

RESERVES STEERING COMMITTEE MEETING #12

ANNOTATED AGENDA

Date: March 16, 2009
Time: **9:00 a.m. to noon**
Place: Council Chamber, Metro Regional Center
600 NE Grand Avenue, Portland

I. Welcome and Introductions (9:00 – 9:20)

Debra Nudelman, facilitator

- Agenda review
- Adoption of February 11, 2009 meeting minutes
- Updates since last meeting

Packet materials: February 11, 2009 meeting minutes.

II. Public Comment (9:20 – 9:30)

III. Rural and Urban Reserve Candidate Areas (9:30 – 11:30 including break)

Core 4 staff

- Presentation of rural reserve and urban reserve candidate area recommendations
- Steering Committee questions and discussion
 - What questions do you have about how the candidate areas were developed?
 - What comments and concerns can we discuss today to help in your constituent briefings and outreach before the April meeting?

Desired Outcomes: Understanding of how rural and urban candidate area recommendations were developed; preparation for April Committee recommendation to Core 4 on rural and urban reserve candidate areas.

Packet materials: draft map of regional candidate area recommendations, staff memos from each county.

IV. Steering Committee feedback on preliminary technical analysis of infrastructure suitability (11:30 – 11:45)

Debra Nudelman/Core 4 staff

Desired Outcomes: Opportunity for committee members to ask questions and provide feedback on technical memoranda presented by Core 4 staff at February Steering Committee meeting.

Packet Materials: None: see transportation, sewer, water technical memoranda and maps distributed at February meeting.

V. Next Steps and Wrap-up (11:45 – noon)

Debra Nudelman

- Upcoming meetings & topics
- Confirm agreed-upon next steps
- Meeting summary

VI. Adjourn

(see reverse for upcoming meeting topics)

Draft Reserves Steering Committee Upcoming Agenda Items

April 8

- **Recommend rural and urban reserve candidate areas to Core 4**
- Discuss candidate area evaluation process
- Update on public involvement
- Making the Greatest Place update: 40/50 year population/employment forecast. preliminary residential urban growth report

**Late April:
Intensive public
outreach on
candidate areas**

May 13 *(please hold extended meeting time – 9 am to 4 pm)*

- Discuss preliminary urban reserves evaluation results including potential design and capacity of urban reserve candidate areas
- Discuss preliminary rural reserve evaluation results utilizing all rural reserve factors
- Making the Greatest Place updates: local aspirations, preliminary Urban Growth Report

June 10 *(please hold extended meeting time – 9 am to 4 pm)*

- Continued discussion of urban and rural reserve evaluation results
- Begin discussion of proposed urban and rural reserve areas

July 8 *(please hold extended meeting time – 9 am to 4 pm)*

- Complete discussion of proposed urban and rural reserve areas
- **Recommend preliminary urban and rural reserve areas to Core 4**
[Phase 3 completion]

**July/August:
Intensive public
outreach on
preliminary reserve
recommendations**

The committee will receive regular updates on Making The Greatest Place activities

Phase 4 milestone: Reserve areas recommended via intergovernmental agreements – Sept. 2009

Phase 5 milestone: Metro designates urban reserves; counties designate rural reserves – Dec. 2009

**RESERVES STEERING COMMITTEE
DRAFT MEETING SUMMARY**

February 11, 2009; 9:00 am – 12:00 noon
Metro Regional Center, Council Chambers

Core 4 Members Present: Washington County Chair Tom Brian, Metro Councilor Kathryn Harrington, Clackamas County Commissioner Charlotte Lehan.

Reserves Steering Committee Members Present: Chris Barhyte, Jeff Boechler, Craig Brown, Denny Doyle, Bill Ferber, Kathy Figley, Karen Goddin, Jack Hoffman, Mike Houck, Keith Johnson, Tim Knapp, Sue Marshall, Mary Kyle McCurdy, Alice Norris, Lainie Smith, Greg Specht, Jeff Stone, Richard Whitman, Jerry Willey.

Alternates Present: Susan Barnes, Drake Butsch, Bob Clay, Doug Decker, Jim Johnson, Richard Kidd, Bob LeFeber, Ron Papsdorf, John Pinkstaff.

Also Present: Charlie Adams, Chuck Beasley, Dick Benner, Jim Bernard, Bob Bobosky, David Bragdon, Susana Brennan, Carol Chesarek, Carlotta Collette, Brent Curtis, Mike Dahlstrom, Laura Dawson-Bodner, Maggie Dickerson, Jim Emerson, Meg Fernekees, Larry Harvey, Jon Holan, Tony Holt, Carl Hosticka, Tom Hughes, Adelle Jenike, Ted Kyle, Jane Leo, Art Lutz, Eric Martin, Robin McArthur, Doug McClain, Martha Nix, Tim O'Brien, Rod Park, Ellen Rogalin, Gordon Root, Kelly Ross, Doug Rux, Joseph Schaefer, Marcia Sinclair, Steven Sparks, Thane Tienson, Veronica Valenzuela, Ray Valone, Tom VanderZanden, David Wall, Matt Wellner, John Williams, Terri Wilson.

Facilitation Team: Debra Nudelman, Aurora Martin.

I. WELCOME AND INTRODUCTIONS

Deb Nudelman called the meeting to order at 9:08 a.m., welcomed everyone, made brief introductory remarks, and asked attendees to introduce themselves.

Deb provided an overview of the agenda and meeting materials. She then asked for comments or amendments to the January meeting summary. There being none, the summary was adopted as final. Deb then asked for updates since the last Steering Committee meeting.

Richard Whitman reported that although the eight state agencies involved in the Reserves process have many competing interests, they are committed to cooperating in a coordinated and streamlined manner to represent the state. The state agencies have been meeting and will continue to meet to make sure they are cooperating to work out their divergent interests. Because much of the work is being done at the county level, the state agencies suggest that a couple of meetings between the state agencies and the counties be built into the process. This would provide an opportunity for each of the state agencies to find out what technical work is being done at the county level and to have an opportunity to react to that information, discuss it, and provide input. This suggestion is made in the spirit of working out a constructive and cooperative way of engaging in this process.

Deb Nudelman asked Richard Whitman to explain further why the meetings with the counties and the state agencies meeting together will be helpful to the process.

Richard Whitman explained that the state agencies have some technical information that might be useful in determining candidate rural and urban reserve areas. The state agencies need to do a better job of finding out how counties are using that information and how the state's information might help. The state agencies are meeting as a group to ensure they are as coordinated and efficient as possible.

Deb Nudelman said that it will be noted in the meeting summary that the state agencies request meetings with the counties. [Action Item]

Councilor Harrington said that at the January meeting, the Core 4 reviewed the Phase 3 Work Plan and asked each of the Steering Committee members to discuss the timeline with their groups and be prepared to report to the Steering Committee whether or not the timeline felt feasible.

Deb Nudelman responded that this would be discussed later on the agenda.

John Pinkstaff asked to bring the Steering Committee's attention to two items that have been submitted to reserves county chairs by business and real estate interests. The first is a letter dated February 4 that recommends the counties include those lands listed as "unconstrained" as outlined in the Group Mackenzie mapping series in the urban reserves. The second item is a letter, already posted to the Reserves website, from Group Mackenzie, which provides more information and a review of the Metro Infrastructure Study.

Mike Houck thinks it makes sense for the state agencies caucus to meet offline with the counties. He asked if there will be a formal response from the state at some point.

Richard Whitman responded that it is the intent of the state agencies to reach agreement on a unified state position. There will be an opportunity to hear the state's thoughts at the Steering Committee; however that will not preclude individual agencies from voicing their opinion.

Mike Houck noted that his primary interests are natural resources, so he would hate to see those interests lost in the homogenization of responses from the state.

Deb Nudelman asked for thoughts from Steering Committee members about whether the timeline provides sufficient time to conduct constituent outreach. She explained the Core 4 is asking this question because there is a lot of work to be completed and some suggestions have been made to extend some of the meetings or add additional meetings. This is a check in to see if Steering Committee members feel they are able to brief their constituents fully and bring feedback to the group within the current timeline. If there is not enough time, Deb asked for feedback about how the Core 4 and staff can better organize the process. She noted that Steering Committee members could answer yes, no, or maybe to whether they have enough time.

Jeff Stone said that communications among the agricultural community is not something that has been lacking. He noted that if the Steering Committee meetings are extended to full day, there are many Steering Committee members who might have commitments in the legislature and they will not be able to stay for the Steering Committee meeting.

Kathy Figley responded maybe.

John Pinkstaff said the timeline is okay, but there is a lot of work to do.

Mary Kyle McCurdy responded maybe. She said it is difficult to absorb all of the information presented in these very large Steering Committee meetings and to make sure she is informed enough to take the information to her constituents. She noted that receiving a lot of information and seeing big maps is not very helpful, and she suggested that a smaller meeting format at which maps are on the table would be helpful.

Mike Houck agreed with Mary Kyle.

Ron Papsdorf concurred with Mary Kyle and noted that their public involvement is working well.

Greg Specht said maybe. He agrees with Mary Kyle that there is a lot of content, and he is not sure it will be very productive to hold all-day meetings.

Tim Knapp noted that as a small cities representative for Clackamas County, the problem he faces is trying to assimilate the information and get clear with what different municipalities want. He is not confident the group is on the time table at this point. If there were more time, it would be well utilized. Many of the Steering Committee members are volunteers, and he does not think meetings lasting until 4:00 pm would be productive or that people could attend. He would like staff to consider other options.

Alice Norris concurred with Tim. She said that the Steering Committee's work has changed because of new people, and the group needs to be very specific about what it needs to do.

Bob Clay reported that outreach has been working well at the city level, however, the planning commission and city council have busy schedules so getting information back and forth has been very challenging.

Chris Barhyte thinks about 99% of citizens are not aware of the Reserves process and he does not think they will be concerned until there is a map available to engage them. He believes the April to July timeframe is enough time to get out and inform the cities. The next step will just be to engage the citizens.

Richard Kidd agrees that most citizens are unaware of the process. He said that most of the handouts do not provide enough information in advance. He agreed that if there are maps with which to engage people, it might make upcoming meetings more interesting. All day meetings are good, but he noted that it would turn into a 9:00 am to 7:00 pm meeting for most people because of the MPAC meetings.

Craig Brown said he is not sure how productive it would be to lengthen meetings. He thinks the substance of this process so far has been fairly slow. The review of the maps will take some time as well and he thinks completing that in a couple months will be difficult.

Jack Hoffman is concerned that the southern jurisdictions are not on board. He noted that many people are new to this process and his elected officials are not on board. Jack said he is concerned about the timing and thinks there is too much information to cover in three meetings. He agrees

that a lot of information is distributed at the Steering Committee meetings that he does not have time to read before the discussion. The group is too large. He sees a need to have more discussions and to start engaging. He is concerned 9:00 am to 4:00 pm meetings will not work. It will be most important to make sure the southern jurisdictions, such as West Linn, Milwaukie, and Estacada, are comfortable with the decisions being made.

Councilor Harrington responded that the parallel track of the Neighboring Cities program might help bring new members up to speed on other work being conducted.

Jerry Willey is concerned with extending the time constraints. He would like the Steering Committee to be committed to the timeline and get through this process. He noted that the more time we have, the more time there will be to debate.

Denny Doyle said he remains cautiously optimistic about meeting the deadlines and thinks there will be enough time to involve the citizens. He agreed that the longer the committee procrastinates, the longer the debate will last.

Jeff Boechler reported that the Department of Fish and Wildlife has not conducted outreach yet because the products have not been sufficient to take out to people. He noted that their constituents are sitting at the table and are represented by Mike Houck and Mary Kyle McCurdy.

Councilor Harrington noted that at the beginning of the process, the Core 4 tried to organize a committee to represent all interests. Once there is product at the end of the process, it will be very important that the state agencies are on board with to make a successful product. The state agencies have a very important job through work at the state level and through incentives programs to help make this process successful.

Doug Decker said the challenge is to provide a sufficient quality of data and advice to each of the three county levels.

Bill Ferber agreed.

Keith Johnson responded that he did not have much to add to what had already been stated.

Jim Johnson reported that he has been connecting okay with the county staff. He asked what the process is going to be at the county level to decide who will make the recommendations. He asked when the Steering Committee members will have a chance to tell the county boards their thoughts about the recommendations being made.

Karen Goddin reiterated the concern about getting information far enough in advance to review it. She is worried about the compression of time as we move forward and said she wants to make sure the committee gets it right and not just gets it done.

Lainie Smith said she agreed with what Richard Whitman mentioned about the state agencies' outreach to counties. Her concern is whether that can be done within the timeframe outlined here. She said she is not sure about whether we can do that. She agrees that it would be good to get materials before the meeting.

Richard Whitman recognized that the process is challenging. He thinks the Metro and county staff is doing a great job, and he appreciated the briefing that staff provided to his constituents.

Sue Marshall said she finds the timing challenging in this process. She provided a letter at the last meeting to show who is benefitting from this process, and she noted that this is complex information to get out to a population that is not historically engaged. Sue noted she would like some help in doing targeted outreach. Sue said that she does not think she would be able to attend all day meetings.

Mike Houck said he is not sure if he heard Jeff Boechler's comments correctly. He wants to disabuse the notion that just because he, Jim Labbe, and Mary Kyle McCurdy are at the table that natural resources interests are represented completely. He appreciates the fact that all the state agencies are at the table. They are very valuable and it broadens the perspective and the input. Mike noted that some of the maps in the handouts are difficult to read and suggested that different colors could be chosen.

Chair Brian observed that more and more people are attending the Steering Committee meetings. He said that there never seems to be enough time to conduct public outreach, and that even with advertised town hall meetings all the citizens will not be reached. He agrees that 99% of people probably do not know what the Steering Committee is working on. The timeline is tight, but he thinks the committee needs to stay on time through reasonable and rigorous effort. It is difficult to say if all-day meetings would be productive, but it might be worthwhile if they are broken up through different activities.

Commissioner Lehan agreed that this is an ambitious schedule. Perhaps the goals are not attainable, but it is too important to rush to decisions for the sake of a deadline. The complexity of this is on different levels and there is also an issue of getting to those layers that have been stumbled through internally as a county. She thinks Clackamas County is on track in getting the commissioners in the loop on the timeline. She said it is important to make sure the process proceeds in an organized manner and everyone gets the right information in the right order.

Councilor Harrington noted that the process and timeline are challenging, but that the group remains committed. She said she empathizes with the struggles Steering Committee members are facing, but everyone is faced with challenges. She noted that the Metro Council is mindful of two important commitments. The first is that Metro got a one-time, two year extension to complete the urban growth report by the end of 2009, and is trying to have reserves established before the next round of decisions for expanding the UGB. The second commitment is to the Steering Committee that designations will be made in a collaborative fashion. The message she is trying to convey is that the Core 4 are struggling with the same situation, yet remain committed and are giving it their best.

Deb Nudelman noted that staff will take everyone's comments and concerns under consideration and will look at the length of meetings and providing materials in advance of the meetings. [Action Item]

II. PUBLIC COMMENT FOR NON-AGENDA ITEMS

None.

III. FRAMING GROWTH FORECASTS IN THE CONTEXT OF URBAN RESERVES

John Williams noted that in follow up to the discussion held at the January Steering Committee meeting about population and employment forecasts for urban reserves, he will talk about the use of growth forecasts and will provide an update on the information requests from Washington County.

John then provided an overview of the changes made to the *Framing Growth Forecasts in the Context of Urban Reserves* document, which has been updated in response to the concerns raised about the population and employment forecasts. Staff is trying to keep this document focused on reserves, but there is other information coming in. The first page, which discusses the philosophy of this process, is largely unchanged. Most of the revisions have been made to the timeline on the second page to reflect the updated timeline, provide a context for the screening work, and how this process will help frame regional policy decisions.

John reminded the Steering Committee that at the January Steering Committee meeting, several members had expressed an interest in meeting outside of the Steering Committee to discuss the population and employment forecasts. John reported that the group met and discussed some of these topics already. There is a challenge with the timeline and how to coordinate both the 20-year and 50-year timelines. There is also a desire for more detailed information about these other programs and how they connect with the Reserves process. The intention is to keep incorporating information from those tracks.

Lainie Smith noted that numbers five and six of the timeline discuss the region's capacity for accommodating future growth. She asked if that refers to growth based on existing assumptions.

John Williams confirmed that the Urban Growth Report analyses current capacity under existing policies, but also discusses trends and policy choices that could impact future growth patterns.

John Pinkstaff asked what the opportunity will be for review of the assumptions used in the forecast if the 40-50 year forecast is finalized in March.

