

# **Oregon's Statewide Planning**

## **Goal 14**

**(and Rules Regarding Expansion of Urban  
Growth Boundaries)**

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Kevin Young, Oregon Dept. of Land  
Conservation and Development

# Goal, Statutes, Rules

1. Goal 14
2. ORS 197.298
3. ORS 197A.300-197A.325
4. OAR 660-024 (UGBs)
5. OAR 660-038 (“Simplified” UGB)
6. OAR 660-021 (Urban Reserves)

# **GOAL 14 - URBANIZATION**

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

# Goal 14 – Who Must Amend UGB

1. Default - City – each city has a UGB
2. County must also approve UGB changes
3. Exceptions – Portland Metro and Salem-Keizer
4. If more than 50 acres for a city greater than 2,500 population, must be approved by LCDC (ORS 197.626)

# NEED ANALYSIS

# **660-038-0030 to 0080**

## **RESIDENTIAL LAND NEED**

### **0030**

- Start with Portland State population 14-year projection
- Subtract group quarters (US Census)
- Divide by persons per household (US Census)
- Add vacancy rate factor (US Census)
  - (5 percent plus census-derived vacation/seasonal/occasional use home rate, up to a maximum of 15%)

# 660-038-0030 (contd.)

- Subtract redevelopment and mixed use units using a range (on developed land, so no new land need for these units)
  - Population less than 10,000 – 1-10 percent
  - Population 10,000-25,000 – 5 to 15 percent
  - Population > 25,000 – 5 to 25 percent
- Subtract accessory dwelling units using a range
  - Population < 10,000 – 0-2 percent
  - Population > 10,000 – 1-3 percent
- Remaining units are those that generate a need for land

# 660-038-0040

## DWELLING UNIT MIX

- Start with housing mix from Census ACS
  - Detached– low density
  - Attached, mobile home, and 2-4 unit structures – medium density
  - 5 or more unit structures – high density
- Use Table 1 in rule to determine ranges for needed housing mix
  - Unless city already has high percentage of higher density housing, mix at low end of range will be at least a little higher than current mix
  - Mix at high end of range will be significantly higher than current mix



# 660-038-0050

## Determine Land Need for Each Housing Type

- Use Table 2 in rule (based upon University of Oregon research)
  - Ranges are 1) lower for eastern Oregon, and 2) in the rest of the state, dependent upon size of the city
- Ensure that overall residential density chosen within the range is not less than the city's current overall density ("no backsliding")
- Add 25% for public land uses (roads, schools, parks, etc.) to get from "net" to "gross".

# SUPPLY ANALYSIS

# OAR 660-038-0060

## Residential Buildable Lands Inventory

- Based upon comp plan designations or zoning if comp plan isn't specific enough
- Classify comp plan designations
  - 0-8 du/ac. – low density
  - 8-16 du/ac – medium density
  - > 16 du/ac – high density
- Adjustments allowed for cities whose designations don't fit well into these categories

# OAR 660-038-0060 (contd.)

- Identify vacant parcels
  - >3000 s.f. and r.m. improvement < \$10,000
- Identify partially vacant parcels
  - $\geq \frac{1}{2}$  acre
- Classify land as low, medium, or high density
- Calculate overall density of developed residential land – this is necessary to show that residential densities chosen don't reduce the existing overall residential density of the city

# OAR 660-038-0070

## Adjust for Constraints

- Identify and apply constraints
- Floodways, floodplains – 100% reduction
- Steep slopes (>25%) – 100% reduction
- Lands subject to Goals 5, 6, 7, 15, 16, 17, 18 adopted protection programs – reduction as required by protection program
- Tsunami Inundation Zone – reduction per local code.

# OAR 660-038-0080

## Compare Land Need to Supply

- Surplus in all categories, no expansion
- Deficit in all categories, expansion
- Surplus in one or more categories, deficit in other categories:
  - - Findings regarding “reasonably accommodate Goal 14 standard required
  - -Also must consider surplus employment land (except for high-quality industrial land
  - -Not required to consider redesignation of medium or high density surplus to meet low density deficit
  - -Not allowed to redesignate high or medium density surplus if surplus land is located near a transportation corridor

# 660-038-0090

## Employment Land Need

- May use
- Portland State University Population Forecast  
OR
- For industrial lands, Oregon Department of  
Employment Forecast

# 660-038-0100

## Employment Need based on Population Growth

- Start with Portland State population number
- Determine current number of jobs in city – info from Department of Employment
- Sort jobs into two categories, “commercial” and “industrial” –based upon NAIC codes
- Determine ratio of jobs to population, and project forward
- Reduce job forecast by 20% to account for jobs not on employment lands (residential, public)



# **OAR 660-038-0110**

## **Employment Need based upon employment forecast**

- Determine total number of jobs, sorted into “commercial” and “industrial” categories – info from Department of Employment
- Project growth in commercial jobs same as with population method
- Determine industrial job growth rate based upon Department of Employment projections for the region that includes the city
- Subtract 20 percent for jobs occurring on residential and other lands

