

**RESERVES STEERING COMMITTEE  
MEETING SUMMARY**

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

**Core 4 Members Present:** Washington County Commissioner Tom Brian, Multnomah County Commissioner Jeff Cogen, Metro Councilor Kathryn Harrington, and Clackamas County Commissioner Charlotte Lehan.

**Reserves Steering Committee Members Present:** Susan Anderson, Chris Barhyte, Jeff Boechler, Katy Coba, Denny Doyle, Bill Ferber, Kathy Figley, Karen Goddin, Jack Hoffman, Mike Houck, Kirk Jarvie, Tim Knapp, Jim Kight, Greg Manning, Sue Marshall, Mary Kyle McCurdy, Alice Norris, Dick Strathern, Jeff Stone, Richard Whitman, and Jerry Willey.

**Alternates Present:** Drake Butsch, Donna Jordan, Bob LeFeber, John Pinkstaff, Lidwien Rahman, and Tara Sulzen.

**Facilitation Team:** Debra Nudelman and Melissa Egan.

**I. WELCOME AND INTRODUCTIONS**

Deb Nudelman called the meeting to order at 9:15 a.m., welcomed everyone, made brief introductory remarks, and asked attendees to introduce themselves. She provided an overview of the agenda and meeting materials. There was one change requested to the August 12, 2009 Draft Meeting Summary; Dennis Doyle was inadvertently left off the attendance list. With that correction, the meeting summary was adopted as final.

Deb asked the Reserves Steering Committee members for updates. Greg Manning brought to the Committee's attention the letter written by Craig Brown, Greg Specht, and himself regarding Business Oregon's Mapping Project and the business community's interpretation of the data. He said we need to be aware of the opportunity costs we face concerning urban and rural designation choices, reiterating that sufficient land supply is necessary to support job growth and housing.

Richard Whitman announced that the Department of Land Conservation and Development Commission meets every six weeks, and they have two upcoming meetings which may interest RSC members, on October 1 and 2. At one of these meetings, they will hear a presentation from Reserves staff regarding Reserves and the Making the Greatest Place Initiative. Please see the LCDC website for more details and the agenda, which will be posted closer to the meeting date.

Katy Coba had a follow up comment to Greg's comment. She has concerns about set of data for used as the background for this letter. Business Oregon presented a pilot program and used generalized numbers. She has concerns about the extent to which conclusions were extrapolated from the data sets and the pilot project. Katy does not think all the benefits or costs can be captured with the numbers we currently have and thinks we cannot interpret to the level they have in their letter.

Bob LeFeber announced to the RSC that the Johnson Reid survey will be posted to the Metro website and encourages everyone to review it.

Jerry Willey offered a follow up comment to Katy's comment. Jerry would like opportunity to discuss that letter. From his perspective, he will not use solely economic numbers to make his decision on urban and rural reserves or how our region will grow, saying there is more to this than economics and that numerous important factors ought to be considered.

## **II. PUBLIC COMMENT**

Dale Berger is the manager at Berger Farms, LLC. He submitted written testimony. He had comments about the land between Skyline Boulevard and the Washington County line. His farm has been in family since 1917, his property shares a fence line with Arbor Homes. Unfortunately, his is a non-profit farm. He said that since jobs in Washington County are projected to grow in number at a rate many times faster than in Multnomah County, and the average non-agricultural salary is currently more than \$5,000 higher in Washington County, there is a strong impetus for people to work in Washington County. He encourages the Core 4 and RSC to designate the area as an urban reserve.

Carol Chesarek lives in the Forest Park neighborhood and served on the Multnomah County Citizens Advisory Committee. She wanted to point out that, in her opinion, some information in the packet from Multnomah County titled, "Urban and Rural Reserves in Multnomah County Recommendations from the Citizens Advisory Committee and County Staff," is misleading, e.g., the suitability ratings. She reported that the CAC went through their process, developed suitability ratings, then received more information, but did not have time to go back to reconsider the ratings.

Greg Mecklem lives in Helvetia. He provided written comments titled, "Corrections in Washington County's Rural and Urban Reserve Recommendation Report." He said that the area they describe is not Helvetia, that it includes Helvetia, but also other areas of lower soil quality, bringing down the overall numbers they use to represent soil quality on their map. It also makes it erroneously appear to have a higher degree of parcelization. Washington County ranks 46<sup>th</sup> out of all counties in the U.S. in non-cattle agricultural production because of the soil and he would like to preserve this farmland.