John Williams responded that the forecast is a component of the Urban Growth Report, but it is not the final Urban Growth Report. The 20-year forecast will be available in March for public and technical review. The 40-50 year forecast will reflect comments received since the first draft was provided in May 2008. Staff will address the comments received on that draft and intend this release to be used as final due to the timeline of upcoming decisions. John also noted that the population and employment forecasts are providing ranges, not points.

He noted that many people have asked for more information on MetroScope scenarios. He explained that MetroScope is a tool based on economic data that relies on the specific inputs and assumptions that are put into it. Staff has received a number of questions about what assumptions were made in the first round of scenarios released in October 2008, how those assumptions affected the outcomes, and what future MetroScope scenarios will be. There was also a request for MetroScope to run some models that use alternative land supplies to understand what the impact would be, since the scenarios run in the fall were based on current state law.

The Core 4 and staff have convened a working group, which includes the City of Portland, Metro, and each of the counties, to act as a review panel of MetroScope inputs. This will result in a

technical memo to explain what inputs were chosen and why those inputs were chosen. This technical group is also working to ground truth the base set of assumptions to most closely represent what is on the ground.

John reported that the Reserves Project Management Team (PMT) has begun discussing the request to analyze alternative land supply geographies. This work would be conducted on a conceptual level, but it could be a valuable part of the decisions about candidate areas. John also noted that the MetroScope model is only one tool being used in this process, and it is important to think about MetroScope and other models in the context that they are going to be used.

Craig Brown noted that no model is better than the assumptions that go into it. He recognizes it is a complex model, but he asked if the Steering Committee can find out what those specific assumptions are.

John Williams responded that the technical group is working on a technical memo to explain the assumptions and the inputs in that model. This will be available in March as an appendix to the preliminary Urban Growth Report.

Sue Marshall asked who is on the technical workgroup.

John Williams explained it is staff from Clackamas, Multnomah, and Washington Counties, Metro, and the City of Portland.

Sue Marshall asked how the technical workgroup is different from the PMT.

John Williams answered that the PMT does not include the City of Portland, and that it is also reaching out to other cities. He noted that the preliminary work is just a start. It frames the growth, but it is not an answer. There is a draft Urban Growth Report that comes out in the fall of 2009 that can reflect changes agreed to by the region. March will be good opportunity to understand what the inputs to the model are.

Craig Brown questioned putting the preliminary forecasts into the model, and asked what the scope of the assumptions that go into the model will be.

Councilor Harrington noted that the Making the Greatest Place project is a very complex, iterative, and collaborative process. There are a lot of major moving parts that are interconnected. The process of having the first ever preliminary Urban Growth Report in the spring will work as one of the tools to frame up. The tools John has talked about are the starting points for looking at these different policy decisions, to help move through the process of refining choices.

Jerry Willey observed that item five on the document reflects growth and local aspirations. He asked how Core 4 staff is getting the information about local aspirations from cities in Washington County.

John Williams responded that this is probably not the best forum for discussing the Urban Growth Report. The counties are working on aspirations and will be reporting back to staff to incorporate aspirations into the process.

Jerry Willey said if cities have already determined their aspirations, they should be encouraged to get that information to staff immediately. Jerry noted that the preliminary Urban Growth Report is seeking input from local partners, and he asked who those partners are and how that information will be communicated.

Councilor Harrington responded that Metro staff is involved with each of the counties. Metro has made presentations to each of the city councils in the discussion of the Making the Greatest Place process. Aspirations have also been discussed at MPAC. Metro is trying to be respectful of where each city is based on the changing composition of city councils. Metro is using an extensive process to gather information to work with staff and communities to understand what they are hoping to achieve. This is an iterative process.

Jerry Willey said that this group has the responsibility to make sure this report is accurate. He encourages everyone to make sure they get the aspirations information that is needed from the cities.

John Pinkstaff asked how the information produced by MetroScope will be presented; if there will be a baseline with alternative scenarios based on particular assumptions, or will the final version be a composite based on all the assumptions. He thinks it would be helpful to have a list of multiple options.

John Williams noted that the population forecast is a MetroScope input. He noted that this is a question that cannot be answered quickly, so he requested the topic be discussed offline. John Pinkstaff agreed. [Action Item]

Jeff Stone said that when you look at the Urban Growth Report, agricultural land and jobs are not counted within the UGB.

Deb Nudelman said that a lot of heavy lifting has been done by staff since the January meeting to address the concerns raised during that meeting. She hopes this update creates a check mark for people so the timeline is not only understood, but is acceptable enough as the process moves forward.

IV. PHASE 3 PUBLIC INVOLVEMENT

Mike Dahlstrom provided an update on the Phase 3 Public Involvement process. He said there is recognition that the public involvement process needs to gain some traction. As soon as lines are placed on a map, it inspires involvement. The public involvement team's mission is to get this information out to the public. They have held regional open houses and have shifted the time schedule to coordinate all three jurisdictions. There will be an additional round of open houses in April. Mike encouraged involvement from Steering Committee members and noted that the public involvement team is happy to help support local jurisdictions in conducting their own outreach. Metro is also helping to develop a web-based mapping tool, and there will be another online survey.

Mike reported that a reserves logo will be distributed soon, and he asked everyone to incorporate it into their outreach approach. Now that there are lines on a map, the public involvement team is hoping for much greater public participation than in March 2008 and are looking forward to what outreach will look like at the end of the summer. Mike encouraged everyone to talk to neighbors and friends to give people an idea of what we are doing and to provide feedback.

Deb Nudelman encouraged Steering Committee members to talk to the public involvement team about any questions or concerns they have about the public involvement process.

V. URBAN AND RURAL RESERVE INITIAL SCREENING RESULTS

John Williams addressed the concern raised about getting meeting materials in advance of the meetings. In this case, he said staff is getting the information to the Steering Committee today and staff asks that Steering Committee members review the materials and be prepared to discuss them by the March meeting.

John then presented an overview of the urban reserves initial screening process. This is outlined in the memo to Core 4 and Reserves Steering Committee from Core 4 Project Technical Team regarding *Urban Reserves Initial Screening*. He noted that the screening of the factors becomes more iterative as the process progresses. In the initial screening for urban reserves, two factors are being studied in detail. The remaining six factors will play a bigger role later on in the process. The work has been guided by the technical team which is acting in a coordinated way. The technical team has convened groups of technical providers from around the region, focusing on sewer, water, and transportation. Through these discussions, the technical team has developed preliminary suitability land analysis maps. John asked the Steering Committee members to keep in mind that the maps are preliminary and their purpose is to provide Steering Committee members with something to think about in the future.

Mike Houck asked for clarification on why only two factors are being studied at this time.

John Williams responded that the factors seemed to break down in two different ways. The remaining six factors talk about design and will be more important later in the process when we start evaluating how those areas might look.

Tim O'Brien presented an overview of the memo regarding *Preliminary Analysis of Providing Urban Level Water Service Within Reserves Study Area*. The technical team worked with the Regional Water Providers Consortium on a geographic basis. In the initial meetings, they focused on four criteria: proximity to current service providers, topography, use of existing resources, and the source. The memo outlines the iterative process they went through to create a map showing high, medium, and low suitability areas for providing water services.

Sue Marshall noted that in reviewing the map provided with the memo, it appears that Washington County has a lot of water. She does not know that to be the case and asked what assumptions went into that. If there are layers and layers of assumptions, she hopes the committee members can understand them before they get too buried in the layers.

Tim O'Brien responded that was taken into consideration when talking to water providers. Currently, there is additional capacity at some treatment plants, and a lot of planned transmission.

Deb Nudelman noted that some of the questions can be answered on page three of the memo.

Mike Houck thinks the location of natural resources is fundamental to where urban reserve areas should be. Natural resources are constraints to feasibility. The analysis of suitability should be done

on the basis that they should first avoid wetlands of floodplains, then minimize impacts, and then mitigate impacts. Cost should not be the only factor.

Jeff Boechler asked for confirmation that the initial screen was not constrained by existing water rights. Upon receiving an affirmative answer, he clarified that this exercise was completed to determine if the region can expand, not to say whether there is water available. That will be discussed in later screens. Tim O'Brien said yes.

Jack Hoffman said he would like to see who is volunteering to provide water and who will pay for pipes. He said he is also concerned about the sixth assumption that water supply is not an issue. He has heard differently for the Clackamas River and thinks this issue needs to be addressed.

Tim O'Brien responded that they are talking to different providers. The providers may have capacity, but they do not necessarily have customers.

Richard Kidd said he assumes this is the first cut on this and that additional iteration will be made.

Keith Johnson asked if it would be possible on future versions of the map to identify the source, such as groundwater or surface water.

Councilor Harrington said that she is seeing the memo for the first time as well. She noted that there is an outline in each packet to show who has been actively participating in the technical work.

Maggie Dickerson presented an overview of the memo regarding *Preliminary Analysis of Providing Urban Level Sanitary Service Within Reserves Study Area*. She noted that the technical team pulled together an expert group as outlined in the memo. The expert group completed ratings sheets and translated the map to GIS. Areas where sewer would be taken care of by outlying cities were excluded. From the review, the technical team learned that there will be some areas where it will be easier to provide sewer than others, although there are no areas where it will be cheap to provide sewer. For the most part, additional sewer infrastructure can connect up with current and existing facilities, and the simplest areas would just require investment inside their area.

Commissioner Lehan asked the state agencies to clarify the new outfall issues, and where there might be outfalls and where not.

Keith Johnson responded that he is not in the water quality program, so the answer is probably going to depend on the surface body of water that the outfall is going into. He is not sure about the restrictions for the Clackamas River and would have to speak with someone in the water quality program. [Action Item]

Richard Whitman said it would be good to have someone from DEQ on the technical group. There is a three basin rule that prohibits any additional discharge. There are also total maximum daily load pollution limits on every surface body of water in the Portland area that retains discharge to varying degrees. He said that getting focused on the natural systems to provide that supply or to absorb additional supply is important early on.

Mike Houck said the City of Portland just invested \$1.6 billion in managing sewer overflow. He asked if the analysis is looking at sewage or if storm water management is included as well.

Maggie Dickerson responded that the group had discussed storm water as an issue, but decided storm water would not have a large affect on location factors, and it was not directive of where reserves should go. The technical team will provide a memo on storm water at a later point.

Mike Houck said that he thinks it will definitely be a critical design question to look at where storm water goes.

Craig Brown asked for clarification as to why two maps were provided with the memo.

Maggie Dickerson noted that the map in the appendix was created by the expert group. The second map was created from that to show suitability levels for urban reserves. She noted that the technical team will need to provide a new map as some of the colors were displayed incorrectly.

Deb Nudelman said that new maps will be forthcoming. [Action Item]

Ray Valone presented an overview of the memo regarding *Preliminary Analysis of Providing Urban Level Transportation Services Within Reserves Study Area*. The technical team created a hypothetical transportation network to see what an area would need if it did urbanize. This was modeled after transportation plans. They also referred to the two maps developed to look at water and sewer suitability. Suitability was ranked based on cost per lane mile, cost per added lane mile, and the number of intersections per square mile. There were a few caveats to this analysis, which are outlined in the memo. Ray noted that if resources allow, the technical team might be able to model some of the final candidate areas to give information about how it links to the system.

Mary Kyle McCurdy asked if the transportation analysis includes regional bike trails.

Ray Valone responded this would be included in the six urban factors related to design which will be reviewed later.

Mary Kyle McCurdy suggested that bike trails and transit be raised in priority. She noted it sounds like many of these layers of mapping are being used in other areas of mapping, and she said that raises concerns. She thinks having additional workshops for Steering Committee members to have this explained and to discuss the issues would be helpful. These are preliminary maps and she pondered when Steering Committee members would be able to provide input.

Mike Houck said that transit and bike paths are as fundamental as natural resources.

Lainie Smith said she would like to see modeling of the final candidate areas to see how it would affect what already exists within the UGB.

Ray Valone responded that it is the technical team's intent to provide modeling.

Councilor Harrington recognized that the staff from the various jurisdictions has put in a herculean effort to get this going and she thanked everyone for that effort.

Deb Nudelman said this reporting was an attempt to make sure the process is transparent and to share the level and intensity of the work. She hopes the group will be able to do more of this. She noted that all meeting materials are posted on the Reserves Steering Committee website.

Brent Curtis provided an update on the rural reserve initial screening work, and presented a Powerpoint with updates from Washington County. He noted that there will still be many more screens and iterations to go through to refine the candidate rural reserve areas. At this point, Washington County has not eliminated any areas within the study area and outside the UGB for studying as rural reserves. He explained the three maps they used to create the candidate reserves area map. One map uses GIS tools to emulate the factors in the administrative rule, one incorporates city aspirations, and one looks at the constrained and unconstrained lands as outlined in the map provided by NAIOP. At the Washington County Coordinating Committee meeting on March 2, they will try to reconcile these three maps. Brent noted that Washington County is looking forward to hearing input from the state agencies on this as well.

Jim Johnson commented that the first factor for rural reserves is that they are under the threat of urbanization. He said to say lands such as those at the top of Chehalem Mountain are under threat of urbanization brings into question the credibility of the study.

Brent Curtis thinks the threat of urbanization is the most critical. He noted that there is still more work to do.

Jim Johnson said the state agencies think it is important to have a discussion about what factors are being used to determine the threat of urbanization.

Brent Curtis agreed and looks forward to that discussion. [Action Item]

Mary Kyle McCurdy appreciates that at this point, the maps are going to be broad. She is concerned, however, that there will not be steps between this and the presentation of final candidate areas. The map of potential candidate urban reserves still includes more land than the other maps. That may be okay at this point, but the information will need to be whittled down in stages before agreeing on a recommended map.

Brent Curtis agrees and responded that the Steering Committee will be able to see the interim maps. The counties have agreed in a general manner to work together collaboratively at both local and regional levels.

Mike Houck said he is pleased to see certain headwater areas are off the table. He also looks forward to seeing the next iteration of the maps that take into account finer screens.

Doug McClain provided an update on the rural reserve initial screening work being conducted in Clackamas County. The data and process that Brent discussed is similar to what is being done in Clackamas County. The Clackamas County Policy Advisory Committee (PAC) is working to create an aspirations map to demonstrate what growth, if any, people want at the edges of the UGB. The PAC is meeting regularly and has accelerated their meeting schedule. They have set aside the rural reserve area map for now, but there is an expectation that there will be considerable refinement of that map. The PAC is still determining how to use the rural reserve criteria, and expects to continue this iterative process. They expect to produce a map for candidate areas on time.

Chuck Beasley said at the January Steering Committee meeting that there were some areas in Multnomah County where they had not resolved the rural reserve areas. The Multnomah County Citizens Advisory Committee (CAC) discussed the issues and decided not to take any of the undecided lands out of consideration for rural reserves. These areas included Government Island and the East of Sandy river area. The CAC will be reviewing and refining those areas as the process moves along. At the next CAC meeting on February 24, they will be looking at the water and sewer maps, as well as the constraints map to review urban reserve areas.

Mike Houck said this gets back to the public involvement track. Two years ago, Metro hosted a group of about 300 people to review sub-regional maps. He urged staff to factor in the information collected from that group.

Jim Johnson asked what the timing is for providing input on specific areas that Steering Committee members may need to say yes or no to for candidate areas.

Deb Nudelman encouraged everyone to connect with the project management team. There will be continued discussion of the rural and urban reserve initial screening at the March 16 meeting; however she asked Steering Committee members not to wait until March to provide their input. If Steering Committee members would like to discuss a particular issue or get clarification, they should discuss that with staff right way. There is a lot to do in very little time, and she requested that people keep reviewing the information on the website and continue talking to each other and staff.

VI. SUMMARY

There being no further business, Deb Nudelman adjourned the meeting at 12:00 noon.

Respectfully submitted by Kearns & West.

