CITY COUNCIL AGENDA
JUNE 4, 2012
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

Mission Statement

The City of Newberg serves its citizens, promotes safety, and maintains a healthy community.

Vision Statement

Newberg will cultivate a healthy, safe environment where citizens can work, play and grow in a friendly, dynamic and diverse community valuing partnerships and opportunity.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

V. CITY MANAGER'S REPORT

VI. PUBLIC COMMENTS
(30 minutes maximum, which may be extended at the Mayor's discretion, with an opportunity to speak for no more than 5 minutes per speaker allowed)

VII. CONSENT CALENDAR

Consider a motion approving the May 7, 2012, City Council meeting minutes. (Pgs. 3-9)

VIII. PUBLIC HEARINGS

1. Consider a motion adopting **Ordinance No. 2012-2751** adopting revised findings for the South Industrial UGB amendment and revisions to the Economic Opportunities Analysis. (Pgs. 11-88) (Please bring material from the 3/19/2012, 4/2/2012, and 5/7/2012 meetings)
(Legislative Hearing – 4th Reading)

The Mayor reserves the right to change the order of items to be considered by the Council at their meeting. No new items will be heard after 11:00 p.m., unless approved by the Council.

IX. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2012-3006** authorizing the city manager to enter into a contract amendment with Mortenson Construction, Inc., for the secondary clarifier and remaining urgent repairs at the WWTP. (Pgs. 89-104)

2. Consider a motion adopting **Ordinance No. 2012-2753** granting Comcast Cable a four month extension on the Cable Franchise Agreement. (Pgs. 105-106)

X. COUNCIL BUSINESS

1. Information on Building Permit Fees determination methods. (Pgs. 107-111)

2. Discussion on the potential formation of a Local Improvement District on the west side of N. College Street from Illinois Street to Aldercrest Drive. (Pgs. 113-133)

XI. ADJOURNMENT

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Recorder's office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements, please contact the City Recorder at (503) 537-1283. For TTY services please dial 711.

Council accepts comments on agenda items during the meeting. Fill out a form identifying the item you wish to speak on prior to the agenda item beginning and turn it into the City Recorder. The exception is land use hearings, which requires a specific public hearing process. The City Council asks written testimony be submitted to the City Recorder before 5:00 p.m. on the preceding Thursday. Written testimony submitted after that will be brought before the Council on the night of the meeting for consideration and a vote to accept or not accept it into the record.

The Mayor reserves the right to change the order of items to be considered by the Council at their meeting. No new items will be heard after 11:00 p.m., unless approved by the Council.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 4, 2012	
Order ___ No. **Ordinance ___ No.** **Resolution ___ No.** **Motion** XX **Information ___**	
SUBJECT: Approve the May 7, 2012, City Council Meeting minutes.	**Contact Person (Preparer) for this Motion: Norma Alley, City Recorder** **Dept.: Administration**

RECOMMENDATION:

Approve City Council minutes for preservation and permanent retention in the City's historical records.

EXECUTIVE SUMMARY:

The City of Newberg City Council held a public meeting and minutes were recorded in text. In accordance to Oregon State Records Management law, the City of Newberg must preserve these minutes in hard copy form for permanent retention.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

None.

CITY OF NEWBERG COUNCIL MINUTES
MAY 7, 2012
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held at 6:00 p.m. preceding the meeting. A general discussion occurred. All Councilors and the Mayor were present; no action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:01 PM.

II. ROLL CALL

Members Present:	Mayor Bob Andrews	Denise Bacon	Bart Rierson	Marc Shelton
	Wade Witherspoon	Ryan Howard	Stephen McKinney (arrived at 6:05 PM)	
Staff Present:	Daniel Danicic, City Manager		Terrence Mahr, City Attorney	
	Barton Brierley, Planning and Building Director		Norma I. Alley, City Recorder	
	Russ Thomas, PW Maintenance Superintendent		Jennifer Nelson, Deputy City Recorder	
	David Beam, Economic Development Planner			
Others Present:	Robert Soppe			

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, offered a reminder that the Budget Committee will meet tomorrow, May 8, 2012, at 7:00 PM here in the Public Safety Building (PSB). He announced he and the Mayor will be presenting an overview of the current status of the City at the City Club meeting next Tuesday, May 15, 2012. The Chehalem Cultural Center offered the position of Executive Director to an applicant from Santa Fe. He reminded everyone that Election Day is Tuesday, May 15, 2012, and to remember to vote.

V. PUBLIC COMMENTS

Mr. Robert Soppe discussed the City Council meeting expectations, specifically item #4 "to honor and act on all requests for action and/or information in a timely and courteous manner" and his concerns about items he brought forth at both the February 21 and March 5, 2012, Council meetings that he had not received responses after an email from the City Recorder in March 6, 2012, that his questions had been forwarded. He said he continues to wait patiently for a response and wondered if Council felt over two months fit within a timely and courteous time period.

Councilor Marc Shelton stated he did respond to questions from him and wondered if he was looking for the answers to be given to him individually or as a whole. Councilor Shelton continued by stating he responded to questions about the Urban Growth Boundary and the Southeast Industrial area. Mr. Soppe replied he will look at those, but he was not finding them. Councilor Shelton added that individuals did respond, and to say in

public testimony that there was no response is incorrect.. Mr. Soppe replied he had not received responses to the questions he is discussing from those dates.

Councilor Bart Rierson said he remembered having some questions prior to this and asked if the questions were directed to him specifically. Mr. Soppe replied he had a list of unanswered questions that is very long now, so he is not sure. Councilor Rierson stated he may have missed something if it was directed to him. He agreed this was not a reasonable time and if he did not follow-up on something he apologized. Mr. Soppe said he is just giving them a reminder that it is not happening.

Councilor Shelton expressed concerns for the way they are following up on this and did not feel they were blatantly disregarding his questions. He said he responded to Mr. Soppe on February 21, 2012, at 9:45 PM. Mr. Soppe replied the list of questions was not submitted until March 5, 2012. Councilor Shelton replied the questions were identical, but his point is that they do take this seriously and they will reply. Mr. Soppe agreed he would also get back to them if he has spoken in error.

Mayor Andrews directed the city manager to follow-up with this matter.

VI. CONSENT CALENDAR

1. Consider a motion approving **Resolution No. 2012-3001** approving the annual evaluation of the city manager.

This item was pulled from the Consent Calendar and heard under Council Business.

2. Consider a motion approving the April 2, 2012, City Council meeting minutes.

MOTION: Rierson/Howard approving the Consent Calendar including the City Council minutes from April 2, 2012. Motion carried (7 Yes/0 No).

VII. PUBLIC HEARINGS

1. Consider a motion adopting **Ordinance No. 2012-2751** adopting revised findings for the South Industrial UGB amendment and revisions to the Economic Opportunities Analysis.

TIME – 7:09 PM

Mayor Andrews introduced the legislative hearing in the third reading and called for any conflicts of interest or abstentions; none appeared. He reminded everyone the oral testimony has been closed although the written record remained open.

Mr. Barton Brierley, Planning and Building Director, requested Council to continue or postpone the ordinance until the June 4, 2012, Council meeting.

MOTION: Shelton/Bacon to postpone **Ordinance No. 2012-2751** adopting revised findings for the South Industrial UGB amendment and revisions to the Economic Opportunities Analysis to the June 4, 2012, Council meeting. Motion carried (7 Yes/0 No).

2. Consider a motion adopting **Ordinance No. 2012-2752** amending the Newberg Municipal Code allowing utility rate increases to be subject to the referendum process.

TIME – 7:11 PM

Mayor Andrews introduced the legislative hearing in the second reading and called for any conflicts of interest or abstentions; none appeared.

Mr. Terry Mahr, City Attorney, presented the staff report (see official meeting packet for full report).

Mayor Andrews opened and closed the public testimony as no citizens appeared to speak.

Mr. Mahr recommended passing the ordinance as presented in the 2nd reading.

MOTION: Shelton/Witherspoon approving **Ordinance No. 2012-2752** amending the Newberg Municipal Code allowing utility rate increases to be subject to the referendum process, read by title only. Motion carried (5 Yes/2 No [Howard, McKinney]).

VIII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2012-3002** approving a lease from Owen Equipment Company to purchase a street sweeper.

TIME – 7:21 PM

Mr. Russ Thomas, Public Works Maintenance Superintendent, presented the staff report including an amendment in recital #1 to change to over 72 miles paved and recommended authorizing the purchase of the street sweeper as presented (see official meeting packet for full report).

Councilor Ryan Howard asked if it was a five year lease-to-own totaling $238,000.00. Staff replied that is correct and at the end of the lease it would be the property of the City.

Councilor Rierson also had questions about the terms of the lease. Staff said the lease purchase in advance reduces the immediate costs and saves a year of interest by reducing the life of the loan.

Councilor Shelton asked if the amount brought in from the insurance would be put into the replacement fund to be available to match the line item which is at $205,000.00 or if the $25,000.00 is in there now. Ms. Nordyke replied it is not in there, it will be added so there will be $230,000.00 at the end of the year less what is spent. They have budgeted $225,000.00 with some expenses, but there is still a large reserve in maintenance that we do not see because we are not planning to spend it. The account will be settled and increased by $25,000.00.

Mayor Andrews asked about the fiscal impact numbers being different. Ms. Nordyke replied the $205,000.00 in the 2011-2012 budget process is for potential purchases; the $237,952.00 is the total cost of the principal amount of the street sweeper. GAP rules require us to budget the whole amount in addition to the annual payment receiving; we did not budget the total amount because it is not known; there will be a supplemental budget proposed at the May 21, 2012, meeting.

Mayor Andrews asked if the resolution should indicate the buyout costs. Mr. Mahr replied there is not a buyout amount. Mr. Thomas added there will be five equal payments with no residual amount left; the final payment will complete the purchase price.

MOTION: **Rierson/Howard** approving **Resolution No. 2012-3002** approving a five (5) year lease from Baystone Financial Group to purchase a replacement Elgin street sweeper from Qwen Equipment Company in the amount of $237,952.00.

Mayor Andrews stated he was disappointed the information will not be there until the supplemental, but he agrees we need the equipment, so he will vote in favor for that reason.

Councilor Shelton asked when the contract will be negotiated. Mr. Thomas replied once the resolution is signed and provided; then the order can be placed and the documents signed. Councilor Shelton also wanted to clarify they will get the supplemental on May 21, 2012, so they will have the account and it will not be expended until after that. Mr. Danicic replied this was correct.

VOTE: Approving **Resolution No. 2012-3002**. Motion carried (7 Yes/0 No).

2. Discussion on a potential change to the business license fee structure.

TIME – 7:36 PM

Mayor Andrews passed the roving gavel to Councilor Shelton for this discussion. Councilor Shelton introduced the item.

Mr. David Beam, Economic Development Planner, presented the staff report including a PowerPoint stating he needed Council's direction on the preferred fee calculation methodology, preferred level of services/revenue target, preferred sources of revenue to pay for economic development services and a mechanism for automatic annual fees. He reported the next steps after the Council's direction will be to discuss this with the business community and the Chamber of Commerce before coming back to Council with a defined proposal (see official meeting packet for full report).

Councilor Howard asked about the costs to administer the program. Mr. Beam replied to provide economic development services they have been spending $110,000.00 annually, but the cost to administer the program is around $6,500.00. Councilor Howard asked if that is for full or part time employees. Mr. Beam said it is a full time equivalent (FTE). Mayor Andrews clarified the costs mentioned stating staff said the current level of costs to pay for the program or economic development and the licensing program is $110,000.00 and in that the costs for administration is $6,500.00. Councilor Shelton referred to the business license program fees.

Councilor Denise Bacon asked if home businesses are treated the same. Mr. Beam replied it is more of a registration for home businesses, but if they are a company they need to get a license. Mr. Brierley added the home occupations are more flexible at only 20% and even at that point is only one or two people.

Councilor Rierson asked about companies that may only have branches located here but are larger companies based elsewhere. Mr. Beam replied it is most equitable to go by how many employees they have in Newberg, not the entire company; it is also based on FTE. Mr. Brierley added this is based on what the company reports to the State.

Mayor Andrews continued conversations with staff about market research, the impacts of economic development on the analysis for developing the south industrial area, the difference between the linear versus progressive options, how cost of living adjustments fit in, and how Newberg compares to what other cities are doing. Mayor Andrews asked what the current policy is for collecting business license fees; staff replied they send an email reminder, a month later they send a letter stating if not renewed penalties will be applied. He asked if there would be any new burdens or administrative costs with the new methods; Ms. Nordyke said no as the information is provided through the State so they will just be gathering the information.

Councilor Howard was concerned with imposing a burden on businesses who want to hire new employees, especially in the progressive methodology and said it seems hindering to economic development. Mr. Beam replied they need to find a balance between the services they want to provide versus hindering business and added they assess the fees as a return investment too.

Councilor Wade Witherspoon asked what criteria are used to determine what constitutes a business. Staff replied if they create $1,000.00 a year they are considered a business.

Councilor Rierson asked are business licenses charged to nonprofit organizations; staff replied no.

Councilor Shelton asked how temporary merchants relate to this and how this may affect something like the Old Fashioned Festival. Staff stated a temporary merchant would get a temporary merchant permit and the Old Fashioned Festival charges the booths during the festival, the City does not.

Councilor McKinney asked if the Chehalem Valley Chamber of Commerce was consulted and asked how these increases should benefit the local area businesses because this could be an infringement. Staff replied the next steps are to address the business community.

Councilor Shelton called for public testimony:

Mr. Robert Soppe said when the license program was initiated the fee levels were low and some owners voiced concerns about significant increases being a deterrent to businesses in town. He said those who benefit would be more appropriate to fund this than the general business community. The costs need to be appropriately allocated rather than a blanket increase in the business license fee.

Councilor Rierson agreed with Mr. Soppe that it is hard to build businesses individually and by adding more administrative costs he felt it would be better to create a model close to the City of Beaverton. Everything under or over a certain number pays in a staggered amount because even larger companies may have trouble seeing the benefits if they are spending $3,000.00 a year.

Councilor Howard said he was more likely to accept a per employee rate at a lower range even if it requires reducing the level of services economic development provides. He said we should keep the methodology in line with similar cities and institute a cap to prevent a burden on larger businesses.

Councilor Bacon stated she holds a business license with the City of Newberg and no money comes from the City, but she never felt as though her money was wasted even if no services were received.

Councilor Shelton asked staff if they had received the input they needed to continue. Mr. Beam replied that he had. Councilor Shelton passed the gavel back to Mayor Andrews. Mayor Andrews recessed at 8:39 PM and reconvened at 8:45 PM.

IX. COUNCIL BUSINESS

1. Consider a motion approving **Resolution No. 2012-3001** approving the annual evaluation of the city manager.

TIME – 8:45 PM

This item was pulled from the Consent Calendar. Mayor Andrews stated what was presented in Exhibit "A" is not totally reflective of what was discussed and suggested amendments to paragraph three regarding goal setting and the implementation of a staff development program. He handed out a recommended language amendment (see official meeting record for handout).

MOTION: **Andrews/Shelton** to adopt **Resolution No. 2012-3001** with the amended language for the third paragraph in Exhibit "A".

Discussions followed about the amending language and the importance of personal professional growth to occur for the city manager as well as a program implemented through the city for all personnel to grow as well both personally and professionally. Council wished to have this program developed, implemented, and continued so it was in place even if the same group is not conducting the city manager's evaluation next year.

MOTION: **Shelton/Andrews** to amend **Resolution No. 2012-3001** further to include the implementation of a staff development program in cooperation with the City Council. Motion carried (7 Yes/0 No).

VOTE: To adopt **Resolution No. 2012-3001** as amended. Motion carried (7 Yes/0 No).

XII. ADJOURNMENT

The meeting adjourned at 8:57 PM.

ADOPTED by the Newberg City Council this 4th day of June, 2012.

_____
Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 7th day of June, 2012.

_____
Bob Andrews, Mayor

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 4, 2012				
Order ___ No.	**Ordinance XX No. 2012-2751**	**Resolution ___ No.**	**Motion ___**	**Information ___**

SUBJECT: Adoption of revised findings for the South Industrial UGB amendment and revisions to the Economic Opportunities Analysis	**Contact Person (Preparer) for this Motion: Barton, Brierley, AICP** **Dept.: Planning and Building Department** **File No.: UGB 09-001**

HEARING TYPE: ☒ LEGISLATIVE ☐ QUASI-JUDICIAL ☐ NOT APPLICABLE

RECOMMENDATION:

Include the attached changes regarding commercial land needs and supply in **Ordinance No. 2012-2751** (provided in the March 19, 2012, packet).

EXECUTIVE SUMMARY:

On March 19, 2012, the City Council heard the proposed South Industrial Urban Growth Boundary amendment, along with revisions to the Economic Opportunities Analysis (EOA). The Council adopted version in May, 2011, included a commercial land needs section. The March, 2012, version had a placeholder for commercial land needs and supply. The attached amendments would include the commercial land needs back into the EOA.

The proposed amendments project commercial land needs generally following the procedure outlined in the Department of Land Conservation and Development's Goal 9 Guidebook. Commercial land needs are projected based on future commercial employment projections. The commercial land needs also are generally consistent with the recommendations from the Ad-hoc Committee on Newberg's Future, and the Council's previously adopted actions. The projections show that most future commercial land need may be accommodated within the existing UGB, with a deficit of just 7 gross buildable acres through 2032.

FISCAL IMPACT: The proposed changes have no immediate or direct impact on city finances. Inclusion of the land in the UGB and development of the area will have significant positive fiscal impacts for the community through increased employment and business opportunities, and through property revenues.

STRATEGIC ASSESSMENT: Newberg's vision statement is, "Newberg will cultivate a healthy, safe environment where citizens can work, play and grow in a friendly, dynamic and diverse community valuing partnerships and opportunity." The proposed changes would help the city achieve its goals of creating a community where people can live, work, shop, and play.

Attachments:

1. Proposed additions to the Economic Opportunities Analysis regarding commercial land needs.
2. DLCD Goal 9 Guidebook
3. Population safe harbor background information
4. Yamhill County comprehensive plan map
5. "Land Availability – Limited Options" Report

Additions to Newberg Economic Opportunities Analysis Draft, February 2012

Commercial Land Needs

Draft May 15, 2012

Employment by Land Use Type

Newberg's future employment was allocated by land use type. Employment was divided into three land use types:

1. Industrial. This type typically includes uses such as manufacturing, repair and maintenance, truck yards, contractor storage, and warehousing. These typically would use land with some type of Industrial comprehensive plan designation.
2. Commercial. This type includes uses such as medical offices, business offices, beauty salons, hotels, some auto repair, various types of retail businesses, and restaurants. These uses would typically be located in a Commercial comprehensive plan district, but may also be found in Institutional, Residential-Professional, or other comprehensive plan districts.
4. Other. This type typically includes schools, churches, government water and waste water plants, on-site construction, and home occupations. These may be located in Residential, Public/Quasi-Public, or other comprehensive plan districts.

The projected percentage of employment in each of these land use types is shown in Table 12-15 below.

Commercial Land Need

Commercial land need in Newberg is driven by a number of factors. As population grows in Newberg and surrounding areas, so will need for retail and commercial services. Growth in leisure and tourism sectors also will result in commercial land needs beyond local population growth. Commercial land need also is driven by employment growth in other categories, such as professional and business services, information, education and health services.

Commercial Employment Forecast

Table 12-25 forecasts future commercial space utilizing employment for the Newberg urban area through 2032. The table uses the total employment projected in Table 12- 14 on page 32, and the distribution of employment shown in Table 12-15 on page 33.

Note that commercial employment includes most retail, office, medical and commercial services.

Table 12-25: Commercial Land Using Employment Forecast through 2032

Industry	2010 Total Emp.	% Commercial Space Utilizing	2010	2032
Construction	387	10%	39	67
Manufacturing	2,164	5%	108	186
Wholesale Trade	115	5%	6	10
Retail Trade	837	99%	829	1,427
Transportation, Warehousing & Utilities	119	18%	21	37
Information	51	50%	26	44
Financial Activities	253	90%	228	392
Professional & Business Services	370	82%	303	522
Education & Health Services	2,978	40%	1,191	2,051
Leisure & Hospitality	1,033	95%	981	1,689
Other Services	439	40%	176	302
Government	173	35%	61	104
Total	**8,919**	**44.5%**	**3,968**	**6,832**
Cumulative from 2010				2,864

As noted earlier, Newberg is currently underserved in retail services, so Newberg should plan to increase these services to allow local citizens the opportunity to shop in the community. The safe harbor employment forecast used in this report results in very conservative forecast of population growth inside the Newberg UGB. However, the projection does envision nearly 50,000 new residents somewhere in Yamhill County over the next 20 years. Most commercial employment is inside UGBs, so commercial employment growth in the Newberg UGB is likely to exceed the very conservative safe harbor UGB population growth rate.

Commercial Land and Site Sizes Needed

Commercial land needs through 2032 were calculated generally following the process in the Oregon Department of Land Conservation and Development's Goal 9 Guidebook (2005). Once employment is forecasted, that guidebook suggests the following steps:

- Identify employment that does not require additional land. This includes development through infill and redevelopment, including occupancy of currently vacant space. The Goal 9 Guidebook gives a rule of thumb for vacancy rate of 10% to 15%. Based on information obtained through discussion with local real estate professionals, the vacancy rate for commercial land in the base year 2010 is estimated to be 15%. In addition, Newberg has set the target of accommodating another 5% of commercial land needs through other infill and redevelopment of commercial land, including in downtown.

- Convert employment growth to land demand. The Goal 9 Guidebook suggests determining commercial land demand by using an employee-per-acre factor. The guidebook suggests using a factor of 10-15 employees for general commercial uses, and 20 employees per acre for offices in non-metropolitan downtowns and suburban settings. The guidebook recommends using local employment information where available. With the current mix of retail, service, and office uses in commercial areas, it is very difficult to separate employee per acre rates for the different categories of commercial uses. Using GIS data on developed commercial and office land in Newberg, the employment data from Table 12- 9 on page 26, and vacancy estimates above, Newberg planning staff estimated the employees per acre in the base year. Based on this review, planning staff determined that an average of about 21 employees for each acre of developed and occupied commercial and office land is a reasonable estimate in Newberg. This is a higher and thus more conservative projection than either the general commercial or the office rates given in the Goal 9 Guidebook. Note that the infill and redevelopment factor has the net effect of increasing employment density over the planning period.

- Adjust net acres to total buildable acres. The Goal 9 Guidebook recommends adjusting the net land needs to gross land need to account for right-of-ways, utilities, and similar uses. The Goal 9 Guidebook suggests a factor from 0% to 25%. Newberg's primary commercial areas will require new roads and similar uses. Newberg planning staff estimates this need will be approximately 15% of the land area. Thus, this analysis considers that 15% of commercial lands will be in right-of-way and similar uses.

- Adjust for future vacancy rate. The Goal 9 Guidebook recommends applying a vacancy rate to built land as well. Even in robust market conditions, some commercial land is vacant just due to tenants moving in and out. A future vacancy rate also allows that not every commercial space is suited to every prospective tenant. The Guidebook suggests applying a factor of between 5% and 15%. This analysis uses the most conservative rate of 5%.

The final adjustment made in the analysis is to consider one acre of developed commercial land that will be displaced by construction of the Newberg-Dundee Bypass.

Table 12-26 uses these factors to calculate commercial land needs through 2032.

Table 12-26: Commercial Land Need through 2032

Projected New Commercial Employment	**2,864**
Commercial employment that does not require additional land	
Base year developed commercial land (developed acres)	218
Base year vacancy rate	15%
Other Infill/Redevelopment	5%
Commercial Employment to be accommodated on existing developed commercial land (employees)	916
Convert employment growth to land demand	
Employment on new land (employees)	1,948
Estimated employees per net buildable acre	21
Net Buildable Acres Needed	93
Adjustments to find total gross buildable acres needed	
Right-of-way, utilities, etc.	15%
Future vacancy rate	5%
Displaced by bypass (acres)	1
Total gross buildable acres needed	**127**

In 2004-2005, Newberg prepared the *Report to Newberg City Council: Recommendations for Newberg's Future,* which documented the development form necessary to accommodate identified commercial land needs. Most of Newberg's commercial growth is expected to occur within existing commercial areas. Newberg has many commercial opportunities in its downtown core. The Newberg Downtown Coalition is actively working on projects to revitalize the downtown commercial core. There is currently approximately one buildable acre in the downtown core; however, it can be assumed that redevelopment, infill, and intensification of uses in the downtown core and other commercial areas will contribute 5% of buildable land supply through 2032 as noted in Table 12-26.

Newberg also will need land dedicated to general retail uses outside of the downtown core, in the form of both smaller neighborhood commercial centers and larger community shopping centers. In order to provide adequate shopping opportunities to Newberg residents, it will be important to ensure there is an adequate supply of retail commercial sites with the appropriate site characteristics in terms of size, access, and location throughout the community. In general, shopping centers require adequately sized areas of land (3 acres minimum for neighborhood commercial sites, and 10 acres minimum for community commercial sites), relatively flat sites with less than 15% slope, and sites with adequate access to collector and/or arterial streets. The smaller neighborhood commercial centers should be scattered throughout the community to provide goods and services near where people live and to reduce the need to drive into the central area for basic needs. Through 2032, Newberg will need one to two additional community

commercial centers (10-15 acres each) and two to three smaller neighborhood centers (3-5 acres) to meet the retail commercial land need. Additional commercial acreage is necessary to accommodate the office, medical services, commercial services, and other miscellaneous commercial activities projected through 2032 independent of the retail commercial uses.

Commercial Site Suitability Requirements

Cities are required by OAR 660 Division 9 to identify required site types to accommodate expected employment growth based on the site characteristics typical of expected uses. Site characteristics are attributes of a site such as shape, topography, visibility, compatibility, infrastructure, proximity to facilities and transportation infrastructure. Many common elements of site requirements can be found in the many Economic Opportunities Analysis reports reviewed from around the state. ECONorthwest completed many of the EOAs, and concludes in these plans that "previous research conducted by ECO has found that while there are always specific criteria for individual firms, many firms share common site criteria. In general, all firms need sites that are relatively flat, free of natural or regulatory constraints, with minimal residential conflicts, and located with good access to transportation, public facilities and services."[62]

Commercial uses fall under the "other employment use" definition in OAR 660 Division 9:

(6) "Other Employment Use" means all non-industrial employment activities including the widest range of retail, wholesale, service, non-profit, business headquarters, administrative and governmental employment activities that are accommodated in retail, office and flexible building types. Other employment uses also include employment activities of an entity or organization that serves the medical, educational, social service, recreation and security needs of the community typically in large buildings or multi-building campuses.

Similar to industrial uses, commercial uses can run the gamut of actual on-the-ground development. Therefore, it's important that commercial site suitability criteria be typical enough to accommodate the range of expected uses in Newberg. Table 12-27 below shows Newberg's commercial site requirements and the rest of this section discusses the requirements.

[62] Common wording found in the EOA reports done by ECONorthwest for Cottage Grove (2009), Springfield (2009), Ashland (2007), and McMinnville (2001).

Table 12-27: Required Commercial Site Suitability Characteristics

Required Site Characteristic	Description
Site Size	• For neighborhood centers – 3 acres minimum • For community centers – 10 acre minimum
Topography	Exclude: • Slopes of 15% or greater • Inventoried and protected riparian corridors / wetlands • Areas within the designated Stream Corridor Overlay
Proximity to Transportation and Services	• For neighborhood centers – access to major collector or minor arterial street at a minimum. • For community centers – access to minor or major arterial.
Compatibility	Exclude sites that: • For community centers, abut residential neighborhood on more than 50% of the site perimeter unless effective topographical or road buffers present or planned

Commercial Site Size

Commercial site size varies by type of commercial development. Neighborhood commercial centers are meant to be scattered throughout the community to provide goods and services near where people live. This is meaningful for neighborhoods because it reduces the amount of necessary vehicle trips for basic items, and meaningful for the neighborhood businesses because they build up a loyal customer base with little competition. Johnson-Gardner analyzed qualitative site requirements by designation and use in several EOAs they completed for cities throughout Oregon, and they found that neighborhood shopping centers typically use 3-10 acres, with leasable areas of 30,000-100,000 square feet.[63] ECONorthwest found that neighborhood commercial sites typically need between 5-10 acres.[64] These typical site sizes are large enough to accommodate a handful of small stores plus parking and landscaping space.

Community commercial centers are meant to serve a larger population, and are destination shopping areas. Community commercial centers typically use 100,000-450,000 square feet of building space, and the overall site is typically 10-30 acres in size.[65] Adequate site size is meaningful to the community commercial center because they must have adequate parking and landscaping areas, plus they need adequate space for buffers from any adjacent residential areas.

Newberg established the following commercial site size criteria:
For neighborhood centers – 3 acres minimum
For community centers – 10 acres minimum

Topography

Most businesses typically need sites that are relatively flat, particularly those businesses with

[63] Johnson-Gardner, *City of Hillsboro EOA & Long Term Land Need (2009), Klamath Falls EOA (2008)*
[64] ECONorthwest, *Cottage Grove EOA (2009), Springfield EOA (2009)*
[65] Johnson-Gardner, *City of Hillsboro EOA & Long Term Land Need (2009), Klamath Falls EOA (2008)*

large floor areas. Flat sites are meaningful to business operation for a variety of reasons, including ease of truck deliveries and customer access and parking. Commercial centers need large flat parking areas for practical reasons too such as to contain shopping carts and goods. According to ECONorthwest in the Springfield EOA:

Flat topography (slopes with grades below 10%) is needed by almost all firms in every industry except for small Office and Commercial firms that could be accommodated in small structures built on sloped sites.[66]

The Springfield EOA also states that slopes for needed commercial sites should not exceed 15%. Due to parking requirements, commercial users typically need sites that are generally rectangular in shape, with a length that is at least two times the width for new commercial sites.[67]

Areas within Newberg's designated Stream Corridor Overlay or within identified wetland areas are not developable per Newberg Development Code regulations.

Newberg established the following topography criteria:

Exclude:
Slopes of 15% or greater
Inventoried and protected riparian corridors/wetlands
Areas within the designated Stream Corridor Overlay

Proximity to Transportation and Services

Perhaps the most meaningful feature for commercial businesses is proximity to main roads for customer access and store visibility. Community commercial centers are typically located along major roads of cities where they will be the most visible to drive-by traffic and pedestrians. As the Klamath Falls EOA says,

"Transportation system that provides convenient connections and very high visibility from major arterial roadways and state highways is essential."[68]

This is emphasized in the Springfield EOA as well:

"*Close proximity to a highway or arterial roadway is critical for firms that generate a large volume of truck or auto trips or firms that rely on visibility from passing traffic to help generate business. This need for proximity explains much of the highway strip development prevalent in urban areas today."*[69]

Neighborhood commercial centers are typically located along collector level streets so that they can capture drive-by neighborhood traffic, without increasing traffic flow on the local neighborhood streets.

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[66] ECONorthwest, *Springfield EOA (2009)*
[67] Ibid.
[68] Johnson-Gardner, *Klamath Falls EOA (2008)*
[69] ECONorthwest, *Springfield EOA (2009)*

Newberg established the following proximity criteria for commercial sites:

For neighborhood centers – access to major collector or minor arterial street at a minimum
For community centers – access to minor or major arterial

Compatibility with Adjacent Uses

It is meaningful to the operation of successful commercial businesses to have good relationships with their neighbors, particularly if those neighbors are residential in nature. In most cases, being a good neighbor means not bothering those residential neighbors too much with noise, traffic, and other nuisances, and in return the businesses get the patronage of their residential neighbors. As ECONorthwest notes:

"Targeted commercial and other employment firms typically require sites with characteristics that are similar to those of targeted basic industrial employment. However, a location separate from existing park and residential development is usually less critical, because commercial and other employment uses typically are less intensive and have fewer compatibility (noise, odor, dust, truck traffic) problems."[70]

Neighborhood commercial areas can typically be located directly adjacent to residential areas. However, although community commercial centers have fewer nuisance issues than industrial development, those issues still exist to a certain degree. Anecdotal evidence in Newberg suggests that the largest commercial complexes that are directly adjacent to residential development generate many complaints about noise and truck traffic. One way this effect can be mitigated is by having adequate land for solid and vegetated buffers, and by not being surrounded by residential development on all sides so that the commercial center can still effectively function with areas for deliveries, parking, and vehicle travel.

For those reasons, Newberg established the following compatibility criterion:

Exclude sites that:

- *For community centers, abut residential neighborhood on more than 50% of the site perimeter unless effective topographical or road buffers are present or planned*

Commercial Land and Sites

The commercial buildable land inventory inside the 2010 Newberg UGB has approximately 120 buildable acres. Newberg has seven main commercial areas. These are shown on Figure 12- 7 on page 77. Table 12-28 shows the amount of buildable land in each area.

[70] ECONorthwest, *Cottage Grove EOA (2009), Springfield EOA (2009)*

Table 12-28: Buildable Commercial Land in Newberg UGB (2010)

Location	Potential Uses	Buildable Acres	Parcels over 5 Acres Buildable
Downtown	Infill Retail and Office Uses	1	0
College/Mountainview Neighborhood Center	Neighborhood or Community Commercial Center	12	1
Springbrook Hospitality and Village	Tourist Retail and Hospitality	25	2
East Portland Road	Community Commercial Center	28	2
Portland Road	Retail and Office	19	1
Riverfront	Tourist Retail and Hospitality	10	0
Providence Drive	Medical Offices	25	2
Total		**120**	**8**

2032 Commercial Site Need and Supply

Overall, Newberg has nearly enough commercial land need to meet it needs through 2032. It has a deficit of eight buildable acres of commercial land to meet needs through 2032.

Table 12-29: Commercial Land Supply and Need through 2032

Buildable Acres Needed through 2032	Buildable Acres in 2010 UGB	(Deficit)
127	120	(7)

Note: All figures are gross buildable acres.

The East Portland Road Community Commercial meets the need for one of the community commercial centers. The Springbrook Road area serves as an expansion of an existing community commercial area.