## **III. CONTINUED DISCUSSION OF RURAL AND URBAN RESERVE SUITABILITY RESULTS**

Doug McClain of Clackamas County provided an update on suitability assessments of urban and rural reserve candidate areas, saying that the process and information for Clackamas County is dynamic and could change. He went over a PowerPoint and discussed how they got to where they are today, including the work of the staff, Policy Advisory Committee, and citizen input. He noted several specific areas and that for each, a number of options had to be considered before they could come to a recommendation. The Clackamas Board of County Commissioners met on September 8 to hear public testimony for four and a half hours. The Board will meet again on September 10, attempting to reach a consensus decision. It is not the final say, but it will be a milestone. Commissioner Lehan concurred, saying this will be a preliminary decision, and that a number of other questions were raised during the public hearing that need to be considered at the policy level. Doug reported that the Planning Commission developed recommendations as well, which are different from the PAC's. Some of the significant factors leading to different recommendations were that they left more acres undesignated, they have not defined the edges like the PAC has, and there were simply differences in opinion. Their work was valuable and informative to the process.

Doug offered a quick recap of the September 8 public meeting. Approximately 130 people attended, more than can fit in the council chambers. About 90 people signed up to testify, and they received testimony from

approximately 75. The testimony was civil and very helpful, as well as relevant and on point. He expects it to have an impact on the recommendations that will eventually be made.

Doug highlighted what he feels are some remaining important issues. The first concerns refinement issues, that is to say, the edges - where you draw the lines. The edges are currently fuzzy and they need to get down to lot line specifics. Doug went over some specific areas and features which could result in an urban or rural designation. A second issue is the basic question of do we have enough urban reserves.

Commissioner Lehan commented that one thing she learned from the hearing is that, with the exception of Stafford where they have done outreach and discussion, there remains a great fear about being undesignated, and a lot of misunderstanding about what undesignated means. She feels we have not done a good job with the label or defining it. She simply wanted to bring it up as something to keep in mind. Also there are several places in Clackamas County, old rural subdivisions, which should be on sewer and are not. They either have or will have failing systems. They are considering if they should be included now as a preemptive measure. If we do not take those areas in and they remain undesignated, is there flexibility in 10 or 20 years? In the future, she feels confident it will be necessary to adjust the UGB lines concerning these communities specifically.

Doug added that, likewise, the question of how do we deal with the need to protect the Tualatin River, while at the same time recognizing that we have a lot of very old subdivision lots with no real source of public water. We know it is a problem waiting to happen. If we go rural, we preclude water supply, if we go urban, protecting the river becomes a more complicated issue. Mike Houck said this is a good segue to his comment from the last RSC meeting. If a local jurisdiction has very aggressive protection standards, once you start urbanizing, there are all kinds of indirect impacts. He wants to clarify that as a general concept, bringing flood plains and streams into urban reserves is not the best way to preserve natural resources. Certainly there have been exceptions, but after 25 years, he simply has not seen many natural resources protected by urbanization.

Alice Norris commented on a similar issue concerning Newell Creek Canyon. They are wrestling with how best to protect it. If it is designated as urban, she wants to be sure there are enough environmental protections. She said that one difference between an urban or rural designation and undesignated concerns dividing property. Doug clarified that you cannot up zone property in an urban or rural designated area, which means you cannot change the zoning. If under the current zoning, you divide the property, then with either urban or rural, you can still divide. Alice asked if there is an appeal process or an amendment process for this type of thing. Dick Benner responded that the way the statute is written, if after the urban or rural designation, and one or more of the local governments wants to make a change, the process will be the same as this Reserves process. However, there is nothing in the statute or rule which prevents governments from making agreements about how to address minor adjustments. A question to ask is when does it make a difference? He feels it makes a difference when it is time to take rural designated land into urban reserves. Richard Whitman added a clarification, that if it is designated rural reserves, it has to stay that way for 50 years.

