napoleonic Law--maybe we need to hire some Tulane Law School graduates to work in Woodburn.)

Peace and Blessings be with you in your work. I truly appreciate you and pray for you in good decision-making. I will be saddened if you accept the current plan; I will be heartened if you table it and send it back again to the drawing board for revision. It is not "in the best interests" of the community nor of the children of this community.

Sincerely,

Kay McEwen

Kay McEwen
54 Smith Drive
Woodburn, Oregon 97071

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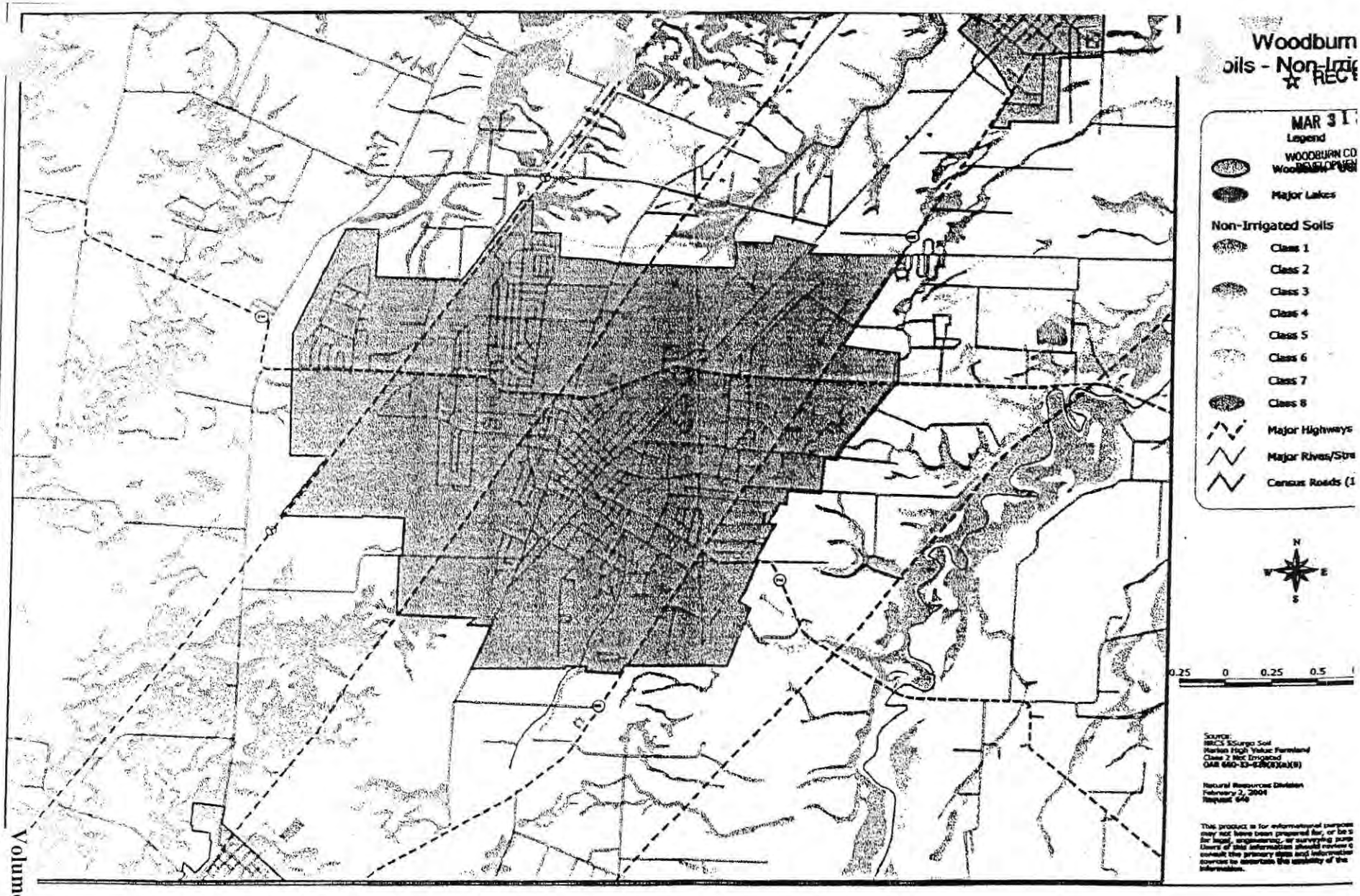
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Natural Resources Division
February 2, 2001

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configured in a way to lay out the buildings and grounds and allow ingress and egress that meet school standards.

About 1997 the District was getting offers on a monthly basis to sell their property on Vanderbeck Ln. It was a 10-acre site in the UGB designated as residential. No one on the Board or in the District knew how the District acquired that land. The Superintendent at that time was Dr. Jack Reeves. I was asked to advise the District on the matter.

The District had long ago decided not to pursue a school on the site for several reasons. First of all the site is located adjacent to Senior Estates. At that time, there were the new developments of Heritage Park and Henry's Farms subdivisions. The dialog from the City Council was to make an effort to not put any heavier load on Astor Way for future development. The School District also felt that given the protest of those subdivisions and the size of the property being too small for a school that their best option would be to sell the property. Also, the ingress/egress issues there would more than likely require access onto Vanderbeck Ln. and into Senior Estates.

I suggested that the District not sell the property unless they had a replacement property. The thought was that because of the appreciation factor of property, that they should sell at the same time they buy so that inflation did not reduce their purchasing power. The School Board agreed. Before accepting an offer I was able to locate the Lincoln Street site and the owners were open to selling.

We sold the Vanderbeck site for $45,000 per acre and paid $20,000 per acre for the Lincoln St. site. We paid about twice what farmland was selling for at that time but it was the compelling factor in obtaining the property and the District doubled their land. We added some value for speculation because the area was a natural area to develop and the in-fill that planners so desire was there.

At that time and since then, there were no other sites large enough for a school that we could purchase. We virtually asked every owner with property large enough on which to site a school, if they would sell, and they all declined. We even tried assembling some sites in the Brown Street area and decided it was not practical or cost effective.

So, in April of 1997 the District accepted an offer on their 10-acre Vanderbeck site and made an offer on the Lincoln Street site. All with the blessing of the City Planning Department, the County Planning Department, the advise of the District's attorneys, the input of their architect and private consultant and with the approval of the School Board.

MAJOR FACTORS IN THE DECISION

The site was ideal for school use. The District did not have a school east of Hwy. 99-E. The area had enough student population and especially had potential for future population to fill a school. The area had many in-fill lots and re-developable sites for

APR 1 9 2005

Exhibit "B"-100

BREWSTER & MAYNE, P.C.
687 Court Street NE, Suite 600
Salem, OR 97301
Phone: 503-362-2511
Fax: 503-371-4849

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Sydney E. Brewster
Kevin E. Mayne

April 19, 2005

Mayor Figley
Woodburn City Council
Woodburn City Hall
270 Montgomery St.
Woodburn, OR 97071

By fax: 503-982-5243

Re: Legislative Amendment 05-01: Woodburn 2005 Comprehensive Plan Update
Inclusion of Krivoshein Property

Dear Mayor Figley and Council Members:

On behalf of Nedezda Krivoshein, we ask that the Council consider including the Krivoshein property for residential purposes in the expanded UGB. In addition, we request that this letter and its attachment be included in the public record.

During the last City Council Meeting on March 28, 2005, there was considerable testimony, including that of the Serres family, as to why the City should consider developing the east side of Woodburn for residential purposes. We agree with several of the points raised by the Serres family. However, we also suggest that inclusion of the Krivoshein property might be more beneficial, based primarily on the smaller parcel sizes.

Description of the Krivoshein Property

The Krivoshein property consists of four different parcels (see attached map). The first three are owned outright, and the fourth (surrounded by dashes) is currently under lease with an option to purchase. The parcels are zoned EFU, composed primarily of Class II soils, and consists of approximately 32.5 acres. The property is bounded on the north by Meadow Lane, on the south by East Hardcastle, and on the west by Cooley Road and the existing UGB.

The Krivoshein property is flat. Unlike the Serres property, none of it is not located within a floodplain[1] and it contains no wetland areas for which special consideration would be required.

[1] See FIRM 41047C0139G.

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Economic Consequences

In its Report, Winterbrook divided the potential UGB expansion area into eight study areas. The Krivoshein property is located in Study Area 4, consisting of 343 acres. Report, pg. 15.

In its analysis of the criteria necessary for a Goal 14 expansion, the Report reached the conclusion that Study Area 4 was one of the costliest for expanding public facilities and services into that area. Report, pp. 17-21. This, along with negative impacts on adjacent farm uses, was cited as one of the primary reasons for avoiding expansion into this area. Report, pg. 27.

We agree with the arguments of the Serres letter submitted to the City on March 23, 2005, suggesting that the findings regarding utility costs be re-examined. To paraphrase, those findings were as follows:

1. Sewage Treatment - Study Area 4 is near the Woodburn Sewage Treatment Plant, and sits on the same bench above the Pudding River. In addition, there is a slight slope from the Serres and Krivoshein property to the Plant. This results in a gravity flow line and eliminates the need for pumping across "washboard topography." There is also an existing gravity flow sewer main running along East Hardcastle. It is questionable how costs could be so high when such conditions exist.

2. Storm Drainage - Storm drainage flows easterly to the Pudding River. The drainage flows naturally downward from the Krivoshein property to that basin.

3. Water - As mentioned in the Serres letter, there is more than ample water available in that area and two existing wells with mainline distribution systems.

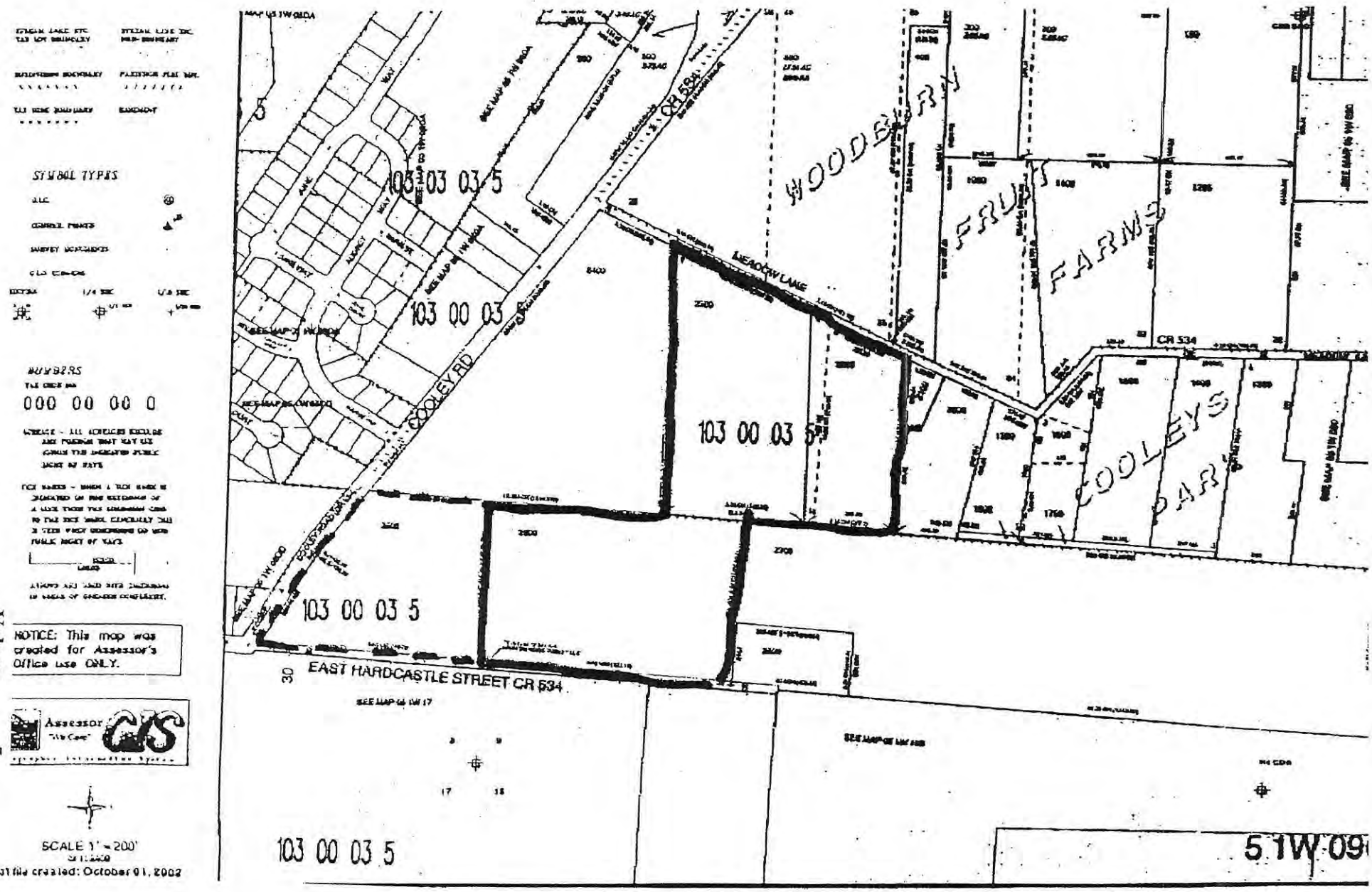
4. Negative Consequences to the Farming Economy - The Serres letter to the City proposes inclusion of a large tract of farm property based in part on the premise that it cannot be made productive since it is too small in size. The Krivoshein property is much smaller than the Serres property and would result in less land being removed from farm use. In addition, based on input from the neighbors, including Serres, that they would like to be included in the UGB expansion, it does not appear that adjacent farming operations could be negatively impacted.

Social/Environmental Consequences

The Report admits on page 27 that there would be no negative social consequences from an expansion of residential uses into this area. It also states that environmental consequences would be "relatively low." Report, pg. 28.

Energy/Traffic Issues

The Report raises concerns about additional congestion on City streets and the I-5/Hwy 214 interchange. In fact, during his testimony at the City Council meeting Mr. Winterowd stated that "relieving the congestion at the I-5 interchange is *necessary* to make the economic development plan workable." Minutes, pg. 5 (emphasis added). However, the current plan provides that the only residential expansion will take place on the southwest and north sides of



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April 19, 2005

Her Honor, Kathy Figley, Mayor, City of Woodburn
Mr. John Brown, Administrator, City of Woodburn

City Councilor—Ward 1	Walt Nichols
City Councilor—Ward 2	Richard Bjelland
City Councilor—Ward 3	Pete McCallum
City Councilor—Ward 4	Jim Cox
City Councilor—Ward 5	Frank Lonergan
City Councilor—Ward 6	Elida Sifuentez

Dear Mayor Figley, Administrator Brown, and City Councilors:

We sincerely appreciate the opportunity to make our views known to you.

Please accept into the public record the following four submissions:

1. Cover letter for, and text of spoken testimony by, Susan Duncan before the Woodburn City Council, March 28, 2005. Pages 4-6.

2. Cover letter for, and text of spoken testimony by, Paul Serres before the Woodburn City Council, March 28, 2005. Pages 7-9.

3. "Letter in Response to Commissioner Cox", re March 28 Hearing questions. Pages 10-20.

4. "A Quick Critique" of Winterbrooks SA-2 and SA-4 Assessments, as presented in *Woodburn Year 2020 UGB Justificiation Report*. Pages 21-32.

Of these four submissions, we especially call your attention to "Letter in Response to Commissioner Cox" and "A Quick Critique". Both of these documents discuss issues and concerns either not discussed in our previous communications with the City Council and Planning Commission (new issues), or are significant developments of previously expressed concerns.

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is never solely determined by infrastructure investment. We feel that our property brings value to the City that other UGB study regions do not and that this value is not considered in the Planning Department's decision-making methodology."

Our property brings with it woodlands, pond, bioswales, Pudding River frontage, open skies, and Mt. Hood Views.

Please understand, we will donate a portion of our property to the City of Woodburn for parkland, and public open space if our tract in UGB Study Area 4 is brought into the UGB. Our parents, Joe and Adela Serres, out of a commitment to the community of which they felt a part, purchased Legion Park and held it for the City of Woodburn until the City could purchase it.

Our parents felt, long ago, that the City of Woodburn would eventually engulf the Serres farm. Their hope was that the woodlands and reservoir would become a public park for Woodburn residents. We, the current generation of Serres's, want to honor their vision and simultaneously make our own contribution to the public good.

The public will only benefit if we are included in the UGB. If we are not included in the UGB we will have to consider private development, which will mean private ownership of the reservoir and other natural amenities.

Sincerely,

The Serres Family

Ruth Thompson
Paul Serres
Rebecca Kirsch
Mary Grant
Susan Duncan

Text of Susan Duncan's March 28, 2005 testimony before Woodburn City Council, public hearing on the ***City of Woodburn 2005 Comprehensive Plan Update.***

Honorable Mayor, Councilors, Staff

My name is Susan Duncan. I live at 1840 East Lincoln Road, Woodburn.

The City of Woodburn has invested a great deal of time and effort to develop a 20 year workable plan. Your placement of industry and large commercial establishments along the freeway makes excellent sense.

HOWEVER, WOODBURN IS NOT JUST A FREEWAY TOWN!

Residential development is better served on the East side. Our land has many features that would be beneficial to the City of Woodburn. Many people, new comers and long time residents, have told us that if new high quality homes were available on the East side that is where they would live. There is no freeway pollution and noise, and less traffic congestion. The BBB (big black book) states that higher end housing could not be drawn to our area because of the poor quality housing that currently exists along our borders. We do not consider the homes on Heritage Court and Tomlin Ave, for example, to be offensive. The school property and public open space can serve as a buffer zone.

There is a huge market for empty nesters transitioning to retirement. They want the quiet life of a smaller town yet be able to enjoy the amenities of Portland just 20 minutes away. There currently is a demand for higher quality homes; for example, Tukwila has a waiting list for $300,000 homes. New industrial growth will only increase that demand Offer this, Build it well, and they will come.

However, no matter how nice a place is, it has got to have good access for it to work for the people that live there. Residential development East of town will not impact the infamous I-5/214 Interchange. Woodburn is actually served by 3 interchanges. Eastside residents use the Aurora cutoff going North or the Brooks Interchange going South. Our land is bounded by 214 to the South and is ½ mile from 211 on the N. and 99E is ¼ mile to the West. No other undeveloped land in the Woodburn area is served by better transportation access than our farm.

Bike routes and walking paths can be laid out that do not cross major arterials. It is an ideal situation. Easy access in all directions by state Highways, yet at the same time, no interior traffic. This means that road and utility layout is easy. The addition of our land would mean that Landau, Tomlin, Laurel, and Aztec could continue, no longer as the dead-end streets dreaded by city planners today. Our parcel is a planners dream! If it were up to us we would redraw the UGB to include all of the reservoir. The woods offer a potential for a parkland trail system unparalleled in the Woodburn Area. It is our

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2. Cover letter for and text of spoken testimony by Paul Serres before the Woodburn City Council, March 28, 2005.

April 11, 2005

Dear Mayor and City Councilors

I appreciate being able to present my views on the UGB at the March 28, 2005 hearing. I'm attaching a copy of my testimony to this cover. Please accept both this letter and the text of my hearing testimony into the record.

Woodburn is at the threshold of a new 20 year plan, just as we are at a threshold of a new era as a farming entity. The best use of our land has changed. This Spring will be the first in over 70 years that we will not raise a hop crop.

Please visualize what those of us working the land already know:

- Our land has a gentle slope that drains East to the Pudding River.
- Our land has great views and exposure to the South.
- Our land has groves of tall firs above our wetlands and bottom lands.
- Our land has abundant water resources.

I hope you can see that a life time on our land gives us an insight into what works and what doesn't, what makes sense and what doesn't, that conflicts at times with what is stated in the Woodburn Comprehensive Plan Update. As the landowners, we will live with the consequences of this Comprehensive Plan Update, while city planners and consultants are not affected by their decisions.

Thank you for the opportunity to pass these thoughts along,

Paul J. Serres

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our letter. I mention this one because it is so obvious that something wasn't right if the results say its cheaper to pump sewage across town 2 ½ to 3 miles than across our farm less than 1 mile to the sewage treatment plant. We have excellent water sources, existing wells have the capacity to provide all necessary water for Study Area 4, yet it was listed as a high cost to provide. Our land has natural relief for drainage yet drainage became a big factor in the study.

Environmental, energy, economic and social consequences will be served on a much higher basis utilizing land on the East side for high quality housing. Along with the natural drainage, we have woodlands that can be maintained in their natural state and enjoyed by all. 99E businesses need development on the East side for their survival.

Nearby agriculture will not be harmed by inclusion of our property in the UGB. We are bordered by 214 on the South side, the Pudding River for the most part on the East side, Woodburn on the West side and Hardcastle Street on the North side. Farmers with land adjoining our property on the East and North sides also welcome the expansion of the UGB to the East.

Thank you

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Serres Tract--UGB Study Area 4

Assessor Map	Tax Lot	Name	Houses	Gross Acreage
5 1W 17D	300	Paul's Barkdust	0	1.66
5 1W 17D	200	Christensen	1	30.97
5 1W 17A	500	Rodney's	1	10.50
5 1W 17A	600	Aicher	1	18.50
5 1W 17A	700	Henry's Pump	0	8.00
5 1W 17A	800	Gullickson	1	8.00
5 1W 17A	900	Paul's Place	1	10.00
5 1W 17A	1000	Camp	1	10.60
5 1W 17	100	Rita's	1	39.77
5 1W 17	200	Home Place	1	65.95
		Total	**8**	**203.95**

On April 4, 2005 Susan Duncan was able to speak with David Torgeson, Assistant City Engineer, regarding our concerns about the costs study, *City of Woodburn UGB Study Area Public Services Analysis, 2004*. Mr. Torgeson was unwilling to show Susan the study or explain how the cost estimates were determined. He did offer to give Susan a copy of Public Work's memorandum on the study once it is written. The expected completion date of this Memorandum is April 20, 2005 at the earliest.

Our goal was to review the "*City of Woodburn UGB Study Area Public Services Analysis, 2004*" starting from the lowest level design and lay out assumptions. We were unable to accomplish this goal. Without access to the specifics, we can only speak to general areas of concern developed from available public-record documentation. With that in mind we present six areas of concern.

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II Gross Acres Versus Net Acres

Each Study Area contains different acreages of "constrained" land that can't be developed, and some Study Areas contain land that is already "developed". The "constrained" and "developed" land acreages are presented, by Study Area, in Table 10, "Goal 3, 5, and 7 – Constrained Land Summary", of *Woodburn Year 2020 UGB Justification Report* on Page 16. This table gives a **net** developable acreage for each Study Area.

Despite the expense of generating this information, both Table 11, titled "Ranked Public Utilities Costs by Study Area", Page 18 of the Justification report, and *City of Woodburn UGB Study Area Public Services Analysis* indicate that the cost estimates of city services for each Study Area were developed on a **gross** acreage basis.

Since the percentage of "constrained" and "developed" lands differs by Study Area, the gross acreage cost estimate can't be used as an index of costs. We do not understand why **gross** acreage was used to develop these city services costs when staff had already determined **net** useable acreage.

III Adding Transportation Costs to the City Services Cost Picture

The City of Woodburn will incur costs in developing and improving roads to service the areas brought into the UGB. These Road Improvement Costs are not included in the City's infrastructure services cost study. Consequently, the *Woodburn 2020 UGB*

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and is 0.5 miles from 211 on its North side. The Serres tract is the only undeveloped land of any size that is less than 0.5 miles from any *Major Arterial*, much less three of them.

We do understand that developing the East side will mean significant investment in road infrastructure, particularly improvements to East Lincoln Road and Serres Lane, extension of Cooley Road South from Hardcastle Street to Serres Lane or 214, and extension of Blaine, Tomlin, and Landau onto the Serres tract. However, we contend that the proximity of three existing, state funded, Major Arterials permits development of our tract for LDR at a lower transportation cost to the City of Woodburn than any other Study Area.

We question why the *City of Woodburn UGB Study Area Public Services Analysis* does not consider Road Improvement costs. If the cost of providing city services is used as a criterion for inclusion or exclusion of our tract, why aren't **all** applicable city costs considered?

IV City Services to Woodburn School District's Lincoln Road Parcel

At the March 28 public hearing on Measure 05-1, UGB update, Jim Mulder stated that the Woodburn School District's Lincoln Road property could be supported with City Services. Two quick comments regarding his remark: the school district's parcel naturally drains to the South and East, towards the Pudding River across the Serres tract, not towards Mill Creek; and existing City/County street access to the School District parcel is inadequate to serve a school.

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boundary of Study Area 3 and Study Area 4 is Dimmick Road NE. Since these two Study Areas aren't side by side, they can't have the same North boundary. (Here are three places where this error is stated: Table 9, *Woodburn Year 2020 UGB Justification Report*, Page 15; Study Area 4, *Woodburn Year 2020 UGB Justification Report*, Page 27; *Technical Report 2A: UGB Expansion Areas Natural Resource Inventory*, Page 3).

Our understanding, based on the UGB study area map titled *"City of Woodburn Natural Resources and Soil Capability Classes"* is that the North Boundary of UGB Study Area 4 and the South boundary of UGB Study Area 3 coincide at State Highway 211. If Public Works did not work from the correct boundary descriptions when performing the three cost studies—storm drainage, septic sewer, and water—it is possible that system costs for areas North of State Highway 211 were allocated to UGB Study Region 4.

Perhaps, also, there is confusion about allocating costs for services on the boundary between Study Areas. Let us assume that no mistake was made about the shared boundary between UGB Study Areas 3 and 4 by Public Works. UGB Study Area 3 is divided into two different zones by the MacLaren facility, one North of MacLaren and one long, narrow strip South of MacLaren. It would make sense to lay out city services to serve the narrow strip along State Highway 211, where they could also serve the North portion of Study Area 4. If so, to which UGB Study Area were shared infrastructure costs allocated?

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follow the lay of the land. Our limited contact with City engineering increases our concerns that the studies do not accurately identify costs.

Conclusion

Mayor Figley, City Councilors, this concludes our letter in response to Councilor Cox. We appreciate that Councilors have found merit in our March 23 letter and we trust that the council will find further merit in this letter.

We do not disparage Public Works for their efforts, for a careful read of their report and its cover letter suggests that their cost estimating procedure is based on standard service assumptions for each land use zone. However, that level of detail does not come through into the published report, leaving decision makers and the public to grapple with averaged numbers that don't support accurate comparisons between Study Areas for specific land uses, such as LDR.

Susan's April 4, 2005 telephone discussion with David Torgeson **greatly increases** our concern that the *City of Woodburn UGB Study Area Public Services Analysis, 2004* does not accurately assess the costs of providing city services to low-density residential zoning in SA-2 or SA-4. Since costs are cited as the basis for planning decisions throughout the *City of Woodburn 2005 Comprehensive Plan Update*, and particularly the *Woodburn Year 2020 UGB Justification Report,* it is imperative that the "City of Woodburn UGB Study Area Public Services Analysis, 2004" be thoroughly reviewed for completeness and accuracy.

4. A Quick Critique Winterbrook's SA-2 and SA-4 Assessments in *Woodburn Year 2020 UGB Justification Report.*

The UGB Justification Report follows Statewide Planning Goal 14 to assess Woodburn's land needs by the year 2020. Factors 1 and 2 of Goal 14 identify Woodburn's 2020 needs and the ability of lands currently in the UGB to meet those needs. Factors 3 through 7 then justify potential Plan and UGB amendments necessary to satisfy these identified unmet needs. The *Woodburn Year 2020 UGB Justification Report* is written to fulfill these planning mandates.

And the report is exactly that, a report written to support and justify a recommended plan. We are concerned that Winterbrook's report does not do so objectively. We feel this report misrepresents our property and improperly presents the competing property. We are writing this letter to detail these misrepresentations.

First, we would like to point out that the UGB Study Areas are inconsistently described. The descriptions of SA-3 and SA-4 found in Table 9, page 15 of the *Woodburn Year 2020 UGB Justification Report* are inconsistent with the maps that show the UGB Study Areas, such as the *City of Woodburn Natural Resources and Soil Capability Classes.* This inconsistency is found through out the Woodburn Comprehensive Plan. The discrepancy, in terms of acreage, is possibly as much as 130-140 acres. These discrepancies may have resulted in inaccurate calculations used to develop the cost of city services to these areas.

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development near the golf course, which will meet a specific housing need that would be otherwise difficult to meet elsewhere within the UGB"

This is a statement of opinion. WSA-2 will have I-5, with its noise, air and visual pollution, on its West, a mobile home court and an RV storage facility to its South, and EFU operations (currently nursery stock) on its North. The golf course, which is cited as a positive amenity, actually lies out of visual range, behind a buffer strip that includes a planned nodal commercial center, on the other side of a major road (Boones Ferry). We believe most people, if shown WSA-2 and Serres on a comparative basis, would prefer ours because of these negatives.

"the small commercial node (2 acres) located along Boones Ferry Road will provide commercial opportunities for future residents in this area, thus reducing transportation costs"

A two-acre nodal commercial center will not meet the daily shopping needs of area residents. Study Area 2, when compared to Study Area 4, is located further away from most established shopping in Woodburn. Please refer to the Mileage Table on Page 27, which compares the mileages from Serres and WSA-2 to major grocery outlets and city agencies.

"Study Area 2 contains a significant amount of high value farmlands, which gives negative consequences to the farming economy if the entire Study Area were developed"

The WSA-2 property is 100% tillable. The Serres property is not. WSA-2 is 90% Capability Class 2 soils. Serres is 85% Capability Class 2 soils. WSA-2 has 2

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2) Social Consequences, Study Area 2

"Adjacent to an existing residential area and golf course, providing positive social amenities and avoiding negative consequences with location adjacent to industrial or active farmland. . . .provides a location to site up-scale homes for families at or above median income levels."

Not everyone wants to live near a golf course. (Read Letters to the Editor and various articles over the last year in the Woodburn Independent, regarding residents of golf course community—Senior Estates—objecting to paying golf course maintenance fees).

WSA-2 is not adjacent to the golf course. The proposed commercial strip, a row of houses, and Boones Ferry Road intervene. WSA-2 is not part of the golf course community. Future residents of WSA-2 will have the same vested interest in the golf course as all other non-Tukwila Woodburn residents—zero, nada, rien, nein.

The Serres Property can meet higher end housing needs. People seeking high-end housing don't want to live near an RV storage facility, mobile home park, and freeway that immediately adjoin WSA-2. They do want to live near rivers, streams, and trees, and have a view of Oregon's iconic Mt. Hood. Many people who have seen both properties have expressed preference in our property.

3) Environmental Consequences, Study Area 2

None cited.

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130

Mileages to Selected Establishments: WSA-2 versus Serres			
Establishment	**Type of Enterprise**	**Serres, 1769 E. Lincoln Road**	**2004 UGB at Boones Ferry Road**
Lincoln Road/99E (Roth's)	Grocery	0.4	2.3
214/99E;/211 Intersection	Landmark Intersection	1.1	2.4
Safeway (center of store front)	Grocery & Gas	1.2	2.5
Luis's Tacqueria, N. Front St.	Mexican Restaurant	1.3	1.5
Woodburn Post Office	U. S. Post Office	1.4	1.4
Shop N Kart, 214	Discount Grocery	1.5	2.1
Silverton Hospital (K Mart)	Medical Services	1.5	2.1
Woodburn City Hall	Govt. Agency	1.6	1.6

131

132 Now lets look at Winterbrook's *Woodburn Year 2020 UGB Justification Report*

133 with reference to UGB Study Area 4.

134

135 *"Land uses . . . are farming on EFU land. No land in Study Area 4 is proposed*

136 *for inclusion within the Woodburn UGB"*

137 WSA-2 and Serres are both 100% EFU zoned. Winterbrook states that this is a

138 negative for Serres, but not for WSA-2 because roads bound it. Serres is similarly

139 bounded by Pudding River, Highway 214, City of Woodburn, and Hardcastle. Serres is

140 mixed farming and residential with eight residences, where WSA-2 has two residences at

141 its Eastern edge.

142

143

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WHAT??? East-side residents DO NOT ACCESS I-5 at the I-5/214 Interchange. The shortest path to I-5 from the East Side is to take 99E North or South. The distance from the intersection of 214/211/99E to the Aurora Cut-off I-5 On Ramp is 11.0 miles. If you travel to the same ramp by going West on 214 from the 214/211/99E intersection and up I-5, the distance is 14.1 miles and you go through two school zones.

Conclusion

The Winterbrook report makes positive statements about the WSA-2 property and negative statements about the Serres property in an inconsistent manner. Somehow the negatives, which are applicable to both, are only discussed in reference to the Serres property. Similarly, some positives apply to both properties, yet are only discussed in reference to the WSA-2 property. Negatives specific to the WSA-2 property, such as impact of I-5, are omitted. Positives specific to Serres, such as recreational opportunities around pond, are omitted.

We question Winterbrook's statement that SA-2 is the only Study Area offering a suitable venue for high-end housing. The I-5 freeway noise and pollution, traffic congestion, lack of true public open space (golf course is signed "No Trespassing", requires a greens fee to use—website for fees: http://www.oregongolf.com/oga/ogainf.htm), poor arterial road support, proximity to the regional waste disposal site, proximity to RV storage and mobile home parks, lack of distance views are high end housing **negatives**. Our farm does not suffer **any** of these **negatives** and offers significant **positives**, discussed below.

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The Serres Family
1840 E. Lincoln Road NE
Woodburn, OR

April 19, 2005

:. Les Sasaki
Principal Planner
Marion County Public Works/Planning
555 Court Street NE
Salem, OR 97309

Dear Mr. Sasaki:

We felt it prudent to inform you of our family's imminent Measure 37 application. Our property's West border is the City of Woodburn City Limits. Our property fronts State Highway 211 on the South, borders the Pudding River on the East, and fronts Hardcastle Street on the North. For simplicity, we will refer to this property as "Serres Tract" in reference to our entire holdings, and "Serres" in reference to that portion lying within the City of Woodburn's UGB Expansion Study Area 4. Please refer to the enclosed aerial photo.

As you know, the City of Woodburn is completing its Comprehensive Plan update, a process which permits amendment of the Urban Growth Boundary. The current draft plan amends the UGB by bringing in approximately 160 acres to meet 2020 needs for Low Density Residential (LDR). At this time, the proposed LDR inclusion area is West of Boones Ferry Road, East of I-5, South of Crosby Road, and North of the current UGB. For simplicity, we will refer to this property as "WSA-2", which is a reference to its location within the Woodburn UGB Expansion Study Area 2.

