

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: March 6, 1997
DAY: Thursday
TIME: 2:00 PM
PLACE: Council Chamber

Approx.
Time*

Presenter

- | | | | |
|-----------|-----|---|----------------------------|
| 2:00 PM | | CALL TO ORDER AND ROLL CALL | |
| (5 min.) | 1. | INTRODUCTIONS | |
| (5 min.) | 2. | CITIZEN COMMUNICATIONS | |
| (5 min.) | 3. | EXECUTIVE OFFICER COMMUNICATIONS | |
| | 4. | CONSENT AGENDA | |
| 2:15 PM | 4.1 | Consideration of Minutes for the February 20, 1997 and February 27, 1997 Metro Council Regular Meetings. | |
| (5 min.) | 5. | ORDINANCES - SECOND READING | |
| 2:20 PM | 5.1 | Ordinance No. 96-655D , For the Purpose of Designating Urban Reserve Areas for the Portland Metropolitan Area Urban Growth Boundary; Amending RUGGO Ordinance No. 95-625A and Metro Code 3.01; and Declaring an Emergency. | McLain |
| (15 min.) | | | |
| 2:35 PM | 5.2 | Ordinance No. 96-665C , For the Purpose of Coordinating Comprehensive Plans by Establishing an Urban Service Boundary. | Naito |
| (60 min.) | | | |
| | 6. | RESOLUTIONS | |
| 3:35 PM | 6.1 | Resolution No. 96-2426 , For the Purpose of Adopting Policies for Coordination of City and County Comprehensive Plans. | Naito
<i>Morissette</i> |
| (5 min.) | | | |
| 3:40 PM | 7. | COUNCILOR COMMUNICATION | |
| (10 min.) | | | |

ADJOURN

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Agenda Item Number 4.1

Consideration of the February 20, 1997 and February 27, 1997 Regular Council Meeting Minutes

**Metro Council Meeting
Thursday March 6, 1997
Council Chamber**

MINUTES OF THE METRO COUNCIL MEETING

February 20, 1997

Council Chamber

Councilors Present: Jon Kvistad (Presiding Officer), Don Morissette, Susan McLain, Ruth McFarland, Patricia McCaig, Lisa Naito, Ed Washington

Councilors Absent: None

Presiding Officer Jon Kvistad called the meeting to order at 2:04 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATION

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

A. Budget Presentation

Mr. Mike Burton, Executive Director, was pleased to announce that the Government Finance Officers Association had awarded Metro the Distinguished Budget Presentation Award, the highest form of recognition in governmental budgeting.

He gave an overview emphasizing four areas of primary concern:

First and foremost—completion of the **Regional Framework Plan** mandated by Metro charter by December of 1997. A great deal of work had already gone forward but much remained to be done. Perhaps more significant than the plan itself was the ability of local governments—who had to date been collaborative partners with Metro in this process—to continue with implementation. The effect of Ballot Measure 47 was not fully realized at this point but we had strong indications that planning was an area where cuts may be made.

Metro, on the other hand had no choice but to carry out its charter-mandated responsibilities in this area and the budget and management of planning activities would focus on Metro assisting local governments who would need assistance.

Another priority was in the area of Metro's responsibility toward the **region's transportation system**. Focus had been placed, quite naturally, on light rail, completion of the west-side and continuation of the South/North line.

But a transportation system went far beyond light rail and quite bluntly, it was his opinion that our transportation system faced serious difficulties. The growth in population and freight into this region that we had experienced in the past few years had simply outstripped the ability of our system's infrastructure to keep up. A failure of the system would result not only in loss of personal travel access but could cost us any edge we had had in economic advantage to move commodities within and outside the region.

The legislature appeared to be only interested in adding additional cents to the gas tax without indexing. That meant any increase would be consumed, go flat and become negative within a short time span.

Metro must, therefore, continue to encourage alternatives to auto-use in the system--work to implement the recommendations of Tri-Met's Transit Choices for Livability Regional Advisory Committee. We must also look for non-road solutions to freight movement and ensure citizens had greater opportunities to walk or bicycle in the region.

A third area of emphasis was in Metro's **green infrastructure**. Here he spoke of looking beyond the operation of our park system and remaining purchases of open space. Those elements were particularly significant but our growth planning must also emphasize the need to preserve and enhance our watersheds and water systems. This budget allocated money for Metro to be a full-partner in the region's water consortium. The work being done by WRPAC was significant to the future livability of the region.

The full implementation of Title III and Goal 5 should be obvious to all. Yesterday, the Presiding Officer and he dedicated a plaque at Oxbow Park to commemorate the flood of 1996. The destruction done by the flood was incredible--and that was in an undeveloped area! Maintaining urban Greenspaces was a critical component to preserving watersheds, water quality and over all livability of the region.

And finally, the budget emphasized the **changing role we had in Regional Environmental Management**. This Council had already approved a change in our contract for waste disposal. As the market changed, Metro would find itself in a changing environment and its roles must adapt accordingly. The Council would soon have rate revisions before them as well as a code overhaul. The Council would also make decisions about future franchising opportunities and our regulatory relationship with local governments and facility operators. None of this should overshadow Metro's commitment to and responsibilities for waste reduction, reuse and recycling.

He was pleased to present his proposed budget for Metro for fiscal year 1997-98.

Development of this budget had been the most difficult of the three budgets he had proposed.

It had required a delicate balance of maintaining services for the preservation and enhancement of regional livability while Metro adjusted to reductions in revenues.

This budget continued to stress the themes he laid out at the beginning of his administration:

- Preserve and enhance regional livability
- Enhance Metro's ability to serve the public
- Increase Metro's efficiency
- Continue building partnerships with local governments

Again, this was a balanced budget with significant reductions in revenue while it adhered to the themes that were the core of our work here at Metro.

SLIDE 1

The total budget is \$391.1 million which was a decrease of \$33 million from the FY 1996-97 budget of \$424.4 million.

SLIDE 2

He was recommending an overall reduction of 6.7 FTE. That reduction would be greater if not for the 7.2 additional MERC FTE required by increases in facilities business and paid for by the anticipated increased revenue.

SLIDE 3

This budget broke new ground with the proposed \$4 per ton reduction in the solid waste tipping fee from \$75 per ton to \$71 per ton—the first ever reduction of the tipping fee. Action by the Rate Review Committee last night would bring the rate to \$70 per ton. As the Council could see on this slide, the reduction was even more significant considering the effects of inflation.

SLIDE 4

Revenue was down for several Metro functions, although not in all operations. Most significant were:
A projected loss of some \$1.7 million in property tax revenues at the Zoo resulting from Ballot Measure 47;
A drop in solid waste revenues from the proposed reduction of the tipping fee;
While there was no way to incorporate all the potential changes under the recently adopted facilities consolidation agreement, the budget did include \$600,000 from the city of Portland and the reallocation of Multnomah County hotel/motel tax revenue for the operation of the PCPA, and a 6.6% reduction in support service charges to MERC.

SLIDE 5

Total excise tax receipts were expected to remain stagnant, and the budget made no overall increases in General Fund program expenditures.

SLIDE 6

He had attempted to minimize the effects of Measure 47 on the operations of the Zoo in a number of ways, including reallocating \$170,000 in support services costs among other departments and utilizing contingency and reserve funds. However, the public would notice differences at the Zoo—the insect zoo would be closed, train hours would be reduced to peak season, landscaping would be reduced, small primates (exhibits such as the Tamarinds will be closed), and some events like the Valentine Poetry Contest and the Walk on the Wild Side would be eliminated. Also, he had had to make the tough decision to eliminate or out source 16 positions that would result in 10 lay-offs.

Measure 47 would have two major indirect effects on Metro beyond its direct impact on the Zoo:

FISCAL RESTRAINTS

Several Greenspaces acquisitions which were anticipated to be land banked and maintained by local governments would remain with Metro due to local governments' inability to absorb additional maintenance costs.

Local governments' capacity to implement 2040 and the Regional Framework Plan may be significantly reduced.

This budget reflected the focus of Metro's work in the following areas:

Preserve and enhance regional livability

Adhering to the Charter mandate to provide funds "sufficient to assure timely completion" of the Regional Framework Plan which must be adopted by December 31, 1997.

Enabled the Transportation Department to complete the Final Environmental Impact Statement for South/North Light Rail.

SLIDE 7

Continued early implementation measures for the 2040 Growth Concept. Metro had had the following requests for assistance from local governments in the planning area.

Continued Open Spaces acquisition program with funds authorized in the 1995 bond measure and included additional personnel to speed the acquisition process and meet the goal of making 85% of purchases by the end of the budget year.

Provided funding for the Transit Oriented Development program to promote development around transit corridors that was compatible with 2040.

Reduced waste disposal rates and streamlines REM, while continuing Metro's commitment to waste reduction and recycling in this region.

Included \$50,000 for the Regional Arts and Culture Council (RACC) to fund neighborhood arts programs throughout the region.

Enhance Metro's ability to serve the public

Undertook major design and preliminary construction work on the Zoo's Oregon Project, following approval of a \$28.8 million bond measure in September, 1996.

Appropriated funds for needed capital improvements at Civic Stadium and the Portland Center for the Performing Arts.

Provided capacity for increased maintenance at the Oregon Convention Center.

Expanded Metro's Internet presence and capability to provide increased access and information on regional growth management and livability issues.

Included election costs for a bond measure to expand the Oregon Convention Center (as was requested by Council)

Increase Metro's efficiency

Incorporated into the budget an anticipated reduction in the solid waste tip fee from \$75 to \$71, and in the regional user fee from \$17.50 to \$16.00. And as he said, given the increase in tonnage and the re-evaluation of rates at Forest Grove, he could support a \$70 per ton rate. The department was being reorganized and had been reduced by 5 FTE.

Implemented the first phases of InfoLink, Metro's new management information system, and continued work on succeeding phases.

Established a Data Warehouse to allow increased access to geographic information and free up Data Resource Center staff to make better use of their technical expertise both internally and externally.

Improved management of the Metro Regional Center parking structure to make it self-supporting and increase revenue.

Included a Capital Improvement Program in the budget for the first time.

Provided for more efficient purchasing procedures.

Consolidated the employee benefits program with Metro's other insurance programs.

Continue building partnerships with other local governments

Made technical planning assistance available to local governments for comprehensive plan reviews, zoning ordinance revisions, and model code development.

Focused efforts in Growth Management Services on assistance to local governments and individual communities to develop and implement public information and outreach programs.

Continued region-wide coordination of transportation planning activities including development of a final alignment for South/North light rail.

Coordinated regional efforts to address funding issues resulting from adoption of Ballot Measure 47.

Continued quarterly meetings of city and county administrators from throughout the region to share information on topics of interest.

Conclusion

Mr. Burton's 1997-98 Proposed Budget focused on maintaining services geared toward realizing Metro's charter mandate to perform "planning and policy making to preserve and enhance the quality of life and the environment for ourselves and future generations."

This budget accomplished this focus with a reduction in property tax revenues and solid waste tipping fees.

This budget met Metro's challenge to continue our work with the region's citizens and their local elected representatives to effectively manage growth, provide the regional services for which Metro was responsible, and meet the requirements of our Charter in efficient and cost-effective ways.

He looked forward to working with the Council in their process of reviewing his proposed budget and adopting a final budget for 1997-98.

Councilor McLain asked Mr. Burton if there was a new way Metro Council was going to review the MERC Budget? Executive Officer Mike Burton explained that he thought that MERC would bring a global budget within this fiscal year. MERC had been included in the budget and the balance of the line items came out the same.

Councilor McCaig indicated that the budget schedules were now available in the Chamber at this meeting. She announced that meetings would be held every Wednesday. Departments would be reviewing their budgets at those times.

4. MARTIN LUTHER KING JR. BOULEVARD UPDATE

Marian Hall and John Fregonese updated the Council on the \$25,000 allocation to the Martin Luther King Jr. Boulevard. Metro provided staff support to get the MLK project going. 500 housing units were under construction. Metro had worked with the City of Portland and Councilor Washington. \$15,000 would be used to design and implement improvements, removing some of the mediums, redesigning, to improve the streetscapes on MLK.

Councilor Washington expressed his appreciation for all of the staff's hard work on the MLK Project.

5. CONSENT AGENDA

- 5.1 Consideration of the Minutes of February 13, 1997 Metro Council Regular Meeting
Consideration of these minutes will occur on the February 27, 1997 Regular Council Meeting.

Presiding Officer Kvistad thanked committee members of both Metro Council and the MERC Board as well as Councilor Washington for their work in the MERC issues.

6. ORDINANCES - FIRST READING

- 6.1 Ordinance No. 97-679, For the Purpose of Annual Budget for Fiscal Year 1997-98; making the Appropriations and Levying Ad Valorem Taxes; and Declaring an Emergency.

Presiding Officer Kvistad opened a public hearing on Ordinance No. 97-679.

No one came forward.

Presiding Officer Kvistad closed the public hearing.

Presiding Officer Kvistad assigned Ordinance No. 97-679 to the Finance/Budget Committee.

7. ORDINANCES - SECOND READING

7.1 Ordinance No. 97-659A, For the Purpose of Adopting the Metro Code Title X, Metro Regional Parks and Greenspaces.

Motion: **Councilor Naito** moved the approval of Ordinance No. 97-659A.

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

Discussion: **Councilor Naito** said that this Ordinance was referred from Regional Facilities Committee. When Multnomah County transferred Parks and Facilities to Metro, their ordinances on those parks and facilities were kept in effect. Metro Council must now go forward with its own action. This ordinance protected the wild life, the vegetation, the structures and provided for orderly conduct within the parks and facilities. There were things such as no dogs clauses, no fireworks, no gambling, etc. The only controversial piece of this legislation might be an increase in fees. The reason for this was that this was all new ordinance language. A whole new chapter was being adopted. Overnight camping fees at Oxbow Park were being raised from \$9 to \$10. The entry fees at Blue Lake Park had been changed and the Chinook Landing Marine Park fee to \$4. The picnic area fees at Oxbow Park had been increased approximately 10%. A premium pass had been added as an annual pass in lieu of a daily entrance fee. This would cost \$50 per annum. This would be a value-added package to the public. Since this was not property tax funded in any way, this was not subject to Ballot Measure 47 and it was believed that there would be no decline in use of the parks based on these increases in fees since they had been very much in demand. It was believed that it was responsible for government to charge a reasonable rate for the service. It was also to be noted that there was a low income and disabled annual pass fee for \$10 and there was a commitment from Regional Parks and Facilities to work with people who were not able to afford the fees and still offer the services for them.

Presiding Officer Kvistad opened the public hearing.

No one came forward.

The public hearing was closed.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

7.2 Ordinance No. 96-655B, For the Purpose of Designating Urban Reserve Areas for the Portland Metropolitan Area Urban Growth Boundary; Amending RUGGO Ordinance No. 95-625A and Metro Code 3.01; and Declaring an Emergency.

Motion: **Councilor McLain** moved Ordinance No. 96-655C to replace the B version.

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

Discussion: **Councilor Naito** asked if the areas the council had already adopted based on the findings were included here and, in addition, what about the additions that Mr. Shaw recommended but were not adopted at the last meeting.

Councilor McLain stated the decisions made today would be what was being referenced on the amendments to those areas, either deletions or additions.

Councilor Naito sought further clarification on the issue and **Councilor McLain** stated the council was dealing today reflected the deletions, not the additions.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Councilor Naito stated that since she was the new member of Metro Council, she felt that everyone was wondering what her philosophy was with regard to this process. Councilor Naito supports the use of a 35-year period for the Urban Reserves. She had studied the testimony, not only from her district but from MPAC as well. Councilor Naito stressed that with the 2040 Plan, Metro was trying to do things differently and change direction in how a livable yet for urban and compact future was planned. That did not happen overnight but rather took time. She was optimistic that these goals may be successfully accomplished. Farm land could be most effectively protected if that approach was taken. She stated that she had held discussions with other members of Metro Council and knew that her view was a minority position. Other members of the Council believed that a 43-year time period should be undertaken. Under her view, Metro Council would need to revisit this issue in ten years and, under the majority view, Council would most likely be able to go as long as 15 years without revisiting this issue. She stated her recognition of the fact that the other Councilors had been working on this for some time and believed that a 43-year time period fits better with the other work that they had been doing. She believed that reasonable people could disagree on this issue and, as she participated today, she would try to help this Council make a better package in terms of some of her perspectives yet she also believed strongly that Metro Council should reach resolution on this issue and so she was not interested today in revisiting some of the sites that she knew were supported by a majority of the Council and will still be included. Some of those sites may be litigated in the courts and therefore that would be the time that they would be resolved of whether they were included or not. When one considered that the City of Denver added approximately 60,000 acres last year along and our area was debating about a 5,000 acre difference for roughly the next 40-year period, she believed that the Council really was on the same page on this issue. Even though various members may advocate for some differences of opinion, the general agreement was that the bulk of growth that was going to occur in the future would occur within the existing Urban Growth Boundary and there was a great challenge ahead in terms of planning for that, community involvement for that, investments in infrastructure to handle that.

Presiding Officer Kvistad stated that Metro Council's challenge continued to be to build better urban form. This process had been a challenge and had been difficult at times. His hope was that this would be the first step building up a better and stronger region in which to live.

Presiding Officer Kvistad announced Site No. 1

Motion: Councilor McCaig moved to delete Site 1 and Site 2 together.

The arguments, she asserted, were the same for both sites.

Seconded: Councilor McFarland seconded the motion.

Discussion: Councilor McCaig stated that much debate had occurred with Metro's partners, both on the local level as well as on the state level. This was not resource land but was exception land. There ere two very large tracts. Site No. 1 had approximately 534 acres. Testimony had been received over the last several weeks to the effect that both Sites 1 and 2 contained the headwaters to Johnson Creek. Sites No. 1 and 2 were difficult for purposes of development in terms of infrastructure needs and

they did not fit with any community. They were not specifically aligned with any community. Urban form sprawl was therefore to be noted. Councilor McLain had proposed on behalf of Oregon City, approximately 400 - 500 acres in exception lands which Councilor McCaig would support. If the total goal was 18,000 acres, some of those would need the addition of exception lands which was appropriate. Councilor McCaig supported this concept. These two sites were ripe for deletion. They had environmental constraints. They were not supported by the local governments. They did not contribute to the urban form.

Councilor Naito stated that testimony had been received with respect to the flooding on Johnson Creek that had already occurring. This had been an ongoing problem. In light of the fact that the headwaters were located in these sites, she would support this motion.

Councilor McLain stated that she would vote against this deletion. First, the notion that it was difficult to serve and difficult insofar as expenses were concerned, was relative. Some of the work that Metro had done in the preliminary cost studies on infrastructure had demonstrated that this particular acreage looked about the same. The difference between the high and low on some of the basic services was really very small. Second, it was exception land. Secondary to the findings done on this urban reserve package, one of the items considered in the second state letter discussed the consistency of the package and the consistency of the findings. These exception lands were similar to other exception lands that had been included. It was also part of the responsibility that Metro had taken on in the findings of making sure that it followed the 2040 Growth Concept and we had some very specific reasons about why Metro did not take the exception land to the north of Highway 26 to honor the separation of community and not having to penetrate the green corridor between Gresham and Sandy. It was important to remember that Sites 1 and 2 were exception lands. They were needed for the consistency of the findings package and they did help with the 2040 Growth Concept.

Presiding Officer Kvistad stated that he would not support deletion of this since it was exception land and it was land that Metro is trying to use instead of farm land.

Councilor McCaig closed by stating that if the issue was exception land and if Metro Council had decided that interest existed in arriving at a target figure of 18,000 acres, it was possible to arrive at that target only using exception lands. If that was the goal, then she would move to delete farm land. Two opportunities had existed on how to put this package together. The overall number of acres could be reduced and put together a package that allowed the inclusion of some exception land and, in specific cases where a special needs case could be made, bring in some farm land. What Metro Council had moved into doing was believing that as long as exception lands were jammed into this process, somehow justification was obtained for adding farm land. That was not what the state letter said. That was not the case that the State of Oregon made. The state had been critical of the package that Metro had assembled. They had asked specifically to remove farm land and, in some cases, exception lands. They had asked Metro to give specific sites another review for additional exception lands. This was not a case of balancing the number of exception acres against farm land acres.

Motion: Councilor McCaig moved the deletion of Sites 1.

Second: Councilor McFarland seconded the motion.

Vote: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors Washington, McLain, Morissette and Presiding Officer Kvistad voting nay.

Presiding Officer Kvistad announced Site 2.

Motion: Councilor McCaig moved deletion of Site 2.

Seconded: Councilor McFarland seconded the motion.

Discussion: Councilor McCaig stated the same discussion applied to Site 2 as did to Site 1.

Vote: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors Washington, Morissette, McLain and Presiding Officer Kvistad voting nay.

Presiding Officer Kvistad announced Site 5.

Motion: Councilor McLain moved deletion of the EFU (exclusive farm use) land from Site 5 which was approximately 48.5 acres.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McLain stated that as the findings were improved as per Metro's own analysis as well as the State of Oregon review, it was important for us to take out as much of the EFU (exclusive farm use) land as made sense. Findings did not exist for these 48.5 acres of EFU (exclusive farm use) land. The rest of the land was exception land. This deletion would improve the findings and would improve the total package.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Presiding Officer Kvistad announced Site 14.

Motion: Councilor McLain moved the addition of the Rock Creek Stream Corridor in Clackamas County to Site 14.

Councilor McLain explained this addition seemed necessary not only for the 2040 Growth Concept but also for water quality, flood mitigation issues as well as protection of green space. It would allow for more protection under the jurisdictions of the urban reserve and the urban reserve planning Title III as well as the model ordinance. For the protection, not development, of Rock Creek, Councilor McLain asked for this addition.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McCaig asked which staff was involved in this decision.

John Fregonese, Director of Metro Growth Management Services, replied that Rock Creek was a very steep corridor; a steeply incised channel. Because of the topography, Area 14 did not include any of that Rock Creek Corridor because it was not buildable. When the analysis was completed, it was not included since it was not appropriate for building purposes. At this point, however, if Rock Creek was not added to the urban reserve, it could not be added to the Urban Growth Boundary. Therefore, the Urban Growth Boundary would exclude the Rock Creek Corridor. It must be zoned open space, not developed and must be protected. This would be an unincorporated area running through what will one day be a city. Metro Staff completed this assessment, in answer to Councilor McCaig's query.

Councilor McLain stated that the decision as to whether to include a green space within or without the Urban Growth Boundary was made on a case-by case basis, deciding as to whether which status ('in' or 'out') would offer the most protection to the area under question.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Presiding Officer Kvistad announced Site 15.

Motion: **Councilor McLain** moved deletion of the area north of the power lines which ran parallel to Monner Creek.

Councilor McLain continued that this did not interfere with the Clackamas County issues regarding with the State Route 147 which was in the process of being upgraded for safety purposes.

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

Discussion: **Councilor McCaig** stated that this would delete approximately 30 acres.

Councilor McLain stated that was her estimate as well.

Vote: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilor Morissette and Presiding Officer Kvistad voting nay.

Presiding Officer Kvistad announced Sites 17 through 26.

Motion: **Councilor McLain** proposed the addition of approximately 400 acres of exception land to the above named urban reserve areas.

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

Discussion: **Councilor McFarland** asked if Councilor McLain was proposing the addition of 400 exception acres to areas 22-26. Was this Metro staff who proposed this or was it the City of Oregon City staff?

Councilor McLain replied that both staffs agreed with this proposal.

Presiding Officer Kvistad asked concerning Site 24: Had a deletion already been made on this Site?

Councilor McLain stated that this was the case.

Councilor McCaig asked Mr. Fregonese if the 400 acres were originally in urban reserve study areas?

Mr. Fregonese replied that these acres were on the edge of the urban reserve study areas and the data which was true for the study areas was also true for these acres. Only exception land was being added in these cases.

Councilor McCaig asked that if a person was a property owner, not originally in a study area, would there be property owners who would find themselves newly in this process as a result of this action. She stated that she would support the motion.

Mr. Fregonese replied that a few were in as a result of this. Most people were added as a result of the City of Oregon City squaring up the border with regard to property lines. Some areas were not in the original study area that were on the edge where whole new parcels were added when the parcels were on the order of a few acres. There may be some people who would be in the urban reserve that were not in the urban reserve study areas.

Councilor McLain answered that all of the maps of the urban reserve study areas had been blobs. There were no definite lines. These people that had been in these areas had been invited to the public meetings through a number of different strategies. The first definite area would be coming after this particular package had gone forward. Metro had not, up until this time, had definite edges.

Councilor Naito wondered if what Metro Council adopted at next week's meeting would be lot line specific.

Councilor McLain answered that next week, after the vote, the urban reserve would become a lot-line specific area.

Presiding Officer Kvistad announced that the action taken by Metro Council today actually set in place what would be voted on February 27, 1997.

Councilor Naito questioned whether or not in the intervening week, this will become lot-line specific?

Councilor McLain answered her in the affirmative.

Councilor McFarland asked that if any land owner found themselves inside the urban reserve boundary who had not had prior knowledge or prior awareness, would they have an opportunity come before this body if they so desired?

Councilor McLain answered that because there were no definite lines, those people had already had three years of review to come forward with those comments. She stated that at the Beavercreek Open House, people stated they were not in the urban reserve study area and that had gone on at all the open houses. Constituents had not been notified as being in an urban reserve. They had been notified that they were close to an urban reserve study area.

Councilor McFarland once again asked: Would land owners have an opportunity to come before this body? Councilor McLain replied that they would have this opportunity at next week's council meeting.

Councilor McCaig stated that she would be voting for the proposal because she believed that fundamentally that the argument about the criteria being generic and having a spill-over effect on the additional land was correct. She further stated that she believed it was problematic for those property owners if the logic held that it was just a blob, then everybody in the state would be appearing before Metro Council because they wouldn't know where the blob ends and, in fact, it didn't. Metro did identify study areas and it was safe to assume that some people may have believed they were safe from Metro.

Councilor McLain stated that just because of the thoroughness of this discussion, people from Jackson County had testified on this issue. People from the State Department of Agriculture had also testified concerning this matter. Letters had been received from many different state agencies addressing these concerns. Everyone in the State of Oregon was interested.

Councilor Washington asked of John Fregonese approximately how many homeowners were in that area.

Mr. Fregonese replied that a few dozen were involved.

Councilor Washington said that, in addition to sending these property owners notices, Metro should attempt to contact them by telephone so that they may come to testify if they so desired.

Councilor McLain stated that this was a delightful idea and volunteered to make all the telephone calls.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Presiding Officer Kvistad announced Site 30.

Motion: Councilor McCaig moved deletion of 190 acres from this parcel.

Seconded: No second was forthcoming.

Presiding Officer Kvistad declared the motion had failed due to the lack of a second.

Presiding Officer Kvistad announced Site 31.

Motion: Councilor McCaig moved the deletion of Site 31.

Seconded: No second was forthcoming.

Presiding Officer Kvistad declared the motion had failed due to the lack of a second.

Presiding Officer Kvistad announced Site 32.

Motion: Councilor McCaig moved the deletion of Site 32.

Seconded: No second was forthcoming.

Presiding Officer Kvistad declared the motion had failed due to the lack of a second.

Presiding Officer Kvistad announced Site 35.

Motion: Councilor McLain moved removal of 1.6 acres of EFU (exclusive farm use) land from this parcel.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McLain stated that the middle section of this parcel contained two or three exception areas that had a small piece of EFU (exclusive farm use) land that simply was not deleted. No findings existed for these small acreage's of EFU (exclusive farm use) and there were no special needs for these small pieces. Deletion improved the findings a great deal.

Councilor Morissette stated that since he owned property relatively close to this parcel, he would abstain from the voting on this property.

Vote: The vote was 6 aye/ 0 nay/1 abstain. Presiding Officer Kvistad declared the vote had passed on a 6/0/1 vote with Councilor Morissette abstaining.

Presiding Officer Kvistad announced Site 36. He stated that two amendments on this parcel are presently before the Council for consideration.

Motion: Councilor McCaig moved that 33 acres be added to Site 36.

Seconded: Councilor McLain seconded the motion.

Discussion: Councilor McCaig stated that this was a site right next to Site 37 in Wilsonville. The Mayor of Wilsonville testified at the last meeting that if Site 37 was to be kept, then she would prefer that Site 36 also be kept in its open space designation. Originally the County believed that it would be safer if it were to be left out which was why Metro moved it out in the first place. Site 36 need to be added for protection purposes.

Councilor McLain stated her support for this proposition.

Presiding Officer Kvistad stated his support for this proposition. The City of Wilsonville had a very aggressive tree and open spaces ordinance in place which would protect this area. The City of Wilsonville was very appreciative with Metro's reconsideration of this item.

Councilor McFarland stated that she was ready to vote.

Vote: The vote was 6 aye/ 0 nay/ 1 abstain. Presiding Officer Kvistad declared the motion passed on a 6/0/1 vote with Councilor Morissette abstaining.

Presiding Officer Kvistad announced Site 41.

Motion: Councilor McCaig moved the deletion of a portion of Site 41.

Seconded: There was no second to the motion.

Presiding Officer Kvistad declared that this motion failed due to the lack of a second.

Councilor McCaig stated that it was important for the record to reflect that Site 41, which was known as the Wilsonville Site, had significant resource lands; 285 acres of resource lands. It was not supported by the State of Oregon. Wilsonville did not want it. It would cost Metro a world of trouble. It had no local government support; it did not have the Executive Officer's support and it did not have the state support. It was prime farm land and it was not surrounded. Why were we leaving it in? That was the reason she moved to delete portions of Site 41.

Councilor McLain stated that the findings with regard to Site 41 would speak for themselves.

Presiding Officer Kvistad announced Site 46.

Motion: Councilor McLain made the motion for inclusion of 110 acres in Site 46.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor McLain stated that Site 46 had had some exception land removed earlier. Testimony had been subsequently received on this exception land. The State of Oregon had declared that consistency was needed in the category of exception land that was in the package including some of the Oregon City area exception land just recently. There was a YMCA that was sitting near the site. There were road improvements that had been put in place. There was a frontage road and both the City as well as the State had been working together in partnership on some of those issues so the efficiency and ease of service were issues that deal with this exception land. It was important for Metro to have a consistent package that we sent forward on urban reserves and this should be included.

Councilor McCaig commented that this was exception land and the entire reason for the discussion was for the purpose of determining urban form. Look at the big picture of what Metro Council was attempting to do. Because something was an exception land did not necessarily mean that it should be included in

an urban reserve. There was not a logical extension that exception lands must be urban reserves. They provided buffers all by themselves. Site 46 had only one constituent supporting it. It was not originally supported by the City of Sherwood. It was only exception land that would, in fact, protrude into prime agricultural land and set a direction for development of agricultural land that was not a good thing. If Metro wanted to believe that the State of Oregon's messages should be applied to this product, then there were a whole series of issues that the State had raised from the numbers that we were using to the consistency of application of the numbers to the inclusion of specific sites of farm land, many of which, so far, we had ignored. She would question the State as the reason to include this property. There were four votes to keep it out before. She would hope that we would continue to keep it out because it set the wrong direction for development in the region.

Councilor McLain closed by responding to a couple of those issues. First of all, the Council was not done with their package yet. What the amendments that deal with the farm land as per State of Oregon requests and State comments. Number two, she would like to also point out that the numbers in the findings and in the package would support the Council numbers. Additionally and most importantly, the 2040 Growth Concept was served with this particular piece. There were some issues that we had already talked about in the Sites 1 and 2 over in Gresham that we retained. We took out part of that area because it did not suit our growth management growth concept 2040 because of penetration of a green corridor. We made a conscious choice that we would not use the exception land to the north of Highway 26 because of both a good boundary for the 2040 compact urban form and also because of one of the basic separation of community elements that we had running through the 2040 Growth Concept. This particular issue also had to deal with efficiency of service including transportation service and where the center of the Sherwood downtown / oldtown was and where the State highways were and where the new frontage roads would be and where would be the best place to build the future Sherwood in the next 50 years? Looking at the infrastructure and looking at wanting to make sure we had full service community, this offered some of those opportunities through this 2040 Growth Concept. She hoped the Council would vote their heart and that was fine with her.

Councilor Morissette stated that since he had some property close to this area, he would withdraw his second.

Presiding Officer Kvistad called for an additional second on this item.

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

Vote: The vote was 2 aye/ 4 nay/ 1 abstain. The motion failed with Councilors McCaig, Naito, Washington and McFarland voting nay and Councilor Morissette abstaining.

Presiding Officer Kvistad announced Site 49.

Motion: **Councilor Naito** moved the exclusion the northern most portion of Site 49.

Second: **Councilor McCaig** seconded the motion.

Discussion: **Councilor Naito** stated that when the Council voted on this parcel in December, 1996, and to exclude that middle EFU (exclusive farm use) portion, it changed the efficiency factors as far as this portion went. Testimony had come in with respect to the steepness of this exception land and also Summer Creek ran through there. Since the Council was voting to exclude exception land at this point, she thought the record needed to be very clear on what the factors were that warranted that exclusion. As far as utility feasibility, the sewers were not available in that portion. Washington County Commissioners

opposed the site. They believed that it was a very difficult one to serve. There was a road problem here. There was no direct access from the existing Urban Growth Boundary on Murray Hill. A lot of internal streets were already developed. There was private easements. There was no transit available. As far as efficiency factors, there was about a 15% slope generally and some of it was quite steep. It was already highly parcelized and there were deed restrictions on some of the properties. There were significant environmental constraints. We were purchasing, through the Green Spaces program, some area near here. It was a significant natural resource area. It was the headwaters of Summer Creek. It was a wildlife corridor. Some of the slopes were about 25%. The Audubon Society had submitted testimony to request removal. In terms of access to town centers, she talked with people in the Murray Hill area who often drove to Lake Oswego which was much farther away rather than Beaverton just because of the traffic and road problems in that area. The Council was not going to achieve the kind of compact design and would not get any kind of density out of this area because of significant environmental concerns here, she did think that northern portion should be excluded.

Councillor McLain said in looking at the findings, which were really important to her as far as the exception land being deleted. One of the elements that she was concerned about was that Metro had used the reasoning of efficiency because of steepness and also because of the fact that there were a number of parcels that were small and partitioned. There was, on the corner, what she would call the northeast corner - there were 27 acres there that was in one contiguous piece and had been clear cut. Also, if one would look down at the bottom - (she noted on the map) - on Road 175, there was a fire station and there was at least a twenty-acre piece going up from there that had one or two ownership's and was it a contiguous piece? Would it be Councillor Naito's purpose to exclude all of it and just what she considered to be steep and not efficiently served?

Councillor Naito said in light of the environmental constraints, she believed that the whole northernmost portion should be deleted. With regard to the issues she spoke to earlier, it was not just the topography of individual parcels of the land that may be included but all of the factors that she had mentioned before including the headwaters of the creek, the wildlife corridor, the steepness of the slopes, and the local government had indicated that it was very expensive and difficult to serve and transportation issues as well. She thought all of those factors supported deleting the whole northern portion.

Vote: The vote was 6 aye/ 0 nay/ 1 abstain. The motion passed with Councillor Morissette abstaining.

Presiding Officer Kvistad announced that Site 50 would be considered.

Mr. Michael Morrissey, Council Analyst, asked staff how many acres that was. His guess was that it was about 250 acres.

Mr. John Fregonese affirmed that it was about 250 acres.

Motion: **Presiding Officer Kvistad** moved to delete Site 50.

Seconded: **Councillor Morissette** seconded the motion to delete.

Discussion: **Presiding Officer Kvistad** said that Site 50 was the other area on the top of Cooper Mountain. He noted the site on the map. This area was on the northern portion of Cooper Mountain. He noted the parcelization of this parcel on the map. This area has about 80% developed with minimum lots sizes of about 1 acre. Most of the homes were limited to one acre minimum lot size by deed restrictions, with prohibitions against subdividing lots. These deed restrictions had been consistently upheld by the courts. The small area of undeveloped land in Site 50 was scattered throughout. He noted the small bits of undeveloped land on the map in three areas. It had been parcelized on the local maps. Of

those sites, two of those had CCRs in place once they were subdivided. Therefore, it would be very difficult to get any density what so ever. What separated undeveloped areas from developed areas with deed restrictions was not practical and only a few acres of undeveloped land were adjacent to the Urban Growth Boundary, he noted the parcels on the map. The largest acre of undeveloped land was about 20 acres, it had the steepest slopes and was effected by an adjacent creek. He asked the Council to move for deletion of this parcel in that Metro would not be able to achieve densities on this land, therefore, to put it in simply for the sake of having acreage would not be productive.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor McCaig voting nay. Presiding Officer Kvistad announced that Site 50 was deleted.

Presiding Officer Kvistad announced that Site 51 would be considered.

Motion: Councilor McLain moved to amend 6.2 acres out of Site 51.

Seconded: Councilor Washington seconded the motion to amend.

Discussion: Councilor McLain noted that these acres were EFU and noted these areas on the map.

Vote: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilor Morissette and Presiding Officer Kvistad voting nay.

Presiding Officer Kvistad announced that Site 53 would be considered. He had two competing amendments from Councilors Morissette and McFarland.

Motion: Councilor McFarland moved to add Site 53.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor McFarland said that this site was known to the Council as the "stump farm". It was 204 acres with 183 acres of resource land and 21 acres of exception land. This had not been farmed in many years, the City of Hillsboro had encouraged the Council to put it in so that they could include the site in their planning activities and make a logical extension of the city limits. While it seemed that it was farm land, she had gotten considerable calls from people who had talked about how hard it would be to farm and with the surrounding area, part of which the Council had passed up and part of which the Council may yet consider, she believed that it would be completely enclosed in the same kinds of binding Urban Reserves that would prevent its use as farm land. She urged the Council to add this to the Urban Reserves.

Councilor McCaig commented that part of her difficulty on this was that these sites were not independent, they were related to each other. It was one of her reasons for requesting that the Council put off Stafford and St. Mary's until the Council saw what happened with some of the other farm lands because the total product would be reviewed not site by site but as a total product. She understood that the relationship of this site was not because of its independent nature as a stump farm, whether it could or couldn't be farmed, but because it was next to St. Mary's. Who in their right mind would not want to add that piece of property if St. Mary's was in. She had said all along she would be prepared to deal with Site 53 once the Council had gotten through the process and saw what was left in terms of prime farm land versus exception lands and the total number of acres. As it was because the Council was not allowed to take things out of order she would be voting no on Site 53.

Councillor McFarland said she understood Councillor McCaig's remarks about this piece but she still felt that it had not been farmed in quite some time and in deed would take a great deal of effort to put it back into a position where it could be farmed. She urged the Council's aye vote.

Vote: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councillors McCaig and Naito voting nay. Presiding Officer Kvistad announced that this site was added to the urban reserve.

Presiding Officer Kvistad announced Site 54.

Motion: Councillor McCaig moved to delete 189 acres, Site 54.

Seconded: No second, the motion died for lack of a second.

Councillor McCaig stated that it mattered to her how the whole product looked and she had been willing to consider St. Mary's as a potential site. Unfortunately by the way the process had come together she thought the State had been very clear that it was not an acceptable piece of property given the other pieces of property that were currently contained within the Urban Reserves. Again, had the Council been able to deal with this at the end of the process she might have been able to make or not make a motion depending upon what was done with sites 56, 59, 62, 64. It was prime farm land, not surrounded, there was a lot of controversy around it and it allowed for future urbanization in areas that she thought the Council was not interested in seeing urbanized.

Councillor McLain said that the findings would speak for themselves. This was the reason she did not second the motion. First she wanted the audience to understand that the Council was not willy-nilly, not knowing how many acres they would end up with as far as the package whether the Council started at Site 1 or Site 72. There were many of the Councillors who had been working on this for over 5 years, read the findings and knew when they were voting that they would end up with a particular type of package. She believed that the findings did strongly support efficiency reasons, regional job center reasons, dealt with the reason that there was exception land to the left of St. Mary's that she thought did give this particular acreage some coverage of urbanization around this vote.

Presiding Officer Kvistad said what he would like to do in the future was to allow Councillors to explain their votes without commenting to their vote explanation.

Presiding Officer Kvistad moved to Site 56. He had competing amendments, Councillors McLain and McCaig.

Motion: Councillor McLain moved to delete Site 56.

Seconded: Councillor McCaig seconded the motion.

Discussion: Councillor McLain explained that this particular site was in her district, Site 56 was at Forest Grove known as the Zueker property. Because of the fact that the findings had not shown or proven to be worthy of the entire package of urban reserves that would go forward, it was all EFU land, there was only 22 to 23 buildable acres in this site, and there were no findings that were defensible or could be forwarded, she asked for all of the EFU Site 56 to be removed.

Councillor McCaig indicated there had been a very heated debate between Councillor McLain and her originally where she had moved to delete the site. This property had a long history in front of the Metro Council, having gone to LUBBA, been appealed, and did not receive support from the State that it should

have been an amendment at that time. It was in the flood plain, it was not the proper place for future development. She urged the Council's support to delete Site 56.

Councilor Naito supported the motion. It tied in with several other sites in this region that were proposed for industrial sites. While she understood that the local jurisdictions had some economic development needs in terms of their tax base and may desire additional land for industry, this really reflected the huge problem in the west end with the jobs housing imbalance. It did not make sense to her to add more industrial sites in this area, rather the Council should be looking into the Oregon City or Clackamas County area for industrial sites to address the jobs housing imbalance. These three sites specifically in terms of adding industrial sites would exacerbate the existing problem. She did not believe that they met the specific land need exception in terms of the findings.

Presiding Officer Kvistad said one concern on this site and the next site the Council would be voting on was that there were two independent cities, the cities of Forest Grove and Cornelius. The Council was looking at the regional urban form and the jobs housing balance. It was very difficult for him to simply say jobs or industry should be exported somewhere else in the region when there were cities in need of those jobs and in need of land on which to site them. Unfortunately this site, while he would like to support it, he had to reluctantly agree with Councilors McCaig and McLain. He did not believe that due to its current configuration that it was supportable. He would not be able to support the site.

Councilor McLain said the main reason for her vote was because she did not believe that there were not enough findings for the special needs that it would take to go forward.

Vote: The vote 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Morissette voting nay. This site was deleted.

Presiding Officer Kvistad announced Site 59. Councilors McCaig and McLain had competing amendments on this site.

Motion: Councilor McLain moved to delete Site 59.

Seconded: Councilor McCaig seconded the motion.

Discussion: Councilor McLain said that this was the Cornelius site they had just discussed. Councilor McCaig was right, they had quite a lengthy debate in the last go around about this site. She felt it was extremely important to try to let Site 59 and 56 get through the entire findings process to see if they could find appropriate special needs that they would have to come under because it was EFU. She was convinced that they did not have enough of a findings in this area for the special needs designation that it would have to come under. As much as she hated, as a District Four Councilor, not to give some of that industrial land to those particular communities, she thought it was important for the Council to have the integrity and consistency of the findings that would let them have defensible findings for the process.

Councilor McCaig urged the support of the Council to delete Site 59.

Councilor Naito said there was testimony from farmers that were actively farming this property. The creek that was cited as a barrier was in fact not a barrier and the farmers could go on the road around with their equipment. It was important to recognize the importance of the agricultural economic development in the county as well as the need to have industrial uses.

Councilor McCaig followed up she thought it was important, as we talk about allocating industrial land or other kinds of lands, to ensure that the local jurisdictions were in fact using the land for the purposes in which they were allocated. This was a prime example where there in fact had been some industrial lands.

set aside, which from appearances indicated that it was not being used for industrial development, one saw a cinema and residential kinds of things on the land. She hoped as the Council looked forward to the Functional Plan about what was going on inside the boundary that the Council was assured that in fact the kinds of development the Council wanted see were actually happening.

Presiding Officer Kvistad echoed his comments that he had on the last parcel.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Presiding Officer Kvistad announced Site 62 and noted that he had competing amendments from Councilor McCaig and McLain.

Motion: Councilor McLain moved to delete the EFU land in Site 62 below the Sunset Highway and add Site 63A and 62 above the Sunset Highway.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McLain reviewed the map, the top part of the site was exception land, the part on the very top side of Sunset Hwy., Sites 62 and 63A, were lands that had shown a great deal of efficiency in the findings for affordable housing for the job base that was so close. She reiterated that her motion was to just delete the EFU land in the circle. There was approximately 195 to 200 acres. She felt that at this time, Site 62, because of consistency with the other findings and the other urban reserves that the Council had that the Council did not have the findings at this time to forward it. She thought that in the future this urban reserve process was not over forever, there would be other years when the cities in District Four would have issues that they needed to bring forward. At this point with the rest of the package, Site 62 was not defensible. It was important that Site 63 and Site 62 above the north because of defensible affordable housing issue and also the exception land below the Sunset Hwy. remain in.

Presiding Officer Kvistad reviewed the motion, to delete Site 62 below the Sunset Hwy. in the circle area. Above the Sunset Hwy., Site 63A and 62 would remain in the urban reserves. Was that correct?

Councilor McLain said that was correct, the addition of 63A and 62 above the Sunset Hwy.

Presiding Officer Kvistad said that all of the resource lands encircled would be deleted.

Councilor McLain reiterated that all of the resource lands in the circle would be deleted.

Councilor McCaig said that Site 63A was not on the table right now.

Presiding Officer Kvistad said that it was part of the motion. The motion was to delete the resource land in Site 62 because 62 extended above the Sunset Highway. The motion made by Councilor McLain was the deletion of all of the resource land in 62 encircled and the addition of Site 63A which was outlined by dots.

Councilor McCaig asked why 63A was not being dealt with separately?

Councilor McLain said that this was part of the discussion in the original vote. The Council dealt with all of these in one discussion. She reiterated that the top parts where in, noting the dotted line. She reviewed the map. The findings that the Council had that she could support were 63A addition and 62 north of the Sunset as affordable housing high efficiency and being close to the job base in Hillsboro.

Presiding Officer Kvistad clarified that the small circle would be the land that was currently in Site 62 that would be retained as well as the land just south of the Sunset Hwy. Site 63A would be the land that would be added if the motion passed. The deletion would be the area encircled in red.

Councilor McCaig said that her motion would be to delete all of 62 which did not deal with Site 63A because 63A had the tip of 62 and the rest of a site called 63A. She argued the point about keeping Site 62 separate from Site 63A. There were exception lands that Councilor McLain said she would include in her proposal which would be part of Site 62. Councilor McCaig argued that these should not be included. Councilor McCaig asked if they could separate Site 63A.

Councilor McLain asked Mr. Shaw if this would be OK.

Mr. John Fregonese said that 63A was the entire piece in the dotted line that had the circle and the cross out. Site 63A was a diagonal line with the southern portion of 63, about 8 acres. It would be appropriate to treat them separately.

Councilor McLain said that if Mr. Shaw was comfortable with this, she was also. She would accept a friendly amendment to consider each site separately.

Presiding Officer Kvistad announced that this would split into two motions. The first motion would be on the deletion of the southern portion which would be 62 outlined in the circle. An additional motion would be on the addition or non-addition of Site 63A. Should the motion fail there would be an additional opportunity for an additional motion from Councilor McCaig who had one before the Council which would delete the entire parcel.

Motion: **Councilor McLain** moved to amend her motion to delete Site 62 outlined in red.

Seconded: **Councilor Washington** seconded the friendly amendment.

Discussion: **Councilor McLain** believed that, the circled red area of Site 62 which was the industrial area of approximately 195 to 200 acres, the findings on EFU land was not compelling enough to go forward with this package of urban reserves. She believed that this city as well as Forest Grove would have opportunities to make their case but she did not believe it helped the findings nor did she believe it was defensible at this point, it was all EFU land.

Councilor McCaig clarified Site 62, with the 200 acres of EFU land, left about 42 acres of exception land, of those 42 acres of exception that were not included in Councilor McLain's motion, when the Council considered Site 63A, would land be added on to that site?

Councilor McLain said that they were just talking about the red for Councilor McCaig's benefit.

Councilor McCaig continued that the State had said that on Site 62 the exception lands in fact were fundamentally changed by the removal of just the circle red and argued that for the purposes of this discussion that the Council should be deleting both the EFU lands and the exception lands. The removal of these ag lands changed the character of those exception lands located in the northern part. The exception area protruded out into ag lands, designation as an urban reserve would allow for the future urbanization of a finger of land amongst the highly productive agriculture land. The State recommended that this exception area not be designated as an urban reserve. She wanted to make sure that she could vote yes with Councilor McLain to take out this piece and then come forward with a motion to delete the rest of the exception lands.

Presiding Officer Kvistad told Councilor McCaig that she would be allowed to do that under the circumstances that they both had a competing amendment that overlapped.

Councilor McCaig said, rather than just one motion to delete the whole package?

Presiding Officer Kvistad clarified for Councilor McCaig that she could move to amend what was on the table or follow-up with her own motion.

Councilor McCaig said she understood and that the motion on the table was to delete the EFU land?

Presiding Officer Kvistad said that was correct.

Councilor Naito indicated that she supported the motion to delete the EFU portion of Site 62, in light of the fact that she believed it was not supported with the findings. Hillsboro had this other site, the Seaport properties, that was designated for industrial now and they wished to convert that to residential. Her philosophy on this was to support adding that exception land and even the Site 63A later for residential development. There could be some high density residential development on the Site 63A piece which was not being farmed now in order to serve the industrial uses and jobs out in that area. This was the rationale she was going through, trying to address the jobs housing imbalance by taking this industrial piece out of the urban reserves, the Council was now putting the Seaport property back into an industrial type of designation. She was trying to balance these competing needs.

Presiding Officer Kvistad said this was any area of real concern for him. He had been oscillating on this, his personal feeling was that this was industrial land and the Council should bring it in for that purpose. It was located near high tech plants, there was a major problem with farming next to high tech plants that needed filtered air in order to function and he believed that farming in this area could harm the new plants that were going out there and providing jobs. At this time based on the information that the Council had received from the State and other factors, he had to support the deletion of this item.

Councilor McLain said that the whole issue on this site was timing. She thought that it was a contradiction of other sites that were important to Hillsboro. Independently on their own they might be able to stand but because of the timing and the issues that they were trying to be bundled with it was not going to work. She urged the Council to delete Site 62 at this time. She clarified that it was the EFU in the red circle.

Presiding Officer Kvistad reviewed the motion, to delete the area of resource land which was surrounded by red on the map before the Council. If the Council voted yes, they would delete the land, if they voted no it would be to retain it.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Morissette voting nay. This item was deleted.

Motion: **Councilor McCaig** moved to delete the remaining land in Site 62 which did not include Site 63A.

Councilor McLain asked about the lighter gray in the middle circle, the Council was talking only about the exception land.

Presiding Officer Kvistad said that was correct. The motion that was before the Council was the area that was indicated by Mr. Fregonese plus the land that was north that was currently in. The motion was to delete all of the rest of the area that was before the Council.

Councilor McCaig restated her motion, it was the remaining exception land south of the Sunset and the additional EFU land which was north of the interstate was what was left of Site 62 that she was moving to delete.

Presiding Officer Kvistad said that there was no Site 62 south of the exception land at this point because the Council voted it out.

Seconded: There was no second on the motion.

Presiding Officer Kvistad moved to the motion on Site 63A.

Motion: **Councilor McLain** moved to include Site 63A.

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

Discussion: **Councilor McLain** said that the Council left the rest of Site 62 in. The findings indicated that with the efficiency of both of the roads and a major freeway exit/entrance on the Sunset Hwy. that these eight acres would be very efficient for affordable housing. It was very close to the job base that was just talked about in Hillsboro. She asked the Council to support Site 63A, which was not being farmed.

Councilor McCaig said she would be voting against this again. The reasons for voting against this motion had to do with the overall pattern of development that the Council was attempting to design. She appreciated the need for affordable housing but as the Council looked at that parcel, not isolated by itself, but look north, the Council was beginning a pattern of development. As Councilor Naito said, if you put high rises in there and start having more transportation needs in there, that was going to be where five to ten years from now, the Council would come back and look for future development. She thought this was the wrong direction for this region to go in order to accomplished the goals that had been set out in 2040 and particularly since the Council had just added a variety of opportunities for affordable housing down along the northern part of Washington County. She would be voting no.

Presiding Officer Kvistad commented that he would disagree with that particular judgment on this item as well as some others in that he thought what it did was assumed the failure of the 2040 Growth Process and assumed that the regional and local partners would not be able to do the things that they had committed to do. He believed that the five years of work that he, many of the members of staff and Council had been in, would be far more productive in terms of providing better for urban form for the long term and that Metro would be successful.

Councilor McCaig said as a result of that she would like to point out that the site itself was not recommended by the State, the Executive, local partners, or another universe of partners that Metro had who would be pursuing this broader goal with Metro.

Presiding Officer Kvistad followed up by saying that the responsibility of this Council was to build better urban form and picking sites that did that. The State recommendations were fine, he believed that in certain respects they had a job to do to bring forward in terms of general discussion as well as comments by the regional partners but they did not have the responsibilities that the Council did to put this package and program together. He thought that the work the Council had done spoke for itself. He thought it was very good work. He respectfully disagreed, he believed it did qualify.

Councilor McCaig said that she did not disagree that the Council had a role of leadership, to take some risks. In fact she was willing to take some risks with both St. Mary's and Stafford but the result of the remainder of this process and the fact that in order for the Council to be successful they had to have some

partnerships with people in the region, the Council could not be out there entirely by themselves with this product. In her view this had no legs, it did not even have a moderate level of support from anyone else who in the past had been Metro's partners in pursuing 2040 goals. This was what worried her.

Councilor McLain responded that the Metro Code was coming next. As far as the partnerships, she had sat through every meeting on these issues and there was support out there. There was support for the 2040 Growth Concept and it was an acknowledge growth plan along with the RUGGOs document. She believed the Council was doing their job by showing some leadership with the 2040 growth concept as well as the Council's responsibility of management of the Urban Growth Boundary.

Presiding Officer Kvistad said that they had based their decisions on Urban Reserves based on MPAC and Council decisions about the Growth Report and what the needs would be. That Growth Report was developed with optimistic numbers based on information that was put forward by the local partners prior to Measure 47. At this point the local partners were talking about that they might not be able to accomplish some of those goals. That did not mean that the region would need less land, it meant that the region would need more land in terms of the urban reserves because of the long term need for land if the region couldn't accomplish inside the boundary what was needed to accomplish. He thought that rather than expand the number of acres that the Council wanted to add that this reduction was healthy. He felt that the Council would come up with a number below the Growth Report number. In the long run this should be a very positive and pro-active way to go.

Presiding Officer Kvistad reviewed the motion on the table, this motion added Site 63A.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor McCaig voting nay.

Presiding Officer Kvistad said that they would consider Site 64 next.

Motion: Councilor McLain moved to delete the EFU land from Site 64 and add 17 acres to make a better boundary at the road.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor McLain explained that in Site 64 the Council had taken out the EFU land to the north and to the east. There was a portion of EFU that staff forgot to take out. She asked for that EFU land to be amended out and add 17 to 18 acres of triangle to make a better boundary at the road. Metro had been approached by the property owner there indicating that if the Council was going to leave all of it out, then fine. But they were completely surrounded with urbanization and there was a hard road on the other side. The Council had also taken away the only other filbert orchard that the farmer leasing the farm land was farming, thereby no longer making it profitable to farm this 17 acres by itself. She asked the Council to make a better boundary and to take out the EFU land to the east.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Presiding Officer Kvistad announced the consideration of Site 65. He said that there were three members of the Council who had competing amendments in this area, Councilors McCaig, Naito and McLain.

Motion: Councilor Naito moved to delete the EFU land and exception lands in the middle of parcel 65.

Seconded: Councilor McCaig seconded the motion.

Discussion: **Councillor Naito** said the reason for the motion was that Springville Road was a good barrier between all of the development that was occurring and the resource land to the north. Once you developed farther it would lead to urban sprawl because there was no other good barrier. According to the findings she did not believe that they passed muster and the State had also said there was no specific need that they were pointing to in terms of a jobs/housing imbalance or any other specific need that had been identified. It was not within the Hillsboro district. The efficiency factors should go way down if a new analysis was done because she believed it was this portion that was excluded by the Council in December that actually added to the increase in the efficiency ratings for the rest of the parcel. She did not believe that Site 65 would pass muster in terms of the findings when you considered that EFU land was included. The State's letter indicated that if this parcel was brought in, the fact that the parcel was surrounded on three sides by development or exception land did not necessarily justify bringing it in.

Councillor McFarland asked how much of the land that was being taken out was being farmed?

Councillor Naito said that she believed this area was being farmed (pointing to the map) as well as an area that had a nursery on it, the Fishback property.

Councillor McFarland indicated she had received calls from the Fishbacks and other farmers on the part that was being recommended to be taken out.

Councillor McCaig said that the aerial picture showed fairly clearly where the farming was in that site. She spoke to the exception land contained within the proposal. In reviewing the findings and the State's position they made it very clear that they believed that by leaving those exception lands in and taking the ag lands out that we would fundamentally be changing the character of those exception lands and the land around it. This was the reason for the proposal to take out that whole batch including the exception lands in the middle. It changed the overall composition land around it by leaving those exception lands along. She reiterated that the proposal was to take out both the EFU and the exception lands in the middle of the parcel.

Councillor McLain said she had voted no to exclude this twice but she could not vote for that amendment because of what was just done. If everything along Springville Road was removed it created a finger of land that came up, a narrow piece and that road over there to the right, Kaiser, where she questioned the efficiency there or what was left was worth doing at all. If there was going to be a deletion of the whole thing, she had voted no twice on that. She had an amendment that was on the board that would delete just the EFU to the right because there was efficiency and at least two major facilities and road to deal with that way. She could not vote for this motion in that configuration.

Councillor Naito said she would consider a friendly amendment to delete what Councillor McLain spoke of, however, she had talked with Legal Counsel and in light of the fact that it was exception land she was advised that it was preferable to leave this in terms of the exception land and because of the road that could service it. The reason she made the motion she had was on the advise of Legal Counsel.

Councillor McLain said that this was one of those areas that was hard because there was exception land and there was EFU land. The issue was that when you leave EFU land in, you must make sure that there was a reason for efficiency or special need. There must be a reason that you can prove that that EFU land was different than some other EFU land that had been deleted. This piece had been carved up many times. In carving it up again the Council must have something that was defensible. She asked Mr. Shaw to respond.

Mr. Shaw said that he did not mean to advise that the exception land finger had to stay in. He merely said that because exception land was the first priority under the Urban Reserve Rule, it would be defensible to.

leave exception land in. This was part of the problem with the Urban Reserve Rule, it did not get very specific about issues like the Council had just dealt with on Site 46, a chunk of exception land surrounded by EFU land. The State of course felt that the Council should take this land. In effect if the Council approved this motion as stated, they would be deleting exception land that was surrounded by a farm land once again. He thought the individual area and the Council's knowledge of it, especially on boundaries and the major urban services like streets, sewer and water must be the way that findings were supported on these parcels.

Councillor McCaig said she started from the position that she would move to delete the whole parcel. Given that Councillor McLain said that she originally supported deletion, Councillor McCaig asked that the Councilors consider this as a friendly amendment.

Councillor Naito said she would accept this friendly amendment. She said she may have misunderstood Legal's recommendation.

Presiding Officer Kvistad announced the amended motion which was complete deletion of the parcel in total.

Councillor McLain said if there was not enough votes on this she would be coming back with her motion.

Motion

To Amend: **Councillor Naito** moved a friendly amendment to delete all of Site 65.

Seconded: **Councillor McCaig** seconded the motion.

Vote: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors Washington, Morissette, McFarland and Presiding Officer Kvistad voting nay.

Motion: **Councillor McLain** moved to delete the resource land east of Kaiser Road on Site 62.

Seconded: There was no second on the motion, it died for lack of a second.

Discussion: **Councillor McLain** said that it was at the edge of the site and with the two pieces of exception land in there, she thought that there was a corner of that that fed into what was left of that area of resource land. She noted that she had voted against 65 twice and this was her last attempt to do the right thing about the exception land and the EFU land in this area because it was mixed.

Presiding Officer Kvistad asked Mr. Fregonese if that was a power corridor along 66 or a road?

Mr. Fregonese said it was the power corridor.

Councillor McFarland asked Mr. Fregonese to show her where the two farms were on the map.

Presiding Officer Kvistad responded that the two farms were the two squares within the triangle.

Presiding Officer Kvistad said that the parcel portion of this meeting was completed and called for any further additions or corrections, indicating they would require four votes. There were no further additions or corrections to the parcels. He announced that the Council would move to the Code portion of the ordinance. He had proposed a Code ordinance, however, Councillor McLain was moving forward the Code change recommendation so he withdrew his code motion. The items before Council was dealing with the

Code itself. He noted the set of amendments brought forward by Councilor McLain, Chair of the Growth Management Committee.

Councilor McLain asked to attach Exhibit A to the Urban Reserve Ordinance. The Exhibit A were the amendments to the Metro Code 3.01. She brought to the attention of the Council that these amendments on the Metro Code Urban Growth Boundary amendment procedures including amendments based on recommendations made by the advisory groups and also members of the Growth Management Committee had review them. It had been to MTAC four times, MPAC four times and WRPAC twice. The Committee also had comments back from affordable housing advocates and Legal Counsel on wording for many of the jurisdictions. There was also a meeting with two of the subcommittee members of MPAC and John Fregonese who were on a subcommittee that would be reviewing this one more time at the MPAC meeting on February 26, 1997. The significant changes that had been made she listed for the Council on the front of the packet. She read these and added numbers 5 and 6. Number One was that the new 3.01.012E2 to allow a UGB amendment without city agreement or annexation if necessary to comply with the 2040 Growth Concept or State requirements for needing housing or a 20 year land supply. What this did was allow Metro to fulfill their responsibilities of management of the Urban Growth Boundary. Two, adding descriptions of orphan sites for application 3.01.012E3. At the committee level they had gotten discussion from both lawyers and from consultant and local jurisdictions that Metro needed to call out the orphan sites and they did so. Three, the deletion without public subsidy. There was a section on affordable housing which both Mr. Washington and herself and the affordable housing advocates and Coalition for a Livable Future had been trying to work through to take care of the major issues and concerns. It had been brought to her committee's attention by some MPAC members, some lawyers, and consultant that they were denying affordable housing with the wording 'to be dealt with any public subsidy'. They were at the point where it was important to have all strategies for both private and private funding of the affordable housing issue. That was an issue that should be discussed at this meeting and one that she had found some agreement on this particular issue among this Council. At least three or four members had discussed this issue with her so she brought this forward. Four, revising 3.01.012E13 to require city or county review not approval of the Urban Reserve Plans. These were Metro Urban Reserve Plans, this was the Metro Code and the Metro designation of Urban Reserves. How the city and county reviewed it and how they were involved was both through the MPAC reviews, through the local jurisdiction reviews and also through the building of their own comprehensive plans from the basic 2040 Growth Concept Plan and designation that was in the Metro Code. There would be further chances for local jurisdiction to put their own finger prints on their own comprehensive plans and their own implementation of the 2040 Growth Concept through their comprehensive plans and through the building of their Urban Reserves. This was a coordination and partnership with both local jurisdictions and Metro on these issues but Metro was trying to make sure that they had not given away any of the Metro Council responsibilities, tactics or techniques to be able to do the Council's job. It was important for the partners to be able to recognize that Metro had a specific responsibility to the management of the Urban Growth Boundary as well as to the management of the 2040 Growth Concept. Without the Council having those abilities those individual jurisdictions would not have a regional blue print. Number five which she would add, noted on page 3, under Urban Reserve Plan requirement number 2 on line four the word "with the 2040 Growth Concept or to assist the region, a city or a county, in demonstrating compliance with statute, rule or statewide goal requirements for land within the Urban Growth Boundary" were added. Again, making sure that they understood that this was Metro's responsibility and always had been. Number six, on page 4 there was a typo under the school section and that typo said 11) a conceptual school plan which provides for the amount of land and improvements needed for school facilities, estimates of the need shall be coordinated among effected school districts, the effected city or county and effected special districts consistent with the procedures in ORS 195.1103, it should not be ORS 197.1103, 4 and 7. Also she brought up the controversial issue of HB 2289, their concern was that the Council had not used the language out of there that said 'high growth school district'. In the comments made at the Growth Management Committee level as well as at a couple of the other subcommittee meetings, it was the consensus of the group that the committee was reacting to that they wanted all school districts not just high growth school districts that

would have to deal with the Urban Reserve planning. This was the reason for the wording change was made. Those were the issue within this document and she had asked Mr. Fregonese and Mr. Shaw to be available to walk the Council through Exhibit A with as much detail as needed. She asked direction from the Council as to how they would like her to proceed.

Presiding Officer Kvistad indicated that these items were presented in the form of amendments to the Ordinance, therefore, they could be considered as a package of amendments if so moved by the Councilor presenting them. If so the Council would vote on them as a packet of amendments. If not the Council could vote on them individually.

Councilor McCaig appreciated the work that had gone into these recommended revision. Councilor McLain truly had single handily moved these through a variety of different groups. Councilor McCaig said she felt there was not a lot of disagreement with the proposal but it had to move quickly because of the other work being done with Urban Reserves. She guessed that there may be individuals who would see these amendments for the first time at this meeting. These amendments were reviewed in Growth Management Committee on Tuesday. She asked if it would be appropriate of some of the amendments to ask for testimony if there were a question about it? The one in particular she was interested in was the deletion of the public subsidy which had been talked about at the Committee.

Councilor Naito said that this had been briefly touched on in committee and there was still confusion in her mind as to what the appropriate language should be. She thought it would be helpful to get some comments or to have a general discussion among the Council members as to what the Council would be doing by deleting those words. What was the effect of that, was it a positive one or negative one?

Presiding Officer Kvistad suggested the amendments be put on the table before the Council.

Motion: Councilor McLain moved Ordinance No. 96-655C with the packet of amendments.

Seconded: Councilor Washington seconded the motion.

Discussion: Presiding Officer Kvistad asked the Council if they would like a public hearing opened on these amendments.

Councilor McLain said she was happy to hear discussion on this item.

Presiding Officer Kvistad opened a public hearing on Ordinance No. 96-655C.

Presiding Officer Kvistad indicated he had two letters, one from the City of Tualatin and one from the City of Beaverton (both which were placed into the Permanent Record of this meeting maintain in the Council Office).

Councilor McCaig asked about item number 1. This was briefly touched on in the Tuesday, Growth Management Committee meeting. She addressed questions to Councilor McLain. What amendment did was fundamentally remove the city as being another opportunity for a check on annexation or the adding of new land to the city boundaries. Was this correct. She believed that MPAC had, in the meeting she attended, felt pretty strongly about requiring city agreement.

Councilor McLain responded by saying that she would bring the Council's attention back to the fact that right now under the Metro Code, the cities and counties as local partners who would eventually make comprehensive plans on any Urban Growth Boundary amendment change that the Council made were given the opportunity to react or to put in testimony. Right now for amendments either major or minor was

requested to go to the city and the county and let them know that they were approaching Metro for an Urban Growth Boundary amendment but there was nothing under the Metro Code right now that required the city or the county to approve that particular Urban Growth Boundary amendment. She reiterated that these were Metro responsibilities. The Metro responsibilities were to manage and make any amendments to the Urban Growth Boundary that were made. Metro had made sure that the city and the county had more in the way of a review than they had ever had. They had more of a way of a review in the fact that they would be working with Metro on the Urban Reserve Plans, that they had now under charter, an MPAC group that reviewed almost every single land use decision that Metro did. Because of the responsibilities that Metro had with the Functional Plan and the oversight and implementation of that Functional Plan and later the Regional Framework Plan. They had improved what they had in the way of review of these types amendments, Metro had increased the responsibility of this agency to work with these jurisdictions in this area. Review was their responsibility as far as amendments that was the Council's responsibility.

