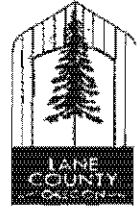


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**AGENDA COVER MEMO**



Memo Date: March 14, 2011  
First Reading Date: March 30, 2011  
Second Reading/Public Hearing Date: April 13, 2011

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**TO:** Board of County Commissioners  
**DEPARTMENT:** Public Works, Land Management Division, Planning Department  
**PRESENTED BY:** Stephanie Schulz, Associate Planner  
**AGENDA ITEM TITLE:** Ordinance No. PA 1279 / In The Matter Of Adopting An Amendment To The Cottage Grove Comprehensive Plan Consistent With The Recommendations Of The Cottage Grove Economic Opportunities Analysis (EOA), Adopting Map Amendments To The Cottage Grove Urban Growth Boundary (UGB) Including Re-Designation Of 195.83 Acres For Industrial Use; 16.34 Acres For Commercial Use; 14.77 Acres For Parks And Recreation Use; And 14.17 Acres For Low Density Residential Use; Making Corresponding Changes To The Lane County Rural Comprehensive Plan; And Adopting Savings And Severability Clauses. (Applicant: Cottage Grove; File No. PA 10-5348) (Stephanie Schulz, Associate Planner)

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**I. MOTIONS:**

For March 30, 2011: Move approval of the first reading and setting the second reading and public hearing on Ordinance No. PA 1279 for April 13, 2011 at 1:30 p. m.

For April 13, 2011: Move the second reading and open the public hearing for Ordinance No. PA 1279.

**II. AGENDA ITEM SUMMARY**

The City of Cottage Grove adopted an amendment to the Cottage Grove Comprehensive Plan expanding the Cottage Grove UGB to the south along Hwy 99 and to the southeast along South 6<sup>th</sup> Street to meet industrial/commercial land needs and to concurrently change the Plan Designations on the affected parcels to City of Cottage Grove Comprehensive Plan designations for future needs as supported by the Economic Opportunities Analysis adopted to support the comprehensive plan amendment.

**III. BACKGROUND/IMPLICATIONS OF ACTION**

**A. Board Action and Other History**

Lane County and Cottage Grove coordinate planning and urban services pursuant to Oregon Revised Statutes (ORS) 190.003 to carry out the respective responsibilities and coordinate actions that affect the UGB area.

The Cottage Grove Economic Opportunity Analysis (EOA) was completed in 2009 by Winterbrook Planning and adopted by the City Council. The EOA identifies a 20 year need for employment lands and determined that the land supply within the current UGB was not sufficient to meet the identified employment needs through the year 2030. The EOA determined that approximately 170 acres are needed to meet the identified employment land need for Cottage Grove's target industries. About half of the city's long term employment needs can be met within the existing UGB, however, the existing supply of land inside the city does not meet the larger site needs identified in the EOA. After accounting for suitable land within the existing UGB, an unmet need is identified for suitable acres for the following:

- Community Commercial Center;
- Business Park to meet commercial office and service needs in a Master Planned setting;
- Large industrial site for a single user;
- Industrial Park for additional industrial employment needs.

Constraints and opportunities surround the city and the location for future needs were alternatively analyzed consistent with *ORS 197.298 Priorities for Urban Growth Boundary Expansion* to determine the 'best' place to meet the identified needs above. The alternatives were presented and reviewed by the Cottage Grove Citizen and Agency Advisory Committee and both city and county Planning Commissions.

#### Location/Plan Designation/Zoning

The proposed expansion of the UGB would change Rural Comprehensive Plan (RCP) Designations on properties to Plan Designations that reflect the proposed future use under the Cottage Grove Comprehensive Plan (CG) designations as follows:

- 2 parcels (14.77 acres) from RCP P Parks to CG P Parks & Open Space;
- 16 parcels (195.83 acres) from RCP I Industrial to CG I Industrial;
- 26 parcels (14.17 acres) from RCP R Residential to CG L Low Density Residential;
- 2 parcels (.93 acres) from RCP C Commercial to CG C Community Commercial,
- 14 parcels (15.41 acres) from RCP R Residential to CG C Community Commercial.

#### **C. Board Goals**

Adoption of this ordinance after conducting a public hearing supports the following Lane County Strategic Goals adopted by the Board:

- Provide opportunities for citizen participation in decision making, voting, volunteerism and civic and community involvement.
- Contribute to appropriate community development in the areas of transportation and telecommunications infrastructure, housing, growth management and land development.

#### **D. Analysis**

The Cottage Grove EOA was prepared in accordance with Statewide Planning Goal 9 (Economy) and the accompanying Oregon Administrative Rule. The future land need identified in the EOA was compared with the availability of vacant and redevelopable employment land within the existing UGB and then a determination was made whether the city had an unmet need for additional employment land that would be appropriate to bring into the UGB for the future. When there is need for additional land outside the UGB, state law then requires that cities and

counties determine whether identified land needs can be met within rural 'exception areas' before considering 'resource' land with a farm or forest plan designation. Alternatives analysis was focused on meeting identified employment land needs identified in the adopted EOA and vetted through public comment and the Cottage Grove Urbanization Study Advisory Committee.

Committee recommendation is for the large-site needs to be met primarily on the Weyerhaeuser property, including public rights-of-way. The need for a future Master Planned business park is proposed on a suitable site near the south I-5 interchange served by 6<sup>th</sup> Street because it has lower quality soils than others, and the analysis found this site to be consistent with Rule requirements.

### Criteria

#### **12.050-Method of Adoption and Amendment:**

*(1) The adoption of the comprehensive plan or an amendment to such plan shall be by an ordinance.*

Ordinance No. PA 1279 is attached.

*(2) The Board may amend or supplement the comprehensive plan upon a finding of:*

- (a) an error in the plan; or*
- (b) changed circumstances affecting or pertaining to the plan; or*
- (c) a change in public policy; or*
- (d) a change in public need based on a reevaluation of factors affecting the plan; provided the amendment or supplement does not impair the purpose of the plan as established by LC12.005 below.*

LC 12.050 (b) and (d) are both applicable to this amendment. The city circumstances under which Cottage Grove serves as a market center and destination for the surrounding rural residents and smaller communities in south Lane County and north Douglas County requires long term planning pertaining to economic capabilities to serve regional residents both urban and rural. The city is in an excellent position to meet the needs of the public by attracting families and businesses in search of small town quality of life, with good transportation access and a nearby urban area.

Analysis estimates that Cottage Grove's future jobs will be in the retail and service sectors (85%), with some industrial (15%) jobs. Cottage Grove's biggest challenge in the years to come will be providing an adequate industrial and commercial land supply to ensure that local development keeps pace with the community's growing residential population. Therefore, the evaluation of factors affecting the plan and impacting the city supports this amendment. It is found that Cottage Grove needs a wide range of suitable employment sites over the next 20 years and that the general purpose of this amendment to the Comprehensive Plan to include additional sites for employment need meets the purpose of coordinated long range plans for the county and city.

#### **LC12.005 Purpose.**

*The board shall adopt a comprehensive plan. The general purpose of the comprehensive plan is the guiding of the social, economic, and physical development of the County to best promote public health, safety, order, convenience, prosperity and general welfare.*

The general purpose of the comprehensive plan is best promoted by this amendment in consideration of meeting future needs for ensuring future prosperity and economic development for Cottage Grove.

#### **IV. TIMING/IMPLEMENTATION**

April 2010 The Planning Commissions of Lane County and Cottage Grove conducted a joint Work Session/Overview of UGB Amendment Process under Statewide Planning Goals and Priorities presented by Winterbrook Planning. "A Simple Path...to UGB Expansion: Stones and Sand." The EOA was provided to Planning Commissioners at this April meeting.

June 2010 Cottage Grove submitted an application to Land Management for consideration by Lane County for Co-adoption and conducted a Cottage Grove Urbanization Study Advisory Committee Meeting to review population and employment projections, site requirements and needs, and land use efficiency measures. Over the summer, Open House and additional advisory committee review was conducted to consider the public input received at the open house.

In October 2010, after notice publication and direct mailing to affected property owners and interested parties, the City and County Planning Commissions conducted a Public Hearing in Cottage Grove City Hall.

Cottage Grove City Council adopted the City Ordinance No. 3003 amending the Cottage Grove UGB and forwarded that adopted Ordinance to Lane County for consideration of co-adoption under this Ordinance. The expanded UGB is expected to meet the future 20 year needs of Cottage Grove for employment.

#### **E. Alternatives/Options**

Option 1. Approve the Ordinance as presented.

Option 2. Revise the Ordinance as directed by the Board and return for approval of the revised Ordinance on a date certain set by the Board.

Option 3. Do not approve the Ordinance and deny the application.

#### **V. RECOMMENDATION**

Staff recommends Option 1.

#### **Planning Commission Recommendation**

The Lane County Planning Commission and the Cottage Grove Planning Commission held a joint public hearing on this proposed amendment in October 2010. Lane County Planning Commission deliberated on December 21, 2010 and voted unanimously to recommend adoption of the Ordinance. Commission reasoning is set forth in the meeting minutes, included in appendix 3 to the Findings document.

#### **VI. FOLLOW-UP**

Notice of Board action will be provided to DLCD and all interested parties upon adoption by the Board. If the Board revises the Ordinance as presented (Option 2), a third reading would be scheduled for a date certain set at the close of the hearing. If the record is held open to solicit further testimony, that date certain will be announced and any material submitted would be

provided to the Board prior to the third reading. Should the Board choose option 3, an Order with findings setting forth the Board's reasons for denying the Ordinance would be prepared and returned to the Board for a third reading and adoption on a date certain.

**VII. ATTACHMENTS**

Attachment 1- Ordinance No. PA 1279

Exhibit 1 – City Ordinance No. 3003;

Land Use Diagram Map Amendment

Legal Description and list of tax lots affected

UGB Justification Report and Draft Lane County Board Findings

Appendix 3: Joint Planning Commission Agendas and Minutes

**BEFORE THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON**

**Ordinance No. PA 1279** In The Matter Of Adopting An Amendment To The Cottage Grove Comprehensive Plan Consistent With The Recommendations Of The Cottage Grove Economic Opportunities Analysis (EOA), Adopting Map Amendments To The Cottage Grove Urban Growth Boundary (UGB) Including Re-Designation Of 195.83 Acres For Industrial Use; 16.34 Acres For Commercial Use; 14.77 Acres For Parks And Recreation Use; And 14.17 Acres For Low Density Residential Use; Making Corresponding Changes To The Lane County Rural Comprehensive Plan; And Adopting Savings And Severability Clauses.

**WHEREAS**, the City of Cottage Grove and Lane County have entered into an Intergovernmental Agreement regarding coordinated planning and urban services pursuant to ORS 190.003 et. seq. to carry out their respective responsibilities under ORS Chapter 195 and ORS Chapter 197; and

**WHEREAS**, The City of Cottage Grove adopted an Economic Opportunities Analysis and a corresponding Comprehensive Plan Economic Development Element in 2009, recommending expanding the Urban Growth Boundary to meet identified industrial and commercial land needs, and underwent an extensive public involvement program in conjunction with Lane County for an Urbanization Study in 2010; and

**WHEREAS**, the Urbanization Study Advisory Committee recommended expanding the Cottage Grove Urban Growth Boundary consistent with the needs identified in the Economic Opportunities Analysis; and

**WHEREAS**, following the recommendations of the Advisory Committee and the Joint Lane County and Cottage Grove Planning Commissions, the City of Cottage Grove City Council adopted an ordinance expanding the Urban Growth Boundary and amending the Cottage Grove Comprehensive Plan Land Use Diagram Map for employment lands through Ordinance No. 3003, dated February 14, 2011; and

**WHEREAS**, coordinated land use planning for the urbanizable lands outside the Cottage Grove city limits and within the Cottage Grove urban growth boundary requires co-adoption of an amended urban growth boundary and land use diagram maps by Lane County; and

**WHEREAS**, following a joint public hearing between the Lane County Planning Commission and the City of Cottage Grove Planning Commission on October 20, 2010, the Lane County Planning Commission deliberated on December 21, 2010 and forwarded a recommendation to the Board of Commissioners to adopt the Cottage Grove Comprehensive Plan Map amendments to expand the Cottage Grove Urban Growth Boundary and the redesignations to Cottage Grove Plan designations as adopted by the City through Ordinance No. 3003; and

**WHEREAS**, the Board conducted a public hearing on April 13, 2011, and is now ready to take action based upon the above recommendation and evidence and testimony already in the record as well as the evidence and testimony presented at the public hearing; and

**WHEREAS**, substantial evidence exists within the record demonstrating that the proposal meets the requirements of the Cottage Grove Comprehensive Plan, Lane Code, and of applicable state and local law.

