

T-740 P.01/02 F-068

120502C-31

# Tigard Sand & Gravel co., Inc.

**2770 NW Rogers Circle**  
**Phone - (503) 254-5517**

**Troutdale, OR 97060**  
**Fax - (503) 255-8147**

## Fax Transmittal

To: Sherry Oaser, Manager

Date : 12/06/02

**Company : Metro Growth Management Services**

**Regarding :**

**Fax #:** **503-707-1911**

**No. of pages :**  
(including cover)

From : Roger Metcalf

**Message :**

This is the correspondence that should be recognized in Ordinance No. 02-990.

**TIGARD SAND & GRAVEL CO., INC.**

2770 NW Rogers Circle Troutdale, OR 97060  
Telephone (503) 254-5517  
Facsimile (503) 255-6147

VIA FAX: (503) 797-1793

September 11, 2002

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

RE: Urban Growth Boundary, Study Area 48

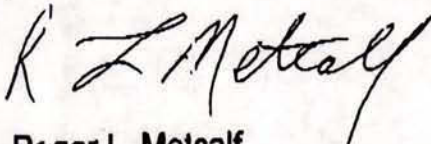
Honorable Councilor Hosticka:

Tigard Sand & Gravel owns numerous parcels, comprising approximately 340 acres of contiguous property, within Study Area 48 (Partial). The property is located South of the intersection of the Tualatin-Sherwood Highway and SW 120<sup>th</sup> Ave. We believe this property should be added to the Urban Growth Boundary (UGB) this year and would support an amendment to do so.

Thank you for the opportunity to comment on the UGB decision.

Regards,

Tigard Sand & Gravel Co., Inc.



Roger L. Melcalf  
Vice President

Cc: Metro Council  
Mike Burton, Executive Officer  
Commissioner Michael Jordan, MPAC Chair





December 5, 2002

380 "A" AVENUE  
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LAKE OSWEGO,  
OREGON 97034  
(503) 635-0213  
FAX (503) 697-6594  
MAYOR@ci.oswego.or.us

Presiding Officer Carl Hosticka  
Members of the Metro Council  
Metro  
600 NE Grand Ave.  
Portland, OR 97232-2736

JUDIE HAMMERSTAD,  
MAYOR

Re: Comments for the Record – Urban Growth Boundary  
Stafford Basin

GAY GRAHAM,  
COUNCILOR

Dear Presiding Officer Hosticka and Metro Councilors:

JACK HOFFMAN,  
COUNCILOR

The City of Lake Oswego applauds your tentative decision not to expand the portion of the Urban Growth Boundary adjacent to Lake Oswego into the Stafford Basin (Study Areas 38 through 42). The purpose of this letter is to support your decision by supplementing the record with a summary of reasons why the UGB should not expand in this area.

ELLIE McPEAK,  
COUNCILOR

#### **LACK OF NEED FOR UGB EXPANSION INTO STAFFORD AREA**

KARL ROHDE,  
COUNCILOR

BILL SCHOEN,  
COUNCILOR

Factors 1 and 2 of Statewide Planning Goal 14 require that any change to an urban growth boundary be based upon a demonstrated need to accommodate long-range urban population growth requirements, in order to meet needs for housing, employment opportunities, and livability. Similarly, ORS 197.296 requires that any UGB expansion considered during periodic review or other legislative review must include sufficient buildable lands to accommodate housing needs for 20 years. Metro Code Section 3.02.020, in addition to incorporating the requirements of Goal 14, requires that UGB expansion be preceded by a determination of net developable land need for 20 years, and requires a determination that the identified need cannot reasonably be met within the current UGB. Expanding the UGB to include land in excess of a demonstrated 20-year need would be inconsistent with these regulations, and would violate the objectives of both the 2040 Growth Concept (as part of Metro's Regional Framework Plan), and the Metro Functional Plan (MC 3.02.005(b)(2)), of providing for an efficient urban growth form that reduces sprawl.

JOHN TURCHI,  
COUNCILOR

Metro has based its determination of housing needs upon an assumed population growth rate averaging 1.6% over the next 20 years. However, this figure is outdated and fails to consider that growth rates have slowed significantly in recent years. It is anticipated that State Economist Tom Potiowsky, of the State Office of Economic Analysis, will present testimony to the Metro Council on December 5, 2002 confirming that the current projected growth rate for the next 20 years ranges between 1.2% and 1.4%. A projected growth rate within this range would significantly reduce Metro's estimation of needed land, making it even more clear that expansion of the UGB into the Stafford area is unnecessary.

Furthermore, Metro's projections of the amount of land needed outside the current UGB have been inflated in order to offset an assumed vacancy rate of 4% for such land. While it is arguably appropriate to estimate and apply such vacancy rates when determining whether there is sufficient land *within the current UGB* to meet projected needs, nothing justifies applying a vacancy rate to land *outside the current UGB* when determining the degree of expansion that should occur. Maintaining a 20-year land supply, and updating that supply every five years, automatically accommodates any vacancy factor. Eliminating the misapplied vacancy rate further reduces Metro's projection of the acreage needed outside the current UGB.

## **COORDINATION**

Statewide Planning Goal 2 requires that all plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties, as well as regional plans adopted by Metro. The Goal also requires that each plan and related implementation measure shall be coordinated with the plans of affected governmental units. Opportunities must be provided for review and comment by citizens and affected governments during preparation, review and revision of plans and implementation ordinances. Goal 2 incorporates the definition of "coordinated" contained in ORS 197.015(5):

A plan is "coordinated" when the needs of all levels of governments, semipublic and private agencies and the citizens of Oregon have been considered and accommodated as much as possible.

ORS 268.385(1) and 195.025(1) require Metro to coordinate all planning activities affecting land uses in the district in order to "assure an integrated comprehensive plan" for the entire area.

Performance of Metro's coordination responsibility is most important where the financial and urban service obligations that result from UGB expansion fall upon affected local governments. The obligations of Lake Oswego that would result from UGB expansion into the Stafford area are outlined in the section below relating to urban services.



On August 1, 2002, Metro Executive Officer Mike Burton recommended a UGB expansion of approximately 17,000 acres for housing and 2,200 acres for employment, none of which was in the Stafford Basin. On October 8, 2002, Mr. Burton recommended an additional 555-acre expansion for employment, again in areas other than Stafford. These proposals were consistent with previous communications that there would not be a recommendation for UGB expansion into the Stafford Basin this year. After the November 1, 2002 closure of the committee public record, Mr. Burton unexpectedly recommended that the entire Stafford Basin be included within the pending UGB expansion. This did not provide Lake Oswego, or other affected local jurisdictions, with meaningful opportunities to address the new proposal. It certainly did not amount to true "coordination" among affected jurisdictions, within the meaning of the above regulations, during the preparation, review and revision of the recommendation.

The Clackamas County Board of Commissioners has recognized that its similar November 1, 2002 recommendation to include the Stafford area in the UGB was remiss in not including a request for a major public process, such as extensive community meetings. The Board acknowledged that its abrupt recommendation had potentially denied citizens adequate opportunities to be involved in the decision. A copy of its November 18, 2002 letter outlining these inadequacies is attached as Exhibit "A."

Not only has there been no coordination with Lake Oswego with respect to UGB expansion proposals, there also has been no intergovernmental effort to determine the ultimate provider of urban services within the Stafford Basin. Policy 1 of Goal 14 of the Lake Oswego Comprehensive Plan states that the city will not expand the existing Urban Service Boundary, and will resist efforts to require expansion, except in those areas designated as Tier I Urban Reserves as of February 1998. The obligation of Metro to consider and accommodate the needs of the city, as well as to assure an integrated plan that is coordinated with the city's plan, mandates that a truly collaborative intergovernmental process addressing expansion and service issues must take place *before* the Stafford Basin can be brought within the UGB. No such process has occurred.

Since Metro's tentative decision did not include the Stafford Basin, the issue of lack of coordination appears to be academic. On the other hand, if Stafford had continued to be considered for inclusion, it would have been necessary to delay the UGB expansion decision to a later date in order to allow an opportunity for bona fide intergovernmental coordination.

Arranging for true coordination is not difficult. See, for example, my October 9, 2002 letter, attached as Exhibit "B," to Ethan Seltzer, Director of the Institute of Metropolitan Studies at Portland State University concerning intergovernmental coordination to resolve issues relating to school district boundaries in the Stafford Basin.

## **AGRICULTURAL LAND**

The Stafford area north of I-205 includes over 870 acres of land zoned Exclusive Farm Use (EFU). Metro's map of resource land in the area discloses that a significant portion of the Stafford Basin is high value farmland. Urbanization of the basin would result in the loss of this valuable resource in violation of the requirement of Statewide Planning Goal 3 to preserve and maintain agricultural land for farm use.

ORS 197.298 establishes certain priorities for the types of land that may be considered for UGB expansion. If there are no designated urban reserves, Metro may look to exception areas or nonresource lands. If such areas cannot accommodate the need, Metro may next look to marginal lands. If there is insufficient marginal land, agricultural (EFU) lands may then be considered. EFU land may be considered at the same priority level as exception areas and nonresource lands only if the EFU land is completely surrounded by non-resource lands, and only if the EFU land contains no high-value farmland.

Since the Stafford Basin includes high-value farmland, it cannot be considered at the same priority level as exception areas or nonresource lands. The evidence in the record fails to support a finding that exception areas, nonresource lands and marginal lands in the region are inadequate to accommodate a need for expansion. Consequently, inclusion of the Stafford Basin within the UGB would violate state law.

Furthermore, in the case of Stafford, the prioritization requirements cannot be ignored by reason of the "special needs" exemptions of ORS 197.298(3). There has been no showing that specific types of land needs cannot be reasonably accommodated on higher priority lands. Nor has it been shown that topographical or other physical constraints prevent future urban services from being provided to higher priority lands. Finally, it has not been demonstrated that maximum efficiency of land uses within the proposed UGB requires inclusion of lower priority lands in order to include or provide services to higher priority lands. In fact, the resource lands in the Stafford Basin are centrally located, while the nonresource (higher priority) land tends to be adjacent to urbanized areas where urban services are currently being provided.

Metro Code Section 3.01.020 incorporates the priority requirements of ORS 197.298.

Including Stafford in the UGB would also violate Factor 6 of Statewide Goal 14, which requires retention of agricultural land, with Class I soils having the highest priority for retention and Class VI soils the lowest priority.

## **URBAN SERVICES**

Factor 3 of Statewide Planning Goal 14 requires that any UGB change must be based upon orderly and economic provision for public facilities and services. Metro Code Section



3.01.020(b)(3) defines “economic provision” as the “lowest public cost provision of urban services.” This section also provides that, when comparing alternative sites, “the best site shall be that site which has the lowest net increase in the total cost for provision of all urban services.” The same section identifies “orderly” provision of services as:

the extension of services from existing serviced areas to those areas which are immediately adjacent and which are consistent with the manner of service provision. For the provision of gravity sanitary sewers, this could mean a higher rating for an area within an already served drainage basin. For the provision of transit this would mean a higher rating for an area which could be served by the extension of an existing route rather than an area which would require an entirely new route.

As has been detailed in earlier materials filed with Metro, the provision of urban services to the Stafford Basin would be extraordinarily expensive. See, for example, the October 4, 2002 letter, attached as Exhibit “C,” from Community Development Director Stephan Lashbrook to Tim O’Brien, Metro Associate Regional Planner.

The Stafford area has only a single road that could be considered the backbone for future transportation improvements. Stafford Road (which becomes McVey Road on the north) connects I-205 with Highway 43. It should be noted that Stafford Road is a narrow, two-lane market road that does not meet urban standards. The two highways that it connects are both already operating beyond capacity at peak-hour times. Even if fully improved, Stafford Road would still be moving people from one congested highway to another.

There is no existing water system with the capacity to serve the Stafford area without substantial upgrades, including treatment plant expansion, major transmission lines, pump systems, and elevated storage capacity.

Almost all of the Stafford area, north of the Tualatin River, drains to the south – away from Lake Oswego’s existing sewage collection system. This means that the City of Lake Oswego cannot provide sanitary sewer service without major pumping facilities, and/or gravity flow systems that would have to run through the City of West Linn to reach the Tryon Creek Wastewater Treatment Facility on the Willamette River. Providing water and sanitary sewer service to Stafford is not simply a matter of running new pipelines from existing infrastructure. It would require major upgrades to the existing infrastructure, at great public expense and inconvenience, within the developed urban areas as well.

The record does not support a finding that, as compared to alternatives, the Stafford area would provide the lowest net increase in the total cost for provision of all urban services. Nor does it demonstrate how the Stafford area could support the “orderly” provision of such services.

## **URBAN RESERVE**

The Stafford Basin is not appropriate for designation as an urban reserve area, for essentially the same reasons that it is not appropriate for UGB expansion.

Urban reserve areas are to be based upon a 10 to 30 year land supply beyond the 20-year time frame used to establish the UGB. OAR 660-021-0030; Metro Code Section 3.02.012. There is no evidence establishing a projected land need for a 30 to 50-year period. Furthermore, the same errors noted above relating to population growth projections and vacancy rates support the conclusion that there is inadequate evidence of the need to designate the Stafford Basin as an urban reserve.

Secondly, there has been no notice and no coordination of any proposal to include the Stafford area within an urban reserve.

In addition, the priorities for inclusion of land within an urban reserve are the same as those for inclusion within the UGB (OAR 660-021-0030(3)). The issues presented above in relation to agricultural land would apply with equal force to any proposal to make the Stafford area an urban reserve.

Inclusion of land within an urban reserve area must be based upon the locational factors of Statewide Goal 14 (OAR 660-021-0030(2)). As outlined in the section on Urban Services, above, the Stafford area does not meet the requirement of Factor 3 of Goal 14 that the decision be based upon orderly and economic provision for public facilities and services.

## **STUDY AREA 42**

Earlier comments by Metro's staff and Executive Officer suggested the inclusion of Study Area 42 for industrial and warehouse/distribution development. The City of Tualatin unveiled a land use concept for the area that included primarily office and commercial uses. Nevertheless, Metro's tentative decision not to bring this Study Area into the UGB was correct for a number of reasons.

The reasons discussed above for not including the Stafford Basin as a whole also apply to the inclusion of Study Area 42 specifically. Furthermore, including Study Area 42 would not meet the criteria adopted by MTAC and MPAC for adding industrial land. (See Exhibit D, October 4, 2002 letter from Community Development Director Stephan Lashbrook to MTAC Chair Andy Cotugno). The record does not support a finding that inclusion of Study Area 42 is necessary to meet a long term need in accordance with Statewide Planning Goal 9 and its associated administrative rules. Nor have the applicable requirements of OAR Chapter 660, Division 9, been met.



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Urban Growth Boundary – Stafford Basin  
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Page 7

There has been no coordinated discussion of establishing a new Town Center at the Stafford Road Interchange on I-205. Adding Area 42 to the UGB could have the effect of creating a new town center without adequate consideration of all the implications of such an action.

Finally, inclusion of Study Area 42 for commercial and office uses would be inappropriate as it could adversely affect existing Town Centers in Lake Oswego, West Linn and Wilsonville.

### **CONCLUSION**

For all of these reasons, the City of Lake Oswego supports the Metro Council's tentative decision not to include the Stafford Basin within the Urban Growth Boundary.

Sincerely,



Judie Hammerstad, Mayor

Encls.

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November 18, 2002

The Honorable Carl Hostika, Presiding Officer  
Members of the Metro Council  
METRO  
600 NE Grand Avenue  
Portland, OR 97232-2736

Dear Presiding Officer Hostika and Members of the Metro Council:

We are writing today to make you aware that citizens have raised concerns regarding lack of an extensive, specific public process in our November 1, 2002 recommendation for inclusion of the Stafford area into the Urban Growth Boundary expansion.

As you may recall, about a week prior to our letter there were changes in housing numbers, and inclusion of the Stafford Triangle area was one way to fill both the housing and job land needs. Our Commission has been considering the inclusion of this area for at least four years, especially for potential jobs producing purposes. With that as a background, we recommended to you that the Stafford area be considered in the proposed expansion plan.

**With hindsight, we were remiss when our recommendations did not include a request that if Stafford is to be considered that there be a major public process. In Damascus, we held extensive community meetings. Unfortunately, with only one week's notice that was impractical in Stafford. We fear that as a consequence many citizens, proponents and opponents alike, potentially lack adequate time and forum to raise their important perspectives and the issues involved in this decision.**

We reaffirm to you and our citizens our continued commitment to a fair and open public process in all matters pertaining to County government.

Thank you for your consideration.

Sincerely,

Larry Sowa  
Chair

Michael Jordan  
Commissioner

Bill Kennemer  
Commissioner

**Exhibit A  
Letter to Metro  
Council – 12/05/02**





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(503) 635-0213  
FAX (503) 697-6594  
MAYOR@ci.oswego.or.us

JUDIE HAMMERSTAD,  
MAYOR

GAY GRAHAM,  
COUNCILOR

JACK HOFFMAN,  
COUNCILOR

ELLIE McPEAK,  
COUNCILOR

KARL ROHDE,  
COUNCILOR

BILL SCHOEN,  
COUNCILOR

JOHN TURCHI,  
COUNCILOR

October 9, 2002

**COPY**

Ethan Seltzer, Director  
Institute of Metropolitan Studies  
College of Urban and Public Affairs  
PO Box 751  
Portland OR 97207-0751

Dear Ethan,

I greatly enjoyed the opportunity to participate in the recent Institute retreat. I am especially intrigued with the Institute's mission of providing a neutral forum for difficult issues amongst jurisdictions. I am requesting your consideration of a project that is badly in need of such a forum.

As you know, the City of Lake Oswego is in opposition to the movement of the Urban Growth Boundary in the Stafford area, as are our neighboring jurisdictions, Tualatin and West Linn. There are some thorny problems that would accompany any movement of the Urban Growth Boundary that the Institute could provide valuable information and the neutral forum for problem solving.

The first and most obvious one is identifying the urban service providers for those areas that are currently outside Urban Service Boundaries of adjacent cities. The drawing of the Urban Service Boundaries is a second issue.

The third issue that has enormous implications for the building of communities is the inconsistent school district boundaries. Mayor Lou Ogden made a reference to this problem when we met with him a few weeks ago, saying that the area that could be within Tualatin's jurisdiction was unsuitable for residential development because it was "in the West Linn-Wilsonville School District." Virtually all of the

**Exhibit B**  
**Letter to Metro**  
**Council - 12/05/02**



property that is in the Stafford area within what could be Lake Oswego's jurisdiction is also within the West Linn-Wilsonville School District, including large parcels of property owned by the City of Lake Oswego and which are planned for recreational opportunities, especially for our youth. These inconsistent boundaries will cause critical problems in the future, especially with one jurisdiction paying property taxes for another jurisdiction's amenities.

I would love to have the opportunity to talk to you about some of these issues and about the Institute's willingness to take on these real-life problems. I have not discussed this request with the school districts or the other cities, and feel that if Lake Oswego were to make the initial overtures it would appear as if we were trying to force a decision in our favor.

I welcome the opportunity to be able to get this into a neutral forum with good financial information, as well as the jurisdictional and political possibilities.

Thank you very much for your thoughtful work. I look forward to hearing from you.

Sincerely,



Judie Hammerstad  
Mayor

JH/sms

c: Members of the City Council  
Douglas J. Schmitz, City Manager





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COMMUNITY DEVELOPMENT DEPARTMENT

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October 4, 2002

Tim O'Brien, AICP  
Associate Regional Planner  
Metro  
600 N.E. Grand Ave.  
Portland, OR 97232

RE: Water and sewer service feasibility for UGB Study Area 39

Dear Tim:

I am writing in response to your letter dated September 20, 2002 regarding public services for Study Area 39. You heard from people who believe that Area 39 can easily be provided with City Services and should, therefore be brought into the UGB at this time. In response, the City's engineering staff has examined the issues regarding sewer and water service to Area 39 and we concur with the original Parametrix report. Area 39 would be "difficult" to serve. This letter provides a summary of our findings.

**Only water and sewer service addressed:** This letter responds only to questions raised about the feasibility of providing water and sewer service. A potentially more significant issue is the lack of an adequate transportation infrastructure to serve the area. There is no effective way for any one jurisdiction to solve the transportation problems of the Stafford area. If those issues are going to be addressed, it will require a multi-jurisdictional effort involving Metro, ODOT, Clackamas County, and the three surrounding cities. There are no plans to initiate such a cooperative effort in the foreseeable future.

**Topography:** It is important to note that Area 39 has varied topography. Part of Area 39 is at higher elevations than surrounding land – meaning increased costs to provide water service that must be pumped from lower elevations. Much of Area 39 slopes to the south, away from the City of Lake Oswego. This complicates any plans to provide sewer service from the north.

**Exhibit C  
Letter to Metro  
Council – 12/05/02**



**Regional planning perspective:** This analysis only focused on how Area 39 might be provided with water and sanitary sewer service. To fully address the issue of utility service, a more comprehensive analysis of the entire Stafford Basin is needed. This should include all of the adjoining jurisdictions including Lake Oswego, Tualatin, West Linn, Clean Water Services, and Clackamas County. It will be necessary to examine the most effective and efficient ways to serve the entire Stafford Basin, not just one sub-area. Ultimately, it may make more sense to develop a sewer system that drains to the south, near the Tualatin River, and is pumped to the Durham Treatment Plant operated by Clean Water Services. While we would be willing to participate in a cooperative regional effort to determine how services and governance could someday be provided to the entire Stafford Basin, the City of Lake Oswego remains concerned about, and opposed to, piecemeal expansion of the UGB in this area without a comprehensive view of land use and public facilities.

**Analysis:** Although we are uncomfortable doing an analysis that addresses only a portion of the Stafford Basin, in order to respond to your request we have examined how Area 39 might be served separately from other study areas.

Assumptions include:

1. 1640 dwellings.
2. A sanitary sewer pump station on Rosemont Rd. pumping to a new (and as yet undesigned) downstream conveyance system.
3. A new water storage facility near the existing Skylands storage facility.

**Sewer service issues:** Treatment capacity and transmission capacity is inadequate to serve the area. Development of Study Area 39 would result in total a peak flow of over 1.0 million gallons per day (MGD). Lake Oswego wastewater is treated at the City of Portland Tryon Creek Waste Water Treatment Plant. Current capacity of this facility is 8.3 MGD average dry weather flow and 37.5 MGD wet weather peak instantaneous flow. Historically, this treatment plant has been known to reach its peak limitations. To accept additional flow, additional capacity must be added. To stay within the current plant capacity, the City of Portland has at times diverted flow to the Columbia River Treatment Plant, rather than add capacity at the Tryon Creek Plant. Portland's ability and willingness to increase their diversion in order to provide more capacity to serve the Lake Oswego (and Stafford Basin) area have not been explored and may not be feasible. If expansion of the Tryon Creek Treatment Plant were required, the 1989 Facility Plan would call for an expansion of 3 MGD (phase II upgrade) with a cost estimate of approximately \$26, 500,000 (1989 dollars, which equates to approximately 36.7 million 2002 dollars).

Transmission capacity is also a serious problem. Currently, the sanitary trunk system, including the City's Lake Interceptor (located within Oswego Lake) does not have the capacity to accept an additional 1.0 MGD. To accommodate the flows from Area 39, a separate conveyance system located along McVey Avenue and then north along State

Exhibit C  
Letter to Metro  
Council - 12/05/02



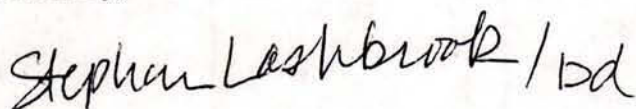
Street would be required. This system would require almost 5 miles of new sewer lines as well as major pump stations at Rosemont and in the George Rogers Park area. Costs for a new transmission system are estimated to exceed \$3.3 million.

**Water Service:** The City does maintain a water line that extends to the Luscher Farm area. However, the City lacks the storage and transmission capacity to serve Area 39. In addition to existing storage deficiencies, approximately 25% of the area is above elevation 530 feet, which means a new elevated storage reservoir would be necessary to provide adequate service pressure to development above the 530 foot contour. It is assumed that this facility would be located at the site of an existing storage reservoir owned by the Skylands Water Company. The overflow elevation of the proposed new tank would need to be set at 800 feet. A more significant deficiency with the water system is transmission capacity. The increase in demand resulting from Area 39 would require upsizing the City's existing raw and finished water transmission mains, raw and finished water pumping and related distribution piping and pumping improvements. Larger transmission lines serving our water treatment facility are needed to meet the demand based on the standards of our water master plan. Overall, to upgrade the system and provide new transmission, storage, distribution and pumping facilities, the costs exceed \$6.6 million.

**Conclusion:** While it is possible to serve Area 39, the need for costly and extensive facility improvements make the Parametrix "difficult" rating appropriate for this area. When one examines service provision from a regional perspective, costs may some day be distributed across all land within the Stafford Basin. This could result in lower costs per dwelling unit and a more coordinated method of service provision. Until joint facilities planning effort is undertaken and completed, these issues cannot be resolved.

We appreciate the opportunity to comment and would be glad to provide additional information if needed.

Sincerely,

Handwritten signature of Stephan Lashbrook, followed by the initials "bd".

Stephan A. Lashbrook, AICP  
Community Development Director

Copies: Mayor Hammerstad and City Council  
Doug Schmitz, City Manager  
Joel Komarek, City Engineer

Exhibit C  
Letter to Metro  
Council - 12/05/02





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COMMUNITY DEVELOPMENT DEPARTMENT

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October 4, 2002

Andy Cotugno, Chair  
Metro Technical Advisory Committee  
600 N.E. Grand Ave.  
Portland, OR 97232

RE: UGB Study Area 42

Dear Andy and fellow MTAC members:

Study Area 42, south of the Tualatin River and north of I-205, has generated considerable recent interest as a UGB expansion area. The City of Lake Oswego is opposed to this expansion at this time for several reasons.

As a reference point, I would ask that you reread the September 19 "Proposal for meeting identified industrial land needs" forwarded to MPAC by MTAC. That proposal contains three criteria for adding industrial land to the UGB during this calendar year:

1. *Could be justified under existing state law and the Metro Code;*
2. *Would be available quickly for **industrial** development (emphasis added);  
and*
3. *Would support the Region 2040 Growth Concept by reinforcing an existing  
or future center.*

Area 42 fails on at least two of those criteria. It is not envisioned as being for industrial use, and it could adversely affect existing centers with which it would compete (being proposed primarily for office and other commercial uses). Whether it is justified under other state and Metro requirements is a separate argument.

