

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) RESOLUTION NO. 00-2885
THE CLEAR CREEK CANYON)
TARGET AREA REFINEMENT PLAN) Introduced by Mike Burton
) Metro Executive Officer

WHEREAS, in July 1992, Metro completed the Metropolitan Greenspaces Master Plan which identified a desired system of natural areas interconnected with greenways and trails; and

WHEREAS, at the election held on May 16, 1995, the Metro area voters approved the Open Spaces, Parks and Streams bond measure (Measure 26-26) which authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and capital improvements pursuant to bond covenants, Council-adopted "refinement plans," and Council-adopted work plan; and

WHEREAS, The Clear Creek Canyon regional target area was designated as a greenspace of regional significance in the Greenspaces Master Plan and identified as a regional target area in the Open Spaces, Parks and Streams bond measure; and

WHEREAS, on May 23, 1996, Metro Council adopted a refinement plan for the Clear Creek Canyon target area which aims to protect water quality, anadromous fish habitat, and creekside riparian and associated upland wildlife habitat adjacent to Clear Creek Ranch, a 342-acre Metro property; and

WHEREAS, to date, Metro has acquired 393 acres in the Clear Creek Canyon target area, including Clear Creek Ranch, which contains Clear Creek frontage, riparian forest, and upland meadow; and which has limited improved access to major roads; and

WHEREAS, the acquisition of three additional properties, currently outside of the Clear Creek Canyon target area but adjacent to Metro's Clear Creek Ranch, would improve access to Metro property, to protect the habitats described in the refinement plan objective, and enhance Metro's ability to manage and restore the Clear Creek natural area; and

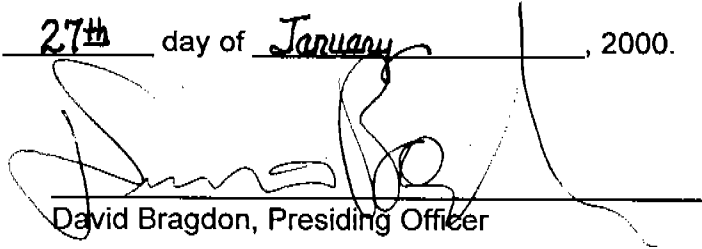
WHEREAS, Metro is under contract to purchase one of these three properties, subject to Metro Council's approval of this resolution; and

WHEREAS, Metro cannot acquire any of the three parcels unless Metro Council amends the Clear Creek Canyon target area map to include the three parcels; now therefore

BE IT RESOLVED,

That the Metro Council amends the Clear Creek Canyon regional target area refinement plan map to include the three properties listed by tax account number in Exhibit A.

ADOPTED by Metro Council this 27th day of January, 2000.



David Bragdon, Presiding Officer

Approved as to Form:



Daniel B. Cooper, General Counsel

EXHIBIT A
PROPERTIES TO BE INCLUDED IN CLEAR CREEK CANYON TARGET AREA

- | | |
|----------------------------------|---|
| 1. PROPERTY I: | R23E2901400
R23E2901300
R23E2902000 |
| 2. PROPERTY II (under contract): | R23E2901800 |
| 3. PROPERTY III: | R23E2901200 |

Staff Report

CONSIDERATION OF RESOLUTION NO. 00-2885 FOR THE PURPOSE OF AMENDING THE CLEAR CREEK CANYON TARGET AREA REFINEMENT PLAN

Date: December 22, 1999

Presented by: Charles Ciecko
Jim Desmond

PROPOSED ACTION

Resolution No. 00-2885, requests amendment of the Clear Creek Canyon target area refinement plan map as well as an adjustment of the acreage goal for the target area.

BACKGROUND AND ANALYSIS

In May 1995, voters in the region passed a bond measure enabling Metro to purchase open space properties with \$135.6 million worth of bond funds. The bond measure identified fourteen regional target areas and six regional trails and greenways for property acquisition, including the Clear Creek Canyon regional target area.

The refinement plan adopted by the Metro Council on May 23, 1996 (Resolution 96-2332), for the Clear Creek Canyon regional target area focused Metro's acquisition strategy on Clear Creek Ranch. Metro purchased this 342-acre property pursuant to the Early Acquisition provision of the Open Spaces Implementation Work Plan, with the transaction closing shortly after the passage of the open spaces bond measure. The Clear Creek Canyon target area refinement plan directs the open spaces program to "acquire additional acreage contiguous to Clear Creek Ranch for protection of anadromous fish habitat, creek-side riparian areas, and adjacent uplands." To fulfill this objective, the refinement plan anticipated that Metro would need to acquire a total of 500 acres.

