

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE) RESOLUTION NO. 08-4001
STUDY OF LANDS TO COMPLETE A)
SUITABILITY ANALYSIS IN ANTICIPATION) Introduced by Councilor Kathryn Harrington
OF DESIGNATING URBAN RESERVES AND
RURAL RESERVES

WHEREAS, the 2007 Oregon Legislature enacted Senate Bill 1011 (codified at ORS 195.137 et seq.), authorizing Metro and Multnomah, Washington and Clackamas Counties to designate urban reserves and rural reserves to support long-range planning for the region; and

WHEREAS, the Land Conservation and Development Commission adopted rules (OAR 660 Division 27) to implement Senate Bill 1011 and guide the process of designation of urban and rural reserves; and

WHEREAS, the four local governments established a Reserves Steering Committee (RSC), composed of representatives of local governments in the region, state agencies, businesses, development, conservation, social and economic equity organizations and others to advise it on the designation of reserves; and

WHEREAS, the four local governments have developed a work program that calls for identification of an initial study area for consideration of lands for designation of reserves applying the factors in OAR 660-Division 27; and

WHEREAS, the four local governments prepared a draft map of a study area based upon a preliminary application of the factors in OAR 660 Division 27 to lands generally within five miles of the regional urban growth boundary, with adjustments for significant natural landscape features and political boundaries; and

WHEREAS, the four local governments presented the draft study area map at a series of public workshops across the region during the month(s) of June and July, 2008; and

WHEREAS, the four local governments presented the draft study area map to the Metropolitan Policy Advisory Committee and its Metropolitan Technical Advisory Committee for comment on September 24 and June 4, 2008, respectively; and

WHEREAS, the RSC reviewed the draft study area map over a number of meetings and endorsed the map following revisions on September 10, 2008; now, therefore,

BE IT RESOLVED that the Metro Council

1. Endorses the Broad Study Area as shown and explained in the Staff Report dated October 10, 2008, as the geographic area that will be studied for suitability for designation as urban reserve or rural reserve by agreement among Metro and Multnomah, Washington and Clackamas Counties.

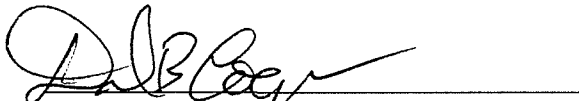
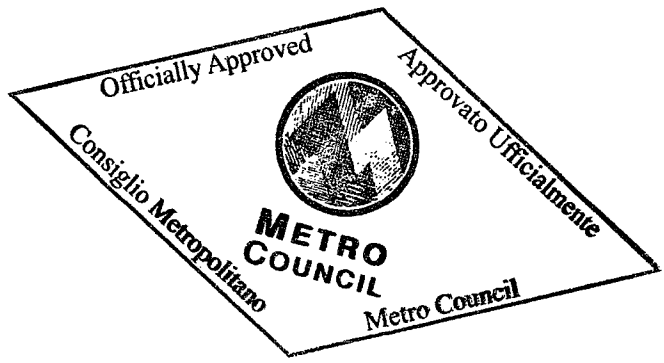
2. Directs the staff to study the lands in the Broad Study Area for suitability for designation as urban reserve or rural reserve, applying the factors in OAR 660 Division 27, in coordination with the staffs from Multnomah, Washington and Clackamas Counties.

ADOPTED by the Metro Council this 6 day of November, 2008



David Bragdon, Council President

Approved as to form:


Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 08-4001, FOR THE PURPOSE OF AUTHORIZING THE STUDY OF LANDS TO COMPLETE A SUITABILITY ANALYSIS IN ANTICIPATION OF DESIGNATING URBAN RESERVES AND RURAL RESERVES

Date: October 10, 2008

Prepared by: Tim O'Brien
Principal Regional Planner

PROPOSED ACTION

Authorizing the study of lands to complete a suitability analysis in anticipation of designating urban reserves and rural reserves.

BACKGROUND INFORMATION

Senate Bill 1011, enacted by the 2007 Legislature, enables Metro and Metro area counties to designate "Urban and Rural Reserves". These reserves will determine where the Portland Metro region will and will not expand to accommodate population and employment growth over the next 40 to 50 years. The legislation directed the Land Conservation and Development Commission (LCDC) to adopt rules to implement the new statute. On January 24, 2008 LCDC adopted new urban and rural reserve administrative rules (OAR 660, division 27).

As a result of this LCDC action, Metro and Clackamas, Multnomah and Washington counties are leading a regional effort to designate urban and rural reserves to accommodate future growth and protect valuable farmland, forest land and natural areas that define the character of this region.