Our hope was that "Serres" would be included in the UGB based on its superior access to major highways, identified recreational features and amenities, proximity to established shopping and downtown core, proximity to Sewage Treatment facilities, natural drainage to the Pudding River, proximity to existing electrical and gas utility infrastructure, and shared border with the City Limits. The City of Woodburn, by bringing Serres into the UGB, would realize the following synergies: completion of the city street network that currently dead ends at our West border (Tomlin, Landau, Laurel Streets), gravity flow storm drainage to the Pudding River for East Woodburn, road access from all four sides for Woodburn School District's undeveloped Lincoln Road school property, and potential parkland centered around Serres Reservoir, unnamed creeks, wetlands, and Serres Pudding River frontage.

Unfortunately, the *City of Woodburn UGB Study Area Public Services Analysis, 2004* identified UGB Study Area 4 as the most expensive area to serve with city services. We question this study, which we regard as flawed.

Because the Woodburn Comprehensive Plan Update process did not solicit public input at the time of plan development, we were unable to testify to the strengths of our property or question the city services cost study until the March 28, 2005 public hearing before the Woodburn City Council. While our understanding is that our testimony has been well received, we cannot depend on a "hearsay

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RECEIVED
APR 19 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

WINCO FOODS

An Employee Owned Company

Exhibit "B"-102

WinCo Foods, LLC
Distribution Center
Phone: (503) 982-4900

400 S. Woodland Avenue
P.O. Box 400
Woodburn, Oregon 97071-0400

April 19, 2005

Woodburn City Council
C/O Jim Mulder
Community Development Director
Woodburn City Hall
270 Montgomery Street
Woodburn OR 9701

Honorable Mayor Figley, Esteemed Council Members, and Mr. Mulder:

Please consider the following before making a final decision regarding the adoption of the proposed Comprehensive Plan, including the Transportation System Plan and, specifically, the Interchange Management Area with its associated "parcel trip budgets."

WinCo Foods' Distribution Center is located at 400 S. Woodland Avenue on 80+ acres within the proposed IMA. Since 1997 WinCo has enjoyed a very constructive and positive relationship with the City of Woodburn and we trust that the community has benefited from our presence here. WinCo employs over 600 people at this location with average employee wages of $40,000 or more per year, plus full health care and retirement benefits with a total annual payroll expense of over $40 million. In general, because of the 24-hour nature of our operations, traffic generated by WinCo is spread throughout the day and any significant peak traffic flows do not coincide with typical "rush hours" or the evening peak traffic periods as defined in the proposed IMA. Nevertheless, the proposed IMA causes us to be concerned about potential obstacles to future expansion of our operations and facilities.

Based on conversations with city staff and ODOT representatives we understand that the intent of the proposed "parcel trip budget" concept is to make sure new development of

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Oregon
Theodore R. Kulongoski, Governor

Exhibit "B": 103

Department of Agriculture
635 Capitol Street NE
Salem, OR 97301-2532

APR 19 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

March 19, 2004

VIA FACSIMILE

Jim Mulder, Community Planning Director
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97074

Dear Mr. Mulder:

The Department of Agriculture (ODA) provides the following comments in response to the proposed periodic review amendments related to proposed expansion of the city's urban growth onto agricultural land. Our comments focus on the requirements for expansion found in Statewide Planning Goal 14, Urbanization. Goal 14 establishes seven factors that are required to be addressed in order to justify an expansion of an urban growth boundary. Before we comment on factors 6 and 7 relating to agricultural lands please note that we are in agreement with and support the comments provided to you by the Department of Land Conservation and Development related to factors 1, 2 and 4 (letter dated March 16, 2005).

Factor 6 requires the retention of agricultural land based on a priority that when need is justified for an expansion, that Class I agricultural soils have the highest priority for protection (lowest for inclusion within the UGB) and Class VI has the lowest priority for protection. It also addresses ORS 197.298 which requires that exception lands, nonresource lands and resource lands completely surrounded by exception lands be included before resource lands. The department is concerned especially with the proposed expansions located west of Interstate 5 and north of the existing UGB. Both of these areas include prime farmland and Class II soils. Based on the soils priority established by both Goal 14 and the statute, the best place for any justified expansion onto agricultural land would be south of the existing UGB between I-5 and Boones Ferry Road. This area includes large tracts of "poorer" Class III soils.

Factor 7 requires an analysis of the proposed urban uses that would be located within proposed expansion areas with agricultural activities. Much of the city's response to this factor relies on a proposed intent to require "right to farm" covenants or deed restrictions on the residential edge of the UGB. It is our experience that while such restrictions help to educate nonfarm residents of the adjacent farming practices, they do little to actually ensure compatibility with farming operations. Covenants generally do little other than preclude the filing of complaints against farm operations. Much of the impacts

APR 20 2005

BREWSTER & MAYNE, P.C.
687 Court Street NE, Suite 600
Salem, OR 97301
Phone: 503-362-2511
Fax: 503-371-4849

Exhibit "B"-104

WOODBURN
CITY ADMINISTRATOR'S OFFICE

Sydney E. Brewster
Kevin E. Mayne

April 19, 2005

Mayor Figley
Woodburn City Council
Woodburn City Hall
270 Montgomery St.
Woodburn, OR 97071

By fax: 503-982-5243

Re: Legislative Amendment 05-01; Woodburn 2005 Comprehensive Plan Update
Inclusion of Krivoshein Property

Dear Mayor Figley and Council Members:

On behalf of Nedezda Krivoshein, we ask that the Council consider including the Krivoshein property for residential purposes in the expanded UGB. In addition, we request that this letter and its attachment be included in the public record.

During the last City Council Meeting on March 28, 2005, there was considerable testimony, including that of the Serres family, as to why the City should consider developing the east side of Woodburn for residential purposes. We agree with several of the points raised by the Serres family. However, we also suggest that inclusion of the Krivoshein property might be more beneficial, based primarily on the smaller parcel sizes.

Description of the Krivoshein Property

The Krivoshein property consists of four different parcels (see attached map). The first three are owned outright, and the fourth (surrounded by dashes) is currently under lease with an option to purchase. The parcels are zoned EFU, composed primarily of Class II soils, and consists of approximately 32.5 acres. The property is bounded on the north by Meadow Lane, on the south by East Hardcastle, and on the west by Cooley Road and the existing UGB.

The Krivoshein property is flat. Unlike the Serres property, none of it is not located within a floodplain[1] and it contains no wetland areas for which special consideration would be required.

[1] See FIRM 41047C0139G.

Economic Consequences

In its Report, Winterbrook divided the potential UGB expansion area into eight study areas. The Krivoshein property is located in Study Area 4, consisting of 343 acres. Report, pg. 15.

In its analysis of the criteria necessary for a Goal 14 expansion, the Report reached the conclusion that Study Area 4 was one of the costliest for expanding public facilities and services into that area. Report, pp. 17-21. This, along with negative impacts on adjacent farm uses, was cited as one of the primary reasons for avoiding expansion into this area. Report, pg. 27.

We agree with the arguments of the Serres letter submitted to the City on March 23, 2005, suggesting that the findings regarding utility costs be re-examined. To paraphrase, those findings were as follows:

1. Sewage Treatment - Study Area 4 is near the Woodburn Sewage Treatment Plant, and sits on the same bench above the Pudding River. In addition, there is a slight slope from the Serres and Krivoshein property to the Plant. This results in a gravity flow line and eliminates the need for pumping across "washboard topography." There is also an existing gravity flow sewer main running along East Hardcastle. It is questionable how costs could be so high when such conditions exist.

2. Storm Drainage - Storm drainage flows easterly to the Pudding River. The drainage flows naturally downward from the Krivoshein property to that basin.

3. Water - As mentioned in the Serres letter, there is more than ample water available in that area and two existing wells with mainline distribution systems.

4. Negative Consequences to the Farming Economy - The Serres letter to the City proposes inclusion of a large tract of farm property based in part on the premise that it cannot be made productive since it is too small in size. The Krivoshein property is much smaller than the Serres property and would result in less land being removed from farm use. In addition, based on input from the neighbors, including Serres, that they would like to be included in the UGB expansion, it does not appear that adjacent farming operations could be negatively impacted.

Social/Environmental Consequences

The Report admits on page 27 that there would be no negative social consequences from an expansion of residential uses into this area. It also states that environmental consequences would be "relatively low." Report, pg. 28.

Energy/Traffic Issues

The Report raises concerns about additional congestion on City streets and the I-5/Hwy 214 interchange. In fact, during his testimony at the City Council meeting Mr. Winterowd stated that "relieving the congestion at the I-5 interchange is *necessary* to make the economic development plan workable." Minutes, pg. 5 (emphasis added). However, the current plan provides that the only residential expansion will take place on the southwest and north sides of

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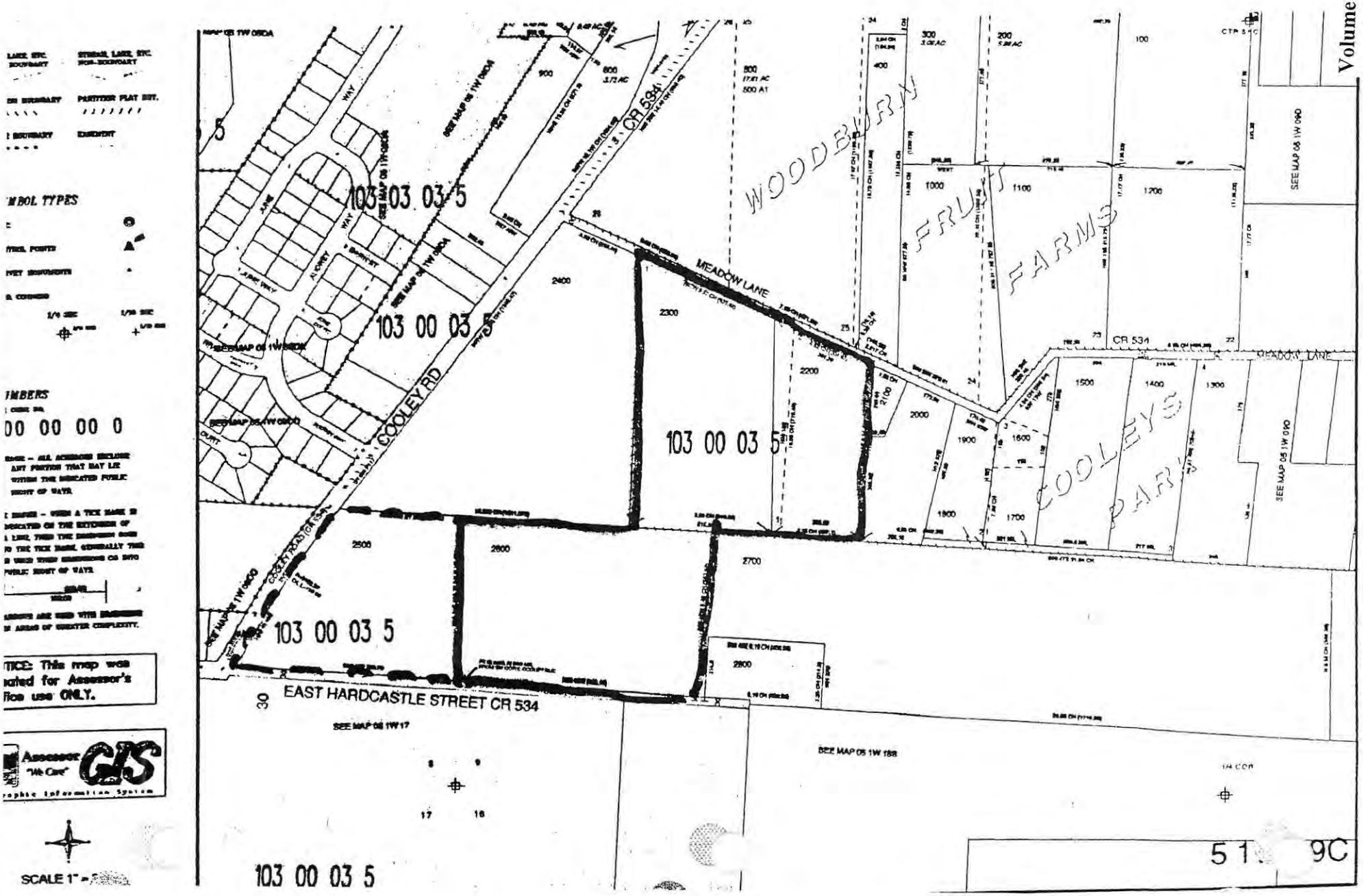
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COOLEY RD
MEADOW LANE
CR 534
EAST HARDCASTLE STREET CR 534
WOODBURY FARMS
COOLEYS PARK
SEE MAP 05 1W 17
SEE MAP 05 1W 188
SEE MAP 05 1W 090
SEE MAP 05 1W 09D
SEE MAP 05 1W 09DA
SEE MAP 05 1W 09CD
SEE MAP 05 1W 09CC
SEE MAP 05 1W 09CA
SEE MAP 05 1W 09C
SCALE 1" =
Assessor GIS "We Care"
NOTICE: This map was created for Assessor's Office use ONLY.

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☆ REC'D ☆

APR 2 0 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

Testimony submitted for Woodburn's Periodic Review

I believe strongly that Woodburn needs to develop an economic plan that benefits the existing population of Woodburn. One such way is to focus on local businesses rather than mega-employers. In the real world many new jobs are created without land being developed. A processing plant or manufacturer adds a second shift or a retail business expands its hours and hires new people; a good example is Industrial Machining and Fabrication which added extra shifts for welding contracts. Metro recently found that "on average, 40% of all job growth is absorbed through redevelopment or infill."[1] Although Mr. Winterowd talked about not comparing Woodburn to other communities the McMinnville Chamber of Commerce—an organization that most people interested in jobs would respect–found in a business survey that nearly half (45%) of the respondents indicated they had expansion plans that will not need any additional floor space to accommodate new employees."[2] What are the needs of existing businesses? Does Woodburn Fertilizer & Seed Company need easier access its facilities? Could Sabrosa expand even more with help? The plan this consultant made assumes all new employees will need new all new industrial land.

Woodburn's economic development strategy relies heavily upon the inclusion of very large parcels of land to attract mega-employers. The largest parcel was intended to lure high-tech silicon plants. The Brookings Insititution, in a national tech report, underscored the difficulty of generating new technology clusters were none previously existed; such clusters build on the knowledge base of current workers and firms.[3]

---

[1] Metro Report, September 1999, Urban Growth Report Update, p. 51
[2] McMinnville Business Survey Results, Eco Northwest, September 2001, p. 11
[3] "High Tech Specialization: A Comparison of High Technology Centers", January 2001, Brookings Insitution

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☆ REC'D ☆

APR 2 0 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

RENAISSANCE
DEVELOPMENT CORPORATION

Exhibit "B" 106

16771 Boones Ferry Road
Lake Oswego, OR 97035
Phone: (503) 636-5600
Fax: (503) 496-0608

April 20, 2005

City of woodburn
Jim Mulder
Planning Director
270 Montgomery Street
Woodburn, Oregon 97071

Re: Woodburn UGB Expansion

Dear Mr. Mulder,

Renaissance Development has developed the first four phases of the Tukwila golf course property. We hope to continue developing the Tukwila golf property if and when the UGB is expanded. We believe with the extension of the UGB that includes the Tukwila golf property, you could have approximately 150 more homes in the area.

Currently the final two phases of the Tukwila golf property will be developed within the next year. We are bringing all utilities to the edge of the UGB for future expansion. No additional public costs for the extension of services should be associated with the future UGB expansion of the Tukwila golf property.

Sincerely,

(DM)

Jeff Shrope
Renaissance Development

TOTAL P.02

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Thank you for your consideration of this matter. Please send me written notice of the City's final action regarding adoption of the proposed UGB amendment and other periodic review work tasks.

Sincerely,

Corinne C. Sherton

Corinne C. Sherton

Enc.

cc: John Bartell (w. enc.)
Kyle Bertelsen (w. enc.)
Will Denecke (w. enc.)

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OPUS.

THE OPUS GROUP
ARCHITECTS
CONTRACTORS
DEVELOPERS

OPUS NORTHWEST, L.L.C.
A member of The Opus Group
1000 Southwest Broadway, Suite 1130
Portland, OR 97205
Phone 503-916-8963
Fax 503-916-8964
www.opuscorp.com

- **Professional Image** – With a solid master plan process, industrial parks create an attractive and professional image that appeals to high quality companies, employees and investors. Opus Northwest often uses Covenants, Codes and Restrictions (CCRs) to set simple rules that maintain this professional image long into the future. Industrial areas outside of industrial parks that don't benefit from master planning or CCRs tend to evolve without direction and lose efficiency and this professional image.

- **Job Growth** – Well managed industrial parks give strong companies the opportunity to grow without relocating. A small "One off" industrial project may serve a company with 20 employees well but if that company grows to 50 employees it will have to relocate. The competition between cities and states for growing companies is fierce. An industrial park can offer a variety of buildings in the same location that will keep these growing companies and their employees in the community.

- **Efficiencies of Scale** – There are fixed costs in development that change little, whether you are building 10,000 sf or 1,000,000 sf. The larger industrial parks take advantage of these efficiencies to create cost advantages that help attract new companies. The proposed regional stormwater facility in the northwest corner of the Opus site is an excellent example of efficient, "Green," stormwater management. These efficiencies allow industrial parks to make equitable contributions to the construction of offsite improvements such as the upgrade of Butteville Road to meet Woodburn Transportation System Plan standards.

Real Estate Investor Magazine ranked Opus Northwest the Number One Industrial Developer for 2004. Opus was able to achieve this by providing the type of product that industrial users desire and by maximizing efficiency. Time is of the essence as Opus has already had to turn away a number of significant employers. The industrial park Opus is proposing in Woodburn could accommodate up to 1,400 new industrial jobs, and we would like to get started immediately. We look forward to the approval of the Urban Growth Boundary amendment and a successful industrial project.

Sincerely,

Kyle Bertelsen
Real Estate Manager

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I would like to point out that we have received at least two inquiries on the Mahan property each month for the past 6+ years. During this period there has been no marketing, no sign on the property, no economic development support from the public sector - virtually nothing to encourage businesses or the brokerage community to look at the property as a relocation alternative. Imagine what might be happening on that property today if it had been included in the UGB in 1999.

In addition to the ongoing impact of having people going to work every day on the Mahan property (less commuting up and down I-5 to find work in Salem and Portland would also be an advantage) the initial investment on the property will be significant. 100 acres with 25% - 35% coverage means 1,000,000 - 1,500,000sf of improvements. That's somewhere between $50 million and $150 million ($50/sf - $100/sf depending on manufacturing/distribution mix) in construction value. That would be a significant economic stimulus for not only Woodburn but for the entire state.

Opus Northwest has spent $170 million at the old Durham quarry site (Bridgeport Village) in Tualatin. We would be delighted to spend another $100 million on the Mahan property in Woodburn.

The best time to include the Mahan property in the UGB was six years ago. The next best time is right now.

John Bartell

Opus Northwest, LLC
Vice President

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development by providing basic information about the site such as environmental assessments, wetlands delineations, etc.

- **Redeveloping Brownfield Sites**
  The committee recommends that the state set a strategic direction on the feasibility of brownfield rehabilitation of existing industrial sites. Brownfield sites, particularly in urban areas, are often in prime industrial locations and served by existing infrastructure. Clean up of these sites for industrial development will increase the availability of industrial lands, particularly in the Portland metropolitan area.

In conclusion, the committee is grateful for the opportunity to assist and advise OECDD, GERT and others in this process. The members of the committee will remain active in these issues as they relate closely to the professional pursuits of each individual committee member. The committee looks forward to the opportunity to dialogue further in that capacity on the policy issues surrounding industrial lands.

Background

Governor Ted Kulongoski and the 72nd Oregon Legislature took action during this past year to facilitate job growth and stimulate the economy. Since these actions support and complement one another they are briefly described below:

Executive Order 03–02

Governor Ted Kulongoski, signed Executive Order 03–02 on February 20, 2003. The Executive Order has two major components, the creation of an Industrial Lands Task Force and the development of the "Shovel Ready Industrial Sites Initiative."

In the Executive Order the Industrial Lands Task Force was given the fact-finding mission of "evaluating concerns and proposals for developing, identifying and protecting our short– and long–term industrial land supply." The Task Force published their findings in a report, *Positioning Oregon for Prosperity* (appendix C), in October 2003. The report outlines four critical policy issues:

- State Land Use Program
- Attitudes of State and Local Official and General State Reputation
- Responsibility of Public and Private Entities in Maintaining an Inventory of Industrial Land
- Infrastructure Financing

The "Shovel Ready Industrial Sites Initiative" directs the GERT in partnership with OECDD and the GERT agencies to:

- Complete a statewide inventory of industrial sites
- Work with local governments, state agencies and other parties to resolve issues identified to make the sites ready for development; and
- Develop an Industrial Site Certification Process.

OECDD's Regional Development Officers identified more than 160 industrial sites statewide. Regional GERT teams, in conjunction with local governments and landowners, evaluated this inventory of sites for those with the highest potential for achieving "project ready[1]" certification. Approximately 50 sites are being forwarded to OECDD as candidates for "project ready"

[1] An industrial sites that is certified as "project ready" is one that is ready for construction within six months or less after being chosen for development.

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NORTHWEST OREGON

Northwest Oregon, which includes the north coast, Hood River, Clackamas, Multnomah and Washington counties is the population and economic center of the state. According to the Industrial Lands Task Force Report (October 2003) and the Portland-area Regional Industrial Lands Study (RILS), this region of the state has a critical shortage of large industrial sites, for both immediate development and long term (20 year) projected need.

Although the committee selected the following five highly marketable sites, the industrial land supply in the METRO region remains critically low. Identifying these five sites is only a first step. More industrial sites, especially those that could accommodate a large employer, are needed.

Canby—Pioneer Industrial Park (200+ acres)
Close proximity to the Portland METRO Area and transportation access makes this site highly marketable for light or general manufacturing and warehousing/distribution. Just 25 miles from Portland International Airport and minutes from I–5 and I–205, the site is easily accessible by rail, air, land and sea transportation.

Fairview—Townsend Industrial Park (111 acres)
Exceptional transportation access (rail, marine, air and major freeways) and M2 industrial zoning makes this site marketable for a wide range of industrial uses.

Hillsboro—Shute Road (201 acres)
This highly desirable site in Oregon's high tech corridor is about 350 feet from a major freeway Interchange. The Hillsboro City Council just approved annexation of this flat, buildable acreage. The site is zoned for high technology research and/or manufacturing.

Hillsboro—Nike/Shute Road (72+ acres)
This is an excellent location for a high tech firm looking to locate or expand. The site also can accommodate other corporate uses. Owned by the Nike Foundation, this industrially zoned site is situated near Hwy 26 and with excellent freeway access. The potential to add another 20 acres to the north could expand the site to 92 acres.

Portland—North Lombard/Rivergate (113 acres)
Located in the Rivergate Industrial Area and owned by the Port of Portland, this industrially zoned property is within the Portland's Enterprise Zone and E-Commerce Zone. The site's market potential is further enhanced by its multi-modal transportation access—five miles from two I–5 interchanges, 1/2 mile from the Port of Portland's Terminal Six marine container facility and close proximity to Burlington Northern and Union Pacific Railroad.

WESTERN OREGON

Western Oregon includes the Willamette Valley and mid-coast counties of Marion, Polk, Yamhill, Benton, Linn, Lane and Lincoln. This seven county region is both geographically and economically diverse. Like the Portland Metro area, the Industrial Lands Task Force Report found that the Eugene-Springfield and Salem-Keizer metropolitan areas, the state's second and third largest urban areas, also appear deficient in their supply of industrial lands.

recent years, several companies have expressed interest in siting large industrial projects on the site or on adjacent sites.

Medford—NE Airport (90 acres)
Located in the city limits of Medford, this large site is close to I–5, Hwy 62 and the Medford Airport. This site has excellent transportation connectivity and is buffered from any residential or conflicting use by its proximity to the airport and other industrial uses. Zoned general industrial with excellent workforce availability, this site is fully serviced with utilities including high-speed connectivity. This site offers both enterprise and electronic commerce incentives.

Myrtle Creek—South Umpqua Industrial Park (50 acres)
This county-owned industrial site is visible from I–5 with easy freeway access. Douglas County is actively marketing the site for distribution facilities and other lighter industrial uses. The site has full utility service.

Sutherlin—Sutherlin Knolls (200 acres)
Situated close to I–5 and about 50 miles south of Eugene and 20 miles north of Roseburg, this large industrial site has market potential for light manufacturing and high technology assembly.

White City—Avenue G (105 acres)
This is one of the largest, ready to go, rail served industrial sites on the west coast. Zoned for heavy industrial use and close to I-5 and air services, this site is adjacent to large national and international companies. The site has good workforce availability and is eligible for tax increment assistance from the Jackson County Urban Renewal District.

Central Corridor

Highway 97 is the Central Corridor's major north/south transportation route. It bisects most of the Central Corridor which consists of the following counties: Wasco, Sherman, Gilliam and Wheeler counties to the north, Jefferson, Crook and Deschutes counties in the middle of the state and Klamath and Lake counties along the California border. According to the Industrial Lands Task Force Report, the Bend metropolitan area also has an industrial land supply shortage.

The committee selected the following sites as being highly marketable in the Central Corridor:

Bend—Juniper Ridge (250+ acres)
Located at the north end of Bend, this is the largest site being prepared for industrial development in Central Oregon. The site is in close proximity to Hwy 97 and 15 minutes from the Redmond/Bend Airport. With anticipated transportation improvements in place, this site will be a draw for industrial/campus users.

Klamath Falls—Klamath Falls Industrial Park (55 acres)
This city owned industrial park is adjacent to the Klamath Falls Airport and 5 minutes from Highway 97, the major north/south freight corridor. This fully served industrial park is currently home to two manufacturing facilities, and is ready to break ground for the next tenant.

In this regard the committee concurred with the findings of the Governor's Industrial Lands Task Force which state in pertinent part:

> The Task Force believes, that a first step local jurisdictions can take with respect to industrial land supply is to do what state law allows and requires them to do: have a 20–year supply of buildable lands inside their Urban Growth Boundaries (UGBs). The entire state's economy suffers when certain communities fail to meet their obligations to provide a full inventory of such lands (Appendix C, page 3).

Role of Land Owners

The committee also observed that in several instances land that was otherwise potentially significant for job creation was negatively affected for near-term industrial development by either disinterested and/or diffuse land ownership.

For instance, the committee observed that many of the sites it reviewed lacked basic site information such as Phase I environmental assessments and wetlands delineations. The committee took this lack of information to indicate a lack of motivation by landowners to develop their properties for industrial use. Greg Specht, Chairman of the committee notes that "Property owners need to "tee up" their sites because this would demonstrate that they are serious about attracting a buyer."

Some desirable sites possess a land ownership scenario that frustrates industrial development. One example identified by the committee, where diffuse and multiple land ownership hinders development is the Springwater site in Gresham. This 1,000+–acre site has more than 200 property owners, some own parcels as small as a half–acre. Complications likely to arise from this fractured land ownership pattern preclude near term industrial development.

The committee engaged in discussion about the roles that private landowners and state and local governments could occupy to encourage industrial development on significant sites in critical employment centers. The committee concluded that this issue warranted further evaluation.

Redeveloping Brownfield Sites

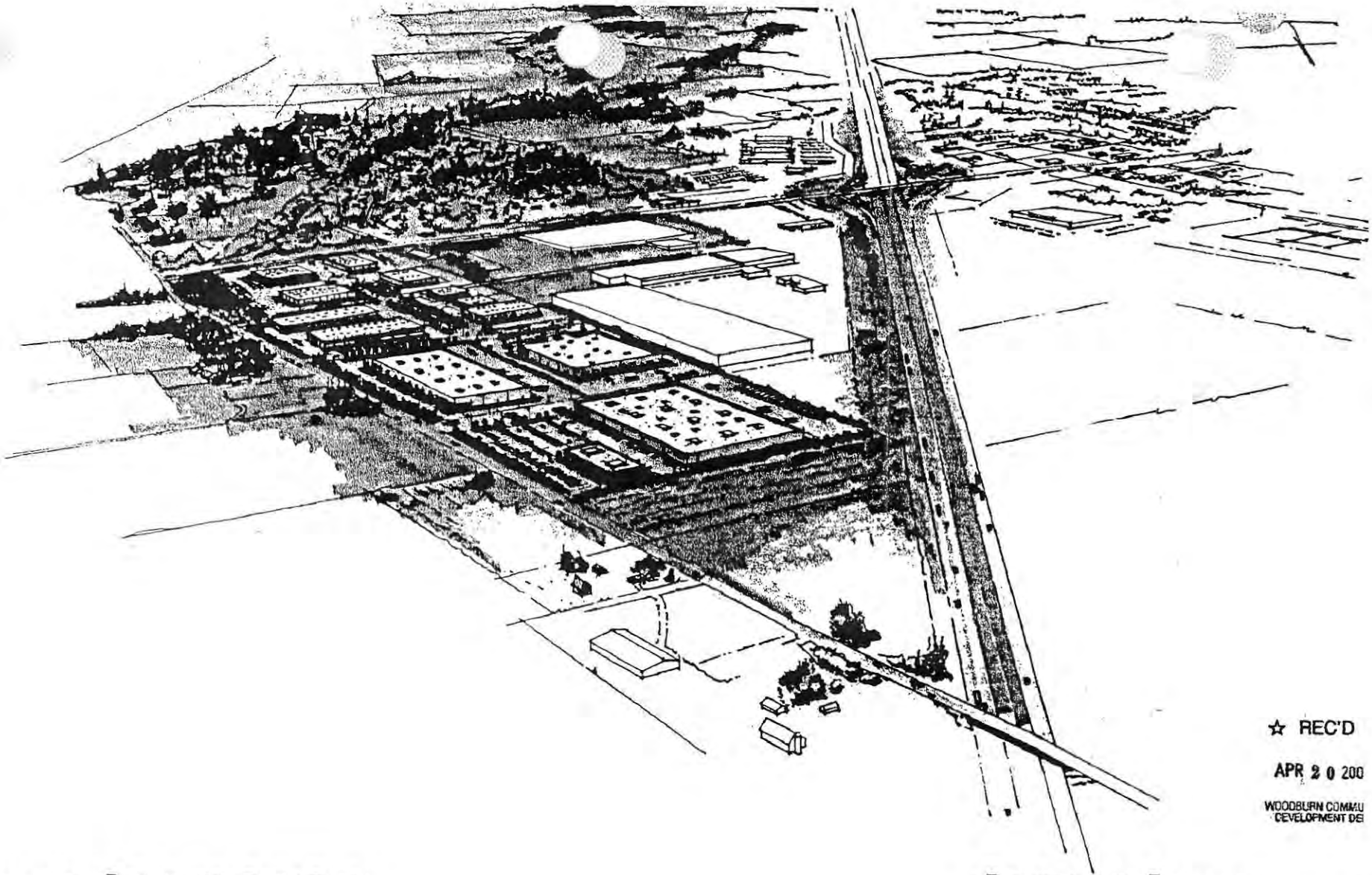
The committee also observed that particularly in Oregon's urban centers, brownfields[3] must be evaluated as potential industrial sites since an absolute proscription of development on these sites would drastically affect the industrial lands supply in these regions.

An example of an industrial brownfield site in the Portland area that has significant job creation potential is the site of the former Reynolds Aluminum facility located along the Columbia River near Troutdale. At approximately 700 aggregated acres, the site is one of the largest industrial parcels in the Portland metropolitan area. Although environmental clean is currently underway, the site will not be ready for redevelopment in the near term.

The committee recommends that the state set a strategic direction on the feasibility of brownfield rehabilitation clean up of potential industrial sites and supports the following recommendations of the Governor's Industrial Lands Task Force:

> Metro and other jurisdictions with significant brownfields in their inventories should examine how these lands should be treated in the industrial lands inventory (i.e., is it "buildable"), taking into account the environmental investigation and

[3] "Brownfields" means real property where expansion or redevelopment is complicated by actual or perceived environmental contamination (ORS 285A.185.)