Councilor McCaig asked Councilor McLain to help her understand, it went through all of the reviews that she had just mentioned with that language included that would have allowed for the cities to have agreement until Tuesday's Growth Management Committee meeting. She was clarifying time frame.

Councilor McLain responded that the situation was that the discussion and the issues that people had had around that language, there wasn't 100% agreement that this language was the best language, was the fact that they had some issues about city veto. The Committee had some issues about if a city or a jurisdiction decided they did not want to do their part then they would not review it or be part of that issue. The debate was over did Metro want to allow a city to veto an annexation that Metro thought was necessary to take care of Metro's responsibility of following state law of a 20 year land supply or following the state law of being about to follow 2709 or to follow the state law dealing with 122 annexation and service agreements. It was proposed to the Council by legal staff to defend and protect Metro's responsibility as well as their obligations.

Councilor McCaig said she did not know enough about the specific, the substitute issue to argue the point. What she was trying to understand was where in the process did this amendment surface and who had reviewed it. Part of her comfort in voting on it was understanding that it had had some review and comment on it. When she reviewed the document that first time Councilor McLain presented and then again at the Growth Management Committee meeting Tuesday, it did not include the language before the Council at this meeting. It included that the cities would have the opportunity. This was an amendment that came out of the Growth Management Committee discussion on Tuesday. It had not been to MPAC yet?

Councilor McLain indicated that the amendment would be going to MPAC on February 26, 1997. Mr. Fregonese and MPAC staff, Barbara Herget, had agreed to send out the Growth Management Committee's version of this particular document to the MPAC members as soon as this meeting was over.

Councilor Morissette addressed Councilor McCaig and said that he believed without some modification to the language there would be veto to the Council's authority which under statute the Council was required to be in charge of. This amendment clarified what the law was and allowed the Council the opportunity to do their job.

Councilor McCaig said she was more than willing to have the discussion about the merits of the proposal but she also wanted to understand whether the impression that the Council had left with the people that had been asked to review it up to this point had been, it would be included. As of now after review from Councilors McLain and Morissette there were further amendments which Councilor McCaig felt were appropriate. She was just trying to figure out when this came to the table and who proposed it.

Councilor McLain said she felt that the Council was getting there. The issue had been that this had been a working draft and that refinement amendments had come in for almost eight weeks. There was a situation with MPAC where they chose not to do it at their last meeting, they felt they did not have time. She said she would come to the Presiding Officer and the Council to let them know that MPAC wanted to review the document again on February 26, 1997. The MPAC staff as well as Councilor McLain herself assured MPAC that they would get whatever the decision was at this meeting to them so that they could discuss it on February 26th. The Council was making a commitment to give out any work, this was Metro's product, its Code, to go along with the Urban Reserve designation, but the Council had to have time to work. Right now this was the opportunity to amend it so that it could go back to MPAC on February 26, 1997.

Councilor Naito reviewed this amendment for the first time and shared her conflicting impressions. One was the timing of it, if the Council adopted some amendments at this meeting with the expectation of voting on it next week, the Council would not be able to amend it next week.

Councilor McLain said that this Council had choices. The Council could choose to extend a debate a week or two. The Council's options were to vote out amendments at this meeting so Metro's partners have an opportunity to review it which she had guaranteed to them that they would have on February 26, 1997. Then the Council could come back, if there were further amendments, and chose not to vote on the package on February 27, 1997 but rather the first week in March.

Councilor Naito said it was important to her that MPAC had the ability to look over the amendments. However, as a policy matter, she felt that Metro must not allow a jurisdiction to decide on their own that they did not want to participate when on a regional basis the Council had decided this was where the region should go. She supported this in policy but she did want the local jurisdictions to have a chance to comment on it and maybe some language could be drafted that accommodated both needs. This allowed for their input, the opportunity for them to be heard and to discuss the merits of opposing or agreeing to an annexation so that at least they had a process where their concerns and voice could be heard. This was kind of a balance that she felt the Council could find, she was unsure as to whether this language did that or if there was something else needed.

Councilor Morissette said he felt that most Councilors had some concerns about the language, his was that he felt that 10 units per acre was high at the fringe of the Urban Growth Boundary, in highly partitioned land. However, he had left some of this by the wayside. He did support the fact that Councilor McLain had brought forward an amendment to make sure that the Council maintained the control that he felt the Council was elected to operate within. He whole heartedly supported not giving up the Council's control to determine what happened with the Urban Growth Boundary.

Councilor McLain asked this Council what they would like to do. She had done her work, she had carried it through all of the groups, brought it through the legal staff and had done her best job to put forward a package of amendments that she felt covered Metro, the agency and Metro, the manager of the Urban Growth Boundary. It was up to the Council to decide when they wanted to make their amendments, vote on those amendments and vote on the final package.

Presiding Officer Kvistad asked for further questions on the amendments.

Councilor McCaig asked Councilor McLain to speak on the intent, concerning public subsidy.

Presiding Officer Kvistad opened a public hearing on the six amendments before the Council. He asked members of the public to keep their comments specific to those amendments.

Mr. Mike Burton, Executive Officer, said that Councilor McLain had mentioned the work that had gone on with MPAC regarding the Code. He felt that Councilor McLain and the staff had done a tremendous job in trying to inform local governments. However, he indicated that these amendments were new to him and to any local governments. He was unsure how amendment number one got on the list particularly however he would guess that it was probably recommended by someone representing someone who owned some property in the specific place and that the particular draft of this by legal counsel was directed rather than recommended. He also suggested that the annexation questions would be left with the boundary commission until the statutes in the State changed, this would be their prerogative, neither Metro's nor local jurisdictions. He felt that this needed to be discussed in the context of these amendments. Also, he suggested that the first and fourth amendment on the list would create a tremendous reaction from local governments who already viewed Metro as an 800 pound gorilla. Without a lot of discussion with them Mr. Burton suggested that all of the Council attend the MPAC meeting to get the sense of what local jurisdictions may feel about this rather than relying on letters that were coming in from local jurisdictions. He reminded the Council that the local jurisdictions were Metro's partners and certainly the Council's responsibilities were clear in both the Charter and the Statutory Regulations but the local jurisdictions were the ones who had to actually do the developments and carry out the aspects of this. If the Council wanted to cut off discussion with them they might just be doing that.

On the issue of deletion without subsidy, effectively what this did was said that any affordable housing units would have to be paid for out of the public trough and not by the developers. This was the difference about what this meant. What was being attempted was to try to find a balance where if there was going to be some built that some of it be developed with the development efforts that came into it. He thought that this issue was a large one and did deserve a great deal more discussion before it went forward. He supported what Councilor McLain said, it needed a lot more discussion. He felt that to eliminate this would foreclose one option the Council might have.

Councilor McLain asked when did the Council get to do their work? She had told MPAC that she would bring back to them on February 26th the Council's thoughts and amendments and document to review. If the Council did not vote on any documents or amendments then MPAC would not know what the Council thought. If these items were controversial and she believed they were, then there needed to be a vote so that MPAC knew where the seven Councilors were coming from. So on February 26th, she could go to MPAC, indicate the Council had reviewed and amended it and ask what MPAC thought. If they did not like it, this was fine, they could let the Council know. If the Council agreed with MPAC amendments, then the Council could bring those amendments forward. When did Council get to work, Mr. Burton? Were they just a rubber stamp? She did not believe so.

Ms. Peggy Lynch, 3840 SW 102nd, Beaverton, OR 97005 appreciated the discussion the Council had and certainly hoped that the Council would consider an extension of time in order to complete this discussion. She understood that she was to be speaking on the six amendments but she told the Council that there were other portions of the document that were amended on Tuesday at the Growth Management Committee besides these six amendments that had not been seen by anyone. As a member of MPAC she encouraged the Council to listen to the review on February 26, 1997's MPAC meeting and listen to some of MPAC's concerns. MPAC had dealt with this conceptually, they wanted to have a plan. But it had never been language specific. The language specific targets kept moving. For instance, the school's issue which was amendment six. First, the document that Ms. Lynch gave Councilor McLain was a copy of the ORS so that she knew what she was talking about when Council said ORS 195.110 3, 4 and 7. Section 4 of that ORS talked about high growth school districts which included a definition of 'high growth school districts'. There wouldn't be any high growth school districts when one first did an urban reserve plan, it was the whole idea of making a plan so that the growth was created. Therefore, she was very concerned and the school's representative on MPAC who provided the initial information and language for this was very concerned about having an opportunity to be assured that the school districts like sewer, water and the rest of the school districts had the opportunity to participate in the urban reserve

planning in an appropriate manner. She also asked the Council look at the entire urban reserve plans when the Council talked about whether or not local jurisdictions got to review or approve them. The Council had on page 2, number 3, where the Metro got to do the blobs, the growth concepts. Then one got into the urban reserve plan which was very specific talking about densities, transportation plan, open plan, public facilities, if not local jurisdictions then who? She respected Metro Council's final responsibility in all of this but she was very puzzled by this process because the local jurisdictions would be the ones to make those urban reserves communities. So either there needed to be a revamping of the way this was written so that the Council had reasonable responsibility and authority while the people who actually have to do the work had that responsibility.

Councilor McLain asked Ms. Lynch what her understanding from MPAC of what an urban reserve plan was and what had been the discussion between too detailed and not detailed enough, general versus specific?

Ms. Lynch responded that she was not sure that there had been a complete discussion compared to the current urban reserve plan that was before Council at this meeting.

Councilor McLain asked if it were true that in the MPAC group as well as some of the other groups that they had been asking for more specific language on some of these issues or not? Did they want more specificity or less?

Ms. Lynch responded that she thought it depended on the issue. She thought they wanted clarity about who was responsible for what and they wanted to make sure that all portions of a community were considered when Metro was doing the plan. She was not sure if she could answer this.

Councilor McLain asked what about schools and affordable housing?

Ms. Lynch responded that she did not know how to answer that question. The document that was before the Council removed the House Bill number on it, the document itself was the ORS number. She said the Council should have that portion of ORS that was cited in the document so that they knew what they were voting on.

Mr. Kelly Ross, representing the Home Builders Association of Metropolitan Portland spoke to amendment number 3 which dealt with the deletion of the words 'without public subsidy' from the urban reserve planning requirements. He had not planned to make a presentation at this meeting and in fact he was planning to have a detailed presentation to MPAC at their meeting. This provision before the Council surfaced at the MTAC meeting one week ago. It was voted out on a split vote. It was an extremely significant provision. It put in place very serious policy. Metro's own housing needs analysis projected that there could be up to sixty thousand households during the next 20 years that needed some kind of subsidized housing that were putting in up to 30% of their gross income into housing. If the words 'without public subsidy' were left in the provision, it would be looking at requiring the private sector, the home builders, to provide those kind of subsidized housing units. In the areas around the county that had this kind of a requirement and they were fairly limited, there had been discussion that they may violate the 5th amendment of the constitution, the takings amendment, because it in effect required a developer, a property owner, to give up a certain amount of their income or potential income to build these homes, to provide something at less than market value. The reason that they had assumed to be in conformance with the constitution was because there was usually trade offs, benefits provided to the developer to trade off those kind of costs. This amendment did not require that, it was a simple very basic sentence that dealt with the huge area of requirements. He urged the Council to go as slowly as possible and carefully consider this before there was any decision made on it.

Councilor Washington asked Mr. Ross, if not this then what?

Mr. Ross said that this was a valid question because he thought affordable housing was a big issue. He felt that this was an extremely simplistic way of dealing with this issue. It would take a public and private partnership to deal with this issue. He felt it was very unwise to limit this completely to the private sector and put the entire burden on them, a burden that should be legitimately borne by the public has a whole because it was a societal problem.

Tasha Harmon, Steering Committee for the Coalition for a Livable Future, 802 SE 27th, Portland, OR 97214 spoke to the issue of the language 'without public subsidy'. She was part of the group that worked on the drafting of this language. It was in her mind insufficient compromise language even without words struck. She wished to clarify the intention of this language. Number 5 and 6 were intended to be taken together. Five read demonstrable measures that would provide a diversity of housing stock that would fulfill needed housing requirements as defined in Oregon Revised Statutes. That said jurisdictions needed to look at housing need in terms of income levels and rents. Number six was a piece of the tool. It said demonstrate how residential developments would include housing afford households with below median incomes without public subsidy. The original language when it was proposed to MTAC said 'an inclusionary housing policy'. Inclusionary housing policy said that private developers will include moderately priced dwelling units was the language they used in Montgomery County where this policy had been in place for twenty years and had withstood many legal challenges. No one was suggesting, in this language, that we couldn't use public subsidy dollars to produce affordable housing. They were suggesting that in addition to whatever they were going to do under number five, they needed to demonstrate that housing for people below median income, 80 to 100% of median income for instance, would be provided by the private sector as part of what it did in those regions. They were not saying in this language that they could not use public subsidies to provide housing for very low income people, people that were below 60%. They were saying the private sector needed to do its share. The private sector had been telling them that they could be part of the solution to the affordable housing problem. In Montgomery County it meant that one built some town houses and some fourplexes in the suburban subdivisions. It meant that the builders provided some starter homes. It meant that the builders did just build large, middle and top end market housing. Yes there could be city bonuses and she still thought that, at ten units per acre average, they could provide density bonuses to help off set costs. It was crucial that the developers knew when they began to bid on this land in the urban reserves in anticipation of an Urban Growth Boundary expansion that they would be required to do something beyond provide upper class housing. If there was no language in the Code that said this, they would bid the price of land up so high that they would not be able to provide anything at below market. Recognize that on the transit line between Gresham and Portland 80% of median was market. They were not asking the builders to provide housing that would require deep subsidy, they were asking them to diversify what they build, to build communities that included a real income mix, and to take some of that responsibility on for themselves not to expect public subsidies to provide for the low end of market rate housing or could be the low end if they were willing to build smaller on smaller lots, build multi-family dwellings in these areas and maybe take a slightly smaller profit. Taking these legislations in this county did not say that the developer was guaranteed the maximum possible profit on their piece of land, that was not guaranteed by the constitution. It had been held constitutional in many places that developers needed to include a broader spectrum of housing. It was a clear public good. There would be huge windfalls generated by the drawing of these lines that the Council had been so carefully thinking through. Those windfalls could accrue to a very small group of people or part of them could be captured to deal with a region wide quality of life issue called the jobs housing balance and affordable housing for working class people, for the people who worked at Fujitsu, who worked at Starbucks, who were retired and on fixed incomes, who were adult children who would be in their parent's house until they were 35 if there was no affordable housing in these areas.

Councilor Morissette said that from a person who bought land, the supply and demand mechanism was alive and well in the county. With so many people vying for so few piece he did not think it was so much that they were bidding it up because they want to but they were bidding it up because there were too few.

amount of it so that when something did come available there was a lot of people chasing it to get it to happen. This was more of a comment to Ms. Harmon's issues than the other points in relation to who should pay. He felt for the problem, he cared about affordable housing, but he sometimes felt like thumping himself in the forehead when he said he cared about affordable housing but what was the biggest reason why his houses were going up, was because land prices were going up. He said that "we not you" have a wrestling match with that that needed to be worked out and try and find a solution. Supply and demand was alive and well when so many people were going after a limited commodity. This was a big reason why the prices were going up so fast.

Ms. Harmon said she understood that issue. What she was trying to accomplish with this piece of language, and it would work a lot better if there were real numbers attached to it, such as 20% of the units at 80% or below, or some other clear expectation for developers. If it was zoned for residential development people would bid for the land. No one would bid higher prices that they thought they could make a profit on. As a builder one would not bid more for the land than they thought they could recover. If the Council said up front, affordable housing must be provided in the region as part of what was being done, without additional government subsidy, not for 30% of median income but for 80% if it was renters, 100% if it were home owners. Then every one who was bidding on that land had that piece in their head when they were bidding. The builder would not be competing against someone who did not have the restriction. They were trying to level the playing field across the region and say to people who would be bidding on land, here was a constraint. It was the same thing in terms of pulling the buildable lands out first, here was a constraint, here was a parcel but you could only build on this piece of it so don't bid for it as though you could build on another piece.

Councilor Naito said she was struggling with this because she had a problem with the demonstration of "without public subsidy" in the sense that if there were public subsidies available or abatement of SDC charges or other kinds of local options, she thought the Council needed to consider those. The Council should look at these as a community. She wondered at the wording of the language now. If the amendment passed, in terms of an urban reserve plan, the Council was putting this on the table that the Council would require a showing of where the developments would include housing with below medium income. She guessed that by deletion of the language she thought they were taking care of a potential problem if there were public subsidies available rather than requiring a showing that no public subsidies were allowed.

Ms. Harmon responded that the issue was who was going to be responsible, the issue was about expectation. If that language did not exist in the amendment she would be happy to rewrite the amendment to say, developers must understand that 20% of the units that they developed in any project over 20 units, if it were a rental project, it would have to be affordable at 80% or below, if it were a home ownership project, it would have to be affordable at 100% or below without public subsidy. Anything below that and you would start talking public subsidy. The jurisdiction, in its plan, (number five) would have to deal with the full spectrum, not just the piece that number six talked about, but the full spectrum. She worked with Mr. Shaw on this language. The original idea was to talk about inclusionary housing policy but because there was not working legal definition yet through the Metro Council about what inclusionary housing policies would be, it did not work in terms of the legal language. Again, we had a unique opportunity in the urban reserves, the land prices hadn't been bid up yet, the land as it was valued at much lower rates than it would be when it was brought into the Urban Growth Boundary. It part of that value was not captured by telling the developers ahead of time that they couldn't bid the prices up that high because they were responsible for dealing with part of this need then we would be in a position where there must be subsidy housing at 80% and 100%. We already knew that we didn't have enough public subsidy dollars to meet the need even for people at or below 80% or at or below 60%. We were struggling with an incredibly difficult prospect even just in the City of Portland on those levels. We could not afford to ask the government something that the market could provide.

Councilor Washington said that this was one of the toughest issues that the Council was dealing with, the issue of affordable housing. He thought that most people were committed to trying to do something about it. If there was another piece of information that was going to be developed Councilor Washington suggested Mr. Ross from the Home Builders Association, Ms. Harmon and Mr. Shaw get together to see what they could craft collectively. He thought that it would be a lot better if these individuals were talking together and not separate from each other. He asked if this was a possibility.

Ms. Harmon said she would meet with anyone who was serious about working on this issue. She retained her rights to testify to what she actually thought needed to happen rather than whatever the compromise language that got drafted was.

Councilor Washington said in his request he was not telling anyone what they needed to do, he thought that since Mr. Ross and Ms. Harmon really were the keys to this, they ought to be talking.

Mr. Ross indicated he would be happy to talk.

Presiding Officer Kvistad spoke to Ms. Harmon indicating that he was fairly private property oriented. When he heard capture of value and he was trying to be there with her on this issue, he wondered how we got there when we looked at income that would be derived to someone that owned a piece of property that they and their family owned and would rely on whatever the income would be for whether it was a sale or private property ownership and we transferred that without due compensation. How did he justify that kind of a shift of resources.

Ms. Harmon responded that we heard a lot in this culture about government takings. Dolland was a good example of the legal response to takings. It was important to talk about this because as defined, a government takings meant that the government was not allowed to restrict in any enormously detrimental manner what somebody could do with their property in a way that substantially reduced the value of that land without providing compensation. That was in essence what the 'takings law' said. There was no case law in the United States about government givings. When a government made a choice to invest in infrastructure, to rezone for increased density, to whole variety of other things, the government in essence increased the value of a piece of property. The government made a choice of increasing the value of that piece of property, in this case enormously. Next week, the Council would be drawing a set of lines that said these land owners land may suddenly become much more valuable while these land owners over here weren't going to gain from this process, their land remained rural or exception land. The Council had already made a set of choices which arbitrarily increased the value of some people's land and not others. These people would not be screaming about a "takings" because it was not an affirmative action that the Council had taken. The Council had taken an affirmative action to increased the value of this land.

Presiding Officer Kvistad clarified that you had no increase in value until you had a sale. Once you had a sale, you had a private sector person that had in their hand a value for an asset that they owned that they had a right to expect compensation for and the dollars due to them on that sale.

Ms. Harmon said, let us say, that you own a piece of property that the government decided in this urban reserve area to zone low density residential and the neighbor had a piece of property that the government decided to zone high density residential. Because of a government decision, one person's property increased in value more than the other person. What she was asking the Council to do was to make a government decision that said, we were imposing what was essentially zoning, the way inclusionary housing was talked about in Montgomery County, was that it was an inclusionary zoning policy, it was part of the police powers of government, and the police powers of government were required to benefit the public as a whole. What she was asking the Council to do was to make a police power zoning decision that said the value of this land was as residential housing zoned with a requirement for affordability, that

20% of the units be affordable. It was exactly the same kind of decision if the Council decided that different parcels were low density versus high density.

Presiding Officer Kvistad said he appreciated Ms. Harmon's discussion on affordable housing. He thanked her for her presentation.

Mr. Doug Draper, General Manager of GENSTAR Land Company NW, said that the focus of his company's efforts had been on the Urban Reserve decision as if effected St. Mary's property, Sites 54 and 55. He had now seen Code changes, he asked that there be an opportunity for individuals and companies to provide written testimony to these changes. In principle he felt that it was a great idea, the urban reserve plan requirements were sound idea. They would like a bit more time to prepare constructive comments. On the issue of affordable housing, he felt that it was an important aspect of development. He thought that the Council needed to be careful and take out the words public subsidy. He understood the arguments made and did not necessarily disagree with those but others would have a different interpretation of what public subsidy might mean. As the Council knew, people could get tax credits for providing rental housing at below median income levels. Some would argue that the tax credits were public subsidies or public moneys, he did not believe this. It was not uncommon for the developers through their process of doing their planning and developing to negotiate issues with the approving authorities. He suggested not to take away the opportunity for approving authority, municipality through that process of trade offs, that some would construe as public subsidy, because may be you would only give 12 acres of park, don't take away the opportunity to trade that off for some affordable housing. Leave all of your options open. The final thing that Metro should look at in terms of affordable housing was for Metro to consider location. Again, market on transit routes was 80% of median. There was a reason for that, because they used public transit. So there may be locations in the urban reserves where it may not be a sensible to promote the same kind of inclusionary zoning type rules relative to affordable housing as it would be in others. He cautioned the Council to take this into account.

Councilor McLain said that they had talked about if inclusionary housing belonged in this document. Again, it was the situation where the Council was talking about specificity versus general. The urban reserve concept as per today's discussion was to remember that Metro was the general blue print. Metro did not do comprehensive plans or implementation. Her question was, how detailed did they want this concept plan to be, remembering that it was the blue print from the Metro Council and not part of the comprehensive plans that the jurisdictions would make. Second, she directed her question to Mr. Shaw, she asked if inclusionary planning or housing belonged in a regional framework.

Presiding Officer Kvistad said he felt that was obvious.

Councilor McLain said she felt that it was not obvious or they would not be debating the issue.

Presiding Officer Kvistad said that this was a policy discussion the Council needed to have.

Ms. Wendie Kellington, Lane, Powell, Spears, Lubersky, responded to Mr. Burton's comment. She did not like everything that was in it but she felt it was a good document and she thought it was a particularly defensible document with the amendments that Councilor McLain had made. She thanked Councilor McLain for her courage especially this very controversial provision that said that the Metro Council may approve a Urban Growth Boundary amendment if it was required to assist the region with complying with 2040 Growth Concept or a statute, a rule or state wide planning goal like needed housing. These were novel concepts, give her a break. This had nothing to do with the Boundary Commission, it had nothing to do with anything except for one idea, a red neon light, what goal three was to counties, goal ten was to cities. In the twenty plus years of this planning program most local governments had been willing to step up to the plate and to swallow the tough political pill that were these state wide planning goals. Cities had not had to do this yet. In those 20 years there had been several counties that had given the State a hard

time on goal three compliance and in that 20 years they would see some cities giving Metro a hard time on goal ten compliance. The Council had already seen some of this. Annexation should not be a condition of the Council performing their job on determining that the Council had a Urban Growth Boundary that had an adequate supply of land for affordable housing, needed housing, jobs all of those things.

Presiding Officer Kvistad announced the close of the public hearing.

Discussion: **Councilor McCaig** stated that Councilor McLain made it clear that some opportunity was present to do a little bit of time gyrations and given what had been heard at the public hearing, what would be the proposal if another week should be accommodated.

Presiding Officer Kvistad stated that it was not his intention to put this forward if, after the present items was received by MPAC, should there be four members of the Council who wished to amend any of these code documents, four votes at the next council meeting would allow them to bring forward any amendments or changes. At that time, as with all ordinances, changes could be made. It was not his intention to change the date for final action on this ordinance.

Councilor McLain stated that she hoped that Metro Council would not sit here and walk away from this document. She stated her preference for voting on this document. She stated that she wished to present it to MPAC at the present time.

Councilor Morissette asked Mr. Larry Shaw if these amendments could go separately with the ordinance? Mr. Shaw replied that they could go separately. The way the ordinance was written, they were set to go with the ordinance. The ordinance would have to be rewritten but it could be rewritten any way the Council wished to do it. Councilor Morissette stated that he was comfortable with putting out his positions based upon the work Councilor McLain had done on this matter. He did not wish to extend the urban reserve discussion. He stated the need to draw the matter to a conclusion at some point.

Councilor Naito supported moving forward, making a decision and submitting a working document to MPAC so that they might know 'where the Council is coming from.' She supported the concept of two separate ordinances since she was in favor of the code concepts and yet not supportive of the entire urban reserve decision. She recommended separation of the two ordinances because, in that sense, Council could delay one more week on the code changes if amendments were to be made to that.

Councilor Washington asked Ms. Harmon and Mr. Ross if they could get the work requested by Councilor Washington done in one week. He stated that the parties involved should meet and try to reach some sort of conclusion. If this could not be done, the matter must be referred to Metro Council for action.

Presiding Officer Kvistad stated that based on what Council was working on, based on what was before Council this afternoon, he did not believe that it was the consensus of the Metro Council to put off any portion of this document for another subcommittee to review. Presiding Officer Kvistad further stated that Councilor Washington should meet with the two parties in question and discuss the matter after Council meeting today.

Councilor Washington asked Councilor McLain if this was OK with her.

Councilor McLain replied that she hoped all would do work next week. The situation was that she had a package and she wanted some votes on the amendments. When she goes to MPAC, she wanted to discuss the first cut that Metro Council made. If there was then some compelling information that came out of MPAC, she would listen to it. Then there must be four votes at the next meeting that wanted to hold up that vote for another week so more amendments could be made. She stated that she was ready to vote.

Councilor McLain stated that she would like to see Metro Council pass these amendments. The only two that she was really involved with were Amendments 1 and 4.

Councilor McCaig asked if the amendments would be voted on individually. Her second question was with the document - we wouldn't be voting on the total document. We would be then taking the document as amended without voting on it because there was a fine distinction there.

Presiding Officer Kvistad stated that this was incorrect. Metro Council would make the amendments and then forward the document in a motion that Councilor McLain would make accepting the document and moving it forward for final action at next week's Council meeting. Any changes or adjustments would come from review by whoever reviewed it and brought forward and had a consensus of the Council to bring forward an amendment. If there was not a consensus of the Council for an amendment, final action would be held next week.

Councilor McCaig stated that this was like having to have four votes to delete. She stated that her hope was just to vote on the amendments. Councilor McLain was correct in wanting to have a position from the Council for people to react to. By voting on the amendments, Council would have altered the document but postponed the final vote on the document so that four votes were not needed to make an affirmative action.

Councilor McLain stated that Council had to vote on the urban reserve sites today so that they could be forwarded to the next meeting. This document also must be voted on today with its amendments so that it could be forwarded as a final package. Next week, if there were Councilors who believed that the work that needed to be done was compelling enough that the Council wanted to add another week on the discussion, the Council could do that. It could be amended next week. Something, however, must be passed forward in order to amend.

Presiding Officer Kvistad stated his position that this had been Metro Council action on an ordinance from the beginning of the ordinance function as an agency. It took one week to forward actions on for final action. The Council could amend any ordinance at any time; it required an additional week to sit on the table. It was his intention and understanding of the amendment before Council, if voted forward and accepted by the Council, then the entire package would be together - code changes and the actual parcel decisions and that would be the package that would go for final action next week. If a motion to amend was made at that time, then the amendments would be voted on. If they passed, it would be one more week before Council could take final action.

Councilor McCaig stated that she had no intention of delaying the vote or separating the vote and would be happy to keep the two together. Councilor McLain would attest that from the time that Council received this Code revision that she attended two MPAC meetings and had understood that this was important to be tied to the urban reserve decision. She would like to see the two moved and stated that she has consistently said that there needed to be a little wedge more of time for Council to be able to accommodate the information contained in the code. Given the testimony heard today and given the amendments that were today before Metro Council, her opinion was that the process was not being derailed by providing an additional week. In her opinion, criticism would be reduced by following this plan.

Presiding Officer Kvistad stated that under Metro's process, the opportunity to bring up amendments was never denied. The only time a restriction was in force was when specific amendments addressed specific parcels and all must see the amendments so they could look them up and be prepared for the meeting.

Presiding Officer Kvistad called for the final vote on each amendment.

Motion: Councilor McLain moved Ordinance No. 96-655C with the packet of amendments.

Seconded: Councilor Washington seconded the motion.

Amendment No. 1

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor McCaig voting nay.

Amendment No. 2

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Amendment No. 3

Vote: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors McLain, McCaig, Naito, and Washington voting nay.

Amendment No. 4

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Amendment No. 5

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Amendment No. 6

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Councilor McLain stated that Metro Council now needed to vote on the package to send it forward so that there was something on which testimony may actually be received.

Motion: Councilor McLain moved a vote on the acceptance of the attached Exhibit A ordinance that is listed as Ordinance No. 96-655C.

Seconded: Councilor Washington seconded the motion.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. Presiding Officer Kvistad declared that upon an unanimous vote of Metro Council, the code changes are amended to the Ordinance which will remain Ordinance - C.

Motion: Councilor McLain moved the full ordinance, No. 96-655C forward to the next Metro Council meeting for a vote.

Seconded: Councilor Morissette seconded the motion.

Vote: The vote was 4 aye/ 2 nay/ 0 abstain. The motion passed with Councilors McCaig and Naito voting no. Councilor McFarland was absent for the vote.

8. RESOLUTIONS

8.1 Resolution No. 97-2460, For the Purpose of Endorsing the South/North Light Rail Project Finance Plan.

Motion: Councilor Washington moved the approval of Resolution No. 97-2460.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor Washington gave a presentation on Resolution No. 97-2460, which would endorse the South/North Light Rail Project Finance Plan. He stated that it was essential to the 2040 plan, to provide multimodal mobility and also to meet air quality standards. Citizens of the region first supported South / North in 1994 when the Tri-Met bond measure was approved. Again in 1996, this region's voters said 'yes' when voters statewide said 'no' to state lottery funds. In a follow up poll, 70% of the residents stated that they wished to move forward with the South / North project in some form. There was a broad base of support for the recommendations with approval from Metro's partner jurisdictions, the South / North steering committee and JPAC. All approvals were unanimous. There had been numerous community meetings in favor of the project. Congress had stated that the ISTEA game was on. Now was the time to aggressively pursue federal funds. A good track record was evident. Metro could not sit by and just hope that something would happen. The gun had been fired and the game had started. We must be there.

Mr. Richard Brandman, Transportation Planning Department said when Ballot Measure 32 failed, there was an extensive amount of public involvement with respect to how should Metro move forward as a region with respect to the South / North project. As Councilor Washington stated, a survey revealed that more than 70% of respondents from this region stated their preference to move forward with the South / North project. That was a scientific survey conducted by Tim Hibbetts and Adam Davis. What was often overlooked in the discussion about the South / North project was that Ballot Measure 32 passed in this region by 56%. Much public involvement had been conducted since November. More than 200 public meetings were underway at this point. Those meetings were not all being conducted by Staff but rather by citizen volunteers. More than 55 citizen volunteers were involved. 100,000 mailers had been mailed to households throughout the region regarding the South / North project. There was a survey in the mailer and 3400 had been received back at this time. 80% of the respondents to those had said 'move forward with the South / North project.' One thing learned from the Hibbetts survey was that there was a concern about the cost of the project so there had been a tremendous amount of activity geared to reducing the cost of the project since November. That effort had been successful. More than \$500 million had been cut from the project. That had cut the cost per mile which was also a frequent criticism down to \$58 million per mile which was the same cost per mile as the current westside light rail project. These cuts had included some deferments and some eliminations. At Clackamas Town Center, for example, the terminus was being shortened and in downtown, there was a new alignment. In Milwaukie there was also a new alignment. The project now also extended into North Portland as part of the first phase. The South / North project had been significantly reduced in its cost. It had been lengthened to go into North Portland. It had 13,000 more rides by going into North Portland. This gave a cost-effective and competitive project for Congress to consider. The current recommendation had passed through the South / North Steering Committee where it passed unanimously; it also passed unanimously in MPAC. This measure requested \$487 million from the federal government to provide funding that would be in addition to the funds that were available locally to construct the project.

Councilor Morissette asked who would pay what in the total cost of the project?

Mr. Brandman answered that the total cost of the project was the result of the various elements of the project. \$487 million was being sought from the federal government. That would match \$540 million available locally. That gave a match ratio of 49% of federal funds, Section III funds, for the segment I project. For the full project to Lombard street in North Portland, that was the \$1.3 billion project where Metro would be seeking an additional \$769 million in total Section III funds with the remaining other local funds remaining the same. What this plan was doing was that it was asking over two ISTEA periods, the next period which was what Metro was dealing with right now and the following ISTEA period five years down the road. The remaining federal funds would be sought at that time to complete the South / North project. \$760 million of Section III funds (federal money); \$55 million STP (regional funds); \$10 million of tax increments funds from Clackamas County; \$475 million from the general obligation bond. All of those numbers related to a 58% federal share for this project, the first segment, which was a \$1 billion project, the numbers were \$487 million of Section III funds plus the same amount of local funds adding to approximately \$1 billion project.

Ms. Loretta Pickerell said she was testifying on behalf of **Sensible Transportation Options for People (STOP)**. STOP was a grass roots organization based in Washington County that supports transportation systems that foster livable communities. They were founded in 1989 to oppose the Westside Bypass. Now STOP educated the public on how transportation choices influence our region. They advocated for transportation policies and programs that enhanced communities. They were here to lend their support for the South / North light rail proposal. She made four point.

First, the Metro region continued to support light rail. Measure 32 passed in the region and three times in the past six years, the region had voted to approve light rail funding measures. The 'no' votes had been largely due to concerns about project costs although many of those voters did support light rail. She thought the proposal before the Council addressed project cost concerns. Those costs had been substantially reduced.

Her second point was that South / North was critical to the region's growth management efforts. Light rail had been an integral part of transportation and growth management strategy since the 1970s. Light rail was a significant public investment that attracted private investment. It shaped our urban form and enhanced our communities. Steve Fostler, a Portland architect who spoke at Congressman Blumenauer's light rail forum in late January described the addition of the South / North light rail to the East / West lines as 'a plus for the region.' He used that 'plus' that these lines form when the cross on the map as a visual image for the value that light rail would add to transportation, to land use planning, to community, and to our economic vitality for the region.

The third point was that light rail worked. From 1990 to 1995, regional transit use outpaced both population and VMT (vehicle miles traveled). Our population increased by 8%, our VMT increased by 14% and transit ridership increased by 16%. MAX ridership was up 48% since it began operating ten years ago and it still was climbing. It was at 35% last summer. Investments along the eastside MAX was not at \$3 billion, both public and private. Last year housing starts in Portland were higher than in any other city in the region for the first time since the late 1950s. That was one indicator that light rail was helping shape the compact communities that Metro was after without Region 2040 planning.

Finally, the new development figures for westside light rail were also encouraging. Since 1990, almost 5000 dwelling units and \$230 in public and private residential and nonresidential development had occurred just along the westside light rail. These were Tri-Met figures and were fairly conservative. With Oregon's loss of seniority in congress, we needed a strong residential consensus if we were to remain competitive for federal funds. STOP was encouraging the Council to unanimously support the South / North light rail proposal.

Councilor Washington closed the discussion by thanking Mr. Cotugno and Mr. Brandman for their efforts on his behalf in this regard to get Council to this point.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. Councilor McCaig was absent. Presiding Officer Kvistad declared that the motion passed.

- 8.2 **Resolution No. 97-2452, For the Purpose of Authorizing the Executive Officer to Make any Adjustments to the Salary Ranges Required to Implement Current and Future Minimum Wage Increases.**

Motion: Councilor McFarland moved the approval of Resolution No. 97-2460.

Seconded: Councilor Morissette seconded the motion.

Discussion: None.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. Councilor McCaig was absent. Presiding Officer Kvistad declared the motion passed.

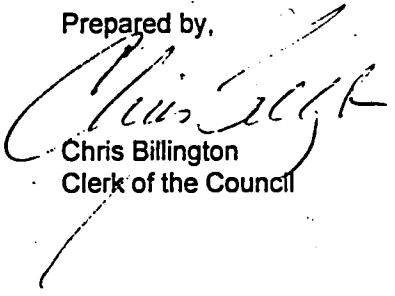
9. **COUNCILOR COMMUNICATIONS**

None.

10. **ADJOURN**

There being no further business to come before the Metro Council, Presiding Officer Kvistad adjourned the meeting at 6:30 p.m.

Prepared by,



Chris Billington
Clerk of the Council

MINUTES OF THE METRO COUNCIL MEETING

February 27, 1997

Council Chamber

Councilors Present: Jon Kvistad (Presiding Officer), Don Morissette, Susan McLain, Ruth McFarland, Patricia McCaig, Lisa Naito, Ed Washington

Councilors Absent: None

Presiding Officer Jon Kvistad called the meeting to order at 2:00 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATION

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. NIKE WORLD MASTERS GAMES

Mr. Doug Single, General Manager and CEO of the NIKE World Masters Games. With him, were Craig Honeyman, Senior Vice President, Edie Schmidt, Director of Volunteer Services and Keith Forman, Manager of Communication. Mr. Single updated the Council concerning the NIKE event to be held August 9-22, 1998, in Portland and Oregon. He showed a short video overview of the games. He said the event, which had 25,000 athletes competing, would be in Portland, and was about 2 1/2 times the size of the Olympic Games. He explained that the event would have a direct economic impact on Oregon exceeding \$113,000,000 and an indirect impact of \$250,000,000., making the event the largest single event ever held in Oregon. He said that half the athletes would be coming from outside the United States and they would bring an average of 3 people with them making this an arts and cultural event as well as an athletic one. There was an estimated need of 75,000 volunteer days to make the event happen. There would be 66 venues, as far away as Bend for canoe and kayaking, Eugene for track and field, but the majority would be in Portland metropolitan area. The investment would pay off for community and congratulated the Council for their vision in this matter.

5. ANCIENT FOREST PRESERVE

Mr. Jim Desmond, Regional Parks and Greenspaces introduced **Mr. Gregory Wolley**, Associate Regional Planner for Parks and Greenspaces on the Ancient Forest Preserve and then

briefed the Council on this gift to public from the Friends of Forest Park. He explained the Master Plan for the site that was accepted by Council in June 1996. Now Metro was ready to accept title to the property. He explained that this was Tier 1 property under the Forest Park Refinement Plan which was already completed by Council as part of Open Spaces Acquisition Program so he would be updating Council on details and answer questions.

Mr. Wolley spelled out plans for the project and that the interior trail construction would be first this summer, then an access trail to the preserve off McNamey Road and a small parking lot there as well. He said the master plan estimated from their consultant were about \$235,000 for all three phases.

6. CONSENT AGENDA

6.1 Consideration of the Minutes of February 13, 1997 Metro Council Regular Meeting Minutes.

Motion: **Councilor Morissette** moved the adoption of the minutes of February 13, 1997 Metro Council Regular Meeting.

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

Discussion: None.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

7. ORDINANCES - SECOND READING

7.1 Ordinance No. 96-655C, For the Purpose of Designating Urban Reserve Areas for the Portland Metropolitan Area Urban Growth Boundary; Amending RUGGO Ordinance No. 95-625A and Metro Code 3.01; and Declaring an Emergency.

Mr. Dan Cooper, Legal Counsel, advised the Council, that if any amendments were adopted at this meeting, to move the final vote to the Council Meeting on March 6, 1997.

Motion: **Councilor McLain** moved that the property line specific map of designated urban reserves, including the amendments made by the Metro Council on February 20, 1997, be included in the urban reserve ordinance as the new Exhibit B.

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

Discussion: **Councilor McLain** explained that this caught ordinance up with work done last week.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor McCaig voting nay.

Motion: Councilor McLain moved adoption of the Amendments to Exhibit A of the urban reserve ordinance which amended the Metro Code 3.01 Urban Growth Boundary procedures.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor McLain said this was also catching up with work of Council.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor McCaig voting nay.

Motion: Councilor McLain moved that the property line specific map of designated urban reserves showing First Tier urban reserves be added to Exhibit A to replace the map completed prior to February 20, 1997 amendments to urban reserve areas.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McLain explained changes to the map.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion to Amend: Presiding Officer Kvistad moved to amend Councilor McLain's motion, changing Urban Reserve Site #47 from a Tier 2 to a Tier 1 site.

Seconded: Councilor Morissette seconded the motion.

Discussion: Presiding Officer Kvistad reviewed site #47 and reasons for the change of tier.

Vote to Amend: The vote on the amendment was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilors McLain and McCaig voting nay.

Vote on the Main Motion: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Presiding Officer Kvistad called for further motions.

Motion: Councilor McLain moved for final adoption of site #15 on property line specific map as configured before Council today.

Presiding Officer Kvistad explained that this map earlier did not have power lines noted and the staff were mistaken about where lines actually were, making it necessary to finalize this matter.

Seconded: Councilor Washington seconded the motion.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Motion: Councilor Morissette moved to amend Councilor McLain's motion
to Amend: to include a modest adjustment of exception land, site 15.

Seconded: Presiding Officer Kvistad seconded the amendment.

Vote The vote was 7 aye/ 0 nay/ 0 abstain. The amendment motion passed
to Amend: unanimously.

There was clarification from Presiding Officer Kvistad that the parcel in question would be in Tier 1.

Presiding Officer Kvistad opened a public hearing on Ordinance No. 96-655C.

Mayor Gussie McRobert, City of Gresham, said she was here to support Councilor McLain's amendments regarding first tier addition of urban services agreement in 3.01.012 with the addition of the OAR 66021. She asked about how the logistics of all of this worked. Mayor McRobert expressed a difference with Larry Shaw over #13, "that the urban reserve plan shall be considered for local approval by the affected city or by the county". Mayor McRobert would like to add "any affected service district" because neither Metro, cities nor counties could commit a service district to provide services.

Mr. Bill Brandon, Administrator for the City of Happy Valley 12915 SE King Rd., Happy Valley, OR 97236, thanked the Council for their consideration. Called this a cornerstone on making Happy Valley a viable city in the Portland metropolitan region.

Mr. Stuart Honeyman, 17400 SW Reusser Ct., Beaverton, OR, 97007 in the northern portion of original URSA #49, registered his objection to the amendment on Site #49 being excluded at last week's Council meeting and requested that it be further amended to include the northern most portion of area #49. He stated that the area met all of the requirements of goal 14 and were a higher priority area than some of the remaining Urban Reserve.

Mr. Michael Lilly, 1 SW Columbia, Portland, OR represented Tigard Sand and Gravel, recommended that Site #44 map be amended to include all of the quarry in the map. This was supported by the City of Tualatin as the rationale was the same.

Councilor Washington asked about the peninsula forest within the quarry.

Mr. Lilly responded that it was about 15 acres out of the 40. He reported that the company did not have firm plans for this part.

Mr. Larry Shaw, Legal Counsel clarified the reason for having it included. He asked Mr. Lilly if the properties were part of the property that was currently being mined.

Mr. Lilly responded "Site #44, including those 2 areas that were excluded, have already been mined."

Mr. Shaw stated that these were resource zoned lands that had already been mined and that was the reason in the findings on #44.

Mr. Lilly stated that the rock was "not totally exhausted yet but that certainly will be within fairly reasonable short time".

Ms. Tasha Harmon, Coalition for a Livable Future, 802 SE 27th, Portland, OR 97214. started by saying how impressed she was by the amount of dialogue and seriousness with which the affordable housing issue had been met by all involved. She asked again for strengthened language in the affordable housing Metro code. She asked to accept recommendations from MPAC, to include in bullet #5 the phrase "demonstrate measures that will provide a diversity of housing. 197.303, adding "and that contributed to RUGGO's objective 17 housing. Ms. Harmon asked to change word to "reflect" or "accomplished". She indicated that there was confusions about area median income and how it was defined by HUD. There was a clarification amendment put forward by MPAC. She asked for clear numerical standard. 20% of the units in #6, developed as housing affordable to households with incomes at or below area median income for home ownership and at or below 80% of the area median income for rental as defined by US Department of Housing and Urban Development. This was the language that was about an inclusionary housing policy and again the expectation wasn't clear. Please consider putting that number in place.

Mr. Kim Vandehey, 17207 SW Siler Ridge, Aloha, OR 97007 spoke on area 49 and suggested a proposed amendment to allow 140 acres of exception land into the URSA #49 that could be built in an efficient manner but exclude those that wanted to be excluded. It would provide land for the trail from Murray Hill to 175th towards the proposed 400+ acre regional park that was proposed up there. He further explained why it fit into the plan to do this.

Presiding Officer Kvistad clarified the parcel's location on the map with Mr. Vandehey.

Mr. Brian Bellairs, 16590 SW High Hill Lane, Aloha, OR 97007 owner of a 5 acre parcel in area 49, he spoke for his in-laws also at this time. He asked to have his parcels be included in the urban reserve, the land was level and had all the services. Additional development was under way at this time from Scholl's Ferry Road to his parcel which was not shown on map. The boundary did not conform to any natural boundaries. It was just a line drawn on a piece of paper. He explained the need to be included to make the area for livable, as far as needing infrastructure. The land was totally flat and very easily developed. He asked Council to modify area 49 to include this land.

Ms. Peggy Lynch, 3840 SW 102nd Ave., Beaverton, OR 97005 spoke about another map adjustment she was requesting since 80-100 acres of exception land had already been added and Tigard Sand and Gravel's 80 acres might also be considered, she asked to delete Area 65, an orphan site, that was only one vote short of being deleted at this time. The 220 acres of EFU land Washington County already asked not to include it because it was too far away from any city and transportation situation was too bad. PCC could expand on 185th and Walker, close to light rail.

She then spoke about a memo she sent dated February 26 related to Mayor McRobert's testimony which asked to amend the service districts wording. She asked for amendment to 3.01.01 2 e 13 to add "and school districts" to "by any affected service district and school districts" as they had their own board of directors that needed to pass on the proposed plan.

Mr. Kelly Ross, Home Builders Association noted that he and Ms. Harmon had met for over two hours to review affordable housing. There was agreement to the language before Council

today. He was still troubled and concerned about inclusionary zoning. His first preference would be delete the words "without public subsidy" from this section. His second preference would amend language in last section of sub 6 "public subsidy shall not be interpreted to mean the following (list follows). Not included in that list was the possibility for SDC reductions or fee reductions. Mr. Ross urged Council to include those 2 types of incentives, at the very least, in this list.

Mrs. Trudy Reusser, 17345 SW Reusser Ct, Beaverton, OR 97007 lived on Cooper Mountain. She noted that last week there were many compelling reasons given for the decisions. Reports had supported all of those reasons, showing problems with storm and sewer runoff, internal roads not to code, Metro's own transportation plans don't include that area, the soil was highly erodible, factors and conditions that would never change because of the lay of the land. There had been wide support for the deletion of this area. Greenspaces sites 6 & 7 which were considered as highly desirable to be preserved were in this site #113 which was the northern portion of site #49. About half of the area of this site were exactly the same as sites 6 & 7 as greenspaces. How could it be highly desirable to preserve one year and highly desirable to develop to high density the next year? In the face of the reasons submitted and accepted by the council until last week, their wish was to reverse this decision because the evidence in on the side of preserving the area.

Mr. Kenneth Reusser, 17345 SW Reusser Ct., Beaverton, OR 97007 said he would not go into the evidence as Council must be well aware of this by now, but added that he believed that these were more than amendments, they were big changes that were never contained in the Council's original work. He asked the Council not to change their vote from last time and decide against these proposed amendments.

Presiding Officer Kvistad closed the public hearing at 3:23 p.m.

Presiding Officer Kvistad moved to technical adjustment deliberation among the Council.

Councilor McLain said that those three items were moved so public would have an opportunity to react to the information in front of Council today. The Amendments to Exhibit A which were on the second motion the Council took and put these on the table. She had series of amendments to address after hearing the public testimony, hearing from MPAC last night, and also reviewing this work ourselves. She started with Larry Shaw's memo, subject: Attached Exhibit A Amendments.

Motion: **Councilor McLain** moved Metro Code 3.01.010(e) be amended to read as follows: "First Tier Urban Reserves means those urban reserves to be first urbanized because they can be most cost-effectively provided with urban services by affected cities and service districts as so designated and mapped in a Metro Council ordinance."

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

Discussion: **Councilor McLain** said that this helped give more definition to the first tier urban reserves and would fit in nicely with the sentence "designated and mapped in a Metro Council ordinance". It did exactly what Council wanted it to do, distinguish a first tier of more serviceable and cost-effective land.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion: **Councilor McLain** moved to amend 3.01.012(c)(3) "urban reserve map" to say "urban reserve ordinance" which was a mistake that needed to be cleared up.

Seconded: **Councilor Washington** seconded.

Discussion: None.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion: **Councilor McLain** moved to amend 3.01.012(c)(4) to become 3.01.012(d), as follows:

"(d) First Tier

First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves." Again technical.

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

Discussion: None.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion: **Councilor McLain** moved to amend 3.01.012(e)(2) to add the following:

"An urban services agreement consistent with ORS 195.065 shall be required as a condition of approval for any amendment under this subsection."

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

Discussion: **Councilor McLain** stated the need to make sure cities and counties recognized the importance of urban service agreements being in place.

Councilor Morissette clarified with Larry Shaw that this would not give local partners veto authority over Metro Council's ability to manage urban growth boundary. Mr. Shaw referred to his memo addressing this issue.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion: **Councilor McLain** moved to amend the first sentence of 3.01.012(e)(3) to add URSAs #11 and 14 as follows:

"The areas of Urban Reserve Study Areas #11, 14, and 65 are so geographically distant from existing city limits that annexation to a city is difficult to achieve."

Seconded: Councilor Naito seconded the motion.

Discussion: None.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion: Councilor McLain moved to amend 3.01.012(e)(5) as amended:

"Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by Oregon Revised Statutes 197.303. Measures may include but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan."

Seconded: Councilor McCaig seconded the motion.

Discussion: Councilor Morissette asked Councilor McLain to explain Title 7. Mr. Shaw reminded Councilor Morissette that Title 7 was a series of recommended tools to help assist affordable housing at the local government level. A whole series of tools brought to the Council by the affordable housing advocates and the Council made them Title 7 of the Urban Growth Management Functional Plan as a series of recommendations to local governments. It was an extensive set of recommendations that was hard to summarize.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Motion: Councilor McLain moved to amend 3.01.012(e)(6) to read as follows:

"Demonstration of how residential developments will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80% of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdictions. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers."

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor Naito stated that there were concerns about the language of "public subsidy".

John Fregonese agreed that the policy implications were fairly clear. He had concerns about the unintended consequences of the language. It appeared this section was absolute prior to approving an urban growth plan. A subsidy of any kind would indeed provide affordable housing

but Metro would be precluded from approving it because of the public subsidy. He asked for legal counsel's opinion.

Larry Shaw stated this was the first interpretation like this he had heard. He stated that Councilor Naito at the last meeting moved to add the words "when applicable" to the entire list of 13 items that went into the urban reserve plan so Council would have the opportunity to determine whether a provision was applicable under those circumstances. Sections (e)(5) and (e)(6) were proposed together and were related. (e)(5), already adopted, included the reference to ORS 197.303 which included subsidized housing. Doing an urban reserve plan under section 5, if you had an arrangement with a city or agency already for a subsidy, then that would go under (e)(5), and that subsidy would be part of how you were demonstrating a diversity of housing stock for a particular kind of housing stock. (e)(6) was intended to be a separate, independent showing of absent subsidy; how you showed that your proposal would assure that there would be some units that were affordable. Again, this was not the usual definition of affordable housing, if you would notice the definition was at 100% of area median income for home ownership, so for example on today's market a \$145,000.00 home was the median selling price right now. All it would be saying was that you would demonstrate how you were going to provide some of those units. It was intended to have a separate showing of what you could do without a public subsidy. It was a policy question that was voted on by Council to have those words "without public subsidy" in there.

Councilor Naito stated she just wanted clarification of that on the record.

Councilor Washington stated that he had asked for discussion on this amendment last week. Due to circumstances beyond his control he was not able to stay for the full MPAC meeting yesterday. He wanted on record that he did support this amendment, Councilor McLain and affordable housing.

Councilor Naito made a friendly amendment motion to change the wording in 3.01.012(e)(6) to read as follows:

"Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, (reductions or) extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers."

Councilor McLain stated she would accept as friendly amendment after an explanation by legal staff on specifically what they thought that did to that sentence. Her understanding of what it did sounded reasonable and a clarification, but she asked legal to give the Council a take on what that did".

Mr. Larry Shaw stated that this was a straight policy question and that was what the 2 parties in the room would agree to and the affordable housing advocates took the strong view that anything that had dollars in it as something they could compete for to try and reduce the cost beyond whatever the developer had done to get a median level house on the market to allow someone below median income to get in there.

Councilor Naito withdrew her friendly amendment motion and made it a straight-up motion for amendment.

Motion to Amend: **Councilor Naito** moved to change the wording in 3.01.012(e)(6) to read as follows:

"Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, (reductions or) extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers."

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

Discussion: **Councilor Naito** stated her position on the policy amendment.

Councilor McCaig clarified that this was on the table in the discussion that occurred between the home builders and the housing advocates and it was not included in the language that came forward but it had been discussed and rejected by some party in all this.

Councilor Morissette stated that with the adjustments Metro would not be in a position where SDC credits would be considered in the public subsidy realm or fee reductions.

Vote to Amend: The vote was 3 aye/ 4 nay/ 0 abstain. Motion failed.

Councilor McLain stated she has already spoken to her motion.

Vote on the Main Motion: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilor Morissette and Presiding Officer Kvistad voting no.

Motion: **Councilor McLain** moved to amend 3.01.012(e)(13) to read as follows:

"The urban reserve plan shall be coordinated among the city, county, school district and other service districts, including a dispute resolution process with an MPAC report and public hearing at the Metro Council consistent with RUGGO objective 5.3. The urban reserve plan shall be considered for local approval by the affected city or by the count, if subsection (3) above, applies in coordination with any affected service district and/or school district. Then the Metro Council shall consider final adoption of the plan."

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

Discussion: **Councilor McLain** stated that this issue was also before the MPAC group last night.

Councilor Washington asked Councilor McLain if everybody that needed to be under this umbrella was there now or were there more groups that needed to be included.

Councilor McLain responded that she felt an excellent job had been done in trying to include everyone in this very important process

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

Presiding Office Kvistad announced that the list of technical adjustments had been completed unless anybody had others. He then called for any further amendments or adjustments in either parcels or code or map adjustments.

Councilor McLain called upon Mr. Fregonese to clarify the matter of the 2 gravel pit sites on map #44 previously testified to today as being owned by Tigard Sand and Gravel. She asked how the sites were considered in the technical study.

Mr. Fregonese answered that the urban reserve study area included a portion of those 2 parcels. although they were all under common ownership the program the Growth Management Department wrote to make this a property line specific map rules if it were less than 1/2 in, it went out. He stated they weren't aware that this site was all owned by the same people.

Councilor McLain said her point then would be whether or not the technical merit of both areas had the same quality as the rest of #44 that was kept in because of the other criteria.

Mr. Fregonese stated that was correct.

Councilor McLain said to Mr. Shaw that it was her understanding that the findings on the 2 sites would be inconsistent with the technical ranking of this site as proposed with the information that was provided on the record today from Tigard Sand and Gravel.

Mr. Shaw stated he could not speak to the ranking but the reasoning for taking in what was technical resource land there in the findings had to do with the mining of them and use for other than farming and forest purposes. He stated that if Mr. Fregonese could confirm the testimony heard today that in fact those areas had been studied and had been mined, then including them would be consistent with the findings the Council had for special reason for taking what was nominally resource land into the urban reserves

Mr. Fregonese confirmed that testimony.

Councilor McLain stated that after a visit to the site, she felt the sites were all the same. They had been mined, and the findings for all the sites were identical and it should be the full site under the same ownership included in the forwarding or it made all the findings weaker because land had been left out that was consistent with the findings for the rest of site #44.

Motion: **Councilor McLain** moved to include in site #44 the 2 squares identified as the north and the south approximately 40 acre sites that were under the same ownership and of the same condition as the rest of that site.

Seconded: **Presiding Officer Kvistad** seconded the motion.

Discussion: None.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The item was adjusted and adopted.

Presiding Officer Kvistad called for final motions or amendments on parcels or code adjustments.

Councilor McLain stated that after today's testimony she would like to see if the site #49 on top of Cooper Mountain would have enough votes to consider an amendment. She wanted to look at the 27 acre clear cut on the NE corner of Wier Road, because the owner was out of town last week and there was testimony today by the owner. She asked if there was enough support to consider an amendment to consider just that 27 acre corner.

Presiding Officer Kvistad asked if she was moving for reconsideration? She said yes.

An advisory vote by council was taken:

The vote was 1 aye/ 4 nay/ 1 abstain. Failure to receive 4 votes for consideration. The motion to consider one parcel of that area was not agreed to.

Presiding Officer Kvistad asked for more on the area as a whole. There was none. Since there were none and there was no second for the motion, and with 4 votes not in favor of reconsideration, moved on to next item.

Presiding Officer Kvistad called for any further adjustments, amendments or motions on package before Council. None.

Motion: **Councilor McLain** moved to accept the changes in the ordinance before Council and move the ordinance as a whole to the next agenda item on the March 6, 1997 Council agenda.

Seconded: **Presiding Officer Kvistad** seconded the motion.

Discussion: **Councilor Washington** asked if when this ordinance came before Council on the 6th if there would be public hearings?

Presiding Officer Kvistad answered that the technical requirements on a governmental body was to hear public testimony, the Council required to open public testimony on any of those items. He stated that there would be an opening for public testimony next week, but as far as the Council was concerned, this was the final opportunity to make adjustments to this ordinance. Although with 4 votes of Council it was always possible to make further adjustments but that would take one further week before final adoption.

Vote: The vote was 4 aye/ 3 nay/ 0 abstain with Councilors Morissette, McCaig and Naito voting nay.. The item was agreed to and moved to next agenda item for final adoption.

7.2 Ordinance No. 97-670, An Ordinance Amending the FY 1996-97 Budget and Appropriations Schedule in the Zoo Capital Fund by Transferring \$103,206 from Contingency to Materials and Services to Pay for September Elections Expenses; and Declaring an Emergency.

Motion: Councilor McFarland moved approval of Ordinance No. 97-670.

Seconded: Councilor McCaig seconded the motion.

Discussion: Councilor McFarland stated that this was a straight forward "fessing up to our bills from the election last September in which the Metro Washington Park Zoo Oregon Project bond was on that ballot. The expenditures that were expended by the 3 counties were Clackamas County, \$35,808.01, Multnomah County, \$132,286.24, and Washington County \$60,111.46. This ordinance moved \$103,206.00 from the zoo capital fund contingency to materials and services in order to pay for the September election and declaring an emergency since they had waited this long she supposed Metro needed to pay them immediately.

Presiding Officer Kvistad opened a public hearing on this ordinance. No one came forward. The public hearing closed.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed.

7.3 Ordinance No. 97-678, For the Purpose of Amending the FY 1996-97 Budget and Appropriations Schedule, Transferring \$6,000 from the General Fund Contingency to Council Materials and Services; and Declaring an Emergency.

Motion: Councilor McCaig moved approval of Ordinance No. 97-678.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McCaig described the ordinance was to offset costs incurred by legal counsel in providing copies and materials related to the regional framework plan and the functional plan.

Presiding Officer Kvistad opened a public hearing on this ordinance. No one came forward. The public hearing closed.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

8. RESOLUTIONS

8.1 Resolution No. 97-2441, For the Purpose of Confirming the Initial Agreement of Jeff S. Steward and the Reappointment of Peggy J. Miller and David Smith to the Investment Advisory Board.

Motion: Councilor McLain moved approval of Resolution No. 97-2441.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor McLain introduced both staff and Peggy Miller then explained the purpose of the resolution.

Ms. Peggy Miller stated that the members of this advisory board would take very seriously their charge and they appreciated the cooperation of the Council.

Councilor Washington stated that he had the opportunity to serve with Ms. Miller on other boards and thanked her for her hard work.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The resolution was adopted unanimously.

8.2 Resolution No. 97-2454, For the Purpose of Granting an underground electrical right-of-way easement at the M. James Gleason Boat Ramp to Pacific Power and Light.

Motion: Councilor McCaig moved approval of Resolution No. 97-2454.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor McCaig explained the resolution. The total cost was \$2,500.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The resolution was adopted unanimously.

8.3 Resolution No. 97-2457, For the Purpose of Recognizing the Tryon Creek Watershed Council that Meets the State of Oregon Governor's Watershed Enhancement Board (GWEB) Guidelines.

Motion: Councilor McCaig moved approval of Resolution No. 97-2457.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor McCaig stated that the important thing to remember was that the whole purpose of the authorization was to allow the Tryon Creek Watershed Council to apply to the state for state and federal funds and grants in order to provide watershed related projects. Without approval they could not make application to the state for grants and funds. Controversy came from the Tryon Resource Management Group another watershed group who would prefer government representation on the Council.

Councilor McFarland commented that she was still in a quandary as to what to do with this resolution and she would have to vote no at this time.

Presiding Officer Kvistad stated that he was not very familiar with the groups but if he was assured that both groups equally have the ability to come to Council to be recognized for that purpose he would be comfortable voting it forward.

Councilor McCaig explained that the Tryon Resource Management Group did if it met the guidelines and established criteria. They would have to come forward with those guidelines and criteria to be endorsed. They had not made that petition to Council but they had that opportunity.

She stated that there had not been a lot of activity on this resolution but it did have some support in the district.

Councilor Naito echoed her support of this resolution and stated that the group had done very good work and should be recognized.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The resolution was adopted with Councilor McFarland voting nay.

Presiding Officer Kvistad recessed the Metro Council and opened the Council Contract Review Board for consideration of the next resolution.

CONTACT REVIEW BOARD

8.4 Resolution No. 97-2461, For the Purpose of Exemption to Metro Code Chapter 2.04.060, Personal Services Contract Selection Process, and Authorizing a Sole-Source Contract with Stop Oregon Litter and Vandalism (SOLV) for Sponsorship of the Annual Solv-It Cleanup Event on April 19, 1997.

Motion: Councilor McFarland moved approval of Resolution No. 97-2461.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor McFarland explained the project was something that had been done annually for several years which SOLV was the sole source contract and exempted from the normal procedure of contracting for this kind of operation partly because they were the only ones who did it and did it well.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The resolution was adopted unanimously.

Presiding Officer Kvistad recessed the Council Contract Review Board and reconvened the Metro Council.

8.5 Resolution No. 97-2462, For the Purpose of Authorizing Release of RFP #97R-6 REM for the Development of a Facilities Master Plan and Renewal and Replacement Account for Solid Waste Facilities.

Motion: Councilor Washington moved approval of Resolution No. 97-2462.

Seconded: Councilor Morissette seconded the motion.

Discussion: Councilor Washington explained this was to solicit proposals to assist the Regional Environmental Management Department and explained the 4 major objectives of this plan.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The resolution was adopted unanimously.

8.6 Resolution No. 97-2463, For the Purpose of Stating the Council's Position with Respect to the Regional Facilities Operated by the Metropolitan Exposition-Recreation Commission.

Motion: Councilor McFarland moved approval of Resolution No. 97-2463.

Seconded: Councilor McCaig seconded the motion.

Discussion: Councilor McFarland explained the resolution reconfirmed commitment to search for regional funding solution for all regional facilities and the arts and declared its desire to work cooperatively with Metro's regional partners with respect to these important regional assets. She urged approval.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The resolution was adopted unanimously.

8.7 Resolution No. 97-2468, For the Purpose of Adding Additional Priorities to Metro's 1997 Legislative Package.

Motion: Councilor Naito moved approval of Resolution 97-2468.

Seconded: Councilor Washington seconded the motion.

Discussion: Councilor Naito explained the resolution's purpose and urged Council's support.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The resolution was adopted unanimously.

8.8 Resolution No. 97-2469, For the Purpose of Identifying Metro's position on State of Oregon Legislation.

Motion: Councilor Naito moved for approval of Resolution No. 97-2469.

Seconded: Councilor McCaig seconded the motion.

Discussion: Councilor Naito explained the work done on this resolution and urged Council support.

Councilor McLain asked for clarification on a point. Mr. Cooper explained that under current law it was possible to use a temporary 10 day trip permit for a RV, register it for a short period of time and then leave it unregistered for the rest of the year thus avoiding paying the normal annual registration fee. This would correct that.

Presiding Officer Kvistad read into the record the following from Peggy Lynch:

"To the Metro Council: Please consider changing your position on Senate Bill 5505 DLCD Budget to monitor support. Local government partners need grant funding imbedded in this bill to do the work of 2040. Without state grant dollars local governments facing general governance

cut-backs, including their planning debts, will have a difficult time complying with the UGB FMPL and even more difficult time doing Urban Reserve plans". signed Peggy Lynch

Councilor Naito stated that the priorities package did adopt support for adequate funding for DLCD. The reason for showing only monitor here was because it had not come through the Ways and Means.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The resolution was adopted unanimously.

9. COUNCILOR COMMUNICATIONS

Presiding Officer Kvistad brought to Council's attention the need to turn on their microphones when voting or commenting on issues because their votes needed to be on the tape of the public record.

Councilor Naito stated that she would be reviewing the Attorney General's opinion and the summary Dan Cooper gave her on 47 and she would get back to some of the Councilors about that after returning from Salem. Another item to think about was coming to some consensus on the several transportation funding proposals coming up.

Councilor Washington mentioned past Metro Councilor Dick Waker's death and asked if Council had sent a card.

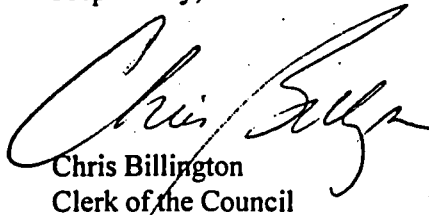
Councilor McLain thanked the Council for the hard work on the urban reserves and Metro Code. She stated that she personally appreciated all the support she got and she was proud of all of their work on this.

Presiding Officer Kvistad also expressed appreciation to the Council for their work.

10. ADJOURN

There being no further business to come before the Metro Council, **Presiding Officer Kvistad** adjourned the meeting at 4:50 p.m.