To assist with the study and development of urban and rural reserves, a Reserves Steering Committee was formed, consisting of officials from local cities, counties and Metro, as well as representatives of various business sectors, the agricultural community, the environmental conservation community, and social and economic equity organizations. The representatives of the Metro Council and the three counties are the only voting members of the Reserves Steering Committee, and are designated the Core 4. The Core 4 is composed of Clackamas County Commissioner Martha Schrader, Multnomah County Commissioner Jeff Cogen, Washington County Chair Tom Brian and Metro Councilor Kathryn Harrington.

ANALYSIS

The Key Milestones for Designating Urban and Rural Reserves chart calls for the identification of a broad urban and rural reserve study area to take out for public input. At the April 9, 2008 Reserves Steering Committee (RSC) meeting, Metro staff outlined a proposal, developed with staff from Clackamas, Multnomah and Washington counties, for identifying a broad urban and rural reserve study area using a starting point of 5 miles from the current urban growth boundary (UGB). The RSC discussed this proposal and suggested that additional land in Marion County should be included in the study area. At the May 14th RSC meeting, Dick Benner of the Office of Metro Attorney summarized legal issues regarding extending the reserve study area to include land outside of Clackamas, Multnomah and Washington counties. In addition, the Core 4 reported that Marion and Yamhill counties have declined to join the reserves process. At the June 9, 2008 RSC meeting the Core 4 directed staff to gather public

comment on the draft study area map through a series of public open houses with the intent of formally adopting a reserves study area map at the September RSC meeting.

On June 4, 2008, the proposed reserves study area map was presented to the Metro Technical Advisory Committee (MTAC). No specific changes to the map were proposed.

Between June 16 and August 15, 2008 Clackamas, Multnomah and Washington counties and Metro collaborated on a variety of activities to engage citizens in a discussion of urban and rural reserves including hosting seven public open houses. The intent was to attract people both inside and outside the urban growth boundary to a regional conversation in a convenient and familiar location. The open houses were held in: Beaverton, Forest Grove, Gresham, Tualatin, Oregon City, central Portland (Metro) and NW Portland. Altogether more than 340 people attended the open houses. Additionally, team members have presented to more than 650 additional attendees at group and organizational discussions.

At the August 13, 2008 RSC meeting Mike Dahlstrom, Washington County Public Involvement Coordinator presented a summary of the Phase 2 Public Involvement activities. In general, people asked questions and raised issues ranging from very broad (save farmland or make better use of industrial land inside the UGB) to very specific (my land cannot be farmed). With regard to changes in the proposed study area boundary, there was little substantive feedback.

The proposed reserves study area map was also presented to the three county policy advisory committees for their review and comment. The Clackamas County Urban/Rural Reserves Policy Advisory Committee proposed one revision to the map on the north side of the city of Molalla. The revision is to remove the city of Molalla's potential urban reserve area from the Metro urban and rural reserve study area map.

At the September 10, 2008 RSC meeting, after much discussion regarding the land on the north side of Molalla, the RSC endorsed the reserves study area as proposed and seen in Attachment 1. Subsequent to this conversation, Clackamas County conducted additional discussions regarding the area around Molalla and concluded the map should remain as endorsed by the RSC.

The Metro Policy Advisory Committee (MPAC) reviewed the map in its current form on September 24, 2008 and had no additional comments.

INFORMATION

Known Opposition

At this point in time there is no known opposition to the study of the lands contained in the proposed urban and rural reserve study area. The Molalla CPO and the Hamlet of Mulino have expressed concern that the public was not properly included in the process of determining the extent of the study area in Clackamas County.

Legal Antecedents

Oregon Administrative Rule 660-027 provides the process for designation of urban reserves and rural reserves in the Portland metropolitan area. This division establishes procedures for the designation of urban and rural reserves in the metropolitan area by agreement between and among local governments in the area and by amendments to the applicable regional framework plan and comprehensive plans. Statutory authority is provided by ORS 195.141 and ORS 197.040.

