



LIMITED GOAL 5 PROGRAM UPDATE

MEETING AGENDA

Time, Date: 1-3 p.m. Tuesday, June 6, 2023

Join via Zoom: <https://us02web.zoom.us/j/83568137024#success>

Join via phone: 346-248-7799; Webinar ID: 83568137024

Meeting Purpose: Lay the foundation for the work of the Technical Advisory Committee (TAC), including,

- Understanding of the Project
- Discussion of preliminary Goal 5 inventory

I. Welcome (15 min)

- Introductions
- Technical Advisory Committee (TAC) roles, responsibilities, and guidelines
- Review agenda

II. Project Background, Purpose and Overview (30 min)

III. Goal 5 Inventory – Methodology and Preliminary Approach (60 min)

- Statewide Planning Goal 5 Inventory process
- Project mapping and inventory methodology
- Preliminary inventory map examples
- Project inventory discussion questions (attached)
- Next Steps

IV. Public Comment (10 min)

V. Closing and wrap up (5 min), including discussion of next TAC meeting date in late July 2023

Materials attached (via email to PAC members):

- TAC Meeting Guidelines
- TAC Member List
- Project Overview and Timeline
- Public Engagement *Schedule at a Glance*
- County and Metro SNR Maps of Urban Unincorporated County study area
- Project Inventory methodology summary (to be sent separately)
- Project Inventory discussion questions (to be sent separately)

TAC MEMBER LIST

Group or Agency	Representative(s)	Title
<i>Oregon Department of Fish and Wildlife</i>	Joy Vaughan Ariana R Scipioni	Land and Water Use Coordinator Regional Habitat Biologist
<i>Oregon Department of Forestry Forest Grove Unit Office</i>	Eric Perkins Mike Cafferata	Forest District Management
<i>DLCD</i>	Amanda Punton Laura Kelley	Natural Resource Specialist DLCD regional representative
<i>Metro</i>	Glen Hamburg	Associate Regional Planner
<i>Clean Water Services</i>	Damon Reische Lindsay Obermiller	Development Services Manager, Project Manager
<i>Tualatin Hills Park & Recreation Department</i>	Gery Keck, Bruce Barbarasch	Parks Planning Manager Natural & Trails Manager
<i>City of Hillsboro</i>	Rachel Marble	Senior Planner
<i>City of Beaverton</i>	Rob Zoeller	Senior Planner
<i>Washington County Current Planning</i>	Stephen Shane	Principal Planner
<i>Tualatin Soil and Water</i>	Lacey Townsend	Executive Director
<i>Community engagement and environmental advocate</i>	Fran Warren	Community & environmental advocate
<i>Planning Commissioner</i>	Morgan Will	PC member
<i>Planning Commissioner</i>	Deborah Lockwood	PC Chair
<i>Home Builders Association</i>	Matt Wellner	Consultant, former PC member
<i>Urban Greenspace Institute</i>	Ted Labbe	Executive Director



LIMITED GOAL 5 PROGRAM UPDATE

Technical Advisory Committee Guidelines

Purpose: The Technical Advisory Committee (TAC) will advise Washington County staff and consultants on technical aspects of the project to update the County's Goal 5 Program for natural resources. TAC members will provide advice as representatives of their organizations.

Responsibilities

Members of the TAC are willing to:

- Attend approximately four meetings between June 2023 and February 2024. Attendance by alternates or proxies is allowed.
- Provide confirmation of attendance prior to the meeting.
- Share project information with their agency/organization when feasible.
- Monitor the potential impacts to their organization/agency's long-range plans and existing service agreements.
- Represent their organization's needs and positions, as appropriate.
- Check project materials for accuracy.

Washington County staff will:

- Provide meeting materials to the TAC in a timely manner.
- Provide meeting summaries of TAC discussions.
- Summarize TAC discussions and comments at work sessions with the County Planning Commission and Board of Commissioners.
- Provide an opportunity to meet individually with TAC members as requested.

The Project Facilitator (consultant) will:

- Ensure that everyone has an opportunity to participate.
- Keep meetings on topic and moving through agenda items.
- Start and end meetings on time unless the group agrees to extend the meeting time.
- Enforce TAC meeting guidelines.
- Provide time for public comment and include public comment as an item on each agenda.

Meeting Protocols

- Meeting materials will be distributed to TAC members by email, one week in advance of meetings. To save resources, printed copies will not be provided.
- Materials will be posted to the project website in advance of the meeting.
- Members of the public can receive meeting materials by email in advance by making a request to Washington County staff (contact information below).
- If other accommodations are required for TAC members or the public to fully participate in meetings, please make those requests to County staff.
- At each meeting, members of the public will have an opportunity to address the TAC for up to two minutes per person, time permitting.