There has been general agreement that Metro should move into the process of preparing a regional economic strategy after the first of the year. There is no reason why Area 42

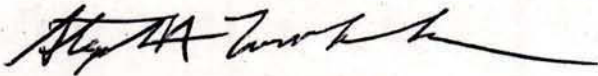
**Exhibit D**  
**Letter to Metro**  
**Council – 12/05/02**



October 4, 2002  
UGB Study Area 42  
Page 2 of 2

should be moved ahead of that process for immediate consideration, and there are some very good reasons why it should not. It clearly does not meet the criteria for immediate UGB expansion articulated by MTAC at its last meeting.

Sincerely,



Stephan A. Lashbrook, AICP  
Community Development Director

Copies: Mayor Hammerstad and City Council  
Doug Schmitz, City Manager

**Exhibit D**  
**Letter to Metro**  
**Council – 12/05/02**

**Jerry Grossnickle**  
13510 NW Old Germantown Road  
Portland, OR 97231  
Phone 503-289-3046  
e-mail: [jerrygbw@aol.com](mailto:jerrygbw@aol.com)

December 5, 2002

Metro Council  
600 NE Grand Ave.  
Portland, OR 97232

Comments on UGB Expansion  
**Study Area 94**  
Study Areas 84-87 (Bethany Area)

My name is Jerry Grossnickle and I live at 13510 NW Old Germantown Road. I am a member of the Board of Directors of Forest Park Neighborhood association and am chairman of its Neighborhood Plan Committee.

I oppose making Study Area 94 a part of Ordinance 02-969.

Of the flurry of recent proposals to bring in more land on the northwest borders of the UGB than was proposed by Mike Burton, this is one of the least plausible. I cannot imagine that Metro staff recommended it.

It has the potential of causing great environmental harm to Forest Park and its surrounding ecosystem.

There are a great many reasons that these lands adjacent to the Park should not be urbanized, from difficult and costly problems providing basic services because of the steep slopes, and, in my view, insurmountable transportation problems.

But I would like to focus on one in particular.

Area 94 is adjacent to Forest Park and much of it is forested, zoned by the City and County with overlay protective zoning designed to protect the natural habitat. The habitat areas surrounding the Park are extremely important to the continued health of the Park ecosystem, which supports a large number of native plants and animals.

Further urbanization adjacent to the Park would disrupt the habitat matrix and could block the wildlife corridors that follow the forested slopes and watersheds on both east and west sides of the Park. A study commissioned by the Forest Park Neighborhood Association in 1997 found that while the wildlife habitat areas within and adjacent to the park are unique in the Portland urban area, "residential development near the Park, with all its associated activities of vegetation



removal, fence construction, pets and large driveways, [is creating] ... permanent and significant loss of habitat value.<sup>1</sup>

These biologists concluded that urban development near the Park tends to fragment the critical habitat for many species and destroy the connectivity needed for a healthy forest ecosystem in the Park itself. If we make the Park an island, destroying its connections to the lowlands, farmlands and forest lands to the west and north, then it will become a dead zone for many of the species<sup>2</sup> that now thrive in and around the Park.

I understand that in purely land use law-speak, most of Area 94 is composed of "exception" lands, lands which have high priority for inclusion when expanding the UGB. But since these lands are truly "exceptional" in terms of Goal 5 objectives, let's do the right thing and keep them out of the UGB.

Please note that in order to protect the Park and rural character of the neighborhood, the Board of Directors of the Forest Park Neighborhood Association voted unanimously on September 17, 2002 to oppose expansion of the UGB within the Neighborhood's boundaries.<sup>3</sup>

The Environmental and Land Use Sections of the Neighborhood Plan, recently adopted by the Neighborhood Plan Committee, specifically oppose further urbanization within the Neighborhood.<sup>4</sup> Multnomah County's 1996 West Hills Rural Area Plan also opposed expansion of the UGB in the Neighborhood.<sup>5</sup>

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<sup>1</sup> *Forest Park Land Use Strategy*, July, 1997 by Dean Apostol and Esther Lev, page 4

<sup>2</sup> *Ibid*, Appendix C, Wildlife Species Likely to be Found Within the Forest Park Neighborhood Association Boundary include (the list is not comprehensive and includes only those subject to an available study): Eastern Cottontail, Beaver, California Ground Squirrel, Western Grey Squirrel, Townsend's Chipmunk, Bobcat, Nutria, Coyote, Red Fox, Raccoon, Cougar, Mink, Black Tailed Deer, Elk, Northwestern Salamander, Rough-skinned Newt, Pacific Tree Frog, 47 listed bird species and 2 snake species.

<sup>3</sup> The Resolution adopted by the Board of Directors of Forest Park Neighborhood Association states: "Whereas Metro is currently considering expanding the Urban Growth Boundary, and lands within Forest Park Neighborhood Association boundaries have been identified for possible inclusion in the proposed expansion, at the regular board meeting on September 17, 2002, the Board of Directors voted unanimously to oppose further expansion of the UGB within the Neighborhood's boundaries."

<sup>4</sup> Forest Park Neighborhood Plan, Environmental Section, Draft August 21, Introduction states:

Central to an understanding of the Forest Park Neighborhood is that much of its land is of significant environmental concern. Situated in the hills, forests and ravines of the Tualatin Mountains, the land retains remarkably high quality environmental resources in proximity to urban Portland. Partly because of the protected natural status of Forest Park itself (which defines nearly the entire eastern part of the neighborhood) and partly because of the difficulties of access and of providing urban services, the land has not been densely developed and continues to sustain a rich diversity of plant and animal life, including many native species.

Several streams of environmental significance originate in the neighborhood's hills. They cascade down occasionally steep and usually heavily wooded canyons, some creating natural wildlife corridors from Forest Park at the crest of the hills down to the undeveloped lowlands and wetlands to the west. Some flow east either through the wildlife habitat of Forest Park itself, or just outside its boundaries. Balch Creek, for example, which is known for its native population of cutthroat trout, flows through the natural preserves of Macleay Park and drains the neighborhood's upland areas east of Skyline Boulevard and south of Thompson Road. All the upland areas of the neighborhood are significant watershed lands, with drainage through the Park toward the Willamette or on the other side into the Tualatin basin.



Sincerely,

Jerry Grossnickle

---

The value of these natural resources to the region is considerable. The open and natural areas are of scenic, recreational and spiritual significance and become more important to the metropolitan area as population and densities increase. Our woodlands are not yet isolated from the larger ecosystem of natural habitat which extends north and west to the Pacific Ocean and which supports an environmentally significant wildlife corridor, a link which allows Portland area residents to occasionally catch a glimpse of elk, bear or cougar, and of other species rare and surprising in an urban setting. For the Metro area this is a critical connection which engenders an appreciation for the land, its natural history and its environmental possibilities.

The Wildlife Habitat portion of the Environmental Section states the following:

The neighborhood shall conserve its wildlife habitat, with particular emphasis on protecting native plant and animal species.

A. Wildlife Corridors

1. "Wildlife corridors" are defined generally as lands that, because of their location, native plant populations or forest cover, provide linkage necessary for native wildlife transit to and from Forest Park.
2. The forested wildlife corridors to the north and west of Forest Park shall be protected from development that inhibits the free flow of wildlife and native plant species into and out of the park.
3. Wildlife corridors which descend the streams and canyons connecting the park to the lowlands to the west shall also be protected from development.
4. Wildlife access to these corridors from the park shall also be protected. Development needs to be carefully regulated where the links between the park and the canyon corridor system are critical.
5. Wildlife corridors as well as the wildlife habitat of the park itself shall be protected from urban housing densities by wide buffers of natural habitat and low rural densities.
6. Native existing vegetation within wildlife corridors shall be preserved.

B. Wildlife Habitat Lands

1. Wildlife habitat lands are defined generally as lands which, because of the limited nature of development, continue to support native wildlife populations or provide the matrix from which such populations derive support.
  - Note. It is recognized that the normal habitat of large mammals such as elk, deer, bear, cougar, bobcat and many others includes large portions of the Forest Park neighborhood, and that these and many other non-mammal species do not confine their activities merely to the Park and the wildlife corridors. Therefore, regulatory measures should be developed which protect this larger habitat.
2. Development in wildlife habitat lands shall be regulated to limit and mitigate adverse impacts on the habitat.
  - Note: It is particularly important when siting development to maintain as much native vegetation and cover as possible and to do so in a manner which provides habitat continuity over as large an area as possible.
3. Programs shall be developed to prevent the introduction of invasive non-native vegetation to natural areas of the neighborhood, and support should be given to eradication efforts when appropriate.
4. Regulations shall be developed concerning fencing, high-intensity lighting, noise generating activities, domestic animals (particularly free-roaming pets) and other impediments to wildlife.

<sup>5</sup> Multnomah County West Hills Rural Area Plan, October 1996, Urban Growth Section, Policy 6 (Page 23)





# COMPASS ENGINEERING

ENGINEERING - SURVEYING - PLANNING

6564 SE Lake Road  
Milwaukie, Oregon 97222

503/653-9093  
FAX 503/653-9095  
e-mail: compass@compass-engineering.com

## FAX COVER LETTER

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: Susan McLain

Date: December 5, 2002

Firm: Metro

Time: 3:50 PM

Fax No.: (503) 797-1793

Project No.: 5313

From: Bruce Goldson

No. of pages following: 1

ORIGINALS WILL NOT BE SENT

### COMMENTS:

Please put the attached letter into the record for the UGB hearing in progress today.







# COMPASS ENGINEERING

ENGINEERING - SURVEYING - PLANNING

6564 SE Lake Road  
Milwaukie, Oregon 97222

503/653-9093  
FAX 503/653-9095  
e-mail: bruceg@compass-engineering.com

December 5, 2002

SENT VIA FACSIMILE: 503.797.1793

Ms. Susan McLain  
Metro Councilor  
Deputy Presiding Officer  
600 Northeast Grand Ave  
Portland, Oregon 97232-2736

**RE: Urban Growth Boundary  
Areas 84, 85, 86, & 87**

Dear Ms. McLain:

Compass Engineering has prepared the concept plans for possible development of Areas 84, 85, 86 and 87 in Washington County on behalf of our client. Compass Engineering and I have provided consulting engineering services in the Portland Metro Area for more than thirty (30) years. I am currently on the Clackamas County Development Liaison Committee, the Clackamas County Design Review Committee and the 2003 Board of Directors for the Home Builders Association of Metropolitan Portland.

Working on these concept plans, I have made a cursory investigation of the realities of gravity sewers. In my professional opinion it appears that the vast majority of Area 84, 85, 86 and 87 can be sewered with a gravity system from existing sewers in NW Springville Road. Deleting Areas 85 and 87 from the equation will require installation of gravity lines outside the boundaries of 84 and 86 and in the long run require redundant infrastructure.

A domestic water grid to serve this area was also examined. Based on my engineering experience as Engineer for the Lake Grove Water District and experience in large water projects, I find that a continuous grid offers the potential for a higher quality system at a lower cost. These efficiencies would be passed onto the future owners of the property.

In conclusion, I find that from an infrastructure point of view it would be economically effective and engineering superior to include Areas 84, 85, 86 and 87 in the Urban Growth Boundary.

If you have any questions or require additional information, please contact our office.

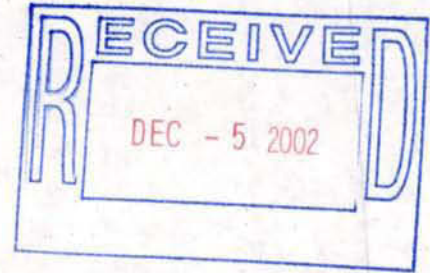
Sincerely,

Bruce D. Goldson, P.E.

BDG/jk  
N:\CLER\Working\12-02\5313 Dec 5 Letter.doc

Copy: The Conifer Group







Fax: (503) 797-1911

December 5, 2002

Dear Metro Councilors,

I feel the need to write this letter to you today on behalf of the population that have no voice concerning the proposed expansion of the Urban Growth Boundary, Area 94, which is along the west boundary of Forest park. If you've spent time in this area, you will know the population I speak of - the deer, the bobcats, the coyote, the raccoon, the frogs, the birds.

As stewards of our land, I urge you, on behalf of future generations, to vote NO in allowing this area to be developed. Appeasing a few developers will not fulfill the contract you have made to protect and care for the lands of our unique county.

Adding homes in Forest Park will only serve to create undue pollution burdens on the area. For example, are you aware that as homeowners use pesticides, the pesticides wash into our streams, and the frogs absorb these pesticides through their skin. The impact - the frogs die, or when they breed, deformities result. The headwaters of Saltzman and Doanes Creek drain from within Area 94.

The areas north of Springville, areas 84, 85, 86 and 87 are also being considered for development. Portions of this area are traversed by an elk herd. To see this herd within our city limits is to be celebrated and preserved!

Please, this area does not have the infrastructure to host massive development. It includes productive agriculture land that could be made more productive in the future.

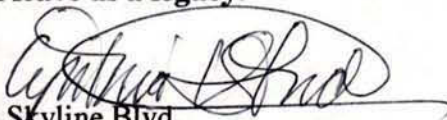
I understand that you must find lands to develop. I urge you to choose those lands that will minimize impact on the wildlife and the ecology.

I understand that we need land for the growth coming to the metro area. **My challenge to you is to make the areas you choose to develop a model for sustainable development that the rest of the state and other urban areas can learn from, based on your far-reaching planning. If you are asking people to give up such treasured resources, insist that the new developments offer a new way of developing a community. Be forward thinking to 2050 and beyond. Require that developers and future owners agree to a covenant of sustainability. Let Portland's sustainability office set requirements for such a covenant that will include use of sustainable materials, minimizing the impact of all development on the power grid by including solar and wind generators, and more. Insist that bike paths be integrated throughout that intersect with the bus system that will move residents to a metro transit station. Bring the library to the 5000+ new families so that we all don't have to drive to the Cedar Mill Library branch. Preserve the community by requiring the incorporation of community gardens and centers for gathering. Create a vision of sustainability for this land and the water that feeds it, that is something you as the Elders of the Community and the developers, as land stewards, can leave as a legacy.**

Thank you,  
Cyndi Strid

9323 NW Old Skyline Blvd.

Portland, OR 97231, Phone: (503) 285-7878





I am speaking today in support of the recommendation for area 93.

As you know the staff recommendation was that this area not be included inside the UGB. Subsequently the area was reexamined and the current proposal is that the western half should be included.

My concern is that when land comes inside the UGB without a clear timeline for sewers landowners are very likely to partition their property as soon as it is permitted into smaller one or two acre estate sized lots rather than risk the uncertainty of a long wait for sanitary sewers. Since this would make future higher density development difficult if not impossible I think this scenario should be avoided.

I am intimately familiar with this area having walked virtually all of the roads and right of ways in the rabbit warren that makes up the area now proposed for inclusion. While I believe it would be safer if the line ran north-south through the middle of 120<sup>th</sup> street rather than where it is and would suggest you consider that change, the idea that the western part comes inside seems sound.

However I must emphasize that the eastern half of area 93 rapidly becomes significantly different in topology so notwithstanding the exact location of the line I would strongly encourage you to leave this area outside until such time as a timeline can clearly be established for sanitary sewer services.

Thank you.

Handwritten: Mary Weber

Steven Edelman

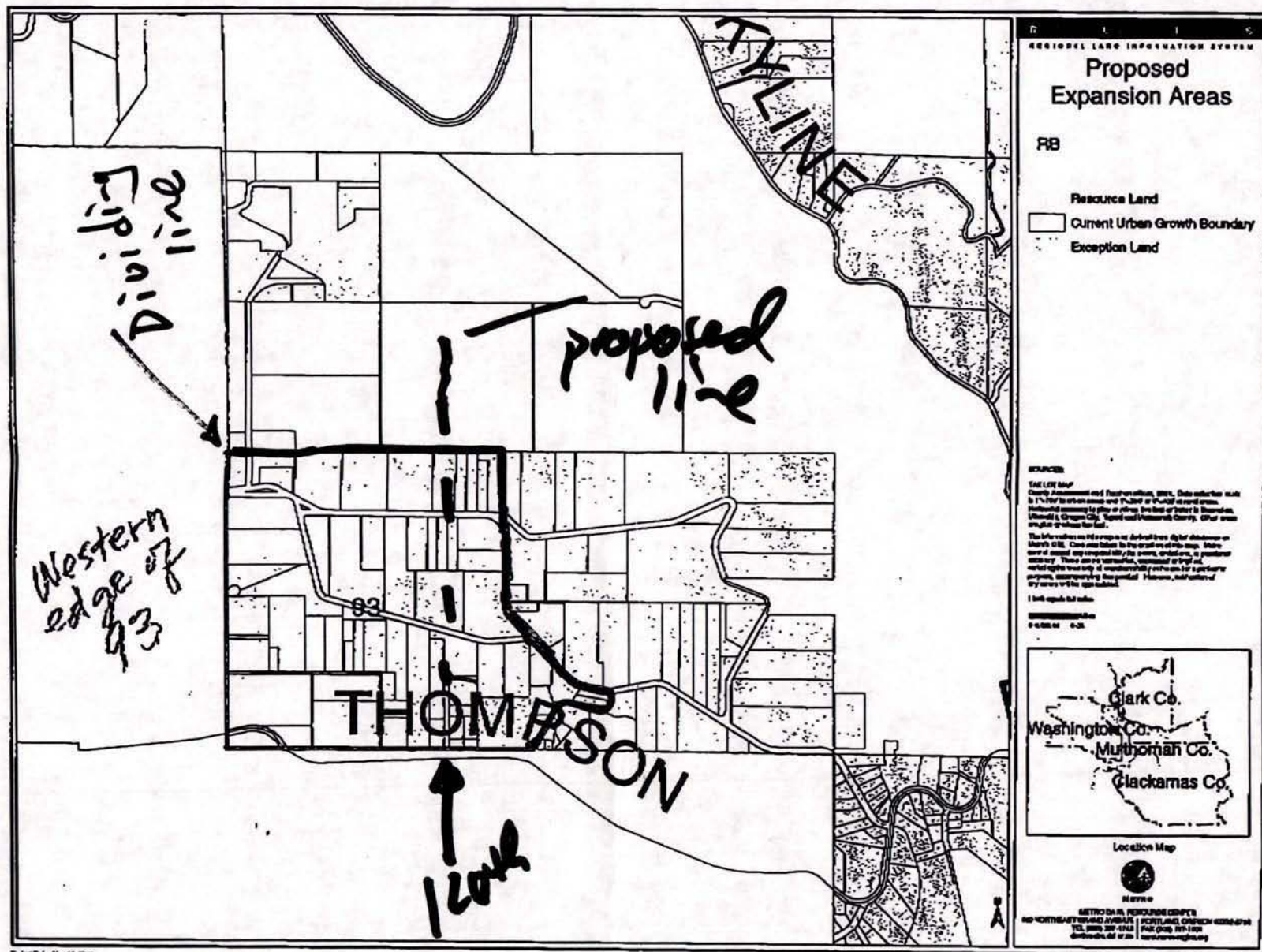
Box 91519

Portland

97291

Edelman@mail.com

Alan Young  
988-3582  
Vacated



Project Data Nov 14, 2002





The office of  
**Vera Katz**  
**Mayor Portland Oregon The City That Works**

December 5, 2002

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

RE: The Community Planning Committee recommendation on jobs and housing

Dear Presiding Officer Hosticka and members of the Council:

Today you vote on our roadmap to the future. The pending allocation of long-term jobs and housing needs are supposed to take us to the year 2022- half way to 2040. But we may never arrive at the 2040 envisioned by our growth concept because we keep ignoring our centers and main streets.

Two weeks ago I offered written testimony that expressed serious concerns about shortcomings to Titles 1 and 6. At that time I congratulated you on the one bright spot in the form of amendments to Title 4 – the need to expand the UGB for specific types of industrial land and regulations to preserve existing and future industrial land supply. This is a huge step forward. Today I want to reiterate and expand on my comments of two weeks ago.

Specifically, I urge you to change the pending decision by allocating no more than 28,000 new housing units outside the existing urban growth boundary, and by limiting all residential expansion to the Damascus area.

Clearly, Metro is the best system of regional governance in the United States. With such strengths and leadership in land use planning, I have to ask what went wrong when we are left with such a disappointing result. To be fair, part of the blame resides elsewhere. Shortly after Region 2040 was adopted, it was hijacked by special interests at the state level. The “20-year land supply” law replaced aspirational comprehensive planning with mindless numeric projections. But even within the confines of this straightjacket, we can do much better. Portland and Metro need to work together in 2003 to get this law repealed.

The proposed industrial land allocation proves we can do much better, and that we can make decisions that further 2040. In that case we examined our industrial lands needs carefully; cataloged our available supply by location, quantity, and quality; undertook new measures to protect and improve available supply - and only then did we expand the urban growth boundary for specific industrial uses that could not be reasonably accommodated on existing urban land.



THE CITY OF ROSES

1221 SW 4th Avenue, Suite 340  
 Portland, Oregon 97204-1995  
 Phone: 503-823-4120 Fax: 503-823-3588  
 TDD: 503-823-6868 [www.ci.portland.or.us/mayor/](http://www.ci.portland.or.us/mayor/)

The pending residential decision does not reflect the integrity used to make the industrial decision. I see four problems with the Community Planning Committee recommendation:

1. It forces residential growth to the fringes of the region by lowering residential housing targets, which were firmly established in 1997, and by eliminating residential targets for all mixed-use areas. These decisions show that we are walking away from our centers and main streets.
2. It artificially inflates residential needs by overstating the amount of land lost to school development and by underestimating needs reasonably met through infill and redevelopment on land that is already within the urban growth boundary but outside established neighborhoods. Again, residential growth is forced to the fringes.
3. It unnecessarily inflates residential land needs through the addition of a four percent "vacancy" rate on top of the existing "20-year land supply." This in essence creates a 21-year land supply.
4. Finally, the proposal forces limited planning and capital resources away from 2040 goals and objectives. This is because Title 11 would require the completion of expansion plans for these fringe areas by 2004, while plans for centers, under Title 6, would not have to be complete until 2007.

Indeed, the only requirement for Portland that results from the Community Planning Committee recommendation is the diversion of resources from the St. Johns and Lents Town centers, the South Waterfront of the Central City, the Gateway Regional Center and all of our Interstate Avenue light rail communities. Instead, Portland would need to use those funds to urbanize Study Area 94, the most topographically challenged and environmentally significant suburban edge in the entire region. If we had already exhausted our opportunities within centers and main streets, Portland would allocate more of its resources to eking out the last tiny increment from its urban fringe. But we are not there yet. Rest assured that no such diversion of Portland resources will appear in my proposed budget; not next year, nor in the near future.

I implore you to return to the vision of 2040: Quality urban places in centers and along main streets, and a system of parks and natural areas that are as much a part of the vision as the built environment. Please break the pattern of always doing the edge now, and leaving the center for later.

With warm regards,



Vera Katz  
Mayor

cc: Portland City Council  
LCDC Commissioners





120502C-39

900 S.W. Fifth Avenue, Suite 2600  
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main 503.224.3380  
fax 503.220.2480  
www.stoel.com

December 5, 2002

ROBERT D. VAN BROCKLIN  
Direct (503) 294-9660  
rdvanbrocklin@stoel.com

**DELIVERED BY HAND**

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

**Re: Angel Property**

Dear Councilor Hosticka:

On behalf of Joe Angel, I am writing to support the inclusion of Study Area 94 in the ordinance to expand the region's urban growth boundary ("UGB" or "boundary"). Mr. Angel owns property at 5100 NW Skyline Boulevard that is within Area 94. The area was annexed to the City of Portland ("City") in 1971, and the City designated it as exception land in 1991. ORS 197.298 requires that exception land adjacent to a UGB be given priority over resource land when including new land within the UGB.

Including Area 94 within the UGB will correct a long-standing, illogical boundary problem by aligning the City boundary and the UGB boundary in this area. It is simply illogical to have exception lands that are within the City of Portland lie outside the UGB.

Since the establishment of the initial UGB, the City has developed extensive environmental overlay zones to protect and preserve natural resources in the City, including in Area 94 and other areas adjacent to Forest Park. These overlay zones have been applied to private lands in the Skyline corridor, including the Angel property. These overlay zones are among the most protective environmental zones in the state and in the nation, and are actively enforced by the City.

The Angel property, and Area 94 in general, is located within five miles of key employment centers, including downtown Portland, the St. Vincent Hospital area, and the Sunset Corridor. There are no agricultural uses in the area, and its continued urbanization will not affect any active farming uses or agricultural land. NW Skyline Boulevard has the capacity to serve additional development in the area.



The Honorable Carl Hosticka  
December 5, 2002  
Page 2

The City provides fire, police, water and other services to the area, including to the Angel property. Sanitary sewers are located within 2,400 feet of the property, and could be extended to further serve the area. In the past ten years, a number of developments have been developed in the area, including the Lakota, Forest Parks Estates, Forest Heights Estates and Alder Ridge developments. Municipal services have been constructed to serve those developments, including by the City.

Enclosed please find a map that shows the location of existing urban services near the Angel property, including water, sewer, gas and stormwater facilities. The map clearly shows the existence of municipal services that already serve the Angel property or could be extended to serve the property.

The enclosed map supplements the October 2002 report by OTAK that I previously submitted for your review. The OTAK report confirms that the Angel property may be served by public facilities and services in an orderly and economic fashion. The Angel property is not significantly constrained for development by steep slopes, unstable soils, floodplains, or other constraining physical features, contains no distinct drainageways or other significant water features, and can be served by Portland public schools.

Including the property in the UGB is consistent with retaining an efficient urban growth form. The Angel property and all of Area 94 is exception land located within the City and is the exception area closest to downtown Portland, the center of the region. Because of its proximity to downtown Portland and employment centers in Washington County, the property promotes a compact urban form to an equal or greater extent than does any other area under consideration for inclusion in the boundary.

On behalf of Joe Angel, we respectfully request that the Angel property and Area 94 be included in the ordinance to expand the UGB. Including this land within the boundary is consistent not only with the policy of Goal 14 to utilize and develop urban land before converting rural land to urban uses, but with the state's prioritization rules. Keeping this area outside the UGB while including rural land in the boundary is contrary to those policies.





The Honorable Carl Hosticka  
December 5, 2002  
Page 3

Please include this letter in the public record on the UGB expansion ordinance.