# OAR 660-038-0120

## Employment Land BLI

- Inventory developed, partially vacant, and vacant “commercial” and “industrial” land within city
- Vacant = improvement value < 5k or improvement value <5% of land value
- Partially vacant = 5% < improvement value < 40% of land value (in which case assume 50% vacant) OR parcel > 1 acre with > ½ acre vacant. City may choose either option
- Everything else = developed

# OAR 660-038-0130

## Adjust for constraints

- Floodways and Water Bodies – 100% Reduction
- Floodplains – 50% Reduction or greater if local code more restrictive
- Steep Slopes (>25% commercial, >10% industrial) – 100% reduction
- Lands subject to Goals 5, 6, 7, 15, 16, 17, 18 adopted protection programs – reduction as required by protection program
- Tsunami Inundation Zone – reduction per local code.

# 660-038-0140 – Determine Employment Land Need

- Determine amount of developed commercial and industrial land
- Determine number of commercial and industrial jobs
- Subtract 20% for jobs occurring on non-employment zoned lands
- Divide jobs by land to determine employees per acre
- Minor increases to employees-per-acre figure to account for redevelopment and long-term efficiency increase (need further research on this topic)
- Multiply projected jobs by employees per acre to determine commercial and industrial land need
- Add 15% for public land need

# OAR 660-038-0150

## Compare Land Need to Supply

- Surplus in all categories, no expansion
- Deficit in all categories, expansion
- Deficit in one category, surplus in another –
  - Findings regarding “reasonably accommodate” Goal 14 standard required
  - Also must consider surplus residential land (except for medium and high-density residential land)
  - May not redesignate high-quality industrial (and a little bit of commercial) land surplus

# LOCATION ANALYSIS

# OAR 660-038-0160

## Establishment of Study Area

- Study Area Must Include
- All urban reserve lands (if any)
- All land within following distance
  - Cities <10,000 population – ½ mile – contiguous exception areas – 1 mile
  - Cities > 10,000 population – 1 mile – contiguous exception areas 1 ½ miles
- Greater distance allowed at discretion of city
- Final study area must be at least twice the amount of land need

# **OAR 660-038-0160 (contd.) – Study Area Exclusions (optional for city)**

- Impracticable to serve (see next slide)
- On SLIDO database of landslides (but property owner can contradict with a professional study)
- In floodway or floodplain, or subject to tsunamis
- Critical habitat for threatened or endangered species
- Core Greater Sage Grouse habitat
- Big game winter range or migration corridors
- Federal wild and scenic rivers or state scenic waterways, including related adjacent lands
- Designated Natural Areas on Oregon State Register
- Wellhead protection areas
- Various Goal 16-17-18 exclusions
- Land Managed by Federal Govt. for rural uses



# OAR 660-038-0160

## “Impracticability”

- At least 5 acres where 75% of land has 25% slope or greater
- Lands requiring construction of new freeway improvements if improvement isn't in ODOT's STIP
- Lands isolated from existing service networks by physical or other impediments – however, this requires findings comparing cost to development “yield”
- Impediments defined: water bodies, topographic features, transportation corridors, natural resource areas

# OAR 660-038-0170

## Evaluation of Study Areas

- First priority – Urban Reserves, exception lands, non-resource lands – NOW ALL CONSIDERED TOGETHER, UNLIKE IN ORS 197.298
- Second priority – Marginal lands (only Lane and Washington Counties)
- Third priority – Farm or forest land that is not “high value” farm land
- Fourth priority – Farm land that is “high value” farm land
- Farm land split between high value and other is determined by majority of land within a “tract”, but with maximum size of 100 acres

# OAR 660-038-0170 (contd.)

- Exceptions:
  - Small amount of resource land needed to connect to larger higher priority land
  - Small amount of resource land (not “high value”) completely surrounded by higher priority lands
- Can lower the priority of land if it is not “suitable” for the need (see next slide)
- Once within a single land priority, then apply four goal 14 factors and any local factors that do not contradict the four goal 14 factors

# OAR 660-038-0170 (contd.)

- Suitability for the Need
  - Existing parcelization (<2 acre lots) or development patterns make rural residential land unsuitable for employment use (requires findings)
  - Land would have qualified for exclusion in establishment of study area, but city kept it in study area anyway
  - Land is subject to natural resources overlay or conservation easement that eliminates development capacity
  - Land is committed to public uses (e.g. airport, park)
  - For industrial land – land is over 10% slope (commercial) or 10% slope (industrial)

# OAR 660-038-0170 (contd.)

- Special provisions for rural residential lands brought into UGB
  - Parcels less than one acre assumed to have no additional development capacity
  - Parcels between one and two acres assumed to have overall development capacity of 2 du/ac.
  - Parcels greater than two acres assumed to have normal development capacity
  - These assumptions hold for a 14-year period

# OAR 660-038-0180

## Planning Requirements

- City must plan and zone lands in rough proportion to determined land needs – “rough proportion” defined
- Lands must be planned and zoned so as not to significantly effect a state highway, interchange, or freight route (except for industrial uses and compact urban development)
- Goal 5 process must be applied to identified resources in area added to UGB
- Protect land brought into UGB with “urbanizable” zoning
- Lands brought into UGB for residential or industrial use must remain zoned for that use for at least 20 years