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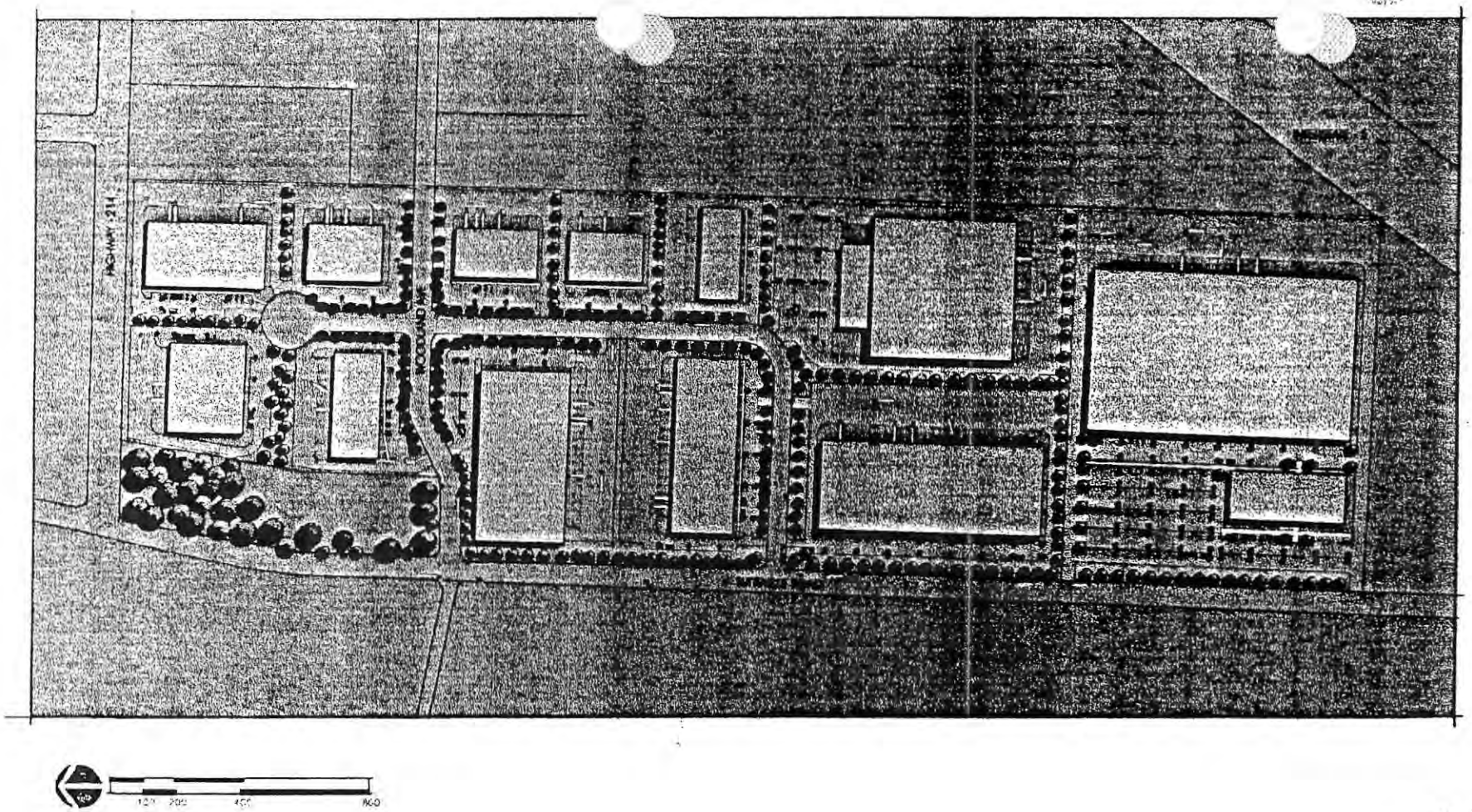

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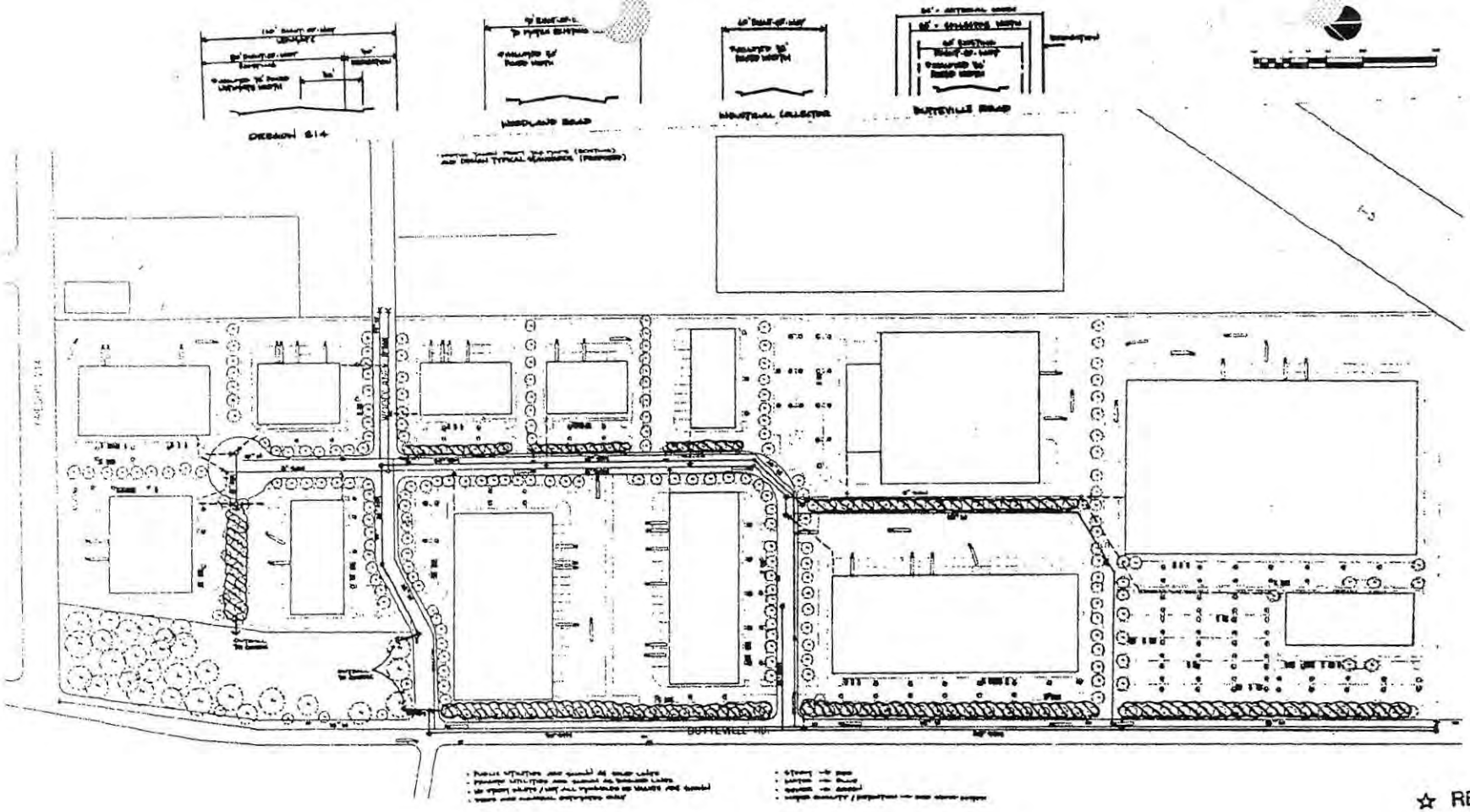

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A. **County Staff's Methodology Is Inaccurate**

County Staff's analysis is based on gross buildable acres, not on net units per net acre. Based on acreages alone, the County contrasts the 20-year need, the existing supply, and determines that the existing proposal contains too many acres. However, the January 2005 *Revised Woodburn UGB Justification Report* specifically states that "[t]he capacity for residentially-designated parcels to meet residential land needs is considered on a parcel-by-parcel basis, rather than on a aggregate land area basis" (footnote 4, page 4). In other words, the number of dwelling units a property can provide is not based on the property's size alone, but on the characteristics unique to that property.

For example, compare two properties each zoned residential, and each 3 acres in size, however, one has an existing home. The parcel with the existing home will accommodate less dwelling units than the vacant parcel. Further, consider the approximately 200 acres of the exception land to be added to the UGB. Only 107 of those acres are net buildable acres, on which the housing capacity is only 3 dwelling units per acre.

The model and approach used by the City in this case is sound and has already been reviewed and approved by Woodburn's planning consultant, Woodburn's planning staff, the Woodburn Planning Commission and the State of Oregon Department of Land Conservation and Development (DLCD) staff. In fact, the Housing Needs Model employed to estimate need actually shows the need for an additional 160 acres of low density residential land to accommodate the anticipated growth within in the Woodburn UGB, but the planning consultant, with concurrence from Staff and the Planning Commission, has reduced the expansion acreage in anticipation of higher densities within the nodal residential overlay zones. See *Technical Report 2, Woodburn Residential Land Needs Analysis*, p. 30.

B. **County Staff's Rationale Is Unrealistic**

County Staff's analysis assumes that infill acreage, or existing residential parcels in Woodburn, will develop as efficiently and economically as new, large-acre tracts. Infill is much more difficult to develop. Owners of smaller lots are much less likely to divide their property and develop more residential lots to be sold to others. These owners may have an existing home on the property and desire buffers from neighboring properties, the property may be an heirloom, or the property may contain environmentally sensitive areas.

Woodburn is highly parcelized. 353 of Woodburn's 402 residential lots are less than 1 acre. Only 11 lots are greater than 10 acres. See *Technical Report 1, Buildable Lands Inventory*, Table B, p. 3. To assume that these small infill lots will be developed at the same capacity as large acre tracts, of which there are few, ignores the reality that these small-lot owners will only infrequently divide their property, and developers will just as infrequently desire to develop them. The practical result will be an inadequate supply of low density residential property and an artificial increase in property values.

If the 160 acres were removed from the expansion as County Staff suggests, the 14,819 additional Woodburn residents over the next 20 years will have inadequate supply of higher-quality construction, and higher wage earners will find other cities in which to build their homes. In fact, demand for higher quality construction already exceeds supply as evidenced by the waiting list for individuals seeking a home at the Tukwila, where, due to the demand, the price for a new home has nearly doubled in four years. See Exhibit B, letter from Tukwila broker, Kim Whitman.

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2, including the Fessler property, as being the best location for the low density residential expansion. Area 2 best satisfies the factors to be considered under Statewide Planning Goal 14, which governs amendments to urban growth boundaries. Each one of these reasons are more fully set forth below.

A. Lowest Concentration of High Value Soils

Factor 6 of Statewide Planning Goal 14 and ORS 197.298(2) both govern the selection of properties for inclusion in a UGB, and both require jurisdictions to give lower capability soils higher priority for inclusion in a UGB. The Fessler property contains a high concentration of Class III soils, and some Class IV soils, while the study areas on the eastern side of the current UGB, including Area 4, contain predominantly Class II soils. See Exhibit E and Table 13 of *Revised Woodburn UGB Justification Report*, p. 35. The Fessler property, therefore, has higher priority under Factor 6 and ORS 197.298(2) for inclusion in the proposed UGB, as compared to the Serres property.

B. Lower Impact on Surrounding Farmland

Factor 7 of Goal 14 requires compatibility between proposed urbanization and agricultural uses. In looking at this compatibility factor, "buffers" and "hard edges" on the border between urbanizing and agricultural uses are sought to enhance compatibility of such uses. Streets are the ideal buffer to minimize conflict between these uses.

Area 2 with the Fessler property has existing county roads and I-5 buffering it from agricultural uses on each of its four sides: Boones Ferry Road to the east and Crosby Road to the north that will both be minor arterials, I-5 to the west, and, of course, the City to the south. Area 2 with the Fessler property enhances the compatibility between urban and agricultural uses.

The majority of the eastern border of the Serres property within Study Area 4 would directly abut farmland. That minor portion of the Serres property not directly abutting farmland would only be separated by a local road, rather than a minor arterial. See Exhibits A & D. Consequently, Area 2 with the Fessler property enhances compatibility between urban and agricultural uses as required by Factor 7 better than Area 4 with the Serres property.

C. Lower Cost for Services

Factor 3 of Goal 14 requires orderly and economic provision for public facilities and services. Woodburn Public Works (Public Works) calculated the cost of extending public services to each of the study areas under the proposed expansion. Public Works' report indicates that extension of services to Area 2 costs would total $4.2 Million, or $16,381 per acre, while Area 4 costs would total $13.4 Million, or $39,184 per acre. See *City of Woodburn UGB Study Area Public Services Analysis*. Area 4 costs over 300 percent more to serve than Area 2. Area 2 therefore better promotes the orderly and economic provision of services as required by Factor 3.

To independently evaluate the cost estimates of Public Works in the *UGB Study Area Public Services Analysis*, the Fesslers retained Multi Tech Engineering of Salem. Multi Tech reviewed the methodology, maps, and information used by Public Works for its determinations, and performed its own cost analysis using not only the City's information, but also its own information regarding existing and proposed services. Multi Tech's independent evaluation confirms that extension of services to Area 4 with the Serres property costs substantially more than extension of services to Area 2 with the Fessler property. Even after development of all lots, which were assumed to be the same number for each of Areas 2 and 4, Area 4 with the Serres property costs $6.7 Million more to serve, at

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III. An Integrated Package

Finally, the Comprehensive Plan and related UGB amendments come to you as an integrated package pieced together with multiple assumptions buttressing each other. The Planning Commission, ODOT, DLCD, Planning staff, and Winterbrook Planning consultants have reviewed the package as a whole, and recommended approval of the plan based on those assumptions. If you eliminate or move any part of the package, the assumptions also change, and the package approved as a whole must be reviewed and analyzed again as a result. Therefore, as a practical matter, we wish to emphasize that by eliminating the low density residential acreage, or by relocating it from Area 2, the package must be reviewed again, which will only further delay a process that is already 5 years into its 20-year period and still has yet to be officially acknowledged by the County Board of Commissioners and the Land Conservation and Development Commission.

IV. Conclusion

Your Planning Department has made a very thorough effort in coordination with Winterbrook Planning consultants, the County, DLCD, and other advisory committees to prepare a comprehensive package that accomplishes the economic goals of the City while complying with the Statewide Planning Goals. For the reasons expressed above, Area 2, and the 120 acres owned by the Fesslers in particular, not only should be included in the UGB expansion for their economic and social advantages, but also must be included over other areas such as Area 4 under Statewide Planning Goal 14.

We respectfully request that this letter and all its exhibits and attachments be entered into the record.

Sincerely,

BRIAN G. MOORE
bmoore@sglaw.com
Voice Message #366

BGM:ms
Enclosures
Cc: Councilor Walt Nichols, Ward 1
Councilor Richard Bjelland, Ward 2
Councilor Pete McCallum, Ward 3
Councilor Jim Cox, Ward 4
Councilor Frank Lonergan, Ward 5
Councilor Elida Sifuentez, Ward 6
Robert Shields, City Attorney
Jim Mulder, Community Development Director
Tom Fessler
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April 20, 2005

Mr. Brian G. Moore
Attorney at Law
e-mail: bmoore@sglaw.com

Dear Brian,

As I mentioned, Renaissance Homes is an industry leader in high end, high finish homes in the Portland area and has been building homes for more than 20 years. About five years ago company owner, Randy Sebastian, decided to grow the company and attracted a team of experienced people to assist him in his expansion efforts. Now, five years later, the company has grown nearly 300% while maintaining its reputation as the metro areas best high end production builder. Renaissance is the only company to win five of the coveted Street of Dreams 'best of show' awards and recently became one of the area's few local builders with new home sales in excess of $100 million.

In late 2000 we were given the opportunity to purchase 67 lots in Woodburn in the development known as Tukwila, surrounding the OGA Members Golf Course. I would be the first to admit we struggled to create our market niche. We built our first home in late 2000 and the first owners' moved in during the late spring of 2001. In 2001 we sold only 13 homes and we were questioning our decision to enter the Woodburn market. One of our most popular homes on the golf course was then sold for $199,900, or $120 per foot. In 2002 we continued to struggle but sales improved and in 2003 and 2004 sales were strong as we completed sales in mid 2004 of all 67 homes.

It is important for you to realize that at the conclusion of sales at phase II, our prices had increased from $120 per foot to $195 per foot! Homes that once sold for $200,000 now sell for $330,000 and we cannot build them fast enough. The market demand far exceeds our ability to build new homes. In late 2004 we purchased an additional 16 lots and had a list of prospective purchasers of more than 35 ready, willing and able buyers. Our on site resident agent has sold all that are available and we have increased the sales price by $3,000 every time she sold three homes. She routinely works from a list of 50-100 interested prospects who have visited the site and asked to be kept aware of future development. Our average sales price is now approximately $365,000 and we continue to have people waiting for our next land development at Tukwila. Also, please keep in mind that these buyers – after initial purchase – routinely spend an additional $25-$40K at our Design Center on options and upgrades so the final sales price average is actually significantly higher.

Brian, the market for these homes is robust and growing. We have firmly established that people from all over the Willamette Valley will spend their dollars on higher end homes at a good location given the right marketing and a great product.

Please let me know if I can provide you with any additional information.

Best regards,

Kim H. Whitman
Vice President, Sales and Marketing

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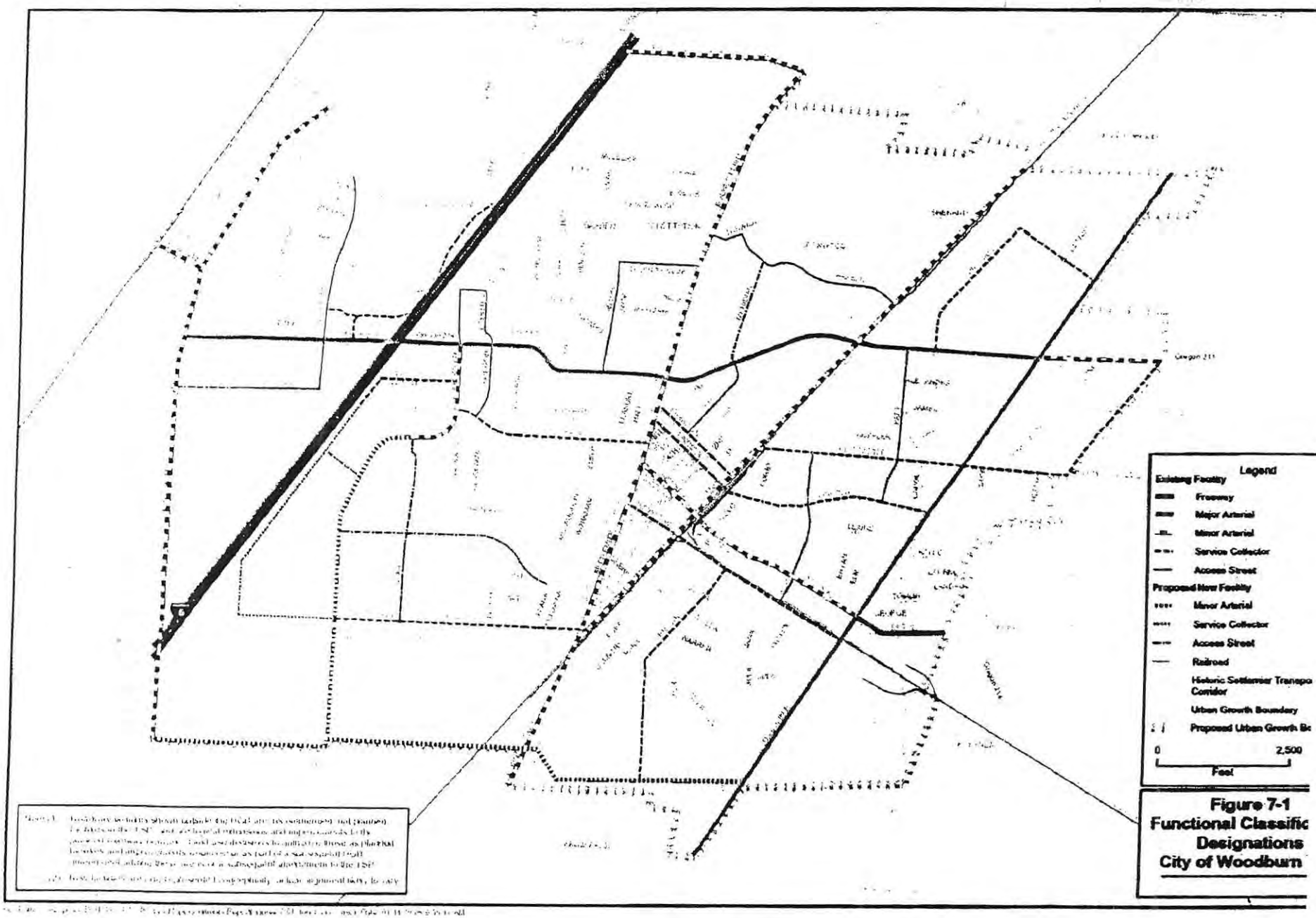

Figure 7-1
Functional Classific Designations
City of Woodburn

MULTI/TECH
ENGINEERING SERVICES, INC.

CONSULTANTS
1155 13th Street, S.E.
Salem, Oregon 97302
(503) 363-9227

Woodburn

Urban Growth Boundary Expansion

April, 2005

Our office was requested to review two of the 8 areas being considered for an addition to the Woodburn City Limits. We were to consider the estimated cost for the installation of Public Water, Sanitary Sewer, and Storm Drainage facilities to and within each area.

The two areas are "Area 2" and "Area 4."

Our office reviewed information that had been prepared by the City of Woodburn Public Works that outlined the off site facilities that would be required and the on site facilities that would be needed in the development of the areas. We relied on the Public Works assessment of the existing facilities in the vicinity of each of the areas and the required master plan facilities needed to service them.

The two areas contain different amounts of serviceable land. Area 2 includes a total of 257 acres of land, with all but two acres as residential land. Area 4 includes a total of 343 acres, all of which is to be residential land.

We reviewed the topographic features of both areas.

We prepared detailed cost estimates for the off-site facilities using current construction costs for each system.

The areas were evaluated to determine the expected number of lots that could be developed. We used an average density of 4.88 lots per acre to arrive at the expected number of lots.

The on site costs were developed using the number of lots, an expected cost per lot for the infrastructure, with consideration for the features of each site.

The attached summary shows the projected cost for Water Distribution Facilities, off and on site, Sanitary Sewer Facilities, off and on site, and Storm Drainage Facilities, off and on site.

Each of the costs were then evaluated based on the size of the areas to show the Per Acre Cost for each of the facilities as well as the total costs for each area.

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Woodburn UGB Additions

Cost to Service Analysis for Areas 2 & 4

April, 2005

Area 2

Service Area Size **257.00 Acres**

	Off- Site	*On-Site*	*Total*
Water Distrubution Facilities Costs	**$233,248.00**	**$3,467,752.40**	**$3,701,000.40**
Sanitary Sewer Facilities Costs	**$882,240.00**	**$4,963,965.28**	**$5,846,205.28**
Strom Drainage Facilities Costs	**$32,000.00**	**$1,530,075.20**	**$1,562,075.20**
Total Costs	**$1,147,488.00**	**$9,961,792.88**	**$11,109,280.88**
Costs Per Acre Serviced			
Water Distrubution Facilities Costs	**$907.58**	**$13,493.20**	**$14,400.78**
Sanitary Sewer Facilities Costs	**$3,432.84**	**$19,315.04**	**$22,747.88**
Strom Drainage Facilities Costs	**$124.51**	**$5,953.60**	**$6,078.11**
Total per Acre Served	**$4,464.93**	**$38,761.84**	**$43,226.77**

Area 4

Service Area Size **343.00 Acres**

	Off- Site	*On-Site*	*Total*
Water Distrubution Facilities Costs	$209,952.00	$4,628,167.60	$4,838,119.60
Sanitary Sewer Facilities Costs	$1,957,760.00	$6,625,058.72	$8,582,818.72
Strom Drainage Facilities Costs	$1,338,240.00	$3,088,234.80	$4,426,474.80
Total Costs	**$3,505,952.00**	**$14,341,461.12**	**$17,847,413.12**
Costs Per Acre Serviced			
Water Distrubution Facilities Costs	$612.10	$13,493.20	$14,105.30
Sanitary Sewer Facilities Costs	$5,707.76	$19,315.04	$25,022.80
Strom Drainage Facilities Costs	$3,901.57	$9,003.60	$12,905.17
Total per Acre Served	$10,221.43	$41,811.84	$52,033.27

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Woodburn UGB Additions

Cost to Service Analysis for Areas 2 & 4

AREA No. 2

April, 2005

Sanitary Sewer Facilities

257 Acres	4.88 Lots Per Acre		1254 Total Lots
Off Site Facility Improvements			
Sewer Trunkline & Replacement	3650 Lin ft.	$25.00	$91,250.00
Traffic Control	1 Lump Sum	$11,000.00	$11,000.00
Mobilization	1 Lump Sum	$18,000.00	$18,000.00
Granular Backfill	3650 Lin. Ft.	$135.00	$492,750.00
Manholes	10 Each	$3,000.00	$30,000.00
Asphalt Cut and Patch	1500 Lin Ft.	$24.50	$36,750.00
Utility Conflicts	6 Each	$750.00	$4,500.00
Testing	1 Each	$5,000.00	$5,000.00
Construction Costs			$689,250.00
Engineering, Surveying, etc.			$75,817.50
Permits			$48,247.50
Contengencies			$68,925.00
Total Costs			$882,240.00
On Site Facility Improvements			
Projected No. of Lots	1254 Each	$3,958.00	$4,963,965.28
Total Cost for Water Improvements			$5,846,205.28

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Woodburn UGB Additions

Cost to Service Analysis for Areas 2 & 4

AREA No. 4

April, 2005

Domestic Water Improvements

343 Acres	4.88 Lots Per Acre			1674 Total Lots
Off Site Facility Improvements				
12" Water Trunk Line	1210	Lin ft.	$65.00	$78,650.00
Traffic Control	1	Lump Sum	$6,875.00	$6,875.00
Mobilization	1	Lump Sum	$9,000.00	$9,000.00
Granular Backfill	1210	Lin. Ft.	$25.00	$30,250.00
12" Fittings	22	Each	$500.00	$11,000.00
Asphalt Cut and Patch	500	Lin Ft.	$24.50	$12,250.00
Utility Conflicts	8	Each	$750.00	$6,000.00
Fire Hydrant Assy.	4	Each	$2,500.00	$10,000.00
Construction Costs				$164,025.00
Engineering, Surveying, etc.				$18,042.75
Permits				$11,481.75
Contengencies				$16,402.50
Total Costs				$209,952.00
On Site Facility Improvements				
Projected No. of Lots	1674	Each	$2,765.00	$4,628,167.60
Total Cost for Water Improvements				$4,838,119.60

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Woodburn UGB Additions

Cost to Service Analysis for Areas 2 & 4

AREA No. 4

April, 2005

Storm Drainage Facilities

343 Acres	4.88 Lots Per Acre		1674 Total Lots
Off Site Facility Improvements			
Crossing Up Grades & Replacement	1 Lump Sum	$20,000.00	$20,000.00
36 Inch Storm	7500 Lin Ft.	$132.00	$990,000.00
Traffic Control	1 Lump Sum	$14,500.00	$14,500.00
Mobilization	1 Lump Sum	$21,000.00	$21,000.00
Construction Costs			$1,045,500.00
Engineering, Surveying, etc.			$115,005.00
Permits			$73,185.00
Contengencies			$104,550.00
Total Costs			$1,338,240.00
On Site Facility Improvements			
Projected No. of Lots	1674 Each	$1,845.00	$3,088,234.80
Total Cost for Storm Drainage Improvements			$4,426,474.80

OF OREGON
Willamette Valley Office • 189 Liberty St. N.E., Ste 307A • Salem, OR 97301 •
Lane County Office • 120 West Broadway • Eugene, OR 97401 • (541) 431-705
Central Oregon Office • P.O. Box 1380 • Bend, OR 97709 • (541) 382-7557 • fax (541) 317-9129

Exhibit B-109 -7596

April 20, 2005

Woodburn City Council
City of Woodburn
270 Montgomery St.
Woodburn, OR 97071

☆ REC'D ☆
APR 20 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

re: Woodburn Periodic Review

Dear Mayor Figley and Council members:

At the public hearing held by the City Council on March 28, several issues arose which we would like to address prior to the close of the written record. In addition, an apparent drafting error in the proposed amendments to the Woodburn Development Code may result in an affect that is the opposite of that intended. These comments supplement our letters dated February 10, 2005 and March 30, 2005.

I. Development Code Text: NNC Zone Dimensional Standards

An apparent error in the Dimensional Standards in the proposed Nodal Neighborhood Commercial (NNC) zone text may result in an affect that is the opposite of that intended. The limitation on square footage for commercial uses that is intended as a maximum, is instead stated as a minimum.

The Fourth Revised Draft Amendments, dated November 2004, states:

> "2.107.06 Dimensional Standards
>
> The following dimensional standards shall be the minimum for all development in the NNC zone...
>
> ...any single business in the NNC zone shall occupy more than 60,000 square feet."

We believe the intention was to limit commercial uses to "*no* more than 60,000 square feet," not to require 60,000 square feet as a minimum.

In addition, we believe that a limitation of 60,000 square feet is much too large to encourage the sort of neighborhood-oriented, pedestrian-friendly commercial development that is the purpose of the NNC zone. Businesses that large typically draw upon a city-wide or even regional customer base.

of industrial job growth will occur on non-industrial land, that 7% of industrial job growth will be absorbed by firms adding employees without expanding space, and that redevelopment will accommodate an additional 5% of industrial job growth. Winterbrook applied none of these assumptions in Woodburn.

III. Purported Need for Very Large Parcels

The consultant has recommended that Woodburn base its industrial land needs in part on a purported need for very large parcels.

Marion County pointed out in its written testimony that by allowing more flexibility in arranging sites, "it would be possible to provide more available sites or increased choices in the size of sites, while also requiring less land to meet the employment needs and economic goals and strategy the City wishes to pursue."

The utility of smaller sites is supported by the testimony of Ray Clor from SEDCOR, who said at the March 28 hearing that his clients want 15 to 35 acre parcels.

IV. Existing Very Large Parcels

Even if the purported need for a flat, vacant, industrial parcel exceeding 100 acres was realistic and reasonable, it is likely this need, as well as the need for other large vacant industrial parcels (40-80 acres) could be accommodated on parcels within existing UGB.

The City's Buildable Lands Inventory identifies tax lot 052W13 00100 as a vacant 141.56 parcel, tax lot 052W13 01200 as a vacant 56.64 acre parcel and tax lot 052W13 01000 as a vacant 40.3 acre parcel.

These flat, vacant parcels are within the existing Urban Growth Boundary, in an unincorporated area southwest of the city limits and currently have no city zoning. They are in the general vicinity of the proposed Southwest Industrial Reserve. Given that they meet the site requirements Winterbrook has laid out for target industries and given Goal 14 requirements for maximum efficiency of land use within and on the fringe of the existing urban area, these parcels seem like a logical place for the City to plan for industrial development. The consultant has not explained why he instead recommends that they be planned for residential uses.

V. Conclusion

We hope these comments are helpful. Please include this testimony and all attachments in the official record of this proceeding and please provide us with written notice of your decision. Because we are uncertain as to whether you have previously received our written testimony to the Planning Commission, we have included it among the attachments to this letter.

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Property ID : R13423 051W17BA00400 Imp I1 Segment 1 OF 1
Building Type : Complx/Bldg Name: ROTH'S IGA

. Type Segment: MA (MAIN AREA) 21. Flat Price : 2,008,680
. Appr Method : F;M/S
. [illegible] Info : O# Occupancy % Class Height Rank
O1 (446) Supermarket 94 C 14 2.5
O2 (353) Retail Store 6 C 14 2.5

. Area	: 35584	9. Eff Age	:	15. Depr Type	:
. # of Stories	: 1	10. Typ Life	:	16. Phys + Func	:
. Perimeter	:	11. Yr Built	: 1970	17. Physical	:
. Shape	: 2	12. Base Date	:	18. Functional	:
. Report Date	:	13. EffAge Adj	:	19. Addtnl Func	:
		14. Local Mult	:	20. External	:

D-Details	C-Characteristics	AM-Amenities	(.) More

nter <RET> or 'X'-Exit: __

woodburn Roth's

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Property ID : R24341 072W31BB04500 Imp I1 Segment 2 OF 2
Type Improvement: C (MOVIE THEATRE) Nbhd: Primary:

. Type Segment: MEZF (COMM. BUILDING
2. pr Method : F;C
1. ass :
4. rea : 6508 Eff: 6508
Dimensions :

5. Const Style :

6. Foundation :
7. Exter Wall :
8. Inter Finish:
9. Roof Cover :
0. Roof Style :
1. Flooring :
2. Plumbing :

13. Heat/AC :
15. Ceiling :
16. Inter Comp :
17. Exter Comp :
18. Electric :

20. Year Built : 1998 Eff: 1998
21. Condition: Depre:
22. % Adjust : Nbh%:
$0BD
$0FD
23. Rep. Cost: 0 (0.00
24. RMV Total: 0

nter 'C'-Characteristics, 'AM'-Amenities, 'UM'-Unit Mix, 'N' for Next page,
RET> or 'X'-Exit: __

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Table 6-1. Total employment growth by land use type in McMinnville UGB, 1999–2020

Land use category	1999	2020	Growth 1999-2020	Percent
Commercial	3,043	5,222	2,179	30%
Office	5,413	7,505	2,092	29%
Industrial	4,239	6,451	2,212	30%
Public	890	1,668	778	11%
Total	13,585	20,846	7,261	100%

Source: ECONorthwest.

Table 6-1 shows that 29% of future growth is expected to be in office employment. About 30% of growth is forecast to occur in the commercial land use category, with another 30% forecast to occur in the industrial land use category.

The next step in the analysis is to convert employment into land demand. Several assumptions must be made to convert employment growth to demand for land by the four land use categories shown in Table 6-1:

- **Percent of total employment growth that requires no commercial or industrial built space or land.** Some new employment will occur outside commercial and industrial built space or land. For example, some construction contractors may work out of their homes, with no need for a shop or office space on non-residential land. The Census reports 4.4% of workers in McMinnville worked at home in 1990. Metro, in its September 1999 Urban Growth Report Update applies a sector-level "home occupation" factor in its analysis of land needed for non-residential uses. The factor ranges from 0% for the Government sector to 15% for the Service sector. We use an aggregate assumption of 5% for this study.

  This figure is slightly higher than the 4.4% reported by the Census in 1990 for McMinnville, and lower than the aggregate assumption of 11% for Metro. Census data, however, indicate that cities tend to have much lower rates than the Metro assumptions. The statewide percentage of persons that worked at home was 3.6% in 1990 and ranged from a low of 0% in 18 incorporated cities to a high of 15% in Coburg. The assumption used in this report accounts for a slightly increased rate of home employment.

- **Percent of employment growth on non-residential developed land currently developed.** Some employment growth will be accommodated on existing developed land, as when an existing firm adds employees without expanding space. There is little empirical research on the amount of employment growth accommodated in existing developments. This factor overlaps with other assumptions: if a jurisdiction has high vacancy rates or large amounts of square footage per employee, then more of the future employment growth can

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reasonableness of the assumptions for land and built space per employee.

- **Percent of employment growth on redeveloped land.** Some employment growth will be accommodated on land that is redeveloped—for example, an existing building that is renovated or torn down and replaced with a new building. Redevelopment potential can be estimated from the supply side or the demand side.

  Supply side methods typically use an improvement-to-land value ratio threshold to identify lands with redevelopment potential. Lands below the threshold are considered potentially redevelopable: the lower the value of improvements relative to the value of land, the more likely is redevelopment. An improvement-to-land value ratio of 1 to1 is a common threshold. This method has several limitations, the chief of which is that a *higher probability* of redevelopment is not a *certainty* of redevelopment. Not all land (perhaps not even a majority of it) below the threshold will redevelop, and some of it above the threshold *will* redevelop. Many factors—for example, location, economic conditions, and technology—affect the functionality of land. The improvement-to-land value ratio only considers the value of improvements on the site.

  More robust supply-side models look at the value of improvements on the site and nearby sites. This approach considers the broader character of the area and the relative value of improvements on the subject site compared to uses surrounding the site. This approach typically considers properties with improvement values 50% or less of surrounding sites as having redevelopment potential.

  Less common, but in our opinion superior for the purposes of estimating future consumption of buildable land, are demand-side methods, which assume that a certain percentage of new employment will be accommodated on sites that are classified as developed. This approach considers complicating factors such as home employment, increases in the efficiency of space use, increases in employment density, as well as redevelopment. Metro uses this approach for its studies. The details are discussed in a 1999 Metro memorandum titled *Nonresidential Refill (Redevelopment and Infill).*

  Based on conversations with local realtors and review of studies by Metro and the City of Salem, we assume that redevelopment will accommodate 5% of the forecasted growth in employment for all employment types.