TAC Participation Rules

TAC members agree to:

- Be present, participate, share information about related topics, listen to others and be open to different ideas.
- Stay on agenda.
- Participate without dominating.
- Treat each other with dignity and respect.
- Listen until speaker finishes; allow others to share their thoughts.
- Be transparent in your communication.
- Bring information to the table that is relevant to the conversation.
- Share information with the group about other projects or approaches related to natural resources.
- Follow video call best practices:
 - Remain on camera to the greatest extent possible.
 - Stay muted until you wish to speak.
 - Use the “raise hand” function unless the discussion is more free-flowing (at discretion of facilitator).
 - The virtual meetings will be recorded.

Advisory Role of TAC

The TAC serves in an advisory role to staff on this project, with the County Board of Commissioners making the ultimate decision on the changes proposed by staff and recommendations of the County Planning Commission.

Communication between Meetings

TAC members:

- Will not provide comments on behalf of the TAC to the media or a decision-making body such as the County Board of Commissioners.
- Should direct any media inquiries about group operations or discussions to Melissa De Lyser, Public Affairs & Communications Manager, Land Use & Transportation, melissa_de_lyser@washingtoncountyor.gov or 503-846-4963.
- Are encouraged to communicate with each other and with staff between meetings.

Primary Staff Contact: Michelle Miller, Senior Planner and Project Manager
michelle_miller@washingtoncountyor.gov or 503-846-8101

Project Overview and Timeline

Prepared for the Technical Advisory Committee (TAC)

May 30, 2023

For many years Washington County has had a program to protect Significant Natural Resources (SNRs), including fish and wildlife habitat such as streams and some forested areas, as required by Statewide Planning Goal 5. In recent years there have been changes to the state requirements for these types of programs brought about, in large part, by the housing crisis. These include changes to needed housing statutes related to planning within urban growth boundaries and the types of regulations that can be applied to protect natural resources. As a result of these changes and subsequent legal challenges, the County must update how it implements its Goal 5 program to continue to protect significant Goal 5 resources. This project is intended to be a limited update of the County's natural resource program and is expected to result in some new inventory maps, policies, and land use regulations.

Expected Outcomes

This project will result in an updated SNR Inventory, changes to comprehensive plan policies, and clear and objective regulatory standards for the protection of Significant Natural Resources within Washington County. The new standards will address state and regional requirements as well as legal issues. An economic, social, environmental, and energy (ESEE) analysis will also be prepared to help evaluate potential changes. The ESEE analysis will consider the pros and cons of allowing, limiting, or prohibiting uses that might conflict with the resources.

This project is described as a "limited update" because it is intended to:

- ❖ Build on existing inventories and available maps. The inventory update process will build on available data based on sites identified on the current County and Metro inventories within the urban areas outside of cities, also known as the County's urban unincorporated area (UUA).
- ❖ Be generally consistent with the County's current Goal 5 decisions and policy direction.
 - The County's current comprehensive plan provides policy direction on protection of water-related habitats (e.g., wetlands, streams and riparian areas) consistent with the Metro Urban Growth Management Functional Plan (UGMFP) Title 13 regional requirements. The Board has endorsed this level of protection as adequately protective, although updates to the implementing measures may be proposed to ensure the regulations are clear and objective and easier to implement.
 - For non-water related wildlife habitat, new clear and objective implementing measures consistent with past practices and earlier land use decisions may be proposed.
- ❖ Incorporate adopted fish and wildlife inventories that have been prepared by cities for new (post 2005) Urban Growth Boundary expansion areas.

- ❖ Continue to provide natural resource protection consistent with previous Goal 5 program decisions through the land use review process. The updates to Community Development Code (CDC) Section 422 will ensure that regulations are clear and objective, while providing a similar level of protection.