NOW, THEREFORE, The Board of County Commissioners of Lane County Ordains as follows:

**Section 1.** The Cottage Grove Comprehensive Plan is amended as more particularly described and set forth in City Ordinance No. 3003, attached as Exhibit "A" and incorporated here by this reference, for a map amendment expanding the Cottage Grove Urban Growth Boundary by adding 195.83 acres of land redesignated for Industrial use, 16.34 acres for Commercial use, 14.77 acres for Parks and Recreation use, and 14.17 acres for Low-density Residential uses.

**Section 2.** The Lane County Rural Comprehensive Plan is amended to remove territory from its planning jurisdiction and to co-adopt the Cottage Grove Urban Growth Boundary map amendment as adopted by the City of Cottage Grove in Ordinance No. 3003 and as shown on Exhibit "B" attached and incorporated here by this reference.

**Section 3.** The prior designations repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

**Section 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings in support of this action as set forth in Exhibit "C" attached and incorporated here.

ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Faye Stewart, Chair  
Lane County Board of Commissioners

\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 3-23-11 Lane County

\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

ORDINANCE NO. 3003  
 AN ORDINANCE EXPANDING THE URBAN GROWTH BOUNDARY  
 AND AMENDING THE COTTAGE GROVE  
 COMPREHENSIVE PLAN LAND USE DIAGRAM MAP  
 FOR EMPLOYMENT LANDS

Section 1. Purpose. The purpose of this ordinance is to expand the Urban Growth Boundary (UGB) and amend the Cottage Grove Comprehensive Plan Land Use Diagram Map for employment lands as shown on Exhibit "A" attached hereto and by reference made a part hereof. The Comprehensive Plan with a UGB and a land use diagram map for Cottage Grove has been developed in accordance with statewide Planning Goals and acknowledged by the Oregon Land Conservation and Development Commission.

Section 2. Procedural Compliance. The Department of Land Conservation and Development was given forty-five day notice prior to the first hearing on September 2, 2010 pursuant to Oregon Revised Statutes. This expansion and amendment is in compliance with the procedures of Title 14 of the Municipal Code of the City of Cottage Grove with required local notification of the public hearings, after the Planning Commission held a public hearing and made a recommendation to Council, and after City Council held a Public Hearing on the expansion of the UGB and Comprehensive Plan Map Amendment.

Section 3. Findings. The City Council determined that the Expansion of the UGB and Comprehensive Plan Map Amendment is the proper implementation of the Statewide Goals; that the amended plan adequately addresses the land needs of the community; is in the public interest; and serves the health, safety, and welfare of the citizens of the City of Cottage Grove. City Council adopts the findings attached as Exhibit "B" attached hereto and forming a part of this ordinance.

Section 4. Amendment. The UGB is expanded and the City Comprehensive Plan for Cottage Grove is hereby amended as shown on Exhibit "A" attached hereto and by reference made a part hereof.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS  
 14th DAY OF February, 2011.

  
 Richard Meyers, City Manager

Dated: Feb. 14, 2011

  
 Heather Murphy, Council President

Dated: February 14, 2011



**EXHIBIT A to ORD. 3003**  
**Proposed Comprehensive Map Changes**  
**Cottage Grove Urban Growth Boundary Expansion**  
**Including Rights-of-Way (see legal description below)**

**RCP P Parks to CG P Parks & Open Space**

<u>Map</u>	<u>Tax Lot</u>	<u>Acreage</u>
21-03-05	201	14.07
21-03-05	203	0.7
		<b>14.77 total</b>

**RCP I Industrial to CG I Industrial**

<u>Map</u>	<u>Tax Lot</u>	<u>Acreage</u>
21-03-05	103	0.66
21-03-05	105	1.96
21-03-05	106	0.59
21-03-05	107	1.43
21-03-05	1301	5.67
21-03-05	1500	5.5
21-03-05	1502	1.66
21-03-05	1503	2.8
21-03-05	1504	1.97
21-03-05	1505	1.99
21-03-05	1600	4.26
21-03-05	1701	165.13
21-03-05	1702	0.54
21-03-05-10	901	0.88
21-03-05-10	903	0.03
21-03-05-10	2300	0.76
		<b>195.83 total</b>

**RCP R Residential to CG L Low Density Residential**

<u>Map</u>	<u>Tax Lot</u>	<u>Acreage</u>
21-03-05-10	502	2.43
21-03-05-10	500	0.05
21-03-05-10	700	0.89
21-03-05-10	800	0.58
21-03-05-10	902	0.87
21-03-05-10	903	0.02
21-03-04-21	200	0.69
21-03-04-21	600	0.58
21-03-04-21	700	1.59

21-03-04-21	900	0.18
21-03-04-21	1200	0.35
21-03-04-21	1300	0.25
21-03-04-21	1400	0.21
21-03-04-21	1500	0.42
21-03-04-21	1600	0.3
21-03-04-21	1700	0.24
21-03-04-21	1800	0.64
21-03-04-21	1900	0.51
21-03-04-21	2000	0.32
21-03-04-21	2100	0.27
21-03-04-21	2200	0.08
21-03-04-21	2300	0.72
21-03-04-21	2400	0.39
21-03-04-21	2500	0.36
21-03-05-10	600	0.75
21-03-05-10	900	0.48
		<b>14.17 total</b>

**RCP C Commercial to CG C Community Commercial**

<u>Map</u>	<u>Tax Lot</u>	<u>Acreage</u>
21-03-04-21	800	0.24
21-03-05-10	200	0.69
		<b>0.93 total</b>

**RCP R Residential to CG C Community Commercial**

<u>Map</u>	<u>Tax Lot</u>	<u>Acreage</u>
21-03-04-24	100	7.06
21-03-04-24	300	0.32
21-03-04-24	400	3.7
21-03-04-24	500	0.11
21-03-04-24	600	0.38
21-03-04-24	700	0.34
21-03-04-24	800	0.27
21-03-04-24	900	0.86
21-03-04-24	1000	0.3
21-03-04-24	1100	0.29
21-03-04-24	1200	0.4
21-03-04-24	1300	0.68
21-03-04-21	1000	0.4
21-03-04-21	2600	0.3
		<b>15.41 total</b>

**LEGAL DESCRIPTION FOR  
PROPOSED URBAN GROWTH BOUNDARY EXPANSION  
(SECTION 32, T. 20 S., R 3 W., W.M. &  
SECTIONS 5 & 8, T. 21 S., R. 3 W., W.M.)**

Beginning at a point on the Westerly right of way line of the Goshen-Divide Highway, said point being North 61° 00' 00" West 787.80 feet more or less from the Northeast corner of the James Chapin Donation Land Claim No. 40, in Section 5, Township 21 South, Range 3 West of the Willamette Meridian; thence along the westerly right of way of said highway South 29° 18' 43" East 351.36 feet more or less to a point, said point being an iron rod set in Survey No. 39381 of Lane County Surveyor's records; then leaving said right of way North 89° 59' 35" West 1143.67 feet to a point, said point being 4.28 feet north of the Northwest corner of Parcel 1 in Land Partition Plat Number 2009-P2368, Lane County Surveyor's records; thence South 00° 00' 00" East 201.80 feet more or less to the Southwest corner of said Parcel 1, said corner is the Northwest corner of Parcel 1 in Land Partition Plat Number 94-P0496, Lane County Surveyor's Records; thence along the west property line of Parcel 1 of said Partition Plat 94-P0496 South 32° 40' 24" West 953.04 feet to the Southwest corner of said Parcel; thence along the South property line of said parcel North 00° 00' 00" East 820.10 feet to the Southeast corner of said Parcel; thence continuing N 00° 00' 00" East 10.20 feet to a point; thence parallel to the Westerly right of way line of the Goshen-Divide Highway South 28° 37' West 345.4 feet more or less to the Southwest corner of Parcel 1 as described in Deed 2004-09305, Lane County Deeds and Records; thence along the south property line of said parcel South 61° 23' East 245.00 feet more or less to the Westerly right of way of the Goshen Divide Highway; thence along said Westerly right of way South 28° 37' West 1700 feet more or less to a point, said point being the intersection point of the Westerly right of way line of the Goshen-Divide Highway and Northerly right of way line of Dugan Lane; thence along the Northerly right of way line of Dugan Lane the following courses:

North 86° 30' West 495 feet;  
thence South 44° 30' West 330 feet;  
thence South 42° West 211.86 feet;  
thence North 84° 30' West 321 feet more or less to a point on the West line of said           Chapin  
Donation Land Claim No. 40;