Chris Barhyte asked if there will be a consistent approach taken to neighboring cities throughout the region, noting that it appears that Clackamas and Washington Counties have different recommendations on this. Doug responded that it does not result in an urban reserve designation. The effect of the designation is that those cities will be precluded in the future from using the rule to change designation. He has thought about this issue before, what to do with those outlying cities. Canby and Molalla do not have an urban reserve, and Sandy does. For the County, our question is where do we apply a rural designation? They have asked for a fairly large area to be undesignated so they can consider urban designation down the line. Just because it is undesignated, does not mean it will be easy to get an urban designation. However, if we designate it rural, it may be impossible to get an urban designation.

Chris inquired to what degree were the cities in Clackamas County were involved in the process. He said the cities are going to be required to provide services, and thus their involvement is important. Doug responded that the cities have been directly involved throughout the entire process. For example, planning directors sit on technical committees and seven members of the PAC are from the cities. Particularly on urban side of things, their input has been very important. Commissioner Lehan, referring to the map of PAC Majority Polling Results, notes that the little pieces of green have been discussed with each of the satellite cities about where they think they will grow, so we can best serve the desires of each community.

Katy Coba complimented Clackamas County for identifying key policy issues, stating that that is exactly the type of information she was looking for. She is not an expert on how to protect natural resources, but wonders if there is a way to pull these areas into urban reserves coupled with legal agreements which codify the intention around the landscape features. Doug said this is a good question, and that they have thought about how to accomplish that.

Susan Anderson had a follow up comment to Doug's statement about the need to look at an urban reserve designation for old, rural subdivisions, in order to deal with sewage. She said that an alternative method for addressing this could be the application of new technology for dealing with human waste. She brings this up to discourage using a "chainsaw to cut butter," that is to say, too big a solution for the size of the problem. Additionally, she has not heard much about market research about people aged 35 and under. When thinking about a 40-50 year timeframe, it is important to know where they want to live and what type of environment they want. She wonders if any of that has been done. Doug responded that that is part of the conversation around the UGR, and the COO of Metro will be speaking to this from Metro's perspective in a couple weeks. Kathryn Harrington added that there is information and research on the Metro website on this issue.

Greg Manning said that Doug's presentation and discussion has been tremendously helpful. He was struck by a couple of contrasting numbers. The Planning Commission suggested 17,000 acres, and the majority polling says about half that. The designation of urban reserves requires a 20-30 year supply beyond the growth boundary and he wonders if that is what this represents? Doug responded no, saying when we have the COO report in mid-September there will be further explanation of this. The county did not do separate population assessments. This is much more a question of where rather than how much at this point.

Mike Houck posed a question for all three counties, asking was there consideration of climate change issues in the various processes? We know that flood planes are going to expand, that there will likely be an increase in wildfires, and more mud slides, all due to climate change. This pertains significantly to the Tualatin River. Doug said there was not an explicit discussion of that issue, but at the same time, the projected impacts of climate change were part of our considerations.

Chair Brian commented that one of the things he wrestles with is the use of undesignated. His understanding is that this process was going to bring some certainty to governments for planning. At the same time, that there would be protection for at least 40-50 years for rural areas that are threaten but outside of the UGB. He feels we still have questions around what is the meaning if undesignated. Are we using it as just a "no decision." He is concerned that we are punting and just not making decisions. He wrestles with this when he looks at their maps. We all know how it goes, and if we need land, the undesignated areas are where we will go. Also, he understands that this may be difficult for landowners. Doug commented that for Clackamas County, "conflicted agricultural land" is a term they use on their maps. Commissioner Lehan did a good job of describing this. His view is that those areas will remain as they are, and that they are far less likely to be urbanized. In Stafford's case, it allows the county to do the additional planning that is needed. He does not feel we have punted, but feels they truly are areas that do not meet urban or rural designation.

Richard Whitman thinks this is a good thing to focus on for the next meeting, framing this issue. His take is that because a rural designation is locked up for 50 years, we ought to weigh on the side of caution because of consequences for that decision. On the urban side, as Mr. Benner pointed out earlier, those decisions can be changed over time, less long lasting consequences. There are different factors to consider for each. We need to think about reserves with the interplay of land use statutes. We need to work on this for the Steering Committee and the public, better explaining the consequences of no designations. He thinks we can do that, and thinks a coordinated presentation would be useful. Charlotte added that it certainly is not a case of punting. We want to make good decision and do not want the land all chopped up. We want it to flow and get decent urban densities. We want to be sure we are making decisions that we can justify. Many areas simply do not quality. Kathryn Harrington wished she had thought sooner about labels and how they can complicate things. She has had many conversations with landowners. The term undesignedated can mean “uncertain” to other ears. She wishes perhaps they had chosen another term, such as “special.” We may need to do some refinement.