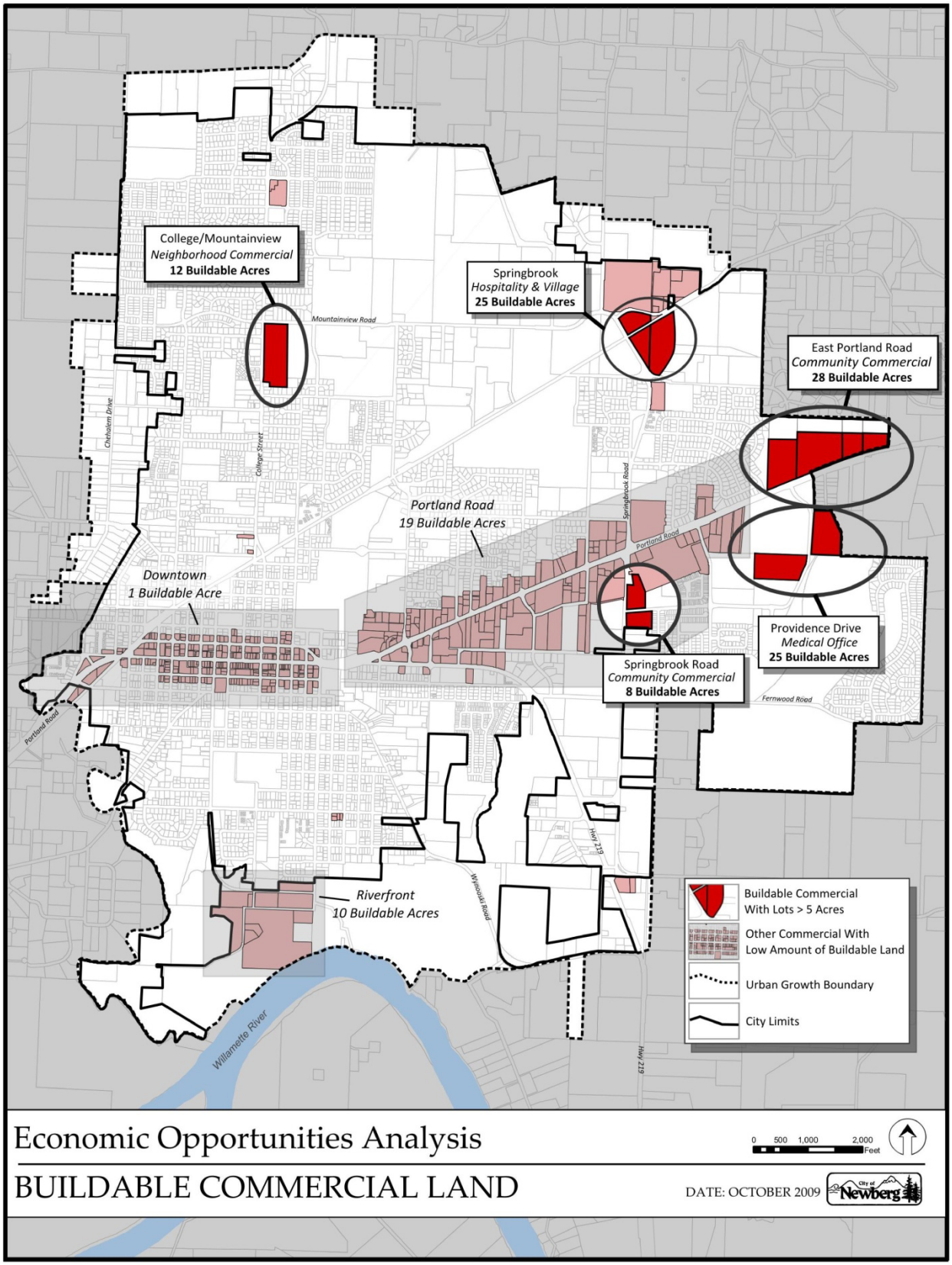
The College/Mountainview Neighborhood Commercial area, because of its size and location, could meet needs as a community commercial or a neighborhood commercial area.

The Springbrook Village area and Riverfront commercial areas are primarily tourist and leisure related commercial areas. These could serve some functions of neighborhood commercial areas,

however an additional neighborhood commercial area could be needed to serve a particular neighborhood.

The Providence Drive Medical Office area is well suited to medical office uses. Additional office uses could likely be met through expansion of existing commercial areas or through new areas.

Figure 12- 7: Commercial Areas and Buildable Commercial Land, Newberg UGB 2010



Attachment 2

Industrial & Other Employment Lands Analysis Guidebook

2005

Department of Land Conservation & Development

Oregon
Theodore R. Kulongoski, Governor

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Salem, OR 97301-2540
(503) 373-0050
FAX (503) 378-5518
Web Address: http://www.oregon.gov/LCD

October 1, 2005

TO: Cities, Counties, and Interested Parties

FROM: Steven Santos, Economic Development Planning Specialist, DLCD

SUBJECT: Goal 9 Guidebook

On behalf of the Department of Land Conservation and Development, I am pleased to announce that the first version of the Industrial & Other Employment Lands Analysis Guidebook is available on the DLCD web site.

The access the guidebook, go to: http://www.lcd.state.or.us/LCD/econdev.shtml and click on the link for the Industrial and Other Employment Lands Analysis Guidebook.

The guidebook is posted by section as a series of PDF files. It is intended for the user to download each section to print out and place in a three-ring binder. If you have difficulty downloading these files, please don't hesitate to contact me at the number or email below to arrange an alternative form of delivery.

The Guidebook is intended to be an ongoing resource and will be updated over time. Since this is the first version of the Guidebook, your feedback and comments are welcome and necessary to make improvements.

If you have any questions, comments, feedback, or need help accessing the guidebook, please don't hesitate to contact me at steven.santos@state.or.us or at 503-373-0050 x284.

Industrial and Other Employment Land Analysis Guidebook

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Background and Purpose

The Oregon Department of Land Conservation and Development (DLCD) created this guidebook to assist planners in identifying and analyzing the supply of land for industrial and other employment uses in their communities. These steps supplement the guidance provided by statewide planning Goal 9 and the Goal 9 administrative rule. The purpose of Goal 9 planning is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens.

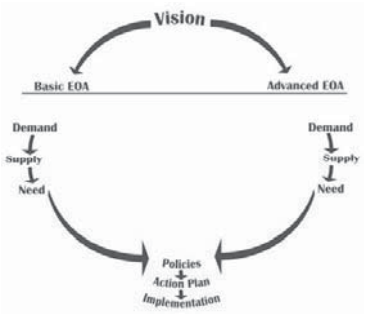
In 2001, an Advisory Committee on Commercial and Industrial Development was formed to "ensure that Oregon communities are providing sufficient buildable commercial and industrial land…." In December of 2002, the Committee produced *Sufficiency of Commercial and Industrial Land in Oregon: Recommendations for Oregon Communities.* The report, available at http://www.oregon.gov/icd/publications.shtml describes Basic and Advanced methods to evaluate and analyze industrial and other land needs. The 2003 Legislative Assembly directed the DLCD to develop this guidebook to implement the Advisory Committee's report. The framework consists of land needs for a 20-year planning period within urban growth boundaries (UGB). This analysis is one part of the comprehensive planning process conducted by cities and counties in Oregon. Table 1 indicates statewide planning goals most related to economic development inside UGBs.

Table 1
Oregon Statewide Planning Goals Most Related to Economic Development

Goal 1	Citizen Involvement
Goal 2	Land Use Planning
Goal 5	Open Spaces, Scenic and Historic Areas, and Natural Resources
Goal 7	Areas Subject to Natural Disasters and Hazards
Goal 9	Economic Development
Goal 10	Housing
Goal 11	Public Facilities and Services
Goal 12	Transportation
Goal 14	Urbanization

How to Use the Guidebook

The centerpiece of Goal 9 planning is the economic opportunities analysis (EOA) described in section two. The EOA is the process of analyzing trend data to determine the future employment land needs for the planning area. Users may follow just the Basic approach, utilize some of the methodologies from the Advanced section, or follow the Advanced section alone to comply with the Goal 9 rule. Guidance for Basic and Advanced approaches follow.



Basic Approach—appropriate for smaller jurisdictions with limited access to financial, technical or staff resources. The guidebook is centered around the Basic approach. Worksheets to help users complete the Economic Opportunities Analysis (EOA) portion of the Goal 9 process are included in appendix B.

Advanced Approach—appropriate for jurisdictions with staff capacity and/or resources to access detailed economic and Geographic Information Systems (GIS) data.

Both approaches contain step-by-step instructions on how to conduct the local economic development planning process. Data sources and other resources are listed at the end of each step. Summaries of major tasks are included at the end of each section, and margins are provided for notes. There are many ways a guidebook user can choose to complete the process. Users may combine elements of the Basic and Advanced approaches. They also may reverse the order of the demand and supply steps, or undertake them simultaneously.

The appendices include definitions of terms and acronyms used in the guidebook, sources for geographic information systems (GIS), demographic and economic data. Consult the DLCD Web site (www.oregon.gov/lcd/econdev.shtml) for additional information.

Overview of Economic Development

As reflected in Goal 9 and other policies of state and local governments, economic development is a priority in Oregon. Successful planning helps communities attract and retain jobs, maintain a healthy economy and generate wealth. It requires effective infrastructure placement, community involvement and coordination with other jurisdictions.

According to the Goal 9 administrative rule, local jurisdictions must adopt comprehensive plan policies to implement local economic development objectives. These policies and associated strategies should be revised and updated regularly, at least when land supply, economic, or demographic conditions change. An overview of the major economic development planning steps is followed by detailed explanations marked with a
Data sources at the end of each task are marked with ✓

Step One: Create (or Refine) a Vision and Goals

Public involvement is particularly important at the beginning and end of the economic development planning process. This process should result in strategies to stimulate and maintain job growth and identify primary locations for economic development. Many jurisdictions already have a community vision and/or an economic development strategy that can be the basis for this work.

The vision should be:

- A balance between what the jurisdiction would like to achieve and the resources and public support it can realistically expect
- A recognition of opportunities the market will support
- Consistent with the role of the jurisdiction in the regional and state economies
- Understandable to citizens without technical training or experience
- Easily incorporated into the jurisdiction's comprehensive plan
- Consistent with state law

"A clear vision and economic development strategies helped Hillsboro achieve economic growth and diversification in semiconductor, software, medical technology and many other sectors."

—David Lawrence
Hillsboro Deputy City Manager

As a first step, jurisdictions should review existing policies and plans to ascertain any conditions—demographic, economic or other—that may have changed since the original vision or policies were developed. Appendix D contains an example from the city of Hillsboro of broad goals can help guide economic development objectives and policies to assist with implementation.

"Other Employment Uses" Encompasses all non-industrial jobs, including retail, wholesale, service, non profit, business headquarters, administrative and government activities that are accommodated in retail, office and combined building types. Also includes activities of an entity or organization that serves the medical, educational, social service, recreation and security needs of the community.

Another example may be found at www.ci.corvallis.or.us. Click on "About Corvallis" then "2020 Vision Statement."

Step Two:
Conduct the Economic Opportunities Analysis (EOA)

Goal 9 requires cities and counties to provide an adequate supply of sites suitable sizes, types, locations, and service levels for a variety of industrial and other employment uses.

The EOA contains four elements: trend analysis, identifying site characteristics, land inventory and assessment of community economic development potential. Goal 9 administrative rule requirements may be found at: http://arcweb.sos.state.or.us/rules/OARS_600/OAR_660/660_009.html and http://www.lcd.state.or.us/LCD/docs/goals/goal9.pdf

An adequate land supply provides sites suitable for the 20-year planning period as well as for the short-term to meet development opportunities as they occur. This is necessary to accommodate a varied range of small, medium and large employers, for new and

expanding businesses and to ensure land is available for immediate development.

Land qualifies as short-term if it is ready for development within one year of a permit application or request for service extension. A 20-year land supply where 25 percent of the land is available short-term is considered competitive. This means there is a sufficient range of site sizes and locations to respond to economic development opportunities as they arise. Under the Goal 9 administrative rule, jurisdictions may participate in the industrial site certification program or set targets other than 25 percent for their short-term supply of land.

The objective of the EOA is to match expected **demand** for industrial and other employment lands with the **supply** and to provide a basis for local governments to accommodate identified **needs**.

- **Demand for land** is estimated from the analyses of national, state, regional, county or local economic trend data. For non-residential uses, business growth is the source of demand for industrial and other employment land. It usually is described by measures of business activity such as revenues, profit, imports/exports, output, and employment. Another part of the EOA on the demand side is to assess the community's local economic development potential. The demand analysis also should include an assessment of land by type, considering site requirements desired by industrial and other employment uses.

- **Supply of land** is determined from an inventory of existing developed, redevelopable and vacant industrial and other employment lands.

- Using the results of the demand and supply analysis, the next step is to calculate **land needs** for the 20-year planning period and the short-term.

Another important part of the economic opportunities analysis is to identify economic development issues that affect the vision and goals drafted earlier in the process. These include local and regional development strengths and weaknesses such as transportation, public and social infrastructure, workforce availability, business incentives and financial capability. The results of these two steps should be an economic opportunities analysis of market opportunities, local strengths and weaknesses and development objectives.

Step Three: Develop Policies

The purpose of policies is to implement local development objectives. For example, an objective of providing adequate land supply for industrial jobs may be reached by policies protecting those lands from encroachment or conversion to other uses, or requiring they be replaced if rezoned to other uses, or compromised by other factors.

Step Four: Develop an Action Plan

This should be based on the community vision and the previous steps. It should identify roles and responsibilities for all parties, an implementation schedule, estimated costs for infrastructure and potential funding sources.

Step Five: Implement Plan

This should begin as soon as practicable and continue throughout the planning period. The action plan and EOA should be monitored and revised as needed, particularly when conditions change.

Other Issues

Regional Coordination

Collaboration and coordination in a broad market area among cities, counties, ports and agencies can conserve resources and identify unique opportunities. Conducting an EOA for several jurisdictions at the same time may be less expensive than for individual jurisdictions and is allowed under the Goal 9 rule.

Industrial Land Preservation

Though some non-industrial activities such as restaurants and office supply companies may be important amenities for tenants in industrial zones, care should be taken that they not overtake the primary uses and compromise the jurisdiction's ability to meet its development objectives. Some industrial lands are irreplaceable as they are especially suited for certain industries because of their size, topography and access to transportation and freight facilities. Such areas should be protected by local policies. Techniques to protect prime industrial lands include:

Creating an industrial sanctuary through zoning is one way to preserve prime industrial land, or especially when adding new industrial lands to an urban growth boundary

- Special districts or overlay zones, such as industrial sanctuaries or strategic employment areas
- Limited retail or other non-industrial space within these special districts
- "No net loss" policies regarding industrial land. For example, a jurisdiction may have a policy that requires lost industrial acreage to be replaced elsewhere if some industrial employment land is rezoned to commercial retail or housing
- Large-lot parcel requirements to avoid incremental reductions, such as partitions
- Public ownership
- Financial incentives for private owners
- Reinvestment in existing industrial districts
- Flexibility that accommodates a range of industrial uses

Short-Term Supply of Land

Site and other development constraints affect the cost and timing of development. Short-term analyses address market opportunities within one to five-year planning period. These can help the jurisdiction target prospective industrial other employers who need an ample supply of land with features such as:

- Appropriate parcel size, slope and configuration
- Adequate infrastructure includes, roads, utilities and telecommunications
- Minor and/or easily ameliorated environmental issues, such as wetlands, floodplains and hazardous materials
- Willing sellers or owners
- Affordable price and overall development costs
- Workable land use regulations

Local economic development strategies and action plans should address steps a jurisdiction is willing to take to be competitive for targeted industrial and other employment activities in the short term.

Summary of Key Goal 9 Requirements

Economic Opportunities Analysis (OAR 660-009-0015)

Compares the demand for land for industrial and other employment uses with the existing supply of such land and includes:

- Review of national, state, regional, county, and local trends
- Identification of site characteristics
- Inventory of industrial and other employment lands
- Assessment of community economic development potential

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

Comprehensive plans must include:

- Community economic development objectives
- Commitment to provide a competitive short-term supply for jurisdictions within metropolitan planning organizations
- Commitment to provide adequate sites and facilities
- Detailed strategies for preparing the total lands supply for development and replacing the short-term supply as it is developed for jurisdictions within metropolitan planning organizations

In addition, cities and counties are encouraged to adopt plan policies relating to:

- Brownfield redevelopment and maintaining industrial lands in industrial use
- Expansion, retention and increased productivity from existing industries and firms
- Protection of prime industrial lands
- Additional approaches to achieving local objectives

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

Cities and counties must adopt measures adequate to implement policies, including:

- Identification of needed sites
- Total land supply
- Short-term supply of land
- Uses with special siting characteristics

Determining the Appropriate Approach to Economic Development

There are many factors to consider when choosing the most appropriate approach. Table 2 is a guide to help communities make this decision. As noted, Basic and Advanced methodologies can be mixed and matched based on a community's capacity and need for detailed analysis. Both benefit from the use of a Geographic Information System (GIS) to provide an accurate estimate of existing vacant or unconstrained land supply, sorted by zoning type, parcel size, ownership, location, proximity to public utilities, access, and other factors. If a GIS is unavailable, assessors' information may be used for the supply analysis.

Table 2
What level of analysis is best for your jurisdiction?

Criterion	Basic Method	Grey Area	Advanced Method
Population Size (000's)	<5	5-25	25+
Staff planning/economics expertise	None	Some	Staff planner or economist
GIS availability and capability	None	Some	Full GIS Capability
Schedule for decisions	Less than 12 months	12-18 months	More than 18 months
Economic development growth objectives and commitment of local policy-makers	Insignificant/Immeasurable	Small, but measurable	Significant
Budget	<$15k	$15-$30k	$30k +

Both Basic and Advanced methods begin with creating or refining a local vision for economic development.

Step One: Create (or Refine) a Vision and Goals

Vision statements and related goals are the foundation of any economic development strategy. Ultimately, each jurisdiction decides which type of public involvement process is best and allocates the appropriate resources. They may already have been developed by the jurisdiction, Chamber of Commerce or other economic development organization. The visioning process should involve contact with local businesspeople, decision-makers, the general public and other stakeholders. This may be through meetings, workshops, focus groups and household and/or business surveys. Citizen involvement plans that comply with statewide land use Goal 1 can provide guidance. Opportunities for public and stakeholder input increase the likelihood of support and reduce the risk of delay in implementation.

Objective:

Reflect the "ideal world" for the jurisdiction in terms of economic development by identifying the community's aspirations for future industrial and other employment development in the context of regional, state, national and international market realities. Astrengths, weaknesses, opportunities and threats (SWOT) analysis may be useful but is not required. General goals should be translated into specific objectives and actions after the Economic Opportunities Analysis is completed.

Data sources:

- ✓ Existing plans and strategies
- ✓ Stakeholder interviews
- ✓ Focus groups and surveys
- ✓ Meetings, workshops, work sessions, open houses

Product: Draft economic development vision statement, goals and objectives. These should be revisited at the end of the process and updated, if needed.

Worksheet task: None.

To Do:

- ✓ Identify and work with local stakeholders and the public to develop an economic development vision, general goals and objectives.

2 Step Two: Conduct the Economic Opportunities Analysis —Basic Approach

The Economic Opportunities Analysis (EOA) is defined in Oregon Administrative Rule (OAR) 660-009-0015. The Advanced approach follows the explanation of this Basic methodology. Worksheets that correlate to basic approach are included in Appendix B.

The Basic approach may be used by jurisdictions of any size to evaluate their current industrial and other employment land inventory and buildable land supply. It can rely mainly on existing data sources and does not require significant data collection, analysis or interpretation. It assumes that the jurisdiction does not have access to geographic information systems (GIS). This approach has three basic elements; estimate demand, identifying supply and determining the critical needs for industrial and other employment land. Though the demand and supply analysis may be conducted at the same time, and some jurisdictions may begin by conducting the supply analysis in this guidebook, the demand section is explained first.

Basic Approach—Demand

The purpose of the demand analysis is to identify industrial and other employment uses that can reasonably be expected to locate in an area. A review of national, state, regional county and local trends provides the context for local economic growth.

Demand Task Checklist.

- **Demand Task 1:** Analyze national, state, regional, county and local trends
- **Demand Task 2:** Forecast 20-year population & job growth by sector for a defined Market Region (MR)
- **Demand Task 3:** Assess community's economic development potential

Figure 1

Basic Steps in the Demand Analysis

- **Demand Task 4:** Calculate local capture of regional job growth forecasts and number of jobs that require vacant land
- **Demand Task 5:** Estimate job density by sector (jobs per acre)
- **Demand Task 6A:** Forecast 20-year land need for job growth in UGB
- **Demand Task 6B:** Forecast 20-year land need for public facilities to accommodate job growth in UGB
- **Demand Task 6C:** Aggregate land demand forecast for jobs and public facilities in UGB
- **Demand Task 6D:** Estimate long-term land demand by parcel size
- **Demand Task 6E:** Calculate short-term (5-year) land demand for local UGB by parcel size

Demand Task 1A. Assess national, state, regional, county and local economic trends.

Regional information is available from the Oregon Employment Department that can help jurisdictions complete this task. Qualitative and quantitative local experience over the past years, including land use applications and business activities are other important sources of information. The regional trend information may be compared to information available locally or regionally. Factors to consider include:

- Population trends and characteristics (historic growth rates, age, race, etc).
- Income (per capita, household, and family)
- Employment (by industry and occupation)
- Public policies, taxes, and fiscal policy
- Recruiting efforts, prospects, marketing successes and failures

Table 3 summarizes the basic employment forecasting methods that rely on past trends as an indicator of future growth. The Basic analysis worksheets utilize the Ratio Trend method. The methodologies can be used alone or in combination. They rely on these assumptions:

- Past growth is a good indicator of future growth
- Factors affecting local economic growth will not change substantially
- Selection of the base year can affect the forecast significantly

Table 3
Employment Forecasting Methods

Method	Description
Ratio trend	Uses current city/county ratio of employment to predict the future.
Trend extrapolation	Uses historical employment growth rates to predict the future.
Population/employment ratio trend	Determines a ratio between population and employment.
Comparative	Compares growth with larger, older areas. Consider social, economic, political and other variables.

To calculate employment forecasts, the state will accept a basic trend extrapolation, calculated annually over a 20-year period.

Demand Task 1A Objective: Ascertain regional and local trends in population and employment.

Data sources:

- ✓ Oregon Employment Department (www.qualityinfo.org)
- ✓ U.S. Census (www.census.gov)
- ✓ Oregon Department of Administrative Services, Office of Economic Analysis (www.oea.das.state.or.us)
- ✓ Regional agencies, such as Metro and Councils of Governments:

  - Metro (www.metro-region.org)
  - Central Oregon Intergovernmental Council (www.coic.org)
  - Lane Council of Governments (www.lcog.org)
  - Mid-Columbia Council of Governments (www.mccog.com)
  - Mid-Willamette Valley Council of Governments (www.mwvcog.org)
  - Oregon Cascades West Council of Governments (www.ocwcog.org)
  - Rogue Valley Council of Governments (www.rvcog.org)
  - Umpqua Regional Council of Governments (www.ur-cog.cog.or.us)
- ✓ ES 202 data (www.emp.state.or.us) (1-800-237-3710)
- ✓ U.S. Bureau of Labor Statistics (http://www.bls.gov/)
- ✓ Local permit data
- ✓ Claritas (www.claritas.com) Claritas is a marketing information resources company with some free information on their Web site. There is a charge for most of their information.
- ✓ Chambers of Commerce
- ✓ Anecdotal evidence, discussions with business leaders, business activity, etc.

Product: Trends in population and employment

Demand Worksheet Task: Task 1A. Enter Oregon Employment Department or adjusted 1980-2000 trends and current estimates for population for the market region in lines 2-4 and employment in lines 9-11. Estimate local share. Alternately, enter numbers for the local area, county or UGB only.

Demand Task 1B. Develop 20-year employment forecasts.

Population forecasts based on trends and other factors for each of 15 geographic regions are included in the Web site of the Oregon Employment Department (OED) (www.qualityinfo.org). Go to publications link and click on employment projections by industry

in the data column of the web page. However, the OED accounts only for covered employment. Non-covered (home-based businesses and other sole proprietorships) are not included. Jurisdictions may adjust OED information accordingly.

Jurisdictions may wish to use an alternate methodology for arriving at their employment forecast. However, it is advisable to compare this with the OED projection for consistency and to confirm these estimates with elected and appointed officials, as well as with DLCD staff.

Demand Task 1B Objective: Provide a regional economic development context for the local EOA. The Oregon Employment Department provides a biannual update and ten-year forecast of job growth for major job sectors in 15 market regions. This forecast information includes the local jurisdiction as well as surrounding communities. These job growth forecasts can be adjusted to include additional workers that are not covered by the state forecasts, such as home-based occupations.

Data sources:

- ✓ Oregon Employment Department Quarterly projections (www.qualityinfo.org)
- ✓ State of Oregon Office of Economic Analysis (www.oea.das.state.or.us)
- ✓ U.S. Census (www.census.gov)
- ✓ Oregon Population Center at Portland State University (www.upa.pdx.edu/CPRC/about)

Product: Forecast of 20-year job growth by sector (industrial and other employment) for market region.

Demand Worksheet Task: Task 1B. Enter total current and projected population forecast in lines 5-7 and employment (job) forecast in lines 12-14. Disaggregate these projections for commercial, institutional and industrial jobs in lines 16-26.

Demand Task 2: Projected change in job growth by sector.

In this task, use worksheet rows 16-27 to help disagreggate the projected change in job growth by sector. Start with the base year then enter 10-year forecasts. In the third column, enter the change in job growth. In the fourth column, enter the annual rate of change (total forecast divided by 10). In the fourth column, use annual growth rate multiplied by 20 to calculate the 20-year forecast by sector. Subtotals in industrial, commercial/service jobs, and institutional/government employment may be entered in rows 20, 24, and 26. Enter an approximation of uncovered employment in row 26. Enter total in row 27.

Demand Task 2 Objective: Understand how the projected employment change is allocated among various sectors (construction & mining, manufacturing, etc…).

Data sources:

- ✓ Oregon Employment Department Quarterly projections (www.qualityinfo.org)
- ✓ U.S. Census (www.census.gov)
- ✓ Local experience, trends

Product: Sector specific change in job growth.

Demand Task 3. Assess community's economic development potential.

Evaluate the local factors that affect economic development, followed by the advantages, disadvantages, opportunities and constraints. This includes an estimate of the types and amounts of industrial and other development likely to occur in the planning area within 20 years. It should consider the area's economic advantages and disadvantages and likelihood of attracting new

or expanded development in general, as well as the specific types of industrial and commercial uses in the vision and goals. The Goal 9 rule (OAR 660-0015 (4)) suggestions considering the following:

- Location, size and buying power of markets
- Availability of transportation facilities for access and freight mobility
- Public facilities and public services
- Labor market factors
- Materials and energy supply, cost
- Necessary support services
- Limits on development due to federal and state environmental protection laws
- Educational and technical training programs
- Other factors

These also are called production factors—inputs that businesses use to produce goods and services. Jurisdictions that can supply these and others in relatively ample amounts of high quality and low cost may have comparative advantages.

Table 4
Sample Buildable Land Calculation

	Plan Designation		
	Commercial	**Light Industrial**	**Heavy Industrial**
Total acres	100	50	150
- Developed acres	75	15	60
= Vacant acres	25	35	90
- Constrained acres	4	6	12
= Unconstrained vacant acres	21	29	78
+ Redevelopable acres (optional)	3	0	10
= Total buildable acres	**24**	**29**	**88**
Density Assumption (employees per acre)	12 to 20	10 to 15	7 to 12
Estimated holding capacity (employees)	**288 to 480**	**290 to 435**	**616 to 1,056**

Table 4 is an example of a buildable lands calculation. Employment lands may include commercial and institutional uses such as hospitals, prisons, schools, and public offices. Calculating redevelopable acres is optional for jurisdictions.

Conduct interviews with local and regional economic development practitioners such as representatives from the Oregon Economic and Community Development Department, neighboring jurisdictions, ports and other entities.

In addition to market factors, public policy can affect the supply, cost and quality of a community's economic development potential through:

Regulations. Though they are recognized as necessary to protect the health and safety of a community and help maintain the quality of life, many communities are considering how standards and procedures can be simplified to help keep and attract businesses. These include flexible zoning, streamlined permitting procedures and allowing home-based business operations.

Taxes. This may be less important in decisions of local businesses than consideration of the costs of transportation, raw materials and capital. However, workers compensation and sales and property tax may affect some siting decisions of out of state businesses.

Financial incentives. These are more effective at redirecting growth within a region than they are at providing a competitive advantage between regions. Urban

renewal areas (URA's) or tax increment financing (TIF) districts can also be used to direct growth.

Industry clusters. Similar firms can realize operational savings and have access to a pool of skilled labor when locate close-by. Public policies can encourage such clustering.

Quality of life. An area's favorable weather, recreational opportunities, culture, low crime rate, good schools, clean environment and similar factors attract skilled and educated workers.

Source: Team Oregon, LLC

Innovative capacity. A culture that promotes innovation, creativity, flexibility and adaptability helps keep an area economically vital and competitive. Government can play a role in providing services and regulating development and business activities that are responsive to such needs.

Demand Task 3 Objective: Conduct a relative comparison of location, access, available public facilities, labor markets, materials/energy costs, and other factors (such as land availability) to help determine local job growth capture rates.

Data sources:

- ✓ Oregon Department of Employment Regional Economic Profile (www.emp.state.or.us)
- ✓ Bureau of Economic Analysis (http://www.bea.gov/)
- ✓ Oregon Labor Market Information System (http://www.olmis.org)
- ✓ US Census (http://www.census.gov)
- ✓ Employment Security 202 data (Oregon Employment Department)
- ✓ Local transportation system / public facility plans
- ✓ Local education system
- ✓ Stakeholder interviews

Product: Evaluation of community economic development potential, including advantages, disadvantages opportunities and constraints. Focus on emerging trends, competitive strengths and weaknesses, home occupations and other relevant local market sectors that address a community's economic development potential.

Demand Worksheet Task: Task 3. Document local competitive market advantages and disadvantages, Enter scores in lines 29-37. Use this information to estimate the amount of regional employment the jurisdiction expects to "capture". This is referred to as the estimated capture rate.

Demand Task 4. Calculate local job growth.

Demand Task 4 Objectives: Utilize the results from Tasks 1 through 3 to estimate future capture rates and the resulting job growth within a market region. Task 4A results in a total 20-year job growth forecast. The objective of Task 4B is to allocate the total local job growth forecast between those that require vacant land and other that can locate on redeveloped or infill sites. While an estimate of the percentage of job growth that can be allocated to redevelopment is acceptable, a more thorough analysis of redevelopable sites is possible. This may be done by assuming parcels with an improvement value less than the land value are redevelopable.

Data sources:

- ✓ Interviews with regional economic development specialists, developers, business managers, bankers, real estate brokers.
- ✓ Assessors' information

Product: Percentage of market region's job growth that can be expected to be "captured" locally.

Demand Worksheet Tasks: Tasks 4A and 4B. Enter estimates in lines 40-43 and 46-49 of job forecasts by sector using an assumption of what share of the market region is anticipated to be "captured" in the local planning area.

Demand Task 5. Estimate job density.

There are several methods for estimating job density. The second method, *population/developed land ratio*, is the easiest to use, as most jurisdictions have current- year population estimates and forecasts. The third method, *employment/ developed land ratio*, is similar to the first, it relies on local employment estimates and forecasts. The first method, *employees per area*, requires assumptions. Employment density varies considerably by industry—and even within industries. Typical employment densities per net acre range from 8 - 12 jobs for industrial; 14 - 20 jobs for commercial; and 6 - 10 jobs for institutional/other jobs. Of importance is whether the assumption is for net acres (land that is available for sale in parcels, or lots after roads, environmental lands, and other infrastructure have already been deducted); or gross acres (total land before those deductions). As a general rule, it is assumed that there are more employees per acre on a net acre than on a gross acre.

A fourth method would be to consult with local developers, business leaders and others to estimate land need. Expert consultation may be used in conjunction with any of the other methods.

Table 5
Basic Methods for Estimating Land Demand

Method	Description
1. Employee per acre (EPA) ratio	Assumes a specific employment density, expressed in employees per acre. At the simplest level, the method uses an aggregate EPA ratio for all new employment. Requires both a current employment estimate and an employment forecast.
2. Population/developed land ratio	Uses the number of developed industrial and other employment acres per 1000 persons and extrapolates it to the planning horizon using the local population forecast.
3. Employment/developed land ratio	Uses the number of developed industrial and other employment acres per 1000 employees and extrapolates it to the planning horizon using the local population forecast. Requires both a current employment estimate and an employment forecast.
4. Expert consultation	Relies on the expertise of local developers, business leaders and others to estimate land needs.

Table 5 Summarizes basic methods for estimating land demand. The Basic analysis worksheet process utilizes the employee per acre (EPA) process.

A variation of the third method is to estimate the number of expected employees through assumptions or floor-to-area ratios (FAR) and square feet of built space per employee. For example, assumptions of 500 square feet of total (not usable or leasable) office space per employee and of an FAR of 0.3 (built space equals 30% of the buildable area) yields about 26 employees per net acre, or about 21 employees per gross acre. This method tends to yield greater densities than those typically assumed for employees per acre, perhaps because the FAR assumptions for a single lot are not easy to sustain over a larger area.

Demand Task 5 Objective: Select the job density, or jobs per net buildable acre; calculate local estimates for job density.

Data sources:

- ✓ Current population/employment estimates and forecasts
- ✓ Employee-per-acre assumptions

Product: Total jobs per acre for industrial and other employment estimated by sector.

Demand Worksheet Task: Task 5. Use the subtotals for industrial and other employment job density, or from lines 46, 47 and 48. Divide by a jobs-per-acre allowance and enter into lines 52-55.

Demand Task 6. Estimate land demand.

An estimate of local land demand can be completed in several steps numbered 6A-6E in the worksheet.

Demand Task 6 Objective: Identify land demand for industrial and other employment sectors.

Data sources:

- ✓ Current population/employment estimates and forecasts
- ✓ Employee-per-acre assumptions

Product: Accurate estimate of land demand.