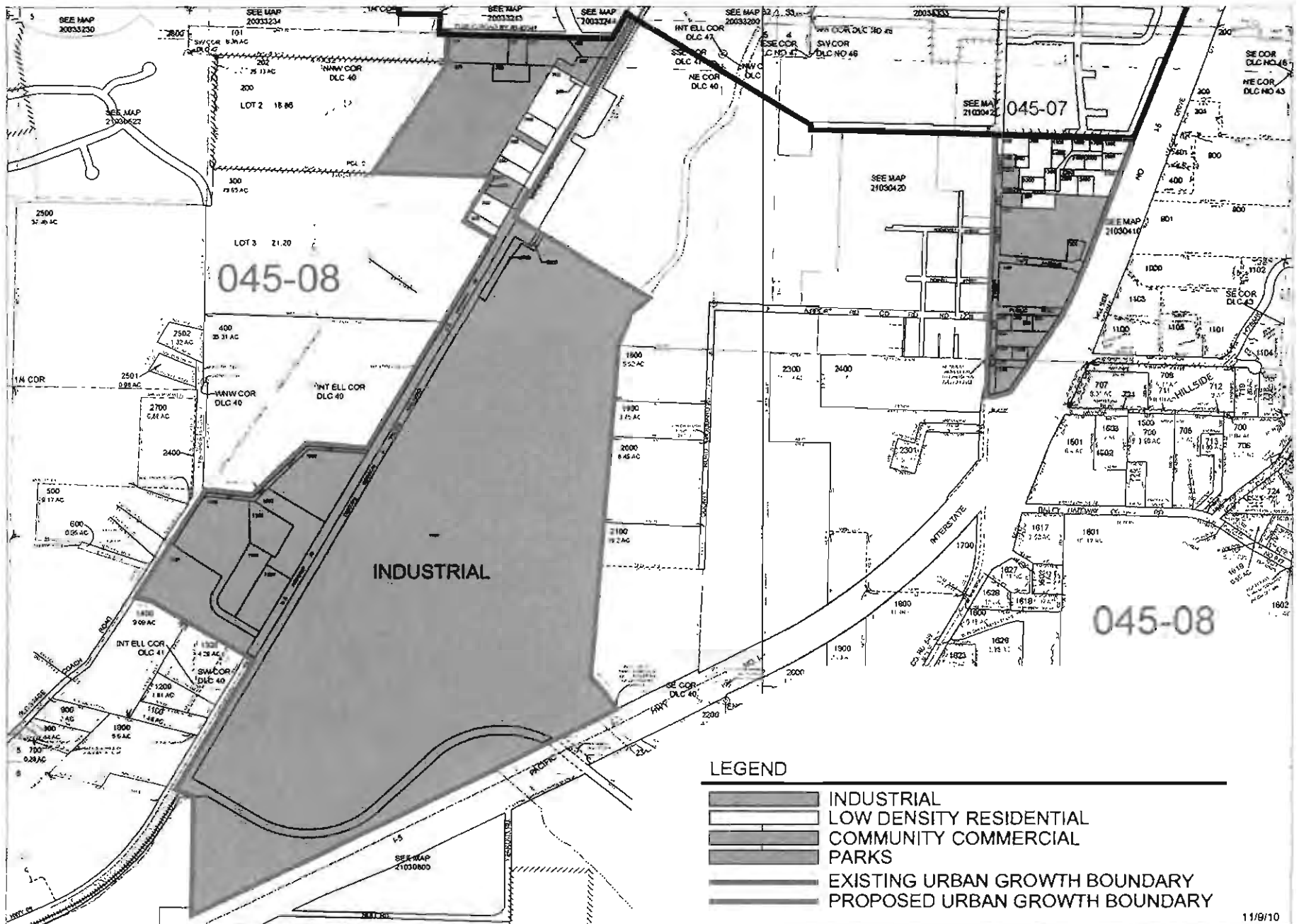
thence South 79° 14' 46" West 58.44 feet more or less to an 5/8 inch iron rod as documented in Lane County Survey File No. 18699, said iron rod is on the Westerly right of way line of Dugan Lane; thence continuing on said Westerly right of way Southwesterly 843 feet more or less to a point, said point being South 78° 33' 00" East 43.75 feet more or less from the westermost Southwest corner of adjusted tract 4 as shown on Lane County Survey File No. 34656; thence South 78° 33' 00" East 162.46 feet to an iron rod, said iron rod is on the South property line of said tract 4; thence continuing on the said south property line South 61° 10' 00" East 760.13 feet to the Southeasterly corner of said tract 4; said corner is an iron rod and is a point on the Westerly right of way of said Goshen Divide Highway; thence continuing along said westerly right of way South 28° 50' East 1,065 more or less to the Southeast corner of that tract of land conveyed to Bruce E. and Arlene B. Taddei as recorded in document No. 2002-052457, Lane County Deeds and Records; thence leaving said Westerly right of way Southeasterly 180 feet more or less to a point intersection of in the Southerly right of way line of Latham Road (County Road No. 58) and the Easterly right of way of vacated Kosey Road (County Road No. 1266) (Order No. 01-11-28-9); thence South 01° 32' 30" West 876.6 feet to a point, said point beings on the Northerly right of way line of Pacific Highway No. I-5; thence following the said Northerly right of way North 63° 42' 30" East 3,288.2 feet to a point; thence leaving the said Northerly right of way North 32° 01' West 138.10 feet to a point; thence North 38° 59' West 151.3 feet to a point; thence N 04° 40' 30" East 2,351.6 feet to a point; thence North 22° 35' 30" East 230.4 feet to a point; thence North 48° 38' East 155.1 feet to a point; thence North 59° 18' West 859.5 feet to a point; thence South 30° 23' 30" West 134.0 feet to a point; thence North 59° 27' 30" West 103.1 feet to a point; thence South 30° 32' 30" West 30.0 feet to a point; thence South 38° 53' 30" West 116.5 feet to a point; thence South 30° 32' 30" West 334.5 feet to a point; thence North 59°

27° 30" West 50.0 feet to a point, said point being on the Easterly right of way line of Central Oregon & Pacific Railroad; thence following the said easterly right of way North 27° 45' West 2,245 feet more or less to a point; said point being the intersection point of the said Easterly right of way and a line bearing North 61° 00' 00" West from the Northeast corner of the James Chapin Donation Land Claim No. 40, in Section 5, Township 21 South, Range 3 West of the Willamette Meridian; thence North 61° 00' 00" West 120 feet more or less to the Point of Beginning, in Lane County, Oregon.

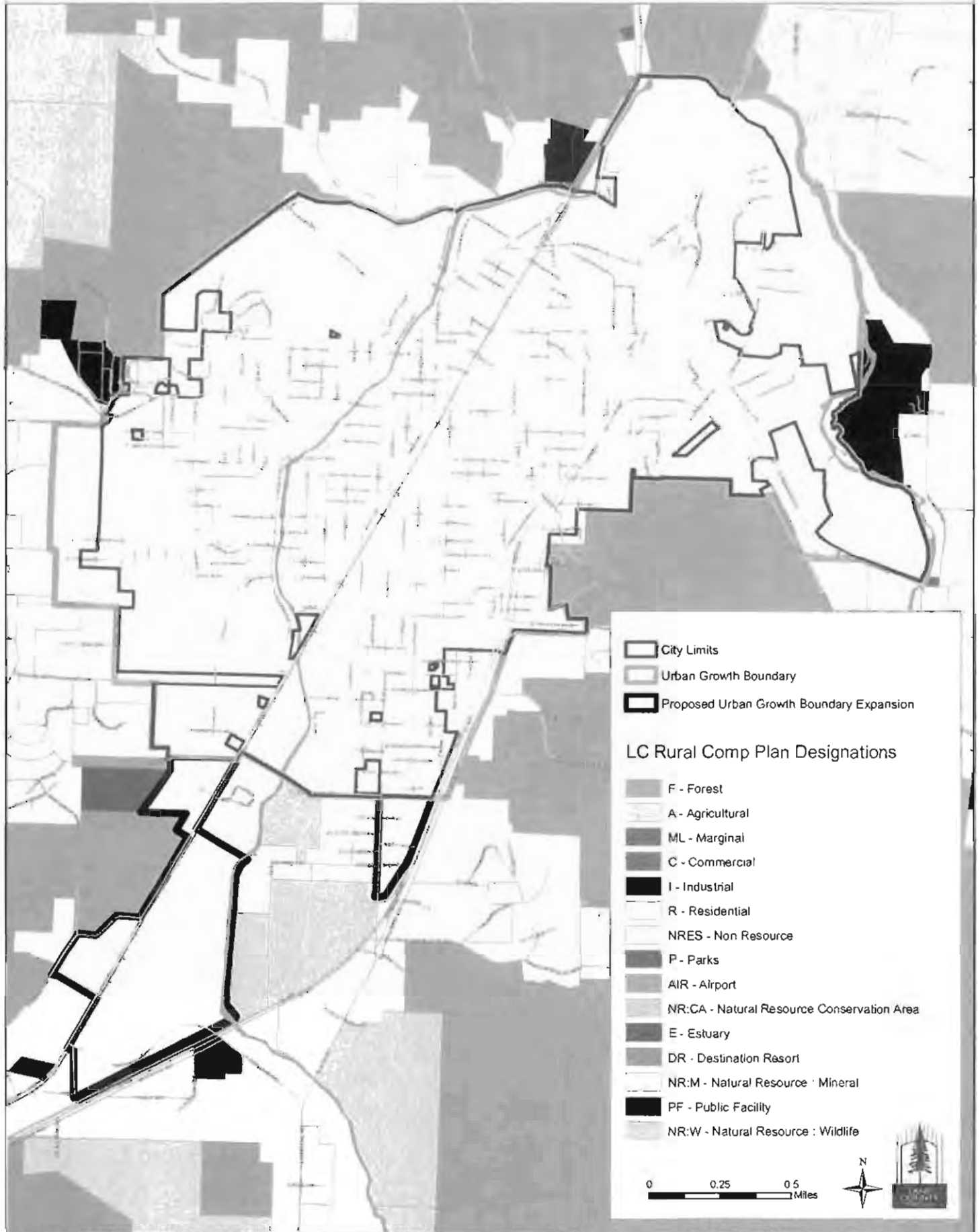
**LEGAL DESCRIPTION FOR  
PROPOSED URBAN GROWTH BOUNDARY EXPANSION  
(SECTION 4, T. 21 S., R. 3 W., W.M.)**

All properties, including public right of ways, bounded by the following:

On the North by the South property line of Sunset Park Subdivision as recorded and platted in Lane County Surveyor File No. 38988 and the westerly extension thereof; on the East and South by the Westerly right of way line of Pacific Highway No. 1-5 and the southwesterly extension thereof across South 6th Street; and on the West by the Westerly right of way line of South 6th Street (Lane County Road No. 538).



# Lane County Rural Comp Plan - Cottage Grove Proposed UGB Expansion



# Cottage Grove Urban Growth Boundary Justification Report and *Draft Lane* County Board Findings

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## I. Background

Cottage Grove adopted an *Economic Opportunities Analysis* (EOA) in 2009 (Appendix 6). The EOA identified a 20-year need for employment lands and determined that the land supply within the current UGB was not sufficient to meet the employment needs identified in the EOA. The EOA determined that approximately 170 acres are needed to meet identified employment needs for these target industries through 2030.

The Goal 14 Rule requires that Cottage Grove look first to employment land within the existing UGB to meet identified employment needs. As documented in the EOA, about half (approximately 100 acres) of the City’s long-term employment land needs can be met within the existing UGB. However, much of Cottage Grove’s existing employment land supply is comprised of disparate and smaller lots; in particular, the existing supply does not meet the larger site needs identified in the EOA.

After accounting for suitable land within the existing UGB, there is an unmet need for:

- About 12 suitable acres for a Community Commercial Center;
- About 33 acres for a business park to meet commercial office and service needs in a master planned setting;
- About 24 acres for a large industrial (single user) site; and
- About 33 acres for an industrial park – similar to the existing Cottage Grove Industrial Park.

As a result of a thorough alternatives analysis consistent with ORS 197.298 Priorities for urban growth boundary expansion, the Cottage Grove Citizen and Agency Advisory Committee (Advisory Committee), the Cottage Grove Planning Commission and City Council recommended that identified large-site needs be met primarily within nearby “exception areas” designated on the Lane County Comprehensive Plan Map.

- **Community commercial employment (12 suitable acres) should be located in the rural residential exception area near the I-5 interchange with S. 6th Street, south of the existing Cottage Grove UGB.**
- **The large single-user industrial site (24 acres suitable) and an industrial park (33 suitable acres) should be located on the rural industrial Weyerhaeuser site along Highway 99, south of the Cottage Grove UGB.**
- **However, the Advisory Committee was unable to find a suitable site for a business park (33 suitable acres) on nearby exception areas that met identified site requirements. After considering two potential resource sites (one along Highway 99 and one near the south I-5 interchange served by S. 6<sup>th</sup> Street), the Advisory Committee recommended inclusion of the Highway 99 site because it has a lower quality soils and therefore better meets ORS 197.298 Priorities for urban growth boundary expansion.**
- **After considering testimony of Mia Nelson from 1000 Friends of Oregon and staff advice, the Planning Commission recommended against inclusion of either resource site to meet business park needs at this time. The Board concurs in this recommendation.**

## **II. Nature of the Plan Amendment Request**

The Advisory Committee, Planning Commission and City Council recommended that the Cottage Grove UGB be expanded to include approximately 241 gross acres to (a) meet identified employment site requirements (excluding business park site requirements); and (b) to include some intervening developed exception areas and public rights-of-way to facilitate extension of urban services to the identified employment sites.

- The Planning Commission and City Council's recommended Comprehensive Plan designations for areas within the proposed UGB are shown on Map 5: Planning Commission Recommended UGB Amendment.
- A new plan policy calls for updating the Cottage Grove Transportation System Plan (TSP) to address potential significant impacts on state transportation facilities prior to rezoning land within the UGB expansion area.