Background

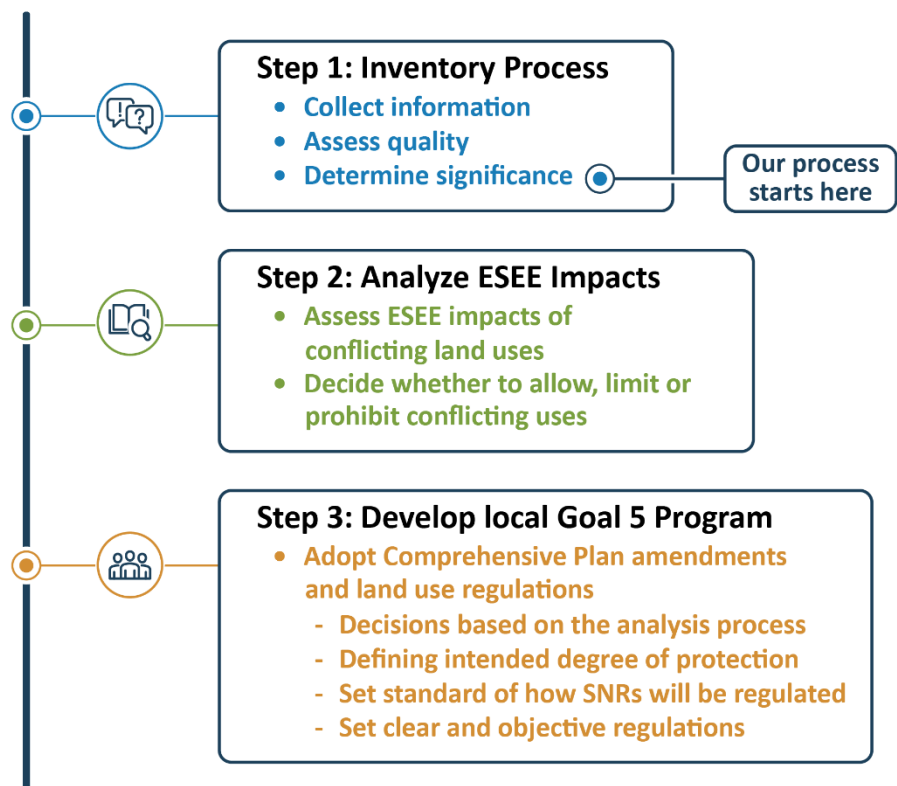
Since the 1970’s, the foundation of the statewide program for land use planning in Oregon has been the 19 Statewide Land Use Planning Goals. Statewide Land Use Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) requires local governments to identify and protect Significant Natural Resource areas (NOTE: Goal 5 addresses other types of areas as well, but this project is focused on natural resources). By 1984, the County’s Goal 5 program was acknowledged by the Oregon Department of Land Conservation and Development (DLCD). Washington County’s Goal 5 program for Significant Natural Resources (water and adjacent riparian areas, wetlands, and wildlife habitat) includes a natural resource inventory, comprehensive plan policies, and land use regulations. The natural resource inventory is shown on maps in the community plans, the Comprehensive Framework Plan for the Urban Area (CFP), and the Rural/Natural Resource Plan (RNRP). The primary standards that limit development on Significant Natural Resource sites are found in CDC Section 422.

The procedures and requirements that apply to local governments complying with Goal 5 are in the Oregon Administrative Rules (OARs). When Washington County originally created its Goal 5 program in the early 1980’s, division 16 of OAR chapter 660 applied. The current Goal 5 rule is division 23 of OAR chapter 660. The “standard” Goal 5 procedures include three steps: complete an Inventory, conduct an Economic, Social, Environmental and Energy (ESEE) Analysis, and develop a Program. We are currently working on Step 1 (“inventory process”). Because

this project is starting with adopted County and Metro inventories, the first two steps in the Goal 5 inventory process (“collect information” and “assess quality”) have been previously completed. Therefore, the inventory methodology is focused on the third step (“determine significance”) in order to identify resources that may no longer be significant (e.g., due to development) and should be removed from the inventory (see Figure 1).

In addition to outlining the standard Goal 5 procedures (shown in Figure 1), Division 23 requires that jurisdictions apply the requirements of the