- **Redeveloped land relative density.** Redevelopment of land generally increases the employment density on that land. An assumption of 50% indicates that employment density on redeveloped land will be 50% greater than the assumption of density applied to vacant land.

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SEC. 13 T5S R2W WM, MARION COUNTY

LEGEND

LINE TYPES

TAX LOT BOUNDARY
OLD PROPERTY LINE
ROAD RIGHT-OF-WAY
VACATED RIGHT-OF-WAY
RAILROAD
RAILROAD RIGHT-OF-WAY
STREAM, LAKE, ETC. TAX LOT BOUNDARY
STREAM, LAKE, ETC. NON-BOUNDARY
SUBDIVISION BOUNDARY
PARTITION PLAT BDY.
TAX CODE BOUNDARY
EASEMENT

SYMBOL TYPES

DLC
CONTROL POINTS
SURVEY MONUMENTS
G.L.O. CORNERS
SECTION
1/4 SEC
1/16 SEC

NUMBERS

TAX CODE NO.

000 00 00 0

ACREAGE - ALL ACREAGES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE DEDICATED PUBLIC RIGHT OF WAYS.

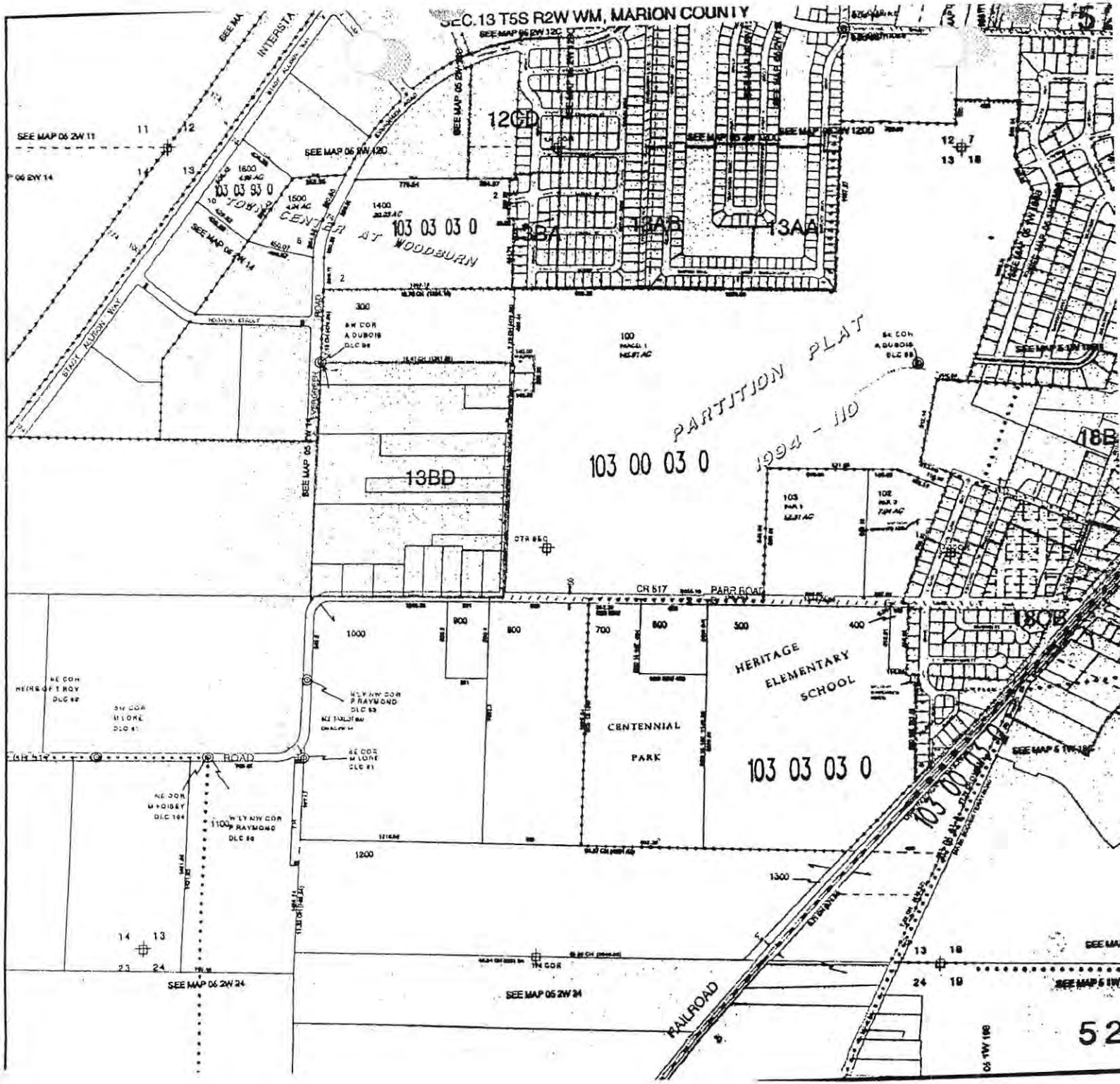
TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE, THEN THE DIMENSION GOES TO THE TICK MARK. GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAYS.

ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.

Assessor "We Care" GIS Geographic Information System

SCALE 1" = 400'



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a) Strengthen Woodburn's core business district. For example, an economic development strategy that attracts office workers to the periphery of the downtown core will provide potential downtown retailers with a pool of customers within walking distance of their businesses. The new Chemeketa campus on the north end of downtown is a good first step in this direction.

b) Complement existing industries and the existing local economy. Year in and year out, Marion County leads all Oregon counties in gross agricultural sales. Agriculture is a traded sector industry. Agricultural exports rank #2 among all Oregon exports, accounting for 25% of all Oregon exports in 2002. 80% of production leaves the state, 40% leaves the country. In 2002, Agricultural exports increased 4% to $1.13 billion while high-tech decreased 31%. Woodburn is located in the agricultural heartland of Marion County, where direct agricultural sales topped half a billion dollars in 2004 for the first time in any Oregon county.

Farmland is not undeveloped land waiting for urbanization. It is already developed industrial land that supports the leading industry in Marion County. The agricultural industry is a primary driver of Woodburn's economy. Winterbrook's proposal would harm the local economy by undercutting the land base that supports this leading industry.

II. Winterbrook's Industrial Land and Employment Projections

If Winterbrook's preferred scenario is adopted, Woodburn will have 503 net buildable acres of industrial land. This is huge amount of industrial land for a city the size of Woodburn. For comparison, Medford is proposing to add 431 acres of industrial land to its UGB for the needs of an additional 94,000 people. Bend recently added 338 industrial acres to its UGB for the needs of an additional 48,000 people. Salem/Keizer, with a population 7 or 8 times that of Woodburn's thinks it could take decades to develop the 500-acre Mill Creek industrial site. McMinnville just adopted period review amendments based on a need for 174 acres of vacant industrial land for the needs of an additional 13,567 people.

Winterbrook recommends an extremely optimistic forecast of 8,373 new jobs by 2020[1], of which 3,836 will use industrial land.[2] This is a substantial jump from Winterbrook's previously recommended forecast of 7,140 new jobs.[3] We believe this significantly overstates what can reasonably be expected to occur.

Woodburn has about 7% of Marion County's population and just under 8% of Marion County's jobs.[4] Between 1990 and 2000, 11.2% of all job growth in Marion County

[1] Revised Woodburn UGB Justification Report, Winterbrook Planning, January 2005. p. 2.
[2] Technical Report 2.B, Winterbrook Planning, May 2003, p. 8 Table 6
[3] Woodburn UGB Justification Report, Winterbrook Planning, November 2003.
[4] In 2000, total employment in Marion County was 131,622. Total employment in Woodburn was 10,388 or 7.9% of Marion County's total. Source: "Woodburn Economic Opportunities Analysis," phase one report, May 2001, p. 2-10, and "Woodburn Population and Employment Projections, 2000-2020" EcoNorthwest Memorandum to Winterbrook, April 29, 2002, p.16

- Even under the most aggressive assumptions, WPS is recommending adding to the UGB more than 2 ½ times the needed industrial land.

- Under reasonable assumptions, expected employment growth can be easily accommodated with a much smaller expansion or potentially on existing land

The assumptions above are taken directly from Winterbrook's background documents. They assume that Woodburn captures 23% of Marion County job growth and that *every* new industrial, commercial and office job requires development. Even under these unreasonable assumptions, the industrial portion of Winterbrook's recommended expansion is more than double what is needed for the number of employees who will use industrial land.

Winterbrook's own technical reports include 3 UGB expansion scenarios: an "Intensification" expansion of 447 net buildable acres, a "Medium UGB expansion" of 481 net buildable acres and a "Large UGB expansion" of 558 net buildable acres. For your reference, these are attached to this testimony. As the text of the "Large" expansion scenario explains, it is based on the highest employment forecast and provides alternative sites for target industries identified in the Economic Alternative Opportunities Analysis. At 752 net buildable acres, Winterbrook is now recommending a UGB expansion that is nearly 200 acres larger than his "Large Expansion" scenario.

III. Purported Need for 125 Acre Parcel

The industrial portion of Winterbrook's UGB expansion proposal is based in part on "a need for one very large site of 100 acres or more."[7] The Economic Opportunities Analysis includes a list of target industries (Table 4-4) and their site requirements (Table 4-5).[8]

The largest site requirements for any target industry listed in Table 4-5 is Electronics- Fab Plants at 40-80 acres+. The text of the EOA identifies these as "silicon chip fabrication plants," with site requirements that exceed 100 acres.[9] Since 2000, the silicon chip industry in the northwest has closed many plants and retains significant unused capacity.

It is unreasonable to base a portion of the UGB expansion on the expectation that a silicon chip fabrication plant will locate in Woodburn.

IV. Reasonable Assumptions for Industrial Land

The following industrial land assumptions are reasonable and legally defensible. They assume disproportionately large, but credible, increases in Woodburn's employment. They show that using reasonable assumptions, Woodburn's industrial land needs can be accommodated between 161 and 195 acres of industrial land. Since Woodburn already has

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[7] "Woodburn UGB Justification Report" November 2003, p.9
[8] "Woodburn Economic Opportunities Analysis," phase one report, May 2001, pp. 4-8, 4-9
[9] "Woodburn Economic Opportunities Analysis," phase one report, May 2001, p. 4-8

These numbers are supported by a recent McMinnville Chamber of Commerce Business Survey conducted by EcoNorthwest which found, "that nearly half [45%] of the respondents that indicated they had expansion plans will not need any additional floor space to accommodate new employees."[16]

We note that EcoNorthwest is one of Woodburn's current consultants. In a recent Economic Opportunities Analysis prepared for McMinnville, this same consultant found:

"Some employment growth will be accommodated on existing developed land, as when an existing firm adds employees without expanding space... if a jurisdiction has high vacancy rates... then more of the future employment growth can be accommodated in existing buildings. We assume rates of 7% [commercial and office] and 10% [industrial]..."[17]

We believe the rates assumed by EcoNorthwest in McMinnville are too low and that empirical data supports much higher rates. However, Woodburn should recognize that at least some new jobs will not require new vacant or redevelopable land.

Even if only 10% of the 3,027 new industrial jobs do not require buildable industrial land, that means that only 2,725 new jobs will need to be accommodated on buildable industrial land.

D. Industrial Land Conclusions

Under the "optimistic" forecast of 7,139 total new jobs, 2,725 new jobs will require buildable industrial land. Winterbrook includes a "basic assumption" that jobs will utilize industrial land at 14 employees per acre.[18] Thus, only 195 acres of buildable industrial land are needed to accommodate this job growth. Applying the same set of assumptions used above to the consultant's lower forecast of 5,981 total new jobs between 2000 and 2020 results in a need for 161 acres of buildable industrial land.

Since Woodburn already has 127 buildable acres of industrial land within its UGB, only 34 to 68 net buildable acres of industrial land needs to be added to the UGB to meet the need for 161 to 195 net buildable acres. Winterbrook recommends adding 376 net buildable acres of industrial land to the UGB, which is 308 to 342 acres more than the 34 to 68 acre deficit.

Winterbrook's highest employment forecast is significantly higher than his "optimistic" forecast. Nonetheless, even if this highest forecast is used, under reasonable assumptions regarding job absorption, these jobs would only require 229 acres of industrial land, leaving a deficit of only 102 acres to be added to the 127 net buildable acres already in the UGB.

Based on generous but reasonable assumptions regarding industrial employment, the overall UGB expansion should be reduced by at least 308 acres; from the 752 net buildable acres recommended by Winterbrook to no more than 444 net buildable acres.

---

[16] McMinnville Business Survey Results, EcoNorthwest, September 2001, p.11
[17] McMinnville Economic Opportunities Analysis, EcoNorthwest, November 2001, pp. 6-3 to 6-4
[18] Technical Report 2.B, Winterbrook Planning, May 2003, p. 8

and churches. These uses require parcels substantially larger than those found in the Butteville Road area. Therefore, this exception area cannot accommodate the identified land needs.

In addition, the Butteville Road Area is located west of Butteville Road adjacent to unbuffered farmland and is separated from most of Woodburn by the traffic problems around the freeway interchange. Its inclusion in the UGB would not be consistent with the various Goal 14 factors. For these reasons, it should be excluded from the UGB expansion under ORS 197.298 and Goal 14.

We agree that the Southeast Commercial Exceptions Area should be brought into the UGB.

Resource Land

Under ORS 197.298 Woodburn should not expand onto the prime farmland west of the freeway and north of the existing UGB. Instead, any expansion onto resource land should be southward onto the predominantly non-prime soils south of Parr Road between Boones Ferry Road and I-5.

VI. Recommendations

- Adopt an employment forecast of either 5,981 or 7,139 total new jobs, based on the consultant's "Woodburn Population and Employment Projections, 2000-2020.
- Eliminate Silicon Chip Fabrication plants from the list of target industries.
- Reduce the overall size of the UGB expansion to no more than 444 net buildable acres, based on generous, but reasonable assumptions regarding industrial employment.
- Eliminate the Northeast Rural Residential (Carl Road) area, the Southeast Residential Area, and the Butteville Road Rural Residential area from the proposed UGB expansion because they cannot reasonably accommodate identified land needs and because their inclusion would be inconsistent with various factors of Goal 14.
- Exclude prime farmland west of the freeway and north of the existing UGB from the proposed expansion. Instead, any expansion onto resource land should be southward onto the predominantly non-prime soils south of Parr Road between Boones Ferry Road and I-5.

We hope these comments are helpful. They address what we see as the most significant issues raised by the consultant's proposal. We will try to address any remaining technical issues prior to the hearing before the City Council. Once again, please include this

SCENARIO #1 INTENSIFICATION (447 ACRES)

Based on medium employment forecast (7,140 new jobs) with intensification measures to increase density within UGB for residential and commercial land needs. This was the smallest UGB expansion to provide additional buildable land to meet future residential and industrial use needs. Measures used to increase density and efficiency of land use are marked with a "*".

***High Density Residential:** 16 dwelling units per acre. Using an assumption of 16 du/net acre increases Woodburn's potential supply of high density units by approximately 420.

North Golf Course: LDR – 6 units per acre. Total of 144 additional potential dwelling units.

North LDR: 6 units per acre. Total of 240 additional potential dwelling units.

South HWY 99E Exception Area: Commercial. Total of 170 additional potential employees.

***Commercial:** Primarily redevelopment and intensification within existing commercial areas. Total additions of 473 potential employees. This measure saves a need for approximately 24 acres of commercial land.

***Mixed Use Node:** LDR (8 units per acre), HDR (24 units per acre), Commercial (24 employees per acre). Increasing LDR density from 6 to 8 units per acre within the Node adds 102 potential dwelling units. Increasing HDR density from 12 to 24 units per acre within the Node adds 200 potential dwelling units. Increasing Commercial employees per acre from 20 to 24 within the node adds 177 potential employees.

***Public/Government:** Satisfied thru LDR. Scenario 1 assumes that 876 potential government and education employees will be added on existing, developed residential land.

Industrial: West Industrial Area with no alternative sites. Adds 1,732 potential industrial employees on 155 acres.

Table 7. Scenario 1: Surplus and Deficit Comparisons

	Current Surplus (Deficit)			
Land Use	Supply	Demand	Surplus (Deficit)	Scenario Adds
Res. Low (DU)	2,368 du	3,749 du	(1,381) du	1,443 du
Res. High (DU)	1,679 du	1,874 du	(195) du	200 du
Commercial (EMP)	1,888 emp	2,678 emp	(790) emp	790 emp
Industrial (EMP)	1,651 emp	3,578 emp	(1,927) emp	1,927 emp
Public (Acres)	6.1 ac	36.1 ac	(30) ac	30 ac

	Current Surplus (Deficit) Acres				20 Year Surplus (Deficit) Acres			
Land Use	Supply	Demand	Surplus (Deficit)	UGB Expand	ResLow	ResHigh	COM	IND
Res. Low (acres)	403	625	(222)	258	10			
Res. High (acres)	108	117	(9)	0		0		
Commercial (acres)	96	134	(38)	5			0	
Industrial (acres)	119	256	(136)	155				0
Public (Acres)	6	36	(30)	30	0			
Total				447				

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Table 8. Scenario 2: Surplus and Deficit Comparisons

Current Surplus (Deficit)				
and Use	Supply	Demand	Surplus (Deficit)	Scenario Adds
Res. Low (DU)	2,368 du	3,749 du	(1,381) du	1,426 du
Res. High (DU)	1,256 du	1,874 du	(618) du	616 du
Commercial (EMP)	1,888 emp	2,678 emp	(790) emp	790 emp
Industrial (EMP)	1,651 emp	3,578 emp	(1,927) emp	2,711 emp
Public (Acres)	6 ac	36 ac	(30) ac	30 ac

Current Surplus (Deficit) Acres					20 Year Surplus (Deficit) Acres			
Land Use	Supply	Demand	Surplus (Deficit)	UGB Expand	ResLow	ResHigh	COM	IND
Res. Low (acres)	403	625	(222)	240	8			
Res. High (acres)	108	156	(48)	27		0		
Commercial (acres)	96	134	(38)	5			0	
Industrial (acres)	119	256	(136)	180				56
Public (Acres)	6	36	(30)	30	0			
Total				481				

SCENARIO #3 LARGE UGB EXPANSION (558 ACRES)

Basically, the same assumptions and measures as Scenario #2, but it is based on high employment forecast (8,375 new jobs) and provides two alternative suitable sites for target industries identified in the Economic Opportunities Analysis.

High Density Residential: 12 dwelling units per acre.

NW Exception Area: Very Low Density Residential – 3 units per acre. This allows 218 potential dwelling units in the NW Exception Area.

North Golf Course: LDR – 6 units per acre. Total of 144 additional potential dwelling units.

North LDR: 6 units per acre. Total of 240 additional potential dwelling units.

South HWY 99E Exception Area: Commercial.

***Commercial:** Redevelopment and intensification. Total additions of 30 potential employees through redevelopment and 443 potential employees through intensification. This measure saves a need for approximately 24 acres of commercial land.

Commercial: Add two neighborhood commercial sites (north and south). Adds a total of 300 potential jobs.

***Mixed Use Node:** LDR (8 units per acre), HDR (24 units per acre), Comm. (24 employees per acre). Increasing LDR density from 6 to 8 units per acre within the Node adds 102 potential dwelling units. Increasing HDR density from 12 to 24 units per acre within the Node adds 200

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valley realtors and developers were with expertise on developments in target areas in the Willamette Valley.

The required site and building characteristics for the target industries identified in the EOA range widely. As such, a variety of parcel sizes, building types and land use designations will be required to attract target industries. Overall, the most important factors echoed throughout the literature and interviews include appropriate parcel size and location, labor force quality, access to the Interstate highway system, and proximity to customers.

The Woodburn EOA concluded that the site needs of target industries generally fall into one of four types of site classifications: large lot industrial sites (40-80+ acre parcels); campus research and development (R&D) and smaller manufacturing sites (20 to 40 acre parcels); smaller light industrial/office sites (4-20 acre parcels); and speculative space within office/flex and mixed-use developments.

Large lot target industries include Electronic and Electric Equipment manufacturing (i.e., silicon chip fabrication plants). These users are generally more land intensive (typical site requirements exceed 100 acres) and have a relatively high level of environmental and water system impacts.

Industries with firms that may locate in campus research and development (R&D) and manufacturing sites include Electronic and Electric Equipment and the rest of the manufacturing industries may fall into this category.

Smaller light industrial/office sites (4-20 acre parcels) and speculative space within office/flex and mixed-use developments could accommodate smaller manufacturing firms, firms in Wholesale Trade and all of the Non-Industrial target industries.

Table 3 summarizes the lot sizes needed for firms in target industries for which data is available at this time. The acreage figures for some target industries are slightly different than those reported in the EOA. This reflects the additional research conducted on the site needs of target industries for this analysis.

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Page 922

goals, or as provided by Commission rules which ensure such uses do not:

(1) adversely affect agricultural and forest operations, and

(2) interfere with the efficient functioning of urban growth boundaries.

Notwithstanding the other provisions of this goal, the commission may by rule provide that this goal does not prohibit the development and use of one single-family dwelling on a lot or parcel that:

(a) was lawfully created;

(b) lies outside any acknowledged urban growth boundary or unincorporated community boundary;

(c) is within an area for which an exception to Statewide Planning Goal 3 or 4 has been acknowledged; and

(d) is planned and zoned primarily for residential use.

GUIDELINES

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area, (2) the needs of the forecast population, (3) the carrying capacity of the planning area, and (4) open space and recreational needs.

2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.

3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

1. The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion.

2. The type, design, phasing and location of major public transportation facilities (i.e., all modes: air, marine, rail, mass transit, highways, bicycle and pedestrian) and improvements thereto are factors which should be utilized to support urban expansion into urbanizable areas and restrict it from rural areas.

3. Financial incentives should be provided to assist in maintaining the use and character of lands adjacent to urbanizable areas.

4. Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.

5. Additional methods and devices for guiding urban land use should include but not be limited to the following: (1) tax incentives and disincentives; (2) multiple use and joint development practices; (3) fee and less-than-fee acquisition techniques; and (4) capital improvement programming.

6. Plans should provide for a detailed management program to assign respective implementation roles and

responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

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.

(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.

(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. [1995 c.547 s.5; 1999 c.59 s.56]

Wood burn City council
270 Montgomery St
Woodburn, OR 97071

April 18 2005

APR 20 2005
WOODBURN COMMUNITY DEVELOPMENT DEPT.

Subject: Periodic Review Plan:

Many issues and processes such as periodic review take on a life of their own, to the point wherein it becomes very difficult to even make bad ideas go away. At this stage of the game it may be very difficult to make some of the bad ideas go away, But, somehow, someway, I urge you to purge and rethink some of the bad ideas. This program is filled with bad ideas. This is a recipe for expectations never met. Recipe for disaster. Not only for Wood burn but the larger community.

You are not the first community to follow this recipe. There are plenty of examples of what not to do. I urge you to look over the landscape. View the experiences and results of others before plunging your community down the same path.

Woodburn's well-being does not center around the issues of industrial acres, golf courses, high end housing and transportation plan. Woodburn's well being centers around the missing and unstated issues, like: livability and functional issues of a major rail road through middle of town that may need to expand operations, 59 blocks of main street called 99E, entry level housing. How do you develop sense of community when you have three commercial centers looking for a downtown? How do you accept development and avoid passing off costs without gain or benefit to others. How do you create urban scenes that focus on all elements of urban life, education, open space, safety, livability etc. which translates into long term value. An affordable transportation plan that can be developed and will create benefit. Plan avoids issues like benefit of reducing curb cuts and developing connectivity of existing systems. Avoids the benefits and costs of redevelopment of underdeveloped and under utilized lands versus expansion into new ground.

These are the real issues that will produce the values of community and bring the "Jobs" and hold those "Jobs" that you seem to think is the gateway to the promised land.

Some of us hold Woodburn up as the poster child of Urban planning gone awry. Everything that can be done wrong to an Urban setting. It would be so wonderful to see you take a shot at losing that title by stepping back and rethinking some of the premises presented in this program.

Bob Lindsey
7505 Windsor Is Rd N
Salem, OR 97303

B

Bob Lindsey
7505 Windsor Is Rd N
Salem, OR 97303

Background:

1967 to 1977, Privilege of serving Salem - member of council ,-as Mayor, 73 thru 77. part of the Urban growth studies which led to concept of urban growth boundaries. part of the process that brought forth Sen. bill 100.. Negotiated the UGB & implementation of Sen.100 for City of Salem. 10 years around city hall you get a feeling for what makes cities work and not work.

I can tell you that the proposal in front of you is not in Woodburn's best interest. Short or long term. Proposal in it's present form is a recipe for expectations never met. Recipe for disaster.

Two issues surfaced from the Urban growth studies of early 70(s) that are still germane today.The public cost of Development and ability of Urban centers to fund those costs..For cities to survive they need to address two issues: patterns of design and development and develop an elastic funding base or go broke. Example, we only need to look a few miles south.The City of Salem is a classic example of urban center in deep economic trouble.

Summer of 1976, Standard and Poor gave Salem a triple AAA credit rating. Salem credit rating has plummeted to an A.

pop # increased - All systems came under stress.
Library hours decreased
aquatic programs slipped away
traffic issues increased exponentially
public safety response decreased.
capacity to supply, & treat water decreased
livability diminished.

Consultants proposal leads you down that same path.

Wood burn has more than enough land mass within existing UGB to accommodate Population # assigned by Marion County.

Wood burn has acres an acres of under utilized land
You are a service center for the Agriculture industry.
This approach is not within your economic capacity.

We suggest that you stay within existing service systems to create an economic and liveable-loveable model that brings benefit to the taxpayers.

You do not need to look outward.--Yout best course of action is look inward -- play to your strengths -- -- regroup, rethink -- organize a plan that speaks to community, speaks to Live ability, speaks to sense of place

The challenge is create that sense of identity--a sense of place -- Challenge is how to build a liveable, lovable community. Your Challange is to create benefit for the taxpayer-- not pain & misery.

Those should be the goals

B

Planning Comm Testimony

Oregon
Theodore R. Kulongoski, Governor

Oregon Transportation Commission
355 Capitol St. NE
Salem, OR 97301-3871

☆ REC'D ☆

FILE CODE:

April 19, 2005

APR 20 2005

WOODBURN COMMUNITY
DEVELOPMENT DEPT.

Honorable Mayor Kathy Figley
City of Woodburn
270 Montgomery Street
Woodburn, Oregon 97071

Dear Mayor Figley,

I and other members of the Oregon Transportation Commission (OTC) recently had the chance to review Interchange Area Management Plan elements associated with your Comprehensive and Transportation System Plan updates and the proposed reconstruction of the interchange of Interstate 5 and Oregon Highways 214 and 219 (exit 271). Please accept this letter as testimony for your Comprehensive and Transportation System Plan adoption process.

On behalf of the OTC, I would like to express our support and appreciation for the work that your community has done. The level of partnership that has been achieved between ODOT and the City of Woodburn is what we hope to be able to achieve throughout Oregon as we work to improve and protect state and local transportation systems.

In particular, we are very impressed with the Interchange Management Area Overlay Zone concept and supporting plan and policy elements that are now before you for adoption. This is a truly innovative approach that will tie our mutual transportation system performance objectives to your community's stated economic development objectives. By creating a process that allows us to track and monitor traffic growth in the overlay zone area as the growth occurs, we will be better able to ensure that the area develops as expected and identify and address transportation system issues before they become problems.

With these very promising planning efforts nearing conclusion and ODOT's Environmental Assessment for the interchange reconstruction scheduled for completion later this year, we now face the challenge of funding the interchange. We are very encouraged to hear that ODOT, the City, and private development interests have begun discussing funding strategies.

While unable to make a certain determination of the likelihood of interchange reconstruction at this time, we do have confidence that it will occur within the planning horizon. We also believe that a comprehensive strategy to fully fund the interchange should be completed and agreed to by ODOT and the City before it is considered a planned improvement in your new TSP as it applies to the development of new lands being added to your Urban Growth Boundary. Taking this approach will help to ensure that new development that is dependent on interchange reconstruction will not occur too far in advance of our ability to implement the needed improvements.

Once again, thank you for your partnership and planning efforts. Your actions will enable us to protect our mutual investment in the interchange and ultimately result in a more successful and livable Woodburn. Well done!

Form 731-0378 (1-03)

Sincerely,

Stuart Foster
Chairman, Oregon Transportation Commission

Cc: Commissioner Gail Achterman
Commissioner Mike Nelson
Commissioner Randy Papé
Commissioner Janice Wilson
Bruce Warner
Doug Tindall
Jeff Scheick

APR 2 0 2005

Exhibit "B"-112

BREWSTER & MAYNE, P.C.
687 Court Street NE, Suite 600
Salem, OR 97301
Phone: 503-362-2511
Fax: 503-371-4849

WOODBURN COMMUNITY DEVELOPMENT DEPT.

Sydney E. Brewster
Kevin E. Mayne

April 20, 2005

Mayor Figley
Woodburn City Council
Woodburn City Hall
270 Montgomery St.
Woodburn, OR 97071

By fax: 503-982-5243

Re: Legislative Amendment 05-01; Woodburn 2005 Comprehensive Plan Update
Inclusion of Sharabarin Property

Dear Mayor Figley and Council Members:

This submission complements our original submission dated March 28, 2005, and we ask that you consider the two in conjunction with each other.

I wanted to briefly address some of the comments made at the last City Council meeting on March 28, 2005, as pertain to our request that the Sharabarin property be included in the expanded UGB.

1. Greg Winterowd from Winterbrook Planning again admitted that Winterbrook was very conservative in its approach to examining commercial needs (Minutes, pg. 4). This confirms that the land currently proposed for inclusion does not meet the actual need for buildable commercial property.

2. As the Council is well aware, under ORS 197.298 the Council must first look at infill areas, then exception areas, then agricultural land. There was some opposition at the Council meeting to including any agricultural land. However, the statute clearly states such land can be considered if infill and exception areas are insufficient, as they are in this case. Testimony from Marion County was supportive of including the existing exception areas, such as those adjacent to Carl Road (Minutes pp. 8-9). Even with this property, there is still a need for additional commercial property, especially if the Council considers the request by Kim Ashland to reclassify two 9-acre parcels slated as commercial to residential instead (Minutes, pg. 9).

The Sharabarin property is in an ideal location for transition to commercial property. Development in that area will not increase congestion at the I-5 interchange. It is located in

Study Area 3, which is one of the least expensive for development. In addition, its proximity to existing development means very little agricultural property (7 acres) will be removed from farm use and nearby farming practices will not be negatively impacted.

We again ask that the Council consider this letter and our original submission of March 28, 2005 regarding inclusion of the Sharabarin property in the UGB.

Yours truly,

Kevin E. Mayne

cc: Client

Exhibit "B"- 113

Honorable Mayor Kathy Figley
City of Woodburn
Councilor Walt Nichols
Councilor Richard Bjelland
Councilor Pete McCallum
Councilor Jim Cox
Councilor Frank Lonergan
Councilor Elida Sifuentez

☆ REC'D ☆

APR 2 0 2005

WOODBURN COMMUNITY DEVELOPMENT DEPT.

SUBJECT: Proposed Interchange Management Overlay District for I-5/Hwy 214 Interchange in Woodburn

April 20, 2005

Mayor Figley and Members of the Woodburn City Council:

We would like to express our concern with the proposed Interchange Management Area included in the City of Woodburn's Periodic Review. We fear that by enacting such a restrictive district within Woodburn's city limit, that it will be only a matter of time when similar districts are imposed along similar interchanges down I-5.

We applaud the city's efforts to expand the UGB, and support the timeliness of bringing much needed residential, commercial and industrial land into the city's boundaries. However, we urge the council to vote against ODOT's attempt to use Woodburn as a case study in the IMA and encourage you to separate the issue from your periodic review.

Local Realtors® are principally concerned about the negative effect that the proposed "Interchange Management Area" (IMA) would have on commercial development around the I-5 Highway/214 interchange. We are also concerned with the broader implications of adoption of this kind of an overlay district on land use in Woodburn and ultimately across Oregon at similar interchanges.

Following are our three major concerns as well as questions we'd like to pose to the city and the Oregon Department of Transportation:

Issue #1: Negative Impact Statewide
Although the proposed IMA affects only Woodburn and the I-5/Hwy 214 interchange, it is apparent that ODOT views this as a pilot which could be extended to interchanges around Oregon.

Questions: Is this effectively a pilot program that ODOT wants to extend across Oregon? Will residential development be subjected to the overlay district requirements? Will the district be expanded to encompass even more of Woodburn?

Concern #2: Ballot Measure 37

385 Taylor St. NE
Salem, OR 97303

Measure 37, we believe it would be a substantial financial risk for the City and ODOT to attempt new and untried land-use restrictions such as the proposed IMA at this time.

Questions: What is the City's and ODOT's strategy for dealing with BM 37 claims which will almost certainly result from the proposed IMA? Will waivers be issued? Will compensation be paid? If compensation is to be paid, from where will the funds be drawn?

Issue #3: Small Development Exception

The current draft of the proposed IMA appears to have deleted the September 2004 version's small development exception. Now, instead of exempting all developments that will generate fewer than 100 peak hour vehicle trips, the proposed IMA applies to all non-residential developments of any size. The effect of the referenced change eliminating the exemption will be to increase significantly the administrative burden on smaller development applicants. The added expense of having to prepare a full Transportation Impact Analysis, combined with all of the other burdens imposed by existing regulation as well as the other provisions of the proposed IMA, could well make certain smaller parcels essentially undevelopable, inducing owners to sell to adjacent land owners or abandon plans for development.

We urge the City to reinsert the small parcel exception which would allow the owners of those parcels to develop their property without having to go through the time and expense of an unnecessary TIA.

We encourage the Council to view the proposed IMA as affecting more than just Woodburn and to separate the proposed Interchange Management Area from your Periodic Review.