Very truly yours,

Robert D. Van Brocklin

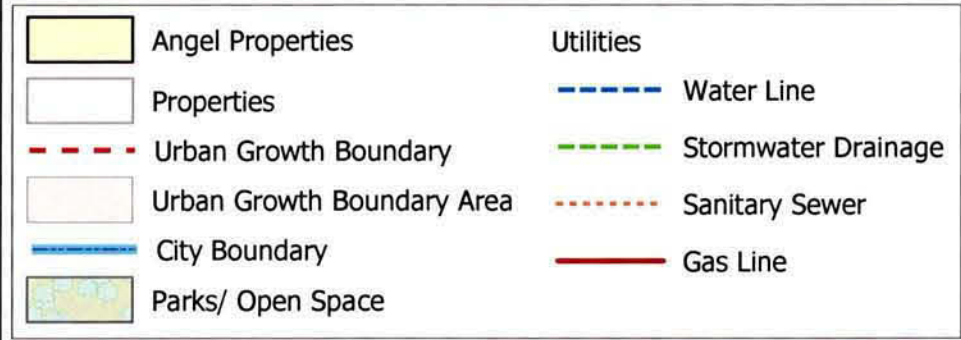
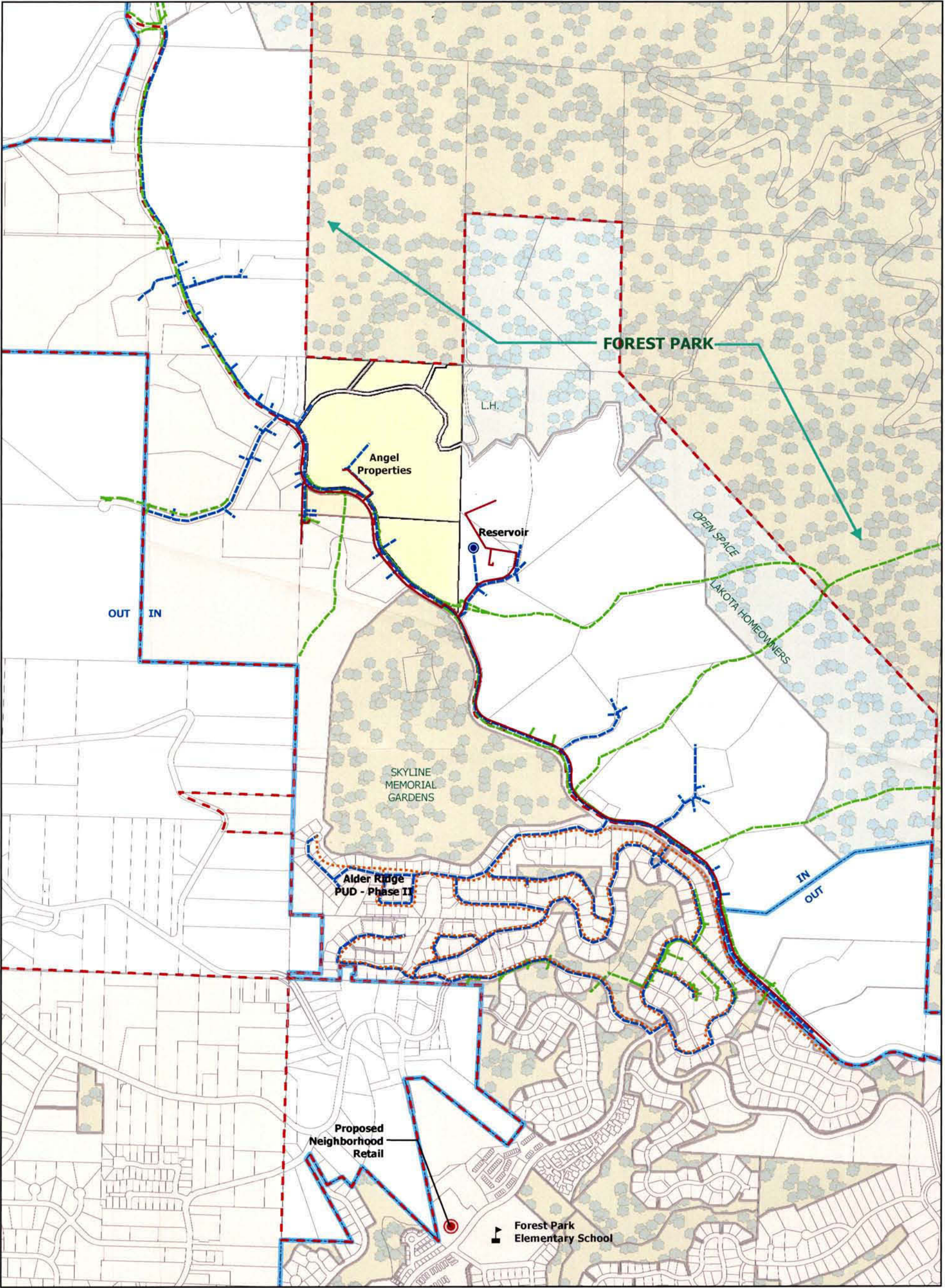
RVB:mlb  
Enclosures

cc (w/encl. and via messenger):

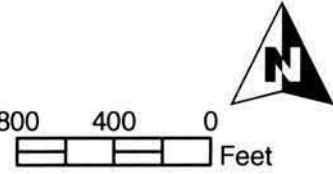
The Honorable David Bragdon  
The Honorable Rod Monroe  
The Honorable Rod Park  
The Honorable Susan McLain  
The Honorable Bill Atherton  
The Honorable Rex Burkholder  
The Honorable Mike Burton  
Mr. Andy Cotugno  
Mr. Dan Cooper  
Ms. Mary Weber  
Ms. Lydia Neill  
Mr. Tim O'Brien  
Mr. Joseph Angel

cc (w/encl):





**Angel Properties  
VICINITY UTILITIES MAP**





**Testimony by Todd Chase  
Metro UGB Hearing  
December 5, 2002**

Presiding Officer, Councilors, Metro Staff and members of the Public. Thank you for your relentless energy and ability to comprehend the complexities of urban growth, and most importantly your leadership during this time of economic necessity.

I am testifying as a resident of the Portland Metro Region, and on behalf of the Clackamas County Economic Development Commission. In short, we strongly support all of your efforts, and the resulting ordinance 02-969. We further recommend that employment/industrial land be added to the ordinance, in accord with our letter from the Clackamas County Board of Commissioners dated August 28, 2002.

Now some of you may know me as Planning Manager and Economist for Otak, or from my recent management of the Metro Regional Industrial Land Study.

From my 18-years of planning experience in Oregon, the USA, Asia, and South America, I've come to realize that Urban Areas, like all living organisms constantly change and evolve. The Portland Metro Region is no exception with over 60 people being added to our region each day, due to new births and in-migration.

What is unique about our region is that it is attempting to evolve within the confines of relatively ridged statewide land use planning laws established over 20-years ago in Senate Bill 100. As a result, the standards are higher in Oregon than almost anywhere else when it comes to urbanization. We feel that Metro's staff has done an excellent job at evaluating land needs and urban expansion alternatives. Can this work be improved upon? Maybe, maybe

not. By no means should a decision by you to delay adoption of UGB amendments be delayed. Delaying a decision by you on UGB expansion would yield negative consequences:

- Our well-documented industrial land shortage would worsen. There is a documented need for over 5,680 vacant market-ready acres of industrial land. The current UGB expansion recommendations would reduce the industrial shortage to approximately 2,000 acres, and Goal 5 compliance would further raise this land shortage.
- Many existing large industrial businesses that are attempting to expand within our region would be forced to go elsewhere. The RILS estimated that our region risks losing some 94,000 jobs if we do not address this situation;
- Unemployment rate would continue to remain high, placing a drain on social services and depressing state and local fiscal revenues.
- Public services, such as school funding and recreational amenities would be curtailed, and taxes would need to be raised.

The land use planning process will never be perfect, but I think you have done the best that can possibly be done at this time. The critical next step is to accept the facts about our region, and our needs for UGB Expansion and to adopt 02-969 (with as the strategic industrial and employment land sites added, as appropriate).

Your adoption of Ordinance 02-969 (along with the employment/industrial land added in accord with our letter from the Clackamas County Board of Commissioners) will enable our region to grow and evolve in an efficient and sustainable manner—that's consistent with the 2040 Framework Plan. Your decision to do this would also underscore the value of Oregon's land use planning process, and the value of Metro, as our region's land use planning agency.



Marcy Cottrell Houle  
New Moon Farm  
16600 N.W. Gillihan Road  
Portland, Oregon 97231

Dec. 5, 2002

Metro Councilors  
METRO  
600 N. Grand Avenue  
Portland, OR

Dear Councilors:

I wish to testify today in opposition of including Area 94 – bordering Portland's Forest Park – into the Urban Growth Boundary.

I have had long association with Forest Park, both as an author and as a wildlife biologist who has conducted a number of studies on the park. In 1982, I carried out the first wildlife and habitat study of the park for the Oregon Parks Foundation. In 1990, I conducted the first study for Multnomah County regarding the Wildlife Corridor that extends through Forest Park.

But today I want to address the issue at hand from a different perspective. I want to speak from a cultural and historical view, and try to alert you to what the people of Portland would be losing if Area 94 is opened to increased development.

Forest Park, as originally intended, was to include the wooded hillsides that slope from the top of Skyline Boulevard eastward to St. Helens Highway. Through the years, property within these borders has been developed, but at the same time, the goal has always been to acquire those lands, when possible and financially feasible, for additions to Forest Park. To open this natural area to increased urbanization by a change in zoning is to significantly reverse what has been a long-standing vision of the Park ... a vision that has been at the heart of Portland's planning for over 100 years.

As many of you know, Forest Park is regarded as one of the most impressive city parks not only in our nation, but in the world. Because of its large size and configuration, and its internal connectivity, Forest Park has what few parks anywhere can boast – a natural system that exhibits over 112 species of native birds and 62 species of animals that live, at some time, within its borders. This is highly unusual for a city park anywhere in the world; in most metropolises, urban development has resulted in a definite decline in the numbers of native plants and animals.

Forest Park is indeed an anomaly. Because of its continuous, unfragmented habitat, with a natural connection to the Coast Range, we have today, only ten minutes from downtown Portland, a native assemblage of wildlife still similar to that observed by William Clark in 1806 during his return trip on the Lewis and Clark Expedition.

Recognizing these attributes, we must also be aware that whenever we chip away at the land that remains on these wooded hillsides, even if the reasons are admirable in intent, the cost may be too high, and irreversible.



I am indebted to those people, many of whom are now deceased, who worked so hard to preserve what they saw as a significant natural feature for the City of Portland. Before they died, I was fortunate to get to know some of them very well. One man in particular, Mr. Garnett ("Ding") Cannon, became a special friend and mentor through the years. Perhaps more than any other person, Mr. Cannon was the one responsible for turning the vision of Forest Park into a reality.

In 1944, Mr. Cannon, President of Standard Insurance and a member of the City Club of Portland, requested that the City Club conduct a feasibility study as to creating a municipal 6,000 acre forest park for the people of Portland. The study was long and involved, and demonstrated unequivocally that such a park would be a tremendous benefit for the community and for generations to come. Mr. Cannon then formed the "Forest Park Committee of 50" – a group of 50 civic, commercial, educational and recreational agencies – that sent a petition to the Mayor of Portland and the City Council to adopt a policy to create Forest Park. The City Council adopted the resolution unanimously. And in 1948, Forest Park was officially dedicated, and became a remarkable city park of 4200 acres.

For the rest of his life, Ding Cannon worked tirelessly to protect and enhance Forest Park. I spoke to him often, and he always reiterated that the original vision of the park was to preserve those lands, whenever possible, within the outlined borders. When Mr. Cannon died, he left me all of his files on Forest Park, and also a sense of obligation to continue to work for the park, and do my part, however small, to continue the dream.

And so it is for Garnett Cannon and for all of the other visionaries, now deceased, that helped create Forest Park that I want to speak for today. These Oregonians gave us a priceless treasure that thousands enjoy. I know I am one of only many people who feel grateful for the previous generation's dedication, altruism, foresight, and wisdom. And I think it is now up to us to uphold what they entrusted to our care.

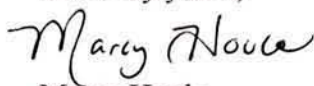
Portland, Oregon, is recognized across the nation as being a leader in park planning. Through my research on the park, I have come into contact with many scientists of national reputation, most of whom express amazement that such a park exists near a city the size and scope of Portland. In addition, just last month, I took the National Geographic through the park. A senior writer and photographer for the Geographic have been employed to do a story on Forest Park. As they explored the park, they, too, were astounded to find a place of such size and beauty, as well as natural significance, so close to a major metropolitan city, and were awed at the planning that it must have taken to get such a park protected.

For these reasons among others, I urge you to recognize the value of keeping Area 94 in its current zoning, and to not include it in the current round of expansion of the Urban Growth Boundary.

Forest Park cannot be recreated. What we decide today will not only impact us ... it will speak even more profoundly to future generations of Portlanders.

Thank you for your attention and thoughtful consideration.

Sincerely yours,

  
Marcy Houle



December 5, 2002

I am here today to testify **against** adding 520 acres in area 94 to the urban growth boundary. This land is adjacent to Forest Park in an area of the park that is especially narrow in width. I conducted my doctoral research on the effects of urbanization on natural forested areas and had many sites in Forest Park. I am continuing that research at present. I have found that increased housing density has negative impacts on the park, both in terms of ecological succession and as wildlife habitat. For example, I have found that the forest closest to downtown Portland is in earlier successional stages than what it should be. In other words, there are few young trees that will replace those that are there now. The rest of the park, at present, seems to be progressing in a more normal fashion, but this will be changed by the development of lands surrounding the park. In addition, I found significant declines in forest interior species of plants and birds in areas closest to the city. I also found increases in less desired species in this area including exotic species such as English ivy and brown headed cowbirds. The presence of the latter is particularly troublesome because brown headed cowbirds are nest parasites. They lay their eggs in other bird's nests, booting out the bird's real young and forcing the parents to care for the wrong babies. Brown headed cowbirds have been implicated as a major cause for the decline of native songbirds across the nation and are correlated with habitat fragmentation. Forest Park is often cited as the crown jewel of green spaces in our city and is valued for its wildlife habitat potential. Even though the park is composed of over 5000 acres, it is very long and narrow. Without additional areas surrounding the park to help buffer the impact of urbanization, fragmentation poses a real concern as the park becomes more of an island of natural habitat surrounded by city. Area 94 is nestled in a particularly narrow area that has a very irregular border. The impact of increasing the density of housing by any number in this area, as well as in any area surrounding the park, will be very detrimental to the value of the park as a natural area. Because of its narrow shape, Forest Park is very susceptible to disturbances on its boundary. If anything, I strongly recommend that all areas bordering the park be preserved as natural areas to help buffer against urbanization. The fact that area 94 is even being considered for potential placement within the urban growth boundary is disturbing. Such an inclusion will have a detrimental effect on Forest Park as a whole and will undermine efforts to preserve the park as the valuable resource that it currently represents.

Thank you



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**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](http://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.

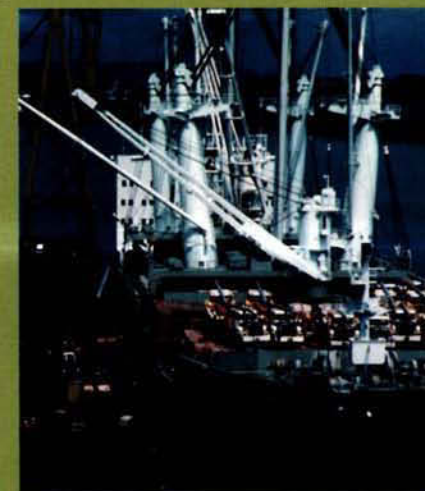
### Long-term objectives

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.





I live on NW Wilson Street in the shadows of Forest Park and I support removing Area 94 from the Urban Growth Boundary expansion.

I am a retired Olympic middle distance runner. I competed in three Olympics and I won the bronze medal in the 10,000 meters in 1992. During the course of a normal week I run 50 – 60 miles on Forest Park's trails with my dog Towhee. From the urbane environs of the Arboretum to the far stretches of the park past Germantown Road I know Forest Park well. The fact that I can be in the forest two minutes after leaving my front door is amazing to me. I live in a vibrant neighborhood in a most liveable city and having Forest Park right next door is dear to me.

Area 94 sits atop steep slopes of park watersheds. If Metro is aiming to foster efficient land use and diverse housing not to mention protecting natural resources then ~~the~~ <sup>A</sup>Area is highly unsuited to those goals.

Forest Park is an important regional resource. Development in Area 94 which is an important buffer area will disrupt established wildlife corridors and diminish the interior habitat areas of the park. Within Area 94 one can still find native forest unsullied by invasive plants and animals introduced through development.

I have seen what upslope development of the park has done to the Balch Creek watershed. The Chickadee Point development off Cornell Road has negatively impacted Balch Creek. On rainy days the soil runoff in the creek is dismayingly ~~clear and~~ obvious.

Please reconsider the inclusion of Area 94.

Thank you.

Lynn Jennings  
3103 NW Wilson Street  
Portland 97210

503.274.2938





TO: Metro Council

12-5-02

FROM: Robert J. Thomas 2563 Pimlico Drive West Linn, OR 97068 phone: 657-7492

**SUBJECT:** Opposition to expanding the UGB anywhere in the tri-county metropolitan region (Clackamas, Multnomah and Washington counties) at this time for housing, and presentation of data to show no need for such expansion anywhere at this time.



\*\*\*\*\*

I have reviewed primarily three Metro documents in conjunction with population data from Portland State University's Center for Population Research and Census. I'll designate the Metro documents as Document 1, Document 2 and Document 3 and refer to them as such within my submittal.

I'll consider Document 1 to comprise all of the various pieces of information pertaining to population forecasts furnished to Councilor Rod Park as Chair of the Community Planning Committee by Metro Executive Officer Mike Burton under a cover letter by Burton dated October 31, 2002.

I'll consider Document 2 to be the Proposed Final Draft of the Economic Report to the Metro Council, 2000-2030 Regional Forecast, released in March 2002 and revised in September 2002, and prepared by Dennis Yee, Chief Economist of the Data Resource Center.

I'll consider Document 3 to be the 2002 - 2022 Urban Growth Report: A Residential Land Need Analysis.

\*\*\*\*\*

I maintain that a thorough review of Documents 1, 2 and 3 along with remarks made in an address to the Metro Council at the Metro Council's UGB hearing on November 21, 2002 by Director of Planning, Andy Cotugno, reveal significant internal inconsistencies, inapplicable numbers, and related flawed contentions about growth in Documents 1, 2 and 3 and in Cotugno's address that **consequently lead to invalidating staff's expressed need for various expansions of the UGB at this time for housing. Such a staff position simply becomes unsupportable and unjustifiable when looking at the properly relevant population growth numbers. I therefore contend that the only proper action by the Metro Council at this time is to not approve staff's recommendation and instead not vote for expanding the UGB anywhere at this time for housing.**

\*\*\*\*\*

It should strike anyone reviewing the above documents that using growth rates derived from looking at a considerably larger area for the Portland, Oregon "Metro Region" than is encompassed in Metro's present governance boundary and its present Urban Growth Boundary (UGB) is neither a sensible or applicable approach to assessing growth rates within the area of Metro's jurisdiction. That area of course lies exclusively within Clackamas, Multnomah and Washington counties, known as the tri-county region. It doesn't even cover all of those three counties by far. To also include Clark County across the Columbia in the State of Washington and also sometimes Yamhill and/or Columbia counties in Oregon greatly distorts the whole process of determining applicable growth rates that apply within Metro's boundary and when there is a need to enlarge the UGB.



When one looks at data that applies only within Metro's tri-county region, the past and future growth rates in population are considerably lower than those shown in the Metro documents which reach outside of Metro's jurisdiction to always include at least Clark County in Washington. I'll discuss looking at past growth rates from this standpoint further on, but first I want to present and discuss projected growth rates into the future from this standpoint. 2.

\*\*\*\*\*

### Properly Projected Future Growth

First refer to Document 3. Planning Director Andy Cotugno, in his address to the Metro Council during the UGB hearing on November 21, 2000 was undoubtedly alluding to the table on Page 3 of Document 3 when he said you've concluded that we can accommodate about **180,000** dwelling units (DU) inside our current boundary, but that we need to expand that boundary by some **37,400** housing units in order to provide a 20 year land supply for housing.

In referring to the table on Page 3 of Document 3, it starts with a **4-county** (presumably the tri-counties and Clark County) population growth forecast (July 2000 to Dec. 2022 for 22.5 years) of 744,200 people and converts that to a forecast of 312,100 households. Then it assumes that 68% of those households need to be accommodated within a Metro UGB, or 212,200 households, but adds another 8,500 households to that to provide for a 4% vacancy factor, making a total of **220,700 more households** that need to be accommodated. Then, presumably from an inventory of gross vacant land within the present UGB, successive subtractions in acreage are made for various uses, to arrive at a net number of vacant buildable acres which are converted to DU under **current local zoning**. This all results in a number of 177,300 DU, to which 6,000 DU are added for refill, **making a grand adjusted total of DU capacity of 183,300 within the current boundary. If this number is indeed reasonably correct, then** it is all that needs to be considered as to whether or not it can accommodate all the growth that will occur within the tri-county region over the time span from 2000 through 2022. It is unnecessary to first get involved with projecting growth in a 4-county region that includes Clark County and then take a portion of that as a capture rate (68%) to assign to Metro for accommodation. There has to be some gross error introduced in this unnecessary precursor to this analysis, either in the amount of growth projected for the 4-counties, or in the capture rate, or in both.

Because there is no statement in any of the three Metro documents about what specific number Metro uses for average number of people per DU, one is left with having to deduce that number. In the second paragraph on Page 9 of Document 3, it states that population growth is expected to add 525,000 more residents, or a need for another **220,700 DU** when assuming a 4% vacancy rate. That makes the number of people per DU equal to **2.38**. An alternative would be to consider the number of 312,100 households converted from a population forecast of 744,200 to be the equivalent of DU, and divide that into 744,200, giving a number also equal to 2.38.

Using 2.38 people per DU for the DU capacity in the current boundary of **183,300** gives a total of **436,254 more people** that can be accommodated within the current UGB.

Now If one looks at only the **tri-county population growth** from 2000 through 2022 by using data in Appendix C of Document 1, it **totals about 431,500**, which is **less** than the total of **436,254** that can be accommodated within the current boundary. If one uses the 2000 census figure for the population in the tri-county region in 2000 of 1,444,219 instead of the figure of 1,420,220 for the year 2000 in Appendix C of Document 1, then the growth through



2022 is less, at about 407,500. In any case, the figure of 436,254 in population growth that can be accommodated within the current UGB more than covers the tri-county growth between 2000 and 2002. So there is no need for as much as 220,700 more DU. The DU capacity within the present boundary of 183,300 is more than adequate to provide for the relevant population growth through 2022. 3.

**And don't forget** that the actual population growth within the present UGB will be even less than shown above because those figures cover the growth within the entire land area of all three counties of the tri-county region.

**So the bottom line is that there is definitely no need to expand the UGB anywhere at this time to accommodate housing growth within Metro's jurisdiction through year 2022.**

To further emphasize the difference in growth rates when comparing data for just the tri-county region against that of a larger region including at least Clark County, one can refer to the table on Page 6 of the Executive Summary in Document 2. The table shows average annual percentage increases in population over 10-year intervals, from 1850 through 2030. Using just tri-county data in Appendix C of Document 1 and covering only the decades from 1970 through 2030 (six ten-year intervals), the average annual percentage increases become considerably less than those shown in the table, which are based on including Yamhill and Clark counties. **The lower percentage values are respectively 1.78, 1.20, 1.84, 1.26, 1.19 and 1.04 compared to the higher respective percentages shown in the table of 2.15, 1.31, 2.41, 1.77, 1.42 and 1.40.** (These percentages are what are shown in the March 2002 issue, but are respectively rounded off in the revised September 2002 issue as 2.1, 1.3, 2.4, 1.8, 1.4, and 1.4.) **Likewise, using Appendix C in Document 1, the absolute population increase numbers in each successive decade for the tri-county region are 169,692; 133,064; 236,791; 188,856; 202,616 and 197,058. These are accordingly lower than the higher respective figures shown in the table of 248,584; 179,969; 396,554; 359,451; 337,200 and 384,200 when including Yamhill and Clark counties.**

**Again, it's important** to always keep in mind that growth data for a county within the tri-counties is for the entire county and that growth within Metro's jurisdictional boundaries only include parts of the tri-counties. Thus, if data were available for absolute growth in population within just the boundary of Metro's jurisdiction, those numbers would of course be lower than absolute growth data for the entire counties.

\*\*\*\*\*  
**Properly Correcting both Past and Future Growth Numbers  
shown in Metro Documents**

In regard to more about past growth, the table of Figure 1 on Page 3 of Document 1, which is labeled as applying to five counties (Multnomah, Clackamas, Washington, Yamhill and Clark) shows an average annual percentage increase in population over the decade from 1980 to 1990 of 1.3% and from 1990 to 2000 of 2.4%. When using census data from PSU, and considering only the tri-county region within Multnomah, Clackamas and Washington counties, the growth rate from 1980 to 1990 is lower at 1.12% and from 1990 to 2000 it is lower at 2.09%. Similarly in Figure 9 on page 10 of Document 1, which again is labeled as applying to the same five counties, the growth rates shown there for each successive year between 1991 and 2001 become quite a bit lower if one considers only the tri-county region.



When looking at projections of population growth rates into the future, Figure 5a on Page 7 <sup>4</sup> of Document 1 shows the population at 5-year intervals, from 2000 to 2025, for four Oregon counties of Multnomah, Clackamas, Washington and Yamhill. Those population levels, when expressed as an average percentage annual increase over each of the 5-year intervals (five such intervals) are respectively 1.32, 1.261, 1.251, 1.20 and 1.12, which are considerably less than the 1.6 % average annual percentage increase that is said to be projected for the future by Metro economist Dennis Yee. If one removes Yamhill County from Figure 5a's Oregon counties, leaving only the three, then the above average percentage annual increases drop respectively to 1.28, 1.23, 1.22, 1.17 and 1.09.

Further in regard to future population projections, one can again refer to the County Population Forecasts by the Oregon State Office of Economic Analysis shown in Appendix C of Document 1. If one selects the tri-counties of Clackamas, Multnomah and Washington and totals the population of those three at each 5 year interval between 2000 and 2020 (four such intervals), one finds that the average annual percentage increase during each of those 5-year intervals are respectively 1.28, 1.23, 1.22, 1.17, 1.09 and 0.98. Again, all of them are much lower than the what Dennis Yee gets when including Yamhill County in Oregon and Clark County in Washington. These are what actually apply when using Appendix C of Document 1. An update of this county data is expected to be issued soon by the State Office of Economic Analysis, but from some preliminary information it will undoubtedly not be much different than what is shown in Appendix C of Document 1.

Dennis Yee says that a 20 year population (out to year 2020) is expected to rise 1.6% per year. When looking at Appendix C in Document 1, the tri-county population (Clackamas, Multnomah and Washington counties) rises only 1.24% per year over that 20 year period. Appendix C quite closely predicted the 2000 census total for Clackamas, Multnomah and Washington counties. It predicted it at 1,420,220. The census figure was 1,444,219, or only 1.7% higher. Therefore, I contend this lends a high degree of credibility for the projection of future growth in Oregon counties within Appendix C published by the State's Office of Economic Analysis.

