

Although I comply with DEQ burning regulations, I still receive complaints from several of the neighbors across Brookman Rd. To annex this property and allow high to medium density housing against agricultural land will create an untenable situation. In effect, I will be forced to abandon farming and allow the EFU property to go into decay. I don't believe that would be METRO's desired use of agricultural land.

2. In addition, I have the normal agricultural practices of pesticide spraying, land cultivation, harvesting and the other functions to maintain an agricultural operation. These all produce noise and dust which would be considered a nuisance to high density housing.

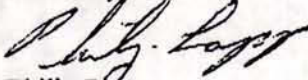
As it is, this subject area acts as a buffer between the high density area within the Sherwood city limits and my agricultural operation.

For all the above mentioned reasons it appears this entire 208 acre area is not ready for development and therefore should not be annexed into METRO until major transportation, water, sewer and other infrastructure issues are resolved.

I ask that you NOT vote for annexation of the entire 208 acre recommended parcel.

At the very least, please do not include the land north of Brookman Road, which borders my agricultural land.

Sincerely,



Philip Lapp
17400 S.W. Brookman Rd.
Sherwood, OR 97140

503-625-5701
503-625-3279 FAX

West Linn

David Dodds
Mayor



December 5, 2002

Mr. Carl Hosticka
Metro Presiding Officer
600 NE Grand Avenue
Portland, Oregon 97232

Dear Presiding Officer Hosticka and Metro Council Members,

On November 21, 2002, I along with the four members of the City Council and Councilor –Elect Bob Adams, testified in opposition to including Area 37 in the Urban Growth Boundary (UGB). We hope that you have seriously considered the reasons presented for our opposition. I am submitting this letter to summarize those reasons in writing and to once again urge you not to add Area 37 to the UGB.

Population Forecast and Vacancy Assumptions

We question the population forecast and vacancy assumptions you have used to determine the need for dwelling units over the next 20 years. The annual average growth rate of 1.6% is too high in light of the region's slower than projected economic recovery and the "optimistic" higher annual growth rates in the first part of the twenty year period. It is our understanding that a more recent 20 year population estimate by State Economist Tom Potiowsky indicates that the annual average growth rate will be between 1.2% and 1.4%. A more realistic annual rate for Metro of 1.5% or 1.4% based on current data would substantially reduce or eliminate the need for a UGB expansion.

We also question the validity of assuming a 4% housing vacancy rate for the purpose of determining the amount of land needed for a UGB expansion. You are not in effect supplying the housing that the market will require. You are supplying the amount of land estimated to be needed by the house building industry to meet market demand. The supply is for a 20 year period initially that will decline to a 15 year minimum when you will establish another 20 year supply as required by State law. The region will always have at least a 15 year supply of land available for housing or at least 3 times the amount needed for any 5 year period. That amount should more than account for any vacancy rate experienced by the market.

The combination of an overly "optimistic" population forecast and a redundant vacancy factor inflates the dwelling unit need estimate which in turn overstates the need for a UGB expansion. Therefore it is our position that there is no demonstrated need to add Area 37 to the UGB.

Goal 1 and Goal 2 Compliance

Statewide Planning Goal 1 requires citizen involvement in land use planning matters. The City of West Linn, its residents, and the residents of Area 37 did not receive adequate notice of the intent of the Metro Council to include Area 37 in the UGB expansion. In fact representatives of Metro and Clackamas County gave assurances that the Area would not be included and it was not known for certain that the Metro Community Planning Committee was going to recommend including Area 37 until 47 hours before the Council hearing. Clackamas County Commissioners have acknowledged in a letter dated November 18, 2002 that their last minute recommendation to include the Stafford Area in the UGB may have denied citizens sufficient opportunities to be involved in the decision.

Goal 2 requires coordination with affected parties prior to land use decisions. There has been no coordination with West Linn in the decision to add Area 37. In fact, the official position of the City West Linn, for the past nine years, in opposition to adding Area 37 (previously known as URSA 30) has been ignored. Our objections have not been addressed and the primary reason for including Area 37 is to "complete the existing town center" which is not recognized on any official Metro or City map as a "town center." Obviously Metro has not considered or accommodated the needs of the City as required by Goal 2.

The process used by Metro to add Area 37 to the UGB violates statewide planning Goals 1 and 2.

Inadequacy of Urban Services

It is clear to us that you have not seriously considered your own Alternatives Analysis. In our testimony we have pointed out that of all the study areas in Stafford, Area 37 is the one that is most difficult to serve with transportation, water, sewer and stormwater. The Alternatives Analysis for Area 37 rates transportation, sewer, and stormwater service as "difficult" and water as "moderate" to provide. In our testimony on November 21, 2002 we described the lack of capacity in our water system to serve Area 37 and the difficulty in obtaining voter approval for financing to correct the problem. A more accurate description of the provision of water service would also be "difficult."

In fact, of the 93 study areas evaluated in the Alternatives Analysis, only 6 had a "difficult" rating in 3 of the 4 urban service factors. No area rated "difficult" in all 4 service factors. If Area 37 is rated as one of the 6 most difficult areas to serve and there are 87 other areas that have better overall service ratings, why are you proposing to add Area 37 to the UGB?

The impacts of adding Area 37 on the existing inadequate transportation system is a major concern. Highway 43 is currently at service level F in several locations. According to Metro's 2020 RTP projections, Highway 43 will be service level F all the way from Lake Oswego to I-205, without urbanization of Stafford. Interstate I-205 is in the same condition with an equally dismal future. Rosemont Road to the west is a two lane road with significant congestion at Stafford Road. Once on Stafford, motorists have the Borland intersection and I-205 to negotiate. Adding Area 37 will only make a bad transportation situation worse with no foreseeable relief given the inadequacy of funding for road capacity improvements in the region over the next 20 years.

Given these conditions, the City Manager sent a letter to Mike Burton, dated August 12, 2002, correcting a statement in the Alternatives Analysis that "West Linn showed a desire, or already has plans to serve the study area." City Manager Sandy Farley states in her letter that "This is incorrect. West Linn has no desire to provide public services to this study area."

Loss of Livability and Quality of Life

The City of West Linn has consistently opposed urbanization of the Stafford Area and Area 37 in particular. This opposition comes not just from the elected and appointed officials of the City but more fundamentally it comes from the citizens of West Linn who, in two consecutive elections, have clearly stated that they want the City to limit development and not to expand into a larger UGB. The residents of West Linn have experienced more than their share of growth in the ten-year period from 1990 to 2000 when the City's population grew at an average annual rate of 3.4%.

Our citizens do not want such an expansion of the UGB because it will further reduce the livability of their community through increased traffic congestion, a loss of open space and views, crowded parks, and increased taxes and utility rates. They are concerned about the quality of their children's education that is being threatened by reduced state funding and the growth in class sizes. The West Linn-Wilsonville School District recently passed a bond measure by the narrowest of margins. There was no funding in the measure for additional school capacity in the Stafford Area including Area 37.

The City recently increased its Parks SDC in an attempt to meet the recreational needs of its current residents as well as provide additional capacity for the additional population that can be accommodated within the existing UGB. The house building industry has challenged the City claiming the increase in the Parks SDC is not justified.

Citizens do not want to pay even more taxes for additional schools and parks that would be needed to serve an expanded UGB. They do not want to subsidize the cost of providing services to new development. In West Linn, citizens have clearly stated that there is a limit to what they are willing to pay for and that does not include the subsidization of an expanded UGB that is forced on them by Metro implementing an unfunded State mandate.

Environmental and Open Space Considerations

The Alternatives Analysis environmental assessment of Area 37 found that "Metro's draft Goal 5 Fish and wildlife Inventory identifies 58% of the study area land in the proposed inventory." The assessment also found that there are forested areas and scattered steep slopes along the western border and a large area of steep slopes in the lower section where there are also numerous small areas of steep slopes. On the basis of this assessment Area 37's environmental qualities should take precedence over their destruction by the construction of 1,166 dwelling units.

Area 37 is a predominately open space area that forms the eastern entrance to the Stafford Area that separates the cities of West Linn, Lake Oswego, and Tualatin. In an endless cycle of UGB expansions that Metro seems intent on carrying out, one vision for the Stafford Area is a sea of rooftops and asphalt. Another vision is the preservation of the large tracts of open rolling hills and protection of the Tualatin River corridor as well as the scenic corridor along I-205. This vision maintains a separation between the three cities and preserves a significant open space area in at least one part of a region whose vision for the future is to urbanize everything in all directions.

We respectfully ask that you honor our vision for our part of the region and do not begin the process of urbanizing the Stafford Area with Area 37.

Goal 14 and 2040 Suitability

I have already stated above that the primary reason you have given for adding Area 37, namely that it "Supports an existing town center," is not a valid reason because the strip commercial center anchored by Safeway and Starbucks is not a town center. It is not officially designated as such on either the Metro 2040 Plan Map or the West Linn Comprehensive Plan. The Bolton area of West Linn is the designated town center and has the greater potential for fulfilling Metro's and the community's vision of what a town center truly can be. Placing a town center on the edge of the UGB makes little planning sense from a regional and a community planning perspective.

A careful review of Table 4.1 Alternative Analysis Study Areas, reveals that Area 37 does not rank highly with a number of 2040 Fundamentals as well as Goal 14 Factors. In fact, of the 93 Study Areas evaluated, Area 37 is one of 19 that are ranked "least" suitable with both Goal 14 Factors and 2040 Fundamentals. So Area 37 is in the lower 20% of all study areas when it is rated as to its compliance with Goal 14 and its contribution to implementing the 2040 Plan. There are sound, rational planning reasons for not adding Area 37 to the UGB

Need for Area 37

As of November 20, the Community Planning Committee Worksheet indicated that the areas identified for inclusion in the UGB provided the capacity for 38,066 dwelling units, a surplus of 666 units. The Worksheet also includes a number of areas that were "discussed" but not included. The addition of one of these areas, Area 65 near Beaverton,

would increase capacity by an additional 1,416 or a smaller portion would add 1,112. Taking the smaller portion of Area 65 would increase the surplus to 1,778 units. This surplus exceeds the estimated capacity of Area 37 by 612 units. According to the Alternatives Analysis the urban service providers are prepared to serve the area and the City of Beaverton has stated in a letter dated December 3, 2002 that it will provide governance if the Metro Council includes Area 65 within the UGB.

Given the above numbers, the presence of willing service providers and a supportive local government, I urge you to delete Area 37 from the UGB proposal since it is clearly not needed to meet State requirements for a twenty-year land supply.

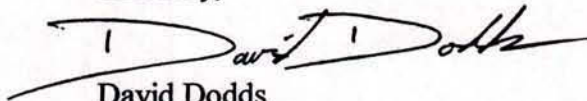
Conclusion

After carefully considering the above arguments in opposition to adding Area 37 to the UGB, we are convinced that you will reverse your preliminary decision and remove the Area from further consideration for inclusion in an expanded UGB. Area 37 is not needed to meet an overstated 2022 dwelling unit need. The process used is reaching the decision to include Area 37 in the UGB violated Goals 1 and 2. Area 37 is one of the most difficult areas to serve. Development of Area 37 would eliminate valuable natural resources and begin the process of converting Stafford from a unique open space area between 3 cities to their urbanized merging.

Area 37 is among the least suitable areas for implementing the 2040 Plan and demonstrating compliance with Goal 14. Other areas proposed for addition to the UGB make the inclusion of Area 37 unnecessary. But most importantly, adding Area 37 would disregard the consistent opposition of the City of West Linn to the Urbanization of the Stafford Area and the clearly stated desires of the citizens of West Linn to maintain the livability and quality of life in their community.

Thank you for the opportunity to present our strongly held views on this matter. Please provide notice of your final decision to City Manager Sandy Farley, City Hall, 22500 Salamo Road, #700, West Linn, Oregon 97068.

Sincerely,

A handwritten signature in black ink, appearing to read "David Dodds", with a stylized flourish at the end.

David Dodds
Mayor
City of West Linn



120502c-04



Monday, December 2, 2002

METRO
600 NE Grand
Portland, Oregon
97232-2736

Commissioner Rod Park
Commissioner Bill Atherton
Commissioner Carl Hosticka
Commissioner Susan McLain
Commissioner Rex Burkholder
Commissioner Rod Monroe
Commissioner David Bragdon

Dear Commissioners,

I am the owner of ten acres of land located at the SW Corner of proposed METRO Expansion Area 84. It has come to my attention that you are recommending including this area in to the next Urban Growth Expansion. That is a very wise and well-planned decision. As a homebuilder in Washington County and throughout the Portland Area for almost 25 years I am keenly aware of the need for future land for the construction of homes. While this land I am living on is my current residence it may be and can be used in the future for housing. I applaud your decision to include this Area 84 in your decision!

While this decision is a good one it may have some flaws. From my understanding there will be no way to efficiently provide sewer to this area. Claims have been made that sewer can come in from the South and East using Sewer Pumps. At the same time I am aware that another plan would make sewer available at 185th Avenue to the West of Area 84 and my land. This sewer system would be gravity feed. This is the preferred method in all cases.

My land is about 270 feet in elevation in the SE Corner and Drops to about 200 feet at the West edge in the middle. It appears that any Sewer from the South and or east would be at 280-300 feet in elevation. At that Height none of my land could be serviced from that Sewer from what is known as AREA 85. So that leaves a Pump Station??

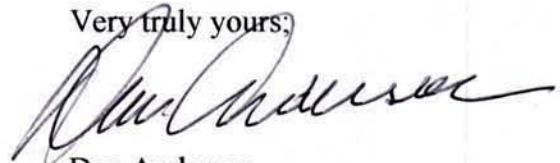
Who will pay the \$300,000 to \$500,000 dollar cost for installing each Pump? Who will pay for maintenance??

On the other hand the gravity feed sewer from the West, which was proposed by the Owner of METRO AREA 83, would allow a Gravity system to be designed that will come into the middle of my land at the 180-190 foot elevation level. This is 100% Gravity for my land. This is efficient and it will work free from maintenance for generations to come.

In addition I have looked over the elevation maps for this AREA 84 and there really is no way that Sewer from Area 85 will service most of this area back here to the North. If you are requiring that developer to install and maintain these Pump sewer systems than that is great but I am guessing you are not doing that! So be clear that your decision is great but needs to provide the connections for services needed to allow for this development into the future.

I am providing this letter as testimony for the record that I feel it is better and more efficient for the exception lands in AREA 84 to have Gravity feed Sewer systems which it seems can be most efficiently provided by the AREA 83 to the West. Therefore I am supportive of AREA 83 coming into the Urban Growth Boundary, as it will provide a more efficient gravity option for sanitary sewers to AREA 84 and my land!

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Dan Anderson', with a long, sweeping horizontal stroke extending to the right.

Dan Anderson

1 of 11 pages 120502c-03

CITY OF CORNELIUS

FAXTo: Michael Monnisey
Metro

12/5/02

From: Richard Meyer
Community Dev. DirectorSubject: "Area D" of Metro Area # 77

Here is our record on this area located south of Baseline at the eastern edge of Cornelius. It comes in two pieces. The first is a 15.86 acre area of 8 lots first proposed a year ago for a Metro UGB Adjustment. The second is one 6.75 acre parcel at the east edge of the first group of lots. Letters of City support and intention to zone the lots for commercial (employment) uses are included.

If you need further information, please call back at 357-7099.

Regards.



CITY OF CORNELIUS

October 25, 2001

Bruce Vincent
Bedsaul Consulting, Inc
825 NE 20th Avenue
Suite 300
Portland, OR 97232

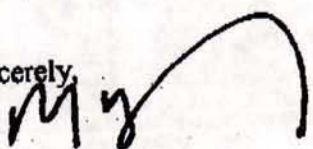
RE: Proposed Urban Growth Boundary Locational Adjustment for Approximately
15.86 Acres - Map # 1S302B, Tax Lot #'s 700, 600, 500, 404, 403, 402, 401 &
400

Dear Bruce Vincent:

The City of Cornelius Community Development Department has reviewed your proposal for expansion of the urban growth boundary east of the City of Cornelius to include the above mentioned parcels. This proposal has been discussed at public meetings before the Planning Commission (9/25/01) and the City Council (10/5/01). The City Planning Commission and the City Council both support expansion of the urban growth boundary and future annexation of these parcels into the City. City services to support such expansion are currently terminated on the south side of the highway at the eastern boundary of the City.

If you have further questions or need additional City information, please contact the Community Development Department, 503-357-7099. Thank you very much for involving us and seeking our support for this proposal.

Sincerely,


Richard Meyer
Community Development Director

Cc: Gene Zurbrugg, 380 SE Washington Street, Hillsboro, OR 97123
File

BEDSAUL/VINCENT CONSULTING LLC825 NE 20TH AVE., SUITE 300

PORTLAND, OR 97232

OFFICE (503) 230-2119

FAX (503) 230-2149

DATE: November 31, 2001

REQUEST: 15.86 Acre Locational Adjustment to the UGB of the City of Cornelius

PETITIONER: Gene Zurbrugg
308 SE Washington Street
Hillsboro, OR 97123

OWNERS: Western Farm Supply, Fisher Implement, Gene Zurbrugg,
John & Wendy Olson and Brad Young

**REPRESENTATIVE TO
PETITIONER & OWNERS:** Bruce Vincent, Bedsaul/Vincent Consulting

LEGAL DESCRIPTION: Tax Lots 300, 400, 401, 404, 500, 600, 700, Map 1S2-3B

SIZE: 15.86 Acres

ZONING: R-COM, (Rural Commercial) and AF-5,
(Agriculture/Forest-Five Acre)

LOCATION: Western Farm Supply: 33580 & 33666 SW TV Hwy
(Tax Lot 300, 400, 401, 402)
Fisher Implement: 33830 SW TV Hwy (Tax Lot 404)
Gene Zurbrugg: 33930 SW TV Hwy (Tax Lot 500)
John & Wendy Olson: 34120 SW TV Hwy (Tax Lot 600)
Brad Young: 33550 SW TV Hwy (Tax Lot 700)

I. APPLICABLE REGULATIONS

A. Metro Code 3.01.035

II. AFFECTED JURISDICTIONS

1. Washington County:
 - Department of Public Safety
 - Department of Land Use and Transportation
2. Washington County Rural Fire Protection District #2
3. Hillsboro Union High School District #3

PETITION FOR AN AMENDMENT TO
THE METRO URBAN GROWTH BOUNDARY (UGB)

Check one of the following:

Major Amendment (greater than 20 acres) _____

Locational Adjustment (20 acres or less) ☒

Natural Area Locational Adjustment _____

Check one: This is an addition ☒ removal _____ trade _____

1. a. Petitioner's name and address:

Gene Zurbrugg
308 SE Washington St.
Hillsboro, OR 97123
Phone Number: 681-0912

- b. Contact person, if other than petitioner (consultant or attorney) or if petitioner is a local government:

Bruce Vincent - Consultant for petitioner + owners
Bedson/Vincent Consulting
825 NE 20th, Suite 300, Portland, OR 97232
Phone Number: 230-2119

2. What is petitioner's interest in the property:

☒ Property Owner
_____ Contract Buyer
_____ Option to Buy
_____ Other Legal Interest (Specify: _____)
_____ Local Government

3. County in which property is located: Washington

4. If the amendment requested were approved, would you seek annexation to (or de-annexation from) a city?

☒ Yes, the City of Cornelius
_____ No

5. Does the property lie outside the Metro boundary?

☐ Yes ☒ No

6. Description of properties included in the petition (list each lot individually and attach a copy of the appropriate tax assessor's map(s)):

a. Legal Description (Township, Range, Section, Lot):

TAX LOTS 300, 400, 401, 402, 500, 600 + 700, MAP 153-2B

b. Acres: 15.86A.

c. Owner's Name and Address (Mark "Same" if same as petitioner):

(See Attached)

d. Improvements on Property (e.g., none, one single family dwelling, barn, gas station, etc.):

TL 500, 600 + 700 - Sub + family home on each lot / TL 300, 400, 401, 402 - W.

Attach additional sheets as needed. TL 401 - Ficus Tree, Farm Supply Store + Accessory Bldgs. Bldgs

7. a. What sewerage facilities currently serve the property?

- ☐ None. All Land is Vacant
☐ Package Sewage Treatment Plant
☐ Sewer Line to Public System
☒ Septic Tank

b. If septic tanks, have any septic tanks in the area failed?

☐ Yes, (Explain: _____

 _____)

☒ No

8. a. How close is the nearest sewer trunk? 8" AC line @ E. limit of Cornelius UGB

b. Where is the nearest sewer trunk located? within East Baseline ROW @ E. Property line of Tax lot 150, MAP 153-2B

9. a. Are additional sewer trunks for the area planned?

☐ Yes ☒ No

b. If yes, how close to the property and where would the planned sewer lines run? _____

10. How is water provided to the property?

☒ Private Well

12" Inch Water Line Provided by Hillsboro City of Cornelius (city or water district)

☐ No Water Provided

11. a. How close is the nearest water main?

12" line along frontage of W. Farm Supply
10" line @ E limit of Cornelius USB

b. Where is the nearest water main located?

within E. Baseline Road @ E. Property
line of Tax Lot 150, MAP 153-2B + within S. ROW of Tully (TL 90, 404
MAP 153-2B

12. a. Are additional water mains for the area planned?

☐ Yes ☒ No

b. How close to the property and where would planned water lines run?

13. Give local plan classification for all roads and list all other transportation services and facilities, within 500' of the property:

East Baseline Street / SW Tualatin Valley Hwy - Principle Route

14. Are there any natural or man-made boundaries to development running along or near your property (rivers, cliffs, etc.)?

☒ Yes (Describe: East Baseline St to the north, S. Pacific R.R. to the south
drainage ditch (Job's ditch) to the west.

Mark location on assessor's map or attach other map or photo.

☐ No

15. What is the local comprehensive plan designation of the property?

Agriculture / Forest - SA + Rural Commercial

16. What is the current local zoning designation?

AF-S / R-CMA

17. Does the comprehensive plan identify any natural hazards in this area?

____ Yes (Describe and explain applicable comprehensive plan policies: _____

☒ No

18. Does the comprehensive plan identify any natural, cultural, or historic resources in this area?

____ Yes (Describe resources and explain applicable plan policies: _____

☒ No

19. Are there any agricultural lands (Class I-IV soils) present on the property or adjoining the property, which are designated by the applicable comprehensive plan for farm or forest use?

____ Yes (Describe type, location and acreage): _____

☒ No AF-S zoned land is in Exception Area in Washington County Comprehensive Plan (Exception Area table)

20. Is the property or a portion of the property identified as open space, natural area or the equivalent in a city or county comprehensive plan, or in Metro's natural area and open space inventory?

____ Yes ☒ No If Yes, how many acres? _____

21. How do you plan to develop the property if your petition is approved, and what zoning designation would apply?

Future re-development of the R-Com-zoned land could occur, but there are no plans to change the current site uses (i.e. W. Farm Supply & Fisher Implement). AF-S zoned land to be developed for commercial uses. All land will probably be assigned City of Cornelius commercial zoning.

REQUEST FOR COMMENT FROM SERVICE PROVIDER

(Part I to be completed by petitioner and submitted to each service provider. Part II to be completed by the service provider and returned to Growth Management Section, Metro, 600E Grand Avenue, Portland, Oregon 97232.)

PART I

To: City of Cornelius
Name of Service Provider

From: Gene Zurbrugg
Name of Petitioner

Attached is a copy of a petition for an amendment to the Metro Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but **NO LATER THAN**

11/28/01

In general, land placed inside the UGB will develop to an average residential density of ten units per net buildable acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it more efficient (less expensive) or less efficient (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) whether there would be an orderly and economic way to extend your service to the area included in the petition if the petition were approved.

Thank you for your help. Please call the Growth Management Services Department at Metro, 797-1700, if you have any questions.

PART II

I have reviewed the attached petition for a locational adjustment to Metro's UGB. In reviewing the petition, I have reached the following conclusions (mark an "X" in the appropriate space and indicate your reasons):

1. Approval of the petition would make it X more efficient (less expensive on a per unit basis),
 less efficient (more expensive on a per unit basis), or would have no efficiency impact (same
expense on a per unit basis) to serve other adjacent areas inside the UGB for which service is planned

and expected, for the following reasons: PARCELS ARE CONTIGUOUS WITH
CITY OF CORNELIUS CITY LIMITS AND EXTENSION
OF WATER, SEWER, AND STORM DRAINAGE
SERVICE TO THESE PARCELS WOULD FOLLOW A
LOGICAL EXTENSION OF SERVICES

2. If the petition were approved, the area ☒ could, or ☐ could not be served by us in an orderly and economic fashion, for the following reasons: SAME REASONS AS

STATED IN #1

3. My position on the application is:

☒

I Support Approval

☐

I Oppose Approval

☐

I am Neutral

☐

I Support with Conditions

Comments and explanation (explain any conditions):

CORNELIUS IS THE ONLY REASONABLE CITY TO EXPAND ITS URBAN GROWTH BOUNDARY TO INCLUDE THESE PARCELS. WATER, SEWER, AND STORM INFRASTRUCTURE IS AT THE PROPERTY LINE AND SET UP FOR EXTENSION TO SERVE THESE PARCELS

Signed

Robert A. Dixon

Date

11/19/01

Title

DIRECTOR OF PUBLIC WORKS/CITY ENGINEER



CITY OF CORNELIUS

October 24, 2002

Barbara Hadley
Karen Palenik
33442 SW TV Highway
Hillsboro, Oregon 97123

Dear Barbara Hadley and Karen Palenik,

RE: Proposed Urban Growth Boundary Adjustment to Include 1S3W2A Tax Lot 600.