The Cottage Grove EOA, associated plan amendments, and implementing zoning districts for employment uses identified in the EOA were adopted in 2009.

### III. Preliminary Statewide Planning Goal Findings

Statewide Planning Goals 1, 2, 5, 7, 8, 9, 11, 12, 13 and 14 are applicable to this request.

Because the proposal is to amend the Cottage Grove Comprehensive Plan to meet economic development objectives, findings demonstrating compliance with the Goal 9 (Economy) and Goal 14 (Urban growth boundaries) administrative rules are provided first, followed by findings for remaining applicable statewide planning goals and rules.

- **Goal 9 (Economy of the State)** applies to adoption of local economic studies such as the Cottage Grove EOA. The Land Conservation and Development Commission (LCDC) adopted the Economic Development administrative rule (OAR Chapter 660, Division 009) to interpret Goal 9 and ORS 197.712. As noted above, Cottage Grove adopted the EOA on June 22, 2009 (Resolution #1713) and by ordinance on February 28, 2011 (Ordinance #3007). The recommendations of the EOA were adopted into the Cottage Grove Development Code on October 12, 2009 (Ordinance No. 2986).
- **Goal 14 (Urbanization)** governs amendment to urban growth boundaries; the Urban Growth Boundaries administrative rule (OAR Chapter 660, Division 024) provides detailed guidance for making UGB amendments.
- **Goal 1 (Citizen Involvement)** and **Goal 2 (Land Use Planning)** are procedural goals that require citizen involvement in all phases of the planning process; an adequate factual base for considering alternatives courses of action; coordination among the City, County and state agencies; adoption of ultimate policy choices in the Comprehensive Plan; and consistency between the Comprehensive Plan and implementing land use regulations.
- **Goals 5 (Natural Resources), 7 (Natural Hazards), 8 (Parks and Recreation) and 15 (Willamette River Greenway)** require local governments to address wetland and riparian impacts, limit development within the 100-year floodplain, plan to meet park and

recreational needs, and protect the Willamette River Greenway. Wetland and riparian corridors identified in the City's 2009 Local Wetland Inventory (LWI) are accounted for in the suitable employment lands inventory. The Cottage Grove Rodeo is a developed recreational facility identified in the 2003 Cottage Grove Master Parks Plan, and is proposed for inclusion within the UGB. New development in areas adjacent to the Willamette River (the Weyerhaeuser site is the only site proposed for inclusion adjacent to the Willamette) will be required to meet Greenway setback standards.

- **Goal 11 (Public Facilities and Services), Goal 12 (Transportation) and Goal 13 (Energy Conservation)** also apply. Goal 12 is implemented by the Transportation Planning Rule (OAR Chapter 660, Division 012).

#### **IV. Statewide Planning Goal 9 (Economy of the State)**

The Goal 9 (Economy) rule sets forth standards for conducting an economic opportunities analysis (EOA) and determining the operational characteristics of employment sites that are required to carry out a community's economic development policies. ECONorthwest worked with Winterbrook Planning to prepare the Cottage Grove EOA in compliance with the Goal 9 administrative rule (OAR Chapter 660, Division 009 – Economic Development).

The purpose of the Goal 9 rule (OAR 660-009-0000) is to:

*\* \* \* provide an adequate land supply for economic development and employment growth in Oregon  
\* \* \* [and] to link planning for an adequate land supply to infrastructure planning, community involvement and coordination among local governments and the state.*

After an exhaustive analysis, the adopted 2009 Cottage Grove EOA identifies the number, acreage and characteristics of sites that will be needed during the 20-year planning period to attract targeted employment opportunities and to meet their operational requirements.

- The EOA resulted from a six-month review by a technical advisory committee, as well as work sessions and public hearings before the Planning Commission and City Council. The Advisory Committee encouraged public comments and ensured coordination among local and state governments in the development of the Cottage Grove EOA and the proposed UGB amendment.
- Winterbrook drafts of the EOA were presented to the Advisory Committee and revised to further elaborate on need and supply considerations, urban land use efficiency measures, and public facility standards.

- The Cottage Grove EOA was adopted on June 22, 2009 (Resolution #1713). The recommendations of the EOA were incorporated into the Cottage Grove Development Code on October 12, 2009 (Ordinance No. 2986).

#### A. Economic Opportunities Analysis [OAR 660-009-0015]

As required by the Goal 9 rule (OAR 660-009-0015), the Cottage Grove EOA and supporting technical studies include:

- (1) A review of national, state, regional, county and local trends (EOA, pp. 11-18);
- (2) The identification of required site types based on the site characteristics typical of expected uses (EOA, pp. 31-35);
- (3) An inventory of industrial and other employment lands (EOA, pp. 36-37);
- (4) An assessment of community economic development potential (EOA, pp. 26-29); and
- (5) A community economic vision – emphasizing the importance of employment growth, as well as strengthening the downtown commercial core, is discussed in the EOA Economic Development Strategy (pp. 44-51) and confirmed through the Advisory Committee process.

#### B. Industrial and Other Employment Development Policies [OAR 660-009-0020]

OAR 660-009-0020 requires that the EOA and Comprehensive Plan include economic development objectives and policies. The Cottage Grove EOA provides the basis for proposed policy amendments to the Cottage Grove Comprehensive Plan. The Economic Development Strategy (EOA, pp. 44-51) provides implementation steps toward achieving identified objectives, and Appendices A and B to the EOA recommend Comprehensive Plan and Development Code amendments consistent with the Strategy. The City of Cottage Grove adopted the recommended Plan and Code amendments in 2009 (Ordinance #2986).

#### C. Designation of Lands for Industrial and Other Employment Uses [OAR 660-009-0025]

**OAR 660-009-0025** requires designation of employment sites consistent with the policy direction found in the EOA and Comprehensive Plan:

- (1) The Cottage Grove EOA identifies the approximate number, acreage and characteristics of sites needed to accommodate industrial, office and retail uses. Table 1 (Table 5-2 from the EOA) shows site needs by site size for the Cottage Grove UGB from 2009 to 2029. The estimate of needed sites builds off of the 20-year coordinated population forecast, the derivative employment forecast, and targeted types of employment found in Table 4-4 of the EOA.

Table 1 shows that Cottage Grove needs to provide between 111 and 176 sites and approximately 170 acres to accommodate employment growth between 2009 and 2029. Cottage Grove will need to provide 42 to 74 industrial sites and 69-102 commercial sites. The majority of sites (100 to 160 sites) will be two acres or smaller.

**Table 1. Estimated sites needed, Cottage Grove UGB, 2009-2029**

<b>Size of firm</b>	<b>Est Gross Acres Needed</b>	<b>Avg. Site Size</b>	<b>Total Sites Needed</b>	<b>Industrial</b>	<b>Other Emp.</b>
100 +	20	20 +	1	1	-
50-99	60	5-20 ac	5-7	2-3	3-4
25-49	30	2-5 ac	5-10	3-6	2-4
10-24	30	1-2 ac	25-35	10-15	15-20
1-9	30	<1 ac	75-125	25-50	50-75
<b>Total</b>	<b>170</b>		<b>111-176</b>	<b>42-74</b>	<b>69-102</b>

Source: ECONorthwest.

- (2) After accounting for available land supply and the results of efficiency measures (see Appendix 2, *Employment Land Needs Memorandum*, Winterbrook June 4, 2010), the EOA identifies employment needs *unmet within the current UGB* as follows:

**Commercial (Land Need = 45 Acres)**<sup>1</sup>. After accounting for 62 acres of existing vacant, underdeveloped and redevelopable commercial land within the UGB, there is an unmet need for about 45 acres. The EOA concludes that this deficit should be met in the following ways:

- a. **Business Park.** The bulk of new employment that Cottage Grove wants to attract is service commercial employment, including health care and social assistance, government, professional and business services. Limited light industrial and supporting retail uses (e.g., restaurants or health clubs, or sales of products produced on site) are also appropriate in a business park setting. The site needs of the business park are: a site of about 33 acres in size; relatively flat site, and direct automotive access to an arterial street or state highway. Business parks typically have a campus like setting and require that activities be conducted indoors; therefore business parks are more compatible with adjacent residential uses than industrial uses or large retail centers.
- b. **Community Commercial Center.** As documented in Chapter 6 of the EOA, Cottage Grove has 62 acres of vacant, underdeveloped, and redevelopable Commercial land. The demand for retail commercial uses typically increases with population growth. Most of this retail

<sup>1</sup> The EOA identifies a total unmet commercial need of 35 acres, and an unmet industrial need of 67 acres. It is assumed that some light industrial need (approximately 10 acres) will be met in the new Business Park described in the Commercial Needs section, resulting in 45 acres of "commercial" need and 57 acres of "industrial" need.

demand can be met in vacant or underdeveloped Commercial areas within the UGB. However, there is an unmet need for a community shopping center of approximately 12 gross (10 net after accounting for streets) suitable acres. The community center site would be designated Community Commercial – subject to master planning requirements and building square footage limitations.

**Industrial (Need = 57 Acres).** After accounting for 42 acres of vacant or partially-vacant industrial land supply, unmet industrial need is identified as 24 acres for a large industrial site, and 33 acres for an industrial park.

- a. **Master Planned Industrial Park:** Designate an Industrial Park site (similar to the existing Cottage Grove Industrial Park) with at least 33 gross suitable acres to meet the need for small- to medium-sized sites in a master-planned setting. Plan policies and amended development code standards ensure that land designated Industrial outside the existing UGB would require an approved master development plan prior to development.
- b. **Large Single-User Industrial Site:** Designate a site with at least 24 gross suitable acres that is reserved specifically to meet the needs of a single large firm with at least 100 employees. Plan policies and amended development code standards ensure that the site is reserved exclusively for a large firm.

(3) The sites proposed to meet identified needs must have the following site characteristics, as described in the EOA:

“Generally, targeted industries require sites with characteristics similar to those found in the existing Cottage Grove Industrial Park and existing commercial areas:

- Relatively flat, serviced (or serviceable) sites, without environmental constraints (floodplain, wetlands and steep slopes);
- Direct access to Highway 99 or to Interstate 5 so that truck and automobile traffic will not be directed through established residential neighborhoods to reach state highways and I-5.
- Clustered near existing employment centers to achieve economies of scale and agglomeration (clustering) economies.”

(4) As shown on Maps 1 - 3, sites proposed for inclusion within the Cottage Grove UGB are flat and serviceable to ensure efficient parking, loading and building operations in a single-story configuration, with unconstrained areas large enough to accommodate identified operational needs.

- (5) Sites proposed for inclusion along Highway 99 (meeting identified Industrial Park and Large Site Industrial needs) have direct access to Highway 99. The proposed Community Commercial site along S. 6<sup>th</sup> Street has direct access to Interstate 5.
- (6) Sites proposed for inclusion along Highway 99 are near or adjacent to the Cottage Grove Industrial Park, Weyerhaeuser, and several other developed industrial uses. The Community Commercial site proposed along S. 6<sup>th</sup> Street is not clustered near existing employment, but is the best available site that meets the first two criteria.

After considering testimony from 1000 Friends of Oregon, the Planning Commission recommended against inclusion of resource land to meet identified business park needs at this time. OAR 660-024-0040(3) allows local governments to review and amend the UGB in consideration of one category of land need without a simultaneous review and amendment in consideration of other categories of land need. Consistent with this administrative rule provision and the Planning Commission's recommendation, the Cottage Grove City Council decided to postpone consideration of business park need. The Board concurs with the City Council in this matter.