\*\*\*\*\*

Again, when looking at properly projected future population growth within Metro's area of jurisdiction that lies within just the tri-county region, one has to conclude that there is no need to expand the UGB anywhere at this time, recognizing that there is adequate DU capacity within the present UGB to cater for the relevant and properly projected population growth through the year 2022.

*Robert J. Thomas*



When looking at projections of population growth rates into the future, Figure 5a on Page 7 of Document 1 shows the population at 5-year intervals, from 2000 to 2025, for four Oregon counties of Multnomah, Clackamas, Washington and Yamhill. Those population levels, when expressed as an average percentage annual increase over each of the 5-year intervals (five such intervals) are respectively 1.32, 1.261, 1.251, 1.20 and 1.12, which are considerably less than the 1.6 % average annual percentage increase that is said to be projected for the future by Metro economist Dennis Yee. If one removes Yamhill County from Figure 5a's Oregon counties, leaving the tri-counties, then the above average percentage annual increases drop respectively to 1.28, 1.23, 1.22, 1.17 and 1.09.

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\*\*\*\*\*

**Again, when looking at properly projected future population growth within Metro's area of jurisdiction that lies within just the tri-county region, one has to conclude that there is no need to expand the UGB anywhere at this time for housing, recognizing that there is adequate DU capacity within the present UGB to cater for the relevant and properly projected population growth through the year 2022.**

Considering how excessive Metro's figures are for projected population growth within its jurisdiction that lies only within Multnomah, Washington and Clackamas counties, it likewise means its projected needs for jobs and related lands for commercial and industrial within its jurisdiction must also be questioned as very excessive. As some also contend, there are already considerable amounts of commercial and industrial facilities within Metro's jurisdiction whose use has either been scaled way back or have become unused or abandoned. Those can be seen as a resource to be fully utilized first before looking for more lands to develop for commercial or industrial purposes.

*Note: This page ends with a paragraph on the subject of jobs and lands for commercial and industrial not included on my prior submitted page 4.* Robert J. Thomas



Amended

December 5, 2002

2nd submission 12/5/02

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

Metro Council

Re: Urban Growth Hearings 12/5/02, which may concern Ordinances  
 Preliminarily Numbered: 02-969<sup>A</sup>, which includes Study Area 94 and others,  
 and 02-987<sup>A</sup>, which includes Study Area 85, and perhaps others.

*and 02-985A, 92-986A, 92-983B + 92-984B*  
 On behalf of three entities, myself, the Forest Park Neighborhood Association and  
 the Friends of Forest Park, I hereby request written notice of any final action  
 taken concerning a decision of whether or not to expand the Urban Growth  
 boundary, whether by means of the subject ordinances, or by other actions,  
 differently constituted or numbered, which are adopted or rejected pursuant to  
 the proceedings of which the subject hearings are a part.

I am the vice-president of the Forest Park Neighborhood Association and have  
 previously appeared on it's behalf, and do so on this date orally and in writing. I  
 am a member of the Friends of Forest Park, and am authorized by its Program  
 Director, to appear and make this request for notice on its behalf.

Arnold Rochlin



December 4, 2002

**Subject Re: Request to WITHDRAW Study Areas 84-87 and 94 from UGB (Ord. 02-969).**

**TO: Metro Board Members and Portland City Council**  
**FROM: Dennis and Jan Burkhart**

**Stop unneeded Urban Growth Expansion. Hold the UGB line at Springville and Kaiser Roads. DO NOT INCLUDE STUDY AREAS 84-87 AND 94 INSIDE THE URBAN GROWTH BOUNDARY.**

Our reasons are as follows, please consider:

The current 2001 UGB areas in the Portland Metro Region allow for sufficient creation of newly constructed Urban Structures within the existing boundaries. Fill in the current UGB with dense urbanization, prior to expanding the boundary. The infrastructure currently exists to do this.

Inclusion of Study Areas 84-87 and 94 creates a nightmare because of lack of Infrastructure for expansion. No high traffic roads exist, or utilities to accommodate dense Urban Growth as mandated by the UGB.

The current economics of the Portland Metro Area, in our opinion, are not demanding Urban Growth Expansion. There are numerous newly completed homes, as well as buildable lots, and respectable homes for rent, that have been on the market for many months in areas adjacent to Study Areas 84-87. No Buyers - No Market - Why is there a need to expand the UGB?

We rely upon the board to make reasoned and thoughtful decisions regarding the future of our community. Forest Park is one of Portland's most important features, one that has little equal in the rest of the country. Study Area 94 should be taken out of the Urban Growth Boundary. Study Area 94 serves as a buffer to urban encroachment for the citizen's Forest Park. Open Space is necessary to maintain the Doanes Creek and Saltzman Creek watersheds. Forest Park currently serves as an important wildlife corridor for the state of Oregon. Do not allow development to impede these natural processes.

The soils and geographic aspects of Study Area 94 would be an extreme challenge to create dense urban population facilities. 25% slopes on loess soils do not bode well for dense human population residences. Recent experience shows us that these areas will slide.



Study Areas 84-87 should be re-examined as viable productive agricultural opportunities. We have attended several community meetings in which the residents of SA 84-87 have shared proven profitable existences from their agricultural businesses. Granted the soils are not the best, but these study areas are currently the "Garden Baskets", serving the Urban area with necessary products. These businesses currently provide viable products and services to a substantially large area. Remove these businesses and the Urban residents of both Multnomah and Washington Counties, will be driving farther west (being forced to use more petro chemicals) to meet their same urban resident needs. Why change what works well?

Study Areas 84-87 currently have an esthetic value that will be lost forever. It is hard to value, but fore vision is necessary. Study Areas 84 - 87 are becoming a culturally historic gem of the Portland Metro Area. For many they are a visual break from the monotony of PUDs, condos, and suburban tracts.

Shared with the entire Metro Area, driving these tiny, curving roads provides a mini vacation from urban sprawl. Someday this area will be on the Driving Tours of the Metro Region. The psychological relaxing and mind clearing that occurs while in these areas, has a value. We feel that in future year's residents from across the Metro Region will applaud the Metro Board for having the foresight to PRESERVE Study Areas 84 - 87 as they now exist. DO NOT ALLOW URBAN EXPANSION TO RUIN THIS CULTURAL GEM.

Thank you for your thoughtful consideration. We want to keep the Portland Metro Region the outstanding place it is.

Very truly yours,



Jan & Dennis Burkhart  
14735 NW Ash St.  
Portland, OR 97231  
Residents inside the UGB, in the City of Portland.



Corinne Bacher  
7547 NW Skyline Blvd  
Portland OR 97229  
December 5, 2002

To the Metro Council

Re: Ordinance 02-969

Please include this letter in the written record and send me notice of the decision.

I would like to object to the inclusion of any additional land into the Urban Growth Boundary at this time. As a nation we have been experiencing a recession after a period of tremendous, and in many cases illusory, economic growth. As I am sure you are well aware Oregon has been hit harder than almost anywhere else by this downturn. Your population forecasts are, of necessity, projections of past circumstances into the future. However, there has been a very abrupt change in the economic circumstances of the area, and that has changed housing needs dramatically. I would suggest that to incorporate over 20,000 acres, five times the amount of land incorporated five years ago is very inappropriate at this time, and that the Council would more effectively spend its time as a force for using the land already incorporated more wisely and effectively.

I was fascinated by the testimony of the Beaverton School District representative last Tuesday. He spoke of the schooling crisis in Beaverton, and the urgent need to build new schools. Contrast this with two points. First, that just a few years ago Beaverton was selling off its school buildings, citing declining enrollment, and second, that Portland Public schools is currently in that same position, with declining enrollment, and the reality that many schools are not being filled. An endless cycle of building and decommissioning infrastructure is an absurd waste of time, money and human energy.

Metro does not owe developers a living any more than it does any other members of the community. There are creative, responsible developers who are making a good living reusing old industrial buildings, and turning them into highly desirable housing for a highly diverse audience. Older homes are being carved up into affordable condominiums. There is an increasing emphasis on mixed-use development with retail, office and residential all occupying the same structure. The suburban model of housing is simply not sustainable on any level any more. With our current economic downturn municipalities do not have the resources to plan and then supervise the addition of thousands of acres to their areas. The reality of the situation is that suburban developers then conduct the planning instead. In a very painful lesson for the community, developments like Forest Heights and elsewhere have proven, time and time again, that developers of raw land rarely concern themselves with the best interests of the community. The development community has consistently shot down any legislative efforts to get developments to carry their infrastructure weight. So the rest of us are supposed to pay for schools, along with sewers, roads water lines etc., etc, that are, in the greater sense, redundant, so that developers can keep putting up houses on raw land.

I urge the council to recognize that the Metro area is 3-dimensional, that there are numerous under-utilized areas already in the urban growth boundary, and that there are development models that sustain population and economic growth without continually expanding into new lands to do so. I further urge that the Council, in recognizing these realities votes against any further expansion of the Urban Growth Boundary.

Sincerely,

Corinne Bacher



Fred Bacher  
7547 NW Skyline Blvd  
Portland OR 97229  
12/5/02

To the Metro Council

Re: Ordinance 02-969

Please include this letter in the written record and send me notice of the decision.

My concern with this ordinance is the inclusion of Study Area 94 in the recommended expansion of the UGB. I am a land owner in Area 94. While it may be reasonable that parts of Area 94 should be in the UGB eventually, the process by which the addition is happening in this ordinance is wrong.

Regarding this Study area, there has been a public process, and a hidden process. The public one included many public meetings and hearings, a proposal by the Executive Officer, and published maps and documents in the newspaper and mail describing the process. All public discussion, published proposals, and Metro staff reports put Area 94 at the bottom of the list through early November. Then, by actions on November 20/21, it was added to the above ordinance. Testimony in the minutes for the 11/21 meeting is all negative regarding adding Area 94. I can find nothing in the record supporting it. So there has been some hidden process promoting Area 94.

By all its published documents throughout 2002, Metro has given the public a reasonable expectation that Area 94 was not being considered at this time. Along with the published documents, there was a sentence saying that any study area might be included, and if it was, area residents would be notified. However, this notification would be after the fact. The Executive Officer's recommendations are not binding on the Council, but they do carry a large weight in the public's mind since the Council chooses to publish them so widely. No alternative recommendation was published by the Council until the most recent meeting, and that was only contained in the meeting minutes. Moreover, the Meeting Agenda and packet for today's meeting contains no Findings or staff recommendations regarding Area 94. It does contain amended Metro code documents regarding how Metro determines UGB expansion. So Metro is substantially changing things as it proceeds - and not allowing adequate input by local officials or residents.

There has been no adequate opportunity for the public to respond to the idea of including Area 94, and similarly there has been no adequate opportunity for the City of Portland to respond. I believe the City will enter testimony today, but no one has Findings or staff recommendations to review. Because of the lack of time to review and discuss this proposal, the Council should remove Area 94 from this ordinance and consider this study area during the next cycle of periodic review. Also, Metro should extensively consult and work with the City of Portland regarding this land to resolve any planning issues.

By voting for inclusion of Area 94 at this time, you are taking action to urbanize the Forest Park area. This vote will mandate that the City of Portland develop an urbanization plan including sewers. Sewers will lead to higher density. Higher density on these slopes will lead to landslides, erosion into streams, and habitat destruction. Tim O'Brien's memo on 94 indicates three fourths of it is slopes greater than 25%. You are voting for destruction of forests and streams. Ask yourself: do you want to be remembered as the Council member who voted to urbanize Forest Park?

Sincerely,



Fred Bacher



Metro Councilors:

Please consider the Stafford Triangle for inclusion in the UGB.

We need employment lands in Clackamas, **VIABLE** employment lands whose infrastructure is possible to build.... (Stafford versus Damascas).


On December 9<sup>th</sup>, other metro and regional areas will enter the "competition" at the Convention Center for a **biotech** facility. Will **Stafford** be able to go? We have the most available (non-farm) lands for a perfect **site**, closest **freeway access** and most **suitable demographic** to staff a facility such as this.

I read the article in this week's Oregonian about including prime farmland for Hillsboro so they will be ready for more high-tech development. We do **not** have prime farmland here, so please do not exclude Stafford from our chance to be included in plans for biotech development right here.

**Employment, employment, employment.**

Don't leave us out. We want to **choose** the kind of growth we get... **professional commercial** to employ our neighbors in West Linn and Lake Oswego.

Thank you,

  
Robbin Stewart  
Stafford Triangle, Oregon



December 5, 2002

Metro Council  
600 NE Grand Avenue  
Portland, Oregon 97232

RE: Urban Growth Boundary modifications

Dear Councilors,

This letter is to urge you to modify the Draft Ordinance No. 02-969 to WITHDRAW Study Areas # 84, 85, 86, 87, and 94 from inclusion in the Urban Growth Boundary expansion.

In late September, 2002, we were told at a meeting by Councilor Rod Park that Area 94 was studied, but WOULD NOT be included in a UGB proposal because it DID NOT MEET the technical criteria Metro uses to determine suitable urbanization. Councilor Park stated that the area was only studied to meet regulations regarding studied parcels, and because the terrain of the area which is not suitable for high-density housing, because of slopes and watershed issues, it wouldn't be considered for inclusion. It is our understanding that aerial photos were used to contend that area #94 was suitable for high-density housing. From our own experience of subdividing a parcel on Skyline in order to build a house in 1997, aerial shots of the area are deceptive because of the tree canopy. We were required to prove to the City the existence of a ravine on our lot which is not suitable for building on, and is also a water source for Bronson Creek on the west side of Skyline. USGS aerial surveys showed this area as flat. Over 50% of Area #94 was shown to include slopes and more than 25% feeds the Saltzman and Doanes Creek watershed. Development on the east side of Skyline would also affect the Bronson Creek watershed on the west side as many of the peak elevations which create the headwater streams for this watershed originate there. We have an example of this on our parcel. Also of note is the fact that all of the slide damage along Skyline in area #94 from the flood in 1996 originated on the east side.

Area # 94 is mostly woodland directly adjacent to Forest Park. Urbanization of this area would impact the ecosystem of Forest Park. This ecosystem must be very sensitive, as neighbors we have on the west side of the road, who border Forest Park, were required to do an extensive environmental study before completing a garage on an existing foundation. Our own parcel includes areas zoned RFp and RFc, with stringent environmental regulations imposed. Again, inclusion of adjoining land in the UGB will adversely affect these zones, and threaten wildlife including the endangered red-legged frog.

Through roads in the NW Rural Area are totally unsuited to receive any additional traffic, especially in winter - not only locally, but also at transition points such as NW Germantown/Bridge Ave. and NW Cornell/Lovejoy/25<sup>th</sup>. There is no public transit provided or anticipated along Skyline Blvd., where the nearest transit is 4 to 5 miles away. Area #94 was considered the least suitable for urbanization based on the technical criteria developed by Metro staff: efficient land-use, protection and restoration of natural resources, balanced transportation, diverse housing options for residents and creating a vibrant place to live and work.

Areas # 84 - 87 have a high proportion of EFU land, much of it actively farmed. One limited-service bus line runs through part of Bethany, about a mile from the far edges of Areas # 84 - 87.




All these areas are critical to wildlife and to the health of year-round stream corridors. Metro's own 2002 Wildlife Habitat and Riparian Areas maps delineate much of the land within these Study Areas as Significant. These lands are prime border and upland areas for adjacent habitats of even higher significance, such as the Abbey Creek bottomland. There can be no doubt that if # 84-87 and #94 are urbanized, loose dogs will replace elk, bobcat, and coyote as the major mammals; starlings will replace songbirds; rats and opossums will replace small mammals - all in a zone well beyond the UGB.

Every dollar spent on private development and public infrastructure to urbanize farm and forest land, is a dollar NOT available to renovate, redevelop, maintain, and enhance existing urban areas. The monetary self-interest of a few landowners should not affect the Metro Council's decision. You should listen to the many NW Rural residents who, with no financial stake, want to preserve the productivity and wildlife values already present in our area.

Thank you for considering this input. Please keep posterity in mind.

Sincerely,



Lise Storck  
Andrew Comeau  
6021 NW Skyline Blvd  
Portland, OR 97229



December 2, 2002

Metro Council  
600 SE Grand Avenue  
Portland, OR 97232

503-  
1048-0609  
Wash. Co.  
Farm Bureau  
LMTC 12/18/1:10a

Subject: Testimony in opposition to Proposed Urban Growth Boundary Expansion

Dear Metro Councilors:

Now that the areas of the proposed UGB expansion are becoming more defined, we wish to once again express our opinions in opposition to the proposals concerning the land that is designated "Exclusive Farm Use".

The Farm Bureau has always favored not to be "site specific" in deliberations over UGB expansions, as in "it's all right here but not over there," and be opposed to all expansions, be they for residential or industrial, onto EFU land in general. We will not vary from that position, now. Any amount of land lost now will never be recovered to its current use; all development is permanent. Again, we would like to state the Oregon Farm Bureau policy:

"Any boundary expansion on land protected under Goal 3 must not impair the agricultural environment and infrastructure need to produce food and fiber for future generations. In no case should the expansion of a UGB occur on land that is predominantly irrigated or non-irrigated soil classes I, II, and irrigated classes III and IV in western Oregon....."

We understand there now are four areas under consideration in the Bethany area. Two are defined as exception land and could be taken in. The other two are EFU's, which are now included so that their land could provide the services needed for the exception land under some "special needs provision". That is a very lame excuse for playing "leapfrog" to get to developable land at the expense of good farmland. Using that brand of logic, nowhere would be safe from sprawl.



We also wish to voice our disapproval of the recent committee vote to include 200 acres of farmland bordering Evergreen and Shute Roads for a future industrial use site. There is an industry there already. It's called farming. As long as people are going to eat, it is a pretty important industry, too. And once again, there seems to be no consideration for a barrier, be it natural or otherwise, for the separation of commercial or residential land to be apart from agricultural lands. By crossing Evergreen and Shute Roads, the UGB will be nothing more than a "line in the sand", making any future expansions easier to get approval. Granted, roads don't make as good a barrier as a creek, wetland, or a grove of trees, but they are better than nothing.

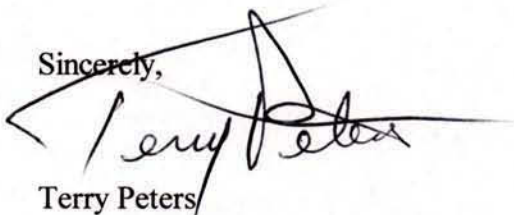
The same could be said of the two proposed area north of Cornelius. What could be a better barrier than Council Creek? By crossing the creek with this expansion, there will not be another natural barrier until miles of farmland are crossed.

If these or any other proposed expansions onto EFU land meet the council's approval, I can assure you that the Washington County Farm Bureau along with Oregon Farm Bureau will appeal that decision. We cannot sit idly by and watch the counties productive agricultural land base be eroded any further.

I had sent a letter, dated Sept. 24, 2002, first stating our opposition to these boundary expansions. We would like to re-submit that letter as testimony also at this time.

I hope you will see clear to save both our sides a lot of future work and vote "no" on any EFU land taken into the boundary. Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Peters", is written over a large, stylized, handwritten letter "A".

Terry Peters

President, Washington County Farm Bureau



September 24, 2002

Metro Council  
600 SE Grand Avenue  
Portland, OR 97232

Re: Proposed Urban Growth Boundary Expansion

Dear Metro Council:

We have reviewed the Executive Officer's proposed urban growth boundary expansion for the 2002-2022 time period. We commend his efforts to minimize its impact on farm land.

As you may be aware, Oregon agricultural production was valued at \$3.7 billion in 2001. Including value added processing and related goods and services, the industry produced \$9.1 billion. And agriculture *is* an industry, and a growing one. The economic activity and jobs supported by agriculture accounts for 8% of state jobs and 7% of the gross state product. That is a greater portion of the GSP than transportation, electric/gas/utilities, recreation and lodging and many more. Oregon leads the nation in the production of grass seed, filberts, Christmas trees, peppermint, caneberries, and potted florist azaleas.

Two of the top five agriculture-producing counties in the state are Clackamas and Washington counties. The highest-value agricultural commodity for the past few years has been in the nursery business, which is produced primarily in the three Metro counties. 60% of the Port of Portland's total tonnage is agriculture. In value, it is second only to high-tech in exports. Agricultural exports increased 4% from last year. Twenty percent of Oregon's prime farmland is in the Metro counties.

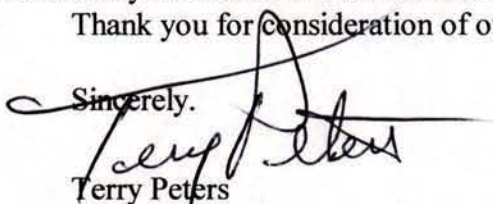
Therefore, the Washington County Farm Bureau is always concerned when our irreplaceable land base is eroded. The Oregon Farm Bureau policy is as follows:

"Any boundary expansion on land protected under Goal 3 must not impair the agricultural environment and infrastructure needed to produce food and fiber for future generations. In no case should the expansion of a UGB occur on land that is predominantly irrigated or non irrigated soil classes I, II, and irrigated soil classes III and IV in western Oregon...."

We understand that the Bethany area proposed for expansion includes such farmland. To urbanize this would be contrary to Farm Bureau policy, and would begin the compromise of agriculture in that area. We also understand that it is possible to provide services to most of the nearby exception areas without crossing the farmland. Therefore, we ask that you remove this farmland from the proposed UGB expansion.

Thank you for consideration of our comments.

Sincerely,



Terry Peters  
President, Washington County Farm Bureau



13900 NW Old Germantown Road  
Portland, Oregon 97231  
503-283-4096  
December 5, 2002

Metro Council  
600 NE Grand Avenue  
Portland, Oregon 97232

Dear Councilors,

With reference to Ordinance No. 02-969, I am opposed to Study Area 94 being inside the UGB. Development of it is an absurd proposition when you consider the slope, drainage (both for runoff and sewers,) and effect on Forest Park. The effects cannot be perceived accurately from a map, or even an aerial photo - both of which are flat.

You are up against a State-imposed deadline. Yet in Area 94, and many other other areas, you may not have clarity about details of the terrain. You cannot be sure of population projections, and the jobs/housing balance is changing with the economy. The ability of local jurisdictions to provide services and schools is doubtful. Neighborhoods full of constituents have mobilized to oppose the development desires of a few landowners. About the only thing you can say with certainty is that development drives out wildlife, degrades streams, and terminates farming.

A UGB boundary change is essentially irreversible. Considering all the points of dispute and issues with unclarity in certain areas (including #94,) it is better to leave doubtful areas OUT of the UGB.

Thank you for the opportunity to testify.

Sincerely,



Jim Emerson



Metro Planners  
Land Use Planning Division  
Metropolitan Service District  
Portland Oregon

August 20, 2002

Dear Sirs;

Subject; 124<sup>th</sup> Ave and Laidlaw Road  
Study Area 92

I own a 3 Acre parcel of land in the Study Area 92 which was zoned 2 Acres for a buildable lot when I purchased it in of September of 1958 and have owned the property for 44 years and have paid taxes all of this time. I have tried to build on the property since I purchased it and have never gotten approval.

Essentially the County, Metro, and LCDC have passed dozens of regulations creating more barriers that essentially make my property useless and in effect has taken the property away from me without compensating me for it.

My property is less than 300 feet from Washington County where the current zoning is 6 houses per Acre and about one half mile from the existing Multnomah County UGB.

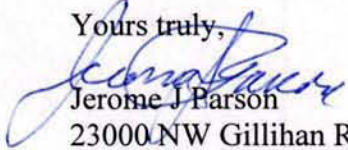
In 1956 Multnomah County issued a building permit to Mr. U. S. Larson who built his house on his lot and later the County declared the tract as an illegal subdivision. There are 10 unrelated property owners in a 40 Acre tract that approached the County in an effort to get 7 building sites approved and after spending thousands of dollars had to withdraw their application as Multnomah County brought up hoop after hoop to jump through and now the zoning requires 20 acres per homesite.

If this parcel is included in the Urban Growth Boundary the regulations created by the Administrative Rules would be less restrictive and allow us owners to have the intended use of their land.

This parcel of land is in a small strip of land approximately 2500 feet wide separating the Portland Urban Growth Boundary from the Washington County Urban Growth boundary And it makes no sense to have substantially different rules in this "No mans Land".

I respectfully request you consider including Study Area 92 into the proposed expansion of the Urban Growth Boundary, so we can build on our property.

Yours truly,

  
Jerome J. Parson  
23000 NW Gillihan Rd  
Portland Oregon 97231





**MULTNOMAH COUNTY**  
**LAND USE PLANNING DIVISION**  
1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233  
PH: 503-988-3043 FAX: 503-988-3389  
<http://www.co.multnomah.or.us/lup>

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## NOTICE OF WITHDRAWAL OF 7 LOT SUBDIVISION APPLICATION

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This notice concerns receipt of a request by the applicant to withdraw their application for a proposed 7 lot subdivision and planned development. The case was under review by the Hearings Officer at the time of the request for withdrawal. No decision has been issued by the Hearings Officer and all progress toward a decision is stopped. You are receiving this notice because you were given notice of this proposal earlier, participated in the review process by attending a public hearing, and/or submitted comment.

For the next year, any subsequent reapplication for development on this subject property would be subject to the limitations found in Multnomah County Code section 37.0650.

Case File Numbers: **PD 0-1 and LD 0-10**

The case has been under review by County Hearings Officer Liz Fancher.

If you have any questions about this notice please contact Gary Clifford with the planning staff.  
Telephone 503-988-3043, or  
Land Use Planning Division, 1600 SE 190th Avenue, Portland, OR 97233.