Demand Worksheet Task: Task 6A-6E. Use information from Task 4 (lines 46-49) to multiply by employee per acre assumptions identified in Task 5 (lines 52-55). Subtract a 25% or other local appropriate allowance for public facilities. Identify a 20-year and 5-year demand forecast. Enter estimates in lines 70-74 for 20-year supply; lines 84-87 for 5-year supply.

"Special siting" needs include but need not be limited to large acreage sites, special site configurations, direct access to transportation facilities, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17.

Basic Approach—Supply

The purpose of the land supply inventory is not only to document how much land is available for industrial and other employment uses, but also to help jurisdictions estimate "holding capacity." Holding capacity is the amount of employment that can be accommodated on an area of land. Consideration of specific site characteristics and preservation of prime industrial land also are important. Developable industrial and other employment land supply can be estimated by considering:

- ➲ Gross vacant acres, including fully-vacant and partially-vacant parcels
- ➲ Gross buildable vacant acres, subtracting unbuildable acres from total acres

- ➲ Net buildable acres, subtracting land that is unbuildable or needed for future public facilities from gross buildable vacant acres

The data needed to conduct such an analysis, using only local knowledge and fieldwork and not GIS, includes the following:

- ➲ Comprehensive plan and zoning maps
- ➲ County assessor parcel maps
- ➲ Aerial photos (if available)
- ➲ Field analysis

Supply Task Checklist.

- ➲ **Supply Task 1:** Estimate existing vacant industrial and other employment land supply in local UGB
- ➲ **Supply Task 2A:** Estimate local long-term (20-year) land constraints
- ➲ **Supply Task 2B**: Estimate local short-term (5-year) land constraints
- ➲ **Supply Task 2C**: Estimate local vacant land supply subtracting long-term land constraints
- ➲ **Supply Task 2D:** Estimate local vacant land supply subtracting short- and long-term land constraints

Supply Task 1. Determine existing vacant/partially vacant parcels on the plan map.

Supply Task 1 Objective: Estimate the total land area inside the UGB by zoning type and site sizes.

Data Sources:

- ✓ Comprehensive plan map
- ✓ Aerial photos
- ✓ Wetland maps

- ✓ Field verification
- ✓ Flood maps

This task can be labor-intensive. "Windshield surveys" are an effective way to estimate the redevelopment capacity of specific sites and may be color-coded on the county assessor's maps.

Product: Vacant industrial and other employment land supply totals, in acres.

Supply Worksheet Task: Task 1. Vacant land supply by size of site, number of tax lots and acres. Insert totals and subtotals for large (more than 10 acres), standard (1-10 acres) and small (less than one acre) industrial and other employment sites into supply worksheet lines 1-7. Characteristics (slope, environmental constraints and other factors) may be noted in this analysis.

Supply Task 2. Estimate development constraints.

There are three primary types of development constraints:

- Lack of urban services and infrastructure: streets that do not meet urban standards; high levels of traffic congestion; inadequate sewer, water, power or telecommunication systems.
- Environmental issues and land use regulations: natural geologic hazards, steep topography, wetlands, floodplains, riparian buffer setbacks, hazardous waste materials, and regulations that limit the type, location and extent of development allowed.
- Property ownership: land may be buildable and suitable for development but not readily available because of land-banking or speculation. These properties may be considered in the long-term rather than short-term land supply.

Supply Task 2 Objective: Estimate the net buildable short-term and long-term land supply after accounting for development constraints.

- Task 2A: focus on long-term development constraints, such as steep slopes, flood plains, wetlands, and public rights-of-way.
- Task 2B: consider short-term land constraints, such as ownership, elevation, availability of utilities and access.
- Tasks 2C and 2D: local net buildable land supply, accounting for long-term and short-term constraints.

Data Sources:

- ✓ Field observations and aerial photos

Product: Estimate long-term and short-term land constraints due to steep slopes, floodplains, wetlands, and public right of way for number of small, standard and large sites by tax lots and acres.

Supply Worksheet Tasks: Tasks 2A and 2B. Enter constraints as a portion of site acreage by type of use into lines 8-13 and 14-19.

Supply Worksheet Tasks: Tasks 2C and 2D. Subtract long- and short-term development (Tasks 2A and 2B) from gross vacant acres (Task 2A and 2C). Enter into lines 20-25 for net long-term supply and lines 26-31 for net short-term supply by type of use.

Basic Approach: Reconciling Demand and Supply (Determine Land Need)

The last step is to compare industrial and other employment land demand with supply to determine whether the jurisdiction has a short- (5-year) and long-term (20-year) supply of ready-to-develop land. This 20-year estimate has inherent limitations, as it is both highly aggregated and long-term. The Goal 9 rule places an emphasis on identifying sites that are ready to develop in the short-term (1-5 years).

Table 6 shows a sample comparison of demand and supply.

Table 6
Sample Comparison of Demand and Supply

Parcel Size*	Existing Total Vacant Land Supply	Net (Unconstrained) Land Supply	Projected Short-Term Parcel Demand (years 1 to 5)	Projected Long-Term Parcel Demand (years 6 to 20)	Additional Land Needs (parcels)	Comments
Less than 1 acre	12	2	0	0	0	Surplus of small (less than 1 acre) infill parcels
1 to 5 acres	6	1	1	3 to 4	3 to 4	Additional "ready to develop" sites needed
6 to 10 acres	0	0	1	1 to 2	2 to 3	Additional "ready to develop" sites needed
10 + acres	1	0	0	1	0	Little demand likely in this category. Incentives needed to spur development.
Total parcels	**19**	**3**	**2**	**5 to 7**	**5 to 7**	

Reconciliation Task Checklist.

- **Reconciliation Task 1A:** Carry over local 5-year net new land demand for UGB
- **Reconciliation Task 1B:** Carry over local 5-year land supply for UGB
- **Reconciliation Task 1C:** Forecast for 5-Year land surplus or deficit for local UGB
- **Reconciliation Task 2A:** Carry over local 20-year net new land demand for UGB
- **Reconciliation Task 2B:** Carry over local 20-year land supply for UGB
- **Reconciliation Task 2C:** Forecast for 20-year land surplus or deficit for local UGB

Reconciliation Task 1. Determine short-term buildable land needs.

Jurisdictions should consider how the short-term land needs relate to its vision, economic development objectives and market realities. Many can plan adequately for long-term land needs but have difficulty meeting short-term buildable land requirements. This can be attributed to constraints on vacant land such as lack of adequate sewer, water or road capacity or conflicting property owner objectives. Notwithstanding, a workable short-term strategy can provide important economic development opportunities.

Reconciliation Task 1 Objective: Estimate land requirements within the UGB that address short-term five-year job growth.

Data Sources:
Previous analysis

Product: Short-term (5-year) land needs and sites based on supply and demand analysis.

Reconciliation Worksheet Task: Task 1A, 1B, and 1C. Refer to information derived from Demand Task 6E and Supply Task 2D. Calculate using results from supply and demand worksheets.

Reconciliation Task 2: Determine 20-year land need.

Reconciliation Task 2 Objective: Estimate land requirements within the UGB that address estimated long-term 20-year job growth.

Data sources:

- ✓ Land demand and supply estimates

Product: Comparison of net 20-year demand and supply.

Reconciliation Worksheet Tasks: Tasks 2A, 2B, and 2C. Refer to Demand Task 6C and Supply Task 2C for relevant data.

This concludes the Basic analysis section. For users not interested in the more detailed methodologies of the Advanced section, proceed to Chapter 3: Develop Policies.

To Do:

✓ Identify short-term constraints to site development/project readiness.

2 Step Two: Conduct the Economic Opportunities Analysis—Advanced Approach

This chapter describes a level of analysis in addition to the Basic Approach that meets the requirements of Goal 9.

This Advanced approach requires more detailed data and analysis as well as geographic information systems (GIS). Primary research on employment densities, development trends and other factors included a 20-year demand forecast improve the forecast data.

Advanced Approach—Demand

This section describes how to calculate long-term (20 years) and short-term (1-5 years) needs, followed by steps to aggregate and disaggregate demand. For example, an aggregate forecast is an estimate of the total amount of industrial land needed in a jurisdiction during a 20-year planning period. A disaggregated forecast may start with the aggregated, long-term forecast as a baseline or control and divide it further by subarea, industrial sector, parcel size and time period, such as 1-5 years or 5-10 years. Table 7, continued on the next page, shows a sample disaggregation of employment demand.

Table 7
Sample Disaggregation

Employment Sectors (Non-farm payroll)	Projected Jobs* 2002-2022	Capture Rate	Industrial Jobs	Supportable Gross Fl. Area Req. (sf)**	Supportable Acreage (gross)***
Manufacturing	--	40%	--	--	--
Durable Goods	180	40%	72	72,000	24
Lumber & Wood Products	(60)	40%	(24)	(24,000)	--

Table 7 Sample Disaggregation					
Other Durable Goods	240	40%	96	96,000	31
Non-Durable Goods	(180)	40%	(72)	(72,000)	--
Food & Associated Products	(240)	40%	(96)	(96,000)	--
Other Non-Durable Goods	60	40%	24	24,000	8
Construction & Mining	(480)	--	--	--	--
Transportation & Utilities	(920)	40%	(368)	(368,000)	--
Wholesale Trade	360	40%	144	144,000	47
Government	840	20%	67	67,200	22
TOTAL	**5,390**		**(157)**	**(156,800)**	**132**

**Does not reflect jobs/land for schools.*
*** Assumes 1,000 gross square feet of floor area per employee.*
**** Assumes 30% of site devoted to public roads, utilities and open space.*

As noted previously, many variables can be considered to estimate the growth and kind of industrial and other employment activity that will require developable vacant land.

Long-Term Demand Analysis

Forecasted employment growth can be translated into demand after ascertaining the possible types of companies expected to expand or locate in the planning area and the employees per acre. The resulting estimate can be refined further by applying assumptions about re-use of vacant buildings, redevelopment of built sites and floor-to-area ratios in multi-story buildings. The resulting supportable acreage is the amount of building or land area likely to be needed or supported by the projected job growth.

The analysis of site requirements should consider size, shape, soil, transportation access, services and other characteristics.

This data can be entered into a spreadsheet with worksheets supporting each set of input and, if appropriate, alternative geographies (e.g., neighborhoods within a city, cities within a county, counties within a region). A recommended methodology follows:

Long-Term Demand Task Checklist.

- **Demand Task 1:** Establish baseline employment level and historic growth trends
- **Demand Task 2:** Forecast employment growth
- **Demand Task 3:** Group industries by type of land use
- **Demand Task 4:** Identify employment growth that does not require additional land
- **Demand Task 5:** Apply assumptions to convert employment growth to land demand
- **Demand Task 6:** Adjust net acres to total developable acres
- **Demand Task 7:** Adjust for vacancy rate
- **Demand Task 8:** Disaggregate the total demand

Demand Task 1. Establish baseline employment level and historic growth trends.

The Oregon Employment Department publishes employment data for the state and individual counties by sector and industry, showing the number of reporting units or establishments, monthly employment, average annual employment, quarterly payroll and annual payroll. As this information is derived from unemployment insurance data provided by individual firms, it includes only employees covered by the state's unemployment insurance program, or "covered employment." Generally, people not

included are the self-employed, seasonal agricultural workers and some railroad employees. To maintain confidentiality, information about employment sectors or industries with one or a few firms is combined.

Though employment data for cities is not published regularly, municipalities may request confidential data for planning purposes. This information reveals monthly employment and quarterly payroll for individual firms, along with the firm name, street address, state, zip code and industry code.

For research purposes and to establish historic employment trends, it is best to request data for the last five to ten years, as well as the current time period. A jurisdiction may also ask for information for its competitive market region-- a group of counties that provides area-wide land, goods, services and jobs. Converting this raw data to a format that establishes a baseline employment level describes historic employment trends and involves these steps:

Task 1.1. Sort data by geographic identifier, or "geocode" for individual firms.

After obtaining information about the "universe" of firms or establishments in a larger planning area and regional trends, informed decisions about local capture rates can be made that take into account the competitive advantages of the local area.

Correlate employment data to a physical location or subarea. If geocoding individual firms is too time-consuming and costly, the data can be approximated by sorting addresses by zip codes. They also should be divided by accepted industry classifications, such as SIC or NAICS.

Task 1.2. Develop summary data by industry.

Task 1A results in a data set that represents firms in the planning area by industry. Information about average annual employment, total payroll and the number of firms by industry can then be calculated. Useful trend indicators include employment and payroll growth, average firm size and payroll per employee.

Data for industries in which there are fewer than three firms, or in which one firm represents more than 80% of employment in that industry, are confidential. Jurisdictions may use this information for planning purposes but cannot otherwise make it public.

Task1.3. Adjust data to reflect total employment.

In light of the growing importance of self-employed workers and small home based employers, it is optional to determine total employment in the job forecast rather than "covered employment." The latter data from the Oregon Employment Department includes only employees covered by unemployment insurance. Data from the U.S. Bureau of Economic Analysis (BEA) on the total number of proprietors for covered employment by industry and by county also is available. Estimates of the ratio of covered to non-covered employment range from 5 – 15%.

Adjustments for agricultural workers and railroad employees are not necessary as they generate little if any demand for Industrial or commercial land.

Data sources:

- ✓ Oregon Employment Department ES 202 data (www.qualityinfo.org)
- ✓ Bureau of Economic Analysis employment by county (www.bea.doc.gov)
- ✓ Local employers, chambers of commerce
- ✓ Regional employment economists

Demand Task 2. Forecast employment growth.

The State of Oregon Office of Economic Analysis publishes long-term forecasts of total employment growth by county. As job forecasts are based generally on population ratios, cities need to consider their unique development issues, opportunities and constraints in developing their own employment forecasts. Forecasting the average annual growth rate expected for each industry should be based on economic trends and indicators for the planning area, such as:

- Historical growth rate of local industries
- Expansion plans of local firms and industries

Data about the following also is needed:

- Average annual growth rate for all industries, as indicated by the state's long-term forecast of employment growth by county
- Average annual growth rate for industries indicated in the Oregon Employment Department's 10-year forecast of employment by industry for Workforce Planning Areas
- National and state long-term employment trends by industry
- An Assessment of community economic development potential; This is required for Goal 9 analyses and should include consideration of the planning jurisdiction's location relative to markets, availability of transportation facilities, public services, labor market conditions, raw material, energy availability and other factors

Nearly every industry and firm has year-to-year fluctuations in employment. Jurisdictions should focus on long-term trends to determine their likely average annual growth rate.

These average annual growth rates (AAGR) can be applied to the baseline level of employment established in Task 1 to calculate the employment level and employment growth by industry.

Data sources:

- ✓ Oregon Employment Department ES 202 data and 10-year regional growth forecast by industry and occupation
- ✓ Bureau of Economic Analysis employment by county
- ✓ Local firms

Demand Task 3. Group industries by type of land use.

To forecast demand for non-residential land, employment growth by industry should be combined, based on their employment densities and development types. Table 8 shows three common land use types and their corresponding typical industries:

Table 8
Sample of Grouping Industries by Land Use Type

	Warehouse/Distribution	General Industrial	Tech/Flex
Construction and Mining		75%	25%
Manufacturing		75%	25%
TCU			
Trucking and Warehousing	100%		
Water Transportation	100%		
Air Transportation	100%		
Communications		50%	50%
Electricity, Gas, Sanitation		50%	50%
Wholesale	90%	10%	
Services			
Computer, Data Processing			100%
Auto Repair, Services, Parking		100%	
Miscellaneous Repair		75%	25%

Source: Hammer Siler George Associates

- Commercial: retail, administrative and professional activities such as finance, insurance, real estate, legal, accounting, information technology and medical services. May also include food service, recreation and tourism facilities.
- Industrial: manufacturing, assembly, fabrication, processing,

storage, logistics, warehousing, distribution, research and development, business headquarters.

- Institutional: public and private health care facilities, jails, schools and government facilities.

By grouping employment sectors into major categories, the sizes of buildings and land area required to accommodate future job growth can be determined.

Data sources:

- ✓ Local employment forecasts by industry
- ✓ Previous analysis

Demand Task 4. Identify employment growth that does not require additional land.

The next step is to identify employment growth that does not require additional land. Three types of employment growth will not need additional non-residential land:

Expansion by local firms. Anticipated employment growth of firms that own sufficient built space or land to accommodate expansion should be subtracted from the forecasted employment growth by land use type. They also should not be included in the inventory of buildable land, as it is not available to other firms. In many areas, this is a primary source of economic growth.

Growth that can be accommodated in vacant buildings and/or underutilized sites. As there is little empirical data on the share of employment growth that can be accommodated in vacant or redeveloped buildings, a general rule-of-thumb is 10% to 15%. An analysis of improvement-to-land-value ratio can help identify a better estimate of redevelopable land. This can also be validated by visual confirmation or "windshield surveys." It also should not be included in the inventory of buildable land.

Industrial and other employment jobs within residential or mixed-use zones. Planning areas that allow a mixture of employment and residential land uses, such as Mixed-Use Commercial and Mixed-Use Employment Districts tend to require medium- to high-density housing co-existing with retail, office and some light industrial uses. This may entail GIS-based analysis of employment sectors by standard industrial classifications (SIC) for a particular zone district (using ES202 data) or field research to verify the numbers of dwellings, types of employers and number of employees. Table 9 provides a sample mixed-use zoning analysis of jobs and dwellings.

Table 9
Sample Mixed-Use Zoning Analysis of Jobs and Dwellings

Mixed Use Zone Town Center – Jobs	Range (FAR/Acre)*	Assumed Range (FAR/Acre)*	Assumed Distribution of Land Use	Assumed Distribution of Acres (Net Buildable)	Estimated Floor Area (SF)	Assumed Floor Area SF Per Job	Estimated New Jobs
Retail Use	0.20-0.30	0.25	70%	17.1	186,000	550	338
Office Use	0.35-0.50	0.50	20%	4.9	106,000	350	304
Civic/Other Use	0.20-0.40	040	10%	2.4	42,000	750	56
Total	**--**	**--**	**100%**	**24.4**	**334,000**	**--**	**698**

Mixed-Use Zone Town Center – Dwellings	Estimated Floor Area (SF)**	Assumed Average SF/Dwelling	Estimated Dwelling Units
Retail Floor Area	186,000	--	--
Upper-Level Housing	61,380	950	65

** FAR = ratio of building floor area to total site land area.*
*** Retail floor area estimate derived from above calculation on retail use.*
Source: Otak, Inc.

A similar analysis can determine the extent to which there are residential/other uses in industrial and commercial zone districts. Generally, this has been found to be between zero and 25% of the land area. In mixed-use zones, an allocation between zero and 10% of total industrial and other employment jobs is standard. This should be deducted from the overall commercial/industrial job forecasts to determine the net demand for land.

Data sources:

- ✓ Interviews with local industries
- ✓ ES202 data analysis of job sectors by land use zone
- ✓ Information on home-based occupations
- ✓ Chambers of commerce
- ✓ Business directories

Demand Task 5. Apply assumptions to convert employment growth to land demand by land use type.

These two methods can be used to convert employment growth to land demand by land use type.

Option A. Employees per acre

The first option entails assumptions about employees per acre can be based on empirical or other measures of land demand. Typically, each acre can accommodate approximately 10 to 15 employees for general commercial and office-park industrial use, and about 20 for offices in non-metropolitan downtowns and suburban settings. High-rise office buildings in metropolitan downtowns are as dense as 100 employees per acre.

Jurisdictions can develop their own measures by matching confidential employment data for individual firms to parcel size by using assessment and taxation information. The resulting employees per acre can be averaged by industry or land use type, with the average applied to the employment forecast to

estimate land demand in acres. Some sampling to confirm the estimate, through interviews, assessment data on building footprints and field checks, is optional.

Measures of employees per acre vary widely, even among firms in the same industry. In all cases, these assumptions should reflect local conditions and expected trends.

Option B. Building square feet per employee and floor-area ratios (FAR's)

Applying assumptions of building square feet per employee (SFE) to the employment forecast results in an estimate of total building space needed to accommodate forecasted employment growth. This estimate can be translated to net acres of land by applying assumptions of building FARs. These assumptions can be based on similar studies elsewhere or local analyses.

For SFE, there is general consensus in empirical studies that a reasonable range for office use is between 300 and 500 square feet; retail can be the same or slightly higher. Industrial and warehousing may reach as high as 600 to 1,000. FARs average around 0.2 to 0.4 for suburban areas, varying by land use and building type.

To develop measures of SFE, a local jurisdiction should match confidential employment data for individual firms to building size available in assessment and taxation data. This information also can be used to calculate a FAR for each firm. The resulting measures can be averaged by industry or land use type.

As noted previously, both estimates can vary widely among firms in the same industry. The assumptions applied to the employment forecast should be adjusted to reflect local conditions and expected trends.

The employees-per-acre estimates should be about the same as the SFE/FAR calculations. Using the example above, office employment at 500 SFE and an FAR of 0.3 yields a density of about 21 employees per acre.

Data sources:

- ✓ General employment density studies
- ✓ Local employment density study

Demand Task 6. Adjust net acres to total developable acres.

Step 5 results in an estimate of demand in net acres. This does not include land area for streets, rights-of-way for powerlines or pipelines, wetlands, riparian space and similar uses. This can vary substantially and should reflect local conditions.

A net-to-gross factor can range from zero to 25% of total land area. Jurisdictions where streets and public facilities in non-residential areas are already developed need not make as large an adjustment to net acres, while those with large blocks of non-residential land that will need such infrastructure should use an adjustment of about 25%. This will increase net acres (total demand less employment growth that does not generate new land demand) to total developable acres of demand.

Data sources:

- ✓ Analysis of local non-residential net-to-gross ratio

Demand Task 7. Adjust for vacancy rate.

Real estate markets operate efficiently if there is more supply than immediate demand. With respect to land, most real estate economists accept an available supply two to five times greater than the immediate demand. A 20-year supply of land in an urban growth boundary should result in adequate choice in the short-

term. There are exceptions, such as, for example, if a few large parcels are held by a single owner who does not plan to sell them in the immediate future can impact available supply.

Vacancy rates also apply to built space. As they tend to be cyclical, the assumption should reflect a long-term average and provide a range of choices. For efficient market operation, a minimum vacancy rate for built space is between 5% and 15%. The estimate of total acres of demand should be increased by this percentage as the market often requires more options than the employment estimates seem to require.

Data sources:

- ✓ Interviews with local realtors

Demand Task 8. Disaggregate the total demand.

The total demand for industrial and other employment land uses that results at the end of Task 7 is for 20 years. Task 8 may be undertaken if further estimates of subcategories, such as heavy industrial/high-tech; short-term/long-term; geographical areas; or parcel size, are needed. Unless the total demand has been developed (steps 1-7) by adding up disaggregated demand estimates, these estimates should subdivide the aggregate (total) land need into components.

AS part of their Goal 9 analysis, cities and counties should identify the site requirements of firms that may expand or locate in the planning area. As an important component, parcel size can be determined by using the same employment and land use data as employed to estimate total land demand. An estimate of demand by parcel size can be compared to supply by parcel size to indicate any land deficiencies that should be addressed. A parcel may include more than one tax lot if they are contiguous and/or can be combined under one ownership.

The most direct way to estimate this total demand is to match employment data with parcel size from assessment and taxation information. The results should be manually reviewed for each firm, as some parcels may be larger than needed to support one firm and more than one employer may be located on the same parcel.

An alternate method is to infer parcel size from firm size (employees per firm). This can be ascertained directly from ES-202 employment data. The number of employees per firm can be converted to parcel size per firm, based on the employment density assumptions (employees per acre or building square feet per employee and FAR) for the estimated total land need described previously.

With either method, the resulting data on firm and parcel size should be summarized into a distribution of average parcel size by industries or land use types. For example, firms can be divided into groups of employees—1 to 5; 6 to 30; 31 to 100; etc. Within each group for each industry or land use type, the total number of acres of land (derived from geocoding employment data or estimating parcel size from employment density assumptions) can be divided by the number of companies in that size category to calculate the average parcel size.

Data sources:

- ✓ ES-202 data geocoded to parcels
- ✓ Random sample of developed parcels

Short-Term Demand Analysis

This analysis should be consistent with the data and results of the local economic strategy and the Basic land analysis methods, as discussed in the Basic approach. The results can be used to determine market conditions and short-term economic growth potential and demand. Market conditions can be categorized as follows:

- **Strong Market**—favorable regional and local economic growth pressure; few sites/buildings exist in market area; local economic objectives and strategy stress capitalizing on near-term development opportunities.
- **Mixed Market**—favorable regional and local growth pressure; local economic objectives and strategy support growth; existing or planned local supply of land/buildings appears adequate to meet short-term demand.
- **Weak Market**—low to moderate regional and local economic growth pressure; local economic objectives and strategy do not support significant growth; local supply of land/buildings appears adequate to meet short-term demand.

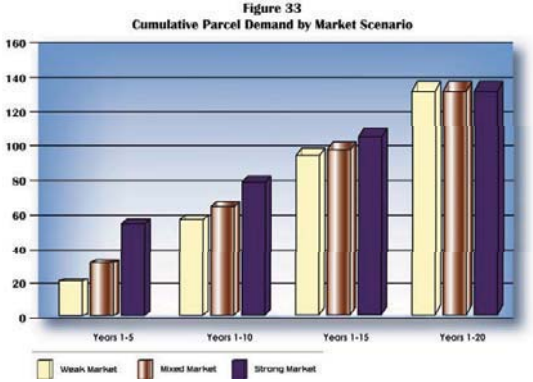
Following the assessment of 20-year growth potential, the jurisdiction can quantify industrial and other employment land demand over the short-term (1-5 years) by following these steps:

Short-Term Demand Task 1. Interpolate long-term parcel demand (from Task 8) into short-term demand.

Use long-term demand data from Task 8 to determine short-term demand by dividing the number of years by the total parcel demand. Adjust according to the jurisdiction's market scenario.

Figure 33 illustrates the three market scenarios. All assume the same long-term parcel demand, with varying levels of short-term demand that reflect local conditions.

Figure 33
Cumulative Parcel Demand by Market Scenario



Short-Term Demand Task 2. Adjust short-term parcel demand upward to reflect a land market factor.

This reflects the need to provide a competitive inventory of sites to help meet employer preferences about parcel size, location and cost. Depending upon the local economic development strategy objectives, these factors can range from as much as 50% to 200% of baseline demand forecasts. Figure 34 illustrates the effect of a 50% competitive market factor on parcel demand.

Figure 34
Short-Term Land Needs in Parcels/Mixed Market Scenario

Short-Term Demand Task 3. Analyze supply constraints, adjusting short-term demand potential accordingly.

As noted, short-term supply constraints are important influences on short-term demand. An assessment of ownership and environmental and infrastructure needs should focus on potential sites that may accommodate the short-term demand. For example, if during step two it was determined that four sites of over 70 acres may be needed in the short-term, but the development constraints analysis reveals that only one site is actually available, the jurisdiction may decide to focus on other short-term opportunities such as supply of 5- to 20-acre sites.

Short-Term Demand Task 4. Identify policies to facilitate desired development.

A jurisdiction's ability to realize its short-term development potential can be augmented by supporting land use and funding policies such as:

- Flexible land use zoning ordinances that appeal to a variety of users
- Staff assistance to developers in the preparation of site master plans and/or environmental permits; engineering and architectural design drawings and specifications
- Proactive marketing and promotional efforts
- Requests for development proposals or expressions of interest from developers for specific sites
- Public funding or other financing that can provide needed infrastructure or be used to help leverage desired private investment
- Public assemblage of strategic parcels of land
- Commercial/industrial business parks or speculative buildings

Advanced Approach: Determining Supply

Long-Term Land Supply

The steps in this analysis build on the Basic Approach, introducing GIS and other data collection techniques. They will help a jurisdiction calculate:

- Gross vacant acres by plan designation, including fully vacant and partially vacant tax lots
- Gross buildable vacant acres by plan designation, subtracting unbuildable acres from total acres
- Net buildable acres by plan designation, subtracting land for future public facilities from gross buildable vacant acres
- Total net buildable acres by plan designation, adding redevelopable acres to net buildable acres

Supply Task Checklist.

- **Assemble databases.**
- **Categorize land.** Classify land into several mutually exclusive categories.
- **Identify development constraints.** Acknowledgment that not all vacant land is buildable and may be constrained by natural features, zoning, public facilities and other factors.
- **Calculate net buildable land.** Data may be organized by any of the attributes the jurisdiction wishes. GIS provides information that allows classification of each tax lot as either developed, partially developed, or vacant. Tax lots that are considered developed are re-assessed in a subsequent step to determine their redevelopment potential.

- **Verify analysis.** This generally includes review through aerial photos, orthophotos and field research to identify potential problems that cannot be ascertained by other means.
- **Analyze land by type.**

This Advanced Approach is aided by use of GIS data to develop a summary of land supply that can be cross-referenced. It relies on information such as land use and zoning, parcel boundaries and physical features that can be manipulated at the tax lot level.

There are many ways that "vacant land" and "buildable land" can be defined.

Tax lot boundaries often include developed and vacant land on the same parcel (e.g., one house on a three-acre lot). Thus, on individual tax lots, vacant land that is not constrained (buildable) may be either totally vacant with no significant improvements or partially vacant with some improvements. It also may be described as underutilized and redevelopable.

Redevelopable land is not vacant but can support some of the new demand identified previously. A common guide to determine whether a parcel is redevelopable is if the value of improvement on the land is less than the land value alone. This is also called have a land-to-improvement value ratio. If the ratio is greater than 1:1, the lot may be considered redevelopable. Another way to assess the likelihood of redevelopment is to compare the parcels' improvement value to surrounding parcels. If the improvement value is significantly lower than similarly designated surrounding parcels, it may be redevelopable.

Infill is not considered a type of vacant land development, but a condition of a tax lot relative it's to surroundings. If nearby tax lots

are primarily developed, an isolated buildable tax lot (totally or partially vacant) is considered an infill tax lot.

In summary, over the long term, two types of land can support new development: buildable vacant land and redevelopable land.

Supply Task 1. Assemble databases.

Obtain as much data about the land supply as possible. This should include:

- ArcView shape files showing parcel boundaries for all tax lots within the UGB, as well as any other relevant GIS data layers such as plan designations and physical features
- Records for all tax lots within the UGB in a digital format that can be imported into a corresponding spreadsheet or database applications
- Recent aerial photographs, preferably digital orthophotographs
- Maps of any significant natural resources or other constrained lands, preferably in ArcView format
- Copies of plan designation and zoning maps
- Assessor's index and quarter section maps for all areas within the UGB
- Comprehensive plan designations

It is not unusual for cities to have incomplete data when beginning a land supply inventory.

Data sources: Listed above

Supply Task 2. Classify tax lots.

The following describe land types:

Vacant. Land not currently containing permanent buildings or improvements.

Partially vacant or underutilized. Parcels with some development; vacant portions of parcels large enough to support development.

Constrained. Parts or entire parcels may be considered constrained or unable to support development. Typical constraints include:

- Wetlands
- Riparian areas and shorelines
- Steep slopes
- Geologic hazards
- Critical habitat areas
- Tsunami inundation zones
- Areas unserviceable over the 20-year planning period such as airport runways and expansion zones
- Floodplains and floodways

Constrained parcels or portions of parcels should be subtracted from total vacant land to obtain a buildable land estimate. This estimate should be further divided into totally vacant and partially vacant, based on parcel boundaries and existing development. Document this information in a format compatible with ArcView, such as a Microsoft Excel database or Access spreadsheet.

Redevelopable. Parcels with developed structures likely to be demolished. A portion of parcels that meet criteria for redevelopment potential should be assumed to redevelop during

the planning period. An estimate may also have been addressed during the demand analysis. If so, do not double count redevelopbale land in the supply section.

Developed. All land that is not vacant, partially vacant or redevelopable.

Data sources:

- ✓ Existing GIS parcel data
- ✓ Assessor's information
- ✓ Fieldwork

Supply Task 3. Identify development constraints.

Existing studies and reports, research, fieldwork and/or aerial photo interpretation are sources for this gathering information on development constraints. Additional information about types of constraints follows.

Wetlands

Jurisdictions with a current local wetlands inventory (LWI) should use that as a reference. If only a partial inventory is available, combine with other sources such as the National Wetland Inventory (NWI).

If there is no local wetland inventory, use NWI data as a base. If it seems to underestimate the amount of significant wetlands, undertake research, such as an analysis of soil types or field verification. Public review and comment on wetlands maps can be helpful particularly if a local LWI has not been completed. See also DSL Guide to Wetland Inventories (www.oregonstatelands.us/lwi.htm).

Floodplains

Most jurisdictions rely on a flood insurance rate map (FIRM) from the Federal Emergency Management Agency (FEMA) to identify floodplain boundaries. Federal and local regulations do not prohibit development in floodplains. Many allow development if it is elevated one foot above base flood level and proper local/federal permits are obtained. Jurisdictions that allow development that meets this standard should not deduct floodplains from their buildable land supply inventory.

Drainageways and Riparian Areas

Jurisdictions that have riparian setback ordinances should include any unbuildable areas in their constraint analyses. If the riparian areas are mapped, an overlay analysis with the GIS database is optimal. If they are not, review local ordinances and determine an appropriate method. Setbacks may be estimated by using a buffer tool in the GIS database.

Parks and Open Space

Public and private parks and open space areas should be considered unbuildable and excluded from the buildable lands inventory.

Hazardous Land: Slide Areas, Steep Slopes, and Earthquake Faults

These areas should be identified in the Goal 7, Natural Hazards element of the local comprehensive plan. With a contour layer, jurisdictions can use a digital elevation model to identify areas that could be constrained by slope. In the absence of local hazard ordinances, jurisdictions can remove all lands with more than 25% slope from the buildable lands base as an approximation. Industrial sites with more than 10% slope may be considered constrained.

Brownfields

These are properties where expansion or redevelopment may be hindered by actual or perceived environmental contamination (ORS 285A.185). Examples are former mill sites, gas stations, scrap yards and dry cleaners. Federal funding is available to assess and clean up brownfields and manage potential liability. After environmental and liability issues are mitigated, brownfields can be classified as vacant or redevelopable.

Service Constraints

These are most frequently due to lack of availability of water, or sewer or transportation to the site. Areas not scheduled for water, sewer or transportation service during the next 20 years can be identified by a review of local water, sewer and transportation master plans.