ATTACHMENTS TO THE PUBLIC RECORD FOR FEBRUARY 11, 2009

The following have been included as part of the official public record:

AGENDA ITEM	DOC TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
1.	Letter	2/4/09	To: County Reserves Committee Chairs From: NAIOP, Greg Manning, Greg Specht, and Craig Brown	021109rsc-01
3.	Document	2/10/09	Framing Growth Forecasts in the Context of Urban Reserves – Updated February 10, 2009	021109rsc-02
5.	Memo	2/9/09	To: Core 4, Reserves Steering Committee From: Core 4 Technical Team RE: Preliminary Analysis of Providing Urban Level Water Service Within Reserves Study Area	021109rsc-03
5.	Memo	2/9/09	To: Core 4, Reserves Steering Committee, County Coordination Committees From: Core 4 Technical Team RE: Preliminary Analysis of Providing Urban Level Sanitary Sewer Service Within Reserves Study Area	021109rsc-04
5.	Memo	2/11/09	To: Core 4, Reserves Steering Committee From: Core 4 Technical Team RE: Preliminary Analysis of Providing Urban Level Transportation Service Within Reserves Study Area	021109rsc-05

February 25, 2009

To: Washington County Reserves Coordinating Committee
Tom Brian
Charlotte Lehan
Jeff Cogan
Kathryn Harrington

Cc: Reserves Steering Committee
Metro Council
Washington County Board of Commissioners
Dave VanAsche, Washington County Farm Bureau
Mike Dahlstrom, Program Educator, Washington County
Deb Nudelman, Kearns and West
Patt Opdyke, CCI

From: Lyn Jacobs and Juvencio Argueta, owners and operators of "La Finquita del Buho" CSA
James Just and Polly Gottesman, owners and operators of "Pumpkin Ridge Gardens" CSA
Brian and Sharon Beinlich, owners of "Dos Sequoias" farm
Steve and Mishelle Radtke, operators of "Abundant Harvest" CSA

Dear Commissioners and Committee members;

We are writing to you as residents and family farmers of Washington County, all located within 10 miles of one another north of Highway 26. We all own and operate Community Supported Agriculture (CSA) farms. A CSA means members share in the joys of locally grown farm fresh produce and help defray some of the risk of farming. Members of the farm pledge in advance to cover the anticipated costs of the farm operation and farmer's salary. In return, they receive shares in the farm's bounty during the growing season (26 – 52 weeks per year), and they gain the satisfaction of reconnecting to those who grow food and the earth in which it is grown.

We choose to farm and sell direct to consumers to enhance the connection of the consumer to local food. Our farms together produce food for over 1000 people in the Portland Metro area. Several of our farms have direct pick-up at the farm where our subscribers have the opportunity to see their food being grown with organic practices. We all abide by the practices of Oregon Tilth yet we are not certified ORGANIC. Many of us also provide delivery into the Portland area.

We implore you to carefully assess the extension of the UGB and Urban Reserves and what it would do to our farms and our ability to provide fresh food to our community. La Finquita del Buho is located in Helvetia on Dick Road just north of West Union and is on your current map to be included in the Urban reserve. Helvetia is a unique picturesque community to which we contribute local gatherings, harvest festivals, canning demonstrations, and school tours in addition to local produce. We are an example of how much production can be created on a small area of fertile Washington

County land. We farm approximately 2 acres and feed over 300 people for 29 weeks out of the year. Once this land is paved there is no way to take it back.

Pumpkin Ridge Gardens is located 2 miles north of North Plains. Our 20 acre farm feeds over 500 people. We also sell vegetable seedlings and fresh cut flowers at the Beaverton Farmers market, making it possible for several thousand people to grow their own vegetables in local gardens in Washington County.

Dos Sequoias and Abundant Harvest are located just north of West Union on Jackson Quarry Road and farm 2.25 acres and provide food to over 250 people. We also provide vegetables for a major catering company that serves four high-tech facilities in the area in addition to selling vegetable seedlings and fruit to our neighbors.

Rural land in Washington County is currently being used to feed people and provide local connection to affordable, sustainable, and chemical- and pesticide-free food. We urge you to hold the line of urban reserves at Highway 26. Please do not target the farm land north of Highway 26 for urban development. There is great benefit to both farmers and consumers to have active farms in close proximity to urban centers, but great care must be taken to ensure that rampant urban growth does not consume this irreplaceable resource. We look forward to the opportunity to speak directly to your group if there is a meeting that is scheduled in the evening. If we can provide you with any additional information in the interim, please don't hesitate to contact any one of us.

Sincerely,

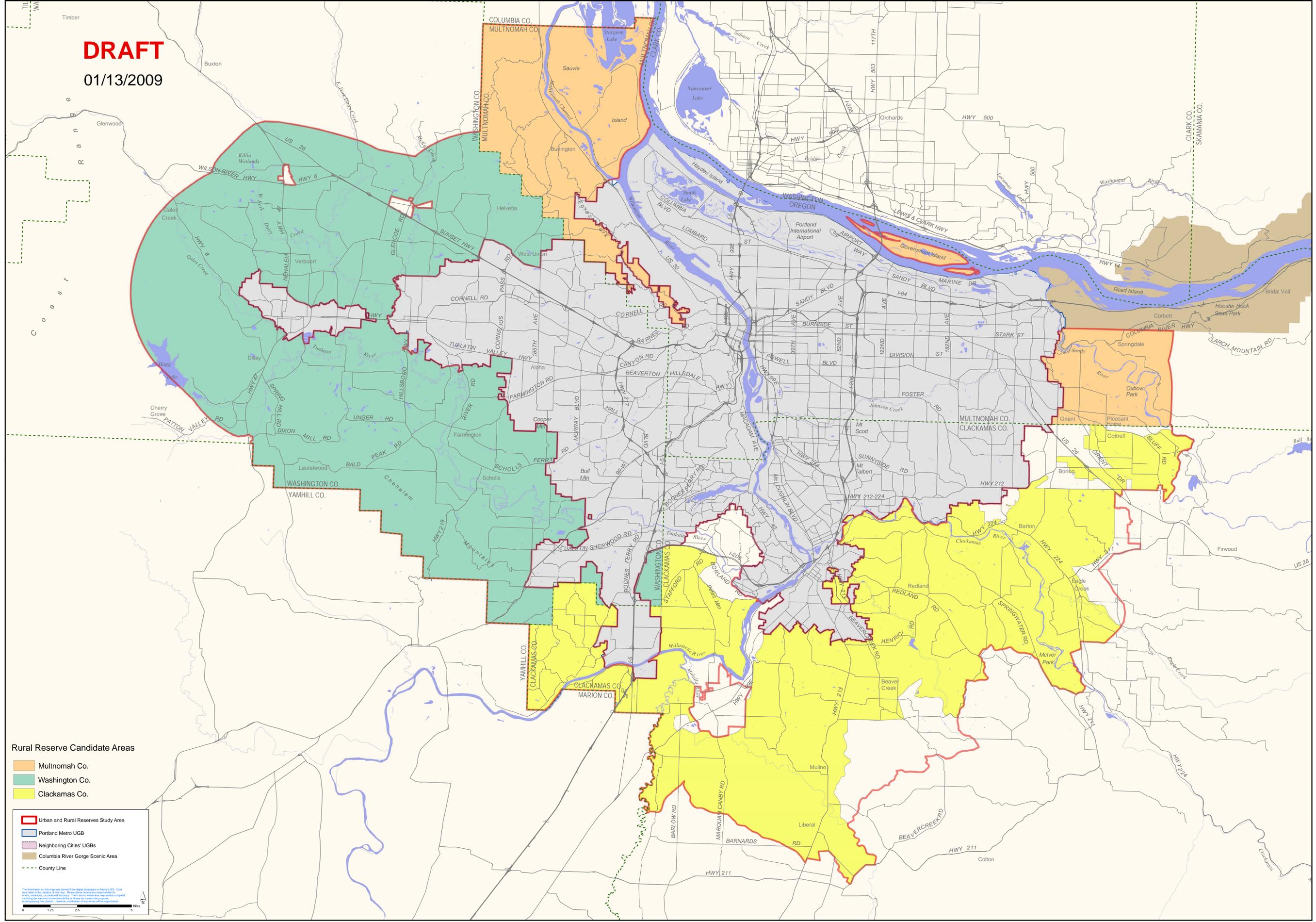
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DRAFT
01/13/2009



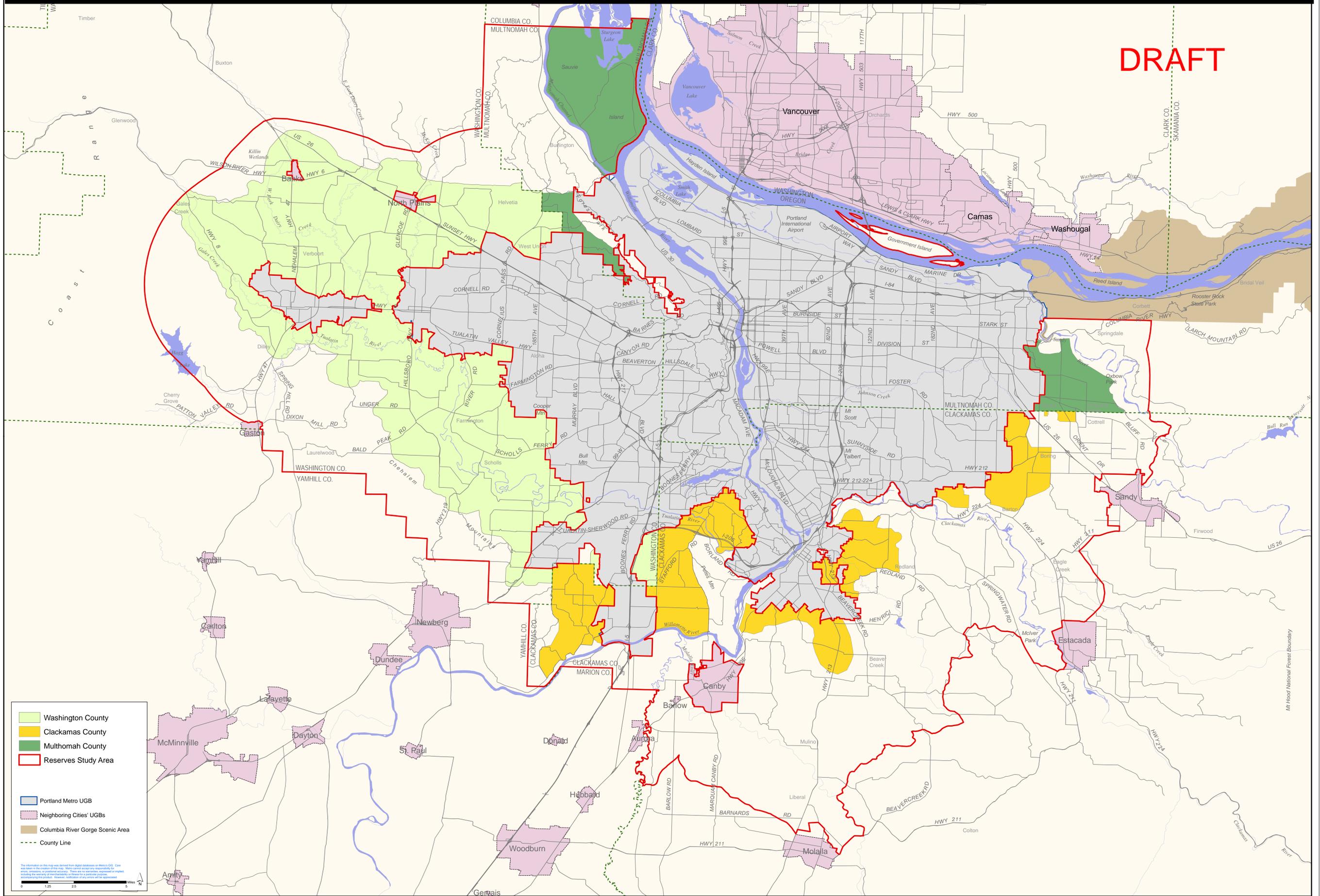
Rural Reserve Candidate Areas

- Multnomah Co.
- Washington Co.
- Clackamas Co.

- Urban and Rural Reserves Study Area
- Portland Metro UGB
- Neighboring Cities' UGBs
- Columbia River Gorge Scenic Area
- County Line

The information on this map was derived from digital databases on Metro GIS. Our users should be aware of the limitations of this map. Metro does not accept any responsibility for errors, omissions, or outdated information. There are no warranties, expressed or implied, including the accuracy, completeness, or timeliness of the information. The information is provided for informational purposes only and is not intended to be used for any other purpose.

DRAFT





Clackamas County's Urban Reserve CANDIDATE Areas March 9, 2009

Clackamas County's Reserves Policy Advisory Committee (PAC) has spent their January and February meetings working with maps and discussing issues to identify candidate areas for urban reserves. Preliminary urban reserve candidate areas were mapped by small workgroups of the PAC at their February 24th, 2009 meeting. Candidate urban reserve areas will eventually be overlaid with candidate rural reserve areas. The final recommendation for actual urban and rural reserve areas will reflect the values of lands for both urban and rural purposes, as well as the need for urban land, which will be identified by Metro. Candidate urban reserve areas are NOT draft recommendations for urban reserve areas; they are an early step towards developing those recommendations.

Because the PAC considered candidate urban reserve areas immediately after they considered candidate rural reserve areas, the information they used for the previous exercise was fresh in their minds. It included:

- Recent aerial photos
- Agricultural land inventory (categories; Conflicted, Foundation, Important)
- Oregon Department of Forestry inventory (categories; Wildland Forest, Mixed Forest/Agriculture)
- Tax lots
- Reserves Study Area boundary
- Portland Metro and outlying city UGBs
- Lines showing 3 miles from Portland metro UGB and 1 mile from outlying city UGBs
- Areas with slope greater than 25%
- Region 2040 categories for nearby areas inside the Portland Metro UGB
- CPO and Hamlet boundaries

In addition, the PAC considered additional information that related to the urban reserve factors:

- Map of Sanitary Sewer Serviceability showing areas of high, medium and low relative serviceability by Portland Metro UGB service providers, and also areas that would be served by outlying cities
- Map of Water Serviceability showing areas of high, medium and low relative serviceability by Portland Metro UGB service providers
- A composite map that combined sewer and water serviceability
- Three transportation serviceability maps
- Existing road network
- Memo regarding serviceability for schools, parks, storm drainage
- Map of City Areas of Interest, showing areas of the study area that local cities are interested in considering as future service areas

Staff requested that the PAC focus this “first cut” review of urban reserves on Factors 1 and 3 of OAR 660-027-0050:

- (1) (The area) Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments:
- (3) (The area) Can be efficiently and cost-effectively served with public schools and other urban level public facilities and services by appropriate and financially capable service providers;

The composite map of water and sewer serviceability was a starting point in applying these factors. The committee added local information, information about city interests, and information gleaned from topography, slope, and other maps.

Following the pattern set in the identification of candidate rural reserve areas, the 21 member PAC divided into three sub-groups to complete their analysis, with each group reviewing about 1/3rd of the study area in Clackamas County. For the most part, the individuals in the groups lived, worked or represented interests in the areas they discussed. The three groups identified preliminary candidate areas.

Following the development of the preliminary map by the PAC, staff reviewed the map with the Clackamas County Commissioners in study session. The county commissioners provided some principles for future actions regarding the reserves. The county commissioners also accepted the PAC’s recommendation on candidate reserve areas with one change; they removed the candidate urban reserve area between Gresham and Sandy along Highway 26.

Board principles included:

- Protection of Foundation agricultural land is our top priority.
- Certain natural resources, especially the Clackamas River, are also top priority.
- Honor the existing agreement with the City of Sandy regarding keeping the Highway 26 corridor rural.

Introduction

This memorandum includes a summary of the Multnomah County Reserves Citizen Advisory Committee (CAC) urban and rural reserve Phase 3 suitability analysis as of the end of February, 2009. The CAC anticipates further refinement of these initial results during Phase 3 of the Reserves project therefore these results should not be considered as final. The assessment is intended to provide the information described in Phase 3 of the Reserves work program as discussed in the November 4, 2008 memo to the Core 4 and Reserves Steering Committee from the Core 4 Project Management Team. As indicated in the Phase 3 memo, the initial “first screen” assessments are intended to narrow the focus of factors analysis by identifying “candidate” rural and urban reserve areas. It is understood that additional study of these areas will occur as more information about urban service provision and long-term land need becomes available.

The CAC assessment divides the Reserves Study Area into six subareas in Multnomah County. Five of the subareas correspond to Rural Planning Areas for which the county has developed plans and zoning regulations that reflect their different geographies and communities. The assessments reflect relative suitability for rural and urban reserves among these county planning areas.

Development of Assessments for Rural Suitability

The approach the CAC took to consider information and develop consensus entailed working in smaller area groups where members could apply their local knowledge of study areas, followed by consideration of group results by the whole CAC. The CAC divided into two groups, east county and west county, at their October, November, and January meetings to consider suitability for rural reserves. The October sessions focused on identifying areas that could be eliminated from further study due to potential for urbanization over the next 40 – 50 years because of proximity to the UGB – factor 660-027-0060(2)(a).

- (a) Situated in an area that is potentially subject to urbanization during the applicable period described in OAR 660-027-0040(2) or (3) as indicated by proximity to a UGB or proximity to properties with fair market values that significantly exceed agricultural values for farmland, or forestry values for forest land;

The assessments are based primarily on the “proximity to a UGB” clause of this factor because fair market values data was not readily available, and significant work with market value data undertaken by Washington County staff had not resulted in clear results that could be applied in Multnomah County areas.