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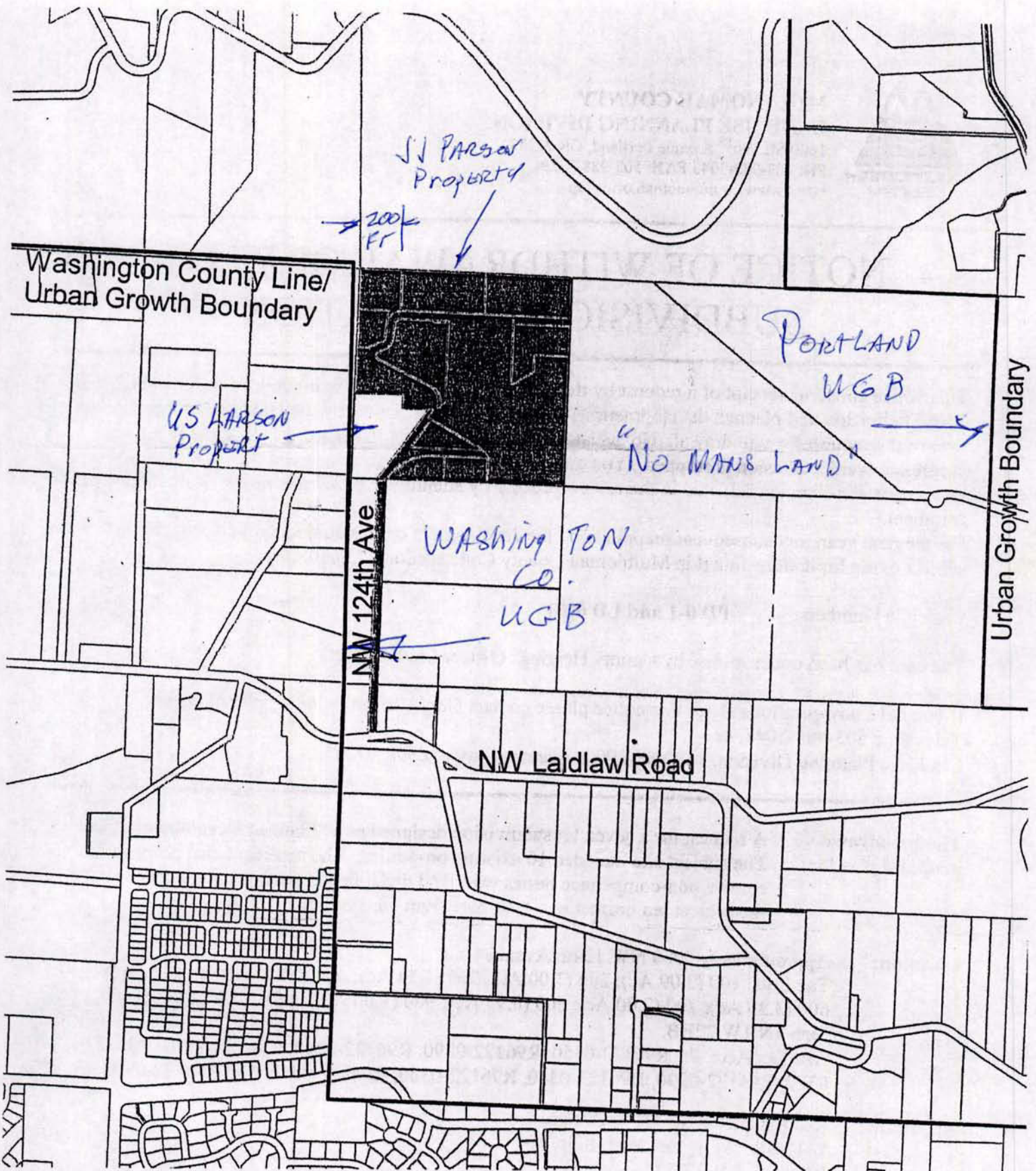
**The withdrawn proposal was for:** A request for a seven lot subdivision designed as a "Planned Development."  
The subject site included 10 existing properties. The applicant also proposed to resolve non-compliance issues with land division and zoning standards involving the subject ten properties which date from the 1960's.

**Location:** Approximately 5000 NW 124th Avenue  
Tax Lots: 100 (3.09 Ac); 200 (3.00 Ac); 300 (1.54 Ac); 400 (0.89 Ac); 500 (19.26 Ac); 600 (3.35 Ac); 700 (2.00 Ac); 800 (0.93 Ac); 900 (1.00 Ac); and 1000 (1.01 Ac) on Map 1N 1W 22BB.  
Alt. Tax Acct. #s: R96122-0350, R96122-0290, R96122-0280, R96122-0270, R96122-0320, R96122-0390, R96122-0340, R96122-0360, R96122-0310, and R96122-0300.

**Applicant:** Read Stapleton, of WRG Design, Inc.  
5415 SW Westgate Drive, Suite 100  
Portland, OR 97221  
representative for all the listed property owners

**Property Owners** HGW, Inc., Debbie Endicott, Tom Nash, Marlene Fleischman, James Hutchins, Wesley Knauf, Bob Minshall, Jerry Parson, and Wendy Reimann





**Notice to Mortgagee, Lien Holder, Vendor, or Seller:**

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.



120502C-55

## Ralph and Karen Henkhaus Testimony to include section 93 property in the UGB

- Recommendation to include 17 acres (4 Tax Lots) Part of section 93.
- Address
  - 10511 NW Laidlaw Rd
  - Portland, OR 97229
  - 503.297.5934



# Summary

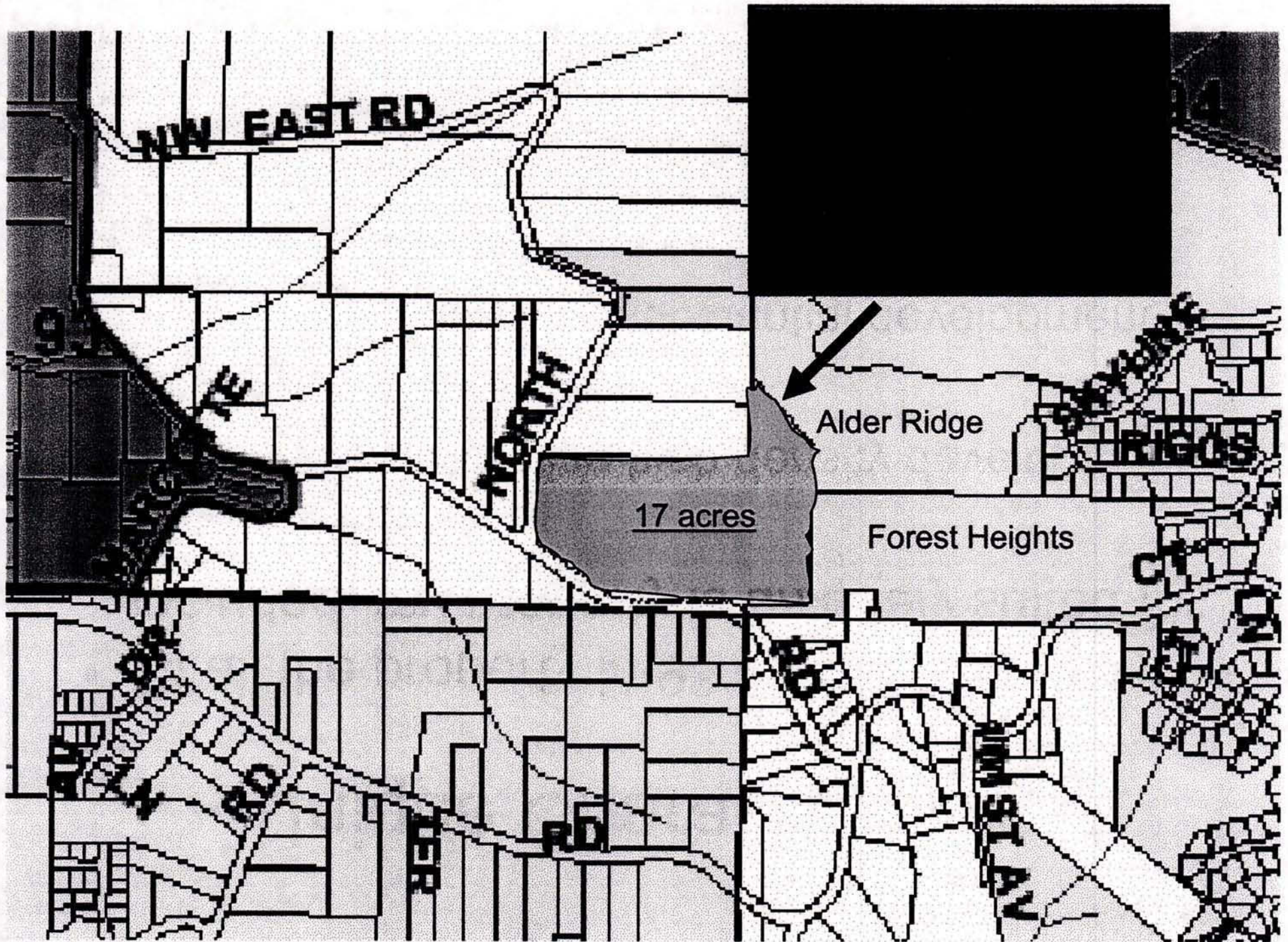
- As established in my written testimony submitted in October, My property is easily as good a candidate for inclusion as Bethany, lower 93 or 94.
- Including most of 93 while excluding my property does not particularly support Metro's UGB goals and it takes away from the rural character of my property.
- Testimony in October indicated that the rugged upper part of 93 was not suitable for bringing in utilities.
- My property is not rugged, has no issues with utilities and can easily be included in the UGB and developed with no disturbance to the rugged upper areas.
- I respectfully request and recommend that you include my property in the UGB.



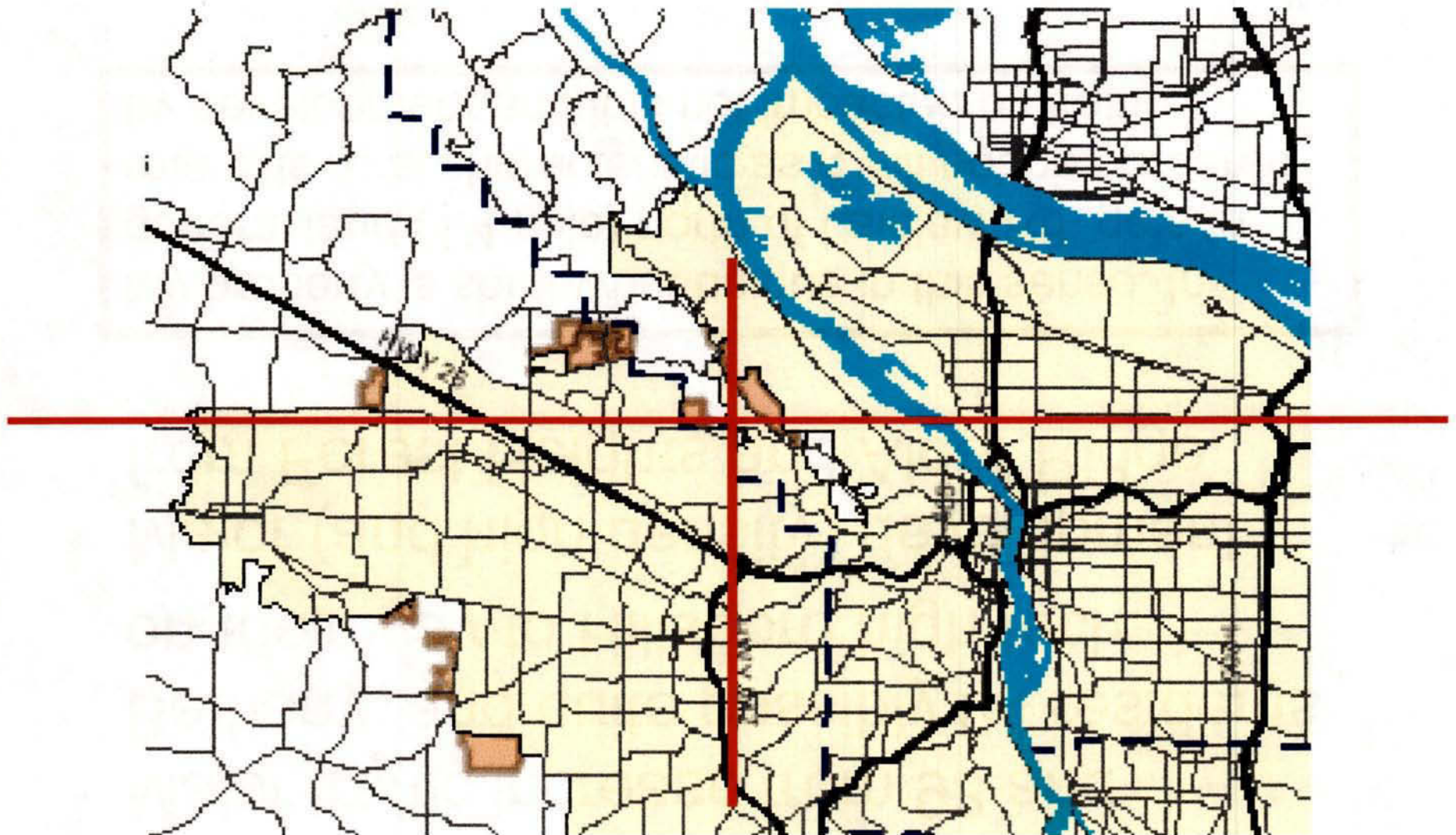
# Unique Characteristics

- Of all the property in 93 that was NOT included, my property is *uniquely* suited for development.
  - Borders an existing high density development.
  - Borders Laidlaw Rd
  - Is large enough for substantial development
  - Has no stream
  - No major rugged or inaccessible terrain.









- East/West axis is solid development Hillsboro to Gresham and South to Tigard
- Impacts rural character with noise and traffic.
- Bethany and 93 will put more traffic on Laidlaw.



## Development impacting rural characteristics of the Henkhaus Property

- Major traffic increase from 93 and Bethany; and quite possibly 94 residents on their way to Hillsboro high tech.
- Major (and high density) development from Forest Heights and Alder Ridge.

My property is somewhat unique in this sense. In general land (1/4 mile) north of Laidlaw Rd. gets to retain its rural characteristic as it will not be bordered by development and it is not impacted by traffic.



## **What about the testimony that much of the upper part of 93 is too rugged to easily bring in utilities?**

- That is true. And it should not be brought in.
- **However, Bringing utilities to my property is not an issue.**
  - Phone, gas, water, electric are all there.
  - The property borders Laidlaw and North Roads so if desired a hookup with the lower 93 sewer could easily be made without moving a shovel of soil in the more rugged areas of 93.
  - There is also the possibility of servicing the sewer from Forest Heights. (see testimony Exhibit)



# The question for the Council

- Given
  - My property's ease of development
  - The ability to develop it with no environmental disturbance to the rest of 93.
  - The fact that it already borders two high density neighborhoods
  - The fact that there is no hope of maintaining its rural characteristic.

Does it make sense to stop the UGB 1200 feet from my property?

**I respectfully say it does not** and I request that you include it with the portion of 93 that has been recommended for inclusion.



**What follows is Testimony  
submitted at the Oct 29 Meeting  
(it was copied to Rod Park and Tim  
O'Brien)**



## Arguments in favor of including the Henkhaus Property in the UGB

Owners of the property being referred to:  
**Ralph and Karen Henkhaus**  
Address of the property being referred to:  
10511 NW Laidlaw Rd.  
Portland, OR 97229  
**503.712.6012**

- The property includes 17 acres (4 tax lots) in Study area 93. All are adjacent to the UGB.
  - Easily buildable, includes road frontage on Laidlaw and North Rds.
  - Could easily be developed as an extension to Alder Ridge or Forest Heights.
- One of the tax lots (2 acres) is already inside the UGB. See exhibit #3
- Sewer service is readily available. See exhibit #2
- The property is adjacent to two major new developments (Alder Ridge, Forest Heights) See Exhibit #1
- Power, Phone, Natural Gas, Water utilities are all in place.
- Helps control Urban Sprawl
  - Of all the study areas, this location is one of the top two in terms of proximity to down town Portland.
  - Very easy access to the high tech areas of Beaverton and Hillsboro.
- Schools are in place (Sunset High, Findley, Stoller) and the bus stops in front of the property.
- There are no conflicts with farmland, old growth, or environmental sensitivities.



**HGW, INC.**

ONE FINANCIAL CENTER  
121 S.W. MORRISON, SUITE 950  
PORTLAND, OREGON 97204  
TEL 503-227-6593  
FAX 503-227-7996

*Exhibit  
# 1*

September 9, 1996

Mr. Ralph Henkhaus  
10511 NW Laidlaw Road  
Portland, Oregon 97229

Dear Ralph,

Further to our telephone conversations, I have enclosed a print of the topographic study Otak Engineers prepared to show how your property could be served by a sanitary sewer. The proposed sanitary sewer would extend from Thompson Road, up Laidlaw to your property and from there north between your Lots 1 and 26. The sewer would be placed parallel to an existing easement.

The enclosed plan shows that the majority of your property can be served by the sanitary sewer.

We would like to continue our discussions regarding the securement of a sewer easement and after you have had a chance to review the enclosed plan, I'll call you. We do understand that you are extremely busy and we appreciate the time you have given us.

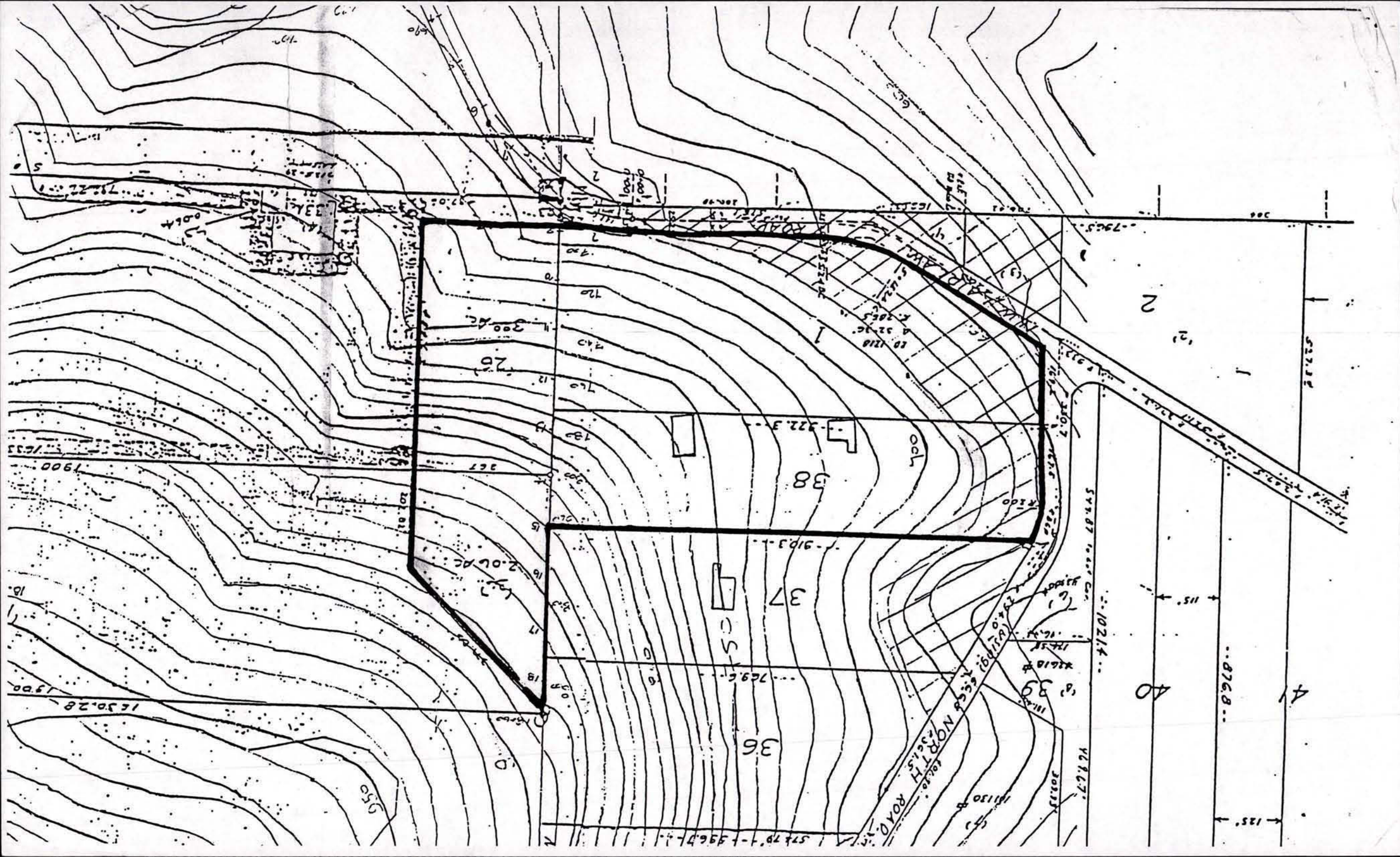
Sincerely,



Larry C. Porter

Encl.







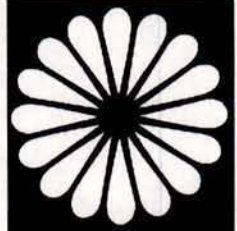
**NORTHWEST  
DISTRICT ASSOCIATION**

1819 NW EVERETT STREET #205

PORTLAND, OR 97209

503.223.3331

coalition@nwnw.org

**NWDA**

December 5, 2002

Rod Park, Councilor District 1  
Metro  
600 NE Grand Ave.  
Portland, OR 97232-2736

**REF: Proposed UGB Expansion Area 94**

Dear Councilor Park;

The Northwest District Association opposes including Area 94 in the proposed UGB expansion in support of the Forest Park Neighborhood Association because:

- Area 94 does not meet the Metro's criteria for inclusion,
- does not meet the goals of the UGB expansion, and,
- furthermore, will adversely impact Portland's premiere natural resource area.

Thank you for the opportunity to comment on this issue of utmost importance to the livability of our area and the sustainability of its natural resource values.

Respectfully,

Sandra Diedrich, Chair  
NWDA Parks and Recreation Committee  
in behalf of the NWDA Board of Directors

cc: Frank Dixon, President, NWDA



December 5, 2002

My name is Carol Chesarek, and I have lived on Germantown Road between Kaiser and Skyline for almost 10 years. I want to say first of all that Study Area 94 should not be added to lands within the Urban Growth Boundary for a long list of reasons that other people have and will continue to cite. But I want to focus my testimony on Study Areas 84, 85, 86, and 87, and ask "Why did the bobcat cross the road".

I was driving home on Kaiser road one day, when I came out of the trees and around the corner where Kaiser drops down across the Washington County line and crosses Abbey Creek. Some slight motion next to the road caught my eye, and there was a tawny feline face with tufted ears looking back at me. Then, as the cat turned off into the underbrush, I saw a stocky body much larger than any housecat, followed by a stubby tail. He was only in view for a couple seconds, but it was clearly a bobcat.

A couple years ago, in the same spot, I realized barely in time that a buck deer had come out of the underbrush and was racing, literally against the front driver side bumper of my car, to cross in front of me. I hit the brakes just in time, and he bounded the rest of the way across the road and into the trees along Abbey Creek. Other less fortunate deer have ended up dead along the road in the same spot.

And this last summer, on my way down Germantown Road, I noticed a herd of about 20 elk grazing the lowlands along Abbey Creek a short distance from Kaiser Road.

It's clear that this portion of Abbey Creek, where it crosses Kaiser Road just north of Washington County is used as a wildlife corridor by a number of large mammals. Metro's own 2002 Wildlife Habitat and Riparian Area maps delineate much of this area as Significant. But much of the habitat currently available to these animals is included in Study Areas 84, 85, 86, and 87 that have been proposed for inclusion within the Urban Growth boundary.

As I stated in the testimony I submitted via email, these animals clearly tolerate the low density farmlands that surround their habitat today, but it's doubtful that they'll continue to use the riparian habitats along Abbey and Rock Creeks in these Study areas if these farmlands are replaced by suburban housing with the accompanying noise, traffic, loose dogs, and other human intrusions. I understand the justification for bringing some farmlands into the UGB, but it seems to me that farmlands that provide valuable buffers to significant riparian areas and wildlife habitat shouldn't be the first choice. Metro's own Technical Report for Goal 5 details the negative impacts of urbanization on riparian and upland habitats, as well as the positive value of connectivity, proximity to water resources, and buffers in the planning guidelines for upland wildlife habitat such as that contained in Study Areas # 84 - 87. The Technical Report for Goal 5 also states that it is much cheaper to protect existing habitat than to attempt to restore it once it has been degraded.

What Metro really needs is a long term plan showing the riparian and wildlife habitats that are worth protecting in perpetuity so we can protect them instead of chipping away at them. And what that Bobcat needs is to have his habitats excluded from the UGB until we have a comprehensive plan in place to protect it.

We know why the bobcat crossed the road. He crossed to get to the habitat on the other side. Please preserve this habitat in Study Areas 84, 85, 86, and 87 for the bobcat and the other wildlife that need it.

Thank you.

Carol Chesarek  
13300 NW Germantown Road  
Portland, OR 97231



Submitted by Dirk Knudsen

- DEC 5, 2002
- METRO COUNCIL OFFICE

DEC 05 2002

pat

1:45 pm

RE: UGB TESTIMONY

AREA 83, 84, 85, 86, 87

Public Commentary  
For Public Record.

02-Ordinance 987A





# LAND TECH INCORPORATED

**LTI**

Engineering • Surveying • Planning  
and Environmental Consulting

October 29, 2002

Metro Counselor  
600 NE Grand Ave  
Portland, OR 97232

Re: Holcomb Gardens Property

Dear Counselor

You were previously provided with a package for the Holcomb Gardens property located at the northwest corner of the intersection of 185<sup>th</sup> Avenue and West Union Rd. In that package we provided information on existing utilities and benefits that could be provided to properties already within the UGB. The primary benefit would be that of providing sewer service to approximately 28 acres of land owned by Portland Community College.

In addition to our initial findings we have now reviewed Metro's Recommended Areas for UGB Expansion, in particular areas 84 and 85. We have reviewed these areas with respect to sewer service availability. Our research indicates that these areas will be serviced from existing sanitary lines in NW Springville Rd. These existing lines are approximately 8 to 9 feet deep. Our preliminary research indicates that approximately 126 acres in area 84 will be unable to be serviced by existing gravity sanitary due to topography constraints. The attached exhibit "A" indicates the limits of area 84 that can be serviced by gravity sewer.

If the Holcomb gardens property were to be included into the UGB a sanitary main line (as show in Exhibit "B") could be installed at an alignment and depth that could be continued offsite to the east. This would run along the north side of the Rock Creek PCC Campus and continue east to area 84. This main line could provide service to area 84 in its entirety. And appears to have adequate depth to provide service to areas 85 and 86.

Respectfully,

Darrel Smith  
Land Tech, Inc.

visit us at: [www.landtechesp.com](http://www.landtechesp.com)

Portland: 8835 SW Canyon Lane • Suite #402 • Portland, OR 97225 • Phone: (503) 291-9398 • Fax: (503) 291-1613  
Vancouver: 100 East 19th Street • Suite #600 • Vancouver, WA 98663 • Phone: (360) 735-1679 • Fax: (360) 693-8951



## Exhibit A



**The red line on this exhibit indicates the approximate limits of gravity sewer service available in area 84 due to topography constraints.**



## Exhibit B



**Possible future alignment of sanitary main to service area 84 if Holcomb Gardens site is brought into UGB**





**Nov. 5 recommendation adds additional land to UGB for homes, jobs and parks**

## **Burton makes final adjustments to urban growth boundary recommendations**

HOME : **UGB RECOMMENDATION**

Metro news release – Nov. 5, 2002

Contacts: Marc Zolton, (503) 797-1507, or Karen Blauer, (503) 797-1790

Metro Executive Officer Mike Burton Nov. 5 recommended adding additional land to the region's urban growth boundary for homes, jobs and parks including the Stafford Basin area adjacent to Lake Oswego, Tualatin and West Linn.