The Cornelius City Council voted unanimously Monday, October 21, 2002 to support your proposal to Metro to include your 6.75 acre parcel on TV Highway within the Region Urban Growth Boundary. The subject property is located adjacent to Metro Study Area 21C (Exception Land) and runs between TV Highway and the Union Pacific Railway just east of the City of Cornelius boundary.

Though this property is currently zoned AF-20, it cannot economically be used for farming. It is too small and is constrained by the highway and railway. These same features make the property suitable for commercial development. The City of Cornelius has a need for additional land for commercial uses. The land along this short constrained stretch of highway between Hillsboro and Cornelius can be easily served by extension of urban services from the west.

If you have questions or need additional information about the City's support, please contact me at 503-357-7099.

Your partner in sustainable community development,

Richard Meyer
Community Development Director

RECEIVED

OCT 15 2002

City of Cornelius
City Managers Office

October 14, 2002

Susan McLain
Metro Councilor
Deputy Presiding Officer
600 NE Grand Ave.
Portland, OR 97232-2736

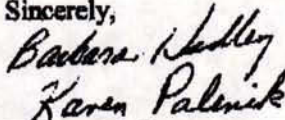
Re: Urban growth boundary expansion

Based on our meeting of October 7, 2002, the property owners of tax lot 600 map 1S,3W,2A wish to be considered to inclusion into the urban growth boundary of the City of Cornelius. The subject property is located adjacent to study area 21C and runs along the eastern property line of this study area and south of Tualatin Valley Highway. The parcel is approximately 6.75 acres of highway frontage property. This frontage property is currently zoned AF-20, the remaining property (approx. 55.71) is zoned EFU.

The property owners are only interested in including the highway frontage property that runs back south to the railroad tracks. For the following reasons the approximate 6.75 acres is no longer feasible to be leased for farming. It is essentially the front, back and side yard for the existing houses and outbuildings of the subject property from the highway R.O.W to the railroad R.O.W. There is no irrigation to the property and there are no water rights to Dairy Creek, therefore only crops that require no irrigation can be planted and prices for these have consistently dropped. This designated farmland is surrounded by exception land. In addition, The City of Cornelius is in need of additional commercial and industrial land. This subject property is adjacent to property the city supports for future urban development. The city considered this matter at their October 21, 2002 council meeting and favors including this property into their inventory of commercial/industrial land needs.

For all the reasons stated above, please consider including our property within the urban growth boundary of the City of Cornelius.

Sincerely,



Barbara Hadley
Karen Palenik

Attachment

Workforce
Investment
Council of
Clackamas
County, Inc.



Clackamas
County
Region 15

September 26, 2002

The Honorable Carl Hosticka
Presiding Officer, METRO
600 NE Grand
Portland, Oregon 97232

Dear Mr. Hosticka:

The Workforce Investment Council of Clackamas County (WICCO) is a partnership of private industry and workforce training providers authorized under the Workforce Investment Act to oversee the effective deployment of Workforce training funds in Clackamas County.

WICCO recognizes the Urban Growth Boundary decision is a complex decision for the region, involving a balance of multiple goals and objectives. In the context of that discussion, we would like to express our strong support for the Executive Officer's recommendation placing much of the future industrial/employment land within Clackamas County. We further recommend that more employment/industrial land be added to the Executive Officer's recommendation, in accord with the recommendation made by the Clackamas County Board of Commissioners. We believe this additional acreage is necessary to provide our emerging area an opportunity to build a complete community. These additions would also allow Clackamas County the opportunity to address the serious job-housing imbalance that now exists.

Providing more employment opportunities in Clackamas County is a primary concern to our membership. WICCO appreciates the opportunity to comment and participate in this important urban growth boundary decision. Thank you for your time and considerations.

Sincerely,

Ken Bartus

Ken Bartus, WICCO Chair
Garron Grounds



December 4, 2002

The Honorable Carl Hosticka
Presiding Officer
Metro
600 NE Grand Avenue
Portland, OR 97232

Dear Councilor Hosticka:

I am writing on behalf of the Clackamas County Economic Development Commission (EDC) to express our support for inclusion of the employment sites identified by the Clackamas County Board of Commissioners in their August 28, 2002 letter (copy enclosed). The EDC is an advisory board to the County Commission on matters affecting the economic vitality of the County. In that capacity, we have advocated for the provision of more industrial and employment sites within Clackamas County since the late 1980s. We believe the inclusion of such sites is critical for the following reasons.

Complete Communities: Clackamas County has implemented an initiative to assist our existing communities in realizing their potential by providing a sound and sustainable fiscal future. It is imperative that these communities are provided an opportunity to develop an adequate industrial and employment land base to address their long-term needs. This goal applies to the new, emerging urban areas such as Damascus, as well as our existing incorporated cities.

Jobs-Housing Imbalance: Clackamas County currently experiences one of the largest out commutes in Oregon (51%). We hope that with an adequate industrial and employment land base, fewer of our citizens will be forced to commute long distances for employment.

Thank you for your time and assistance. We urge your positive consideration of the request made by Clackamas County. We look forward to working with your office in the future.

Sincerely,

Jerry Smith
Chairperson

JS:tp

Enclosure

cc: Metro Council
Clackamas County Board of Commissioners



CLACKAMAS COUNTY

Board of Commissioners

August 28, 2002

Mike Burton
Metro Executive Officer
METRO 600 NE Grand Ave.
Portland, Oregon 97232

LARRY SOWA
CHAIR

MICHAEL J. JORDAN
COMMISSIONER

BILL KENNEMER
COMMISSIONER

Re: Expansion of the Urban Growth Boundary

Dear Mr. Burton;

Clackamas County is very interested in the potential adjustment of the Urban Growth Boundary. The County has a recognized need to increase its supply of land suitable for employment. We have provided to Metro maps and other information identifying approximately 4100 acres of potential employment land in the Damascus/Boring area. We were disappointed to discover that the Executive Officer's recommendation proposes to satisfy less than forty percent of the identified need for employment land.

We do recognize the tough decision facing the region. It appears that it will be very difficult to satisfy the need for employment land without considering expansion of the UGB on to valuable farm land. Recognizing the complexity and controversy associated with this decision, we agree with the Executive Officer's recommendation to create a new task for Periodic Review, providing for a reasoned, detailed look at the policy and legal issues inherent in the decision to further expand the UGB.

We believe, however, that there are additional lands that should be included with the first 2002 UGB decision. We also have other suggestions that we believe should be considered.

Additional Lands: The Boring Community

The Executive Officer's recommendation proposes to extend the UGB east to approximately SE 252nd. The UGB should be extended further, to include the existing community of Boring. The change could be made in a manner consistent with the Rural Reserve Agreement adopted by Metro, Clackamas County and the City of Sandy. The only additional land zoned EFU that would be added comprises approximately 100 acres located just west of Boring, north of Highway 212. This area is completely surrounded by exception land. The community of Boring contains approximately 120 acres of land currently zoned Rural Industrial. Much of this land is developed with a mill that is not currently in operation, which could be converted to other employment uses.

Adding Boring also would allow the County to deal with a potential problem with the existing small sewage treatment facility serving the community. We have included a study previously done for the County that discusses this area in more detail (the Boring Urban Reserve Feasibility Study, by Fregonese/Calthorpe Associates, July, 1998).

Additional Lands: 232nd/212 Area

The County also recommends including approximately 390 acres located south of Highway 212, on the west side of SE Bartell Road, just east of Damascus. While this area is zoned EFU, we believe that it is necessary to include the property to efficiently provide sewer service to much of the Damascus area. If this area is not included in the UGB, it will be difficult to provide sewer to the area north of Hwy 212, between 222nd and 232nd. This area drains to the east and is best served by an interceptor running along the west canyon rim of Noyer Creek.

This area is comprised of large parcels, which will assist in providing for the identified special need for large lot industrial land. The area also is located directly south of the area recommended by the Executive Officer for designation as a "Regionally Significant Industrial Area." If included, this area also should be included in this special designation.

Additional Lands: Keller Road Area

This area is located south of Damascus and Highway 212, on the northwest side of Richardson Creek, comprising approximately 190 acres. It is designated Forest by the County Comprehensive Plan. The area is near the Damascus Town Center, providing an opportunity to locate a significant employment area adjacent to the focal point for the community. There are several parcels exceeding twenty acres located in this area, which could be assembled to address the identified regional need for larger industrial sites.

Additional Lands: Tualatin/I-205 Area

This area is identified as Study Area 42 in the "2002 Alternative Analysis Study", included with the Executive Officer's Recommendation. It is located east of the City of Tualatin, south of the Tualatin River, north of I-205 and extends east to the Wankers' Corner area. The entire 650 acre area is exception land.

The City of Tualatin has reviewed this area to determine whether it would be financially prudent to include within the City. This review included development of basic land use scenarios. This review and the County's separate analysis suggest that approximately 200 acres of this area is suitable for designation as employment land. Tualatin's assumptions also include additional mixed-use, commercial and office areas. We have included a copy of the report Urban Area 34 Fiscal Analysis (ECO Northwest and OTAK, November 2000).

This area should be included in the UGB now. The Executive Officer's recommendation suggests that a concept plan for the entire Stafford Basin needs to be completed before any of the area is added to the UGB. This is a departure from the planning process recognized by the Metro Code. Development of a concept plan is a requirement prior to application of urban zoning, not inclusion into the UGB. In this case, Tualatin has reviewed this specific area and evaluated land use scenarios, performing some of the initial steps in development of a concept plan. This area is entirely exception land, contains property suitable for employment and therefore should be added at this time.

Other Issues: Round Two Timing

It is important to reach conclusions regarding additional UGB expansions for employment land as soon as possible. The Executive Officer's recommendation lists several "follow-up tasks", some of which may not be critical to the important job of satisfying the need for additional employment land. The revised Periodic Review work program needs to recognize this situation by including a task specifically addressing the unmet need for employment land.

Other Issues: Round Two Additional Lands

Clackamas County has identified several additional areas that we believe are suitable as employment land, in addition to those areas previously discussed in this memorandum. We want to make sure that these additional areas remain on the table in future discussions. The County recently has begun discussions with the City of Gresham regarding our collective need for employment land. The County and Gresham expect to work together to further identify a strategy to address the need for employment land on the "east side".

Other Issues: South End Road/Canby Rural Reserve

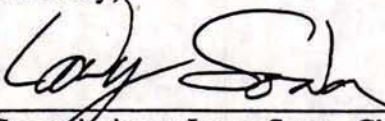
Including most of Area 32 will violate the Rural Reserve Agreement among Canby, Metro and the County. The County supports Oregon City's original intent to include a small commercial area to serve residents in the southwest part of the City. Metro can maintain its balance sheet for housing by including the additional residential land brought in by including Boring and the Tualatin area.

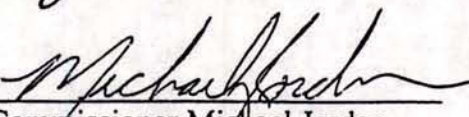
Other Issues: Flexibility For Local Designations

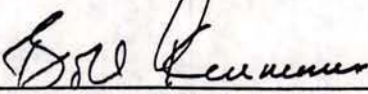
Our understanding is that the UGB decision will include general map designations. We want to assure that the County retains the flexibility to create a concept plan that refines the general map designations. We may be able to identify additional employment land when we complete the more detailed analysis inherent in development of a concept plan for this area.

Clackamas County appreciates the opportunity to participate in this important decision. We will be providing additional detailed information regarding the areas suggested for addition to the UGB in the December 2002 decision. We look forward to working with you to craft a decision that responds to expected growth in the region.

Sincerely,


Commissioner Larry Sowa, Chair


Commissioner Michael Jordan


Commissioner Bill Kennemer

120502c-08

**MARVIN WITT, ARCHITECT**

1611 NW 32nd AVE.
PORTLAND, OR 97210
Tel/Fax: (503) 221-1424

Memo to District Councilors:**4 Dec. 02**

I oppose including Area 94 into the UGB because it fails to meet Metro's own criteria for development and will cause irreparable damage to Forest Park.

A handwritten signature in cursive script, reading "Marvin Witt", is located below the typed text.

120502c-08

**ANITA WITT, MSW, ACSW
LICENSED CLINICAL SOCIAL WORKER
1611 N.W. 32nd AVENUE
PORTLAND, OREGON 97210
(503)223-3620 - FAX (503)221-1424
email: mawitt@hevanet.com**



December 4, 2002

To District Councilors:

**re: inclusion of Area 94 into the
UGB**

**Forest Park is Portland's greatest
asset. Don't mess with it!**

Sincerely,

A handwritten signature in black ink, appearing to read "Anita Witt", written in a cursive style.

Anita Witt

120502c-09



Tom & Cheryl Skoric
6650 NW Kaiser RD
Portland, OR 97229-1522

December 4, 2002

Portland Metro Council
c/o Mr. Chris Billington, Clerk of the Council
600 NE Grand Ave.
Portland, OR 97232-2736

To Metro Council:

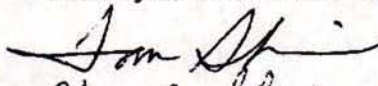
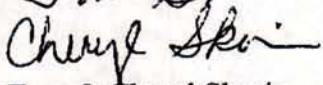
This letter is to present to the council our concern of expanding the urban growth boundary in the Bethany area.

Major points of concern are outlined below:

- **Farmland:** Majority of the proposed land is productive farmland currently being farmed.
- **Job Sector:** Nearest major job sector is in Hillsboro, which is **8 miles** away.
- **Road Impact:** Proposed 800 – 900 acres can easily add 10,000 residents causing congestion on Springville, Bethany, US 26 interchange, German Town road. None of these roads are currently designed to accommodate this amount of traffic. Costing established citizens many of millions dollars in taxes for road improvements.
- **Schools:** Local area schools are already over-crowded – Both local schools, Westview and Stoller, are two largest schools in their category. While new schools will eventually be built in the newly developed areas there will however be an immediate impact to the existing schools. These schools are already struggling with budget cuts even with the current enrollment.

In summary, bringing that much land into development in this area will negatively impact our farms, roads, schools, and general livability of established residents for the benefit of a few developers.

Thank you for reconsidering,



Tom & Cheryl Skoric

120502-07

December 5, 2002

Dear Mayor Katz, Portland City Council and Metro Board Members:

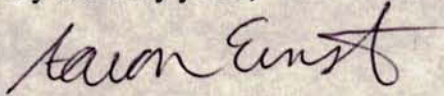
I was very surprised and dismayed to learn that the Metro board is considering expansion of growth into areas 84-87 and 94. As a resident within the UGB near Forest Park, I know from first hand observation that this is an unwise idea that will provide limited economic benefit to a select few, while causing irreversible damage to both area 84-87 and 94, and the intrinsic value of the surrounding areas.

The excellent job that Metro has done to date is based on a philosophy of efficient land-use, protection and restoration of natural resources, balanced transportation and creation of a vibrant place to work. Approving expansion of sprawling development into areas 84-87 and 94 flies in the face of this philosophy for the following reasons:

- 1) Area 94 in particular is extremely hilly, prone to erosion, and cannot be built efficiently upon without risking human-induced landslides. Development is simply an inefficient use of this land.
- 2) Approval of development would disrupt a vital wildlife corridor. I have seen a herd of 25 elk wandering through the forest area surrounding Forest Park, seen deer, heard coyotes, and other abundant wildlife. Development would sever a protected pathway used by animals and humans alike that adds a huge value to living life in Portland. The Metro's own 2002 wildlife habitat says as much, marking these areas as significant.
- 3) The urban growth boundary is called a boundary for a reason. A flexible boundary ceases to be a boundary and dies a death by a thousand little cuts like those being proposed for Areas 84-87 and 94. I have lived in large cities that did not have the foresight to simply say no to indiscriminate and boundless development. The ability to be out of Portland and into the relative wilds of Forest Park within a few minutes is a major reason I live in Portland. Once a boundary is perceived as soft, it will face increasing pressure from development interests and a vital part of our city's heritage and attractiveness will be destroyed.
- 4) Why should my tax dollars be spent on public services to urbanize this area, for development that will drain much needed resource in infrastructure development, when this money could be spent to renovate existing urban areas!? Once this land is developed, it is forever developed, and its natural value will be completely destroyed. Instead, why don't we concentrate on efficient use of existing urban areas and have the phrase Urban Growth BOUNDARY really mean something. There is plenty of room for development within the current UGB, and it should remain that way.

Thank you for your time and attention, and I look forward to your favorable and forward looking treatment regarding this issue. Anything your office to do help stop this unwise and hurried push towards development would be very much appreciated.

Very sincerely yours,

A handwritten signature in dark ink, reading "Aaron Ernst". The signature is fluid and cursive, with a large, stylized "A" and "E".

Aaron Ernst
14825 NW Ash Street
Portland, OR 97231
Resident inside the UGB, in the city of Portland

120502-10

Earl J. and Lois D. Itel
Kenneth E. Itel
12155 SW Tualatin-Sherwood Rd.
Tualatin, OR 97062
(503) 692-3066

Re: UGB Ordinance 02-990

December 5, 2002

Metro Council
600 NE Grand Ave.
Portland, OR 97232-2736

Honorable Councilor:

We urge the Metro Council to reconsider its exclusion of the Itel property from Ordinance 02-990, which added the Tigard Sand and Gravel properties in Study Area 48-partial to the UGB. The aforementioned properties were part of a proposal by the Regional Economic Development Partners, and were nearly unanimously recommended for inclusion by both MTAC and MPAC. The Itel properties are located on the border of the UGB, south of Tualatin-Sherwood Road and north of Tigard Sand and Gravel, between 120th Avenue and the future extension of 124th Avenue. The tax lots are 2S127C000500 (26.97 acres), and 2S127C000701 (18.39 acres).

Given the lack of expansion ground in Washington County, especially for employment purposes, we would hope you would vigorously support Washington County expansion land designated for employment uses. We realize the issue of including farm and/or EFU land is a difficult subject from both legal and political standpoints. However, given the state of the economy and the lack of expansion space for employment uses, we implore you to support this particular expansion proposal, including the Itel property, even though it involves a limited amount of farm land. The few parcels being farmed in this area are already isolated from other agricultural areas, and there is no possibility of establishing a large network of active farm ground due to current development, high price of adjacent property, and poor soils. In fact, less than 20 acres of the 400+ acre Study Area 48-partial is being farmed or ever will be farmed. See the attached soil maps for reference.

A strong case can be made that including the Itel property meets the legal and policy exceptions for a targeted expansion purpose. A letter submitted September 12th by Doug Rux of the City of Tualatin analyzes the legal and policy issues.

Some additional points need to be made about the Itel property:

- ❖ By leaving out the Itel property you are creating a virtual island, surrounded on three sides by present or future industrial development, and on the fourth side by largely unproductive land and a future 5-lane road.
- ❖ Leaving out the Itel property exacerbates conditions that already are contrary to Goal 3.
 - The lot sizes being farmed are not large enough to maintain existing agricultural practices within the area.
 - Indeed, existing or future surrounding uses will render any expansion of agricultural uses impossible.

December 5, 2002

- Due to the expansion of surrounding uses we will likely discontinue farming in the near future.
- Including Tigard Sand and Gravel but not the Itel property will remove any remaining buffer between urban growth and agricultural land. (Surrounding UGB uses already create the situation, this simply reinforces the trend.)
- ❖ Perhaps most importantly, the Itel property is necessary for efficient provision of services to any UGB land further south.
- ❖ The Itel property borders Tualatin-Sherwood Road— all water, sewer, storm, electrical, and natural gas lines are likely to have to cross our property from Tualatin-Sherwood Road, to serve expansion land to the south.
- ❖ 124th Avenue, a 5-lane collector, will have to be extended across the western edge of the Itel property to access Tigard Sand and Gravel property.
- ❖ 120th Avenue, bordering an eastern portion of the Itel property will also have to be expanded to serve areas to the south.
- ❖ An east-west connector between 120th and 124th will also need to be built across the southern boundary of the Itel property in order to serve development to the south.
 - These streets are all listed in the City of Tualatin's transportation system plan.
- ❖ In addition, according to the RTP, Tualatin-Sherwood Road is expected to be expanded to 5 lanes from Teton Ave. to Hwy. 99W.
- ❖ According to ORS 215.283, these street and utility extensions, which are necessary for development, may not be legal as long as the Itel property remains outside the UGB and zoned EFU.
- ❖ Although the Itel property is zoned EFU, almost 70% of the soil is non-prime.
- ❖ Only 13.9 of the farmed acres are Class II soils. In fact, over 20 of the acres are Class IV or Class VII.
- ❖ The Class II soils are located closest to Tualatin-Sherwood Road. Future road expansions will further decrease the limited amount of high-value soils. Up to 2.5 acres will be dedicated to street expansions. Another 1.5-2 acres is already developed.
- ❖ Any type of development, even if it is just street or utility extensions to serve UGB land to the south, will likely result in a dedication of up to 4 acres for a conservation easement. Very little of the high-value soil will remain after infrastructure improvements.
- ❖ Of further note is that up to 5 acres of the high-value soil is so designated only because of agricultural drainage tiles that could legally be removed. Essentially, only about 5 acres of the 45+ acre Itel parcel is high-value soil in its natural state.
- ❖ An additional note of no particular legal or policy value: Since the UGB was originally established it has split our family's original homestead in half. The placement of the

December 5, 2002

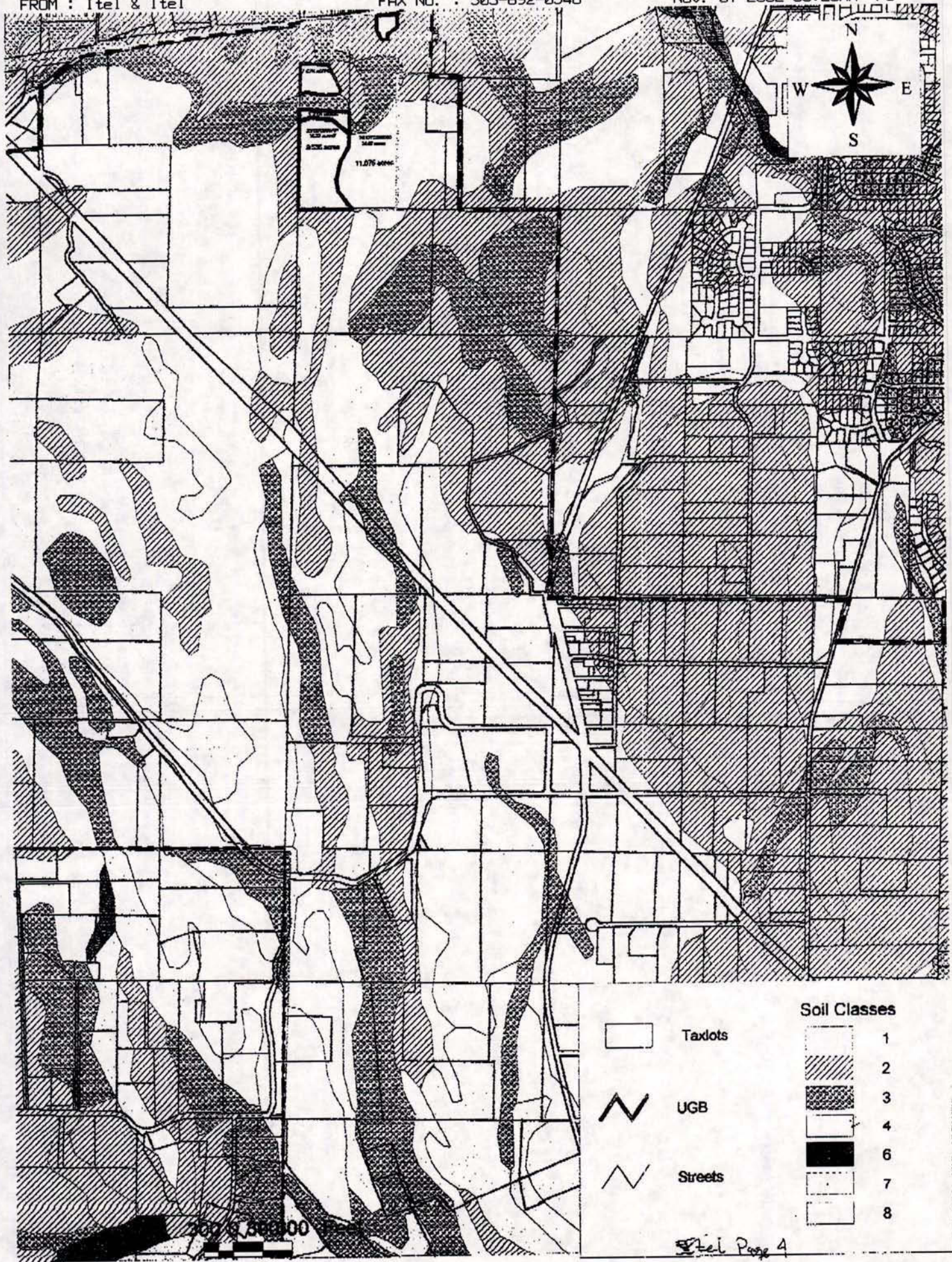
boundary in this particular location was not the result of any serious analysis. Mr. Itel's parents were asked if they wanted their entire farm included in the UGB or if the line should just follow the road. Not seeing any particular advantage to being inside the boundary they declined the opportunity to be included.