Anticipated Effects

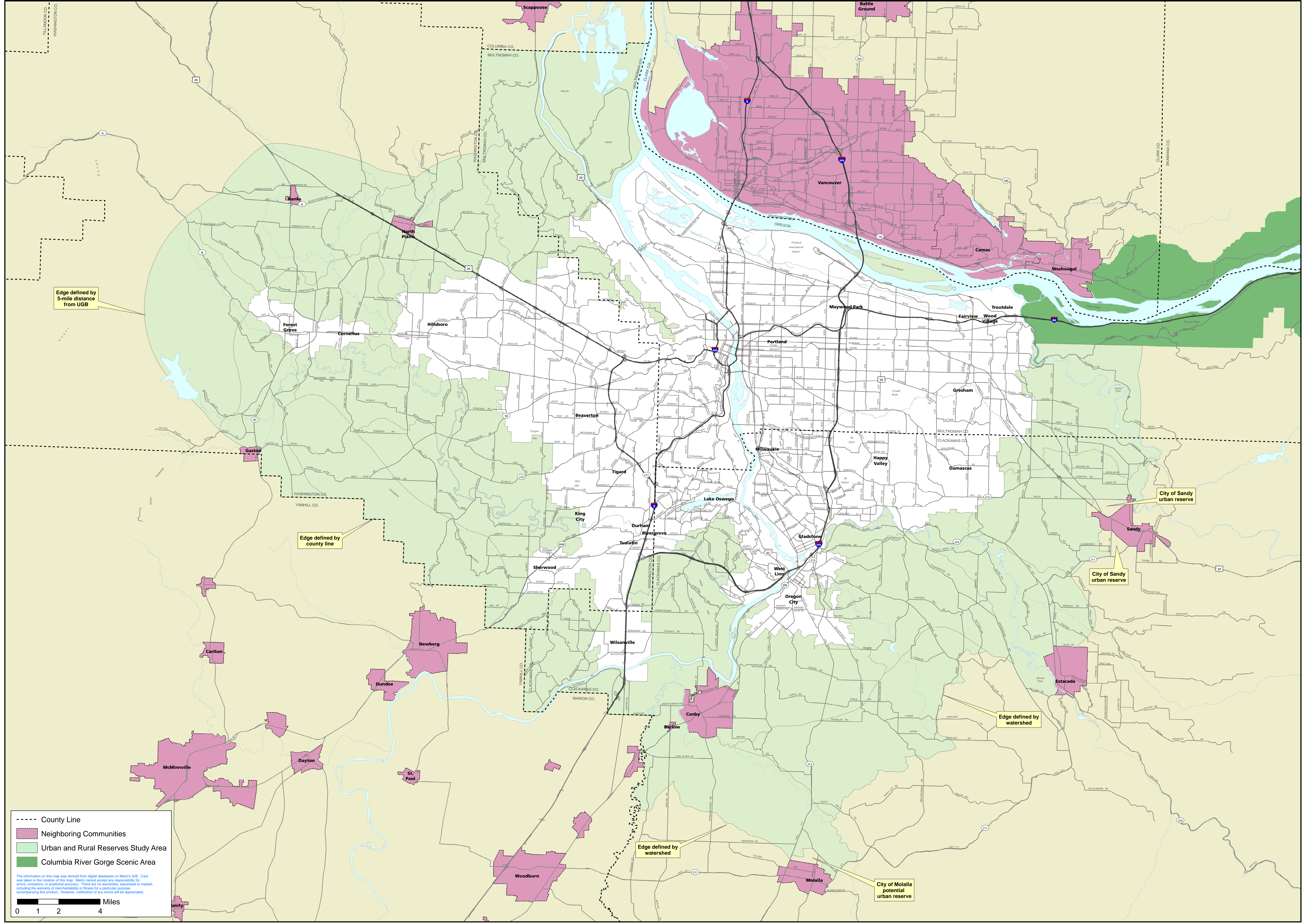
Adoption of Resolution No. 08-4001 will allow staff to proceed with an analysis of the suitability of the land in the study area, as shown on Attachment 1, for designation as a rural or urban reserve. It is anticipated that not all the land in the study area will be designated as a rural or urban reserve.

Budget Impacts

Metro staff in conjunction with our regional partners will complete the analysis of the study area for possible designation as rural or urban reserves. Staff time was included in the Planning Department's Fiscal Year 2008-09 Budget Proposal.

RECOMMENDED ACTION

Staff recommends that the Metro Council approve Resolution 08-4001 endorsing the reserve study area map as seen in Attachment 1 and authorizing staff to complete an analysis of the suitability of the land for designation as a rural or urban reserve in coordination with the staffs from Multnomah, Washington and Clackamas Counties.



Edge defined by 5-mile distance from UGB

Edge defined by county line

Edge defined by watershed

Edge defined by watershed

City of Molalla potential urban reserve

City of Sandy urban reserve

City of Sandy urban reserve

- - - - County Line
 Neighboring Communities
 Urban and Rural Reserves Study Area
 Columbia River Gorge Scenic Area

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