

## **MINUTES OF THE METRO COUNCIL MEETING**

September 14, 2000

Washington County Chamber

Councilors Present: David Bragdon (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton

Councilors Absent: Jon Kvistad, Rod Monroe

**Presiding Officer Bragdon** convened the regular Council meeting at 5:34 p.m. He noted that Councilors Kvistad and Monroe were both out of town.

### **1. INTRODUCTIONS**

There were none.

### **2. CITIZEN COMMUNICATIONS**

**Sharon Cornish**, Post Office Box 312, Hillsboro, noted that she lives outside of Metro's jurisdiction. She said she was confused by Metro's action on the St. Mary's property, versus its action in Bethany. She asked how Metro determines when exclusive farm use (EFU) land can be added to the urban growth boundary (UGB). She said Metro will be criticized about its conflicting decisions, because to the average person, it appears to have been a political decision.

**Councilor McLain** thanked Ms. Cornish for her testimony, and offered to speak with her further on the issue. She noted that the Land Use Board of Appeals (LUBA) remanded Metro's decisions on both the Bethany and Stafford areas, and the St. Mary's decision was still in court. The court cases involved a number of legal issues, including Metro's inclusion of EFU land in its UGB expansion decisions. She added that Metro is required to follow an exacting findings process when making any UGB decision, to demonstrate compliance with state land use laws.

### **3. EXECUTIVE OFFICER COMMUNICATIONS**

There were none.

### **4. AUDITOR COMMUNICATIONS**

There were none.

### **5. MPAC COMMUNICATIONS**

**Councilor Park** updated the Council on the September 13, MPAC meeting. MPAC heard a presentation on the 1997-2017 Land Need report. MPAC also reconsidered the question of Metro extending the UGB beyond a 20-year land supply, in order to fulfill the 2040 Growth Concept. Previously, MPAC had voted to oppose the idea. Last night the members voted to have no position.

**Councilor McLain** added that an MPAC subcommittee also forwarded its recommendation on the Goal 5 Vision Statement. She noted that the Vision Statement was developed through a joint effort of Washington County jurisdictions, Metro staff, and others.

## 6. CONSENT AGENDA

- 6.1 Consideration of minutes of the September 7, 2000 regular Council meeting

**Motion:** **Councilor Park** moved to adopt the minutes of September 7, 2000, Council meeting.

**Seconded:** **Councilor Washington** seconded the motion.

**Vote:** The vote was 4 aye/ 0 nay/ 0 abstain. Councilors Atherton, Kvistad and Monroe were absent. The motion passed.

## 7. ORDINANCES – FIRST READING – PUBLIC HEARING

- 7.1 **Ordinance No. 00-871**, For the Purpose of Completing Council Consideration of Urban Growth Boundary Amendments Required by ORS 197.299, Completing Periodic Review Work Task 1 and Adopting Amendments to the Regional Framework Plan and Urban Growth Management Functional Plan

**Presiding Officer Bragdon** referred Ordinance No. 00-871 to the Council Growth Management Committee.

**Dan Cooper, General Counsel**, and **Ken Helm, Assistant Counsel**, gave a brief explanation of Ordinance No. 00-871. A staff report to the ordinance includes information presented by Mr. Cooper and Mr. Helm, and is included in the meeting record. A copy of Ordinance No. 00-871, complete with Exhibits A through C, and a cover memo from Mr. Helm, are also included in the meeting record.

**Mark Turpel, Manager, Long-Range Planning**, gave a presentation on the 1997-2017 Land Need report. A printed copy of his presentation, and the 1997-2017 Land Need report, include information presented by Mr. Turpel and are included in the meeting record.

**Mary Weber, Manager, Community Development**, reviewed the Task 1 Timeline Adoption Schedule for the Metro UGB Periodic Review Work Program. A copy of the schedule is included in the meeting record.

**Presiding Officer Bragdon** opened a public hearing on Ordinance No. 00-871.

**Gordon Faber**, Mayor, City of Hillsboro, thanked the Metro Council for holding its meeting in Washington County. Mayor Faber submitted a letter of testimony into the meeting record. He asked Metro to coordinate and incorporate its estimate of regional land need, or subregional land need, with Hillsboro's need for more suitable land to accommodate a projected city housing need for 10,635 additional units over the next 20 years, as described in the Hillsboro Housing Needs Study.