After the break, Chuck Beasley of Multnomah County continued the discussion of rural and urban reserve suitability results and presented a PowerPoint titled, “Multnomah County CAC and Staff Suitability Mapping.” He said the Reserves Steering Committee saw some of this last month, but some of the information is new. The Planning Commission had a hearing on August 10, which was well attended with a lot of good testimony. Since that time, they have had a County Commissioners briefing, and will hold a hearing on September 10 to consider recommendations. Referring to the handout, “Urban and Rural Reserves in Multnomah County: Recommendations from the Citizens Advisory Committee and County Staff, Board of County Commissioners Hearing, September 10, 2009,” Chuck noted that the Executive Summary contains information with which this group is very familiar, with the addition of the table of the Overview of Recommendations. The last piece is a summary of urban and rural suitability recommendations, and reserves suitability assessment, including key factors. He feels the document contains sufficient information on the points of contention, key factors that helped them make decisions and the ultimate recommendation. The Board will consider forwarding suitability recommendations to Core 4 and the Steering Committee rather than recommendations for designations pending the regional assessment of the amount of land needed to accommodate growth. Chuck discussed certain areas on the maps, as well as CAC and staff considerations of the suitability factors. As he has said before, it is not a big surprise that the acreages for urban or rural recommendations are not very large.

Commissioner Brian asked if Chuck could comment a little more about the population and the need numbers. Jeff Cogen responded that this conversation was based on the Board briefing. The board felt it was premature to arrive at our exact numbers because we have not had the COO presentation yet. We are looking at suitability as the focus of our conversations. Kathryn Harrington commented that similar to “undesignedated,” we have to be careful about the term “need.” We are really referring to “sufficient of accommodate” within the existing UGB. Tom then asked what is it that we need to accommodate. Richard Benner noted that in the statue and rules, it refers to the projected population and employment numbers. Jeff said the map shows assessment of suitability based upon the factors. Then, there is the separate issue of what are the aspirations are of local communities. Jim Kight said that Fed Ex is going to be up and running by July 2010, and within five years they will have 5,000 employees. In the map, there is no expansion south of Troutdale. He sees a disconnect between jobs and housing. Jeff said to Mayor Kight that he greatly appreciated his comments, and noted that the Multnomah County Board has not even weighed in yet. They have had staff and citizen work on suitability questions. The group had further discussion on various specific areas in Multnomah County. Greg Manning said the business coalition will support that the 775 acres request by Troutdale for urban reserves.

Dick Strathern posed a process question, wondering in terms of committees, what cities are represented. Chuck responded that it is a citizen committee, but they directly check in with cities regularly on issues. They share preliminary results with cities, so they would be informed and could react, and so the County could be

aware of their aspirations. Dick wanted to know more about the September 10 meeting. Jeff Cogen answered that the Multnomah County Board will be considering suitability analyses. They hope to come to agreement in support of this analysis. They will then take a month or two to consider this information along with the regional presentation from Metro. Dick commented that he feels that in a formal way, the cities were left out, unlike what Clackamas County did. He would like to see cities formally involved.

Jeff Cogen clarified that they are interested in employment and population estimates but they are not waiting for Metro to tell us where people are going to move. They are waiting for data to inform their decision-making process. The board will then consider this data in conjunction with the notion of what is sufficient. Kathryn Harrington added that we have shared with this audience the time that is needed for suitability analysis. The process of scoping will be informed by the aspirations of communities, how we might accommodate growth, all that we have learned through this process, and the body of information from the COO next week.

Brent Curtis provided the update for Washington County. On August 25, they held a public hearing with hundreds in attendance. 225 people registered to testify and just under 100 people testified. This resulted in an adjusted staff report. On September 8, the coordinating committee deliberated to agreement upon recommended urban and rural reserves. Two additional people will join Brent for his presentation, Doug Rux from Tualatin to discuss how they transformed city's aspirations to recommendations and Pat Ribellia, to discuss how both the urban and rural analyses and recommendations were put together.