Prepared by,



Chris Billington
Clerk of the Council

Agenda Item Number 5.1

Ordinance No. 96-655D, For the Purpose of Designating Urban Reserve Areas for the Portland Metropolitan Area Urban Growth Boundary; Amending RUGGO Ordinance No. 95-625A and Metro Code 3.01; and Declaring an Emergency.

Second Reading

**Metro Council Meeting
Thursday, March 6, 1997
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING)	ORDINANCE NO 96-655D
URBAN RESERVE AREAS FOR THE)	
PORTLAND METROPOLITAN AREA URBAN)	Introduced by Executive Officer
GROWTH BOUNDARY; AMENDING RUGGO)	Mike Burton
ORDINANCE NO. 95-625A AND METRO CODE)	
CHAPTER 3.01; AND DECLARING AN)	
EMERGENCY)	

WHEREAS, ORS 197.298(1)(a) requires that land designated as urban reserve land by Metro shall be the first priority land for inclusion in the Metro Urban Growth Boundary; and

WHEREAS, the Land Conservation and Development Commission's (LCDC's) Urban Reserve Area Rule at OAR 660-21-020 requires Metro to designate the location of urban reserve areas for the Portland Metropolitan area within two miles of the regional Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-020, requires that urban reserve areas designated by Metro shall be shown on all applicable comprehensive plan and zoning maps; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(1), requires that urban reserve areas shall include at least a 10 to 30 year supply of developable land beyond the 20 year supply in the Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(2), requires that Metro study lands adjacent to the Urban Growth Boundary for suitability as urban reserve areas; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(3), requires that land found suitable for an urban reserve area must be included according to the

Rule's priorities and that first priority lands are those lands identified in comprehensive plans as exception areas plus those resource lands completely surrounded by exception areas which are not high value crop areas; and

WHEREAS, Resolution No. 95-2244 established urban reserve study areas as the subject of Metro's continued study for possible designation as urban reserve areas consistent with LCDC's Urban Reserve Area Rule; and

WHEREAS, urban reserve study areas are shown on the 2040 Growth Concept Map in Ordinance No. 95-625A adopting the Regional Urban Growth Goals and Objectives (RUGGO) which was acknowledged by LCDC Compliance Order 96-ACK-010 on December 9, 1996; and

WHEREAS, Metro has undertaken a detailed analysis of the suitability of the study areas for designation as urban reserve areas, including the June, 1996 Metro Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas; and

WHEREAS, an Urban Growth Report containing data about the relative suitability of lands as urban reserves, maps and descriptions of the physical characteristics of the study areas published by the Executive Officer was accepted by the Metro Council as amended in Resolution No. 96-2392B and forwarded to the Metro Council; and

WHEREAS, a series of open houses near the Urban Growth Boundary was held in June, 1996 at Oregon City, Clackamas, Tualatin and Beaverton with residents owning property in study areas notified by mail, print ads and flyers to schools; and

WHEREAS, the Metro Council held public hearing listening posts concerning the urban reserves and the Executive Officer Urban Reserve Recommendation in

November and December, 1996 in Hillsboro, Gresham, Beaverton, Oak Grove and at Metro; and

WHEREAS, the Metro Council considered all the evidence in the record and public testimony in December, 1996 and February, 1997 work sessions to select urban reserve areas; and

WHEREAS, notice of the proposed urban reserve areas and the proposed postacknowledgment amendments to the acknowledged RUGGO ordinance and the acknowledged Metro Code 3.01 have been given consistent with ORS 197.610(1); now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 3.01, Metro's acknowledged "Urban Growth Boundary Amendment Procedures," are hereby amended as indicated in Exhibit "A," attached and incorporated herein.

Section 2. Ordinance No. 95-625A is hereby amended to replace the urban reserve study areas indicated on the 2040 Growth Concept Map with the urban reserve areas designated in Section 3 of this Ordinance.

Section 3. Urban reserve areas indicated on the map attached as Exhibit "B", and incorporated herein, are hereby designated as the urban reserve areas for the Metro Urban Growth Boundary for the purposes of (1) application of Metro Code 3.01, (2) amendment of the acknowledged 2040 Growth Concept Map, (3) compliance with the Urban Reserve Areas Rule at OAR 660-21-020, and (4) identifying lands of first priority for inclusion in the Metro Urban Growth Boundary as required by ORS 197.298.

Section 4. The urban reserve areas on Exhibit "B" shall be shown on all applicable county comprehensive plan and zoning maps as required by the Urban Reserve Areas Rule at OAR 660-21-020.

Section 5. The designation of urban reserve areas prior to March, 1997 applications for amendments to the Metro Urban Growth Boundary is necessary to preserve the health, safety or welfare of the Metro region; therefore, an emergency is hereby declared to exist, and this Ordinance shall take effect upon passage.

Section 6. The provisions of this ordinance are separate and severable. The invalidity of any clause, sentence, paragraph, section, subsection, or portion of this ordinance or the invalidity of the application thereof to any city, county, person or circumstance shall not affect the validity of the remaining provisions of this ordinance or its application to other cities, counties, persons or circumstances.

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ADOPTED by the Metro Council this _____ day of _____, 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

EXHIBIT A

Amendments to Metro Code 3.01

Title Section is amended as follows:

"URBAN GROWTH BOUNDARY AND URBAN RESERVE PROCEDURES

SECTIONS	TITLE
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3.01.005	Purpose
3.01.010	Definitions
3.01.012	Urban Reserves
3.01.015	Legislative Amendment Procedures"

Section 3.01.005(a), sentence is added at end as follows:

"...other than Goals 2 and 14. This chapter is also established to be used for the establishment and management of Urban Reserves, pursuant to OAR 660-21-000 to 660-21-100 and RUGGO Objective 22."

Section 3.01.005(c) is added as follows:

(c) The objectives of the Urban Reserves are to:

- (1) Identify sufficient land suitable for urbanization sufficient to accommodate the forecast needs for a 30 to 50 year interval, reevaluated at least every 15 years;
- (2) Limit the areas which are eligible to apply for inclusion to the Urban Growth Boundary consistent with ORS 197.298, and protect resource lands outside the urban reserve areas;
- (3) Protect lands designated as urban reserves for their eventual urbanization, and insure their efficient urbanization consistent with the 2040 Growth Concept, the RUGGOs and the Urban Growth Management Functional Plan;
- (4) Provide for coordination between cities, counties, and special districts for planning for the urban reserve areas;
- (5) Ensure a smooth transition to urban development by planning for general governance, public facilities, land uses, and planning for financing the capital needs of the urban development."

Section 3.01.010(z) is amended as follows:

"(z) "Urban reserve" means an area adjacent to the present UGB defined to be a priority location for any future UGB amendments when needed. Urban reserves are defined as the land likely to be needed including all developable land inside the current urban growth boundary, for a 30 to 50 year period."

Section 3.01.010 is amended to add an additional term and definition as follows:

"(e) 'First Tier Urban Reserves' means those urban reserves to be first urbanized because they can be most cost-effectively provided with urban services by affected cities and service districts as so designated and mapped in a Metro Council ordinance."

"(y) 'Special land need' means a specific type of identified land needed which complies with Goal 14, Factors 1 and 2 that cannot be reasonably accommodated on first tier urban reserve land."

Section 3.01.012 is added as follows:

"3.01.012 Urban Reserve Areas

(a) Purpose

The purpose of this section is to comply with ORS 197.298 by identifying lands designated urban reserve land by Metro as the first priority land for inclusion in the Metro Urban Growth Boundary.

(b) Amount of Land Required

- (1) The areas designated as urban reserves shall be sufficient to accommodate expected urban development for a 30 to 50 year period, including an estimate of all potential developable and redevelopable land in the urban area.
- (2) Metro shall estimate the capacity of the urban reserves consistent with the procedures for estimating capacity of the urban area as defined in Section 3.01.010.
- (3) The minimum residential density to be used in calculating the need for urban reserves, estimating the capacity of the areas designated as urban reserves and required in concept plans shall be at least 10 dwelling units per net developable acre.
- (4) Metro shall designate the amount of urban reserves estimated to accommodate the forecast need.
- (5) Metro may designate a portion of the land required for urban reserves in order to phase designation of urban reserves.

(c) Mapped Urban Reserves

- (1) Metro has designated as urban reserve areas those lands indicated on the 2040 Growth Concept map as part of the Regional Urban Growth Goals and Objectives.
- (2) Urban growth boundary amendments shall include only land designated as urban reserves unless designated urban reserve lands are inadequate to meet the need. If land designated as urban reserves is inadequate to meet the need, the priorities in ORS 197.298 shall be followed.

- (3) Within 1 year of Metro Council adoption of the urban reserve ordinance, the Metro Council shall modify the Metro 2040 Growth Concept to designate regional design types consistent with the Metro 2040 Growth Concept for all designated urban reserves.

(d) First Tier

First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves.

(e) Urban Reserve Plan Required

A conceptual land use plan and concept map which demonstrates compliance with the RUGGO and the 2040 Growth Concept design types and any applicable functional plan provisions shall be required for all major amendment applications and legislative amendments of the urban growth boundary including at least the following, when applicable:

- (1) Provision for either annexation to a city and any necessary service districts at the time of the final approval of the urban growth boundary amendment consistent with 3.01.065 or an applicable city-county planning area agreement which requires at least the following:
 - (A) City or county agreement to adopt comprehensive plan provisions for the lands added to the urban growth boundary which comply with all requirements of urban reserve plan conditions of the urban growth boundary approval;
 - (B) City and county agreement that lands added to the urban growth boundary shall be rezoned for urban development only upon annexation or agreement for delayed annexation to the city and any necessary service district identified in the approved Concept Plan or incorporation as a new city; and
 - (C) County agreement that, prior to annexation to the city and any necessary service districts, rural zoning that ensures a range of opportunities for the orderly, economic, and efficient provision of urban services when these lands are included in the urban growth boundary remains in place until city annexation and the adoption of urban zoning.
- (2) Notwithstanding (1) above, the Metro Council may approve a major or legislative amendment to the urban growth boundary if the proposed amendment is required to assist the region to comply with the 2040 Growth Concept or to assist the region, a city or county in demonstrating compliance with statute, rule, or statewide goal requirements for land within the urban growth boundary. These requirements include HB 2709, ORS 197.303, the statewide planning goals and Regional Urban Growth Goals and Objectives. An urban services agreement consistent with ORS 195.065 shall be required as a condition of approval for any amendment under this subsection.
- (3) The areas of Urban Reserve Study Areas #11, 14 and 65 are so geographically distant from existing city limits that annexation to a city is difficult to achieve. If the county and affected city and any

necessary service districts have signed an urban service agreement or an urban reserve agreement coordinating urban services for the area, then the requirements for annexation to a city in (1)(B) and (1)(C) above shall not apply.

- (4) Provision for residential densities of at least 10 dwelling units per net developable residential acre.
- (5) Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by ORS 197.303. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.
- (6) Demonstration of how residential developments will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80% of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers.
- (7) Provision for sufficient commercial and industrial development for the needs of the area to be developed and the needs of adjacent land inside the urban growth boundary consistent with 2040 Growth Concept design types.
- (8) A conceptual transportation plan consistent with the Regional Transportation Plan, and consistent with protection of natural resources as required by Metro functional plans.
- (9) Identification, mapping and a funding strategy for protecting areas from development due to wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the urban growth boundary prior to urban development. The plan shall include cost estimates to implement a strategy to fund resource protection.
- (10) A conceptual public facilities and services plan, including rough cost estimates for the provision of sewer, water, storm drainage, transportation, fire and police protection facilities and parks, including financing strategy for those costs.
- (11) A conceptual school plan which provides for the amount of land and improvements needed for school facilities. Estimates of the need shall be coordinated among affected school districts, the affected city or county, and affected special districts consistent with the procedures in ORS 197.110(3), (4) and (7).
- (12) An Urban Reserve Plan map showing, at least, the following, when applicable:

- (A) Major roadway connections and public facilities;
 - (B) Location of unbuildable lands including but not limited to steep slopes, wetlands, floodplains and riparian areas;
 - (C) General locations for commercial and industrial lands;
 - (D) General locations for single and multi-family housing;
 - (E) General locations for public open space, plazas and neighborhood centers; and
 - (F) General locations or alternative locations for any needed school, park or fire hall sites.
- (13) The urban reserve plan shall be coordinated among the city, county, school district and other service districts, including a dispute resolution process with an MPAC report and public hearing consistent with RUGGO Objective 5.3. The urban reserve plan shall be considered for local approval by the affected city or by the county, if subsection (3), above, applies in coordination with any affected service district and/or school district. Then the Metro Council shall consider final adoption of the plan.

Section 3.01.015(d) is added as follows:

"(d) Metro shall consult with the appropriate city, county and service districts to identify lands inside first tier urban reserves which are the most capable of being served by extension of service from existing service providers for the purpose of preparing concept plans in advance for any short term need for inclusion of additional lands in the urban growth boundary."

Section 3.01.015(d) is amended as follows:

"(e) Legislative amendment decisions shall be accompanied by findings explaining why the UGB amendment complies with applicable state law and statewide goals as interpreted by section 3.01.020 and subsequent appellate decisions and including applicable concept plans and maps demonstrating consistency with RUGGO including the 2040 Growth Concept and compliance with any applicable functional plan provisions."

Section 3.01.020(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . Compliance with this section shall constitute compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.020(b), last sentence, is amended as follows:

"For legislative amendments, if need has been addressed, the district shall demonstrate that the priorities of ORS 197.298 have been followed and that the recommended site was better than alternative sites, balancing factors 3 through 7."

Section 3.01.025(a) is amended as follows:

"(a) All major amendments shall be solely upon lands designated in urban reserves, when designated consistent with 3.01.012. All major amendments shall demonstrate compliance with the following:

- (1) The criteria in section 3.01.030 of this Code as well as the procedures in OAR 660-18-000;
- (2) Notice of public hearings for major amendments as described in section 3.01.050;
- (3) Public hearings procedures as described in sections 3.01.055 through 3.01.065;
- (4) the urban reserve plan requirements in section 3.01.012(e); and
- (5) Final action on major amendments shall be taken as described in section 3.01.070."

Section 3.01.030(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . and further define ORS 197.298, Goals 2 and 14 . . . compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.030(b) is amended by adding the following sentence prior to 3.01.030(b)(1):

"Demonstration that the priorities of ORS 197.298 have been followed is required in addition to the application of factors 3 through 7."

Section 3.01.040(b), (c) are added as follows:

"(b) The district shall attach the approved urban reserve plan and map required at 3.01.012(e) as conditions of approval to assure compliance of developed uses with the 2040 Growth Concept and any applicable functional plan provisions.

(c) The district may determine that certain conditions of approval are so important to inclusion of land into the urban growth boundary that if those conditions are not met that the urban growth boundary approval may be revoked automatically or by action of the district."

Section 3.01.065(f) is amended as follows:

"(f) When the council acts to approve in whole or in part a petition by requiring annexation to a city and/or service district(s) and Tri-Met and whenever a petition includes land outside the district:

- (1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the district within six months of the date of adoption of the Resolution.
- (2) The council shall take final action, as provided for in paragraphs (c) and (d) of this section, within 30 calendar days of notice that all required annexations to a city, service district(s) and the district have been approved."

ORDINANCE NO. 96-655D

**EXHIBITS B AND C (MAPS) ARE AVAILABLE FOR
REVIEW
IN THE COUNCIL OFFICE**

**LEGAL FINDINGS SUMMARY AVAILABLE IN LEGAL
COUNSEL OFFICE ON MARCH 5, 1997**

Agenda Item Number 5.2

Ordinance No. 96-665C, For the Purpose of Coordinating Comprehensive Plans by Establishing an Urban Service Boundary.

Second Reading

Metro Council Meeting
Thursday March 6, 1997
Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF COORDINATING) ORDINANCE NO 97-665BC
COMPREHENSIVE PLANS BY ESTABLISHING)
AN URBAN SERVICE BOUNDARY) Introduced by Executive Officer,
) Mike Burton

WHEREAS, Metro is required by ORS 195.025(1) to be responsible for coordinating all planning activities affecting land uses within its jurisdiction to assure integrated comprehensive plans for the entire metropolitan area; and

WHEREAS, Metro must approve cooperative agreements and review urban services agreements as part of coordinating urban services in the SB 122 process while retaining overall coordination responsibility; and

WHEREAS, the cities of Portland and Beaverton and Washington County have been involved in a long-standing dispute over planning the ultimate areas for urban services to be provided under the comprehensive plans of the cities in unincorporated urban areas of Washington County between the two cities; and

WHEREAS, Metro's Executive Officer convened informal discussions of the urban services issues among the cities, the County, special service districts and citizens of the unincorporated area which reviewed provision of sewer, water, and parks services in the unincorporated area between Portland and Beaverton; and

WHEREAS, discussion of urban services among the affected parties indicated a strong desire for the certainty in the planning of urban services that has been provided to abutting cities by the use of policies in comprehensive plans establishing urban service boundaries between the cities of Portland and Gresham and Beaverton and Tigard; and

WHEREAS, the courts have held that the comprehensive plans of Beaverton, Portland and Washington County contain inconsistent provisions on an urban service boundary between Beaverton and Portland; and

WHEREAS, the County, cities, and special service districts participating in informal discussions with the Metro Executive Officer have agreed to policies and actions to assure coordination of the comprehensive plans of Washington County and the cities of Beaverton and Portland; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the past amendments to the comprehensive plans of the City of Portland, the City of Beaverton and Washington County relating to urban service boundaries between Portland and Beaverton shall be replaced by text in the comprehensive plans describing an Urban Service Boundary line between Beaverton and Portland as the area of ultimate annexation for each city. The text description shall be consistent with the Urban Service Boundary Map attached and incorporated herein as Exhibit A. This Map shall be used to establish the Urban Service Boundary in each comprehensive plan which shall be the basis for adopting new urban planning agreements consistent with this Ordinance.

The Urban Service Boundary Map establishes the Urban Service Boundary as the Multnomah-Washington County boundary line, with the following small exceptions due to existing annexation, deed restrictions and service connections:

A. The following exceptions to the county line are needed to make a logical boundary for small areas already annexed into City of Portland:

1. The southernmost Portland annexation adjacent to Florence Lane remains in Portland.

2. The Portland annexation north and south of Garden Home Road, located south of Canby Street and east of Oleson Road, remains in Portland.
 3. The territory annexed to Portland east of Oleson Road north and south of SW Vermont Street between Dover Lane and Peyton Road will remain in Portland.
 4. The Portland annexation north of Beaverton-Hillsdale Highway and the annexation at Hamilton and Scholls Ferry Road remain in Portland.
 5. The SW Burnside and Barnes Road Portland annexation remains in Portland.
 6. The Portland annexations in the vicinity of NW Cornell east of 102nd Avenue remain in Portland.
- B. A small area with deed restrictions requiring annexation to Portland and streets connected to Portland remains in Portland: Meadowridge development.
- C. A small area north of the extension of SW 66th Avenue, north to SW Barnes Road in quarter section A of Section 1S1W (Washington County Tax Lots 1S101AD00100 and 1S101AD90000).
- D. A small area east of SW Canyon Drive and south of U.S. 26 for access to SW 64th Place, SW Bucharest Court in Multnomah County.
- E. The property between the two small annexations described in 1.A.4 above, and west to Scholls Ferry Road.

2. That the following policies shall be added to the Beaverton, Portland and Washington County comprehensive plans and shall be the basis for adopting new urban planning agreements consistent with these policies:

- A. Upon annexation of the area in the vicinity of SW Garden Home Road and SW Oleson Road by Beaverton consistent with the Urban Service Boundary, Portland shall consent to annexation by Beaverton of that area south of SW Garden Home Road and west of Oleson Road that is currently in Portland.
- B. For the Raleigh Hills Town Center as shown on the acknowledged Metro 2040 Growth Concept Map, the affected jurisdictions of Beaverton, Portland, Washington County and Metro shall enter into an urban planning agreement to assure implementation of the Urban Growth Management Functional Plan provisions relating to town centers, including the establishment of town center boundaries and demonstration of target capacities for jobs and housing.

3. That Metro shall adopt regional coordination policies to assist the City of Beaverton, City of Portland and Washington County in the adoption of new planning agreements consistent with this Ordinance.

4. The Metro Council requests that the City of Portland strongly consider consenting to the de-annexation of any territory within its city limits located within Washington County if and when such territory is contiguous to the city limits of the City of Beaverton, and a proceeding is initiated to de-annex the territory from Portland and annex it to Beaverton.

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ADOPTED by the Metro Council this _____ day of _____ 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

DBC:jep
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Agenda Item Number 6.1

Resolution No. 96-2426, For the Purpose of Adopting Policies for Coordination of City and County Comprehensive Plans.

**Metro Council Meeting
Thursday March 6, 1997
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING)	RESOLUTION NO 96-2426
POLICIES FOR COORDINATION OF)	
CITY AND COUNTY COMPREHENSIVE)	Introduced by Executive Officer,
PLANS)	Mike Burton
)	

WHEREAS, Metro is required by ORS 195.025(1) to be responsible for coordinating all planning activities affecting land uses within its jurisdiction to assure integrated comprehensive plans for the entire metropolitan area; and

WHEREAS, Metro must approve cooperative agreements and review urban services agreements as part of coordinating urban services in the SB 122 process while retaining overall coordination responsibility; and

WHEREAS, the courts have held that the comprehensive plans of Beaverton, Portland and Washington County contain inconsistent provisions on an urban service boundary between Beaverton and Portland; and

WHEREAS, Metro participated with the County, cities, and special service districts in informal discussions convened by the Metro Executive Officer where the parties tentatively agreed to policies and actions to assure coordination of the comprehensive plans of Washington County and the cities of Beaverton and Portland that included Metro coordination policies; now, therefore,

BE IT RESOLVED:

1. That the Executive Officer shall prepare a policy and process as a basis for Metro review of cooperative agreements and urban service agreements submitted to Metro under SB 122 which contains the following:

- A. Recognition of county-convened processes pursuant to SB 122 which complete draft urban service agreements for Metro review.
- B. Use of the urban service boundaries between Portland and Gresham, Beaverton and Tigard, and Portland and Beaverton as a basis for review of proposed SB 122 cooperative agreements and urban service agreements.
- C. Provision for the City of Portland to comment to Metro on those proposed urban service agreements relating to areas near the Beaverton-Portland Urban Service Boundary which impact Portland as part of Metro review of those proposed urban service agreements.
- D. Metro determination of whether Metro mediation or coordination action relating to proposed SB 122 agreements is indicated to assist city and county implementation of the Urban Growth Management Functional Plan, including review of transportation and planning impacts to areas near the Portland-Beaverton Urban Service Boundary commented on by Portland.

2. That a procedure shall be added to the Metro Code for consideration of Metro actions to coordinate urban services and resolve urban services disputes which shall include the following:

- A. A mediation process by the Executive Officer with a report to the Metro Council.
- B. A hearing at the Metro Council for consideration of any formal coordination action or other region-wide policy.
- C. Provision for Metro Council coordination or regional policy actions to be final land use decisions consistent with acknowledged RUGGO, including

the 2040 Growth Concept, and adopted functional plans. Such decisions would be appealable to the Land Use Board of Appeals.

3. That Metro shall adopt a policy to review provision of urban services and annexations in currently unincorporated Washington County adjacent to Portland with Washington County, Beaverton, Portland and affected service districts.

ADOPTED by the Metro Council this ____ day of _____ 1997.

Jon Kvistad, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

jep

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EXHIBIT

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

January 22, 1997 Meeting

Metro Council Chambers

Committee Members Present: Chair Rob Drake; Dick Benner, Bud Farm; Charlie Hales; Judie Hammerstad; Susan McLain; Peggy Lynch; Susan McLain; Gussie McRobert; Rob Mitchell; Lou Ogden, Linda Peters, Chuck Petersen; David Ripma, Dan Saltzman, Jill Thorn (Alternate for Jean Schreiber), Mitch Wall, David Widmark, Jim Zehren.

Alternates Also Present: John Hartsock, Alternate for Chuck Petersen; Richard Kidd, Alternate for Lou Ogden; Bill Kennemer, Alternate for Judie Hammerstad.

Metro Staff Present: Joe Gibbons, Larry Shaw, John Fregonese, Mark Turpel, Carol Krigger, Rosemary Furfey; Heather Nelson, Michael Morrissey, Mike Burton, Carol Kelsey, Theodis Perry.

Also Present: Greg Nokes, The Oregonian; Councilor Neil Clough, Cornelius; Jim Morrison, Citizen, Harold Long, Mult CO 5; Ed Gronke, Clackamas Business Roundtable; Ron Scrivner, Citizen; Jim Jacks, Tualatin; Tom Coffee, City of Lake Oswego; Jim Johnson, OR Dept. Of Agriculture; Jill Thompson, The Oregonian; Mary Kyle McCurdy, 1000 Friends; Elana Emlen, Portland Planning; Kimi Iboshi Sloop, McKeever/Morris; Mike McKeever, McKeever/Morris; GB Arrington, Tri Met; W. Kellington, Lane Powell; J. Bachrach, O'Donnell, Ramis; Mike Lilly, Attorney for Tigard Sand and Gavel; Jessica Glenn, Washington Co. Community Action; Brent Curtis, Washington Co.; Jim Grumley, Happy Valley; David Maureen Murphy, Citizen; Martin Custred, Citizen; Jeff Davis, Gresham; Doug Bollam, Citizen; Maureen Murphy, Citizen; Mike Houck, Audubon Society; Jim Sitzman, DLCD; Rick Fernandez, Ball Janik; W. James Kuhl, Rosemont Property Owners.

Chair Drake called the meeting to order at 5:05 PM.

1. INTRODUCTIONS

Those present introduced themselves.

Commissioner Hammerstad introduced her new alternate, Commissioner Bill Kennemer.

2. PUBLIC COMMENT

There was no other public comment.

3. CONSENT AGENDA

3.1 Minutes of January 8, 1997

Peggy Lynch noted that the record should be corrected to reflect that Richard Kidd is not Mayor of Forest Grove but a Councilor.

Motion #1	Commissioner Peters moved to approve the Consent Agenda as corrected. Councilor Kidd seconded the motion.
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Discussion	No further discussion.
Vote #1	The motion to approve the Consent Agenda as corrected passed by unanimous vote.

4. Council Update

Councilor McLain referred members to the memos from January 16 from John Fregonese and Larry Shaw which were the products from the work of the subcommittee on urban reserves. Attachment A with the memo from Larry Shaw illustrates the draft language for code changes needed to implement the suggestions in #1 from John Fregonese's memo. She informed members that she could definitely support points 1, 3, 4 and 5 as presented in John Fregonese's memo. Point #2, however, she believes is a policy decision that needs more discussion.

She noted that short term concerns may hurt the product and the protection of resource acres. Long term planning is important and she supports the 43 year planning period. In speaking with farmers in Washington County, she was told they would like some certainty and do not want things reviewed every five years.

She stated she would be happy to carry the recommendations outlined in 1, 3, 4 and 5 in the memo to the Growth Management Committee and to the Council. She asked that MPAC reconsider recommendation #2.

Chair Drake said that MPAC and the Metro Council have been on different paths with regard to urban reserves. He would like to be constructive in finding some common ground. He believes that 43 years is a long way out and he would like to look at different numbers than 43 years or 18,000 acres. He stated that if there is 5 year review, it gives farmers and other business people a reasonable expectation.

He suggested looking at a 30 year plan and discussing the maximum acreage of 8,000 to 10,000 acres instead of leaving all 18,000 acres in the urban reserves. He indicated that local governments would have a difficult time in deciding to fund local issues or to do planning for the 18,000 acres. He emphasized his desire to keep the discussion on a constructive path.

Councilor McLain responded that the number of acres is not going to decide how or what to plan for in the planning process as much as the Metro Code and the direction of the ordinance. She indicated that if the ordinance says there will not be a UGB amendment until the Functional Plan has had 18 months to 2 years to actually work, it will focus the work on the Functional Plan and infrastructure improvements within the UGB and on the "First Priority" areas.

Commissioner Hales suggested the discussion wait until the subcommittee report on urban reserves.

Chair Drake said that MPAC needs to work on the subcommittee report and draft something to give to the Council. He said that he believes the amount of acres in the urban reserves is

critical. He said there is the short term need but the issue of the maximum should also be considered. He stated that he does not believe that the time frame should be 30 years.

Councilor McLain said that she was trying to point out the agreement over codes and how any acreage, no matter how much, is used.

5. OLD BUSINESS

5.1 Annual Agenda

Chair Drake noted that staff was not able to get to the agenda in time for the subcommittee to consider recommendations. The annual agenda will be set over until the next meeting.

Peggy Lynch indicated it would be expedient for the subcommittee to do their work by phone and fax.

5.2 Urban Reserves

John Fregonese reported that the subcommittee met and debated the issues. In his memo he outlined the five key items or policies discussed at the meetings. He explained each one.

Point #1: He pointed out that Attachment A of the memo from Larry Shaw contains draft code language which provides for a concept plan. He explained that the concept plan is met to give a written general plan that includes a number of conditions attached to the land when it comes into the Urban Growth Boundary (UGB). He stated that an area cannot be rezoned until it is annexed to a city.

Commissioner Hammerstad asked what would happen if there were no adjacent city.

John Fregonese stated that this was to address concerns of areas being developed outside of cities. He noted that the issue needed to be discussed further.

Commissioner Hammerstad indicated that prior to Measure 47 she was supportive of the idea. Measure 47 has changed the picture. She noted that there appears to be some inconsistencies in the use of "and" and "or" in the draft code language. Even though urban service providers and service districts need to be identified, there needs to be more flexibility in annexation. The inability of cities to annex and capture taxes will be problematic.

John Fregonese noted that the service districts will have the same problems as cities if they are property tax based. Fee based services would not realize the same problem.

Commissioner Peters added that Measure 47 would make it difficult for the counties to serve those urbanized areas. She supports the idea that urbanization be done as part of a city.

Commissioner Hammerstad stated that during concept development, local jurisdictions need to be able to identify where the likely governance will be. It will avoid technical problems later.

Peggy Lynch explained that because of Measure 47 limitations, it is better for annexation to happen to under-developed or undeveloped land than to developed land. She noted that under the current UPAA between Beaverton and Washington County, even when the city has put city zoning on annexed land, there is a comparable county zone for at least one year.

John Fregonese continued with the explanation of the concept plan features. He stated point #2 provides for a density of at least 10 dwelling units per net developable acre. He said that the concept plan needs to be developed with the city, county and special districts prior to an amendment of the UGB.

In going back to his memo of January 16, 1997, he indicated that point #2 asks that the Council reduce the number of acres by changing the length of forecast and not the capacity of the UGB. The Council has discretion in selecting between a 30 to 50 years. He stated that the subcommittee suggested using a shorter time frame and reduce the number of acres. A 2027 urban reserve would be in the range of between 8,000 and 10,000.

He said point #3 stated that there should be no legislative amendment before December, 1998. This would include adoption of the UGB.

He stated that point #4 asks that MTAC continue with the assessment of urban reserves and prioritize the rest.

He indicated that point #5 calls for no amendment until the Metro Code is revised. This would make it necessary that concept planning and annexation decisions be adopted before the Council allow any major or legislative amendments to the UGB.

Commissioner Hales pointed out that he believed there were a couple of changes that needed to be made to the 5 points outlined in John Fregonese's memo to better reflect the subcommittee suggestions:

#1, 3rd line change "~~short term need~~" to "first priority"

#1, 3rd line delete "~~most likely~~"

#1, last line after city add "when applicable"

#3, after Metro Council add "that the Urban Growth Report should not be adopted and"

He asked if Commissioner Hammerstad or Mayor McRobert had other changes.

Mayor McRobert indicated she remembered the discussion as including all of the exception lands, the 15,100, as priority one. She expressed concern about the different phases and the differences between short term and long term needs.

Commissioner Hales added that it also fails to specifically state that EFU land is excluded. He said a policy decision needed to be made to recommend to exclude EFU land or include some EFU land.

Mayor McRobert indicated that there was no need for EFU land because of the number of acres of exception land. There could not be justification to use of farmland.

Commissioner Hales stated that there are exceptions such as an EFU parcel surrounded by exception land.

Chair Drake added that he agreed that care needs to be taken with EFU land, but that there may be arguments for specific parcels.

Commissioner Hales said that a possible solution for Commissioner Hammerstad's earlier concern about annexation of urban reserves would be to add under 1.e) "incorporation" to allow for new cities.

Mayor McRobert brought up the need for additional discussion about the second phase.

Commissioner Hales said that under point #4 MPAC needs to go ahead and identify what the next phase will be.

Discussion: There was discussion as to what should be included under point #4 after the first priority lands are brought into the UGB or for the second phase.

Peggy Lynch indicated that in point #1 "first priority" referred to the 3300 acres identified by MTAC. She pointed out there appears to be some disagreement about the amount of land that would be included in the recommendation. There is debate whether it should be 15,100 acres, which would exclude EFU land, or whether it should be 8,000 to 10,000 acres total. The group needs to decide. She stated that point #4 implies a total of 8,000 acres that is being recommended.

Commissioner Hales stated that he wanted to talk about the philosophy of the discussion. The subcommittee felt that MTAC had done a good job in identifying the land, approximately 3300 acres, most feasible for early addition to the UGB. Local governments are prepared to do first planning and extend services in those areas. After the 3300 acres it gets harder to identify the land. If the Council puts local governments in the position of having to do master planning for 18,000 acres, it cannot happen. The 3300 acres would be a good first stage effort. It would give everyone more time to assess how the Functional Plan is working and to prepare the Framework Plan before having to decide how much additional urban reserve land will be needed.

John Hartsock asked if 1.e) precluded a new city.

Commissioner Hales said that is why he suggested adding incorporation in 1.e) to clarify the possibility of adding a new city.

John Hartsock indicated that in the draft code language there are some problems with the time frame and with inconsistencies in the wording. He noted there needs to be clarification about the timing and about who would have responsibility for the different steps.

Commissioner Hales noted that the code language is not part of the recommendation. He said that MPAC's responsibility is to recommend policy not code language.

Commissioner Saltzman asked that if it would help clarify #4 by using the term "second priority".

Mayor McRobert said that it was her understanding that all of the exception lands were put forward as "first priority". The pieces were separated out by short term and long term phases.

Peggy Lynch responded that she would hope that would not be the recommendation. She suggested adding language to point #1 which clarified the first priority parcel list as the 3300 acres. She also suggested deleting the parenthetical sentence in point #2 which would delete the number of years. In point #4, she would change the parenthetical sentence to "this is about 12,000 additional acres including currently selected exception lands and only small acreages of EFU land if surrounded by this future urban land."

Councilor McLain noted the code language was draft language. She thanked John Hartsock for his earlier comments on the draft code.

Commission Hammerstad objected to the proposed language that would include 12,000 more acres in point #4. She stated the subcommittee's recommendation was to recommend 3,300 acres for the first tier and 4,000 acres for the second tier. She wants to preserve the rationale for having the smaller number of acres, even though she is skeptical the Council will be swayed from the 18,000 acres. She wants to make sure there is time to look within the current UGB before looking outside of it.

Chair Drake said that he had a discussion with Presiding Officer Kvistad which indicated that he would be willing to listen to solutions from MPAC which did not include all 18,000 acres. He believes the 5 points will lead to less than the 18,000 acres. He suggested that MPAC ask staff to come up with a recommendation based on the 5 points.

Commissioner Peters stated she wanted to clear up the confusion over numbers. At the second subcommittee meeting, there were 3300 to 3500 acres identified by MTAC as feasible to come in first. She remembered that the discussion was that the number was 15,000 acres for the second phase. She asked where the 8,000 to 10,000 acres came from.

Executive Officer Burton said that it is not known exactly what is needed for the 30 year period, but 10,000 has been a suggested number. The Council has been looking at a 50 year supply of land. The rule has changed so that you can do 10 years instead of 30.

Commissioner Peters suggested leaving out the additional number of acres in point #4.

Councilor McCaig stated that Commissioner Hale's point that MPAC will be making a policy recommendation is important. Currently in front of the Council are 18,000 acres based on a 50 year land supply. Because of change to the law about urban reserves, both MPAC and the Council have the opportunity to suggest looking at a shorter period of time than 50 years. MPAC does not have to recommend 18,000 acres for a 50 year land supply. She would urge a recommendation that, given the climate of 47, reduces the number to a 30 year supply and that takes out the EFU lands, about 2200 acres, that will be challenged the most.

Peggy Lynch indicated that Councilor McCaig encompassed most of what was in her proposed amendment. She explained that, because there is not information about what the acreage needs would be for a 30 year land supply, it is best not to discuss 30 versus 50 years.

She also stated that she supports Councilor McLain's comments about the need for the farmers in the region who need to do 50 year farm investments to get some certainty. This is why she is arguing for the larger 15,000 acres for designation but not to work on.

She suggested that under 1.c) after parcel list add "approximately 3300 acres". In point #4, changing the parenthetical to read "this is about 12,000 additional acres including currently selected exception lands and only small acreages of EFU land if surrounded by this future urban land." This does not commit to a certain number of years because it will not be known until there is additional information such as the Urban Growth Report (UGR).

She also would like to see language in #3 to include "resources for staff time to develop the concept plan in 1998." Nothing should be done about the UGR until December of 1998 so local staff can get the Functional Plan done. In 1998, staff may have time to do concept plans on the 3300 acres.

Chair Drake indicated that MPAC needs to decide what numbers to recommend to Council. Staff should be able to provide some information by the next meeting. He does not believe that there is agreement to use 18,000 acres or 43 years. He suggested that MPAC look at word-smithing the 5 points outlined in John Fregonese's memo tonight and then come back in two weeks with more information to devise an action plan.

Peggy Lynch pointed out that the need would only have to be between the 30 and 50 year time frame.

Dick Benner stated that he believed there is the need to specify the number of years. The rule requires that Metro demonstrate the need for a certain amount of land.

Councilor McLain noted that the findings were being written on a 43 year time frame.

Chair Drake responded that MPAC may respectfully disagree. The Council can decide to utilize the recommendations or not to use them.

Councilor McLain stated that there are other implications that come about by shortening the time frame. A tactic has been discussed that would shorten the time frame and therefore lower the need for urban reserve. There should be a discussion about the benefits of a shorter or a longer planning period and the product that is produced. She noted, that besides the farmers in the region wanting as much certainty as possible, that the service districts also would like to be able to plan.

Commissioner Hales responded that one of the rationales is that local governments are struggling to rezone neighborhoods to be in compliance with the Functional Plan. The lower numbers give local governments a realistic task.

Councilor McLain stated that she is supporting the idea of the 3,300 acres as being first targeted.

Mayor Ogden expressed concern that there was a loss of focus on the task. He said that there are two issues, the UGB and the urban reserves. He noted that if the goal is to plan for

50 years and you come up with a number for 2040, you have the best guess even if it is wrong. He suggested coming up with the best guess on the land needed for urban reserve. The UGB will not be moved until a process is developed. He stated that there appeared to be argument over numbers attached to personal agendas. He added everyone seems to agree about the 3300 acres.

Mayor McRobert stated that many of the numbers need to plan will not be known until the UGR is finalized.

Councilor McLain indicated that there is a commitment not to adopt the UGR until 1998. At that time there can be adjustments made.

Executive Officer Burton stated that there are some policy questions that need to be answered. He confirmed Mayor Ogden's comment that some of the discussion appears to be about specific pieces of land.

Dick Benner noted that MPAC would not finish the discussion on urban reserves tonight. He said that his department has to submit a letter to the Council on January 28th. State law mandates that when there is a plan amendment being made by a local government, LCDC must submit a letter on the question 15 days prior to the stated action. He added that the analysis done at the state level is done by a group of state agencies. He said that he would make sure that MPAC members get a copy of the letter.

He continued that one of the problems is that LCDC will have to review the question before the Metro Council has submitted its findings of fact and conclusions of law about the inclusion of certain pieces of land. He reviewed some of the information he went over at the last meeting about including agricultural land. If farmland is surrounded by exception land and if it is not highly productive it can be taken in. Although he urged that Metro move away from highly productive agricultural land, he noted that there can be rationale for bringing in the land. There are special needs such as jobs/housing balance, service provision to urbanized areas, and transportation issues.

Councilor McLain expressed some concern that the letter will not be very helpful without having had Metro's findings. She asked if it was possible for them to have a preview of the draft findings prior to the letter being written.

Larry Shaw indicated that it is taking a great deal of time to put together the findings. He indicated that it is possible to get a second letter which would consider the findings.

Peggy Lynch said she appreciated Executive Officer Burton's comments. She stated that the discussion was really about the 3,000 acres of EFU land. She noted there still needed to be discussion about whether the group was talking about 15,000, 18,000 or 8,000 acres, and when the work should begin on the land after the first priority. She noted that if the 3,000 acres of EFU land is included that the counties will have one year to zone it for future urban use. She noted that this would restrict its use for an unknown amount of time. She indicated again that the focus of the discussion is really about the 3,000 acres of EFU land and Commissioner Hammerstad's point about the money needed for implementation.

Commissioner Saltzman asked if MPAC would do an official response to the subcommittee's report. He stated he was comfortable with the recommendations with the changes suggested by Commissioner Hales.

Mayor Ogden asked if the discussion is about EFU land, if the State or legal counsel could just explain which land can be legally included and which could not.

Chair Drake responded that there is not any certainty about particular land because it depends on the case that can be made for inclusion.

Councilor McCaig added that the Metro Council is obligated to make the case for inclusion of certain pieces of farmland. Because of the process that was used, there were no findings or case made to justify inclusion when the urban reserve selections were made. She stated that sending the selections to legal counsel to make the findings was a backwards process.

Chair Drake suggested that in order to give staff something to work with to provide information for the next meeting, that MPAC should come to some decision.

Motion #2	<p>Commissioner Hales moved to adopt the subcommittee's recommendations, items 1 through 5, as outlined in John Fregonese's memo of January 16 with the following modifications:</p> <p>#1, 3rd line change "short term need" to "<u>first priority</u>" #1, 3rd line delete "most likely" #1, last line after city add "<u>when applicable</u>" #3, after Metro Council add "<u>that the Urban Growth Report should not be adopted and</u>"</p> <p>Commissioner Saltzman seconded the motion.</p>
Discussion	<p>Commissioner Hales noted that Metro is the first region to do much of this and it is new territory. He went over the process that was used in the Council selecting the tentative urban reserves. He stated that the subcommittee is recommending that the best of those lands be taken and worked on and that the work on the rest of the land be postponed until later. He added that the number of acres still needed to be addressed.</p>
Amendment #1	<p>Peggy Lynch moved to amend #1 line 3 to add after "parcel list" "<u>of approximately 4100 acres including 408 acres of EFU surrounded land</u>" (The 4100 acres was a correction to the amount of acres in the designated sites. 3300 acres was the number used in earlier discussions.)</p> <p>Commissioner Hammerstad seconded the motion to amend.</p> <p>Commissioner Peters asked Dick Benner if there were any problems with the parcels in the 4100 acres.</p> <p>Dick Benner stated that he did not think so, but that he did not know for</p>

	<p>certain.</p> <p>Peggy Lynch explained that most of the EFU land was the Tigard Sand and Gravel site.</p> <p>Mayor Ogden questioned the need to determine that point tonight. He said that the 5 items were procedural in nature.</p> <p>Peggy Lynch indicated that it appears that there has been a determination about the number of acres because all of the jurisdictions have agreed to these sites.</p> <p>Vote: The amendment passed by unanimous vote.</p>
Amendment #2	<p>Peggy Lynch moved to amend #1e to add after annexation <u>"incorporation,"</u> so that incorporation would be an option.</p> <p>Commissioner Hales seconded the motion.</p> <p>There was no discussion.</p> <p>Vote: The amendment passed by unanimous vote.</p>
Amendment #3	<p>Peggy Lynch moved to amend #2 to delete the parenthetical phrase (This should be calculated to provide an additional 10 years over and above the 20-year land need.)</p> <p>Rob Mitchell seconded the motion.</p> <p>Peggy Lynch explained that instead of having to determine how many years are involved, without having adequate information, that it would be best to leave the number out. She added that there has been a great deal of work done on the 15,000 acres and she does not want to have to revisit them. The way it stands implies that the number of acres is less than 12,000.</p> <p>Dick Benner stated that there is public policy consideration. One of the principle reasons behind the urban reserve rule is to protect the opportunity for future urbanization. With farmland, because of the restrictions already in place, there does not need to be another mechanism to protect a future need to urbanize the land. He continued that with exception lands there is no protection. If 15,000 acres of exception land has been analyzed, there is an interest in protecting as many of those acres as may be needed for the option of future urbanization.</p> <p>Mayor Ogden added his support to the deletion of the parenthetical phase. He said he would support changing it from an additional 10 years to an additional 23 or what would take us to 2040.</p>

	<p>Commissioner Saltzman stated that he would support the amendment for purpose of clarity. He added that there has been too much time spent on the parenthetical statement.</p> <p>Mayor McRobert stated that the timeline does not drive the number of acres. She indicated that there could be a recession and nothing would be built within that time frame. Although she supports the 15,100 acres she does not support the time frame.</p> <p>Rob Mitchell indicated that he supports the amendment.</p> <p>Commissioner Hales said he is supporting the amendment because it reinforces the first priority approach and improves the likelihood of the recommendations being accepted by the Council.</p> <p>Vote: The amendment passed with one no vote by Mayor McRobert.</p>
<p>Amendment #4</p>	<p>Peggy Lynch moved to amend #4 to delete the sentence in parenthesis, "This might be about 4,000 additional acres.) and add the sentence <u>"This acreage is about 11,000 additional acres including currently selected exceptions and small acreage of EFU land if it meets state requirements for the inclusion of such land."</u> (Note that this language was modified later.)</p> <p>Commission Saltzman seconded the motion.</p> <p>Commissioner Hammerstad expressed concern about designating 11,000 without the completion of the Urban Growth Report when the amendment to #2 passed for the minimum number of acres.</p> <p>Councilor McLain stated that the subcommittee discussed that there is a need for protection of exception lands that may be higher than protection for EFU land as pointed out by Mr. Benner's earlier comments. She stated that the UGR being adopted will help with the first need assessment of the UGB amendment from the first priority. She asked Larry Shaw if it were correct that the numbers from the UGR are most important for changes in the UGB and not for the urban reserves.</p> <p>Larry Shaw stated that the protection of 15,000 acres as exception land is a policy issue. He said that from what he heard the statement was correct. The UGR is directly related to establishing a 20 year supply of land for the UGB and has an indirect impact to the designation of the urban reserves.</p> <p>Commissioner Peters said she thought that the UGR would also influence the calculation of the urban reserves that are needed. She added that, although it may be a good idea to protect the exception land, it may not be as compelling as designating as small amount as possible. There are not resources to plan for new land that may come in the UGB when the focus is on in-fill and redevelopment.</p>

<p>Modification of Amendment #4</p>	<p>John Fregonese indicated that the UGB is about a 20 year land supply and the urban reserves is for 50 years.</p> <p>Peggy Lynch stated that MPAC cannot accept the 4100 acres because it does not meet state law requirement for a minimum of a 30 year land supply. She explained that the recommendation states that nothing will be done with the additional acres until the first priority land has been brought into the UGB.</p> <p>Commissioner Saltzman said that Peggy Lynch stated it well. He suggested that maybe it would be best to leave out the parenthetical altogether.</p> <p>Mayor Ogden stated that if MPAC is going to ask MTAC to continue to do an assessment and recommend what the next area should be, it would be best not to tell them what it is. He agrees with leaving out the number altogether.</p> <p>Chair Drake said that if MPAC is able to get through points 1-5, then staff could come back and have some additional information about acreage beyond the 4100.</p> <p>Discussion: There was additional discussion about the number of acres, both EFU and exception, that should or should not be included.</p> <p>Mayor Ogden suggested modifying the amendment to delete the number of acres and add a statement that would include small amounts of EFU land that meet the state law.</p> <p>Rob Mitchell stated that he could support the amendment with the number taken out.</p> <p>Peggy Lynch asked to modify the amendment leaving out the number and including a statement about EFU land. The sentence would read, <u>"This acreage may include small amounts of exclusive farmland if it meets state requirements."</u></p> <p>Dan Saltzman seconded the modification to the motion to amend.</p> <p>Vote: The amendment as modified passed by unanimous vote.</p>
<p>Further Discussion on Motion</p>	<p>Mayor Ogden asked if it would be prudent to include the same language limiting EFU land as an amendment to 1c.</p> <p>Peggy Lynch responded that there was language that included 408 acres of EFU land in 1c.</p> <p>John Hartsock asked if MPAC should ask to review the code language</p>

	<p>prior to adoption by Council because there is draft code language included. He emphasized the importance of having clear language because the local jurisdictions will have to implement the code.</p> <p>Councilor McLain asked that MPAC take up the language at the next meeting.</p> <p>Mayor Drake asked that any suggested changes be in writing with copies provided to the membership.</p> <p>Commissioner Hales stated that he does not think MPAC needs to address code language review for the Metro Council. He would rather spend time on policy recommendations. He continued that individuals are free to review code outside of MPAC.</p> <p>Mayor Drake indicated that the next meeting will be a two hour meeting. He asked members to vote whether they want to review the code language next time.</p> <p>Peggy Lynch stated that there is not a great deal of difference between the code and the Functional Plan. The language in this code will effect how local jurisdictions do business. She suggested that local staff come back with comments. She continued that MPAC does not necessarily need to word-smith, but should raise issues.</p>
Amendment #5	<p>Mayor Ogden moved to amend 1b by adding after "urban reserves" "<u>to the year 2040</u>"</p> <p>Commissioner Saltzman seconded the amendment.</p> <p>Mayor Ogden stated that it is unclear as to what is being calculated without the language. Without the parenthetical in item 2 there is nothing that addresses the requirement of meeting state law.</p> <p>Peggy Lynch said she would not support the motion because it goes back to the discussion about the UGR and the EFU land.</p> <p>Vote: The amendment failed by a majority of the vote.</p>
Vote on Motion #2	<p>The motion to adopt the subcommittee's recommendations, items 1 through 5, as outlined in John Fregonese's memo of January 16 with the following modifications and amendments:</p> <p>#1, 3rd line change "short-term need" to "<u>first priority</u>"</p> <p>#1, 3rd line delete "most likely"</p> <p>#1, last line after city add "<u>when applicable</u>"</p> <p>#3, after Metro Council add "<u>that the Urban Growth Report should not be adopted and</u>"</p>

	<p>#1 Amendment - #1, 3rd line after parcel list add "<u>of approximately 4100 acres including 408 acres of EFU surrounded land</u>"</p> <p>#2 Amendment - #1 e) after annexation add "<u>incorporation</u>."</p> <p>#3 Amendment - #2, delete the parenthetical phrase (This should be calculated to provide an additional 10 years over and above the 20-year land need.)</p> <p>#4 Amendment - #4 delete the parenthetical (This might be about 4,000 additional acres.) and add the sentence, "<u>This acreage may include small amounts of exclusive farmland if it meets state requirements.</u>"</p> <p>The motion to approve the subcommittee recommendations as corrected and amended passed with one opposing vote by Mayor Ogden.</p>
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Chair Drake said that next time there needs to be a decision whether or not to talk about the code. He adjourned the meeting was adjourned at 7:35 PM.

Meeting record prepared by Barbara Herget, MPAC Staff Assistant

EXHIBIT

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

February 12, 1997 Meeting

Metro Council Chambers

Committee Members Present: Chair Rob Drake; Dick Benner; Phil Bogue, Bud Farm; Jim Francesconi; Charlie Hales; John Hartsock (Alternate for Chuck Petersen); Bill Klammer; Susan McLain; Peggy Lynch; Patricia McCaig; Susan McLain; Gussie McRobert; Lou Ogden, Linda Peters, David Ripma, Dan Saltzman, Jean Schreiber, Judie Stanton, Jill Thorn, Jim Zehren.

Alternates Also Present: Richard Kidd, Alternate for Lou Ogden; Stephen Clark, Alternate for Bud Farm; Jill Thorn, Alternate for Jean Schreiber.

Metro Staff Present: Joe Gibbons, Larry Shaw, John Fregonese, Mark Turpel, Carol Krigger, Heather Nelson, Michael Morrissey, Mike Burton, David Ausherman; Carol Krigger.

Also Present: Greg Nokes, The Oregonian; Councilor Neil Clough, Cornelius; Doug Bollam, Citizen; W. James Kohl, Rosemont Property Owners; Brent Curtis, Washington CO; Ken Hehn, Attorney; Dean Lookingbill, RTC; Tasha Harmon, CLF; Maureen Murphy, Citizen; Ed Gronke, Clackamas Business Round Table; Bill Atherton, City of Lake Oswego; Lidwin Rahman, ODOT; GB Arrington, Tri Met; Jim Crumley, Happy Valley; Mike McKeever, McKeever/Morris; Alan Fletcher, Clackamas Water; Daniel Jarman, CFM; Tom Coffee, City of Lake Oswego; Richard Ross, City of Gresham; Wendy Kellington, Attorney.

Chair Drake called the meeting to order at 5:10 PM.

1. INTRODUCTIONS

Those present introduced themselves.

2. PUBLIC COMMENT

Chair Drake asked for public comment.

Wendy Kellington stated she is an attorney for a property owner in the Rosemont area within URSA 31. She indicated that historically she was hesitant to speak because she felt MPAC was a hostile audience and she was unsure that they would be listen. She apologized and indicated that her impression was probably not fair. She expressed concern about the newspaper article in today's paper that said there is a movement to change the planning horizon from 43 years to 35 years. She stated there is a tremendous public investment in this process in the last five years. There is also private investment of people, besides land developers, who have had to hire attorneys to try to participate in this complex, technical process. She noted that farmers have a large investment and they need to be able to plan long term. She said that there appears to be a political controversy that has lead to this decision. She said that a short term planning period does not resolve the controversy.

She spoke about URSA 31 being largely EFU land, but that it is marginal farmland and not high value farmland. It is surrounded by urbanization and by exception areas. She passed around an aerial map that illustrated how it is surrounded by urbanization. She reiterated that this is a political issue and not a farmland issue. She stated that URSA 31 meets the legal

standards and it is a first priority site. She pointed out that there are local governments with issues around job/housing balance and affordable housing. She noted that it sets bad precedent to allow land to be left out because there is controversy when a local government does not want to include a piece of land.

She continued to explain that she disagreed with those who say the cost of providing the infrastructure for URSA 31 is disproportionately high. She noted that there is already infrastructure in the area. There are already an interchange in the Stafford area, improvement in the Durham water treatment and sewage plant, four public schools, and major and minor arterials. She restated the only reason not to include URSA 31 is political controversy.

Chair Drake indicated that before considering the consent agenda, that members consider the pre-meeting discussion about asking Council to defer action on the Code amendments for the urban reserves. He asked Councilor McLain for her comments on the suggestion.

Councilor McLain stated that she values comments by MPAC. She continued that is very important to keep the Metro Code changes and the urban reserve designation decision together. She indicated that she passed out a sheet with the timeline with which the Council is working: February 13 will be the public hearing; February 20 will be the meeting to consider the Amendments to Urban Reserves Metro Code; and February 27 will be the final vote for the Urban Reserves Metro Code. She suggested not holding up the process. She suggested, instead, that members review the proposed Code and submit written comments by February 19. She also indicated that next Tuesday, February 18, the Growth Management Committee would hear testimony on the Code Amendments.

Commissioner Peters stated that MPAC has not had sufficient time to consider the Code changes. At the last meeting, MPAC was told that what was presented was an example and not the proposed changes for the Code. With the Functional Plan and other decisions with significant impact on local jurisdiction implementation, there has been a process for extensive review with all the needed information. She expressed concern that the process has not taken place and that it is necessary.

Councilor McLain responded that she started work on the Code in November. She said that MTAC has had the Code for extensive review at three of their meetings. The Metropolitan Planning Committee also reviewed it. She stated that it was provided in the packet for this meeting and presented at the last MPAC meeting. Council has received legal advice that it is important to finish the urban reserve designation decision by the end of February and to have the accompanying Code amendments done at the same time. She stated it was MPAC's decision to determine what points they want to focus on in their urban reserve recommendations.

Chair Drake stated that his vote would be to make a map recommendation to Council.

John Hartsock commented that MPAC was told that the changes to the Code distributed for the last meeting were suggestions and not the draft. He said he would move that MPAC not approve the Code Amendments if there is no time to review them. (The motion was not seconded and was withdrawn at the end of the meeting.)

Councilor Schreiber stated that she agreed that MPAC has not had the opportunity to review the information.

Peggy Lynch suggested that the decision be the last agenda item and that members wait to see what work MPAC was able to complete during the meeting.

Councilor Ripma asked Councilor McLain what was driving the schedule for the decision if the Council was already six weeks behind.

Councilor McLain answered that the Council was not six weeks behind. They have taken six weeks to consider these important issues. She continued that there are also legal responsibilities with the 45 day notice for the urban reserves which ends on February 15.

She indicated that it was time for members to bring forward their concerns. The Council has received many comments on the Code from legal and planning staff for local jurisdictions and special districts and special interest groups. The Council needs to continue their work and put a closure on the urban reserve designation before March 1.

Executive Officer Burton agreed with Peggy Lynch's comment to move on the agenda. At the end of the meeting, if MPAC wants further review, members may want to suggest to the Council that the reserves not be made effective until the Code is adopted. He confirmed the need to have the Code in place once the urban reserves are adopted.

Chair Drake recounted the discussion and the frustration with limited time frames,

Mayor Ogden asked about the pressures forcing the process for the deadlines. He suggested to Councilor McLain, as liaison to the Council from MPAC, that the Council should consider finding a way to slow down the Code process and the urban reserve process to allow continued debate. Although others may have the opposite perception, he expressed concern that the whole process is going too fast.

Councilor McLain said she thought the process has been very slow. She commented that the Code is the Metro Code and not code for local jurisdictions. She reminded members that there was a discussion at the last meeting if MPAC should consider the Code. She stated she would be willing to take back to the Council that MPAC would like another meeting to discuss the Code. She said she would let members know the Council's decision.

Chair Drake suggested using the next meeting to consider the proposed Code amendment and request that the Council not act on the Code to give MPAC time to meet.

Councilor McLain said that the decision will not be made until February 27. Since MPAC will meet on the February 26, MPAC's comments could be submitted for the meeting on February for consideration.

John Hartsock said that there could be a review at the next meeting if all the information on the Code is put together for consideration prior to the meeting.

Commissioner Peters commented it is important for MPAC to know that the Council will consider MPAC's recommendations on the Code in their decision.

Councilor McLain emphasized that she could only speak for herself, but would take back MPAC's request to the other Councilors.

Commissioner Saltzman suggested that the Code amendments be the only agenda item for the February 26 meeting. He stated that the urban reserves should not become operational until the Code is in place.

Councilor Schreiber commented that there has been confusion for quite some time about when and on what MPAC formally advises the Council. She voiced concern about MPAC not being given certain respect in the process.

3. CONSENT AGENDA

3.1 Minutes of January 22, 1997

Motion #1	Peggy Lynch moved the Minutes of January 22, 1997 be adopted with the corrections as indicated below. Commission Peters seconded the motion.
Discussion	Peggy Lynch indicated the following corrections:-- Page 8, first comment by Councilor McLain " <u>..indicated that there is a <u>she</u> was making a personal commitment ..</u> " Page 8, comment by Peggy Lynch " <u>..that the counties will have one year to change the zone to protect it for future urban use.</u> " Jim Zehren asked the minutes reflect that except for the Consent Agenda he abstained from voting for any of the motions.
Vote #1	The motion to approve the Consent Agenda as corrected passed by unanimous vote.

4. Council Update

Councilor McLain indicated that she had put a handout on the table with a memo and a copy of a December 8, 1994 letter from the Metro Council to citizens regarding 2040. She stated it helped her remember what real partnership means. She encouraged everyone to read it and consider the excerpts she included in her memo. She continued that everyone had agreed upon an urban form and livability for the region for 2040. She stressed the importance in keeping focused on the big package when there are controversies over some of the smaller issues.

She stated that the February 12 memo lists the ongoing issues and the meetings for the Metro Code changes. She said she was at the meeting to listen to what MPAC as a group has to say. She noted that she has received many mixed messages from all the different jurisdictions.

5.1 Presentation by ODOT on Transportation and Growth Management Grants

Lidwin Rahman stated she is the Portland Region TGM grant manager. She indicated that she wanted to alert members that information has gone out to jurisdictions. She wanted to let elected officials know that the one page preapplication forms need to be back to the TGM office in Salem by March 3, 1997. The form explains the purpose of the program, establishes the schedule, and outlines the criteria for the grants. The actual request for application will go out in early April. She continued that the grant applications will be due in late May and the grant decisions should be made by late July. This is subject to legislative funding of the program. The Governor has budgeted 11 million dollars for TGM of which 8.5 million will go to grants. For Region 1 it would mean a 50% increase over the last year.

She emphasized that the purpose is to implement the transportation planning rules to meet the State's quality development objectives for growth management. She stated that nearly anything under 2040 will be an eligible activity under the grant. Because it is a very competitive process, she recommended thinking about the proposals early. She noted that emphasis will be on products that can be adopted and implemented and, generally, not for research or study projects.

Although it is being discussed, she said that the role of Metro and its committees has not been decided.

Peggy Lynch indicated that legislative passage of the 11 million dollars allocation is very important to the local jurisdictions. She asked that MPAC be kept informed of the legislative time table for the bills and committees. The MPAC membership can then be supportive to help get the money necessary for planning for the Metro Region.

Lidwin Rahman said that it will be considered within the ODOT budget which is scheduled for early April. She agreed to keep MPAC updated.

Jim Zehren asked for further explanation about the comment about Metro's role in the grant process.

Lidwin Rahman stated that they will seek and value Metro's suggestions about regional priorities but there is no formal role. She said that in the past they had a list of project titles with brief summaries. She said that 45% of the State's program is in Region I.

Commissioner Francesconi asked that with the focus on growth management if, at the State level, there had been discussion about ways to assist local communities in insuring a genuine mix of housing opportunities.

Lidwin Rahman stated that there were those kinds of discussions in TGM and in other funding areas as well. She said that the Community Solutions Team is looking at ways to deal with affordable housing and other issues.

Dick Benner commented that Oregon Department of Housing and Community Services is one of five agencies that sits on the Community Solutions Team. He said that discussions have been underway to coordinate the community development services that the agencies provide

to insure the best use of resources. There are two pilot projects, one in Ontario and one on MLK in Portland, that are being used to learn ways to work better together. He suggested that a letter be sent to him or to Greg Wolf specifically asking about State funding available to meet local area needs.

5.2 Committee Report on Annual Agenda

Chair Drake indicated that the proposed agenda has already been modified with the Code being the item for the meeting on the 26th.

Motion #2	<p>Peggy Lynch moved to adopt the Proposed Annual Agenda with the changes indicated below:</p> <p>Commissioner Saltzman seconded the motion.</p>
Discussion	<p>Peggy Lynch indicated the following modifications to be included in the Proposed Annual Agenda:</p> <p>February 26 Discussion and recommendation on Master Planning language for Metro Code Amendments [Action]</p> <p>March 12 - Discussion and Recommendation of Performance Measures. Discussion about Title 3 Model Ordinance and Maps. Boundary Commission Legislative Update</p> <p>Jim Zehren said that he has not been participating in the sessions on urban reserves because of involvement of his law firm. He indicated concern that the only legislative agenda item is on April 9 and that there does not appear to be any affirmative action for a legislative plan. Because of the need for a great deal of funding for planning, transit and other growth issues, there may be the need for an organized effort. He stated that there seems to have been a lack of focus on legislative issues and also on growth and planning within the UGB.</p> <p>Executive Officer Burton questioned if MPAC wanted their own legislative agenda. He said that Metro has a legislative agenda as does the League of Cities and the Metropolitan Legislative Committee.</p> <p>Commissioner Peters suggested that those who want to work on the legislative piece schedule to meet before or after the next meeting. She suggested starting with the Metropolitan Regional Agenda that many of the jurisdictions have signed off on.</p> <p>Executive Officer Burton said that Lisa Naito is the Chair of the Government Affairs Committee and coordinates with him on the legislative issues. He indicated that they would be happy to come in and meet with MPAC members.</p>

	<p>Councilor Schreiber indicated that the long term plan should be the implementation plan for the vision. She said that although what happens in Salem is important, it is not how 2040 will be implemented.</p> <p>Chair Drake commented that it would be helpful to have some information in writing. He also suggested having synopses of the meetings in writing to forward to other jurisdictions being represented by the membership.</p> <p>Peggy Lynch noted that there are also citizen groups that would be interested in getting the legislative information and how Metro issues can be supported.</p>
Vote #2	The motion to adopt the Proposed Annual Agenda as modified passed.

Peggy Lynch suggested that a subcommittee for Performance Measures be formed at the next meeting. Members should think about volunteering.

5.3 Urban Reserves

Chair Drake informed members that there were three maps showing urban reserve recommendations: The MTAC map, the Executive Officer's Map dated 2/12/97, and Councilor McLain's map.

Mayor McRobert indicated she had to leave at six thirty and would like to get 5 questions answered before then.

Chair Drake indicated that Councilor McLain, John Fregonese and Executive Officer Burton would give short explanations of the maps.

Councilor McLain said that her map was simple. The red shows the first priority and the other highlighted areas are the rest of the 18,000 acres of urban reserves. She said that the red area showed the first cut of the first priority before MTAC added a small area as indicated on their map.

John Fregonese explained the MTAC version of the map. He said that the selections for first priority land were areas that local jurisdictions agreed to be included in the urban reserves. There were some areas where local governments went on the record asking for exclusion because of service or governance issues. He gave some examples of the reasoning by the local jurisdictions to exclude areas. He indicated that included in these areas were small amounts of EFU land that will need special recommendations.

Chair Drake stated that he heard that if any one piece of land was challenged the whole map would be challenged.

John Fregonese responded that it would depend on how the challenge was written.

Mayor McRobert asked about the St. Mary's piece of land.

John Fregonese stated that the prime farm land included was St. Marys, the Shute Road piece, a small piece north of Forest Grove and a piece in Wilsonville.

Commissioner Peters asked if Springfield Road was out as Washington County had requested.

John Fregonese indicated it was removed. He continued that the total acreage was about 14,000. He stated that it has about the same capacity as the Executive Officer's first recommendation.

Commissioner Hales asked for a copy of the criteria MPAC first adopted. He indicated that some of the proposals were not following the criteria. He expressed concern that it is more than twice as far from the area by Beaver Creek Road and Ritchie Road in area 25 as it is to the intersection of Stafford Road and Rosemont Road in the Stafford Basin.

Executive Officer Burton asked the point of reference and indicated there were areas that needed better employment opportunities.

Commissioner Hales responded that in using the criteria and looking at urban form the point of reference is from the center. Although he agrees with the direction MPAC is taking in recommending first priority lands, he thinks the criteria may be overlooked.

Council Drake asked Executive Officer Burton to go over his recommendation.

Executive Officer Burton stated that his letter explained his recommendation. He expressed concerns about the need to move ahead with the planning process and the difficulty for planning for growth. He stressed the need for local jurisdictions to be able to provide service and to agree with the decision to bring the land in. He stated that because there is sufficient exception land to meet the needs for growth there is no reason to bring in EFU land.

He referred to the letter from Mayor Thom about bringing in a portion of urban reserve study area #30 to provide a site for a middle school. Although the area was not included on his map, he said he would have no problem including the area.

Mayor McRobert stated that for areas 1 and 2 neither the Council's Findings nor LCDC's letter address the wetland nor the watershed issues. She continued that she would support the exception lands being included in the St. Marys area. She noted that the jobs/housing balance in the Gresham area is out of balance. She asked the content of the official record for the urban reserves that would go to court on appeal.