The CAC also began consideration of rural reserve factors applicable to farm and forest land to improve their depth of understanding of the factors and the overall assessment. In November, the two groups responded to a series of questions intended to help understand how to apply the factors and to apply the agriculture and forestry studies to Multnomah County areas. This exercise was focused on the suitability concepts in the farm and forest studies, enabling CAC members to use their local knowledge of resource management and landscape elements in assessing areas against the factors. General information about the capability factors of soil and water derived from discussion with Soil and Water Conservation Service field staff for County areas was also provided to the CAC. This work was understood to be an initial assessment based on unrefined readily available sources of information.

Suitability questions:

1. What areas, based on proximity, do you believe have a relatively higher or lower potential for urbanization during the next 50 years?
2. What areas are being farmed or appear to be in forest use? Indicate what areas form large, medium, or small blocks relative to each other.
3. Where are non-farm or non-forest (resource) uses located, and do the edges between resource and non-resource uses contain adequate buffers?
4. Are there any areas that contain clusters of small parcels that appear to be in farm or forest use and clusters that are not?

In two January meetings, the groups considered the combined agriculture, forestry and landscape features maps, zoning and soils information, and worked to develop consensus on what areas should continue to be considered as candidate rural reserve. The CAC recommended that all of the Study Area within the county should continue to be considered for rural reserve, and their generalized rationale is included in the table below.

Table 1 Candidate Rural Reserve Areas

Sub areas	Rural Reserves Summary Rationale
Government Islands	Proximity to urban areas – I-205 High landscape features values
East of Sandy River	Proximity to Springdale and Corbett Suitable soils for long term agriculture Forest areas
Sandy River Canyon	Low potential for urbanization - topography Important landscape feature, sense of place
West of Sandy River	Proximity to urban areas along west edge and hwy 26 south Capable of sustaining long-term agriculture Contains Beaver Creek edge and habitat areas
NW Hills North	Areas have proximity to Scappoose Short commuting distance to Portland and Intel/Nike employment areas. High landscape features values – view corridor Wildland forest area
NW Hills South	High potential for urbanization due to adjacent urban areas

	Good wildlife habitat and headwaters streams View corridor from Sauvie Island Contains Important and Conflicted ag land
Sauvie Island/Multnomah Channel	Adjacent to Portland and hwy 30 existing transit to island, potential HCT Excellent agricultural land Good wildlife habitat and natural features values North-south flyway and bald eagle habitat

Maps used in group sessions included the study area boundary, county, UGB, 3 mile line and the following:

Aerial photo: 2006 flight, tax lots

Land use: RLIS tax lot data, parks, agriculture, forestry, public, rural residential, single family residence, and vacant.

Landscape Features

Oregon Department of Agriculture study map

Oregon Department of Forestry study map

County zoning, slope, and soils data.

Development of Assessments for Urban Suitability

The CAC used the same large group and sub area meeting format to consider and develop consensus on first screen suitability for urban reserves. Their assessment relied on the technical memos and maps provided by the regional water, sewer, and transportation work groups. This was the same information that was introduced to the Reserves Steering Committee at their February 11, 2009 meeting. The CAC also heard other information related to urban suitability in prior CAC meetings, including industrial lands constraints and infrastructure rating criteria, in preparation for their initial analysis. This work was focused on the efficiency and cost-effectiveness of providing key urban services found at OAR 660-027-0050(1) and (3):

(1) Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments:

(3) Can be efficiently and cost-effectively served with public schools and other urban level public facilities and services by appropriate and financially capable service providers;

The CAC began urban suitability assessments at their January 22 meeting by considering physical constraints mapping – slope and floodplains, and initial water and sewer maps. This information was supplemented by completed preliminary water, sewer, and transportation maps and technical memos. In addition, responses from Multnomah County “edge” cities, and testimony by property owners informed the assessment and recommendations that were completed at their February 26 meeting. The assessment of service efficiency was understood to be relative to all other areas within the regional study area, and the maps and memos reflected this.

The assessments here are based on the results of the technical analysis to date. Metro provided a useful map that blended water and sewer rankings into a single value ranked low, medium, high for suitability based on efficiency and cost of providing the service. Transportation suitability elements were also assessed from low to high, but were not blended into a composite map rating. Significant areas within Multnomah County were unrated for transportation due to constraints, and this contributed to the recommendation to not include much of those areas for further study as urban reserve candidate areas.

In developing their recommendations, the CAC considered whether they agreed with the suitability rankings for water, sewer and transportation, how areas not ranked for transportation services should be ranked, and whether any land in the Study Area should not be studied further as candidate urban reserves. The CAC recommendations are included in Table 2 below.

Table 2 Candidate Urban Reserve Areas

Planning Area	Urban Reserves Summary Rationale
Government Islands	No further study -- Concur with rankings which indicate area has a low suitability for providing sewer and water service -- Transportation suitability is low as well
East of Sandy River, Sandy River Canyon	No further study -- Concur with rankings which indicate area has a low suitability for providing water and sewer services -- Steep topography limits urbanization in this area
West of Sandy River	Continue to study -- Concur with rankings which indicate area is moderately suitable for providing water services, and highly suitable for sewer services -- Concur with rankings which indicate area is moderately suitable in terms of transportation connectivity and added lane cost; highly suitable in terms of system lane cost.
NW Hills North	No further study -- Concur with rankings which indicate area has a low suitability for providing water and sewer services -- Steep topography limits urbanization in this area
NW Hills South from Cornelius Pass/Skyline intersection south and west of 400' elevation	Continue to study -- Concur with ranking which indicate area is highly suitable for providing water -- Low suitability ranking on the ability to provide sewer services is unclear due to agreements with Clean Water Services (CWS) to service area -- Concerns exist over riparian areas and other natural resources, and ability to develop at urban densities
NW Hills South from NW Germantown Rd south and east of 400' elevation	No further study -- Concur with rankings which indicate area has a low suitability for providing sewer service, and a medium suitability for water -- Area could not develop at an urban density due to topography and lack of sewer availability

	-- Transportation suitability limited due to topography
Sauvie Island	Continue to study -- Concur with rankings which indicate area has a high suitability for providing sewer service, and a low suitability for water -- Concerns exist over floodplains, natural resources
Multnomah Channel North of SI Bridge	No further study -- Concur with rankings which indicate area has a low suitability for providing sewer and water service, and transportation infrastructure -- City of Portland has not expressed an interest in servicing this area
South Multnomah Channel – east of hwy 30	Continue to study -- Area contains marinas and moorages at a relatively high density -- Topography is flat -- Good access to transportation infrastructure -- Low ratings for water and sewer suitability a concern -- An undefined portion should be studied for urban reserve

Maps used in group sessions included:

Physical constraints – slope intervals, floodplain, distance from UGB

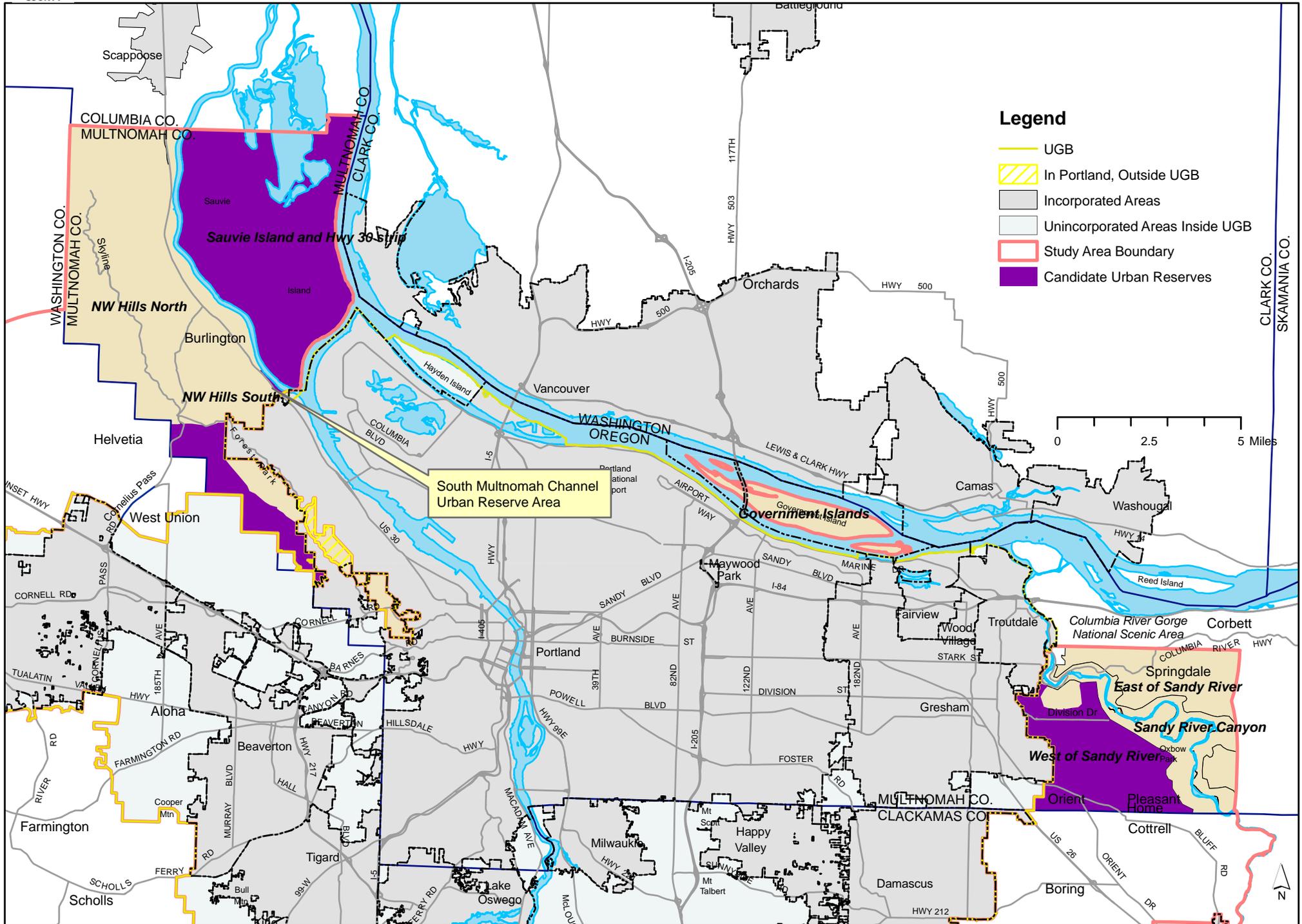
Preliminary Water Suitability

Preliminary Sewer Suitability and Sewer Serviceability for Reserves Study Area

Combined Water and Sewer Suitability

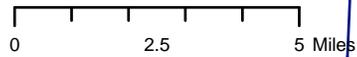
Transportation Services

- Preliminary Connectivity Suitability
- Preliminary System Lane Cost Suitability
- Preliminary Lane Cost Suitability



Legend

-  UGB
-  In Portland, Outside UGB
-  Incorporated Areas
-  Unincorporated Areas Inside UGB
-  Study Area Boundary
-  Candidate Urban Reserves



CLARK CO.
SKAMANIA CO.



March 6, 2009

To: RESERVES STEERING COMMITTEE

From: Brent Curtis, Planning Manager,
Washington County Dept. of Land Use and Transportation

Subject: Interim Staff Report on Washington County's Phase 3 Technical Analysis on
Urban and Rural Reserves

Attached is a copy of Washington County's 'Phase 3 Interim Staff Report' on Urban and Rural Reserves Planning. This report describes Washington County staff's ongoing technical analysis addressing the Urban and Rural Reserves Rule (OAR 660-027) suitability factors.

Each of the three counties is utilizing a somewhat different analysis approach to determine suitability as potential Urban or Rural Reserves. Washington County staff has developed GIS-based modeling tools to assist in the technical analysis work and to simplify the process of analyzing alternative scenarios. The approaches of each county are all designed to ensure conformance to applicable OAR criteria and are being coordinated region-wide by the Project Management Team.

March 6, 2009

To: Washington County Urban and Rural Reserves Coordinating Committee

From: Brent Curtis, Planning Manager

Subject: Amendments to “Phase 3 Interim Staff Report”

As you may recall at your March 2nd meeting, Jim Johnson, Land Use and Water Planning Coordinator with the Oregon Department of Agriculture, raised a number of concerns regarding the technical analysis utilized by county staff in determining conformance with the factors outlined in OAR 660-027. Following Mr. Johnson’s presentation to your Committee, staff agreed to address the concerns raised by Mr. Johnson and to amend the Interim Staff Report accordingly.

Throughout the Reserves analysis process, we have solicited and received input from a variety of individuals, organizations and agencies; a partial list of whom can be found in attachment ‘A’ to the revised staff report. One of those whose input we sought was Jim Johnson with the Oregon Department of Agriculture. County staff communicated with Mr. Johnson on the phone, through email and met with him in person a number of times. Mr. Johnson sent an email listing some of his comments and concerns about the suitability analysis for rural reserves to which we prepared and provided a written response; both of which are found in attachment ‘B’. We appreciate his assistance and will be mindful of his comments as we continue to work through the process of identifying rural reserves.

A copy of the amended staff report with the attachments referenced above is attached.

DRAFT

Urban and Rural Reserves Planning in Washington County

Phase 3 Interim Staff Report

Submitted to: Washington County Reserves Coordinating Committee

Prepared by: Department of Land Use and Transportation
Long Range Planning Division

February 9, 2009

I. Recommendation

The Planning Directors of Washington County presents the Washington County Reserves Coordinating Committee (RCC) potential Draft Urban and Rural Reserves Candidate Areas. Staff recommends RCC members review these candidate areas with their staff and prepare to concur, at the March 2, 2009 RCC meeting, on those candidate areas that will receive further analysis.

II. Background

A. Introduction to Urban and Rural Reserves

Washington, Multnomah and Clackamas counties and Metro are collaborating on a regional effort to help shape future growth in the tri-county region over the next 40 to 50 years. The designation of Urban and Rural Reserves are a significant component of this process and are intended to provide greater certainty as to where future growth may take place both inside and outside the current urban growth boundary (UGB), while protecting important farmland and natural areas from urbanization.

B. Oregon Administrative Rules Factors

The Urban and Rural Reserves designation process derives from Senate Bill 1011 adopted in 2007. The LCDC adopted an administrative rule to govern how Urban and Rural Reserves are determined. OAR 660-027-0050 and OAR 660-027-0060 provide the framework for how future reserves are determined through the application of “factors” used to identify and select lands appropriate for designation. Washington County staff analysis is based on the OAR’s eight urban factors and four (plus subset clarifications) rural factors. All of the factors are of equal importance in the designation process and all factors will be addressed in the course of the analysis. Relevant factors shall be applied. Factors will be applied with increasing specificity in successive process refinements.

C. Washington County efforts

Washington County staff began presenting preliminary maps to the public in late October 2008 addressing the suitability of lands for rural and Urban Reserves. These maps represent initial efforts to use spatial data and geographic information system (GIS) applications evaluating different factors to identify candidate reserves areas. The analysis was subject to continuous refinements and improvements. This work constitutes the Reserves Work Program Phase 3 and will conclude in summer 2009 with final recommendations for both Urban and Rural Reserves.

D. Using screens to refine analysis

Initially, the administrative rule factors were broadly applied encompassing all potential county areas suitable for both reserve candidates. Successive “screens” have been applied which provide a greater measure of detail in considering the reserve candidate area. Results from these screenings have been brought back to stakeholders, interested parties, the Reserves Coordinating Committee and planning directors for review and comment. Efforts toward a final determination of reserves as described in this interim staff report continue to be refined with successive screenings. Staff considers all work to date to be draft.

II. Suitability Analysis

A. GIS and suitability mapping

One of the approaches Washington County has taken to identify candidate areas is to perform a suitability analysis for Rural and Urban Reserves. This method processes spatial data in a geographic information system (GIS) to measure the suitability of a location for a particular purpose. Data layers that can define or quantify criteria are selected and then their attributes are ranked based on their ability to support the intended use and given a numeric value. Once all of the layers are selected and assigned they are weighted based on their relative importance and added together to generate a suitability layer that can be mapped. Some of the benefits of this approach are that it allows the user to objectively measure the outcomes of decisions and by changing the weightings different scenarios or values can be easily mapped and compared.

B. Suitability values and weightings

Staff utilized data layers to represent or define the LCDC factors identifying Urban and Rural Reserves. Figures 1 and 2 indicate which factors staff used for the initial reserves analysis. Attributes for each factor were assigned a value from one (1) up to nine (9) with nine (or the highest value for that attribute) being the most suitable for reserve consideration. For instance the agricultural inventory was assigned three values (based on foundation, important and conflicted lands) with three being most suitable. Irrigation was assigned nine values with nine the most suitable for consideration. For some factors, we were unable to determine a data layer to use or how to apply it.