# OAR 660-038-0190

## Residential Land Planning Requirements

- Zoning must allow housing types and densities using clear and objective standards
- Cities greater than 10,000 population:
  - Must adopt at least one major or three minor housing measures from a list of 31 measures promoting housing availability and affordability provided in the rule; or
  - Must prove that the code has specified housing measures in place, and city's redevelopment/mixed use rate is far above average for the state

# OAR 660-038-0200

## Serviceability

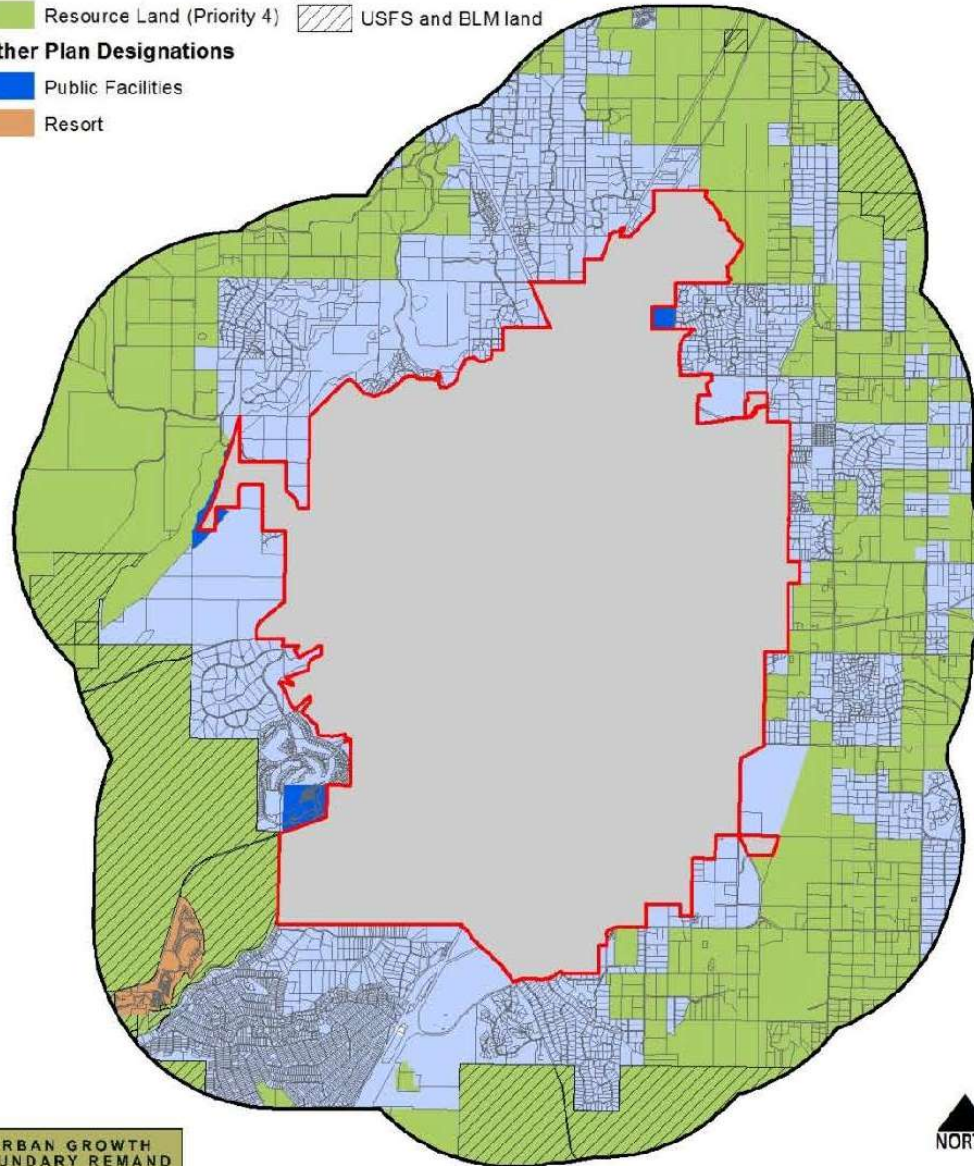
- A seven-year supply must be “serviceable” – water, sewer, transportation
- A 14-year supply must be serviceable at some point during the 14-year period
- Seven-year supply must be based upon TSP, public-facilities plan, capital improvement plan, or detailed city findings
- 14-year “can be serviceable” must identify capacity need and methods to be used to provide committed funding
- If no services after 20 years, then remove from UGB or reduce development capacity per findings



# Bend

## UGB Study Area by Priority Class

- Priority Category**
- Exception Land (Priority 2)
  - Resource Land (Priority 4)
- Other Plan Designations**
- Public Facilities
  - Resort
- Urban Growth Boundary
- Proposed 2 mile study area
- USFS and BLM land



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