We strongly support Metro including these properties within the urban growth boundary during the next phase of expansion. We hope that the legal and policy analysis supporting inclusion of the Itel property is enough to offset a rather informal decision in the past.

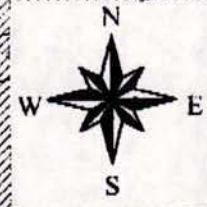
We urge your thoughtful re-consideration of this matter. Please feel free to contact us if you require additional information, or if we can contribute to the process in any way. We would recommend a visit to this area by the Metro Council if it has not done so already, in order to fully appreciate the circumstances involved. Thank you for any assistance you can provide.

Sincerely,

Earl J. Itel
Loris D. Itel
Kenneth E. Itel



TUALATIN SHERWOOD



28127C000500
26.97 acres

2.426 acres

28127C000701
18.39 acres

1.213 acres

9.536 acres

11.075 acres

Itel Property-- Study 48 Partial

*Tigard Sand
& gravel*

300

0

300

600 Feet

Taxlots



UGB



Streets

Soil Classes

- | |
|---|
| 1 |
| 2 |
| 3 |
| 4 |
| 6 |
| 7 |
| 8 |

Itel Page 5

120502c-11



2939 NW 53rd Drive
Portland, Oregon 97210
December 4, 2002

Metro Council
600 NE Grand Avenue
Portland, OR 97232

Re: UGB Expansion, Study Area 94

Dear Metro Council:

As homeowners in the Forest Park area and as interested citizens, we write to urge you to postpone adding Study Area 94 to any action you take on December 5. We believe that it would be premature to take action on this area because of a lack of adequate information and a lack of adequate procedures.

As we understand the facts, Study Area 94 is proposed to be added as a "mere technical correction" (personal conversation of Cheryl Coon with Metro Chair, David Bragdon). A commonsense understanding of "mere technical correction" is that it would have minimal impacts. But the probable impacts of including Area 94 in the UGB cannot be described as minimal because the Metro Council simply does not have the information.

There is a simple reason for the lack of information...until it was brought forward recently, Study Area 94 was on the bottom of the priority list. Thus, staff has never studied fully impacts and questions such as sewer locations, urban wildlife impacts, traffic impacts and other issues.

These factual questions give rise to another significant problem...lack of adequate procedures. Metro is directed to give adequate public notice and opportunity for comment as to areas proposed to be brought into the UGB. But such notice and opportunity has not occurred here, because of the labelling of Study Area 94 as "a mere technical correction". We can personally attest to this, as we were never informed of this proposal until we read about it in the Oregonian, approximately ten days ago.

We believe that inclusion of Study Area 94, composed of significant acreage bordering Portland's crown jewel of wildlife and scenic values, Forest Park, cannot be considered a technical issue, and we urge the Metro Council to postpone any action on inclusion until the questions raised above...as well as the procedures, are adequately answered.

Sincerely,

Jim and Cheryl Coon

~~120502-C-12~~
120502-C-12

**Exhibit P to Ordinance No. 02-969A
Findings of Facts, Conclusions of Law**

I. General Findings for Task 2 Decision

A. Coordination with Local Governments

These findings address Goal 2, Coordination. Metro worked closely with the local governments and special districts that comprise the metropolitan region. The Metro Charter provides for a Metropolitan Policy Advisory Committee (MPAC) composed generally of representatives of local governments, special districts and school districts in the region. MPAC reviewed all elements of this Task 2 of periodic review decision. MPAC made recommendations to the Metro Council on most portions of the decision. All recommendations were forwarded formally to the Council and the Council responded. Metro Councilors and staff held countless meetings with local elected officials in the two years of effort leading to this decision.

There was steady correspondence among Metro and local governments. The record of this decision includes that volume of correspondence, including Metro's responses to concerns and requests from local governments and local districts related to Task 2.

Metro accommodated the requests and concerns of local governments as much as it could, consistent with state planning laws and its own Regional Framework Plan.

B. Citizen Involvement

These findings address Goal 1 and Regional Framework Plan Policy 1.13.

To gather public input on this Task 2 decision, Metro conducted one of the most extensive citizen involvement in its history. Metro began its "Let's Talk" effort in September, 2001, including 93 "Coffee Talks" throughout the region that attracted 1,200 participants. "Let's Talk" included a regional conference and five public workshops on March 15-16, 2002. Some 1,200 people attended. In June and July of 2002, Metro conducted five public workshops around the region, with 800 participants. Media coverage of this early effort included a one-hour "Let's Talk" show on KGW Channel 8 on March 15, 16 television news stories on network news programs, 62 articles in local papers and three stakeholder surveys.

Since August, 2002, after Metro's Executive Officer released his recommendation on Task 2 (measures to increase efficiency of land use and to expand UGB), Metro sent mailed notices to 105,000 property owners and interested persons, placed 120,00 utility inserts to area ratepayers, placed four quarter-page advertisements in the Oregonian, and single quarter-page ads in local papers. The Metro Council's Community Planning Committee (composed of all Council members) held seven public hearings in October; there were over 1,100 participants at these hearings. Media briefings since August yielded 175 articles (since June, 2002). Metro held organizational briefings, opened a 24-hour information and comment line, published a monthly newsletter, distributed fact sheets, place booths at county fairs, translated its UGB flyer into Spanish, Russian, Chinese and Vietnamese, keep an active and up-to-date website and sponsored two official tours of UGB study areas for local elected officials.

These efforts bring Metro into compliance with Goal 1 and Metro's Regional Framework Plan. More important, this work to involve Metro area citizens has contributed greatly to their understanding of the importance of this set of decisions for the region and have brought Metro invaluable comment on options available to it.

C. Need for Land

These findings address ORS 197.296; ORS 197.732(1)(c)(A); Goal 2, Exceptions, Criterion (c)(1); Oregon Administrative Rules 660-004-0010(1)(c)(B)(i) and 660-004-0020(2)(a); Goal 9 (local plan policies); Goal 10; Goal 14, Factors 1 and 2; Metro Regional Framework Plan (RFP) Policies 1.2 and 1.4; and Metro Code 3.01.020(b)(1) and (2).

Metro conducted an analysis of the need for housing in the region in order to provide a supply through the year 2022. The Urban Growth Report-Residential (UGR-R) provides the details of that analysis. The analysis indicates that the region will need capacity for an additional 220,700 dwelling units.

Metro analyzed the capacity of the existing Urban Growth Boundary (UGB) to accommodate 220,700 dwelling units. The analysis, the details of which are in the UGR-R, determined that the 24,400 acres of net vacant buildable land within the UGB could accommodate 177,300 additional dwelling units, leaving a shortfall of approximately 43,400 units.

Metro also conducted an analysis of the need for land for new jobs through the year 2022. The Urban Growth Report-Employment (UGR-E) provides the details of that analysis. The analysis indicates that the region will need approximately 14,240 acres to accommodate an additional 355,000 jobs.

Metro analyzed the capacity of the existing UGB to accommodate this employment growth. The analysis determined that the UGB contained a surplus of land (759.6 acres) for commercial employment and a deficit of land (5,684.9 acres) for industrial development. The UGR-E provides the details of this analysis. Overall, the existing UGB does not have the capacity to accommodate the forecasted employment.

D. Alternatives: Increase Capacity of the UGB

These findings address ORS 197.732(c)(B); Goal 14, Factors 3 and 4; Goal 2, Exceptions, Criterion 2; OAR 660-004-0010(1)(B)(ii) and 660-004-0020(2)(b); Metro Code 3.01.020(b)(1)(E); and RFP Policies 1.2, 1.3, 1.6, 1.7 and 1.8.

To address the shortfall in residential capacity, Metro first considered actions it could take to increase the efficiency of the existing supply of land. Metro's Urban Growth Management Functional Plan (UGMFP), adopted in 1996 and acknowledged on December 8, 2000, required most local governments in the region to make significant increases in the efficiency of their supplies of residential land. Metro explored the possibility of further efficiencies in downtowns and town centers. Studies advised that non-regulatory measures would be most likely to increase residential development in centers. Metro tested the long-range effects of selected non-regulatory measures on the rate of infill and redevelopment ("refill") and found that the measures would increase refill.

Based upon this analysis, Metro developed a strategy to increase the refill rate in centers. This strategy, contained in RFP Policy 1.5 and new UGMFP Title 6 and described more fully in the UGR-R, will increase the capacity of the existing UGB by 6,000 dwelling units, reducing the shortfall to 37,400 units. The UGR-R demonstrates the likelihood that the region will achieve the higher refill rate.

To address the shortfall in employment capacity, Metro considered measures to increase the efficiency of land use within the UGB designated for employment. Metro's UGMFP Title 4 limits non-employment uses in areas designated for employment use. Title 4 also limits commercial retail uses in areas designated for industrial employment. Analysis of results of local implementation of Title 4 indicates that commercial uses and other non-industrial uses are converting land designated for industrial use to non-industrial use.

In response to this information, the Metro Council amended the RFP (Exhibit D, Policies 1.4.1 and 1.4.2) and Title 4 (Exhibit F) to improve the protection of the existing industrial land base. The Council created a new 2040 Growth Concept design type – "Regionally Significant Industrial Land" (RSIA) – and developed new limitations on commercial office and commercial retail uses in RSIA's. Metro estimates that these new measures will reduce the shortfall in industrial land by 1,400 acres by reducing encroachment by commercial uses. These measures will, however, also reduce the capacity of employment land to accommodate commercial office and retail uses, converting the small surplus of commercial land to a small deficit of land. The overall net effect is a remaining, but smaller deficit (4,425.3 acres) in the capacity of the existing UGB to accommodate all of the forecast employment.

E. Alternatives: Expand the UGB

These findings address ORS 197.732(c)(B), (C) and (D) and Goal 2, Exceptions; ORS 197.298(1); Goal 11; Goal 14, Factors 3-7; OAR 660-004-0010(1) and 660-004-0020(2); RFP Policies 1.2 and 1.7; and Metro Code 3.01.020(b)(3) through (7) and 3.01.020(d)

The measures taken by the Council to increase the capacity of the existing UGB, described above, reduced housing need by 6,000 acres and reduced the need for employment land by approximately 1,200 acres. The measure leave an unmet need for land for 37,400 dwelling units and for 4,400 acres of employment land.

Metro began the search for the most appropriate land for inclusion in the UGB by applying the priorities in ORS 197.298(1). Because Metro has not re-designated "urban reserve" land since its 1997 designation was invalidated on appeal, the highest priority for addition of land is exception land. Metro mapped all exception land within one mile of the existing UGB, extending beyond the mile to catch exception lands that themselves extended beyond one mile. Metro mapped those resource lands surrounded by or intermingled with exception land to determine whether they must be included in order to urbanize the exception lands. In all, Metro looked at approximately 80,000 acres to find the most appropriate land.

Once Metro mapped land by its statutory priority, Metro analyzed the suitability of the land for urbanization, considering the locational factors of Goal 14, the consequences and compatibility criteria of the Goal 2 and statutory exceptions process, the policies of the Regional Framework Plan (RFP) and the criteria in the Metro Code that are based upon Goal 14. Metro estimated the housing and employment capacity of each "study area." This analysis is set forth in the 2002 Alternatives Analysis Study, Item 6 in Appendix A of Ordinance No. 02-969.

Ultimately, by Ordinance No. 02-969, the Council added 17,424 acres to the UGB, 15,022 acres for housing and 2,471 acres for employment. The Council was able to accommodate most of the unmet housing need (37,400 dwelling units) and much of the need for employment land (4,284 acres) on exception land. The Council added resource land (3,352 acres) only where it found inclusion necessary in order to urbanize exception land. Together with the dwelling unit capacity added by Ordinance No. 02-987, the Council accommodated the full 20-year need for housing.

The Council was unable to accommodate the full 20-year need for employment land. As noted in Resolution No. 02-3236C, directing the Executive Officer to seek modification of Metro's periodic review work program, Metro was unable to find enough exception land with needed characteristics (parcel size, proximity to essential services, etc.) within the 80,000 acres it studied. During its analysis it became clear to the Council that it would be forced to turn to resource land to find land with these characteristics. Metro did not study enough resource land and found itself, in the absence of a regional economic strategy, unprepared to weigh the need for industrial land against the loss of the land base for another industry – agriculture. It is for these reasons that Metro will ask for a new periodic review work task to complete the accommodation of the region's need for industrial land.

Nonetheless, the Council included enough employment land in the Gresham and Damascus area to allow a complete and sufficient new Damascus Town Center to emerge. This will help the entire region.

The Council found that the region will be able to urbanize the lands it has added to the UGB in an efficient and orderly fashion. The Council concluded that the overall consequences of urbanization of these lands are acceptable, especially given the protections in place in the RFP and Metro Code for sensitive resources. Through mitigation measures required by the conditions in Exhibit M, the Council believes it can achieve compatibility between urbanization of the land added to the UGB and adjacent land outside the UGB.

The Council also believes that it was able to maintain separations between communities at the urban fringe sufficient to allow each community to retain a sense of place. The Council chose ridgelines, streams, powerlines, roads and property lines to define the boundaries of the UGB in an effort to provide a distinct boundary and a clear transition between urban and rural uses.

F. Water Quality

Each local government responsible for an area added to the UGB must complete the planning requirements of Title 11, Urban Growth Management Functional Plan (UGMFP), including compliance with the water quality provisions of Title 3 of the UGMFP.

G. Areas Subject to Natural Disasters and Hazards

The Council has excluded environmentally constrained areas from the inventory of buildable land (see UGRs) and from its calculation of the housing and jobs capacity of each study area (see Alternatives Analysis). Each local government responsible for an area added to the UGB must complete the planning requirements of Title 11, Urban Growth Management Functional Plan (UGMFP), including compliance with Title 3 of the UGMFP on floodplains and erosion control.

H. Economic Development

As part of Task 2 of periodic review, Metro reviewed the economic development elements of the comprehensive plans of each of the 24 cities and three counties that comprise the metro area. Metro used the review in its determination of the region's need for employment land and for coordination with local governments of its choices to add land to the UGB for employment purposes. The review also helped the Council reach the conclusion mentioned in section E, above, that further work is necessary to reach regional agreement on economic strategy before adding to the UGB all the employment land needed to the year 2022. The review will be one of the building blocks of the strategy.

Revisions to Title 4 (Industrial and Other Employment Areas) of the UGMFP (Exhibit F of this ordinance) and General Conditions IA(C) and (F), and Specific Conditions IIA(7) and (8) and II(E)(2) and (3) (Exhibit M of this ordinance) add significant protection to sites designated for industrial use, both those added to the UGB and those within the UGB prior to expansion, to help ensure their availability for that purpose.

II. Specific Findings for Particular Areas

A. Gresham and Damascus Area, Study Areas 6 (partial), 10 (partial), 11, 12, 13, 14, 15, 16, 17, 18 and 19 (partial)

These findings address ORS 197.298; ORS 197.732(1)(c)(B), (C) and (D); Goal 2, Exceptions, Criteria (c)(2), (3) and (4); Oregon Administrative Rules (OAR) 660-004-0010(1)(B)(ii), (iii) and (iv); OAR 660-004-0020(2)(b), (c) and (d); Goal 5; Goal 11; Goal 12; Goal 14, Factors 3 through 7; Metro Code 3.01.020(b)(3) through (7) and 3.01.020(d); Metro RFP Policies 1.2, 1.3, 1.4, 1.6, 1.7 and 1.11; and Regional Transportation Plan Policies 2.0, 3.0, 4.0 and 14.0.

The Gresham and Damascus study areas (herein called "the Damascus area") include all or portions of Study Areas 6, 10, 11, 12, 13, 14, 15, 17, 18 and 19, as shown on the Exhibit N map. The Council includes this land within the UGB for three principal reasons. First, the Council wants to accommodate as much housing and employment on exception land as possible, to avoid urbanization of farm and forest land. Second, the Council wants to accommodate a significant portion of the region's overall need for land for employment on the east side of the region to improve the jobs/housing ratio, currently "housing rich" and "jobs poor." Third, the Council wants urbanization in this area to support the Gresham Regional Center, the Rockwood Town Center and the Damascus Town Center in a manner consistent with the 2040 Growth Concept. Including the Damascus area in the UGB will bring development that will help pay for infrastructure for these communities and the Inner and Outer Neighborhoods that surround them.

The Damascus area includes 10,027 acres of exception land. The Council includes this exception land in the Damascus area because it is the highest priority for inclusion in the UGB under ORS 197.298(1) and because the Council wants to protect the region's agricultural industry. Reluctantly, the Council includes 3,352 acres of resource land in the Damascus area because it is intermingled with the exception land. The Council considered maps and analysis of the area produced by the City of Gresham and Clackamas County. The maps and analyses allow comparison between the location of needed sewer, water, storm water and transportation facilities if the resource land is included, and their location if the resource land is excluded. From these analyses the Council concludes that it must include the resource land in the Damascus area because urban services must pass through the resource land in order to provide the services to the exception land in the area.

If the resource land were excluded, the exception land in the Damascus area could not urbanize efficiently. The area as a whole could not produce communities with employment opportunities and the fiscal resources commercial and industrial development provide for urban services. For this reason, the Council concludes that it must include the resource land in the Damascus area in order to maximize the efficiency of urbanization of the exception land.

Finally, without the intermingled resource land, the exception land would accommodate far fewer households and jobs. Metro would have to look to exception lands or resource land in other locations to accommodate the households and jobs not accommodated here.

1. Alternatives

Exception areas outside the UGB cannot reasonably accommodate the jobs and housing slated for the Damascus area. Each of the exception areas included in the UGB in the Task 2 decision, both within and outside the Damascus area, will accommodate the jobs and housing densities assigned to the 2040 Growth Concept Design Type on the buildable land in the exception area. LCDC has previously acknowledged these densities and the design types. The jobs and housing density requirements of Title 1 of the Urban Growth Management Functional Plan (UGMFP), aimed at increasing the efficiency of the use of urban land within the UGB, have also been acknowledged. These same Title 1 requirements will apply to the land added to the UGB, including the Damascus Area. Ordinance No. 02-969 takes further action to improve the efficiency of employment land by amending Title 4 (Industrial and Other Employment Land) of the UGMFP (Exhibit F) and of residential and mixed use land by adopting a strategy to increase the number of housing units accommodated on developed land ("refill" rate) (Exhibits G and H). These amendments and this strategy will apply to exception land included in the UGB.

As indicated in the Alternatives Analysis in Appendix A, the exception areas included within the UGB and those studied for possible inclusion have topographic characteristics that limit the overall density (dwelling unit yield) at which it can be developed. The areas also contain plant and wildlife habitat (particularly streams and riparian habitat) and development patterns that prevent accommodation of higher numbers of jobs or housing than the numbers allocated to the exceptions areas by Ordinance No. 02-969.

Metro studied nearly 40,000 acres of exception lands that have not been included in the UGB by Ordinance 02-969. These lands compared unfavorably with the exception lands that the Council included, for reasons explained in these findings. On the whole, the exception lands not included cannot reasonably accommodate the jobs and housing allocated to the resource land in the Damascus area because the lands cannot urbanize efficiently or be provided efficiently with urban services, and natural resources present on the lands would be more adversely affected by urbanization.

Metro also considered other resource land to accommodate the jobs and housing allocated by this decision to the resource land in the Damascus area and rejected those other resource lands. As indicated by the soil maps that are part of Metro's Alternatives Analysis, the included resource land in the Damascus Area is predominantly Class III and IV on the Natural Resource and Conservation Service (NRCS) capability classification system. Other areas of resource land in the region generally have higher capability soils than the soils present in the Damascus area. Only in the Damascus area are resource lands so fully interspersed with exception lands.

Including the resource lands interspersed with exception lands in the Damascus area will also have less adverse social and economic consequences when compared with including other resource lands in the UGB. Urbanization of the Damascus area as a whole can, consistently with the statutory requirement to include exception land as highest priority, be done more efficiently and economically, and can provide a more complete and livable urban environment, than including other exception lands or other resource lands.

2. Orderly Services

The Council considered whether public facilities and services could be provided in an orderly and economic fashion to the Damascus area. The Council relied upon the Water, Sewer and Stormwater Feasibility Analysis and the Transportation Services Feasibility Analysis contained in its Alternatives Analysis (Appendix A, Item 6) for its determination that these services can be provided to the Damascus area in an orderly and economic manner. The Council also considered maps showing likely public service facility layouts provided by the City of Gresham and Clackamas County, and the vision produced by the Damascus Area Design Workshop. The Council further considered more detailed analysis of serviceability from the City of Gresham indicating that the city can provide services to the northern portion of the Damascus area (Study Areas 6 and 12 north of the Multnomah County line) immediately and the remainder of the study areas within the watershed of Johnson Creek within five years of inclusion within the UGB. Condition IIA(1) of Exhibit M calls for transportation and public facility and service plans within four years after the effective date of this ordinance. Condition IIA(4) calls for phasing and timing of service provision to allow the emergence of town centers in the Damascus area.

The Alternatives Analysis sets forth the likely service provider for sewer, water and storm-water services and assigns a serviceability rating for each study area within the Damascus area. Serviceability generally ranges from "moderate" to "easy" to serve (Table A-3) and compares favorably with exception areas not included (such as outlying Study Areas 5, 9, the excluded portion of 10, 29, 30, 36 and 52).

Transportation services will be difficult to provide in parts of the Damascus area due to the varied topography. However, Metro's 2000 Regional Transportation Plan (RTP) anticipated inclusion of the Damascus area within the UGB. The RTP's "Priority System" of planned transportation facilities, for which funding is expected, shows how the region will provide transportation services to the area. The City of Gresham provided more detailed analysis of serviceability showing that it will be easier to provide transportation services to the Damascus area than indicated in the Alternatives Analysis.

3. Efficiency

The Council considered whether the Damascus area could be urbanized in an efficient manner. The Council relied the same information on provision of essential services mentioned above. This information convinced the Council that the area can urbanize efficiently, achieving the housing and job density targets associated with the 2040 Growth Concept design types assigned to the Damascus area.

The Council recognizes that the Damascus area, characterized by pockets of small parcels, hilly topography, riparian and floodplain areas and limited transportation services, cannot achieve the overall densities that might be achieved on large tracts of flat resource land adjacent to the UGB. The Council, however, has compared the efficiency of urbanizing the Damascus area not with flat farmland, but with other exception lands. In that comparison, the Council concludes that it better

achieves Goal 14 to include the exception land in the Damascus area because that area offers a better opportunity to urbanize fully, efficiently, economically and to establish a complete community of housing, employment and community services than does any other large area of exception land (such as Study Areas 5, 8, 9, 29, 30, 36 or 53) or than a large number of small areas of exception land along the fringe of the UGB (such as 59 through 67, 69-71, 77-80 and 82).

The Council also concludes that adoption of RFP Policy 1.5 (Exhibit G), new Title 6 (Centers) of the UGMFP (Exhibit H), and the Centers Strategy (Appendix A, Item 3) will not only increase the efficiency of urbanization within the UGB as it stood before Ordinance No. 02-969, but also within the Damascus area, given the design types (including a Town Center) assigned to the area by this ordinance. Adoption of RFP Policies 1.4.1 and 1.4.2 (Exhibit D) and revision of Title 4 of the UGMFP (Exhibit F), both dealing with Regionally Significant Industrial Areas (RSIAs), will increase the efficiency of urbanization within the UGB as it stood prior to this ordinance and within the Damascus area.

4. Consequences

The Council considered the consequences of urbanization on the people and land of the Damascus area. The area is characterized geographically by hills, valleys and streams. It is characterized socially by rural residences, small farms and woodlots and several small-town concentrations of businesses and community services. The Alternatives Analysis and materials presented to the Council during public hearings offer the information and analysis upon which the Council relied in its consideration of the consequences of urbanization.