Multiple factors were then combined into one map with each factor given a “weighting” relative to other factors. In all cases the total weight of any compilation is 100%. Tables 1 and 2 indicate the relative weightings of the initial compilation of six factors (with Water Resources representing three attributes) for Rural Reserves and five factors (with Transportation representing eight attributes) for Urban Reserves. The following two sections provide greater detail regarding specific factors.

C. Rural Reserves suitability factors

For Rural Reserves eight data layers were identified, one of which is identified in the rule itself; the Oregon Department of Agriculture’s (ODA) Agricultural Lands Inventory (divided into Foundation, Important and Conflicted lands.) The Oregon Department of Forestry’s (ODF) Wildland Forest Inventory was used to represent forestry in the same way as ODA’s inventory represents agriculture. A second set of ODA attributes, soil types, was also used and their productivity Classes I, II, III, & IV soils were all valued as being most suitable. Acknowledging the impact of water resources on farming, three data layers were ranked and weighted for this component. The first was whether a location was inside or outside of the Tualatin Valley Irrigation District because it would allow for the possibility of receiving irrigation. The second was for properties with existing point-of-use water rights for agriculture or forestry use, this data came from the Oregon Water Resources Department (OWRD). The third layer was to identify those lands located inside ground water limited areas as determined by ORWD. To address the criteria for being subject to urbanization, proximity to an existing urban growth boundary (UGB) was used as a proxy with areas closer to the UGB presumed to be more suitable for a rural reserve than those farther away. The final element used was to identify those lands meeting the requirements for being an American Viticulture Area in Oregon. These elements were then weighted, with water resources, the ODA inventory, and the ODF inventory given a total weight of 70% and soils, proximity to the UGB, and viticulture given the remaining 30%. The values and weights assigned to data layers for rural reserves can be found in Table 1.

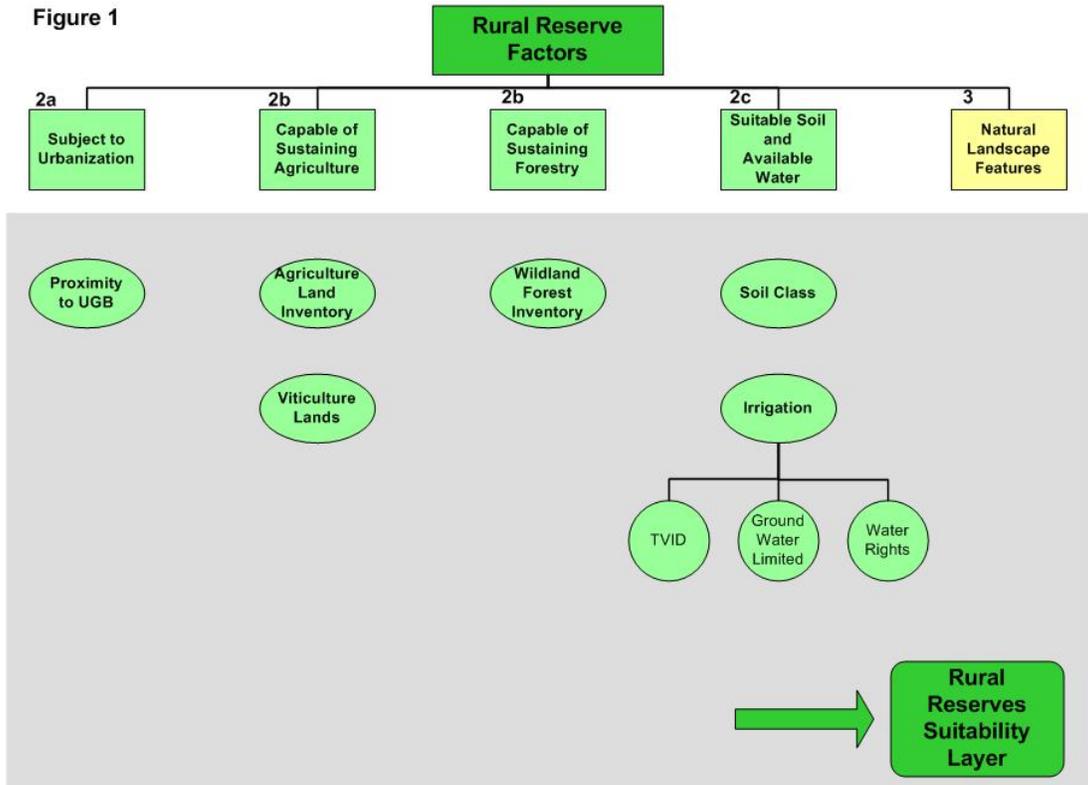


Table 1. Rural Reserve Suitability Values and Weighting

Value	ODA Lands	ODF Lands	Soil Type	Viticulture Lands	Water Resources			Proximity to UGB
					Irrigation District	Water Rights	Ground Water Limited Area	
9	Foundation	Wildland Forest	I, II, III, IV	Inside	Inside	Agriculture or Forestry Use	Outside	< 0.25 mi
8		Wildland Range						0.5 mi
7								0.75 mi
6								1 mi
5	Important	Mixed Forest Agriculture	V					1.5 mi
4		Mixed Range Agriculture	VI					2 mi
3		Intensive Agriculture	VII					2.5 mi
2		Low Density Residential/ Commercial	VIII					3 mi
1	Conflicted	Urban & Other	No Data	Outside	Outside	No Agriculture or Forestry Use	Inside	> 3 mi
Wgt.	20%	20%	10%	10%	30%	30%	40%	10%

D. Urban Reserves suitability factors

Twelve data layers were used for reviewing urban reserve suitability, eight of which were related to transportation. The ranking of attributes for most of the data layers focused on efficient uses of existing investments and infrastructure. As with the Rural Reserves suitability, proximity to an UGB was used with locations closer to an existing UGB being assigned higher values than those farther away. Proximity to an existing incorporated area was also used because of a working agreement in Washington County that future urban areas will be governed by cities. The limitation of slope on urban development was likewise considered. Limited development can occur on steep slopes given environmental constraints and the difficulty of creating well-connected, compact communities. For these reasons, Staff ranked slopes less than 7% as the highest scoring. Three of the eight elements of the transportation component were based on the distance from the following features (or layers in the GIS): freeway access, proximity to light-rail/commuter rail, and proximity to railroads. The remaining five elements were based on 2005 data for evening two-hour peak modeled travel times. The overall attempt was to depict how an existing rural transportation zone may relate to the rest of the region. Travel times from the central city, regional centers and industrial areas were used to tie into the existing investment in 2040 centers. The average travel time for each zone was also used as was the percentage of trips on congested routes. The percentage of trips on congested routes identified zones that may exacerbate existing roadway deficiencies and was used because such deficiencies may be difficult, expensive or impossible to fix. A final element was the County’s Mineral and Aggregate Areas. These areas are comprised of District A, which would be the site of extraction, and District B, which is a buffer of that use. The inclusion of these districts is due to the often incompatible interface between quarries and urban uses. Transportation and distances to a city and UGB received 75% of the weighting with each being assigned 25%. Slope was weighted with 15% and mineral and aggregate areas 10%. The values and weights for data layers for Urban Reserves can be found in tables 2 and 3.

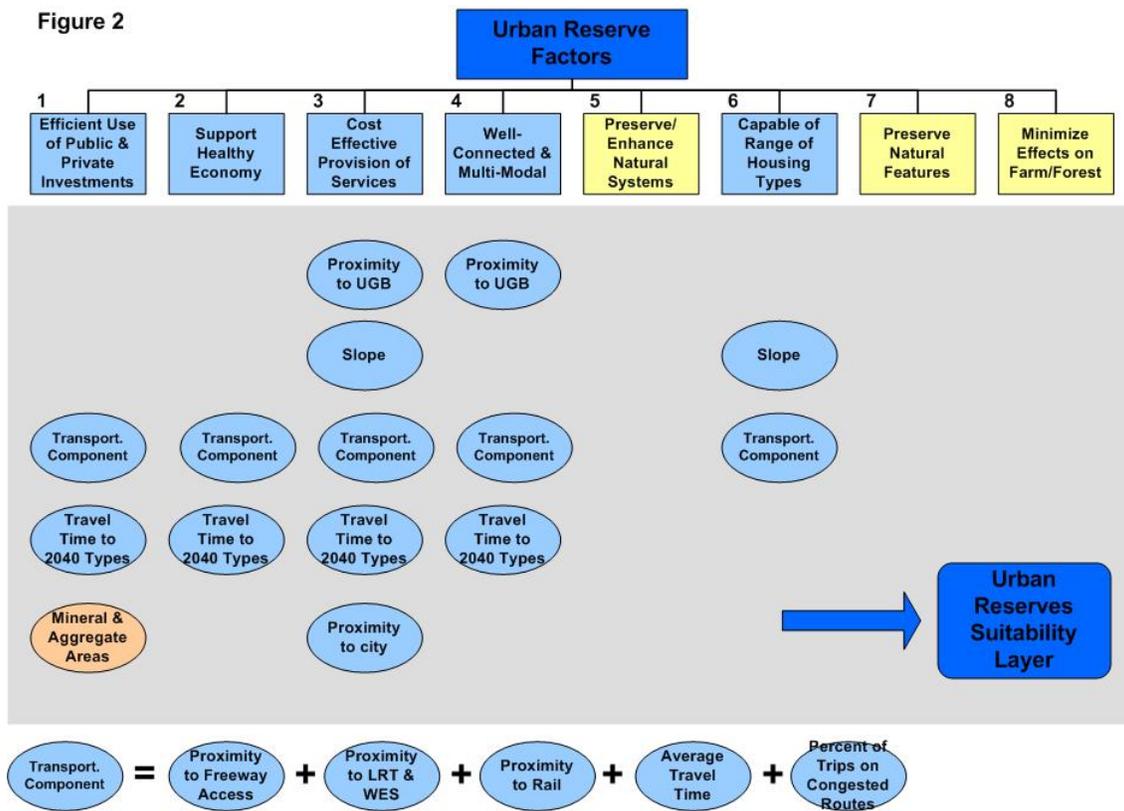


Table 2. Urban Reserve Suitability Values and Weighting

				Transportation	
Value	Distance to UGB	Distance to City	Slope	See Table 3 for detail	Mineral & Aggregate Areas
9	0.25 mi	< 0.25 mi	7%		Outside All
8	0.5 mi	0.5 mi			
7	0.75 mi	0.75 mi	10%		
6	1 mi	1 mi			
5	1.5 mi	1.25 mi			Inside District B
4	2 mi	1.5 mi	15%		
3	2.5 mi	2 mi			
2	3 mi	3 mi	20%		
1	> 3 mi	> 3mi	> 25%		Inside District A
Wgt.	25%	25%	15%	25%	10%

Table 3. Detailed Transportation Component

Value	Freeway Access	Proximity to LRT/WES	Proximity to Rail	Average Travel Time	Time from Central City	Time from Regional Centers	Time from Industrial Areas	Percent on Congestion
9	1 mi.	0.25 mi	250 ft	< 15 min	< 10 min	< 10 min	< 10 min	< 10%
8	2 mi	0.5 mi	500 ft	15-20 min	11-15 min	11-15 min	11-15 min	10%-20%
7	3 mi	0.75 mi	750 ft					20%-30%
6	4 mi	1 mi	1000 ft		16-20 min	16-20 min	16-20 min	30%-40%
5	5 mi	2 mi	1250 ft					40%-50%
4	6 mi	3 mi	1500 ft	21-25 min	21-25 min	21-25 min	21-25 min	
3	7 mi	4 mi	1750 ft	25-30 min	26-30 min	26-30 min	26-30 min	50%-60%
2	8 mi	5 mi	2000 ft	30-35 min	31-35-min	31-35-min	31-35-min	60%-75%
1	> 8 mi	> 5 mi	>2000 ft	> 35 min	>35 min	>35 min	>35 min	> 75%
Wgt.	6%	6%	7%	20%	12%	12%	12%	25%

E. Summary of suitability factors application

While the suitability maps do not provide a definitive answer on where to draw a boundary for reserves, they do provide guidance into what areas would likely make better reserves than others. For both Urban and Rural Reserves the areas along existing UGBs are the highest scoring. With regards to Urban Reserves this is largely due to their proximity to existing infrastructure and service providers. The scores are high mostly from the almost ubiquitous assessment of a large percentage of rural Washington County as Foundation lands in the ODA inventory along UGBs in Washington County and from being considered as subject to urbanization through the use of proximity to UGBs.

IV. Subject to Urbanization

A. Proximity to Urban Growth Boundary

One of the factors to be addressed when selecting land for designation as a rural reserve requires a consideration of the potential for urbanization. Rural Reserve Factor (2)(a) requires a consideration of those areas that: “Are situated in an area that is otherwise potentially subject to urbanization...or proximity to properties with fair market values that significantly exceed agricultural values for farmland, or forestry values for forest land.”

B. Fair Market Value

Staff has compiled more than a dozen analysis variations to address this factor. Because adequate data necessary to explore fair market value was not readily available, Staff utilized real market values (RMV) for individual parcels as recorded in Washington County's Department of Assessment and Taxation. Study areas included land at one to nine mile intervals from the existing Urban Growth Boundary. Based on the results, elevated RMVs occurred within one, six and eight miles of the UGB. Successive iterations included:

- Utilizing only natural resource lands' zoning designations (Exclusive Forest and Conservation – EFC; Exclusive Farm Use – EFU; and Agriculture and Forestry, 80-acre minimum lot size – AF-20) with .5 acre minimum lot size and 10 acre minimum lot size.
- Removing non-natural resource use lands, for example golf courses.
- Adding updated A&T data.
- Changing the data to only lands in farm and forest deferral (zoned farmland, un-zoned farmland, and forestland) with attention to calculating the RMV per acre values from the portion of the tax lot in deferral.
- Comparing RMV's in quarter-mile increments from the Urban Growth Boundary for lots of similar size (0-10 acres, 10-20, 20-40, 40-80, 80-120 and greater than 120 acres.) For example, this provided comparable average costs for 10-20 acre plots beginning at one-quarter up to 3 miles from the UGB.
- Applying visualization method (Kriging) as additional aid to viewing the data.

Based on results from the above iterations, planning staff determined that the notion of "Fair Market Value" independent of other indicators does not provide a conclusive indication of land areas that may be "subject to urbanization".

V. Status of Population/Employment Projections and Capacity Analysis

A. Status of Population and employment projections

OAR 660-027-0040 requires that land designated as Urban Reserves be planned to meet the needs of at least 20 but not more than 30 years of population and employment growth.

In order to determine the approximate amount of land to be designated as Urban Reserves, Metro must first determine the amount of population and employment growth that is likely to occur in the area where Urban Reserves are to be located. In recognition of the need for this determination, Washington County has sought a regional and sub-regional population and employment forecast for many months.

In the fall of 2008 Metro prepared and analyzed a series of future growth scenarios incorporating growth projections to the years 2035 and 2060. In November of 2008 those scenarios, which included both regional and sub-regional dwelling units and jobs allocations were distributed to the three metropolitan counties and the regional Reserves Steering Committee. The materials included with the distribution included two scenarios (Reference Case and Tight UGB) both of which included sub-regional growth allocation tables. Following this distribution, Washington County staff reviewed these scenario based forecasts and allocations and reported the results of that review to the WCRCC at their meeting on Monday, December 5th. This review included recommendations that Metro do further analysis and develop both a "base-case" growth scenario tied to historic growth trends as well as a second "reference-case" scenario utilizing a more market based approach based upon the new Urban and Rural Reserve Rule(s) in OAR 660-027. Additionally, the Washington County review of the Metro growth scenarios included a series of important questions designed to assure that future modeling scenarios incorporate inputs that are reasonably achievable and assumptions that would not lead to unrealistic growth allocations.

Following this meeting, Metro staff prepared and distributed a memorandum intended to clarify the scenario modeling results. This memo stated that the scenario results were not intended as “an official allocation of households and employment”.

As of February 6th, 2009, Metro has not responded to the Coordinating Committee acknowledged request for additional scenario modeling and has not addressed the questions included in the memorandum. Metro staff has, however, verbally agreed to prepare growth allocations to be utilized in developing land needs estimates.

B. Capacity within Washington County

A core data element in determining long-term land need is the existing capacity of our urban areas to accommodate future growth. Washington County staff, in cooperation with city staff throughout the county has begun to develop detailed estimates of current and projected growth capacity. This effort is being developed in four phases:

- a. Vacant lands
- b. Infill opportunities
- c. Redevelopment opportunities (next 20 years)
- d. Growth ‘Aspirations’ (Long-term redevelopment – years 2029 to 2060)

As of February 6, 2009, technical staff working on this effort has begun to compile preliminary estimates of vacant land capacity and have begun to develop the infill estimates. Completion of preliminary estimates of overall growth capacity is expected within the next couple of months. Refinement of these estimates will likely continue along with the refinement of emerging Urban Reserve and Rural Reserve Candidate Areas. In conjunction with forecast growth, these capacity estimates will aid in estimating long-term land needs.