Institutional Uses

Governmental, public and non-profit facilities such as museums and schools are generally considered unavailable for development and zoned institutional rather than commercial or industrial. However, as they may be significant employers, they should be part of the employment analysis. Their long-range plans also should be considered.

Data sources:

- ✓ GIS parcel data
- ✓ Wetlands inventories
- ✓ FEMA FIRM maps
- ✓ Water and sewer master plans
- ✓ Park and school plans
- ✓ Local natural hazards inventory

Supply Task 4. Estimate total buildable land supply by land classification.

To ensure the accuracy of the conclusions before the final analysis is conducted, jurisdictions should verify buildable land data through aerial photos and field visits. Large jurisdictions may choose standard sampling techniques to test accuracy of the analysis.

Calculate gross buildable acres. Divide the estimated total buildable land supply into classifications. Begin by subtracting constrained acres from total vacant acres—preferably at the tax lot level. This analysis is most easily done by using GIS. It should result in a tabular database that can be summarized by various attributes, such as plan designation and zoning, and facilitates further disaggregated analysis that may be needed.

Jurisdictions have two options when addressing redevelopment potential: either deduct employment from the demand side of the calculation or include redevelopable land on the supply side. To avoid double-counting, only one approach should be used.

A supply-side analysis can help identify tax lots with redevelopment potential—those with developed structures with some probability of being demolished and replaced. Many studies use improvement-to-land-value ratios to estimate this.

Convert gross acres to net acres. A gross acre is a vacant acre of land before it has had a portion of the property dedicated for public rights-of-way, private streets, or public utility easements. For example, a standard assumption is that about 20% of land in a residential subdivision is used for streets and utilities: thus, a gross vacant acre will yield only about 35,000 sq. ft. (80% of a full acre) for lots. At five dwelling units per gross acre, the average lot size is about 7,000 square feet. A jurisdiction can calculate the precise percentage for reducing gross to net residential acres by

analyzing subdivision permits over the last five years. Environmental constraints described in Supply Task 3 cab reduce developable acreage even further.

One way to check assumptions is to randomly select developed industrial and other employment parcels and calculate the amount of land available for development that is used for streets, utility easements, and other public purposes.

Table 10 provides a sample calculation of converting gross to net acres.

Table 10
Sample Non-Residential Lands Data Worksheet

Tax Lot#	Total Acreage	*Minus* Developed acreage	*Equals* Gross vacant acreage	*Minus* Constrained acres	*Equals* Gross buildable vacant acres	*Minus* Acres for public facilities (25%)	*Equals* Net buildable vacant acres	*Plus* Redevelopable acres*	*Equals* Total net buildable acres
Commercial Plan Designation									
1202	10.0	0.0	10.0	1.1	8.9	2.2	6.7	-	6.7
1400	5.0	1.0	4.0	0.0	4.0	1.0	3.0	-	3.0
1506	8.0	8.0	0.0	0.0	0.0	0.0	0.0	4.0	4.0
Subtotals							9.7	4.0	13.7
Industrial Plan Designation									
2000	20.0	0.0	20.0	2.0	18.0	4.5	13.5	-	13.5
4500	3.0	3.0	0.0	0.0	0.0	0.0	0.0	3.0	3.0
Subtotals							13.5	3.0	16.5
Total Net Buildable Acres							23.2	7.0	30.2

Source: Adapted from the HB 2709 Workbook
** Note: Rredevelopment may also be addressed on the demand side of the analysis*

Summarize buildable land by classification and plan designation. At a minimum, jurisdictions should develop buildable lands inventory maps and summary tables displaying this information. Zoning and land classifications may also be shown.

Data sources:

- ✓ GIS parcel data
- ✓ Assessors' information
- ✓ Field verification

Supply Task 5. Estimate employment holding capacity.

The final step in this analysis is to estimate how much employment can be accommodated on the buildable land, know as its "holding capacity." This requires density assumptions expressed in employees-per-acre multiplied by the estimate of total buildable acres.

The derivation of the employees-per-acre estimates also is described in this chapter under Demand Task 5. Generally, 14-20 employees per acre can be expected on commercial land; 8-12 employees per acre on industrial land and 6-10 on institutionally zoned land. Estimates aside, there is considerable variation, even within specific industries. In addition, any given industry can include many different occupations, each with a different employment density. It is always advisable to check the current employee-per-acre ratio as a comparison to the rule-of-thumb estimates.

Divide the number of employees forecast for each land use type by the employment density assumption (expressed in employees per acre) to estimate the number of acres needed for each land use type.

Data sources:

- ✓ General employment density information
- ✓ Local employment density data

Short-Term Land Supply

Jurisdictions may have a 20-year supply of industrial and other employment land and still not have many sites ready for development. This situation may occur if:

- Vacant, buildable, and serviceable sites are owned by a few property owners who are not ready to develop
- There are significant physical, institutional, or cost constraints before necessary public services (primarily roads, water, and sewer) can be supplied

Short-TermSupply Task 1. Identify short-term land supply.

In the buildable lands inventory, identify the number of sites and total acreage by land type ready for immediate development. The local public facilities plan should define the time schedule for providing services to developable sites.

Data sources:

- ✓ Local public facilities plans
- ✓ Interviews with public works director, utility districts
- ✓ Interviews with local landowners, developers and realtors

Advanced Approach—Comparing Land Demand and Supply (Need)

In the Basic approach, the result of the land demand analysis is compared to the total buildable land supply to determine whether the jurisdiction has a 20-year supply of buildable land. An analysis of short-term supply is also required.

Jurisdictions can begin a more detailed comparison of demand and supply by reviewing the site requirements of firms and conducting a detailed comparison of local sites. At a minimum, this can occur at the plan designation level. More detailed analyses may be by building type (e.g., research and development, warehouse/distribution, general industrial, Class A office, retail, etc)., site requirements (size and other characteristics), or industry.

Reconciliation Task 1. Compare short-term demand and supply by firm need.

The supply analysis requires information about land by tax lot or parcel size and plan designation. This may then be compared to the identified site requirements of firms. For example, a jurisdiction that desires to attract a chip manufacturer but does not have any parcels larger than 20 acres cannot meet this need as such industries are likely to require sites of 50 to 100 acres.

This detailed comparison should include all the physical aspects including:

- Land use buffers
- Flat sites
- Parcel configuration and parking
- Soil type
- Building density
- Air transportation
- Fiber optics and telephone
- Potable water
- Power requirements
- Roadways
- Transit
- Pedestrian and bicycle facilities
- Air and water quality requirements

A final issue for consideration is the location of lands designated for industrial and other employment uses. For example, a review will be needed if all the buildable commercial lands are in one quadrant, a significant part of the buildable residential lands in another, and the jurisdiction has growth policies that encourage mixed-use development in both.

Data sources:

- ✓ Maps of buildable lands
- ✓ GIS database
- ✓ Development goals and policies
- ✓ Interviews with existing and potential employees

3 Step Three: Develop Policies

At a minimum, jurisdictions should develop policies in their comprehensive plans that address their targets for the type and location of industrial and other employment lands. These can help determine how, when and where public services will be provided. Many jurisdictions also adopt policies to preserve industrial and other employment lands. Appendix E provides an overview of potential economic development policies.

Data sources:

- ✓ Strategic plan
- ✓ Economic opportunities analysis
- ✓ Buildable lands inventory
- ✓ Community meetings and public hearings
- ✓ Stakeholder interviews, focus groups

To Do:

- ✓ Develop policies to achieve meet local development objectives.

4 Step Four: Develop Action Plan

The economic development plan should describe specific steps that will be taken to address the community's economic development vision, goals and objectives. It should be based on all the data collected so far and identify roles and responsibilities for all parties, including private and public partners; the time schedule for implementation; cost and funding sources. A possible framework for the action plan includes:

- Why the jurisdiction values this policy direction
- Purpose of the action
- Priorities
- Entities responsible for actions
- When the actions should occur. Possible increments may be immediate, or Year 1, short term, or Years 2-10 or longer term, 11-20 years
- Estimate time and resources for each step
- Definition of success, or targets
- Other partners

The action plan is the tool or roadmap toward attaining the overall vision. It acknowledges all the economic development objectives, opportunities analysis and land needs forecasts and constraints, and identifies the specific actions to create an adequate and competitive commercial, institutional and industrial land base for employment. The draft action plan should be reviewed by all the stakeholders described in task one, vision and goals.

Data sources:

- ✓ Economic development vision and goals
- ✓ Economic opportunities analysis

- ✓ Results of meetings with stakeholders and potential partners
- ✓ Research on funding sources

To Do:

✓ Develop the action plan.

5 Step Five: Adopt Policies and Implement Plan

Implementation is the mobilization or resources to implement the Goal 9 plan and associated economic development strategies. Implementation begins with public hearings and adoption of comprehensive plan policies and/or updates to public facilities plans. The action plan should guide public investment and staff resources, focusing on the most appropriate activities to achieve the desired job growth and other identified benefits.

The economic development strategy and action plan should be monitored and revisited on a regular basis or as land develops or economic or demographic conditions change. Regular updates can be used to ensure that plan implementation is on schedule and has sufficient resources. Quantitative and qualitative criteria can help to assess the achievement of project targets. Scheduled reviews also provide an opportunity to develop strategies to address new conditions.

Data sources:

- ✓ Goal 9, economic development plan
- ✓ Draft and final plan policies
- ✓ Building permits to track development as it occurs
- ✓ US Census, other demographic information

To Do:

✓ Implement and monitor plan progress.

Appendix A: Glossary

Absorption—The rate at which properties can be leased or sold in a given area.

Adequate Land Supply (Long-Term)—Commercial and industrial designated land within an urban growth boundary (UGB) that adequately accommodates employment needs up to 20 years as documented in the local Economic Opportunity Analysis. This entails a range of commercial and industrial-designated sites of various sizes and locations. Land deemed "adequate" also is considered "suitable", but not necessarily "available." (See definitions for those terms).

Adequate Land Supply (Short-Term)—Commercial and industrial-designated land within an urban growth boundary that adequately accommodates the short-term (1 to 5 years) employment needs documented in the local Economic Opportunity Analysis. This entails a range of commercial and industrial-designated sites in various sizes and locations. Land deemed as "adequate" also is considered "suitable" and "available", and should not be constrained by environmental, infrastructure nor ownership issues.

Available Land—Designated land for commercial or industrial uses that is suitable and offered for sale or lease by the property owner, or is available for future on-site expansion by existing tenants.

Buildable Lands—Lands in urban and urbanizable areas that are suitable, available and necessary for development. Include both vacant and developed land likely to be redeveloped.

Buffer—Strip of land that separates one type of land use from another with which it is incompatible.

Cluster—Geographic concentration of interconnected companies, specialized suppliers, service providers, firms in related industries and associated institutions that compete but also cooperate.

Commercial—A business, firm or organization that generates income by producing, handling or providing products or services for ultimate sale. Commercial uses include the entire retail (direct to consumer or business-to-business) sector; administrative and professional operations such as finance, insurance, real estate, legal, accounting, information technology and medical services; may also include food service, recreation services and tourism facilities.

Commission—The Land Conservation and Development Commission. Cities and counties may designate land in an industrial or other employment land category to compensate for any institutional land demand that is not designated under this section. Though cities and counties are not required to designate institutional uses needed for government facilities on privately owned land, the requirements of OAR 660-009-0025(2) still apply.

Competitive Short-Term Supply—Provides a range of site sizes and locations to accommodate the market needs of a variety of industrial and other employment uses, free from ownership constraints.

Competitive Market Region—A group of counties that provides a competitive market for land, goods, services and jobs.

Constrained Land—Vacant or partially vacant parcels with significant physical, environmental or infrastructure limits to development. Physical constraints include steep topography (sloped over 10% for industrial use and over 20% for commercial use), unstable soils and parcel configuration. Environmental constraints include on-site wetlands, floodplains or significant

riparian areas. Infrastructure constraints include inadequate public facilities (e.g., roads and utilities).

Conversion—The process and associated impacts of changing land from one use to another.

Covered Employment—Jobs covered by unemployment insurance; usually about 85% of total employment. People who are self-employed, farm workers, and some contractors are examples not covered by unemployment insurance, or "non-covered" employees.

Demand—The desire for commercial, institutional and industrial lands.

Department—The Department of Land Conservation and Development.

Developed Land—Parcels with relatively high-value improvements that are not vacant.

Development Constraints—Factors that limit or prevent the use of land for economic development. Development constraints include, but are not limited to, wetlands, environmentally sensitive areas such as habitat, environmental contamination, slope, topography, cultural and archeological resources, infrastructure deficiencies, parcel fragmentation or areas subject to natural hazards.

Economic Development Strategy—A planning document that describes economic development conditions, policies, growth objectives and implementation steps unique to the local jurisdiction. May be an element in a local comprehensive plan.

Elevation—The distance above sea level.

Employed—All civilians 16 years old and over who are paid employees, in their own business or profession, on their own farm, or work 15 hours or more unpaid on a family farm or in a family business.

Employees per Acre—A measure of employment density.

Employment Area—An area or sub area containing several local governments where employees are likely to commute from one jurisdiction to another. Employment areas are determined by the jurisdictions that wish to coordinate their planning efforts under OAR 660-009-0030.

Employment Land—Designated to accommodate a broad range of commercial and industrial uses.

Employment-Shed—Geographic area from which employees are drawn into the local or regional economy. An employment-shed may include all land within a jurisdiction's urban growth boundary; the jurisdiction's urban growth boundary plus surrounding unincorporated areas; two or more nearby jurisdictions and surrounding unincorporated land; or a larger regional area.

Floodplain—Area adjoining a stream that is subject to inundation by flood. Consists of:

- Floodway fringe: the area outside the floodway.
- Floodway: channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than 2.5 inches.

Gross Vacant Acre—An acre of vacant land before it has been allotted for public right-of-way, private streets or public utility easements. A standard assumption is that between 20% and 30% of land in a subdivision is used for streets and utilities; thus, a gross

vacant acre will yield only about 35,000 sq. ft. (70%-80% of a full acre) for lots.

Industrial—Employment activities generating income from the production, handling or distribution of goods and related support activities. Industrial employment includes, but is not limited to, jobs in manufacturing, assembly, fabrication, processing, storage, logistics, warehousing, distribution, and research and development. Industrial uses have special land, infrastructure and transportation requirements and tend to cluster in traditional and new industrial areas segregated from other non-industrial activities.

Institutional—Relates to an entity or organization that provides a good or service that is not commercial or industrial in nature. Institutional uses include, but are not limited to, public and private health care facilities, jails and government facilities. Cities and counties are not required to designate institutional uses needed for government facilities on privately owned land. They may designate land in an industrial or other employment land category to compensate for any non-designated institutional land demand .

Irreplaceable—Property that has characteristics not found elsewhere.

Labor Force—All persons age 16 or over, plus members of the U.S. Armed Forces (on active duty with the United States Army, Air Force, Navy, Marine Corps, or Coast Guard).

Land Market Factor—Commercial and industrial land demand that accounts for the amount of land needed (in excess of baseline demand forecasts) to address use requirements for flexibility and competitiveness in the marketplace. Land market factors typically range from 0% to 200% of baseline demand, depending upon local economic policy objectives and local/regional economic development potential.

Land Need—Supply of lands needed to accommodate future employment demand.

Locational Factors—Include but are not limited to: proximity to raw materials, supplies, labor and services, markets or educational institutions; access to transportation facilities; and workforce (e.g., skill level, education, age distribution).

Long-Term—Planning period 20 years or more from the time the commercial and industrial buildable lands analysis is conducted.

Long-Term Supply of Land—Portion of the total land supply that is serviced or serviceable and suitable to replace the short-term supply as it is developed during the planning period.

Metropolitan Planning Organization (MPO)—Organization designated by the Governor to coordinate transportation planning on urban land in the state.

Net Vacant Acre—Vacant land after allotments for public right-of-way, private streets or utility easements. For example, a one-acre site that has 30% of land devoted to streets and utilities yields 0.7 acres for net development.

Net Vacant Land—Greater than one acre where the improvement value is less than land value.

Other Employment—All non-industrial jobs, including retail, wholesale, service, non profit, business headquarters, administrative and governmental activities that are accommodated in retail, office and combined building types. Also includes activities of an entity or organization that serves the medical, educational, social service, recreation and security needs of the community.

Ownership Constraints—Occur when ownership patterns or monopolies constrain the availability of the short-term supply of land.

Partially Vacant Constrained Land—Same as partially vacant, with limitations on development.

Partially Vacant Land—Parcels with some development; vacant portions large enough to develop.

Planning Area—The area within an urban growth boundary. Under state law, cities and counties with urban growth management agreements are required to address the urban land governed by their respective plans as specified in the urban growth management agreement for the affected area.

Prime Industrial Land—Land suited for targeted industrial uses. Traded-sector industries are businesses, firms or organizations that sell their goods or services in markets for which national or international competition exists, thus importing revenue into the local area. Prime industrial lands have characteristics that are difficult or impossible to replicate within the planning area; are at least 10 contiguous acres; contain few or no development constraints, and have ready access to the regional freight infrastructure. May include industrial brownfield sites.

Ready for Development— Land that can be developed within one year of a permit application or request for service extension.

Redevelopable Land—Occupied or partially occupied land that may or may not contain a low value of improvements relative to the value of the land.

Redevelopment Potential—Parcels with developed structures that are likely to be demolished; may include brownfield sites.

Safe Harbor—A standard procedure that complies with state or local law.

Serviceable—Public facilities, as defined by OAR chapter 660, division 011, that have adequate capacity for development where an industrial commercial site is located or can be upgraded to have adequate capacity. For a short-term supply of land, serviceable means public facilities either are currently available at the site or can be provided to the site within one year of an application for a building permit or request for service extension.

Short-Term—A planning period that is less than five years from the time the commercial and industrial buildable lands analysis is conducted.

Short-Term Supply of Land—Suitable land within the total land supply that is serviced or serviceable with the appropriate characteristics and ready for construction within one year of being chosen for development.

Significant Wetlands—Protected under federal law. Significant wetlands are not part of the buildable land inventory.

Site Characteristics—The attributes necessary for a particular industrial or other employment use. Characteristics may include: a minimum acreage or configuration including shape and topography; visibility; specific types or levels of public facilities and services; proximity to a particular transportation or freight facility such as an interstate highway, rail, marine port or airport.

Slope—For industrial land, should not exceed 10-15%; commercial land usually can be developed on slopes up to 20%.

Standard Industrial Classification (SIC)—Manual published by the federal Office of Management and Budget that provides a systematic classification of basic economic activities (industries).

Suitable—Land designated for industrial or other employment use that provides, or can be expected to provide, the appropriate characteristics for the proposed use or category of use.

Supply of Land—Existing developed, redevelopable and vacant commercial, institutional and industrial lands.

Total Land Supply—Supply for a 20-year planning period. Total land supply includes the short-term supply of vacant and redevelopable land for the industrial or other employment uses identified in the comprehensive plan.

Traded-Sector Industries—Businesses, firms or organizations that sell their goods or services in markets for which national or international competition exists.

Unemployed—All civilians 16 years old if they (1) were neither at work nor with a job but not at work, and (2) looking for work during the previous four weeks, and (3) were available to accept a job.

Urban Growth Boundary (UGB)—In Oregon, the designated area in which urban, as distinguished from rural, commercial, industrial, residential and other uses may occur.

Vacant Land—Land greater than one acre not currently containing permanent buildings or improvements.

Vacant Constrained Land—Same as vacant land, but with portions with significant wetlands, riparian areas and slopes greater than 10% for industrial and 20% for commercial land uses.

Appendix B

Basic Worksheet Method for Estimating Local Land Demand

	Objective	Description	Market Region	Local Area County or UGB	Local Share of Market Region (%)	Units	Source/Notes
Task 1: A and B	Analyze national, state, regional, county and local trends	Identify past trends in population and employment (at place of work) in the Market Region (MR) and affected jurisdictions					*Oregon Employment Dept., Dept. of Commerce, County Business Patterns, Regional governments*
		population					
		1980				people	U.S. Census
		1990				people	U.S. Census
		2000				people	U.S. Census
		base year				people	Portland State University
		2015				people	Oregon Office of Economic Analysis
		2025				people	Oregon Office of Economic Analysis
		employment (at place of work)					
		1980				jobs	Oregon Employment Department
		1990				jobs	Oregon Employment Department
		2000				jobs	Oregon Employment Department
		base year				jobs	Oregon Employment Department
		2015				jobs	Oregon Employment Department
		2025				jobs	

			Step 1: Base year job count (specify year)	Step 2: Forecast 10-year job count (specify year)	Step 3: Forecasted change in jobs (step 2-step 1)	Step 4: Forecasted annual change in jobs (Step 3 divided by 10 years)	Step 5: Total 20-year job forecast for Market Region (Step 4 x 20 years)	Units	Source/Notes
Task 2	Forecast 20-year population & job growth by sector for a defined Market Region (MR)	Historic and projected job growth by sector (at place of work, covered employment) in Market Region							*Oregon Employment Dept., Dept. of Commerce, County Business Patterns, Regional governments*
		Construction & Mining						jobs	Oregon Employment Department
		Manufacturing						jobs	Oregon Employment Department
		Transportation, Com. & Utilities						jobs	Oregon Employment Department
		Wholesale Trade						jobs	Oregon Employment Department
		Subtotal Industrial Jobs						jobs	Oregon Employment Department
		Retail Trade						jobs	Oregon Employment Department
		Finance, Insurance Real Estate (FIRE)							Oregon Employment Department
		Services						jobs	Oregon Employment Department
		Subtotal Commercial/Service Jobs						jobs	Oregon Employment Department
		Institutional/Government						jobs	Oregon Employment Department
		Other/Uncovered Employment (3-5% of jobs)						jobs	Oregon Employment Department
		Total Jobs						jobs	

			Market Region	UGB			
Task 3	Assess community's economic development potential	Document local UGB competitive market advantages and disadvantages				*Interviews with business and industry managers and economic practionners preferred*	
		Location relative to markets			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Availability of key transportation facilities			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Key public facilities (water, sewer, etc.)			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Labor Market (cost and access)			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Materials and energy (availability and cost)			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Necessary support services			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Pollution control issues			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Education and technical training			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Other (such as land availability)			ordinal score	subjective score (1=poor, 2 = fair, 3=good, 4 = excellent)	
		Total					

			Step 1: 20-year Job Forecast for Market Region (carry over from Task 2, Step 5)	Step 2: Enter local area job growth capture rate (%)	Step 3: Local jurisdiction 20-year job forecast (Step 1 x Step 2)	Units	Source/Notes
Task 4A	Estimate total job growth in local jurisdiction based on capture rate within the Market Region	Historic and projected job growth by sector (at place of work, covered employment) in Market Region and Local Area (UGB)					*Oregon Employment Dept., Dept. of Commerce, County Business Patterns, Regional governments*
		Industrial Sector				jobs	
		Commercial/Service Sector				jobs	
		Institutional/Government Sector				jobs	
		Other/Uncovered Employment				jobs	
		Total Jobs				jobs	

			Step 1: Local jurisdiction 20-year job forecast (carry over from Task 4A)	Step 2: Forecasted allocation to redevelopment (%)	Step 3: Forecasted allocation to vacant sites (%)	Step 4: Projected 20-year jobs that require land (step 1 * step 3)	Units	Source/Notes
Task 4B	Adjust local jurisdiction job growth for infill and redevelopment	Allocate the 20-year local jurisdiction job forecast to redevelopment of underutilized sites versus vacant sites						*Oregon Employment Dept., Dept. of Commerce, County Business Patterns, Regional governments*
		Industrial Sector					jobs	

Appendix B

Basic Worksheet Method for Estimating Local Land Demand

	Objective	Description					Units	Source/Notes
		Commercial/Service Sector					jobs	
		Institutional/Government Sector					jobs	
		Other/Uncovered Employment					jobs	
		Total Jobs					jobs	
Task 5	Estimate job density (jobs per acre)	Forecast average jobs per acre by net land area for employment sectors in UGB						*Local interviews, Urban Land Institute, Portland Regional Industrial Land Study*
		Industrial Sector			jobs per acre			allowance (typically 8-12 jobs/ac)
		Commercial/Service Sector			jobs per acre			allowance (typically 14-20 jobs/ac)
		Institutional/Government Sector			jobs per acre			allowance (typically 6-10 jobs/ac)
		Other/Uncovered Employment			jobs per acre			allowance (typically 6-10 jobs/ac)
		Total/Average (optional)			jobs per acre			
Task 6A	Forecast 20-year land needfor job growth in UGB (net acres)	Forecast 20-year land requirements by land use type (net acres) in UGB						*Derived from Tasks 4 and 5*
		Industrial Sector			acres			Line 46 (Step 4) x Line 52
		Commercial/Service Sector			acres			Line 47 (Step 4) x Line 53
		Institutional/Government Sector			acres			Line 48 (Step 4) x Line 54
		Other/Uncovered Employment			acres			Line 49 (Step 4) x Line 55
		Total			acres			
Task 6B	Forecast total 20-year land need for public facilities in UGB	Forecast 20-year land requirements for public facilities (based on 25% of net land area)						*Derived from Task 6A*
		Industrial Sector			acres			Line 58 x 25%
		Commercial/Service Sector			acres			Line 59 x 25%
		Institutional/Government Sector			acres			Line 60 x 25%
		Other/Uncovered Employment			acres			Line 61 x 25%
		Total			acres			
Task 6C	Aggregate total 20-year land demand forecast for jobs and public facilities in UGB	Forecast 20-year land requirements by land use type (gross buildable acres) in UGB						*Derived from Task 6B*
		Industrial Sector			acres			Line 58 + Line 64
		Commercial/Service Sector			acres			Line 59 + Line 65
		Institutional/Government Sector			acres			Line 60 + Line 66
		Other/Uncovered Employment			acres			Line 61 + Line 67
		Total			acres			

			Total Sites		Large Sites		Standard Sites			Small Sites		
Task 6D	Estimate long-term (20-year) land demand by parcel size	Allocate 20-year land requirements by land use type and parcel size (gross buildable acres and sites)*	Tax Lots (optional)	Acres	Tax Lots (optional)	Acres	Tax Lots (optional)	Acres	Acres	Tax Lots (optional)	Acres	*Derived from Tasks 6A and local estimates*
		Industrial Sector										
		Commercial/Service Sector										
		Institutional/Government Sector										
		Other/Uncovered Employment /Special Uses										allowance for special uses
		Total										

			Total Sites		Large Sites		Standard Sites			Small Sites		
Task 6E**	Calculate short-term (5 year) land demand for local UGB by parcel size	Forecast 5-year land requirements by land use type and parcel size (gross buildable acres)**	Tax Lots (optional)	Acres	Tax Lots (optional)	Acres	Tax Lots (optional)	Acres	Acres	Tax Lots (optional)	Acres	*Derived from Task 6B*
		Industrial Sector										Line 77 divided by 3
		Commercial/Service Sector										Line 78 divided by 3
		Institutional/Government Sector										Line 79 divided by 3
		Other/Uncovered Employment										allowance for special uses
		Total										

** Note: Jurisdictions may vary definition of "large", "standard" and "small" parcels depending on local economic development objectives. Typical "large parcels" are at least 10-100 acres in size, standard sites are typically between 1 and 5 acres, and small sites are less than 1 acre.*

***Note: It is recommended that the 20-year demand forecast be divided by 3 to allow for a slight market factor that provides a competitive land supply which allows market choice to account for varying tenant site requirements.*

Source: Otak, Inc.

Appendix C: Internet References

Web Site	Data Provided	Goal 9 Reference
www.oregon.gov	Governments: including city, county, council of government, state agency, or federal agency data often provide some GIS information that is periodically updated. The State of Oregon web site, www.oregon.gov, has connections to all cities, counties, and state agencies. Many states now have some kind of GIS data clearinghouse or links to data providers.	Supply and Demand
www.gis.state.or.us	Oregon Geospatial Data Clearinghouse maintains various state-wide GIS layers for download.	Supply
www.ous.edu	College or University Libraries; both University of Oregon and Oregon State University libraries have GIS collections.	Supply and Demand
www.terra.geo.orst.edu/ucgis	College or University Departments are now beginning to make available data that has been used or created in the course of their research. This web site is for Oregon State University Geographic Information Sciences. This web site describes GIS and GISci facilities, research, faculty and education at Oregon State University (OSU), Corvallis, Oregon. It is also OSU's online portfolio for membership in the UCGIS.	Supply
www-sul.stanford.edu/depts/gis/web.html	College or University web sites that present lists of various state and national GIS data sources. A good example is from Stanford University. Last updated October 13, 2004.	Supply and Demand
www.esri.com/data/index.html	Access to the right data is key to intelligent GIS analysis. ESRI offers a variety of data products to support your applications. ESRI also promotes and supports a strong group of partners who provide a wide range of data products in ESRI-compatible formats.	Supply and Deman d
www.seamless.usgs.gov/viewer.html	The United States Geological Survey (USGS) maintains the National Map that allows viewing and downloading of data.	Supply
www.nsdi.usgs.gov	The USGS maintains a National Geospatial Data Clearinghouse. This site provides one-meter aerial photography, digital elevation models, and various nation-wide date sets that can be used to identify land forms and topographic features.	Supply
www.fema.gov	The Federal Emergency Management Agency (FEMA). They provide floodplain and associated date that can be viewed at www.gis.msc.fema.gov/Website/DFIRM_Viewer/Viewer.htm.	Supply
www.terraserver.com	The Terra Server maintains a subscription service for aerial photography. There are also links to other aerial photography providers	Supply
www.wetlandsfws.er.usgs.gov/wtlnds/viewer.htm	National Wetlands Inventory (NWI) can be accessed through the Federal Fish and Wildlife Service web site. The data can be view or downloaded from the viewer. Data can also be downloaded at the following site: www.wetlandsfws.er.usgs.gov/download.html.	Supply
www.oregon.gov/ODOT	Oregon Department of Transportation (ODOT), roadway maps can be accessed at the web site and through the Maps and Library link in the column at the left.	Supply

Web Site	Data Provided	Goal 9 Reference
www.census.gov	US Census data can be found here. Downloadable GIS data can be found through the Geography links and the tabular data can be found through the United States Census 2000 link.	Demand
www.oregonprospector.com	The Oregon Prospector web site provides access to a State-wide industrial land and building inventory. While the inventory of sites is in the early stages of development, this web site provides key commercial and industrial land/building supply data for "permit ready" sites in cities and counties throughout Oregon.	Supply
www.econ.state.or.us	The Economic and Community Development Department provides economic and community development and cultural enhancement throughout the state, and administers programs that assist businesses, communities and people. Oregon's economic development system is designed to meet the state's changing economy, provide flexibility in funding statewide and regional needs, and focus on funding economic and community development services for rural and distressed communities. Through the internet, we hope to provide information to browsers from both Oregon and worldwide. We want to provide you with useful, updated information at a low cost.	Demand
olmis.emp.state.or.us/	The Oregon Labor Market Information System (OLMIS) provides economic information to employers, job seekers, students, policy makers, analysts and others. It is designed to give users access to the Employment Department's information resources free of limitations due to time or location. It is part of the agency's effort to allow people to make informed decisions based on the best data available.	Demand

Appendix D: Vision to Actions

Example provided courtesy of Hillsboro (http://www.hillsboro2020.org)

Vision
In the year 2020, Hillsboro is our home town. Within a rapidly changing metropolitan region and global economy, we live in a dynamic community that sustains our quality of life. Here, neighbors, generations and cultures connect. We live and work in balance with nature. Hillsboro is a safe and affordable community, a place our children and their children will be proud to call home.

Goals
Strengthening and Sustaining Community
Enhancing Neighborhoods and Districts
Preserving the Environment
Creating Economic Opportunity (detail shown below)
Expanding Educational and Cultural Horizons
Promoting Health and Safety

Objectives and Actions
Diverse Business Base
Foster Hillsboro's diverse base of businesses and industries.
• *Prepare and implement a new Hillsboro area economic development strategy, covering land supply, business retention, and recruitment*
• *Investigate ways to support and encourage emerging and multi-cultural businesses*
• *Encourage use of existing multi-cultural resources to expand hiring and training practices*

Family-Wage Jobs
Promote the creation of family-wage jobs.
• *Develop definition of "sustainable family-wage jobs"*
• *Prepare a profile of "family-wage" jobs in the community*
• *Establish a demographic and economic profile to help identify businesses with family-wage jobs*

Business Needs
Ensure zoning, development codes and land supply match the needs of all business types.
• *Revise zoning and development codes and permitting to recognize needs of all business types*
• *Maintain ongoing database of available land and leased space for all business types*

Long-Term Water Supply
Assure a long-term water supply for local business through sound water management practices.
• *Take a leadership role to ensure adequacy of regional water supply and delivery system*
• *Support capital improvement projects to maintain adequate water delivery and storage systems*
• *Develop and implement water conservation programs*

Transportation and Communications Improvements

Support transportation and communication system improvements to move goods, services, and information, and allow residents to reach destinations efficiently throughout the community.
• *Participate in the Hillsboro Airport master plan update*
• *Take leadership role in planning and financing of local and regional transportation systems*
• *Develop high-speed date network strategy city-wide*

Jobs-Education Coordination
Team educational institutions and business to better match education and training with jobs.
• *Develop an ongoing forum to synchronize business employment needs and trends with educational curriculum planning*
• *Enhance internship and apprenticeship programs for persons entering and re-entering the work force*

Appendix E: Potential Economic Development Policies

Category/Policy	Description
Land Use	**Policies regarding the amount and location of available land and allowed uses.**
Provide adequate supply of land to support employment growth	As per State requirements, provide an adequate supply of development sites to accommodate anticipated employment growth with the public and private services, sizes, zoning, and other characteristics needed by firms likely to locate in a particular city.
Cut red tape	Take actions to reduce costs and time for development permits. Adopt development codes and land use plans that are clear and concise.
Public Services	**Policies regarding the level and quality of public and private infrastructure and services.**
Provide adequate infrastructure to support employment growth	Provide adequate public services (i.e. roads, water, and sewer) and take action to assure adequate private utilities (i.e. electricity and communications) are provided to existing businesses and development sites.
Focused public investment	Provide public and private infrastructure to identified development sites.
Communications infrastructure	Actions to provide high-speed communication infrastructure, such as developing a local fiber optic network.
Business Assistance	**Policies to assist existing businesses and attract new businesses.**
Business retention	Targeted assistance to businesses facing difficulty or thinking of moving out of the community.
Recruitment and marketing	Establish a program to market the community as a location for business in general, and target relocating firms. Take steps to provide readily available development sites, an efficient permitting process, well-trained workforce, and perception of high quality of life.
Development districts (enterprise zones, redevelopment districts, etc.)	Establish districts with tax abatements, loans, subsidized infrastructure, reduced regulation, or other incentives available to businesses in the district that meet specified criteria.
Public/private partnerships	Make public land or facilities available, public lease commitment in proposed development, provide parking, and other support services.
Financial assistance	Tax abatement, waivers, loans, grants, and financing for firms meeting specified criteria.
Business incubators	Create low-cost space for use by new and expanding firms in Sweet Home with shared office services, access to equipment, and networking opportunities.
Mentoring and advice	Provide low-cost mentors and advice for local small businesses in the area of management, marketing, accounting, financing, and other business skills.
Export promotion	Assist businesses in identifying new products and export markets; represent local firms at trade shows and missions.
Workforce	**Policies to improve the quality of the workforce available to local firms.**
Job training	Create opportunities for training in general or implement training programs for specific jobs or specific population groups (i.e. dislocated workers).
Job access	Provide transit/shuttle service to bring workers to job sites.
Other	
Regional collaboration	Coordinate economic development efforts with the County and the State so that clear and consistent policies are developed.
Quality of life	Maintain and enhance quality of life through good schools, cultural programs, recreational opportunities, adequate health care facilities, affordable housing, and environmental amenities.