**Councilor Atherton** thanked Mayor Faber for hosting the Metro Council's meeting. He asked Mayor Faber if Hillsboro currently has an excess of industrial land, which could be converted to residential land.

**Mayor Faber** said Hillsboro's available industrial lands are not suitable for residential use. He noted that Hillsboro recently converted about 70 acres from industrial use to residential use. He said it begs the question, is the state ready to give up on industrial development?

**Patrick Ribellia**, Senior Planner, City of Hillsboro, added that most of Hillsboro's industrial land is necessary to meet its employment targets in Metro's Urban Growth Management Functional Plan.

**Ralph Brown**, Mayor, City of Cornelius, thanked Metro's staff for working closely with Cornelius staff to develop the city's growth management plans. He said he is concerned about the area between Cornelius and Hillsboro. He does not want to force annexation on the residents in that area. However, the septic systems are failing, and something needs to be done. He concluded by noting that Cornelius needs additional industrial land, in order to maintain a reasonable jobs/housing balance.

**Councilor Atherton** asked if the Cities of Hillsboro and Cornelius have ever discussed sharing Hillsboro's industrial land tax base, since Cornelius acts as a bedroom community for Hillsboro.

**Mayor Brown** said it was politically unlikely that such an approach would work.

**Tom Hughes**, 2722 Southeast Hollyhock Court, Hillsboro, said he lives near the South Hillsboro Urban Reserve area, and has been a member of the Hillsboro Planning Commission for the past 15 years. He noted that he is neither in favor, nor opposed, to Ordinance No. 00-871. While he recognizes Hillsboro's housing shortage, he believes it is only one element of accommodating growth, and should be considered in conjunction with other elements, such as transportation and preservation of farmland. He said he is glad to hear that the region currently has a surplus of 100 housing units, because that will give more time to find solutions to the transportation problems facing the South Hillsboro area. He supports Metro's approach of looking at a regional housing supply, rather than trying to balance jobs and housing within each city's boundaries. He noted that Councilor Atherton's suggestion to convert industrial land to residential use is problematic, because most of the industrial land is already owned, and plans have already been made.

**Steve Larrance**, Citizens Against Irresponsible Growth, 20660 Southwest Kinnaman Road, Aloha, spoke about the South Hillsboro Urban Reserve area. Adoption of Ordinance No. 00-871 would enable the Council to look at areas for UGB expansion next winter. He said he has spoken with a number of the homeowners' associations that would be affected by development of South Hillsboro, and they are opposed to urbanization because of the lack of transportation infrastructure. He said in order for any area added to the UGB to meet Metro's required densities, the growth will need to be placed in areas where transportation infrastructure improvements are the most affordable. He said expanding the capacity of Highway 26 would cost less money per trip than any other road in the area. He added that the area south of Highway 26 would provide plenty of land for future industrial and residential development.

**Sandra Kennemer**, Secretary, Stoddard Homeowners Association, 20507 Southwest Venice Court, Aloha, submitted a letter from the Stoddard Homeowners Association. A copy of the letter includes information presented by Ms. Kennemer and is included in the meeting record.

**Greg Malinowski**, Malinowski Farm, 13450 Northwest Springville Lane, Portland, said he supports a delay in the expansion of the UGB, and in counting the 200-foot riparian areas. He said Washington County is not supportive of the riparian areas. A few years back, Wink Brooks, Hillsboro Planning Director, told him that Hillsboro's approach to water and wetlands is to fill them, so that the water will run as quickly as possible into the Tualatin River. He said there are regional issues, such as water quality, that cannot be addressed subregionally. He said there is no money to address the area's transportation problems, and Washington County does not know where it will get the money. He said extra time is needed to address the subregional transportation problems, while keeping in mind the region as whole. He gave an anecdotal account of the development problems in Charlotte, North Carolina, which resulted from a lack of regional planning. He concluded his testimony by urging the region to decide whether Hillsboro should become an industrial city of 400,000 people, or whether there should be agriculture in and around this part of Washington County.