Figure 1: Goal 5 Process

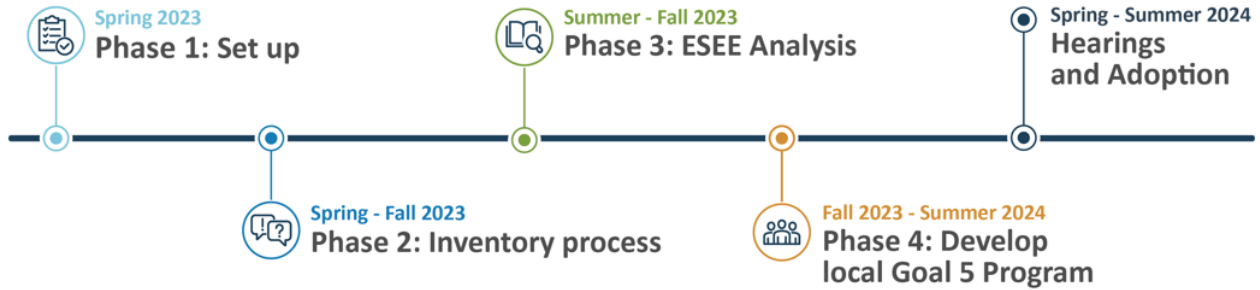


Metro Urban Growth Management Functional Plan (UGMFP) to regional resources rather than the standard Goal 5 procedures in Division 23. In 2005, Metro adopted Title 13 of the UGMFP which established program requirements for the “riparian corridor” and “wildlife habitat” Goal 5 resource categories. Washington County was a part of the Tualatin Basin Natural Resources Coordinating Committee and followed the Tualatin Basin Program option, which relies (in part) on Clean Water Services’ implementation of its Healthy Streams Plan. That approach has generally worked well for water-related (riparian) resources. For non-water related resources (Metro upland habitat), Title 13 is primarily focused on UGB expansion areas added after 2005.

This project, which is a “Limited Goal 5 Update,” continues work that the County started in 2018 to address concerns raised about implementation of the County’s Significant Natural Resource (SNR) regulations. Community concerns that the County’s Significant Natural Resource Inventory was old and that not enough was being done to protect the County’s designated Wildlife Habitat through the development process were compounded by changes made to state law requiring only clear and objective standards for all housing, not just needed housing on “buildable land.”

While work was underway to update the SNR regulations, there was a Land Use Board of Appeals (LUBA) appeal of an approved subdivision that contained Significant Natural Resources. This was followed by an Enforcement Order from the Land Conservation and Development Commission (LCDC). LCDC decided that, since some of the County’s critical natural resource standards were not enforceable because they were not clear and objective, the County was no longer in compliance with Goal 5. To address these issues, the County adopted changes to its SNR standards to be clear and objective through A-Engrossed Ordinance No. 869 in 2020. However, that ordinance was appealed to LUBA and remanded back to the County. LUBA found issues with the revised standards and decided that the process steps in the most recent Goal 5 rules needed to be followed when the changes affect a Goal 5 resource. A subsequent Enforcement Order was issued by LCDC directing the County to revise its regulations to address these issues by Oct. 1, 2024. In addition, LCDC issued a stay on certain development, effective May 4, 2023, which means the County cannot approve certain new land division and development applications for residential projects that would impact areas mapped as Wildlife Habitat. The stay will be in place until new regulations become effective. New regulations are expected to be adopted by Oct. 1, 2024, (see overall project schedule on the following page).