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May 30, 2008

TO: Land Conservation and Development Commission

FROM: Richard Whitman, Director
Rob Hallyburton, Planning Services Division Manager

SUBJECT: **Agenda Item 10, June 18–20, 2008 LCDC Commission Meeting**

INFORMATIONAL BRIEFING ON COORDINATED POPULATION FORECASTS

I. AGENDA ITEM SUMMARY

This agenda item is a briefing regarding issues related coordinated population forecast practices and regulations.

A. Type of Action and Commission Role

This is an informational item only. No action by the Commission is requested.

B. Staff Contact Information

For additional information about this agenda item please contact Rob Hallyburton at (503) 373-0050, ext. 239, or by e-mail rob.hallyburton@state.or.us.

II. BACKGROUND

Population forecasts are used in a variety of ways in the land use planning program, particularly in urban-area planning. Calculation of residential and commercial land needs for an urban growth boundary or urban reserve analysis start with a forecast of population growth. Facilities plans for drinking water, sewerage, transportation, and parks all need to address the expected population to be served during the planning period.

Coordinating population projections for jurisdictions within a region is good planning practice. Cities cannot afford to over-size water and sewer systems, for example, and enhanced coordination can result in more realistic assumptions regarding growth.

Coordinating forecasts also helps avoid multiple cities planning for the same growth, leading to surplus land inside urban growth boundaries.

Executive Order 00-23 states:

> Each Community Solutions Team agency shall use the population and employment forecasts developed or approved by the Department of Administrative Service's Office of Economic Analysis in coordination with Oregon's 36 counties to plan and implement programs and activities.

While this is a relatively old order, at least one state agency – the Department of Environmental Quality – still routinely requires that public facilities plans developed with state assistance be based on a coordinated population projection.

A. Regulatory Environment

Population projection coordination is a required function. Statutes and rules set the requirement and establish some guidance on how to carry it out.

Counties (except within the Metro boundary) are the entity charged with coordinating land use plans generally, and population forecasts specifically. ORS 195.036 provides:

> The coordinating body under ORS 195.025 (1) shall establish and maintain a population forecast for the entire area within its boundary for use in maintaining and updating comprehensive plans, and shall coordinate the forecast with the local governments within its boundary.

The referenced ORS 195.025 (1) provides:

> . . .each county, through its governing body, shall be responsible for coordinating all planning activities affecting land uses within the county, including planning activities of the county, cities, special districts and state agencies, to assure an integrated comprehensive plan for the entire area of the county. . . . [T]he governing body of the Metropolitan Service District shall be considered the county review, advisory and coordinative body for Multnomah, Clackamas and Washington Counties for the areas within that district.

ORS 197.015 (5) contains the definition of "comprehensive plan," which includes the statement: "A plan is 'coordinated' when the needs of all levels of governments, semipublic and private agencies and the citizens of Oregon have been considered and accommodated as much as possible." This has been construed by the Land Use Board of

Appeals as requiring a county to "exchange of information between the planning jurisdiction and the affected governmental units, or at least invite such an exchange."[1]

The statute (ORS 195.036) is not explicit regarding whether forecast coordination must take place with all cities within a county (or Metro) simultaneously, as opposed to serially as the cities request it. The department believes that full coordination must take place in order for the county "to assure an integrated comprehensive plan for the entire area of the county," as stated in ORS 195.025, and to comply with the Goal 2 requirement for plans to include an adequate factual base.

OAR 660-024-0030, "Population Forecasts" (Attachment A) specifies that counties must adopt coordinated forecasts as part of their comprehensive plans, or by reference, and that cities must adopt and use the same forecast. The rule provides guidance regarding acceptable methods and data used in developing forecasts, and provides "safe harbors" to (1) allow an endorsed method of forecasting, to reduce opportunities for appeal, and (2) provide a path for a city to move forward with planning projects in the absence of an up-to-date coordinated forecast. The rule includes ORS 197.034 by reference (Attachment B). This statute, enacted in 2007, provides a course of action for cities in the event a county fails to act on a city's request to coordinate population forecasts by setting a six-month timeframe for county action, after which a the city may adopt a safe harbor forecast without county concurrence.

In summary, the statutes and rule require a county (and Metro) to (1) "coordinate" with all the cities within its borders, (2) "establish and maintain" a population forecast for each city and the unincorporated area, and (3) adopt the coordinated population forecasts as part of, or by reference in, the comprehensive plan. Cities are required to adopt the corresponding forecast into the urban-area plan and rely on the coordinated forecast for all the elements of the plan (*e.g.*, residential land needs analysis and transportation system plan).

B. Available data

The Oregon Office of Economic Analysis (OEA) completed county-level population and demographic forecasts through 2040, which were last updated in 2004. There is no requirement that a county use the OEA forecast, but it can be employed as part of a safe harbor. No city-level forecasts are available from this source.

The Population Research Center at Portland State University issues population estimates for each city and county on an annual basis. These data are not forecasts, but rather point-in-time estimates (July 1 of each year) that are a basis for calculating growth trends. The Population Research Center does not routinely prepare forecasts for individual cities or counties.

[1] *Rajneesh v. Wasco County*, 13 Or LUBA 202, 209-11 (1985) (as cited in *1000 Friends v. City of North Plains*, 27 Or LUBA 372, 393)

Other population and demographic data may be developed by individual or cooperating cities and counties, or by consultants, or purchased from commercial sources.

C. Current Circumstances

The following counties have adopted county-wide population forecasts within the last 10 years (according to the DLCD plan amendment and periodic review records):

- Clatsop
- Crook
- Columbia
- Curry
- Deschutes
- Douglas
- Jackson
- Jefferson
- Linn
- Malheur
- Marion
- Sherman
- Tillamook
- Union
- Wasco

Some counties have not completed population forecasts county-wide since acknowledgment, opting to perform the function on a city-by-city basis. Some counties completed coordination and developed forecasts, but have not adopted them into the comprehensive plan. Others finished the task, but more than 10 years ago. Several counties are currently updating coordinated county-wide forecasts.

Staff chose 10 years as the threshold because it corresponds with one of the safe harbor options (OAR 660-024-0030(3)). However, any forecast that does not extend at least 20 years from present is not updated sufficiently to be of use by a city updating its plan. Several of the forecasts completed by the counties listed above end in 2020 or 2025 – too early for use by a city planning to 2028.

Metro has kept current population forecasts for the area within its boundary for use in its urban growth boundary analysis and transportation system planning. This forecast has not been coordinated, and individual city forecasts have not been released.

III. ISSUES

A. Completion of Forecasts

The primary issue for the department is that the list of coordinated population forecasts in Section II.C, above, represents less than half the counties in the state, including some with a relatively large number of growing cities. Metro is also missing from the list. The absence of coordinated forecasts can cause significant problems for cities attempting to update urban-area plans. This is especially an issue for cities in periodic review, as they are under time constraints for finishing planning projects. ORS 195.036 requires completion of coordinated population forecasts, but it does not include a deadline or prescribe consequences for failing to do so.

Department staff understands there are a number of reasons why a county may not want to complete or update coordinated population forecasts. Staff resources are frequently insufficient to take on new projects given workload and local priorities. Coordination can be difficult when there are divergent views regarding forecast methods or results within a city or county.

The 2007-09 Grants Allocation Plan, approved by the Commission, includes population forecast coordination as a priority use of technical assistance grant funds. Grants can help address resource issues, but will not make coordination any easier. The department received two grant applications for forecast coordination projects.

B. Safe Harbors

Safe harbors result in a conservative forecast, as they are based on continuation of an existing trend. The intent, or certainly the result, of the safe harbor methodology is to give higher credence to the OEA forecasts. Jurisdictions that wish to plan for either more or less growth than OEA forecasted will not be able to utilize the safe harbor tool. Issues regarding the use and the results of safe harbors are becoming apparent.

A possible effect of the use of safe harbors, especially in light of the recent enactment of ORS 195.034, is to encourage counties to coordinate with cities individually or to dispense with coordination altogether. These provisions provide a path for city-by-city coordination and for cities to adopt population forecasts without county coordination or concurrence. As stated previously, this does not result in an integrated plan for the entire area of the county, as contemplated by the planning coordination statute (ORS 195.025).

The Commission adopted safe harbors in order to reduce disagreement over methodology and to allow individual cities to progress with planning activities while waiting for a county to complete forecast updates. An unintended consequence appears to be an incentive to avoid conformity with the intent of ORS 195.036.

Regarding the performance of safe harbors, the option that relies on a presumption of constant proportion (OAR 660-024-0030(4)) may result in a forecast for the rural area that is too high, as most population growth in the state is within UGBs.

C. Urban-Area Forecast Method

The administrative rule requires that a forecast be developed using "commonly accepted practices and standards for population forecasting used by professional practitioners in the field of demography or economics." Some parties have interpreted this to mean that the forecast for each individual urban area must be projected independently, using "commonly accepted practices." Others have forecasted the overall county population in conformity with the rule and allocated that population to the urban areas.

The department believes that either method is acceptable. As long as the "control total," that is, the county forecast, is based on a sound forecasting method, the intent of the statute and rule are satisfied. The decision on the distribution of future growth within the

county can reasonably be based on factors besides historic trends, and the county (or Metro) have been authorized to make those decisions, as long as the counties coordinate with all affected levels of government.

ATTACHMENTS:

A. OAR 660-024-0030
B. ORS 195.034

ATTACHMENT A

660-024-0030
Population Forecasts

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

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

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

(a) Is adopted by the city and county in accordance with the notice, procedures and requirements described in section (1) of this rule; and

(b) Extends the current urban area forecast to a 20-year period commencing on the date determined under OAR 660-024-0040(2) by using the same growth trend for the urban area assumed in the county's current adopted forecast.

(4) As a safe harbor, a city and county may adopt a 20-year forecast for an urban area consistent with this section. The forecast is deemed to comply with applicable goals and laws regarding population forecasts for purposes of the current UGB evaluation or amendment provided the forecast:

(a) Is adopted by the city and county in accordance with the notice, procedures and requirements described in section (1) of this rule;

(b) Is based on OEA's population forecast for the county for a 20-year period commencing on the date determined under OAR 660-024-0040(2); and

(c) Is developed by assuming that the urban area's share of the forecasted county population determined in subsection (b) of this rule will be the same as the urban area's current share of county population based on the most recent certified population estimates from Portland State University and the most recent data for the urban area published by the U.S. Census Bureau.

(5) A city may propose a revised 20-year forecast for its urban area by following the requirements described in ORS 195.034 [see Attachment B].

ATTACHMENT B

195.034 Alternate population forecast. (1) If the coordinating body under ORS 195.025 (1) has adopted, within 10 years before a city initiates an evaluation or amendment of the city's urban growth boundary, a population forecast as required by ORS 195.036 that no longer provides a 20-year forecast for an urban area, a city may propose a revised 20-year forecast for its urban area by extending the coordinating body's current urban area forecast to a 20-year period using the same growth trend for the urban area assumed in the coordinating body's current adopted forecast.

(2) If the coordinating body has not adopted a forecast as required by ORS 195.036 or if the current forecast was adopted more than 10 years before the city initiates an evaluation or amendment of the city's urban growth boundary, a city may propose a 20-year forecast for its urban area by:

(a) Basing the proposed forecast on the population forecast prepared by the Office of Economic Analysis for the county for a 20-year period that commences when the city initiates the evaluation or amendment of the city's urban growth boundary; and

(b) Assuming that the urban area's share for the forecasted county population determined in paragraph (a) of this subsection will be the same as the urban area's current share of the county population based on the most recent certified population estimates from Portland State University and the most recent data for the urban area published by the United States Census Bureau.

(3)(a) If the coordinating body does not take action on the city's proposed forecast for the urban area under subsection (1) or (2) of this section within six months after the city's written request for adoption of the forecast, the city may adopt the extended forecast if:

(A) The city provides notice to the other local governments in the county; and

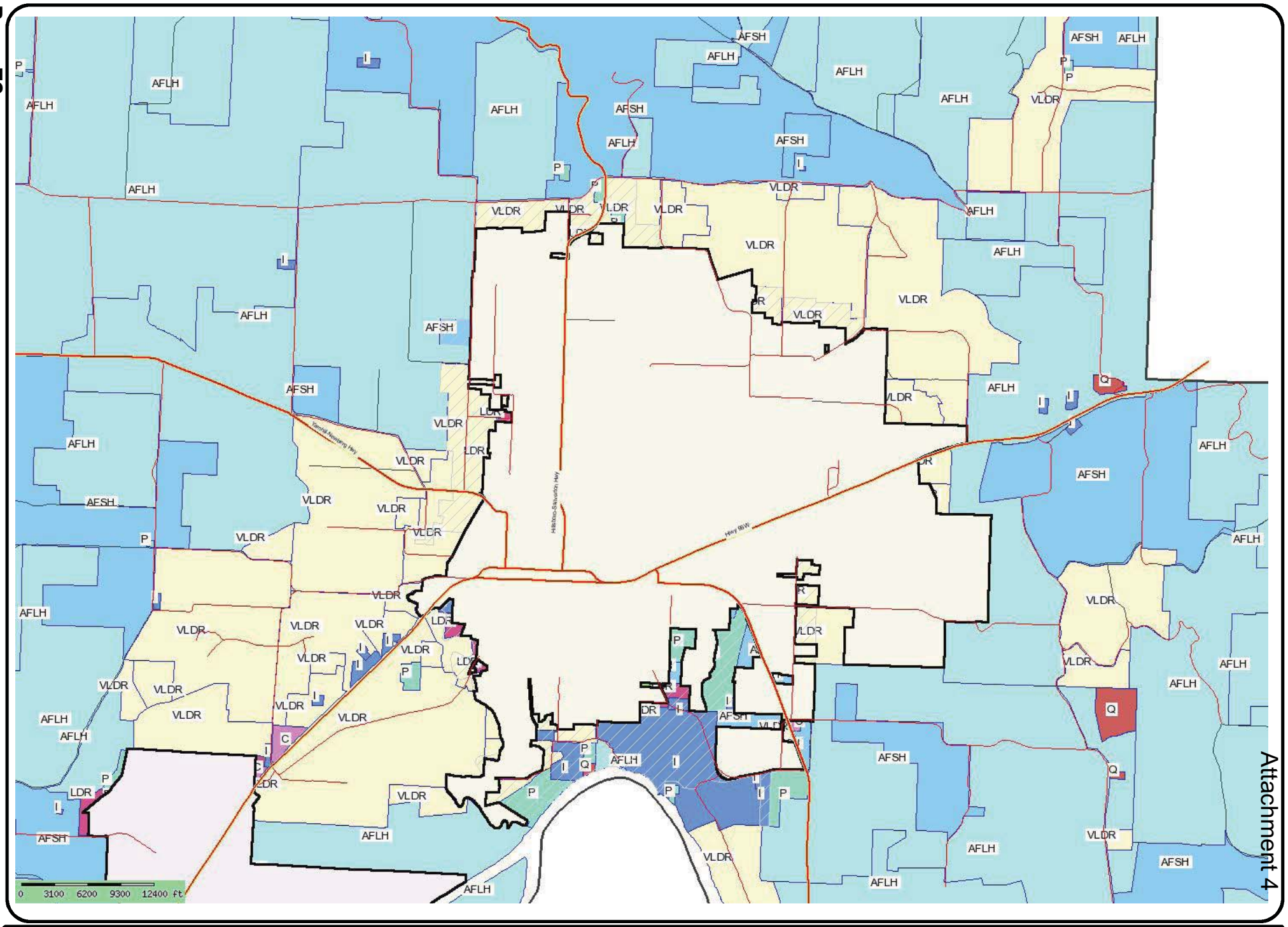
(B) The city includes the adopted forecast in the comprehensive plan, or a document included in the plan by reference, in compliance with the applicable requirements of ORS 197.610 to 197.650.

(b) If the extended forecast is adopted under paragraph (a) of this subsection consistent with the requirements of subsection (1) or (2) of this section:

(A) The forecast is deemed to satisfy the requirements of a statewide land use planning goal relating to urbanization to establish a coordinated 20-year population forecast for the urban area; and

(B) The city may rely on the population forecast as an appropriate basis upon which the city and county may conduct the evaluation or amendment of the city's urban growth boundary.

(4) The process for establishing a population forecast provided in this section is in addition to and not in lieu of a process established by goal and rule of the Land Conservation and Development Commission.



Attachment 4

This map was produced using the Yamhill County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuse or misinterpretation

Yamhill County Comprehensive Plan Map

Areas Near Newberg

Printed 04/16/2012

2012

LAND AVAILABILITY | LIMITED OPTIONS

An analysis of industrial land ready for future employers

About this report

This report examines the current and near-term supply of large industrial sites available to accommodate the expansion of existing employers and recruitment of potential new employers to the Portland-metro region.[1] The project was conceived partly in response to Metro's 2009 Urban Growth Report analysis that identified a shortage of large-lot industrial sites in the region and in recognition of the need for a mechanism to replenish large-lot industrial sites as they are developed.

The report was produced by Group Mackenzie in partnership with the Portland Business Alliance, Port of Portland, Business Oregon (an Oregon state agency), NAIOP Oregon Chapter (a commercial real estate development association) and Metro.

1 The Regional Industrial Lands Inventory examined vacant, industrially-zoned or planned lands within the Metro urban growth boundary and selected urban reserves that are suitable for large lot industrial development by new firms moving to the region or to accommodate the growth of existing firms that do not hold land for future expansion. The study identified and documented user-owned sites held for future use but excluded these from the detailed analysis.

Why land availability matters

The Value of Jobs Coalition believes that quality of life begins with a good job and that a thriving economy creates the foundation for quality schools, healthy parks and happy families. According to a study sponsored by the coalition, in the late 1990s, the Portland-metro region's wages and incomes fell below the national average and have stayed there. Other peer regions have passed us by in terms of income level and employment. The coalition is sponsoring a series of studies to take a closer look at our economy to see what our region's economic needs and issues are.

There are a number of factors that help a metro region's economy thrive – an educated workforce, sound infrastructure, a coordinated transportation system and available land to grow and attract employers, to name a few. This analysis examines one ingredient of regional economic health: the readiness of large-lot industrial lands.

A consistent inventory of sites is a key requirement for meeting market demand, either by expanding local employers or attracting new employers to our region. This analysis shows, however, that we have a supply of industrial land that is not readily available to attract and cultivate the types of catalytic employers that will help our region's ability to grow and thrive.

Our region has a land use history to be proud of, and we take a measured approach to development. Most of the large-lot sites that will become available for industrial development within the foreseeable future are inside the existing Metro urban growth boundary (UGB) or urban reserves. Advancing the readiness of those sites improves our economic competitiveness, maximizes the efficient use of existing infrastructure and reduces outward pressure on the UGB.

We hope the information in this report will start a conversation among public- and private-sector leaders to help move public policy in a direction that enhances our quality of life by creating well paying jobs and laying the foundation for innovative tools that grow employers in, and attract employers to, our region.

A focus on industrial lands

While this analysis could have looked at a variety of employment land types, it focuses specifically on large industrial sites. Metro has identified a shortage of these sites in the regional industrial lands inventory. Many of the region's largest and often highest-paying industrial firms are located on parcels 25 acres or more in size.

Such firms include high-tech manufacturing (Intel Corporation and Genentech), heavy manufacturing (Vigor Industrial, Gunderson, Freightliner), research and development labs (Oregon Health & Sciences University) and firms that support other business such as warehouses and shipping terminals. These employers create products or services that are sold outside of Portland-metro and bring new dollars into the region. These businesses are commonly referred to as "traded-sector" employers. With these employers come good, family-wage jobs and tax revenues that support critical public services such as schools, health care and law enforcement.

The state of Oregon, the Portland-Vancouver region, the city of Portland and most of the region's counties and cities all identify a similar universe of traded-sector business as the centerpiece of their economic development strategies.[2] A successful strategy includes retention and growth of existing businesses as well as the recruitment of new traded-sector businesses. Although not all traded-sector firms require large parcels, nationally or globally scaled firms that can have a significant impact on regional economic growth – such as Intel, Genentech and Freightliner – do require large parcels.

The experience of state and regional economic development experts indicates that accomplishing our region's industrial retention, expansion and recruitment strategy depends on the immediate availability of an adequate supply of well-located, market-priced and readily developable large-lot industrial lands.

> "We're competing globally to retain, expand and recruit traded-sector companies and the quality jobs and wages they bring. The window of opportunity to win major investment is often short and very competitive. Building an inventory of shovel-ready sites is a key ingredient to positioning the Greater Portland region for long-term job creation."
>
> Sean Robbins, Chief Executive Officer, Greater Portland Inc.

2 See for example: Business Oregon's Strategic Plan May 2009; Comprehensive Economic Development Strategy for the Portland-Vancouver Metropolitan Region 2010-2011 Update; City of Portland Economic Development Strategy, A Five Year Plan for Promoting Job Creation and Economic Growth, 2009.

BY THE NUMBERS:

5.
Number of broadly attractive 25-acre or larger sites available for industrial development within 180 days.

1.
Number of 50-acre or larger sites available for immediate development within 180 days.

1.
Number of 100-acre sites available for immediate development within 180 days.

0.
Number of 100-acre sites available for development between seven and 30 months.

35%.
Percentage of the region's total payroll that came from the traded sector in 2007.

$14,600.
Average additional wage earned by workers in traded-sector jobs vs. non-traded-sector jobs.

65,500.
Number of jobs at firms located on parcels of 25 acres or more.

50%.
Percentage of all industrial land development in the past 20 years that took place during two, three-year peaks of development (1996-1998) and (2006-2008).

Why the focus on traded-sector clusters?

Traded-sector employers export goods and services from the region and import revenue into the region. In the Portland region, many of these traded-sector firms are manufacturers. Economic development strategies focus on these traded-sector employers because they pay higher wages and can increase the wealth of the community.

A 2010 analysis by ECONorthwest for the Value of Jobs Coalition, *2010 Check-Up on the Portland-Region's Economic Health,* found that the average Portland-metro traded-sector wage was $53,000 in 2007, $14,600 greater than the average non-traded-sector wage. The analysis also found that traded-sector jobs accounted for 28 percent of the region's total jobs and 35 percent of total payroll. According to a Business Oregon analysis in 2008, the average wage for the High Technology cluster was $82,000.[3]

The wealth generated by these traded-sector jobs circulates in the community, ultimately supporting supplier or service companies and neighborhood businesses. Larger traded-sector firms also seed entrepreneurs who spin out to create start-up firms that grow into larger firms. This process is what produces the economic clusters that are vital to the economic success of the region. Traded-sector firms also support public services directly and indirectly with higher wage jobs and taxable incomes, resulting in funding for schools, social services, parks and other critical public services.

3 www.oregon4biz.com/dev/www/BOR/The-Oregon-Advantage/Industry/

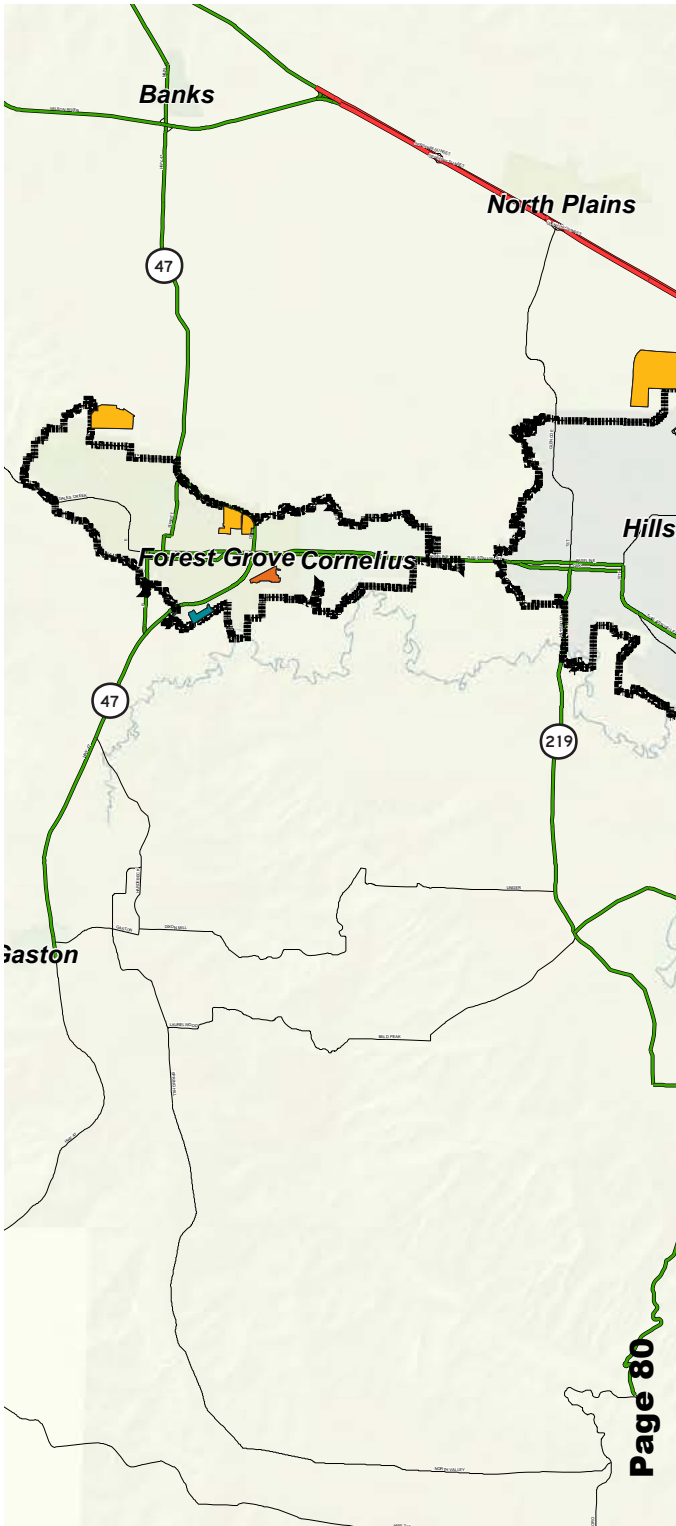
This land inventory analysis provides a snapshot of the industrial land supply inside the Metro UGB and selected urban reserves established in mid-2011. The inventory can be used as a reference for monitoring and tracking changes and absorption of industrial land in the region and can also be used by Portland-metro municipalities as the basis for making informed land use and investment decisions around the supply, regulation and market readiness of industrial lands.

The market-based approach

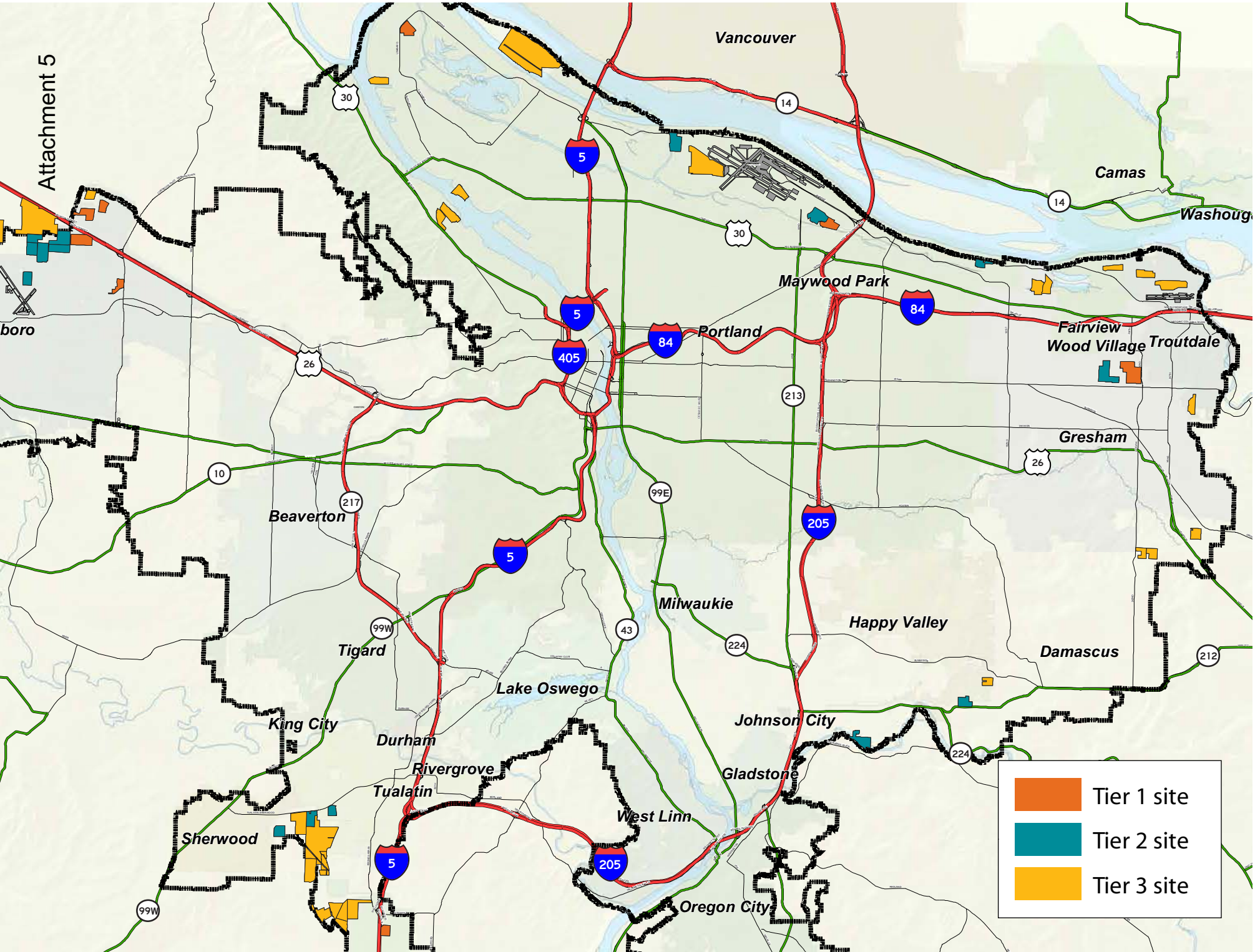
This analysis started with a simple question: **What is the inventory of market ready sites this region needs to be competitive in a global marketplace and successful in attracting large traded-sector firms to locate or expand here?**

Business Oregon has extensive experience recruiting national and international traded-sector businesses into the state and the Portland-metro region. Their experience is that the majority of employers considering whether to locate in the region require sites where they can break ground within 180 days of site selection.

It is also important for the region to offer a number of potential sites for employers to choose from in order to receive serious consideration by site selectors. The fewer the number of sites available for immediate development, the lower the odds are that the region will be able to meet the new employer's requirements.



Attachment 5



What about Clark County?

Could the Portland-metro industrial land readiness issue be addressed by looking north to Clark County? Not according to a report recently issued by the Columbia River Economic Development Council, which found only 13 sites are available and it would take up to 12 to 18 months to get permits in place for construction. The report noted that the shortage of readily available land has already led some businesses to look elsewhere to grow, and could hamper the community's economic recovery, according to local leaders.[4]

What do large-lot industrial developments add to the regional economy?

A 2010 Metro report found that 60 employers located on parcels of 25 acres or more accounted for more than 8 percent of the region's total employment in 2006 or 65,500 jobs.[5] A Business Oregon analysis of recent recruiting efforts found the economic impact per acre of large-lot developments varies depending on the type of company and ranges from $200,000 per acre for warehouse and distribution centers to $1.4 million per acre for clean tech manufacturing.

4 "Few places to build jobs," The Columbian, Tuesday, January 10, 2012.

5 Metro 2009-2030 Urban Growth Report, Appendix 4, January 14, 2010

Based on experience, Business Oregon has identified the characteristic minimum parcel size and other site requirements for most cluster recruitment targets. Most of these cluster industry recruitments require net developable sites of at least 25 acres with a number of clusters, such as globally scaled high tech, requiring much larger sites.

This analysis focuses on the net developable acreage, as some sites have a high number of gross acreage but limited area that would be suitable for an employer to build a facility.

To identify the inventory of market-ready sites in the region, the project applied a series of filters from the perspective of potential employers. Starting with Metro's 2009 Buildable Lands Inventory, supplemented with information from local jurisdictions throughout the region, the analysis identified parcels with the following characteristics:

- Inside the UGB or in selected urban reserves
- Zoned, planned, or, in the case of urban reserves, suitable for industrial uses
- Containing at least 25 net buildable, vacant acres after accounting for constraints such as wetlands, flood plains and slope
- Not set aside by existing firms for future expansion opportunities

Using Business Oregon and industry expertise, the parcels identified through this initial process were further analyzed as to their market readiness using sufficiency of infrastructure and transportation facilities, brownfield or environmental issues, need for land assembly, need for annexation and availability for lease or sale.