Urbanization will affect all characteristics of the Damascus area. The social effects of urbanization are unavoidable. Some of these effects could be avoided by urbanizing resource land. But the Council wants to minimize the urbanization of resource land, so it has compared the social consequences among optional exception areas. The Council concludes that the social effects of urbanizing the Damascus area will be less adverse than urbanization of any of the large exception areas (such as Study Areas 5, 8, 9, 29, 30, 36 or 53) or of a large number of smaller exception areas along the fringe of the UGB (such as 59 through 67, 69-71, 77-80 and 82) because the Damascus area offers the best opportunity to establish a complete community of housing, employment and community services and an orderly, economic and efficient network of sewer, water, storm-water and transportation infrastructure. Land designated for employment, especially RSIAs, offers the best choice for substantial employment opportunities on the east end of the region with the least impact on commercial agriculture.

Environmental consequences are also unavoidable, as noted in the Alternatives Analysis. They range from "high" to "moderate" to "low." There are study areas in other parts of the region not included in the UGB where consequences of urbanization fall lower on the range. But these areas are scattered across the region and cannot accommodate the larger number of dwelling units and jobs, or the balance of housing and jobs, that the Damascus area can accommodate. In order to find sufficient capacity on other lands for the housing and jobs that this area can accommodate, the Council would have to include resource land and other exception land with more adverse consequences.

The Damascus Area Design Workshop showed how urbanization of the area could minimize adverse environmental consequences in the area. It is unlikely that the measures considered in the workshop could be undertaken in other large or small exception areas because the measures require a concentration of urban development in the buildable areas in order to reduce the effects

of urbanization on unbuildable areas, such as streams, riparian areas, wetlands and steep slopes (to provide the funds, transfer of development rights opportunities, etc.). The Council further considered that Title 3 of the UGMFP and the conditions in Exhibit M will apply to the Damascus area to protect the streams, wetlands, floodplains and steep slopes of the area.

Adverse economic and energy consequences of urbanization in the Damascus area are "moderate" to "low." The Council concludes that, notwithstanding the noted adverse consequences, the positive consequences of accommodating urbanization in a complete fashion – housing, employment and community services and an orderly, economic and efficient network of sewer, water, storm-water and transportation infrastructure – outweigh the more adverse economic and energy consequences of scattering this development along the perimeter of the UGB and urbanizing resource land.

5. Compatibility

The Agricultural Compatibility Analysis shows that the study areas that comprise the Damascus area are moderately to highly compatible with nearby agriculture. The included resource land in Area 11 borders excluded resource land on the south side of Area 11. Evaluation of compatibility for this area (Alternatives Analysis, Appendix A, Item 6, p. A-25) determined that it is "moderate", meaning that there is some incompatibility. Ordinance No. 02-969 of the Task 2 decision imposes Condition IE upon urbanization of this part of Area 11 in order to reduce conflict and improve compatibility between urban use on the included land and agricultural use on the excluded land to the south.

The included resource land in Study Areas 12 and 13 borders exception land that is included in the UGB. Urbanization of these lands will have no significant adverse effect upon excluded resource land. This ordinance designates the included portion of Study Area 6 for industrial use, generally more compatible with agricultural activities. The ordinance imposes Condition IE upon urbanization of Area 6 to reduce conflict and improve compatibility between urban use on the included land and agricultural use on the excluded land to the south. An included portion of Study Area 12 borders designated forest land to the east. Condition IE also applies to Area 12.

6. Natural and Cultural Resources

Metro's alternatives analysis addresses the Goal 5 resources protected in the Damascus area by Multnomah and Clackamas Counties in their acknowledged comprehensive plans. The counties will be responsible for protecting inventoried Goal 5 resources in the area when they amends their comprehensive plans and zoning ordinances to implement expansion of the UGB. Condition IIA(2) of Exhibit M requires the counties to consider Metro's inventory of Goal 5 resources in their application of Goal 5 to the Damascus area. Title 3 (Water Quality, Flood Management and Fish and Wildlife Conservation) of the UGMFP requires Clackamas County to protect water quality and floodplains in the area. Title 11 of the UGMFP, section 3.07.1120G, requires the counties to protect fish and wildlife habitat and water quality. Title 11, section 3.07.1110, protects the status quo in the interim period of county planning for the area.

The counties' inventories of Goal 5 resources protected by land use regulations include one mining (aggregate) site, Kelly Creek in Study Area 13, Johnson Creek in Study Area 12, one upland habitat site and historic buildings in Study Areas 12, 17 and 19. Under Metro's Title 11, current county land use regulations will remain in place until the counties adopt new plan

provisions and land use regulations to allow urbanization of the Damascus area, at which time the responsible local government will apply Goal 5 to these resources. Urbanization may affect the inventoried sites. If so, the local governments will determine whether to limit urbanization near the sites, or to re-evaluate their earlier decisions to protect the sites.

7. Public Utilities and Services

Under statewide Planning Goal 11, Metro is responsible for coordination of the preparation of public facility plans within the district. Metro will fulfill this responsibility through implementation of Title 11 of the UGMFP, which (1) prohibits Multnomah and Clackamas Counties from upzoning and from dividing land into resulting lots or parcels smaller than 20 acres until the counties revise their comprehensive plans and zoning ordinances to authorize urbanization of land Metro brings into the UGB; and (2) requires the counties to develop public facilities and services plans and urban growth diagrams with the general locations of necessary public facilities such as sanitary sewers, storm sewers and water lines for the Damascus area. Metro and the counties began this work with the evaluation of the serviceability of the Damascus area in the Alternatives Analysis and consideration of how to provide services as part of the analysis required to satisfy ORS 197.298(3)(c) and Goal 14, factors 3 and 4.

8. Transportation

Metro has responsibility to ensure that its Task 2 decision for the Damascus area does not significantly affect a transportation facility or allow uses that are inconsistent with the identified function, capacity and performance standards of transportation facilities. Metro fulfills this responsibility through implementation of Title 11 of the UGMFP, which (1) prohibits Multnomah and Clackamas Counties from upzoning and from land divisions into resulting lots or parcels smaller than 20 acres in the area until the counties revise their comprehensive plans and zoning ordinances to authorize urbanization of land Metro brings into the UGB; and (2) requires the counties to develop conceptual transportation plans and urban growth diagrams with the general locations of arterial, collector and essential local streets for the area. Metro and the counties began this work with the evaluation of the serviceability of the Damascus area in the Alternatives Analysis and consideration of how to provide services as part of the analysis required to satisfy ORS 197.298(3)(c) and Goal 14, factors 3 and 4.

Metro's 2000 Regional Transportation Plan (RTP) anticipated inclusion of the Damascus area within the UGB. The plan's "Priority System" of planned transportation facilities shows improvements planned for the area to serve anticipated growth. Condition IIA(6) of Exhibit M calls for protection of the rights-of-way for the Sunrise Highway, the most significant improvement in the Priority System for the area.

9. Regional Framework Plan

The Council has included the Damascus area as the best option before it to comply with state planning laws and the policies of the RFP. Taking this land into the UGB allows Metro to accommodate a large number of jobs and housing units in an integrated and complete community with the least impact on agriculture in the three-county area. The area will not only provide employment opportunities for new residents of the Damascus area, but also improve the ratio between jobs and housing in the east side of the region.

The Council has applied conditions (Exhibit M) to the addition of the Damascus area to ensure full consideration of the affordability of housing in light of anticipated employment opportunities. The conditions also require measures to ensure the emergence of distinct communities, including the designated Damascus Town Center. The conditions make reference to Title 11 of the Urban Growth Management Functional Plan (UGMFP), which requires the counties and, possibly, a newly incorporated city, to plan for concentrations of housing that will support an efficient arrangement of public facilities and services, including transportation.

10. Regional Transportation Plan

Through its Joint Policy Committee on Transportation, Metro has coordinated transportation planning and funding of transportation improvements with local governments in the region. The Regional Transportation Plan adopted a "Priority System" of improvements through the year 2020. The Priority System includes the most critical improvements needed to implement the 2040 Growth Concept. Among the improvements are the "East Multnomah County Transportation Projects" and the "Pleasant Valley and Damascus Transportation Projects" that will provide the basic transportation services to the area (pages 5-49 to 5-57). Figures 1.4, 1.12, 1.16, 1.17, 1.18 and 1.19 of the RTP show how the region's street design, motor vehicle, public transportation, freight, bicycle and pedestrian systems will extend into the Damascus area.

B. Oregon City Area, Study Areas 24 (partial), 25 (partial), 26 (partial), and 32 (partial)

These non-contiguous portions of Study Areas 24, 25, 26 and 32 included by the Council, but for 17.5 acres of forest land, are exception areas. The areas are mostly designated for housing on the 2040 Growth Concept map (Exhibit N), but Area 26 includes designated industrial land and Area 32 includes designated employment land. The Council included a small tract of forest land to avoid splitting a parcel owned by the Oregon City School District and used for school purposes. Metro has a conservation easement over a portion of this forest land.

The City of Oregon City indicates that the areas can be provided with water, sewer and storm-water services and transportation. The included portions are contiguous to the city and can be served in an orderly manner. The areas rate from "easy" to "difficult" to serve; portions that contain steeper slopes are more difficult. The portions of the areas included are the more serviceable portions. In particular, inclusion of portions of Areas 24 and 26 will allow a road connection between Holcomb Boulevard and Redland Road that will improve transportation in the area.

Adverse economic, energy, environmental and social consequences of urbanization in the areas range from relatively low to relatively high. Compliance with Title 3 of the UGMFP, however, will reduce adverse consequences to water quality, streams, and riparian area. Also, urbanization of the areas would be relatively compatible with agricultural activities. Much of the nearby resource land is designated for forestry. Application of General Condition 5 in Exhibit M will reduce incompatibility with farm practices.

Inclusion of these areas will add needed housing and employment to the UGB at the south end of the region with little impact on agricultural activities or forest practices outside the UGB.

C. West Linn Area, Study Area 37

Study Area 37 – all exception land - lies to the west of the City of West Linn. The area can be provided with water, sewer and storm-water services and transportation, but it rates “difficult” to “moderately difficult” to serve, largely due to steep slopes in the southern and western portions of the area. On the other hand, the area is adjacent to the city; services can be extended in an orderly manner. Adverse economic, energy, environmental and social consequences of urbanization will be relatively low. Also, urbanization of the area will be relatively compatible with agricultural activities in the Stafford basin to the west.

Most of Study Area 37 lies within a basin that drains and orients toward West Linn, making a relatively distinct transition between the study area and the rest of the Stafford basin to the west. Urban development in the area will enhance the nearby “Civic Center” by expanding its service market. The area will produce housing that will help address the need on the southern end of the region.

In sum, the Council included this area because it is exception land, because it can address part of the need for housing, and it can enhance the city’s Civic Center.

D. Wilsonville Area, Study Area 45

Study Area 45 – all exception land - lies to the east of the City of Wilsonville. The area can be provided with water, sewer and storm-water services and transportation, but it rates “moderately difficult” to serve. Nonetheless, the city indicates readiness to provide services and has plans in place to do so. Because the area is adjacent to the city, services can be extended in an orderly manner. Adverse economic, energy, environmental and social consequences of urbanization will be relatively low. Also, urbanization of the area will bring urban development near agricultural activities. Application of General Condition 5 in Exhibit M will reduce incompatibility with farm practices.

Study Area 45 includes three parcels that comprise the site of new school facilities planned by the West Linn-Wilsonville School District. The district conducted an exhaustive search for a suitable site on the east side of Wilsonville and settled on Area 45, in part because it is exception land.

Inclusion of Study Area 45 will bring a significant number of new dwelling units to Wilsonville and improve the “jobs-rich” jobs/housing ratio.

E. Wilsonville Area, Study Area 49 (partial)

This portion of Study Area 49 lies adjacent to and northwest of the City of Wilsonville. It is all exception land. The Council designated the included portion as Regionally Significant Industrial Area (RSIA) on the 2040 Growth Concept Map (Exhibit N) and on the map of RSIA's (Exhibit E). The city indicated a willingness to provide the area with water, sewer and storm-water services and transportation and has plans in place to do so. Because this portion of Area 49 is adjacent to the city, services can be extended in an orderly manner. The portion rates “easy” to “moderately difficult” to serve.

Adverse economic, energy, environmental and social consequences of urbanization rate from “moderate” to “high”. Compliance with Title 3 of the UGMFP, however, will reduce adverse consequences to water quality and the streams, wetlands and riparian areas present. Also, urbanization of the area would bring urban development near agricultural activities. However,

industrial development is generally more compatible with agricultural activities than residential or commercial development. Application of General Condition 5 in Exhibit M will reduce incompatibility with farm practices.

Among the reasons the Council included Study Area 49 is the severe regional shortage of industrial land and the suitability of this area for industrial use. Inclusion of this area allows addition of land in this part of the region without intruding into the area that separates Wilsonville from Tualatin.

F. Tualatin Area, Study Areas 47 (partial), 49 (partial)

These contiguous portions of Study Areas 47 and 49 lie adjacent to and southwest of the City of Tualatin. It is all exception land and excludes the aggregate sites in a farm zone to the north that are protected in Washington County's Goal 5 program. The Council designated the included portions as Regionally Significant Industrial Area (RSIA) on the 2040 Growth Concept Map (Exhibit N) and on the map of RSIA's (Exhibit E). The included portions are generally easy to serve and can be served in an orderly manner from the city. The city indicates a willingness to provide the area with water, sewer and storm-water services and transportation.

Adverse economic, energy, environmental and social consequences of urbanization rate from "low" to "high." Compliance with Title 3 of the UGMFP will reduce adverse consequences to water quality and the identified wetland and the streams and riparian areas present. Urbanization of the area will bring urban development near agricultural zoning and activities. However, the farm-zoned land to the north is dominated by aggregate extraction. Industrial development is generally more compatible with agricultural activities than residential or commercial development. Also, application of General Condition 5 in Exhibit M will reduce incompatibility with farm practices.

Among the reasons the Council included these portions of Study Areas 47 and 49 are the severe regional shortage of industrial land and the suitability of this area for industrial use. Inclusion of these portions closes the separation between the cities of Tualatin and Sherwood, but an extensive separation remains. The power line on the west edge of Study Area 47 offers a clear transition from industrial use in the study areas and agriculture on the west.

G. Sherwood Area, Study Areas 54 (partial) and 55 (partial)

These contiguous portions of Study Areas 54 and 55 – all exception land - lie to the south of the City of Sherwood. The portions can be provided with water, sewer and storm-water services and transportation; they rate "easy" to serve. Because the area is adjacent to the city, services can be extended in an orderly manner. Adverse economic, energy, environmental and social consequences of urbanization in these portions of the area will be relatively low. Urbanization of this area will bring urban development near agricultural activities, largely separated from the activities by Brookman Road. Application of General Condition 5 in Exhibit M will reduce incompatibility with farm practices.

The Council included these exception lands because the area is adjacent to Sherwood and is the likely corridor for the Tualatin-Sherwood Connector. The Council has placed a condition upon inclusion of this area to protect the rights-of-way in Exhibit M. The connector will provide a clear transition from urban to rural use.

H. Sherwood Area, Study Area 59 (partial)

This portion of Study Area 59 lies adjacent to and west of the City of Sherwood. It is all exception land. The Council designated the included portion as Inner Neighborhood on the 2040 Growth Concept Map (Exhibit N), but the area includes a school site, protected for that purpose by a condition upon inclusion in the UGB in Exhibit M.

The city indicates a willingness to provide the area with water, sewer and storm-water services and transportation. This portion of the study area rates "easy" (sewer, water, storm-water) to "moderately difficult" (transportation) to serve. Because this portion of Areas 59 is adjacent to the city, services can be extended in an orderly manner.

Adverse economic, energy, environmental and social consequences of urbanization in this small portion of Study Area 59 will be relatively low. Compliance with Title 3 of the UGMFP will reduce the consequences to water quality, streams and riparian areas.

Part of the northern boundary of this portion of Area 59 borders land zoned for farm use. Urbanization of the area will bring urban development near agricultural activities. Edy Road will separate urban development from farm activities to the north. Application of General Condition 5 in Exhibit M will reduce incompatibility with farm practices.

The Council included this land because it is exception land, adjacent to and bordered on most of its perimeter the city and other exception land, relatively easy to serve with public services and contains a site for public school facilities.

J. Tualatin Area, Study Area 61 (partial)

These two portions of Study Area 61 lie adjacent to the City of Tualatin. The northern portion sits along Highway 99W and has been designated for industrial use on the 2040 Growth Concept Map (Exhibit N). The Council did not include the portion of Study Area 61 on the north side of Highway 99W because it is close to the Tualatin River National Wildlife Refuge. The small southern piece has also been designated for industrial use.

These portions of the study area rate "easy" to "moderately difficult" to serve. However, they are adjacent to the city and the city indicates a willingness to provide the area with water, sewer and storm-water services and transportation.

Adverse economic, energy, environmental and social consequences of urbanization in these small portions of Study Area 61 will be relatively low. Compliance with Title 3 of the UGMFP will reduce the consequences to water quality, streams and riparian areas.

The Council included these portions of Study Area 61 because they are exception areas adjacent to the City of Tualatin, because the northern piece can provide much-needed industrial land, and because the southern piece joins the portion of a split parcel outside the UGB to the portion inside the UGB.

K. Westside Area, Study Areas 62 (partial), 63, 64, 67, 69 (partial), 71 and 0

These non-contiguous study areas lie west of and adjacent to the UGB as it existed prior to this expansion. The portions included are all exception lands and designated Inner Neighborhood on the 2040 Growth Concept Map (Exhibit N). Part of the included portion of Study Area 62 will be used by the City of King City as a park and storm-water retention area. The cities of Tigard, Beaverton and Hillsboro will use the other portions of the Westside Area to provide housing.

Study Areas 63, 64, 67, 69 (partial), 71 and 0 rate "easy" to "difficult" for sewer, water, storm-water and transportation services. The cities of Tigard, Beaverton and Hillsboro, Clean Water Services and the Tualatin Valley Water District will be the service providers; all have expressed a willingness to provide the services. These areas are adjacent to the UGB as it existed prior to this expansion; services can be extended in an orderly manner.

Adverse economic, energy, environmental and social consequences of urbanization in these areas will be relatively low. Compliance with Title 3 of the UGMFP will reduce the consequences to water quality and the few wetlands, streams, floodplains and riparian areas present.

Urbanization of the areas will bring urban development near agricultural activities to the west and south of the UGB. However, most of the areas are already developed in a rural residential pattern. Application of General Condition 5 in Exhibit M will reduce incompatibility with farm practices.

The Council included these exception lands to provide opportunities for a wide range of housing types in a part of the region that is relatively "housing-poor."

L. Cornelius Area, Study Areas 75 and 76

These two non-contiguous study areas lie north of and adjacent to the City of Cornelius. The Council designated the areas Industrial Areas on the 2040 Growth Concept Map (Exhibit N). Both areas are exception lands.

Both areas are relatively easy to serve with water, sewer, storm-water and transportation. The providers – the City of Cornelius and Clean Water Services already have plans to provide the services. The areas are adjacent to the city; services can be provided in an orderly manner.

Adverse economic, energy, environmental and social consequences of urbanization in these areas will be "low" to "moderate." Compliance with Title 3 of the UGMFP will reduce the consequences to water quality and the few wetlands, streams, floodplains and riparian areas present.

M. Forest Park Area, Study Areas 89 (partial), 93 (partial) and 94

Study Area 94 and portions of Study Areas 89 and 93 are nearly surrounded by the UGB as it existed prior to this amendment. These exception lands are characterized by low-density residential development on relatively steep slopes and are designated Outer Neighborhood on the 2040 Growth Concept Map (Exhibit N). It will be difficult to provide services to the areas, but the likely providers, except for the City of Portland, have plans to extend services or have expressed willingness to do so.

Adverse economic, energy, environmental and social consequences of urbanization in these areas will be "moderate." Compliance with Title 3 of the UGMFP will reduce the consequences to water quality and the riparian areas present.

There is little agricultural activity adjacent or near these areas, which are largely forested. Consequently, there will be little impact from further low-density residential development in the areas.

The Council included these areas because they are nearly surrounded by the UGB and provide an opportunity for lower-density housing within two miles of the Bethany Town Center.

Burkholder Amendment # 1
Ordinance 02-969

I hereby move that the words "shall consider" be replaced with "prioritize" in Exhibit C, letter D, in Ordinance 02-969

It will read as follows:

D. To make public schools accessible to neighborhood residents, cities, counties and school districts **prioritize** school sites that are near concentrations of population and are connected to those concentrations by safe and convenient walking, biking an, where transit is available or planned, transit facilities.

Condition on 25

Burkholder Amendment # 2
Ordinance 02-969

I hereby move that the words "consider" be replaced with "determine" in Exhibit J, section 1.9 Urban Growth Boundary, in Ordinance 02-969

It will read as follows:

1.9 Urban Growth Boundary

It is the policy of Metro to ensure that expansions of the UGB help achieve the objectives of the 2040 Growth Concept. When Metro expands the boundary, it shall **determine** whether the expansion will enhance the roles of Regional and Town Centers and, to the extent practicable, ensure that it does.

Move to amend Ord. 02-969, Exhibit A to reflect a population growth forecast averaging 1.3% per annum as opposed to 1.6% per annum.

To the Motion:

This is not an issue of dueling demographers and economists. It is not a question of which forecaster to believe, which bi-variate, multiple regression, econometric analysis stares into the foggy haze of the future better than another.

The forecast methods, the scientific validity of the forecasts is NOT the issue here. We have forecasts from expert forecasters that range from 1.3% to 2 plus percent. All of these forecasters use somewhat similar methods that involve bi-variate, multiple regression econometric analysis. I will have to admit that's a Black Box to me. I will not ask for a show of hands but I will also bet dollars to donuts there are not more than 3 or 4 people in this room who know the details of such methods. If the Legislature, in its great wisdom – and knowing their pattern of practice - would have wanted that we bow down and worship one black box as opposed to another they would have so decreed. But they did not.

We are called upon here to exercise our judgement, given the evidence in the record plus what we see and hear and know in our experience in the real world.

The preponderance of the evidence in the record, plus what is happening on the ground in the real world shows that a 1.6% per annum growth rate – which means a doubling of the population in this region in 45 years - is not practical or reasonable. Here are a number of reasons why:

1. 3- |County Forecasts show lower rates.

Using data prepared and presented to us by the Metro Executive shows that the rates of growth in the 3-county area are closer to 1.3% than 1.6%. See Appendix C in the October 31 information provided to the Council by Mr. Burton with calculations showing the growth rates for Washington, Multnomah and Clackamas Counties based on the Oregon State Office of Economic Analysis. (Hand out) .

Every document from the Metro Executive on this subject always reports either 4-county or 5-county rates, both in future forecast and for history. But our concern is with the three counties in the Metro region, not Yamhill or Clark County in Washington. And both those counties have shown significantly higher growth rates than Portland.

2. New data .

The 1.6% rate before us is based on data through October 2001. (p. 15 of Economic report) Why does the report not use data through Oct. 2002?

3. Inconsistencies and/or unanswered questions.

On page 10, footnote 7. the Economic Report states that "In the near term population and economic growth is slow or negative". Yet in earlier documents supporting the 1.6% growth rate, the forecast rate from now until 2010 is 1.8% . What would the longterm forecast be if the forecast was front-loaded with the real world growth rates?

Also, in the Economic Report in a Table 5 showing forecast growth rates for employment in the Portland/Vancouver area the table shows that between 1970 and 2000 employment growth was 0.8% , from 1990 to 2000 - the decade of unprecedented prosperity in the region - was 1.2%, then projects employment growth of 2.0% for 2000 to 2005, declining slowly to 1.4% through 2025. There is nothing in the record to indicate that the upcoming decade has a chance of being like the 1990's, yet this Metro data makes this extremely high forecast in employment growth. How is this justified?

There has been some mention in various reports and presentations of hopes for a large biotech industry in the region. But I have a report made from notes by Patty McCoy - a very reliable observer and reporter - of a presentation by Mr. Tom Potiowsky, the state economist, to the American Public Works Association last August.

Patty McCoy's notes were that the state economist said the "Columbia Corridor would be more badly hurt, would be the first hit in this recession, that the cuts would be deeper and hurt more badly, and they would last longer." Than other subregions.

He also commented on biotech and whether this is where we should put our investments. His statement was that there had been a blue-ribbon committee studying new economic clusters and that compared with other regions in the country, the amount of time and investment needed for such efforts to have significant results were "very risky."

4. Evidence of bias in the Metro forecast that may/ or may not be inappropriate.

The Metro economist uses terms such as optimistic for large growth reports, and pessimistic for slower growth reports. We had a discussion about this at the Committee and though these terms may be "terms of art" for economists, we had general agreement that use of these terms could reflect a bias to NOT fully evaluate any data that might convey "bad news."

5. The real world does not support the high 1.6% forecast. The past is not prologue.

1.6% per annum growth results in a doubling of population in the Portland region in only 45 years. Is this realistic? The current population of the region grew over the last 145 years or so on essentially bare land with cheap natural resources and massive subsidies from the Federal government. And the people here wanted this growth. How can we expect to double this population in only 45 years in an environment where the massive federal subsidies for infrastructure are no longer there, where our own ability to finance

infrastructure is highly constrained, the landscape is developed, there is widespread resistance to increased population growth among the citizens.