Larry Shaw responded that all the minutes and the materials presented in Metro Council committee's and Council meetings on the urban reserve issues are included in the official record.

Mayor McRobert asked why MPAC would not be part of the official record.

Larry Shaw answered that probably because of expediency and because no one has raised the issue before. He continued that the record for the Urban Growth Management Functional Plan that was presented to LUBA was 14-16 big binders and thousands of pages. Normally

advisory committee materials are only included to the extent that those advisory committee materials are communicated to the governing body.

Mayor McRobert said, because MPAC members could not attend every Metro Council meeting or committee meeting, she thinks the MPAC record should be.

Councilor McLain said that the Council depends on the lawyers as to what goes in the record. She said that there are many different opinions are expressed at the MPAC meetings. The official MPAC recommendations are in the record.

Mayor McRobert commented that MPAC should continue the discussion from the recommendations made at the last meeting. There should be tier one and tier two that does not include the entire 18,000 acres.

Commissioner Hales noted that within the 4100 acres of first tier land there were approximately 80 acres of EFU land included that do not meet the State criteria.

Commissioner Peters remarked that she brought the information to the Washington County Commission. She said that 3 of the Commissioners would find it acceptable to adopt the 4000 urban reserve acres now and defer the rest until December 1998. She stated the Washington County Commission has a majority favoring a short planning horizon and a small designation of acreage. She expressed concern that this idea was not on the table. She recommended waiting until there are better numbers before designating more land.

Chair Drake suggested that everyone seemed to agree on the first priority land and that MPAC should start from there.

Commissioner Francesconi stated he was unsure what the criteria was. In looking at the Administrative Rules under determination of urban reserve the definition of "first priority" land differs from the use of "first priority" being discussed. He asked if the definition was used to determine which areas were selected.

John Fregonese indicated that all the areas in the 4100 acres were included in the Executive Officer's first recommendation. They were based on both the computer program and the personal knowledge of the planners from the local jurisdiction.

Commissioner Francesconi said that he was concerned why there was prime farm land and forest land in the first priority when there were other areas without those type of land.

John Fregonese responded that there is no first priority land with farm and forest land in it except where it can be justified according to the criteria.

Commissioner Francesconi asked what would happen if a jurisdiction said they were not going to annex, incorporate or service an area. He questioned if there were objective measurements to determine serviceability.

John Fregonese said there was an objective analysis by Metro and data from local governments.

Executive Officer Burton stated there had been an exhaustive process of applying objective criteria and weighted factors to land being considered. The next step was taking this information back to local jurisdictions to look at areas on the ground. The scores consider the housing and jobs balance.

John Fregonese explained that the MTAC map shows the first priority areas where everyone can agree. The Executive's map takes out the EFU parcels, about 1400 acres, that he believes could not be justified under the State criteria.

Councilor McLain emphasized that there is nothing in the State criteria which prohibits including EFU land if it can meet the special needs standards

Commissioner Saltzman asked if on the 26th MPAC would be considering the map and Code changes or just the Code.

Peggy Lynch stated that MPAC would be making a recommendation at this meeting.

Mayor Drake said that the Code would be considered on the 26th.

Councilor McLain recommended members talk to their planners about the Code discussions that have gone on at MTAC meetings.

John Hartsock suggested setting up a subcommittee on the Code in preparation for the next meeting.

Mayor Thorn stressed that the 20 acres in the Urban Reserve Study Area #30 that have been identified for a potential middle school's site needs to be a high priority. She said that the school district has been working on the site for 5 years and finally had everything lined up. Because part of the school site is inside and part is outside of the UGB, she wanted to stress the importance of inclusion.

Councilor Schreiber noted that in the proposed Code area 15 is not contiguous to any city. She said it was 1300 feet from Happy Valley. She asked how the decisions were being made and what the specific numbers are. She said this was a very important issue for jurisdictions if this language were included in the Code.

Peggy Lynch indicated that the issue of whether the area could be annexed is an issue for the Code discussion next week. She indicated that MPAC does need to deal with recommendations from last week. She noted that there was a correction in the recommendations that would address Councilor Schreiber's concern. Item 1, second to the last line, the "or" after city should read "and".

Chair Drake asked to go back to the 4100 acres to get a consensus.

Peggy Lynch said that it should be amended to include West Linn's 20 acres from area 30.

Motion #3	Commission Peters moved to change the language of the 1st recommendation to: 1(c) establish a "first-priority" "first tier" parcel list of
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	<p>approximately 4120 acres including 408 acres of EFU surrounded land <u>as recommended by the Executive Officer</u> for a portion of the Urban Reserves to be urbanized first.</p> <p>Mayor Klammer seconded the motion.</p>
Discussion:	<p>Dick Benner indicated because of his role later on, he would abstain from voting.</p>
Vote #3	<p>The motion to modify the language in the recommendation as indicated passed.</p>

Chair Drake asked MPAC members to decide what to do with the rest of the acreage.

Peggy Lynch proposed including as much exception land as can be agreed on in order to protect the exception land for future urbanization. She stated that the farm land has its own protection. She expressed concerns about not including the Cornelius and Forest Grove URSAS. The addition of those two lands could be important in making those town centers successful. She reiterated the need to protect the exception land.

Mayor Ogden asked for a point of clarity. He asked if the Executive Officer's recommendation was essentially the same as MTAC's recommendation less the EFU land that would be difficult to justify. He questioned if the decision to exclude EFU land was based on the risk of potential litigation.

Mayor Drake said that there are some local jurisdictions who believe they can make the argument to include EFU land. He stated that the MTAC recommendation left in the option of including the EFU land being advocated by the local jurisdictions.

Executive Officer Burton stated that he left the EFU land out because there was sufficient exception land to meet the needs for growth. He said that there is already 8,000 acres of EFU land inside the UGB and that land is what should be discussed.

Mayor Ogden asked that if the EFU land in the MTAC recommendation were accepted what the risk would be in collapsing the process.

Executive Officer Burton responded that defending the selection of EFU land would be the job of counsel and they believe they have enough on the record to defend them. The success of defending any challenge is not known.

Councilor McLain pointed out on her map the inclusion of areas 1 and 2 which are primarily exception land. She noted that on the MTAC or the Executive Officer's recommendations 1 and 2 are not on the map. She stated that members should remember that the Council needs to look at what is defensible in the findings and why areas 1 and 2 would be taken out. She indicated that the recommendations were more complicated than exception versus EFU land. She said it was important to look at which of the EFU lands were taken off and which were left on the other maps.

Peggy Lynch added that members should also consider which exception lands were taken off the MPAC map. She stated she respected Mayor McRobert's position about the cost of services. She continued that urbanization would not be done today, but that including the land in the reserves would protect it for use in 20 years.

Motion #4	<p>Mayor Ogden moved to keep the 4,015 acres already discussed as the first tier and include the balance of the MTAC recommendation as the second tier for MPAC's urban reserve recommendation to the Metro Council.</p> <p>Mayor Klammer seconded the motion.</p>
Discussion:	<p>Mayor Thorn asked what criteria he was using to make the recommendation.</p> <p>Mayor Ogden said that he made the motion because he understands the recommendation to be the amount of land necessary for the 30 year land supply. He continued that the recommendation also includes the lands agreed upon by local jurisdictions that can be accommodated and justified under the state law. He stated there did not seem to be any significant risk in including the EFU land.</p> <p>He commented that he did not see the need to protect the exception land. He said that it would be more difficult to deurbanize than to urbanize land.</p> <p>Peggy Lynch responded that the protection was needed so the land would not be divided into lots that would preclude jurisdictions from future development such as being able to put 10 houses to the acre or an Intel type of plant in east of Gresham. She said that the EFU land is protected but the exception land is not unless it is in the urban reserve.</p> <p>Commissioner Hales asked for the number of acres in the MTAC recommendation. He also asked the number acres in all the exception areas plus the EFU land included in MTAC's recommendation.</p> <p>John Fregonese responded that including the 20 acres in West Linn the MTAC recommendation would be 4,015 acres. With all the exception land and the EFU land included in the MTAC's recommendation it would be just over 17,000 acres.</p> <p>Commissioner Hales said he had a difficult time adding farm land while excluding exception land that will urbanize at low densities over time.</p> <p>Commissioner Peters emphasized the need to have more time to know how much growth can be accommodated within the boundary before adding more land. She recommended that MPAC be conservative on recommending urban reserves. She stated that not having the excluded exception land to urbanize in a few years will force the region to continue</p>

	<p>to look at redevelopment inside of the boundaries.</p> <p>Councilor Ripma asked if this would be the basis of the discussion at the next meeting of the Code amendments. He asked for clarification of the relationship this recommendation would have on the Code changes.</p> <p>Chair Drake said that this recommendation of which areas should be included in the Urban Reserve would go to the Council for the meeting tomorrow. The Code changes will determine how the land is developed once it is designated.</p>
Vote #4	The motion to accept the MTAC recommendation as stated above failed.

Chair Drake asked for one last motion for a recommendation on the reserves.

Motion #5	<p>John Hartsock moved to accept the Executive Officer's recommendation with the addition of the 20 acres in West Linn as the MPAC recommendation to Council.</p> <p>Peggy Lynch seconded the motion.</p>
Discussion:	<p>Commissioner Peters asked to do a quick check to see if others were interested in a smaller designation.</p> <p>Mayor Ogden stated that he would not support this motion because the specific requests for inclusion of land from Forest Grove and Cornelius were not included.</p> <p>Commissioner Hales expressed some concern about the exception area issue and the Stafford area. He said although it is not perfect he would support this motion.</p> <p>Commissioner Francesconi noted that he would be voting against the motion because he believes that a smaller urban reserve would be better. He stated he does not have confidence that the selection of the reserves was right.</p> <p>Executive Officer Burton indicated that he would not be opposed to area 26 being removed from his recommendation.</p> <p>Chair Drake said there are some parcels in Washington County that local jurisdictions have made good arguments for inclusion of EFU land. They have long term plans to shift use to have housing closer to the industrial area. He said there needs to be some other areas included.</p>

Vote #5	The motion to accept the Executive's Recommendation as stated above passed with four no votes.
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Peggy Lynch indicated the need to correct the policy recommendations to the Council. She said she wanted to make sure that it is in the record that in item 1(e) after city the "or" should be changed to "and".

Commissioner Peters noted that with the new recommendation that number two of the policy recommendations should be changed to: 2. That MPAC should recommend to the Metro Council that the minimum number of acres should be designated needed to supply Urban Reserve needs for a fifteen year land supply. ~~should be designated.~~

Peggy Lynch noted that she was not happy with the motion, but agreed to it since it was correct with the winning motion.

Councilor McLain asked members go back and read the 1994 letter from the Metro Council. She also asked that members to consider the Urban Growth Report and the work that will be coming up in May.

Chair Drake asked for volunteers for the Subcommittee to consider the Code Amendments.

John Hartsock volunteered to be on the subcommittee.

Commissioner Peters suggested Judie Hammerstad. She also volunteered to be on the subcommittee.

Chair Drake said that next time there needs to be a decision whether or not to talk about the code. He adjourned the meeting was adjourned at 7:35 PM.

Meeting record prepared by Barbara Herget, MPAC Staff Assistant

EXHIBIT

030697-03

MPAC Recommendations
on First Tier
Map



METRO

030 697-04

EXHIBIT

Date: March 3, 1997

To: Presiding Officer Kvistad, Metro Council

From: ^{LSS} Larry Shaw, Office of General Counsel

Subject: Technical Amendments

Two technical amendments have been brought to our attention and included in the attached "E" version of the urban reserve ordinance. After review of these amendments, the Office of General Counsel has determined that these amendments are not material changes requiring further consideration of this ordinance.

1. Ordinance section incorporating the First Tier Map. The UGB procedures in Exhibit A were amended to generalize the reference to the First Tier map, eliminating the reference to this ordinance. The First Tier map attached as part of Exhibit A is now explicitly referenced in Section 5 of the ordinance.
2. Amendments to 3.01.012(e), the "urban reserve plan" added references to "school districts" in addition to the general term "service districts." For consistency, "school districts" is added to 3.01.005(c)(4) and 3.01.015(d).

jep

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METRO

EXHIBIT

030697-05

TO: Jon Kvistad, Presiding Officer and Members of the Metro Council
FROM: John Fregonese, Director, Growth Management Services *MT for*
DATE: February 20, 1997
SUBJECT: Urban Reserves - Acreage

Members of the Metro Council as well as the press have asked for total acreage numbers. We will be completing a detailed accounting of the acreage and should have that by the end of the business day, tomorrow.

Our rough estimate at this time is that about 18,000 acres were designated as Urban Reserves and of this, about 2,500 acres are resource lands (exclusive farm or forest lands).

I hope that this information is useful.

Thank you.

c: Mike Burton, Executive Officer

M E M O R A
EXHIBIT 030 697-06



METRO

Date: February 27, 1997
To: Metro Council
From: ^{LS}Larry Shaw, Office of General Counsel
Subject: Attached Exhibit A Amendments

Attached amendments are from Councilors Ed Washington and Susan McLain, including technical amendments, for consideration at the February 27, 1997 Metro Council meeting.

Attachment

cc: Mike Burton, Executive Officer
John Fregonese

jep
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AMENDMENTS TO EXHIBIT A

3.01.010(e) is amended to read as follows:

"First Tier Urban Reserves means those urban reserves to be first urbanized because they can be most cost-effectively provided with urban services by affected cities and service districts as so designated and mapped in a Metro Council ordinance."

3.01.012(c)(3) is amended to change "urban reserve map" to "urban reserve ordinance."

3.01.012(c)(4) is amended to become 3.01.012(d), as follows:

"(d) First Tier

First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonable accommodated on first tier urban reserves."

3.01.012(e)(2) is amended to add the following:

"An urban services agreement consistent with ORS 195.065 shall be required as a condition of approval for any amendment under this subsection."

3.01.012(e)(3), the first sentence, is amended to add URSAs #11 and 14 as follows:

"The areas of Urban Reserve Study Areas #11, 14, 15 and 65 are so geographically distant from existing city limits that annexation to a city is difficult to achieve."

3.01.012(e)(5) is amended to read as follows:

"Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by Oregon Revised Statutes 197.303. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan."

3.01.012(e)(6) is amended to read as follows:

"Demonstration of how residential developments will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80% of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers."

3.01.012(e)(13) is amended to read as follows:

"The urban reserve plan shall be coordinated among the city, county, school district and other service districts, including a dispute resolution process with an MPAC report and public hearing at the Metro Council consistent with RUGGO Objective 5.3. The urban reserve plan shall be considered for local approval by the affected city or by the county, if subsection (3), above, applies, Then the Metro Council shall consider final adoption of the plan."

in coordination w any affected services district & school district
or

February 27th, 1997

030697-07

Dear Metro Council,

EXHIBIT

I am before you again today advocating for strong and clear affordable housing requirements in the Metro Code governing Urban Reserve planning. I want to say first that I am encouraged by the depth and breadth of the discussions that have been occurring around this issue in the past few weeks. It is good to see this important issue getting significant attention from a wide variety of participants in the 2040 process.

Last night the Metro Policy Advisory Committee recommended that the Metro Council adopt most of the affordable housing language that the Coalition for A Livable Future brought to them for the Metro Code governing the designation and use of urban reserves. The italicized and strike-through below represent the changes we proposed from the language that came from the February 24th memo from Larry Shaw that MPAC accepted as part of their recommendation. The bolded language is the language change we proposed that lost on a 7 to 7 vote at MPAC. All of these changes are consistent with the positions we have held from the beginning about the Code requirements.

(The urban reserves plan must include... where applicable)

(5) Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined in Oregon Revised Statutes 197.303 *and that contribute to RUGGOs Objective 17 (Housing)*. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.

(6) Demonstration of how residential developments will include, without public subsidy, **20% of the units developed** as housing affordable to households with incomes at or *below Area Median Income** for homeownership and at or below 80% of *Area Median Income* for rental as defined by U.S. Department of Housing and Urban Development ~~for the adjacent urban jurisdiction~~. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of regulatory and zoning powers.

I am asking you to 1) support the MPAC language, and 2) adopt a clear numerical standard: **20% of the units developed as affordable according to the standards in #6.** This language will provide clearer expectations for local jurisdictions and developers about providing for the full range of housing needed in the region and moving towards a better jobs-housing balance. Thank you for your consideration.

Sincerely,



Tasha Harmon,
Coalition for a Livable Future

* There has been confusion about "area median income" vs. "regional median income". Martha McLennan at Portland's Bureau of Housing and Community Development said this morning that she believes that "Portland Area Median Income" includes the entire Portland Metro Statistical Area (i.e. all of Multnomah, Clackamas, Washington, and Clark Counties). While Metro and other agencies refer to "regional median income", this is not a term defined by HUD. As far as we know, HUD does not provide "area median income" figures for the smaller urban jurisdictions in the regions.

030 697-08
EXHIBIT

MOTIONS FOR ORDINANCE No. 96-655D

1. I move that the property line specific map of designated urban reserves, including the amendments made by the Metro Council on February 20, 1997, be included in the urban reserve ordinance as the new Exhibit B.
2. I move adoption of the Amendments to Exhibit A of the urban reserve ordinance which amend Metro Code 3.01 Urban Growth Boundary procedures.
3. I move that the property line specific map of designated urban reserves showing First Tier urban reserves be added to Exhibit A to replace the map completed prior to February 20, 1997 amendments to urban reserve areas.

jep

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CITY OF
PORTLAND, OREGON
BUREAU OF HOUSING AND
COMMUNITY DEVELOPMENT

Gretchen Kafoury, Commissioner
Steven D. Rudman, Director
808 S.W. 3rd, Suite 600
Portland, Oregon 97204
(503) 823-2375
FAX (503) 823-2387

Date: January 22, 1997

To: All Interested Persons

Re: Revised Income Limits for FY 96/97 Effective Immediately

Median Income Percentages
FY 1996/97

Household Size	30%	50%	60%	80%	100%
1	9,700	16,200	19,450	25,950	32,400
2	11,100	18,500	22,200	29,650	37,050
3	12,500	20,850	25,000	33,350	41,700
4	13,900	23,150	27,800	37,050	46,300
5	15,000	25,000	30,000	40,000	50,000
6	16,100	26,850	32,200	42,950	53,700
7	17,200	28,700	34,450	45,950	57,400
8+	18,350	30,550	36,700	48,900	61,100

(Based on the HUD Portland Area Median Income as of December 31, 1996:
\$46,300 for a family of four. Figures are rounded to the nearest \$50.00).

These new guidelines should be used to determine program eligibility and to track beneficiaries. Please note that "extremely low income" is considered to be the 30% rate, "very low income" is the 50% rate and "low income" is the 80% rate. These are the rates used in the CDBG/ESG/HOME programs.

NOTE:

This new information about HUD "Portland Area Median Income" was received prior to your meeting. The Kelly Ross-Tasha Harmon language was based on the incorrect assumption that "area median income" was subregional. Ms. Harmon will suggest an appropriate correction of 3.01.012(e)(6): "... below Portland Area median incomes for home ownership and ... 80% of Portland Area median incomes as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction."

Urban Reserves as of 2/20/97

Site #	Total Acres	Resource Acres	Exception Acres
1	534.6	162.7	371.9
2	388.8	88.7	300.1
3	22.3	22.3	0.0
4	123.5	0.0	123.5
5	1,358.5	0.0	1,358.5
6	2,166.3	380.8	1,785.6
7	441.9	0.0	441.9
8	528.7	0.1	528.6
9	561.2	0.0	561.2
10	139.5	0.0	139.5
11	473.0	60.1	412.9
13	65.5	0.0	65.5
14	307.2	42.6	264.6
15	215.8	0.0	215.8
17	188.6	0.0	188.6
18	98.8	0.0	98.8
19	12.2	0.0	12.2
22	337.2	0.0	337.2
23	22.8	0.0	22.8
24	173.4	0.0	173.4
25	1,048.6	0.0	1,048.6
26	2,140.2	0.0	2,140.2
29	189.6	0.0	189.6
30	206.6	0.0	206.6
31	736.4	615.1	121.3
32	87.4	76.0	11.5
33	338.7	71.6	267.0
34	756.5	0.3	756.2
35	71.8	0.0	71.8
36	33.1	0.0	33.1
37	145.5	0.0	145.5
39	13.1	10.4	2.8
41	423.1	286.1	137.0
42	249.1	0.0	249.1
43	10.3	0.0	10.3
44	156.8	108.6	48.3
45	462.9	0.0	462.9
47	82.3	0.0	82.3
48	216.5	0.0	216.5
49	261.6	0.0	261.6
51	84.4	0.0	84.4
52	106.8	1.7	105.1
53	203.5	182.9	20.6
54	191.1	144.1	47.1
55	827.0	414.0	413.0
61	27.6	0.0	27.6
62	53.3	10.0	43.3
63	10.1	10.1	0.0
64	193.8	16.5	177.3
65	485.2	220.4	264.8
67	318.4	0.0	318.4
68	67.6	0.0	67.6
69	14.5	14.4	0.1
70	28.3	28.3	0.0
Total	18,401.4	2,967.4	15,434.0

2/27/97

030897-109

EXHIBIT

The attached Exhibit A to the urban reserve ordinance is proposed by Councilor McLain for amendment into the urban reserve ordinance on February 20, 1997.

These amendments to the Metro Code urban growth boundary amendment procedures include amendments based on recommendations from Growth Management Committee members, MTAC, MPAC, WRPAC, affordable housing advocates, and legal counsel on wording.

The significant amendments to the Growth Management Committee Discussion Draft are as follows:

- (1) New 3.01.012(e)(2) to allow a UGB amendment without city agreement or annexation if necessary to comply with the 2040 Growth Concept or state requirements for needed housing or a 20-year land supply.
- (2) Added description of "orphan sites" for application of 3.01.012(e)(3).
- (3) Deleted "without public subsidy" from 3.01.012(e)(6).
- (4) Revised 3.01.012(e)(13) to require city or county review, not approval of urban reserve plans.

EXHIBIT A

Amendments to Metro Code 3.01

Title Section is amended as follows:

"URBAN GROWTH BOUNDARY AND URBAN RESERVE PROCEDURES

SECTIONS	TITLE
----------	-------

3.01.005	Purpose
----------	---------

3.01.010	Definitions
----------	-------------

3.01.012	Urban Reserves
----------	----------------

3.01.015	Legislative Amendment Procedures"
----------	-----------------------------------

Section 3.01.005(a), sentence is added at end as follows:

"... other than Goals 2 and 14. This chapter is also established to be used for the establishment and management of Urban Reserves, pursuant to OAR 660-21-000 to 660-21-100 and RUGGO Objective 22."

Section 3.01.005(c) is added as follows:

(c) The objectives of the Urban Reserves are to:

- (1) Identify sufficient land suitable for urbanization sufficient to accommodate the forecast needs for a 30 to 50 year interval, reevaluated at least every 15 years;
- (2) Limit the areas which are eligible to apply for inclusion to the Urban Growth Boundary consistent with ORS 197.298, and protect resource lands outside the urban reserve areas;
- (3) Protect lands designated as urban reserves for their eventual urbanization, and insure their efficient urbanization consistent with the 2040 Growth Concept, the RUGGOs and the Urban Growth Management Functional Plan;
- (4) Provide for coordination between cities, counties, and special districts for planning for the urban reserve areas;
- (5) Ensure a smooth transition to urban development by planning for general governance, public facilities, land uses, and planning for financing the capital needs of the urban development."

Section 3.01.010(z) is amended as follows:

"(z) "Urban reserve" means an area adjacent to the present UGB defined to be a priority location for any future UGB amendments when needed. Urban reserves are defined as the land likely to be needed including all developable land inside the current urban growth boundary, for a 30 to 50 year period."

Section 3.01.010 is amended to add an additional term and definition as follows:

(e) 'First Tier Urban Reserves' means urban reserve areas so designated and mapped in a Metro Council ordinance.

"(y) 'Special land need' means a specific type of identified land needed which complies with Goal 14, Factors 1 and 2 that cannot be reasonably accommodated on first tier urban reserve land."

Section 3.01.012 is added as follows:

"3.01.012 Urban Reserve Areas

(a) Purpose

The purpose of this section is to comply with ORS 197.298 by identifying lands designated urban reserve land by Metro as the first priority land for inclusion in the Metro Urban Growth Boundary.

(b) Amount of Land Required

- (1) The areas designated as urban reserves shall be sufficient to accommodate expected urban development for a 30 to 50 year period, including an estimate of all potential developable and redevelopable land in the urban area.
- (2) Metro shall estimate the capacity of the urban reserves consistent with the procedures for estimating capacity of the urban area as defined in Section 3.01.010.
- (3) The minimum residential density to be used in calculating the need for urban reserves, estimating the capacity of the areas designated as urban reserves and required in concept plans shall be at least 10 dwelling units per net developable acre.
- (4) Metro shall designate the amount of urban reserves estimated to accommodate the forecast need.
- (5) Metro may designate a portion of the land required for urban reserves in order to phase designation of urban reserves.

(c) Mapped Urban Reserves

- (1) Metro has designated as urban reserve areas those lands indicated on the 2040 Growth Concept map as part of the Regional Urban Growth Goals and Objectives.
- (2) Urban growth boundary amendments shall include only land designated as urban reserves unless designated urban reserve lands are inadequate to meet the need. If land designated as urban reserves is inadequate to meet the need, the priorities in ORS 197.298 shall be followed.
- (3) Within 1 year of Metro Council adoption of the urban reserve map, the Metro Council shall modify the Metro 2040 Growth Concept to

designate regional design types consistent with the Metro 2040 Growth Concept for all designated urban reserves.

- (4) First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves.

(e) Urban Reserve Plan Required

A conceptual land use plan and concept map which demonstrates compliance with the RUGGO and the 2040 Growth Concept design types and any applicable functional plan provisions shall be required for all major amendment applications and legislative amendments of the urban growth boundary including at least the following, when applicable:

- (1) Provision for either annexation to a city and any necessary service districts at the time of the final approval of the urban growth boundary amendment consistent with 3.01.065 or an applicable city-county planning area agreement which requires at least the following:

(A) City or county agreement to adopt comprehensive plan provisions for the lands added to the urban growth boundary which comply with all requirements of urban reserve plan conditions of the urban growth boundary approval;

(B) City and county agreement that lands added to the urban growth boundary shall be rezoned for urban development only upon annexation or agreement for delayed annexation to the city and any necessary service district identified in the approved Concept Plan or incorporation as a new city; and

(C) County agreement that, prior to annexation to the city and any necessary service districts, rural zoning that ensures a range of opportunities for the orderly, economic, and efficient provision of urban services when these lands are included in the urban growth boundary remains in place until city annexation and the adoption of urban zoning.

- (2) Notwithstanding (1) above, the Metro Council may approve a major or legislative amendment to the urban growth boundary if the proposed amendment is required to assist the region to comply with the 2040 Growth Concept or to assist a city or county in demonstrating compliance with statute, rule, or statewide goal requirements for land within the urban growth boundary. These requirements include HB 2709, ORS 197.303, the statewide planning goals and Regional Urban Growth Goals and Objectives.

- (3) If the Metro Council identifies an area or The areas which of Urban Reserve Study Areas #15 and #65 are so geographically distant from any existing city limits that annexation to a city is difficult to achieve, and If the county and affected city and any necessary service districts have signed an urban service agreement or an urban reserve agreement coordinating urban services for the area, then the requirements for annexation to a city in (1)(B) and (1)(C) above shall not apply.

- (34) Provision for residential densities of at least 10 dwelling units per net developable residential acre;
- (45) Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined in Oregon Revised Statutes 197.303;
- (56) Demonstration of how residential developments will include, ~~without public subsidy~~, housing affordable to households with below median incomes;
- (67) Provision for sufficient commercial and industrial development for the needs of the area to be developed and the needs of adjacent land inside the urban growth boundary consistent with 2040 Growth Concept design types;
- (78) A conceptual transportation plan consistent with the Regional Transportation Plan, and consistent with protection of natural resources as required by Metro functional plans;
- (89) Identification, mapping and a funding strategy for protecting areas from development due to wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the urban growth boundary prior to urban development. The plan shall include cost estimates to implement a strategy to fund resource protection;
- (910) A conceptual public facilities and services plan, including rough cost estimates for the provision of sewer, water, storm drainage, transportation, fire and police protection facilities and parks, including financing strategy for those costs;
- (119) A conceptual school plan which provides for the amount of land and improvements needed for school facilities. Estimates of the need shall be coordinated among affected school districts, the affected city or county, and affected special districts consistent with the procedures in ORS 197.110(3), (4) and (7);
- (124) An Urban Reserve Plan map showing, at least, the following, when applicable:
 - (A) Major roadway connections and public facilities;
 - (B) Location of unbuildable lands including but not limited to steep slopes, wetlands, floodplains and riparian areas;
 - (C) General locations for commercial and industrial lands;
 - (D) General locations for single and multi-family housing;
 - (E) General locations for public open space, plazas and neighborhood centers; and
 - (F) General locations or alternative locations for any needed school, park or fire hall sites.
- (132) The ~~Urban Reserve~~ plan shall be ~~approved~~reviewed by the affected city, or by the county if subsection (23), above, applies, ~~and~~ The plan shall be coordinated among with the city, county,

school district and other service districts, ~~and be consistent with the Metro 2040 Growth Concept.~~

Section 3.01.015(d) is added as follows:

"(d) Metro shall consult with the appropriate city, county and service districts to identify lands inside first tier urban reserves which are the most capable of being served by extension of service from existing service providers for the purpose of preparing concept plans in advance for any short term need for inclusion of additional lands in the urban growth boundary."

Section 3.01.015(d) is amended as follows:

"(e) Legislative amendment decisions shall be accompanied by findings explaining why the UGB amendment complies with applicable state law and statewide goals as interpreted by section 3.01.020 and subsequent appellate decisions and including applicable concept plans and maps demonstrating consistency with RUGGO including the 2040 Growth Concept and compliance with any applicable functional plan provisions."

Section 3.01.020(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . Compliance with this section shall constitute compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.020(b), last sentence, is amended as follows:

"For legislative amendments, if need has been addressed, the district shall demonstrate that the priorities of ORS 197.298 have been followed and that the recommended site was better than alternative sites, balancing factors 3 through 7."

Section 3.01.025(a) is amended as follows:

"(a) All major amendments shall be solely upon lands designated in urban reserves, when designated consistent with 3.01.012. All major amendments shall demonstrate compliance with the following:

- (1) The criteria in section 3.01.030 of this Code as well as the procedures in OAR 660-18-000;
- (2) Notice of public hearings for major amendments as described in section 3.01.050;
- (3) Public hearings procedures as described in sections 3.01.055 through 3.01.065;
- (4) the urban reserve plan requirements in section 3.01.012(e); and
- (5) Final action on major amendments shall be taken as described in section 3.01.070."

Section 3.01.030(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . and further define ORS 197.298,

Goals 2 and 14 . . . compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.030(b) is amended by adding the following sentence prior to 3.01.030(b)(1):

"Demonstration that the priorities of ORS 197.298 have been followed is required in addition to the application of factors 3 through 7."

Section 3.01.040(b), (c) are added as follows:

"(b) The district shall attach the approved urban reserve plan and map required at 3.01.012(e) as conditions of approval to assure compliance of developed uses with the 2040 Growth Concept and any applicable functional plan provisions.

(c) The district may determine that certain conditions of approval are so important to inclusion of land into the urban growth boundary that if those conditions are not met that the urban growth boundary approval may be revoked automatically or by action of the district."

Section 3.01.065(f) is amended as follows:

"(f) When the council acts to approve in whole or in part a petition by requiring annexation to a city and/or service district(s) and Tri-Met and whenever a petition includes land outside the district:

- (1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the district within six months of the date of adoption of the Resolution.
- (2) The council shall take final action, as provided for in paragraphs (c) and (d) of this section, within 30 calendar days of notice that all required annexations to a city, service district(s) and the district have been approved."

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designate regional design types consistent with the Metro 2040 Growth Concept for all designated urban reserves.

- (4) First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves.

(e) Urban Reserve Plan Required

A conceptual land use plan and concept map which demonstrates compliance with the RUGGO and the 2040 Growth Concept design types and any applicable functional plan provisions shall be required for all major amendment applications and legislative amendments of the urban growth boundary including at least the following, when applicable:

- (1) Provision for either annexation to a city and any necessary service districts at the time of the final approval of the urban growth boundary amendment consistent with 3.01.065 or an applicable city-county planning area agreement which requires at least the following:

(A) City or county agreement to adopt comprehensive plan provisions for the lands added to the urban growth boundary which comply with all requirements of urban reserve plan conditions of the urban growth boundary approval;

(B) City and county agreement that lands added to the urban growth boundary shall be rezoned for urban development only upon annexation or agreement for delayed annexation to the city and any necessary service district identified in the approved Concept Plan or incorporation as a new city; and

(C) County agreement that, prior to annexation to the city and any necessary service districts, rural zoning that ensures a range of opportunities for the orderly, economic, and efficient provision of urban services when these lands are included in the urban growth boundary remains in place until city annexation and the adoption of urban zoning.

- (2) Notwithstanding (1) above, the Metro Council may approve a major or legislative amendment to the urban growth boundary if the proposed amendment is required to assist the region to comply with the 2040 Growth Concept or to assist the region, a city or county in demonstrating compliance with statute, rule, or statewide goal requirements for land within the urban growth boundary. These requirements include HB 2709, ORS 197.303, the statewide planning goals and Regional Urban Growth Goals and Objectives.

- (3) If the Metro Council identifies an area or
Reserve Study Areas #15 and #65 are so geographically distant
from any existing city limits that annexation to a city is difficult to
achieve, and
If the county and affected city and any necessary
service districts have signed an urban service agreement or an
urban reserve agreement coordinating urban services for the area,
then the requirements for annexation to a city in (1)(B) and (1)(C)
above shall not apply.

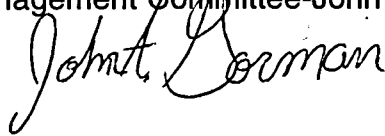
030697-10

EXHIBIT

February 27, 1997

To: Metro Growth Management Committee-John Kvistadt
From: John Gorman

Re: Reserve Area 49



My wife and I own a 5 acre property (16555 SW High Hill Lane) in Area 49 and request that the Northern Portion of Area 49 be reconsidered and included in the Urban Reserve for the following reasons:

- The urban growth boundary was arbitrarily set on property boundaries instead of road boundaries. As such, there are now major run-off problems where the City of Beaverton has developed to the UGB. There was not appropriate infrastructure put in place to catch the water that naturally flows down from properties outside the UGB to the land inside the UGB. This has developed into a litigious situation between City and County. This situation will not be remedied until urban services are extended to the contiguous land outside the UGB.
- Most of the acreage in this area consists of land that is not suitable for farming with 1 house per acre or 1 house per 5 acres. This is extremely inefficient use of land and has resulted in numerous abandoned automobile parts and mobile homes in the area.
- There are Urban Services within yards of our property. I understand this Area is recommended for inclusion by Metro Staff but was recently voted out because of political considerations and not based on the merits of the land.

We ask that you move to reconsider this land and to move the Urban Reserve West to SW 175th so that the boundary is in line with the major road in the area. The merits of including this land should outweigh any political interests that might exist.

030697-11

EXHIBIT

Public Testimony

2/27/97

Metro Council - Item 8.8.

Please consider changing your position on SB 5505, DLCD Budget, from "Monitor" to "Support". Your local govt partners need grant funding embedded in this bill to do the work of 2040. Without state grant dollars, local govt's - facing general governance cutbacks (including in their planning dept.) will have a difficult ~~the~~ time complying with the UGMF Plan and an ~~at~~ even more difficult time ~~planning~~ doing Urban Reserve Plans.

Peggy Lynch

Please read into the record today, Presiding Officer

PEGGY LYNCH

(503) 646-4580
(503) 646-6286 (fax)
ZULUDAR@aol.com (e-mail)

3840 SW 102nd Avenue
Beaverton, OR 97005-3244

Feb. 25, 1997

To: Mayor Rob Drake, MPAC Chair, and
Members of MPAC
fax: 797-1799 — Please Distribute

cc: Presiding Officer Jon Kvistad and
Members of the Metro Council
fax: 797-1793

cc: Metro Exec Mike Burton

Re: Metro Code Relating to Urban Reserves

This memo is to express my concern regarding possible general governance problems should there not be an agreement for a specific city to annex property in any Urban Growth Boundary expansion.

Many of us are working with our county governments on SB 122 in order to assure that county governments can remove themselves from a municipal level of governance and service provision. They would no longer need an urban Community Development Code, for instance, and could focus their planning on rural issues.





Should we successfully complete these projects, it could be possible that, by the time some of the properties proposed to be part of a UGB expansion become annexed into the UGB, no county would have the capability of administering to these areas without again creating another duplicative set of codes and service provision options.

Therefore, I ask that you review the proposed Metro Code to assure that no such circumstance takes place. I am not a lawyer nor a planner, so I can propose no language. But, as a citizen concerned with the costs of providing government services, this issue is critical.

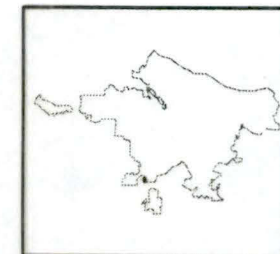
Post-it	Date	# of pages
Fax Note		1
To	Barbara Nugent	
Fax#	797-1799	
From	Peg	
Phone#		

Urban Reserves Tax Lot Boundaries

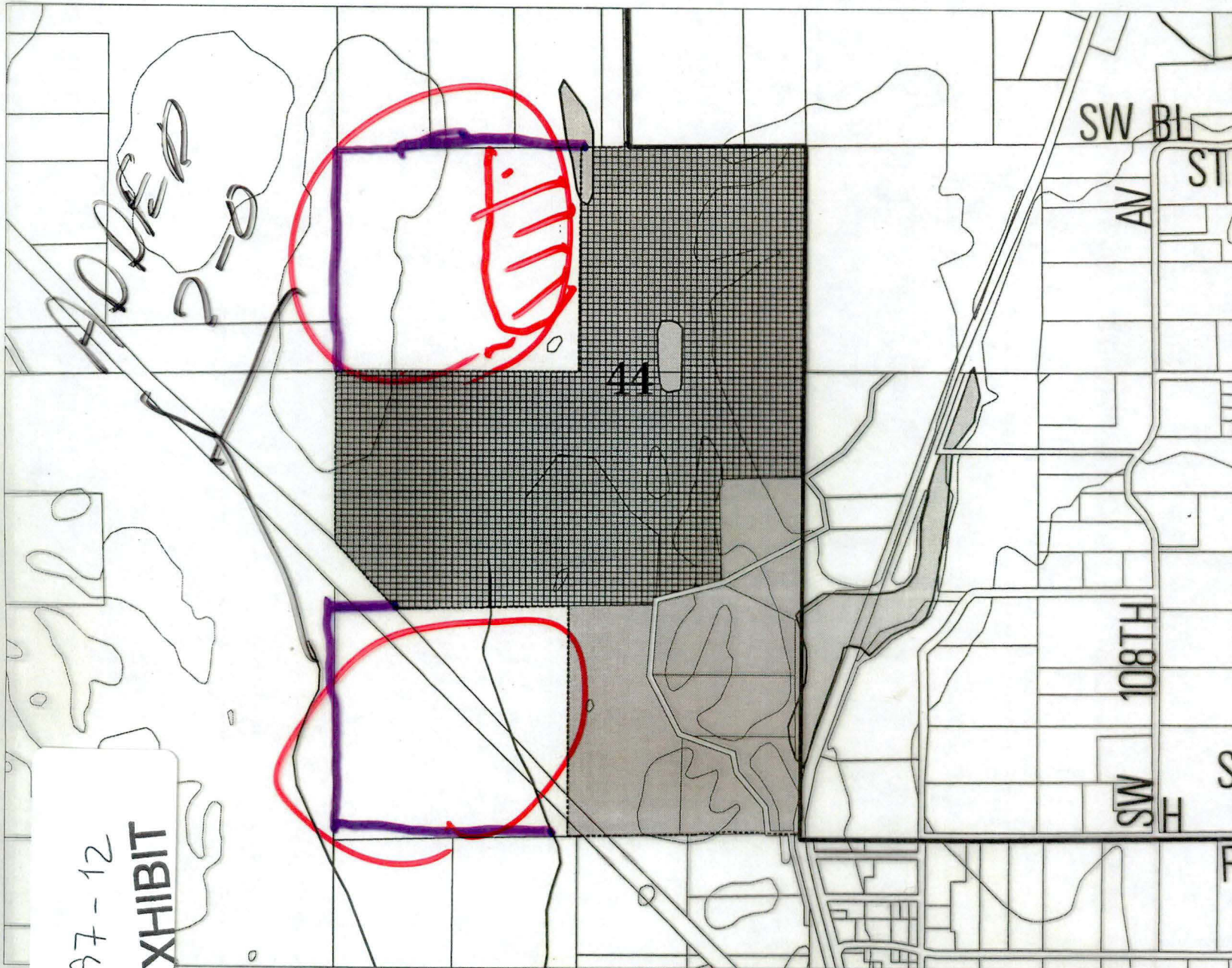
Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserve
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #44

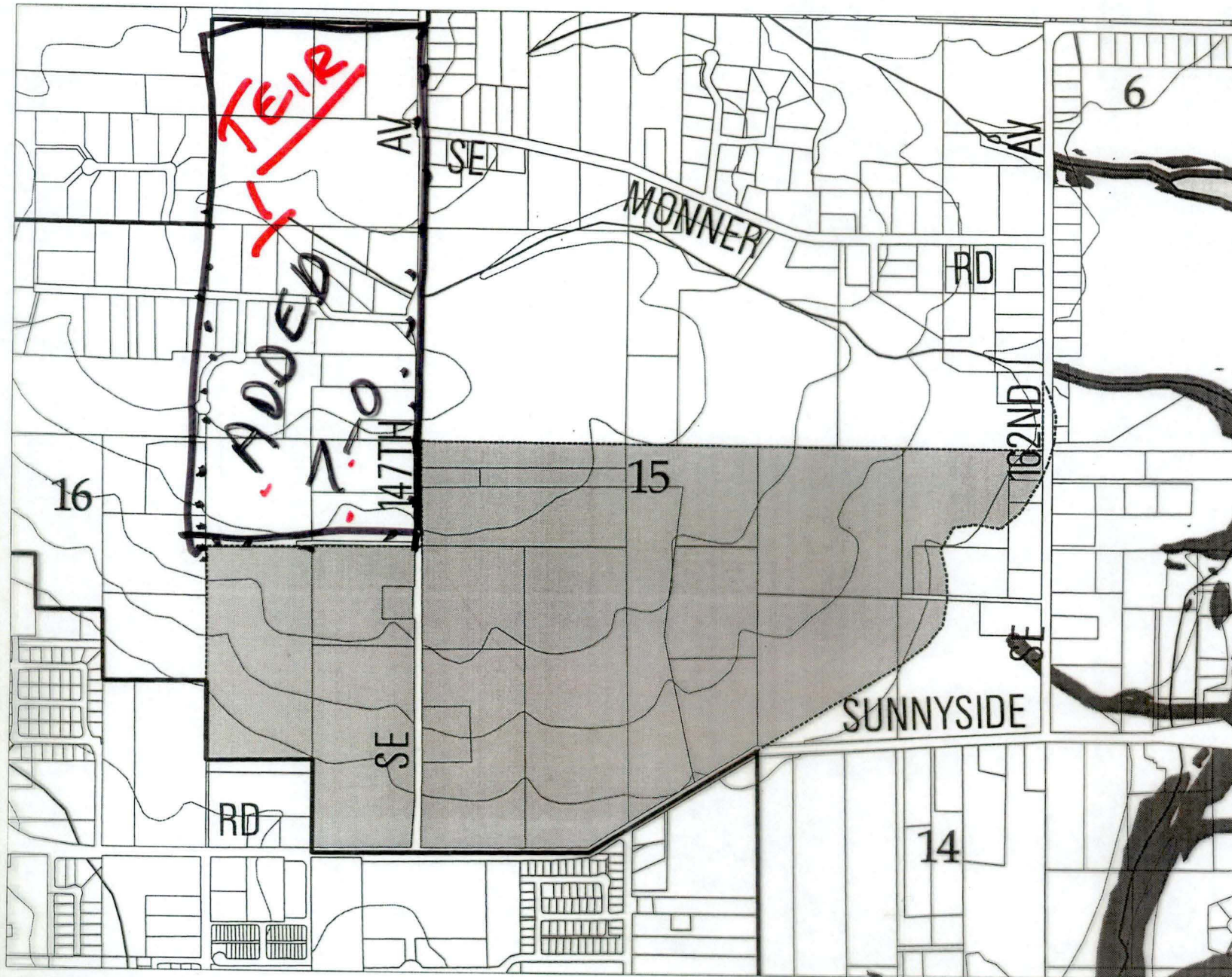


600 NE Grand Ave
Portland, OR 97232-3736
(503) 797-1242







030697-12
EXHIBIT

January 26, 1997

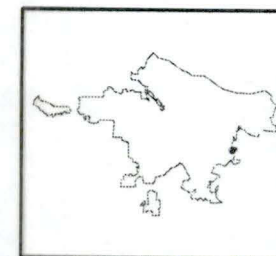


Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

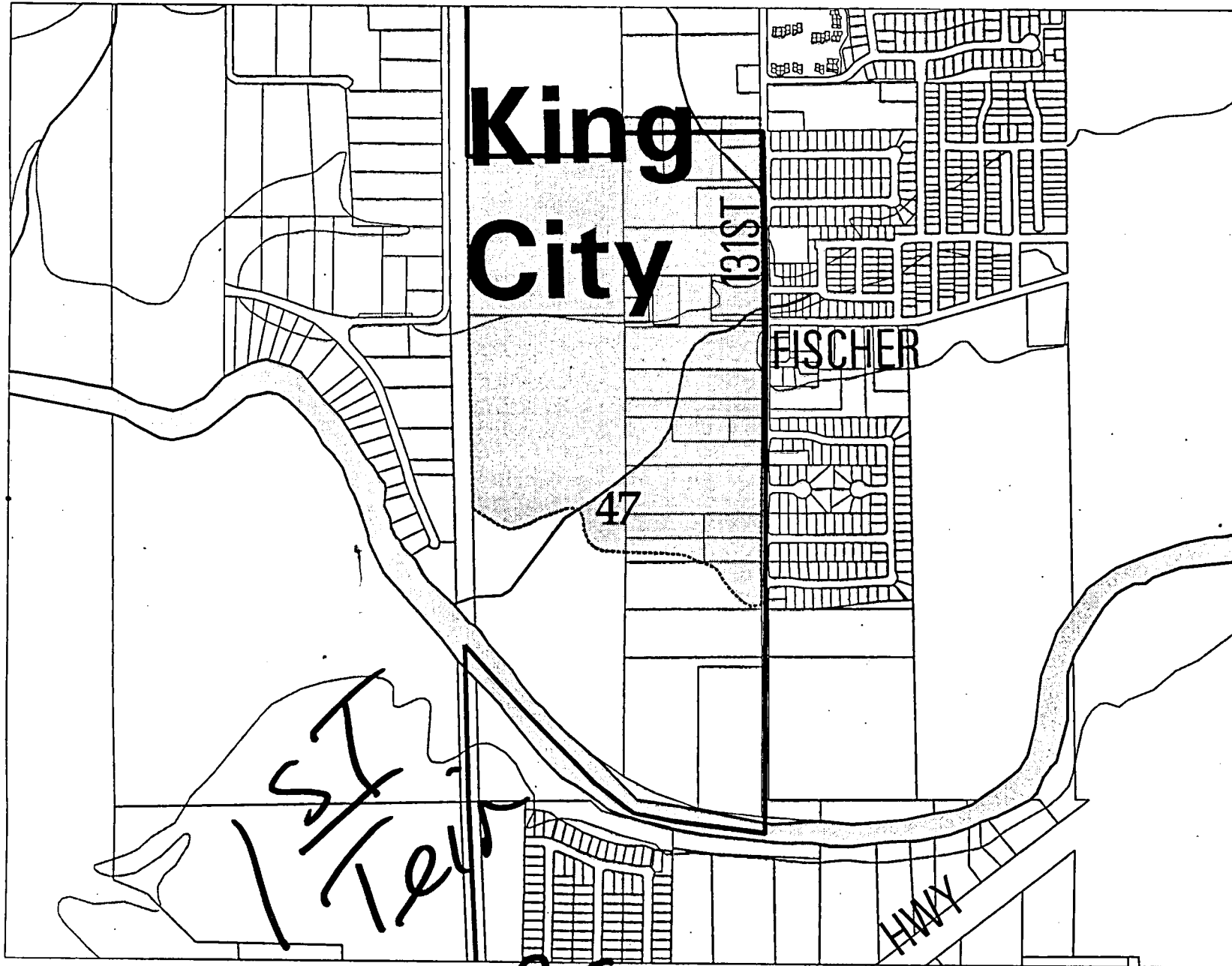
-  Designated Urban Reserves
-  Resource Lands within Urban Reserve
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #15



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742









R L I S

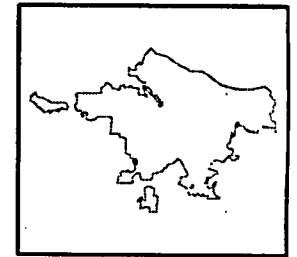
Regional Land
Information Systems

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #47



600 NE Grand Ave
Portland, OR 97232-2734
(503) 797-1762



Presiding Officer Kristad

030697-013

Proposed Amendment for URSA #49

EXHIBIT

To refine URSA # 49 to include 140 Acres in large parcels that can be developed in an efficient manner. The areas in red on the attached map.

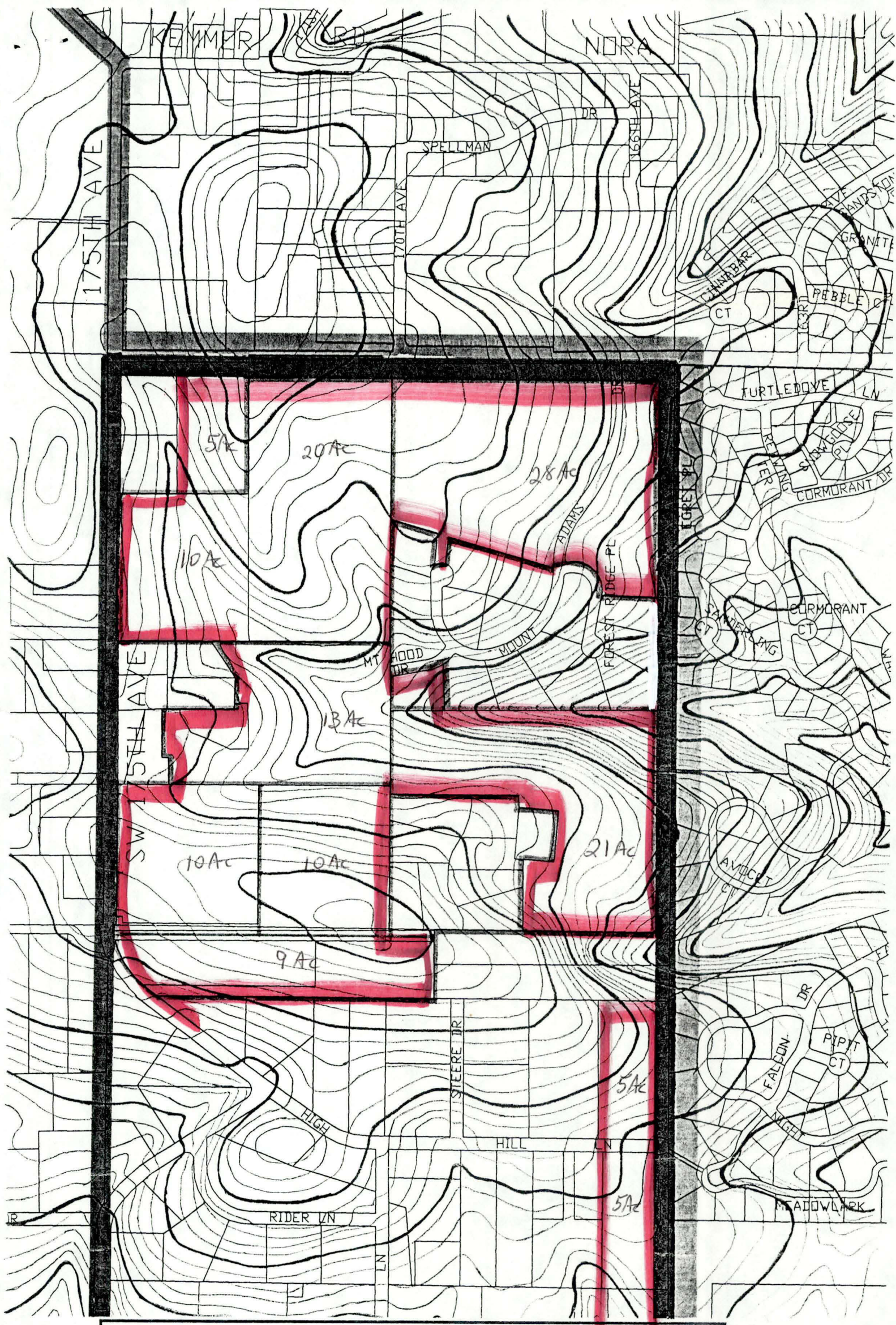


EXHIBIT C - TOPOGRAPHY AND LOT LINE MAP

Sources : 10' Topography : U.S.G.S. Quad Map
Lot lines : City of Beaverton, Engineering Department

NORTH
1" = 500'



Orange - UGB Blue - URSA # 49
Red - Subject Property

140 Acres
All
Bordering
V6B



METRO

EXHIBIT 030697-14

Date: March 4, 1997
To: Councilor McLain
From: *LES* Larry Shaw, Office of General Counsel
Subject: UGB Procedures Questions

You have asked for an analysis of the following questions raised about the UGB amendment procedures for "urban reserve plans" in Metro Code 3.01.012(e).

1. (3)(11) reference to ORS 195.110(4): school plans

SB 908 (1993) codified at ORS 195.110 contains a detailed process for school facility planning. MTAC recommended the use of the procedures in this state law to frame the discussion of the many school issues in a conceptual school plan. Subsections (1), (2) refer to and define "high growth school district" and (1)(a) requires that a school facility plan must be included in comprehensive plans only for these districts. The elements of a school facility plan are listed in subsection (7). School needs are required to be identified based on comprehensive plan population projections in subsection (3).

Subsection (4) requires a district assessment of school facility capacities using objective criteria. The district and the city and county are then to seek agreement on these capacities. Then, under certain circumstances, the city or county is required to provide notice of a plan or zoning change "that significantly impacts school capacity."

3.01.012(e)(11) requires district, city or county coordination "consistent with the procedures" in subsections (3), (4) and (7). This is Metro's Code, interpreted by the Metro Council. All Council discussions and the context of (e)(11) make clear that these procedures apply to all school districts affected by an "urban reserve plan" despite reference to "high growth school districts" in subsection (4).

2. (e)(13) coordination with service districts and school districts

The first sentence of (e)(13) requires coordination of an "urban reserve plan" including school and service districts, with a dispute resolution process. Prior to Metro final adoption, the urban reserve plan must be considered for adoption by the annexing city or by the county if there is no annexing city. The amendment Councilor McLain made in response to a proposal to require each school and service district to consider approval of the plan was as follows:

"The urban reserve plan shall be considered for local approval by the city . . . in coordination with any affected service district and/or school district. (emphasis added)

This consolidates local approval at the city. The city has the responsibility of coordinating all public facilities for the urban reserve area and including them in its comprehensive plan once the area is added to the UGB. The proposed wording would have required each affected school district and service district board to consider approval of the urban reserve plan and to vote separately with no explicit coordination of these approvals with the city.

This language does not commit a service district to provide services without its board approval. Service district boards must provide their input to the city considering local approval of the urban reserve plan. If willing service providers are not identified, the urban reserve plan would not be approved. Further, the "urban reserve plans" for UGB amendments should be based on completed urban service and urban reserve agreements required by state law. These agreements are approved and signed by the participants, including service districts, based on district board action.

jep

I:\DOCS#07.P&D\02UGB\02AMENDM.ENT\01PROCED.URE\0304MCLA.IN

EXHIBIT 030697-15

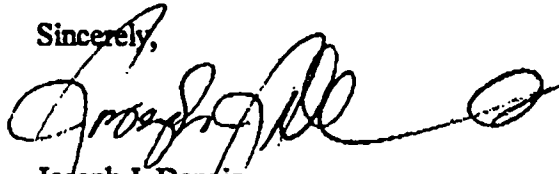
February 27, 1997

To: METRO Council
From: Joseph J. Dennis
Subject: URBAN RESERVE

It has come to my attention that recently Area 49 Northern Portion has been excluded from the urban reserve. I object to the resolution that excluded Area 49 Northern Portion from the Urban Reserve. I hope you find in favor of returning Area 49 Northern Portion back into the Urban Reserve.

Thank you for your consideration.

Sincerely,



Joseph J. Dennis
17060 SW Weir
Portland, OR 97007



R L I S

Regional Land Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

Designated Urban Reserves

Resource Lands within Urban Reserves

Modified Urban Reserve Boundaries

Urban Growth Boundary

MAP #44

600 NE Grand Ave
Portland, OR 97231-2756
(503) 797-1702

METRO

EXHIBIT

030697-16

C:\p\lms\lms.aml, plot date: February 26, 1997

EXHIBIT 030697-17

Robinwood Neighborhood Association

4405 Kenthorpe Way
West Linn, OR 97068

Home Phone 635-6662
26-Feb-97

Metro Council
600 NE Grand Ave.
Portland, OR 97232-1793

To the Metro Council:

As we have previously stated by both letter and oral testimony, the Robinwood Neighborhood Association of West Linn opposes expansion of the Urban Growth Boundary into the Stafford Triangle. It now appears that not only have you chosen to ignore our concerns, but are intent on denying us any further voice in our future.

Your vote, to deny veto power to municipalities over annexations of areas added to the urban Growth boundary, renders our on going efforts to influence the Planning process in West Linn moot. You have in effect emasculated local planning efforts and made the whole concept of local control meaningless.

We urge you to reconsider this hasty, and ill-conceived plan.

Sincerely,



Duane H. Funk
President

CC: File

EXHIBIT⁰³⁰⁶⁹⁷⁻¹⁸

February 27, 1997

Kvistad Technical Amendment to Ordinance 96-655C

I move that Urban Reserve site #47 be designated as a first tier site on the exhibit A map to Ordinance 96-655C.

EXHIBIT

030697-19

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING)	ORDINANCE NO 96-655 <u>BC</u>
URBAN RESERVE AREAS FOR THE)	
PORTLAND METROPOLITAN AREA URBAN)	Introduced by Executive Officer
GROWTH BOUNDARY; AMENDING RUGGO)	Mike Burton
ORDINANCE NO. 95-625A AND METRO CODE)	
CHAPTER 3.01; AND DECLARING AN)	
EMERGENCY)	

WHEREAS, ORS 197.298(1)(a) requires that land designated as urban reserve land by Metro shall be the first priority land for inclusion in the Metro Urban Growth Boundary; and

WHEREAS, the Land Conservation and Development Commission's (LCDC's) Urban Reserve Area Rule at OAR 660-21-020 requires Metro to designate the location of urban reserve areas for the Portland Metropolitan area within two miles of the regional Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-020, requires that urban reserve areas designated by Metro shall be shown on all applicable comprehensive plan and zoning maps; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(1), requires that urban reserve areas shall include at least a 10 to 30 year supply of developable land beyond the 20 year supply in the Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(2), requires that Metro study lands adjacent to the Urban Growth Boundary for suitability as urban reserve areas; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(3), requires that land found suitable for an urban reserve area must be included according to the

Rule's priorities and that first priority lands are those lands identified in comprehensive plans as exception areas plus those resource lands completely surrounded by exception areas which are not high value crop areas; and

WHEREAS, Resolution No. 95-2244 established urban reserve study areas as the subject of Metro's continued study for possible designation as urban reserve areas consistent with LCDC's Urban Reserve Area Rule; and

WHEREAS, urban reserve study areas are shown on the 2040 Growth Concept Map in Ordinance No. 95-625A adopting the Regional Urban Growth Goals and Objectives (RUGGO) which was acknowledged by LCDC Compliance Order 96-ACK-010 on December 9, 1996; and

WHEREAS, Metro has undertaken a detailed analysis of the suitability of the study areas for designation as urban reserve areas, including the June, 1996 Metro Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas; and

WHEREAS, an Urban Growth Report containing data about the relative suitability of lands as urban reserves, maps and descriptions of the physical characteristics of the study areas was published September 3, 1996 by the Executive Officer was accepted by the Metro Council as amended in Resolution No. 96-2392B and forwarded to the Metro Council; and

WHEREAS, a series of open houses near the Urban Growth Boundary was held in June, 1996 at Oregon City, Clackamas, Tualatin and Beaverton with residents owning property in study areas notified by mail, print ads and flyers to schools; and

WHEREAS, the Metro Council held public hearing listening posts concerning the urban reserves and the Executive Officer Urban Reserve Recommendation in

November and December, 1996 in Hillsboro, Gresham, Beaverton, Oak Grove and at Metro; and

WHEREAS, the Metro Council considered all the evidence in the record~~the Utility Feasibility Report, the Urban Reserve Report~~ and public testimony in ~~November, 1996 listening posts and~~ in December, 1996 and February, 1997 work sessions to select urban reserve areas; and

WHEREAS, notice of the proposed urban reserve areas and the proposed postacknowledgment amendments to the acknowledged RUGGO ordinance and the acknowledged Metro Code 3.01 have been given consistent with ORS 197.610(1); now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 3.01, Metro's acknowledged "Urban Growth Boundary Amendment Procedures," are hereby amended as indicated in Exhibit "A," attached and incorporated herein.

Section 2. Ordinance No. 95-625A is hereby amended to replace the urban reserve study areas indicated on the 2040 Growth Concept Map with the urban reserve areas designated in Section 3 of this Ordinance.

Section 23. Urban reserve areas indicated on the map attached as Exhibit "B", and incorporated herein, are hereby designated as the urban reserve areas for the Metro Urban Growth Boundary for the purposes of (1) application of Metro Code 3.01, (2) amendment of the acknowledged 2040 Growth Concept Map, (3) compliance with the Urban Reserve Areas Rule at OAR 660-21-020, and (4)~~for the purpose of~~

identifying lands of first priority for inclusion in the Metro Urban Growth Boundary as required by ORS 197.298.

Section ~~34~~34. The urban reserve areas on Exhibit "B" shall be shown on all applicable county comprehensive plan and zoning maps as required by the Urban Reserve Areas Rule at OAR 660-21-020.

~~Section 4. Ordinance No. 95-625A is hereby amended to replace the urban reserve study areas indicated on the 2040 Growth Concept Map with the urban reserve areas designated in Section 2 of this Ordinance.~~

~~Section 5. The findings of fact in Exhibit "C", attached and incorporated herein, explain how the urban reserve areas designated in Section 2 of this Ordinance comply with the Urban Reserve Areas Rule and the acknowledged Regional Urban Growth Goals and Objectives.~~

Section ~~65~~65. The designation of urban reserve areas prior to March, 1997 applications for amendments to the Metro Urban Growth Boundary is necessary to preserve the health, safety or welfare of the Metro region; therefore, an emergency is hereby declared to exist, and this Ordinance shall take effect upon passage.

Section ~~76~~76. The provisions of this ordinance are separate and severable. The invalidity of any clause, sentence, paragraph, section, subsection, or portion of this ordinance or the invalidity of the application thereof to any city, county, person or circumstance shall not affect the validity of the remaining provisions of this ordinance or its application to other cities, counties, persons or circumstances.

////

////

ADOPTED by the Metro Council this _____ day of _____, 1997.

Jon Kvistad, Presiding Officer

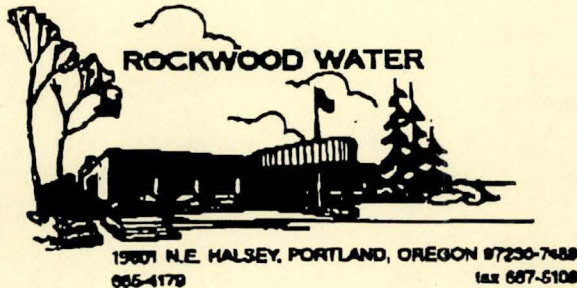
ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

I:\R-O\1285.REV



030697-20

EXHIBIT

February 27, 1997

Gussie McRobert, Mayor
City of Gresham
1333 NW Eastman Parkway
Gresham OR 97030-3813

Re: Proposed Amendment to the UGB Procedures

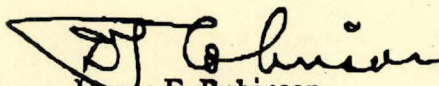
Dear Mayor McRobert:

Thank you for sharing with us the proposed amendments to 3.02.012(e)(13). We support amending this section by a change of the second sentence to read to the effect, "The urban reserve plan shall be considered for local approval by the affected city, county, or special district, if subsection (3) above applies."

The reason is that matters of this nature are intertwined with ORS 195 coordination agreements and Rockwood's Board of Directors would need an opportunity to consider the land use impacts.

Thank you for letting us have input in this matter.

Very truly yours,


Duane E. Robinson
Manager

mvh



030697-11 21

EXHIBIT

City of Gresham

Mayor Gussie McRobert

1333 N.W. Eastman Parkway
Gresham, Oregon 97030-3813
(503) 618-2306
Fax (503) 665-7692

February 27, 1997

TO: Presiding Officer Jon Kvistad
Metro Councilors

From: Gussie McRobert, Mayor, City of Gresham

RE: Urban Reserves Code

A. Section 3.01.010 add: "First Tier Urban Reserves are those to be first urbanized, that can be most cost-effectively provided with urban services by affected cities and service districts."

B. Support Councilor McLain's 2/24/97 addition of language to Urban Reserves Code Section 3.01.012 (e) (2), relating to urban services agreements with an additional citation, "as required in the Urban Reserve Rule OAR 660-21."

C. Respectfully suggest that 3.01.012 (e) be changed to (d) since it follows (c).

D. Amend proposed 3.01.012 (e) (13): "The Urban Reserve Plan shall be considered for local approval by the affected City, or by the County, if subsection (3) above applies, and by any affected Service District."

Explanation: Neither Metro, nor cities, nor counties can commit a Service District to provide services without its Board approval.

Attachment: Gresham City Staff Review of 2/20/97 Amendments

cc: Rob Mitchell
Bud Farm
John Hartsock
Chuck Peterson

Comments on Metro Proposals relating to Urban Reserve Issues
Gresham Staff Review - 2/20/97 Amendments

1. Amendment to Metro Code on Urban Reserve Areas sections 3.01.012(e)(2), (e)(3) and (e)(13) adds new language that states that nullifies the effect of much of existing subsection (1) of this section which requires that for all amendments to the UGB based on an Urban Reserve Plan that provision for annexation or application of a city-county planning area agreement be required before any amendment to the UGB. Note: section (1) appears to have been carefully crafted to meet the requirements of state law and regulations however the last minute ad hoc amendments to subsections (2) and (13) from last Thursday (2-21) have put the conformity of this section with state law in serious doubt. The amendments state:

“(2) Notwithstanding (1) above, the Metro Council may approve a major or legislative amendment to the urban growth boundary if the proposed amendment is required to assist the region to comply with the 2040 Growth Concept or to assist a city or county in demonstrating compliance with statute, rule, or statewide goal requirements for land within the urban growth boundary. These requirements include HB 2709, ORS 197.303, the statewide planning goals and Regional Urban Growth Goals and Objectives. [all this language is new]

(3) The areas of Urban Reserve Study Areas #15 and #65 are so geographically distant from existing city limits that annexation to a city is difficult to achieve. If the county and affected city and any necessary service districts have signed an urban service agreement or an urban reserve agreement coordinating urban services for the area then the requirements for annexation to a city in (1)(B) and (1)(C) above shall not apply. [the language was modified to limit this section to Study Areas #15 and #65] . . .