Figure 2: Overall Project Schedule



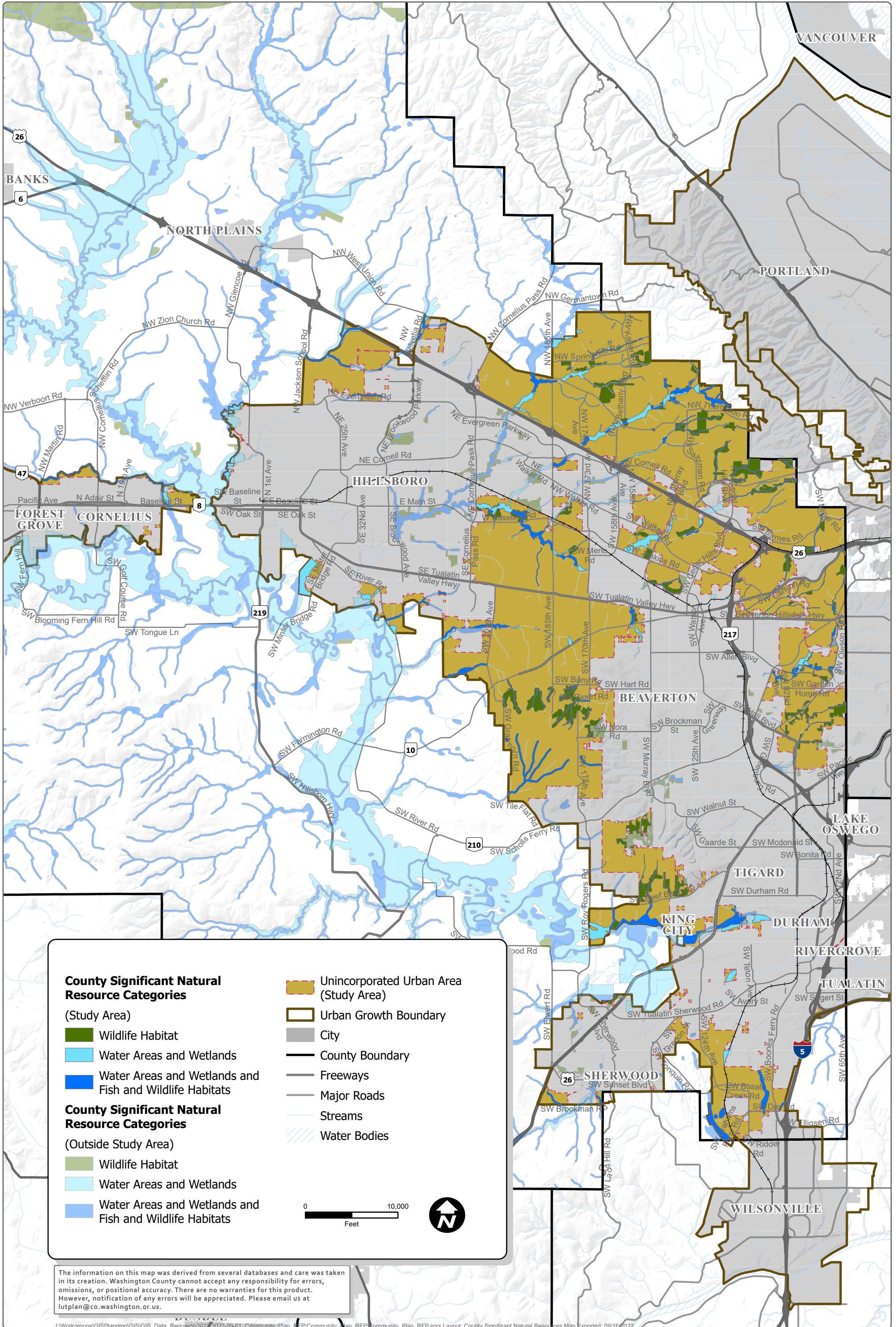
Additional background information can be found on the project webpage:

<https://www.washingtoncountyor.gov/lut/planning/snr-focused-look>

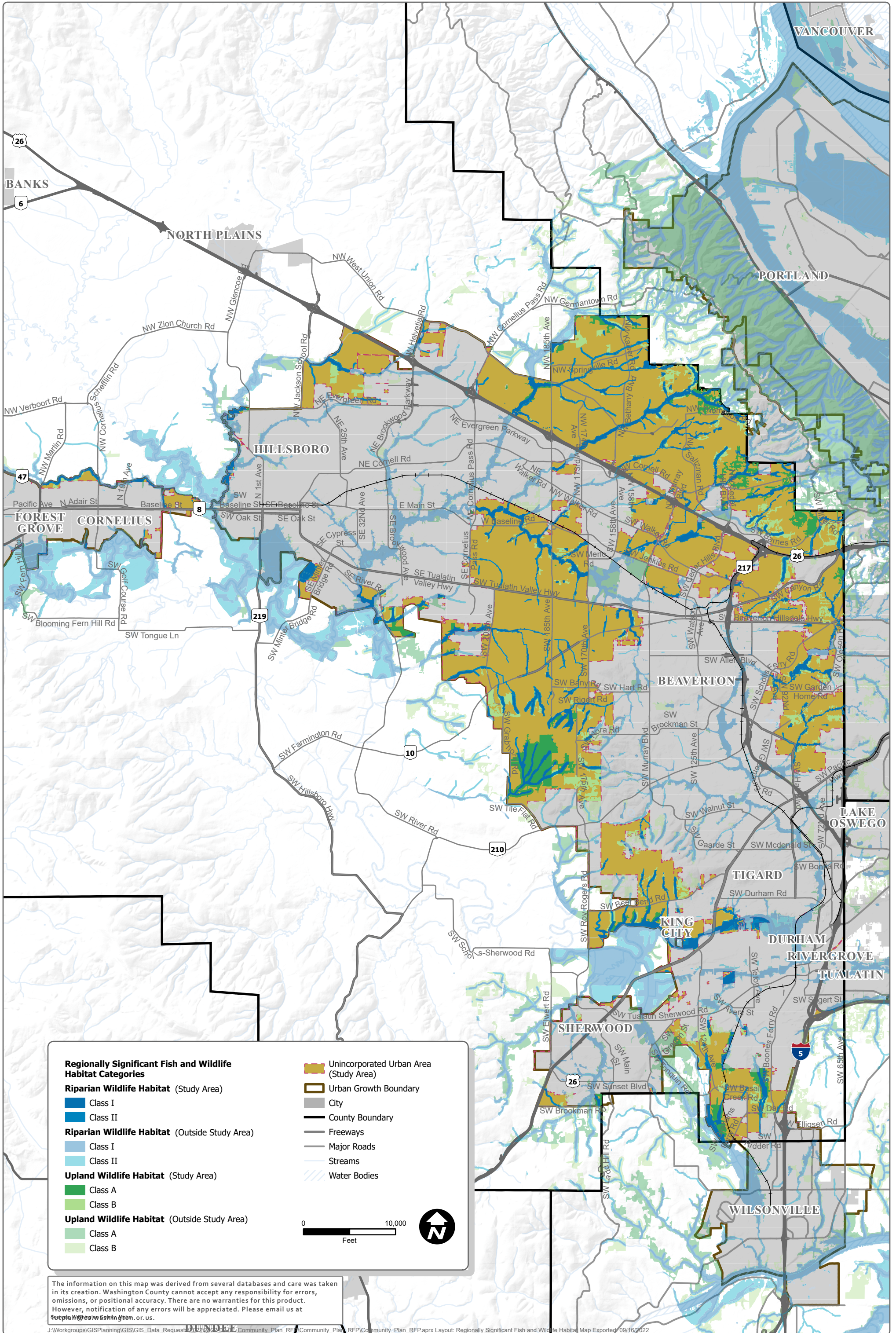
Primary Staff Contact: Michelle Miller, Senior Planner and Project Manager
michelle_miller@washingtoncountyor.gov or (503) 846-8101