Sincerely,

George Haight
President
North Willamette Association of Realtors®

Debbie McMillan
2004 President
Salem Association of Realtors®

Don Robertson
Government Affairs Director
Santiam Board of Realtors®

Deborah Weaver
2005 President
Willamette Association of Realtors®

Timm Cable
Appointed Representative
Polk County Association of Realtors®

CC: Marion County Commissioner Patti Milne
Marion County Commissioner Janet Carlson
Marion County Commissioner Sam Brentano
Amanda Dalton, Willamette Valley Realtors® Government Affairs Coordinator
Harlan Levy, Oregon Association of Realtors®

COUNCIL MEETING MINUTES
MARCH 28, 2005

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0001 **DATE. COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, MARCH 28, 2005.**

CONVENED. The meeting convened at 7:00 p.m. with Mayor Figley presiding.

0025 **ROLL CALL.**

Mayor	Figley	Present
Councilor	Bjelland	Present
Councilor	Cox	Present
Councilor	Lonergan	Present
Councilor	McCallum	Present
Councilor	Nichols	Present
Councilor	Sifuentez	Present

Staff Present: City Administrator Brown, City Attorney Shields, Community Development Director Mulder, Public Works Director Tiwari, Public Works Manager Rohman, Police Chief Russell, Finance Director Gillespie, Senior Planner Zwerdling, Community Relations Officer Meza, Recorder Tennant
Consultant: Greg Winterowd - Winterbrook Planning

005- **ANNOUNCEMENTS.**
A) **Spring Concert series** - Woodburn Public Library will host Ricardo Cardenas, a Chilean guitarist, on April 10, 2005, 2:00 p.m., at Woodburn City Hall.

0070 **PROCLAMATION: WOODBURN'S TULIP FESTIVAL - MARCH 19, 2005 THROUGH APRIL 20, 2005.**
Mayor Figley proclaimed March 19, 2005 through April 20, 2005 as Woodburn Tulip Festival Month and encouraged the public to participate and support this annual event promoting Woodburn and the horticultural industry.

0160 **CONSENT AGENDA.**
A) approve the City Council minutes of March 14, 2005;
B) accept the Library Board minutes of March 9, 2005;
C) accept the Planning Commission minutes of March 10, 2005;
D) receive the claims report for February 2005; and
E) receive the Aquatic Center Revenue Comparison report.
MCCALLUM/NICHOLS... adopt the Consent Agenda as presented. The motion passed unanimously.

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0237 **PUBLIC HEARING: LEGISLATIVE AMENDMENT 05-01; WOODBURN 2005 COMPREHENSIVE PLAN UPDATE.**

Mayor Figley informed the public that this was a legislative hearing and, as such, is not subject to the same formal procedure that would be followed in a land use hearing. She reviewed the following ground rules that would be followed for this hearing: (1) individuals giving testimony on behalf of an organization or agency will be given 10 minutes, and (2) individuals or an attorney representing individuals giving testimony will be given 3 minutes to present their comments on the proposed legislative amendment. Dependent upon issues raised, the Council may elect to close the hearing for oral testimony once all of the individuals who have requested an opportunity to speak have made their presentation, however, the record will remain open for written comments until April 20, 2005. Council deliberations will take place at their April 25, 2005 regular meeting.

Mayor Figley declared the public hearing open at 7:10 p.m. on the following subjects: Legislative Periodic Review Amendments including Woodburn Comprehensive Plan Map, Urban Growth Boundary (UGB) expansion and text amendments, Woodburn Public Facilities Plan, Woodburn Transportation System Plan amendments, and Woodburn Development Code text and map amendments. She also stated that she tries to adhere to land use standards as far as contact with individuals about specific individuals. She feels that it is important that decisions made in conjunction with what is heard at this hearing be made as openly as possible. She has spoken briefly to some individuals who have had concerns about one or more issues but she has asked them to either attend this hearing to talk about their concerns or to write a letter.

0558 Community Development Director Mulder stated that the Council agenda packet materials include all of the testimony received after the Planning Commission's record was closed and up to March 17, 2005. The City Recorder has received some written testimony just prior to this meeting and he would presume that additional written testimony will be received during the hearing for entering into the record. He proceeded to give the staff presentation on Legislative Amendment 05-01. He stated that this proposal was initiated by the Council to amend the UGB, Comprehensive Plan text and map, Development Ordinance, and zoning map. Additionally, the amendments are proposed to complete the City's Periodic Review Work Program. The City has been working on periodic review since 1997 and the program includes the completion of 11 periodic review work tasks. The tasks include: Buildable Lands Inventory; Growth Management Ordinance; Commercial and Industrial Lands Inventory; update Public Facilities Plan; revise Transportation System Plan (TSP); Wetlands Inventory and Natural Resources Study; Recreation Parks and Open Spaces Plan; Historic District and Downtown Plan; address changes in Goals and Objectives; update Comprehensive Plan, Zoning Ordinance, and other related Ordinances; planning coordination with Marion County and other agencies; providing opportunity for Citizen Involvement; and Collating, Printing, and Mapping related issues. The Recreation, Parks and Open Spaces Plan, and

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the Historic District and Downtown Plan have been completed and acknowledged by the Oregon State Land Conservation and Development Commission (LCDC). Of the remaining tasks, all have been completed except for Planning Coordination, Citizen Involvement, and Collating/Printing/Mapping. Staff is working with Marion County on a new urban growth boundary management agreement, and a citizen involvement report will be submitted to LCDC once the Council adopts proposed amendments. The collating/printing/mapping will take place after the Council adopts an ordinance approving amendments. It was noted that state statute requires the City to provide for a 20-year buildable land supply and, as a result, it is proposed that the City's urban growth boundary be expanded. He reviewed the public involvement process which has taken place up to this date and noted for the record that all property owners within the City, the current urban growth boundary, and the study area for proposed urban growth boundary expansion received a hearing notice announcing the dates of the hearings before the Planning Commission and City Council. The Planning Commission held a public hearing on the proposed amendments on February 3, 2005 and left the record open for additional written testimony for 7 days. On March 10, 2005 the Commission approved a final order recommending the proposed amendments with the following modifications: 1) Woodburn School District 19-acre site located on E. Lincoln Road be included in the UGB expansion area, and 2) no change be made to the existing zoning for those areas bounded by Second Street and Fourth Streets, and Oak and West Lincoln Streets. He briefly reviewed the following amendments: 1) update of the Comprehensive Plan text on significant new and amended goals and policies, 2) Development Ordinance amendments on significant new and amended regulations; 3) Comprehensive Plan Map amendments to apply land use designations; 4) Zoning Map Amendments to apply the Nodal Single Family Residential (RS) and Nodal Multi-Family Residential (RMN) overlay districts, the Southwest Industrial Reserve Overlay, and Interchange Management Area Overlay; and 5) Urban Growth Boundary Amendment to provide for a 20-year buildable land supply and for 20-year projected economic growth.

Councilor Cox stated that it was his understanding that the City had recently received a letter from LCDC and from Marion County stating their positions on where the City is as of this date. He requested staff to provide a brief summary as to whether or not the City will need to make more changes or perform a lot more work on the proposal in order to justify what the City is proposing.

Director Mulder stated that he is not in a position to respond in great detail since staff just received the letters last week. He, along with Greg Winterowd, have reviewed the letters and will be discussing the issues presented in more detail later this week to determine the City's course of action in responding to the letters. For the most part, he felt that the comments made in the letters were very favorable but there will most likely be some additional work.

1600 Greg Winterowd, Winterbrook Planning, reviewed the local objectives that has driven this process over the last three years. Those objectives included 1) implementation of the

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Economic Opportunities Analysis, 2) provide choice among suitable industrial sites, 3) provide buildable land for housing, parks, and schools, 4) increase land use efficiency within the urban growth boundary for the purpose of preserving farmland as much as possible, 5) complete the Periodic Review Process, 6) coordinate with the County Framework Plan, 7) provide adequate transportation connections including I-5 interchange improvements, 8) minimize the impacts on agricultural land, and 9) protect Woodburn's stream corridors and wetlands. The population projection for 2020 has been established at 34,919 which is a 75% growth increase using the City's 2000 population figure of 20,100. This comparison of capacity of the existing UGB to accommodate employment and population with anticipated population and employment growth resulted in a huge disparity even with more careful looks at buildable lands, redevelopment, and increasing densities within the UGB. In determining land inventory, staff took out only those places where there are buildings. The rest of the industrial and commercial land were considered part of the buildable land inventory which was one way to increase intensity of land use within the existing UGB. To make sure that the industrial land needs were correct, EcoNorthwest was asked to prepare a memorandum identifying the types of sites needed in Woodburn to attract the targeted industries in the Economic Opportunities Analysis that was previously approved by the Council. In regards to commercial needs, a conservative approach was taken for the reasons that 1) there is a large supply of commercial land that is either developed or not developed intensely therby encouraging redevelopment infill, and 2) the freeway interchange system cannot take a lot of commercial traffic at this time. The only new commercial land proposed are two Nodal developments one of which is a 12-acre parcel and a 2-acre parcel plus some exception areas at the edge of the UGB which were already zoned commercial. State-wide planning goals require that before UGB expansion includes farmland the City must look at ways to use land inside the urban growth boundary more intensively which is one reason why the Planning Commission has proposed that density on buildable land for dwelling units be increased to about 10.4 dwelling units per net acre. The goals also require consideration of alternatives by identifying the characteristics of land outside the current UGB, analyze those areas, show that the best farmland has been preserved, show that services can be efficiently provided, and the land the City says they need will be protected for what they say they need it for. He stated that the City currently has 126 buildable acres of industrial land located within 36 parcels with an average lot size of 3.5 acres and the majority of land is located along Highway 99E. However, I-5 is what gives Woodburn its comparative advantage since it gives direct access to an I-5 interchange. The proposal is to include approximately 400 acres of land in large parcels in an area being identified as a Southwest Industrial Reserve. The parcel sizes, locations, and characteristics identified by EcoNorthwest have been matched with land that has freeway access, is flat, can be served readily with public facility services, and motorists can get to the interchange without using Highway 214 on the east side of I-5. He stated that there will be testimony received stating that the City does not need 400 acres of industrial land

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to meet the City's economic development needs. He stated that in developing the proposed plan, economic needs were not projected on employees per acre rather it was based on what kind of industries does the City expect to get into the community using a comparative advantage of I-5 and what kind of parcels does those type of firms demand. The City has received a letter from the Department of Land Conservation Division (DLCD) that says that the City has developed their proposal based on Goal 9 requirements. He reiterated that, if this plan is adopted, the City will be required to hold the large industrial sites and encourage developers to use other industrial land when they are not in need of a large parcel. Another recommendation is to prohibit commercial re-zoning within the industrial reserve area. He stated that a critical transportation issue is to link Highway 99E by a southern arterial to Butteville Road then to Highway 214/219 and I-5 on the west side. Developers will be responsible for making improvements as property is developed. Additionally, master planning will be required before annexation is allowed that will show how policies will be met within the southwest industrial reserve. In regards to utilizing land within the current UGB more efficiently, the following measures are available to the City: 1) higher density for residential units; 2) Multi-family mix of 65 single family units to 35 multi-family units; 3) increase nodal development densities by adopting new overlay zones; 4) increase the density in exception areas adjacent to the UGB; 5) master planning for the southwest industrial reserve and nodal areas; 6) allow housing units over retail businesses in the downtown and nodal areas; 7) adopt minimum density standards; 8) and plan for the development of infill, partially vacant, and potential redevelopment of land. Components of Nodal Development policies include a neighborhood commercial center, surrounded by higher density residental area, small lot single-family option supported by an integrated park system and multi-modal and connected transportation system, a master plan, and design standards. He stated that the Planning Commission was adamant that strong design standards before moving ahead with the nodal development concept. He reviewed the factors that were considered for the purpose of determining where the City should grow. Those factors included (1) the ability to meet special needs (industrial land) and general and livability needs (residential, commercial, parks, and schools); (2) Goal 14 and ORS 197.298 priorities that would look first at rural residential exception areas, then to lower quality (Class III and IV) agricultural land, then to higher quality (Class I and II) agricultural soils; (3) transportation limitations in the I-5 interchange area; (4) relative efficiency of service; and (5) environmental impacts. He stated that 75% to 80% of the land around Woodburn has Class I and II soils. The southwest area has slightly wetter land and more Class III soils than most of the areas to the north. It was also noted that areas to the north had lower class soils since they are in stream beds. He reiterated that relieving the congestion at the I-5 interchange is necessary to make the economic development plan workable. A major element in working towards the improvement in cooperation with ODOT is the City's Transportation System Plan and the Interstate Management Area Overlay Zone. This is a new type of zone that would provide for a

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budget of trips based on the proposed plan that limits the number of trips to 2500 peak hour commercial and industrial trips. The trips would be allocated to parcels and if the trip allocation of a proposed development would be exceeded the developer would be required to come before the Planning Commission to explain the need for an adjustment to their trip generation allotment. The Planning Commission voted unanimously for this new proposed zone because they understood the importance of preserving the capacity to attract jobs to the area. Mr. Winterowd summarized the results of the 8 alternative study areas that addressed (1) Class I and II agriculture soils, (2) public facilities service cost per acre, (3) environmental impact on stream and wetland acres; and (4) impact to the I-5 interchange east access. It was noted that the highest areas for Class I & II agriculture soil and public facilities service cost were study areas #4 (East) and #6 (South). Most of the stream corridors are locate in study area #1 (Northwest) and #2(North) which is why the proposed UGB expansion involves these two areas. As a result of the work done on this project, the proposed UGB expansion would include (1) land located in the southwest for industrial land, (2) land located in the north area for low density residential, (3) Nodal development area in the vicinity of Parr Road, and (4) exception areas around the perimeter of the City. The proposed UGB amendments would provide 13 surplus acres to meet the City's proposed population, employment, and livability needs for the next 20 years. He stated that the periodic review amendment package before the Council includes a UGB justification report and amendments to the City's Comprehensive Plan and Development Ordinance.

Mayor Figley stated that she would first call for testimony from representatives of an agency or organization and they will be given 10 minutes to present their testimony.
4690 Amanda Dalton, representing North Willamette Association of Realtors, stated that local realtors are concerned about the negative effect of the proposed Interchange Management Area on commercial development around the I-5 / Highway 214 interchange. The major concerns include (1) Ballot Measure 37, (2) adverse effect on commercial growth and potential moratorium on commercial development within the interchange management area, and (3) negative impact of an interchange management area statewide since ODOT views this ordinance as a pilot program that could be extended to interchange areas statewide. She expressed her organization's opposition to the proposed interchange management area and encouraged the Council to further investigate the impact how this proposed area would affect the City's commercial and industrial growth.

Sid Friedman, representing 1000 Friends of Oregon, expressed his belief that an alternative strategy can be used to obtain the economic development strategies that the City is trying to achieve. In their opinion, the City does not need the large amount of industrial land as proposed by the consultants. Marion County and the Metro City Council have raised concerns about the magnitude of the proposed industrial expansion.

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He disagreed with the consultant's comparison of Woodburn to Wilsonville since Wilsonville is a very small sub-area of a much larger urban growth boundary and it is not uncommon for one portion of an urban growth boundary to have more industrial land than another portion. Additionally, Wilsonville is the only city in Metro that has more jobs than residents. He stated that the City's employment forecast of 8,300 new employees by 2020 is extremely high and it is a substantial increase from the original 7,000 new employee figure. He did not feel that Woodburn would capture 23% of Marion County's job growth and, even if the projected 8,375 new industrial employees is acquired, it can accommodated on far less industrial land. Overall, he believed the City would need 274 acres of industrial land less the 127 acres the City already has within the current urban growth boundary. He stated that the consultant's report focuses on site requirements of targeted industries rather employees per acre and that the industrial land within the current UGB is not the appropriate size to meet the site requirements of targeted industries. He suggested that current industrial land within the City that is not expected to be used to meet the industrial land need then it be rezoned to some other urban use and those other urban uses be adjusted accordingly. He stated that the largest site for industrial is 125 acres which is an area large enough for a proposed silicon chip fabrication plant. He did not believe that the City could justify the inclusion of such a large site within the urban growth boundary based on speculation and he did not believe it was reasonable to think that a silicon chip plant would be located within Woodburn's urban growth boundary within the near future. He reminded the Council that Oregon law requires that land of poorer quality is to be included in an urban growth boundary prior to land of better soils. On the study area map to the south between I-5 and Boones Ferry Road is a large area of Class III soils which should be considered as the expansion area rather than the southwest area as proposed. Another parcel they object to including is located on the southerly end of the of the southwest industrial reserve on the west side of Butteville Road. He stated that this is an unbuffered intrusion into surrounding agricultural land that will create forseeable conflict with existing agricultural operations. Another area of concern is the Carl Road exception area just east of Highway 99E. This area is currently a mobile home park but it is proposed for commercial designation. His organization believes that strip commercial development along Highway 99E north is an inappropriate location for new commercial uses and requested that the land be either removed from the urban growth boundary or re-designate the parcel for some other non-commercial use.

6124 Terry Cole, ODOT Region II, stated that ODOT has been working with the City on transportation issues, in particular, the Woodburn Interchange. He spoke in support of the Transportation System Plan as proposed and feels that the City and ODOT, in cooperation with the County, have worked well over the last few years to come up with a transportation system plan that balances the needs that are created by the population and employment projections which are now adopted projections. In regards to the Interchange Management Overlay, he pointed out that the estimates that are being made

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for trip generation within the Interchange Management Overlay zone are based upon the City's population and employment projections as reflected in the transportation system plan. He stated that it is anticipated that not all of the land in the overlay zone will develop to full build-out by the year 2020, therefore, rather than developing the trip budget on the land base, it was developed on the population and employment forecast. He expressed his belief that this is a proactive method to try and manage what will be a very large investment in improving the interchange and preserving the investment for the industrial uses that the City has identified as of being of primary importance. Even though there may a be some limitation on commercial zoning, it is not inherent in the overlay zone as much as it is inherent in what the City is proposing to do within that proposed zoning area. He reiterated his support of the City's proposed transportation system plan.

Councilor McCallum questioned as to how flexible the 2,500 peak hour trips is with ODOT and whether or not other communities will be affected by this limitation.

Terry Cole stated that a process was being developed that will be brought to the Council over the next several months in the form of an intergovernmental agreement that would set up how the trip generation would be monitored over time. There will be modifications over time since this is an opportunity for ODOT to try and find a new way to manage a $40 million plus investment in the interchange that will work for Woodburn. In regards to flexibility on the 2,500 trips which is derived from the population and employment forecast of new development on undeveloped land, excluding re-developed land and residential land, the trips will be monitored and if the trips are being consumed more quickly by trips outside of the interchange management area, ODOT will be looking at some flexibility. The objective is to try and meet ODOT standards in the 2020 -2025 planning horizon. ODOT standards for an interchange for operations are pretty high and just because you reach their standards it does not mean that the City has reached interchange failure. Once the interchange is improved, there will probably not be additional improvements made at that interchange as the community grows into the future and there will be a need to look for alternatives. ODOT views this as a work in progress and adjustments will be made as time progresses forward.

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Les Sasaki, Marion County Planning, stated that Marion County has submitted a letter to the City for the record. The County and City have been working together as part of the Periodic Review process and, overall, they are very supportive of the comprehensive package that the City has developed. The proposed plan provides for more efficient use of land within the City. They are supportive of the City's efforts to (1) provide for employment opportunities and needs of City residents and putting together an economic development strategy; (2) update the coordination agreement with the County; (3) incorporation of lot of guidelines that are the County's recommended Growth Management Framework plan; and (4) limit commercial development to alleviate some of the traffic congestion in the vicinity of the interchange. They are also supportive of the

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proposed policy amendments, in addition to the land deficiency measures and identifying land needs, to put together a comprehensive package that addresses the identified needs of the City. In regards to the urban growth boundary issues, they realize that the UGB process is a cooperative process between the County and the City. They do not agree on all of the different aspects of the amendment package and, as a result, are offering some different ways addressing the needs of the City as identified that may involve less land to be included in the UGB expansion. The County does support the City's proposal to include the adjoining exception land areas that currently abuts the existing city limits or urban growth boundary which is consistent with the alternative needs analysis and the criteria for inclusion of land within the UGB. They are also supportive of including the residential Nodal Area to the southwest part of the existing boundary and of the residential land expansion to the north adjacent to the golf course area. The County does have some concern with the amount of industrial land within the proposed industrial reserve area and they have offered some suggestions as to how that can be reconfigured so that it does not necessarily tie the City into specific parcels and retaining those parcels which may or may not be utilized for those targeted industries that the City is trying to accommodate. They have also looked at the City's proposed residential land needs for housing, parks, schools, and other public uses and they feel that there is sufficient within both the existing land inventory as well as some of the areas being proposed as part of the boundary expansion and they do not see the need to possibly include the 160 acres north adjacent to Crosby Road as part of the residential land need based on the numbers they are looking at as part of the package. They also have some questions on the 65 acre site on the west side of Butteville Road which is not tied to any other area and looks like it should be preserved as farmland in that area. He reiterated that the County is in support of the majority of the proposals to the amendments of the plan, to the code, as well as the UGB amendments that are a part of this package.

Councilor Bjelland questioned if Mr. Sasaki had some specific issues on how sites can be combined into a larger parcel.

Mr. Sasaki stated that by allowing the combination of smaller sites into a larger parcel within the industrial reserve area gives the City an opportunity to put together parcel acreage to meet a particular need rather than preserving a 100-acre parcel for a specific industry.

0800 Mayor Figley stated that testimony from the public will now be heard, however, the time limitation will be 3 minutes. She reminded the public that additional written testimony can be submitted to the City by April 20, 2005.

0835 Kim Ashland, 2155 Molalla Avenue, referred to two (2) 9-acre parcels located on Highway 211 across from Cooley Road that are shown in the proposed plan as commercial land. He requested that those parcels be zoned as single family residential since the Church of the Latter Day Saints have purchased property to the west of these 9-acre parcels and they are in the planning/development stage to build a church on their site.

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They feel that these parcels would become an isolated commercial area since the property across the street is residential. Additionally, the 9-acre parcels are narrow and deep and it would be more suitable for single family residential area.

1086 Gene Vliet, P.O. Box 20694, Keizer, stated that he owns property on the north end of Second Street that is currently zoned RS and it is in the proposed comprehensive plan to change to RM. He stated that he is in favor of the zone change however, under the current transportation code, it could be developed as RS and Second Street could be used for access. Under the proposed zone, it would not meet the transportation code, therefore, the property could not be developed without totally re-building a half mile of Second Street. He stated that staff has indicated that street requirements are usually reduced in this type of situation but he wanted the Council to definitively state that the street requirements would be reduced otherwise it is worthless property.

Rick Warnick, 9925 72nd Ave., Salem, stated that he presently owns property located at 1365 N. Front Street which is a .07 acre parcel of Commercial General that is slated to be changed to RM. He stated that he has a growing business on a portion of the site and he has the other portion leased out to another business. Even though he has been told that he can continue to operate like businesses at the site, he will eventually run into problems when he decides to sell. He will then have a piece of property zoned RM and, unless a buyer puts in a like business, his property will be devalued since RM property is worth around $150,000 per acre. He currently has 10,500 square foot of office and warehouse space which is described by a City planner as a dilapitated run down building, however, his building is not run-down and consists of partial block construction and steel trusses. He had gone into the City last fall to apply for storm drain and pavement permits and at that time no one in the City mentioned this proposed change. He has spent a lot of money on this property with the current appraisal being $438,000 and, if it is rezoned to RM, then he will have a $300,000 loss. He did not feel that a property owner should pay the price in that fashion for the City's planning.

1324 Lolita Carl, 13324 Carl Rd NE, Hubbard, stated that their farm is located 560 feet from land the City purchased to expand the wastewater treatment facility. She stated that farm land is continually used in the agricultural industry and the agriculture industry supports local stores, businesses, and citizens. She stated that the City's consultant stated that he preferred straight lines in determining boundaries, however, the proposed plan has fingers of land jutting across major roadways and logical boundaries. She referred to the State Statute relating to UGB expansion and stated that the 13 acres that juts across Highway 99E along Carl Road should not be zoned as commercial since future commercial development at this site would increase the traffic congestion at that intersection making it even more difficult for farm and livestock truckloads to pullout onto Highway 99E. She urged the Council to think more than 20 years into the future when making decisions on the UGB expansion and related zoning.

Kathleen Carl, 13324 Carl Rd NE, Hubbard, stated that she believed that Woodburn needs to develop an economic plan that benefits existing population of Woodburn and

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focus on local businesses rather than mega employers. She cited an example within Woodburn whereby an industrial machining and fabrication business added extra shifts for welding contracts. She stated that the plan proposed by the consultant assumes that all new employees will need all new industrial land. The Economic Development Strategy relied heavily on the inclusion of very large parcels of land to attract mega employers with one of those employers being a high-tech silicone plant. She stated that her research has shown that it is difficult to generate new technology clusters where none previously existed. She believes that Woodburn's economic model should focus on utilizing existing infrastructure which will then take care of taxpayer investments. She feels that expanding to new land is not a benefit to most citizens and every expansion costs current taxpayers additional money. She feels that Woodburn can grow its local industrial base if that is the focus. Additionally, Woodburn needs to build a City that works together and looks to those businesses that are putting money into the City's pockets now and the goals of Woodburn can be accommodated with a UGB expansion that is more limited.

Councilor Cox stated that she made some interesting points and requested clarification of her objectives. He questioned if it is her suggestion that the City back-off on the expansion of the industrial component of the urban growth boundary proposal.

Ms. Carl suggested that the City focus on existing empty industrial lots, look at what industries can grow within the current boundaries, and accommodate the City's goals where the expansion is more limited.

1865 Paul Serres, 11283 Serres Lane, Woodburn, stated that he is a life-long resident of the Woodburn area and is a representative of the Serres family promoting the inclusion of their farm as part of the UGB expansion. He stated that the best use of their land has now changed with regards to the change in the relationship their property now has to the city limits. In their review of the proposed Compehensive Plan, their property is a logical addition to the urban growth boundary at this time. They feel that the information used to determine the cost of providing services to their property instead Area #4 is flawed. The majority of their property is flat land and 5-10 feet above the sewer treatment plant which is less than 1 mile from their property. They have excellent water sources from existing wells that has capacity to serve Area #4 but yet the report shows that water was a high cost to provide. The land has natural drainage but yet drainage became a big factor in the study. He stated that environmental, energy, economic, and social consequences will be served on a much higher basis utilizing land on the east side of the City for quality housing. Along with the natural drainage, they also have woodlands that can maintained in a natural state to be enjoyed by all. Their property borders Highway 214 on the south side, Pudding River on the east side, Woodburn city limits on the west side, and Hardcastle Avenue on the north side. Farmers with land adjoining their property on the east and north side also welcome expansion of the UGB to the east. In his opinion, Highway 99E businesses will not survive 25 years without east side development.

Councilor Cox congratulated the author of the letter submitted to the Council since it is

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the type of argument needed for the Council to consider. He stated that the Serres Family is pointing out what appears to be some logical things that are wrong with some of the basic assumptions that were made in regard to that property. When it gets closer to voting on this proposal, he would like to have some clarification on the infrastructure costs because, if they are right, this parcel may be better than Area #2 and the Council must decide on one or the other parcel.
Mr. Serres stated that there is approximately 200 acres in Study Area #4.

Mayor Figley called for a recess at 9:08 pm and reconvened at 9:18 p.m..

2165 Licetin Andrade, 1274 5th St., Woodburn, stated that she is in support of the plan and feels that more opportunities will come if the City grows as it is proposed.

2298 Susan Duncan, 1840 E. Lincoln Rd, stated that residential development would be better served on the east side and, as a member of Serres family, she supported the inclusion of their property in the UGB. She stated that their property has many features that would be beneficial to the City especially since there is no freeway pollution or noise and less traffic congestion. They believe that higher end housing in their area can be accomplished and they have enough property to create a new neighborhood in the manner of a planned development. She reiterated that residential development east of town will not impact the I-5 / Highway 214 interchange since east side residents can use the Aurora cut-off going north on Highway 99E to I-5 and the Brooks I-5 interchange going south. Their land is bounded by Highway 214 to the south, a half-mile away from Highway 211 to the north, and Highway 99E is a one-quarter mile to the west. No other undeveloped land in the Woodburn area is served better by better transportation access than their property. Additionally, Landua Drive, Tomlin Avenue, Laurel Avenue, and Aztec Drive could be connected into a complete street pattern an no longer be dead-end streets. She urged the Council to consider their land in evaluating opportunities for the City.

2547 Jeff Tross, Land Use Planning Consultant, spoke on behalf of the Serres Family and, based on their testimony, it is clear that they have spent a lot of time working on this issue and they are very knowledgeable about the issues within the proposed plan. He met with them for the first time last week and the family wanted to get confirmation that they understood the rules and process correctly and that they had addressed the right factors to support their position. He urged the Council to seriously consider their proposal since which he feels would be in the best interest of the City.
Ruth Thompson and Mary Grant, Serres Family members, elected not to add any other comments to those already made on the Serres property.

2677 Toni Spencer, 13736 Wilco Highway NE, Woodburn, stated that she is a concerned citizen about the proposed urban growth boundary. She stated that she has respect for those who live and work on the land, and she also respects and realizes the importance of the economic stability that it provides the community. Agriculture and food products are Oregon's largest export by volume and second largest export by value. She expressed concern that the City may be too eager to add farmland into the proposed UGB when

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there is vacant commercial, industrial, and residential properties that can be redeveloped and reoccupied. She urged the City to solicit businesses to occupy those buildings before any UGB expansion is proposed.

Councilor Cox requested clarification of Ms. Spencer's statement regarding vacant industrial buildings not being counted in the available lands.

She stated that the consultant did not consider vacant or under-utilized industrial buildings as having any capacity to accommodate need unless the value of the buildings were lower than value of the land.

Greg Winterowd stated that he had projected the need as acquired by state law for industrial sites that would meet the needs of targeted industries. In those projections, he did not, nor is a there a state law requirement, to evaluate whether any building at any given time is vacant because that can change momentarily as it can for an office building or any other structure. Vacant undeveloped land adjacent to such buildings was included in the projections. He stated that projected needs were not based on employees per acre and, it is anticipated that there will be some employment in existing buildings, they did look at the siting needs of the industries in the Economic Opportunities Analysis and made sure that the City had the required sites. He reiterated that it is a complex issue but the proposal did not account for so many jobs to certain buildings since (1) there is no way to determine the number and (2) that was not a task as described by state law.

3090 Kay Peterson, 13740 Wilco Hwy NE, Woodburn, requested that the Council carefully consider the testimony being submitted. She acknowledged that everyone wants Woodburn to be an economically viable community, however, she opposed to a UGB expansion in order to accomplish this. She stated that the City has only recently begun to address the traffic issues at the Highway 214 / I-5 interchange. UGB expansion will increase the congestion and her husband's clients continue to complain about the difficulty in driving to his office which is located on Evergreen Road. She disagreed with the proposal that would take farmland out of production in order to attract some high tech industry to Woodburn. She did not feel that any high tech industry would be willing to come to Woodburn since many have abandoned the United States and have gone to China. She stated that agriculture can quickly respond to current market conditions whereas other industries pick-up and leave. In her opinion, the economic security of the United States is compromised as more and more farmland is taken away for development. At this time, the United States imports more food than it exports and she suggested that continued elimination of farmland will make the United States's dependency on food supply similar to our country's dependency on foreign oil.

Erin Donnelly, 480 N. Third St., Woodburn, requested that the Council uphold the unanimous recommendation of the Planning Commission to maintain the Second and Third Street area as residential and not change the area to commercial office zoning with an eye to permanently changing the comprehensive plan in the future to help preserve this historic area.

Ray Clore, 15 Smith Drive, Woodburn, stated that he works for the Strategic Economic

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Development Corporation in Salem and his organization supports Marion and Polk Counties for Economic Development. He also stated that his organization supports the City's industrial lands expansion. Part of their mission is to work with incoming companies and industrial companies are looking to site in the Mid-Willamette Valley which is a major growth area. Over the last 5 years, they have consistently seen companies or site consultants stating that they would like to site in the area south of Wilsonville and north of Salem. The biggest drawback to a Woodburn site is land availability. Currently, the average land size clients are looking for is 15 to35 or 50 acres in a campus setting with landscaping. In regards to the City's current industrial park, there are 2 facilities for sale and the 137,000 sq. foot facility Ms. Spencer mentioned in her testimony has been purchased by Universal Forest Products and it is currently being converted for a manufacturing facility. The second site has also been sold but he cannot disclose at this time who is purchasing that facility but it will also involve manufacturing.

3590 Dave Christoff, 671 Ironwood Terrace, Woodburn, spoke briefly on the proposed Interchange Management Area (IMA) ordinance. He stated that it appears that the September 2004 version regarding the small development exception has been deleted. This exception would allow developments of sites that generate less than 100 peak hour vehicle trips for non-residential developments of any size without having to do a full traffic impact analysis. By deleting this exception, it creates a need for a costly and unnecessary full traffic impact analysis which mirrors and all but insures local special interest groups no growth policies by over regulation. In his opinion, it will create pockets of small undeveloped sites and he urged the Council to reinstate the small parcel exception to allow owners of these parcels to develop without a loss of time, expense, and redundancy of additional traffic impact studies.

3713 Bob Thelen, 509 N Third Street, Woodburn, stated that Woodburn is surrounded by prime farmland that is protected by state law. He expressed his opinion that the UGB should be expanded to the south where the land has lower soil quality. In his opinion, the Economic Opportunities Analysis ignores Woodburn's location in the middle of productive farmland and at the center of the County's number 1 industry. It also fails to identify Woodburn's role as a commercial and cultural center for the valley's Hispanic population as a possible advantage. Instead, Woodburn could lose between 55 and 222 agricultural sector jobs based on employment growth forecasts for 2000-2020. He stated that it is inconsistent with 39% agricultural related employment growth in Woodburn's zip code between 1990-1999. He stated that Woodburn's growth should be accomplished by utilizing the industrial and commercial land within its current UGB before it consumes productive farmland. Once farmland is converted for other uses it is gone forever. The development of land west of Parr Road will add congestion for the City's only I-5 overpass and it will insure the failure of the I-5 interchange. He supported expansion to the east where the road infrastructure is well-developed. The City will experience additional congestion and gridlock at the I-5 interchange and he urged the Planning Commission and Council to modify the UGB expansion to delete the expansion west of I-

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5 and to modify the expansion elsewhere to a reasonable amount that will encourage the infill and redevelopment of the considerable lands within the existing UGB.