(13) The urban reserve plan shall be reviewed by the affected city, or by the county if subsection (3), above applies. The plan shall be coordinated among the city, county, school district and other service districts.” [this language was modified to provide that the Urban Reserve Plan would be reviewed rather than approved by the affected city]

2. These proposed amendments do not impact the authority to annex which remains, as state law requires, with the city. The amendments do have the effect of separating the Urban Reserve and Urban Growth Boundary Decisions from any city agreement to annex the areas included in the reserves or in the boundary. In other words, Metro can include areas in the boundary where there may never be city agreement to annex. It is this implication that may have the most impact on whether these amendments conform to state law and regulation.

3. The general effect of the amendments to subsections (2) and (13) is to allow Metro to alter the UGB at specific locations at their pleasure and without agreement from the local jurisdiction that will need to provide public facilities and services and do land use planning for the area involved. While this effect does not force annexation it does not conform to statewide requirements which do require that urban growth decisions be made based on the ability to provide public facilities and services in an orderly and economic manner. Metro would be making, without city agreement, a basic urbanization decision which it will then have no responsibility to serve. Anything less than city agreement goes against statewide urbanization law and policy. Specifically:

a. Goal 14 Urbanization - To provide for an orderly and efficient transition from rural to urban land use. The goal requires that changes in UGB's shall be based upon consideration of “(3) Orderly and economic provision of public facilities and services; (4) Maximum efficiency of land uses within and on the fringe of the existing urban area; (5) Environmental, energy, economic and social consequences. . . .” The goal further provides that “Conversion of urbanizable land to urban uses shall be based on consideration of (1) Orderly, economic provision for public facilities and services; . . . (3) LCDC goals or the acknowledged

comprehensive plan.” Under Goal guidelines A. (1)(3) Planning the goal requires that Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion taking into account (3) the carrying capacity of the planning area, ... “ Under the Goal guideline for Implementation (B) “1. The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion. ... 4. Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.”

The portion of the Metro Code 3.01.012(e)(1) that was not amended appears to be directed at meeting the requirements of the goal by assuring that the affected city agrees to the reserve area and annexation in order to provide for the “orderly, economic, and efficient provision of urban services” through annexation of the affected area. However, new subsection (2) allowing a Metro approved UGB amendment without the agreement of the affected city ignores Goal 14 entirely. New subsection (3) does not completely ignore the goal as it requires at least the existence of an urban service agreement before boundary changes occur. New subsection (13) appears to completely ignore the goal by allowing an urban reserve plan to be approved by Metro over objections by an affected city who would be the sole provider of urban services to the area.

b. ORS 195.145 Urban Reserve areas statute - This statute provides that “(1)... local governments may cooperatively designate land outside urban growth boundaries as urban reserve areas ... (4) for purposes of this section, “urban reserve area” means lands outside an urban growth boundary that will provide for: (a) future expansion over a long-term period; and (b) the cost-effective provision of public facilities and service within the area when the lands are included within the urban growth boundary.”

The process outlined in proposed amendments to subsections (2) and (13) are not “cooperative” and do not provide for the “cost-effective provision of public facilities and services” within the proposed urban reserve area, unlike the unamended language of subsection (e)(1). ORS 195.145 procedural and substantive requirements for urban reserves are ignored by the amendments.

c. OAR Chapter 660, Division 21, Urban Reserve Areas Rule - the rule contains numerous references to the need for cooperation and agreement on the provision of public facilities and services within the Urban Reserve Areas. See OAR 660-21-04-(5),(6) [(5) requiring adoption of an urban reserve area agreement for urban reserve areas which includes provision of public facilities and services, this requires city agreement; (6) authorizing cities and counties, not Metro, to plan for eventual provision of urban public facilities and services to urban reserve areas, this requires city agreement], OAR 660-21-050(1), (2), (3) [provides for urban reserve area agreements by the city to provide urban public facilities and services and OAR 660-21-070(2) and (3) [provides for city, county and metro agreement on urban reserves and provides for dispute resolution].

As with the previous comments on other state laws, Metro’s Proposed section (e)(1) which was not amended does consider the requirements of these rules for city agreement to plan and annex, but the amended section (2) and (13) are contrary to the requirements of the Urban Reserve Areas Rule which requires cooperation, annexation and or agreement from the cities before an area is included in urban reserves, particularly relating to the need to address the issue of providing urban public facilities and services to an area.

In general the amendments appear to violate Goal 14, the Urban Reserves Statute (ORS 195.145) and the Urban Reserve Rule by failing to require annexation or city agreement on provision of urban services.

030697-22

EXHIBIT



METRO

February 27, 1997

Honorable Jon Kvistad
Presiding Officer Metro Council
600 NE Grand Avenue
Portland, OR 97232

RE: MPAC Recommendations on Metro Code Amendments for Urban Reserves

Dear Presiding Officer Kvistad:

MPAC would like to thank you, the other Councilors and the Executive for helping to resolve and clarify some of MPAC's concerns with the Code Amendments. It helped make the meeting last night more productive and encouraged the spirit of regional cooperation.

At the MPAC meeting last night the membership voted to ask the Council to consider the following recommendations to modify the proposed Code amendments related to Urban Reserves:

1. **3.01.012(e)(13)**

MPAC recommends the following language "The urban reserve plan shall be coordinated among the city, county, school district and other service districts, including a dispute resolution process with an MPAC report and public hearing at the Metro Council consistent with RUGGO Objective 5.3. The urban reserve plan shall be considered for local approval by the affected city or by the county, if subsection (3), above, applies. Then the Metro Council shall consider adoption of the plan."

2. **3.01.012(e)(5) and (6)**

MPAC recommends that the Council adopt the language for 3.01.012(e) (5) and (6) proposed in Larry Shaw's memo to Councilor Washington dated February 24, 1997. In addition, MPAC recommends that the Council consider the following changes to that language :

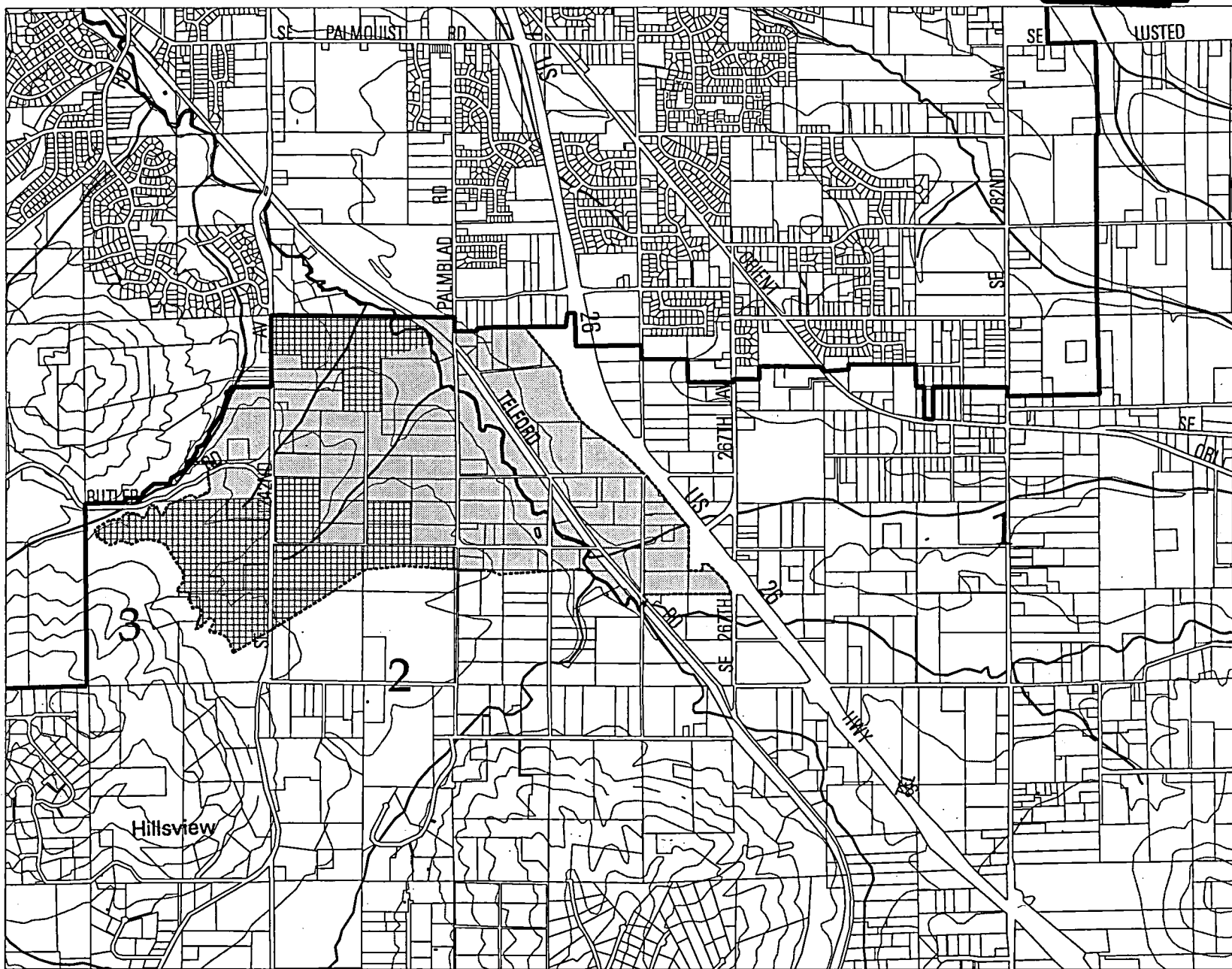
Including a definite number or percentage for the amount of affordable housing to be included in residential developments in 3.01.012(e)(6);

Changing the word "area" in (6) to "regional" and delete the phrase "for the adjacent urban jurisdiction." The purpose of this change would be to use the entire Metro area to determine the 80% of median income; and

Adding language at the end of the in the first sentence of (5) "*and that contribute to RUGGOs Objective 17 (Housing).*"

Sincerely,

Rob Drake
Chair, MPAC



R L I S

Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary

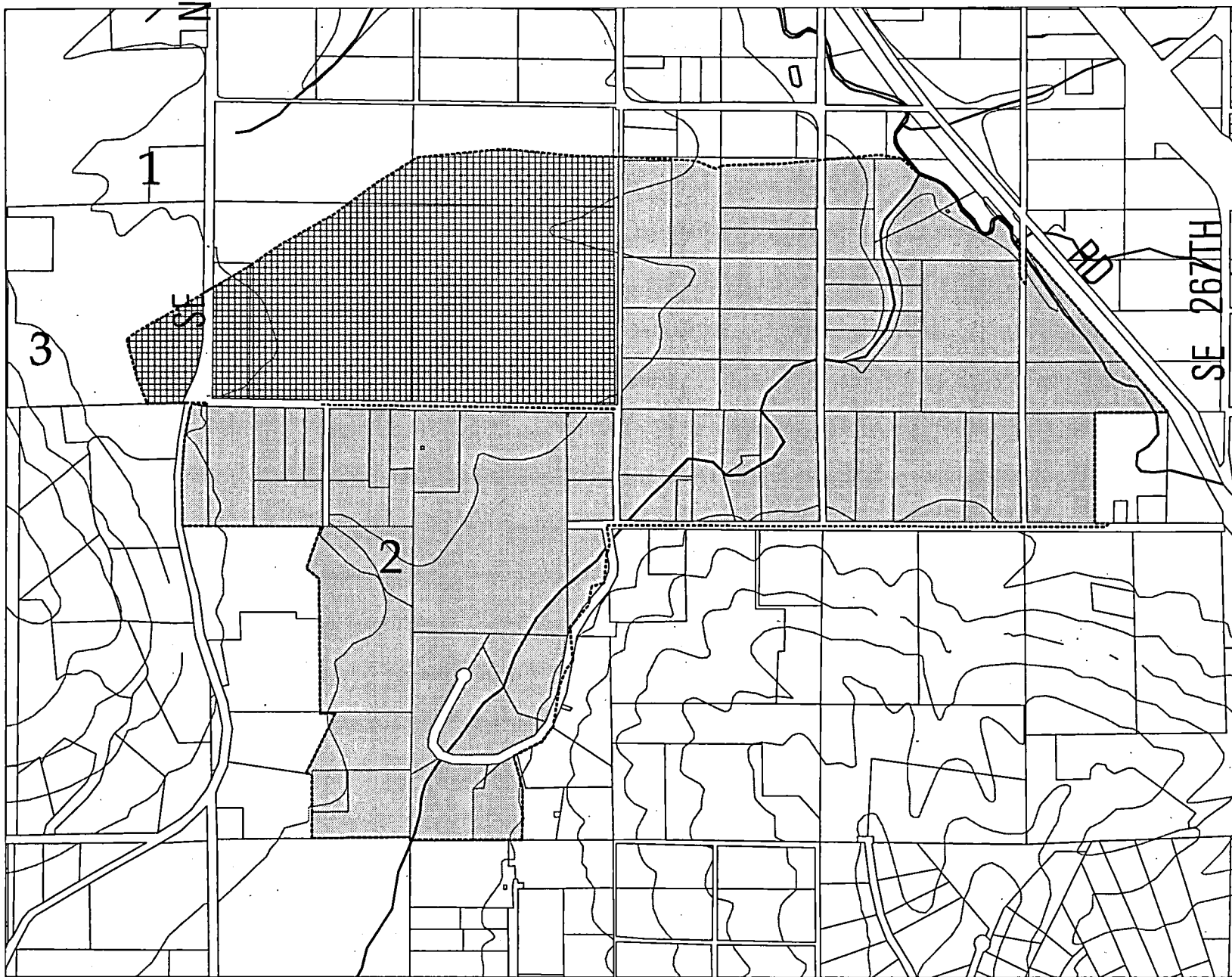
MAP #1

600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742

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EXHIBIT

030697-23







R L I S

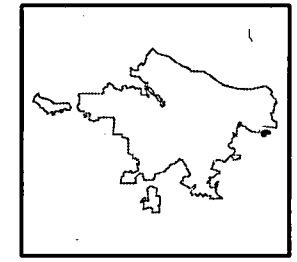
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

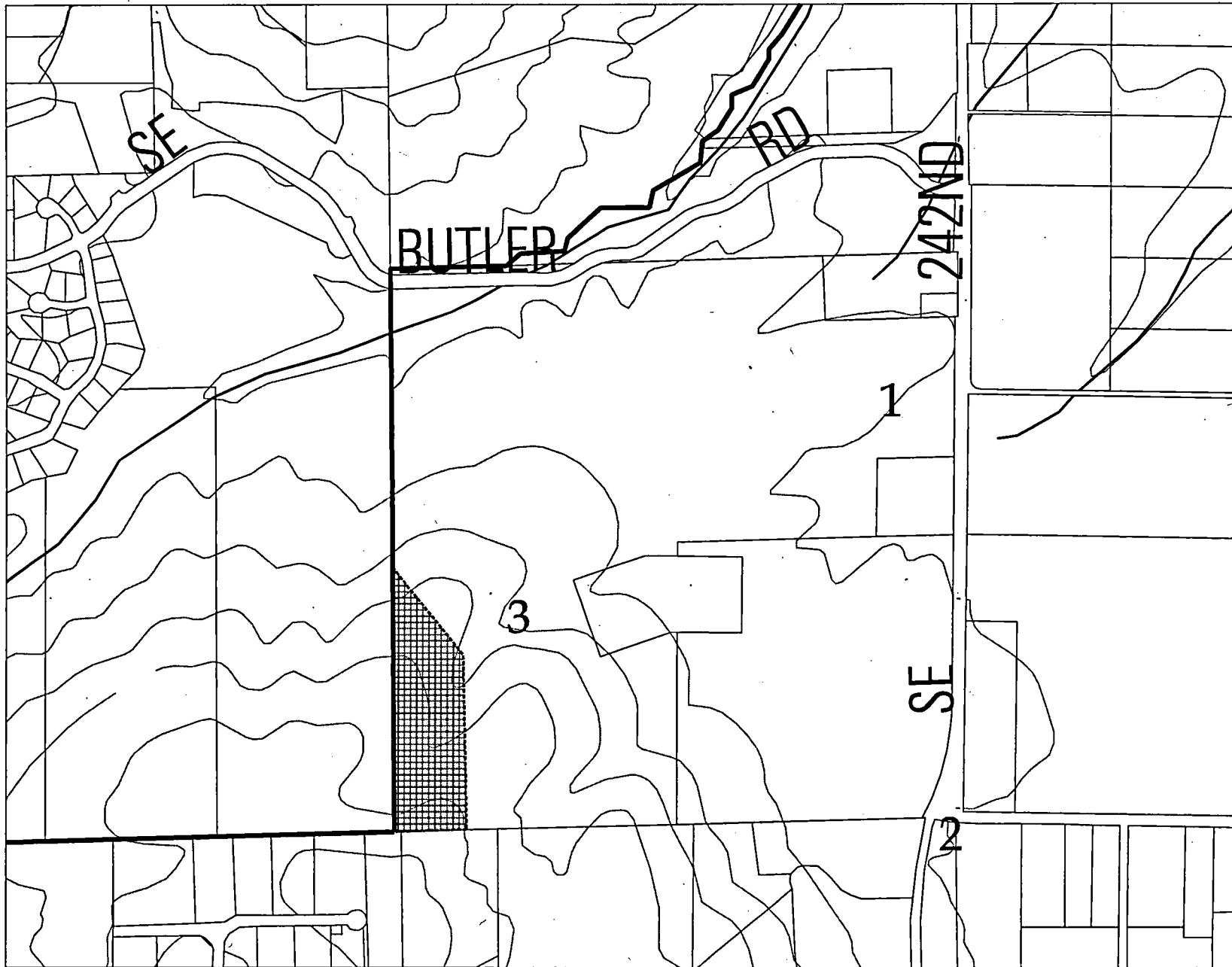
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #2



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1242









R L I S

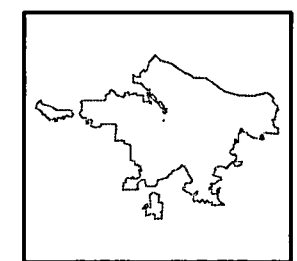
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

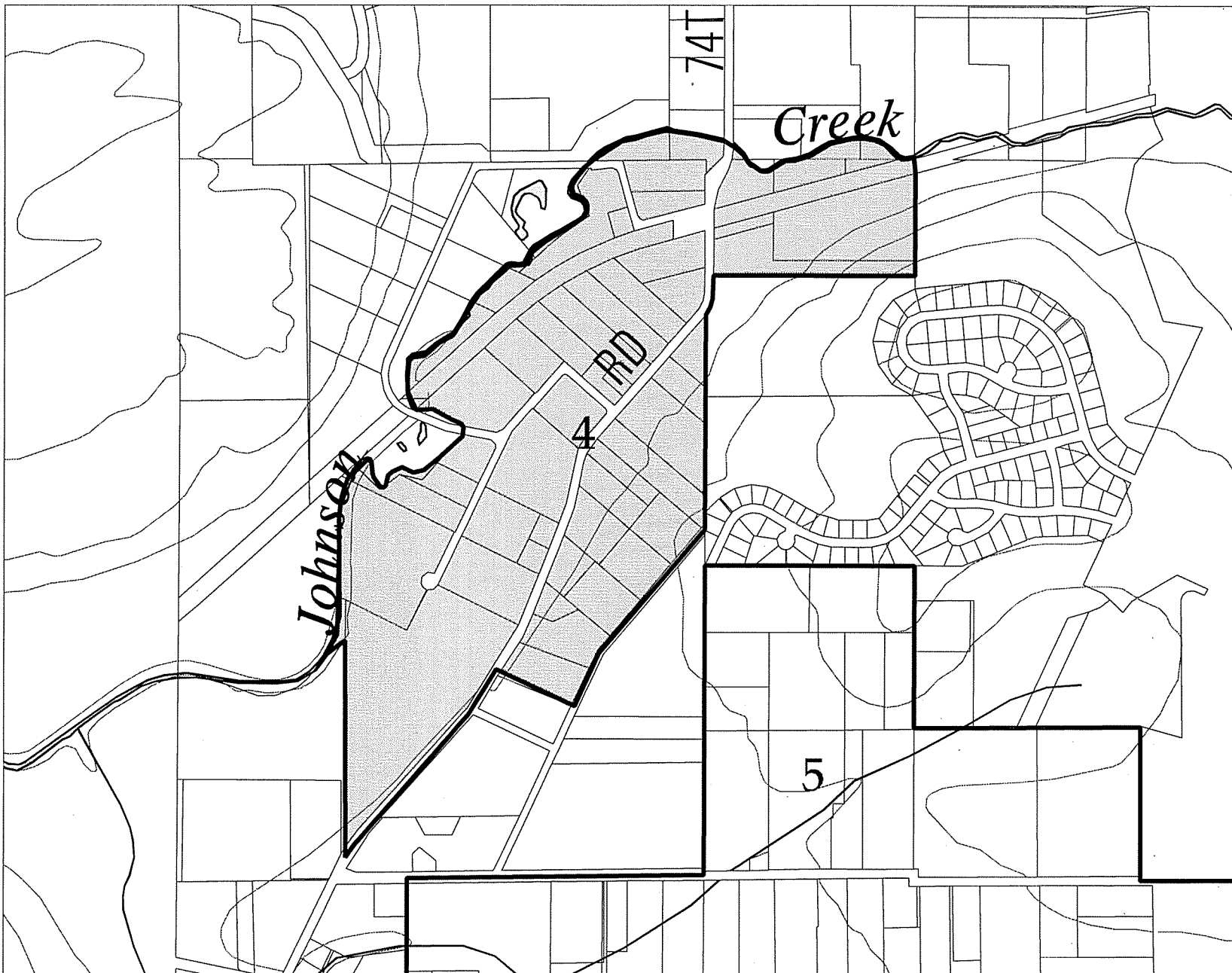
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #3



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742









R L I S

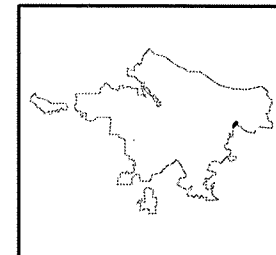
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

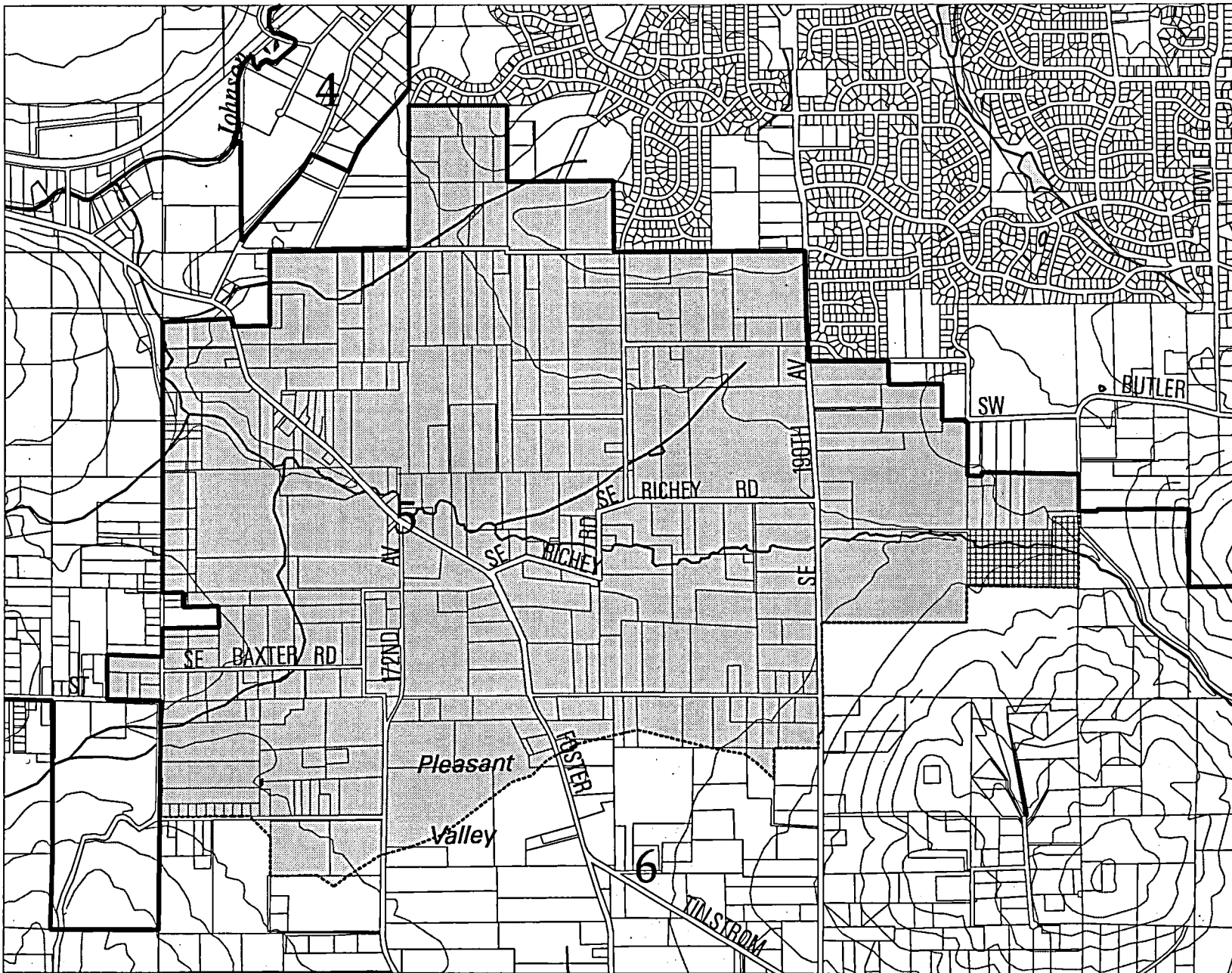
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #4







600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1242



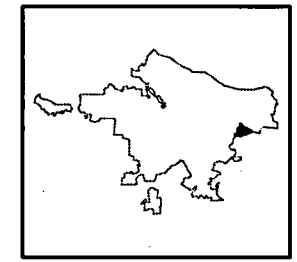


Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

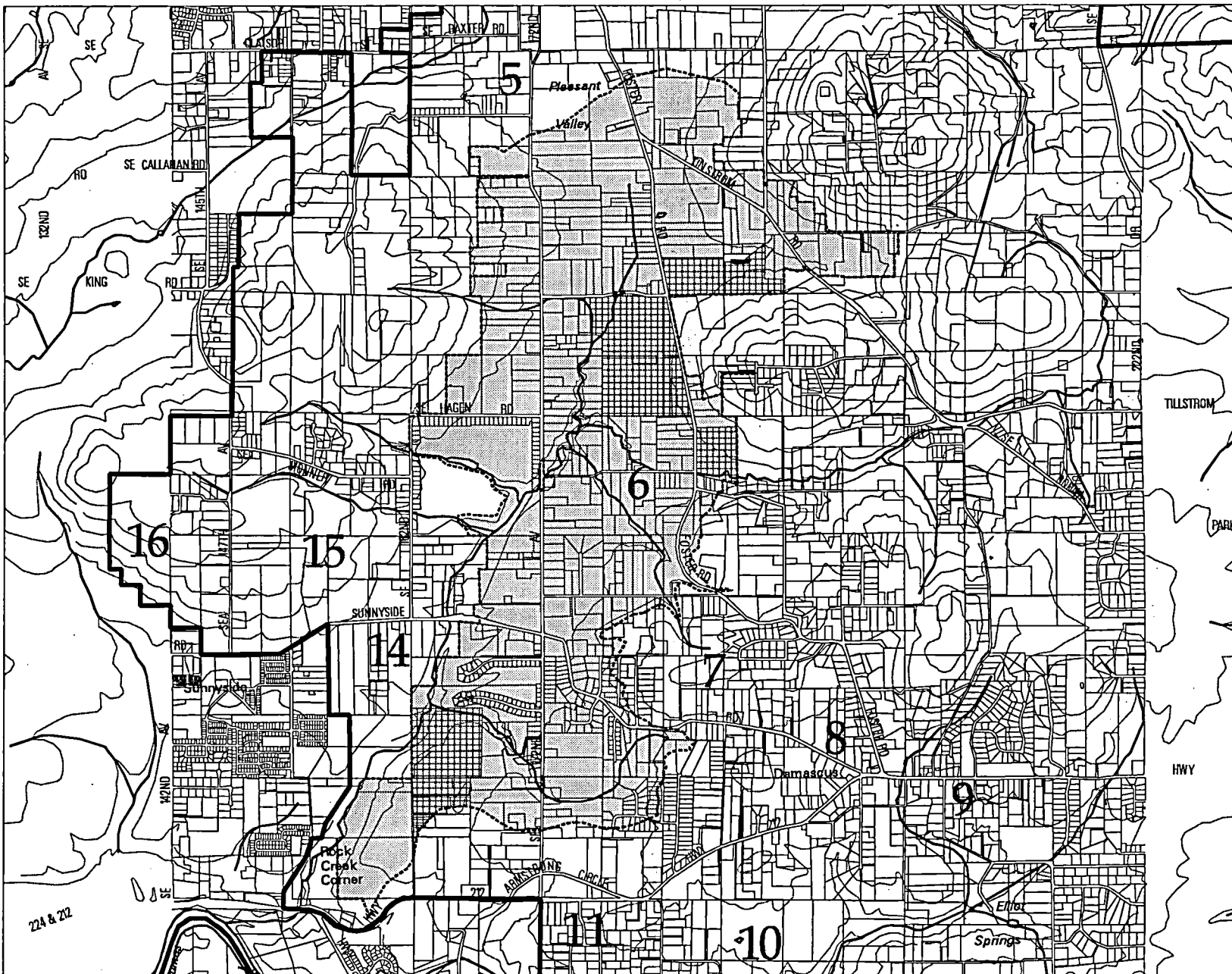
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #5



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742





R L I S

Regional Land Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

Designated Urban Reserves

Resource Lands within Urban Reserves

Modified Urban Reserve Boundaries

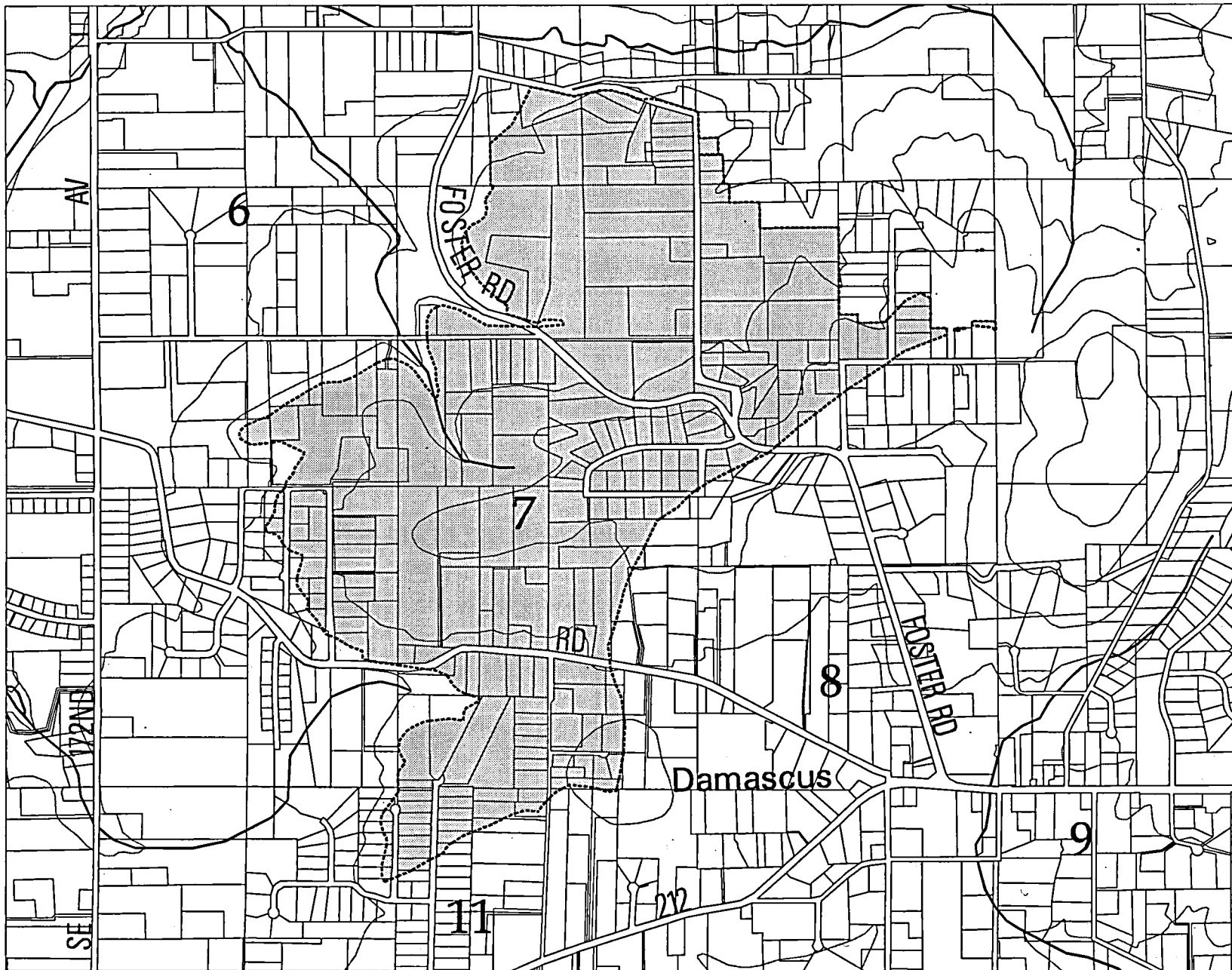
Urban Growth Boundary

MAP #6

600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742

METRO

95418/plamaisites.aml, plot date: February 04, 1997







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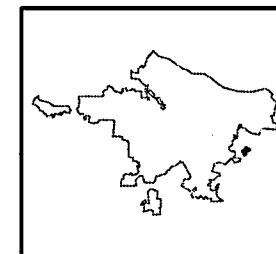
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

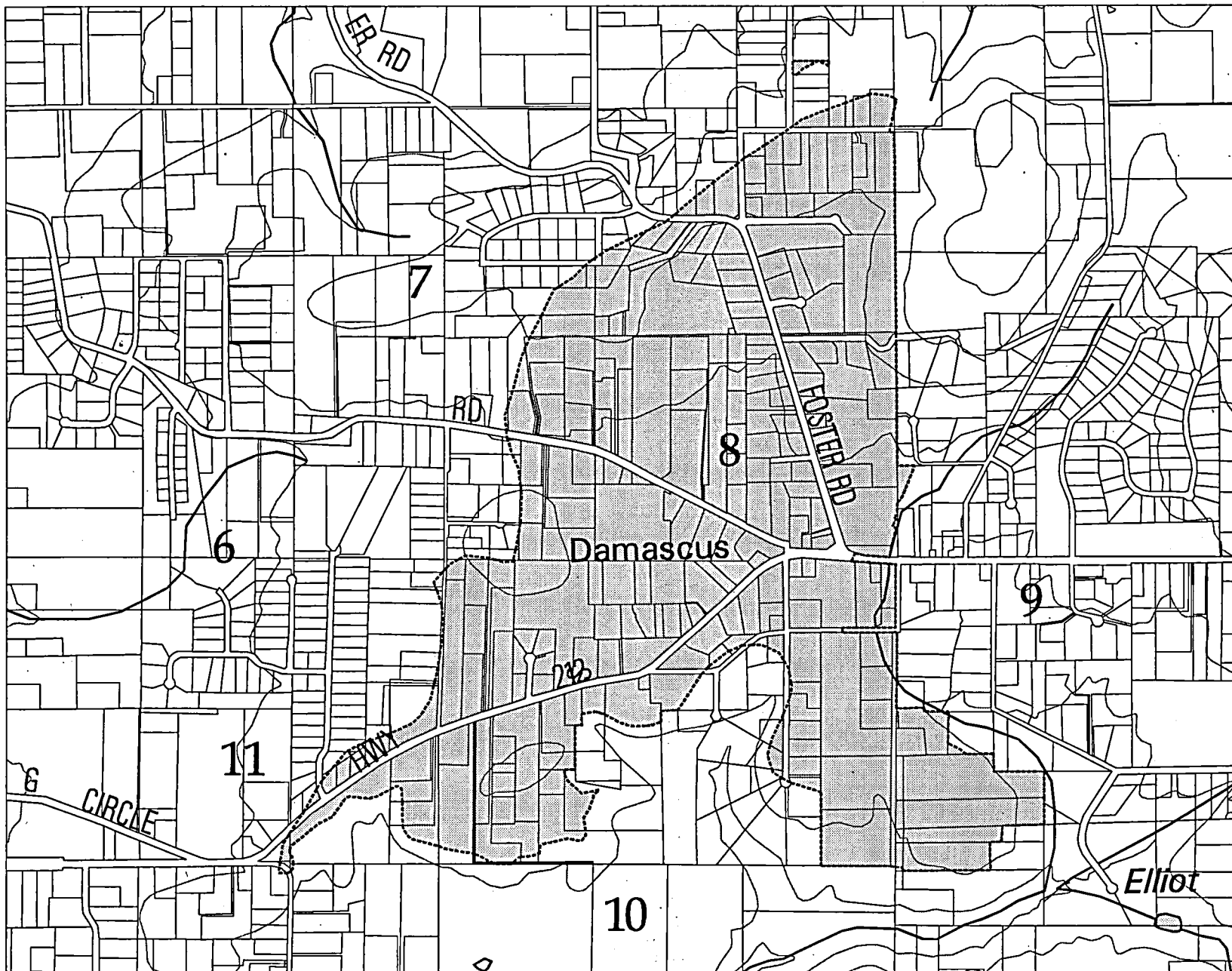
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #7



600 NE Grand Ave
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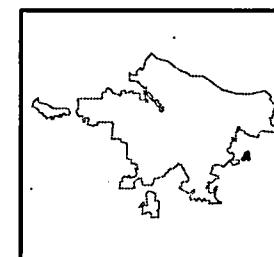
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

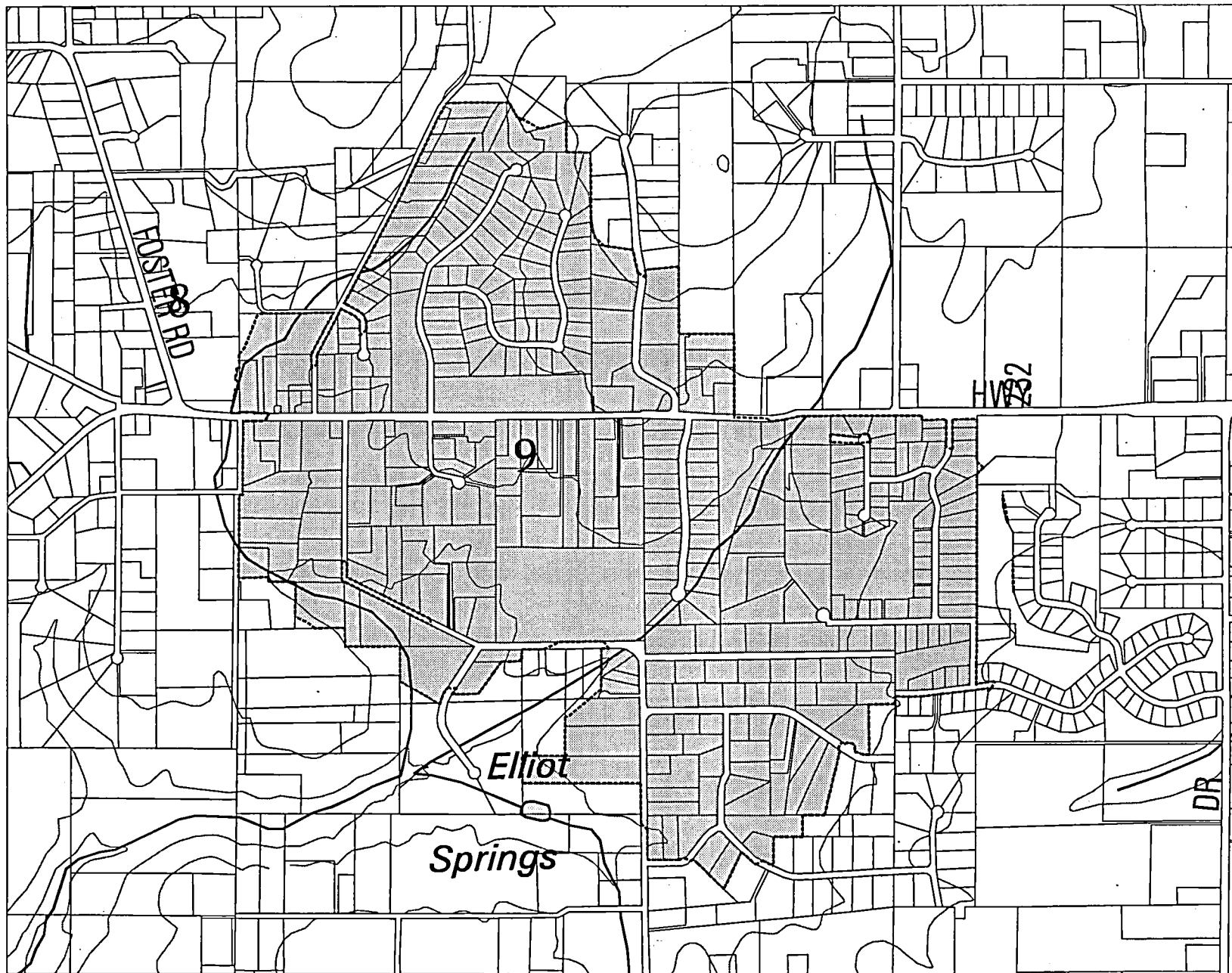
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #8



600 NE Grand Ave
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(503) 797-1742









R L I S

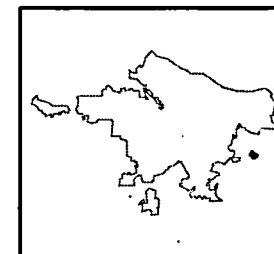
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

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2-3-97

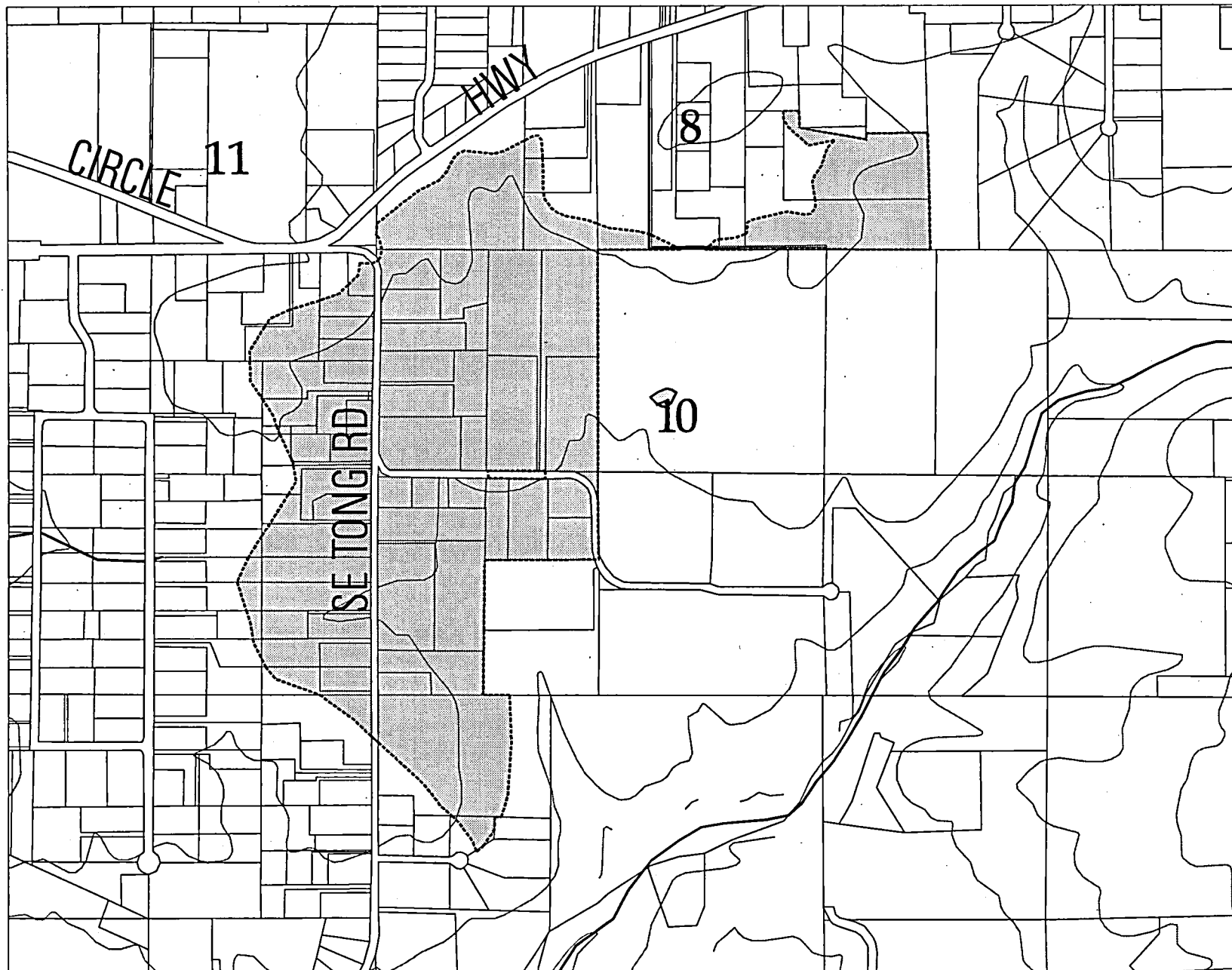
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #9



600 NE Grand Ave
Portland, OR 97232-2736
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R L I S

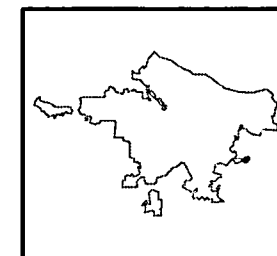
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

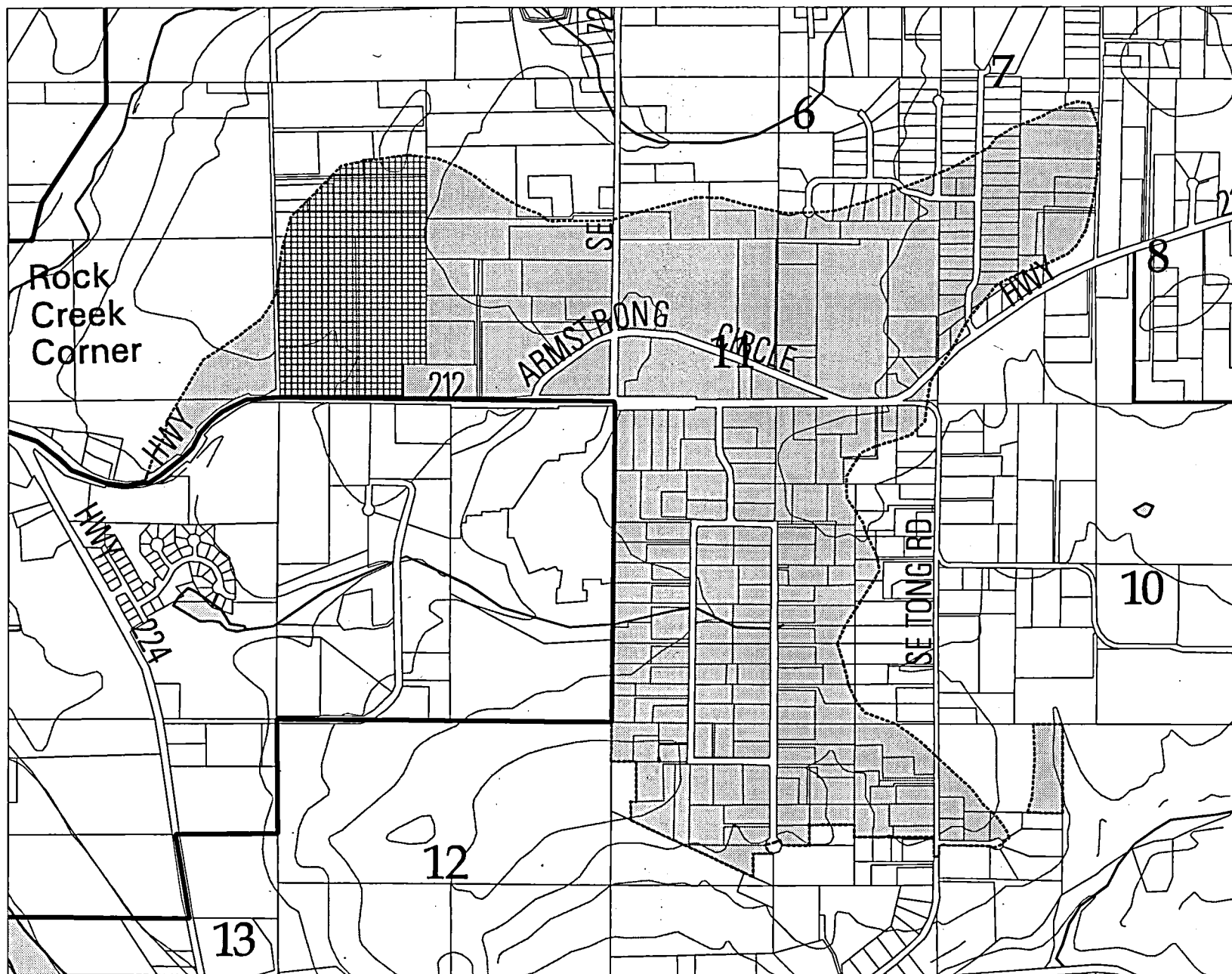
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #10



600 NE Grand Ave
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Regional Land
Information System

Urban Reserves Tax Lot Boundaries

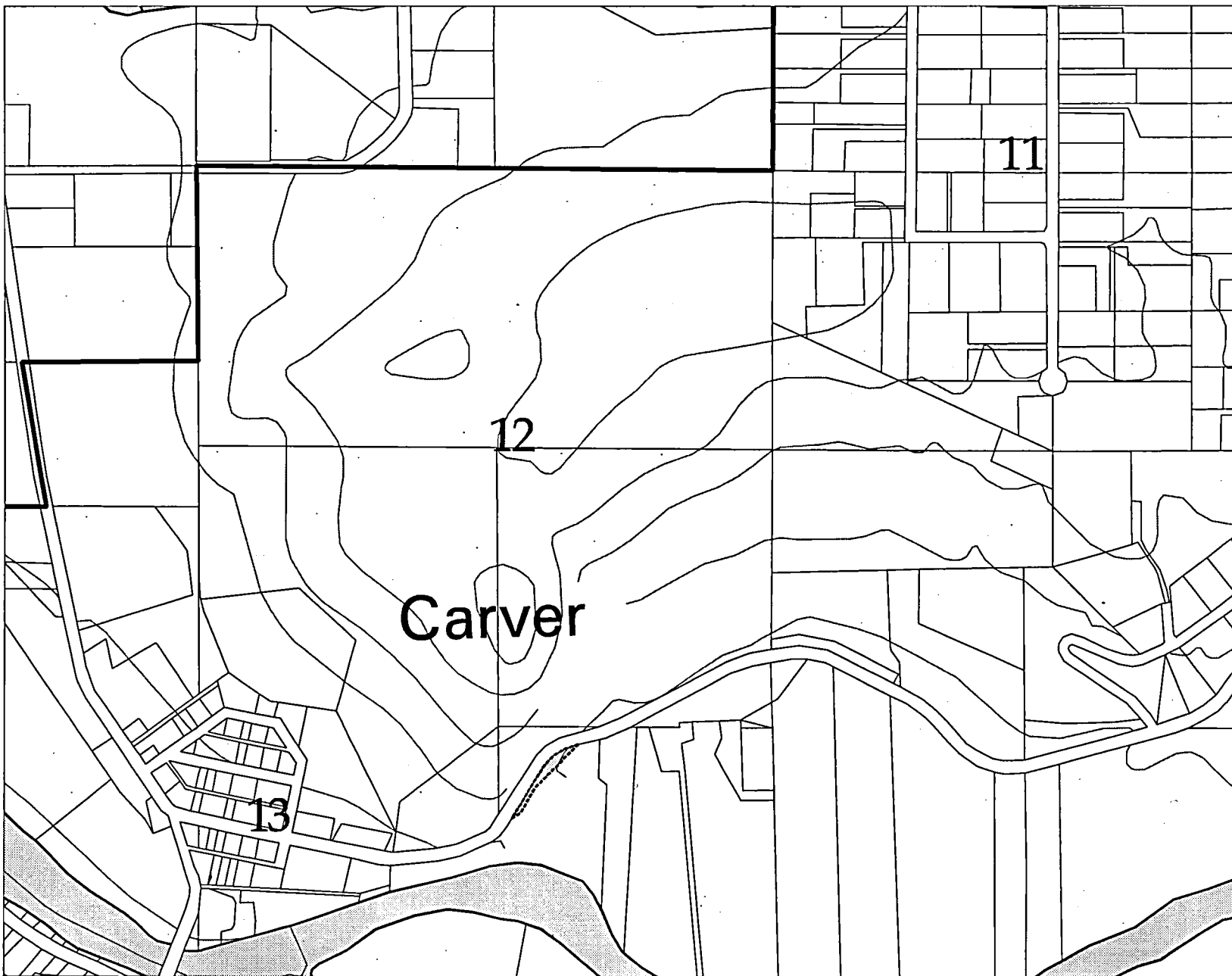
Staff Recommendation
2-3-97

- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary

MAP #11

600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742

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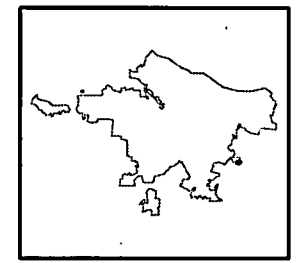
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

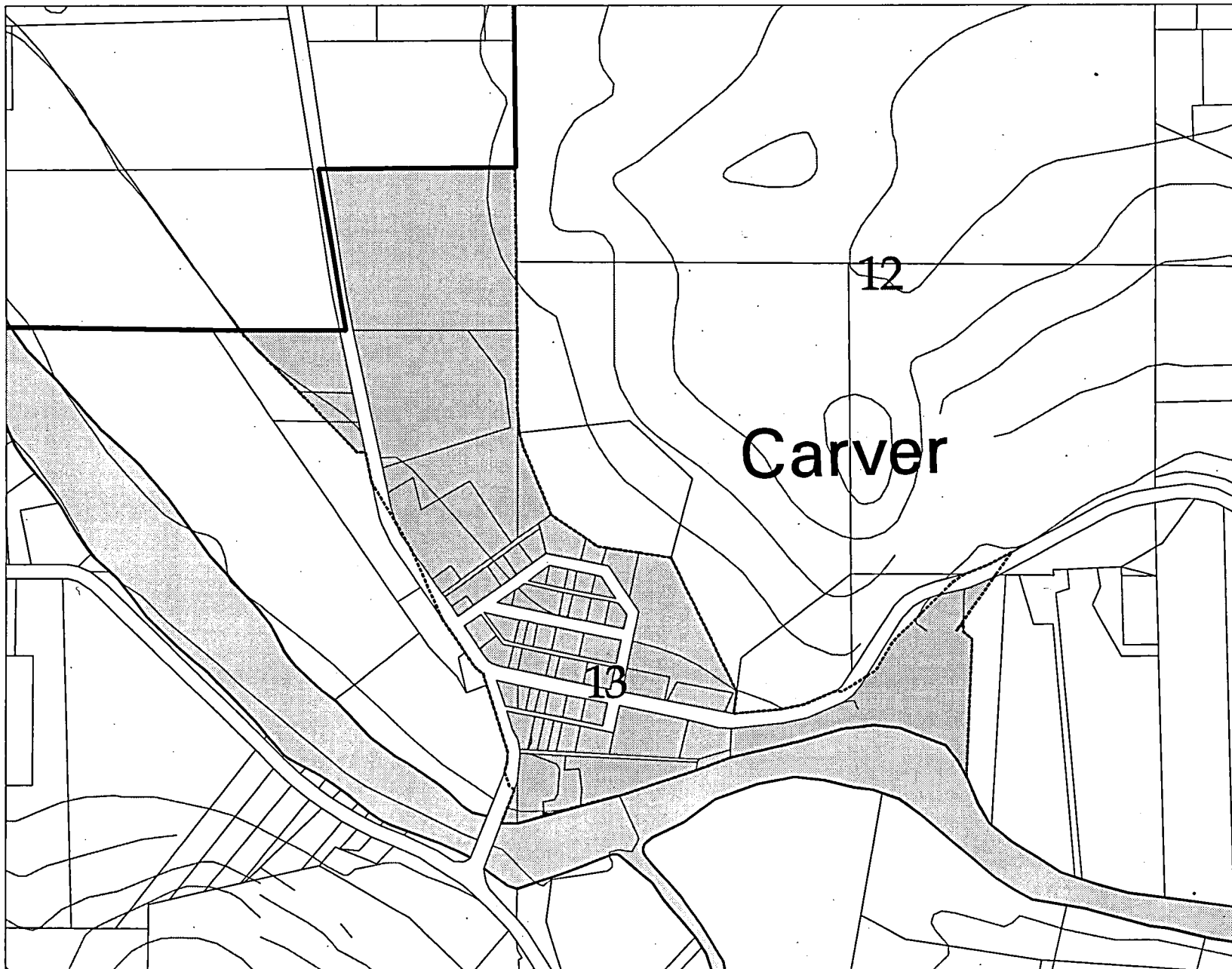
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #12



600 NE Grand Ave
Portland, OR 97232-2736
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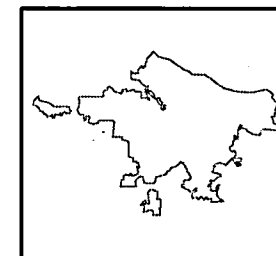
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
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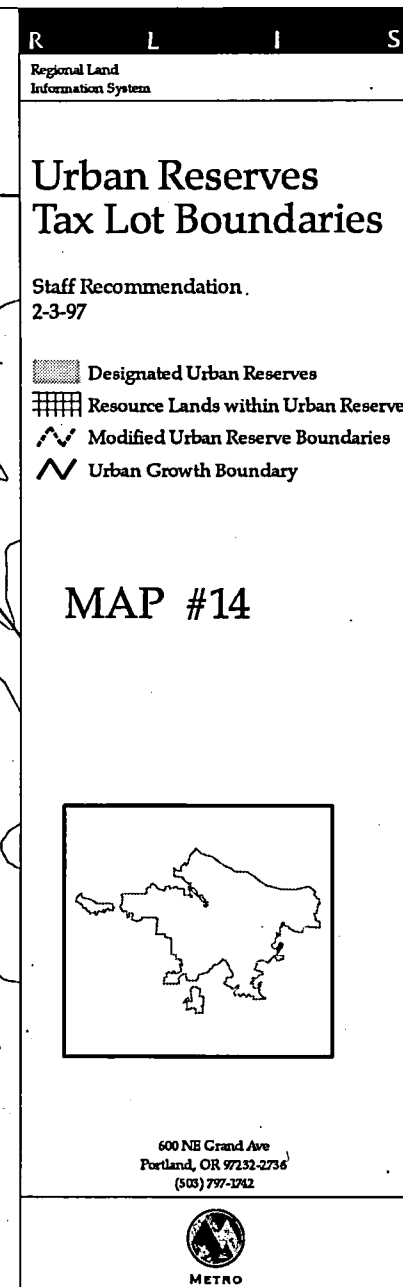
- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary

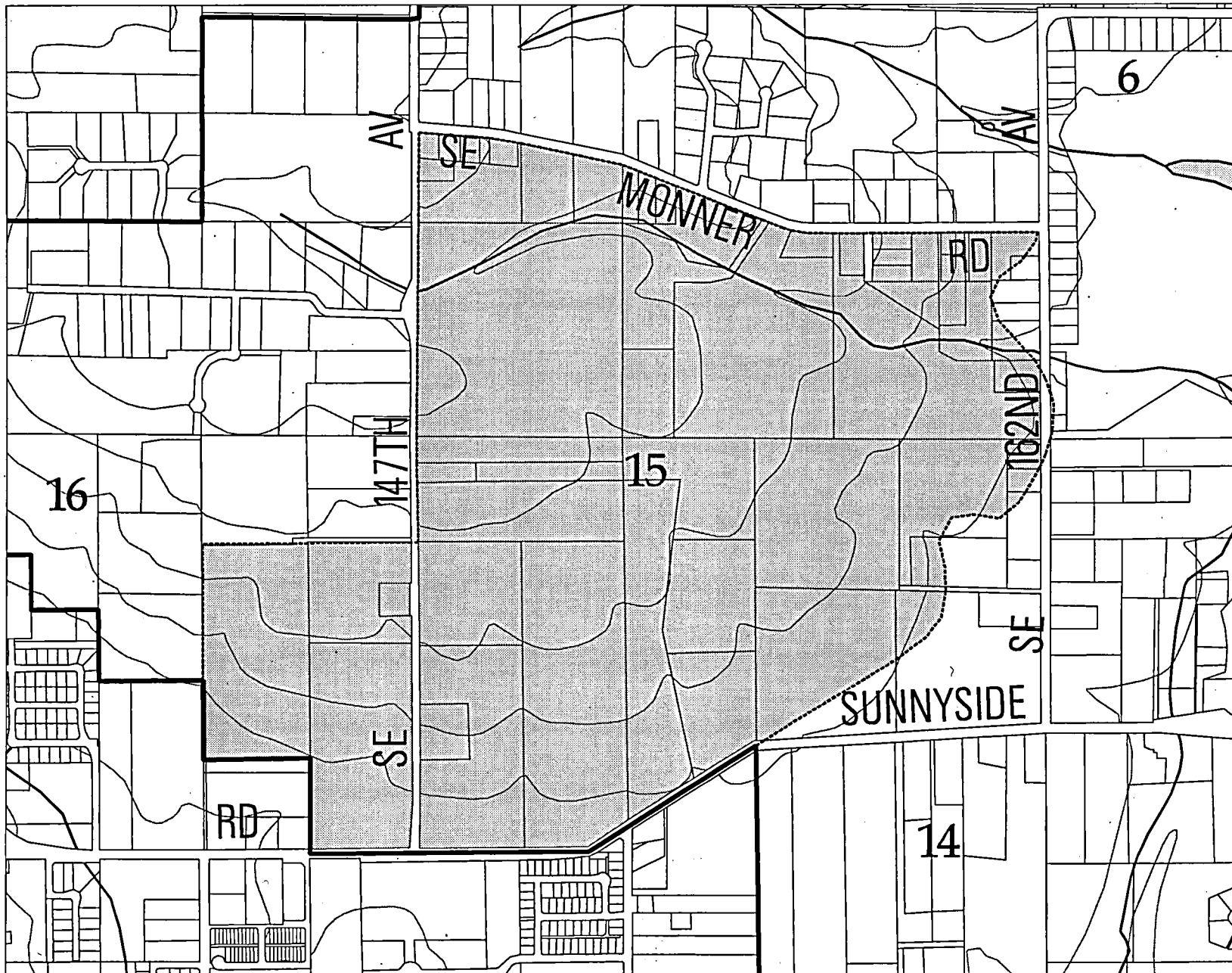
MAP #13



600 NE Grand Ave
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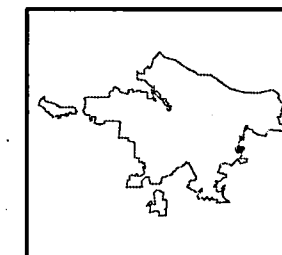


Urban Reserves Tax Lot Boundaries

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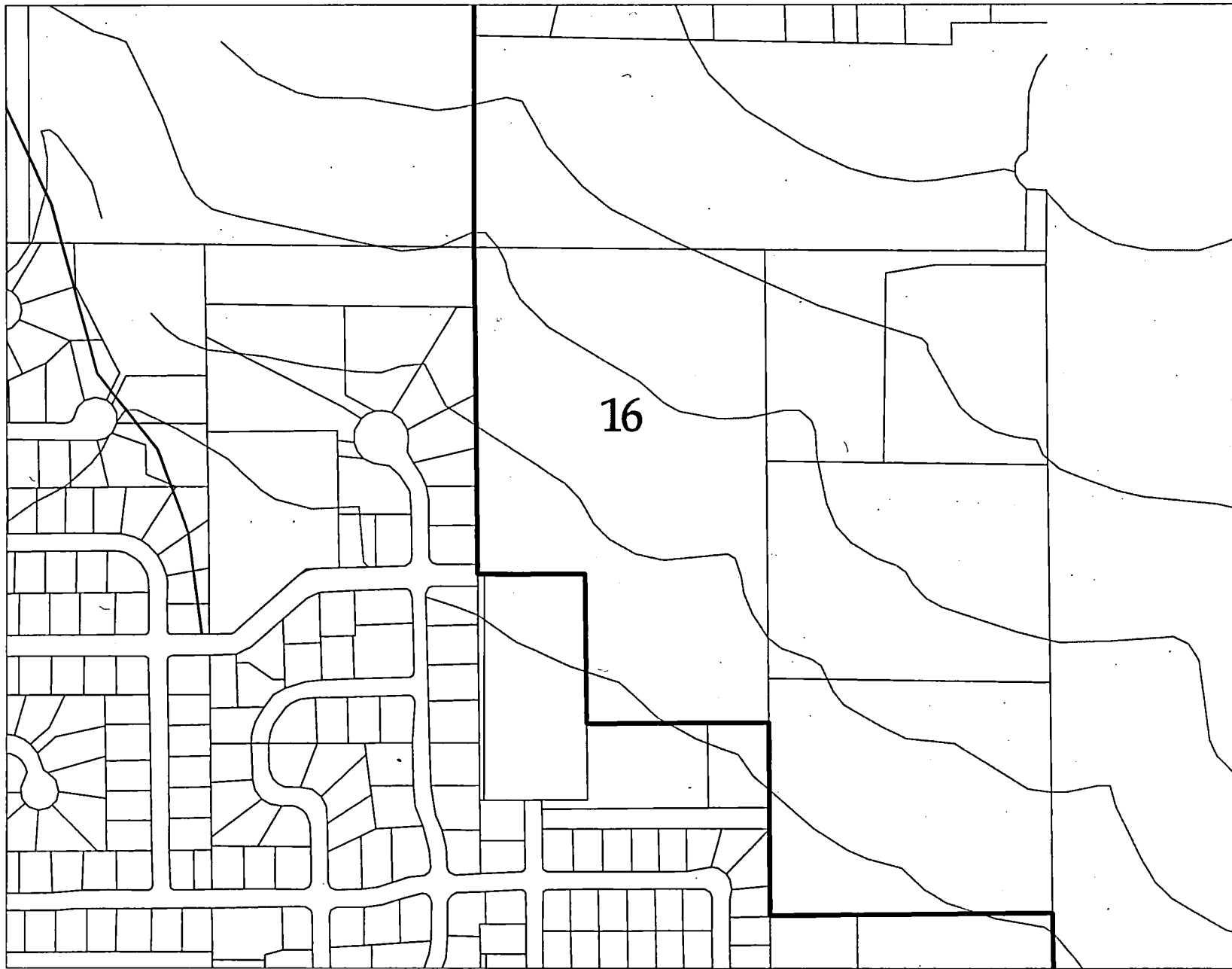
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #15