#### D. Goal 9 Conclusion

**For the reasons stated above and based on information found in the Cottage Grove EOA and accompanying Winterbrook memoranda, the proposed Comprehensive Plan amendments comply with Goal 9.**

#### V. Statewide Planning Goal 14 Urbanization and Employment Land Need [OAR 660-024-0040]

The standards for amending an urban growth boundary (UGB) are found in Statewide Planning Goal 14 (Urbanization)<sup>2</sup> and in ORS 197.298 Priorities for urban growth boundary amendments. The Goal 14 rule (OAR Chapter 660, Division 024) interprets and clarifies the more general language of Goal 14 and explains the relationship between statutory "priorities" and Goal 14 "location factors." In the Goal 14 rule findings below, *text shown in italic is quoted directly from the referenced goal, rule or statute.*

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<sup>2</sup> "**Land Need** Establishment and change of urban growth boundaries shall be based on the following: (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year affected local governments; and (2) Demonstrated need for housing, employment opportunities, 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."



As noted in Goal 14:

*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.*

As noted in the Goal 9 discussion above, the Cottage Grove EOA, the Cottage Grove Comprehensive Plan and Winterbrook memoranda identify specific parcel size, topographical and proximity characteristics necessary to meet the operational requirements for targeted employment types.

**A. Employment Land Need Only [OAR 660-024-040(1)]**

*(1) A local government may review and amend the UGB in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).*

The City of Cottage Grove reviewed and proposed amendments to its UGB in consideration of industrial and commercial employment land needs only. The City and County have postponed addressing the need for a business park site on resource land at the request of 1000 Friends of Oregon.

**B. Determination of 20-Year Employment Land Need [OAR 660-024-0040(5)]**

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

Applicable requirements of Goal 9 and OAR Chapter 660, division 9 relating to determination of 20-year employment land need are focused on development and adoption of an Economic Opportunities Analysis (OAR 660-009-0015). As discussed under Goal 9 above, the City of Cottage Grove has adopted an Economic Opportunities Analysis consistent with OAR 660-009-0015 requirements, including:

- 1) A trends analysis (EOA Chapter 2, Economic Trends and Factors Affecting Economic Growth in Cottage Grove);

- 2) Identification of employment site needs (EOA Chapter 4, Cottage Grove Employment Projection and Target Industries Determination);
- 3) Suitable lands inventory (EOA Chapter 6, Land Available within the UGB for Industrial and Other Employment); and
- 4) An assessment of community economic development potential (EOA Chapter 3, Cottage Grove's Comparative Advantages).

Cottage Grove is not within a Metropolitan Planning Organization, and is not required by local policies to maintain a short-term supply of land.<sup>3</sup> Therefore, maintenance of a short-term land supply is not required to be considered in the EOA or these findings. However, approximately 100 acres (or about half) of the identified 20-year need for employment land can be accommodated within the existing UGB. Due to recent improvements in Cottage Grove's water treatment facilities and the wastewater treatment plant, the existing public facilities infrastructure is adequate to serve employment lands within UGB. Therefore, approximately half of the identified 20-year employment needs can be met in the "short-term" land supply.

As explained in detail in Chapter 4 (Cottage Grove Employment Projection and Target Industries Determination) of the EOA, employment land need identified in the EOA is based on forecast employment growth over the planning period (1,652 new jobs through 2029). Cottage Grove's population is forecast to reach 12,856 by 2030 (or 12,704 by 2029).<sup>4</sup> Cottage Grove's current job to population ratio is 1:2.1. The forecast population and employment growth maintain this ratio through 2029.

### C. Summary of Identified Suitable Land Needs from the 2009 Cottage Grove EOA

As discussed under Goal 9 above, the Cottage Grove EOA identifies the approximate number, acreage and characteristics of sites needed to accommodate industrial, office and retail uses. Table 2 (Table 5-2 from the EOA) shows site needs by site size for the Cottage Grove UGB from 2009 to 2029. The estimate of needed sites builds off of the 20-year employment forecast and targeted types of employment found in Table 4-4 of the EOA.

Table 2 shows that Cottage Grove needs to provide between 111 and 176 sites and approximately 170 acres to accommodate employment growth between 2009 and 2029. Cottage Grove will need to provide 42 to 74 industrial sites and 69-102 commercial sites. The majority of sites (100 to 160 sites) will be two acres or smaller.

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<sup>3</sup> "Short-term Supply of Land" means suitable land that is ready for construction within one year of an application for a building permit or request for service extension. Engineering feasibility is sufficient to qualify land for the short-term supply of land.

<sup>4</sup> Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035 (Portland State University, May 2009)

Table 2. Estimated sites needed, Cottage Grove UGB, 2009-2029

Size of firm	Est Gross Acres Needed	Avg. Site Size	Total Sites Needed	Industrial	Other Emp.
100 +	20	20 +	1	1	-
50-99	60	5-20 ac	5-7	2-3	3-4
25-49	30	2-5 ac	5-10	3-6	2-4
10-24	30	1-2 ac	25-35	10-15	15-20
1-9	30	<1 ac	75-125	25-50	50-75
<b>Total</b>	<b>170</b>		<b>111-176</b>	<b>42-74</b>	<b>69-102</b>

Source: ECONorthwest.

## VI. Land Inventory and Response to Deficiency (OAR 660-024-0050)

### A. Inventory of Suitable and Vacant Employment Land OAR [660-024-0050(1)]

(1) When evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For employment land, the inventory must include suitable vacant and developed land designated for industrial or other employment use, and must be conducted in accordance with OAR 660-009-0015.(8)

"Suitable vacant and developed land" describes land for employment opportunities, and has the same meaning as provided in OAR 660-009-0005(1) for "developed land," section (12) for "suitable," and section (14) for "vacant land." [OAR 660-024-010(8)]

The Cottage Grove EOA (pp. 36-39) describes in detail the approach the City used to evaluate its available land supply.<sup>5</sup> The resulting Table 3 (EOA Table 6-4) shows that Cottage Grove has 16 suitable industrial and 102 suitable commercial sites, totaling about 42 net acres of industrial land and 62 net acres of commercial. A substantial majority (over 75%) of Cottage Grove's suitable and available land supply is found in sites 5 acres or smaller in size.

<sup>5</sup> The City of Cottage Grove applied the OAR 660-024-050(3) safe harbor when evaluating employment land supply: "As safe harbors when inventorying land to accommodate industrial and other employment needs, a local government may assume that a lot or parcel is vacant if it is: (a) Equal to or longer than one-half acre, if the lot or parcel does not contain a permanent building; or (b) Equal to or larger than five acres, if less than one-half acre of the lot or parcel is occupied by a permanent building."

**Table 3: Suitable Sites Inventory by Site Size Category (in net acres)**

<b>Acreage</b>	<b>IND Sites</b>	<b>Net Acres</b>	<b>COM Sites</b>	<b>Net Acres</b>	<b>Pot Redev Com Sites</b>	<b>Net Acres</b>
20+	0	0.0	0	0.0	0	0
5 to 20	1	14.9	0	0.0	1	9.0
2 to 5	5	17.5	5	13.8	2	3.4
1 to 2	5	5.0	2	2.0	4	4.5
< 1	5	4.5	24	11.4	64	17.8
<b>Total</b>	<b>16</b>	<b>41.9</b>	<b>31</b>	<b>27.2</b>	<b>71</b>	<b>34.6</b>

Source: Winterbrook Planning

IND: Industrial; COM: Commercial; Pot Redev Com: Potential Redevelopment Commercial

The EOA sorted the updated inventory of suitable vacant and potentially redevelopable land by the site size categories identified in Chapter 5 of the EOA.<sup>6</sup> As noted above, a substantial majority (over 75%) of Cottage Grove’s suitable and available employment land supply is found in sites 5 acres or smaller in size. This inefficient land use pattern makes it difficult to assemble and redevelop underutilized parcels.

As described in Chapters 6 and 7 of the EOA, the Cottage Grove CAC and planning staff supported a policy of Downtown and Highway 99 investment and intensification. To reflect this, the EOA projects that:

1. All commercial/industrial parcels with an existing single family home will redevelop.
2. Half of developed commercial and industrial parcels – with assessed improvement values equal to or less than assessed land values – will redevelop.
3. Large format commercial (“big box” retail) site needs will be met inside the UGB through redevelopment of existing commercial lands – rather than looking for large sites outside the UGB.<sup>7</sup>

These policy choices effectively increased the vacant and redevelopable supply of employment land inside the UGB by over 80%, from 57 to 104 acres. As a result of these policies, the need to expand the UGB was reduced correspondingly – from 151 to 104 acres. Thus, the EOA supports the City’s policy choice to rely extensively on redevelopment and intensification of land use

<sup>6</sup> Much of the employment land supply in Cottage Grove is comprised of small lots served by the existing street system. The 2001 Satre BLA assumed that 20% of future industrial and commercial land would be reserved for dedication of public rights-of-way. Because further street dedication necessary to serve existing employment sites within the Cottage Grove UGB will be limited, the EOA assumed only a 10% reduction to account for public rights-of-way for employment land within the existing UGB.

<sup>7</sup> For example, the City could have identified a special need for a 10-12 acre large format retail site. By adopting the EOA, the City made the policy choice to require “big box” retail to acquire and consolidate a number of smaller retail sites rather than allocate a large, greenfield site outside the existing UGB.

within the existing UGB to meet identified employment needs – thus minimizing the need to expand the UGB to meet such needs.

**B. Capacity of the UGB to Meet Employment Land Needs [OAR 660-024-050(4)]**

*If the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the City or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB. If the local government determines there is a need to expand the UGB, changes to the UGB must be determined by evaluating alternative boundary locations consistent with Gaal 14 and OAR 660-024-0060.*

As described above, the City has modified its Comprehensive Plan and Zoning Code to allow for more efficient use of land inside the current UGB, and to promote the objective of increased redevelopment in the downtown core. However, not all of the City’s identified employment needs can be met within the existing UGB.

Table 4 shows unmet site needs, based on a comparison of the identified employment land supply with identified employment site needs. As shown on Table 4, Cottage Grove has an unmet need for one large 20+ acre industrial site, one midsize 5-20 acre industrial site, three midsize sites for other employment, and 39 small industrial sites.

**Table 4: Unmet Consolidated Average Site Needs**

<b>Site Size</b>	<b>Industrial Sites</b>	<b>Site Acres Needed</b>	<b>Other Emp. Sites</b>	<b>Site Acres Needed</b>
20+	1	20	0	0
5 to 20	1	10	3	30
<5	39	27	0	0
<b>Totals</b>	<b>41</b>	<b>57</b>	<b>3</b>	<b>30</b>

Source: 2009 EOA, Table 7-2

Table 5 converts unmet site needs to gross acres, to account for land lost to rights-of-way in development.<sup>8</sup> There is an unmet need for 67 gross acres of industrial land, and 35 gross acres of land for other commercial and other employment types. These include one 20+ acre site, and

<sup>8</sup> The EOA assumes that 15% of large parcels required for master planned employment uses will be consumed by rights-of-way.

four sites (one industrial, 3 other) of 5 acres or larger in size.

**Table 5: Unmet Consolidated Average Site Needs (Gross Acres)**

Site Size	Industrial Sites	Gross Site Acres Needed	Other Emp. Sites	Gross Site Acres Needed
20+	1	24	0	0
5 to 20	1	12	3	35
<5	39	32	0	0
<b>Totals</b>	<b>41</b>	<b>67</b>	<b>3</b>	<b>35</b>

Source: 2009 EOA, Table 7-3

The following summary explains how the gross suitable acreage need identified in the Cottage Grove EOA employment categories will be accommodated on vacant and redevelopable employment lands within and immediately outside the Cottage Grove UGB.