C. Cities’ aspirations

As noted above, city aspirations are an important element of the long-term growth capacity of urban Washington County and Metro has begun a concurrent effort to solicit long-term growth aspirations from cities throughout the region.

Aspirations focus on the desired future characteristics of urban design in each city, with special attention to primary centers and transportation corridors. The main urban design characteristics include building heights (low-rise, mid-rise, high-rise), activity hours (8, 12, 18 hrs. /day), housing densities and accessibility (walk, bike, transit...etc). It is expected that the relative change from existing plans expressed through these aspirations, will generally give rise to estimates of increased growth capacity.

Most cities in Washington County have developed at least preliminary concepts reflecting the general character of expected future growth. At the January 2009 WCRCC meeting, the cities of Hillsboro, North Plains and Sherwood presented their preliminary aspirations. The majority of remaining Washington County cities will present their preliminary aspirations at the February WCRCC meeting.

VI. Stakeholder Discussions and Analysis Refinements

A. Stakeholder discussions

A variety of stakeholders have been invited to review and comment on iterations of staff efforts. Staff has attended meetings of key stakeholders and has held discussions with business, agricultural, real estate, and environmental interests and property owners seeking their comment. Staff has also solicited base data some stakeholders may have used for other analysis purposes.

B. Analysis refinements

Every stakeholder comment has been reviewed by staff and many have contributed to significant analysis approach changes. Stakeholder input will continue to refine staff efforts.

VII. Summary of Analysis

Several sources and issues were used to reach recommendations for potential candidate rural and urban reserve areas. The approach for identifying areas for potential consideration as Urban Reserves will be explained first. Discussions with cities in Washington County about their aspirations and what areas they deemed more conducive to meeting the factors for Urban Reserves were a primary source. The suitability analysis highlighted many of the same areas and in some locations went further. Input was also received from Group Mackenzie, on behalf of a coalition of business interests, requesting the inclusion of areas not constrained by steep slopes, floodplain, or wetlands. Those three sources were brought together and aggregated with the boundary drawn so as not to create Urban Reserve islands. A 1000 foot buffer was then added to ensure consideration of impacts to adjacent uses. If there had been a known need for population and employment that could have been used to estimate the amount of land needed as Urban Reserves it would have been possible to assess whether there was too much, too little or the correct amount of land inside that boundary. Since those needs are unknown the boundary was left at the extent shown in Exhibit B.

The potential Rural Reserve Candidate Area is shown in Exhibit A. It represents the entirety of the regional reserves study area in Washington County. This recommendation was reached due to a number of reasons. Labeling areas as potential candidates for Urban Reserves also results in them being considered as potential Rural Reserves (those areas are “subject to urbanization.”) Additionally the Natural Landscape Features Inventory has not been incorporated into the analysis so impacts have not been identified. Staff decided not to pare any lands from consideration at this time.

VIII. Next Steps

A. Test cases – assessment of additional attributes

Considerable additional analysis will be conducted, regarding:

- 1) Parcelization and ownership patterns
- 2) Soil productivity

B. Additional Regional Considerations

Staff is attempting to map agricultural/forest infrastructure. Food producing farms involved in direct market sales in the Portland metro region are also mapped to visualize the geographic extent of farms engaged in direct marketing through farmers' markets, CSA, U-pick, restaurants, etc. Other data being mapped includes precipitation patterns, rural communities, historic structures, rural churches, and century farms. This mapping effort attempts to show rural connections to the land by mapping a visual perspective of existing rural communities.

1. Apply additional and more specific criteria

Consistent with the overall project methodology, increasingly finer “screens” will be applied to the emerging candidate urban and rural reserve areas. These increasingly finer screens will rely on increasingly higher levels of detail in the technical analysis being applied to increasingly smaller areas of land. Examples of additional and more specific criteria include: information related to existing and potential buffers between urban or potentially urbanizing areas and important agricultural, forest or sensitive natural areas; relative costs of service provision (water, sewer, transportation ...etc.); preliminary concept planning to determine potential achievable densities; relative efficiencies in

utilizing existing infrastructure; ability of service providers to serve the area in a cost effective manner ...etc.

2. Factor population/employment projections into consideration of need

As discussed under section V-A above, the population and employment projections are key to developing long-term land need estimates. The most recent discussions with Metro staff suggest that these projections should be available in March. In conjunction with the capacity estimates currently under development, preliminary land need estimates may then be developed.

C. Stakeholder and public involvement

The reserves public involvement staff from the three counties and Metro are developing materials and planning events that will engage citizens in a robust discussion during Phase 3 of the work program. The factors used in analyzing lands within the study area and the implications of each reserve designation are central to the discussion agenda. The focus is on the suitability of lands for consideration as an urban or rural reserve.

Many of the same activities and tools used for raising public awareness in Phase 2 will be used in Phase 3, including:

- Public meetings hosted by counties and Metro
- County coordinating committee deliberations
- Presentations, publications and articles provided to: advisory committees, organizations and citizen groups
- Media coverage
- Up-to-date county and Metro reserves websites

The public involvement team has identified a number of other potential outreach tools and activities including:

- Self-guided, thought-provoking interpretive displays in public places such as malls and schools
- Radio talk shows
- Interactive web pages
- Workshops and charrettes

The public involvement team is setting priorities based on those activities that best support the reserves decision process, that provide citizens the opportunities for learning and commenting and finally are feasible to carry out effectively with limited time and resources.

Outreach Content

The Coordinated Public Involvement Plan focuses Phase 3 activities on educating the public regarding the application of factors to the reserves study area and soliciting feedback on how the Metro Council and county commissions might weigh various factors when designating reserves.

As candidate areas are identified, the team sees value in working with citizens in these areas via their county planning organizations (CPOs) or other appropriate local community groups in order to collectively explore the application of factors to particular areas and to seek a deeper understanding of the implications of each reserve designation. The focus will remain on land suitability for urban or rural use.

Although these meetings are still in the planning stage, we currently anticipate that at each meeting the team will:

- Present an overview of the reserves designation process and the Making The Greatest Place context for regional decision-making.
- Discuss the factors in-depth and their relative local importance
- Present candidate areas and the refinement process used to identify them
- Explore implications of urban, rural or no designation
- Share aspirations of nearest city/cities and discuss implications
- Ask citizens for their support of the candidate areas or if candidate areas are not supported what additional information should be considered.

Activity Timeframe

Phase 3 public outreach activities began in January. Because the candidate areas will not be identified until early March, public meetings and workshops will likely take place in late March, and April.

IX. Recommendations

The Planning Directors of Washington County presents the Washington County Reserves Coordinating Committee (RCC) potential Draft Urban and Rural Reserves Candidate Areas. Staff recommends RCC members review these candidate areas with their staff and prepare to concur, at the March 2, 2009 RCC meeting, on those candidate areas that will receive further analysis



Potential Candidate Rural Reserve Areas

February 9, 2009

Approx. 171,390 Acres in area

-  Reserve Study Area
-  Potential Candidate Area
-  Washington County Line

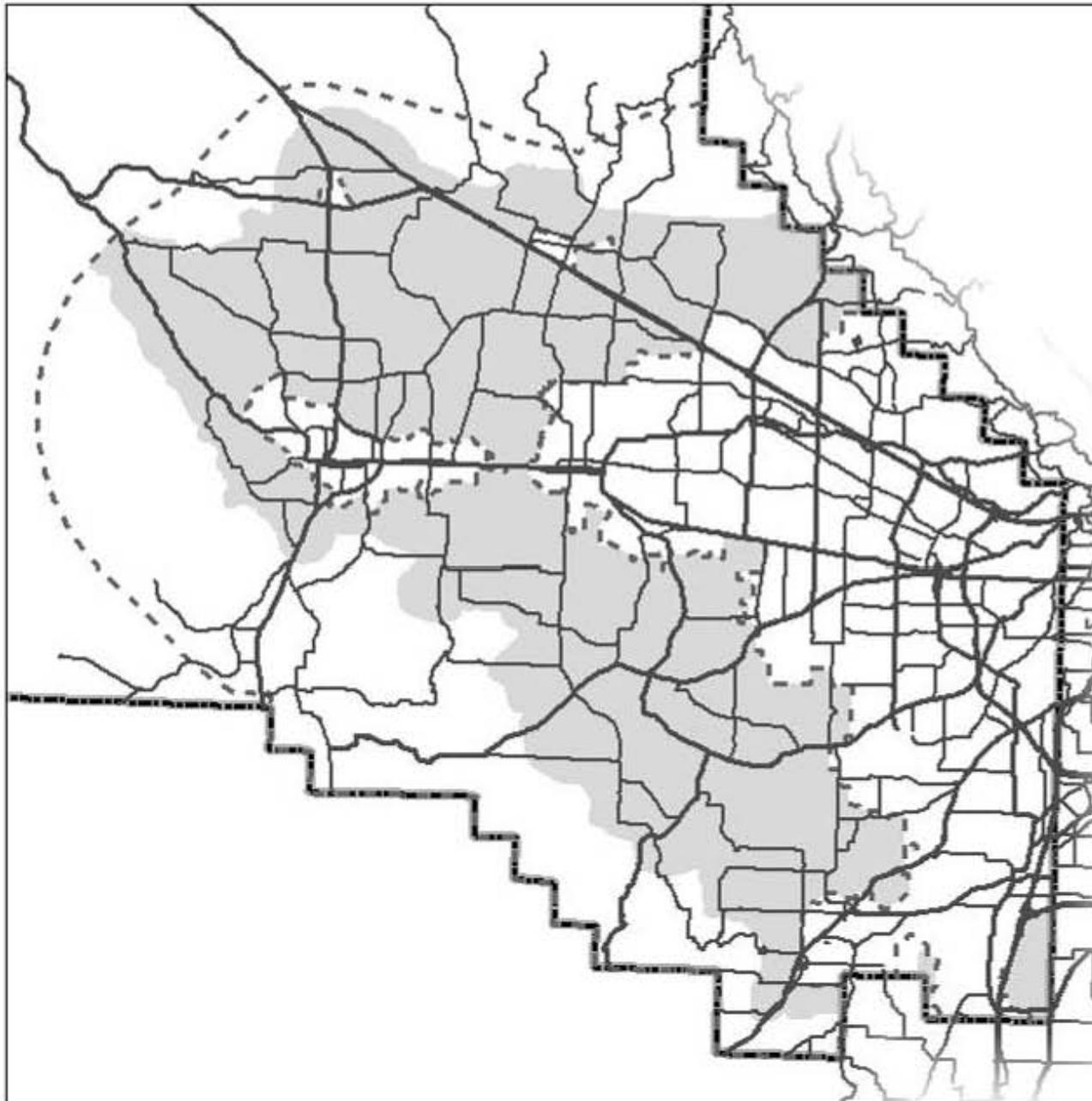
1 inch = 20,000 feet

Disclaimer:

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Potential Candidate Urban Reserve Areas

February 9, 2009

Approx. 106,010 Acres in area

-  Reserve Study Area
-  Potential Candidate Area
-  Washington County Line

1 inch = 20,000 feet

Notice:

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**Washington County Urban and Rural Reserves Project;
Stakeholders and Interested Parties / Meetings with Staff:**

Following is a preliminary / partial listing of Stakeholders and Special Interest representatives that have participated in meetings and/or discussions related to the ongoing technical analysis efforts being undertaken by County staff:

- Washington County CCI;
- Washington County CPO's;
- Jim Johnson, Land Use and Water Planning Coordinator with the Oregon Department of Agriculture;
- Mike Houck, Urban Greenspaces Institute – Center for Spatial Analysis and Research, Portland State University;
- Mary-Kyle McCurdy – staff attorney, 1000 Friends of Oregon
- Washington County Farm Bureau (2 meetings)
- Two farmers from the Roy area
- Two farmers from the Bethany area
- Farmer from south Cornelius area
- Bob Terry - farmer
- Two rural real estate appraisers
- Fred Van Domelen – farmer, south Hillsboro area
- Dave Vanasche – Farmer
- State agencies, including: Department of Land Conservation and Development, Department of Agriculture, Department of Forestry, Department of Fish & Wildlife, Department of Environmental Quality and Department of Economic and Community Development.

ATTACHMENT 'B'

Subject: Comments to Washington County regarding County GIS technical analysis and mapping related to Rural Reserves.

Copy of E-mail memorandum from Jim Johnson, Land Use and Water Planning Coordinator, Oregon Department of Agriculture.

From: Jim Johnson [mailto:jjohnson@oda.state.or.us]

Sent: Wednesday, November 19, 2008 3:42 PM

To: Jim Tice

Cc: Katy Coba; Brent Curtis; Doug McLain; Chuck Beasley; kathryn.harrington@oregonmetro.gov; John Williams; Robin McArthur; Richard Benner; David Morman; Bill Ferber

Subject: Rural Reserves Mapping

Jim

As promised, here are some of my initial thoughts about the mapping Washington County is conducting for Rural Reserves as it relates to agricultural lands. For your consideration:

1. First and foremost, I would say that using GIS to apply and overlay data related to the RR factors is an excellent process. However, I am not convinced that that a process that places weights on list of "values" (factors) is a good methodology to use when dealing with an industry as diverse as agriculture. This is especially the case in the northern Willamette Valley where the number of crops, type of operations and the number of agricultural practices is quite extensive. Having said this, I provide comment on your factors and weighting below.
2. In the Washington County memo (Oct. 30) explaining the county's GIS Suitability Mapping Project, it states that the RR factors in OAR 660-027-0060 are a "guide" for designating RRs. This is not how I understand the law. The statute states that the county and Metro "SHALL base the designation [of rural reserves] on consideration of factors, including, but not limited to...." and then lists the factors. The rule states: "...the county SHALL apply the appropriate factors in either section (2) [ag/forest] or (3) [natural resources] of this rule, or both." OAR 660-027-0060(1).
3. Therefore, while the county may be able to look at other factors, and I would support this in some cases (see below), I believe those other factors cannot be used to undermine the listed factors. It is also important to note that the rule & statute appear to give equal weight to all the listed factors. You may wish to discuss this with Dick Benner.
4. Proximity to the UGB is used as a measurement of "subject to urbanization." After reviewing your mapping which uses concentric circles around UGBs, I would remark that this is too simple a tool. Not all lands located within the first (or any) ring should be considered as equal. Proximity to major transportation corridors, interchanges and known "aspirations" and past actions should further inform the analysis of this factor. For example, the recent mapping/planning of the City of Hillsboro, past attempts such as the City of Cornelius' to include lands north of Council Creek and the "demand" for industrial lands near major transportation routes render the subject lands more subject to urbanization than other lands located within the same ring. In some cases, this would equate to lands in further out rings being more subject to urbanization than many lands located in the first ring.

Perhaps more important, this factor should be used to determine which agricultural lands should be protected. It appears from your mapping that the county is using this as a limitation on agricultural lands resulting in a lower value for those lands located closer to an UGB. That appears to be the sole reason as to why a band of agricultural lands located around the county UGB is rated at a lesser value. The ODA work took into account the implications of urbanization on long-term viability. A great deal of Foundation Land shares an edge with an UGB. What your proximity measure should indicate is not a lesser agriculture value but a higher need for protection. You may wish to review some of our discussion about edges, buffers and compatibility.

5. Another factor used in the county analysis is the ODA mapping (Foundation, Important, Conflicted). Many of the additional factors that the county maps are duplicative to those we used. Isn't this double counting a factor? And why some of the ODA factors, not all of them, used? Of specific concern:
 - a. The lack of any additional measure/weight to the existence of or blocking of agricultural/forest lands. This is in fact a factor listed in OAR 660-027-0060(d)(A)-(C).
 - b. Irrigation. Too much reliance on whether or not lands are located within the Tualatin Valley Irrigation District (TVID) and it's associated infrastructure. Many high-value crops are grown in the region without irrigation. In a future situation where need is established and other lesser land is not available for urbanization and it gets down to deciding between one tract of agricultural land and another, then we should look at such elements. There are many examples of irrigated land in the areas the county has identified with a lesser value such as northwest and north of North Plains and in the Jackson School Road area. There are also many areas located within the TVID boundary that are not irrigated.
 - c. The Wildland Forest Inventory should not be used as a tool to measure the value of land for **agriculture**. This factor appears to devalue most of the agricultural lands ODA determined to be Foundation Lands (they show as 5.99-6.76 on your scale). These lands are the heart of Washington County agriculture. This factor should not be used to evaluate lands for agricultural value. A separate measure of agriculture, a separate measure of forestry and a separate measure of natural features could be combined to see where they overlap but each should not be involved in a measure of the others value.
 - d. Viticulture lands. Why the greater weight when compared to other agricultural lands? Again, this tends to devalue the bulk of the county's agricultural land base located in the Tualatin Valley. I would be the first to agree that these lands are an important part of the regions agriculture base. But they do not provide the wider range of options for agriculture as do the valley floor and they do not rank higher in total value than other products grown in the county such as nursery and

I will continue to evaluate the rural reserves work and also take a look at the urban reserves. If I come up with more thoughts, I will forward to you. Please contact me should you have any questions .