600 NE Grand Ave
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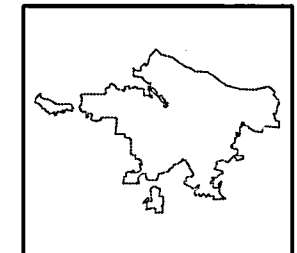


Urban Reserves Tax Lot Boundaries

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2-3-97

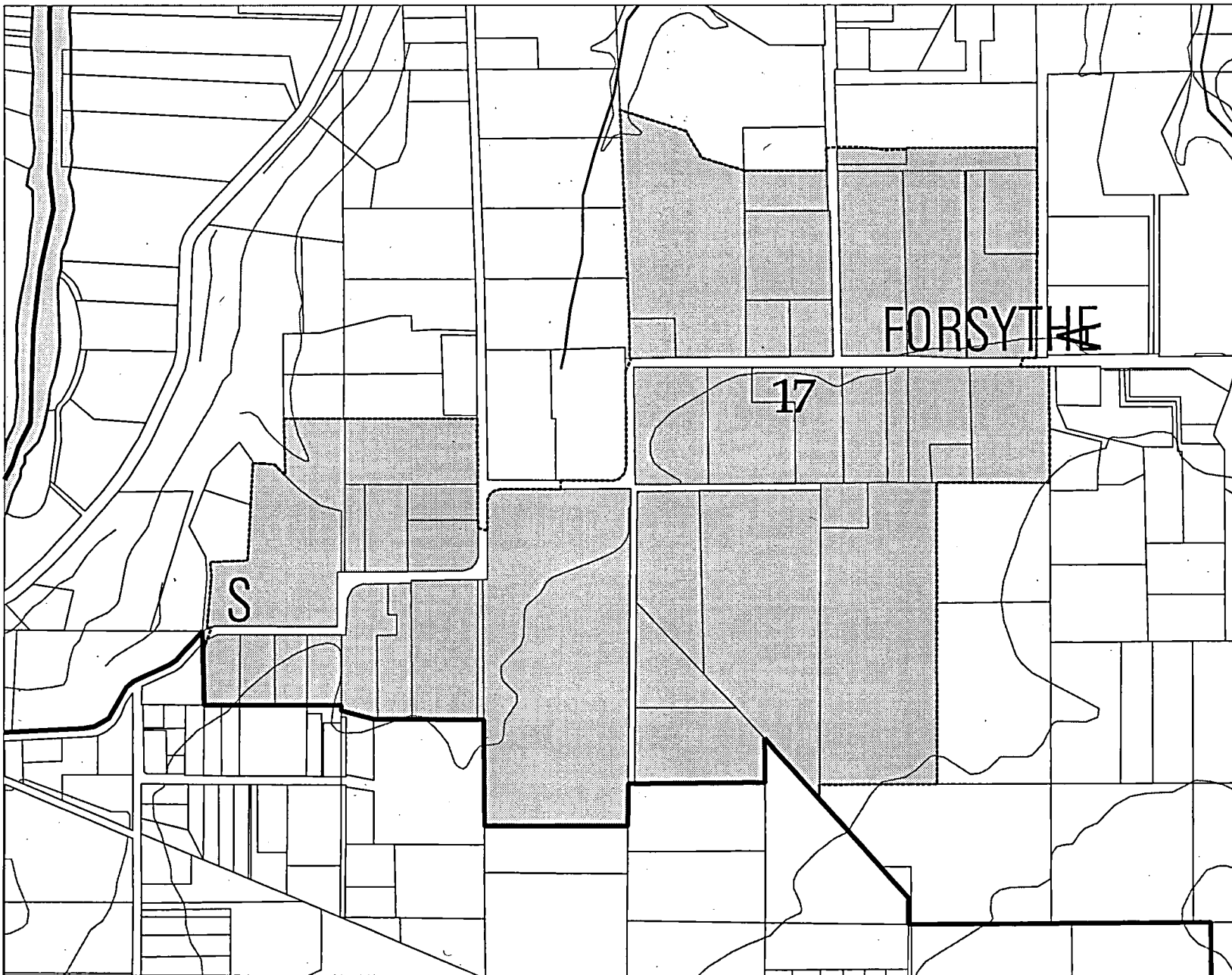
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #16



600 NE Grand Ave
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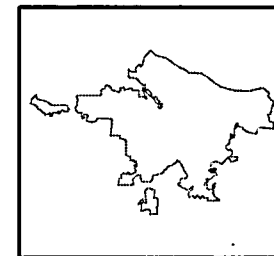
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #17







600 NE Grand Ave
Portland, OR 97232-2736
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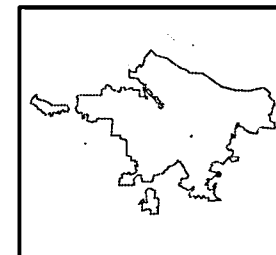


Urban Reserves Tax Lot Boundaries

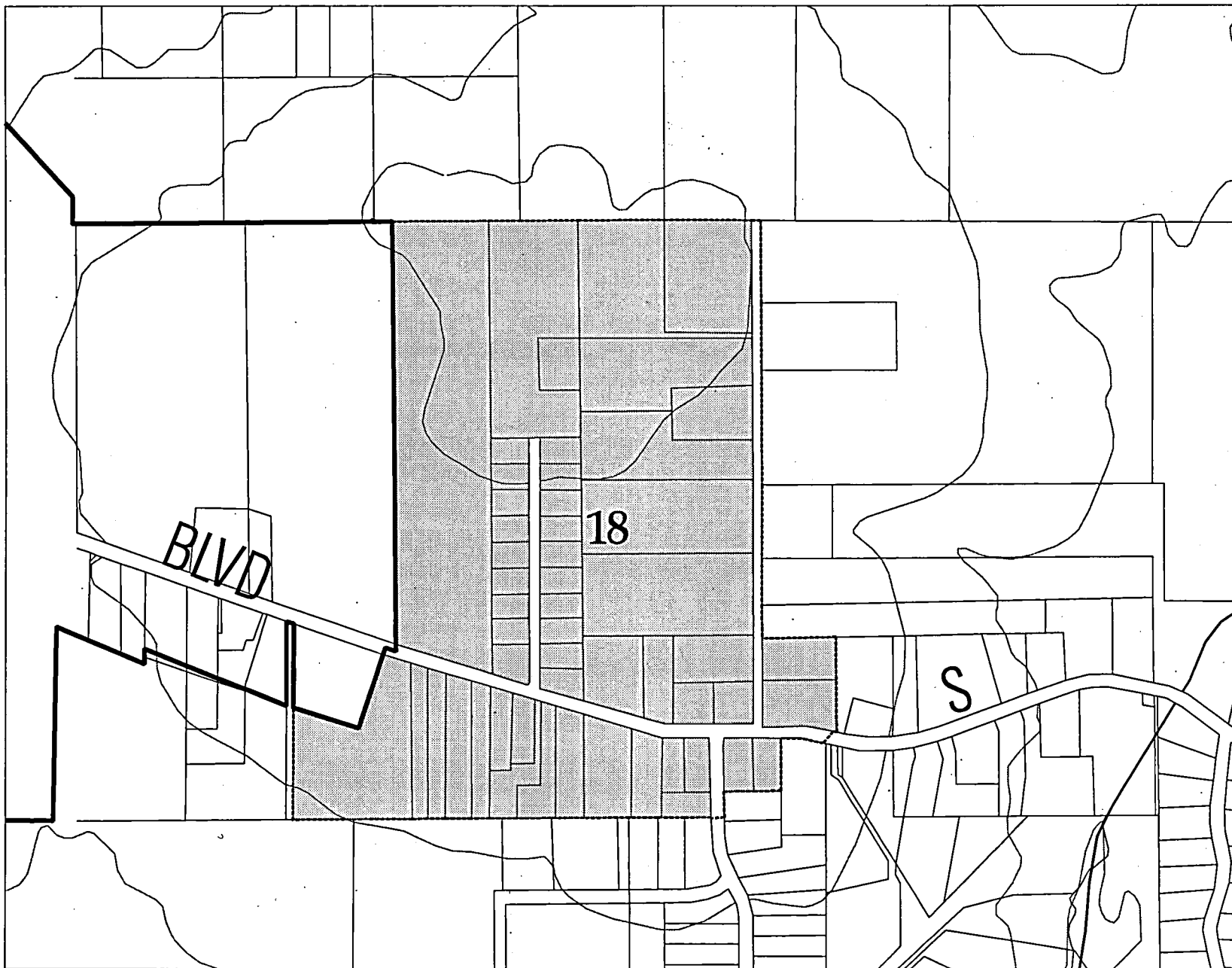
Staff Recommendation
2-3-97

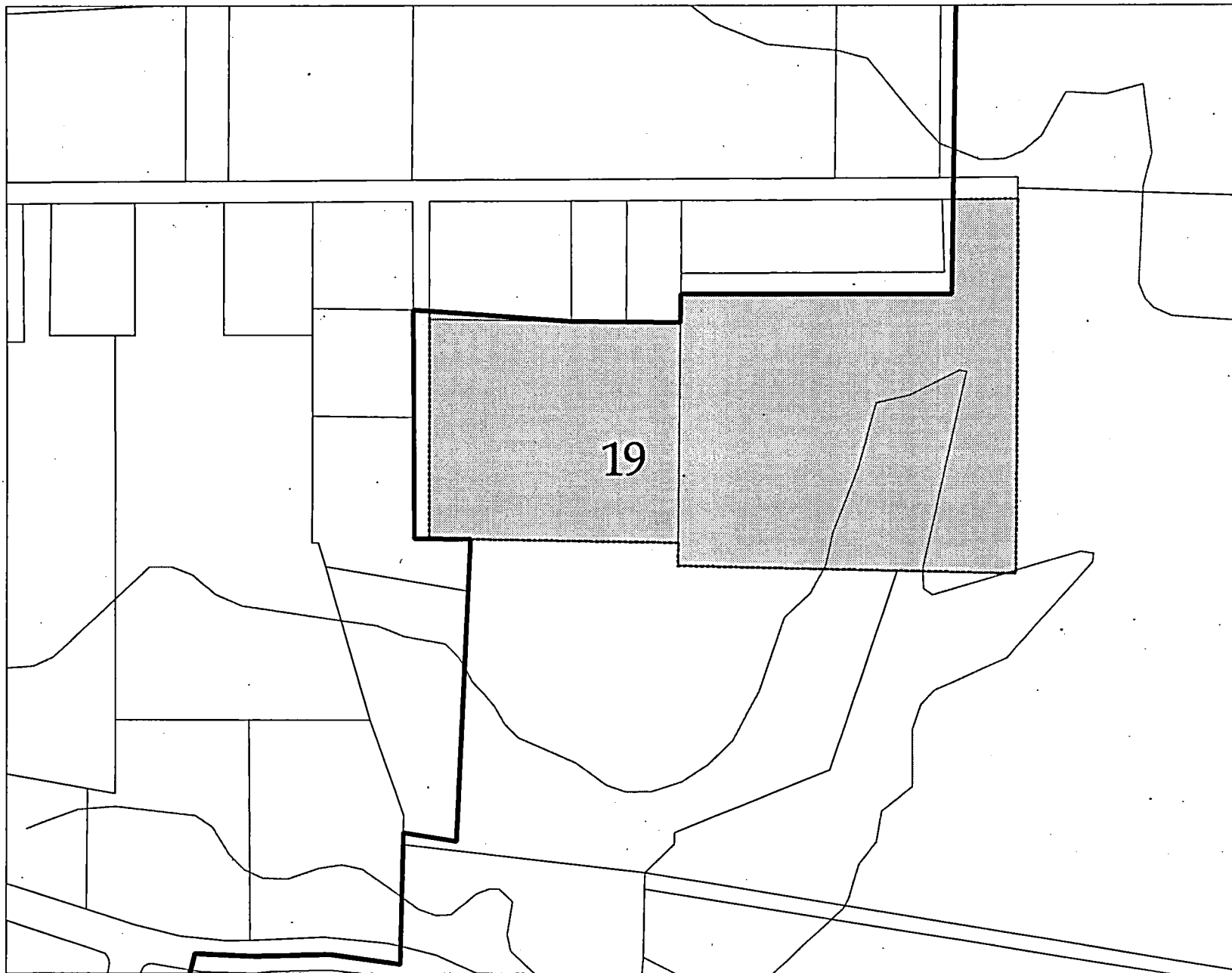
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #18



600 NE Grand Ave
Portland, OR 97232-2736
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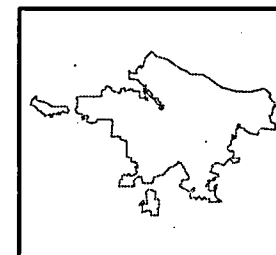
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

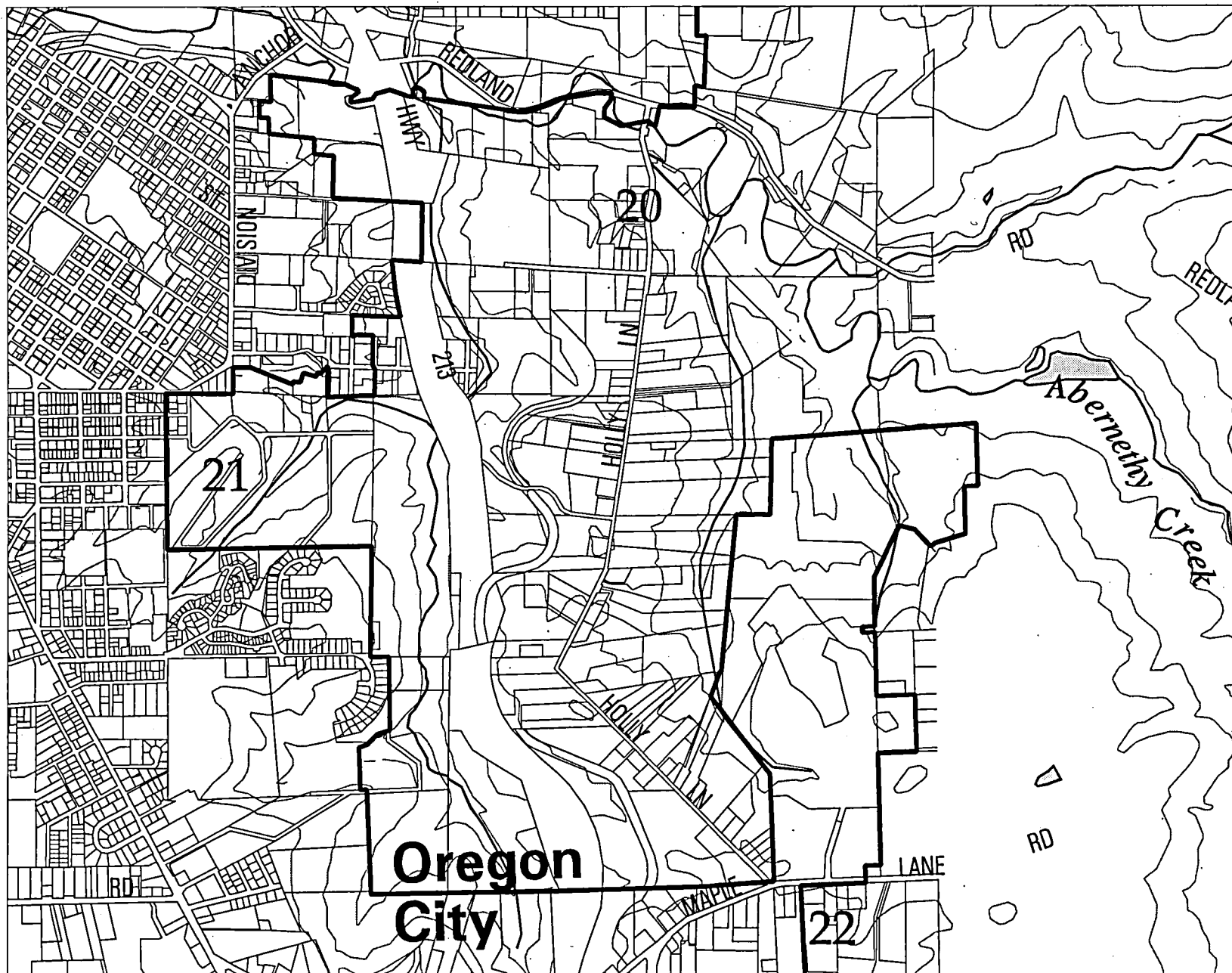
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #19



600 NE Grand Ave
Portland, OR 97232-2736
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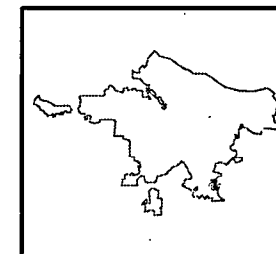
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

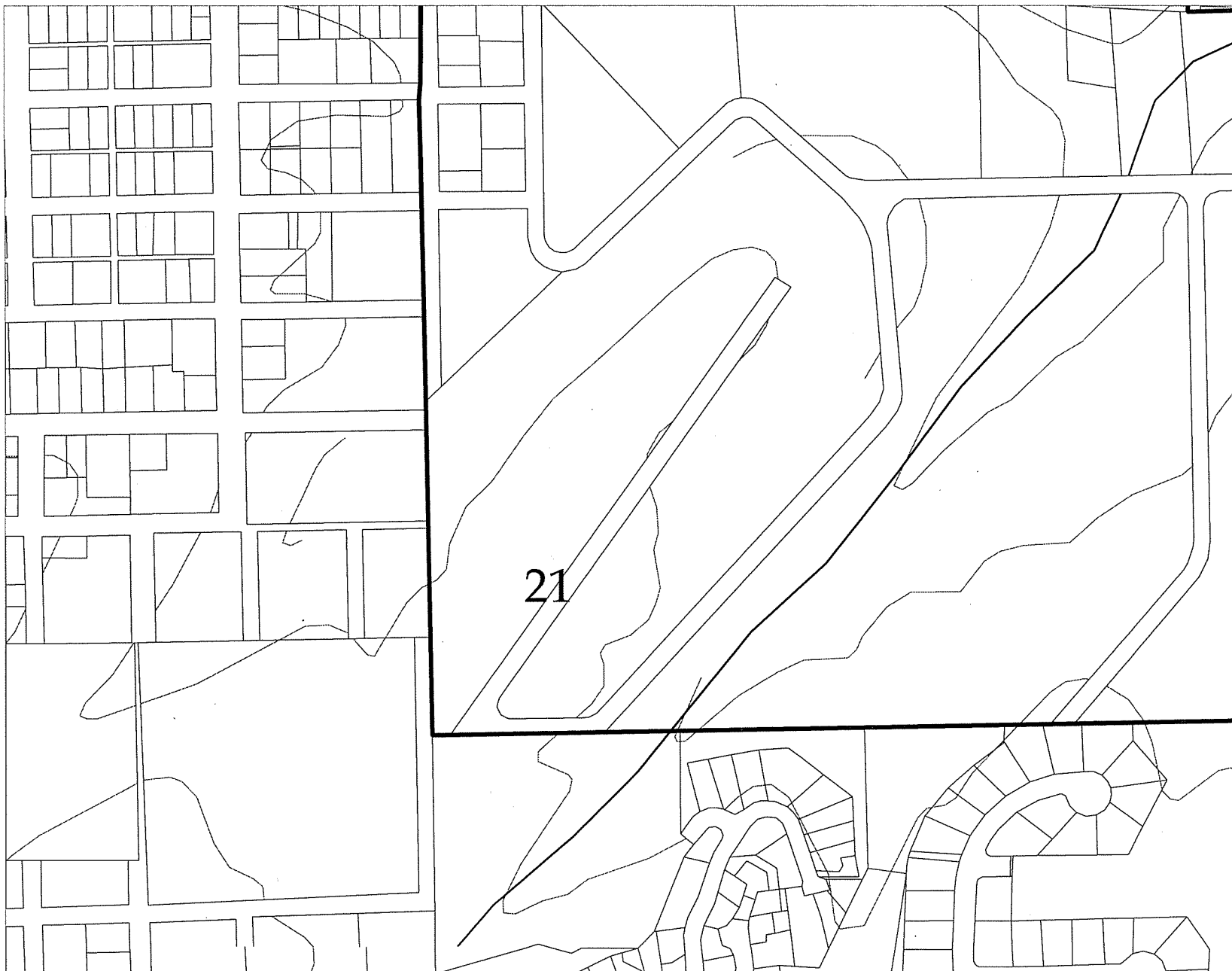
- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary

MAP #20



600 NE Grand Ave
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




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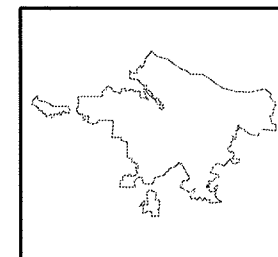
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

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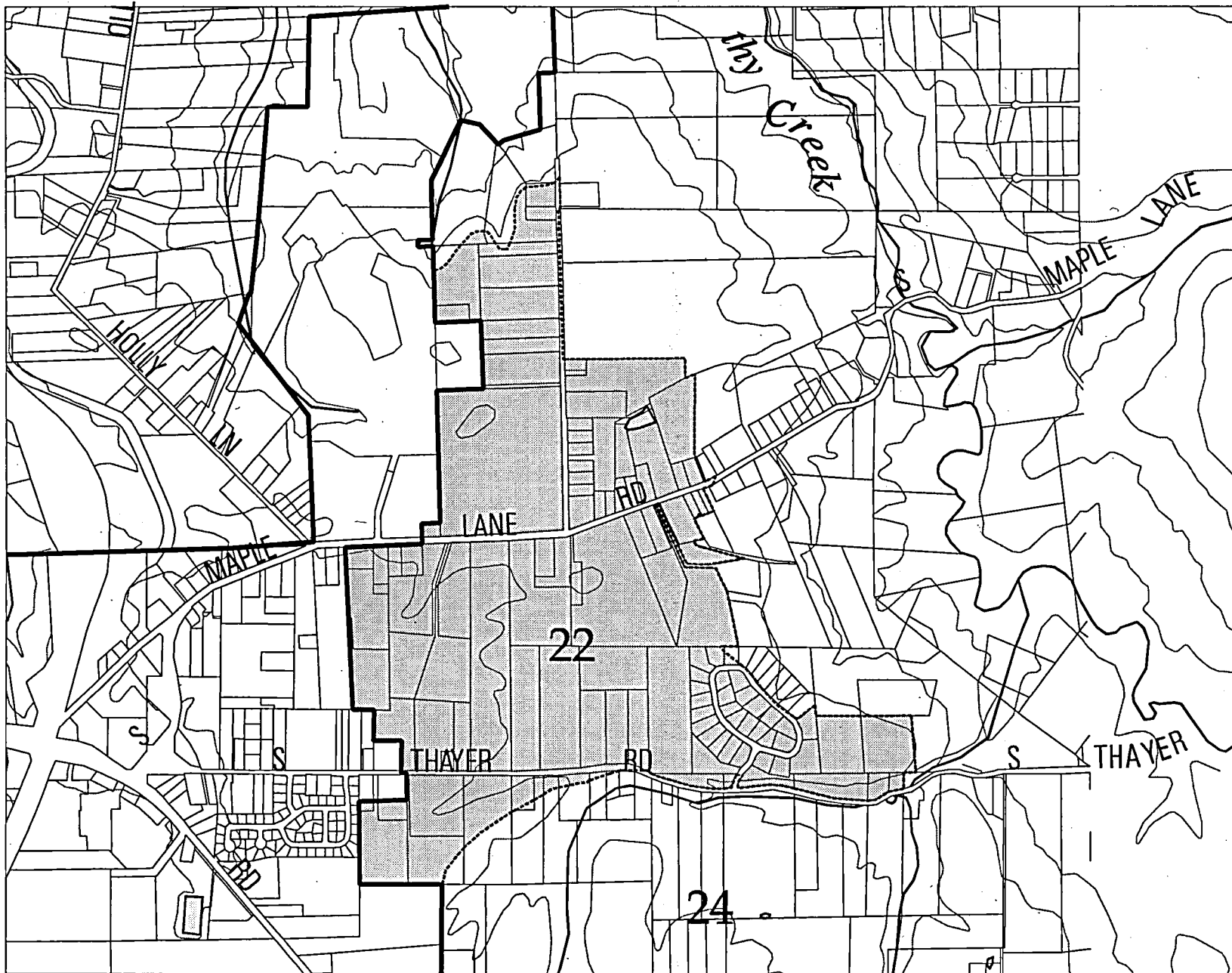
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #21



600 NE Grand Ave
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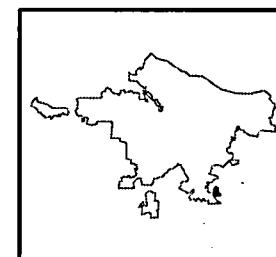
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

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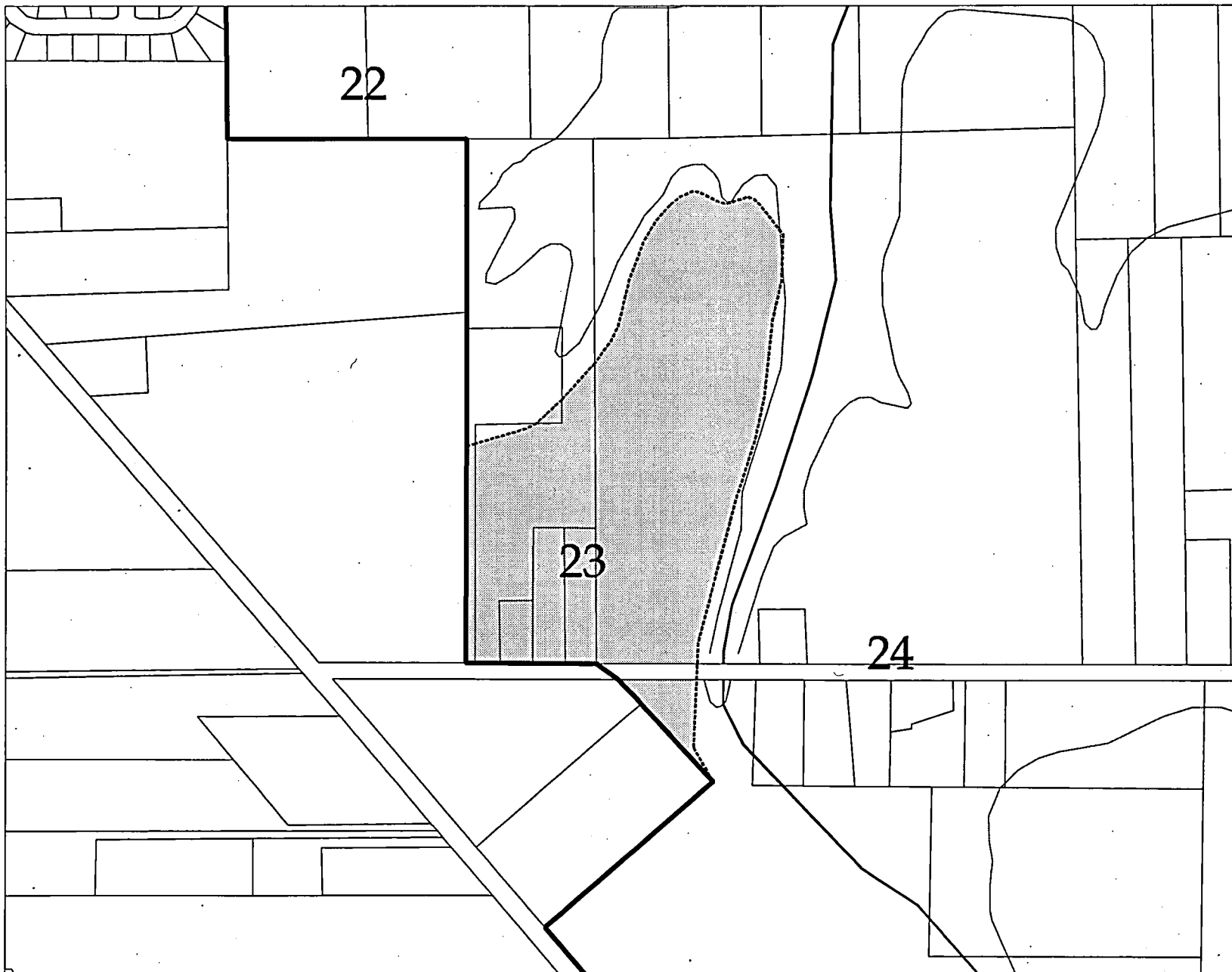
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #22



600 NE Grand Ave
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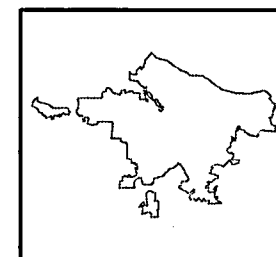
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

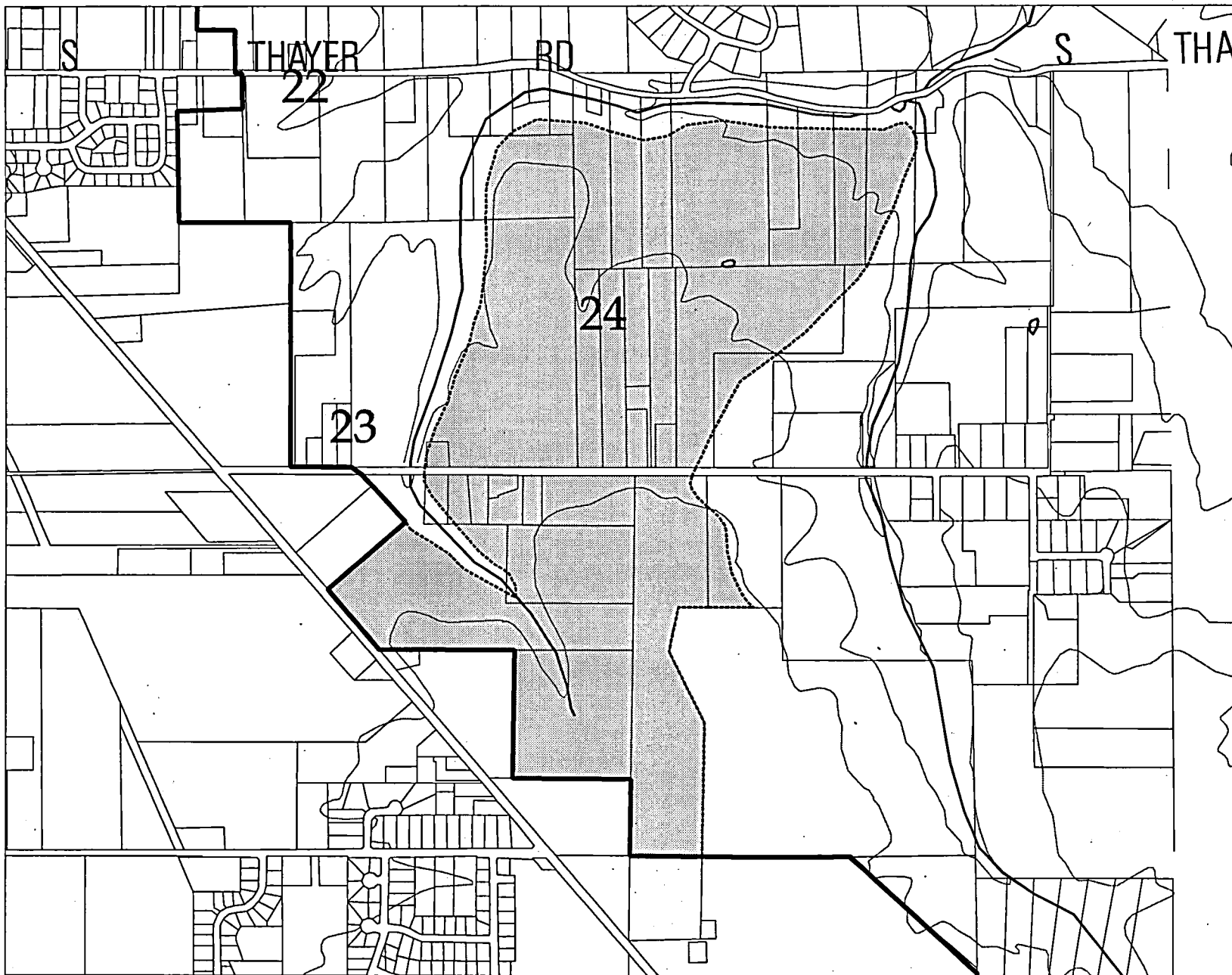
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #23



600 NE Grand Ave
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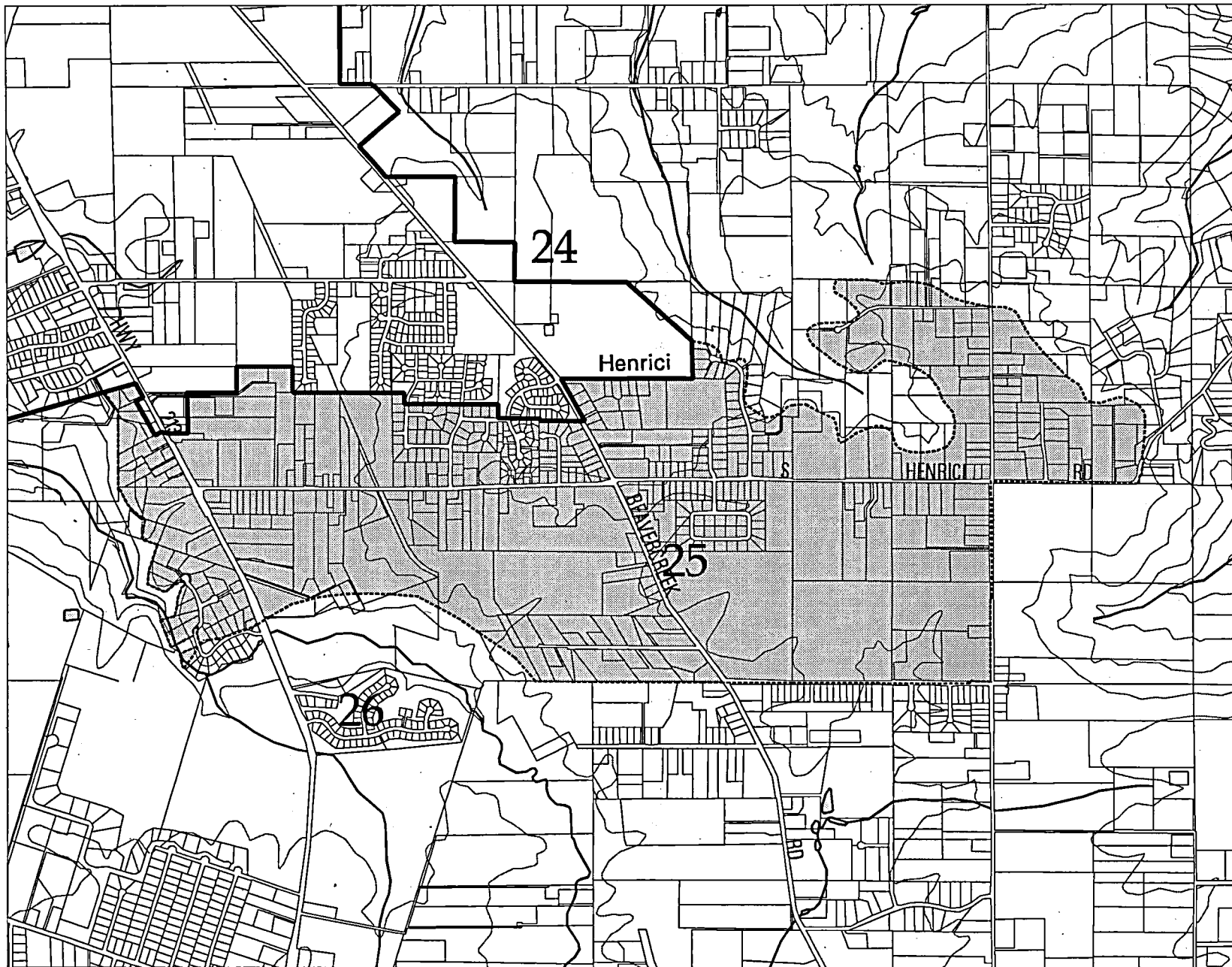
Urban Reserves Tax Lot Boundaries

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2-3-97

- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary





MAP #24

600 NE Grand Ave
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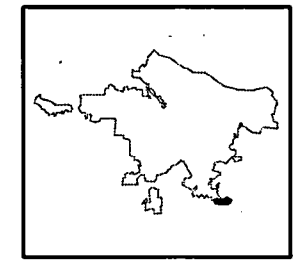


Urban Reserves Tax Lot Boundaries

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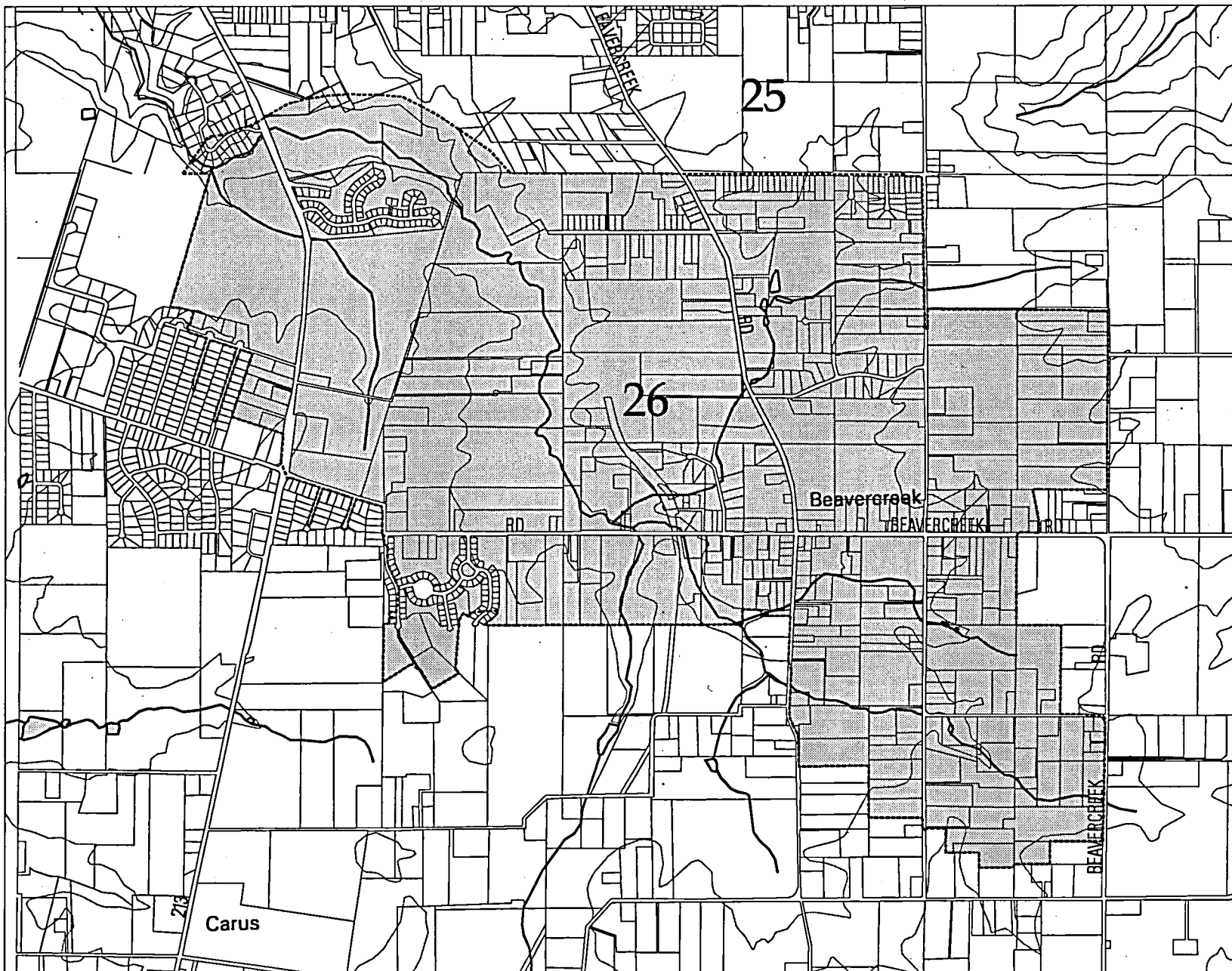
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #25



600 NE Grand Ave
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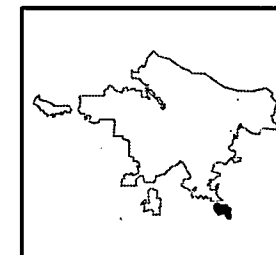
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

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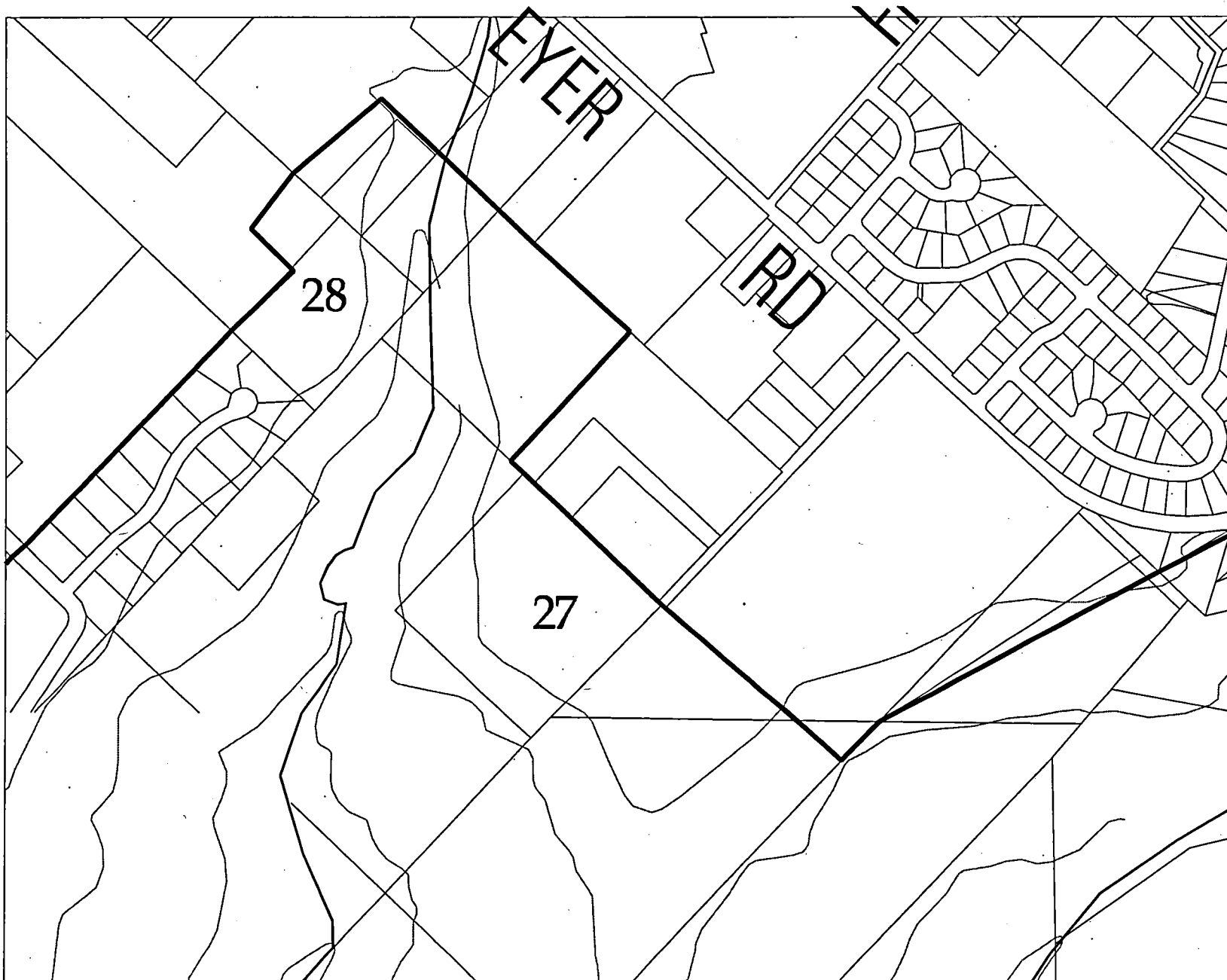
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #26



600 NE Grand Ave
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




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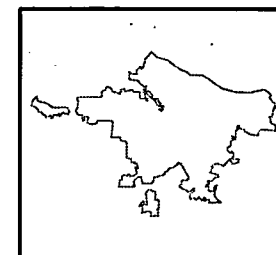
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

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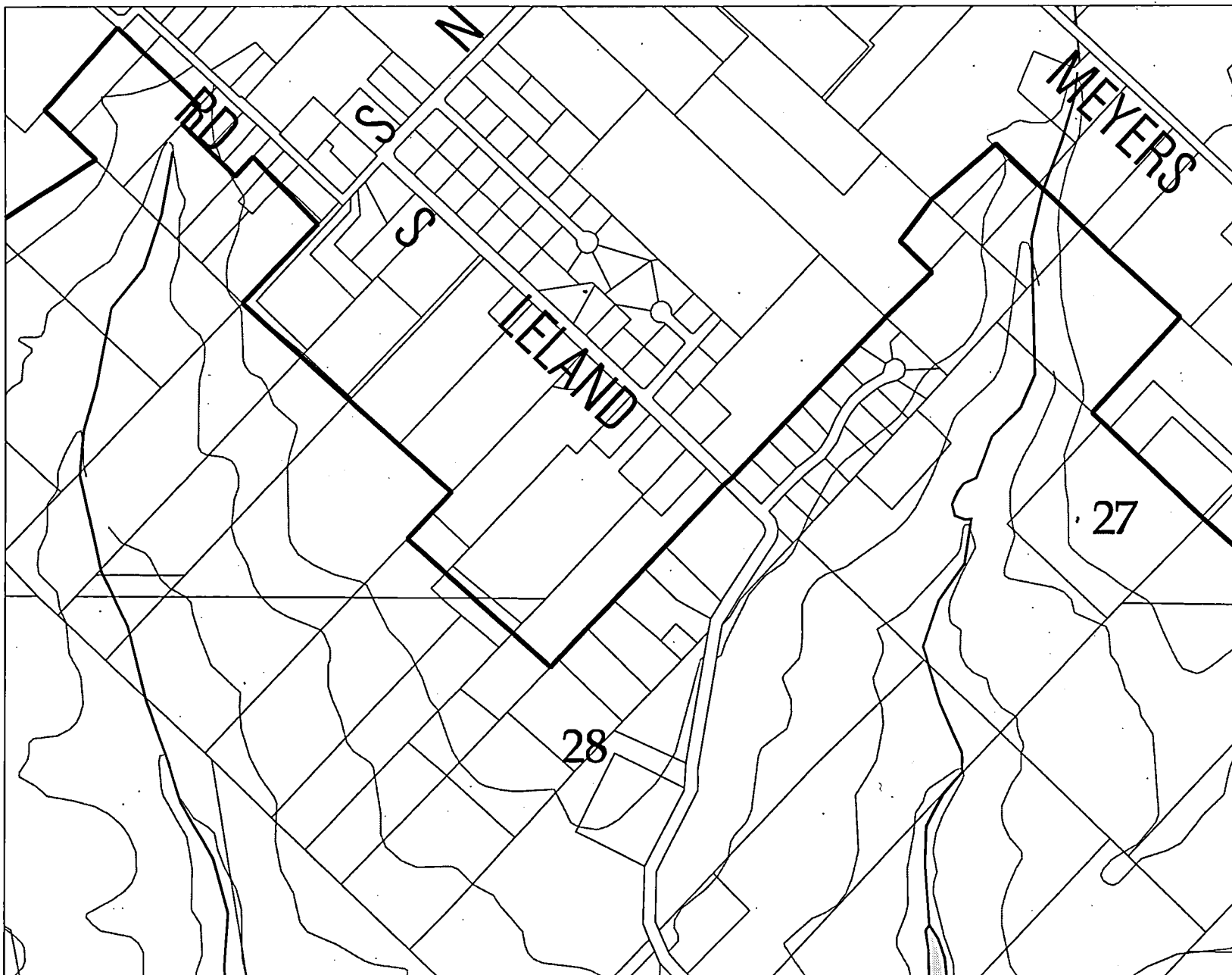
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #27



600 NE Grand Ave
Portland, OR 97232-2736
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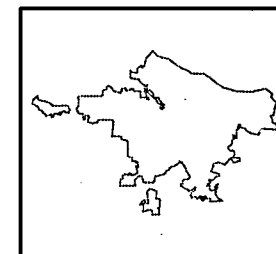
Regional Land
Information System

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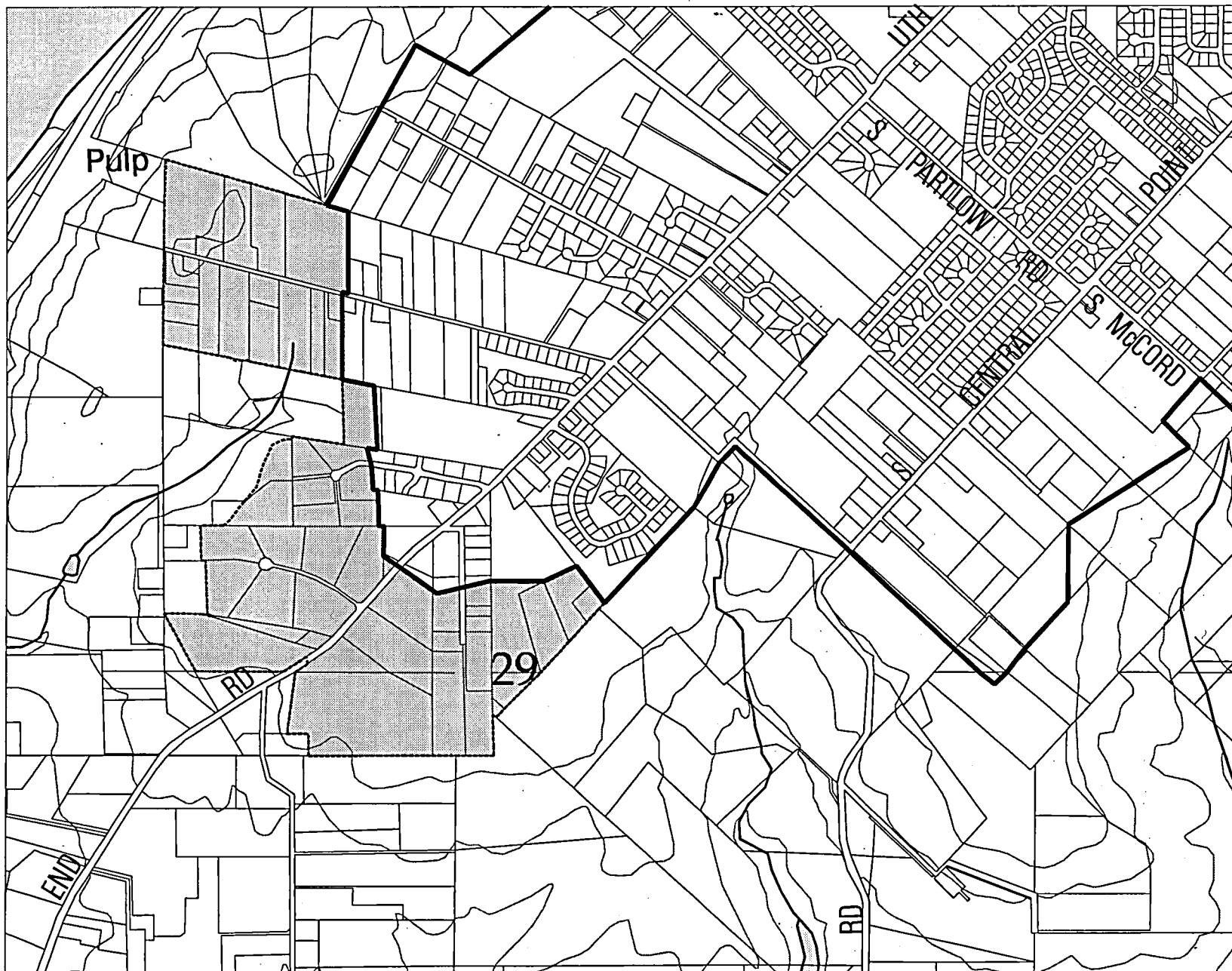
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #28



600 NE Grand Ave
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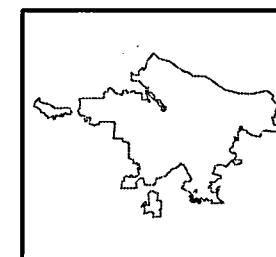
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #29



600 NE Grand Ave
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Urban Reserves Tax Lot Boundaries

Staff Recommendation
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- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary

MAP #30

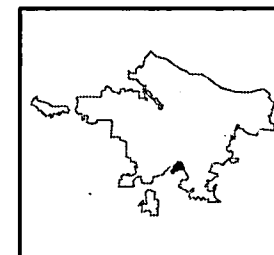
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Staff Recommendation
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-  Designated Urban Reserves
 Resource Lands within Urban Reserves
 Modified Urban Reserve Boundaries
 Urban Growth Boundary

MAP #31







600 NE Grand Ave
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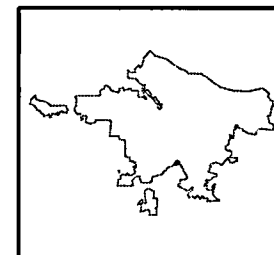


Urban Reserves Tax Lot Boundaries

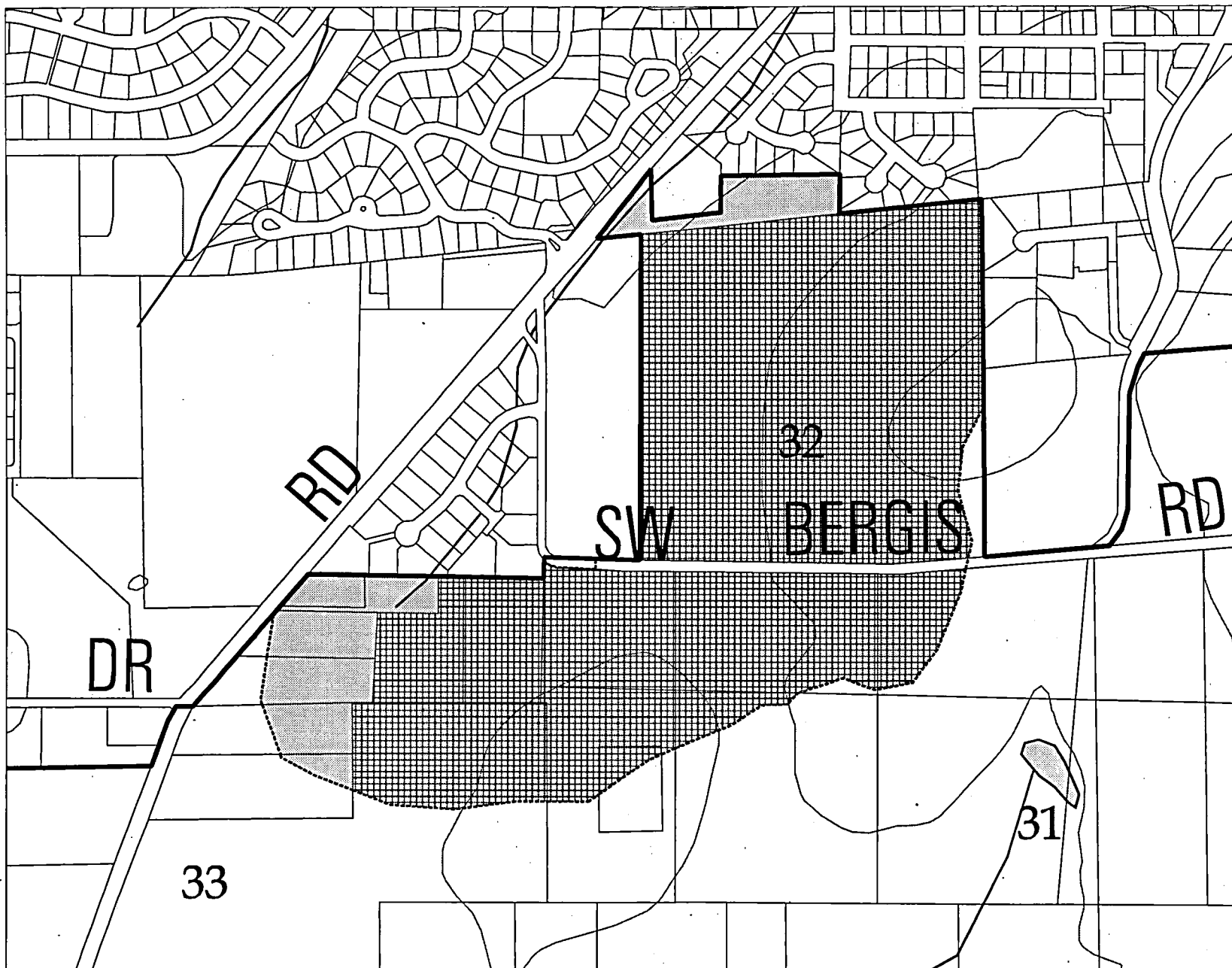
Staff Recommendation
2-3-97

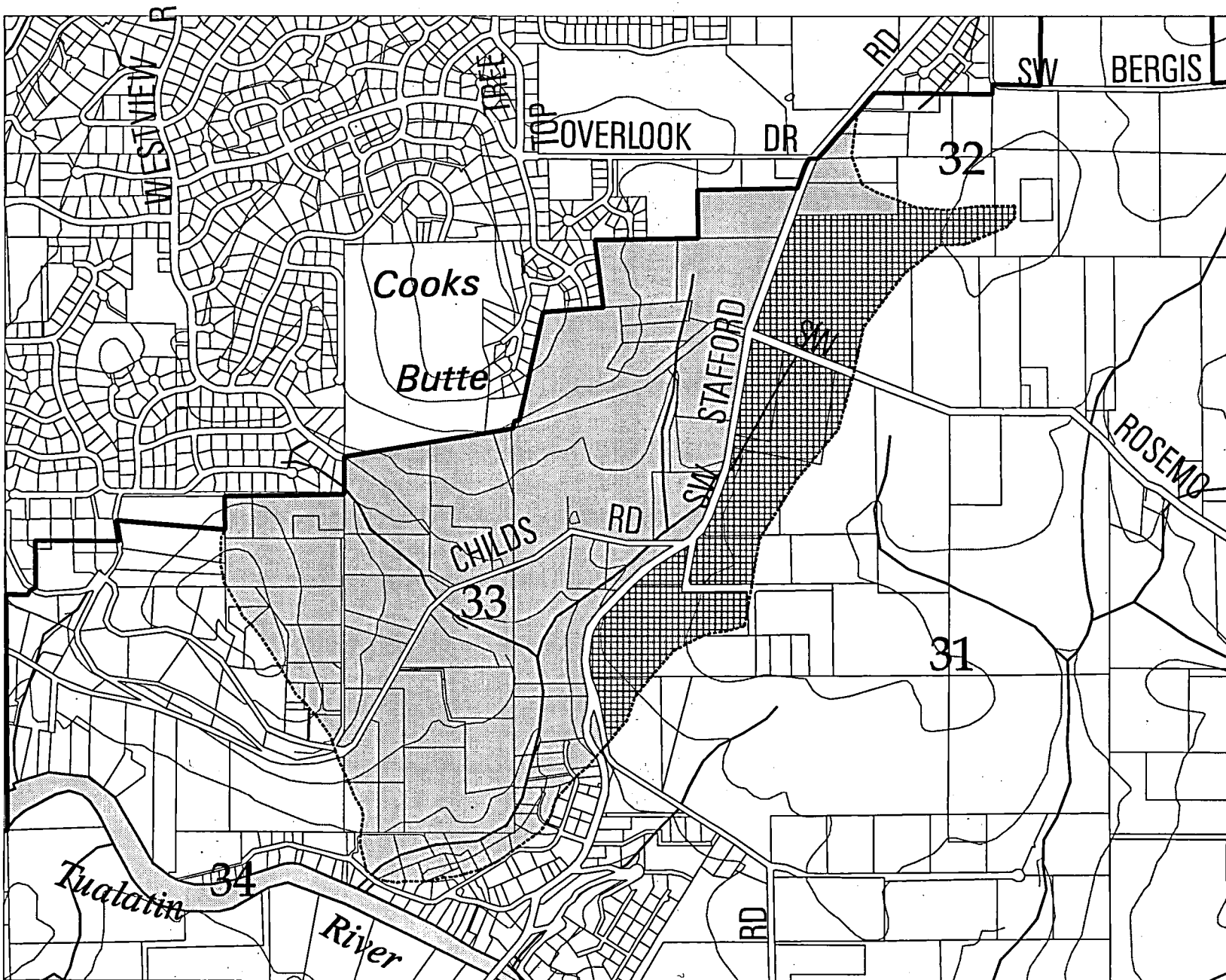
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #32



600 NE Grand Ave
Portland, OR 97232-2736
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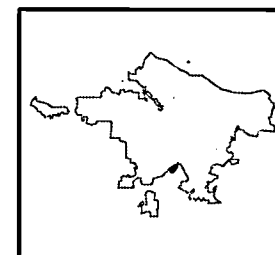
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

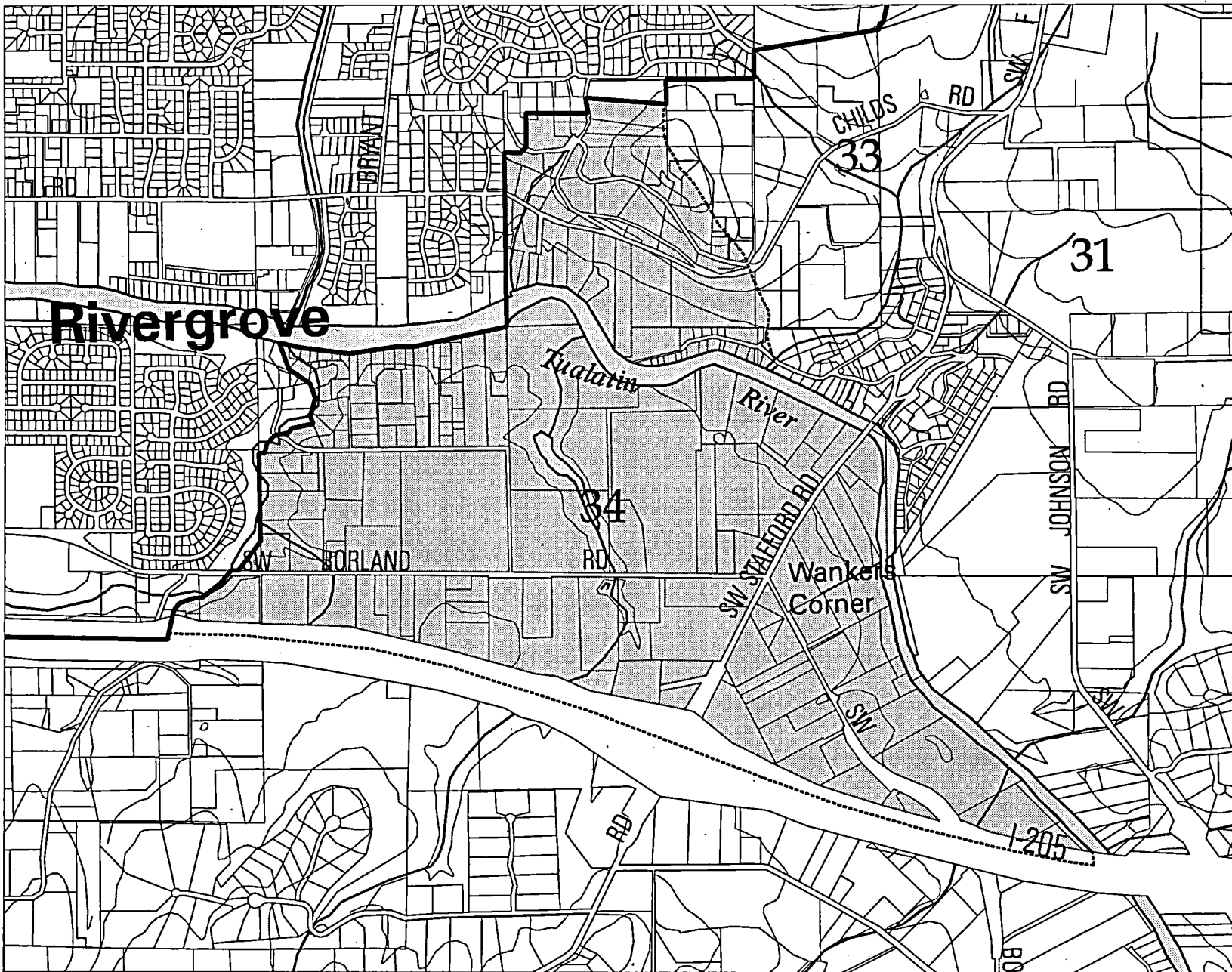
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #33



600 NE Grand Ave
Portland, OR 97232-2736
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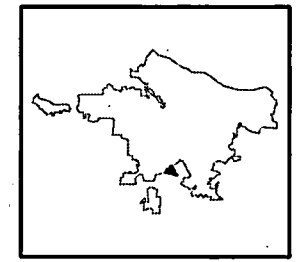


Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

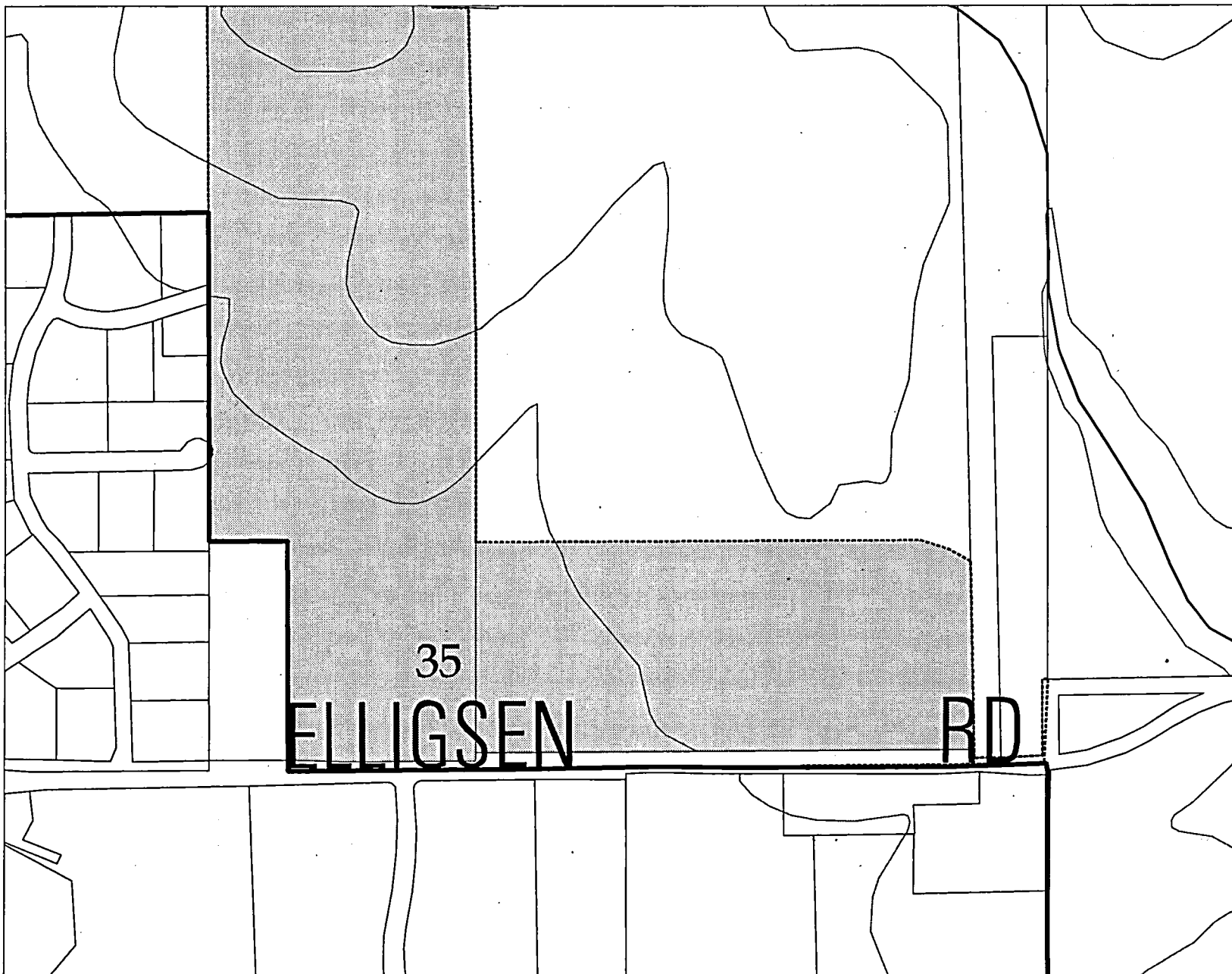
- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary

MAP #34



600 NE Grand Ave
Portland, OR 97232-2736
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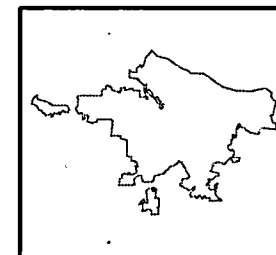
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

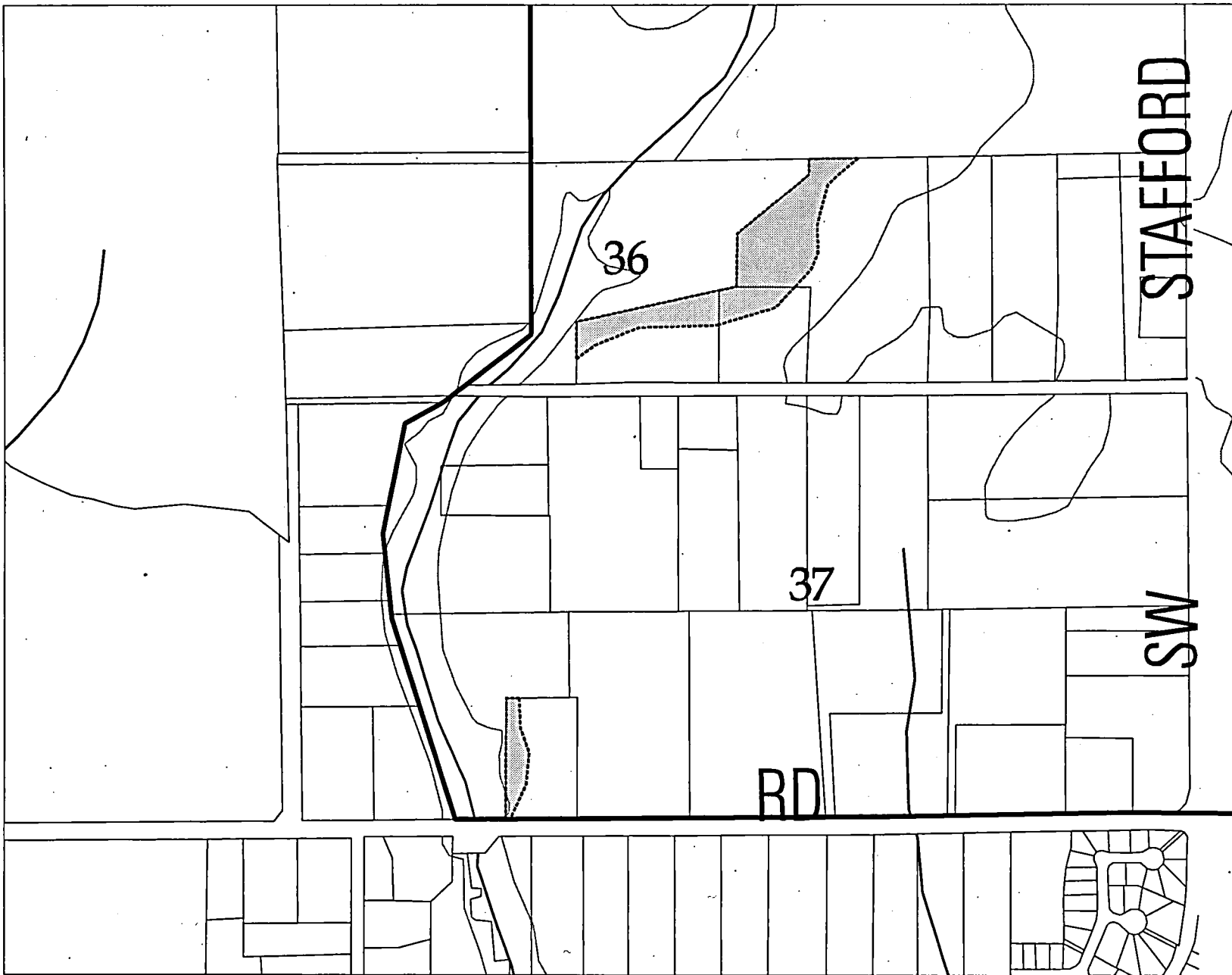
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #35



600 NE Grand Ave
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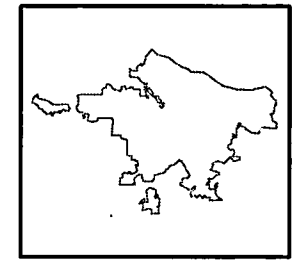
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
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- Designated Urban Reserves
- Resource Lands within Urban Reserves
- Modified Urban Reserve Boundaries
- Urban Growth Boundary

MAP #36



600 NE Grand Ave
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




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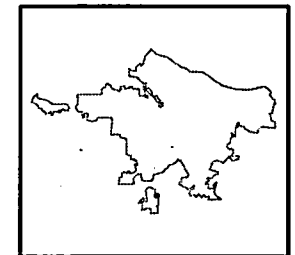
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

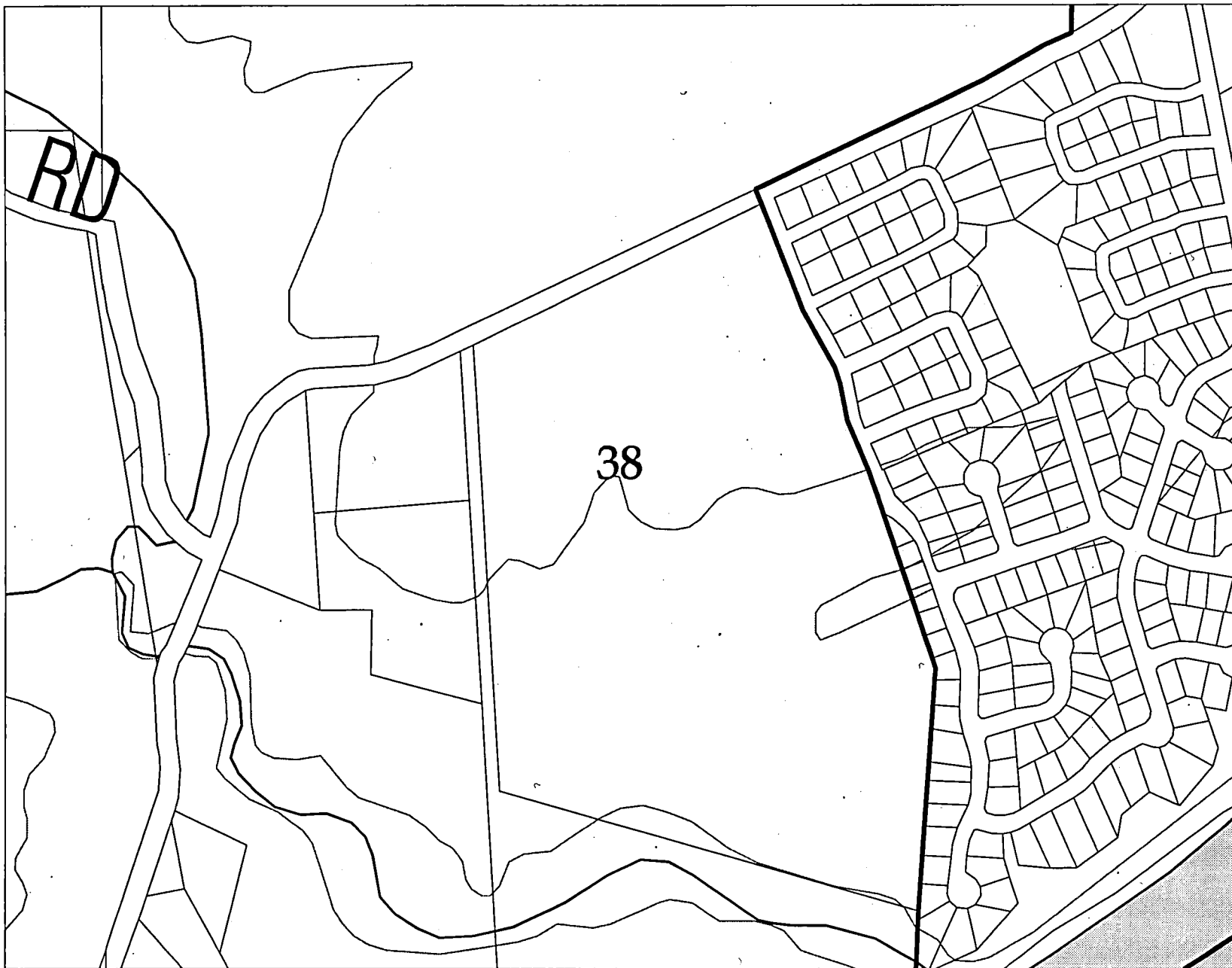
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #37



600 NE Grand Ave
Portland, OR 97232-2736
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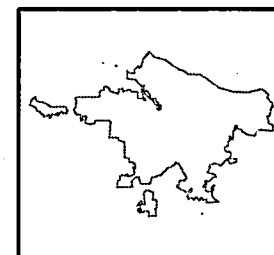
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
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-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #38







600 NE Grand Ave
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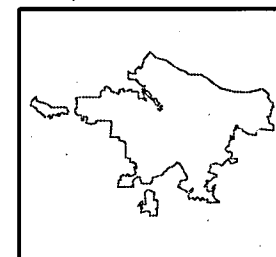


Urban Reserves Tax Lot Boundaries

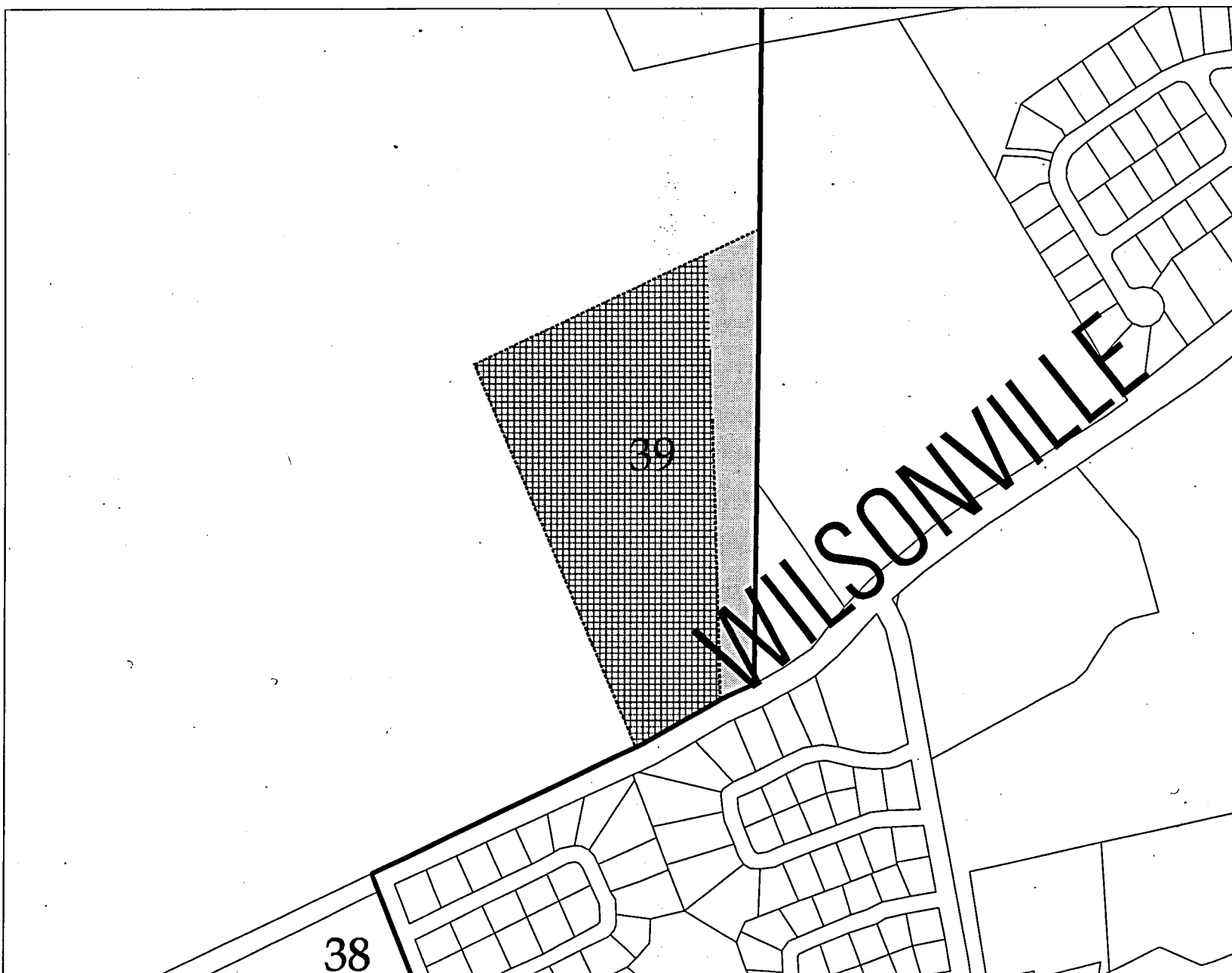
Staff Recommendation
2-3-97

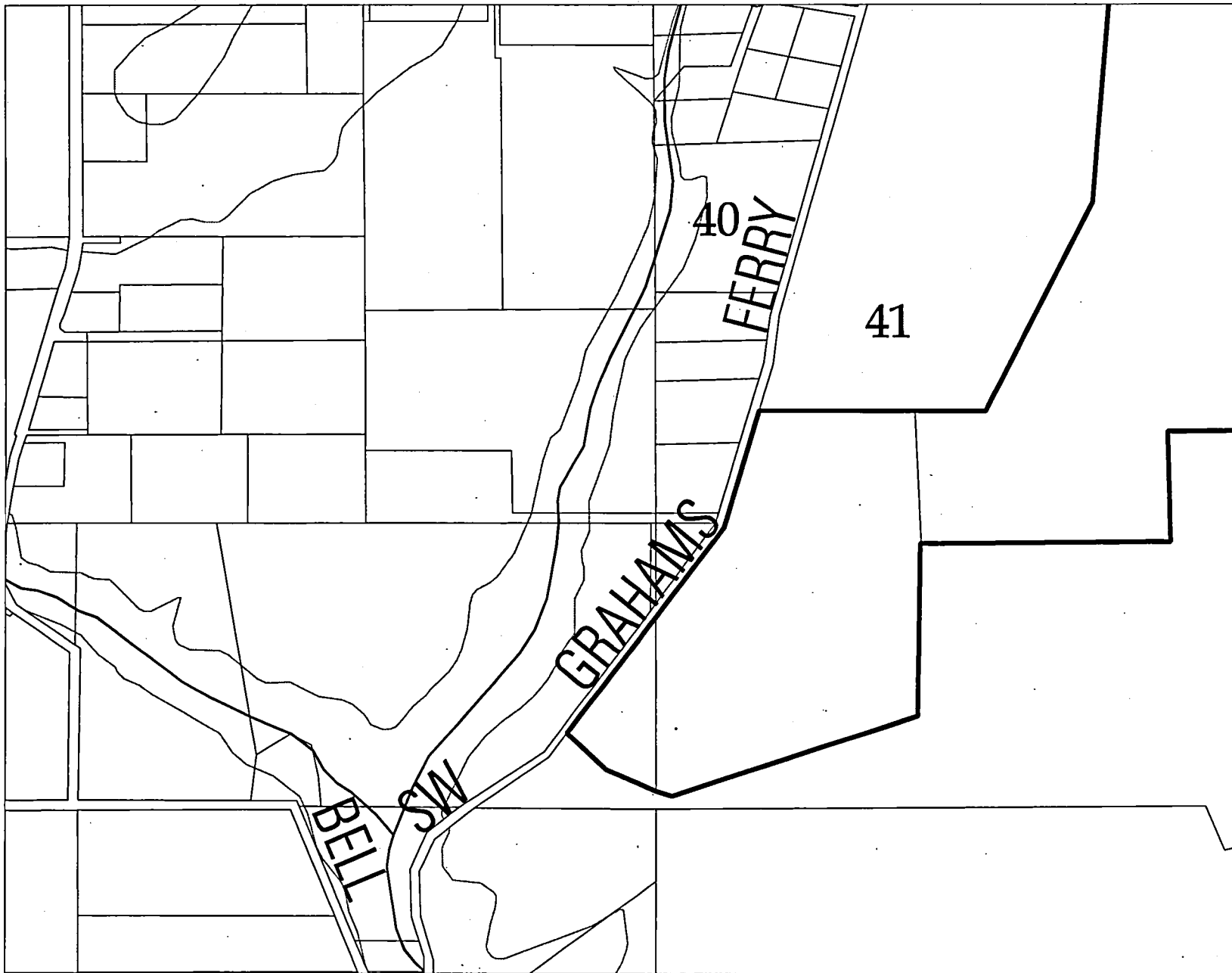
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #39



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742





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Regional Land
Information System

Urban Reserves Tax Lot Boundaries

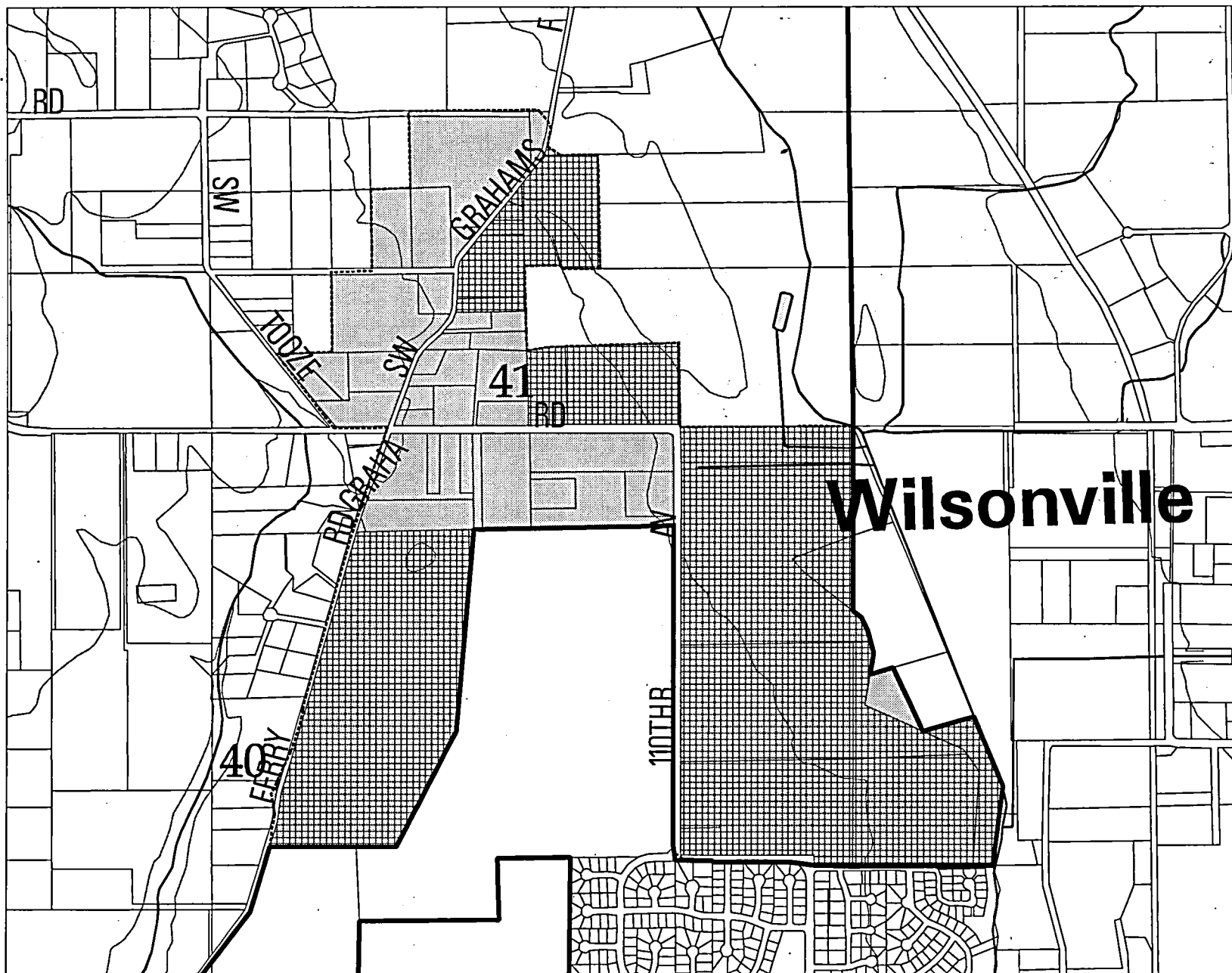
Staff Recommendation
2-3-97

Designated Urban Reserves
 Resource Lands within Urban Reserves
 Modified Urban Reserve Boundaries
 Urban Growth Boundary

MAP #40

600 NE Grand Ave
Portland, OR 97232-2736
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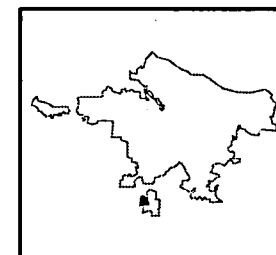
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

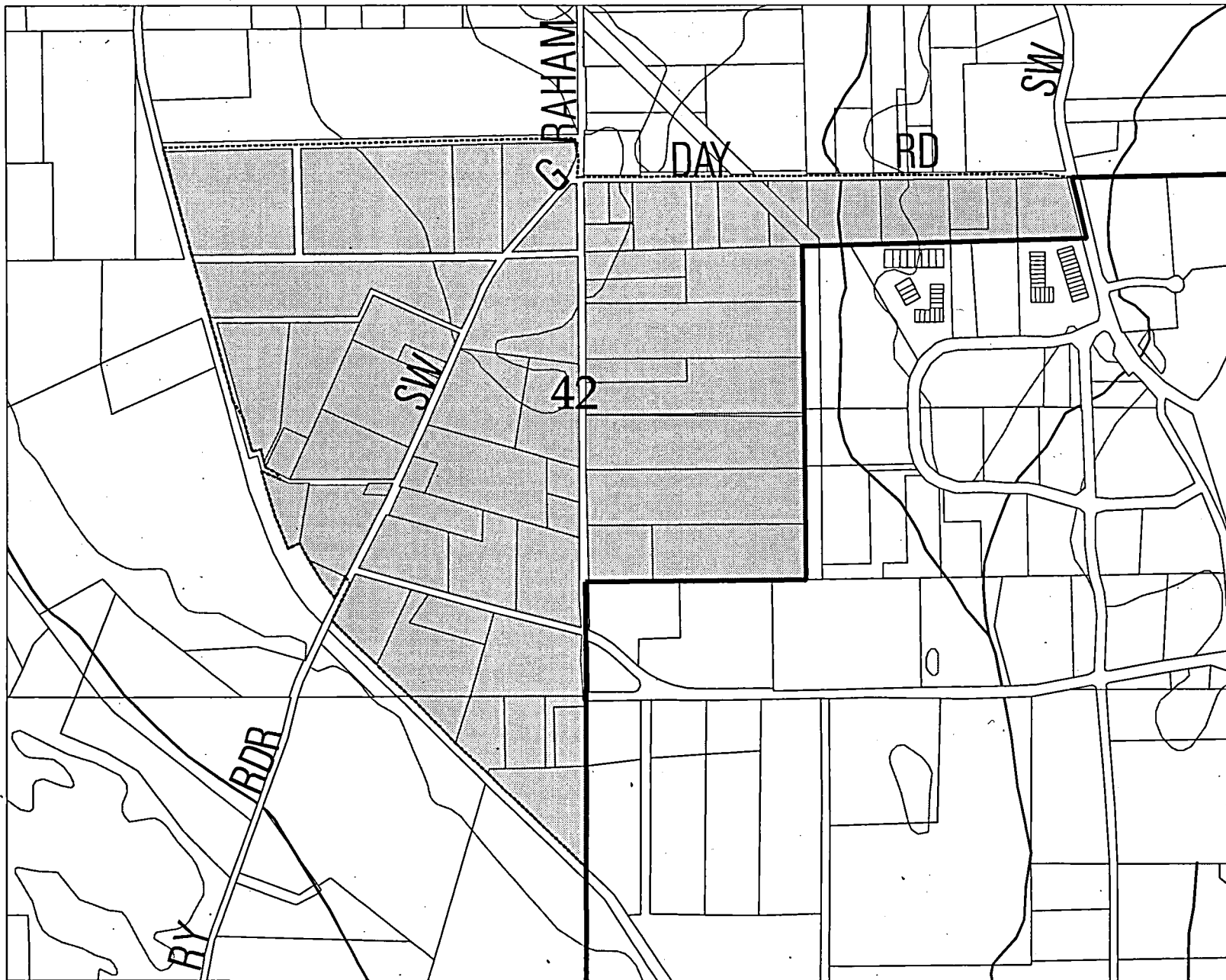
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #41



600 NE Grand Ave
Portland, OR 97232-2736
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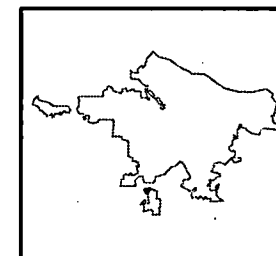
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

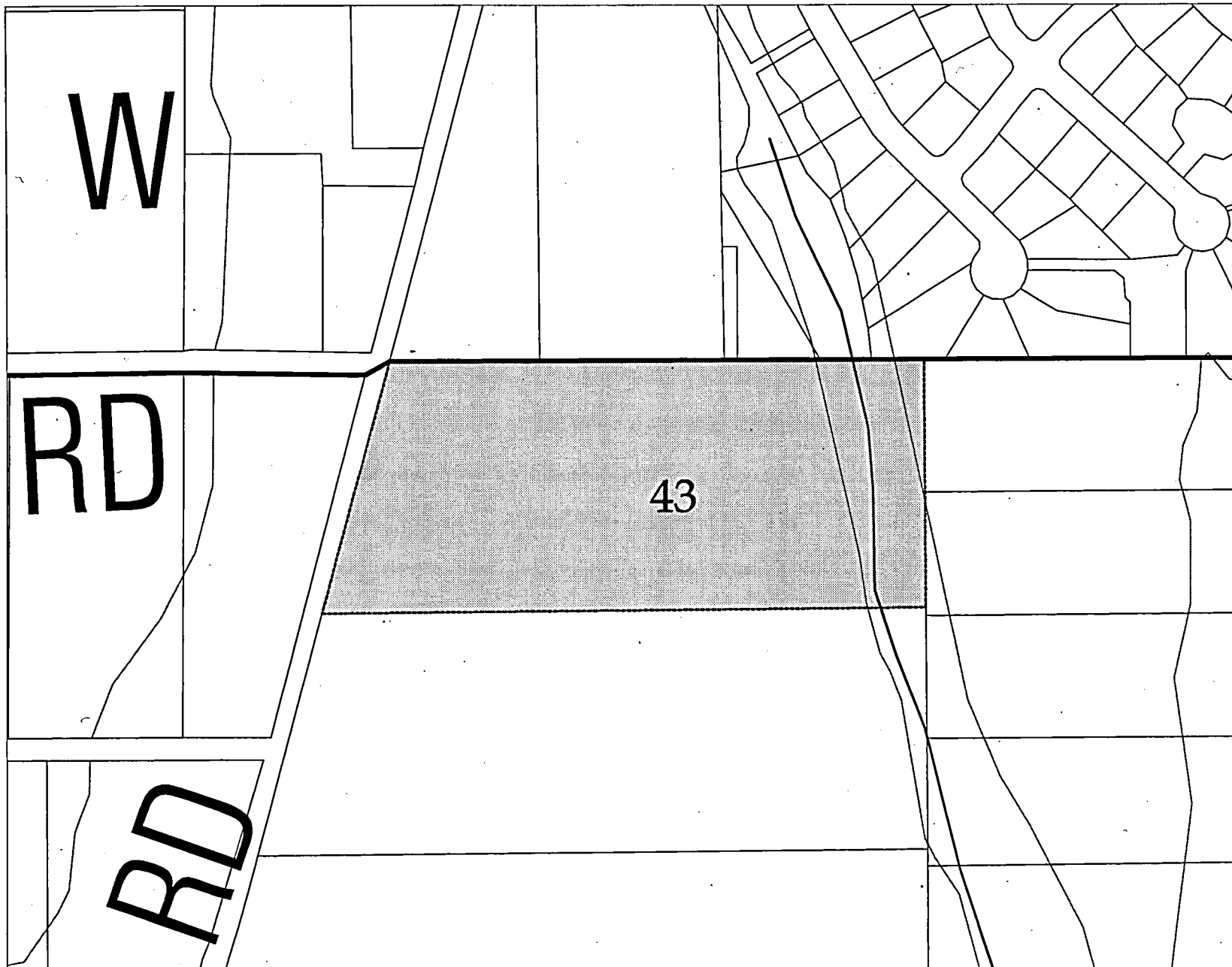
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #42



600 NE Grand Ave
Portland, OR 97232-2736
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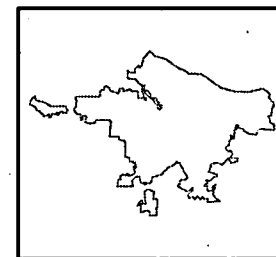
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

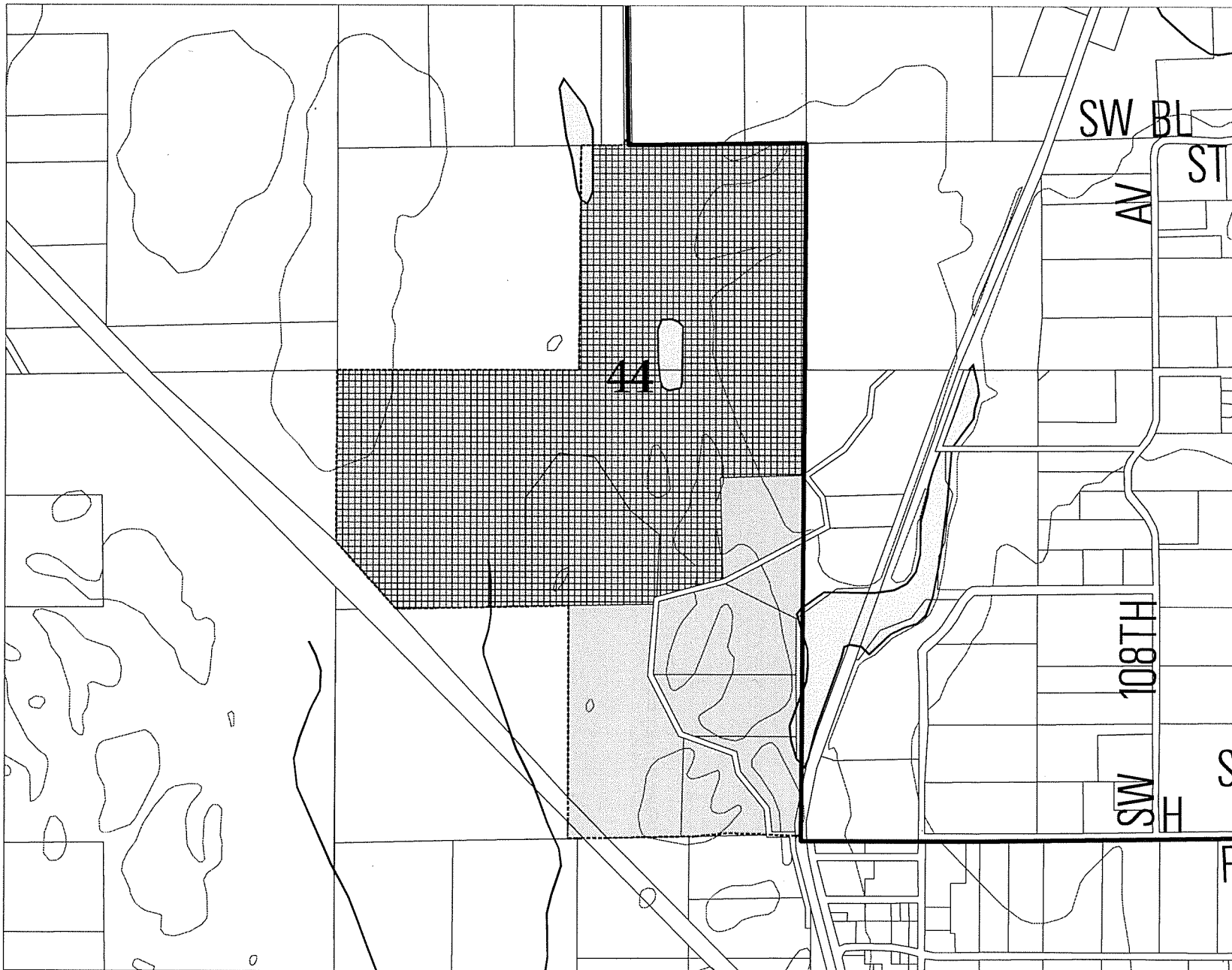
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #43



600 NE Grand Ave
Portland, OR 97232-2736
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




R L I S

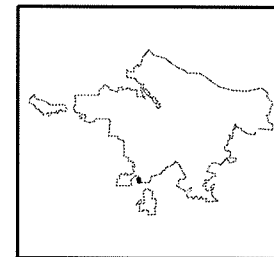
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

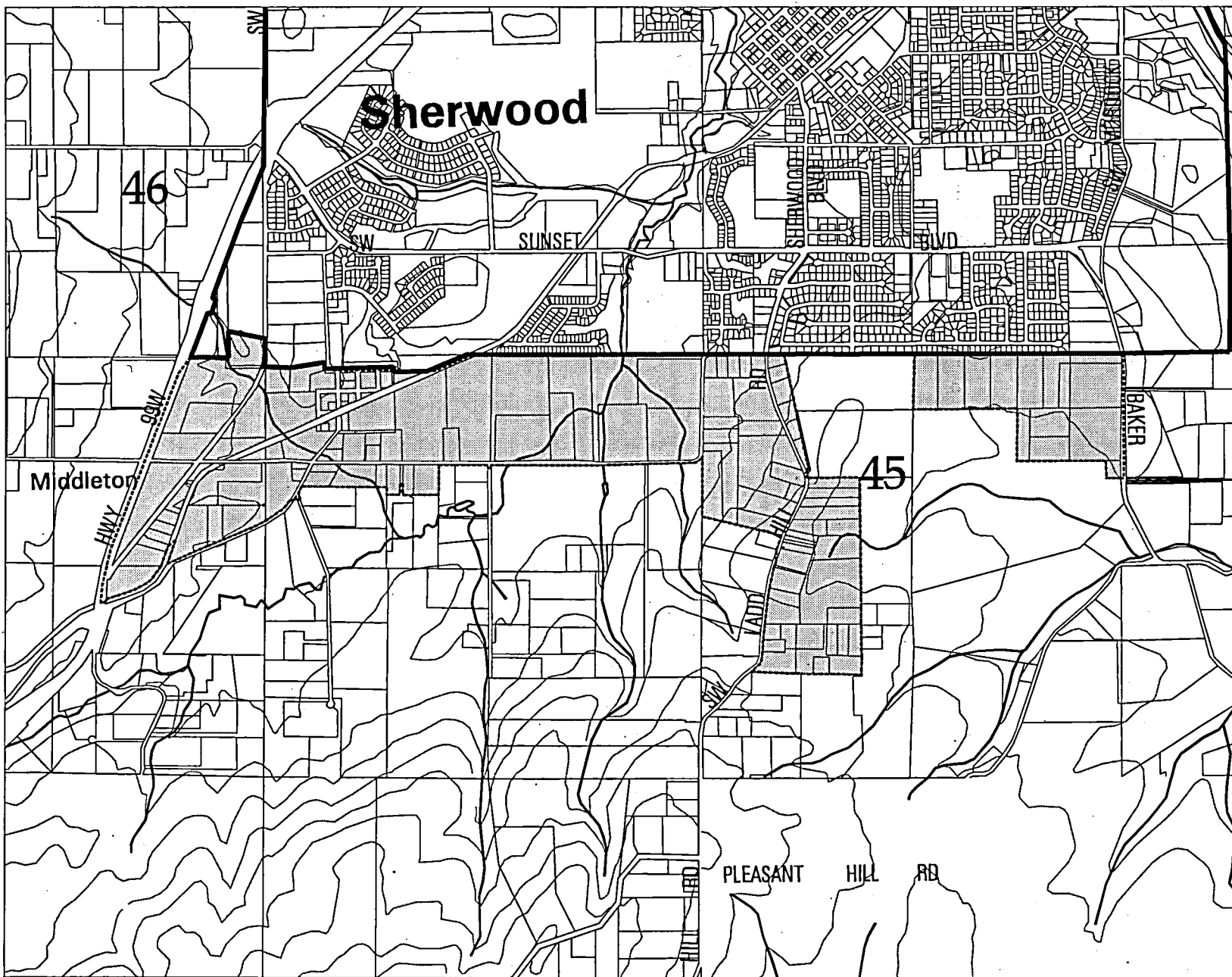
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #44



600 NE Grand Ave
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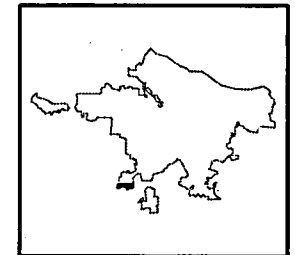
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

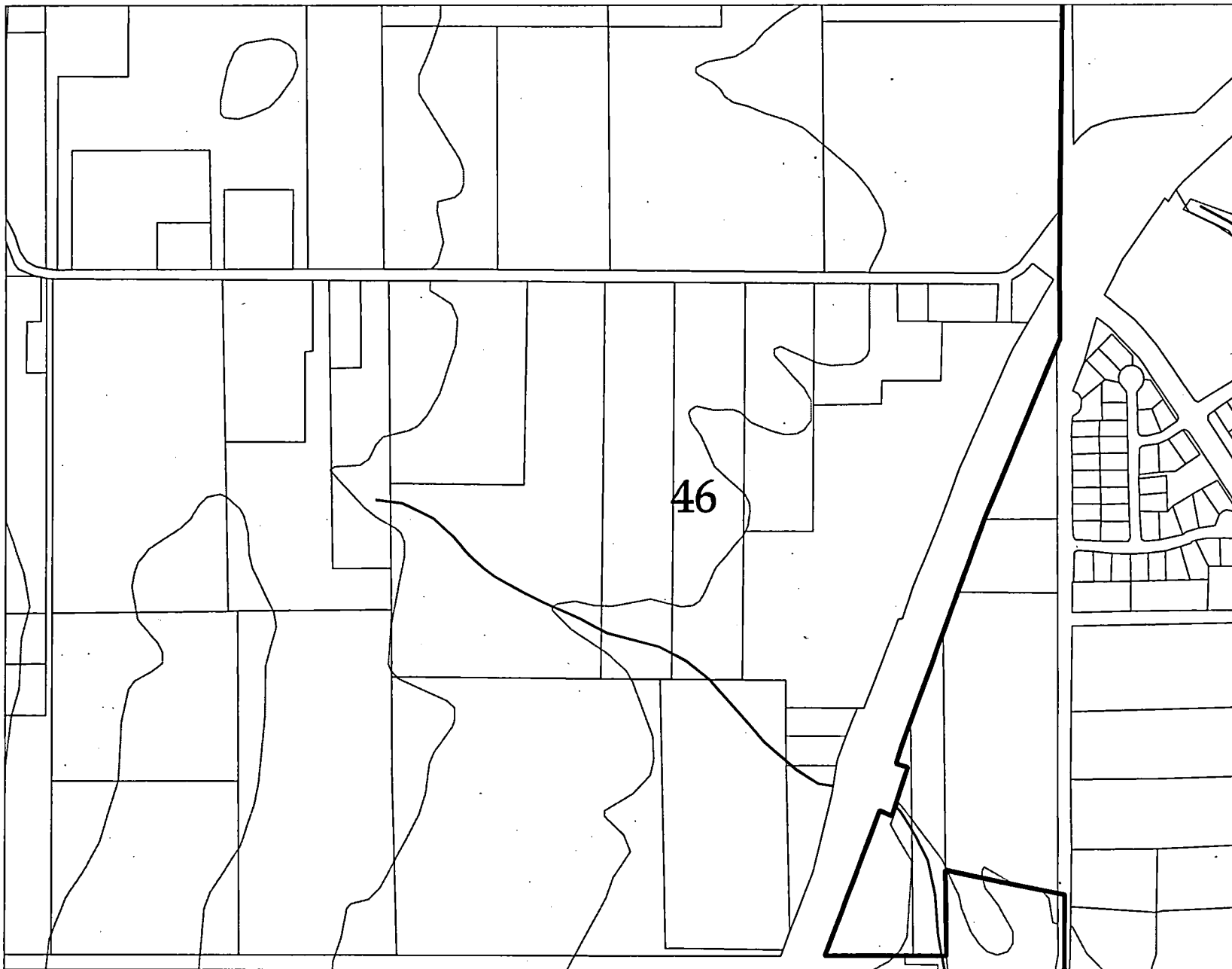
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #45



600 NE Grand Ave
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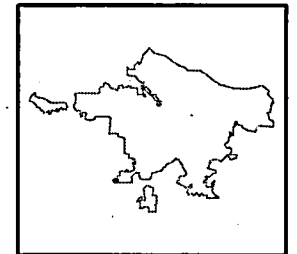
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

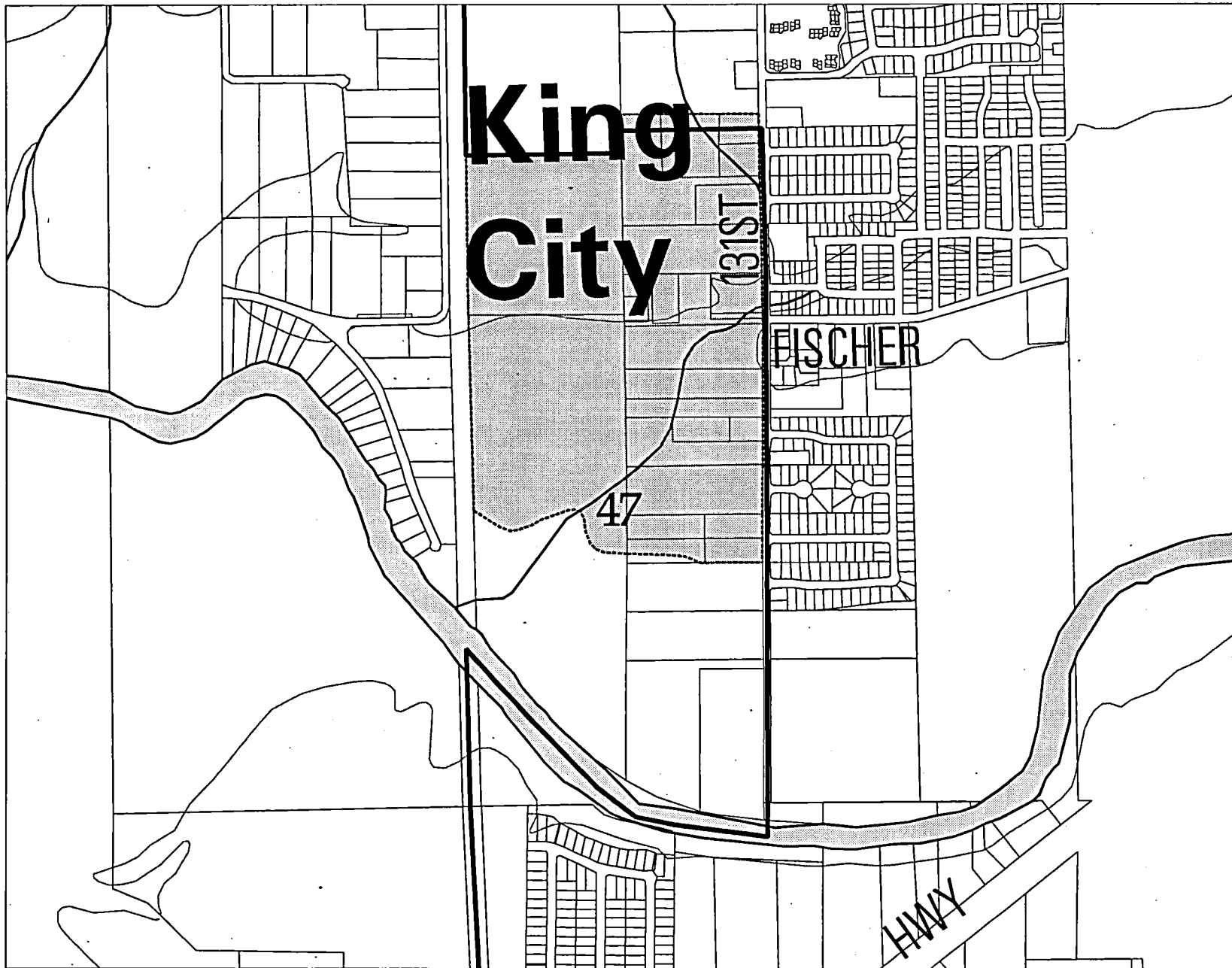
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #46







600 NE Grand Ave
Portland, OR 97232-2736
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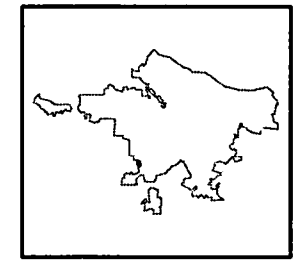


Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #47



600 NE Grand Ave
Portland, OR 97232-2736
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Regional Land Information System


Urban Reserves
Tax Lot Boundaries

Staff Recommendation
2-3-97

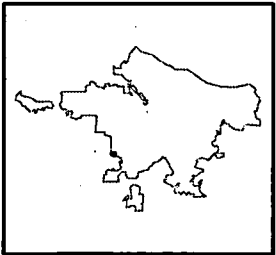
 Designated Urban Reserves

 Resource Lands within Urban Reserves


 Modified Urban Reserve Boundaries

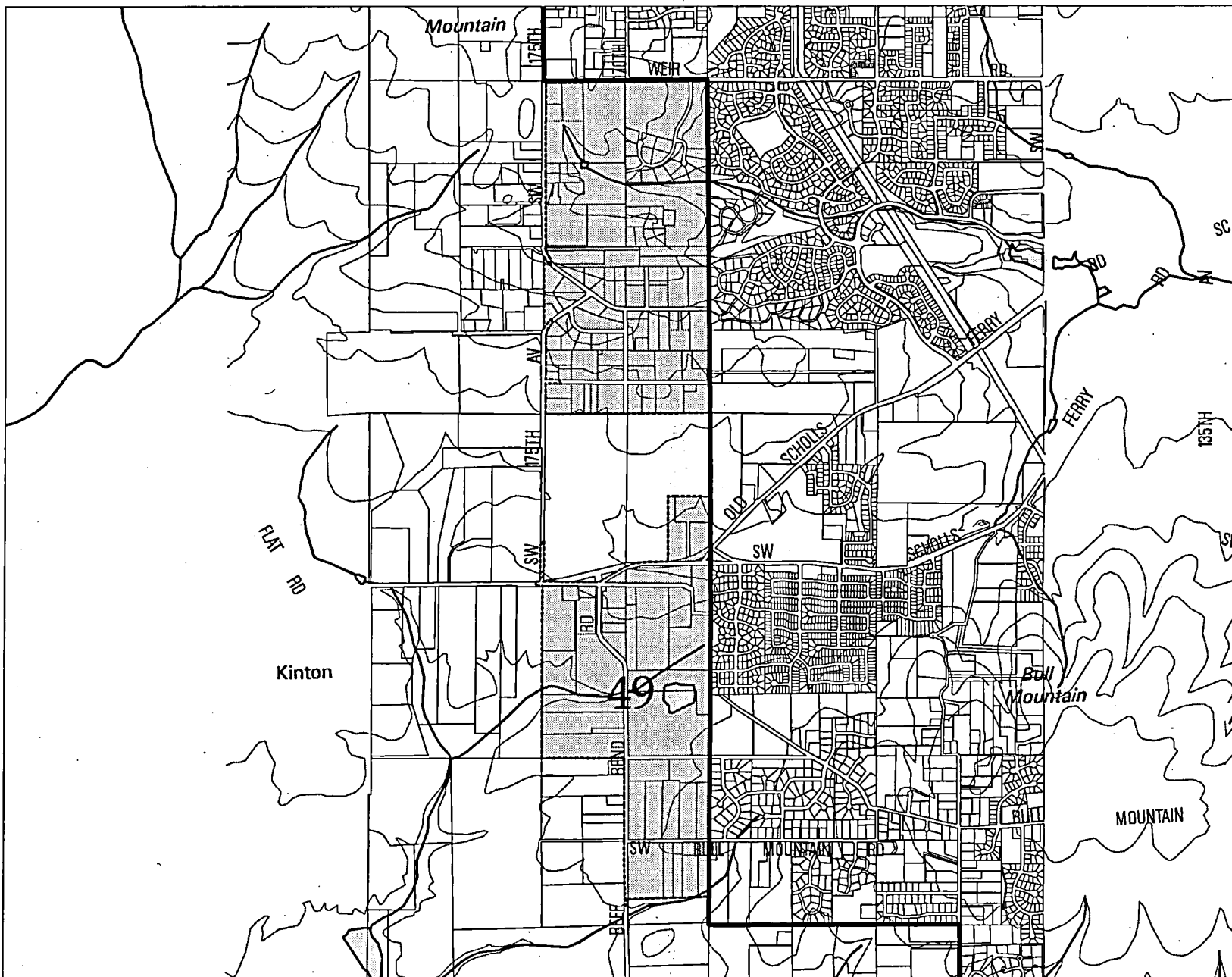
 Urban Growth Boundary

MAP #48



600 NE Grand Ave
Portland, OR 97232-2736
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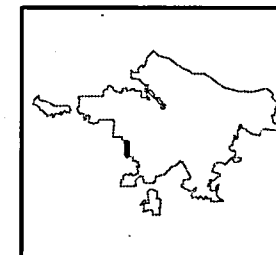
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #49







600 NE Grand Ave
Portland, OR 97232-2736
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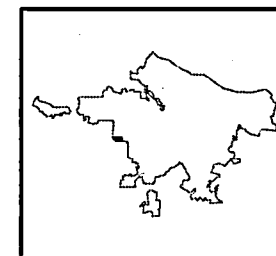


Urban Reserves Tax Lot Boundaries

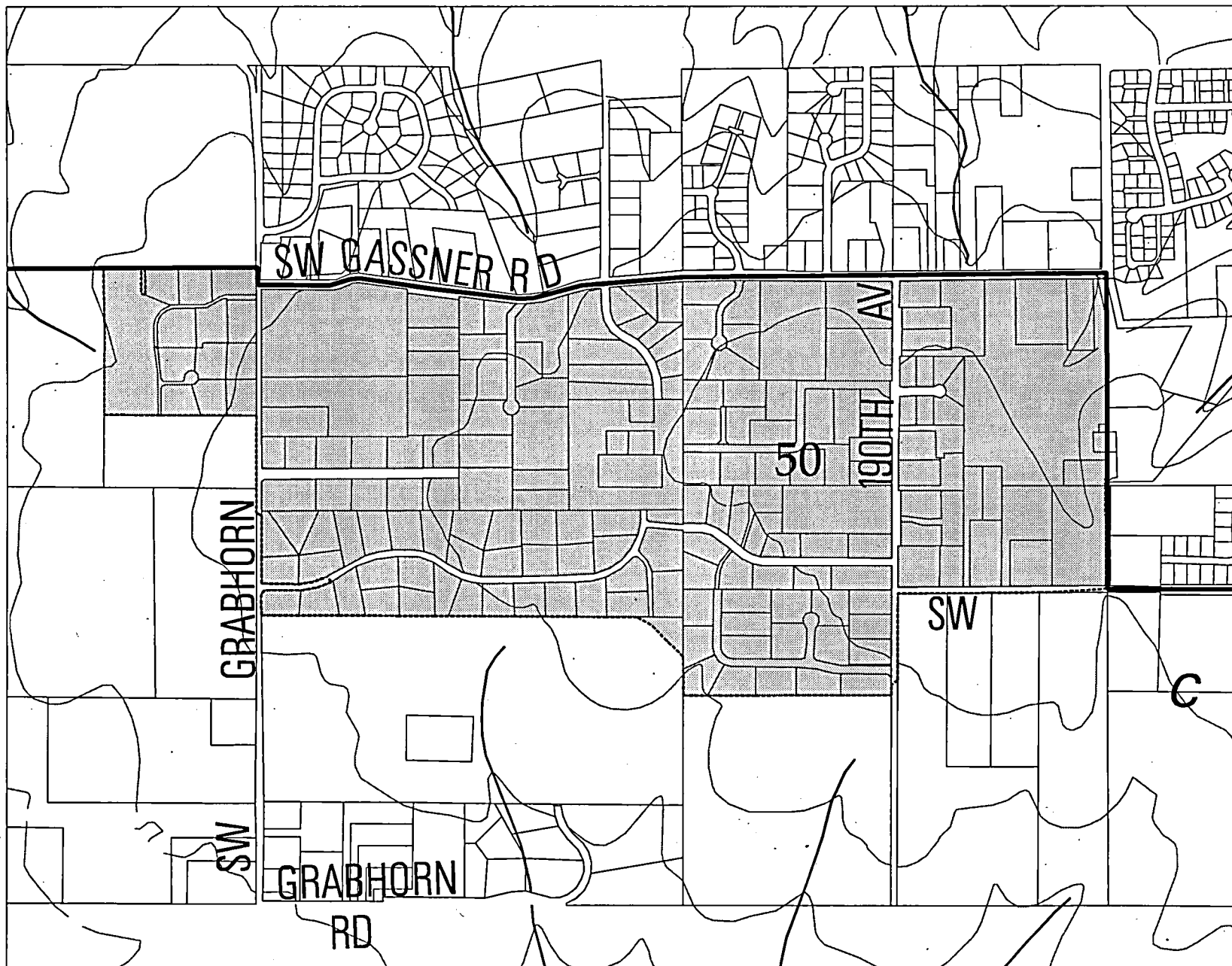
Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #50







600 NE Grand Ave
Portland, OR 97232-2736
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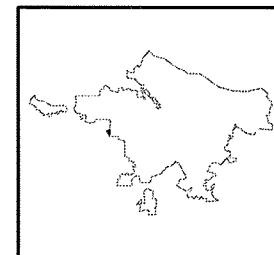


Urban Reserves Tax Lot Boundaries

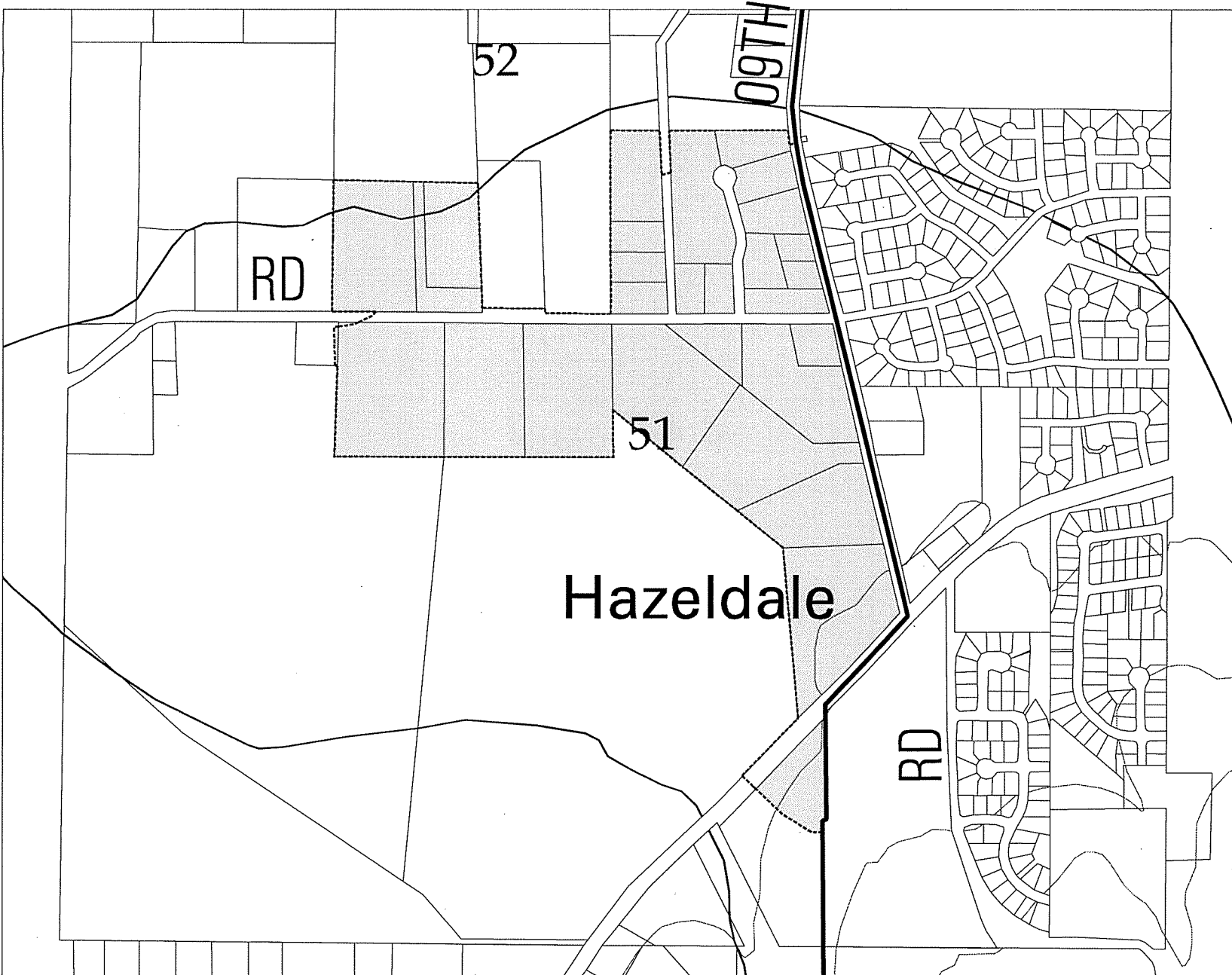
Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #51







600 NE Grand Ave
Portland, OR 97232-2736
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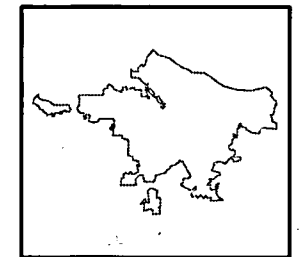


Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

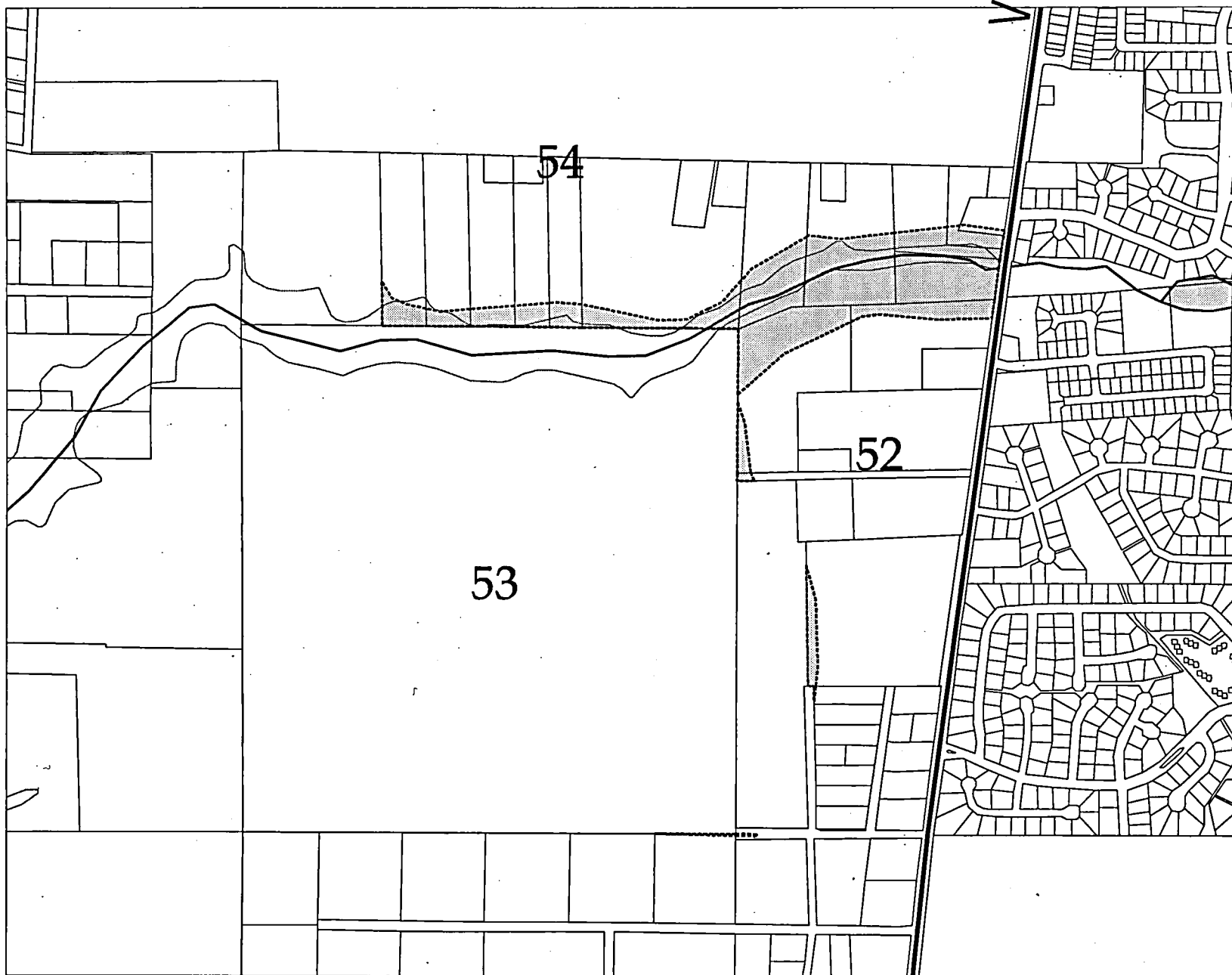
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #52



600 NE Grand Ave
Portland, OR 97232-2736
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Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
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Designated Urban Reserves