Public Engagement Schedule at a Glance (5/31/23)

Public Engagement Activity	2023										2024		
	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Webpage Updates and Constant Contact Emails to Interested Parties	# 1 3/22/23 Intro/ webpage launch	#2 PEP available		# 3 See us at Summer Events		#4 Save the Date for OOH & CF #1		#5 Save the Date ESEE, Draft Concepts, Details on CF #2 & OOH				#6 Save the date Draft Code Language, CF # 3	#7 Draft Code language, reports ready, Filing
Key Stakeholder Meetings	3/14/23 CCI SNR	Project team available to meet with CPOs, CBOs and others throughout project (availability noted on project webpage and in mailings to interested parties)											
Technical Advisory Committee (AC)		Establish TAC		TAC #1 Project overview Inventory Methods	TAC #2 Inventory results, ESEE approach			TAC #3 ESEE, Draft Code Concepts				TAC #4 Draft plan policies and Code Language	
Property Owner Engagement					Mail Courtesy Notice								Mail Notice
Outreach to Culturally specific CBOs	Project team will conduct outreach to Community Based Organizations throughout Project timeline												
Community Forums/ Listening Sessions (CF)						CF #1 Inventory Map, ESEE approach		CF #2 Draft Code Concepts					CF #3 Draft Code Language
Online open houses/ surveys (OOH)						OOH # 1 Inventory, ESEE approach		OOH #2 Focused on Draft Code Concepts with Survey					
Community/ Tabling Events	Project team and LUT Ambassador staff will attend farmer's markets and local festivals through Spring and Summer												
Planning Commission (PC)	PC WS #1 PEP Briefing			PC WS #2 Inventory Methods Draft			PC WS #3 Inventory ESEE		PC WS #4 CF/TAC Debrief and survey				PC WS #5 Draft Docs for input



The information on this map was derived from several databases and care was taken in its creation. Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties for this product. However, notification of any errors will be appreciated. Please email us at lutplan@co.washington.or.us.



Overview of Draft Habitat Inventory Methodology

Prepared for the Technical Advisory Committee (TAC) by David Evans and Associates

May 31, 2023

This memo provides an overview of the proposed methodology to be used in the Washington County's Goal 5 Inventory update for areas within the Urban Growth Boundary. The primary purpose of the inventory work is to update mapping and the determination of significance (OAR 660-023-0030(4)) for the County's Significant Natural Resource (SNR) category, Wildlife Habitat utilizing existing Metro and County inventories. In addition, the mapped boundaries of the County's water-related natural resource areas will be adjusted to align with Metro's Riparian Habitat Class I and II, identified on Metro's Regionally Significant Fish and Wildlife Inventory map.