**Robert Schmitt**, Cross Creek Homeowners Association, 20555 Southwest Rosa Road, Aloha, submitted a letter into the record. A copy of the letter includes information presented by Mr. Schmitt and is included in the meeting record. He added on a personal note, that much of the new high-density development has been poorly built, and will be run down in 25 years. He said development needs more planning and architectural standards, which are common in other cities.

**Councilor Washington** noted that the City of Portland created a stir when it opposed "snout" houses. He suggested that Mr. Schmitt speak with planners in Portland about their experience with design standards.

**Councilor Park** asked if Mr. Schmitt would recommend that Metro begin setting building standards, as it is not currently one of Metro's responsibilities.

**Mr. Schmitt** said architectural standards may help, although Metro may not be the right agency to impose them.

**Presiding Officer Bragdon** noted that the Cities of Portland and Forest Grove have set design standards, which Mr. Schmitt may wish to look into.

**Councilor Atherton** noted that Lake Oswego also has design standards for each neighborhood.

**Mr. Schmitt** said the Cross Creek neighborhood is 25 years old. The homes were well built and designed, with many amenities which are not found in most of today's developments.

**Robin Kuehnast**, 4140 Southwest 209<sup>th</sup>, Aloha, said she has lived in her current home since 1978, and has seen the area develop over the years. She described the current traffic problems, and noted that traffic in front of her home on SW 209<sup>th</sup> is completely backed up by 7 a.m. She said her history with Metro is checkered, and she wonders when Metro staff and elected officials will begin listening to citizens. She noted that many of Metro's decisions have been successfully appealed. She said she does not oppose growth, but infrastructure improvement must be taken into consideration, and expansion must be done responsibly. She said the density proposed for the St. Mary's property is absurd. She closed by thanking the Council for coming out to Washington County, and she urged the Council to listen to the area's residents.

**Presiding Officer Bragdon** closed the public hearing at 6:43 p.m.

**Councilor Park** said much of tonight's testimony has been focused on possible expansion of the South Hillsboro area. He noted that if the Land Need report is adopted as presented, Metro will not be looking at a UGB expansion. Instead, Metro will be looking at its needs, as required by state law, into the year 2002. Some of the concerns raised by Mayor Faber and citizens, like subregional need, will be considered. He clarified that Metro is not looking at a UGB expansion.

## 8. ORDINANCES – SECOND READING

8.1 **Ordinance No. 00-877**, For the Purpose of Annexing Approximately 14 Acres of Land in the Jackson Bottom Wetland Preserve Near the City of Hillsboro and Declaring an Emergency.

**Motion:** **Councilor McLain** moved to adopt Ordinance No. 00877.

**Seconded:** **Councilor Washington** seconded the motion.

**Councilor McLain** presented Ordinance No. 00-877. A staff report to the ordinance includes information presented by Councilor McLain and is included in the meeting record.

**Presiding Officer Bragdon** opened a public hearing. No one appeared to speak with regard to Ordinance No. 00-877. Presiding Officer Bragdon closed the public hearing.

**Vote:** The vote was 5 aye/ 0 nay/ 0 abstain. Councilors Kvistad and Monroe were absent. The motion passed.

## 9. ORDINANCES – SECOND READING – QUASI-JUDICIAL PROCEEDINGS

9.1 **Ordinance No. 00-872**, For the Purpose of Approving Urban Growth Boundary Locational Adjustment 00-1; Jackson Bottom, and Adopting the Hearings Officer's Report including Findings and Conclusions.

**Motion:** **Councilor McLain** moved to substitute Ordinance No. 00-872 with Ordinance No. 00-872A, which includes an emergency clause.

**Seconded:** **Councilor Washington** seconded the motion.

**Councilor McLain** presented Ordinance No. 00-872A. A staff report to the ordinance includes information presented by Councilor McLain and is included in the meeting record. She noted that while the criteria for similarly situated land was not a factor for this application, she would like the Council to address the criteria for locational adjustments in the next year.