4007 Bob Fessler, 11796 Monitor-McKee Rd, Woodburn, stated that his family owns a piece of property located on Crosby and Boones Ferry Road which is in the proposed UGB expansion. He stated that they are in favor of this expansion and requested that the Council not consider this property for reduction if the school district property is added to the proposal for the following reasons: (1) surrounding streets are a natural boundary between residential and farm use, and (2) soils on there property are of Class II and III compared to soils in other property designated as low density residential. He stated that a larger tract of land being developed results in more efficiency for public works and planning purposes and costs. He reiterated that they did not oppose of the school district but urged the Council not to reduce the low density property proportionately.

4119 Martin Roher, 16 Abelard, Lake Oswego, stated that he and three other property owners own property located north of and adjoining Woodburn Company Stores on Arney Road. He stated that they own approximately 110 acres in total and are requesting that their land, along with another 15 acres to make up a 125 acre parcel, be included in the proposed UGB expansion. He stated that the periodic review process actually started in the mid-1990's and, in 1998 and 1999, the Building Lands Advisory Committee proposed that a majority of their land be included in the UGB as a mixed use campus district designation. He expressed his opinion that this type of designation would be appropriate for this area. The three arguments he made to the Council are as follows:
1) their area is most surrounded by the urban growth boundary and if one of the purposes is to square off the UGB then expansion to include their property would appropriate;
2) their area is most affected by urbanization with the Company Stores adjoining their property and Nazarene housing district to the west. He felt that the property in the proposed southwest reserve which is located west of Butteville Road should be removed from the proposed UGB and, as a replacement, add their area with a mixed use designation;
3) they have public facilities already running up to the property due to the Woodburn Company Stores development whereas it may take a long time before the infrastructure is developed in the southwest reserve.
He stated that their properties would be the cheapest to develop, least impact on I-5 because it is on the west side, and it has mostly Class II soils.

4669 Carla Mikkelson, 17244 Arbor Grove Rd NE, Woodburn, stated that she and her family have been connected to Woodburn since 1956 and hoped that she is not being considered as an outsider since she does not fully agree with the provisions within the proposed plan. She stated that she had provided written testimony for this hearing and included those issues that she did support in that letter. On paper, she felt that the proposal looked good but felt that the plan is very fragile. She cautioned the Council in that the Economic Analysis does not guarantee that the proposed jobs will arrive. She questioned the City's ability to provide necessary public facilities that would service these targeted industrial

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businesses. She stated that Woodburn has a history of traffic planning difficulties and she questioned if Woodburn's ordinances will be strong enough to withstand the development forces if planned industry does not come to Woodburn within the near future. In her opinion, the proposed plan will not restore those qualities within the City's Vision statement and she requested that the Council carefully consider the proposal.
Diane Mikkelson, 1090 N. First Street, Woodburn, stated that she is new to the public process relating to development and implementation of public policy, however, she recognizes that there is a lot of time, energy, and money invested in the process. She feels that those individuals who have raised concerns at the open houses and at the hearings are only given token acknowledgment since the plan has, for the most part, been developed. She stated that there should have been more public input before consultants were ever brought into the picture so that the public's ideas could have been incorporated into the proposed plan at the beginning of the process. She referred to the Marion County Planning Department letter dated March 21, 2005 which suggests that the 160-acre parcel between I-5, Boones Ferry Road, and Crosby Road not be included in the UGB. Residential land needs are being met through existing land supply in the current UGB.as well as other residential lands being proposed for addition in the plan. She urged the Council not to disregard the concerns expressed because it would mean additional work for staff and/or Council since livability depends on the decisions made by the Council.
5272 Don Kelley, attorney representing Dale Baker, questioned if the record of the Planning Commission hearing was incorporated into the Council's record.
Mayor Figley responded affirmatively.
Mr. Kelley stated that Mr. Baker owns a 10.25 acre parcel on the east side of Butteville Road which lies between Butteville Road and Senecal Creek. He stated that they are in agreement with the City that the property should be brought into the urban growth boundary. He provided background information on this property relating to the County's redesignation of the property in 1988 from exclusive farm use (EFU) to AR and in 1992 the City adopted an urban growth boundary amendment for this property but Marion County did not agree that the property should be included in the UGB. The County has now changed their position and agree that the property should be included in the UGB. This property is within the exception area and should be included in the expansion. He also recommended that the Council consider dealing with the urban growth boundary in two phases. One phase would be those parcels that already have exceptions granted and the second phase would be those parcels that do not have exceptions. The reason for the separation is to keep those parcels that should be included and most likely not going to be challenged from getting caught up over a court battle over those that may be challenged. In regards to the Interchange Management Area, he requested that the Council look closely at what might happen if higher traffic areas are pushed out of that area but they still need interstate access resulting in making the trips longer for the same business therefore increasing traffic over the long run.

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5575 Dan Wells, 275 N. Third St., spoke in support of the modification to the comprehensive plan that would move their neighborhood from the commercial zone.
Mark Unger elected not to provide testimony.
Dan Orsborn, 1670 E. Lincoln Rd., Woodburn, objected to the late addition of the school district property into the proposed plan. He stated that the school district had sold property located within the City and bought property that was located outside of the City and existing UGB. He approached the school district after they purchased the land regarding potential use and he was told by the district that they would not be asking for special consideration. However, that seems to be what is happening with their most recent request to include the property in the proposed plan. This property is landlocked and has no access other than E. Lincoln Road which is an unimproved street. He expressed his opinion that the school district should not be treated any differently than other property owners requesting inclusion. He expressed concern on the costs he would be obligated to pay if this property is developed. He was also concern about this type of last minute inclusion since it had not been part of the original proposals and if he had not kept up with what was going on, then this proposal could have moved forward without his ever being notified that was going to happen.

5946 Brian Moore, attorney with Saalfield Griggs representing the Fessler family, 250 Church St., Salem, requested that if the school district property is added to the proposed UGB then no portion of their property be reduced to accommodate this UGB modification. He stated that there seems to be an effort to remove the Fessler property and some low density residential property from Area #2 and then add Area #4. He referred to comments made earlier regarding local objectives on how to implement the Economic Opportunities Analysis. Three objectives listed were improvement of the interchange, protection of valuable soils, and protection of stream corridors and wetlands. If Area #2 is added, there would be a benefit in that Crosby Road would be improved since the Fessler property is bordered on 3 sides by roadways which makes it an ideal place as far as efficiency and, in particular, in respect to transportation since it provides access over I-5 into the western side of Woodburn and I-5 can be accessed by going north on Boones Ferry Road to Donald or Aurora exits. This property contains Class II and Class III soils and some Class IV whereas the property in Area #4 contains predominantly Class II soils. Tukwila is close in proximity to the Fessler property and there would be enough demand for higher end housing even with the addition of the north property. Lastly, public facilities cost to serve the Fessler property is still substantially less than Area #4 even if there is some irregularities in the calculations. He reiterated that Area #2 will serve just as good if not better than Area #4.

6446 Roger Alfred, attorney representing Renaissance Development, expressed his support of the Planning Commission recommendation to expand the UGB in the areas that have been selected. In his opinion, City staff and Winterbrook Planning have done a thorough job of making sure that the decisions to be made by the Council correspond with the principles under state law. He stated that the proposal does bring in all of the exception

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lands that are adjacent to the existing boundary which then affords the Council the opportunity to go to the next tier which is farmland. The area north of the Tukwila piece offers is that the Council is looking at land that provides for some desired and needed residential development without bring in any land that is currently in agricultural production. Bringing this property into the UGB is consistent with prior City decisions with respect to Phases I through IV of the Tukwila PUD decision where the City contemplates the extension of Olympic Street to connect to Boones Ferry Road. This extension will provide a second access for residents in the area and is consistent with the prospect of future development in that area.

For the record, letters were received at this meeting from the following:
Farmworker Housing Development Corporation (Robert Jimenez); Carla Mikkelson; Lolita Carl; Toni Spencer; Saalfeld Griggs (Brian Moore); Direct Northwest (Amanda Dalton); Martin Rohrer; and the Serres Family.

6743 Mayor Figley stated that all of the names have been called that were listed on the sign-in sheet. No other individuals in the audience elected to speak on this issue.

Tape 3

Councilor Cox stated that the Council has probably heard as much oral testimony as is going to be beneficial and any additional testimony can be made in writing since the record will be left open.

Councilor Bjelland suggested that staff comments be submitted once additional written public comments are received since there may be issues to be addressed.

Mayor Figley closed the public hearing for oral testimony at 10:13 p.m..

BJELLAND/SIFUENTEZ... leave the record open for written testimony until April 20, 2005. The motion passed unanimously.

City Attorney Shields stated that staff will be bringing this issue back to the Council for deliberation at the April 25, 2005 Council meeting.

Councilor Cox questioned if staff would be precluded from giving the Council a supplemental written or verbal staff report analyzing some of the positions made by the public after April 20, 2005 if the public hearing is closed except for written testimony.

City Attorney Shields stated that he did not see a problem with a staff analysis of what has been brought up through this hearing's process.

Councilor Bjelland stated that this is a very complex issue which the Council has been involved with since 1997. He would like to have a workshop on some of these issues since there are a lot of policy decisions involved, information absorbed and processed and he would like to be sure that the Council does not prohibit interchange and staff input in that process.

Administrator Brown stated that deliberations will involve staff and the Council can continue to deliberate until such time as a decision is ready to be made. He suggested that the deliberations be held during regular Council meetings even it does take more than one meeting.

PE
EADING

Mayor Figley encouraged the Council to relay their questions to staff prior to the April 25th meeting in order to give them some direction when going through all of the material. Further discussion was held regarding a workshop session versus a regular meeting and it was decided to hold the deliberations during regular meetings.

Councilor Cox stated that his next available meeting after this meeting will be May 11, 2005 since he will be gone for the April 25, 2005 meeting. He also hoped that someone was encouraging the school district to give the Council more data before a final decision is made.

Councilor Bjelland stated that the school district proposal is an illustration of the fact that the Council has to make a decision based on (1) either a justification for a special needs or (2) a tradeoff is required if the Council decides to incorporate the area into the UGB by reducing some other area within the proposed UGB. He felt that this is a significant decision and the Council needs more information on this proposal before a final plan is adopted.

Councilor McCallum stated that the Council has a regular meeting schedule in which interested citizens can attend and listen to the deliberations of the Council. He requested that a copy of the draft minutes be forwarded to the Council as soon as they are prepared.

960 **PUBLIC HEARING: 2004-05 SUPPLEMENTAL BUDGET.**

Mayor Figley declared the public hearing open at 10:27 p.m..

Finance Director Gillespie stated that the supplemental budget included adjustments for (1) the downtown plaza project, (2) repayment of the loan from the Traffic Impact Fee fund to the General CIP Fund for the purchase of the land where the new Police Facility will be located, (3) accounting for the loan and grant revenues for the Association Building which were received at the beginning of this fiscal year, and budgeting for the first debt service principal and interest on the loan, and (4) an electrical project in Library Park.

Administrator Brown stated that staff will be looking at paying off the Community Incentive Loan during fiscal year 2005-06, however, the interest rate on the loan is 1%.

Mayor Figley declared the public hearing closed at 10:31 p.m..

COX/MCCALLUM... direct staff to prepare an ordinance to substantiate the budget changes as outlined by Finance Director Gillespie. The motion passed unanimously.

1300 **COUNCIL BILL NO. 2566 - ORDINANCE GRANTING A ZONE CHANGE FROM RS (SINGLE FAMILY RESIDENTIAL) ZONE TO RM (MEDIUM DENSITY RESIDENTIAL) ZONE ON PROPERTY LOCATED AT 2325 N. BOONES FERRY ROAD.**

Council Bill 2566 was introduced by Councilor Sifuentez. The two readings of the bill were read by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill 2566 duly passed with the emergency clause.

TAPE
READING

1398 **COUNCIL BILL NO. 2567 - ORDINANCE ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2004-05.**

Councilor Sifuentez introduced Council Bill 2567. Recorder Tennant read the two readings of the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill 2567 duly passed with the emergency clause.

1473 **SEWER PUMP STATION UPGRADES AT INDUSTRIAL AVENUE AND GREENVIEW DRIVE.**

It was noted in the staff report that proposals were submitted by Triad Mechanical ($603,900.80) and Emery & Sons ($629,205) for two sewer pump upgrade projects. **BJELLAND/NICHOLS...** award contract for Industrial Avenue and Greenview Drive sewage pump station rehabilitation projects, Bid No. 2003-018-47, to the lowest responsible bidder, Triad Mechanical, in the amount of $603,900.80. The motion passed unanimously.

1508 **LIQUOR LICENSE - CHANGE OF OWNERSHIP: Rincon Nayarita, 561 N. Pacific Highway .**

A Limited On-Premise Sales liquor license application was submitted by Juan Fernandez and Obdulio Damas, DBA: Rincon Nayarita, who recently purchased La Unica restaurant. **COX/LONERGAN...** City approve the proposed change and recommend to OLCC that they approve the application for Rincon Nayarita.
The motion passed 5-1 with Councilor Nichols voting nay.

1560 **PLANNING COMMISSION / ADMINISTRATIVE LAND USE ACTION.**

A) Planning Commission's approval of Design Review 04-15, Variance 05-03, and Variance 05-04 (Kingdom Hall, 1557 June Way) - Construction of a 4,947 square foot Kingdom Hall (house of worship), variance to reduce the required 24-foot western interior yard setback to 10 feet, and variance to allow parking in a yard abutting Highway 211 in an RM zone.
No action was taken by the Council to call this matter up for review.

1630 **MAYOR AND COUNCIL REPORTS.**

Councilor Cox paid tribute to Preston Tack who died unexpectedly 10 days ago. He stated that Mr. Tack was a good public spirited citizen who worked hard on issues pertaining not only to Senior Estates but also to the City. He was instrumental in organizing and leading the Senior Estates Community Relations Committee, he served on various Committees for the City, and was a frequent attender at Council meetings. Mayor Figley stated that Mr. Tack was a very decent public spirited person who will be sorely missed.

TAPE
READING

Silas Harvey stated that he was a long-time friend of Preston Tack and he has asked the executives of the Senior Estates Board to allow him to try and sit in Preston's seat again. Councilor Nichols reiterated that Preston made sure that he knew that he could attend the Community Relations Committee on behalf of the Council and Mr. Tack will be missed by Senior Estates and our community. He also stated that the Tulip Festival is slow in getting started and the tulips were barely beginning to open.
Councilor Lonergan expressed his appreciation of the local National Guardsmen who recently returned from their tour in Iraq.
Mayor Figley stated that Woodburn had a very nice story in the travel section of the Oregonian last week featuring the Tulip Festival, Downtown, and Settlemier Park. The newspaper also included a very thought provoking article authored by Superintendent Walt Blomberg about the "No Child Left Behind" legislation and some of the consequences for communities with our demographics. She also mentioned that the Youth Leadership group participated in a mock City Council meeting last week and she felt that it was an educational and enjoyable session.

2045 **ADJOURNMENT.**
NICHOLS/MCCALLUM... meeting be adjourned. The motion passed unanimously. The meeting adjourned at 10:45 p.m..

APPROVED_____
KATHRYN FIGLEY, MAYOR

ATTEST_____
Mary Tennant, Recorder
City of Woodburn, Oregon

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MEMORANDUM

To: Jim Mulder, Community Development Director

From: Greg Winterowd; Jesse Winterowd

Date: May, 2005

Re: Response to Written Comments to Woodburn City Council

This Memorandum responds to issues raised before the City Council on or before April 20, 2005, when the Council closed the hearing record regarding the 2005 legislative plan and code amendment package. This letter is intended to complement your letters to the Department of Land Conservation and Development (DLCD) and the Marion County Community Development Department (County).

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B-63 Darlene Mahan (4/22/05)

In a petition dated February 4, 2004, Southwest Industrial Reserve (SWIR) property owners expressed their opposition to master planning, minimum employee, transportation planning, and minimum lot size requirements. The petition notes that area property owners have held title to their property since the 1960s and "are quite capable of deciding who and how we will dispose land."

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Except for Opus Northwest (which has contracted to purchase land from Ms. Mahan), none of the property owners had contacted City staff prior to signing the petition. Since this petition was filed with the City, it is our understanding that SWIR property owners have held internal meetings and now understand that their land cannot be justified for inclusion within the Woodburn UGB *unless* suitable sites are reserved for employment categories identified in the Economic Opportunities Analysis.

Retention of large sites within the SWIR for targeted firms – because they are flat, serviceable and accessible to I-5 – are critical to the success of Woodburn's Economic Development Strategy. It is our understanding that SWIR property owners now realize that the City can provide urban services to their property only if their land is included with the UGB and protected for targeted employment through SWIR policies.

Ms. Mahan is the owner of Darma Real Estate, the company that is selling its property to Opus Northwest. In a separate February 16, 2005 letter, Ms. Mahan wonders why her triangular-shaped 11.79 property located east of I-5 and west of Butteville Road (at the west terminus of Parr Road) was not included with the proposed UGB. Ms. Mahan's 11.75-acre property is irregularly shaped and comprised of a combination of Class II and III agricultural soils.

It should be noted that the 2005 Woodburn Transportation System Plan (TSP) calls for the improvement of Butteville Road to arterial street status to the point where it intersects with the planned South Arterial. The TSP also calls for the closure of Parr Road before it intersects with Butteville Road, thus limiting access to this 11.75-acre parcel, thus limiting access to this parcel in the long-term. As noted in the 2005 UGB Justification Report, development of Ms. Mahan's property would not meet a specific site need that cannot be met within the existing or proposed UGB.

Recommendation

No changes are recommended to the UGB as a result of the property owner petition or Ms. Mahan's letter. Darma Real Estate's 11.75-acre parcel is not recommended for inclusion within the Woodburn UGB because the City's long-term employment needs can be better met on other sites within the existing or proposed UGB. As noted below, changes are recommended in the location of the UGB as a result of comments received from DLCD, Marion County, 1000 Friends and the Oregon Department of Agriculture.

B-68 Department of Land Conservation and Development (DLCD) (3/18/05)

Included in the Council's packet is a draft response to comments raised by Geoff Crook, Willamette Valley Regional Representative for DLCD. Mr. Crook's letter is thoughtful and well-documented. It is also generally supportive of the Planning Commission's recommended Comprehensive Plan and Woodburn Development Ordinance (WDO) amendment package.

Recommendation

The revised package before the Council includes changes that respond to most of the technical issues raised in his March 18, 2005 letter. In particular:

- **The recommended UGB now *excludes* a parcel with primarily Class II soils west of Butteville Road and *includes* a parcel with primarily Class III soils south of Parr Road.**
- **Class I agricultural soils on the golf course site north of the UGB are recommended for removal.**
- **SWIR minimum lot size tables have been revised to be fully consistent with the site suitability tables prepared by ECONorthwest.**
- **The UGB Justification Report has been revised to correct internal consistency issues.**
- **Industrial sites within the UGB that are immediately serviceable have been described and mapped.**
- **Substantial changes have been made to the draft Public Facilities Plan.**
- **Minor changes have been made to the draft Transportation Systems Plan and implementing WDO provisions.**

B-69 Marion County (3/21/05)

Included in the Council's packet is a draft response to comments raised by Les Sasaki, Marion County Senior Planner. Mr. Sasaki's letter also is thoughtful and generally supportive of the Planning Commission's recommended Comprehensive Plan and WDO amendment package.

Recommendation

The revised package before the Council includes changes that respond to most of the issues raised in his March 18, 2005 letter. In particular:

- **The recommended UGB now *excludes* a parcel with primarily Class II soils west of Butteville Road and *includes* a parcel with primarily Class III soils south of Parr Road.**
- **SWIR minimum lot size tables have been revised to make it clear that two large sites located adjacent to the UGB are may be divided into a range of lot sizes consistent with the site suitability tables prepared by ECONorthwest.**
- **The Buildable Lands Inventory, Housing Needs Analysis and UGB Justification Report has been revised to clarify methods and results of the land needs assessment.**
- **City and County planning staff have reached tentative agreement on revisions to the Urban Growth Management Agreement.**

B-77, B-101 Serres Family (3/23/05 and 4/19/05)

In Exhibits B-77 and B-101, several members of the Serres family and their consultant, Jeff Tross, present their case to include the Serres family farm into the Woodburn UGB. Other exhibits include supportive comments from Highway 99E business owners.

The Serres family owns property to the Pudding River – both inside and beyond Study Area 4 (East) – and has requested that all of their family property be included within the UGB. However, the Serres Tract *within Study Area 4 (East)* includes 10 parcels comprising 204 acres. The Serres family believes that their land is best suited for high-end residential and park use. They go on to suggest that agricultural land west of Boones Ferry Road and south of Crosby Road (the Fessler property east of I-5), should be removed to allow inclusion of the Serres Tract.

In Exhibit B-101, members of the Serres family are highly critical of the Public Works Department planning level analysis that led to Winterbrook's conclusion that service costs are considerably higher for Study Area 4 (East) than most of the other seven study areas. They also criticize aspects of Winterbrook's Economic, Social, Environmental and Energy (ESEE) analysis that outlines the benefits and limitations of each study area.

As discussed at the Council's April 25, 2005 public hearing, the Public Works Department stands by the basic conclusions reached in its analysis of relative public facilities costs. Study Area 2 is expensive to serve when compared with most other study areas. Winterbrook will amend the ESEE analysis to recognize more of the positive economic, social and energy consequences (potential high end home sites, potential linear nature parks along the Pudding River and its tributaries, and proximity to Highway 99E businesses) associated with inclusion of the Serres property.

However, the over-riding reason for rejecting all of Study Area 4 is the fact that it is comprised primarily of Class II agricultural soils, with no large inclusions of buildable Class III soils. Ninety percent of the Serres property within Study 4 is comprised of Class II agricultural soils. Unlike the Study Areas 2 (North) and 7 (Southwest), there are no substantial Class III soil areas on the Serres Tract within Study Area 4. Although 11 of the 204 acres within the Serres Tract (7%) have Class VI soils, this land is confined within unbuildable stream corridors. Only 3% of the Serres Tract has land with Class III soils, which are located at the edge of riparian corridors or drainage areas.

Looking beyond the eastern boundary of Study Area 4 to other land owned by the Serres family, there are substantial inclusions of Class I agricultural soil formed by Pudding River alluvial deposits. If the UGB were to extend to the Pudding River as suggested by the Serres family, Class I soils would also be included.

It should be noted that Exhibit 108, Mr. Brian Moore, the lawyer for the Fesslers (whose property located between Boones Ferry Road and I-5, south of Crosby Road) makes a reasonable case for inclusion of the Fessler property, based on Goal 14 (Urbanization) and ORS 197.298

priorities. He also provides supporting evidence regarding the relative costs to service the Study Areas 2 (North) and 4 (East).

Finally, members of the Serres family have stated their intent to file a Measure 37 claim with Marion County *if* they are not included within the UGB. Their stated intention is to use this claim as leverage to bring their land into the UGB. For the record, Serres family are not the only landowners at the perimeter of the existing Woodburn UGB who have potential Measure 37 claims. For example, the Fessler and Weisz families also have owned and farmed land in the area for many years.

Recommendation
No changes are recommended to the Comprehensive Plan and WDO amendment package as a result of the Serres family testimony. Winterbrook will make changes to the ESEE analysis found in the UGB Justification Report to recognize potentially positive economic, social and energy consequences identified in materials submitted by the Serres family.

B-80-81 Mark Unger (3/24/05)

Mr. Unger would like his property to be included within the proposed UGB. Mr. Unger owns property on East Hardcastle Road that located about a quarter mile outside the existing and proposed UGB, but is split by the eastern boundary of Study Area 4 (East). Mr. Unger's property is comprised primarily of Class II agricultural soils, *except* for unbuildable riparian area (a tributary to Pudding Creek – a portion of which is culverted) that divides the property.

Recommendation
No changes are recommended to the Comprehensive Plan and WDO amendment package. Please see related response to Serres family comments.

B-82 Bert Gottsacker (3/24/05)

Mr. Gottsacker is concerned that proposed street and plan designation boundaries do not always follow property lines. Mr. Gottsacker references a "policy" (actually the policy preference of an attorney representing a property owner in a plan amendment application) that "requires" location of plan designation boundaries along property or streets, and cites examples in the proposed Comprehensive Plan map of properties with split designations.

Mr. Gottsacker is correct in noting that a few properties along major streets have split designations. The proposed designations allow Nodal Medium Density Residential along Parr Road and Evergreen Drive, with Nodal Low Density Residential located to the rear. There is no Comprehensive Plan policy that *requires* location of plan designations along property lines.

It should be noted that one of the "split" properties cited by Mr. Gottsacker is located west of Butteville Road, and is no longer proposed for inclusion within the SWIR or UGB based ORS 197.298 "priorities" and comments from DLCD, ODA, Marion County and 1000 Friends. Mr. Gottsacker owns the property south of the proposed South Arterial that has Class III soils and is

proposed for inclusion within the SWIR and UGB. None of Mr. Gottsacker's properties have split designations.

Recommendation
No changes are recommended to the Comprehensive Plan and WDO amendment package.

B-83, B-89 PCUN and FHDC

Mr. Ramon Ramirez of Pineros y Compesinos del Noroeste (PCUN) testified in favor of UGB expansion to provide more non-agricultural job opportunities for the over 5,000 farmworkers represented by his organization. Mr. Ramirez noted that targeted light manufacturing and warehousing employers typically employ large numbers of Latino workers and provide opportunities for farmworkers to expand and strengthen their job skills and opportunities for their children.

In a similar vein, Mr. Roberto Jimenez of the Farmworkers Housing Development Corporation (FHDC) also supported UGB expansion as holding "great economic potential for the future of farmworkers and their families locally." Mr. Jimenez notes that "better-paying jobs would allow farmworkers to buy homes and more beyond affordable housing," thus creating space for those in greater need at Nuevo Amanecer and Esperanza Court. Finally, Mr. Jimenez notes that:

> *"FHDC believes that whatever low-paying job loss [in agriculture] is associated with developing the land brought into the UGB would be minimal and greatly outweighed by new job creation...Together we can strengthen the community of all residents of and improve the quality of life in the Woodburn area."*

Recommendation
Testimony from PCUN and FHDC strongly support the City's decision to provide for basic employment opportunities on land now designated for agricultural use.

B-88, B-112 Sharabarin Property (3/28/05 and 4/20/05)

Exhibits B-88 and B-112 include letters from attorney Kevin Maine on behalf of the Sharabarin family, who own 7.45 acres of Class II agricultural soils at the northeast corner of Highway 99E and Carl Road in Study Area 3 (Northeast). The Sharabarin property abuts a manufactured dwelling park in an exception area proposed for inclusion within the UGB. The Sharabarin family would like their land designated for commercial use – in order to construct a personal storage facility.

To justify his client's request, Mr. Maine misquotes page 39 of the UGB Justification Report in stating that "Winterbrook determined the City will need an additional 202 acres of commercial property by 2020." In fact, this is what the report said:

> "The 2004 (existing) Woodburn UGB has 460 developed commercial acres and 108 net buildable acres (including vacant and partially developed land.) A commonly-accepted

method of projecting buildable commercial land need (and one that has been acknowledged in many Oregon plans) is to determine the existing ratio of developed commercial acres to population, and multiply this ratio by planned population growth. Using this method, Woodburn would need 310 net buildable commercial acres to meet 2020 commercial land needs. Since Woodburn has 108 net buildable commercial acres, this would result in a need for an additional 202 net buildable commercial acres.

We did not use this method, because we have intentionally under-allocated commercial land to encourage redevelopment along Highway 214, Highway 99E and in Downtown Woodburn. If we were to have extended the existing ratio of commercial land to employment through 2020, we would have added approximately 202 – rather than 32 – net buildable acres."... (Emphasis in the original.)

Based on ECONorthwest's high employment projection, Woodburn will need 141 (108 plus 32) net buildable acres of commercial land by the Year 2020. The Planning Commission's recommended plan includes 140 net buildable commercial acres (including nodal commercial and exceptions areas). Based on the information provided by Winterbrook on page 39 of the UGB Justification Report, increasing the supply of commercial land on Highway 99E would have the effect of discouraging – rather than encouraging – the redevelopment of commercial land in Downtown Woodburn and along Highway 99E.

We note that there is a significant difference between targeted basic employment categories identified in the EOA and retail / service uses that typically locate in Woodburn's commercial zones. The former tend to pay higher wages and serve a wider market area, while the latter pay lower wages and (with the exception of outlet malls) serve a more localized population. Woodburn must compete with other I-5 locations for targeted employment firms, whereas commercial uses are more likely to redevelop under-utilized land as necessary to serve local markets. This is why ECONorthwest and Winterbrook applied an employee-per-acre ratio for commercial land uses, while applying more specific site suitability criteria to provide choice among sites to meet the requirements of targeted basic employers.

Recommendation

No changes are recommended to the Comprehensive Plan and WDO package at this time.

B-94, B-112 Amanda Dalton (3/28/05) and Realtors Groups (4/20/05)

Ms. Dalton, Government Affairs Coordinator for the North Willamette Association of Realtors (among other real estate groups) wrote in opposition to the Interchange Management Area (IMA) Overlay District. She raised concerns regarding Measure 37 claims, limitations on commercial growth, and the potential for statewide precedent.

It is important to recognize that the peak hour trip generation limits imposed by the IMA trip budget are based on plan designations in the proposed Comprehensive Plan and associated trip generation figures used in the development of the 2005 Transportation Systems Plan (TSP). The

IMA trip budget is intended to allow planned commercial development to proceed based on the trip generation figures used in the TSP – but prohibit net increases in commercially-designated land within the overlay district that would take vehicle trip capacity reserved for basic employment. Notably, the IMA overlay district applies only to vacant parcels and therefore will not restrict redevelopment of intensification of commercial uses in most commercial areas in Woodburn.

Finally, the IMA overlay district is an essential element of Woodburn's overall economic development strategy and is necessary to ensure that ODOT's considerable investment in the Woodburn interchange is wisely used. If interchange capacity were to be used for commercial development, then there would be insufficient capacity for targeted, basic employment.

In an April 20, 2005 letter, the boards of several valley realtors associations signed a similar letter, and opined that the "small property" exemption should be reinstated in the draft IMA Overlay District. This provision was reviewed with ODOT staff and found acceptable.

Recommendation
Mr. Mulder has recommends amending the draft IMA Overlay District to reinstate a small property exemption.

B-95 Martin Rohrer (3/28/05)

In Exhibit B-95 and related exhibits (B-65), Mr. Rohrer makes a persuasive case to include 125 acres of land, located between Crosby Road and the Woodburn Company Stores, in Study Area 1 (Northwest). Mr. Rohrer believes that this land is best suited for mixed use industrial. He goes on to suggest that agricultural land west of Butteville Road or land in the Parr Road area east of I-5, could be removed to allow inclusion of the Crosby Road property. Mr. Rohrer notes that previous Council-appointed committee had recommended inclusion of this area for a mixture of commercial and light industrial uses.

The 125 acres in question is designated "Agriculture" on the Marion County Comprehensive Plan map, and is zoned Exclusive Farm Use. This subarea is comprised primarily of Class II agriculture soils, with the exception of unbuildable riparian corridors which are primarily Class IV agricultural soils with narrow strips of Class III soils are the riparian edge. To access this land, one either would need to drive through the Woodburn Company Store area to reach Highway 214 and the I-5 Interchange, or access the interchange through the Butteville Road residential exceptions area. There are no large blocks of Class III soils in this area, nor can such large blocks be reached by extending services through this area.

Since the Committee finished its work in 1999, the Council has reviewed and accepted the Economic Opportunities Analysis (EOA) and the Economic Development Strategy (EDS), Winterbrook Planning has carefully analyzed alternative UGB expansion areas based on the Statewide Planning Goals and applicable Oregon statutes, and the Transportation Systems Plan has been extensively revised to provide for alternative east-west routes through Woodburn. All of this work pointed towards reservation of large blocks of land along Butteville and Parr Roads, with minimal development constraints and readily available urban services. ORS 197. 298

priorities directed employment growth towards the large blocks of Class III soils immediately south of Parr Road. In order to reach this Class III soils area, intervening Class II agricultural land along Parr and Butteville Roads must be developed. The Planning Commission has reviewed the proposed Comprehensive Plan and Development Ordinance Package, made changes, and provided its recommendation to the City Council.

The Planning Commission recommended that this area not be included in the UGB expansion area because it did not satisfy land use, transportation, and economic goals as well as other areas proposed for inclusion in the UGB. Specifically, the portion of this area between I-5 and East Senecal Creek is best suited for future commercial uses consistent with Woodburn Company Stores type development. However, the City proposal only justifies 32 acres of commercial UGB expansion. The portion of this area west of East Senecal Creek is best suited for residential uses because of compatibility considerations with the adjacent residential development in the City and East Senecal Creek. However, residential land needs are better addressed with the City proposal. This area is not best suited for industrial use for the reasons stated above. This area should be preserved for future commercial and residential uses when sufficient justification for such expansion can be provided in the future.

Both Jim Mulder and I very much appreciate the professionalism and thoughtfulness with which Mr. Rohrer presented his case. We also respect the hard work done in 1998-99 by citizen review committees. However, the inclusion of this land for the proposed uses would require a wholesale revision to the Comprehensive Plan and Development Ordinance package recommended by the Planning Commission. This would result in additional costs and delay and would jeopardize the City's ability to receive acknowledgement form the LCDC and funding from ODOT.

Recommendation
No changes are recommended to the Comprehensive Plan and Development Ordinance package at this time. This land is, however, a prime candidate for inclusion for a mixture of commercial and residential uses in the future.

B-96, B-109 1000 Friends of Oregon (3/30/05, 4/20/05)

In its March 30, 2005 letter to the City Council, 1000 Friends included copies of previous submissions to the Planning Commission. Winterbrook responded to 1000 Friends earlier concerns in our February 16, 2005 memorandum. This memorandum was incorporated in the Planning Commission's final order recommending approval of the 2005 Comprehensive Plan and Development Ordinance amendment package to the City Council. Here, we respond only to new issues raised by 1000 Friends in their March 30 and April 20, 2005 letters to the City Council. Other exhibits (for example, B-84 and B-90-92) echo themes developed in the 1000 Friends letters.

Residential Land Need and Supply. On page 3 of the March 30 letter, after an incomplete and misleading analysis, 1000 Friends argues that the proposed UGB has too much residential land. To clarify and minimize continued misperception and misuse of Winterbrook's data and

analysis, we have restructured the residential land needs analysis and buildable lands inventory to reach the same conclusion that we reached two years ago:

- Woodburn lacks buildable land within the existing UGB to accommodate Year 2020 residential, public and semi-public land needs.
- With the proposed UGB amendment, Woodburn will have enough – but not too much – buildable residential land to meet Year 2020 needs.