To date, Metro has acquired 393 acres, including Clear Creek Ranch. The assembled acreage is a contiguous block of riparian forest and upland meadow. The opportunity to establish, manage, and restore a regionally significant natural area presently exists at Clear Creek.

To take full advantage of this opportunity, Metro must improve access to its property and acquire key parcels which are ecologically connected to Metro's holdings. Currently, access to Metro's holdings is provided via easement over unimproved roads. In addition, properties adjacent to Metro land but not targeted in the original refinement plan drain directly onto Metro property, thus creating the possibility that their management could adversely impact the Clear Creek natural area.

Metro can improve access and the biological viability of its Clear Creek natural area management unit while still fulfilling the above-quoted acquisition objective. Open Spaces staff has identified three properties, contiguous to Metro property and totaling about 150 acres, which, if added to the Metro portfolio, would accomplish this. Currently, Metro has contracted, subject to Metro Council approval of the attached resolution, to purchase a 55-acre property containing the type of upland habitat that the refinement plan intends to protect, as well as significant frontage on Springville and McCubbin roads, two major roads in the Clear Creek area. The remaining two properties also contain Springville Road frontage. More importantly for Metro, they contain dense, wooded areas, connected to Clear Creek by a small tributary. By acquiring these two properties, Metro could improve this habitat and further protect Clear Creek water quality.

While all of three of these properties are contiguous to Metro-owned land, they are adjacent to, but outside of, the refinement plan target area. Consequently, Metro Council would need to expand the refinement plan target area to allow Metro to purchase the three properties. These three properties, in addition to other properties in the target area deemed essential, will bring Metro's acreage in the Clear Creek Canyon target area to approximately 750.

FINDINGS

Amendment of the Clear Creek Canyon regional target area refinement plan map and acreage goal is recommended based upon these findings:

- The Refinement Plan for the Clear Creek Canyon regional target area states the following as its Tier I Objective: *Acquire additional acreage contiguous to Clear Creek Ranch for protection of anadromous fish habitat, creek-side riparian area, and adjacent uplands.* By amending the Clear Creek Canyon regional target area refinement plan map, Metro Council allows Metro to pursue achievement of this objective by acquiring key parcels, adjacent to Metro property, which contain both upland and riparian habitat.
- Management of Metro property is limited by the fact that two parcels are ecologically connected to Metro property but privately owned. By amending the regional target area refinement plan map, Metro Council would allow Metro to negotiate the purchase of these properties, and make their management and restoration consistent with that in the rest of the Clear Creek natural area.
- Current access to Metro's Clear Creek property denies Metro the option of establishing a regionally significant natural area that is easily accessible to the public. By amending the regional target area refinement plan map, Metro Council would allow Metro to acquire property that would significantly improve access to Metro property by establishing frontage on Springville Road.
- Metro has contracted to purchase a 55-acre parcel that is on Springville and McCubbin Roads and adjacent to Metro property. By amending the regional target area refinement plan map, Metro Council would allow Metro to purchase this property, improving Metro's access and adding to the protected acreage.

BUDGET IMPACT

Bond funds would supply acquisition money. Land banking costs would not increase significantly due to the additional acquisitions.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends passage of Resolution No. 00-2885.

METRO OPERATIONS COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. OO-2885, FOR THE PURPOSE OF AMENDING THE CLEAR CREEK CANYON TARGET AREA REFINEMENT PLAN.

Date: January 21, 2000

Presented by: Councilor Atherton

Committee Action: At its January 19, 2000 meeting, the Metro Operations Committee voted 3-0 to recommend Council adoption of Resolution 00-2885. Voting in favor: Councilors Atherton, Washington and Monroe.

Background: The Clear Creek Canyon Target Area was designated in the Greenspaces Master Plan and identified in the Open Spaces bond measure. Approximately 500 acres are needed to meet the objectives in this target area. Resolution 00-2885 adds three properties, totaling about 150 acres, to the refinement area. The recommended area is contiguous to the 393 acres already purchased by Metro, and would improve access and add protection to existing holdings.

- Existing Law—1995 Open Spaces Implementation Work Plan, adopted by Council, directs how refinement areas are established and modified.
- Budget Impact—Any acquisitions in the newly refined target area would come from Open Spaces bond proceeds.

Committee Issues/Discussion: There was committee discussion concerning tier 2 land to the north of current Metro holdings, which could also be purchased. Staff clarified that in the recommended refinement expansion area, one property is clearly interested in selling to Metro and two others are not yet so interested.