**Commercial (Land Need = 45 Acres)**<sup>9</sup>. After accounting for 62 acres of existing vacant, underdeveloped and redevelopable commercial land within the UGB, there is an unmet need for about 45 acres. This deficit is proposed to be met by:

- a. **Business Park (33 Acres)**. As shown Map 5, the Cottage Grove Planning Commission has recommended against inclusion of resource land at this time to meet the identified Business Park need. The Board concurs in this recommendation.
- b. **Community Commercial Center (12 Acres)**. As shown on Map 4, the City of Cottage Grove proposes to meet the Community Commercial need in a rural residential exception area south of the existing UGB, along S. 6<sup>th</sup> Street.

**Industrial (Need = 57 Acres)**. After accounting for 42 acres of vacant or partially-vacant industrial land supply, unmet industrial need is identified as 24 acres for a large industrial site, and 33 acres for an industrial park.

- c. **Master Planned Industrial Park (33 Acres)**: As shown on Map 4, the City of Cottage Grove proposes to meet the identified Industrial Park need on the Weyerhaeuser site (an industrial exception area), along Highway 99 south of the existing UGB.
- d. **Large Single-User Industrial Site (24 Acres)**: As shown on Map 4, the City of Cottage Grove proposes to meet the identified Large Industrial Site need on the Weyerhaeuser site (an industrial exception area), along Highway 99 south of the existing UGB.

<sup>9</sup> The EOA identifies a total unmet commercial need of 35 acres, and an unmet industrial need of 67 acres. It is assumed that some light industrial need (approximately 10 acres) will be met in the new Business Park described in the Commercial Needs section, resulting in 45 acres of "commercial" need and 57 acres of "industrial" need.

### C. Application of Employment Designations [OAR 660-024-050(6)]

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

As shown on Map 5, land proposed to be added to meet identified employment needs will be designated on the City of Cottage Grove's Comprehensive Plan Map for employment.

Specifically:

- Existing, developed industrial areas proposed for inclusion along Highway 99 will be redesignated from county rural industrial to City Industrial (I);
- The Weyerhaeuser Site, proposed to meet Large Site Industrial and Industrial Park needs, will be redesignated from county rural Industrial to City Industrial (I);
- The rural residential site along S. 6<sup>th</sup> Street, proposed to meet Community Commercial needs, will be redesignated City Community Commercial (C);
- Intervening developed rural residential areas along Highway 99 and S. 6<sup>th</sup> Street will be designated City Low Density Residential (L).

ORS 197.296 does not apply to Cottage Grove because the City has a population below 25,000 and is outside the Portland UGB.

### D. Boundary Location Alternatives Analysis [OAR 660-024-060]

Goal 14 includes requirements for conducting an alternatives analysis to determine where UGBs can be expanded. However, Goal 9 requires local governments to identify the site characteristics (size, topography and proximity) required for the efficient operation of targeted employment types. Recognizing the importance of providing employment sites that meet identified site and operational requirements, Goal 14 allows local governments to specify such needed site characteristics before examining alternatives:

*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.*

The Goal 14 rule has a similar provision:

#### 1. Required Site Suitability Characteristics [OAR 660-024-060(5)]

*If a local government has specified characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need, the local government may limit its*

*consideration to land that has the specified characteristics when it conducts the boundary location alternatives analysis and applies ORS 197.298.*

OAR 660-024-0060(5) allows “specified characteristics necessary for an identified need” to be used in evaluating alternative areas. Land that does not meet these siting characteristics does not need to be evaluated in the analysis.

As described in the EOA and the Cottage Grove Comprehensive Plan, all targeted employment uses require the following site characteristics to operate efficiently:

1. Relatively flat, serviced (or serviceable) sites, without environmental constraints (floodplain, wetlands and steep slopes).
2. Direct access to Highway 99 or to Interstate 5 so that truck and automobile traffic will not be directed through established residential neighborhoods to reach state highways and I-5.
3. Clustered near existing employment centers to achieve economies of scale and agglomeration (clustering) economies. [Note that this criterion is less important for the community commercial site, which is designed to serve nearby residential areas and is by nature relatively compatible with residential development.]

In presenting alternatives to the Advisory Committee, Winterbrook Planning first identified required site characteristics necessary for targeted employment types to operate efficiently, and then applied these characteristics systematically to each priority category of land prescribed by ORS 197.298.

***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; (2) Orderly and economic provision of public facilities and services; (3) Comparative environmental, energy, economic and social consequences; and (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.*

Again, the Goal 14 rule makes it clear that ORS 197.298 Priorities for urban growth boundary expansion must be considered first in this process. To evaluate land for consistency with ORS 197.298 Priorities and Goal 14 location factors, Winterbrook Planning considered a study area extending approximately one mile out from the existing Cottage Grove UGB, in every direction. Within the Study Area, Winterbrook proceeded to classify land based on ORS 197.298 Priorities, as follows:

- Exception Areas
- Resource (Farm / Forest) Land



## 2. Priorities for UGB Expansion and Application of Goal 14 Location Factors [OAR 660-024-060(1) through (4)]

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

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

## 3. Highest Priority: Suitable Exception Areas

In Cottage Grove's situation, the first priority for meeting identified employment needs outside the UGB is land within "exception areas."

As shown on Map 2 (Unconstrained Lands), exception (non-farm and non-forest) land is found along all major transportation routes entering and leaving Cottage Grove. Most of the exception areas do not have the site characteristics required by employment identified in the Cottage Grove EOA.<sup>10</sup>

However, Cottage Grove is unusual in having a large, undeveloped rural industrial development site with access to a state highway – the unused portion of the Weyerhaeuser site. This site is already served by water service under an extra-territorial service agreement with the City. Cottage Grove has coordinated closely with Weyerhaeuser in this process, and has determined that an unused area on the rural industrial Weyerhaeuser property provides an opportunity to meet the large industrial site need and the industrial park need on highest-priority exception lands.

Map 3 (Potential Expansion Sites) shows exception areas that are potentially suitable for meeting identified needs.

The bullet points below includes a summary of exception area parcels that meet identified site suitability requirements for targeted employment:

- **Highway 99, Rural Industrial:** 65 Suitable Acres (Weyerhaeuser Site).
- **S. 6th Street, Rural Residential:** 12 Suitable Acres (14 parcels), anchored by two relatively large (4+ acre) parcels.

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<sup>10</sup> Of note, rural residential lands were originally zoned for rural residential use due to existing development patterns that made the land unsuitable for commercial agricultural or forestry use. They are generally characterized by natural constraints such as slope or floodplain, small lots (relative to the resource-zoned lands), developed residential investment (houses, garages, driveways, roadways, etc), and multiple individual owners.

The exception areas proposed for inclusion accommodate all but one identified site need – 33 acres for a Business Park.

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

Consideration of Goal 14 location factors for deciding which highest priority exception areas to include within the UGB follows the discussion of ORS 197.298 Priorities.

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

#### **4. Lower Priority Resource Land**

After accounting for the capacity of the existing UGB and nearby exception areas to accommodate identified employment site needs, the Advisory Committee and the City and County Planning Commissions next considered the next ORS 197.298 priority – farm or forest land that meets identified employment site requirements for a Business Park. In the Cottage Grove area, the lowest value soils that also meet identified Business Park site requirements are a mix of Class II and III agricultural soils. Class IV soils are of lower quality but generally are associated with steeper slopes or the 100-year floodplain.

Two sites were identified in the Study Area that could potentially meet Business Park site requirements:

- **Highway 99, Impacted Forest Resource:** 29 Suitable Acres.
- **S. 6th Street, Agricultural Resource:** 55 total Suitable Acres, bisected by a wetland.

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

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

**Proposed Findings:** This exception to ORS 197.298 Priorities mirrors the text of Goal 14 and OAR 660-009-0050(5):

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

Since the Cottage Grove EOA and these findings specify characteristics necessary for land to be suitable to meet the operational requirements of targeted employment, the proposal to include a Business Park site on resource land is also allowed by this exception. However, after considering testimony from 1000 Friends of Oregon, the City and County Planning Commissions recommended against inclusion of resource land to meet identified business park needs at this time. This need will be addressed at a later date after further analysis. The Board concurs with the City Council's decision based on the Planning Commissions' recommendation.

*(4) In determining alternative land for evaluation under ORS 197.298, "land adjacent to the UGB" is not limited to those lots or parcels that abut the UGB, but also includes land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency.*

**Proposed Findings:** This proposal considered all exception areas within the vicinity of the current UGB within the one mile study area.

#### **E. Alternatives Analysis OAR 660-024-060(3) and (6)**

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

**Proposed Findings:** The findings below consider and balance each of the Goal 14 location criteria – first within exception areas and then within resource areas.

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

**Proposed Findings:** These findings describe and map two sets of UGB expansion study areas:

- first, a general study area within a mile of the existing UGB; and
- second, subareas based on ORS 197.298 priority categories (exception areas, resource areas) that meet identified employment siting requirements.

#### **F. Goal 14 Locational Factors**

*(1) Efficient accommodation of identified land needs; (2) Orderly and economic provision of public facilities and services; (3) Comparative environmental, energy, economic and social consequences; and (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB."*

## 1. Goal 14 Location Factor 1: Efficient accommodation of identified land needs

**Exception Area Alternatives:** There is only one exception area site capable of meeting identified industrial needs – the Weyerhaeuser site. The S. 6<sup>th</sup> Street site proposed to meet Community Commercial needs is the only flat and accessible exception area site with relatively large parcels in the Study Area. This site has direct access to I-5 and S. 6<sup>th</sup> Street (a minor arterial) and is identified on Map 3. Both of these sites are connected to the UGB by a major arterial (Highway 99) or a minor arterial (S. 6<sup>th</sup> Street) and can readily be provided with required urban services with the inclusion of intervening developed exception lands.

**Resource Land Alternatives:** The Planning Commission found that two sites can potentially meet the identified Business Park need – a site on Highway 99 and a site on S. 6<sup>th</sup> Street. Neither is adjacent to the existing UGB. The Highway 99 site is approximately 0.4 miles from the existing UGB. The S. 6<sup>th</sup> Street site is approximately 0.3 miles from the existing UGB. Both sites are proposed across the street from sites that meet other identified needs (the Highway 99 site is across Highway 99 from the proposed industrial sites, while the S. 6<sup>th</sup> Street site is across the street from the proposed Community Commercial site). As discussed under Goal 11 Findings, both sites can be efficiently served by public facilities.

**Location Factor 1 Conclusion:** On a comparative basis, the Board finds that exception areas proposed for inclusion represent a reasonably efficient but “linear” land use configuration. Nevertheless, the lack of an efficient (as in from the center outwards) land use configuration is outweighed by the ORS 197.298 imperative to include exception areas wherever feasible to meet identified land use needs.

The resource area proposed for inclusion by the Advisory Committee – the Highway 99 site – is comparable to its alternative in terms of the efficient provision of the key urban facilities and services identified above. Both sites abut developed exception areas adjacent to the UGB. However, as noted above, the Planning Commissions recommends against inclusion of resource land to meet identified business park needs at this time. The Board concurs with these recommendations.

## 2. Goal 14 Location Factor 2: Orderly and economic provision of public facilities and services; [OAR 660-024-060(7) and (8)]

*(7) For purposes of Goal 14 Boundary Location Factor 2, "public facilities and services" means water, sanitary sewer, storm water management, and transportation facilities.*

*(8) The Goal 14 boundary location determination requires evaluation and comparison of the relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. This evaluation and comparison must be conducted in coordination with service providers, including*

*the Oregon Department of Transportation with regard to impacts on the state transportation system. "Coordination" includes timely notice to service providers and the consideration of evaluation methodologies recommended by service providers. The evaluation and comparison must include: (a) The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB; (b) The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and (c) The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.*

**Exception Area Alternatives:** The Board concurs with the Planning Commissions' and City Council's finding that the exception areas proposed for inclusion are the only such areas that meet identified site requirements. As documented in memoranda by City staff, these sites can be provided with sanitary sewer, water, storm drainage and transportation facilities and services within the 20-year planning period. The Weyerhaeuser site already has City water and sanitary sewer service through an extraterritorial service extension agreement. Some of the rural residential properties on Hwy 99 already have City sanitary sewer service through a health hazard declaration.