This state enjoyed unprecedented population growth during the 1990's. But this was also a period of unprecedented growth in the Oregon – and the national - economy with the state even skirting the 1991 national recession. But now things are different. According to Tom Potiowsky, again in remarks to the American Public Works Association in August, "Though the 1980-82 period was worse, overall this recession looks worse than anything in the last 30 years."

The past is not prologue – no matter the first law of Walt Disney, "Wishing makes it so."

**Public Hearing on Ord. 02-969, related to the urban growth boundary
Talking points for Presiding Officer Carl Hosticka**

- We're opening a public hearing on the urban growth boundary recommendations from the Community Planning Committee (Ordinance 02-969). We will also be taking testimony on the other areas addressed in separate ordinances, 02-984, 02-985, 02-986, 02-987 and 02-990.
- Thank you all for coming today. This is important work and we appreciate you taking the time to come here to Metro.
- Remember that our state land use system requires an individual to testify in person or in writing in order to have standing for further action on a decision.
- Want to remind everyone how the hearing will work.
- We are here to listen to your concerns and ideas about the urban growth boundary.
- (if the room is full) If you would like to have a seat or more room, we have set up an overflow room down the corridor in Room 370, which has a video feed from our camera system here in the Council Chamber.
- In order to allow everyone a chance to speak, we are limiting public testimony to 3 minutes per person.
- We are going to take testimony in the following order:
 - First, we will hear from elected officials who are here.
 - Second, we have asked everyone to indicate if they have a specific time constraint and if so, we will invite those individuals up in the order of the urgency of their constraint to be with us and then, if equally urgent, in the order they signed up.
 - Third, we will be taking testimony from people by geographic area, in order of the first testimony cards that arrived for each area. So, for example, we received the first non-time sensitive card from _____, so that all the people who wish to testify will be called up so that the Council can hear all of the relevant testimony at once.
- We appreciate everyone's cooperation with this approach.
- There are cream colored testimony sign-up cards at the registration table if you haven't already filled one out. If you don't wish to testify before the Council, you can also fill out a pink testimony card and turn it in by the end of the public hearing.
- Once I end the public hearing at the conclusion of all the verbal testimony, the public record for the urban growth boundary process will be closed.

- If the Council changes the UGB recommendations today in a substantive way, we would finish our work Dec. 12 at 2:00 p.m. Our agreement with the state is to finish the decision by Dec. 20.
- Now, I'd like to call up the elected officials who have joined us today.
- Are there any other elected officials here?
- Now, we're going to start taking testimony from the first four people who indicated they have time constraints this afternoon. As we finish these four people, I'll call up the next four and so on.
- If you need to leave before your name is called, please talk to the staff at the dias or in the hallway. We'll try to get you inserted immediately.
- Now the first four names are...

02-969 Talking points for Dec. 5 Council meeting – Rod Park

As chairman of the Community Planning Committee, responsible for crafting a recommendation on the urban growth boundary, want to quickly go over our process to this point.

The Community Planning Committee has forwarded its UGB recommendation to the Metro Council with new regional policies to support neighborhoods, protect industrial areas and enhance downtowns and other commercial areas.

The committee recommendation would expand the UGB by approximately 18,500 acres for future homes and another 2,700 acres for additional jobs.

This policy discussion on the UGB has generated important information and involved literally thousands of residents. Massive public outreach effort:

- “Let’s Talk effort in 2001-02 with 93 coffee talks w/small groups and regional conference weekend with 1,200 participants and televised town hall on KGW
- Over 105,000 property owners were notified about this process and here are the list of the names of those people (pick up pile A)
- Another 120,000 utility payers receiving notification in their monthly bills in August and September.
- More than 1,100 people attended seven public hearings in October held around the region. Over 300 more attended a Metro Council public hearing on Nov. 21. Here are the minutes from all of those hearings. (pick up pile B)

- We received written testimony in the form of letters, e-mails and faxes from over 750 agencies and individuals, some of which sent in multiple communications. Here is the assembled testimony as of today (pick up boxes C & D
- 5 quarter page ads in Oregonian from August – Dec.
- Quarter page ads in 12 community newspapers around the region
- We have tracked over 200 news articles since mid-June on the UGB.

Appreciate the value of the recommendations provided by Executive Officer Mike Burton,

However, the Metro Council must make the final decision.

Recommendation on Nov. 5 provided in the context of Metro policy and advice sent by the Metro Policy Advisory Committee, made up of elected leaders and citizens from around the region. MPAC finished its work on Oct. 30.

Committee worked hard on Nov. 19 and 20 to bring forward this decision. Not all of UGB amendments, but most. Rest are in separate ordinances addressed later today or next week.

The following areas in their recommendation to the Council in Ordinance 02-969:

•**Damascus/Gresham:**the 13,000 acres surrounding the unincorporated city of Damascus but stopping short of the community of Boring.Also,377 acres

southeast of Gresham specifically for industrial purposes (study areas 10-19, portion of area 6)

- Stafford/West Linn:** The 373 acres directly adjacent to the West Linn civic center and Rosemont Middle School, bounded on the west by South Wisteria Road (study area 37)

- Forest Park:** an area between Thompson and Northwest Laidlaw roads at the east end of Bethany and 517 acres northeast of Northwest Skyline Road currently within city of Portland boundary (study area 93-94)

- Tualatin/Wilsonville:** 183 acres north of Southwest Boeckman Road located northeast of Wilsonville; 62 acres north of Southwest Tonquin Road, between Tualatin and Wilsonville, 216 acres generally north of Southwest Clutter Road northwest of Wilsonville and a small area (15 acres) south of Highway 99W, west of Tualatin (portions of study areas 45, 47, 49, 61)

- Sherwood:** 85 acres east of Southwest Elwert Road and 231 acres south of Sherwood bounded on the south by Southwest Brookman Road (study area 59, portions of areas 54-55)

- Cornelius:** 193 acres on the northeast corner of Cornelius, just east of Northwest Cornelius-Schefflin Road and just east of Northwest Susbauer Road (study areas 75-76)

- Oregon City:** 703 acres from four areas: east of Highway 213 to serve as part of a connector between South Holcomb Boulevard and South Redland Road, an area west of South Beavercreek Road and south of South Thayer Road and two areas on the southwest corner of the city, served by South South End Road (portions of study areas 24-26, 32)

- Beaverton/Tigard:** two areas totaling 520 acres west of Bull Mountain in Tigard along Southwest Roy Rogers Road and west of Southwest 150th.

Another 507 acres west of Beaverton and south of Southwest Gassner Road and an additional 384 acres west of Southwest 209th Avenue (portions of study areas 63-64, study areas 67,69)

•**Hillsboro:** 88 acres south of Tualatin Valley Highway, adjacent to earlier UGB expansion area (55 west) that is currently being planned by the city (study area 71)

Recognize this is not perfect.

Recognize the law and goals which are often competing are not perfect.

Best balance possible to achieve the goals of the state and the region.

What makes this work for the state

followed state law and goals (hierarchy, etc)

show it can be done.

What makes this work for the region and 2040, the fifty year strategy for protecting our livability

2040 fundamentals

protecting job centers - downtowns and industrial (old and new)

protecting neighborhoods

Metro's conditions for expansion (Title 11 of Functional Plan). Results expected.

- Environmental protections of the habit in the new areas before or as urbanization occurs.
- Protection of industrial lands from encroachment by big box retail.

More protection efforts in the works for next year (Title 12).

- Parks functional plan

Water issues in Damascus being resolved by not having them deplete the ground water.

Closing:

State law requires that every city or region has a UGB. It defines where we are going to develop in the future. The region's adopted goals of building livable communities define what we hope to achieve in these areas.

Can't shirk our responsibility. State law directs us to certain areas to protect the state's most productive farm and forestlands, while still making room for 20 years of future growth.

We must decide what we want the region to look like when this growth occurs, whether it happens sooner or later is really not relevant.

Council must consider how the region will provide housing and jobs during the next 20 years while protecting clean air and water, a strong economy, farm and forestland, neighborhoods, open spaces and parks.

Council must work with everyone - the officials from cities, counties and people of the region to come to a decision.

We still have work to do.

- Help with state's competing goals.

- Farm land protection of that industry vs. other urban industries.

- Habitat protection

- Coordination with the areas beyond the Metro boundaries.

 - capturing more jobs than housing

 - what does that do to traffic?

 - Livability and affordability of outlying communities?

Transportation issues.

Sustainability?

Capturing the value of this massive giving to help provide the “engine” to make urbanization possible.

Task 3 of our periodic review process with the state will begin after the first of the year.

We still have to address how to support our downtowns, unmet industrial lands need, the issue of adequate park lands and what subregional approaches might look like.

Metro has worked hard to make this urban growth boundary decision the most open, transparent and inclusive public decision making process ever.

Whether or not you agree with our final decision, please know that we’ve heard you and we appreciate your time and your commitment to keeping this region livable.

In many ways, this decision is just the beginning of a series of mostly local decisions that will ultimately shape what happens on the edge of the region.

I encourage everyone to stay involved in making them as good as they can be.

Thanks to Metro Council.

Thank for opportunity to lead this effort. (I think!)

Acknowledgements:

Mike Burton

Pete Sandrock

Suzanne Myers Harold

Planning staff:

Andy

Mary Weber

Mike Hoglund

Sherry Oeser

Gina Whitehill-Baziuk

Lydia Neill

Tim O'Brien

Ray Valone

Brenda Bernard

Marci LaBerge

Sherrie Blackledge

Paulette Copperstone

Amy Rose, intern

Communication staff:

JD

Janice Larson

Mark Zoltan

Karen Blauer
Karen Withrow
Pamela Peck
Cathy Thomas
Sue Gemmell
Vanessa Schwab
Marlon Waren

Legal staff:

DC. and DB

DRC staff

Dennis Yee
Carol Hall
Bob Knight
Paul Couey
Mark Bosworth
Sonny Conder
Jo Price

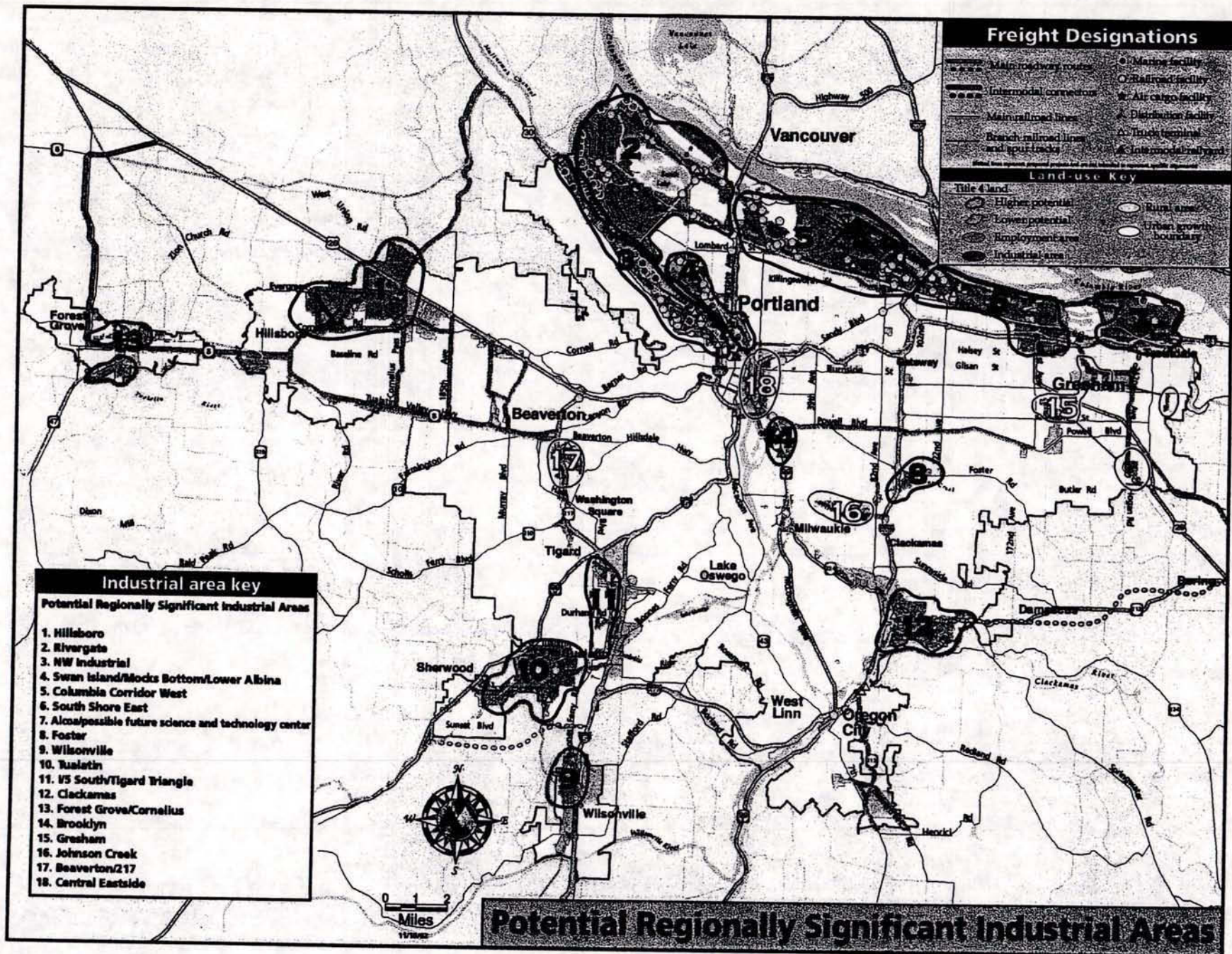
Council staff

Rooney Barker
Michael Morrissey
Jeff Stone
Peggy Coats
Chris Billington

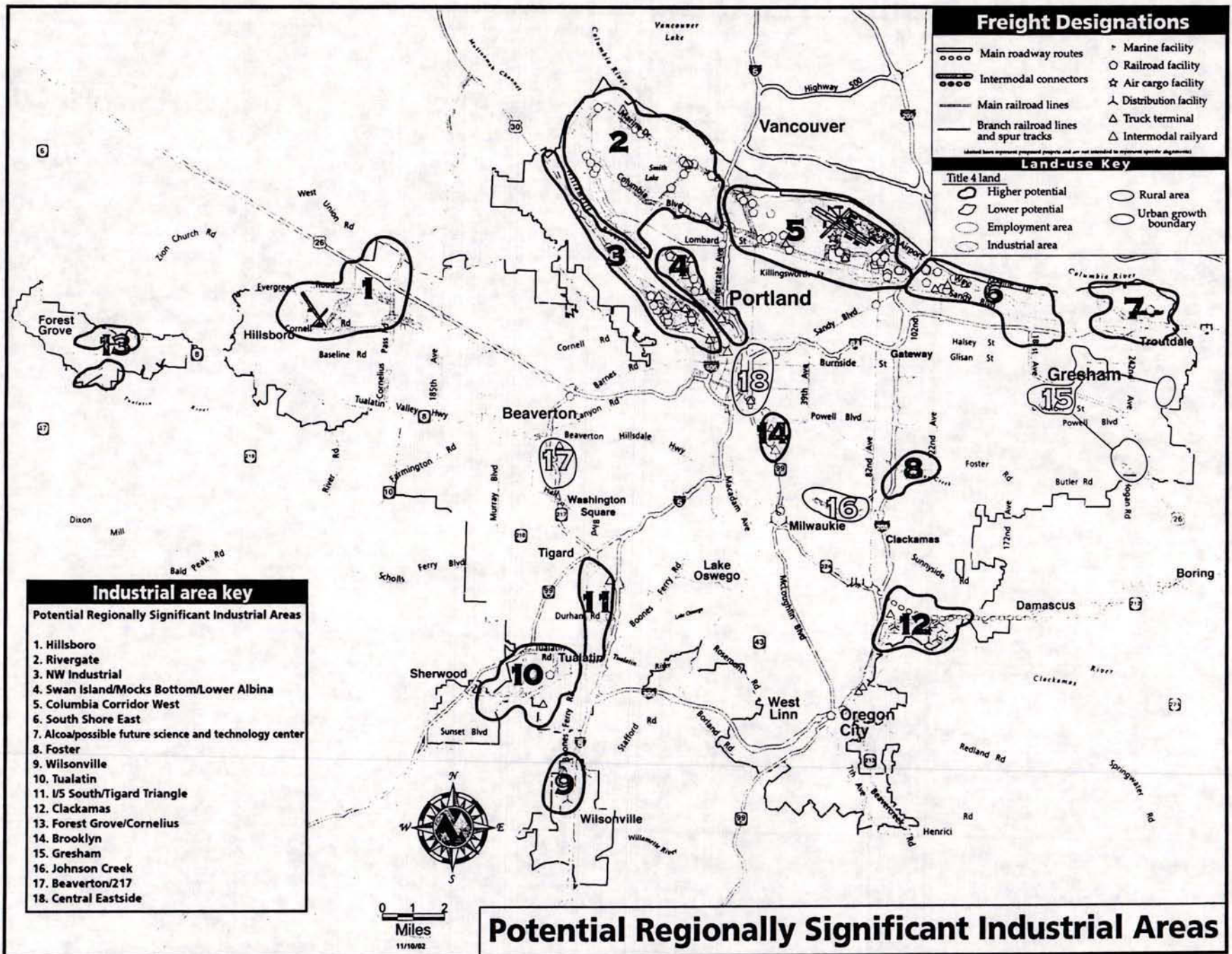
Cheryl Grant
Claudia Wilton
Pat Mannhalter
Sherri Gilleo
John Houser
Cary Stacey
Kim Bardes

Building staff

Brian Phillips
Dominic Luina
Cathy Landon
Gary Siegberg
Tom Thornton
Susan Lowe



120502C-17



M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



METRO

Date: December 5, 2002

To: Carl Hosticka
Presiding Officer, Metro Council

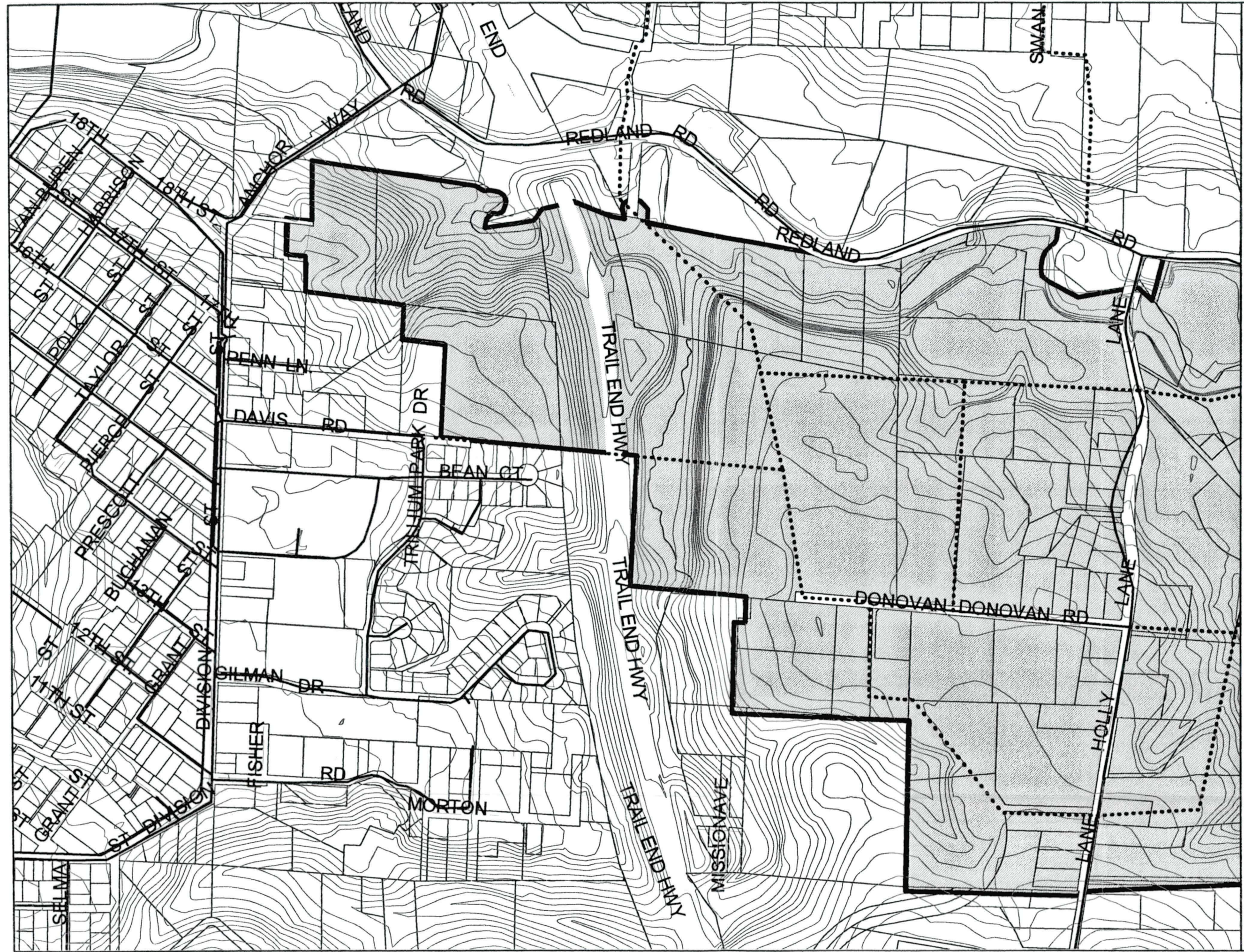
From: ^{TOB} Tim O'Brien, Associate Regional Planner
Planning Department

Re: ***Revised Condition for Study Areas 89 and 94***

At the November 26 and December 3, 2002 Community Planning Committee Meetings, the committee discussed the expected number of dwelling units for Study Area 94, given environmental and topographic constraints. Study area 94 as well as adjacent similar land that is currently in the Urban Growth Boundary (UGB) is zoned as Residential Farm/Forest (RF) by the City of Portland. The RF zone has a two-acre minimum lot size per dwelling unit, which translates into approximately 55 additional dwelling units for Study Area 94. Based on this discussion Condition O of Exhibit M to Ordinance 02-969A is revised as follows:

O. Study Areas 89 (partial) and 94

The City of Portland shall complete Title 11 planning for the portion of Study Area 89 and Study Area 94 shown on Exhibit N. The expected number of dwelling units determined in the Title 11 planning process shall reflect the City of Portland's Residential Farm/Forest zone, including Environmental Overlay Zones.



PROPOSED
UGB EXPANSION
WATER DISTRIBUTION
SYSTEM



LEGEND

- Existing Water Lines
- Future Water Lines
- 10ft Contours
- Taxlots
- UGB Expansion



City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045
(503) 657-0891



METRO Council
600 NE Grand Avenue
Portland, OR 97232-2736

December 5, 2002

Dear Councilors:

The City of Sherwood testified before you on October 16 and November 21, 2002 regarding the proposed urban growth boundary expansion, as detailed in the Executive Officer's recommendation, dated November 5, 2002. During our testimony, we made reference to the high cost of infrastructure to accommodate the 231 acres of Study Area 54/55, despite the claims of property owners and real estate agents representing them. Sherwood does not support bringing in this additional property for housing development due to the estimated \$5,450,000 in costs (detailed in the attachment) of providing services. The acreage considered includes a substantial amount of flood plain, wetlands, and 3,000 feet of railroad line crossing diagonally through the area. Even without consideration of these factors that limit the actual acreage to be developed, the cost of publicly-funded infrastructure is \$23,593 per acre.

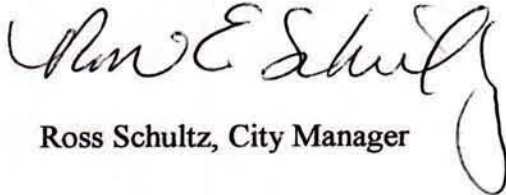
For these reasons, if Study Area 54/55 *were* to be included in the UGB, Sherwood will require a Local Improvement District, or other similar funding structure, be in place upon annexation, to provide infrastructure. Burdening the existing residents of Sherwood with the cost of bringing what would be inherently *high-cost infrastructure* to these properties is not acceptable. Additionally, without the 99W-to-I-5 connector, the inclusion of this area would only serve to add more trips to 99W, Tualatin-Sherwood Road, and Sherwood's internal transportation system.

The inclusion of 96.38 acres southeast and adjacent to the intersection of Edy and Elwert Roads, known as Area 59, will entail an estimated \$900,000 in publicly-funded infrastructure costs. Again, without consideration of factors that limit the developable acreage, the cost of publicly-funded infrastructure at \$9,375/acre is much lower in this study area than that of Area 54/55. Three properties totaling 57 acres along Edy Road were considered by the City and School District for a school/park site, and would be supported by the City if brought in for that purpose.