Jim

Jim Johnson
Land Use and Water Planning Coordinator
Oregon Department of Agriculture
Natural Resources Division
635 Capitol Street NE
Salem, Oregon 97301

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Fax: (503)986-4730
email: jjohnson@oda.state.or.us
<http://egov.oregon.gov/ODA/>

Date: November 24, 2008

To: Jim Johnson, Oregon Department of Agriculture

From: Brent Curtis, Washington County

Subject: **Rural Reserve Mapping**

Thank you for your emailed comments on Washington County's suitability analysis for identifying rural and urban reserves. Staff has reviewed and discussed your points and would like to meet with you again to go over these topics, but until that time here are some written responses.

- 1. First and foremost, I would say that using GIS to apply and overlay data related to the RR factors is an excellent process. However, I am not convinced that that a process that places weights on list of "values" (factors) is a good methodology to use when dealing with an industry as diverse as agriculture. This is especially the case in the northern Willamette Valley where the number of crops, type of operations and the number of agricultural practices is quite extensive. Having said this, I provide comment on your factors and weighting below.*

As we stated in our October 30, 2008 memo and have tried to make clear when we have presented this work, this analysis doesn't provide the answer. It is our attempt to gain a better understanding of how the various factors function together and where they occur. The intent has always been that this analysis would not be a replacement for professional knowledge and experience in designating rural or urban reserves but a tool to be used in that process.

- 2. In the Washington County memo (Oct. 30) explaining the county's GIS Suitability Mapping Project, it states that the RR factors in OAR 660-027-0060 are a "guide" for designating RRs. This is not how I understand the law. The statute states that the county and Metro "SHALL base the designation [of rural reserves] on consideration of factors, including, but not limited to...." and then lists the factors. The rule states: "...the county SHALL apply the appropriate factors in either section (2) [ag/forest] or (3) [natural resources] of this rule, or both." OAR 660-027-0060(1).*

We agree that the OAR is not a guide for designating rural reserves and that this is an instance of some writing in need of clarity. The point we were trying to make was that the OAR was used as a template for the analysis. Since the analysis is dependent on assigning values to different attributes, which is not part of the rule, we are applying some judgment and were trying to make it clear that this analysis isn't a requirement of the rule but an interpretation.

- 3. Therefore, while the county may be able to look at other factors, and I would support this in some cases (see below), I believe those other factors cannot be used to undermine the listed factors. It is also important to note that the rule & statute appear to give equal weight to all the listed factors. You may wish to discuss this with Dick Benner.*

The County's intent was never to undermine any of the requirements of the OAR. The data considered was meant to provide an enhanced application of the factors. While the rule and statute appear to give equal weight to all the listed factors, we believe that the criteria used to determine a

requirement, for example, whether lands “are suitable to sustain long-term agricultural or forestry operations,” are not necessarily equal.

4. *Proximity to the UGB is used as a measurement of “subject to urbanization.” After reviewing your mapping which uses concentric circles around UGBs, I would remark that this is too simple a tool. Not all lands located within the first (or any) ring should be considered as equal. Proximity to major transportation corridors, interchanges and known “aspirations” and past actions should further inform the analysis of this factor. For example, the recent mapping/planning of the City of Hillsboro, past attempts such as the City of Cornelius’ to include lands north of Council Creek and the “demand” for industrial lands near major transportation routes render the subject lands more subject to urbanization than other lands located within the same ring. In some cases, this would equate to lands in further out rings being more subject to urbanization than many lands located in the first ring. Perhaps more important, this factor should be used to determine which agricultural lands should be protected. It appears from your mapping that the county is using this as a limitation on agricultural lands resulting in a lower value for those lands located closer to an UGB. That appears to be the sole reason as to why a band of agricultural lands located around the county UGBs is rated at a lesser value. The ODA work took into account the implications of urbanization on long-term viability. A great deal of Foundation Land shares an edge with an UGB. What your proximity measure should indicate is not a lesser agriculture value but a higher need for protection. You may wish to review some of our discussion about edges, buffers and compatibility.*

We agree that the straight-line distance to the existing UGB is a simple tool. We had always planned on adding greater detail as we worked our way through the process as we learned more from our previous work and the input of others such as ODA, the cities, and Metro. At this time local governments are working with Metro to identify their aspirations and as that process moves farther along we will be able to incorporate it into our analysis. Initially we did score areas closer to existing UGBs lower for rural reserves thinking that it would be more sustainable for agricultural uses to be farther away. Based on input from our meetings with you and the Washington County Farm Bureau we flipped the scores on the “Distance to UGB” attributes so that those areas closer to the UGB score higher for rural reserves than those farther away. We have reviewed the discussion about edges, buffers, and compatibility and have been unable to determine how to identify and quantify those categories in a way to add them to our analysis. We would welcome the opportunity to work with you on implementing that suggestion.

5. *Another factor used in the county analysis is the ODA mapping (Foundation, Important, Conflicted). Many of the additional factors that the county maps are duplicative to those we used. Isn’t this double counting a factor? And why some of the ODA factors, not all of them, used? Of specific concern:*

We are going to put ODA, DOF & Natural Landscape Features Inventory/environmental data on separate maps. We are then going layer them all on one map with equal weighting. This will be our first screen.

However, note that the ODA mapping is too general to provide the detail we need in order to identify study areas for both the RR and the UR. For example, by mapping and weighting soil types, the steeper slopes are shown as less suitable for agriculture. Therefore future screening will

attempt to fine tune the data.

- a. *The lack of any additional measure/weight to the existence of or blocking of agricultural/forest lands. This is in fact a factor listed in OAR 660-027-0060(d)(A)-(C).*

This is another instance of something we would like to work through with you. As we remarked above, we haven't determined how to identify and quantify this factor. We are currently working on a methodology to map blocks and parcel patterns.

- b. *Irrigation. Too much reliance on whether or not lands are located within the Tualatin Valley Irrigation District (TVID) and it's associated infrastructure. Many high-value crops are grown in the region without irrigation. In a future situation where need is established and other lesser land is not available for urbanization and it gets down to deciding between one tract of agricultural land and another, then we should look at such elements. There are many examples of irrigated land in the areas the county has identified with a lesser value such as northwest and north of North Plains and in the Jackson School Road area. There are also many areas located within the TVID boundary that are not irrigated.*

Since our meetings with you and the Washington County Farm Bureau we have added in the point-of-use data from the Water Master to identify those parcels with water rights for irrigation regardless of whether they are inside or outside of the TVID boundary. We have also removed proximity to TVID pipes and wells from the analysis. The County's belief is that while need for urban land has not yet been established we should begin to look at whether one tract of agricultural land is better than another. The overall weight for irrigation is still something we are trying determine and continue to need input on.

- c. *The Wildland Forest Inventory should not be used as a tool to measure the value of land for **agriculture**. This factor appears to devalue most of the agricultural lands ODA determined to be Foundation Lands (they show as 5.99-6.76 on your scale). These lands are the heart of Washington County agriculture. This factor should not be used to evaluate lands for agricultural value. A separate measure of agriculture, a separate measure of forestry and a separate measure of natural features could be combined to see where they overlap but each should not be involved in a measure of the others value.*

We agree that the Wildland Forest Inventory should not be used to measure agricultural land, but the process is to identify rural reserves. While forestry is not as large a use in the regional reserves study area in Washington County as agriculture the OAR treats the two equally and we feel obligated to include it. An important point is that the final scores do not have an inherent value. So while a location with a Foundation designation, Class I soil, water rights located inside the TVID boundary, and located next to an UGB doesn't end up with a perfect score of 9 because it isn't a wildland forest it doesn't mean it shouldn't be a rural reserve. We don't believe that excluding the forest inventory will make such a site any more likely to be included in an rural reserve.

- d. *Viticulture lands. Why the greater weight when compared to other agricultural lands? Again, this tends to devalue the bulk of the county's agricultural land base located in the Tualatin Valley. I would be the first to agree that these lands are an important part of the regions agriculture base. But they do not provide the wider range of options for agriculture as do the*

valley floor and they do not rank higher in total value than other products grown in the county such as nursery and

This continues to be one of the most remarked upon elements in our analysis. Since viticulture lands are subject to limitations under Measure 49, we believe that these land should be given some weight even though these lands overlap with other factors such as capability class. However, the weighting can be reduced. It is important remember that we are identifying study areas for further analysis and types of crops that are dependent on special conditions such as slope or water may need more protection than other crops that can be grown anywhere.

Materials following this page were distributed at the meeting.

Urban and Rural Reserves Phase 3 Preliminary Public Meeting Schedule

Clackamas, Multnomah and Washington counties and Metro invite residents of the Portland metropolitan area to attend public meetings to engage in the process of designating Urban and Rural Reserves. These meetings will take place around the region during the latter half of April. Participants will have the opportunity to learn about the designation process; to consider both rural and urban candidate areas and the factors and processes used to identify them; and to share their insights. Here are the dates and locations scheduled so far:

Date/Time	Location	Lead Sponsors
April 14 or 15 5 to 7 pm	Oregon City area, location to be determined	Clackamas County and Metro
Thursday, April 16 5 to 7 pm	Neil Armstrong Middle School 1777 Mountain View Lane, Forest Grove	Washington County and Metro
Saturday, April 18 9 am to noon	Metro Regional Center 600 NE Grand Ave., Portland	Multnomah County and Metro
Monday, April 20 5 to 7 pm	Sam Barlow High School 5105 SE 302nd Ave., Gresham	Metro, Clackamas and Multnomah counties
Wednesday, April 22 5 to 7 pm	Tigard High School 9000 SW Durham Rd., Tigard	Washington County and Metro
Monday, April 27 6 to 8 pm	Linnton Community Center 10614 NW Saint Helens Rd., Portland	Multnomah County and Metro
To be determined	Two additional meetings will likely be scheduled, one in Clackamas county and one in Washington county	Washington and Clackamas counties and Metro

For more information contact Marcia Sinclair at marcia.sinclair@oregonmetro.gov or 503-797-1814. Please check the Metro website, www.oregonmetro.gov/reserves for updated meeting locations, dates and times.

Memorandum

TO: Rick Gruen, Chairman
Clackamas County Reserves Policy Advisory Committee

FROM: Chris Jordan, City Manager

DATE: February 23, 2009

SUBJECT: Objections to Clackamas County's determinations of Candidate Rural Reserves

Thank you for the opportunity to review and comment on the draft "*Candidate Rural Reserve Areas*" Map for Clackamas County. The West Linn City Council and Staff have identified several significant flaws in the processes (and early results) that are being used in the County's Reserve Designation process, particularly as they relate to the recently completed draft Candidate Map. As a result of these errors, this Map indicates that the land area directly adjacent to the City of West Linn, identified as Area 'Q', should not be considered as a candidate for a Rural Reserve designation. Respectfully, the City Council does not agree with this assessment and offers the reasons outlined herein as justification for its inclusion as a candidate Rural Reserve area.

The concerns raised in this Memorandum include specific constructive criticisms of the Rural Reserves designation process; however, many of these issues are applicable to the upcoming Urban Reserve designations as well.

The Council's concerns are outlined in detail below and involve two areas: (1) specific disagreement over the findings that Area 'Q' does not meet the requirements of OAR 660-027-0060 for a Rural Reserve; and (2) systemic problems with the process and timing the County is using to review the specific areas that qualify for the candidate Rural Reserve Designation.

1. Factors for Designation of Lands as Rural Reserves

While the City appreciates that the final determination of the reserve designations will involve hard choices between many viable candidates, it is clear that, as described below, Area 'Q' meets the required factors to qualify as a Rural Reserve 'candidate' and should be reclassified as such.

Please note that the discussion below is applicable to all of Area "Q", but particularly the portion on the north side of the Tualatin River. The Oregon Administrative Rules (OAR) specify the exact factors that must be considered to identify lands for Rural Reserve designation.

Below are the relevant factors listed in 660-027-0060 to be considered, followed by a discussion of how Area 'Q' is consistent with that factor, therefore qualifying it as a Rural Reserve: (Portions of the OAR below have been **bolded** for emphasis.)

(1) When identifying and selecting lands for designation as rural reserves under this division, a county shall indicate which land was considered and designated in order to provide long-term protection to the agriculture and forest industries and which land was considered and designated to provide long-term protection of important natural landscape features, or both. Based on this choice, the county shall apply the appropriate factors in either section (2) or (3) of this rule, or both.

The OAR introduction to the Rules that state that Counties may apply the factors of either (2)-protection of agricultural industry, or (3)- protection important natural landscape features in making their rural reserve determination. This is important because it can be either, and does not have to meet both. Therefore, while the City believes that it should be protected as an important area for the agricultural industry as well, this area clearly meets the factors stipulated for protection of natural resources.

*(2)(a) Are situated in an area that is otherwise potentially **subject to urbanization** during the applicable period described in OAR 660-027-0040(2) or (3) as indicated by proximity to a UGB or proximity to properties with fair market values that significantly exceed agricultural values for farmland, or forestry values for forest land;*

It is obvious that Area 'Q' is not only 'subject' to urbanization due to its proximity to West Linn, but it was in fact actually proposed for urbanization (Area 37) in 2003 during the last UGB expansion by Metro. The City is not aware of the completion of the required market value of properties (but would suggest that as a factor stated in the OAR's it should be completed for the PAC's consideration), but it is a safe assumption that the market value of properties in this area would exceed its agricultural value of farmland. These factors indicate that Area "Q" is particularly 'subject to urbanization' and as such is appropriate for a Rural Reserve designation.

*(3) Rural Reserve Factors: When identifying and selecting lands for designation as rural reserves intended to protect important natural landscape features, a county **must consider those areas identified in Metro's February 2007 "Natural Landscape Features Inventory" and other pertinent information**, and shall base its decision on consideration of whether the lands proposed for designation:*

As you know, the referenced Metro Map serves an important tool for determining natural landscape areas at the 'big picture' level. However, as permitted by this Rule, other *pertinent information* must be considered as well. The City of West Linn has completed natural inventory maps using detailed LIDAR information, which permits far greater detail of the subject areas adjacent to the City than is provided by Metro. For example, the City is able to determine, at a smaller scale and on a lot by lot basis, a more detailed assessment of

the natural features for most of Area 'Q', as depicted in the attachment, 'Candidate Rural Reserve Comparison Map'.

*(a) Are situated in an area that is otherwise potentially **subject to urbanization** during the applicable period described OAR 660-027-0040 (2) or (3);*

As stated under the first item, there are few areas in unincorporated Clackamas County that are more subject urbanization than Area 'Q'.

*(b) Are subject to natural disasters or hazards, such as **floodplains, steep slopes** and areas subject to landslides;*

*(c) Are important **fish, plant or wildlife habitat**;*

*(d) Are necessary to protect water quality or water quantity, such as streams, wetlands **and riparian areas**;*

As a specific example of how providing more detailed information should be utilized to make decisions, the attached Map, created by the City's GIS Department, provides more accurate data of Area 'Q' specific to slopes. It indicates areas with steep slopes, specifically between 10%- 25% as well as areas with slopes that exceed 25%. This Map clearly indicates a significant amount of lands in Area 'Q' that consists of steep slopes. Area 'Q' also includes two important riparian areas, which support fish, plant and wildlife. In fact, it is apparent from this map that Area 'Q' includes just as many steep slopes and riparian areas as the adjacent Area 'S'.

*(g) Provide for **separation between cities**; and*

*(h) Provide **easy access to recreational opportunities in rural areas**, such as rural trails and parks.*

As much as any other lands in the study area, Area 'Q' and the Stafford Triangle undoubtedly serve as a separation between Lake Oswego, Tualatin and West Linn. This factor is of particular relevance because for many years residents of these Cities have identified the rural character of this 'edge' as a key component that contributes to their quality of life. Loss of the rural aspects of this area would result in a significant loss for our City's residents and would result in a 'blurring of the line' between cities. Whether it's the accessibility to the existing small nurseries, the wildlife activities, or access to the natural rural amenities, this area provides residents of the entire region with an important separation between urban areas. These two subsections are clearly intended to prohibit the loss of such attributes in close proximity to urban areas.