The intervening and developed rural residential areas are included to allow for the efficient provision of public facilities to identified expansion sites. Highway 99 (a major arterial) and Sixth Street (a minor arterial) serve employment lands proposed for inclusion within the Cottage Grove UGB; the rural residential areas proposed for inclusion lie between these employment sites and the existing UGB. The City is particularly concerned with managing access from these developed rural residential areas to Highway 99 and Sixth Street. Inclusion of intervening rural residential areas will also allow the City to work with property owners to help acquire right-of-way and easements necessary for transportation, sewer, water, and storm drainage improvements to serve industrial and commercial sites and to meet City public facilities and transportation standards.

**Resource Land Alternatives:** The Board agrees with the Planning Commissions' and City Council's determination that two sites can potentially meet the identified Business Park need – a site on Highway 99 and a site on S. 6<sup>th</sup> Street. The City currently extends water service down Highway 99 to Weyerhaeuser, while no City services currently extend along S. 6<sup>th</sup> Street south of the UGB. As discussed under Goal 11 and Factor 1 above, urban services can be extended efficiently to both sites.

**Location Factor 2 Conclusion:** As discussed above, all sites proposed for inclusion are serviceable. The proposed Highway 99 resource site alternative would cost less to serve than the S. 6<sup>th</sup> Street resource site, so it is a better alternative for Factor 2. However, as noted above,

both Planning Commissions recommended against inclusion of resource land to meet identified business park needs at this time. The City Council and this Board concur with this recommendation.

### 3. Goal 14 Location Factor 3: Comparative economic, social, environmental and energy consequences;

**Exception Area Alternatives:** The findings immediately below are limited to the comparative ESEE consequences of including the proposed suitable (highest priority) exception areas.

- **Economic Consequences:** The economic consequences of including all of these areas will be positive, because their inclusion will provide suitable employment land as called for in the Cottage Grove EOA.
- **Social Consequences:** There will likely be adverse social consequences to include developed residential areas along S. 6<sup>th</sup> Street for commercial development – land use regulation changes to intensify use are often perceived negatively by neighbors. This adverse social consequence will be offset by increased service and retail jobs and improved access to local retail outlets and services.
- **Environmental Consequences:** There are no significant environmental consequences for bringing in any of the proposed exception areas because the UGB boundary has been drawn to avoid floodplains, most erodible sloped areas, and major wetlands.
- **Energy Consequences:** The energy consequences of including all proposed exception areas will be positive, since local employment will improve the jobs-housing balance and reduce retail and service “leakage” – which will likely result in reduced energy consumption for (a) working commuters and (b) shoppers.

**Resource Land Alternatives:** Two sites can potentially meet the identified Business Park need – a site on Highway 99 and a site on S. 6<sup>th</sup> Street. However, as noted above, the Planning Commissions recommended against inclusion of resource land to meet identified business park needs at this time. The City Council and Board concur with these recommendations.

- **Economic Consequences:** The economic consequences of including either business park site within the UGB would have been positive. The proposed business park represents an addition of hundreds of jobs to Cottage Grove. A portion of the S. 6<sup>th</sup> Street resource site is currently farmed and therefore would lose agricultural economic value if converted to a business park. The Highway 99 site is not currently in farm or forest use, but represents potential forestry value under current zoning. Due to relatively smaller lost economic value, the economic consequences are on balance better for inclusion of the Highway 99 site than the S. 6<sup>th</sup> Street site.

- **Social Consequences:** Business park development tends to provide a negative social consequence for adjacent residential uses. However, both farm and industrial uses cause greater conflicts. Adverse social consequences will be offset by increased local job availability and access. There is more adjacent residential development near the S. 6<sup>th</sup> Street site, and the S. 6<sup>th</sup> Street site is also currently farmed. There are fewer residential sites near the Hwy 99 site, and no active farm uses, although there are surrounding industrial and timber uses. Due to fewer adverse social consequences, the Highway 99 site would have had an advantage in this analysis.
- **Environmental Consequences:** Both potential Business Park sites contain mapped wetland areas. However, the S. 6<sup>th</sup> Street site is bisected by a mapped wetland, while the Highway 99 site's wetland area is limited to the northern edge of the site and can more easily be avoided. The Highway 99 site would have had less negative environmental consequence.
- **Energy Consequences:** The energy consequences are positive for development of both sites, since an increase in local jobs will reduce vehicle miles traveled for residents. The resource site alternatives are comparable in this respect.

**Location Factor 3 Conclusion:** Inclusion of proposed exception areas will provide local jobs and reduce energy consumption resulting from reduced commuting and the availability of increased shopping. Bringing in land within or adjacent to rural residential residences could have adverse social consequences to those living in homes that will eventually be displaced by commercial development, or will see adjacent non-residential development. There are no serious adverse environmental consequences resulting from inclusion of any of these areas within the Cottage Grove UGB. However, based on the Planning Commissions' recommendation, and the City Council's decision, the Board agrees that resource land should not be included at this time to meet identified business park need.

4. Goal 14 Location Factor 4: Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest lands outside the UGB.

**Exception Area Alternatives:** The proposed inclusion of exception areas for employment uses would minimally increase existing incompatibilities; typically rural residential uses create more conflicts with resource lands than employment uses, and existing rural industrial is proposed to continue to provide for industrial uses.

**Resource Land Alternative:** The Highway 99 site would have had slightly greater impact on resource land than the S. 6<sup>th</sup> Street site, because the Highway 99 site abuts resource land on two sides, whereas the S. 6<sup>th</sup> Street site abuts agricultural land on only one side. On the other

hand, the Highway 99 site is adjacent to impacted forest land that is not currently in forest production.

**Location Factor 4 Conclusion:** Converting rural residential areas to urban commercial areas will likely decrease existing conflicts with agricultural land – because commercial uses are more compatible with agricultural operations than residential uses. The Board concurs with the Planning Commission that developing the proposed Highway 99 site as a business park *would* have been more compatible with nearby resource activities than developing the S. 6<sup>th</sup> Street resource site, because the S. 6<sup>th</sup> Street site is in an area that is actively farmed, whereas the Highway 99 site is in an area that is not in active forest production. However, as noted above, the Planning Commissions recommended against inclusion of resource land to meet identified business park needs at this time. The City Council and Board concur with this recommendation.

#### 5. Goal 14 Conclusion.

**For reasons stated above, the Board concludes that the proposed Comprehensive Plan amendments comply with Goal 14 as implemented by OAR Chapter 660, Division 024.**

## VII. Statewide Planning Goals 1 and 2

The 2008-2009 Advisory Committee meetings represented the first phase of Cottage Grove's citizen involvement process for the 2010 Comprehensive Plan amendment package. (Appendix 1 includes Advisory Committee agendas and minutes.) During this process, the Advisory Committee reviewed drafts of the EOA before recommending the June 2009 final draft for review by the Cottage Grove Planning Commission.

The 2010 Advisory Committee reviewed EOA conclusions, statutory procedural requirements, and growth alternatives studies. A public open house was held on July 15, 2010 to allow members of the public to comment on the Advisory Committee's work. City staff also operated a booth at the City-wide Bohemia Mining Days festival from July 16-18 to receive public feedback on growth alternative studies. An informational meeting for all affected landowners was held by City Staff on September 29, 2010.

### A. Phase 1 Public and Agency Involvement: Advisory Committee Deliberations

The following is a summary of Committee meeting topics and results, beginning from the initial EOA Advisory Committee meetings, and ending with the Advisory Committee recommendation for UGB expansion:

- **EOA Work Session #1:** A kick-off Work Session was held on November 3, 2008 to introduce CAC members to the project, clarify roles and responsibilities and develop ground rules. At this meeting, the City engaged the CAC with an interactive



PowerPoint presentation focusing on the general purpose and format of EOAs, as well as specific economic concerns and opportunities related to Cottage Grove. The CAC also reviewed an initial draft EOA and supporting appendices, and the City asked the CAC to provide feedback and guidance regarding the types of economic development opportunities that they felt the community should pursue. Interview results (discussed in the subsection above) were presented and used as a talking point.

- **EOA Work Session #2:** The second Work Session provided CAC members with an updated draft EOA, a draft Economic Development Strategy (EDS), and a new draft Economic Element of the Cottage Grove Comprehensive Plan. Key issues discussed were:
  - a. The City's identified commercial and industrial lands deficit;
  - b. Targeted industry site requirements;
  - c. Commercial redevelopment objectives;
  - d. A strategy to meet identified lands deficits; and
  - e. Potential policies to address business development, workforce quality, and infrastructure needs.
  
- **EOA Open House #1:** The City held an open house at City Council Chambers at City Hall on March 24, 2009 from 5-7 p.m. The purpose of the open house was to introduce the community to the project, its findings, and conclusions. Winterbrook Planning, ECONorthwest and City planning staff were available to talk with attendees and answer questions. Attendees were also given a handout summarizing the process and policies involved in development of the EOA. The City had planned to revise the EOA as necessary based on public comments and discussion raised at the open house. However, the open house turned out to be largely informational and no edits were warranted.
  
- **EOA Agency Involvement:** DLCD was represented on the CAC. A complete draft document was submitted to DLCD on March 21, 2009. The Agency's comments and suggestions were then incorporated into a final draft.
  
- **Joint UGB Process Overview:** At this meeting held April 20, 2010 in Eugene, Winterbrook Planning provided an overview of the UGB amendment process related to Cottage Grove to the Cottage Grove Planning Commission and the Lane County Planning Commission.

- **UGB Work Session #1:** At this meeting held June 15, 2010, the Advisory Committee reviewed the Land Need and Supply Summary presented by Winterbrook Planning. Discussion included employment land needs identified in the EOA, efficiency measures taken by Cottage Grove, supply of employment land within the existing UGB, and unmet employment land needs. The Advisory Committee also reviewed a preliminary map of study areas and constraints outside the Cottage Grove UGB.
- **UGB Open House:** The City held an open house at City Council Chambers at City Hall on July 15, 2010 from 5-7 p.m. The purpose of the open house was to introduce the community to the project, its findings, and alternative growth recommendations. City planning staff were available to talk with attendees and answer questions. The City had planned to revise the alternative growth scenarios as necessary based on public comments and discussion raised at the open house. However, the open house turned out to be largely informational and no changes were warranted.
- **UGB Informational booth, Bohemia Mining Days:** The City operated an informational booth during the Bohemia Mining Days Festival, July 16-18, 2010, from 9 a.m. to 8 p.m. on Friday and Saturday, and 10 am to 2 p.m. on Sunday. The maps developed for the Advisory Committee were on display, and staff discussed findings and proposed solutions with many members of the public during this three day, City-wide festival.
- **UGB Work Session #2:** At this meeting held August 31, 2010, the Advisory Committee reviewed the Alternatives Recommendation presented by Winterbrook Planning and recommended the proposed UGB amendment for consideration by the Cottage Grove Planning Commission.
- **Public Meeting:** City staff held a meeting at City Hall on September 29, 2010 from 6-7:30 p.m. with affected property owners of the proposed UGB expansion area. The purpose of the meeting was to provide background on the UGB decision and address concerns and answer questions of affected property owners. Invitations to the meeting were mailed to every affected property owner on September 2, 2010. City staff prepared a Power-Point presentation for the meeting, and displayed the alternative analysis maps and proposed UGB expansion map. A dozen property owners attended this meeting.