The City supports Ordinance 02-986A, with the inclusion of approximately 20 acres (near Highway 99W) requested to complete Adams Avenue and Teal Road, which is vital to relieving congestion on Highway 99W.

I encourage you to make these adjustments to the Executive Officer's recommendation, as noted above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ross Schultz".

Ross Schultz, City Manager

Attachments:

- A. Estimated cost of infrastructure, METRO UGB expansion (Terry Keyes, Sherwood City Engineer, December 4, 2002.)

MEMORANDUM

TO: Ross Schultz, City Manager

FROM: Terry Keyes, P.E., City Engineer

DATE: December 4, 2002

RE: Infrastructure Costs, UGB Study Areas 54/55 and 59

Here are my estimates for private and publicly-funded infrastructure costs for UGB expansion in the areas recommended by Metro in Ordinance 02-969. Since there is no regional storm water facility presently planned for either of these study areas, no cost estimates were included.

Sanitary		
(Area 54/55)	Increased capacity of CWS trunk lines from Sunset Blvd. through Refuge	\$1,200,000**
(54/55)	New trunk line along Cedar Creek from Sunset Blvd. into new UGB area	600,000**
	New trunk line to serve Edy/Elwert area	200,000**
Water		
(54/55)	New 2.0 MG reservoir	\$2,000,000**
(54/55)	New 12" Brookman Rd. loop (Snyder Park to Old 99)	1,000,000**
(Area 59)	New 12" Elwert-Edy loop	500,000**
Storm (Area 54/55 and 59)	Unknown	\$?? ** and (p)
Roads		
(54/55)	Brookman Rd. to standards	\$500,000 (p)
(54/55)	Old 99 & Middleton Rd. to standards	500,000 (p)
(54/55)	New signal at 99W & Brookman	250,000**
(59)	Edy & Elwert to standards	400,000 (p)
(59)	New signal or roundabout at Edy & Elwert	200,000**
(54/55)	Middleton RR crossing	200,000**
(54/55)	Brookman RR crossing	200,000**

** Costs to be borne by City of Sherwood or Clean Water Services. SDCs will be collected on new construction to help offset costs, but construction of new trunk lines and water reservoirs are generally borne by the entire City or service provider.

(p) Costs to be borne by private developers.



December 5, 2002

Metro Council
600 NE Grand Avenue
Portland, OR 97232-2736

Re: Request to Include Three Mountains-Randall Subdivision in the UGB
(Included in Original Executive Officer Recommendation)

Dear Metro Councilors:

I am here today on behalf of Randall Realty Corporation, developers of the Three Mountains-Randall subdivision in the Oregon City area. The residential subdivision abuts the west side of Beavercreek Road and the north side of Henrici Road in Clackamas County.

I apologize for submitting these comments at the eleventh hour. However, this property had been included in the initial Executive Officer recommendation and was only recently deleted. I will try to keep my comments very brief and emphasize why this property has unique characteristics that merit including it in the UGB.

1. This subdivision was platted in the 1970's, before the original UGB was established.
2. When the property was subdivided, it was zoned for 20,000 square foot lots by Clackamas County.
3. Oregon City was opposed the subdivision because of concerns that 20,000 square foot lots would be difficult to urbanize in the future. At the city's request, the subdivision was redesigned as a PUD with "urban" lots to provide for ultimate urban development when sewers were available. The site is essentially a half developed urban subdivision. The property is improved with public streets, streetlights, and water services. Sanitary sewer is now available at the northwest corner of the subdivision.
4. The subdivision plat included conditions requiring that the developer (Randall) retain ownership of all "future urban" lots that would be used for septic drainfield areas until sewer was available.

5. There are currently 39 dwellings in the subdivision. 40 platted lots are still owned by Randall and used for septic drainfields.
6. When the UGB was adopted in 1979, it divided this subdivision in half. The southerly 10 acres abutting Henrici Road are outside of the UGB.
7. In about 1995, Randall applied for annexation to Oregon City of the northerly portion of the subdivision that is now within the UGB. The Boundary Commission denied the annexation, primarily because of concerns raised by the homeowners association regarding further fragmentation of the subdivision.
8. In 1997, Randall then pursued a locational adjustment of the UGB to bring the southerly 10 acres into the UGB. As part of that process, the Clackamas County Board of Commissioners and the Oregon City Commission adopted resolutions in support of the locational adjustment.
9. The locational adjustment did not move forward because of a mistake on my part. I had followed a Metro handout for locational adjustments that indicated they could be initiated by owners of more than 1/2 of the parcels and 1/2 of the land area in a petition. Randall met these requirements. However, this handout conflicted with the Metro Code, which required signatures by owners of more than 1/2 of the parcels, 1/2 of the land area and 1/2 of the owners in the locational adjustment. We didn't have the signatures of the required number of property owners and withdrew the application.
10. This property had been included in the original urban reserve areas, and Randall decided to wait until the property was included through this periodic review. Again, the Executive Officer's original recommendation included this property and it clearly meets all of the state criteria as a priority area to include in the UGB.
11. As I understand, the Metro Code has been amended and there is no longer even an option of applying for a locational adjustment for this 10-acre portion of the subdivision.
12. Under the current circumstances, this property is frozen and Randall cannot sell or develop the 40 already platted lots that could potentially be developed with sewer availability.

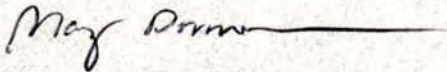
Metro Council
December 5, 2002
Page 3

As a land use planner, I am sympathetic to the comments of the Executive Officer, the City of Oregon City and others that we should avoid piecemeal additions to the UGB and instead look to create comprehensive communities. However, this 10-acre property has a relatively unusual history and character, and I believe it meets the criteria and should be included in the UGB.

At the suggestion of staff, I will also submit a full-scale assessor map that illustrates the property, the location of the existing UGB, and the location of developed lots and "future" urban lots.

Please do not hesitate contact me if you have questions or need additional information regarding this property.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Dorman", followed by a horizontal line.

Mary Dorman, AICP
Principal

Regional Partners Testimony To The Metro Council
December 5, 2002

I Who are the Regional Partners, What is our mission, and Why do we care about this?

- List of members
- Mission and Objectives
- Land is one factor in Economic Development, we have understanding of how all the factors fit together to create a healthy economy

II We want to reiterate some of the key points we said in our earlier letter to you:

First of all, there is a critical shortage of ready-to-go industrial land in the Portland Metropolitan region *today*. The Regional Partners strongly recommend that Metro recognize the *immediate* need for more industrial land as well as the longer-term need of local jurisdictions to develop "ready-to-go" sites in future UGB expansion decisions.

Second, the recommendations for industrial land to include in the boundary are a good starting point, but are still insufficient for immediate economic development needs, let alone the long term economic needs of the Portland Metropolitan region.

The current recommendation still falls significantly short of the identified need for industrial land. This is a serious problem. We are missing opportunities now that may never come back again. In order to meet the needs of the industries in this region, we must stay ahead of the game. If we do not maximize the inclusion of employment land in the 2002 UGB decision, your regional economic development team is concerned that the Portland Metropolitan Region will be in effect "leaving the game" in terms of large scale industrial and commercial investments. A shortfall of land leads to a shortfall of investment in our community. A shortfall in investment leads to a shortfall in property tax revenues. The Portland Metropolitan Region needs these investments now and in the future.

III The Regional Partners in a collaborative process identified 9 sites as "low-hanging fruit" which should be included in the 2002 UGB decision. We continue to stand behind our original recommendation in the interests of renewed economic vitality for our region.

MPAC and MTAC considered these sites and recommended seven of the nine sites for immediate inclusion this year. The work and process of these two key stakeholder groups should be supported and respected by the Council and its constituents. The regional partners appreciate and support the recommendations of MTAC and MPAC and urge the Council to give the same serious consideration.

The Regional Partners want to take this opportunity to offer our expertise and collaboration on the activities that lie ahead in Task 3. Our work with the Metropolitan Economic Policy Task Force will help set the stage for the next round of conversations about a Regional Economic Development Strategy, and we expect to continue to play a leadership role in moving this region forward economically.

Think Regionally; Act Collaboratively.

A thriving regional economy doesn't just happen. It takes the right mix of buildable land, infrastructure and public services, supportive government, as well as an educated and available



workforce. And, increasingly, it requires thinking outside the box of government boundaries.

For the Portland Metropolitan Region to successfully attract new and retain existing businesses, we must present a united front to the business community. We must collaborate to provide seamless services whether a business is looking at potential sites in one local jurisdiction or several. And we must be proactive – both in marketing our region's many benefits as a business location and in influencing local, state and federal policies that affect the region's economic climate.

Region's Economic Development Partners

ADMINISTRATIVE LEAD PARTNERS

Portland Development Commission
Portland Ambassadors

DIRECT CONTRIBUTORS

City of Beaverton
City of Gresham
City of Hillsboro
City of Tualatin
Clackamas County
Port of Portland
Portland Business Alliance

OTHER SUPPORTERS

City of Vancouver
Columbia River Economic Development Council

METRO

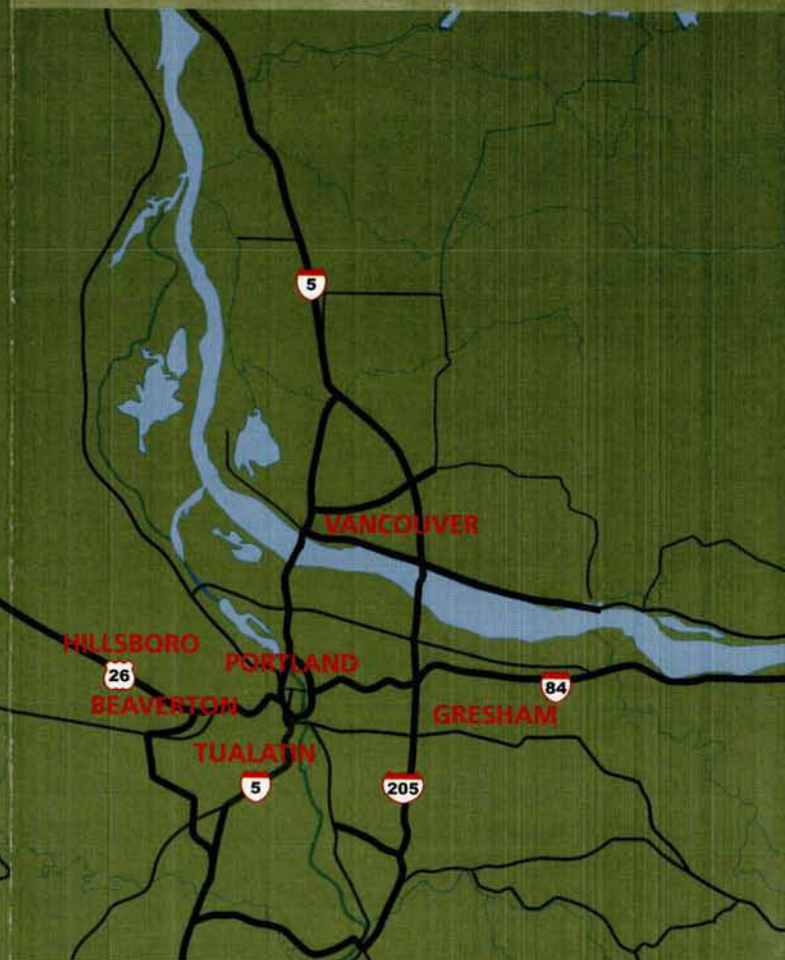
Multnomah County
Oregon Economic & Community
Development Dept.
PacifiCorp
Portland General Electric
Washington County
Westside Economic Alliance

For more information, contact:



1900 SW Fourth Avenue, Suite 7000
Portland, Oregon 97204
tel: 503 823 3200 • fax: 503 823 3368
www.pdc.us

Regional Economic Development Partners



*Working Together for an
Economically Vital Region*



The **Regional Economic Development Partners** is a public-private partnership of economic development professionals in the region who have worked collaboratively for 10 years to recruit and retain businesses, and promote the Portland metro region as a vital economic center. With the assistance of staffing resources provided by its Lead Partner, the Portland Development Commission, the Regional Partners have been instrumental in recruiting many major employers to the region. Recent examples include the *Kindercare* headquarters in Portland; *Wafer Tech* in Clark County, *Novellus* in Tualatin, *Sumitomo Electric* in Hillsboro and *LSI Logic* in Gresham. (The group was also involved in the original recruitment of *Fujitsu Microelectronics* to Gresham, and in the resale of Fujitsu's facility to another employer in 2002.)



In addition, the Regional Partners have played a role in the retention and expansion of several companies, including semiconductor chip leader *Intel* in Hillsboro, and *CNF* (transportation services) and *Wacker Siltronic* (silicon wafer manufacturer) in Portland. These examples alone translate into 5,200 jobs in our region.



Hands-on approach

Working closely with the Regional Partners, PDC staff directly consults with businesses to determine their needs, identifies available properties or buildings region-wide, provides data and marketing materials, and conducts tours of potential sites. With the Partners' support, PDC staff provides, as much as possible, a "one-stop" professional resource for potential business recruitment and expanding employers within the region.

Long-term objectives

During monthly meetings, the Partners and Supporters (listed on back) study economic development issues and opportunities and identify and organize joint economic initiatives. Specifically, the Partners' objectives are to:

- Actively participate in business recruitment, retention and expansion to increase and maintain private employment and investment within the region. Recruitment activities are both national and international in scope.
- Conduct an integrated regional economic development program through communication and collaboration among jurisdictions and economic development organizations. For example, the Regional Partners are sponsoring a comprehensive evaluation of local, regional and state economic development strategies, to identify gaps and potential opportunities for

enhancing coordination. Upon completion, the Partners will select priorities for joint action.

- Plan and execute regional marketing efforts nationally and internationally.
- Advocate for the long-term economic prosperity of Metropolitan Portland and educate and influence regional, state and federal leaders regarding issues affecting the economic well-being of Metropolitan Portland. This includes weighing in on policy issues that impact regional economic development and advocating for increased local, state and federal resources.
- Provide an information clearinghouse on regional business development and investment opportunities.





Friends of Forest Park

503-223-5449 • fax 503-223-5637 • e-mail: info@friendsofforestpark.org • website: www.friendsofforestpark.org
 mailing address: PO Box 10934 • Portland, Oregon 97296 • office address: 2366 NW Thurman

Dedicated to Protecting and Enhancing Portland's Forest Park

December 5, 2002

Testimony from Gail Snyder re Area 94

I speak on behalf of the approximately 1,300 active members of Friends of Forest Park. Our members are spread throughout the Metro region; they have no financial or personal interests in Area 94. They simply care about the Park and the quality of life that it brings to *all* residents of the metro region. (Our members are just a fraction of the people who use, love, and care about Forest Park.)

I want to thank you for the time you have taken to consider Area 94 and to discuss the matter. It is greatly appreciated. We have had a chance to discuss some of the technical issues and I include these in my written testimony. You have heard those arguments, but I need to mention just a few that are of particular concern to us.

Forces of nature are oblivious to arbitrary human-created boundaries. The Park is a long and narrow peninsula of land. In order to preserve its integrity it needs a buffer to protect it from the impacts of urban development. We are especially concerned about storm water runoff and consequent erosion and sedimentation problems. Rain and runoff don't observe park boundaries. We are concerned about the impact on wildlife and vegetation. Protecting the park means more than just pulling ivy and repairing trails within the existing park boundaries. It means considering whole watersheds and wildlife corridors that extend beyond lines that we draw on maps.

Metro staff has used reasonable criteria to assess the benefits of including Area 94 in the UGB. Based on those criteria, staff concluded it was least suitable for development. But the land is also a matter of the heart. I believe that there are equally valid criteria that have not been given adequate weight. Oregonians love this land for what it is without houses, factories, and shops – this matters.

Residents of the Metro region have spoken loudly about protecting natural areas. They feel strongly enough that they supported taxing themselves in order to preserve the land. Protecting the land around Forest Park would be more in line with the sentiments of the voters. Developing that land undermines the trust people have placed in you.

In your deliberations, I implore you to include the merits of land that is not developed, land that is still a little wild, and whose production is not measured in houses or bushels per acre. Please include in your vision for this corner of Oregon, a piece of land large enough and undisturbed enough to support elk and eagles, to keep alive the memories and visions of those who knew this land before it was carved up by streets and housing developments. Please leave a little of the past for the future.

December 5, 2002

Gail Snyder
Friends of Forest Park
PO Box 10934
Portland OR 97296
Office: 503-223-5449
FAX: 503-223-5637
Gail@FriendsOfForestPark.org

Metro Council
600 NE Grand Avenue
Portland OR 97332

Re: Proposed UGB expansion – Area 94 – Ordinance 02-969

We oppose the inclusion of Area 94 into the UGB for the following reasons:

- It will adversely affect Forest Park with increased storm water runoff. This will exacerbate erosion and sedimentation problems in the park.
- Invasive species encroachment into Forest Park will increase.
- Forest Park will lose a critical buffer zone that helps protect from the impacts of urbanization and attendant problems such as increasing impervious surfaces, habitat fragmentation, etc.
- Area 94 provides a valuable watershed protecting the 2000 homes in Forest Heights, just across Skyline, and reducing flooding in the Creeks below, such as Cedar Mill and Bronson Creeks. Goal 5 studies established the value of this resource.
- It is valuable resource land, it is too steep for safe and efficient development, and it would be very costly to bring in sewers.
- Area 94 ranks at the bottom of "Goal 14 Alternatives Analysis Suitability" list, with a ranking of "least" suitable. According to the Metro staff report, Area 94 **does not meet** the following seven of the eight 2040 criteria:
 - 1) Encourage efficient land use
 - 2) Protect/restore the natural environment
 - 3) Provide a balanced transportation system
 - 4) Enable communities within Metro to preserve their physical sense of place
 - 5) Ensure diverse housing options for all residents
 - 6) Create a vibrant place to live and work
 - 7) Encourage a strong economy
- One argument presented for including Area 94 into the UGB is that it would align the Metro and Portland boundaries. This is not an acceptable criterion for its inclusion. There appears to be neither legal requirement to align these boundaries nor any

precedent to support using this criterion to justify including Area 94 into the UGB. Boundary alignment is NOT a factor to be considered under Goal 14.

- There are many sites for potential inclusion into the UGB that would yield more residential units and have land more suitable for development. Housing should be clustered. Developing Area 94 only promotes sprawl and the problems that attend sprawl (such as increased traffic on already crowded roads that serve the existing neighborhoods).
- The low-density housing proposed for Area 94 will add very few housing units to the UGB while having an inordinate impact on wildlife, runoff, stream health, natural habitats, and Forest Park.
- Forest Park is a natural and cultural resource of unparalleled significance to all the residents of the region. It will experience substantial impacts by urbanization in Area 94, while providing minimal benefits to the region in terms of smart, integrated community design.
- Development will sever wildlife corridors stretching west to the Tualatin Valley.
- Over 50% of Area 94 has slopes exceeding 25% in the headwaters of Saltzman and Doanes Creek that drain east to the Willamette River. A Metro Study, prepared by geologists at Portland State University, documented and evaluated landslides after the 1996 flood and identified the highest concentrations of landslides on the steep slopes and wind blown soils of the Tualatin Mountains. The density of human-induced landslides in the nearby Forest Heights development during the 1996 flood demonstrates the likely consequences of increased urban development on along the crest of the Tualatin Mountains. Much of the area has been designated as hazardous under Senate Bill 12.

I hereby request written notice of any legislative action taken pursuant to these proceedings, as provided by ORS 197.615(2).

Attached here is testimony introduced by Scott A. Powell of 7617 NW Skyline Blvd., Portland Oregon, 97229. We wish to have it included as supporting documentation for Friends of Forest Park. It is presented here with permission of the author.

SUMMARY OF TESTIMONY PRESENTED BY SCOTT A. POWELL
7617 NW SKYLINE BLVD., PORTLAND OREGON 97229
RE: UGB SECTION 94 (& 84 & 87)
METRO ORDINANCES 02-969 & 02-987

Metro has not appropriately followed the statutes and administrative rules governing the expansion of the Urban Growth Boundary (UGB).

1. The entire basis for expanding the UGB is flawed.

- ORS 197.296 requires Metro plan for a 20 year supply of land needed for each housing type, as defined by the statute. Metro's process of expanding the UGB rests upon the foundation that the region does not currently have enough land for the next 20 years. If this assumption is wrong (and it is), then the UGB cannot legally be expanded. In order to justify it's expansion of the UGB, Metro is erroneously relying on a forecast that more land is needed for development over the next 20 years. The population growth estimate that Metro is relying on projects a 1.6% annual population increase. This number is incorrect - it is too high. The actual numbers are closer to 1.3%. At 1.4%, there is not need for any growth in the UGB whatsoever. The entire premise of a need to increase the UGB is flawed. The UGB, simply put, cannot legally be expanded. Metro should cease its efforts to do so immediately.

- Metro Councilor Atherton wrote to me, in part, the following:

"In the short term, we now have solid information that the Metro forecast of population is too high - 1.6% per annum for 20 plus years. The state economist, using more recent data, is forecasting 1.3%. Remember, at 1.4% we don't have to move the UGB at all. US population is growing at 0.9% primarily from national mass immigration policies. Since 1973 the fertility rates of Americans has been at or below replacement.

I'd like to see Area 94 taken off the list... and many other areas as well. **The forecast does not justify this large UGB expansion.**

Sincerely,

Bill Atherton "

2. Areas 94 and 84-87 are of lower priority than other lands being considered for UGB expansion.

- Even if we assumed that the UGB should be expanded (which it should not), study areas 94 and 84-87 are of lower priority (according to ORS 197.298) than many other study areas.
 - Urban reserve land must be brought in first. These areas are not urban reserve lands. They are primarily EFU and forestlands, which are of much lower priority.
 - These lands are also essential to wildlife corridors, preservation of open spaces, and buffers around parks such as Forest Park.

3. Goal 14 does not supersede all other planning goals.

- Goal 14 calls for Urbanization only when there is a "demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals." As noted in point number one, above, there is no demonstrated need to accommodate long-range population growth.
- Goal 5 is equally important, and calls for the preservation of natural and cultural resources such as wildlife habitats and wetlands. Study Area 94 is an essential wildlife corridor and open/scenic space. The same is true for Study Areas 84-87.
- Goal 7 is a major concern with Study Area 94; the Forest Heights development is a major environmental disappointment. That area was subject to massive landslides during the floods of 1996. The topography of Study Area 94 is substantially similar. Developing Study Area 94 would be catastrophic and against Goal 7.
- Goal 3 calls for the preservation of Agricultural Lands. Study Areas 84 - 87 are primarily agricultural lands.
- Goal 12 regarding Transportation is completely overlooked by potential development in Study Area 94; the City of Portland has no plans or abilities to provide mass-transit to this semi-rural and hilly area. Traffic is already choked in the area and to add additional development would continue to cause California-type sprawl.

4. Study Area 94 would not address the housing needs Metro alleges are necessary.

- The City of Portland estimates that only 55 home sites could be located in Study Area 94. Presumably, most of these homes would be "executive" style "mini-mansions" on large lots with prices in excess of \$500,000. This is not urbanization. This is elite-ism which would benefit very few and harm very many.

5. Inclusion of Study Areas 94 and 84-87 is against the Values adopted by the Multnomah County Board of Commissioners.

- In 1999, the Multnomah County Oregon Board of County Commissioners adopted a set of Land Use Planning Values that include:

- "We value sustainability . . . rural communities . . . and support the Statewide Planning goals." The people who adopted these values could not have envisioned the inclusion of Study Areas 94 and 84-87.

5. The proposed inclusion of Study Areas 94 and 84-87 is illegal under ORS 197.296 because it has not included fair and open public testimony and opinion.

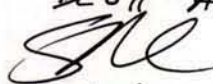
- On August 1, 2002, the Metro Council Executive Officer recommended several areas for inclusion into an expanded UGB. Study Areas 87 and 94 were not included. The record was then closed. Many citizens felt "safe" that areas they cared about would not be included.
- Without adequate public notice on November 21, 2002, the Metro Council quietly announced that the public record regarding the proposed UGB expansion would be re-opened through December 5. This hush-hush announcement included, for the first time, the suggestion that Study Areas 87 and 94 were being recommended for inclusion into the UGB. There was no explicit reference to 87 or 94. Citizens in those areas were not notified. This was illegal and violated the public's right to citizen participation in the land use planning process.

6. Including Study Area 94 because it is within a city limits is not a valid criterion.

- Metro has argued that including Study Area 94 within the UGB is appropriate because it aligns the UGB with the boundaries of the City of Portland. Not only is this inaccurate (Study Area 94 includes areas within and outside of the City of Portland Boundaries), such a "criteria" is not mentioned anywhere in the land use planning statutes, administrative rules, or guidelines.