This more refined analysis resulted in an inventory of existing or potential industrial sites that were assigned a tier based on market readiness or estimated length of time before they can be developed. Tire 1 sites could be shovel ready within 180 days (six months). With sufficient resources and expeditious jurisdiction approvals, Tier 2 sites could be development ready in seven to 30 months. Sites that will require more than 30 months to be ready for development were designated Tier 3.[6]

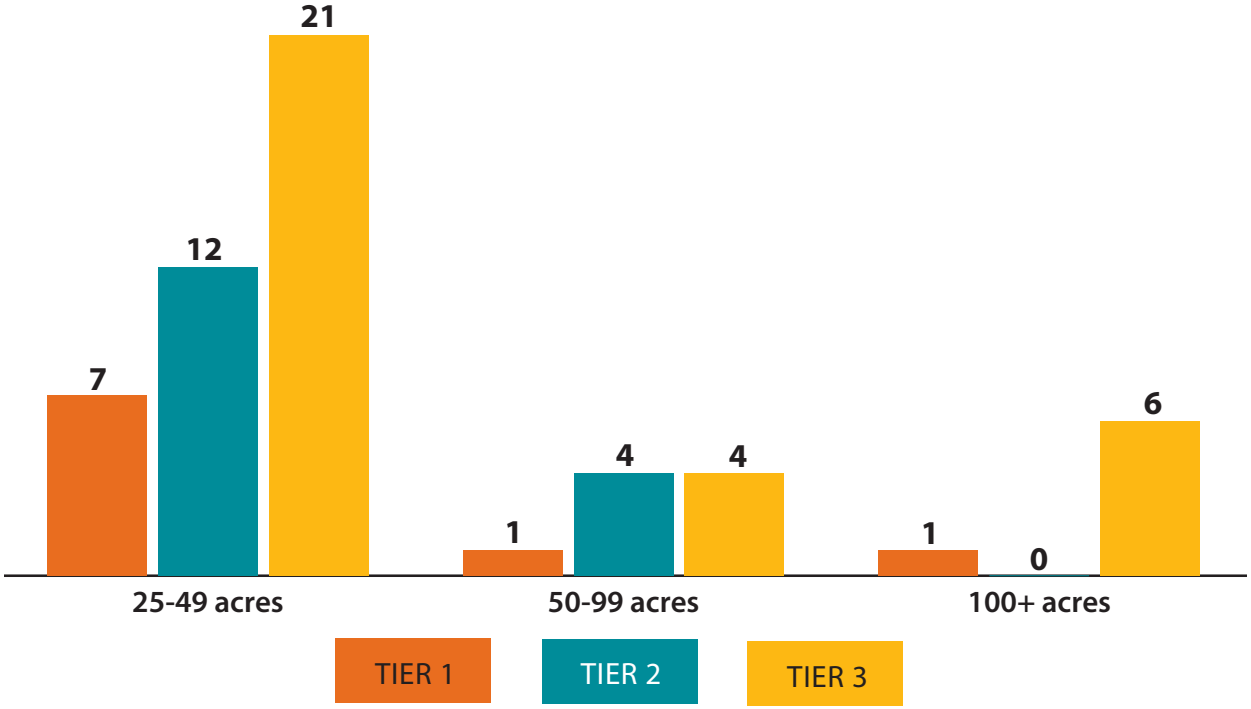
6 The Value of Jobs Coalition is working with the Regional Industrial Lands Study partners on a second phase of this analysis that will examine the costs and benefits of moving Tier 2 and Tier 3 sites into the Tier 1 level of readiness.

What the numbers show

Tier 1 Sites

The analysis found that there are only nine sites in the UGB that are both 25 net acres or larger and can be developed within 180 days. Washington County has five of these sites, followed by three in Multnomah County and one in Clackamas County.[7] The number of very large sites is even more limited. There is only one 50-acre and one 100-acre site in Tier 1.

Figure 1: Distribution of sites by acreage



Beyond shovel-ready availability, there are a handful of economic factors that drive the suitability of industrial sites for immediate development. A closer look at the nine Tier 1 sites reveals that the number of sites attractive to a broad range of potential traded-sector cluster companies is even smaller. Of the nine sites, two are for lease only, which is typically less desirable to potential users who, anticipating significant capital investments, want to own rather than lease.

It is also more difficult to secure financing for a land lease versus a fee-simple ownership project.

Another Tier 1 site is of an irregular shape and would require an unusual development footprint, possibly increasing costs and precluding market-accepted building design.

One last factor is, of course, price. One site is currently for sale at a price that is much higher than industrial development could support and it is unclear when, if ever, the current owner will align the asking price with current industrial market pricing.

The net result is only five Tier 1 sites that can meet the business retention, expansion or recruitment criteria for a broad range of potential users.

Figure 2: Tier 1 sites that meet development critera

TIER 1 SITES	9
Lease only	-2
Irregular shape	-1
Above market price	-1
TOTAL SITES	**5**

7 This analysis only included the area within the Metro UGB, or adjacent urban reserves. It did not examine industrial sites outside the Metro boundary.

It is important to recognize that, for site selectors, these requirements are the absolute minimum requirements for a location to even be considered. Meeting these requirements is like reaching first base in a baseball game: all significant, potential employers require much more than simply meeting the minimum threshold. To make it all the way home, many factors must fit for the transaction ultimately to work and result in hiring.

The smaller the inventory of sites that meet even the minimum requirements, the less the region's odds are of successfully making it to first base, let alone hitting a home run and successfully recruiting the employer. Given the region's lagging wages and incomes, it should be our goal to increase our opportunities for success by ensuring that we have a variety of development ready sites.

> "No one wants to go to their company president with only one possible site."

Peter Bragdon, senior vice president of legal and corporate affairs for Columbia Sportswear, in reference to his experience with site selection.

Tier 2 and 3 sites

The analysis found 16 Tier 2 sites (seven to 30 months from shovel ready) and 31 potential Tier 3 sites (more than 30 months to shovel ready) within the UGB and selected urban reserves. The bulk of these sites are in either Washington or Multnomah counties. Here again, the number of larger sites is very constrained. Tier 2 has no 100-plus acre sites, and only four 50-plus acre sites. Tier 3 has only four potential 50-plus acre and six potential 100-plus acre sites.

The few large sites in Tier 2 and 3 face significant challenges to becoming ready, including the need to complete brownfield clean up, build infrastructure such as roads and sewers, remediate wetlands and assemble parcels currently under multiple separate ownerships.

Ten of the potential Tier 3 sites would require aggregation of parcels in separate ownership, and ownership ranges from two owners up to 17 owners, depending on the site. The more owners involved, the more complex and lengthy the development process would be. Twenty of the sites in Tiers 2 and 3 will require some kind of state, regional or local action such as concept planning, annexation or UGB expansion to become development ready.

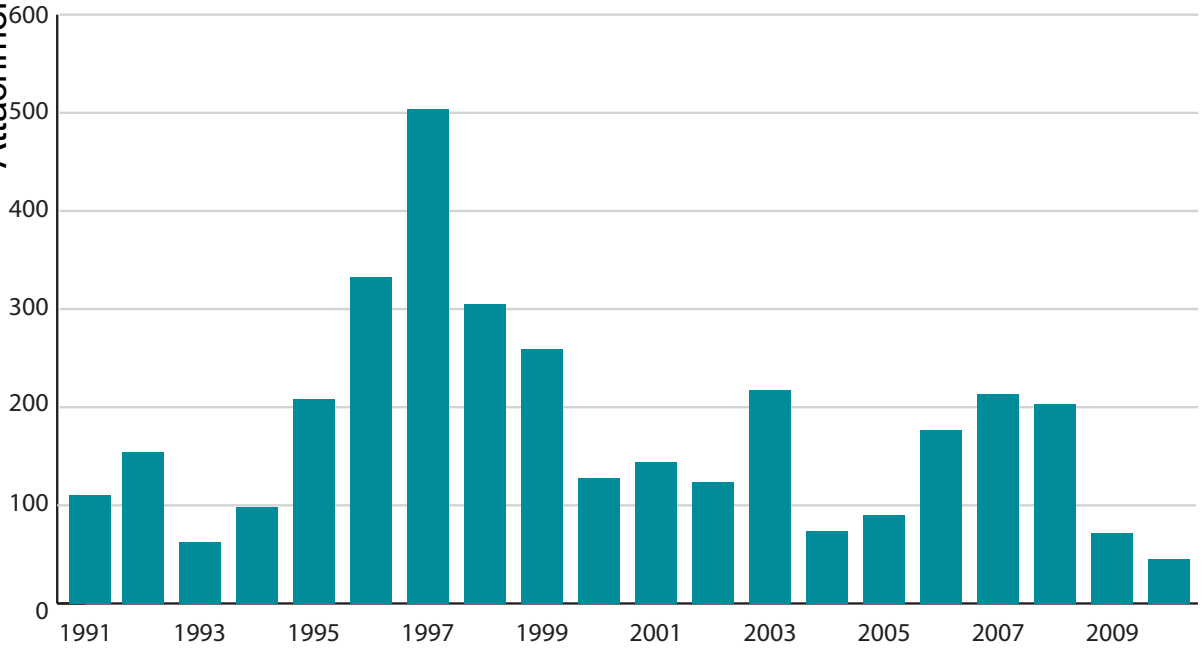
All of these steps can be challenged through the land-use process. Thirty-one of the Tier 2 and 3 sites face multiple challenges. The table to the right shows the variety of challenges faced by sites in the pipeline.

Figure 3: Tier 2 and 3 potential development constraints

	TOTAL
Legislative Actions	20
Infrastructure	19
Transportation	18
Not willing to transact	18
Land Assembly	14
National Resources	13
Brownfield/Cleanup	8

The largest sites face tremendous challenges and limitations. One is West Hayden Island, which has extensive environmental limitations associated with future marine terminal development and will require annexation into the city of Portland. Three sites are outside the current urban growth boundary and one is limited to aviation-oriented, lease-only development. In sum, there are very few of the largest sites currently available and the supply of future large sites is equally or even more constrained.

Figure 4: Estimated industrial land consumption in acres, 1991-2010



Demand for land

Being market ready is critical as industrial land development is very cyclical. According to an analysis by Business Oregon and NAIOP, the majority of the demand for industrial lands comes in short bursts. Fifty percent of all industrial land acres developed in the study area over the past 20 years came during two three-year peak periods of development (1996-1998) and (2006-2008).[8] If the region does not have developable sites ready to go when the growth cycle hits, it will miss the opportunity for significant job and income expansion for a decade or more. How our region grows jobs and improves wages and incomes depends on getting these sites ready for employers. The goal of this inventory study is to move conversations forward so our region can better coordinate, recruit and grow the number of traded-sector employers and grow jobs.

8 2011 Industrial Lands Policy Paper: Large Lot Supply & Demand, Business Oregon (Source: Costar, NAIOP). Analysis of industrial construction square footage reported in Costar for all parcel sizes converted to acreage assuming an average 30 percent coverage ratio.

Land-banked parcels

The analysis excluded land-banked parcels (owned and held for future expansion by existing firms) and sites with structures comprising more than 25 percent of the land area for redevelopment. While land-banked parcels may become available for recruitment in the future, there is currently no way to judge if or when this might occur. Redevelopment of occupied parcels may be possible but is generally not broadly attractive to targeted cluster industry companies due to uncertain timing and costs that can greatly exceed market rates for industrial land in other parts of the country or world. Additional analysis of redevelopment costs and opportunities was outside the scope of this analysis.

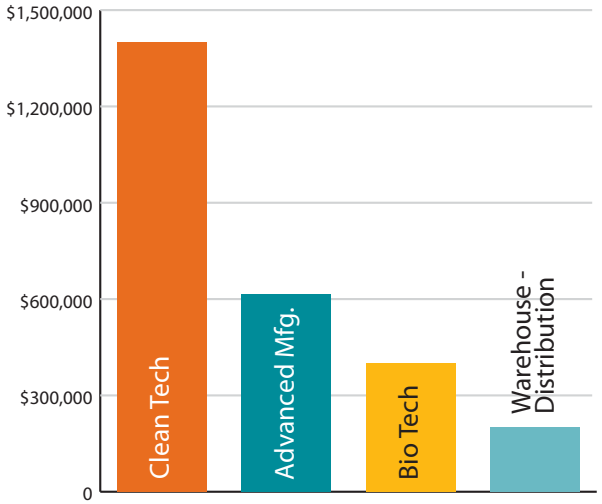
Conclusions

The industrial land inventory analysis confirms that Portland-metro's market-ready supply of large-lot industrial lands for targeted traded-sector employer expansion and recruitment is limited, particularly for potential developments that require 50 acres or more.

The sites that are available are concentrated in the Columbia Corridor of Multnomah County and around Hillsboro in Washington County, limiting the potential to more broadly distribute job opportunities within the Portland-metro area.

While this analysis has identified the available sites and, at a high level, outlined the challenges that exist to bringing Tier 2 or 3 sites to shovel-ready status, the timeframes in the analysis assume that the jurisdictions, property owners, land-use regulatory bodies and potential interveners are all working in support of the potential employer and the site's development.

Figure 5: Economic impact per acre



Source: 2011 Industrial Lands Policy Paper: Large Lot Supply & Demand, Business Oregon

The tier designations assume the "best case" and do not reflect issues that could significantly delay development such as unidentified wetlands or brownfields, opposition from interest groups, or requests from local jurisdictions for additional planning or design reviews. Any one of these factors could dramatically extend the timeframe for these sites to become market ready.

"Our dwindling inventory of available industrial lands is making it difficult to respond to companies interested in expanding their operations into Oregon. We need to find strategies to make potential sites shovel ready so we can compete, not just for recruitment, but for expansion and retention of the great companies we already have."

Tim McCabe, Director, Business Oregon

Future analysis, known as Phase 2 of this study, will look at the costs and benefits of getting these sites ready and what the potential impact of successful recruitments or expansions could be in terms of jobs, incomes and taxes generated and improving the Portland-metro region's quality of life.

Partners

About the Value of Jobs Coalition

The Value of Jobs Coalition is based on the premise that in order to have a prosperous, healthy Portland region with a good quality of life, we need more private-sector jobs. The coalition began with an economic study in the fall of 2010, which uncovered troubling economic data about the Portland-metro region. A number of other studies have followed that highlight the region's economic opportunities and challenges. Find out more at:

www.valueofjobs.com.

Attachment 5

PUBLISHED BY:

PORTLAND BUSINESS ALLIANCE
Leading the way

PORTLAND BUSINESS ALLIANCE
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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 4, 2012				
Order ___ No.	**Ordinance ___ No.**	**Resolution XX No. 2012-3006**	**Motion ___**	**Information ___**

SUBJECT: Authorize the city manager to negotiate and enter into a Guaranteed Maximum Price Contract Amendment for the construction of the secondary clarifier and remaining urgent repairs at the WWTP with Mortenson Construction.	**Contact Person (Preparer) for this Motion: Jay Harris, City Engineer** **Dept.: Public Works Department - Engineering** **File No.:**

RECOMMENDATION:
Adopt Resolution No. 2012-3006, authorizing the city manager to negotiate and enter into a Guaranteed Maximum Price (GMP) Contract Amendment for the construction of the secondary clarifier and remaining urgent repairs at the Wastewater Treatment Plant (WWTP) with Mortenson Construction (Mortenson), in accordance with their Construction Management/General Contractor (CM/GC) contract with the City.

EXECUTIVE SUMMARY:
In December of 2009, City Council authorized the city manager to enter into a contract with Mortenson to provide preconstruction services for the WWTP Repair, Renovation and Expansion Project. As part of that project, urgent repair items were identified as needing to be completed to maintain adequate operation of the WWTP. On April 4, 2011, City Council approved a resolution issuing a task order to HDR Engineering (HDR) to provide design services for those urgent repairs, which also included a fourth secondary clarifier.

The construction associated with these design efforts was split into two separate projects. The first involved the more immediately needed urgent repair items including the oxidation ditch motor and drive replacement and pavement repairs around the oxidation ditches. That construction was recently completed. The remainder of the urgent repairs and the construction of a secondary clarifier are both planned as part of this next construction phase.

City staff and HDR have monitored the procurement/bidding process that Mortenson used to competitively bid the sub-contract work involved in this phase. Additionally, the City and HDR have closely reviewed the portion of the GMP associated with the work proposed to be constructed by Mortenson. The total negotiated GMP Contract Amendment is $4,325,521.00.

FISCAL IMPACT:
This project is budgeted in the 2011/2012 and 2012/2013 Capital Improvement Program Budget under account number 36.5150.706401 and funds are available through the original $11.4 million Clean Water State Revolving Fund loan through the Oregon Department of Environmental Quality (DEQ). City Council accepted this loan in February, 2011, by Resolution No. 2011-2926.

STRATEGIC ASSESSMENT:
The secondary clarifier and urgent repairs are necessary for the continued operation and maintenance of the WWTP, and the award of this contract amendment is in conformance with the existing CM/GC contract.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A GUARANTEED MAXIMUM PRICE CONTRACT AMENDMENT FOR THE CONSTRUCTION OF THE SECONDARY CLARIFIER AND REMAINING URGENT REPAIRS AT THE WASTEWATER TREATMENT PLANT WITH MORTENSON CONSTRUCTION INC., IN THE AMOUNT OF $4,325,521.00

RECITALS:

1. In December 7, 2009, City Council approved Resolution No. 2009-2876 authorizing the city manager to enter into a contract with Mortenson Construction, Inc. (Mortenson) to provide preconstruction services for the Wastewater Treatment Plant (WWTP) Repair, Renovation and Expansion Project.

2. On April 4, 2011, City Council approved Resolution No. 2011-2941 issuing a task order to HDR Engineering (HDR) to provide design services for a fourth secondary clarifier and urgent repairs at the WWTP. On August 15, 2011, City Council approved Resolution No. 2011-2966 authorizing the city manager to enter into contract with Mortenson to complete the first construction phase associated with these design services. That portion of the urgent repair construction was completed in March, 2012. The construction of a new secondary clarifier and completion of these remaining identified repairs are all necessary to adequately operate the WWTP to meet current and future needs.

3. The City of Newberg and its Construction Manager/General Contractor (CM/GC), Mortenson Construction, have solicited a sub-contract package for the construction of the WWTP Secondary Clarifier and Urgent Repairs Project and negotiated the CM/GC self-performance portion of the work.

4. City staff and design consultant HDR have monitored the procurement/bidding process that Mortenson used to competitively bid the sub-contract work necessary to complete the project. Additionally, the City and HDR have closely reviewed the self-performance portion of the work that Mortenson is planning to execute.

5. The total construction contract value for the CM/GC Guaranteed Maximum Price Contract Amendment is $4,325,521.00 as detailed in Exhibit "A", which is hereby attached and by this reference incorporated.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council, acting as Contract Review Board for the City, does hereby authorize the city manager to negotiate and award a CM/GC Guaranteed Maximum Price Contract Amendment to Mortenson Construction, Inc. for the WWTP Secondary Clarifier and Urgent Repairs Project for $4,325,521.00 as outlined in the attached Exhibit "A", which is hereby attached and by this reference adopted.

- **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: June 5, 2012.

ADOPTED by the City Council of the City of Newberg, Oregon, this 4th day of June 2012.

_____
Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 7th day of June 2012.

_____
Bob Andrews, Mayor

Task Order #4 - Secondary Clarifier & Urgent Repairs

City of Newberg WWTP Repair Restoration and Expansion Project

Mortenson construction

GMP Estimate Summary

Estimate Date: 05/16/2012

Bid Packages			TOTAL PROJECT
101 Earthwork (Emery & Sons)		$	**1,023,486**
103 Electrical (GPEC)		$	**140,950**
105 Mechanical (McClure & Sons)		$	**907,775**
106 Self-Perform Work (Mortenson)		$	**988,561**
Subtotal Direct Construction Cost		$	**3,060,772**
CM/GC Contingency	3.50%	$	107,127
Subtotal		$	**3,167,899**
Builders Risk Insurance	0.50%	$	20,998
CM/GC General Conditions (Lump Sum)		$	814,950
Subtotal		$	4,003,847
CM/GC Construction Fee (incl Insurance and P/P Bond)	4.90%	$	196,188
Cost Management Log Adjustments		$	(500)
Total Guaranteed Construction Cost (GCC)		**$**	**4,199,535**
Owner's Project Contingency	3.00%	$	125,986
Total (w/owner's contingency)		**$**	**4,325,521**

Executive Summary (Rev. 1) *Page:1 of 1* *Print Date: 5/16/2012*

Task Order #4 - Secondary Clarifier & Urgent Repairs

City of Newberg WWTP Repair, Restoration and Expansion Project

Newberg, OR

Cost Management Log

Status Date: 16-MAY-2012

GMP Estimate

O = Open
C = Closed/Rejected
A = Accepted
I = Incorporated

Latest Milestone Estimate	$4,326,039 (includes Owner Contingency)	($99,800)	Max Potential Cost Reductions
Accepted Cost Revisions	($500)	$4,747,556	Target Budget per 30% CML
Current Cost Status with Accepted Revisions	$4,325,539	*[under budget]* $422,017	Current Difference to 30% Budget

Mortenson construction

Organizational Item #	Status	Date of Status Change	Description	Issue Date	Action Req'd Who	Action Req'd Date Due	Direct Cost	Proj Cost w/ Mark-up	Action Status Accept	Reject	Further Review	Bid Prot	Max	Comments or Remarks
1.0	C	4-May-12	Revise 6" CIP reinforced concrete topping slab to a 2" unreinforced grout topping slab.	2-May-12			$ (19,300)	$ (22,100)	X				X	05/04 - Does not include design costs.
2.0	O	4-May-12	Eliminate beams at walkway slab. Add second layer of reinforcing.	2-May-12	Newberg - Jason	18-Jun-12	$ (5,700)	$ (6,500)			X		X	05/04 - Does not include design costs.
3.0	C	4-May-12	ADD rub finish described in specifications. Note: GMP estimate is based off of a "as-cast" finish (patch tie holes, grind fins > 1/4).	2-May-12			$ 14,100	$ 16,200		X				05/04 - Does not include design costs.
4.0	C	16-May-12	ADD: Use she-bolts for formwork in lieu of taper ties. Note: GMP estimate is based off of taper ties for constructability.	2-May-12			$ 23,800	$ 27,300	X					5/16/12 - Engineer recommended for best value.
5.0	C	16-May-12	Use alternate manufacturer "WesTech" for clarifier mechanism.	2-May-12			$ (49,815)	$ (57,100)		X			X	5/16/12 - After analysis by HDR and Newberg, recommended best value for the City is to utilize Eimco clarifier
6.1	C	16-May-12	Eliminate $25,000 crack repair allowance from base estimate (see alternatives below).	2-May-12			$ (25,000)	$ (28,700)		X			X	
6.2	C	16-May-12	Add conveyance for leak testing. Includes labor and equipment for two conveyances (fill & drain). Fill water to be provided by Newberg. Discharge will be via plant drain system. Does not include provisions for crack repair (see below).	2-May-12			$ 12,700	$ 14,600		X			X	
6.3	C	16-May-12	Add allowance for crack repair (an anticipated structural crack repair quantity was not available at the time of this GMP). Allowance reflects average crack repair costs Mortenson has encountered on similar structures (3 crew days, material, & equipment).	2-May-12			$ 6,500	$ 7,500		X				

Task Order #4 - Secondary Clarifier & Urgent Repairs

City of Newberg WWTP Repair, Restoration and Expansion Project

Newberg, OR

Cost Management Log

Status Date: 16-MAY-2012

GMP Estimate

O = Open
C = Closed/Rejected
A = Accepted
I = Incorporated

Latest Milestone Estimate	$4,326,039	(includes Owner Contingency)	($99,800)	Max Potential Cost Reductions
Accepted Cost Revisions	($500)		$4,747,556	Target Budget per 30% CML
Current Cost Status with Accepted Revisions	$4,325,539	*[under budget]*	$422,017	Current Difference to 30% Budget

Organizational Item #	Organizational Status	Date of Status Change	Description	Issue Date	Action Req'd Who	Action Req'd Date Due	Direct Cost	Proj Cost w/ Mark-up	Action Status Accept	Action Status Reject	Action Status Further Review	Action Status Bid Prot	Action Status Max	Comments or Remarks
6.4	C	16-May-12	Reduce $25,000 hydrostatic water test and crack repair allowance to $20,000.	16-May-12			$ (5,000)	$ (5,700)	X					

ACCEPTED REVISIONS	($500)
REJECTED REVISIONS	($47,500)
REVISIONS FOR FURTHER REVIEW	($6,500)
REVISIONS ACCEPTABLE BUT REQUIRING FURTHER REVIEW	
BID PROTECTION MEASURES	$0
MAXIMUM POTENTIAL COST REDUCTIONS	($99,800)

Notes: *The items listed above have been provided to generate conversation and possible solutions for achieving the owner's desired project scope and budget, and should not be interpreted as engineered solutions. By acceptance of any item and prior to incorporating into the design, the Architect / Engineer of Record shall be solely responsible for verification of all design compatibility within the project including but not limited to life safety, code requirements, thermal and moisture protection, building functionality and program requirements.*

Exhibit "A"
To Resolution No. 2012-3006

Mortenson construction

CITY OF NEWBERG WWTP RESTORATION & EXPANSION PROJECT
TO #04: SECONDARY CLARIFIER & URGENT REPAIRS

May 11, 2012 | GMP ESTIMATE | 12 05E 016 NEWBERG TO4 GMP ESTIMATE R1.est Project Qty:0

	DESCRIPTION	QUANTITY		UNIT $	TOTAL $'s
BP 101 - EARTHWORK					
00 00 10 - BID PACKAGES PENDING AWARD					
10.101	BID PACKAGE 101 EARTHWORK - APPARANT LOW BIDDER: EMERY & SONS	1.0	LS	1,023,486	1,023,486
	TOTAL 00 00 10 - BID PACKAGES PENDING AWARD				**1,023,486**
31 10 00 - SITE CLEARING					
2200.100	DEMO CHAINLINK FENCING / GATES		BP101		
2200.110	SAWCUT ASPHALT		BP101		
2200.115	SAWCUT CONCRETE SIDEWALK		BP101		
2200.120	DEMO ASPHALT		BP101		
2200.250	DEMO CONCRETE PAD		BP101		
2200.250	DEMO CONCRETE SITEWALK		BP101		
2200.255	DEMO CURB		BP101		
2200.300	REMOVE TREES		BP101		
2200.415	DEMO MISC SITE SIGNS		BP101		
2200.500	PROTECT EXT WATER VALVE		BP101		
2200.510	DEMO MISC SITE ELECTRICAL		BP101		
2200.520	RELOCATE EXISTING FUEL TANK - BY OWNER		BP101		
	TOTAL 31 10 00 - SITE CLEARING				
31 10 00 - SITE CLEARING					
2220.100	CLEAR & GRUB		BP101		
2220.200	STRIP/HAULOFF TOPSOIL		BP101		
	TOTAL 31 10 00 - SITE CLEARING				
31 23 00 - EARTHWORK					
31000.118	MASS EXCAVATION		BP101		
31001.322	IMPORT / PLACE BACKFILL		BP101		
31001.330	GEOTEXTILE FABRIC		BP101		
31001.505	TRAFFIC CONTROL - EARTHWORK		BP101		
31001.605	STREET CLEANING - FULL JOB		BP101		
31220.148	FINAL GRADING		BP101		
32110.175	CRUSHED ROCK BASE		BP101		
	TOTAL 31 23 00 - EARTHWORK				
31 25 00 - SOIL EROSION & SEDIMENT CONTROL					
31250.100	TEMP EROSION AND SEDIMENT CONTROL		BP101		
31250.160	DEWATERING		BP101		
31250.170	ENGINEERING - EXCAVATION		BP101		
31250.210	TESC - MAINTENANCE		BP101		
31250.220	TESC - REMOVAL		BP101		
	TOTAL 31 25 00 - SOIL EROSION & SEDIMENT CONTROL				
31 41 00 - SHORING					
31410.103	SHEET PILE SHORING - (NOT REQ'D)		BP101		
	TOTAL 31 41 00 - SHORING				
31 63 16 - CAST-IN-PLACE PIING: AUGER CAST					
99999.131	AUGER CAST PILES		BP101		
99999.134	AUGER CAST PILES - REINFORCING		BP101		

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Mortenson construction

CITY OF NEWBERG WWTP RESTORATION & EXPANSION PROJECT
TO #04: SECONDARY CLARIFIER & URGENT REPAIRS

May 11, 2012 | GMP ESTIMATE | 12 05E 016 NEWBERG TO4 GMP ESTIMATE R1.est Project Qty:0

	DESCRIPTION	QUANTITY		UNIT $	TOTAL $'s
BP 101 - EARTHWORK					
	TOTAL 31 63 16 - CAST-IN-PLACE PIING: AUGER CAST				
32 11 00 - BASE COURSES					
32110.155	GRAVEL PAD - STAGING AREA (REDRESS EXISTING)		BP101		
32110.160	GRAVEL PAD - CRANE PAD		BP101		
	TOTAL 32 11 00 - BASE COURSES				
32 12 16 - ASPHALTIC CONCRETE VEHICULAR PAVING					
32120.100	ATB - TEMP ROAD		BP101		
32120.110	ASPHALT PAVING		BP101		
99998.110	CHIP SEAL		BP101		
	TOTAL 32 12 16 - ASPHALTIC CONCRETE VEHICULAR PAVING				
32 13 13 - CONCRETE PAVEMENT, CURB, SIDEWALK, AND STEPS					
3300.100	CONC SIDEWALK		BP101		
3300.105	CONC PAVEMENT PATCH BACK		BP101		
32130.110	REPLACE CURB - STAGING AREA/PUMP AREA/TEMP ROAD		BP101		
32130.115	REPLACE CURB - ALONG STREET		BP101		
	TOTAL 32 13 13 - CONCRETE PAVEMENT, CURB, SIDEWALK, AND STEPS				
32 17 00 - PAVING SPECIALTIES					
32170.100	PAVEMENT MARKINGS		BP101		
	TOTAL 32 17 00 - PAVING SPECIALTIES				
32 31 13 - CHAIN LINK FENCE AND GATES					
32310.100	REALIGN PERIMETER FENCE		BP101		
99998.160	AUTOMATIC CLOSERS @ FRONT/REAR GATES		BP101		
	TOTAL 32 31 13 - CHAIN LINK FENCE AND GATES				
32 90 00 - SEEDING, SODDING AND LANDSCAPING					
32801.230	IRRIGATION		BP101		
32801.260	IRRIGATION - METER (USE EXISTING)		BP101		
32901.150	HYDROSEED		BP101		
32901.170	LANDSCAPE PATCH BACK		BP101		
	TOTAL 32 90 00 - SEEDING, SODDING AND LANDSCAPING				
32 91 05 - TOPSOILING AND FINISHED GRADING					
32901.140	IMPORT / PLACE TOPSOIL		BP101		
	TOTAL 32 91 05 - TOPSOILING AND FINISHED GRADING				
	TOTAL BP 101 - EARTHWORK				**1,023,486**
BP 103 - ELECTRICAL					
00 00 10 - BID PACKAGES PENDING AWARD					
10.103	BID PACKAGE 103 ELECTRICAL - APPARANT LOW BIDDER: GPEC	1.0	LS	140,950	140,950
	TOTAL 00 00 10 - BID PACKAGES PENDING AWARD				**140,950**
26 00 00 - ELECTRICAL					

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Mortenson construction

CITY OF NEWBERG WWTP RESTORATION & EXPANSION PROJECT
TO #04: SECONDARY CLARIFIER & URGENT REPAIRS

May 11, 2012 | GMP ESTIMATE | 12 05E 016 NEWBERG TO4 GMP ESTIMATE R1.est Project Qty:0

	DESCRIPTION	QUANTITY		UNIT $	TOTAL $'s
BP 103 - ELECTRICAL					
16000.000	***ELECTRICAL***		BP103		
16100.005	DISTR / CONDUIT / FEEDERS		BP103		
16100.010	TRENCH EXCAVATION AND BACKFILL		BP103		
16200.005	PWR TO CLARIFIER SLUDGE COLLECTOR		BP103		
16200.010	LIGHT POLE AT CLARIFIER		BP103		
16200.015	NEW MCC BUCKET FOR CLARIFIER		BP103		
16200.020	DIST/ COND/ FEEDERS FROM PUMP STATION TO MCC		BP103		
16200.025	SUPPLY / INST PUMP VFD 40 HP		BP103		
16200.030	DIST / COND / FEEDERS TO NEW PUMP		BP103		
16200.035	TIE INTO EXISTING PWR		BP103		
17000.100	I & C SUPPLY AND INSTALL		BP103		
17000.105	FLOW METER		BP103		
17000.109	TEMP POWER & COMM AT TRAILERS		BP103		
17000.109	TEMP POWER INSTALL/MAINTAIN/REMOVE		BP103		
99998.170	REPAIR SITE LIGHTING AROUND OXIDATION DITCHES/EQ BASIN (NOT REQ'D)		BP103		
99999.120	ACCESS CONTROL SYSTEM AT SITE GATES		BP103		
99999.124	COMPOST SHED FIRE RISER BUILDING		BP103		
99999.150	REPLACE 1 VFD AT PUMP STATION		BP103		
	TOTAL 26 00 00 - ELECTRICAL				
	TOTAL BP 103 - ELECTRICAL				**140,950**
BP 105 - MECHANICAL					
00 00 10 - BID PACKAGES PENDING AWARD					
10.105	BID PACKAGE 105 MECHANICAL - APPARANT LOW BIDDER: McCLURE & SONS	1.0	LS	907,775	907,775
	TOTAL 00 00 10 - BID PACKAGES PENDING AWARD				**907,775**
05 52 05 - STEEL RAILINGS					
5520.431	GUARDRAIL - BRIDGE		BP105		
	TOTAL 05 52 05 - STEEL RAILINGS				
09 91 00 - PAINTING AND PROTECTIVE COATINGS					
9903.200	**MECHANISM METAL - SYSTEM #2 ZINC-RICH URETHANE PRIMER/POLYURETHANE FINISH COAT**		BP105		
9903.210	SYSTEM #2 COATING - LAUNDER SUPPORT (18EAX30LF) (W/MECH)		BP105		
9903.220	SYSTEM #2 COATING - LAUNDER/WEIR/BAFFLE (2/S-06) (W/MECH)		BP105		
9903.230	SYSTEM #2 COATING - BRIDGE (W/MECH)		BP105		
	TOTAL 09 91 00 - PAINTING AND PROTECTIVE COATINGS				
21 00 00 - FIRE SUPPRESSION					
99998.150	FIRE SUPPRESSION SYSTEM @ COMPOST CURE BUILDING		BP105		
	TOTAL 21 00 00 - FIRE SUPPRESSION				
40 00 00 - PROCESS INTEGRATION					