Burton's final urban growth boundary recommendation reflects input from local elected officials who argued for more land inside the urban area for parks and schools. The addition of land for parks and schools meant the urban growth boundary needed to be expanded further to accommodate the expected residential development during the next 20 years.

"Local officials from throughout the region clearly want more land set aside for future parks and schools," said Burton. "Accordingly, I believe it is time to begin planning for the Stafford basin area for both homes and jobs, and the leaders of Clackamas County have now indicated their willingness to plan wisely and finance the infrastructure necessary for that area."

The Metro Policy Advisory Committee, comprised of locally elected officials and representatives from throughout the region, recently voted in favor of setting a goal of increasing park lands within the urban area by 1,200 acres and land set aside for schools by 200 acres. Even though the trend lately is toward smaller school sites, Burton said the additional land would allow school sites also to function as much-needed park and recreation land for local communities.

Burton's final adjustments to his original Aug. 1 proposal for the urban growth boundary bring the total to 21,506 additional acres for future residential development and 2,778 acres for new jobs. State law requires Metro to provide a 20-year supply of land for residential development within its urban growth boundary.

However, despite adding nearly 1,000 acres of new land for future jobs last month, and an additional 166 acres in the Stafford basin today, Burton's proposal is still short 1,506 acres for the estimated land need for new jobs during the next two decades.

Burton's final recommendation now goes to the Metro Council, which expects to make its final decision on Dec. 5.

Burton continued to decry the fact that he and the Metro Council are forced to focus their planning efforts so narrowly when it comes to long-term shape of the region.

"How can we possibly do defensible long-term planning and preserve the Oregon we love by doing it in five-year increments?" said Burton. "Our artificial benchmark of calculating a 20-year land supply every five years is not only insignificant, it's an insult to this wonderful place. Our narrow approach discounts what we know about natural and economic landscapes – they don't recognize institutional or jurisdictional boundaries."

The final adjustments to Burton's urban growth boundary proposal also include:

- Dropping two parcels in the Bethany area near 185th Avenue and the Rock Creek campus of Portland Community College and substituting two nearby parcels for future development. The

### **Related pages**

[Executive Officer's Urban Growth Boundary Recommendation](#)

[Urban Growth Boundary Decision Making Process and Public Hearings](#)

[What Metro Does](#)

[Inside Metro](#)



change decreases the amount of farmland in the area to be developed by approximately 130 acres and also will result in a substantial savings in future costs for providing water and sewer services.

- The addition of 208 acres in Sherwood for new residential development near the Clackamas-Washington County line.

*Updated Nov 7, 2002*

[top of page](#)

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600 NE Grand Ave., Portland, OR 97232-2736  
(503) 797-1700 | TDD (503) 797-1804 | Fax (503) 797-1797  
[webmaster@metro-region.org](mailto:webmaster@metro-region.org)



## Westhood Development, Inc.

5035 NE Elam Young Pkwy. Suite 400  
Hillsboro OR 97124

Telephone (503) 648-3777  
Fax (503) 648-3787

Monday, November 18, 2002

METRO  
600 NE Grand Avenue  
Portland, Oregon  
97232-2736

VIA HAND DELIVERY

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 five parcels of land, which total 120 acres located at the corner of N.W. West Union Road and N.W. 185<sup>th</sup> Avenue in Washington County. This area of land is now known as Area 83 of Executive Officer Mike Burton's Final recommended Urban Growth Boundary, which was completed on November 5<sup>th</sup>, 2002. I have had the pleasure of meeting with most of you and have expressed to you my belief that this was one of the key parcels to include in the expansion of the Urban Growth Boundary.

Those of you that met with me during October offered insightful and helpful comments on how my staff and I should proceed. We took your comments to heart and looked carefully at the legal and planning related arguments for including my properties in this year's decision. After some careful analysis and additional engineering we submitted new information and a final packet to Executive Officer Burton and Lydia Neill from regional planning on November 1<sup>st</sup>, 2002. And according to Metro News Release - Nov. 5<sup>th</sup>, 2002:

*"The final adjustments to Burton's urban growth boundary proposal also include:*

- Dropping two parcels in the Bethany Area near 185<sup>th</sup> Avenue and the Rock Creek Campus of Portland Community College and substituting two nearby parcels for future development. The change decreases the amount of Farm Land in the area to be developed by approximately 130 acres and also will result in substantial savings in future costs for providing water and sewer service".*

Area 83 was one of the substituting parcels and is now on the final proposal To be included into the UGB.



We fully agree with Executive Officers recommendation. We believe that this recommendation is consistent and in compliance with ORS 197.298, Section 3(b) and 3(c). Thank you for your input, your comments, and your time during this process. As always we are available to meet with you at anytime to answer questions you may have.

Sincerely;

A handwritten signature in dark ink, appearing to read 'Jin Park', with a stylized, sweeping flourish extending to the right.

Jin Park  
President  
Westhood Development Inc.

cc: Mike Burton, Executive Officer, Metro  
cc: Lydia Neill, Principal Regional Planner, Metro



# **RPS Development Company, Inc.**

➤ *Retail Property Solutions*

November 25, 2002

METRO Council  
METRO Planning Staff  
c/o Dirk Knudsen via email

**RE:** West Union Village; Inclusion of Area E-3 in Expanded UGB

Dear Councilors:

This letter is submitted on behalf of Aspen Newfoundland LLC and Albertson's, Inc., the owners of the above shopping center located at the northeast corner of NW 185<sup>th</sup> Ave. and NW West Union Road in Washington County. The project was carefully planned with the Washington County staff and Board of Commissioners to be a second town center project in the Bethany Area to better serve the local neighborhoods and lessen vehicle miles traveled in the area.

The subject area you are studying for inclusion in the UGB, located at the northwest quadrant of the same intersection, is immediately adjacent to the center and would receive full neighborhood goods and services right across 185<sup>th</sup>. In fact, as part of our project, we fully improved both 185<sup>th</sup> and West Union and the intersection with the expectation that this area would be developed with housing. All cross walks and signals are in place.

We respectfully request that you include the subject area additional housing may take advantage of the fine town center design that West Union Village provides.

Sincerely,

**RPS Development Company, Inc.**, agent for  
Aspen Newfoundland, LLC

Alan M. Roodhouse  
President

cc: Albertson's, Inc.



November 4, 2002

Mr. Tim O'Brien  
Metro  
600 NE Grand Avenue  
Portland, OR 97232-2736

Subject: Sanitary Sewer Service  
UGB Study Areas 83-87

This letter is in response to your request for further information regarding sanitary sewer service options for Study Areas 83, 84, 85 and 86. In order to provide an indication of the relative efficiency of the range of possible service options for these areas, I have briefly outlined three theoretical service scenarios below. It is important to note that these scenarios are not intended to be specific masterplans for these areas and do not represent a recommendation from Clean Water Services as to which areas Metro should include or exclude from consideration. The accuracy of the cost information and the service details of all of the options are limited by the level of topographic and planning information currently available. Providing efficient and cost-effective sanitary sewer service to these study areas will also be dependent on the specific land use conditions that would be applied to subsequent development. For example, the ability to use extra-territorial line extensions to cross areas outside the UGB and the application of stream corridor buffers will impact the actual amount of land that can be served.

#### General Service Comments

Clean Water Services preferred service alternative is to use gravity sanitary collection systems following natural topography rather than pump station/pressure line systems. Gravity systems offer increased long-term service reliability and decreased annual maintenance costs over pump stations which rely upon mechanical and electrical systems. The cost of installing and maintaining gravity sewers increases with depth, and the majority of the District's collection system is less than 25 feet deep. Pump stations that serve multiple lots are required to be public; private pump stations that serve multiple lots are not allowed. Because of the potential negative impact of failing septic systems on water quality, the District's Board of Directors has recently emphasized programs to eliminate septic systems within the urban area. From a planning perspective, septic systems are generally not an option for new developments within the urban area because the amount of land required for these types of systems does not allow development to occur at the required density.

#### General Study Area Comments

Study Areas 84 and 86 have similar service challenges related to sanitary sewer. There is a main ridgeline that runs across both areas in a southeasterly direction from the northwest corner of Study Area 84. The area north of this ridge slopes away from the District's service area. Several stream corridors transect both Study Areas. In the areas that drain toward the District's service area, crossing these drainage ways and minimizing the cost of providing gravity service would require gravity sewer lines to be routed through adjacent Study Areas.

For the purposes of this study, each pump station has been estimated to cost \$300,000. Force mains have been estimated at \$60 per lineal foot and gravity lines have been estimated at \$100 per lineal foot. Other interior collection system improvements are not included in these estimates.



Service Scenario 1: Provide service without modifying the current boundaries of Study Areas 84 and 86.  
Under this service scenario, all new public sanitary sewer infrastructure would be kept within the boundaries of Study Areas 84 and 86; i.e. no extra-territorial line extensions would be used. This scenario would require the installation of at least five public pump stations and force mains as shown in Exhibit A. Each pump station would serve an area of 40-75 acres, generating flows of 150,000 to 280,000 gallons per day. Force mains would be 500 to 2500 feet in length.

At least three pump stations would be located in Study Area 84 to serve the north, central, and western portions; one additional station may be needed to serve the north section. Two pump stations are needed to serve Study Area 86.

Estimated cost:	
Pump Stations	\$1,500,000-\$1,800,000
Force Mains	<u>\$ 528,000</u>
	\$2,028,000
Acres served	334

Service Scenario 2: Provide service by gravity through portions of Areas 83, 85 & 87.  
Under this service scenario, four of the five pump stations considered in Scenario 1 would be eliminated through the construction of gravity sanitary sewer across portions of Areas 83, 85, and 87 as shown in Exhibit B.

In Study Area 84, the central and west pump stations could be eliminated and the flow routed across taxlots in Area 83. The pump station(s) in the northern area could not be eliminated in this scenario. Eliminating the central pump station entails construction of 1000' of gravity sewer across the corner of taxlot 1N11800-00200 in Area 83 to reach the panhandle of Study Area 84. Eliminating the west pump station entails construction of approximately 3200' of gravity sewer across taxlots 1N21300-1200 and portions of 1N21300-2100 and -2102 in Area 83 to reach existing sanitary sewer.

In Study Area 86, both pump stations could be eliminated. Flow from the northern section would be routed by gravity across taxlot 1N117B0-00100 in Study Area 87 to reach the northeast corner of Study Area 84. This requires the construction of approximately 2000' of gravity sewer. Flow from the central section of Study Area 86 would be routed by gravity across taxlots 1N117C0-00100, -00500, and -00900 and 1N117CD-05800 in Study Area 85 to reach an existing sanitary sewer in NW Sickle. This requires the construction of approximately 1700' of gravity sewer.

Estimated cost:	
Pump Stations	\$ 300,000-600,000
Force Mains	\$ 114,000
Gravity Sewer	<u>\$ 920,000</u>
	\$1,334,000
Acres Served	606

The acreage served in this scenario includes the total acreage of the taxlots noted above. This scenario could also be accomplished using extra-territorial line extensions. However, having the additional acreage available might increase the economic feasibility for development by helping to offset the required infrastructure investment for the gravity sewer. (Ideally, only the areas of the additional lots that drain toward the service area would be added. For example, the area north of the ridgeline on 1N117B0-00100 would not be included.)



Service Scenario 3: Maximize efficiency of providing service to general area.

Under this service scenario, the boundaries of the study areas would be adjusted to exclude the areas north of the main ridgeline and to include portions of areas 83 and 85 that drain toward Clean Water Services' current service area. This service scenario eliminates the need for any pump stations and allows the most efficient use of the existing and proposed infrastructure consistent with the District's service policies.

Approximately 78 acres north of NW Brugger Road in Study Area 84 and approximately 78 acres north of the extension of NW Brugger Road in Study Area 86 would be eliminated. Approximately 143 acres in Study Area 83 and 146 acres south of NW Brugger Road in Study Area 85 would be added to the UGB.

Estimated cost:

Pump Stations	\$ 0
Force Mains	\$ 0
Gravity Sewer	<u>\$ 920,000</u>
	\$ 920,000
Acres Served	469

Thank you for the opportunity to comment on this area. Please feel free to contact me at 503-846-3623 if you have further questions.

Sincerely,

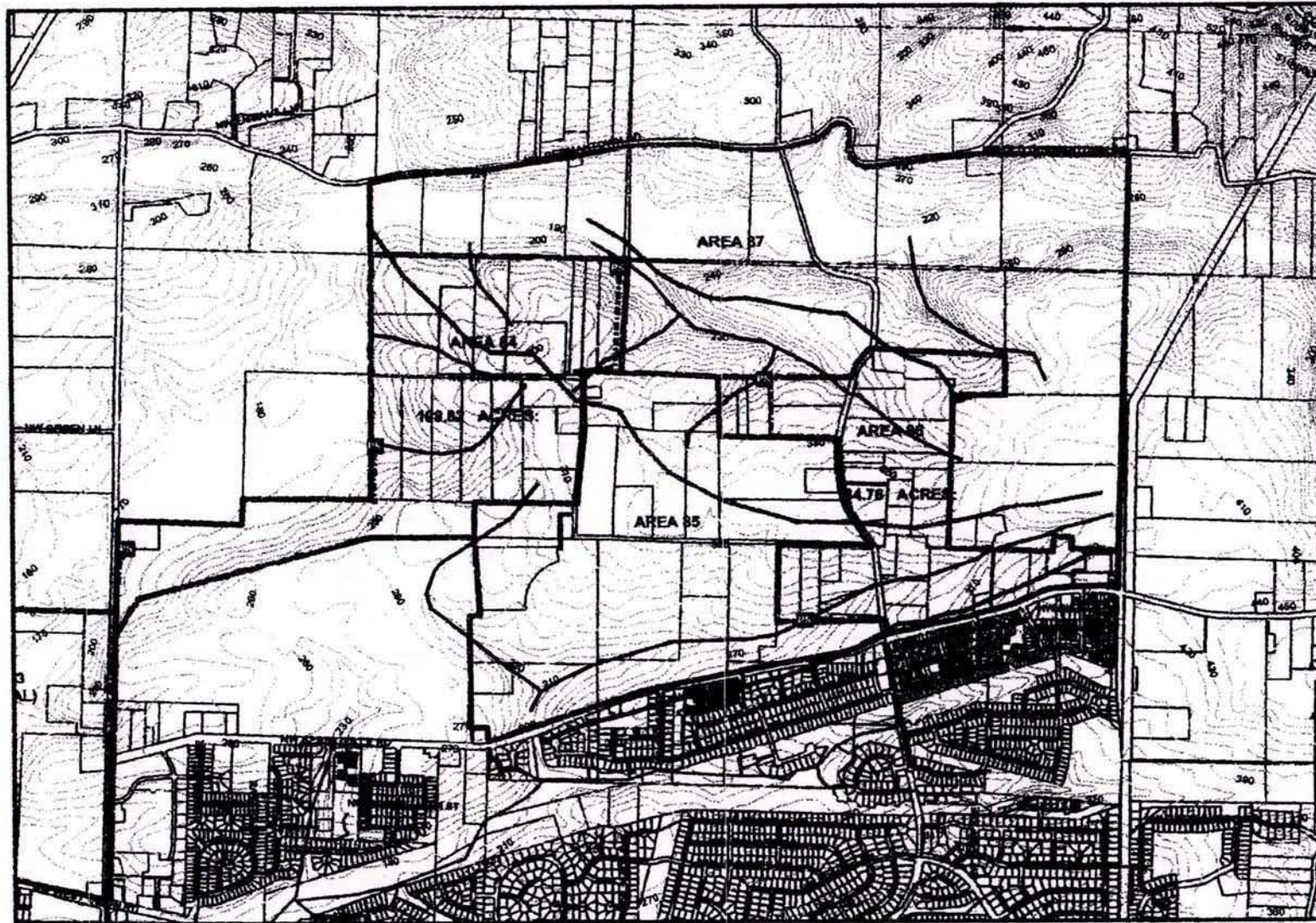
Nora M. Curtis  
Engineering Division Manager

Enclosures



# Metro UGB Study- Scenario 1

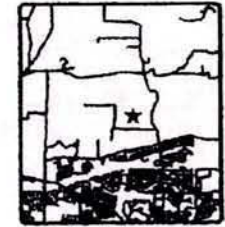
Exhibit 'A'



## Legend:

- Tax Lots
- Existing Sanitary Sewer
- Proposed Force Main
- Proposed Pump Stations
- Basins- Area 84 & 86
- Drainage line
- Ridgeline

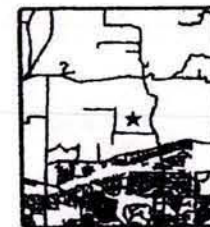
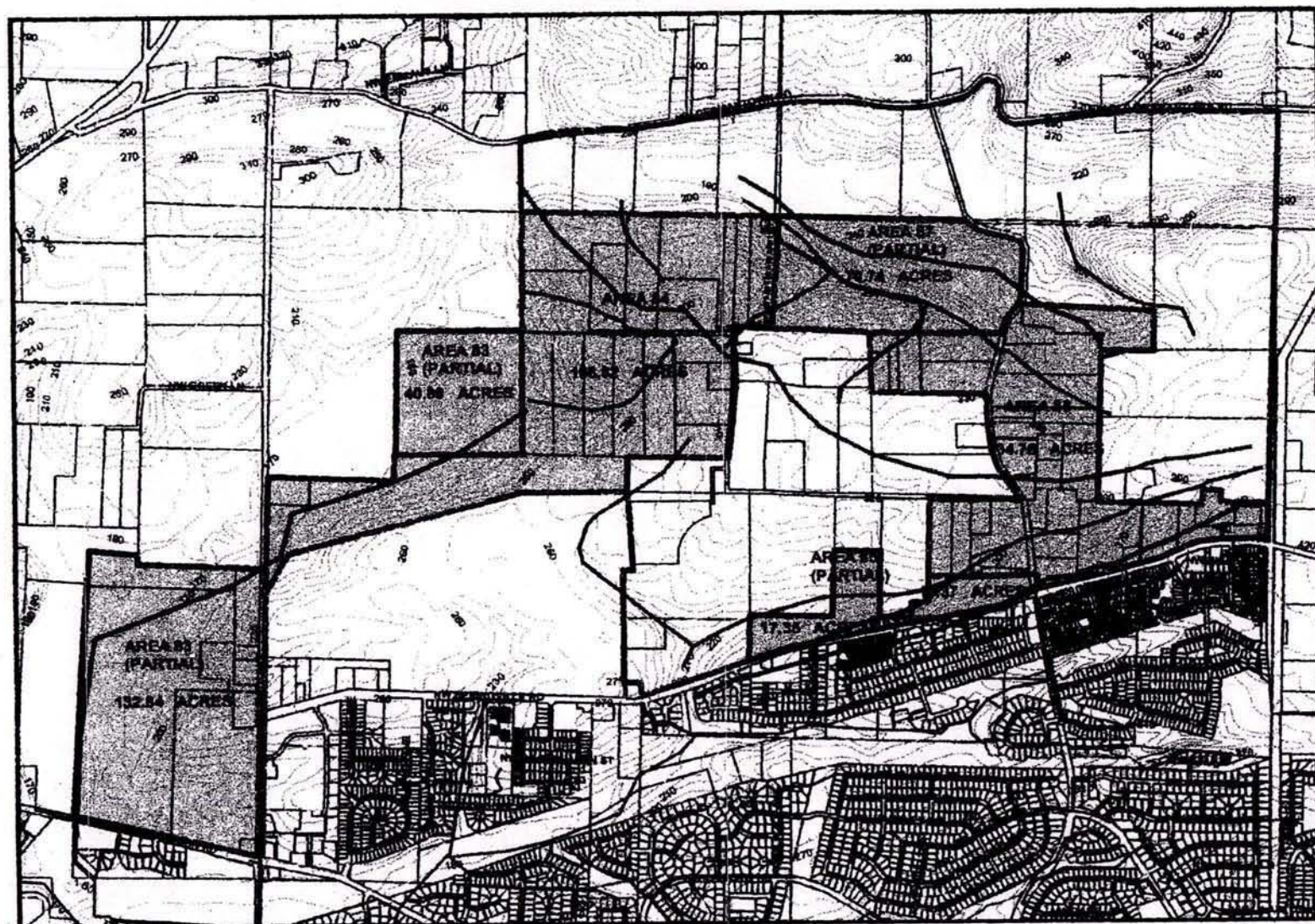
1 inch equals 1,000 feet





# Metro UGB Study- Scenario 2

Exhibit W



## Legend:

- Tax Lots
- Existing Sanitary Sewer
- Proposed Sanitary Sewer
- Proposed Force Main
- Proposed Pump Stations
- Basins- Area 84 & 86  
83, 85, & 87 TLs
- Drainage line
- Ridgeline

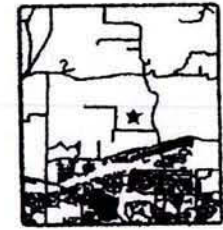
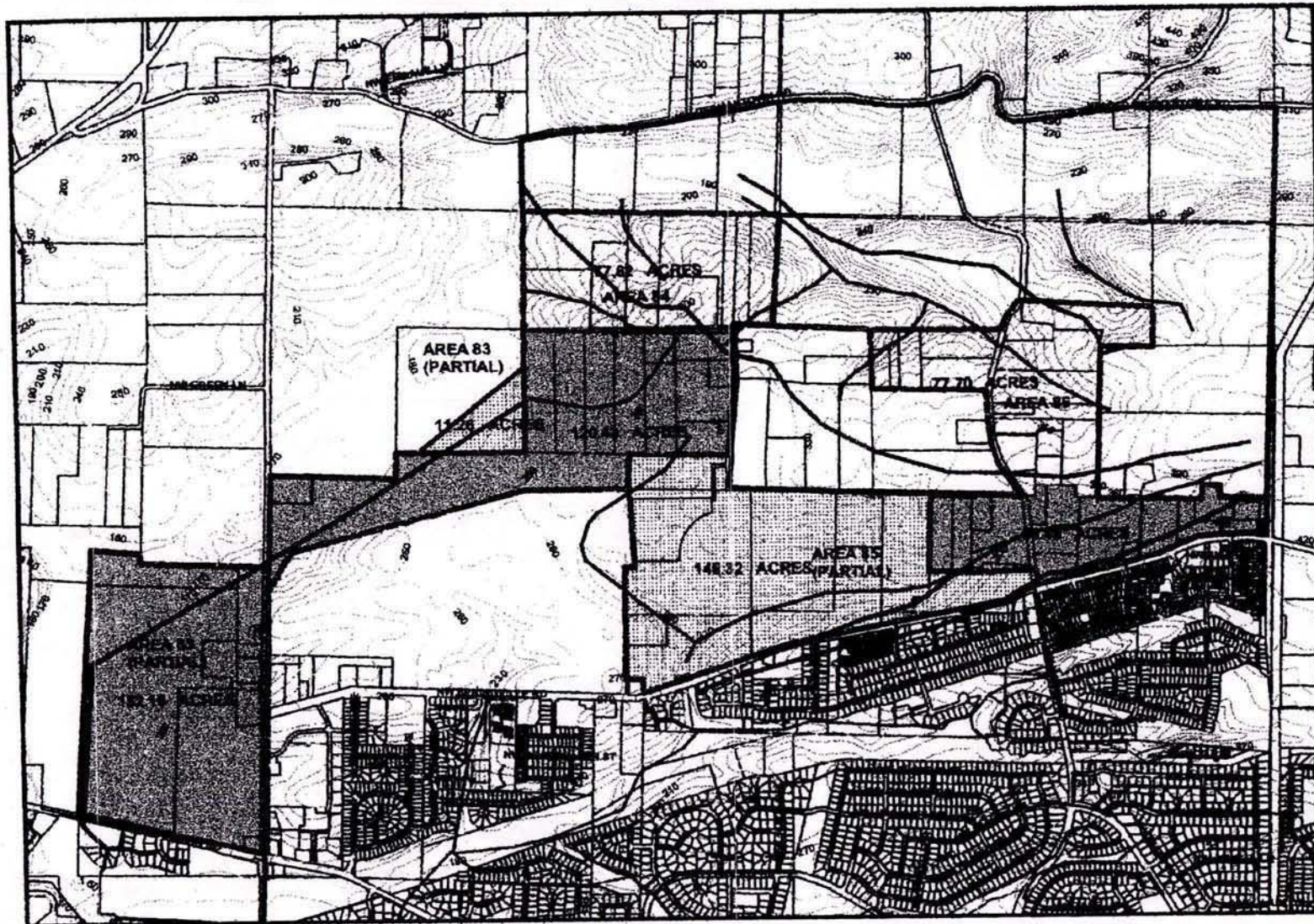
1 inch equals 1,000 feet





# Metro UGB Study- Scenario 3

Exhibit 'C'



## Legend:

- Tax Lots
- Existing Sanitary Sewer
- Proposed Sanitary Sewer
- Proposed Force Main
- Proposed Pump Stations
- Basins- Area 84 & 86  
Partial 83, 85, & 87
- Drainage line
- Ridgeline
- Area to be deleted
- Area to be added

1 inch equals 1,000 feet





TO: METRO Council  
METRO Planning Staff

RE: Portland Boundary Area Expansion  
Farm Related Issues

Dear METRO Councilors;

Our Family has been Farming the land at the Corner of 185<sup>th</sup> and West Union for many years. This is about 72 Acres of Open Land that we consider farmable out of the whole parcel. I have been asked to submit a letter regarding our ability and the owners ability to Farm this property efficiently and profitable.

In the past ten years this land has become more and more urbanized. In the past three years we have seen traffic and Urban influences increase ten fold. There is a new shopping mall across the street from this property and the traffic to PCC College and the increasing housing in this area has become worse and worse. As you may see from the photos attached to this letter there are now hundreds of high density apartments adjacent to the land to the East. These Urban developments cause many problems for us in the farming activity we have been able to maintain. Here are the problems we are having as never before:

- **Garbage blowing onto the land** and being left by trespassers.
- **Trespass across the crops:** We and the Owner have witnessed many trespassers trampling across the crops. There are bike riders and "nature" walkers crossing the tracks on a recent basis and the neighbor recently saw over a dozen folks at the top of the hill having a picnic in the middle of the grass crop.
- **Noise and Dust Complaints:** Always a problem but this has been getting much worse in the last 2 years. All of these high density homes are just being finished and we are worried about the amount of complaints we will have this year!
- **Equipment:** What can we say. Thousands of cars per day make it really hard to move equipment. There are no other farms next to this one as it is surrounded by creeks and wetlands so we do not have an option to bring equipment in any other way than up the busy roads.