7. The citizens will raise legal challenges if Study Areas 94 and 84-87 are included in the UGB.

- For the reasons discussed above, as well as reasons discussed by others at hearings and in writings submitted to the public record on these matters, the citizens will file legal challenges 1) if the UGB is expanded at all; 2) if Study Area 94 is included, and 3) If Study Areas 84-87 are included.

Scott A. Buser

 12/5/02

Attached is testimony previously submitted by Arnie Rochlin. We wish to have it included as supporting documentation for Friends of Forest Park. It is presented here with permission of the author.

November 25, 2002

Arnold Rochlin
P.O. Box 83645
Portland, OR 97283-0645
(503) 289-2657
rochlin2@earthlink.net

Metro Council
600 NE Grand Ave.
Portland, OR 97232

Re: Proposed UGB Expansion—Ordinance 02-969—Sites 94 and 89

The most important question for all lands proposed for inclusion in the UGB is: Is the benefit in housing units commensurate with the loss of other values of the land? The answer for both of these sites is no. Site 94 is mostly slopes of over 25 percent, and is valuable forest and watershed, and selection of 89 would disrupt agriculture with no significant housing gain.

Site 89: Briefly, this 2 acre site (the bug between the 8 and 9 on the director's map) has no planning purpose but is an accommodation for the owner. No sewers are available or in long range prospect. If urban development were to nevertheless occur, it would disrupt adjoining agriculture and endanger public health without the benefit of more than 5 or 6 new homesites. Transportation problems discussed below apply here as well. Development is forever, and special interest should not override judicious evaluation under the criteria.

Site 94:

Transportation: Other testimony has informed you that there is no public transit closer than 2 miles to any point in this site, and that distance requires a hike on a fire lane through Forest Park! It's about 5 miles to the nearest bus stop using streets. TriMet has repeatedly refused to consider transit in the Forest Park Neighborhood because development density can never be more than a fraction of that needed to reasonably support it.

The streets of the area are not adequate, and, owing to the presence of Forest Park and terrain problems, capacity cannot be practicably increased to handle significant new traffic from unanticipated development densities. The main traffic corridors from site 94 to employment and shopping areas would be:

1. **To urban NW Portland:** Skyline Blvd. to Thompson Road to Cornell Road. Cornell already backs up during rush hours. Transit from Thompson to Cornell during rush hour traffic is already very difficult. Both Thompson and Cornell follow routes through ravines and would be extremely hard to widen. On Cornell, the tunnels would have to be replaced. And where Cornell becomes Lovejoy, it goes through a residential area. The Skyline pavement is only 22 feet wide, and, though the right-of-way is generally 60 feet wide, there are many areas of steep slopes, both

above and below the road that make it difficult to widen. All of the roads are very curvy, requiring frequent slowing below the speed limits.

2. To central and eastern Portland: Skyline to Burnside and east. Burnside is already at capacity during the increasingly long rush hours. And for the same reasons given for Cornell, including the tunnels, capacity cannot be practicably expanded.

3. To Tualatin Valley destinations: Skyline to Thompson, Cornell, or Burnside/Barnes Rd. Burnside/Barnes is already at a near standstill at rush hour. The extraordinarily bad intersection of NW Skyline with Burnside/Barnes would have to be completely changed, and would likely require signaling at both of the separate NW and SW Skyline intersections. Cornell Rd. can probably be widened to handle more traffic on the west slope of the hills, but Thompson is much narrower and has sharp curves and steep slopes that would make turning it into an important traffic corridor expensive and difficult (even without consideration of the disruption of existing residences on Thompson).

Sewers: The steep slopes will make it extremely costly to provide sewers which could be extended from Forest Heights only if those sewers have the capacity for the additional load. And even if there were such capacity, the hills of Site 94 would have to be scraped almost flat to reasonably do it.

Criteria: Inclusion of this site would be contrary to the following criteria:

(Page numbers are from Exhibit K to Ordinance 02-969.)

3.01.020(b)(1)(A)(iii)(I) (page 7) provides for exclusion of slopes steeper than 25 percent as being considered available for housing. Most of 94 is steep slopes.

3.01.020(b)(3)(A) and (B) (page 11) provide that evaluation of suitability based on "orderly and economic provision of public facilities and services" means preference shall be given to areas where provision of services will be at the lowest cost. And most specifically relevant (to both 89 and 94), a higher rating is indicated for sites where adequate main sewer lines are conveniently accessible and where public transit can be reasonably extended.

3.01.020(b)(5)(A) (page 12) provides that findings concerning land that contains resources and hazards subject to protection shall demonstrate that urbanization of such lands would be consistent with the protections of those resources. That's impossible in this case with honest findings. In addition to extensive slope hazard land having been identified pursuant to Senate Bill 12, the great bulk of Site 94 is protected Goal 5 resource. (See attached Portland zoning maps, where the lower case "c" or "p" suffix indicates goal 5 protection. The "f" suffix means the land is outside the UGB.) "P" means the resource is fully protected and "c" means conflicting uses are allowed restrictively to minimize conflict with resource values.) OS zoned areas are city-owned lands in Forest Park.) The site includes some unincorporated Multnomah County land (near Thompson Road), all of which is Goal 5 resource protected by the County's Significant Environmental Concern (SEC) habitat designation.

Most instances where there is neither a "c" or "p" are because a dwelling already existed on the property at the time of the Goal 5 review, which means few new residential sites can be gained by including those areas in the UGB. None can be gained by including the "p" zoned areas, except by planned unit developments moving the "p" zoned density allowances to other parts of the

tracts. But the land will not support such density transfers, as indicated by the extensive "c" designations.)

3.01.020(b)(6)(A)(ii), (iii) and (iv) (pages 12-13) provide a hierarchy of preferences related to resource land and relative quality. Site 94 is mostly high quality forest land. Site 89, small as it is (about 2 acres), is high quality farmland.

3.01.020(d) (page 14) requires "a clear transition" between urban and rural lands. Neither site provides it, as defined by the code.

Conclusion

The staff, for good reason, did not recommend either of these sites. Site 94 crept in (if rumor is true), first as a favor to the owner of acreage near Saltzman Road and Skyline, with just his property (all very steep) being recommended. However congenial and persuasive Mr. Angel may be, ownership is not a relevant factor. And then, with the camel's nose under the tent, the rest of 94 was recommended, with the primary rationale being that, as seen on a flat map, it looks ok, and is contiguous to the existing UGB. The information above indicates that the flat map view is very misleading.

Almost all of the property in site 94 is a valuable continuation of the wildlife habitat of Forest Park, which is a regional resource. Almost all of site 94 is vital as a protective watershed above Forest Heights, and other communities below. There are better choices.

Unless the resource value of site 94 is to be totally destroyed by leveling of its hills, it cannot contribute meaningfully to the arguable 38,000 20-year homesite deficit. Even development of only 200 new units on 2-acre lots would destroy most of the resource value but would supply only 0.005 of the 38,000 new sites advocated. 520 acres of flatland, however valuable as resource land, could at least provide from 2,000 to 6,000 new homesites (at 4 to 12 units per acre). The most important factor in consideration of converting resource land to residential use, is: how much benefit it to be gained? Of all major sites considered in this process, the 520 acres of Site 94 would probably yield the lowest per acre housing benefit in exchange for destruction of its resource value.

Site 94 Zoning Maps

The following maps are City of Portland quarter-section zoning maps. They include the small relevant unincorporated area near Thompson Road.

All of Site 94 is east of Skyline Blvd. and abuts that road. It runs from a little above Springville Rd. on the north, to Thompson Rd. on the south.

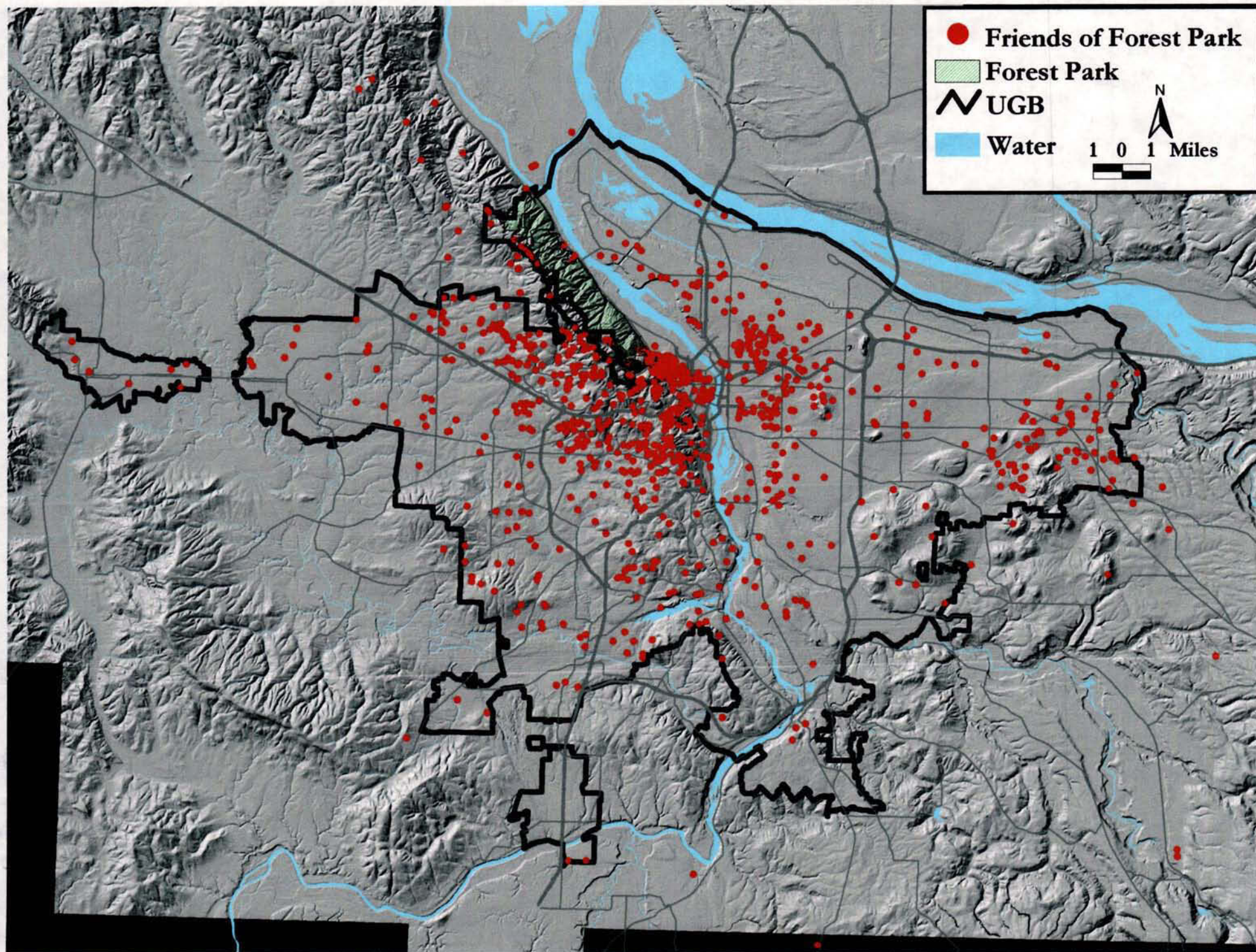
The order of the maps is north to south (2300's to 2700's) and west to east within the same north/south group (3rd and 4th digits of quarter-section number).

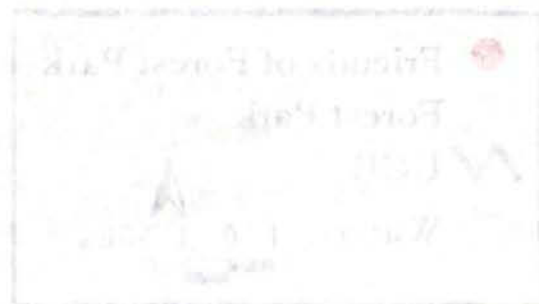
In the City, the lower case "c" or "p" suffix indicates goal 5 protection. The "f" suffix means the land is outside the UGB.) "P" means the resource is fully protected and "c" means conflicting uses are allowed restrictively to minimize conflict with resource values.) OS zoned areas are city-owned lands in Forest Park.) The site includes some unincorporated Multnomah County

land (near Thompson Road), all of which is Goal 5 resource protected by the County's Significant Environmental Concern (SEC) habitat designation.

Arnold Rocher

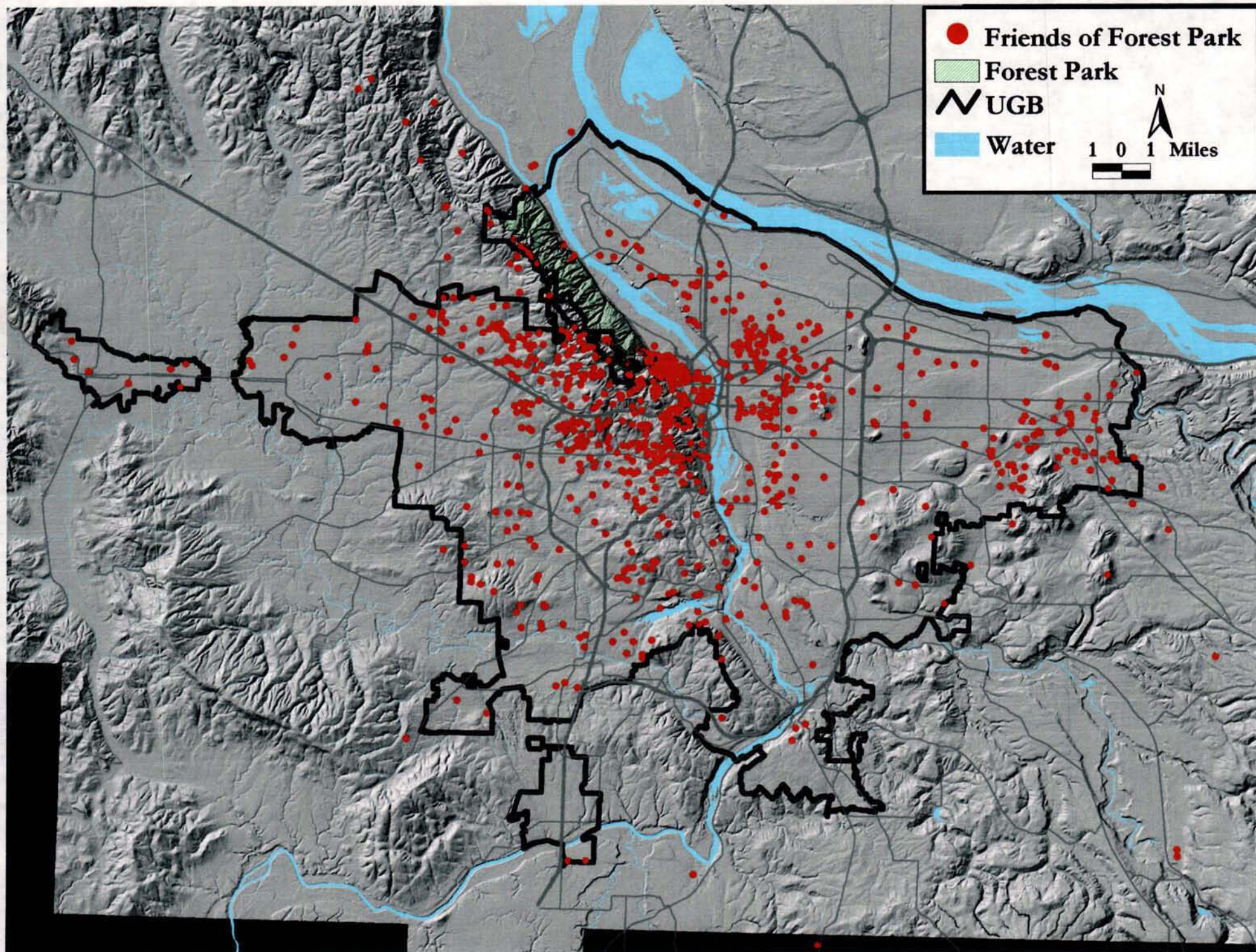
12/5/02

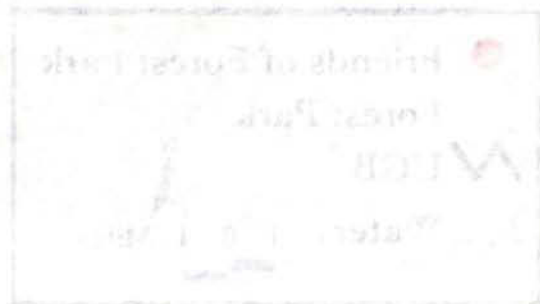




Gail Snyder
re Area 94

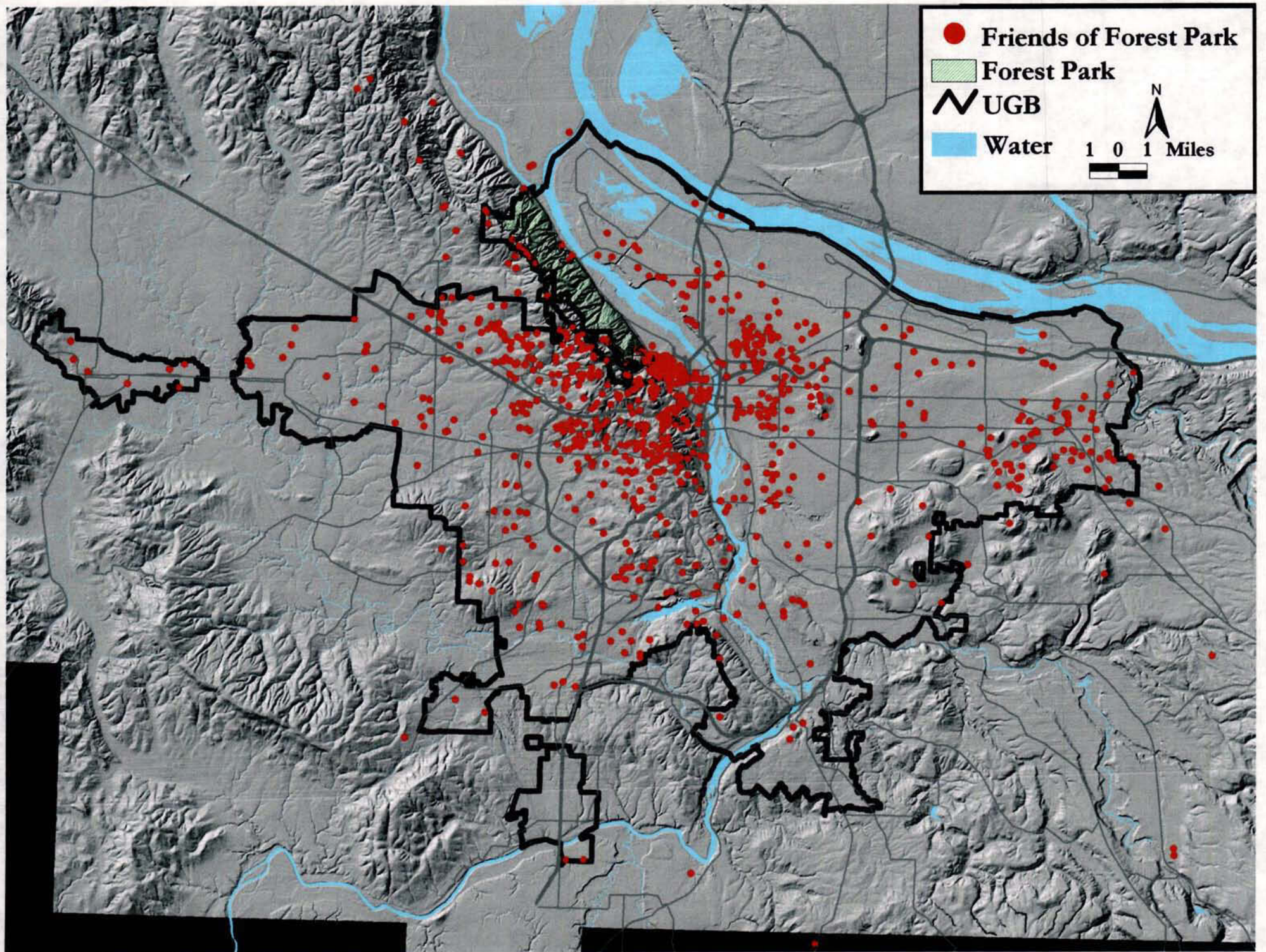






Gail Snyder
re Area 94





David P. Miller, Esq.
16415 NW Brugger Road
Portland, OR 97229
(503) 614-8384 (Home)
(503) 294-9507 (Work)

December 5, 2002

Metro Council
600 NE Grand Avenue
Portland, OR 97232

Re: Urban Growth Boundary ("UGB")
Study Areas 84, 85 and 86

Ladies and Gentlemen:

I am a property owner and resident in Study Area 85 on the north side of NW Brugger Road. I strongly support the inclusion of Study Areas 84, 85 and 86 in their entirety. These areas produce a contiguous block of acreage bounded on the south by NW Springville Road with a natural buffer zone on the north consisting of a creek and wetland area extending from NW Kaiser Road west to a junction with Rock Creek near NW Germantown Road. I have written a previous letter (dated October 2, 2002) in support of bringing these areas in and refer the Council to that letter for additional argument in favor of bringing in these areas in their entirety.

The focus of this letter is what I understand to be some last minute changes to the ordinance dealing with Study Area 85 and the creation of a new Study Area 87. I am told that the portion of Study Area 85 which is north of Brugger Road has been deleted from the ordinance, and a new area designated as Study Area 87 consisting of two parcels of nursery property east of Area 86 has been included in the ordinance. To me this makes no sense. The acreage north of Brugger Road which is deleted from Study Area 85 is not high value farmland. There are 10 acres which grows rye grass, 10 acres which is planted in wheat and oats and 40+ acres which is not farmed at all consisting of grassy wetland areas, an old and overgrown blueberry patch that is not cultivated and some scrubby timberlands. If the north portion of Study Area 85 is deleted, there will be an enclave of marginal EFU lands bounded on three sides

Metro Council
December 5, 2002
Page 2

by urban development and on the north by a swamp and creek. Being surrounded by urban development will dramatically impede the viability of farming operations such as they exist north of Brugger Road. Since the acreage north of Brugger Road will obviously come into the UGB at some time, it makes the most sense to bring it in now so that comprehensive master planning can be done with Study Areas 84, 85 and 86, rather than having to work around the gerrymandering of Study Area 85. The attached drawing shows the disconnection that will result from the deletion in Area 85. Clearly, transportation and street connectivity between Areas 84 and 86 will suffer if the piece of Area 85 north of Brugger Road is excluded.

The inclusion of Study Area 87 in the ordinance brings into the UGB significant acreage of high value, intensely farmed property operated as two commercial nurseries. Inclusion of this land does not in any way help with the access to or servicing of Areas 84, 85 and 86, yet it makes the ordinance much more subject to challenge because of the high value of the agriculture land in Area 87.

I conclude by urging the council to restore to Area 85 the marginal EFU land north of Brugger Road so as to block up the contiguity of the total parcel and allow for better master planning and street connectivity. At the same time I urge the deletion of Area 87, the inclusion of which will only serve to make the ordinance more vulnerable to the inevitable challenges.

Thank you for your consideration.

Yours truly,

A handwritten signature in green ink, appearing to read "David P. Miller", with a long horizontal flourish extending to the right.

David P. Miller, Esq.

DPM:d-p

/// = area 84

■ = area 85 as revised

/// = Area 86

R L I S
REGIONAL LAND INFORMATION SYSTEM

Alternatives Analysis

Study Area 85

■ Executive Officer's Recommendation

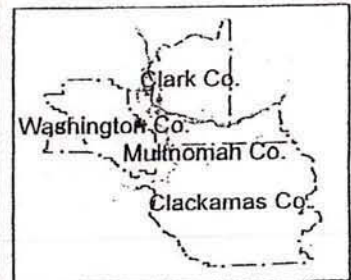
Note: Study Area boundaries include the entire right-of-way of adjacent streets, consistent with Metro Code 3.01.025(j).

SOURCES:

TAX LOT MAP
County Assessment and Taxation offices, 2001. Data collection scale is 1"=100' in urban areas and 1"=200' or 1"=400' in rural areas. Horizontal accuracy is plus or minus five feet or better in Beaverton, Hillsdale, Oregon City, Tigard and Multnomah County. Other areas are plus or minus ten feet.