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Mortenson construction

CITY OF NEWBERG WWTP RESTORATION & EXPANSION PROJECT
TO #04: SECONDARY CLARIFIER & URGENT REPAIRS

May 11, 2012 | GMP ESTIMATE | 12 05E 016 NEWBERG TO4 GMP ESTIMATE R1.est Project Qty:0

	DESCRIPTION	QUANTITY		UNIT $	TOTAL $'s
BP 105 - MECHANICAL					
15000.000	***INTERIOR MECHANICAL***		BP105		
15100.100	REMOVE 6" WAS PIPE		BP105		
15100.105	DEMO 6" PLUG VLV		BP105		
15100.110	REMOVE BLIND FLANGE		BP105		
15100.115	DEMO 12 X 8 DIP TEE		BP105		
15100.120	MODIFY PIPE SUPPORT		BP105		
15200.005	14" - 8" RAS PIPE INTERIOR		BP105		
15200.010	ISOLATE EX. RAS PIPING FOR TIE-INS		BP105		
15300.005	***YARD PIPE***		BP105		
15300.100	42" ML PIPING		BP105		
15300.103	ISOLATE CHAMBER 6 FOR CL#4 ML TIE IN		BP105		
15300.110	30" SE PIPE		BP105		
15300.115	ISOLATE CHAMBER 10 FOR CL#4 SE TIE IN		BP105		
15300.120	14" RAS PIPE		BP105		
15300.125	ISOLATE RAS / WAS FOR CL#4 TIE IN		BP105		
15300.130	6" WAS PIPE		BP105		
15300.140	6" SSC PIPE		BP105		
15300.145	ISOLATE SCUM PIT FOR CL#4 SCC TIE IN		BP105		
15300.150	2" WRS PIPE		BP105		
15300.160	6" PRESSURE RELIEF VALVES		BP105		
	TOTAL 40 00 00 - PROCESS INTEGRATION				
43 00 00 - PROCESS GAS & LIQUID HANDLING, PURIFICATION & STORAGE EQUIPMENT					
11061.100	PUMP (P5-14) CENTRIFUGAL 40 HP 8"		BP105		
99998.130	REPLACE SLUDGE TRANSFER PUMP #2		BP105		
	TOTAL 43 00 00 - PROCESS GAS & LIQUID HANDLING, PURIFICATION & STORAGE EQUIPMENT				
46 00 00 - WATER AND WASTEWATER EQUIPMENT					
11125.100	CLARIFIER MECHANISM 80' SUPPLY AND INSTALL		BP105		
99998.120	REPLACE MOTORS & DRIVES AT 3 EXISTING CLARIFIERS		BP105		
	TOTAL 46 00 00 - WATER AND WASTEWATER EQUIPMENT				
	TOTAL BP 105 - MECHANICAL				**907,775**
STRUCTURES PACKAGE					
01 00 10 SITE SERVICES					
1000.010	FINAL CLEAN (LABOR/EQUIP)	40.0	HRS	62.82	2,513
1000.010	PEST CONTROL	1.0	LS	3,240.00	3,240
	TOTAL 01 00 10 SITE SERVICES				**5,753**
02 21 00 - SURVEYS					
2210.160	REGISTERED SURVEY - LINE & GRID	24.0	HR	151.20	3,629
2210.165	REGISTERED SURVEY - CONCRETE WORK	24.0	HR	151.20	3,629
2210.170	REGISTERED SURVEY - SITE IMPROVEMENT	8.0	HR	151.20	1,210
2210.175	REGISTERED SURVEY - YARD PIPE	16.0	HR	151.20	2,419

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Mortenson construction

CITY OF NEWBERG WWTP RESTORATION & EXPANSION PROJECT
TO #04: SECONDARY CLARIFIER & URGENT REPAIRS

May 11, 2012 | GMP ESTIMATE | 12 05E 016 NEWBERG TO4 GMP ESTIMATE R1.est Project Qty:0

	DESCRIPTION	QUANTITY		UNIT $	TOTAL $'s
STRUCTURES PACKAGE					
	TOTAL 02 21 00 - SURVEYS				**10,886**
03 05 05 - TESTING					
3660.130	CRACK REPAIR/LEAK TESTING W/ PLANT WATER - ALLOW	1.0	ALLW	25,000.00	25,000
	TOTAL 03 05 05 - TESTING				**25,000**
03 11 13 - FORMWORK					
3300.118	HORIZONTAL FORMWORK - WALKWAY SLAB	426.0	SF	58.12	24,759
	TOTAL 03 11 13 - FORMWORK				**24,759**
03 21 00 - REINFORCEMENT					
3200.133	REBAR	154.0	TON	1,733.40	266,944
3201.133	DOWEL BAR SUBS - THREAD MALE END (FEMALE END W/ CONC UP$)	220.0	EA	12.08	2,658
3201.533	REBAR - CHAIR SPPTS (INCL W/ ABOVE)		FYI		
	TOTAL 03 21 00 - REINFORCEMENT				**269,601**
03 30 00 - CAST-IN-PLACE CONCRETE					
3300.118	CIP CONC - PIPE ENCASEMENT - 6" WAS	3.1	CY	693.99	2,151
3300.120	CIP CONC - PIPE ENCASEMENT - 14" RAS	7.6	CY	549.09	4,173
3300.122	CIP CONC - PIPE ENCASEMENT - 42" ML	17.1	CY	453.79	7,760
3300.130	CIP CONC - MAT FNDN	466.1	CY	226.52	105,581
3300.220	CIP CONC - PIT WALL: CENTER PIN	118.0	VSF	121.02	14,281
3300.270	CIP CONC - MISC WALLS: CLARIFIER	4,328.0	VSF	29.28	126,742
3300.510	CIP CONC - MISC STRUCT SLAB: ELEVATED WALKWAY	426.0	SF	15.63	6,657
3300.600	CIP CONC - SLAB ON GRADE: SHED	64.0	SF	28.62	1,832
3300.610	CIP CONC - SLAB ON GRADE: THICKEN APPROACH SLABS	36.0	SF	28.32	1,020
3300.620	CIP CONC - PIT SLAB: CENTER PIN BASE	189.0	SF	24.76	4,680
3300.760	CIP CONC - TOPPING SLAB: CLARIFIER FLOOR	5,019.0	SF	7.05	35,398
3300.790	CIP CONC - EQUIPMENT PADS	20.0	SF	107.30	2,146
3307.133	MISC CONC ITEMS (ENVIRONMENTAL CHARGE, ADMIXTURES, ECO PANS, ETC.)	553.0	CY	9.04	4,997
3307.233	MISC CONC ITEMS (ENVIRONMENTAL CHARGE, ADMIXTURES, ECO PANS, ETC.)	278.0	CY	9.04	2,512
3308.133	CONC EQUIP / CONSUMABLES	1.0	LS	174,322	174,322
3308.233	CONC EQUIP / CONSUMABLES	1.0	LS	70,718.40	70,718
	TOTAL 03 30 00 - CAST-IN-PLACE CONCRETE				**564,970**
31 31 32 - CONCRETE FINISHING AND REPAIR OF SURFACE DEFECTS					
33132.233	PATCH/REPAIR OF RAIN OUT SLABS (ASSM NOT REQ'D - LIMITED TO TOPPING SLAB AND WALKWAY SLAB)		FYI		
	TOTAL 31 31 32 - CONCRETE FINISHING AND REPAIR OF SURFACE DEFECTS				
05 12 00 - STRUCTURAL STEEL					
99998.100	ENGINEERING - IPS BEAM RELO	1.0	LS	1,620.00	1,620
99998.100	REPLACE EXISTING IPS MONORAIL BEAM	1.0	LS	10,800.00	10,800

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Mortenson construction

CITY OF NEWBERG WWTP RESTORATION & EXPANSION PROJECT
TO #04: SECONDARY CLARIFIER & URGENT REPAIRS

May 11, 2012

GMP ESTIMATE

12 05E 016 NEWBERG TO4 GMP ESTIMATE R1.est
Project Qty:0

	DESCRIPTION	QUANTITY		UNIT $	TOTAL $'s
STRUCTURES PACKAGE					
	TOTAL 05 12 00 - STRUCTURAL STEEL				**12,420**
05 52 05 - STEEL RAILINGS					
5520.431	RAD GALV STL GUARDRAIL - EDGE OF CLARIFIER	265.0	LF	255.96	67,829
5520.441	ENGINEERING - GUARDRAIL	1.0	LS	2,700.00	2,700
	TOTAL 05 52 05 - STEEL RAILINGS				**70,529**
09 91 00 - PAINTING AND PROTECTIVE COATINGS					
9903.100	SEAL CONCRETE- CLARIFIER FLOOR (HPIC SYS#13) (NOT REQ'D)		FYI		
	TOTAL 09 91 00 - PAINTING AND PROTECTIVE COATINGS				
10 14 00 - IDENTIFICATION DEVICES					
10140.100	SITE SIGNS - MISC	10.0	EA	464.20	4,642
	TOTAL 10 14 00 - IDENTIFICATION DEVICES				**4,642**
	TOTAL STRUCTURES PACKAGE				**988,561**
ESTIMATE TOTALS					**3,060,772**

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Newberg Waste Water Treatment Plant Repair, Renovation, & Expansion Project: Task Order #4 - Secondary Clarifier & Urgent Repairs

Scope of Work Clarifications

DOCUMENTS USED IN THE GMP DESIGN ESTIMATE

- WWTP Repair, Restoration and Expansion Project – Task Order 4 - Secondary Clarifier Design Drawings, HDR Engineering, Inc., February 21, 2012

  Volume 1: Specifications

  Volume 2: Drawings (see attached drawing index)
- Mortenson Site Logistics Plan dated August 31, 2011
- Mortenson CPM Schedule dated March 29, 2012
- Addendums 01 and 02, issued by Mortenson construction and containing Addendums 01 and 02 from HDR.
- Geotechnical Engineering Report from Shannon & Wilson dated February 2012.

COST ESCALATION

- Cost Escalation is not included. This proposal is based on an GMP award date of no later than June 18, 2012, at which point this proposal expires.

CONTINGENCIES

- The estimate City of Newberg controlled contingency as "Owner Contingencies" to fund owner or designer initiated scope changes and/or unforeseen conditions.
- A CM/GC Contingency has been included to cover costs that could occur in the course of executing the work for which the CM/GC would be responsible. Appropriate uses of/for contingency have been defined in the Agreement.

SCHEDULE

We have anticipated the following schedule:

- Final GMP established and Notice to Proceed by June 18, 2012. Anticipated Substantial Completion (including 30-days of continuous operation per the Agreement) is June 21, 2013
- A minimum of 3 clarifiers shall be operational during the wet season. The wet season is between October 15, 2012 through April 15, 2013. During the dry season (April 16 - October 14), a minimum of two clarifiers must be operational at all times. No other scheduling or sequencing constraints are anticipated or included.
- The ability of the water holding structures to meet the leak testing requirements includes many factors, including design and construction. These structures will be constructed to the standards of the design and inspected by the owner (or its representative) for compliance of these standards.

Newberg Waste Water Treatment Plant Repair, Renovation, & Expansion Project: Task Order #4 - Secondary Clarifier & Urgent Repairs

Scope of Work Clarifications

GENERAL INFORMATION

This Estimate Includes:

1. CM/GC Fee, Contractor's General Liability Insurance, and Payment and Performance Bonds per the bid rates.
2. Builders Risk Insurance.
3. Coordination with Owner provided special testing and inspection agencies.
4. Lump Sum proposals for CM/GC General Conditions and Self-Performed Work Package.
5. The use of taper ties or through tie-hole for our forming system of the clarifier walls. Contractor will patch the holes with x-plug waterstop and grout. *City of Newberg can select use of she bolts with integral water-stop (to meet specifications) as an alternate at time of GMP award (see the Cost Management Log for pricing).*
6. Through wall penetrations will be either sleeved or flanged connection as to not penetrate our wall forms during concrete construction.
7. Casual (surface) dewatering is included. Well-point dewatering is not anticipated and is excluded.
8. GMP includes use of EIMCO Clarifier mechanism. *An costs savings alternate is provided in the Cost Management Log to use the WesTech clarifier mechanism, which is also a specified manufacturer. The City can make a best value decision based on expected operations and maintenance costs versus initial cost.*

This Estimate Excludes:

1. All engineering and design costs for architectural, structural, landscape and specialty consultants, including construction administration. Fire suppression design is included.
2. Geotechnical studies, hazardous material surveys, and other exploratory costs.
3. As-Built surveys of the completed work.
4. Independent testing and inspection services.
5. SAC (sewer access charges) and WAC (water access charges), and costs, Right of Way improvement and/or bond costs, and other development permit and use fees.
6. Construction water installation and consumption is excluded. It is assumed site hose-bibs (W1 and W3 water) can be utilized by the contractor at no cost.
7. No power utility connection, meter charges, and consumption charges, are assumed required for construction. Temporary power measures are assumed to be fed from existing plant electrical sources. <u>This is varies from and supersedes the Agreement.</u>
8. Construction web-cams and associated website and maintenance.
9. Hazardous or contaminated soil and/or material. Based on current information provided, it is not anticipated to be encountered, but if encountered this would be the responsibility of the City of Newberg. Mortenson would like to work with the City and HDR to review all of the information on this subject, identify possible risks and have a plan in place to minimize impacts to the project should these materials be encountered.
10. Soil retention systems (shoring).

Newberg Waste Water Treatment Plant Repair, Renovation, & Expansion Project: Task Order #4 - Secondary Clarifier & Urgent Repairs

Mortenson construction

Scope of Work Clarifications

11. Archeological services and removal of artifacts.
12. Final programming and testing of SCADA systems.
13. Operation of the WWTP. Any reference in the Documents referring to Mortenson or any contractor operations of the water treatment facilities is excluded. Plant staff shall be solely responsible for plant operations and permit compliance. Mortenson shall support and coordinate with the plant staff for any activities that may impact plant operations.
14. Modifying, repairing and/or replacing site lighting at the oxidation ditches and existing clarifiers.
15. Painting the new secondary clarifier walls and/or floor.
16. DEQ CWSRF requirements and/or federal funding beyond what is currently included in the Agreement.
17. Draining and cleaning of the clarifiers to replace the clarifier drives. Plant operations staff shall drain and clean.
18. Sack and patch finish or rub finish of clarifier walls.
19. References in the DEQ CM/GC Alternative Contracting Supplement in regards to design team items noted to be performed by the CM/GC. Specifically excluded is submission of plans and specs, development and submission of a plan of operations, facility performance evaluations, and facility O&M Manual.

Allowances Included in the Estimate: (direct costs only):

The following allowances are contained within the GMP estimate:

1. Water Leakage and Crack Repair: A $25,000 allowance is included for testing and repair of leakage in the concrete clarifier structure. This allowance is intended to provide funding for water conveyance and crack repair. This allowance is not great enough to cover the exact requirements of ACI 350.12.3.2.1 as noted in Section 01 78 43, but instead provides a budget for mutually agreeable testing and repair that provides best value to the City of Newberg. Testing and repair requirements to be determined at a later time. *As requested, Mortenson has also provided alternates that can be selected at the time of GMP award to 1) add water conveyance and leakage testing into our contract as a lump sum in lieu of an allowance and 2) provided an a recommended allowance amount for crack repair based on historical costs.*

GENERAL CLARIFICATIONS FOR THE PROJECT:

2. The current schedule does not include early procurement packages.
3. The existing asphalt road in the earthwork disturbed area will be demolished during mass excavation and replaced upon completion of backfill at the clarifier.
4. Per conversations with the City of Newberg, all ground disturbed in the immediate construction zone will receive hydro-seeding after structure construction. No additional landscaping, trees, shrubs or plantings are included. Including the area South of Clarifier where there are currently plants and shrubs.
5. Plan C-02 shows a fire riser next to plant road. The fire riser will be removed during excavation and be off-line for a period of time until it can be reinstalled after completion of backfill at the clarifier.
6. Contractor will provide ATB access road and 6" gravel pad staging area during construction, and access road and staging area will remain at the end of construction to support future phases of work. No costs for removal are included.

Newberg Waste Water Treatment Plant
Repair, Renovation, & Expansion Project:
Task Order #4 - Secondary Clarifier & Urgent Repairs

Scope of Work Clarifications

7. The estimate assumes steel, 4-line handrail for the perimeter clarifier handrail. Design drawings show both 2- and 4- line rail. Rails have a galvanized steel finish. No costs for coating the handrails have been included.
8. Reference Specification 01 75 00-3.2B: Reclaimed plant water will be used for equipment start up in lieu of specified clean water. Testing water will be disposed in the plant drainage system.
9. The current schedule and estimate includes placing the clarifier walls in eight equal sections. The wall length to be placed would be up to 32' in length. Walls are anticipated to be placed full height (approximately 17').
10. Two bids were received on Bid Package 101 - Earthwork. Contract terms state that special permission must be granted by the City prior to award if less than three bids are received. By agreeing to the GMP proposal, the City acknowledges and accepts this.
11. Concrete finish included in this proposal are as proposed by Mortenson in the Bidder Questions Log included in Addendums 01 and 02. *The Cost Management Log provides pricing for increasing the level of concrete finish to the specifications if desired by the City of Newberg.*

(End of Clarifications)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 4, 2012				
Order ___ No.	Ordinance XX No. 2012-2753	Resolution ___ No.	Motion ___	Information ___

SUBJECT: Four-month Extension of Comcast Cable Franchise for Cable TV through October 31, 2012.	**Contact Person (Preparer) for this Motion: Dawn Wilson** **Dept.: City Attorney's Office** **File No.:**

HEARING TYPE: ☐ **LEGISLATIVE** ☐ **QUASI-JUDICIAL** ☒ **NOT APPLICABLE**

RECOMMENDATION:

Adopt Ordinance No. 2012-2753 granting a four-month extension of the Comcast cable TV Franchise Agreement.

EXECUTIVE SUMMARY:

The Cable TV Franchise for Comcast with the City is for a twelve (12) year period. That period will expire June 30, 2012, and Comcast Cable has expressed a willingness to extend the Franchise for an additional four (4) months in order to negotiate a new franchise.

The City will discuss with the City of Dundee joint-negotiations and review Frontier's Cable TV Franchise, as well as Lebanon's Cable TV Franchise (it has a franchise with Comcast). The City will review other franchise documents being furnished by Comcast. The language may then be pulled together in order to meet the needs of the City's subscribers.

The anticipated new Franchise Agreement will be reached by September 30, 2012, in order for there to be time for adoption by the City Council before expiration. Comcast has expressed a willingness to begin operations under the new Franchise Agreement when the agreement is reached. The City feels that the four-(4-) month extension will be adequate to complete all negotiations.

FISCAL IMPACT:

This extension will delay the implementation of any new franchise or capital funding (for PEG equipment only) fees.

STRATEGIC ASSESSMENT:

The extension allows the City to continue the negotiation process and to possibly include the City of Dundee.

ORDINANCE NO. 2012-2753

AN ORDINANCE EXTENDING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF NEWBERG AND COMCAST CABLE FOR CABLE TV UNTIL OCTOBER 31, 2012

RECITALS:

1. The Cable Franchise with the City of Newberg was initially approved by Ordinance No. 2000-2530 on June 19, 2000, for a twelve (12) year Franchise, which will expire June 30, 2012. Comcast Cable has indicated a willingness to extend the Franchise during the process of renegotiation for approximately four (4) months.

2. The City intends to discuss with the City of Dundee joint-negotiations of a new Franchise. The City of Dundee has already had its former franchise "redlined" by Comcast Cable and intends to use that as their new Franchise. The City of Newberg will consider Dundee's Franchise, as well as Comcast Cable's Franchise, Frontier's cable TV Franchise, and Lebanon's Franchise. The City of Newberg will also consider pulling language from all four (4) Franchises to best suit the needs of the City of Newberg's subscribers and community.

3. It is anticipated that a new Franchise Agreement will be reached by September 30, 2012, in order for there to be time for council adoption before this new expiration runs out.

4. This Ordinance provides for a four- (4-) month extension of the Franchise that will allow the City time to complete all of the negotiations. Comcast Cable has expressed a willingness to begin operations under the new Franchise Agreement when that Franchise Agreement is reached.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Franchise of Comcast Cable will be extended through October 31, 2012.

2. The city attorney will forward this Ordinance to Comcast Cable for acceptance, and the Ordinance will be in full force and effect in accordance with the City Charter upon acceptance by Comcast Cable.

- **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: July 5, 2012.

ADOPTED by the City Council of the City of Newberg, Oregon, this 4th day of June, 2012, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

_____
Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 7th day of June, 2012.

_____
Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 4, 2012				
Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion ___	Information XX
SUBJECT: Building permit fee determination methods			Contact Person (Preparer) for this Item: Barton Brierley, AICP Dept.: Planning and Building File No.: DR2-11-001	

At a previous meeting, the City Council had questions regarding how building permit fees are calculated using the building valuation. The following is intended to answer some basic questions about building fees.

What is the purpose of building permits and permit fees?
Five main reasons for building permits are:

1. Safety – Building permits protect families and their homes, employers/employees and their businesses, and institutions and their patrons.

2. Inspections - Each building is inspected during construction by certified inspectors.

3. Value – Building permits protect the value of, what is for many, their biggest investment.

4. Peace of Mind – Building inspection provides peace of mind knowing the job was done right.

5. Consistent standards – Building inspection ensures safe construction practices are followed.

Permit fees are designed to cover the cost of having qualified and certified staff implement the building codes, including plan review and inspection.

What is "building valuation"?
Building valuation is a variable that is used in determining building permit fees. It is a factor that reflects the relative value of one construction classification/occupancy group to another. "Building valuation" should not be confused with actual construction cost, as the two are in most cases different.

Attached is a copy of the current ICC Building Valuation Data Table. That table specifically states:

> *". . . this data is **only** intended to assist jurisdictions in determining their permit fees. This data table is not intended to be used as an estimating guide.*
>
> *. . . This BVD* [building valuation data] *table provides jurisdictions with a simplified way to determining the estimated value of a building that does not rely on the permit applicant to determine the cost of construction. Therefore, **the bidding process for a particular job and other associated factors do not affect the value of a building for determining the permit fee**."* [**bold** added]

How does state law require building valuation to be determined?
The method of determining building valuation is dictated by state law. State law requires cities to use the International Code Council Building Valuation Data to determine building valuation. OAR 918-050-0100 states:

> *(1) Residential construction permit fees shall be calculated using the following methodologies:*
> * * *
> *(c) Effective January 1, 2009, a structural permit fee for new construction and additions shall be calculated using the ICC Building Valuation Data Table current as of April 1 of each year, multiplied by the square footage of the dwelling to determine the valuation. The valuation shall then be applied to the municipality's fee schedule to determine the permit fee. The plan review fee shall be based on a predetermined percentage of the permit fee set by the municipality.*
> *(A) The square footage of a dwelling, addition, or garage shall be determined from outside exterior wall to outside exterior wall for each level.*
> *(B) The square footage of a carport, covered porch, patio, or deck shall be calculated separately at fifty percent of the value of a private garage from the ICC Building Valuation Data Table current as of April 1.*
> * * *
> *(2) Commercial construction permit fees shall be calculated using the following methodologies:*
> *A structural permit fee shall be calculated by applying the valuation to the municipality's fee schedule with a minimum set fee. Valuation shall be the greater of either:*
> *(A) The valuation based on the ICC Building Valuation Data Table current as of April 1 of each year, using the occupancy and construction type as determined by the building official, multiplied by the square footage of the structure; or*
> *(B) The value as stated by the applicant.*

How is building gross area determined?
The ICC Building Valuation Data Table bases building valuation on building gross area. The building official determines building gross area using the applicable building code. The Oregon Structural Specialty Code (2010) provides the following definition.

> *Floor Area, Gross. The floor area within the inside perimeter of the exterior walls of the building under construction,* exclusive *of vent shafts and courts,* ***without deduction*** *for corridors,* ***stairways,*** *closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereon, not provided with the surrounding exteriors walls shall be useable area under the horizontal projection of the roof or floor area above. The gross floor area shall not include shafts with no openings or interior courts.* [**bold** added]

Note that, per state law, the building official determines the valuation of structures that require building permits but don't have floor area, such as bleachers, uncovered decks, and towers.

Are permit fees less for garages and decks than interior space?

Yes. Garages and decks require building permits. Permit fees are based on valuations that are much lower than interior space, therefore permit fees are only a fraction of the cost of interior space for them.

What is the procedure if someone disagrees with how the valuation or gross area has been determined?

The Newberg Code and state law provide the procedure for appealing a determination of valuation or building gross area. The person's first appeal is to the building official. The second appeal is to the Oregon Building Codes Division. Newberg Municipal Code 14.05.110 states:

> *14.05.110 Appeals procedure.*
> *Any party aggrieved by an order, decision or determination made by the building official relative to the application and interpretation of this code may appeal that decision as follows:*
> *A. The appellant shall first appeal to the building official. The building official will establish the form for making such an appeal. The building official shall consider the appeal and all information submitted, and will return a decision to the appellant.*
> *B. If a resolution is not reached with the building official, the appellant may appeal the decision to the State of Oregon Department of Consumer and Business Services, Building Codes Division, as provided in ORS 455.475.*

Summary

(1) Building valuation is determined by state law. The city is not allowed to use a different methodology.
(2) "Building valuation" is different than the actual cost of constructing a building.
(3) Any person wanting to challenge a determination of building valuation or building gross area may appeal the building official's decision to the Oregon Building Codes Division.

Attachment:
ICC Building Valuation Data Table

Building Valuation Data – February 2012

The International Code Council is pleased to provide the following Building Valuation Data (BVD) for its members. The BVD will be updated at six-month intervals, with the next update in August 2012. ICC strongly recommends that all jurisdictions and other interested parties actively evaluate and assess the impact of this BVD table before utilizing it in their current code enforcement related activities.

The BVD table provides the "average" construction costs per square foot, which can be used in determining permit fees for a jurisdiction. Permit fee schedules are addressed in Section 109.2 of the 2012 *International Building Code* (IBC) whereas Section 109.3 addresses building permit valuations. The permit fees can be established by using the BVD table and a Permit Fee Multiplier, which is based on the total construction value within the jurisdiction for the past year. The Square Foot Construction Cost table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction.

ICC has developed this data to aid jurisdictions in determining permit fees. It is important to note that while this BVD table does determine an estimated value of a building (i.e., Gross Area x Square Foot Construction Cost), this data is only intended to assist jurisdictions in determining their permit fees. This data table is not intended to be used as an estimating guide because the data only reflects average costs and is not representative of specific construction.

This degree of precision is sufficient for the intended purpose, which is to help establish permit fees so as to fund code compliance activities. This BVD table provides jurisdictions with a simplified way to determine the estimated value of a building that does not rely on the permit applicant to determine the cost of construction. Therefore, the bidding process for a particular job and other associated factors do not affect the value of a building for determining the permit fee. Whether a specific project is bid at a cost above or below the computed value of construction does not affect the permit fee because the cost of related code enforcement activities is not directly affected by the bid process and results.

Building Valuation

The following building valuation data represents average valuations for most buildings. In conjunction with IBC Section 109.3, this data is offered as an aid for the building official to determine if the permit valuation is underestimated. Again it should be noted that, when using this data, these are "average" costs based on typical construction methods for each occupancy group and type of construction. The average costs include foundation work, structural and nonstructural building components, electrical, plumbing, mechanical and interior finish material. The data is a national average and does not take into account any regional cost differences. As such, the use of Regional Cost Modifiers is subject to the authority having jurisdiction.

Permit Fee Multiplier

Determine the Permit Fee Multiplier:

1. Based on historical records, determine the total annual construction value which has occurred within the jurisdiction for the past year.
2. Determine the percentage (%) of the building department budget expected to be provided by building permit revenue.

$$\text{Permit Fee Multiplier} = \frac{\text{Bldg. Dept. Budget x (\%)}}{\text{Total Annual Construction Value}}$$

Example

The building department operates on a $300,000 budget, and it expects to cover 75 percent of that from building permit fees. The total annual construction value which occurred within the jurisdiction in the previous year is $30,000,000.

$$\text{Permit Fee Multiplier} = \frac{\$300{,}000 \text{ x } 75\%}{\$30{,}000{,}000} = 0.0075$$

Permit Fee

The permit fee is determined using the building gross area, the Square Foot Construction Cost and the Permit Fee Multiplier.

Permit Fee = Gross Area x Square Foot Construction Cost x Permit Fee Multiplier

Example

Type of Construction: IIB
Area: 1st story = 8,000 sq. ft.
2nd story = 8,000 sq. ft.
Height: 2 stories
Permit Fee Multiplier = 0.0075
Use Group: B

1. Gross area:
   Business = 2 stories x 8,000 sq. ft. = 16,000 sq. ft.
2. Square Foot Construction Cost:
   B/IIB = $149.72/sq. ft.
3. Permit Fee:
   Business = 16,000 sq. ft. x $149.72/sq. ft x 0.0075 = $17,966

Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

Square Foot Construction Costs [a, b, c, d]

Group (2012 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	212.00	204.85	199.65	191.24	179.60	174.56	184.86	164.20	157.69
A-1 Assembly, theaters, without stage	194.08	186.93	181.72	173.31	161.68	156.64	166.93	146.29	139.78
A-2 Assembly, nightclubs	166.35	161.60	157.13	150.84	141.62	137.83	145.25	128.47	123.67
A-2 Assembly, restaurants, bars, banquet halls	165.35	160.60	155.13	149.84	139.62	136.83	144.25	126.47	122.67
A-3 Assembly, churches	195.96	188.81	183.60	175.20	163.70	158.66	168.82	148.30	141.80
A-3 Assembly, general, community halls, libraries, museums	163.95	156.80	150.60	143.19	130.66	126.63	136.81	115.27	109.76
A-4 Assembly, arenas	193.08	185.93	179.72	172.31	159.68	155.64	165.93	144.29	138.78
B Business	169.14	162.95	157.42	149.72	135.78	130.75	143.54	119.31	113.65
E Educational	178.16	172.02	166.90	159.29	148.37	140.44	153.73	129.09	124.71
F-1 Factory and industrial, moderate hazard	100.75	96.02	90.26	86.94	77.68	74.37	83.16	64.01	60.19
F-2 Factory and industrial, low hazard	99.75	95.02	90.26	85.94	77.68	73.37	82.16	64.01	59.19
H-1 High Hazard, explosives	94.40	89.68	84.92	80.59	72.52	68.22	76.82	58.86	N.P.
H234 High Hazard	94.40	89.68	84.92	80.59	72.52	68.22	76.82	58.86	54.03
H-5 HPM	169.14	162.95	157.42	149.72	135.78	130.75	143.54	119.31	113.65
I-1 Institutional, supervised environment	168.08	162.18	157.65	150.82	138.52	134.86	146.99	124.28	119.86
I-2 Institutional, hospitals	287.21	281.02	275.49	267.79	252.87	N.P.	261.61	236.40	N.P.
I-2 Institutional, nursing homes	198.55	192.37	186.83	179.13	165.20	N.P.	172.95	148.74	N.P.
I-3 Institutional, restrained	192.65	186.47	180.93	173.23	160.79	154.76	167.05	144.32	136.66
I-4 Institutional, day care facilities	168.08	162.18	157.65	150.82	138.52	134.86	146.99	124.28	119.86
M Mercantile	123.91	119.17	113.69	108.40	98.85	96.06	102.82	85.70	81.90
R-1 Residential, hotels	169.51	163.62	159.09	152.26	140.12	136.46	148.59	125.88	121.46
R-2 Residential, multiple family	142.14	136.24	131.71	124.88	113.41	109.75	121.89	99.18	94.76
R-3 Residential, one- and two-family	133.78	130.13	126.82	123.67	118.74	115.78	119.75	110.94	103.92
R-4 Residential, care/assisted living facilities	168.08	162.18	157.65	150.82	138.52	134.86	146.99	124.28	119.86
S-1 Storage, moderate hazard	93.40	88.68	82.92	79.59	70.52	67.22	75.82	56.86	53.03
S-2 Storage, low hazard	92.40	87.68	82.92	78.59	70.52	66.22	74.82	56.86	52.03
U Utility, miscellaneous	71.08	67.13	62.83	59.33	53.24	49.79	56.48	41.64	39.44

a. Private Garages use Utility, miscellaneous
b. Unfinished basements (all use group) = $15.00 per sq. ft.
c. For shell only buildings deduct 20 percent
d. N.P. = not permitted

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 4, 2012				
Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion ___	Information XX

SUBJECT: Discuss the potential for the formation of a Local Improvement District (LID) to improve the west side of N. College Street from Illinois Street to Aldercrest Drive and direct staff accordingly.	**Contact Person (Preparer) for this Item: Paul Chiu, Senior Engineer** **Dept.: Public Works Department - Engineering** **File No.:**

EXECUTIVE SUMMARY:

Over $800,000.00 in Transportation Enhancement (TE) funding is provided as a grant by the Oregon Department of Transportation (ODOT) for the right-of-way acquisition, design, and construction of sidewalks, bike lanes and associated drainage improvements along N. College Street. The City's share of the project, as required by ODOT when receiving the grant, is about $175,000.00. The City could offset its contribution by creating an LID in the area and assessing the benefiting property owners their share of the improvement costs. City Municipal Code Sections 3.15.010 through 3.15.170 outlines the LID process and the requirement that the City Council provides approval prior to initiating an LID.