Geographic Information Systems (GIS) mapping technology will be used to update the County Inventory. The analysis will rely on existing geospatial data, including but not limited to the County and Metro Inventory map layers, aerial photography, topographical data, and Metro Regional Land Information System (RLIS) data that identifies developed lands, tax lots, and parks.

The Study Area for this project is defined as the Washington County Urban Unincorporated Area (UUA) circa 2023. A 200 ft buffer surrounds this study area to aid in the aerial assessment of connectivity and size of habitats within the study area.

Consolidating Existing Inventories

The overall process will consist of incorporating the County's SNR inventory categories into Metro's habitat mapping, specifically Upland Habitat Classes A and B, and Riparian Classes I and II. The goal is to identify the resource sites that are still significant, resulting in an updated County Inventory. Combining these distinct but overlapping inventories will result in a consolidated County inventory update within the study area. No new sites will be added beyond the natural resource sites identified and mapped on the County and Metro inventories, but the boundaries of resources may be refined.

The County's original Inventory of natural resources was completed in the early 1980s and is included in its Comprehensive Plan¹. The SNRs determined to be significant were sorted into categories based on the following classifications, found in Community Development Code (CDC) Section 422:

- Water Areas and Wetlands. 100-year flood plain, drainage hazard areas and ponds, except those already developed.
- Water Areas and Wetlands and Fish and Wildlife Habitat. Water areas and wetlands that are also fish and wildlife habitat.
- Wildlife Habitat. Sensitive habitats identified by the Oregon Department of Fish and Wildlife, the Audubon Society Urban Wildlife Habitat Map, and forested areas coincidental with water areas and wetlands.

¹ For the urban area these are mapped in the Community plans, for the rural area these are mapped in the Rural/Natural Resource Plan.

Metro’s natural resources were identified on the Regionally Significant Fish and Wildlife Habitat Inventory Map in the early 2000s and are categorized by both habitat type and value in Metro’s Urban Growth Management Functional Plan (UGMFP) Title 13, as follows:

- Riparian Wildlife Habitat Class I (high value), Class II (medium value),
- Upland Wildlife Habitat Class A (high value), Class B (medium value)

The County’s Inventory and Metro’s Inventory have many similar resource sites, however due to a variety of reasons they also have some differences. For example, the location and extent of County mapped water-related resources and Metro’s high and medium riparian habitat generally refer to the same types of resources; however, since the County’s SNR Inventory was based on flood plain mapping, it did not extend into areas with steep slopes. There are also differences due to map scale or the mapping technology available at the time of the County’s Inventory. The County’s Inventory is about 20 years older than Metro’s Inventory.

To do the initial consolidation of the inventories, we are proposing the following protocols:

Metro Habitat and County Habitat overlap conditions:	Proposed Classification	Rationale
Metro Riparian Habitat Class I and II <i>overlaps</i> with any County SNR category	Riparian Habitat	Metro Riparian Habitat area mapping is more accurate than County’s mapping of water-related SNRs and Wildlife Habitat, so Metro’s boundaries will be used. County SNRs will be reclassified as Riparian Habitat where they overlap.
Metro Upland Habitat Class A and B <i>overlaps</i> with any County SNR category	Upland Wildlife Habitat	Metro Upland Habitat Class A and B includes a qualitative assessment of the Upland Habitat whereas the County’s Wildlife Habitat does not. Also, Metro’s Inventory is more recent and accurate.
County Wildlife Habitat <i>does not overlap</i> with any Metro category	Upland Wildlife Habitat	County Wildlife Habitat mapping is typically focused on upland habitat but may also contain riparian or isolated forested habitats. This contrasts with Metro’s Upland Wildlife Habitat mapping that is solely focused on <i>upland</i> habitat. County mapped Wildlife Habitat that does not overlap with any Metro category will be evaluated through an adjustment analysis.
County water-related resources ^[1] <i>do not overlap</i> with any Metro Habitat category	Removed from inventory	Metro’s more recent Riparian Habitat inventory is considered more accurate than inventoried County water-related resources.

Determination of Significance

A great deal of development has occurred since the original County Goal 5 and Metro habitat mapping efforts took place. As previously noted, the Metro mapping is more up to date than the County mapping, but over 20 years have passed since that mapping was done. Therefore, the consolidated mapping from the

^[1] *Water Areas and Wetlands and Water Areas and Wetlands and Fish and Wildlife Habitat*

previously described steps will need to be updated to remove areas of mapped habitat that have since been developed and small patches of habitat that are no longer considered significant. Considerations in the determination of significance include:

- Development Status: Is the site already developed? Factors to consider could include parcel size and presence of structures.
- Wildlife Habitat patch size: What is an appropriate habitat patch size to consider? For example, should we use Metro’s two acre minimum patch size to identify significant Upland Wildlife Habitat?
- Protected status: Is the site protected by virtue of its ownership status? For example, known protected areas within approved developments (i.e., non-buildable tracts subject to conditions of approval or easements dedicated to conservation).