- **Chemicals and Spraying:** This is the worst thing. This year with a regular fertilizer for the grass we are growing we had two Complaints going to the Tualatin Valley Fire Department as someone called in that there had been a serious chemical spill. **HAZMAT TEAMS** were called in twice this year as there was fear of a chemical spill. This was all from adjacent neighbors complaining about our standard weed application and fertilizer application.

This property will be more and more difficult to farm in the future. There are not many if any properties that have been effected by this much Urbanization. The best thing for this place is to utilize it for housing and development in the future.

The Owner asked if we knew what the Washington County Farm Bureau thought about growth and bringing this piece in or out of the boundary for houses. We are members and we are not aware of any position that Farm Bureau has on this property or any others like it. Using the road as a place to stop growth is ludicrous. This property has a lot of unusable area and backs to a wetlands on the West. It really will not impact any other farmland if it is brought into the Urban Growth Boundary.

Hopefully this information will help you in making your decision.

Sincerely;

  
Marty Cropp



November 25, 2002

METRO  
600 NE Grand Avenue  
Portland, OR 97232-2736

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

VIA HAND DELIVERY

Dear Counselors:

I am Jin Park, the owner of area 83 and I am writing to testify for areas 83, 84, 85, 86 and 87.

Under Oregon State law, the only way that any farmland can be included inside the Urban Growth Boundary is if farmland needs to be included to provide vital urban services to exception land. In the case of areas 83, 84, 85, 86 and 87, only the areas 84 and 86 are exception land. Out of all urban services, sewage service is most important because it has geographical and physical limitations. According to civil engineers, Metro Planning Department and Clean Water Services, area 83 is the most effective site to provide sewer services to areas 84 and 86. In my opinion, there is no party more capable and objective than Clean Water Services to decide on the most effective way to connect sewer services to area 84 and area 86. When the engineers, Metro Planning Department including its Executive Officer and Clean Water Services concluded that area 83 is in the best position to provide sewer services to areas 84 and 86, for anyone to claim that areas 85 and 87 is more efficient in terms of providing sewer services must be doing so out of personal reasons. Additionally, anyone who claims that giving up 400 acres of farmland by including areas 85 and 87 is more efficient and protective of farmland rather than giving up 80 acres suggest special interest.

I believe no counselor should make decisions based on personal reasons and I urge Metro counselors to come up with fair and consistent decision for this matter.

Respectfully,



Jin Park

cc: Mike Burton, Executive Officer, Metro  
Clean Water Services  
Beaverton City Planning Department





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From: "Jonella Malinowski" <malinowj@hotmail.com>

To: ugb@metro.dst.or.us

CC: dirkknudsen@hotmail.com

Subject: Bethany area

Date: Tue, 26 Nov 2002 01:24:01 -0800

Reply Reply All Forward Delete Put in Folder...

Printer Friendly Version

GREG MALINOWSKI Letter

To the Metro Council

I have further Testimony as to the proposed Bethany expansion area, that I wish to submit.

I have spoken to Terry Peters, Washington County Farm Bureau President. The Farm Bureau remains opposed to adding EFU lands to the UGB either east or west of 185th, If site 87 or more than is absolutely necessary of site 85 is added to the proposal, I expect they will appeal. CPO 7's authorized proposal shows how most of the exception lands can be serviced with minimum destruction of EFU lands in area.

I believe that Brugger Rd is the farthest North that EFU lands need be added.

Also I call to the Councils attention, that State of Oregon Geo-Hazard maps show the Oat field fault running though sites 85 and 86. It seems a waste to ignore this information when Metro is planning future urban areas.

Bethany also has Governance issues, While Beaverton says they will provide Governance, they did so 2 years ago as well, only to back out as soon as Metro approved putting Bethany in the UGB. Because they said Bethany is too remote from their city limits. That remoteness has not changed and unless you require such Governance in writing as a pre-condition, I am sure they will bail again.

The Town center at Bethany does not need extra residential development to be successful. Their marketing plans were made with the consideration, that the UGB stopped at Springville Rd. Indeed Washington county reduced housing in Bethany to allow a center at 185th and West union to cover the commercial short fall in Bethany. There is no commercial/residential imbalance in Bethany.

As to Mr. Fishback and his need to sell out and get a bigger place elsewhere. The land that he and Mr. Ellerbrook farm produces 100's of Thousands of dollars in Nursery products added to our Washington county economy each year. There is no reason that that land cannot continue to do so under new ownership. If this were a regular industrial site instead of a Ag industrial site, and the owner wished to sell the site as a "Big Box Retail Site" would Metro approve of that coversion if it meant greater return than if it sold as industrial? Ag ground is industrial too.

Beaverton School district was prepared to provide schools for about 500 new homes on the exception lands not the 2000 new homes built if Site 87 EFU is added. Where will the money come from for new schools and land for sites. In addition I beleive Bethany Blvd would have to be widened to 4 lanes from Springville to Highway 26, where will the funds come for that? Washington county doesn't have them.

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Bethany is not the site for Damascus II, not now. One new city at a time  
please. Thanks, for your time. Greg Malinowski

---

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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 185<sup>th</sup> 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??



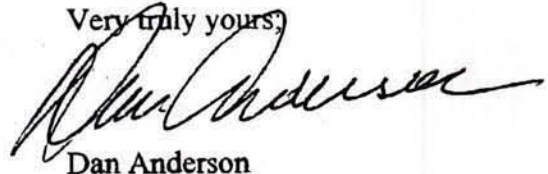
Who will pay the \$300,000 to \$500,000 dollar cost for installing each Pump? Who will pay for maintenance??

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 stylized, flowing script.

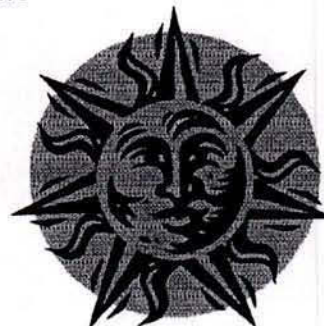
Dan Anderson



# Blue Sky Planning Inc.

## Councilor Contacts

Mark Dane – Principal      m.dane2@gte.net  
13005 SW Foothill Drive  
Portland OR 97225  
Ph: 641-5352  
Fx: 641-5342  
Mo: 701-2459



To: Mr. Jin Park  
Re: Holcomb Park Property  
From: Mark Dane - Blue Sky Planning Inc.

### Metro Council –

Presiding Officer Carl Hosticka, District 3;	(503) 797-1549 or hostickac@metro.dst.or.us
Deputy Presiding Officer Susan McLain, District 4;	(503) 797-1553 or mclains@metro.dst.or.us
Rod Park, District 1; (503) 797-1547 or	parkr@metro.dst.or.us
Bill Atherton, District 2; (503) 797-1887 or	athertonb@metro.dst.or.us
Rex Burkholder, District 5; (503) 797-1546 or	burkholderr@metro.dst.or.us
Rod Monroe, District 6; (503) 797-1553 or	monroer@metro.dst.or.us
David Bragdon, District 7; (503) 797-1889 or	bragdond@metro.dst.or.us

On Aug. 1, 2002 Executive Officer Mike Burton made a recommendation to the Council about how and where to expand the UGB. He recommended making strategic expansions to increase the supply of land inside the UGB. He also recommended policy changes to increase the efficiency of providing jobs and housing in regional and town centers. His recommended expansion for expected residential demand includes approximately 17,000 acres in Damascus, Oregon City and limited areas around Wilsonville, along the western boundary of Tigard and Beaverton and in the Bethany area and 2,200 acres for new employment.

On Oct. 8, Burton recommended adding an additional 555 acres to the urban growth boundary for new jobs. With this proposal, Burton met about 80 percent of the total land need for new jobs. After receiving new information from communities, his recommendation included almost 200 acres near Hillsboro for future development of specific types of high-tech industry and approximately 300 acres for new jobs in Gresham and Boring. The proposal called for adding a total of 19,011 acres to the current urban area.

On Nov. 5, Burton made his final recommendation, adding additional land to the region's urban growth boundary for homes, jobs and parks including the Stafford Basin area adjacent to Lake Oswego, Tualatin and West Linn. Burton's final UGB recommendation reflects input from local elected officials who argued for more land inside the urban area for parks and schools. Burton's final adjustments to his original Aug. 1 proposal bring the total to 21,506 additional acres for future residential development and 2,778 acres for new jobs. Burton's proposal is still short 1,506 acres for the estimated land need for new jobs during the next two decades.

At 1 p.m. on Tuesday, Nov. 19 the Metro Council Community Planning Committee meets to deliberate and prepare their urban growth boundary recommendation. A tentative meeting is scheduled for 1 p.m. on Wednesday, Nov. 20 to provide additional work time. If work remains, the committee will meet at 1 p.m. on Tuesday, Nov. 26. The public is welcome to attend these meetings; however, they are work sessions and public testimony will not be taken.

During the Metro Council meeting at 2 p.m. on Thursday, Nov. 21, the urban growth boundary ordinance (#02-969) will be first read and the public record will reopen to allow public testimony. Due to the Thanksgiving holiday, there will be no Council meeting on Nov. 28.

The Council is scheduled to make a final decision on the boundary at 2 p.m. on Thursday, Dec. 5 when another public hearing will be held. If necessary, the Council will make their final boundary decision at a later date, most likely the next Council meeting at 2 p.m. on Thursday, Dec. 12.

## **Goal 14:**

### **Factor 1: Demonstrated Need to Accommodate Long Range Urban Population Growth.**

Through proposed UGB growth (regionally) Hillsboro & Beaverton Housing / School needs (Locally)

### **Factor 2: Need for Housing, employment opportunities and livability.**

Provision of housing, education, commerce. Transportation.

### **Factor 3: Orderly & Economic Provision of Public Facilities & Services**

Existing Sanitary, Storm, Water, Transportation, Infrastructure. Ability to serve PCC & Area 83.

### **Factor 4: Maximum Efficiency of Land Uses within & on the Fringe of the existing urban area.**

Using Existing Facilities & Development of 10 units/GSA, Regional shopping & employment center

### **Factor 5: Environmental, Energy, economic & social consequences**

Preservation, shorter commutes, efficient use of land, provision of schools, ability to expand higher Ed.

### **Factor 6: Retention or agricultural land**

ORS 197.298.3 b & c. provision of urban services

### **Factor 7: Compatibility or proposed Urban Development with nearby agricultural activities.**

Clear Transition, natural features, separation, High density Corner

- \* 28 acres of PCC will be served. growth & potential for 4 year campus
- \* 8 acres of area 83 will be served.
- \* Springville Road will be extended.
- \* Holcomb Park link to METRO woodland, Holcomb Lake, and PCC Eco-lab.
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- \* Close to existing & Future Jobs.
- \* All services immediately available.
- \* Urbanized, conflicted heavily used.
- \* Control of Single party – Master Plan.

Flint – Automotive,  
Gary, Indiana – Steel ,  
Hillsboro, Oregon – Hi Tech.



**House Bill 3144**

Relating to urban growth boundary; amending **ORS 197.298**.

Be It Enacted by the People of the State of Oregon: SECTION 1. ORS 197.298 is amended to read: 197.298.

(1) In addition to any requirements established by rule addressing urbanization, land may not be included within an urban growth boundary except under the following priorities:

(a) First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.

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(c) If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).

(d) If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both.

(2) Higher priority shall be given to land of lower capability as measured by the capability classification system or by cubic foot site class, whichever is appropriate for the current use.

(3) Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land { - estimated - } { + identified for inclusion + } in subsection (1) of this section for one or more of the following reasons:

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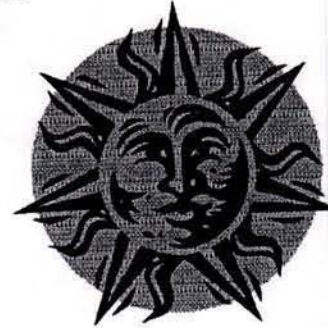
(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.

# Blue Sky Planning Inc.

## PCC Proposal

Mark Dane – Principal  
13005 SW Foothill Drive  
Portland OR 97225  
Ph: 641-5352  
Fx: 641-5342  
Mo: 701-2459

m.dane2@gte.net



October 11, 2002  
Portland Community College  
Rock Creek Campus

Attn: William E. Christopher  
17705 NW Springville Road  
Portland, OR 97229

Re: Potential benefits associated with the Holcomb Gardens development

Dear Mr. Christopher,

The following is a summary of our discussion held on Thursday, October 10<sup>th</sup>, 2002, regarding the development of approximately 123 acres at the corner of West Union and 185<sup>th</sup>, across from the intersection of 185<sup>th</sup> and Springville Road. This development will be referred to as Holcomb Gardens.

Numerous improvements associated with the development of this property will be required by the jurisdictions that oversee development in this area. Many of these improvements would benefit the Rock Creek Campus of Portland Community College, as they are improvements that would be required for expansion of the campus to the west.

Transportation improvements would include the extension of Springville Road west through the Holcomb Gardens development to connect to West Union Road approximately 1500' west of the intersection of 185<sup>th</sup> and West Union. This extension of Springville Road would provide an alternative route for traffic that currently only has the single option of the 185<sup>th</sup> and West Union connection. Increased development within the UGB has already impacted the level of service at this intersection.

Future development within the vicinity of the Rock Creek campus will potentially increase the level of service at this intersection to the point of a failure. It is not likely that residential development of property currently within the UGB would spur the improvement of the 185<sup>th</sup> and West Union junction. Therefore, any expansion of the Rock Creek campus would take on the fiscal responsibility for the improvement of this intersection. Should the Holcomb Gardens development occur first, then many of these responsibilities would convey to the developer and a secondary transportation route would be available prior to the expansion of the campus.



Additional transportation improvements would include the widening of all street frontages as well as the construction of curb and sidewalk along these frontages. These improvements would provide the ultimate construction along the west side of 185<sup>th</sup> and the north side of West Union.

Sanitary sewer improvements would provide another series of benefits to the Rock Creek campus of Portland Community College. Currently approximately 28 acres along the westerly edge of the Rock Creek Campus has no access to sanitary sewer service. All of this acreage is within the UGB, and a majority of it is developable. Expansion of the Rock Creek campus within these 28 acres would require the extension of a sanitary sewer line located within West Union Road for gravity sewer service. This extension would require easements to be granted to Portland Community College through the property where Holcomb Gardens is proposed. If the Holcomb Gardens development were to occur first, then sanitary sewer service would be extended from West Union Road, through the development and up to the westerly edge of the Rock Creek campus. This sewer extension would dramatically reduce improvement costs associated with the expansion of the Rock Creek campus.

Wetlands and existing drainage corridors impact a portion of the Holcomb Gardens site. This area covers approximately 30 acres of the northwesterly portion of the site. Much of this area is located within the 100-year floodplain. This portion of the site will not be developed as part of Holcomb Gardens and will likely remain as an open space tract. Future ownership of this tract has not yet been determined. However, as previously discussed this area could potentially be dedicated to the Rock Creek campus of Portland Community College as a wildlife habitat open space corridor. This open space could then be used as part of the college's educational experience. The developer of Holcomb Gardens would be willing to discuss possible enhancement programs with Portland Community College and or the Tualatin Hills Park and Recreation District for this open space area.

Beyond the benefits of potentially adding a 30+ acre environmental open space to the Rock Creek campus, the Holcomb Gardens development would help to make plans for expansion of the campus much more of a reality. Construction costs for off-site improvements are often responsible for setting expansion projects back numerous years. The Holcomb Gardens development would help to eliminate those setbacks by expanding the existing transportation system and providing sanitary sewer service to areas already located within the Urban Growth Boundary. Even if expansion of the Rock Creek campus is not in the near future, support of the Holcomb Gardens development will most definitely benefit Portland Community College when expansion is a priority.

As you are aware METRO is finalizing its decision as to which properties to bring into the Urban Growth Boundary. Should Mr. Parks property not be brought into the UGB he would not be able to proceed with any improvements. Further should his property not be brought it this time, it is probable that no expansion in this area will occur for at



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Flint – Automotive,  
Gary, Indiana – Steel ,  
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(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.

November 18, 2002

least another 5 years. Your support, and direct discussions with Susan McClaine your METRO Councilor would go a long way in assuring that we can provide you campus the urban services it needs to grow and prosper.

Professionally,

Mark Dane  
Blue Sky Planning



Submittal to the Metro Record re: The U.G.B.

Date: December 5, 2002  
By: Tom VanderZanden  
Subject: Bethany Area

I submit that the Bethany area lends itself (84, 85, 86, 87) to an overall community/master plan that protects surrounding resource land and achieves substantial urban efficiencies. In cooperation with Compass Engineering, we have prepared an "Exception Only" Concept Plan to juxtapose against a Concept Master Plan for all four study areas (84, 85, 86, 87).

"Exception Only" Concept Plan (84, 86) features:

- Street plan has more cul-de-sacs due to lack of through streets.
- Size of area provides limited opportunity of a full range of housing types and little opportunity to connect to the existing urban community south of Springville Road.
- The urban border is highly exposed to farming activities.
- A separate letter from Compass Engineering describes the inefficiencies associated with serving 84 and 86 only with sewer and water services.

Concept Master Plan for 84, 85, 86, 87 features:

- The area size provides enough presence to justify a middle school and an elementary school. They could be done in conjunction to provide joint use of outside facilities.
- This area could be focused on a community center with a full range of uses: police, fire, library, and transit station as well as commercial uses.
- The market size could make an integrated commercial center possible.
- The Goal 5 objectives could be fully realized via the drainage channels and steep slope areas. The Goal 5 areas will be connected via pedestrian-bicycle paths to high activity neighborhood parks.
- Community center uses could be linked to the overall community via a pedestrian system built into Goal 5 areas and the larger grid street pattern.
- This concept plan would allow for a full range of housing types to occur with high density housing placed near the community center.
- The symmetry and natural barrier border minimizes exposure to agricultural use.

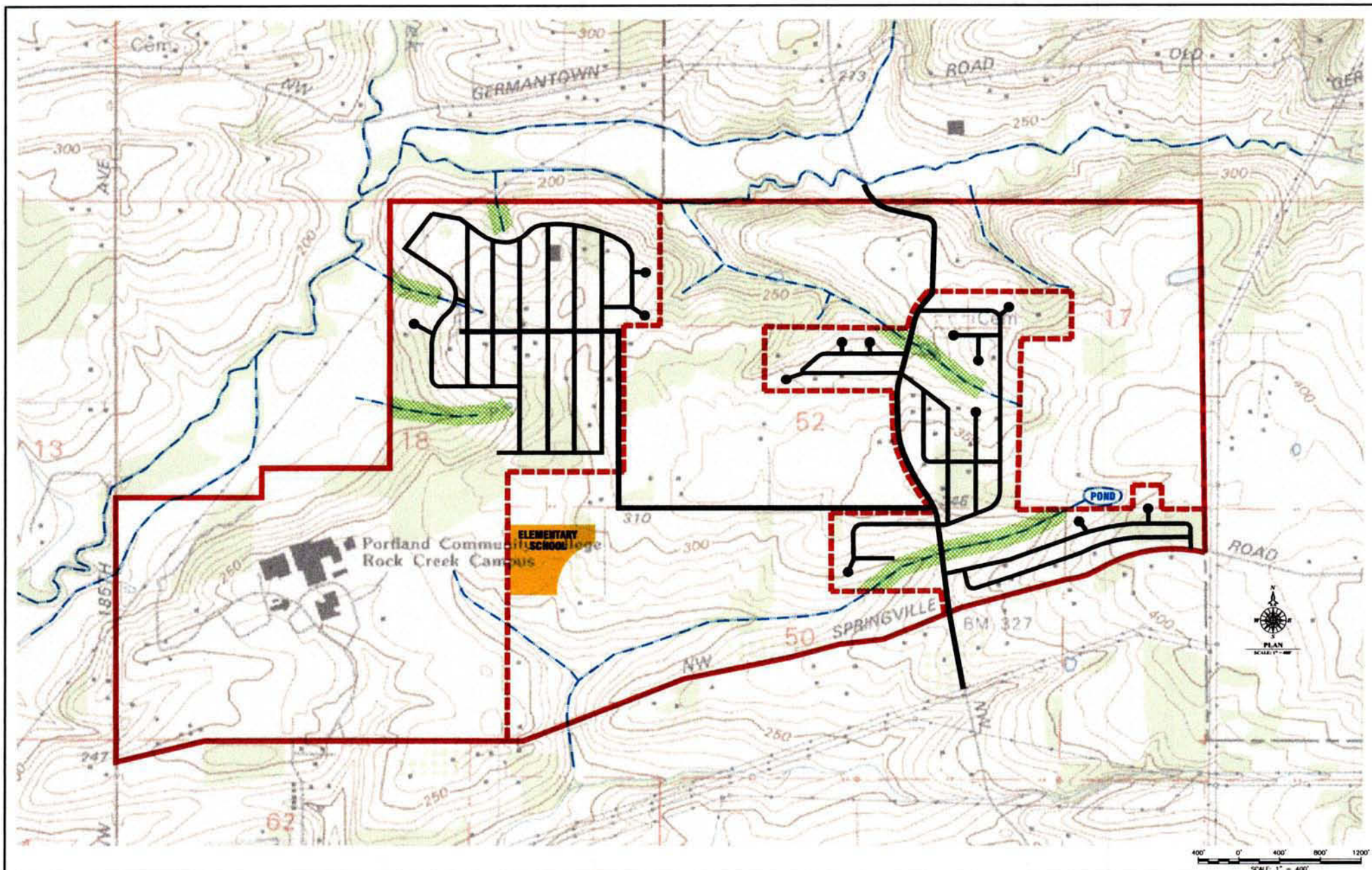
#### Disclaimer

This concept plan is meant to be illustrative and does not represent current property lines. Also, this plan pays no specific attention to existing adopted plans present in area 85.

#### Additional Efficiency Information

In a separate letter from Compass Engineering it is made clear how sewer and water services can be effectively and efficiently provided to the combined areas in a more efficient way than the "Exception Only" areas.





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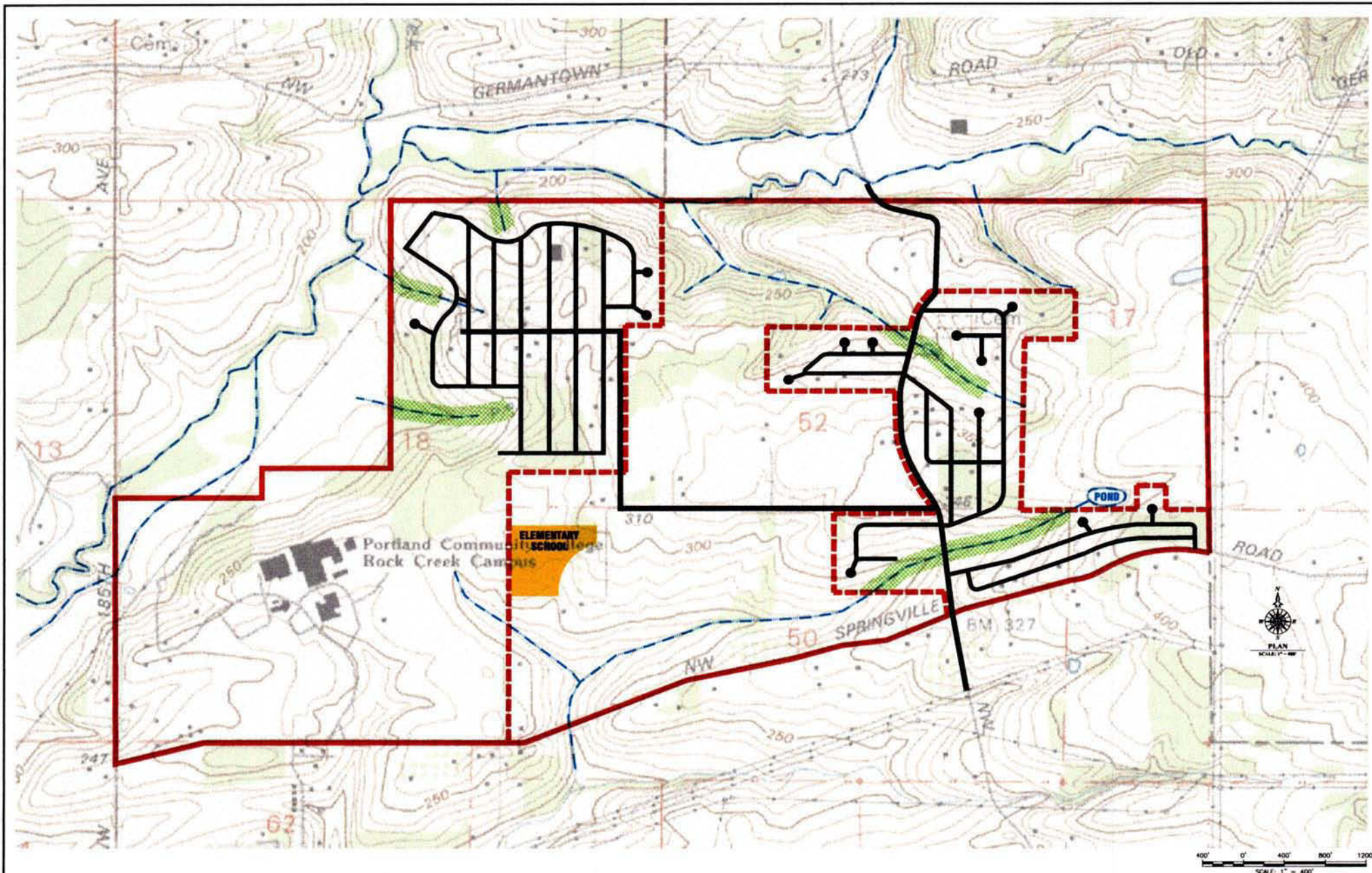
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Portland, Oregon 97214