Once the LID is initiated, support must be obtained from a minimum of 40% of the affected property owners, per City Municipal Code Section 3.015.050. However, if a property has a non-remonstrance on file, the owner may not refuse to participate. Seven (7) out of twenty-three (23) properties with direct frontages along the west side of N. College Street from Illinois Street to Aldercrest Drive are encumbered by waivers of remonstrance agreements for "construction improvements", "public improvements", or "street improvements" of N. College Street. Forty-three (43) out of forty-six (46) other properties that have no direct College Street frontage are also encumbered by the same waivers of remonstrance agreements. Currently, properties with waivers comprise only 37% of the N. College Street west side frontage.

A preliminary LID cost analysis is provided below for information only. Staff will complete a detailed Engineer's Report and provide it to Council if it is directed to form the LID.

Potential LID Costs	
Cost per foot to recoup City's contribution of about $175,000 =	**$83.00**
Properties with Waiver (covering 773.03 LF or **37% of frontage**) =	**$65,000.00**
Properties without Waiver (covering 1,318.40 LF or **63% of frontage**) =	**$110,000.00**
Total (covering 2,091.43 LF of frontage) **=**	**$175,000.00**

FISCAL IMPACT:

Although the bulk of this improvement project is being paid with grant funds, the City is required to make a matching contribution toward this project. The City's contribution of $175,000.00 is budgeted under account number 18-5150-702165 in the 11/12 fiscal year budget, with carryover into the proposed 12/13 budget. If Council directs staff to proceed with the LID, the City may recover a portion or all of these costs.

STRATEGIC ASSESSMENT:

This project provides an improved pedestrian and bicyclist connection along a major state and City route in accordance with the City's Transportation System Plan, Newberg ADA/Pedestrian/Bike Route Improvement Plan and in conjunction with City Council's goal to maintain contiguous sidewalks along all streets.

City of Newberg

Proposed **College Street Local Improvement District**

Background Information for Council Consideration on June 4, 2012

Presented by: Paul Chiu, P.E. , Senior Engineer
Public Works / Engineering

College Street Local Improvement District

Location Map:

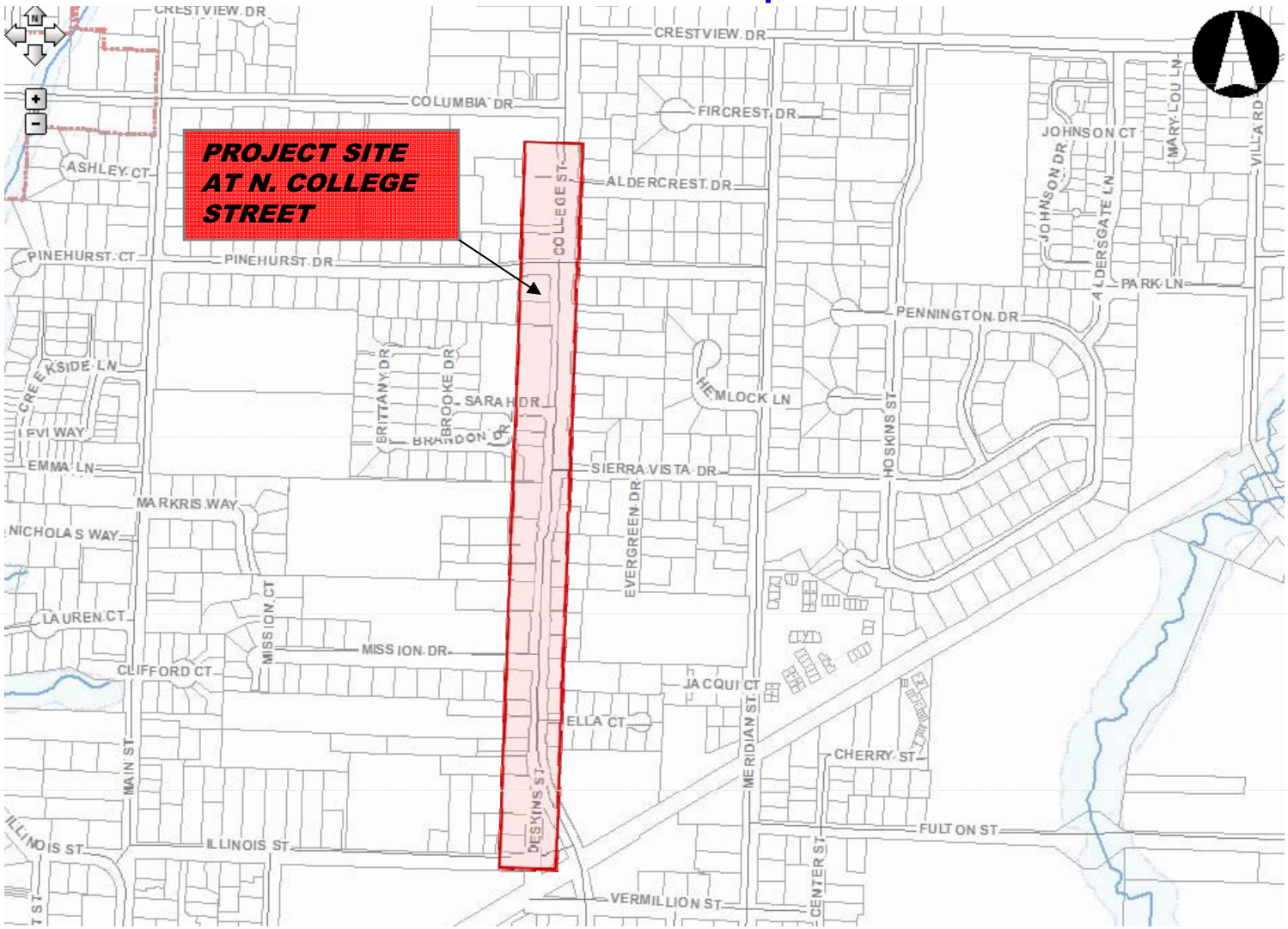


EXHIBIT "A"
College Street LID Information Only

College Street Local Improvement District

Waiver of Remonstrance Agreements Map

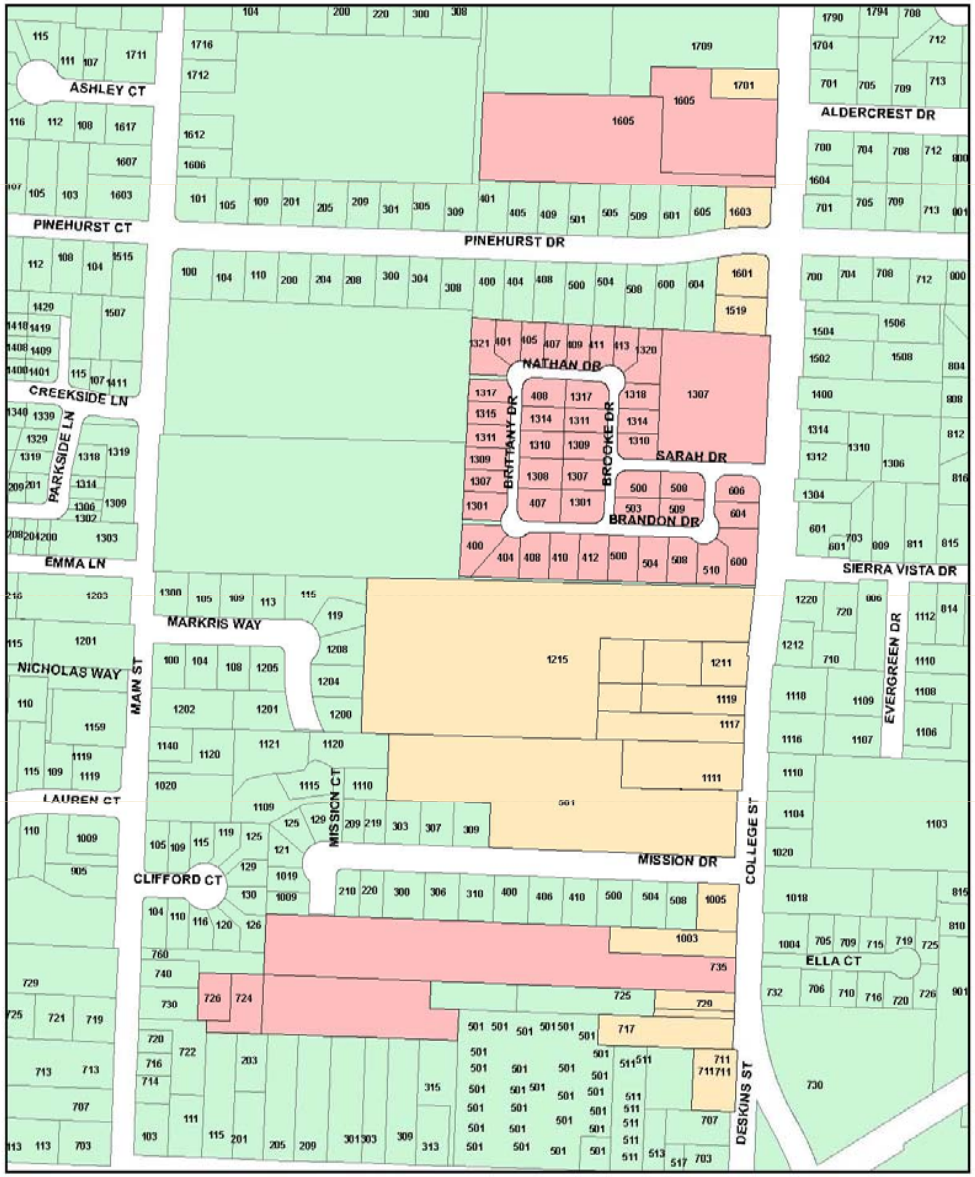
(West side of N. College Street)

Legend

- Without Waiver
- With Waiver

280 Feet

Note:
50 properties with waivers and
19 properties without waivers.



College Street Local Improvement District

- Potential LID Cost:

Approximate cost for City's share =	$175,000
Approximate LID assessment cost per frontage foot along west side of N. College Street *(to recoup City's share)* =	$ 83

City of Newberg

College Street Local Improvement District

A Sample of Typical LID Assessments (total costs) for:

Willow Place, an Assisted Living Community	$ 23,000
Several Main Street single family homes (that were partitioned off a parent parcel on College Street)	$ 310
Jaquith Park Estates, each of the 43 single family homes	$ 400
Properties with more frontages	$ 1,400 to $ 11,500

College Street Local Improvement District

Questions and Answers

City of Newberg Municipal Code

(Source: http://www.codepublishing.com/OR/newberg/)

Chapter 3.15
LOCAL IMPROVEMENT DISTRICTS

Sections:

3.15.010 Title.

3.15.020 Definitions.

3.15.030 Plans and specifications.

3.15.040 Assessing.

3.15.050 Resolution.

3.15.060 Notices to property owners.

3.15.070 Public hearing and remonstrances.

3.15.080 Ordinance creating local improvement district.

3.15.090 Call for bids.

3.15.100 Assessment ordinance procedures.

3.15.110 Lien recording – Payments over time or by cash.

3.15.120 Errors in assessment calculations.

3.15.130 Authority of city to make reassessment.

3.15.140 Consent or waiving requirement of notice.

3.15.150 Assessment of public property benefited by improvements.

3.15.160 Abandonment of proceedings.

3.15.170 Curative provision.

3.15.010 Title.

This chapter shall be known as the local improvement district ordinance. [Ord. 2444, 6-3-96. Code 2001 § 36.40.]

3.15.020 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Actual cost" means all direct or indirect costs incurred by the city in order to undertake and complete a capital construction project. "Actual cost" includes, but is not limited to, the costs of labor, materials, supplies, equipment rental, property acquisition, permits, engineering, financing (bond issuance costs), reasonable program delinquencies, return on investment, required fees, insurance, administration, accounting, depreciation, amortization, operation, maintenance, repair or replacement and debt service, including debt service payments or payments into reserve accounts for debt service and payment of amounts necessary to meet debt service coverage requirements.

"Assessment for local improvement" means any fee, charge, or assessment that does not exceed the actual cost of a local improvement incurred by the city.

"Bonded indebtedness" means any formally executed written agreement representing a promise by the city to pay to another specified sum of money, at a specified date(s) at least one year in the future.

"Capital construction" means the construction, modification, replacement, repair, remodeling or renovation of a structure, or addition to a structure, which is expected to have a useful life of more than one year, and includes, but is not limited to:

1. Acquisition of land, or a legal interest in land, in conjunction with a capital construction of a structure.

2. Acquisition, installation of machinery or equipment, furnishings or materials which will become an integral part of a structure.

3. Activities related to the capital construction, such as planning design, acquisition of interim or permanent financing, research, land use and environmental impact studies, acquisition of permits or licenses or services connected with the construction.

4. Acquisition of existing structures, or legal interests in structures, in conjunction with the capital construction.

"Capital improvement" means land, structures, or facilities, as that term is defined in the Oregon Revised Statutes, machinery, equipment or furnishings having a useful life longer than one year.

"City engineer" means the duly appointed official or, if such official does not exist, a designated engineer or firm of engineers, charged with engineering responsibilities.

"Estimated assessment" means:

1. With respect to each property to be assessed in connection with a local improvement, the total assessment that, at the time of giving notice of the assessment and the right to object or remonstrate, the city estimates will be levied against the property following completion of the local improvement. The estimate shall be based on the estimated cost of the local improvement and the proposed formula for apportioning the actual cost to the property.

2. Estimated assessment shall be determined by:

a. Excluding the estimated financing costs associated with any bonds issued to accommodate the payment of the assessment in installments; and

b. Including the estimated financing costs associated with interim financing of the local improvement.

"Final assessment" means, with respect to each property to be assessed in connection with a local improvement, the total assessment levied against the property following completion of the local improvement. The total assessment shall be based on the actual cost of the local improvement and the formula for apportioning the actual cost to the property.

"Financing" means all costs necessary or attributable to acquiring and preserving interim or permanent financing of a local improvement.

1. The costs of financing may include the salaries, wages and benefits payable to employees to the extent the same are reasonably allocable to the work or services performed by the employees in connection with the financing of a local improvement or any part of a local improvement. However, as a condition to including of any salaries, wages or benefits payable to employees of the city as financing costs of a local improvement or any part of a local improvement, the city shall establish a record-keeping system to track the actual work done or services performed by each employee on or in connection with such local improvement.

2. Financing costs that are to be incurred after the levy of a final assessment may be included, whether directly in the final assessment or in the interest rate charged on installment payments, based on the city's reasonable estimate of the financing costs if the city first documents the basis for the estimate and makes the documentation available to interested persons on request.

"Local improvement" means a capital construction project, or part of a capital construction project, undertaken by the city pursuant to the procedure to be followed in making local assessments for the benefits from a local improvement upon the lots which have been benefited by all or part of the improvement:

1. Which provides a special benefit only to specific properties or rectifies a problem caused by specific properties; and

2. The costs of which are assessed against those properties in a single assessment upon the completion of the project; and

3. For which the payment of the assessment plus appropriate interest may be spread over a period of at least 10 years by the property owner; and

4. For which the total of all assessments for the local improvement shall not exceed the actual cost incurred by the city in completing the project; and

5. For which the status of a capital construction project as a local improvement is not affected by the accrual of a general benefit to property other than the property receiving the specific benefit.

“Lot” means lot, block, or parcel of land.

“Manager” means the city manager of the City of Newberg.

“Owner” means the owner of the title to real property or the contract purchaser of real property of record as shown on the last available complete assessment roll in the office of the Yamhill County assessor.

“Property benefited” means all property specially benefited by the improvement, the relative extent of such benefit to be determined by any just and reasonable method of apportionment of the actual cost of the improvement between the properties determined to be specially benefited.

1. Real property may be described by giving the subdivision according to the United States survey when coincident with the boundaries, or by lots, blocks and additional names, or by giving the boundaries of the property by metes and bounds, or by reference to the book and page of any public record of the county where the description may be found, or by designation of a tax lot number, or in any other manner as to cause the description to be capable of being made certain.

2. If the owner of any land is unknown, the land may be assessed to “unknown owner(s).” If the property is correctly described, no final assessment shall be invalidated by a mistake in the name of the owner of the real property assessed or by the omission of the name of the owner or the entry of the name other than that of the true owner. Where the name of the true owner, or the owner of record, of any parcel of real property is given, the final assessment shall not be held invalid on account of any error or irregularity in the description if the description would be sufficient in a deed of conveyance from the owner, or is such that, in a suit to enforce a contract to convey, employing such description, a court of equity would hold it to be good and sufficient.

3. Any description of real property which conforms substantially to the requirements of this section shall be a sufficient description in all proceedings of assessment relating or leading to a final assessment for a local improvement foreclosure and sale of delinquent assessments, and in

any other proceedings related to or connected with levying, collecting and enforcing final assessments for special benefits to the property.

“Remonstrance” means a written objection to the formation of a local improvement district.

“Single assessment” means the complete assessment process, including preassessment, assessment or reassessment, for any authorized local improvement which provides the procedure to be followed in making local assessments for benefits from a local improvement upon lots which have been benefited by all or part of the improvement.

“Special benefit only to specific properties” means the same meaning as “special and peculiar benefit” as that term is used in Oregon law.

“Structure” means any temporary or permanent building or improvement to real property of any kind, which is constructed on or attached to real property, whether above, on or beneath the surface. [Ord. 2444, 6-3-96. Code 2001 § 36.41.]

Cross-reference: See ORS 223.389 as found in ORS 310.140(14).

3.15.030 Plans and specifications.

Whenever the city council shall determine to proceed to make a local improvement to be paid for in full or in part by the property benefited, the city council shall, by motion, direct the city engineer to have a report prepared containing the following information:

A. A description of the local improvement.

B. Preliminary plans and outline specifications for the local improvement.

C. A description of the boundaries of the local improvement.

D. A just and reasonable method of apportioning the actual cost of the local improvement to the properties benefited.

E. A list of properties benefited by the local improvement, including the name and address of each owner; the assessed value of each property, adjusted in accordance with Oregon law; and a statement of the amount of outstanding assessments against any property proposed to be assessed by the improvements.

F. The estimated cost of the improvement, including any legal, administrative and engineering costs attributable to the project.

G. The estimated share of the estimated cost of the local improvement to be assessed to each property.

H. The estimated share of the estimated cost of the local improvement to be paid by the city, if any. [Ord. 2444, 6-3-96. Code 2001 § 36.42.]

Cross-reference: See ORS 223.389 as found in ORS 310.140(14).

3.15.040 Assessing.

The city council shall do the following in assessing the cost of the improvement:

A. Use a fair and reasonable method for determining the extent of the district boundaries.

B. Use a fair and reasonable method for apportioning the actual cost or estimated cost of the local improvement among the benefited properties.

C. Consider payment by the city of all or part of the actual cost or estimated cost of the improvement when, in the opinion of the city council, on account of topographical, physical or other characteristics of the local improvement or expected unusual or excessive use by the general public, payment by the city would be appropriate or when the city council otherwise believes it would be just and reasonable for the city to pay all or part of the cost.

D. Consider other available means of financing the improvement. In the event other means of financing are used, the city council may, subject to the constraints of the Oregon Constitution and Oregon laws, in its discretion, levy assessments to cover any part of the actual cost of the local improvement not covered by the alternative means of finance. The use of any available alternative means of financing lies solely within the discretion of the city council.

E. Not give credits for corner lots.

F. Assess unimproved property subject to a maximum depth of 200 feet. [Ord. 2444, 6-3-96. Code 2001 § 36.43.]

Cross-reference: See ORS 223.389 as found in ORS 310.140(14).

3.15.050 Resolution.

A. After the engineer's report has been filed with the city manager, after the city council has examined the report and found the same to be satisfactory and having found the estimated costs and apportionment to be reasonable and just, and after having found the boundaries of the improvement district to be properly determined, the city council may, by resolution, propose to make the improvement, and to create a local improvement district.

B. The resolution shall state:

1. The boundaries of the local improvement district.

2. The proposed method for apportioning the estimated cost of the local improvement among the benefited properties.

3. The portion of the estimated cost, if any, which the city will pay.

4. That the portion of the estimated cost which is assessed to the properties benefited shall be a charge and lien upon those properties.

5. The time and place for a public hearing before the city council to hear objections and receive remonstrances.

6. Directions to the city engineer to provide a notice of public hearing to the owners of the properties benefited which contains the following:

a. A brief and general description of the proposed local improvement and a statement that a more detailed description is set forth in a report on file in the city engineer's office and city manager's office.

b. That the city council proposes to create a local improvement district and will be holding a public hearing to hear objectives and receive remonstrances to the local improvement.

c. The date, time and place of the public hearing.

d. A description of the properties to be benefited, the owners of the properties, the estimated cost of the improvement and the estimated assessment for each property benefited.

e. A statement that if, at or before the public hearing, written remonstrances against the local improvement are filed with the city engineer by the owners of at least 60 percent of the property to be assessed, action on the local improvement shall be suspended for at least six months. [Ord. 2444, 6-3-96. Code 2001 § 36.44.]

3.15.060 Notices to property owners.

A. Form of Notice. Any notice required hereunder shall be sent by registered or certified mail or by personal delivery to the owner of each property proposed to be assessed, and shall include the estimated assessment proposed for that property, the date by which time objections shall be filed with the city engineer, and that such objection shall state the grounds for the objection.

B. Delivery of Notice. Whenever a notice is required to be sent to the owner of a lot affected by a proposed assessment, the notice shall be addressed to the owner or the owner's agent. If the address of the owner or the owner's agent is unknown to the city, the notice shall be addressed to the owner or the owner's agent at the city where the property is located. Any mistake, error, omission, or failure with respect to such mailing shall not be jurisdictional or invalidate the assessment proceedings, but there shall be no foreclosure or legal action to collect until notice has been given by personal service upon the property owner, or if personal service cannot be had,

then by publication once a week for two successive weeks in a newspaper of general circulation in the city. [Ord. 2444, 6-3-96. Code 2001 § 36.45.]

3.15.070 Public hearing and remonstrances.

A public hearing before the city council shall be held at the scheduled date and time and the city council shall hear and consider objections and receive remonstrances to the local improvement. If those persons representing 60 percent or more of the proposed assessment within the district file with the city engineer a written objection or remonstrance against the proposed improvement, the remonstrance shall be a bar to any further proceedings in the making of such improvement for a period of six months, except for a sidewalk or improvement unanimously declared by the city council to be needed at once because of an emergency. [Ord. 2444, 6-3-96. Code 2001 § 36.46.]

3.15.080 Ordinance creating local improvement district.

A. Public Hearing. After the public hearing, the city council may create a local improvement district by ordinance. The ordinance shall describe the improvement(s) to be made, the boundary of the district, the estimated assessments against the properties benefited, and shall state that the assessment shall be charges and liens against the properties. The city may enforce collection of the assessments as provided in Oregon law.

B. Adoption Process. In creating the local improvement by ordinance, the city council shall consider the objections or remonstrances made and reasons stated for them. The city council may adopt, correct, modify or revise the proposed assessments or estimated assessments and shall determine the amount or estimated assessment to be charged against each lot within the district, according to the special and peculiar benefits accruing thereto from the improvement and shall by ordinance spread the assessments. The estimated assessment lien shall continue until the time the estimated assessment becomes a final assessment.

C. Plans. The ordinance shall also direct the city engineer to have detailed plans and specifications of the local improvement prepared and that, when appropriate, the city shall invite bids for construction of the local improvement. [Ord. 2444, 6-3-96. Code 2001 § 36.47.]

Cross-reference: See ORS 223.866.

3.15.090 Call for bids.

A. Work to Be Done. The construction work may be done in whole or in part by the city, by a contractor, or by any other governmental agency, or by any combination of the city, a contractor, or a governmental agency.

B. Low Bids. If all or part of the improvement is to be constructed by a contractor, the city shall call for bids for making the local improvement and award the bid to the lowest responsible bidder.

C. Separate Bids. In the event that more than one local improvement shall be advertised for bids at the same time, all local improvement districts shall be bid separately.

D. Aggregate Bid. The city council shall have the authority to accept the lowest responsible aggregate bid which is in the best interest of the city for all of the local improvement districts bid at the same time, and allocate the proper amount of the total cost to each district separately.

E. City Council Discretion. The city council may reject any or all bids.

F. Rebidding. If no bids are received, or if all bids are rejected, the city council may call for other bids, change the manner in which the local improvement shall be constructed, or abandon the local improvement.

G. Excessive Bids. If the lowest responsible bid exceeds the estimated cost of the local improvement, and if accepted would cause any estimated assessment to increase by more than 20 percent, and if the city council wants to proceed with the local improvement, before proceeding the city council shall revise the estimated assessments, hold another public hearing, after notice to the owners of the benefited properties of the new estimated assessment, and shall proceed as if that was the original public hearing except that new bids need not be solicited.

H. Bond Required. The city council shall require bonding of all contractors for the faithful performance of the contract. All bidders shall be required to submit a certified check or bid bond in an amount equal to five percent of their bid, and the contractor to whom the award is made shall submit a performance bond in the amount of the awarded bid at the time the contract is awarded. All bonds shall be with bonding companies doing business in Oregon and given under Oregon law. Bonds shall incorporate the term of the plans and specifications and must be approved by the city attorney as to form. [Ord. 2444, 6-3-96. Code 2001 § 36.48.]

Cross-reference: See ORS 279.380.

3.15.100 Assessment ordinance procedures.

A. Initial Assessments. If the city council determines that the local improvement district shall be created, the city council shall provide for the assessment or estimated assessment of the benefited properties, and for the apportionment of the assessment or estimated assessment to the properties benefited by ordinance by one of the following methods:

1. Actual cost of the local improvement; or

2. The estimated cost of the improvement.

B. Notice. The city engineer shall prepare the assessment or estimated assessment for the properties benefited and file it with the appropriate city office. Notice of such assessment or estimated assessment shall be given to each owner of the properties benefited. The notice shall state the amount of the assessment or estimated assessment proposed for that property and set

forth the date, time and place for a public hearing before the city council to hear objections to the proposed assessments.

C. Consideration of Proposed Assessment. The city council shall consider objections to the proposed assessments and may correct, modify, or revise the proposed assessments. After determining that the assessments meet the requirements of this chapter, the city council shall by ordinance spread the assessments.

D. Actual Cost. In determining the assessment or estimated assessment for the local improvement the city council shall use the actual cost.

E. Lien. The assessment ordinance shall provide that the assessments or estimated assessments against the benefited properties shall be a lien against the assessed properties and that the city may enforce collection of such assessments as provided by Oregon law.

F. Estimated Cost. If the initial assessment has been made on the basis of estimated assessment, and upon the completion of work the actual cost is found to be greater or less than the estimated cost, the city council shall make an assessment for the actual cost. Proposed revised assessments shall be made; notice to the owners shall be sent; a public hearing for receiving and considering objections shall be held; determination of the assessment against each property benefited shall be made as in the case of the initial assessment; and the revised assessments shall be spread by ordinance. In the event that an estimated assessment which was greater than a revised assessment has been paid, the payor or the payor's assigns or legal representative shall be refunded the difference. [Ord. 2444, 6-3-96. Code 2001 § 36.49.]

Cross-reference: See ORS 223.866.

3.15.110 Lien recording – Payments over time or by cash.

A. Docket. After the passage of the assessment ordinance, the city manager shall direct to have entered in the docket of city liens a statement of the amount assessed upon each property benefited, together with a description of the improvement, the name of the owner(s) and the date of the assessment ordinance. Upon entry in the lien docket, the amount entered shall become a lien and charge upon the respective lots, parcel of land or portions of the lots or parcels of land which have been assessed. All assessment liens of the city shall be superior and prior to all other liens or encumbrances on the property insofar as the laws of the State of Oregon permit.

B. Foreclosure. After the expiration of 30 days from the date the assessment ordinance was adopted, the city may proceed to foreclose or enforce collection of the assessment liens in any manner provided for by the laws of the State of Oregon. The city may, at its option, enter a bid for any property being offered at a foreclosure sale, which bid shall be prior to all bids except those made by persons who would be entitled under the laws of the State of Oregon to redeem the property.

C. Final Assessment. After the final assessment has been adopted by the city council, the city shall publish the final assessments once in a newspaper of general circulation within the city and

also send a copy by certified mail or deliver it personally to the owners of the properties to be assessed within 10 days after the adoption of the ordinance. The notice shall identify the local improvement for which the assessment is to be made, each lot to be assessed, and the final assessment for each lot. In addition, the notice shall state that the owner shall have the right to apply to the city for payment of the final assessment in installments as provided by this chapter.

D. Time Payments. Within 10 days after notice of final assessment is mailed, the owner of any property to be assessed, at any time, may file a written application at the finance department to pay:

1. The whole of the final assessment in installments; or

2. If part of the final or estimated assessment has been paid, the unpaid balance of the final assessment in installments. Failure to apply for installment payments within 10 days will require full payment of the assessment within 30 days from the date of the entry of the lien in the city docket.

E. Filing Deadline. At the option of the city, an installment application may be filed not more than 10 days after the notice of the final assessment is first published.

F. Waiver. The installment application shall state that the applicant does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings, including the apportionment of the cost of the improvement.

G. Period of Payments. The application shall provide that the applicant agrees to pay the assessment in installments over a period of not less than 10 years nor more than 30 years and according to such terms as the city may provide. The city may provide that the owner of the assessed property may elect to have the final assessment payable over a period of less than 10 years and according to terms determined by the city.

H. Interest. The application shall also provide that the applicant acknowledges and agrees to pay interest at the rate provided by the city. The interest shall be set at an interim rate which shall be applied to the unpaid balance until improvement bonds are sold to finance assessment bonds. Upon sale of bonds, the finance director shall adjust the interest rate to the rate received by the city on the bond issue (expressed as true interest cost). All subsequent payments will be made at the new adjusted rate.

I. Loan Fees. To recover the costs for administering the bond assessment program, applicants will be charged a loan origination fee and billing fee as set by resolution and reviewed periodically by the finance committee of the city council. Those who initially choose to pay the assessment in full will not be charged these fees.

J. Description of Property. The application shall also contain a description, by lots or blocks, or other convenient description, of the property of the application assessed for the local improvement.

K. Payment Dates. The amount and due date of each installment shall be determined by the city and shall be set forth in the installment application. The first installment, plus accrued interest and fees, shall be due and payable on the date determined by the city and subsequent installments plus accrued interest and fees shall be due and payable on subsequent periodic dates as determined by the city.

L. Delinquent Payments. If the installment payments or the interest or any portion of the interest are not paid within one year of their due date, then the city may pass a resolution:

1. Giving the name of the owner in default;

2. Stating the sum due, both principal and interest, and any unpaid late payment penalties or charges;

3. Containing a description of the property subject to the assessment; and

4. Declaring the whole sum, both principal and interest, immediately due and payable.

M. Collection. The city may then immediately proceed to collect all unpaid amounts owing and enforce collection by any method authorized by law for the collection of delinquent municipal liens. [Ord. 2444, 6-3-96. Code 2001 § 36.50.]

Cross-reference: See ORS 311.711 for assessment and collection of liens. See also ORS Chapter 319 for tax liens in general.

3.15.120 Errors in assessment calculations.

Claimed errors in the calculation of final assessments shall be called to the attention of the city manager prior to any payments on the account. The city manager shall check the calculation and report the findings to the city council. If an error has been made, the city council shall amend the final assessment ordinance to correct the error. Upon the enactment of the amendment, the city manager shall make the necessary correction in the lien docket and shall send by registered or certified mail to the owner a corrected notice of the assessment. [Ord. 2444, 6-3-96. Code 2001 § 36.51.]

3.15.130 Authority of city to make reassessment.

Whenever all or part of any assessment for a local improvement was or is declared void or set aside for any reason or its enforcement refused by any court by reason of jurisdictional or other defects in procedure, whether directly or by virtue of any court decision or when the city council is in doubt as to the validity of all or part of any such assessment by reason of such defects in procedure, the city council may by ordinance make a new assessment or reassessment upon the lots which have been benefited by all or part of the improvement to the extent of their respective and proportionate shares of the full value of such benefit. [Ord. 2444, 6-3-96. Code 2001 § 36.52.]

3.15.140 Consent or waiving requirement of notice.

The provisions of NMC 3.15.050(B)(6), insofar as it requires notice to the owners of the properties benefited, shall not apply if the owners of all assessable property within the proposed local improvement district have consented in writing to the local improvement and have waived the requirement for notice in the initial public hearing. [Ord. 2444, 6-3-96. Code 2001 § 36.53.]

3.15.150 Assessment of public property benefited by improvements.

A. Whenever all or any part of the cost of a local improvement is to be assessed to the property benefited, benefited property owned by the city, county, school district, park district, state and any other political subdivision shall be assessed in the same manner as private property and the amounts of the assessment shall be paid by the city, school district, county, park district, or state, as the case may be.

B. In the case of property owned by the state, the amount of the assessment shall be certified by the city finance director and filed with the executive department as a claim for reference to the Legislative Assembly in the manner provided by Oregon law unless funds for the payment of the assessment have been otherwise provided by law. [Ord. 2444, 6-3-96. Code 2001 § 36.54.]

Cross-reference: See Section 1c of Article IX of the Oregon Constitution pertaining to financing for redevelopment and urban renewal projects.

3.15.160 Abandonment of proceedings.

The city council shall have full authority to abandon and rescind proceedings for a local improvement at any time prior to the final consummation of the proceedings. If liens have been assessed upon any property, they shall be cancelled, and any payments received shall be refunded to the payor, the payor's assigns or legal representatives. [Ord. 2444, 6-3-96. Code 2001 § 36.55.]

3.15.170 Curative provision.

No local improvement assessment shall be invalid by reason of a failure to give, in any report, on the proposed assessment ordinance, in the lien docket or elsewhere in the proceedings, the name of the owner of any lot or other parcel of land, or part of any lot or other parcel of land, or the name of any person having a lien upon or interest in such property, or by reason of any error, mistake, delay, omission, irregularity, or other act, jurisdictional or otherwise, in any of the proceedings hereinabove specified, unless it appears that the assessment as made, insofar as it affects the person complaining, is unfair and unjust, and the city council shall have power and authority to remedy and correct all such matters by suitable actions and proceedings. [Ord. 2444, 6-3-96. Code 2001 § 36.56.]

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