The information on this map was derived from digital information on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or potential inaccuracy. There are no warranties, express or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

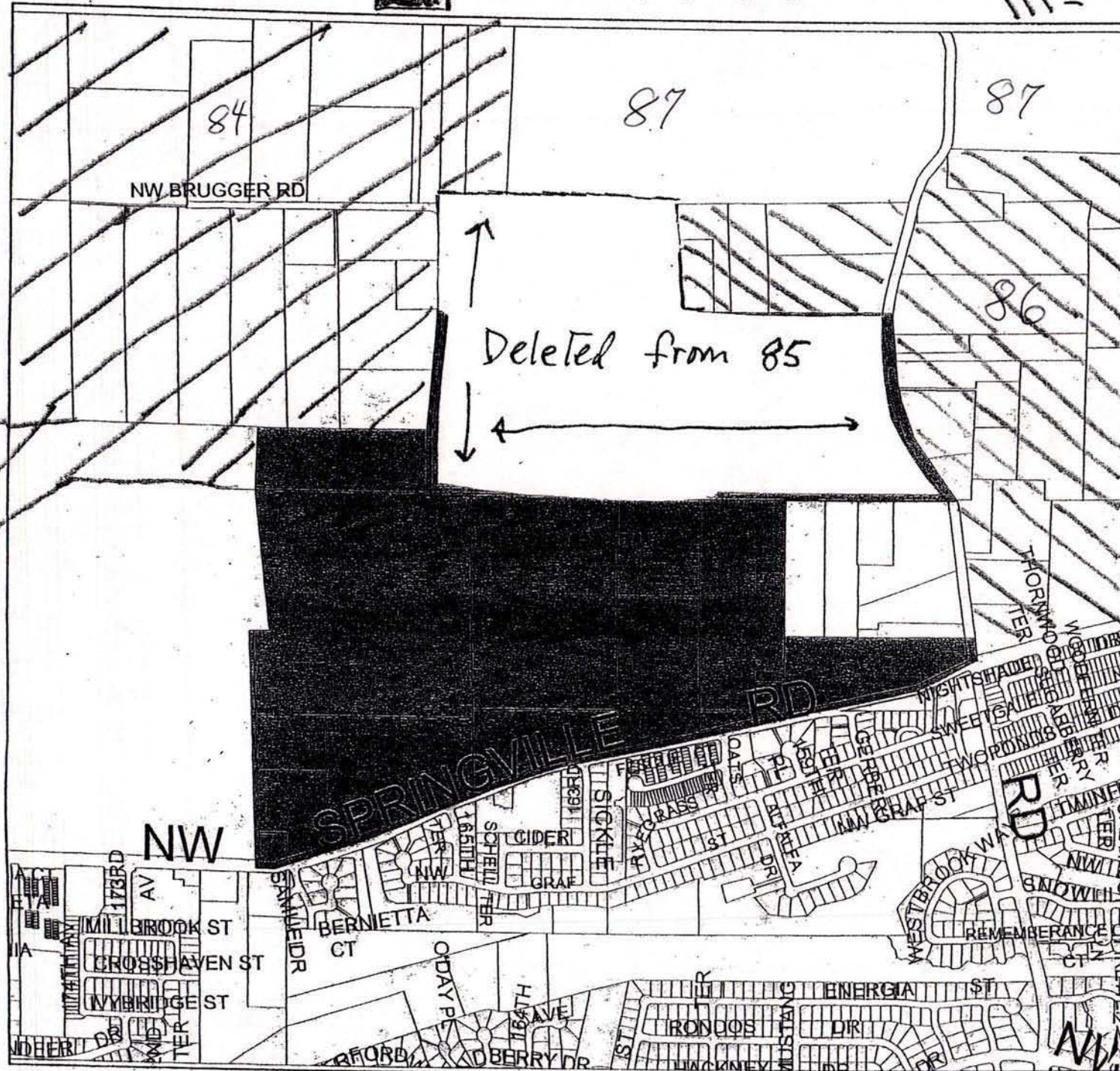
0 690 1,380 Feet



Location Map



METRO DATA RESOURCE CENTER
800 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232-2738
TEL (503) 797-1743 FAX (503) 797-1509
dlr@metro-dsl.net www.metro-regio.org



BEFORE THE METRO COUNCIL

Metro Council Regular Meeting)	Testimony of Mary Scurlock Adamson
Thursday, December 5, 2002)	10575 NW Skyline Blvd
2:00 p.m.)	Portland, OR 97231-2616
Metro Council Chamber)	503-735-1240/mscurlock@att.net
Agenda Item 5.1)	
)	Urging Exclusion of Study Area 94 from
)	Ordinance No. 02-969

My name is Mary Scurlock Adamson, a rural outer northwest resident, avid user of Forest Park, ex-land use attorney and parent of two young children. My day job is Senior Policy Analyst with Pacific Rivers Council, a public interest conservation group. I work from my home to avoid commuting and parking – necessary evils for those living in areas of Portland aren't served by public transit – but a fact that also contributes to the continued rural character of my neighborhood, something my family deeply values.

I strongly urge the Council to modify the Draft Ordinance No. 02-969 by withdrawing Study Area 94 (Forest Park) from inclusion in the Urban Growth Boundary (UGB) expansion. A rational basis for the proposed decision does not exist. Inclusion of these areas in the UGB will not contribute to a sensible development pattern for Portland or the existing neighborhood. Nor will it serve the metropolitan region's land use goals for host of reasons. I will emphasize three major reasons to withdraw Area 94 today: (1) Inclusion of this are in the UGB is inconsistent with the 2040 fundamentals criteria, which inconsistencies are not overridden by the area's current status as "exceptions" land nor its inclusion in the city limits; (2) Urbanization of this areas would needlessly sacrifice lands more suitable for natural resources conservation and service of the objectives of statewide Goal 5, and (3) This school district is already overloaded. In sum, it is a decision that would serve the short-term interests of a few at the expense of the broader public interest.

First, inclusion of this currently rural area in the UGB does not, according to Metro's own analysis, meet seven of the eight Metro Fundamentals criteria under the 2040 framework. It is consistency with these criteria that determines whether this decision is consistent with statewide Goal 14 – a test that this decision appears to flunk. This analysis properly rated the area "least" suitable for UGB inclusion. In sum: this would not be an efficient use of land (only large lot, estate homes would be enabled); it would harm the natural environment out of proportion to its negligible contribution to housing and zero to employment; there is no feasible link with public transportation on roads unsuited to more traffic; sewer development will be ecologically risky and economically near impossible; fire protection in this forested area would be a challenge; and the existing community's character and "sense of place" would be significantly impaired or lost. (Public funds spent to plan urban development here would therefore frankly seem to be a waste of my money).

These lands are still rural lands, some of the lots are very large and some are adjacent to resource lands (which would be devalued for these uses by this action). There is no compelling legal reason to pull these rural lands into the UGB just because the have previously been determined unsuitable for exclusive farm of forest use under statewide Goals 3 and 4. It is a basic tenet of land use law that an exception showing that land is committed to nonfarm or nonforest use is not sufficient to show that

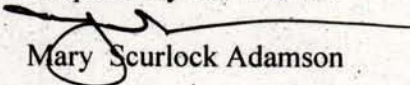
the land is committed to urban use. Rather, there must be a showing that "necessitates a finding that not merely resource uses, but all other rural uses are impracticable." *See e.g. 1000 Friends of Oregon v. LCDC (Curry Co.)*, 301 Or. 447, 485, 724 P2d 268 (1986). No such showing can be made here. Similarly, the location of city boundaries to include rural land does not compel or authorize changes in the classification of the land from rural to urban uses. *See e.g. 1000 Friends of Oregon v. Wasco County Court*, 299 Or 344, 703 P2d 207 (1985) (inclusion of rural land in city incorporation requires no Goal 14 exception).

Second, intensive residential development of these lands is patently inconsistent with protection of the high natural resource values of these lands, values which have been formally identified in the Goal 5 inventory. (2002 Wildlife Habitat and Riparian Areas Study). Development would likely clear at least a third of this area. At least two miles of stream, draining either to the already highly impaired Willamette or Tualatin basin streams, would be impacted by increased sedimentation from roading and forest clearing and additional nutrients from septic systems. Water draining from this area will be warmer, impairing downstream fish habitat. Clearing and roading of these extremely steep areas will trigger increased landslide rates – already a problem on existing roads and trails in this highly unstable and dissected topography. All this would put at risk the ability of Portland's "crown jewel" -- Forest Park -- to play a significant ecological role in the conservation of wildlife and human quality of life in this region. Forest Park is a functioning refuge for wildlife and a key component of a wildlife corridor stretching to the Coast Range. Surrounding the park with urban development will further reduce its status to an island – making it more akin to Central Park. I would be unlikely to find myself running alongside a herd of wild elk in such a park, an experience still possible in Forest Park today.

My third point is simply that there is no capacity to serve this area in the public school system – I know first hand that West Sylvan Middle School has burst at its seams and is forced to house its sixth grade in a separate building next year. (My son mopes daily that he won't be going to a "real" middle school). Adding even 55 more families to the roster for West Sylvan and Lincoln will worsen, albeit marginally, an already severe bottleneck that is still growing with the expanding Forest Heights development. We need to work on giving the kids already in the neighborhood a chance at a quality education before importing more.

In sum, the Council's approach to Area 94 should be the diametric opposite of the current course. Rather than being milked for property taxes and development fees Metro, the City of Portland and Multnomah County should be working to create ways to preserve and build on the natural resource and open space values of this area. Some landowners already have open space conservation easements. These and other means of acting on the inventoried values should be explored. I will personally do what I can to support such a plan – and I feel certain that there are many other area residents who will do all they can to support you in charting a different course for the future of Area 94.

Respectfully submitted:


Mary Scurlock Adamson

And on behalf of

Peter S. Adamson



November 29, 2002

To: Metro Council
From: Mike Houck
Re: UGB Decisions

I am writing on behalf of the Audubon Society of Portland to follow up on your recent UGB decision regarding the Forest Park area (#94). I was deeply troubled by the rationale Council offered, at least as it was reported in the media. You offered two reasons for including this area: 1). Portland had annexed it and, therefore, it should logically be brought into the UGB and 2). While there are problems with sewer those can be dealt with by building large-lot, expensive homes on septic.

Neither of these arguments makes any sense to me. First, simply because Portland annexed the properties in question does not constitute a logical reason for bringing them into the UGB, especially given their sensitive environmental nature.

But, more troubling is the notion that these sites should be brought in to provide low density, large-lot residences that would be placed on septic systems. Council is aware that to service these sites for higher density residential development a sewer line would have to be run through Forest Park or along Balch Creek, which is some of the most slide-prone and environmentally sensitive land in the entire metropolitan region. The solution you have offered is to develop the site, instead, as low-density "executive" homes. What sense does that make? My understanding of the UGB expansion process was that you were to select sites that had the potential for accommodating compact urban form and complete communities.

In the case of Damascus—a UGB expansion area we support—while there are many environmentally sensitive areas, the area is large enough to allow for compact urban form while protecting natural resources. The Coalition For A Livable Future and 1000 Friends have demonstrated that potential through the Damascus Design Workshop. With Forest Park there is no such opportunity. You would be providing a single opportunity, meeting the needs of investors to build high-end, low-density trophy homes. That is not what the current UGB process should be about.

I am writing on behalf of the Audubon Society of Portland and asking that you reconsider your decision to include the Forest Park-Skyline site (#94) in the current round of UGB expansions.

Respectfully,

Mike Houck
Urban Naturalist

*Inspiring people to love &
protect nature since 1902*

5151 NW Cornell Road
Portland, Oregon 97210

Tel 503.292.6855
Fax 503.292.1021

www.audubonportland.org



CITY OF
PORTLAND, OREGON

Vera Katz, Mayor
Jim Francesconi, Commissioner
Randy Leonard, Commissioner
Dan Saltzman, Commissioner
Erik Sten, Commissioner
1221 SW Fifth Ave., Room 340
Portland, Oregon 97204
(503) 823-4120

December 5, 2002

The Honorable Carl Hosticka
Presiding Officer
Metro Regional Center
600 NE Grand Avenue
Portland, Oregon 97232-2736

RE: Area 94

Dear Presiding Officer Hosticka and members of the Council:

We are writing to you today to express our desire that you refrain from including Area 94 as part of the urban growth boundary expansion. Forest Park is a natural and cultural resource of unparalleled significance to the citizens of the region and City of Portland. Any decisions that impact its uses must be closely scrutinized. Our staff has not had an appropriate amount of time to closely examine the potential impact of urbanizing this area.

We are also concerned that development could sever wildlife corridors stretching west to the Tualatin Valley, posing regional environmental impacts for a few hundred acres of low density development. A large portion of Area 94 includes slopes in the headwaters of Saltzman and Doanes Creek, both of which drain east to the Willamette River. Obviously, closer examination of stormwater impacts and potential erosion must be examined before addition to the Urban Growth Boundary is finalized.

The Portland City Attorney submitted testimony to the Community Planning Committee, which you will find attached to this letter. We support the reasoning and recommendation of that testimony and hope that you will consider it in your deliberations.

We understand that the limited and rational expansion of our Urban Growth Boundary is needed and your decision is a difficult one. We appreciate the opportunity to comment and thank you for your consideration.

Sincerely,


Vera Katz
Mayor


Jim Francesconi
Commissioner


Randy Leonard
Commissioner


Dan Saltzman
Commissioner


Erik Sten
Commissioner



CITY OF
PORTLAND, OREGON
OFFICE OF CITY ATTORNEY

Jeffrey L. Rogers, City Attorney
City Hall, Suite 430
1221 S.W. 4th Avenue
Portland, Oregon 97204
Telephone: (503) 823-4047
Fax No.: (503) 823-3089

December 3, 2002

The Honorable Rod Park
Chair
Metro Council Community Planning Committee
Metro Regional Center
600 NE Grand Avenue
Portland, Oregon 97232-2736

Re: Study Area 94

Dear Chair Park and Members of the Council:

Thank you for giving the City of Portland the opportunity to review the *Metro 2002 Alternatives Analysis (July 2002)* concerning expansion of the Urban Growth boundary and the accompanying report on *Applying 2040 Policies to Potential Expansion Areas (August 2002)*. The City appreciates the many hours of hard work and analysis that is represented by both reports. Based on our review of those reports, however, the City respectfully requests the Committee to refrain from recommending expansion of the UGB to include Study Area 94 at this time.

Study Area 94 consists of land adjacent to Forest Park that is steeply sloped and contains significant natural resources. Because of environmental and topographical constraints, extension of sanitary sewer service to this area in the immediate future is extremely unlikely. Additionally, Forest Park is a protected Goal 5 natural resource and, under the City's acknowledged public facilities plan and land use regulations, this park cannot be excavated for new sanitary sewers.

The City objects to including Study Area 94 within the UGB for the following reasons, in addition to the reasons expressed in previous correspondence by City representatives to this Committee and Metro staff. The Community Planning Committee has not adequately explained why expansion of the UGB to include Study Area 94 would be more consistent with Statewide Planning Goals 2, 5, 7, 9, 10 and 14, the Metro Code Section 3.01.020, Metro's Framework Plan and the adopted 2040 Fundamentals than expansion into other study areas. In other words, there is no adequate explanation of how Metro has chosen between Study Area 94 and other study areas for inclusion in the UGB. Additionally, there is not substantial evidence in the record to support including Study Area 94 in the UGB, as required by the Metro Code. Both reports characterize this study area as either moderately difficult or difficult for purposes of providing



Honorable Rod Park
December 3, 2002
Page 2

water, sanitary sewer and storm water services. On the basis of steep slopes alone, it is questionable whether this area was properly included as a study area for potential UGB expansion. As the *Applying 2040 Policies* report makes clear, the steep slopes and presence of natural resources in this area make it a very difficult area to serve and inconsistent with virtually all of the 2040 Fundamentals for purposes of UGB expansion.

The City of Portland respectfully requests the Committee to refrain from recommending the inclusion of Study Area 94 within the expanded UGB at this time. The City would support an urban reserve designation for this area, and pledges its cooperation to the Washington County Clean Water Services agency to develop a plausible sewer plan for Study Area 94 before Metro's next periodic review.

Sincerely,

Kathryn S. Beaumont

Kathryn Beaumont
Senior Deputy City Attorney

KB:KSB

c. Mayor Vera Katz
Gil Kelley, Bureau of Planning

Clackamas, Multnomah, Washington

Annual Growth rate: 2000 - 2020	1.28%
Annual Growth rate: 2000 - 2025	1.27%

	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1995</u>	<u>2000</u>	<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>
Population	1,054,461	1,083,611	1,182,948	1,328,874	1,451,650	1,544,465	1,645,110	1,756,995	1,873,883	1,993,051	2,112,598	2,229,879	2,346,803
	<u>1980-1985</u>	<u>1985-1990</u>	<u>1990-1995</u>	<u>1995-2000</u>	<u>2000-2005</u>	<u>2005-2010</u>	<u>2010-2015</u>	<u>2015-2020</u>	<u>2020-2025</u>	<u>2025-2030</u>	<u>2030-2035</u>	<u>2035-2040</u>	
Pop change	29,150	99,337	145,926	122,776	92,815	100,645	111,885	116,888	119,168	119,547	117,281	116,924	
Annual Growth rate	0.55%	1.75%	2.33%	1.77%	1.24%	1.26%	1.32%	1.29%	1.23%	1.17%	1.08%	1.02%	
Births	82,423	84,485	93,568	99,956	105,502	108,502	112,094	117,143	123,052	129,274	135,204	141,128	
Deaths	44,428	47,447	50,961	53,721	53,867	56,471	59,696	64,728	72,436	82,455	93,521	102,627	
Net migration	-8,845	62,299	103,319	76,542	41,180	48,613	59,487	64,474	68,553	72,728	75,598	78,423	

	<u>April 1, 2000</u>	<u>July 1, 2001</u>	<u>July 1, 2002</u>	<u>Annualized % change</u>	
	<u>(census)</u>	<u>(estimate)</u>	<u>(estimate)</u>	<u>2000-2001</u>	<u>2001-2002</u>
Population	1,444,219	1,467,300	1,484,150	1.28%	1.15%

120502C-29

Clackamas, Multnomah, Washington, Columbia, Yamhill

Annual Growth rate: 2000 - 2020	1.31%
Annual Growth rate: 2000 - 2025	1.30%

	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1995</u>	<u>2000</u>	<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>
Population	1,145,865	1,178,155	1,286,756	1,445,558	1,580,850	1,683,747	1,796,289	1,922,743	2,055,115	2,190,350	2,326,607	2,461,737	2,597,997
	<u>1980-1985</u>	<u>1985-1990</u>	<u>1990-1995</u>	<u>1995-2000</u>	<u>2000-2005</u>	<u>2005-2010</u>	<u>2010-2015</u>	<u>2015-2020</u>	<u>2020-2025</u>	<u>2025-2030</u>	<u>2030-2035</u>	<u>2035-2040</u>	
Pop change	32,290	108,601	158,802	135,292	102,897	112,542	126,454	132,371	135,235	136,257	135,130	136,261	
Annual Growth rate	0.56%	1.76%	2.33%	1.79%	1.26%	1.29%	1.36%	1.33%	1.27%	1.21%	1.13%	1.08%	
Births	89,861	91,606	100,882	108,248	114,739	118,852	123,459	129,212	135,717	142,774	149,827	157,015	
Deaths	48,412	51,598	55,276	58,814	59,279	62,166	65,781	71,360	79,862	90,885	102,968	112,988	
Net migration	-9,159	68,594	113,196	85,858	47,437	55,856	68,777	74,519	79,380	84,368	88,270	92,233	

	<u>April 1, 2000</u>	<u>July 1, 2001</u>	<u>July 1, 2002</u>	<u>Annualized % change</u>	
	<u>(census)</u>	<u>(estimate)</u>	<u>(estimate)</u>	<u>2000-2001</u>	<u>2001-2002</u>
Population	1,572,771	1,598,000	1,616,250	1.28%	1.14%

SUMMARY OF TESTIMONY PRESENTED BY SCOTT A. POWELL
7617 NW SKYLINE BLVD., PORTLAND OREGON 97229

12/5/02

RE: UGB SECTION 94 (& 84 - 87)
METRO ORDINANCES 02-969 & 02-987

Metro has not appropriately followed the statutes and administrative rules governing the expansion of the Urban Growth Boundary (UGB).

1. The entire basis for expanding the UGB is flawed.

- ORS 197.296 requires Metro plan for a 20 year supply of land needed for each housing type, as defined by the statute. Metro's process of expanding the UGB rests upon the foundation that the region does not currently have enough land for the next 20 years. If this assumption is wrong (and it is), then the UGB cannot legally be expanded. In order to justify it's expansion of the UGB, Metro is erroneously relying on a forecast that more land is needed for development over the next 20 years. The population growth estimate that Metro is relying on projects a 1.6% annual population increase. This number is incorrect - it is too high. The actual numbers are closer to 1.3%. At 1.4%, there is not need for any growth in the UGB whatsoever. The entire premise of a need to increase the UGB is flawed. The UGB, simply put, cannot legally be expanded. Metro should cease its efforts to do so immediately.

- Metro Councilor Atherton wrote to me, in part, the following:

"In the short term, **we now have solid information that the Metro forecast of population is too high - 1.6% per annum for 20 plus years. The state economist, using more recent data, is forecasting 1.3%. Remember, at 1.4% we don't have to move the UGB at all.** US population is growing at 0.9% primarily from national mass immigration policies. Since 1973 the fertility rates of Americans has been at or below replacement.

I'd like to see Area 94 taken off the list... and many other areas as well.
The forecast does not justify this large UGB expansion.

Sincerely,

Bill Atherton "

2. Areas 94 and 84-87 are of lower priority than other lands being considered for UGB expansion.

- Even if we assumed that the UGB should be expanded (which it should not), study areas 94 and 84-87 are of lower priority (according to ORS 197.298) than many other study areas.

- Urban reserve land must be brought in first. These areas are not urban reserve lands. They are primarily EFU and forestlands, which are of much lower priority.
- These lands are also essential to wildlife corridors, preservation of opens spaces, and buffers around parks such as Forest Park.

3. Goal 14 does not supersede all other planning goals.

- Goal 14 calls for Urbanization only when there is a "demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals." As noted in point number one, above, there is no demonstrated need to accommodate long-range population growth.
- Goal 5 is equally important, and calls for the preservation of natural and cultural resources such as wildlife habitats and wetlands. Study Area 94 is an essential wildlife corridor and open/scenic space. The same is true for Study Areas 84-87.
- Goal 7 is a major concern with Study Area 94; the Forest Heights development is a major environmental disappointment. That area was subject to massive landslides during the floods of 1996. The topography of Study Area 94 is substantially similar. Developing Study Area 94 would be catastrophic and against Goal 7.
- Goal 3 calls for the preservation of Agricultural Lands. Study Areas 84 - 87 are primarily agricultural lands.
- Goal 12 regarding Transportation is completely overlooked by potential development in Study Area 94; the City of Portland has no plans or abilities to provide mass-transit to this semi-rural and hilly area. Traffic is already chocked in the area and to add additional development would continue to cause California-type sprawl.

4. Study Area 94 would not address the housing needs Metro alleges are necessary.

- The City of Portland estimates that only 55 home sites could be located in Study Area 94. Presumably, most of these homes would be "executive" style "mini-mansions" on large lots with prices in excess of \$500,000. This is not urbanization. This is elite-ism which would benefit very few and harm very many.

5. Inclusion of Study Areas 94 and 84-87 is against the Values adopted by the Multnomah County Board of Commissioners.

- In 1999, the Multnomah County Oregon Board of County Commissioners adopted a set of Land Use Planning Values that include:

- "We value sustainability . . . rural communities . . . and support the Statewide Planning goals." The people who adopted these values could not have envisioned the inclusion of Study Areas 94 and 84-87.

5. The proposed inclusion of Study Areas 94 and 84-87 is illegal under ORS 197.296 because it has not included fair and open public testimony and opinion.

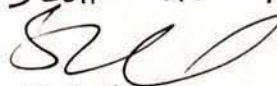
- On August 1, 2002, the Metro Council Executive Officer recommended several areas for inclusion into an expanded UGB. Study Areas 87 and 94 were not included. The record was then closed. Many citizens felt "safe" that areas they cared about would not be included.
- Without adequate public notice on November 21, 2002, the Metro Council quietly announced that the public record regarding the proposed UGB expansion would be re-opened through December 5. This hush-hush announcement included, for the first time, the suggestion that Study Areas 87 and 94 were being recommended for inclusion into the UGB. There was no explicit reference to 87 or 94. Citizens in those areas were not notified. This was illegal and violated the public's right to citizen participation in the land use planning process.

6. Including Study Area 94 because it is within a city limits is not a valid criterion.

- Metro has argued that including Study Area 94 within the UGB is appropriate because it aligns the UGB with the boundaries of the City of Portland. Not only is this inaccurate (Study Area 94 includes areas within and outside of the City of Portland Boundaries), such a "criteria" is not mentioned anywhere in the land use planning statutes, administrative rules, or guidelines.

7. The citizens will raise legal challenges if Study Areas 94 and 84-87 are included in the UGB.

- For the reasons discussed above, as well as reasons discussed by others at hearings and in writings submitted to the public record on these matters, the citizens will file legal challenges 1) if the UGB is expanded at all; 2) if Study Area 94 is included, and 3) If Study Areas 84-87 are included.

SCOTT A. POWELL

12/5/02