Brent went on to say that for rural reserves, the most important considerations were agriculture, forestry, and important natural landscape features. Appropriately, the most attention was focused on farmland, given its proximity to the city thus its high subjectivity to urbanization. The Department of Agriculture's analysis on land use continues to be a very important document in their work. They found that that the majority of the valley was foundation farmland. Brent said in their process they created tiers to inform their recommendations by ranking the relevant factors.

Doug Rux is the Community Development Director for the City of Tualatin. He said that local aspirations were key to their deliberations. The report submitted to the coordinating committee includes an analysis from each city. They chose to look at what they called neighborhood centers, areas with a little more density but which also allow a little more square footage. They applied multiple factors to develop their pre-qualifying concept plans. Each community went through this to contribute information to the county process.

Pat Ribellia discussed the candidate rural and urban areas and how to reconcile the differences. They did a traditional land use needs analysis, feeling such an approach was embedded in SB 1011. Thus their reconciling process was rule driven, the object of which is a find balance among competing priorities. Brent discussed how adjustments were made in specific areas, based upon feedback and data re-analysis. A number of issues were raised, and were re-addressed in the final recommendations. As they go forward, they will consider everything that happens at the Reserves Steering Committee and the Core 4.

Deb said that as quickly as the counties can pull together their best efforts, they will be posted to the website prior to the September 23<sup>rd</sup> meeting. Kathryn Harrington asked when should this body expect that there will be an updated map. Brent said it is already posted on the Washington County website and he will submit it to Metro for posting.

Greg Manning commented that at the major public hearing, the business community gave their qualified support, qualified because of their current understanding of the data and that there was to have been approximately 34,000 acres recommended for urban reserves. It now appears that the proposed urban reserves are for the county are about half that. Brent said yes, that is a fair statement. Greg followed up that up with a

possible scenario of the rural reserve areas running right up to urban areas, asking what if robust growth occurs. The business coalition thought that perhaps a buffer of white around the urban reserves could address this. Brent responded that they have seen and thought about the letter they wrote. There are some undesignated land areas that can serve that purpose, but that is not where they landed in their preliminary recommendations. The sufficient to accommodate question is going to give rise to that kind of inquiry. With all the work that has been done, he thinks that question still needs to be considered.

Drake Butsch said that Greg's comment raises a question we all need to think about. What do we do if we have insufficient land to accommodate growth, where do we go in that case? Brent commented that with all due respect, that is work for this table and the Core 4, and that question remains to be answered. The COO report will be significant. We think your question is very, very important. Drake noted that this issue is a concern all around, and perhaps more noticeable in Washington County.

Jerry Willey also agreed that undershooting versus overshooting the urban reserves designation is a significant issue. We have not yet discussed what happens if we have underestimated. We want balance between agricultural, industries, and regional livability. We are trying to find how to maintain that balance. If we put it out there that we can designate an urban reserve and not move there unless we absolutely need it, he hears that there is not enough certainty with that concept for agriculture. But he does not believe it. If we state that we can go there "if and only if," he believes that that is a form of certainty. He wants to keep options open for discussion.

#### **IV. NEXT STEPS AND WRAP-UP**

Deb thanked Jerry and other RSC members for framing the issues very well. At the next Reserves Steering Committee, we want to work in small and large groups to hear more about what you think and your constituent groups think. Information will be posted to the website in advance of the meeting.

The meeting was adjourned at 12:00.

Respectfully submitted by Kearns & West.

A handwritten signature in black ink, appearing to read "W. Egan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

ATTACHMENTS TO THE PUBLIC RECORD FOR September 9, 2009

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

AGENDA ITEM	DOC TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
2.	Letter		To: Reserves Steering Committee From: Dale Burger, Manager Burger Farms LLC	090909rsc-01
2.	Letter		Corrections in Washington County's Rural and Urban Reserve Recommendation Report from Greg Mecklem	090909rsc -02
3.	Document	8/26/09	Urban and Rural Reserves in Multnomah County: Recommendations from the Citizens Advisory Committee and County Staff, Board of County Commissioners Hearing, September 10, 2009	090909rsc -03