Resource Lands within Urban Reserves

Modified Urban Reserve Boundaries

Urban Growth Boundary





MAP #53

600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1242

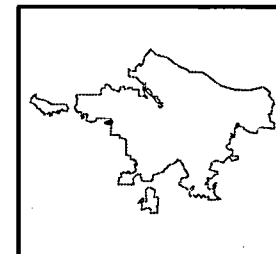
METRO

Urban Reserves Tax Lot Boundaries

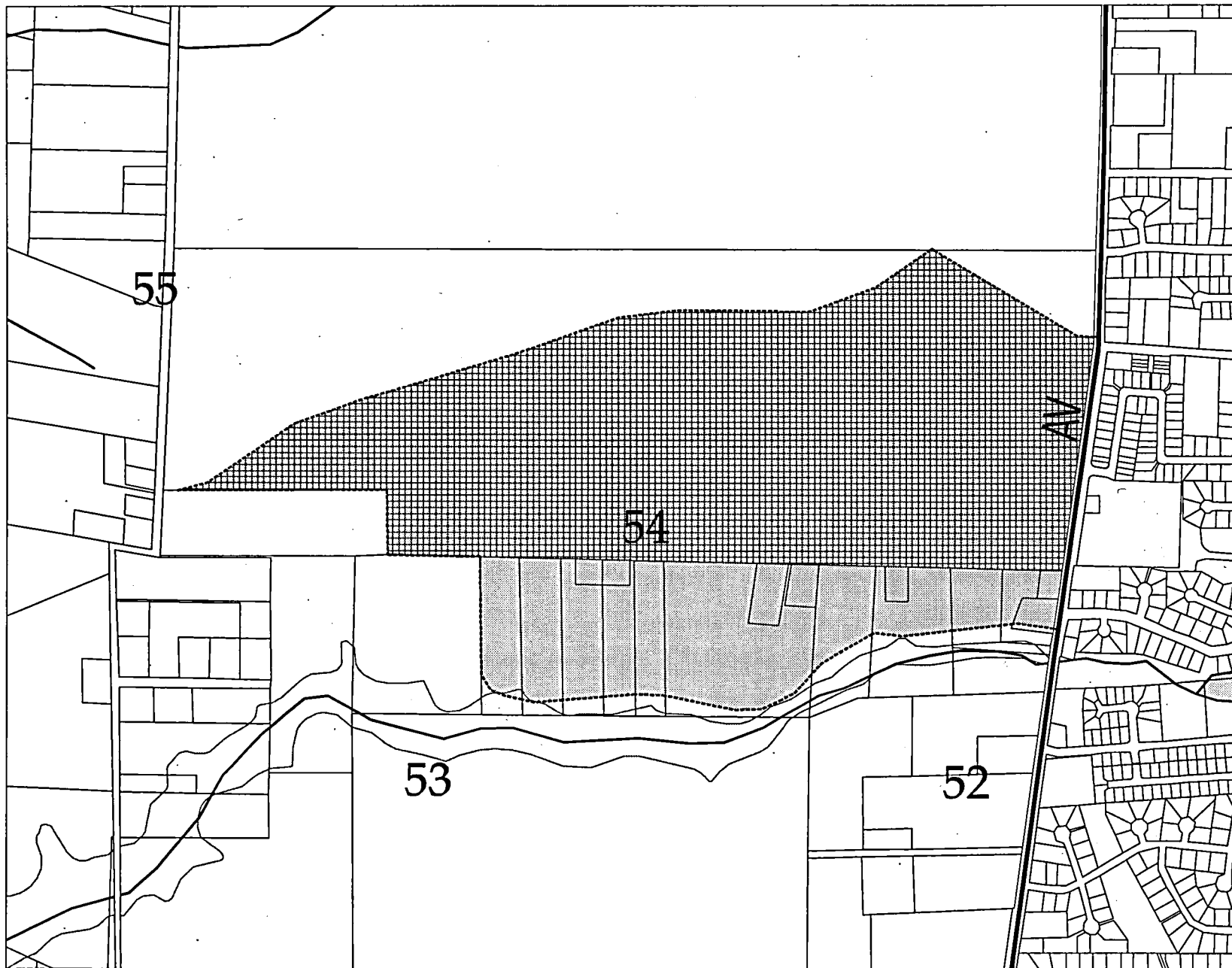
Staff Recommendation
2-3-97

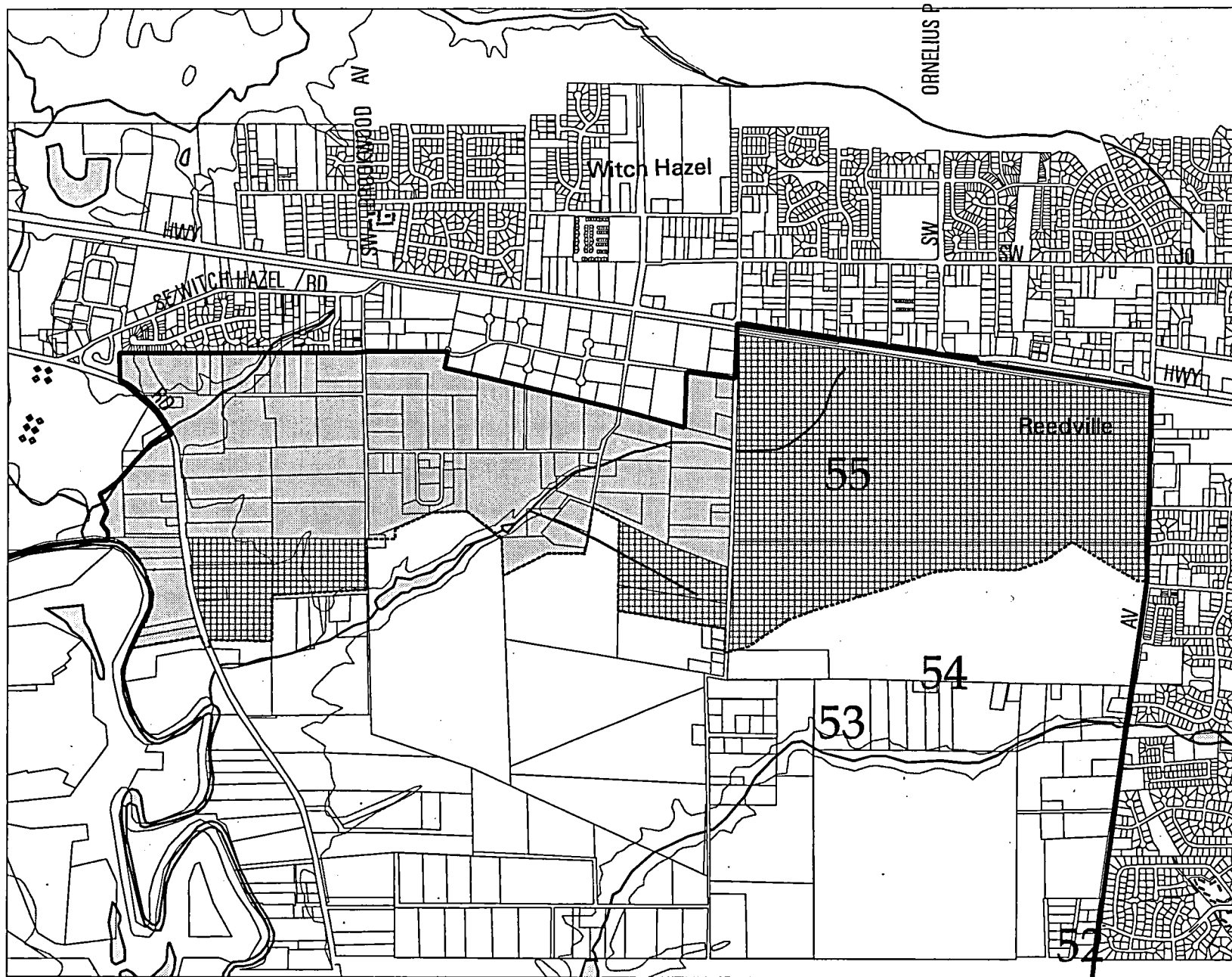
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #54



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1242







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Regional Land Information System


Urban Reserves
Tax Lot Boundaries

Staff Recommendation
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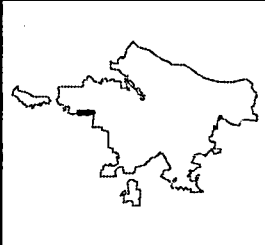
 Designated Urban Reserves

 Resource Lands within Urban Reserves


 Modified Urban Reserve Boundaries

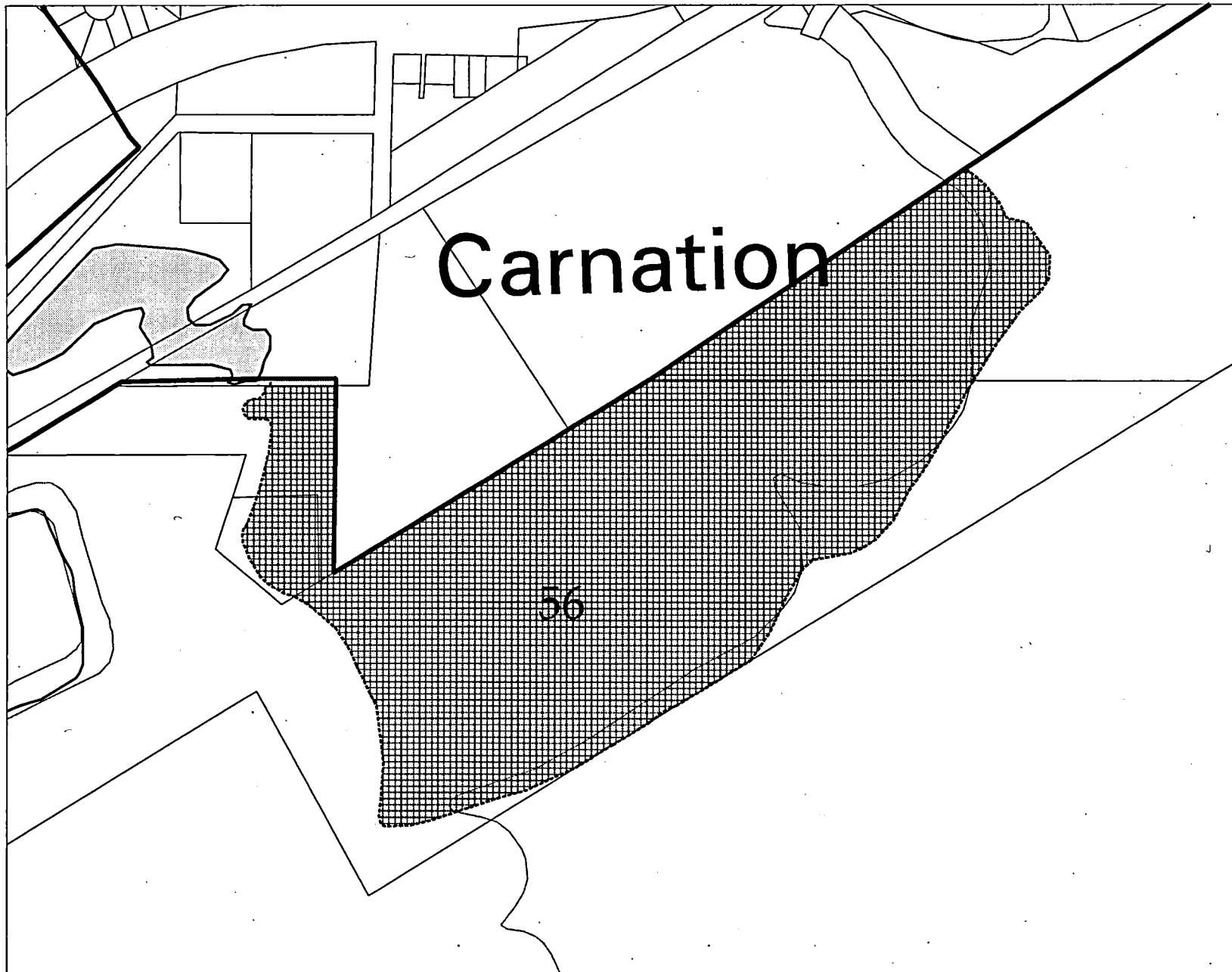
 Urban Growth Boundary

MAP #55



600 NE Grand Ave
Portland, OR 97232-2736
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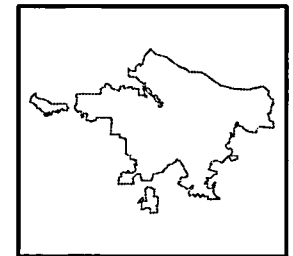
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #56



600 NE Grand Ave
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(503) 797-1742









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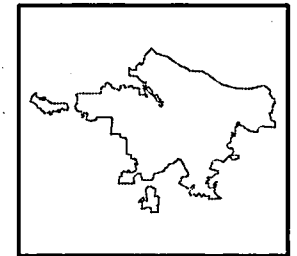
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

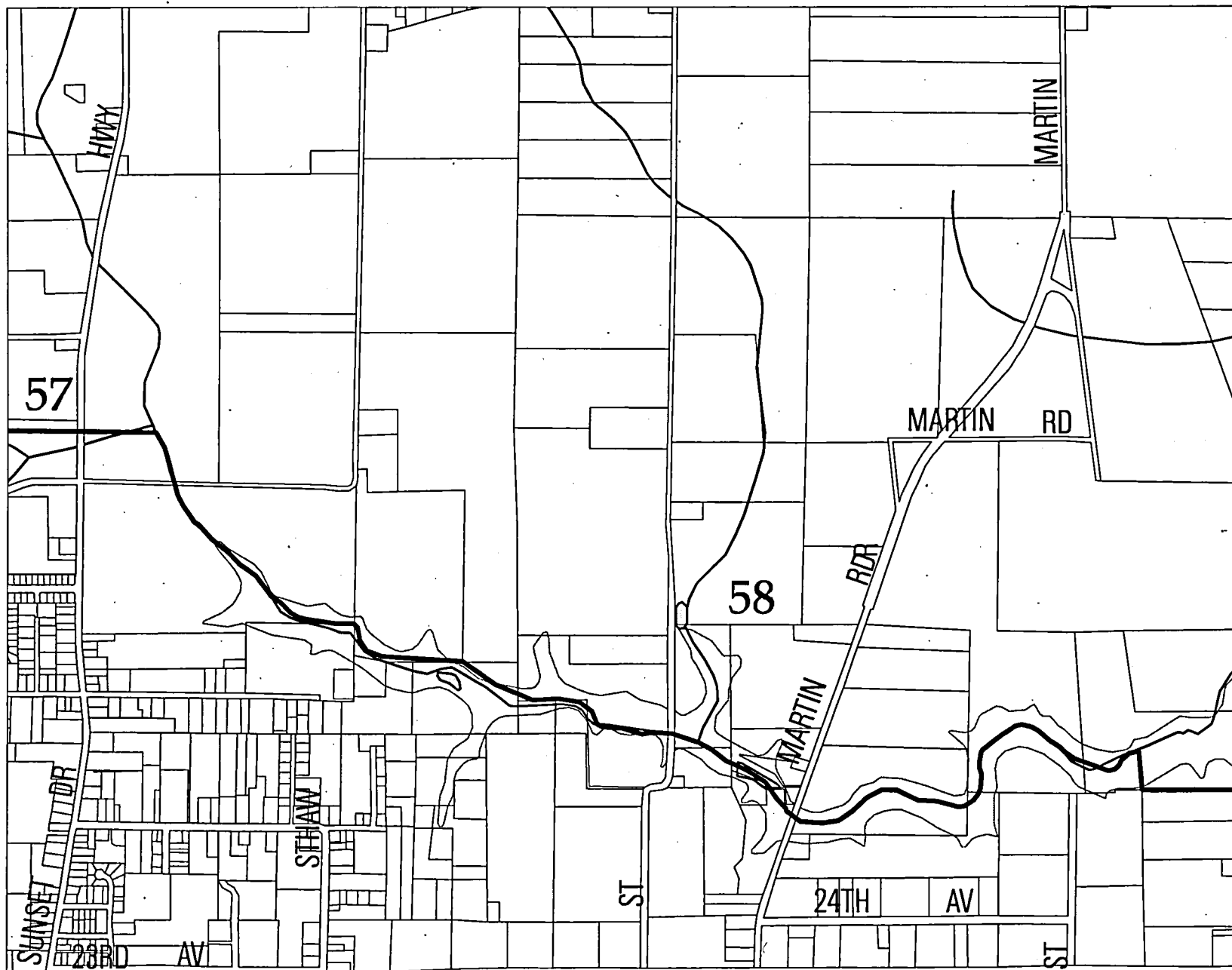
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #57



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742









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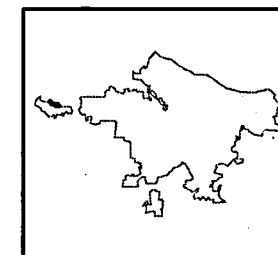
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

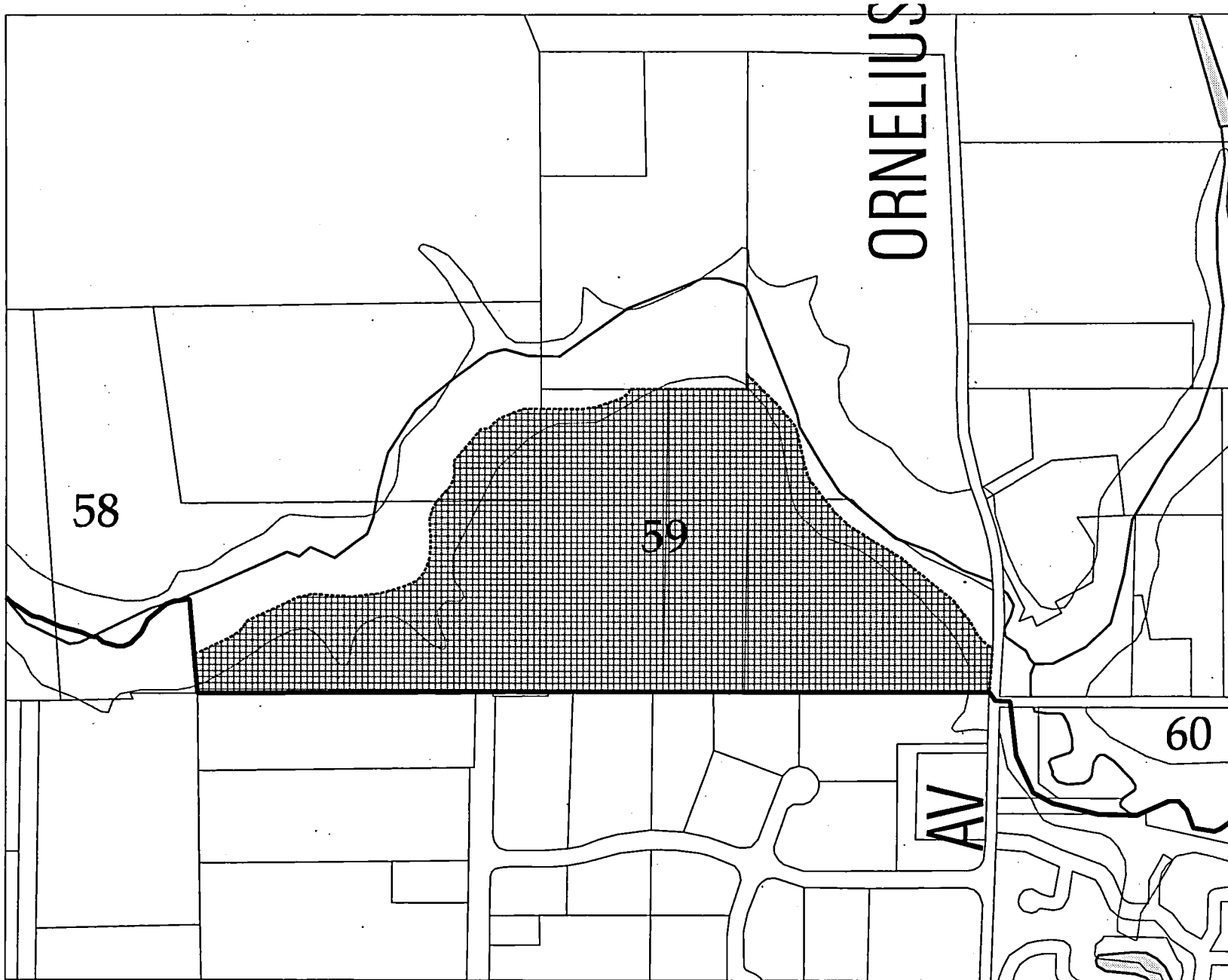
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #58



600 NE Grand Ave
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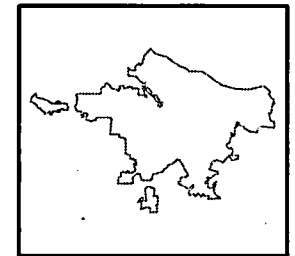
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

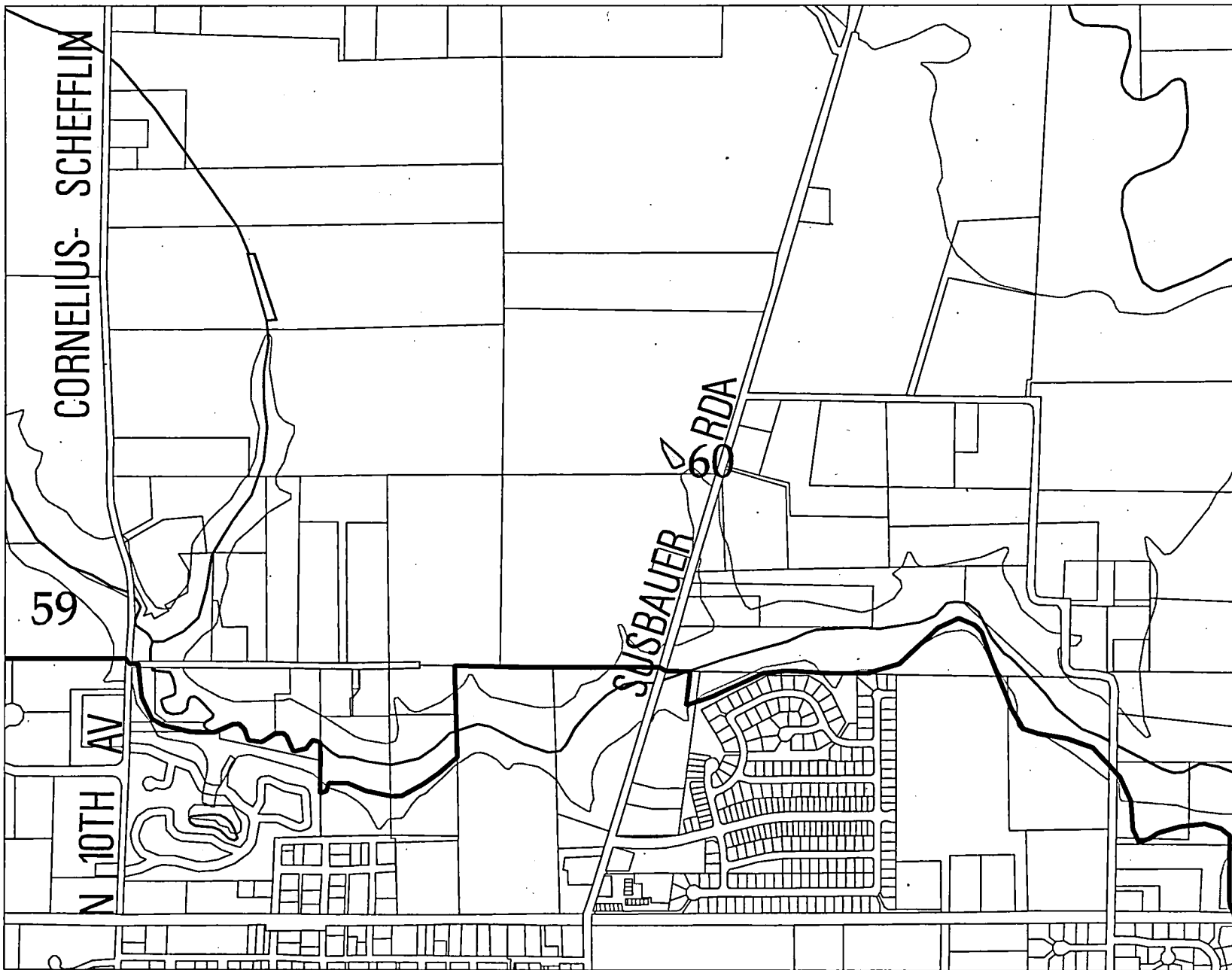
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #59



600 NE Grand Ave
Portland, OR 97232-2736
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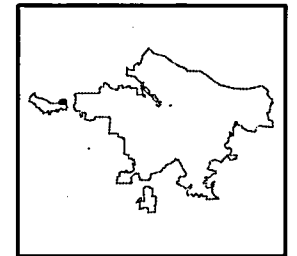
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

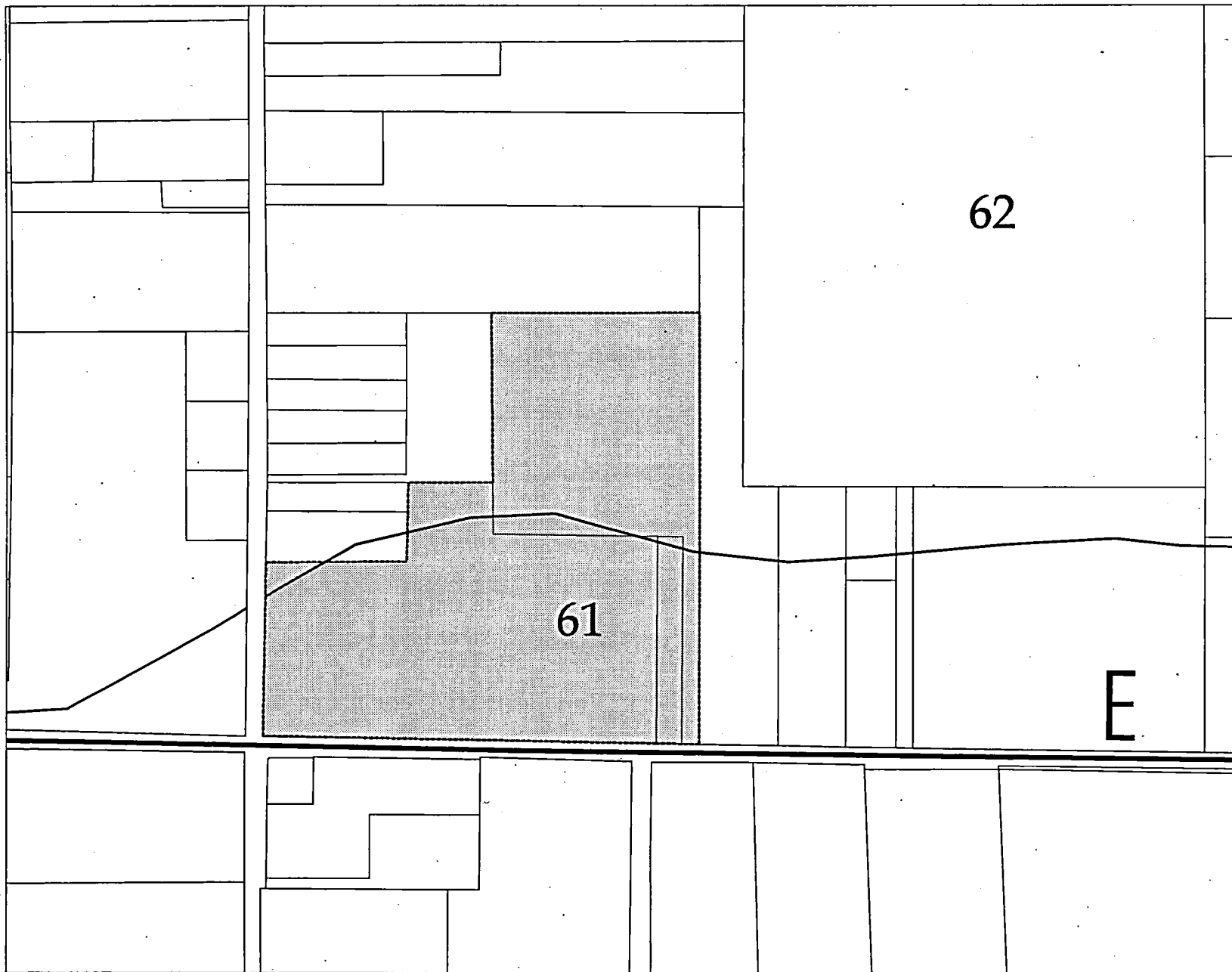
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #60



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742









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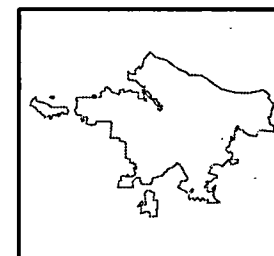
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #61



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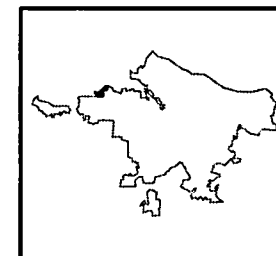
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #62







600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742

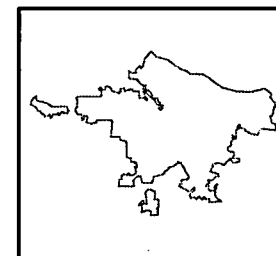


Urban Reserves Tax Lot Boundaries

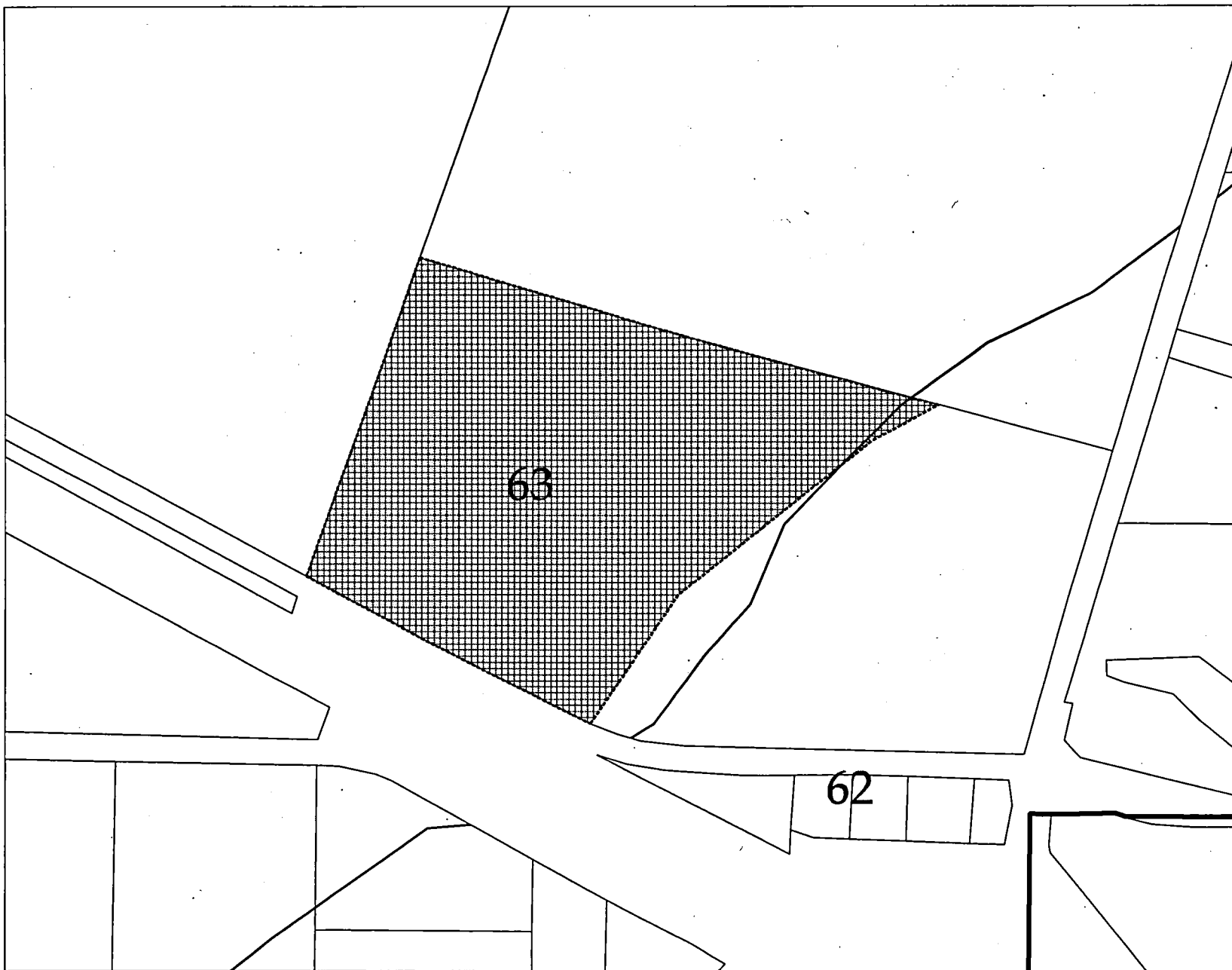
Staff Recommendation
2-3-97

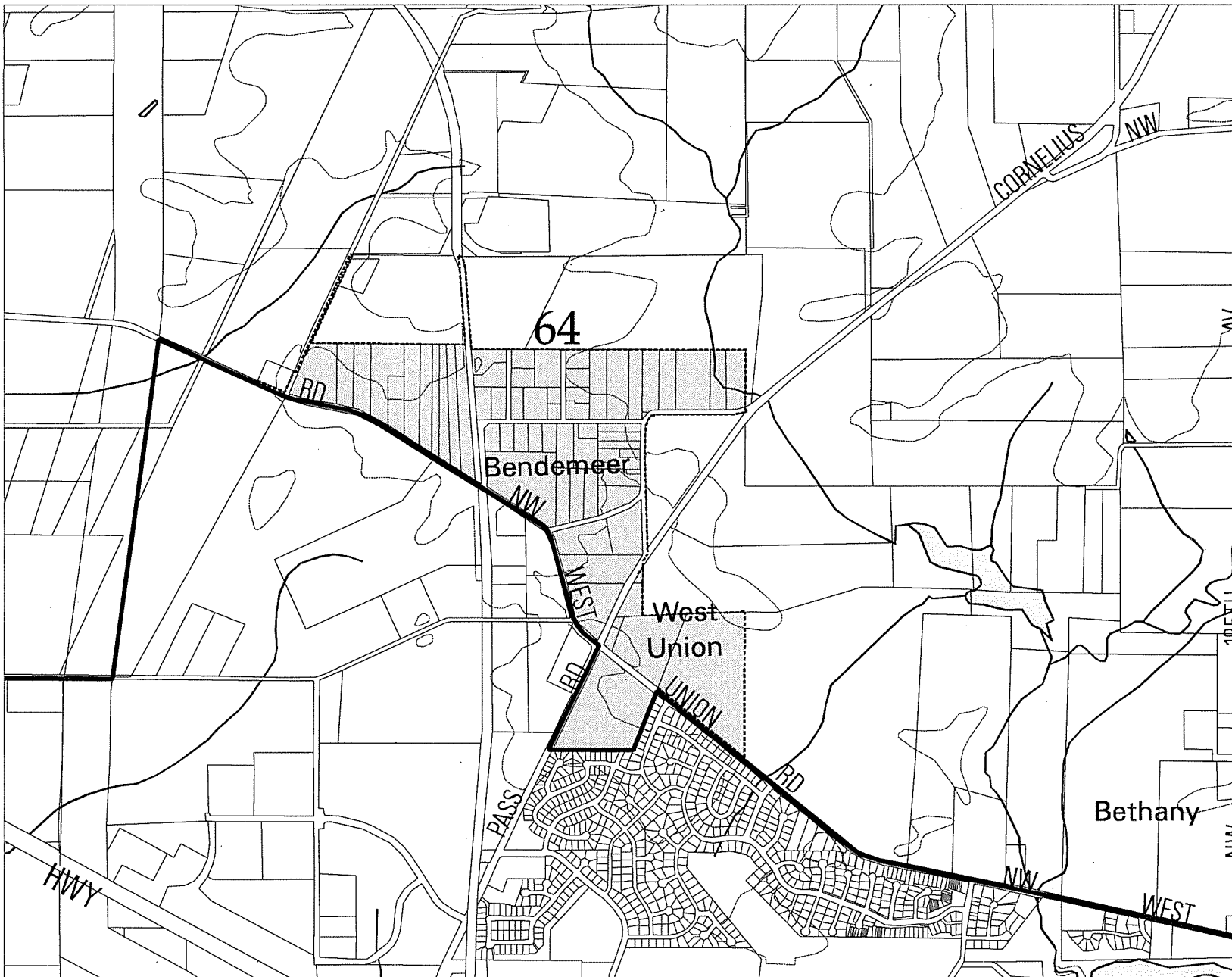
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #63



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742





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Information System

Urban Reserves
Tax Lot Boundaries

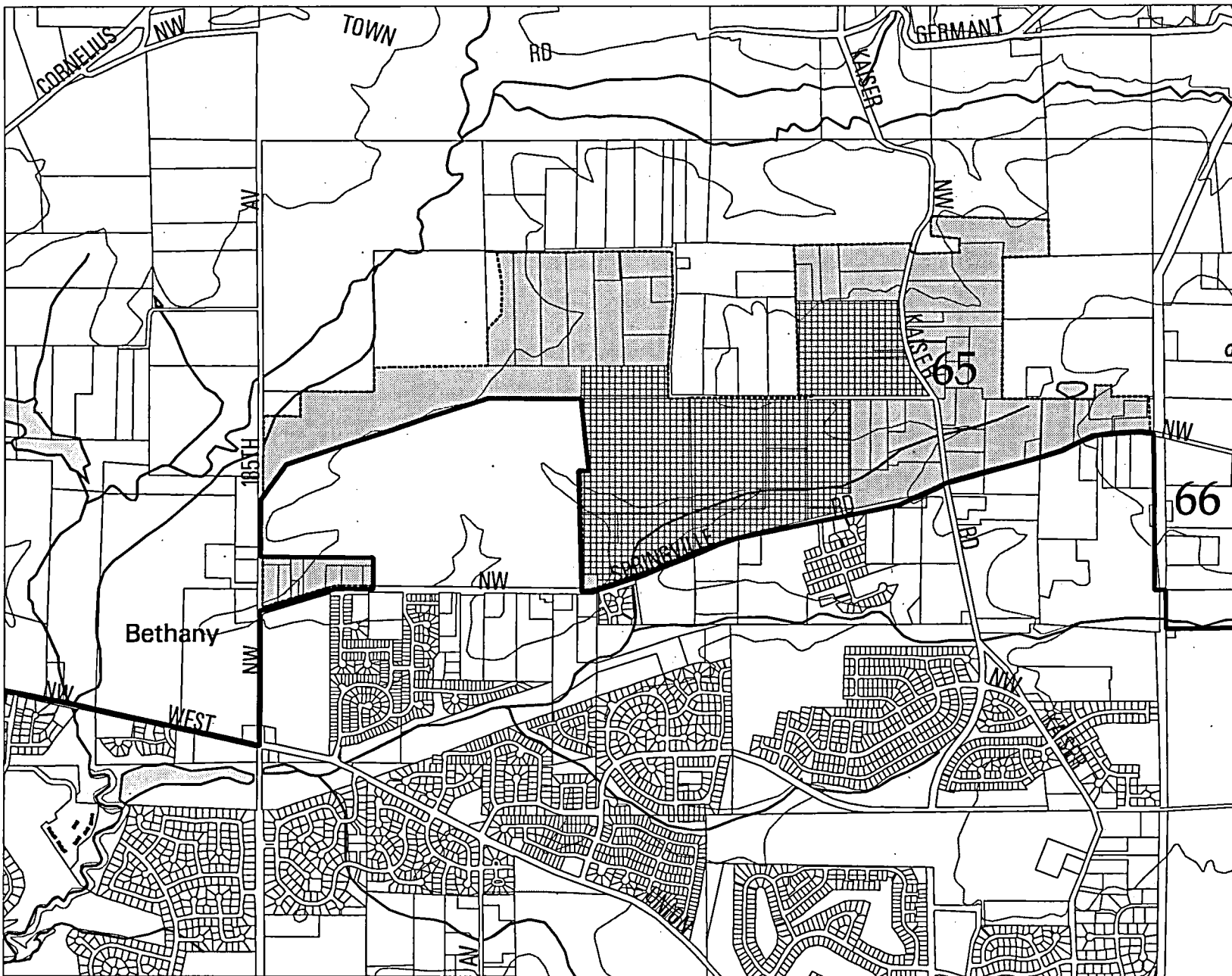
Staff Recommendation
2-3-97

Designated Urban Reserves
Resource Lands within Urban Reserves
Modified Urban Reserve Boundaries
Urban Growth Boundary

MAP #64

600 NE Grand Ave
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Information System

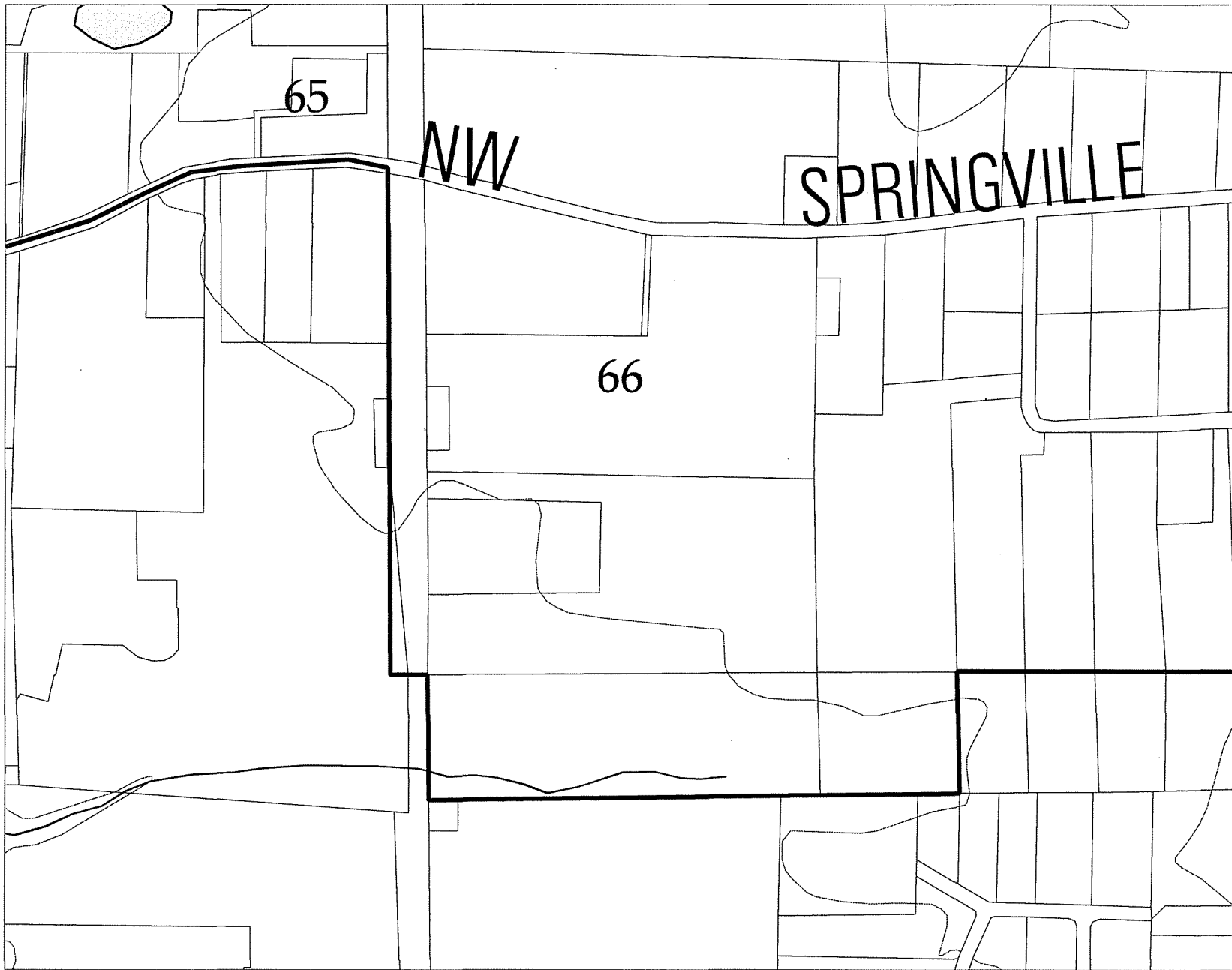
Urban Reserves
Tax Lot Boundaries

Staff Recommendation
2-3-97

Designated Urban Reserves
 Resource Lands within Urban Reserves
 Modified Urban Reserve Boundaries
 Urban Growth Boundary

MAP #65

600 NE Grand Ave
Portland, OR 97232-2736
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




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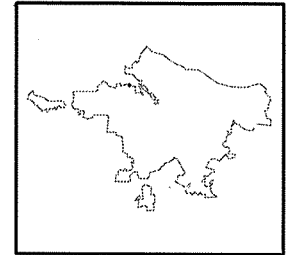
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

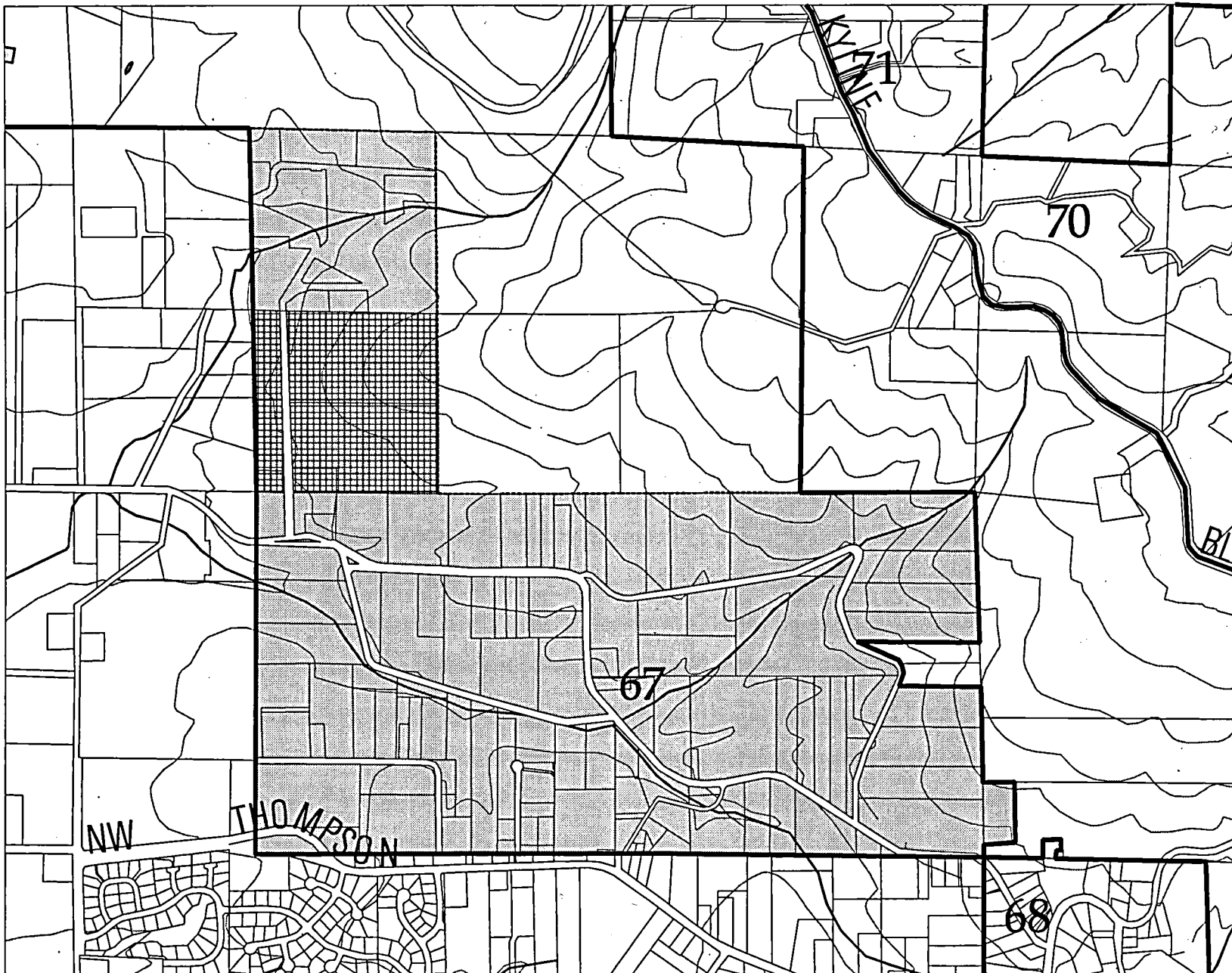
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #66



600 NE Grand Ave
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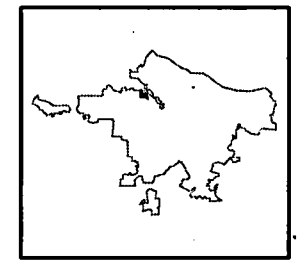
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

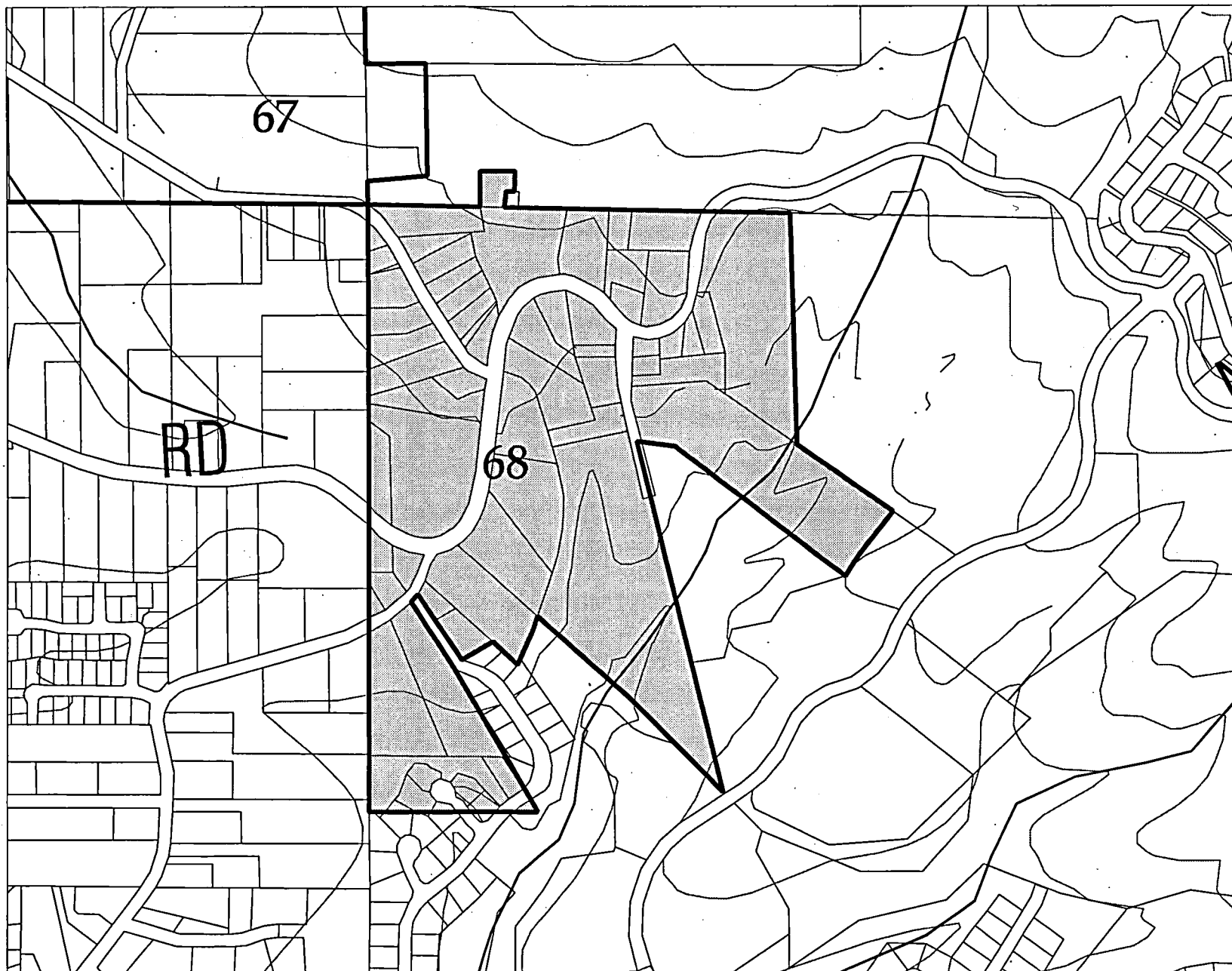
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #67



600 NE Grand Ave
Portland, OR 97232-2736
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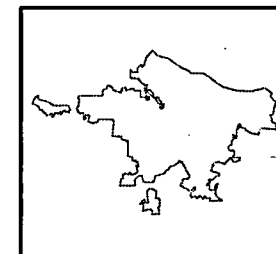
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

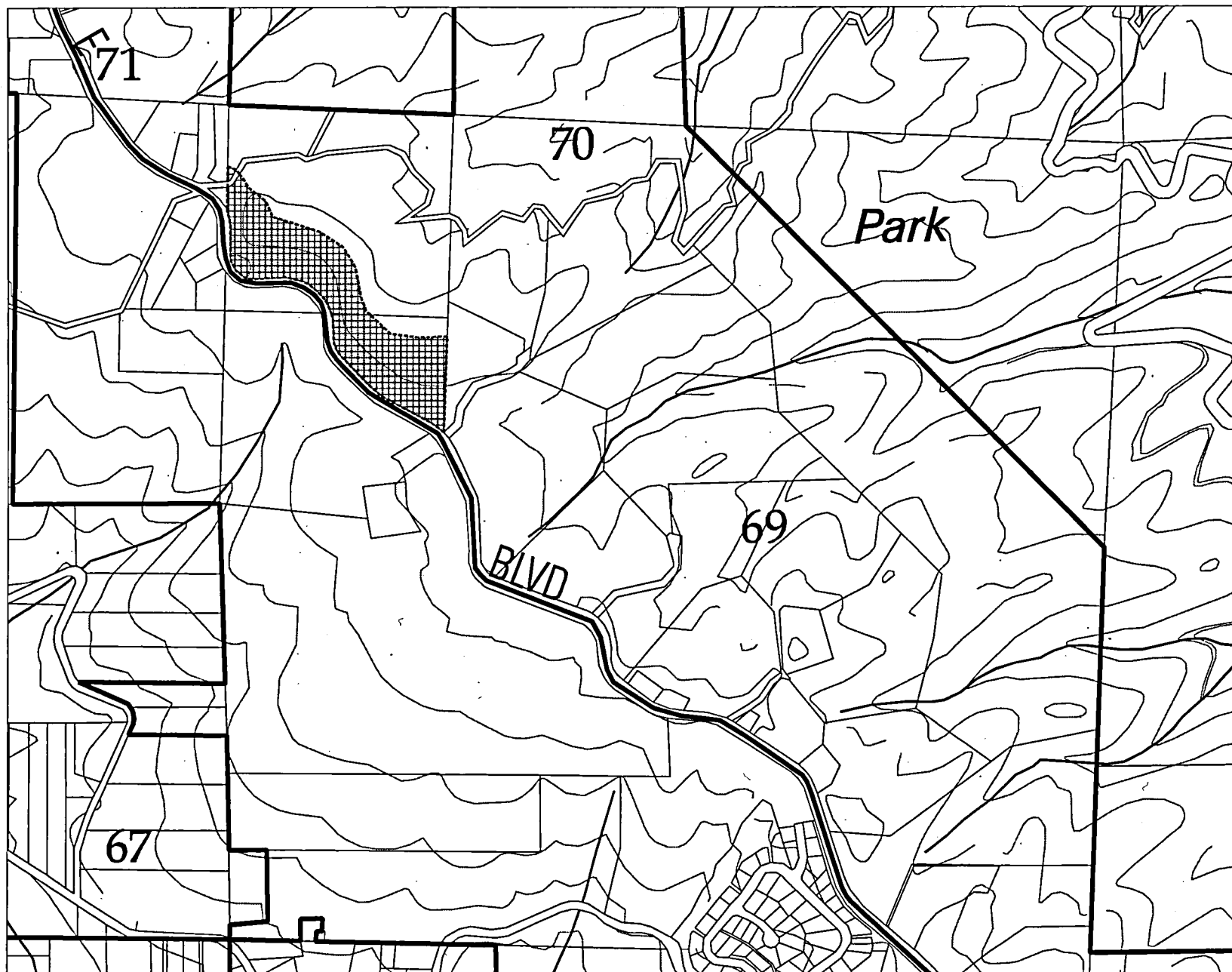
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #68



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742









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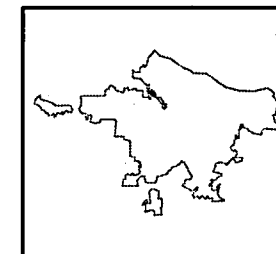
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

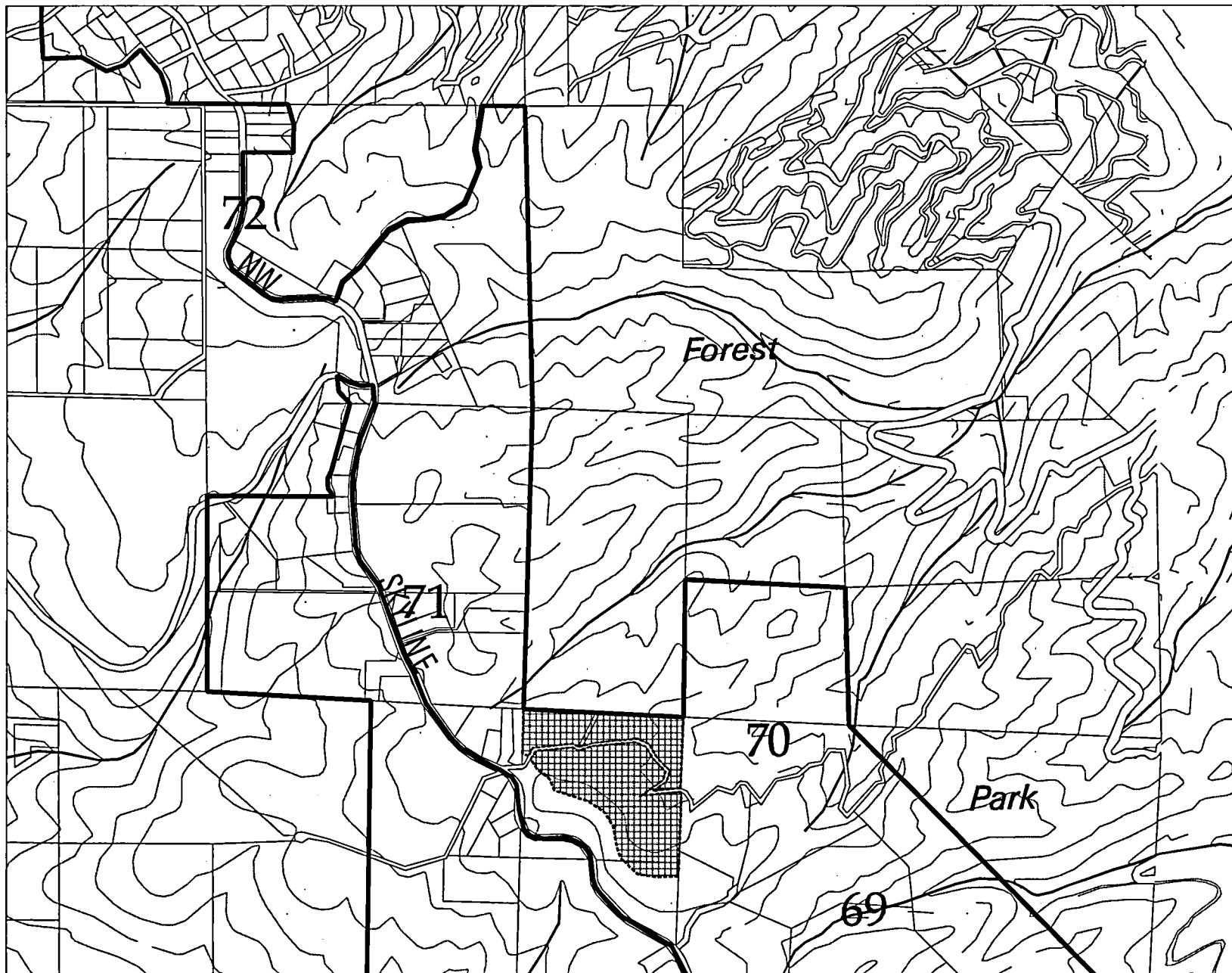
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #69



600 NE Grand Ave
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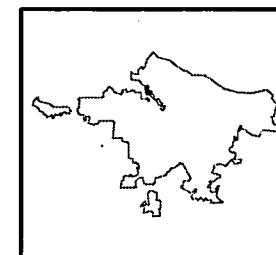
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

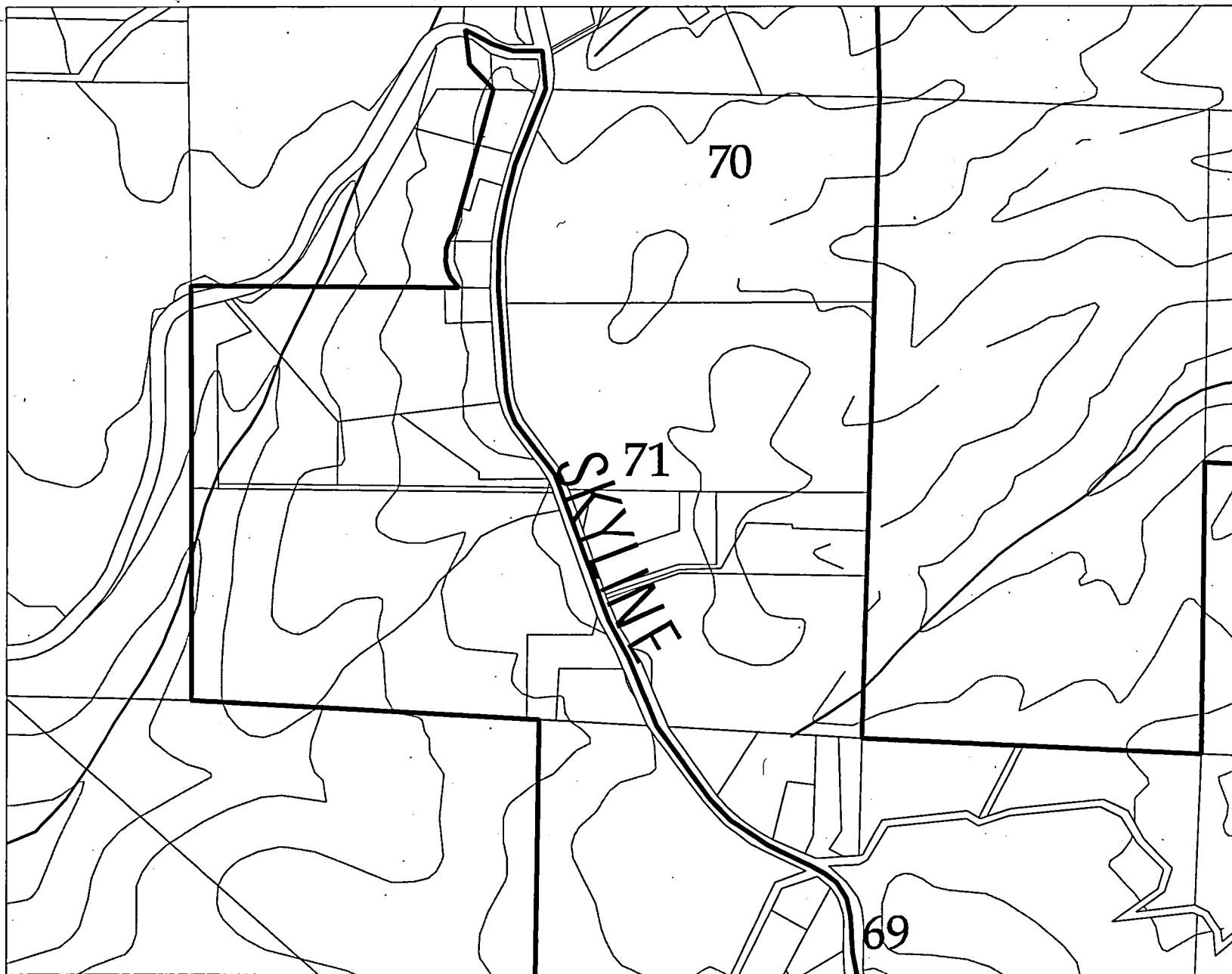
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #70







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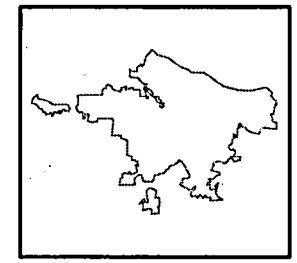


Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

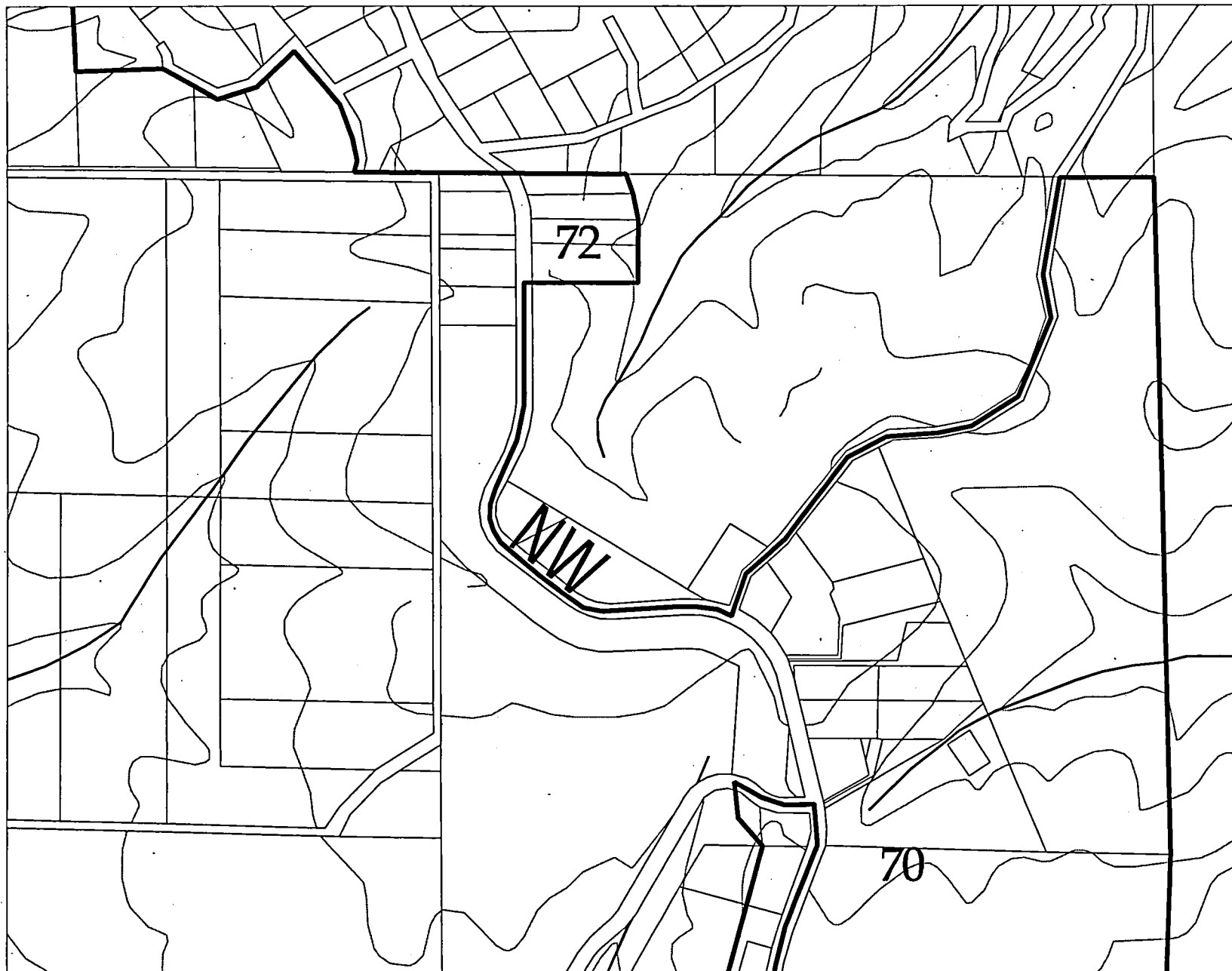
-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #71



600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1242









R L I S

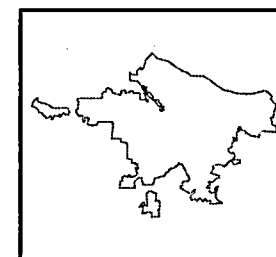
Regional Land
Information System

Urban Reserves Tax Lot Boundaries

Staff Recommendation
2-3-97

-  Designated Urban Reserves
-  Resource Lands within Urban Reserves
-  Modified Urban Reserve Boundaries
-  Urban Growth Boundary

MAP #72



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