OAR 660-027-0010(6) "*Important natural landscape features*" means *landscape features that **limit urban development or help define appropriate natural boundaries of urbanization, and that thereby provide for the long-term protection and enhancement of the region's natural resources, public health and safety, and unique sense of place. These features include, but are not limited to, plant, fish and wildlife habitat;***

corridors important for ecological, scenic and recreational connectivity; steep slopes, floodplains and other natural hazard lands; areas critical to the region's air and water quality; historic and cultural areas; and other landscape features that define and distinguish the region.

Although not often discussed, this specific definition of "important natural landscape features" found in the Rules provides the specific features that are to be considered when identifying areas for a rural designation. Each of these 'features' are prominently found in the Stafford Basin. The definition also includes a section that epitomizes the City of West Linn's relationship with all of the Stafford area. The rural area adjacent to our City helps us to define our City's 'unique sense of place'. Losing it to development would not only be detrimental to the City and region, but would be contrary to the purpose identified in the OAR's.

Based on the fact that it satisfies numerous factors of 660-027-0060, Area 'Q' should be classified as a 'Candidate' Rural Reserve Area.

II. Procedural issues

The Council has identified serious concerns about the process that is being used by the County to make their recommendations on reserve areas, these include:

- Many local governments have not yet completed their local growth aspirations reports. At the time this Memorandum was prepared, neither Tualatin nor Lake Oswego had provided a written growth aspirations report. Since these are the areas that will be most impacted by the final reserve designations, it would seem that making reserve area recommendations prior to receiving input from those communities is shortsighted. The City of West Linn's aspirations report states explicitly that the Stafford Area be designated as a 'Rural Reserve'.
- Metro has not adopted its 20-50 year Regional Forecast or presented their preliminary Urban Growth Report. Without knowledge about the anticipated growth needs for the region (e.g. accepted population and employment data from Metro) it is premature to establish the reserve areas.
- There has not been adequate input from the Stafford Hamlet. The County has recognized and supported the efforts of the Stafford Hamlet, which has not yet completed its vision for the area. The Hamlet is scheduled to provide its 'Community Vision Plan' to the BCC on March 21st. It is premature for the County to make its reserve recommendations prior to being presented with the Hamlet's vision for their community.
- Washington County, which is completing a process parallel to Clackamas County, produced an initial Candidate Rural Reserve Map that excluded very few areas from consideration. Owing to the fact that areas that are not included as 'candidate' rural reserves at this early stage will not be even considered as final recommended rural reserve areas, it is prudent that only areas that clearly do not meet the factors in the OAR's should be excluded at this time. As outlined in this letter, Area 'Q' meets or satisfies a great number of these factors and thus Clackamas County should adopt

the Washington County model of *inclusiveness* at this stage as well and include Area 'Q' as a Candidate Rural Reserve.

- When determining the agricultural viability of lands in the County, it is not apparent that consideration was given to the importance of having agricultural production in close proximity to the market to which it is providing. This ensures a close relationship between the food buying public and the farms that produce their food. This allows for more an affordable, sustainable food systems, such as Community Supported Agriculture (CSA), require farms to be in closer geographic proximity to the market. If additional emphasis is placed on the consideration of this factor, the Stafford area would 'rank' higher as an important agricultural center.

Thank you in advance for considering West Linn's concerns.

cc: City of West Linn City Council

Attachment

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DANA L. KRAWCZUK
ALSO ADMITTED IN WASHINGTON

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March 13, 2009

Core 4 Members and Regional Reserves Steering Committee Members
c/o Laura Dawson-Bodner
Metro Regional Center
600 NE Grand Avenue
Portland, OR 97232-2736

Re: Request to Consider Designating the SW Corner of Highway 26 and Highway 212 as an Urban Reserve Candidate Area

Dear Core 4 Members and Regional Reserve Steering Committee Members:

This law firm represents multiple owners of properties located at the southwestern corner of the intersection of Highway 26 and Highway 212 (the "Site"). Please include this letter in the record for the urban and rural reserves designation process.

We understand that the Reserves Steering Committee (RSC) is evaluating Multnomah, Washington and Clackamas Counties' recommendations for urban reserve candidate areas (URCA) and rural reserve candidate areas (RRCA). The Clackamas County Policy Advisory Committee (PAC) recommended the Site as both a RRCA and URCA. However, the Clackamas County Board of Commissioners rejected the PAC's recommendation that the Site be an URCA so that Highway 26 could be maintained as a rural corridor.

For the reasons explained below, we urge the RSC to carefully review the Site and objectively apply the URCA designation criteria, and recommend the Site as an URCA. During its evaluation, we request that the RSC keep in mind that the Site is of regional significance because it is a critical component of a major transportation corridor and intersection that will be urbanized over time. Our ability to improve these regional transportation facilities over time will be influenced by if the Site is able to be urbanized.

1. The Site Meets the Criteria for Being Designated an Urban Reserve Candidate Area (URCA)

We urge the PAC to identify the Site, which is located southwest of the intersection of Highway 26 and Highway 212, as an URCA. While this is already a busy traffic corridor and intersection, as the area urbanizes (particularly Damascus), it will become a major east Clackamas County urban intersection. The Site is rated as having "medium" water and sewer serviceability. When the area develops in the future, the properties could be efficiently

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served by infrastructure investments made in the Damascus area. The excellent transportation access and future availability of services makes the Site well suited for future commercial development. Such commercial development would generate SDCs and increase the tax base, both of which are essential for a healthy economy and the provision of urban services in the region. Additionally, the general vicinity already has many houses, so it is essentially no longer rural.

These considerations are all directly related to the criteria for identifying and selecting urban reserves are listed in OAR 660-027-0050, which are the same criteria that should be the basis for designating URCA. Based on these factors, the Clackamas County PAC recommended that the Site be designated as an URCA. However, the Clackamas County Board of Directors rejected the URCA recommendation because the Board favors a rural corridor along Highway 26. Policy preferences for rural corridors or separation of communities are irrelevant to the urban reserve area (and URCA) criteria. When the analysis of URCA eligibility is based exclusively on the approval criteria, the Site should be designated as an URCA.

A. URCA Proposal

We urge the RSC to extend the URCA that includes Boring to Highway 26, along the Highway 212 corridor.¹ See attached map. The proposed URCA is a modest extension of the recommended URCA, and includes parcelized land that is not suitable for farming in the long term. The proposed URCA is consistent with the urban Highway 212 corridor, and urban intersection with Highway 26. Including this corridor and intersection in a URCA, and ultimately the UGB, will facilitate transportation improvements that may be needed in the future. Finally, with the proposed URCA, the node at the intersection of Highway 26 and 212 would be eligible for urban development, while the Highway 26 corridor between the Metro UGB and Sandy would remain rural.

B. The URCA Proposal Ensures the Viability of Future Improvements to Highway 212

Extending the URCA designation along the Highway 212 corridor to its intersection with Highway 26 is important to ensure the viability of future improvements to Highway 212. With the exception of the segment between Boring and the junction with Highway 26—currently a two lane road—Highway 212 is entirely located within the current UGB or an Urban Reserve Candidate Area. As these areas become urbanized over the planning period, significantly more traffic can be expected to use Highway 212 to gain access to Highway 26. This will likely necessitate improvements such as raised medians, turn lanes, and additional travel lanes to Highway 212, including the segment between Boring and Highway 26. If the Highway 212 corridor between Boring and Highway 26 is designated as a Rural Reserve, the

¹ We request that the recommended URCA that includes Boring be extended along the south side of Highway 212 to Highway 26, then south along 312th Drive, west along Church Road, and connecting with the recommended URCA.

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corridor will remain classified as “rural land” over the 50-year planning period. The current version of the Transportation Planning Rule (“TPR”) establishes significant restrictions on transportation improvements on rural lands. OAR 660-012-0065.²

In short, adopting the RRCA designation along the Highway 212 corridor between Boring and Highway 26 would create unnecessarily burdensome restrictions on necessary future improvements to Highway 212. Extending the URCA designation to this portion of the Highway 212 corridor would facilitate the construction of necessary transportation improvements as the area urbanizes.

2. The Site Should Not be Designated a Rural Reserve Candidate Area (RRCA) Because of the Unique Site Characteristics

A. Protection of the Agricultural Industry is not a Justification for Designating the Site as a RRCA

Clackamas County recommended that the Site be designated a RCRA, but we believe the designation may have been an oversight. The Site is not appropriate for long term protection as a rural area; it is bordered by state highways on two sides (Highways 26 and 212) and the area is adjacent to the unincorporated community of Boring and a recommended URCA. As the region grows, the Site will be less suitable for long-term agricultural use because of its proximity to urban transportation corridors and existing residences, and the likely expansion of urban uses from Damascus, Boring and Sandy. If used for agricultural purposes, the properties would have to be closely monitored to avoid vandalism, the urban traffic along the major state highways would conflict with agricultural vehicle movement and the off site impacts of farming (dust, spray, odor etc.) would be incompatible with surrounding urban uses. These impediments make long-term agricultural use of the properties unsustainable. There is simply not a justification for protecting the Site as a rural reserve (or RRCA) to protect the agricultural industry over the next 50 years. OAR 660-027-0060(2).

B. A Separation of Communities between the Metro UGB and the City of Sandy Can be Maintained without Designating the Site as a RRCA

² Under this rule, in order to improve the corridor with additional travel lanes outside the existing right of way, the conditional use criteria in ORS 215.296 must be satisfied. To establish a raised median or a continuous median turn lane, the local government must satisfy both the conditional use criteria in ORS 215.296 and the alternatives analysis in OAR 660-012-0065(5). Improvements to that do not meet the criteria of OAR 660-012-0065 will require a goal exception pursuant to OAR 660-012-0070 to be sited on this portion of the Highway 212 corridor. Additionally, this portion of the Highway 212 corridor would be classified as an “Urban Fringe” under OAR 660-012-0005(40) because it is within 5 miles of the UGB. In order to include an improvement to this portion of the Highway 212 in the TSP, the local government must satisfy the criteria in OAR 660-012-0035(10). This requires the local government to demonstrate either: (1) that the improvement will not significantly reduce peak hour travel time; or (2) that other alternatives can not reasonably satisfy the purpose of the improvement project.

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Because the Site's potential for long-term agricultural use is severely limited, it is unlikely that it was the basis of Clackamas County's recommendation that the Site be designated a RRCA. The County's explanation for rejecting the PAC's recommendation that the Site be an URCA, the desire that Highway 26 remain a rural corridor, leads us to believe that the Site may have been recommended as a RRCA to provide separation between the Metro UGB and the City of Sandy. OAR 660-027-0060(3). Separation between the Metro UGB and the City of Sandy can still be accomplished if the key urban intersection of Highway 26 and Highway 212, the Site, is ultimately urbanized because the remainder of the corridor will remain rural.

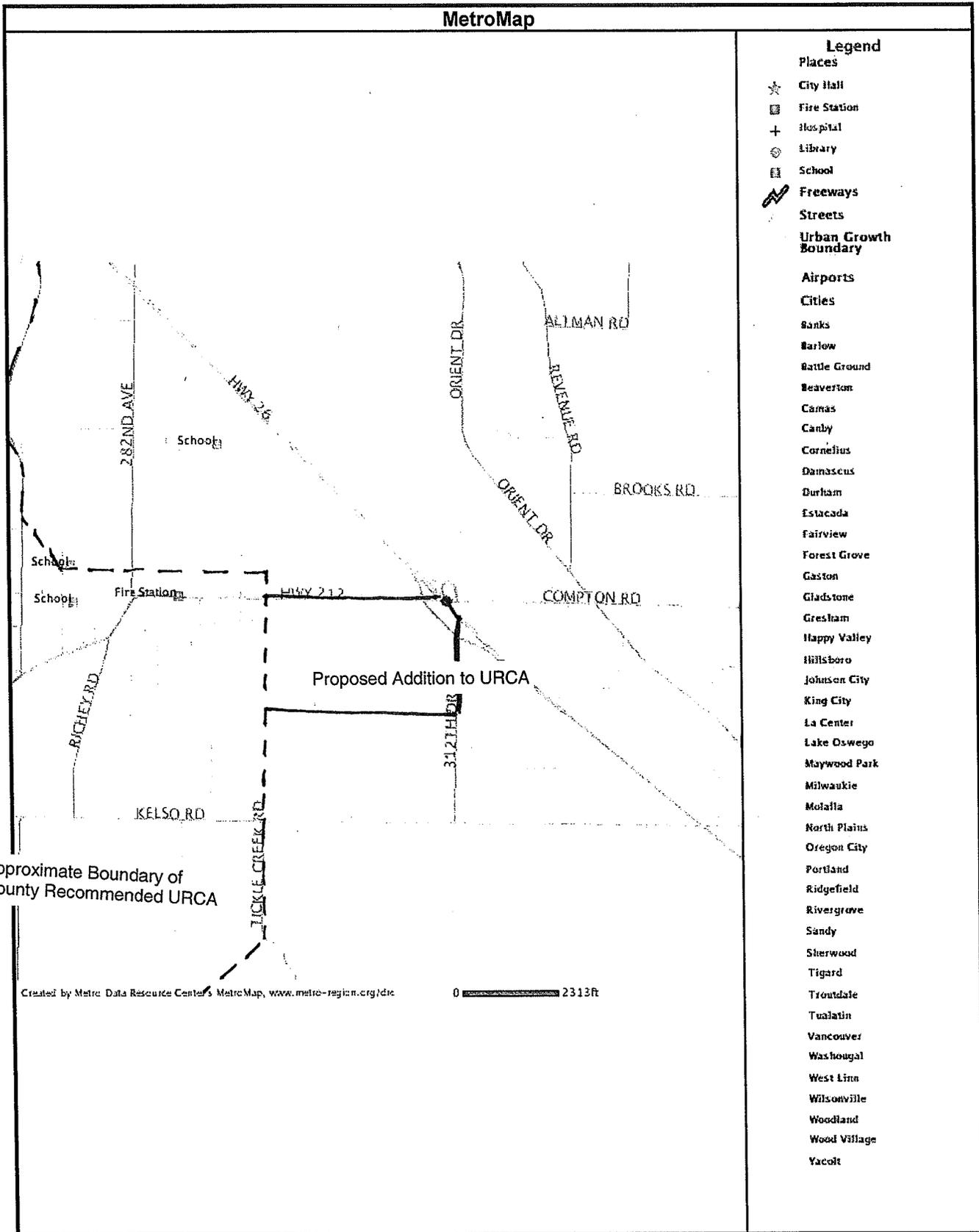
Clackamas County's policy preference to keep the Highway 26 corridor rural stems from a 1998 intergovernmental agreement (IGA) between the County, City of Sandy, Metro and the Oregon Department of Transportation (ODOT). ODOT, a party to the agreement, did not sign the agreement, so it is questionable if the IGA is legally binding.³ Nonetheless, the IGA represents the County's, City's and region's policy for Highway 26 from over 10 years ago. A lot has changed since then. The IGA predates the 2002 inclusion of the approximately 13,000 acre community of Damascus in the UGB, and the dramatic change in the projected transportation patterns for the intersection of Highway 212 and Highway 26. Highway 212 is the major east/west street through Damascus, and a significant volume of Damascus-generated traffic will continue along Highway 212 to Highway 26. This traffic pattern will become even more urbanized if the community of Boring is included in the UGB. Over the long-term, Highway 212 will become a major urban transportation corridor, and its intersection with Highway 26 will be a major urban intersection. The area's level of urban development, the resulting traffic and impact on the Highway 26/212 intersection was not considered in the IGA, and seriously calls into question that legitimacy of the policy as applied to this intersection.

As a region, we need to balance the desire for separation of communities with the need to have a functioning urban transportation system. The URCA we propose accomplishes both objectives. A node of urbanization will be allowed at a key urban intersection, which will facilitate needed transportation improvements. However, the remainder of the corridor between the existing UGB and the City of Sandy will remain as protected agricultural land (either as a rural reserve or with EFU zoning).

3. Conclusion

The Site is a critical component to a major intersection that will be urbanized over time. As a region, the urban value of Highway 212 corridor and intersection with Highway 26 should be recognized, and the ability to improve these transportation facilities should not be unduly burdened because they are not eligible for urbanization. Allowing this corridor and intersection to urbanize will create a discrete urban node of development at a key intersection, while maintaining a separation between the Metro UGB and the City of Sandy.

³ Even if the IGA were binding, designating the Site as a rural reserve is inconsistent with the IGA, which allows each party the right to unilaterally terminate the IGA with 60 days notice.



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The Site meets the URCA criteria, and we respectfully request that the RSC recommend our proposed URCA so that as the iterative urban and rural reserve area selection process evolves, the region can objectively analyze the future of the Site in accordance with SB 1011 and its implementing rules.

Sincerely,



Dana L. Krawczuk

DLK:DLK
Enclosure