Incorporating Pre-Annexation City Concept Plan Habitat Mapping

Several cities in Washington County have completed or are in the process of completing Concept Plans for areas in the study area that they intend to annex into their respective city limits. As part of cities’ Concept Plan development, a detailed review of Goal 5 habitats is conducted, which provides a more up to date mapping of habitat types than current County Goal 5 mapping and Metro Title 13 mapping. Therefore, habitat mapping from these cities’ Concept Plans will be reviewed and incorporated into the County’s Inventory.

List of Cities with Concept Plan Area Goal 5/Title 13 Habitat Mapping

Concept Plan Area	UGB Expansion Area description	City Responsible for Planning
Basalt Creek	South of Tualatin and North of Wilsonville west of I-5	Tualatin and Wilsonville
Tonquin Employment Area	South of Tualatin Sherwood Rd. between Oregon St and 124 th Avenue	Tualatin and Sherwood
Brookman Road	South of Sherwood and east of 99W	Sherwood
King City	North of Tualatin River and east of Roy Rogers Road and west of King City	King City
Cooper Mountain	West of Beaverton, north of Scholls Ferry Road and south of SW Kemmer Road	Beaverton
South Hillsboro	South of TV HWY between 209 th and Century Blvd.	Hillsboro
Witch Hazel	South of TV Highway and east of River Road	Hillsboro
Hillsboro Industrial Plan	Mostly South of Hwy 26 and West of Brookwood Parkway	Hillsboro

Manual Review and Clean-Up

This represents the final step in the Goal 5 mapping update of the County’s SNR Inventory. To this point all mapping efforts will have relied on overlaying, adding, and/or subtracting various GIS layers in the study area. This last step will entail manual review and potential revisions to the County Goal 5 update mapping based on the following principles:

- Review will not occur in portions of the study area where Community Concept Plan habitat mapping from the municipalities listed above were used, as such data is presumed to be the most accurate available.

- Review will be a check for general consistency of approach across the study area (i.e., quality control review via desk top analysis). In some instances, where results are notably inconsistent with the desired approach described in previous steps, some manual digitizing (map fixes) may be applied. However, this will be the exception, rather than the rule. Given the large extent of the study area, available budget, and project timeframe, detailed parcel by parcel revision is not feasible.

Project Inventory discussion questions

Prepared for the Technical Advisory Committee (TAC)

May 31, 2023

We look forward to discussing the questions below at our June 6th meeting. You may want to think about these as you review the attached memo “Draft-Habitat Inventory Methods” prepared by David Evans and Associates. However, we do not expect you to come to the meeting with these fully answered. At the meeting we will be sharing additional information and GIS examples using the methodology. We will also be able to answer your questions.

Questions:

1. Do you agree with the general approach to the inventory? Do you have specific questions or comments for us to consider?
2. The inventoried wildlife areas (Metro’s Upland Wildlife Habitat (Classes A and B) and County-mapped wildlife areas (non-riparian)) have significant overlap. For simplicity, we are considering merging these non-water related habitat types into a single “Upland Wildlife Habitat” mapped category. This assumes that during implementation, the map could serve as an initial screening tool to determine if Upland Wildlife Habitat review requirements will be triggered. Does the group have any concerns with this approach?
3. As noted in the memo, we are proposing to consider non-significant (i.e., remove) isolated habitat patches that are smaller than 2 acres from the inventory (except in limited circumstances – see question 4, below). This is consistent with Metro’s general approach. What are your thoughts on this approach?
4. We are proposing to retain mapped areas that are within tracts owned by a Homeowners Association (HOA) as part of the Upland Wildlife Habitat inventory, versus removing them. Do you agree with this approach?
5. For areas that have been added to the UGB and have undergone concept planning:
 - a. How comfortable are the cities with the County using their draft inventories for this work? What are any things we should be aware of as we go down that path?
 - b. Should the County only include a city inventory if it has gone through the full approval process or is there an intermediate stage at which a City inventory can be pulled into the County mapping (e.g., after public comments have been resolved)?
 - c. What if the cities have used different habitat classes than the County? Could we use the same boundaries and just assign an appropriate County habitat type?