For a complete discussion of Woodburn's residential land needs and supply analysis, please see Community Development Director Mulder's May 2005 letter to Marion County. In summary, 1000 Friends over-simplified land assessment methods do not consider the facts that (a) Woodburn has many smaller residential parcels that will not develop at 100% efficiency (e.g., a 9,000 square foot lot in a 6,000 square foot zone) (b) that land within residential exceptions areas is unlikely to develop at full density due to small parcel sizes, opposition to annexation, and the inefficient location of homes on existing parcels, and (c) because Woodburn allows a wide range of housing types at varying densities in its zones, it is inappropriate to assume that housing will develop at the maximum density allowed by the zone.

To put matters in perspective, consider the following data and ratios.

- Woodburn's population is projected to grow by 67% from 2002 through 2020 (from 20,860 to 34,919).
- In 2002, Woodburn had 1,182 acres of fully developed residential land (957 single family residential and 225 multi-family residential) – exclusive of (a) 132 acres of partially developed and "infill" residential land, and (b) land developed for churches, schools and parks.
- If we were to increase its buildable residential land supply in proportion to population growth (67%), Woodburn would need 792 vacant buildable residential acres – <u>without meeting public and semi-public land needs</u> (210 additional net buildable acres).
- The expanded UGB includes only 736 net buildable acres, including partially vacant and infill lots, to accommodate Year 2020 residential, <u>and</u> public and semi-public land needs.
- Woodburn does not have "too much" residential land. Rather, Woodburn has substantially reduced residential land needs through land use efficiency measures (higher and minimum densities) and by reliance on infill to meet long term residential needs.

As an aside, Mr. Friedman faults Winterbrook's previous work for assuming that public park and school needs, as well as religious institutional needs, will be met on land designated for residential use." The primary basis for this assumption is my personal experience in planning over the last 30 years: new religious institutions, parks and schools typically locate in residential areas because such uses are allowed by zoning, residential land is relatively inexpensive, and schools, parks and institutions usually require larger, vacant parcels. In Woodburn, residential land typically is less expensive than commercial land. Moreover, Woodburn's residential zones allow school, park and institutional needs through the

conditional use process. Woodburn's proposed Southwest Industrial Reserve zone – which has most of the remaining non-residential buildable land – does not allow residential, park or school uses.

Finally, Woodburn does not have a surplus of land in any use category. If some public and semi-public land needs happen to be met on land zoned for industrial or commercial use, then there may be a shortage in these categories and a slight surplus in the residential land category. However, Woodburn's UGB now has only a 15 (not 20) year land supply. The miniscule public and semi-public acreage that *might* occur on non-residential land will be needed to meet 20-year land needs before the ink is dry on this plan, and well before 1000 Friends exhausts its appeal rights.

Industrial Land Need and Supply. On pages 3-10 of the March 30 letter (Section III.D) based on projecting "employee-per-acre" ratios, Mr. Friedman argues that the proposed UGB has too much industrial and commercial land. We have responded, repeatedly and exhaustively, to most of 1000 Friends arguments and will not do so again.

On page 9, after acknowledging that Winterbrook did analyze the redevelopment potential of existing industrial parcels based on the ratio of improvement to land values, Mr. Friedman argues that Winterbrook failed to examine the potential for existing underutilized *buildings* to accommodate need. This claim was reiterated in Mr. Friedman's April 20, 2005 letter.

- First, we know of no Statewide Planning Goal, rule or statutory requirement that requires such an analysis. Cities are required to conduct buildable lands inventories, not vacant or underutilized *building* inventories.
- Second, in Woodburn's case, the availability of vacant buildings in the Highway 99E area supports ECONorthwest's and Winterbrook's conclusion that Woodburn's primary comparative advantage is its location relative to I-5, not to Highway 99E or the existing railroad tracks.
- Third, in testimony to the City Council, Roy Clor of SEDCOR stated that purchase agreements were pending regarding the use of two of the industrial buildings in question. Mr. Clor's testimony recognizes that industrial and commercial buildings frequently change hands and accommodate various numbers of workers during their useful lives. Woodburn consistently has encouraged the re-use of existing industrial buildings and vacated industrial sites for years. There is nothing inconsistent with supporting intensification of existing industrial sites and buildings *while at the same time* providing new sites with I-5 access for targeted employers.[1]
- Finally, Woodburn has not "turned its back on under-utilized areas of town" as stated by Mr. Friedman. Woodburn's existing, largely developed industrial properties are being actively marketed and are capable of absorbing additional employment, as indicated by Mr. Clor's testimony. Partially vacant sites also allow for the expansion of existing industrial uses. However, Woodburn's vacant buildings, redevelopable

[1] In his April 20 letter, Mr. Friedman neglected to note that Mr. Clor spoke in support of the SWIR and UGB expansion to meet industrial land needs.

sites, and partially developed parcels are located in the Highway 99E and eastern railroad area, and do not meet the site suitability requirements of most new employment categories targeted in the EOA.

In conclusion, ORS 197.712 and the Goal 9 Rule do not require cities to evaluate the employee capacity of vacant or under-utilized buildings; rather, this statute and this rule focus on the site suitability needs of targeted industries – just as Woodburn has done.

Expansion Areas. On page 10-12 of the March 30 letter (Section V) 1000 Friends cites ORS 197.298 priorities and argues against expanding onto higher quality agricultural land and for expanding to the Southeast to access Class III agricultural soils south of Parr Road between Boones Ferry Road and the Freeway.

We agree in part with 1000 Friends on this issue. The first priority for expansion should be to exceptions areas, as Woodburn has done. The second priority should be to Class III (rather than to Class I or II soils) where possible. As I explained at the City Council hearing on April 25, 2005, there are two large concentrations of Class III soil within the eight UGB study areas.[2] However, to provide these Class III areas with transportation, sewer, water and storm drainage services, intervening areas with Class II soils must first be developed. This is allowable under ORS 197.298(3)(a) – specific siting needs of targeted employers and ORS 197.298(3)(c) – maximum efficiency of land use requires extension of services through lower priority lands to include or serve higher priority lands.

As pointed out by 1000 Friends and others, there are two areas with Class I and II soils that do not meet this test:

(1) A 56-acre parcel located west of Butteville Road in Study Area 8 (West) which has predominantly Class II agricultural soils; and
(2) A hazelnut orchard located within the golf course in Study Area 2 (North) with predominantly Class I and II soils.

Both these areas are recommended for exclusion from the proposed UGB.

School Expansion Site. On page 13 of the March 30 letter (Section V) 1000 Friends argues against inclusion of the 19-acre site owned by the Woodburn School District in Study Area 4 (East). At the Planning Commission public hearing, Mr. Mulder and myself recommended inclusion of the school district site *if* (a) specific need for a site at this location could be identified by the District, or (b) a surplus of residential land within the UGB could be demonstrated. We agree, unfortunately, with 1000 Friends that neither of these tests have been met, and that the school site cannot be included within the UGB consistent with ORS 197.298 priorities.

[2] In fact, Study Area 7 (Southwest) was expanded to include a larger portion of the Class III soils concentration south of the planned South Arterial.

Recommendation

Three changes are recommended in response 1000 Friends comments regarding the application of ORS 197.298 and Goal 14 Factors 3-7:

(1) Removal of the predominantly Class II agricultural parcel west of Butteville Road in Study Area 8 (56 acres), and replacement with a predominantly Class III agricultural parcel south of the South Arterial in Study Area 7 (50 acres).

(2) Removal of approximately 100 acres of predominantly Class I and II soils associated with the golf course on land east and north of the emergency access road in Study Area 2 (North).

(3) Exclusion of the 19-acre Woodburn School District site on predominantly Class II agricultural soils in Study Area 4 (East). (Please see additional discussion under Exhibit B-99.)

B-99 David Christoff on Behalf of the Woodburn School District (4/18/05)

Woodburn School District would like to add 19.5 acres on East Lincoln Street to the UGB to allow construction of a school. Based on the District architect's recommendation, the District needs sites of 12-15 acres for an elementary school, 20-25 acres for a middle school, and 40 or more acres for a high school. Overall, the District estimates that it will need 170 acres to accommodate school needs through the Year 2020. Since 1992, the District had looked for other sites within the UGB but was unsuccessful in finding any at a reasonable price. The District sold a 10-acre site adjacent to Senior Estates in 1997 for $45,000 per acre and purchased the 19.5 Lincoln Street site for $20,000 per acre "with the blessing of the City Planning Department, the County Planning Department, the advise of the District's attorneys, and input of their architect and private consultant." The District needs a school east of Highway 99E to accommodate existing and future student growth. At the time, the Serres property "was ideal and very logical land for future expansion as residential."

We have no personal knowledge of what Keith Liden, a consultant who contracted with the City to prepare the 1999-2000 Buildable Lands Inventory, or Steve Goeckritz, the previous planning director, may have told the District. We did incorporate the need figures provided by the District in April 2004 into our residential land needs analysis. The 108-acre vacant buildable land figure is consistent with land needs for two elementary schools, a middle school and a high school.

We also know that the site has predominantly Class II agricultural soils and that we lack sufficient information to justify inclusion of this property as a "special need" under ORS 197.298(3). We also know that 1000 Friends will appeal any decision made by the City and Marion County to LCDC, and that bringing the District's property into the UGB would jeopardize the LCDC's acknowledgment of Woodburn's Comprehensive Plan and WDO amendment package.

Recommendation

For reasons stated above, we cannot recommend inclusion of the District's property at this time. We do recommend that the District complete a facilities master plan

that systematically describes existing and future school siting needs. Such a plan, coupled with an exhaustive alternatives sites analysis, could be used as the basis for future plan amendments to accommodate school land needs.

B-100 Krivoshein Property (4/19/05)

Exhibit B-100 includes a letter from attorney Kevin Maine on behalf of the Krivoshein family, who own 32.5 acres of predominantly Class II agricultural soils north of Hardcastle Road in Study Area 4 (North). Mr. Maine questions several of Winterbrook's "liberal" assumptions regarding the development of infill and partially developed residential properties.

Recommendation
No changes are recommended to the Comprehensive Plan and Development Ordinance package at this time. Please see discussion of Serres property above.

B-103 Oregon Department of Agriculture

In Exhibit 103, Mr. James Johnson provided comments related to Goal 14, Factors 6 (retention and buffering of agricultural land) and ORS 197.298 (urban growth boundary expansion priorities). Mr. Johnson notes his agreement with comments provided by DLCD, but expressed concern with the proposed expansions located west of I-5 and north of the existing UGB, because these areas have relatively high value Class II soils. Mr. Johnson recommends that growth be directed as much as possible to the area with predominantly Class III agricultural soils located south of the existing UGB – between Boones Ferry Road and I-5 (Southwest Study Area 7). In closing, Mr. Johnson also speaks to the need for buffers to minimize impacts from planned *residential* development on farming operations in the area.

Table B shows a total of 926 gross acres are proposed for inclusion within the Woodburn UGB. After accounting for unbuildable wetlands, floodplains and riparian areas – and for street rights-of-way – 766 net buildable acres are proposed for inclusion within the 2005 UGB. **Most of this land (413 gross acres of 45% of the total UGB expansion area) is located in Southwest Woodburn in Study Area 7, between Boones Ferry Road and Interstate 5. This area has predominantly Class III agricultural soils.**

We have explained in the UGB Justification Report, and before the Planning Commission and City Council, the importance of including largely Class II agricultural land between the existing UGB and Butteville Road. This land must develop in order for Butteville Road to be improved to urban standards, thus providing access from industrial sites to the southeast (in Study Area 7) to the east access to I-5 Interchange. The Butteville Road properties also have the most direct access to the eastern I-5 Interchange and have been recognized by the Industrial Lands Advisory Committee as one of 25 sites of statewide significance. Development of this area is also necessary to provide a looped water system to commercial and industrial land on both sides of I-5. However, due to the presence of Class I agricultural soils, no land is proposed for inclusion west of Butteville Road.

A similar situation exists for property north of the UGB. In order to reach the second largest inclusion of Class III soils in any of the study areas, Boones Ferry Road must be improved to urban standards and urban services must be extended through Class II soils. However, the same cannot be said for land east of the emergency access road and north of the UGB in the North Study Area 2 (the "golf course property), which is comprised of Class I and II soils that do not need to be developed to serve buildable land with concentrations of Class III soils.

Regarding buffers, the UGB is designed in almost every case to utilize existing roads or streams as buffers. Thus, after removing the 56-acre property west of Butteville Road, this arterial street provides a buffer along the proposed western boundary of the UGB in Study Areas 1 and 8. Similarly, Crosby Road provides a buffer separating proposed residential development from agricultural land to the north in Study Area 2. In Study Area 7, residential land will be buffered from agricultural land by the South Arterial.

Finally, by substituting a 50-acre Class III agricultural property in Study Area 7 (south of the South Arterial) for a 56-acre Class II agricultural property in Study Area 8 (west of Butteville Road), ORS 197.298 priorities are met. As implied in Mr. Johnson's letter, the most significant adverse impacts on agricultural operations come from residential – not industrial uses. For this reason, Winterbrook recommends directing industrial development to Class III soils despite the lack of a road buffer for the 50-acre property located south of the South Arterial.

Two changes are recommended in response ODA comments regarding the application of ORS 197.298 and Goal 14 Factors 6-7:

(1) Removal of the predominantly Class II agricultural parcel west of Butteville Road in Study Area 8 (56 acres), and replacement with a predominantly Class III agricultural parcel south of the South Arterial in Study Area 7 (50 acres).

(2) Removal of approximately 100 acres of predominantly Class I and II soils associated with the golf course on land east and north of the emergency access road in Study Area 2 (North).

B-111 Oregon Transportation Commission

In his April 19, 2005 letter to Mayor Figley, Mr. Stuart Foster, Chairman of the Oregon Transportation Commission, expressed his support and appreciation for the high quality transportation planning performed by the City in coordination with ODOT staff. Mr. Foster was especially supportive of the Interchange Management Area Overlay Zone. Mr. Foster concludes by noting that additional work must be completed by property owners, ODOT staff and the City regarding funding for interchange improvements. It is our understanding that discussions are now taking place among these groups to satisfy the OTC's concern.

We recommend that the City continue to work with ODOT, Marion County, and affected property owners towards an equitable funding agreement for planned I-5 Interchange improvements.

Summary of Expansion Areas

The UGB Justification Report, while focusing on detailed descriptions of need and comparisons of need to supply, did not include summaries of the expansion area by study area or by plan designation. Tables A and B below provide this information.

Table A shows the total expansion acreage by study area. These acres are "gross" acres, indicating that they do not account for protected natural areas or right-of-way deductions. There are a total of 926 gross acres included in the proposed UGB expansion areas.

Table A: Expansion Acres by Study Area

Study Area	Gross Expansion Acres
1 Northwest	116
2 North	188
3 Northeast	13
4 East	0
5 Southeast	0
6 South	31
7 Southwest	448
8 West	130
Total	926

Table B shows expansion acreages by proposed land use category. Table B also shows "Net Buildable" acres for each designation, indicating available developable area after reductions for natural areas and rights-of-way. After accounting for proposed changes to the UGB, we recommend adding 766 net buildable acres to the existing Woodburn UGB.

Table B: UGB Expansion Acres by Land Use Category

Plan	Gross Expansion Acres	Net Buildable Expansion Acres
Single Family	192	145
Exception Area Single Family	116	107
Nodal Single Family	84	67
Medium Density Residential	0	0
Nodal Medium Density Residential	62	51
Commercial (Including Exception Areas)	50	32
Southwest Industrial Reserve	413	363
Public / Open Space	8	0
Totals	926	766

Conclusion

In this memorandum, we have attempted to provide an objective review of comments received from the general public, landowners, special interest groups, and state agencies. The proposed UGB expansion is barely adequate to meet Year 2020 growth needs. Most of those who commented argued for or against competing UGB expansion areas.

As pointed out by several state agencies and 1000 Friends of Oregon, ORS 197.298 priorities require that cities look first to "exceptions areas" to meet identified expansion needs, then to lower value agricultural land, and finally to higher value agricultural land. In the Woodburn area, areas with Class IV and higher agricultural soils are associated with unbuildable wetlands and riparian corridors, and therefore do not meet identified urban land needs. After bringing in adjacent exceptions areas, this leaves buildable Class III soils as the highest priority for meeting Woodburn's growth needs.

Woodburn has included all adjacent exceptions areas except a state-owned juvenile detention facility and still lacks an adequate buildable land supply. Woodburn has two large concentrations of Class III soils:

- the smaller is located in the North Study Area 2 east of Boones Ferry Road, and
- the larger is located in Southwest Study Area 7 south of Parr Road.

ORS 197.298(3) allows for exceptions to the its own priorities in order to meet specific site suitability needs or to maximize land use efficiency. Both Class III soils areas are separated from the existing UGB by areas with Class II agricultural soils. These intervening Class II soils must be developed to ensure efficient urbanization and to provide urban services to Class III soil areas.

The Serres family (East Study Area 4) and property owners represented by Mr. Rohrer (Northwest Study Area 1) have put forth good cases for inclusion of their properties within the UGB. However, neither area meets ORS 197.298 priorities or exceptions to these priorities and therefore would be vulnerable to legal challenge. Moreover, to include either area would require extensive amendments to the Comprehensive Plan, Public Facilities Plan, Transportation Systems Plan and Woodburn Development Ordinance. Such changes would be costly and time-consuming to prepare – and would not help achieve the objectives set forth in the Woodburn Economic Opportunities Analysis, Woodburn Economic Development Strategy or Woodburn Housing Needs Analysis.

1000 Friends continues to argue for a different economic development program than the one described in Woodburn's Economic Opportunities Analysis and Economic Development Strategy. However, 1000 Friends has found no support for its position from the Department of Land Conservation and Development (DLCD), the Oregon Department of Transportation (ODOT), the Oregon Department of Agriculture or Marion County. These agencies generally are supportive of the economic development approach taken by the Planning Commission in its recommendations to City Council.

DLCD has recommended many technical changes to the Comprehensive Plan, Public Facilities Plan (PFP), WDO and findings justifying the UGB. Minor amendments to the Comprehensive Plan, Public Facilities Plan, Transportation Systems Plan, and WDO recommended by Mr. Mulder are responsive to DLCD's concerns. Changes to the updated Transportation Systems Plan (TSP) will also be required to address changes in the UGB and timing issues related to servicing industrial land within the Southwest Industrial Reserve.

Marion County and 1000 Friends raised concerns regarding the number of acres proposed for inclusion within the UGB. Both have misinterpreted background materials prepared by Winterbrook. We are in the process of making changes to background documents and the UGB Justification Report to respond to issues raised by state agencies, the county and 1000 Friends – including minor changes in the location of the proposed UGB. Winterbrook will finalize the changes in concert with the City Attorney's office once the Council has made final decisions on the 2005 Comprehensive Plan and Woodburn Development Ordinance amendment package.

DRAFT

Geoff Crook
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DLCD
635 Capitol St., NE, Suite 150
Salem, OR 97301-2540

Re: Responses to DLCD Comments on Woodburn Periodic Review Amendments

Dear Geoff:

I appreciate receiving your letter, dated March 16, 2005, providing comments on the proposed periodic review amendment package. The city has worked diligently to address all of your comments. The following responses are provided to your comments in the same order as outlined in your letter.

Goal 1- Public Involvement

Citizen Involvement Plan
The department has received a draft Citizen Involvement Plan, with the understanding that a final version will be completed and submitted to the department upon adoption and submittal of the final plan amendment package. This item is work task 10 of the city's work program.

The City will submit the final version of the Citizen Involvement Report when the final plan amendment package is submitted to DLCD.

Woodburn has satisfied this work task by following its citizen involvement program in making the decisions involved in the 2004 period review decisions. This is discussed in detail under Goal 1.

Woodburn concludes that a City that is amending comprehensive plan provisions that concern its citizen involvement policies also is entitled to follow its acknowledged citizen involvement program. The amended citizen involvement policies would apply to future land use decisions but not to the decision that amends the citizen involvement policies.

The purpose of Goal 1 is "[t]o develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the [land use] the planning process." The goal requires the governing body of each city to develop a citizen involvement program and to establish an officially recognized citizen involvement committee to assist it in developing and maintaining the program. The city's planning

commission may be used as the officially recognized citizen involvement committee if the city selects planning commission members through an open, well-publicized public process. Each citizen involvement program must include six components listed in the Goal.

The Woodburn Comprehensive Plan contains one policy related to citizen involvement; Policy E-1 provides as follows:

> "It is the policy of the City of Woodburn to solicit and encourage citizen input at all phases of the land use planning process. Since the City is essentially trying to plan the community in accordance with the community's desires, it is essential that the community be consulted at all stages of the planning program to insure decisions are in accordance with the community's benefit."

The "Land Use " section of the comprehensive plan contains the following statement under the heading "I. Citizen Involvement"

> "The success of the Woodburn Plan is directly related to establishing a method of receiving citizen input. While complex organizations, such as are required in larger cities, are not necessary in a city the size of Woodburn, clear lines of communication should be maintained by the Boards, Commissions, Council and staff of the City to the general public.

It is essential that a two way flow of communication be maintained for proper city government to occur, especially in land use matters."

The existing comprehensive plan provisions remain in the 2004 amendments to the Comprehensive plan. Policy E-1 is renumbered to B-1. A second Comprehensive Plan policy, B-2 was added that addresses how the city will notify state agencies. Those policies do not relate to the city's citizen involvement requirement, but instead to its requirement to coordinate with special districts and state agencies.

Woodburn complied with its existing citizen involvement program. In the existing program, the Planning Commission is Woodburn's citizen involvement committee. Mailed notice was sent to all property owners within the City and in the alternative UGB expansion areas. Workshops were held within the community to present the proposed decisions, answer questions and receive comments. Public hearings were held before the Planning Commission and the City Council. All documents relied upon and the proposed amendments were available on the City's website as well as City hall and the City library. Comments received in the public hearing processes have been retained and these findings respond to issues that were raised with sufficient specificity to allow the City Council to respond to them.

Goal 2- Land Use Planning

Urban Growth Management Agreement

The department understands the city is currently working with the county on revisions to the city's UGMA and that this product will be submitted after the local adoption process. Submittal and review of these materials are required prior to department approval of the city's work program. This is work task 9 of the city's work program.

The City will submit the adopted UGMA to DLCD with submittal of the adopted plan amendment package.

Goal 5- Open Spaces, Scenic and Historic Areas, and Natural Resources

Riparian Corridors and Wetlands OAR 660-023-0090-100

The department commends the city's formation of a Riparian Corridor and Wetlands Overlay District (RCW). The city should provide definitions in its code for the terms "undeveloped floodplains," and "100-year floodplain outside of developed areas." Although the "general location" of the RCW district is mapped, without clear definitions for these terms there may be instances where the intent or application of the overlay district is ambiguous.

The boundaries of the RCW are revised to read:

> "The general location of the Riparian Corridor and Wetlands Overlay District (RCWOD) is shown on the Woodburn Comprehensive Plan Map and the Woodburn Zoning Map (for areas within the City Limits). The RCWOD includes locally significant wetlands identified on the Woodburn Wetlands Inventory Map, a riparian corridor extending upland 50 feet from the top of the bank of the main stem of Senecal Creek and Mill Creek and their tributaries, and the 100-year floodplain on properties identified as vacant or partly vacant on the 2005 Woodburn Buildable Lands Inventory. Where a significant wetland is located fully or partially within the riparian corridor, the riparian corridor shall extend 50 feet from the upland edge of the wetland."

This should make it clear that the RCW district applies only to the 100-year floodplain on a vacant or partially vacant property. If a property is mostly developed, the RCW does not apply to the 100-year floodplain.

Groundwater Resources- OAR 660-23-0140

In the water plan of the city's public facilities plan (PFP), it is noted that a *Source Water Protection Plan* for state certification has been developed to protect the city's drinking water supplies.[1] However, in its response to Goal 11 and the PFP work task, the city has noted in its findings: "Woodburn has not opted to delineate a wellhead protection area for wells or well fields."[2] If a source water protection plan has been prepared, the department will need a copy as part of this periodic review submittal. If the city has no intention to have a certified source water protection plan, the PFP needs to be amended to be consistent. While the department encourages the city to prepare a source water protection plan, the Troutdale aquifer is not a critical or restrictively classified groundwater area and so is not subject to mandatory Goal 5 protections as a significant resource.

Oregon Department of Human Services and Department of Environmental Quality have developed a Source Water Protection Plan for the City. The plan inventories potential sources of contamination, establishes best management practices for industries within the influence zone of the City's wells, allows the City to develop ordinances to provide protection of the aquifer, and maps the flow patterns of the aquifers. The Troutdale aquifer, from which the City's wells obtain the City's drinking water supply, is not a critical or restrictively classified groundwater area. The City does not at this time plan to request certification of the delineations in the Source Water Protection Plan for Statewide Planning Goal 5 purposes.

Goal 9- Economic Development

Commitment to provide adequate sites and facilities (OAR 660-009-0020(2)(b))

Woodburn needs to provide a rationale for approximately 65 net buildable acres of land "unretained" within the Southwest Industrial Reserve overlay (SWIR).[3] Although subject to the non-industrial conversion restrictions of the SWIR overlay, this land could potentially be subdivided into smaller lots (<10 acres) of which the city's BLI and EOA have identified there is not a need. The SWIR site requirements table should also account for tax lot 52 W14-1200 (adjacent to Butteville Road and I-5), as it is within the overlay district.

The needed site sizes for targeted industrial firms were derived from an October 2003 ECONorthwest memorandum and are summarized in Table 1 of the UGB Justification Report. The October 2003 ECONorthwest memorandum and the EOA emphasize the importance of (a) access to Interstate 5 and (b) location in a well-planned industrial or business park setting in attracting targeted industries.[1] Table 1 identifies the number of sites needed by site size category and average site size. For example, Table 1 identifies a need for three serviced lots in the 25-50 acre range, and projects that each of the targeted industries will occupy an *average* of 35 acres, for a combined need of 105 acres. Thus,

[1] Please note that these site suitability criteria are found in the master-planned SWIR district, but are not characteristic of industrial land located in East Woodburn, in areas served by Highway 99E or the railroad. The bulk of the potentially buildable land in this area is located on developed industrial parcels, which often are reserved for future expansion or storage. Vacant parcels are scattered unevenly amongst developed industrial parcels.

the overall estimated acreage needs equal the sum of the estimated *average* site sizes. As summarized in Table 1, there is an estimated (demonstrated) need for 486 acres, in 42 sites averaging 11.6 acres, with sites ranging from 1 to 100+ acres in size.

Table 1. Summary of estimated industrial site needs by size, Woodburn 2000-2020

Site Size (acres)	Number of Sites	Average Site Size	Estimated Acres
100 or more	1	125.0	125.0
50-100	1	70.0	70.0
25-50	3	35.0	105.0
10-25	5	15.0	75.0
5-10	7	8.0	56.0
2-5	10	4.0	40.0
Less than 2	15	1.0	15.0
Total/Average	**42**	**11.6**	**486.0**

Source: ECONorthwest

In response to the Department's concerns, Winterbrook Planning has revised SWIR tables in the UGB Justification Report, the Comprehensive Plan and the WDO. Two large tracts (i.e., parcels under the same ownership) within the SWIR are intended to accommodate a range of industrial site sizes in an employment park setting, and therefore *may* be further divided consistent with an approved master plan.[2] These two employment park sites (52W11 TL 300; and 52 W14 TLs 800, 900, 1000 and 1100) are located adjacent to the existing Urban Growth Boundary. As noted in the Public Facilities Plan (PFP), urban services either abut or can be extended to serve these two park sites within one year. Construction of street and utility improvements to serve these three park sites must occur before remaining parcels within the SWIR (where land division is prohibited or highly restricted) can be developed.

The revised Southwest Industrial Reserve (SWIR) policies and zoning district establish minimum lot sizes that must be "retained" through the master planning process. If the SWIR "retained" the maximum lot size within each size category, there would be sufficient acreage for only three large sites. The projected land needs for this site range from 63-141 buildable acres.

For example, the Darma/Opus Northwest site (Tax Lot 52W11 0300) has 88 buildable acres, after accounting for riparian corridors, wetlands and street rights-of-way that would be required in an employment park. While it is possible that a single firm would purchase and develop the entire site (meeting the need for a single user in the 50+ acre range), it is

[2] Please note that it is possible that either of these tracts could conceivably meet the need for one or two large users, which would make it impossible to meet the need for medium users (in the 5-10 or 10-25 acre range). If a few large users were to occupy a site intended for employment park use, then this medium sized need may be transferred to another tract following amendment to the comprehensive plan and WDO.

more likely that the tax lot will develop as an industrial subdivision, with lot sizes ranging from 1-50 acres. However, to ensure that this site "retains" the capacity to meet the needs of targeted industries in the larger site *range*, the master plan must reserve at least one lot in the 25-50 acre range, two lots in the 10-25 acre range, two lots in the 5-10 acre range, and two lots in the 2-5 acre range. The revised SWIR comprehensive plan policies and district standards require a master plan that "retains" a lot within the prescribed range for each of three categories. As noted above, for the Darma/Opus site, this means one lot of at least 25 acres, two lots of at least 10 acres, two lots of at least 5 acres, and two lots of at least 2 acres – "retaining" *a minimum of* 59 of the 88 buildable acres. The remainder could be developed for a larger user (e.g., a firm needing 50 acres) and/or smaller users (e.g., several 2-5 or 1-2 acre users). The point is that the "retained" acreage is based on the minimum lot size in the range and must be reflected in the master plan, whereas the estimated actual usage is based on the average lot sizes projected by ECONorthwest in Table 1. Therefore, there necessarily will be some "unretained" land within the SWIR – that in any event must be used *exclusively* for targeted industries and which must be part of the required SWIR district master plan.

As you correctly point out, Tax Lot 52W14 1200, which has 3 acres, was inadvertently left off the SWIR list. This parcel now is recognized on SWIR tables. On the other hand, based on testimony received from WINCO, Tax Lot 52W11 0100 has been removed from the SWIR tables, because the existing WINCO warehouse extends on to this parcel, and the company has indicated its intent to expand its operations in the near term. The consolidated Tax Lot 0100 now has 82 acres, 74 acres of which have been developed by WINCO.

The 82-acre WINCO site illustrates two points that are made in the UGB Justification Report:

1. It is not uncommon for firms to purchase larger sites than they need for initial operations, so that they retain room for future expansion. In this case, WINCO developed initially on 62 acres, and retained the southern portion of Tax Lot 0100 for future expansion.[3] WINCO's expansion is imminent.

2. Contrary to the claims made during the public review process by 1000 Friends, the City needs large industrial sites in the 50-100 acre range. Had the City relied on existing sites along Highway 99E as suggested by 1000 Friends, WINCO would not have located in Woodburn.

[3] In fact, all but one of the "partially vacant" industrial parcels within the existing UGB have substantial improvements along the primary street access, with undeveloped land to the rear or side of the improved portion of the site. Since these owners have not partitioned off the vacant portions of their respective properties, and these properties have not been actively marketed, and as corroborated by phone calls to owners of these industrial firms, it is reasonable to conclude that they are being held by their owners for future expansion.

Industrial site serviceability (OAR 660-009-0025(3))

The Goal 9 rule requires that the city's public facilities plan demonstrate how a short-term supply of new industrial and commercial sites will be serviceable.[4] The PFP needs to map and identify needed facilities over the 20-year planning period to serve new employment lands, and specifically demonstrate that a three-year supply of serviceable sites are scheduled for each year, including the final year, of the short-term element of the plan.[5]

The Goal 9 rule requires that this demonstration of short-term serviceable industrial sites is to occur at the time of periodic review.[6] Although the rule makes clear that implementation of or amendments to the comprehensive plan or public facility plan which change the supply of serviceable industrial land are not subject to these rule requirements, the rule does not make a distinction between initial and subsequent periodic reviews that would exempt the city from meeting this requirement. Such a distinction has been relied on, in error, in the city's findings of fact.[7] Therefore, to comply with the rule the city's plan needs to provide specific information regarding a three-year supply of serviceable sites over the short-term (5-years). This information should be incorporated into the city's PFP (work program subtask 3a).

It makes good policy sense for the City to identify serviceable sites as defined in the Goal 9 rule. The revised PFP includes maps and text of sanitary sewer, stormwater, and water facilities located near or at the property lines of the two tracts that can be readily extended to serve targeted employers in a master planned employment park setting. The 2005 Transportation Systems Plan shows Butteville Road along the western border of the 88-acre Darma/Opus Site, and the Evergreen Road extension along the eastern border of the 106-acre Weisz site. A recent commercial/residential subdivision to the north of the Weisz site (Capital Development) has resulted in the City's capacity to provide the full range of urban services to this property. Once the expanded UGB is adopted – and a master plan approved by the city – both of these sites may be annexed and provided with urban services (at the developer's expense) within 12 months. Development of these properties will also contribute to funds necessary for I-5 interchange improvements, and will help pay for the extension of urban services to the remaining SWIR properties to the south.

Maps and tables in Appendix A indicate the public facilities needed to serve industrial sites, their approximate locations, and costs.

Corrections:

- SWIR Tables identifying required minimum site sizes for specific parcels are inconsistent as found in the Findings of Fact (pages 16, 118, and 204), goal and policy amendments (page 22), and proposed WDO (page 2.1-91). Discrepancies found include wrong tax lot numbers, inconsistent numeric values for buildable site acres, and incomplete and/or inconsistent data for retention of various site sizes.

You are correct regarding inconsistencies among these documents. All SWIR tables have been revised to accurately reflect conditions on the ground and to ensure internal consistency.

- In the text of the Goal 9 section of the Findings of Fact (page 88), the following correction needs to be made: *The table identifies a need for five ~~ten~~ sites of 25 acres or larger and at least one site larger than 100 acres.*[8]
- The figure for the "High" industrial employment projection is missing from the "Total employment growth by land use type" table on Findings of Fact, page 104.
- The following correction in the UGB Justification Report needs to be made: reference to ORS 197.212 on pages 5 and 6 should read ORS 197.712.
- A description of Targeted Industry No. 36 was not included in the findings of fact (page 86). The department recommends this be included to be complete and consistent with the city's EOA and other supporting documentation.

Identified inconsistencies have been corrected in the May 2005 UGB Justification Report.

Goal 11- Public Facilities and Services

Required elements of Public Facilities Plan- OAR 660-011-0010

The city's public facilities plan (PFP) identifies that service capacity needs can be met through year 2020. However, while many of the required elements of the PFP are included in the draft, or its supplement, *UGB Study Area Public Services Analysis*, this information is not well organized or is incomplete.