**Presiding Officer Bragdon** said this is a quasi-judicial decision, and asked Mr. Cooper if any parties had standing to testify on this matter.

**Mr. Cooper** said the record to this matter is closed, and no exceptions were filed. Under Metro's procedures, there was no further opportunity for argument on this matter. On August 17, the Council heard the hearings officer's report and heard from the applicant. The matter is now up for Council decision.

**Councilor Park** asked Councilor McLain for clarification of her request to review locational adjustment criteria in the future.

**Councilor McLain** said she is not adverse to locational adjustments, but she believes Metro's criteria needs to be improved. One of the problems in the criteria is trying to address similarly situated land. It is a difficult criteria to investigate, analyze and prove.

**Vote:** The vote was 5 aye/ 0 nay/ 0 abstain. Councilors Kvistad and Monroe were absent. The motion passed.

## 10. RESOLUTIONS

10.1 **Resolution No. 00-2968**, For the Purpose of Granting an Easement to Multnomah County for Non-Park Use through Metro Property on Troutdale Road at Douglas Cemetery.

**Motion:** **Councilor Atherton** moved to adopt Resolution No. 00-2968.

**Seconded:** **Councilor Park** seconded the motion.

**Councilor Atherton** presented Resolution No. 00-2968. A committee report to the resolution includes information presented by Councilor Atherton, and is included in the meeting record.

**Councilor Park** added that passage of the resolution would not impact the cemetery.

**Vote:** The vote was 5 aye/ 0 nay/ 0 abstain. Councilors Kvistad and Monroe were absent. The motion passed.

## 11. COUNCILOR COMMUNICATIONS

**Councilor McLain** invited the Council to Forest Grove that evening to watch her daughter play soccer at 7 p.m.

## 12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 6:53 p.m.

Prepared by,

Chris Billington  
Clerk of the Council

## Metro Council Meeting

9/14/00

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<b>Document Number</b>	<b>Document Date</b>	<b>Document Title</b>	<b>TO/FROM</b>	<b>RES/ORD</b>
091400c-01	9/7/2000	Minutes of the Metro Council Meeting, September 7, 2000		Consent Agenda
091400c-02	9/14/2000	Ordinance No. 00-871 and Exhibits A, B, C; with cover memo	TO Metro Council/ FROM Ken Helm	Ordinance No. 00-871
091400c-03	9/14/2000	Staff report to Ordinance No. 00-871, with Attachments A	TO Metro Council/ FROM Andy Cotugno, Mark Turpel, Mary Weber	Ordinance No. 00-871
091400c-04	9/14/2000	Presentation of the 1997-2017 Land Need Report to the Metro Council	TO Metro Council/ FROM Mark Turpel	Ordinance No. 00-871
091400c-05	9/14/2000	Metro Urban Growth Boundary Periodic Review Work Program 2000, Task 1 Timeline Adoption Schedule, Ordinance No. 00-871		Ordinance No. 00-871
091400c-06	7/2000	1997-2017 Land Need Report		Ordinance No. 00-871
091400c-07	9/14/2000	Letter RE: 1997-2017 Land Need Report	TO Metro Council/ FROM Gordon Faber, City of Hillsboro	Ordinance No. 00-871
091400c-08	9/14/2000	Memo opposing inclusion of St. Mary's property in the UGB.	TO Metro Council and Hillsboro Board/ FROM Rob Combs, Stoddard Homeowners Association; submitted by Sandra Kennemer	Ordinance No. 00-871
091400c-09	9/14/2000	Letter RE: development of the St. Mary's property	TO Metro Council/ FROM Robert Schmitt, Cross Creek Homeowners Association	Ordinance No. 00-871
091400c-10	9/14/2000	Email RE: UGB Issues	TO Susan McLain/ FROM Greg Martin, Carlin Homeowners Association	Ordinance No. 00-871
091400c-11	9/14/2000	Ordinance No. 00-872A		Ordinance No. 00-872A
091400c-12	9/14/2000	Operations Committee Report on Resolution No. 00-2968		Resolution No. 00-2968