## B. Phase 2 Public and Agency Involvement: Public Hearings

Phase 2 of the public involvement process requires review by the Cottage Grove and Lane County Planning Commissions, the Cottage Grove City Council, and the Lane County Board of Commissioners. Towards this end:

- **Joint Planning Commission Hearing:** The Cottage Grove and Lane County held a joint planning commission hearing on October 20, 2010 at City Hall. There was substantial testimony in favor of the proposal. The Planning Commissions heard testimony from the general public, state agencies (ODOT), and interested parties (including 1000 Friends of Oregon).

Concerns were raised by a neighboring property owner regarding potential impacts from development of property included within the UGB. Generally speaking, development impacts will be addressed when development is actually proposed on the property but not at the UGB amendment stage.

Notably, Mia Nelson of 1000 Friends of Oregon commended the City for getting it “90 percent right” but recommended that resource land not be included at this time to meet identified business park needs. 1000 Friends made it clear that it would appeal any decision to include resource land within the Cottage Grove UGB (the other 10 percent).

The Planning Commissions closed their respective public hearings and scheduled deliberations. The record was left open until Wednesday, November 10, 2010.

- The Cottage Grove Planning Commission met on December 15, 2010 and, based on testimony from 1000 Friends of Oregon, voted unanimously to (a) postpone meeting business park need on resource land at this time, but (b) to otherwise approve the UGB amendment as proposed by staff and the Advisory Committee.
  - The Lane County Planning Commission met on December 21, 2010 and, based on testimony from 1000 Friends of Oregon, voted unanimously to (a) postpone meeting business park need on resource land at this time, but to (b) otherwise approve the UGB amendment as proposed by staff and the Cottage Grove Advisory Committee.
- **City Council Hearing:** The Cottage Grove City Council reviewed the Planning Commissions’ recommended UGB amendment proposal on January 24, 2011 at City Hall. After considering public testimony, the Council closed the public hearing. The Council deliberated on February 14, 2011 and voted to approve the Planning Commissions’ recommendation (Ordinance No. 3003).

- **Lane County Board Hearing:** Lane County held a public hearing on this matter on April 13, 2011. The UGB amendment was co-adopted by Lane County and will become final when acknowledged by the Land Conservation and Development Commission.

### C. Factual Base and Consideration of Alternatives

The factual and analytical basis for the Comprehensive Plan amendment package includes the appendices and maps cited above, information provided at Advisory Committee work sessions, information provided at the joint Planning Commission, City Council and Board public hearings, and information provided in these findings.

### D. Intergovernmental Coordination

The Advisory Committee included representatives from DLCD, ODOT, and Lane County. All state agency and local government participants voted to approve the recommendation to the Cottage Grove Planning Commission and City Council regarding the proposed UGB expansion.

DLCD notice of the proposed legislative amendment package was provided at least 45 days in advance of the initial public hearing before the Cottage Grove Planning Commission on October 20, 2010. State and local units of government are encouraged to continue to participate in the process, both informally through communications with City staff and consultants, and formally through the public hearing process. City and County staff will be coordinating regarding the timing and location of the public hearing process.

### E. Comprehensive Plan and Land Use and Development Code Consistency

Goal 2 requires that local land use regulations be consistent with and adequate to carry out the policy choices set forth in the Comprehensive Plan. The Cottage Grove EOA serves as both the factual and policy base for Comprehensive Plan and Zoning Code amendments adopted by Cottage Grove (Ordinance #2986). These findings and a Winterbrook Memorandum entitled Employment Land Needs Memorandum and dated June 4, 2010 demonstrated that alternatives were considered prior to deciding where to expand the UGB to meet identified employment site needs.

### F. Statewide Planning Goals 1 and 2 Conclusion

For reasons stated above, the proposal complies (or will comply following the public hearing process) with Goals 1 and 2.

## VIII. Statewide Planning Goals 5, 7, 8 and 15

### Goal 5 Wetlands and Riparian Corridors

ESA Adolfson prepared the Cottage Grove Local Wetlands Inventory (LWI) in 2009. The LWI identifies locally significant wetlands and riparian corridors within and in proximity to the existing Cottage Grove UGB.

The EOA considers wetland areas to be unsuitable for employment purposes. As part of the alternatives analysis, an otherwise suitable site located to the north of the proposed Business Park site was excluded from consideration because of wetland considerations.

Where wetlands are found on a site, they will be protected by (a) Chapter 14, the Cottage Grove Development Code, and (b) Department of State Lands wetland fill and removal permit requirements.

The Cottage Grove Development Code utilizes the Goal 5 Safe Harbor riparian setback to protect riparian resources. The EOA considers floodplains and riparian areas to be unsuitable for employment purposes. The only site within a riparian setback included in proposed expansion area is located on the Weyerhaeuser property, which follows the west bank of the Coast Fork of the Willamette River. New development on this site will be required to meet standards for riparian protection established by the Cottage Grove Development Code.

### Goal 7 Flood Hazards

The Cottage Grove EOA considers land within the 100-year floodplain to be unsuitable for employment purposes. Therefore, to comply with Goal 7 and Goal 9, proposed expansion areas avoid floodplain areas. Since riparian corridors (and associated wetlands) are commonly found in the floodplain, avoidance of floodplain areas has the effect of avoiding most wetland and riparian corridor impacts.

The only property adjacent to a major river within the proposed expansion is the Weyerhaeuser property, which lies along the western bank of the Coast Fork of the Willamette River. The floodplain of the Coast Fork is fully contained within the banks of the Willamette River in this area, and hence no areas prone to flooding are included as employment lands in the proposed UGB expansion.

### Goal 8 Park and Recreational Needs

Goal 8 provides for meeting recreational needs of citizens and for the siting of necessary recreational facilities. The Cottage Grove Rodeo (21-03-05 TL 201 & 203) is recommended for P Parks & Open Space designation within the City's UGB.

The Cottage Grove Rodeo is an existing recreational facility that holds annual equestrian events and rodeos. The Rodeo would like to expand their services to offer year-around equestrian training and additional rodeos, etc., but is limited by lack of urban services. Incorporation of the Rodeo into the City of Cottage Grove's UGB will allow them to expand their recreational offerings by providing access to key urban services.

The Rodeo is already served by City sanitary sewer, through a past health hazard declaration. As the City's Comprehensive Plan and Annexation Policy require annexation before additional city services may be extended to the site, the Rodeo must be included within the City's UGB in order to access drinking water and other city services. Inclusion of the Rodeo within the City's UGB will allow for the development of the Rodeo as an urban park use, consistent with the City's adopted Comprehensive Plan policies.

Inclusion of the Rodeo within the City's UGB and its designation for P Parks & Open Space will meet the City's goals as defined by the *Water to Woods: Master Parks Plan 2003* (Parks Plan). The Parks Plan, adopted as a component plan of the Cottage Grove Comprehensive Plan, states that the City's "community park and neighborhood parks are significantly undersized compared to national parks standards and are overused." The Future Park System Design policies in the Parks Plan identify a need for more community parks in the southwest portion of the City and recommend the protection of "desirable park sites in projected growth areas from conversion to other urban uses". The Parks Plan identifies the Rodeo as a "non-governmental opportunity" that is important for economic revitalization and could address a lack of community parkland through the provision of "recreational opportunities not otherwise provided" in the City's park system. The Parks Plan also establishes a policy to "support and encourage projects initiated by other providers to broaden the community's recreational and cultural opportunities, particularly relating to tourism and economic diversification." As the Rodeo site fully addresses needs established in the City of Cottage Grove Comprehensive Plan, the Rodeo is proposed for inclusion as "P" Parks & Recreation to enhance the City's park system.

### Goal 15 Willamette River Greenway

As discussed under Goals 5 and 7 above, the eastern edge of the Weyerhaeuser site proposed for inclusion within the UGB is adjacent to the Coast Fork of the Willamette River. New development on this site will be required to meet Willamette River Greenway setback standards.

### Goals 5, 7, 8, and 15 Conclusion

**Based on the above, the Board agrees with the Cottage Grove City Council in concluding that the proposed Comprehensive Plan amendment package complies with Goals 5, 7, 8 and 15.**

## IX. Statewide Planning Goals 11, 12 and 13

This section demonstrates compliance with Goals 11 (Public Facilities and Services), 12 (Transportation) and 13 (Energy Conservation).

### Goal 11 Public Facilities and Services

Goal 11 requires local governments to plan and develop a “timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development. The City of Cottage Grove Public Works Department has conducted a preliminary analysis of public facilities (see Memorandum dated January 20, 2011, Appendix 5) and determined that the existing UGB and all proposed UGB expansion alternatives can efficiently be provided with sanitary sewer, water, storm drainage and transportation facilities. The memorandum describes the characteristics and costs of sanitary sewer and water projects necessary to serve land proposed for inclusion within the Cottage Grove the UGB. A map showing collection and distribution line sizes and locations are also provided (Map 6).

The City has included five documents into the record to demonstrate that land within the existing UGB can be served within the planning period:

- The Cottage Grove Drinking Water Master Plan (1998)
- The Cottage Grove Sanitary Sewer Master Plan (2007)
- The Cottage Grove Storm Drainage Master Plan (2007)
- The Cottage Transportation System Plan (2007)
- The Cottage Grove Public Facility Plan (2011)

The Cottage Grove Public Facility Plan is in the process of being formally adopted by the City Council via ordinance as a refinement plan to the City’s Comprehensive Plan (May, 2011). This document utilized findings from a 2010 Utility Rate Study to project needed projects for full development of the City’s current UGB through 2031. It and its foundation plans (the Drinking Water, Sanitary Sewer & Storm Drainage Master Plans) all included the proposed UGB expansion areas within their study areas, and explained how services may be provided to these areas within the existing system’s capacity. These documents were used by the City Engineer as the basis for preparation of plans showing how sanitary sewer, water and storm drainage facilities can be extended to serve areas proposed for inclusion within the UGB. The City has submitted written testimony and a map showing how/where services can be extended to serve the proposed expansion areas, and provided the necessary analysis to prove that the city’s systems have adequate capacity to serve identified needs. (See Appendix 5 and Map 6.)

Although the 2007 Transportation System Plan does not include these areas within its study area, the City has agreed with ODOT to include a statement in the adopting ordinance that OAR

660-0012-0060 provisions will be met prior to or in conjunction with any annexation or zone change request.

### Goal 12 Transportation

Goal 12 requires local governments to provide and encourage a safe, convenient and economic transportation system.

The Goal 14 administrative rule recognizes that:

*"The transportation planning rule requirements under OAR 660-012-0060 need not be applied to a UGB amendment if the land added to the UGB is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the boundary or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary."*

Existing county zoning will remaining in place until Transportation Planning Rule (TPR) requirements have been met. To satisfy TPR requirements, the ordinance adopting the Comprehensive Plan amendment package will include the following condition (or similar wording):

*"Prior to approval of annexation and/or zone change of any property included within the UGB as a result of this ordinance, the applicant shall prepare an ODOT scoped and approved Traffic Impact Analysis and comply with provisions of the Transportation Planning Rule (OAR 660-012-0060). If analysis indicates significant affect per OAR 660-012-0060, applicant shall mitigate associated traffic impacts, as permitted and approved by ODOT."*

### Goal 13 Energy Conservation

Goal 13 requires that land uses be managed and controlled to maximize the conservation of all forms of energy based on sound economic principles.

The Cottage Grove EOA is designed to provide local employment opportunities in proximity to residential neighborhoods in Cottage Grove, and thus reduce vehicle miles travelled from home to work.

- By providing more local retail and office commercial opportunities, Cottage Grove residents will be less likely to drive into the Eugene/Springfield area to meet these needs.
- By providing basic employment opportunities in Cottage Grove, residents will both be closer to work, reducing vehicle miles traveled, and more likely to bicycle or walk to work, thus reducing energy consumption.