General

- The PFP needs to be updated to reflect current information on facility construction and planned facilities within the existing UGB, as well as for proposed expansion areas included in the city's plan amendment. Unlike for wastewater facilities, the PFP does not provide the timing, cost and location for significant water and storm water facilities necessary to serve future development in proposed UGB expansion areas.

The PFP has been revised to provide updated information on facility construction and planned facilities within the existing UGB and for the proposed expansion areas. Appendix A includes maps and tables that portray timing and approximate location for water and sewer facilities to serve proposed expansion areas that include industrial facilities. Appendix B includes a statement of methodology and calculations that were employed to derive costs for infrastructure elements for all study areas. The analysis was based on typical water distribution grids, sewer collection "trees," and hydrology. Storm water collection and conveyance will require additional in-depth analysis (as development progresses in "new parcels"), since sizing and location of pipes and other facilities (including stormwater detention) are related to topographic settings, other geometric and physical parameters that are beyond the scope of the present effort. Further, pending regulations by Oregon DEQ will likely include Woodburn as a "small municipal separate storm sewer system," or "MS4." When these regulations are implemented, storm drain facilities will be subject to additional requirements whose focus will be water quality. The impact of these new regulations will involve much greater local enforcement and will necessitate more complicated facilities design processes.

- **The PFP does not provide an adequate inventory and assessment of existing facilities.**

Inventory of existing facilities is indicated in revised tables included in the Plan.

- **The UGB expansion area reports indicate that the regions were analyzed independent of other proposed regions, and that the analysis is based on all CIP projects in the master plan being completed. This approach does not address the cumulative effects of development over time and sequencing (timing) of needed facilities.**

Timing and sequence are described in the Appendix.

- **Policy statements designating the provider of each public facility system or the city's urban growth management agreement with Marion County must be submitted concurrent with the PFP pursuant to OAR 660-11-0045.**

This will be addressed in the revised UGMA and will be submitted with the PFP to LCDC.

Waste Water plan

- **Projects in the table "Wastewater Long-range Facility Projects (5-20 years)" assume no service extensions will occur in UGB expansion areas until 2010.[9] However, the city's findings indicate all expansion areas are "readily serviceable" (although no definition of this term is provided).[10]**

- **The estimated timing and location for constructing long-term waste water facilities should be reassessed due to the Goal 9 requirement for a short-term supply of serviceable industrial sites (OAR 660-009-0025(3)).**

Water plan

- **PFP text indicates four new wells are needed to increase capacity, yet table 12-1A shows six wells proposed (PFP, page 7). This discrepancy should be corrected or explained.**

The discrepancy in the text has been corrected and the table has been designated as Table 3.

- **PFP text indicates storage facilities to be constructed at each of the three new treatment plants, yet table 12-1B shows two storage projects to be built in 2004 (PFP, page 13). Is this information current?**

Table 12-1B has been deleted and the information in the storage section of the plan has been modified to provide current information on location and size of the city's water storage facilities.

- PFP Table 12-2, "Proposed Distribution System Projects," shows 10 projects, only two of which are future projects. This table should be updated to show planned projects, particularly those identified for future planned growth in proposed expansion areas (PFP, page 15).

A new Table 12 has been included that shows a six-year capital improvement plan has been included. The plan includes projects within the existing Urban Growth Boundary that will be needed for future growth. The appendix that discusses servicing of the proposed expansion area discusses distribution system improvements required.

- The text indicates that the plan does not include project costs for projects in areas to be developed into the future, and notes that the plans included in "Chapter 10" show possible pipe sizes and locations. This information is necessary to include in the PFP (PFP, page 16).

The paragraph referenced has been deleted and new language inserted. There is also an added appendix that discusses servicing of the proposed expansion area and discusses distribution system improvements required.

- The water plan (PFP, page 16), states that expansion areas to be developed in the future are essentially "unknowns" and, therefore, capital improvements for these areas will be planned for later. This is counter to the purpose and intent of Goal 11. Case law has also determined it is not sufficient to simply demonstrate that current services and facilities are adequate to service expansion areas; plans must show that they can provide services into the future.[11]

The paragraph referenced has been deleted and new language inserted. There is also an added appendix that discusses servicing of the proposed expansion area and discusses distribution system improvements required.

Corrections-

- Project descriptions and/or costs do not consistently match information found in the UGB expansion analysis (Findings of Fact, page 195).

This has been corrected.

- Facility and cost information is not provided for Area 1 in the analysis of UGB expansion areas (Findings of Fact, page195).

This has been corrected.

- The findings indicate that the "City shall adopt a growth control ordinance" to insure that the city's growth does not exceed its ability to provide public services (Findings of Fact, page 162). What is the status of this ordinance?

In 1999, Woodburn adopted growth management goals and policies in the comprehensive

plan. In 2002, Woodburn adopted new annexation approval criteria in the WDO to implement the growth management goals and policies. As part of the 2005 amendment package, these goals, policies and annexation criteria have been modified consistent with economic development objectives, SWIR master planning provisions, and the City's 2005 Public Facilities Plan.

- **Schools: There are discrepancies in the record concerning land needs for future schools that need to be corrected and clarified. The Residential Land Needs Analysis shows a need of 175 acres by 2020 with an unmet need of 60 acres for schools.[12] The Revised UGB Justification Report indicates there is a need for 223 acres by 2023, with an unmet need of 108 acres.[13] A similar inconsistency is located in the Findings of Fact under "Schools" (page 185) and in the year 2020 Public and Semi Public Land Needs table (page 186).**

The Revised UGB Justification correctly demonstrates a need for 223 acres by the Year 2020. The Woodburn School District indicated a need for new elementary and high schools by the Year 2023. In order for the schools to be operational by the Year 2023, the land must be purchased, bonds passed and designs completed by the Year 2020. The Residential Land Needs Analysis has been revised to reflect information provided by the District in 2004.

Goal 12- Transportation System Plan

The department provided comments on the city's TSP in March 2004 and in January of this year. By working with the city's consultant we have narrowed our comments to the following.

Street Standards
The city's local street standards are described in the ordinance (page 9-5) and in the TSP (Figure 7-2). The city has adopted three local street standards as follows:

- *Local Residential with parking both sides: pavement width of 34', ROW of 60';*
- *Local Residential with parking one side: pavement width of 29', ROW of 50';*
- *Local Residential with no parking: pavement width of 24', ROW of 50.*

There is no description or criteria to decide when one of these street sections will be used or required. It appears it will be up to the developer to decide which street section they will use. The department has found that these types of standards do not meet the intent of the Transportation Planning Rule (TPR, OAR 660-012). That is because there is no basis for local governments to require 34 feet of paved width for all local streets that have parking on both sides. It is acceptable for a local government to have a 34 foot street in their ordinance for important and/or heavily-traveled local streets. These are usually defined by a maximum average daily traffic (ADT), such as all local streets expected to carry more than 500 ADT should be 34 feet wide.

However, local governments should also allow a narrower street with parking on both sides for local streets that carry lower volumes of traffic. Alternatively, the department has approved (or is in the process of approving) some local government standards for 32-foot wide local streets that provide curb extensions (bulbouts) that narrow the width of the street to 20 feet (or 22 feet) at intersections and midblock along long blocks (greater than 500 feet).

The City has reviewed the skinny street options in great detail at both the technical and policy level. As a city, we are interested in sustainability, reducing the amount of impervious surfaces, and improving the comfort, safety and convenience for pedestrians and cyclists. However, policy direction has been to maintain two travel lanes on all streets. Based on our discussions, we feel that the standards presented in the TSP are the most appropriate for the local conditions. Our standards do allow for applicants to propose narrower street standards. This process is not complex or arduous for applicants and is an alternative that is often exercised.

The City's public works department and applicants discuss the cross section options, including options to narrow, at the time of pre-app. Based on the opportunities and constraints of a particular site, the appropriate option is chosen. This process provides applicants with flexibility in laying out a subdivision or PUD.

To further refine street cross section standards, the City will reduce the cross section for cul-de-sac streets (limited to a maximum length of 250 feet) to one travel lane with a width of 12 feet. This will reduce the right of way width to 50 feet and curb-to-curb width to 26 feet (seven feet for parking on each side).

Block Lengths

It does not appear the city has modified its block length standard. The standard is described on page 2-20 as follows:

"Block length shall not be less than 200 feet and not more than 600 feet, EXCEPT where the dimensions and alignment of existing blocks and streets adjacent to or in the vicinity of a proposed subdivision, topography, adequate lot size, or need for traffic flow warrant other dimensions. The maximum block length shall not exceed 1,200 feet."

The city's latest response to our TSP comments state that the city acknowledges this language is ambiguous, but that they have faced situations where block lengths of 600 feet cannot reasonably be accommodated.[14] The letter also claims the city has found the existing language effective.

This language is clearly ambiguous and appears to open the door to almost any block length less than 1,200 feet for a variety of reasons that may not be completely legitimate. For example, topography in Woodburn should simply not be an issue in terms of determining grades and connections for streets. Also, "adequate lot size" should not be a significant factor to determine whether a block is 600 feet or 1,200 feet long. Similarly, instead of "traffic flow," the language would be improved to read "access management on arterials." The city should also modify the code to require a pedestrian accessway every 600 feet where it is found that a local street connection is impracticable. The department welcomes more information from the city about its existing code language and its effectiveness upon implementation.

This section is revised to read: "Block length shall not be less than 200 feet and not more than 600 feet, EXCEPT where the dimensions and alignment of existing blocks and streets adjacent to or in the vicinity of a proposed subdivision, or consideration of access management policies on arterials warrant other dimensions. The maximum block length shall not exceed 1,200 feet."

Goal 14: Urbanization

Goal 14 provides "seven factors" to evaluate a proposed change in the urban growth boundary. The city needs to demonstrate it has fully considered each factor in its response to the goal requirements. The department wants to emphasize the importance of this step and providing detailed responses in its justification for the UGB amendment.

Factors 1 & 2 - *Demonstrated need to accommodate long range urban population growth requirements consistent with LCDC goals; Need for housing, employment opportunities, and livability:*

Tables in the Findings of Fact (page 89 and 107) show different numbers of vacant industrial parcels available within the existing UGB. This information pulled into the Findings of Fact from the Buildable Lands Inventory is not consistent and could justify less industrial land being retained as part of the proposed UGB expansion based on site requirements for targeted industries.

The UGB Justification Report has been revised to explain more fully why the proposed

UGB, as modified as a result of the City Council hearing and deliberations, is justified under Goal 14 Land Need provisions. Discrepancies among the draft findings of fact, the BLI, SWIR tables and UGB Justification Report are resolved in May 2005 UGB Justification Report.

Factor 4- *Maximum efficiency of land uses with and on the fringe of the existing urban area.*

Factor 4 requires Woodburn to consider and encourage the efficient development of lands within the existing UGB, prior to expanding the UGB. This means the city must consider changing plan designations within the *existing* UGB to increase densities and attempt to assemble vacant parcels within the *existing* UGB to produce larger buildable areas to accommodate proposed uses, including site requirements for targeted industries.[15] The city has alluded to these necessary considerations in its findings, but has not provided a full explanation to satisfy them.[16]

It is important to note that Woodburn has been achieving relatively high residential densities for the last several years. Table 6 in the UGB Justification Report summarizes the average actual housing mix and density in Woodburn for the years 1988-2002. Overall, Woodburn has averaged 7.2 dwelling units per net buildable acre[4]:

- Detached single-family housing accounted for 43% of all new units in Woodburn. The average actual single-family residential density was about 6 units per net buildable acre.
- There were no building permits issued for attached single-family housing during this time period.
- Multi-family housing has accounted for about 31% of all new units in Woodburn since 1988. The average actual multi-family density in Woodburn was about 16.3 units per net buildable acre.
- Duplexes accounted for 1% of all new units in Woodburn. The average duplex density was about 12.6 units per net buildable acre.
- Manufactured housing accounted for 24% of all new units in Woodburn. The average actual manufactured housing density was about 5.2 units per net buildable acre.

Table 6: Actual Development 1988-2002

Type	Units	Percent	Net Acres	Net Density
SFR	950	43%	157.0	6.05
MFR	679	31%	41.6	16.31
Dup	32	1%	2.5	12.56
MH	523	24%	100.1	5.23
Total	2184	100%	301.2	7.25

[4] As defined in the BLI, a net buildable acre equals 43,560 square feet after excluding street rights-of-way and constrained floodplain, riparian corridor and wetland area. Thus, a net buildable acre allows for higher residential densities than a gross acre.

Source: City of Woodburn; Winterbrook Planning; McKeever-Morris

As indicated, but not fully explained in the Residential Land Needs Analysis and UGB Justification Report, substantial upzoning of residential land is proposed within the UGB *in addition to* density increases proposed within UGB expansion areas. The major changes have to do with increased density within:

- Downtown Woodburn – where housing above retail is permitted outright. The BLI assumes that 100 multiple family dwellings will be constructed above retail in the existing downtown area.
- Nodal Medium Density Residential – 22 net buildable acres are proposed for upzoning from MDR to Nodal MDR. The MDR zone allows for 16 dwelling units per acre, whereas Nodal MDR allows a maximum of 24 dwelling units per acre.
- Nodal Low Density Residential – 153 net buildable acres are proposed for upzoning from LDR to Nodal LDR. The LDR zone has a minimum lot size of 6,000 square feet (up to 7.3 units per net buildable acre), whereas Nodal MDR 4,000 square feet (up to 10.9 dwelling units per net buildable acre).

The 2005 BLI describes vacant, partially vacant, and potentially redevelopable industrial and commercial parcels within the *existing* UGB. You are correct that the BLI does not address the potential to assemble smaller industrial parcels to create larger ones. However, a review of the BLI Map shows a checkerboard of vacant industrial parcels within the existing UGB, ranging from 0.10 to 11.32 acres, with an average parcel size of 2.2 acres. Of these vacant parcels, only six parcels abut other vacant parcels, and therefore conceivably could be "assembled." The table below describes each of these parcels.

Tax Lot ID	Parcel Size	Assembled Parcel Size
051W08A 00800	1.18	
051W08A 01200	1.13	**2.31**
051W08B 02000	1.62	
051W08B 02100	1.15	**2.77**
051W08B 01500	2.15	
051W08BC00500	2.58	**4.73**

However, assembling these parcels to achieve a needed site size does not mean that the assembled "site" meets the site suitability requirements of targeted industries. As noted in EOA and ECONorthwest's October 2003 industrial siting memorandum, virtually all targeted industries prefer I-5 access and most prefer to locate in an industrial or business park setting.

Winterbrook has also reviewed partially vacant and redevelopable parcels in terms of their suitability to meet the needs of targeted industries. As shown on aerial photographs, all but one of the partially vacant parcels have substantial improvements (buildings and parking lots) along the primary street access, with undeveloped areas behind or to the side of improved site area. Like the WINCO site, it is probable that the undeveloped portions of

these lots are being held for future expansion – and are not available for targeted industries. If the owner did not plan to expand on their respective sites, the vacant portions of these parcels would have been partitioned off and placed on the market. This has not occurred.

City staff has contacted all owners of land identified as partially vacant within the existing UGB. All but one of the landowners stated an intent to use the land for future expansion or keep it for its existing use. Therefore, only one of the partially vacant parcels was considered available to meet siting requirements for new targeted industries. This parcel contains 3.6 undeveloped acres.

Correction

- **Findings of Fact, page 197- ORS 197.232 is an incorrect statutory citation. The department assumes the intended citation is ORS 197.732 regarding Goal Exceptions.**

As indicated in the May 2005 UGB Justification Report, the City is now relying on the new Goal 14 (Urbanization) adopted by LCDC on April 28, 2005. The new Goal 14 makes it clear that the Goal 2 exceptions process no longer applies to UGB amendments.

Factor 6- ***Retention of agricultural land as defined, with Class I being the highest priority and Class VI the lowest priority; and ORS 197.298.***

Goal 14, Factor 6 and ORS 197.298 are not one and the same, so the city should be careful when addressing them together under the same heading. The department believes it is more appropriate to use the format from the UGB Justification Report, where each statutory requirement, and factor 6, has a corresponding response.

Study areas 2 and 7 are proposed for partial expansion. Study Area 2 contains additional areas of lower priority soils that have not been included and has been found to be optimal for expansion based on service efficiency. The city's reliance on the "factor 4-maximize efficiency" finding is on its face, and without further explanation, insufficient to satisfy this criterion. For Study Area 7, findings also need to specifically indicate why additional class III and IV soils in this area were not brought in for expansion instead of other areas containing lower priority soils. Large parcel sizes in this southernmost portion of Study area 7 could also satisfy industrial site requirements. Study area 7 was found to be optimal for expansion based on service efficiency.

In reference to these study areas, the city should elaborate on how the expansion avoids the highest value farmland possible while including the lowest soil classes in a feasible UGB configuration in compliance with factor 6.

I agree that there are subtle differences between Goal 14, Factor 6 and ORS 197.298 priorities[5] and that the approach outlined in the UGB Justification Report is more effective.

[5] Subsection 3 reads in relevant part: "Land of lower priority under subsection (1) of this section may be included in an urban growth boundary * * * for one of the following reasons:

(a) Specific types of identified land needs cannot be reasonably accommodated on higher priority

During the City Council's deliberations on April 25, 2005, Mr. Winterowd offered specific recommendations to address the relationship between Goal 14, Factor 4 (land use efficiency) and ORS 197.298 priorities. From the outset, it is important to note that Winterbrook did not propose expanding the SWIR onto Class I agricultural soils west of Butteville Road based on ORS 197.298 priorities and Goal 14, Factor 6.[6]

North Study Area 2. Study Area 2 includes the second largest concentration of Class III agricultural soils[7] within the eight study areas considered for UGB expansion. This Class III area is located southeast of the I-5 / Crosby Road intersection. An area of Class II soils lies between the Class III soil area and the UGB. In order to provide sanitary sewer, water and transportation facilities to the Class III area, Class II land must be included within the UGB as allowed under ORS 197.298(3)(c). Boones Ferry Road and Crosby Road are shown in the draft TSP as minor arterials that must be extended to serve the area with Class II soils. As shown on aerial photographs and approved development plats, the only street access available to the proposed UGB expansion area west of Boones Ferry Road is a local street, which is incapable of handling the large volumes of traffic that would result from residential development of Class III soils in this area. Moreover, construction of these arterial extensions will help divert traffic from the highly congested east leg of the I-5 Interchange, and Crosby Road provides an excellent buffer between proposed urban residential land and farm land to the north. Thus, Class II agricultural soils on the western and southern portions of the so-called "Fessler property" (Tax Lots 51W6C 100-300) were included within the UGB to allow for the inclusion of relatively low quality agricultural soils, while minimizing conflicts between urban development and nearby agricultural operations, and ensuring maximum efficiency of land use, as authorized under Goal 14, Factors 1-4 and ORS 197.298(3)(c)).

However, Mr. Winterowd recommended a change to the UGB in Study Area 2 to address ORS 197.298 priorities. As pointed out by 1000 Friends and others, there is a large inclusion of Class I agricultural soils located north of the UGB and east of Boones Ferry Road – in the eastern portion of the Golf Course property (Tax Lot 51W6E 501). Although some of this Class I area is occupied by a golf course, some would be developed for residential use if included within the UGB as recommended by the Planning Commission. Based on our understanding of case law, the golf course does not "commit" this area to non-farm use. I also am not persuaded that a "specific need" can be demonstrated for higher-end housing under ORS 197.298(3)(a). The Class I soils are located to the east of a required emergency access road connecting land approved for residential development within the UGB to Boones Ferry Road. This emergency access cuts off an area of Class II

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lands;

(b) Future urban services could not reasonably be provided to higher priority lands due to topographical or other physical constraints; or

(c) Maximum efficiency of land uses requires inclusion of lower priority lands in order to include or to provide services to higher priority lands."

[6] Under the new Goal 14, Factor 6 no longer exists, although ORS 197.298 is explicitly cited.

[7] Please note that Class IV-VI soils in the Woodburn area are associated with riparian corridors that are unbuildable, and therefore do not meet residential, industrial, commercial, active park or school site suitability criteria. In Woodburn's case, bringing Class IV-VI riparian corridors and wetlands into the UGB would not meet identified population, employment or livability needs.

and IV soils from predominantly Class I soils to the east. Therefore, we have recommended that the area with predominantly Class I agricultural soils to the east of this emergency access road be excluded from the UGB, consistent with ORS 197.298 priorities.

Southwest Study Area 7. Study Area 7 includes the largest concentration of Class III soils in the eight study areas. A change is also proposed at the perimeter of the UGB in Study Area 7 to address comments received from the Oregon Department of Agriculture and 1000 Friends during the public hearing process. With respect to the industrial land near I-5, we are now recommending that the 56-acre SWIR parcel (Study Area 2, eastern portion of 52W14 1300 – predominantly Class II agricultural soils) west of Butteville Road be removed from the proposed UGB, to be replaced by a 50-acre parcel (52W23 0100 – predominantly Class III agricultural soils) south of the proposed South Arterial. The primary reason for this change is to meet ORS 197.298 priorities. A secondary, but nevertheless important reason is to facilitate extension of the South Arterial, by encouraging industrial development on both sides of this critical street. With regard to new Goal 14, Factor 4 (an issue raised by the Oregon Department of Agriculture), the loss of a public street to buffer the relatively low impacts on agricultural land from industrial uses is outweighed by the ORS 197.298 imperative to expand UGB into Class III (rather than Class I or II) – agricultural soils.

Correction

- Correction on Findings of Fact, page 211. The referenced "Table 13" is missing, and should be labeled as Table 10, as found in the Revised UGB Justification Report.

As noted above, the draft findings of fact, as they pertain to Goals 9-14, will be incorporated into the UGB Justification Report. In this manner, we hope to correct any remaining inconsistencies.

Factor 7- *Compatibility of the proposed urban uses with agricultural activities.*

Based on Winterbrook's response to the department's April 2004 comment letter, and as discussed in our March 10, 2005 meeting, the city needs to document its intent and approach to establish "right to farm" covenants that would deed-restrict residential "edge" properties proposed in expansion areas to the north of the city (Study Area 2). Such an approach would also be appropriate for residential edge properties planned for in the southwest part of the city (Study Area 7). In its response letter to the city, Winterbrook wrote:

"As indicated under Goal 14, factor 5 discussion we agreed that additional information related to these Goal 2 standards will be provided in the Goal 14 analysis and in findings. We will consider requiring the property owner to sign a "right to farm" covenant as a condition of annexation of residential land that is adjacent to the UGB."[17]

This action would be a response to Goal 14, Factor 7, but also to Goal 2 (standard 4), to demonstrate "measures have been taken to reduce adverse impacts" from residential development on adjacent agricultural practices. The department believes this approach would effectively address agricultural compatibility issues in these areas.

The annexation approval criteria have been amended to require a right to farm covenant as part of the annexation approval process.

Corrections

- **Findings of Fact, page 197- ORS 197.232 is a wrong statutory citation and does not exist. The department assumes the intended citation is ORS 197.732 regarding Goal Exceptions.**
- **Table 13 is missing from the Findings of Fact, (page 211) under the Goal 14 analysis, Agricultural Soils and Classifications Summary, and should be relabeled "Table 10."**
- **Findings of Fact, page 193, correct heading to "Factor 3- Orderly and economic provision of public facilities and services"**

The above corrections will be incorporated into the final UGB Justification Report.

Proposed Goal and Policy Amendments

1. Policy Table 1, p 7: Some of the stated density ranges don't appear to be consistent with the stated minimum lot sizes. For example, The Nodal Residential Overlay Zone (RMN) shows a density range of 10-22 dwelling units (du)/acre, but the smallest minimum lot size, 3,000 square feet, yields 14.52 du/gross acre (per net acre would be even less). Another example: The RS1 zone shows a range of 9-12 du/acre but there is only one minimum lot size, and no stated maximum lot size.

I have worked with Winterbrook to revise Policy Table 1 to ensure that it accurately reflects the range of densities allowed by the WDO. However, with regard to the examples listed

above:

- The minimum and maximum densities for all zones were calculated for blocks of 200' length. Since corner lots have larger lot sizes in all the zones, the overall densities for housing types in the zones are lower than if all the lots were interior lots.

- We can use the Nodal MDR concern as an example of this corner lot effect. The Nodal MDR plan designation allows 10-24 dwelling units per net buildable acre. Apartments typically are not constructed on individual lots and are allowed at 24 du per net buildable acre. However, rowhomes (attached single family) are permitted on individual lots of 3,000 square feet each, *and* 3,600 square feet for corner lots, at a maximum of 13.6 dwelling units per acre, given 200' block lengths (2 corner lots for every 4 interior lots). Duplexes are also allowed at 4,000 square feet per unit in this zone, which would provide a maximum density of 10.9 du per net buildable acre. However, we do not anticipate entire blocks of duplex dwellings. The minimum density is 80% of the maximum allowed density, which provides a minimum density of about 10 du per net buildable acre for duplexes and rowhouses, and 19 dwelling units per net buildable acre for apartments.

- The RS1 zone is fully developed for retirement dwellings in the Senior Estates PUD and no new RS1 zoning is allowed in the City of Woodburn. The Comprehensive Plan tables have been revised to reduce confusion on this issue.

- There seems to be some confusion about "net" acres related to density as well. We define a "net buildable acre" as 43,560 square feet of land *after* ROW has been excluded – as in, an entire acre of buildable land without any ROW. Whereas a "gross buildable acre" is 43,560 square feet of land *before* ROW is excluded. A net buildable acre is not what is left over after taking ROW out of a gross buildable acre. Therefore, net densities would not be lower than gross densities – they would be higher. The calculation of density derived from lot sizes in this concern is actually net density, as lot sizes do not include ROW.

2. *Zoning* section, p 8 - last sentence, and *Review, Revision and Update* section, p 11, 2nd and 4th sentences: It appears that "Comprehensive Plan" should replace "Land Use Plan."

This has been corrected.

3. Transportation Plan section, p 9: 2nd sentence is missing a word. Should read: "The 2004 TSP includes goals and objectives ..."

This has been corrected.

Proposed Land Use Zoning Draft Amendments

Some of the following comments are advisory, and intended to help the city establish standards that will achieve successful developments and a livable community.

1. Section 2.102.07 F. 1. Landscaping and Sidewalks (RS Zone): These regulations allow an option of either curb-tight sidewalks or sidewalks with street trees. In residential zones, a planter strip with street trees between the curb and sidewalk should be required, and needs to be consistent with the proposed street standards in the city's final draft Transportation System Plan.

The city's policy is to require property line sidewalks wherever feasible. This is supported by the TSP cross sections. However, we often run into situations in infill areas where existing sidewalk alignment or right of way constraints necessitate curb line sidewalks. The WDO allows the specific location of a sidewalk to be determined in conjunction with the development application. This was the policy direction when the WDO was adopted three years ago and it has worked well. Therefore, no changes are deemed necessary.

2. Section 2.105.05 C. 1. a. 2 (CO Zone) and Section 2.106.05 C. 2. a. 2) (CG Zone): Setting a maximum front setback is good, but 150 feet is a very large standard. No parking is allowed in the front setback, which is appropriate, so it seems counter-productive and land intensive to allow buildings to be sited so far back from the street.

The intent of the 150-foot maximum setback is to prevent large expanses of parking lot between buildings and a street. It was not intended to require all buildings to be located adjacent to the street. No changes are deemed necessary.

3. Section 2.108.06 A. 3. (NNC Zone): Setting a building size limit is a good idea, however 60,000 square feet is too large for a single business in the NNC. This means that you could have a building with 3-5 businesses totaling 180,000-300,000 square feet, which is excessive for achieving the benefits of successful neighborhood nodal development. The single business size limit could be reduced to 5,000-10,000 square feet, or change the 60,000 square foot standard to maximum *building* size (to allow a supermarket).[18]

The 60,000 square foot maximum size limit is intended to be big enough to allow a standard supermarket, but small enough to prohibit a "Big Box" store or shopping mall. It should not matter whether a single building contains multiple businesses that do not exceed 60,000 square feet or if they are housed in separate buildings on the same site. Limiting the acreage of the nodal commercial area to 12 acres and limiting the business size to 60,000 square feet effectively discourages using it as a shopping mall or "Big Box" center. No changes are deemed necessary.

4. Section 2.108.06 A. 1. (NNC Zone): Similar to the previous comment, 15 acres is too large a maximum site size for the NNC zone. NC zone sites are typically 3-5 acres.[19]

Neighborhood commercial zones vary widely from jurisdiction to jurisdiction, depending on the function of the zone. The nodal neighborhood center is intended to be anchored by a grocery store of not more than 60,000 square feet, supported by smaller-scale retail and office development. A site of 3-5 acres is insufficient to meet this need. The NNC zone has been revised to limit NNC zones to a maximum of 12 acres which is consistent with the proposed NNC zone in the southwest UGB expansion area.

5. Chapter 2.110 (IL Zone): **Woodburn has no Heavy or General Industrial Zone, just the IP Zone and IL Zones. The IL allows heavy industrial uses and so should be renamed to General Industrial.**

The IL zone allows some heavy industrial uses as conditional uses instead of creating another zoning district, such as a Heavy or General Industrial zone, to allow such uses as permitted uses. The city's policy has been to generally discourage heavy industrial uses. Changing the IL zone to a Heavy or General Industrial zone would be contrary to this policy by making it appear that the city encourages heavy industrial uses. No changes are deemed necessary.

6. Section 2.114.03 (A))(P/SP Zone): Missing word: "Targeted industries and services identified in Table 2.1.21 are allowed in the SWIR ...."

This has been corrected.

7. Section 2.115.03 A. (RSN Overlay): Missing word: "... are allowed in the RSN Overlay District ..."

This has been corrected.

8. Section 2.115.03 D. 3. a. 2), 2.115.04 E. 2, 2.116.05 D. 4. a. 2) (rear setbacks): There is only one rear setback standard for all lots. Twenty feet is appropriate for street-access lots but excessive for rear alley-accessed lots. The department recommends 6-8 feet.[20]

This is an issue that has received a great deal of discussion with the City Council and Planning Commission over the years. Policy direction has consistently been to provide substantial rear yards as reflected by the minimum 24-foot rear yard setback for a single-story dwelling and 30-foot rear yard setback for a two-story dwelling in the Single Family Residential zone. However, the rear yard setback is proposed to be reduced to 20 feet in the nodal overlays, but it is intended to still provide for a substantial rear yard, especially when the front yard has been significantly reduced.

Similarly, the City has consistently required two parking spaces on a driveway leading to a garage to minimize on-street parking of vehicles. The proposed standard requires a 20-foot driveway leading to a garage abutting an alley, but through the master planning and PUD process for development in the Residential Overlay Districts, it may be possible to reduce this standard to address special needs or characteristics of specific developments. No changes are deemed necessary.

Thank you for your comments and continued assistance. As you can see, we have incorporated many of your suggestions in the City's revised proposal. If you have any questions regarding these responses, please contact me at (503) 982-5246 or e-mail me at jim.mulder@ci.woodburn.or.us.

Sincerely,

Jim Mulder
Director of Community Development

Enclosures

DRAFT

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Re: Responses to Comments on Woodburn Periodic Review Amendments

Dear Les:

I appreciate receiving your letter, dated March 21, 2005, providing comments on the proposed periodic review amendment package. The city has worked diligently to address all of your comments. The following responses are provided to your comments in the same order as outlined in your letter.

Woodburn Comprehensive Plan Amendments

1. *Inclusion of new Marion County Coordination Goals and Policies, Marion County Economic Coordination Goals and Policies, and the incorporation of applicable Marion County Growth Management Framework coordination language, guidelines and policies regarding housing, transportation and the environment into the Woodburn Comprehensive Plan. The County is supportive of these amendments to improve coordination between the City and County and recognize the individual planning interests of both jurisdictions.*

Response: Your support is appreciated. We look forward to continued coordination with Marion County in our joint planning efforts.

2. *New plan and zone designations for the proposed nodal development, industrial reserve, and riparian conservation and wetland overlay areas to provide for specific types of development to meet housing, economic development, and resource protection needs. Also the creation of an Interchange Management Area overlay to monitor and manage the transportation capacity, safety and functionality of the system around and at the interchange through trip generation estimates and numerical ceilings based on land use. These overlay designations and the respective implementation measures contained in the Woodburn Development Ordinance are positive approaches to efficiently plan for land use and locational needs, and the County is supportive of these amendments.*

Response: Your support is appreciated. We agree that Woodburn's nodal development, industrial reserve, riparian and wetland conservation, and interchange management area represent creative solutions to land use efficiency, transportation and natural resource management issues that affect both the city of Woodburn and Marion County. These provisions also are responsive to the direction established by Woodburn's 2001 Economic Opportunities Analysis (EOA) and 2002 Economic Development Strategy (EDS). By reserving large industrial sites with direct access to I-5, and preserving the capacity of the I-5 Interchange for targeted industrial uses, Woodburn is able to ensure the continued availability of suitable industrial sites necessary to attract basic employment uses to the community.

3. *Residential Land Use and Housing goals and policies that provide for adoption of a housing code to improve the existing housing stock, encourage and provide for a variety of housing types for single-family and multi-family uses, requirements for application of clear and objective design standards, allow for affordable home ownership opportunities through reduced lot sizes and increased housing types, and for efficiency of residential lands by allowing provisions for increased densities. These amendments provide the framework for the City to address housing needs and issues and the County is supportive of these plan amendments.*

Response: Your support is appreciated. As you have observed, Woodburn has significantly increased potential housing densities which will have the effect of increasing efficiency of land use and housing affordability. Overall, permitted densities on buildable land outside of exceptions areas exceed the 8 units per gross buildable acre guideline in the Marion County Framework Plan. Projected densities outside of exception areas are 8.9 dwelling units per net buildable acre.

4. *Commercial Land Use goals and policies that encourage the infill and redevelopment of existing commercial areas of the City rather than increasing the commercial land supply or advocating for additional commercial around the interchange area. Also, inclusion of policies encouraging establishment of neighborhood commercial to serve designated nodal development areas and provisions for vertical mixed uses. These amendments recognize the interrelationship of commercial land uses and impacts on the transportation system through increased congestion which can affect the ability of the City to attract other types of desired land uses. The County is supportive of these plan amendments that discourage the establishment of new commercial corridors/areas in the city and place emphasis on redevelopment of the existing commercial areas, including the downtown.*

Response: Your support is appreciated. Our goal is to encourage more intensive redevelopment of existing commercial areas, and to encourage livabable neighborhoods centered around viable neighborhood commercial centers.