The Conifer Group  
3140 SE Hawthorne  
Portland, Oregon 97214

**CONCEPT MASTER PLAN**  
AREAS 84 & 85  
WASHINGTON COUNTY, OREGON

**1**  
**2**





DATE	NO.	REVISION	DRAWN: BUS	DESIGNED: BOG	CHECKED: BOG
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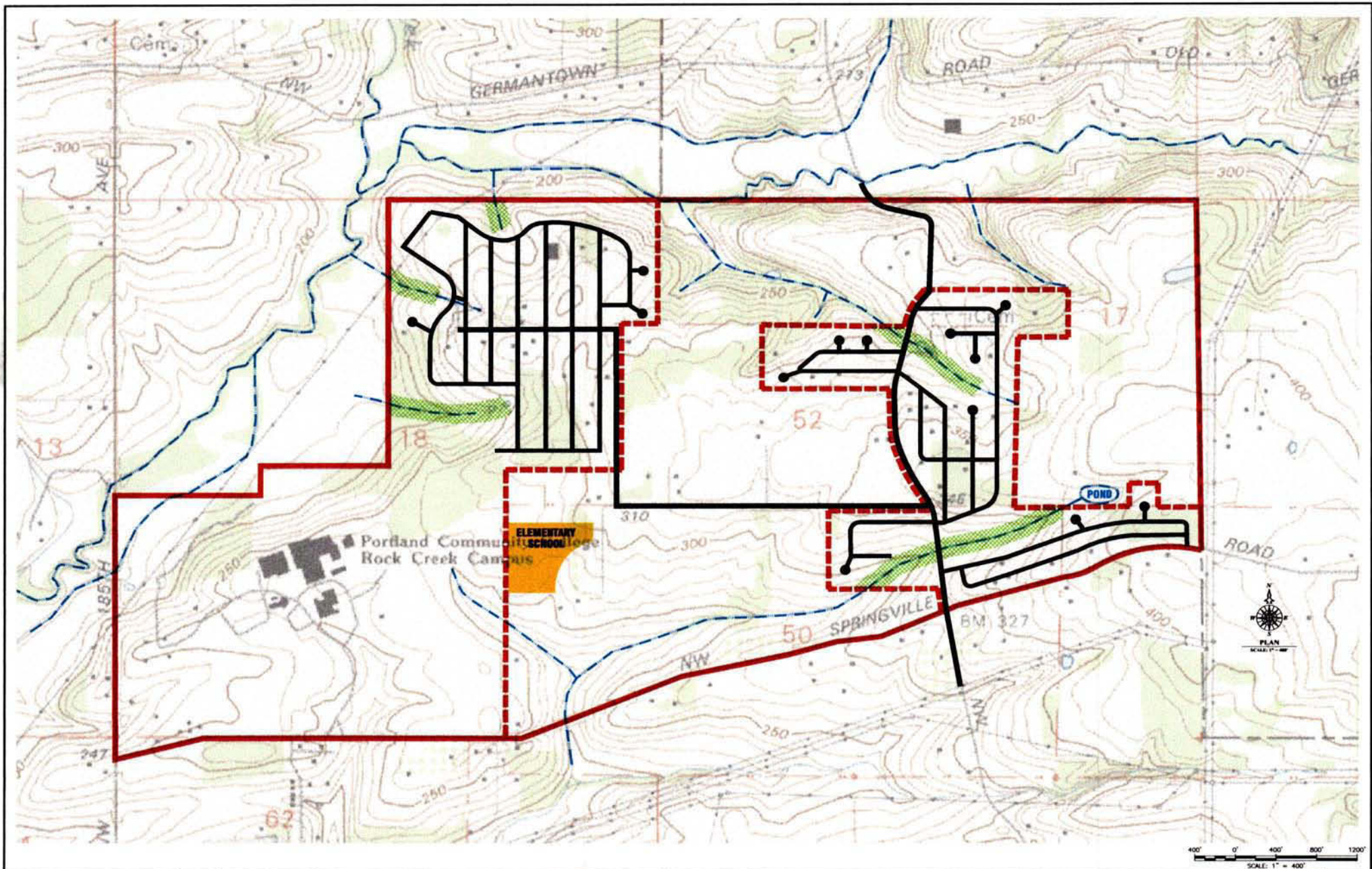
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 AREAS 84 & 86  
 WASHINGTON COUNTY, OREGON

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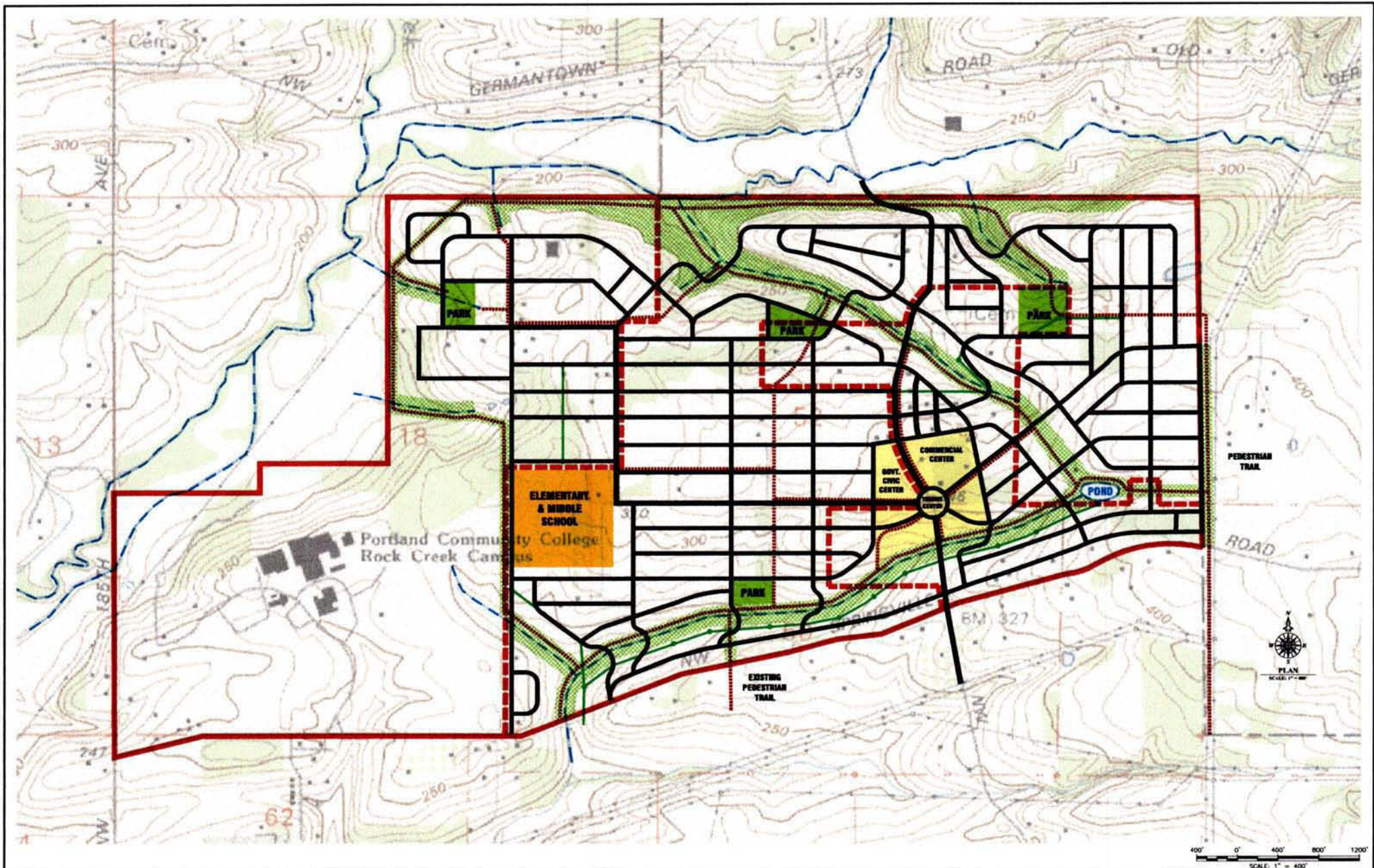
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AREAS 84 & 85  
WASHINGTON COUNTY, OREGON

**1**  
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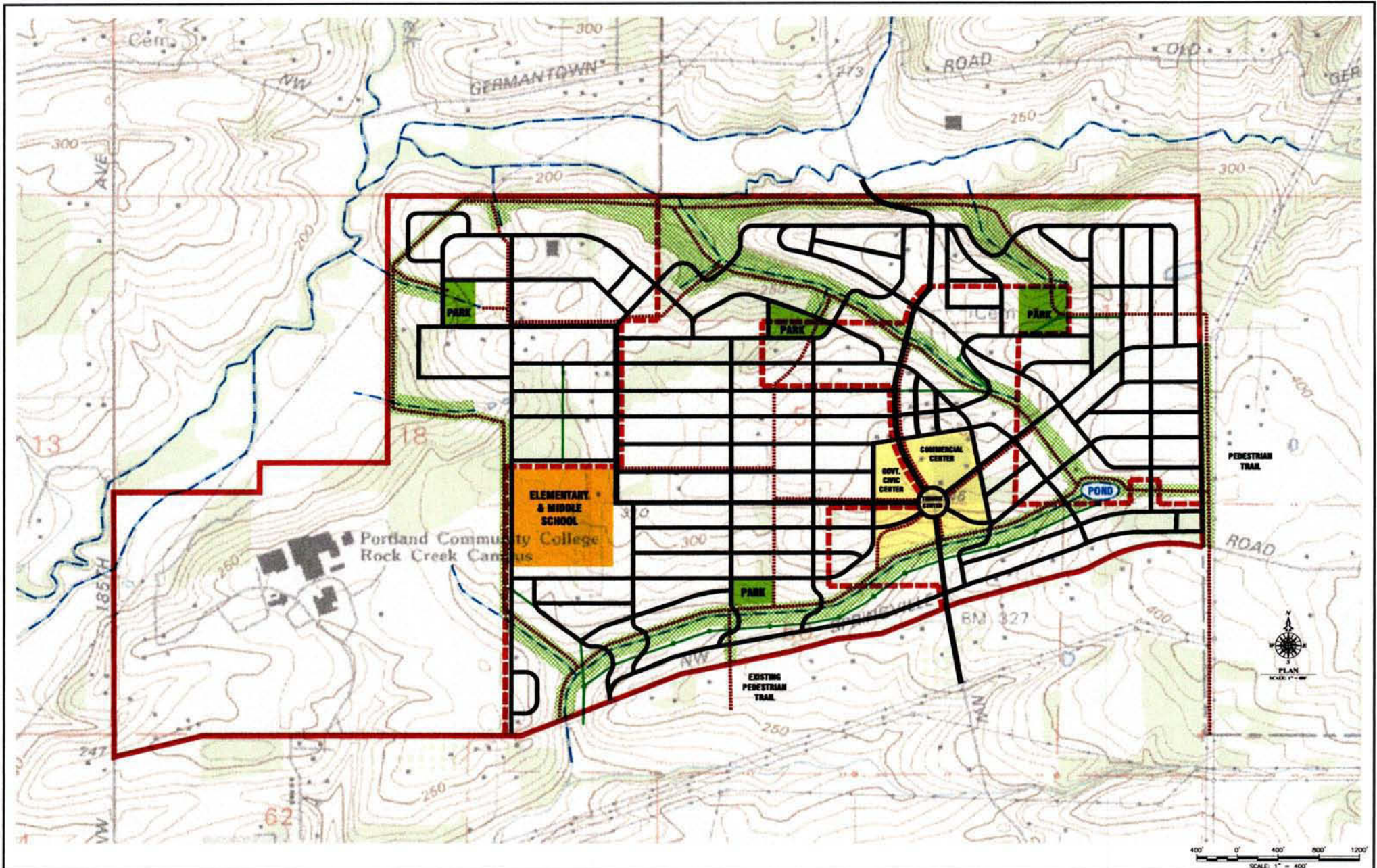
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**CONCEPT MASTER PLAN**  
AREAS 84, 85, 86 & 87  
WASHINGTON COUNTY, OREGON

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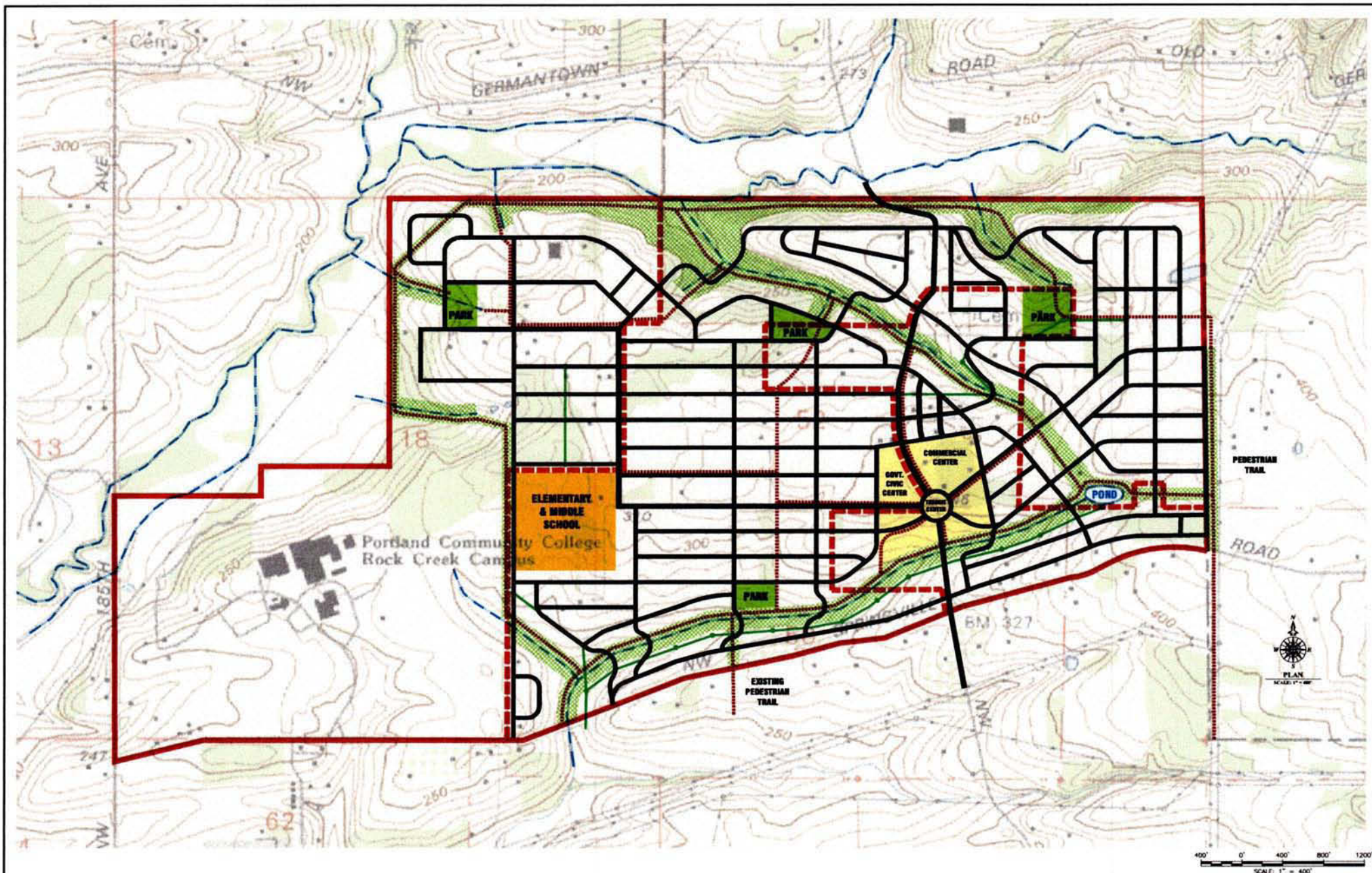
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**CONCEPT MASTER PLAN**  
AREAS 84, 85, 86 & 87  
WASHINGTON COUNTY, OREGON

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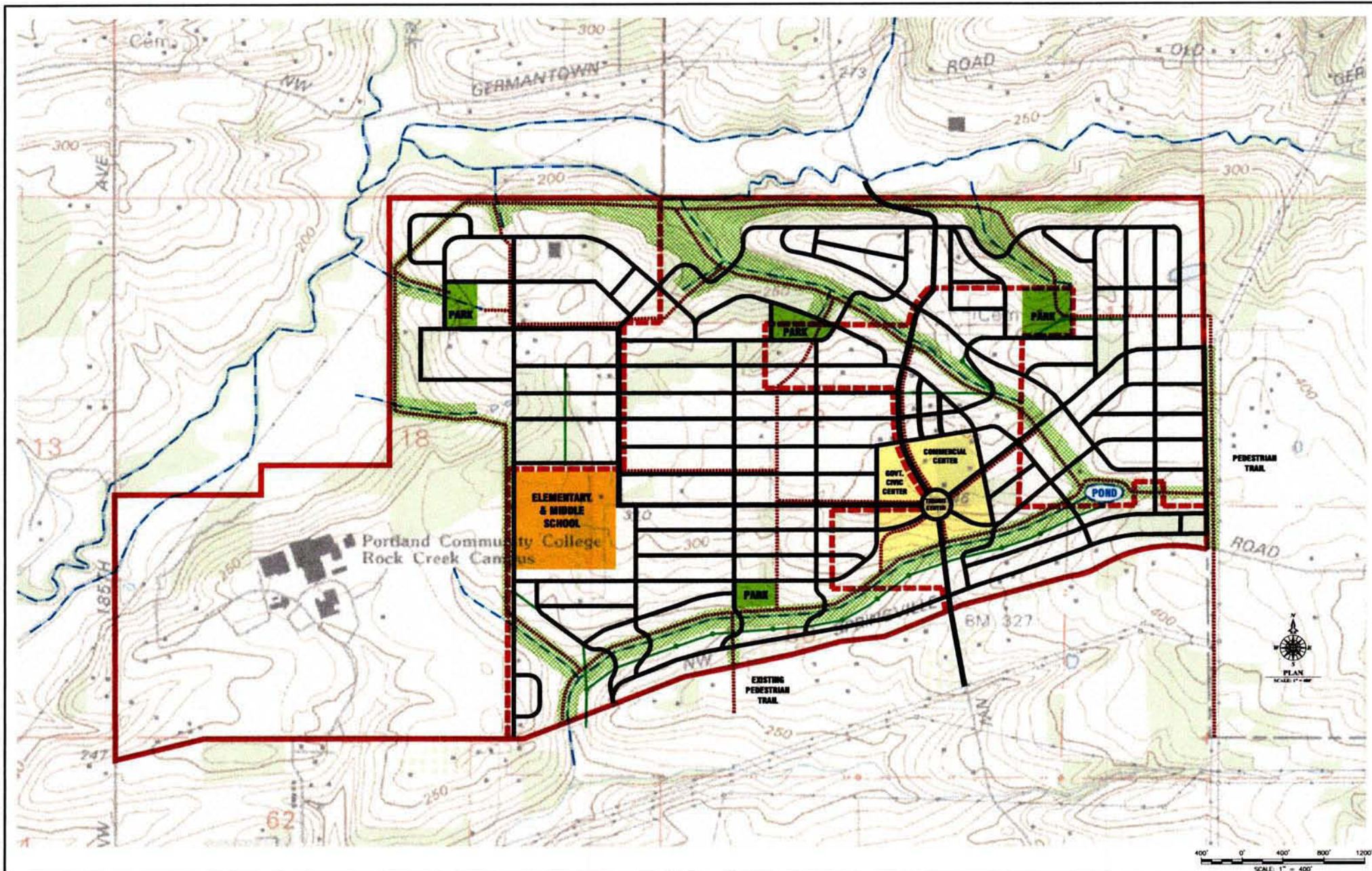
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 Portland, Oregon 97214  
 (503) 255-1111

The Conifer Group  
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 Portland, Oregon 97214

**CONCEPT MASTER PLAN**  
 AREAS 84, 85, 86 & 87  
 WASHINGTON COUNTY, OREGON

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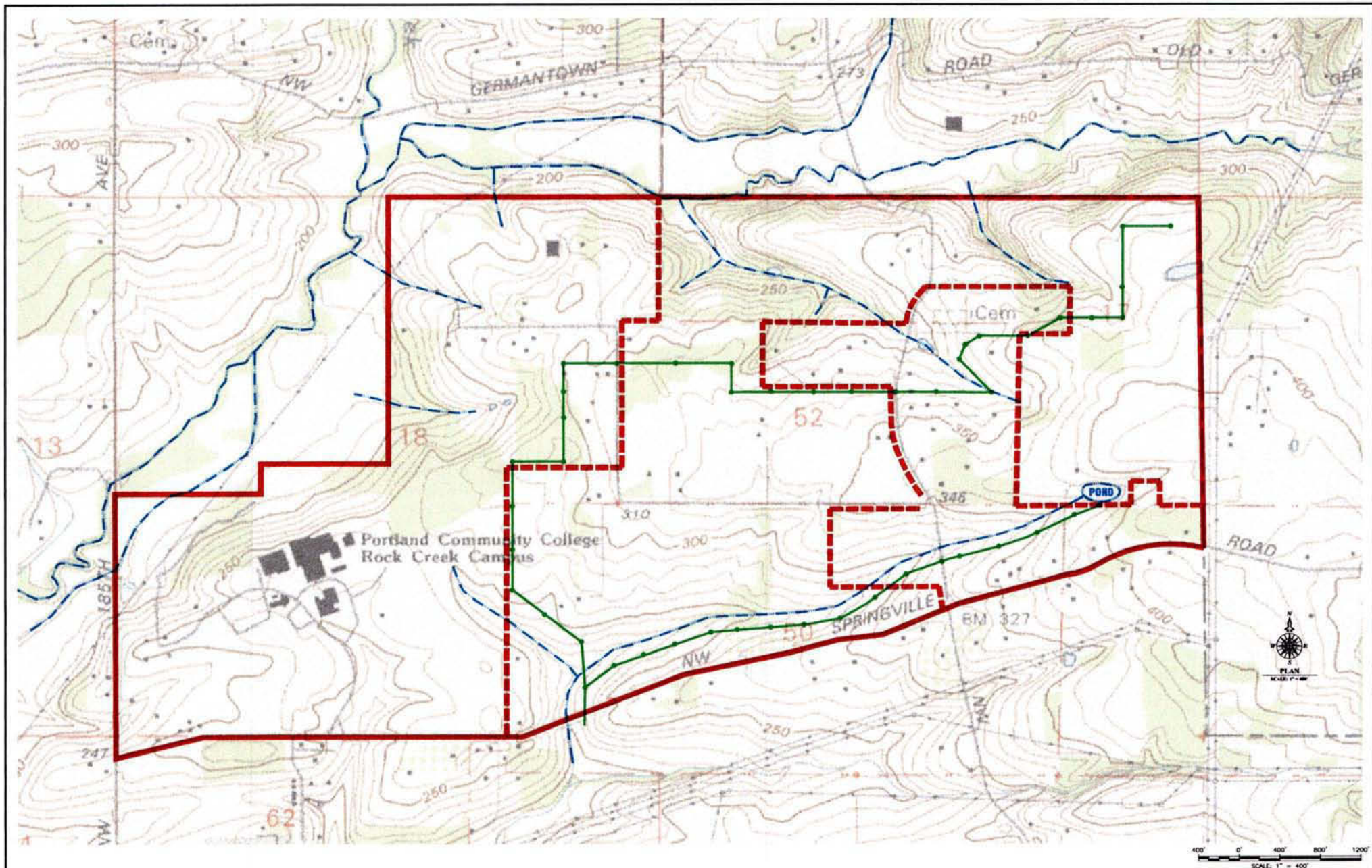
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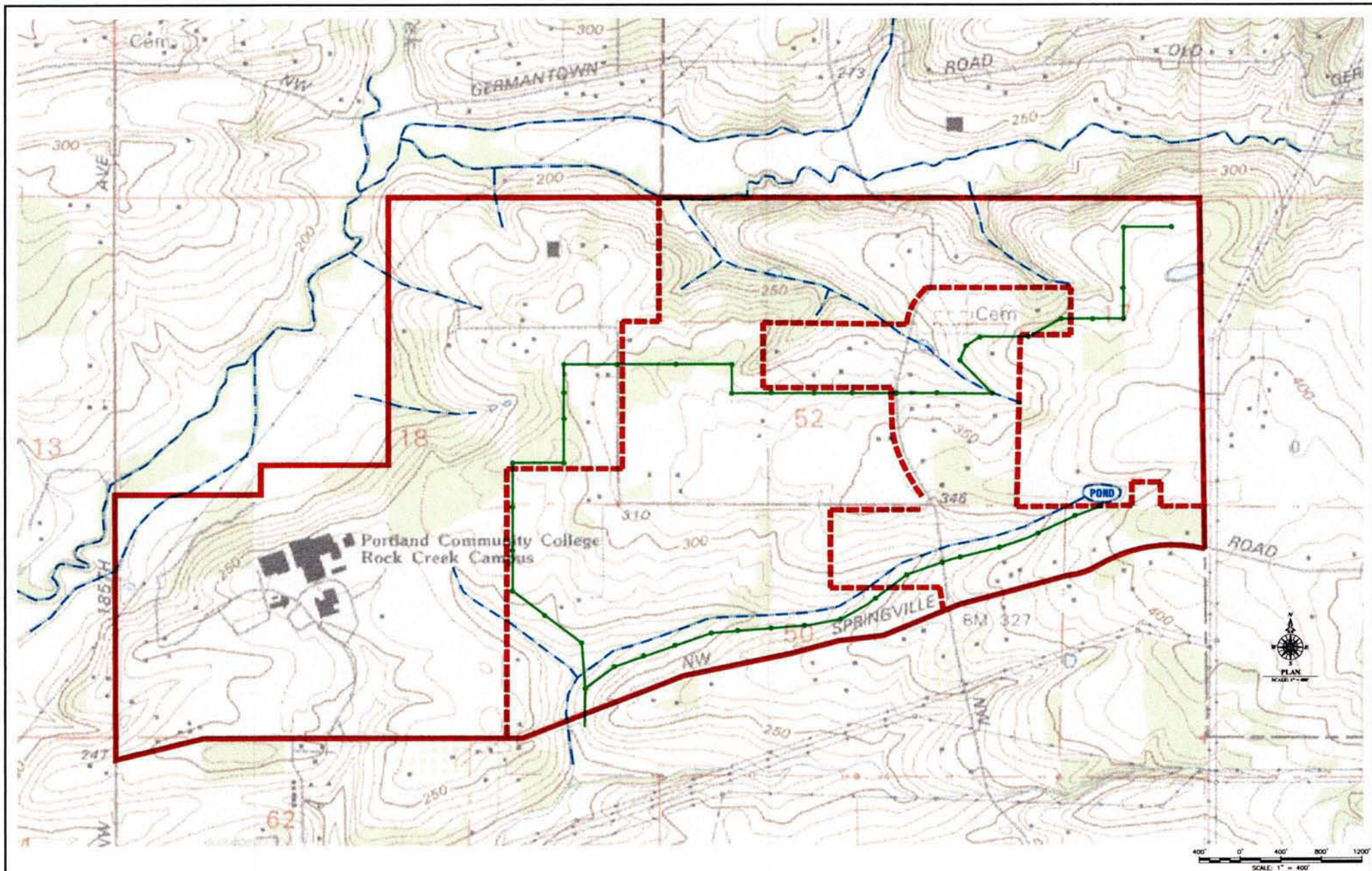
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**CONCEPT SANITARY PLAN**  
 AREAS 04, 05, 06 & 07  
 WASHINGTON COUNTY, OREGON

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DATE	NO.	REVISION	DRAWN: BJS	DESIGNED: BJS	CHECKED: BJS
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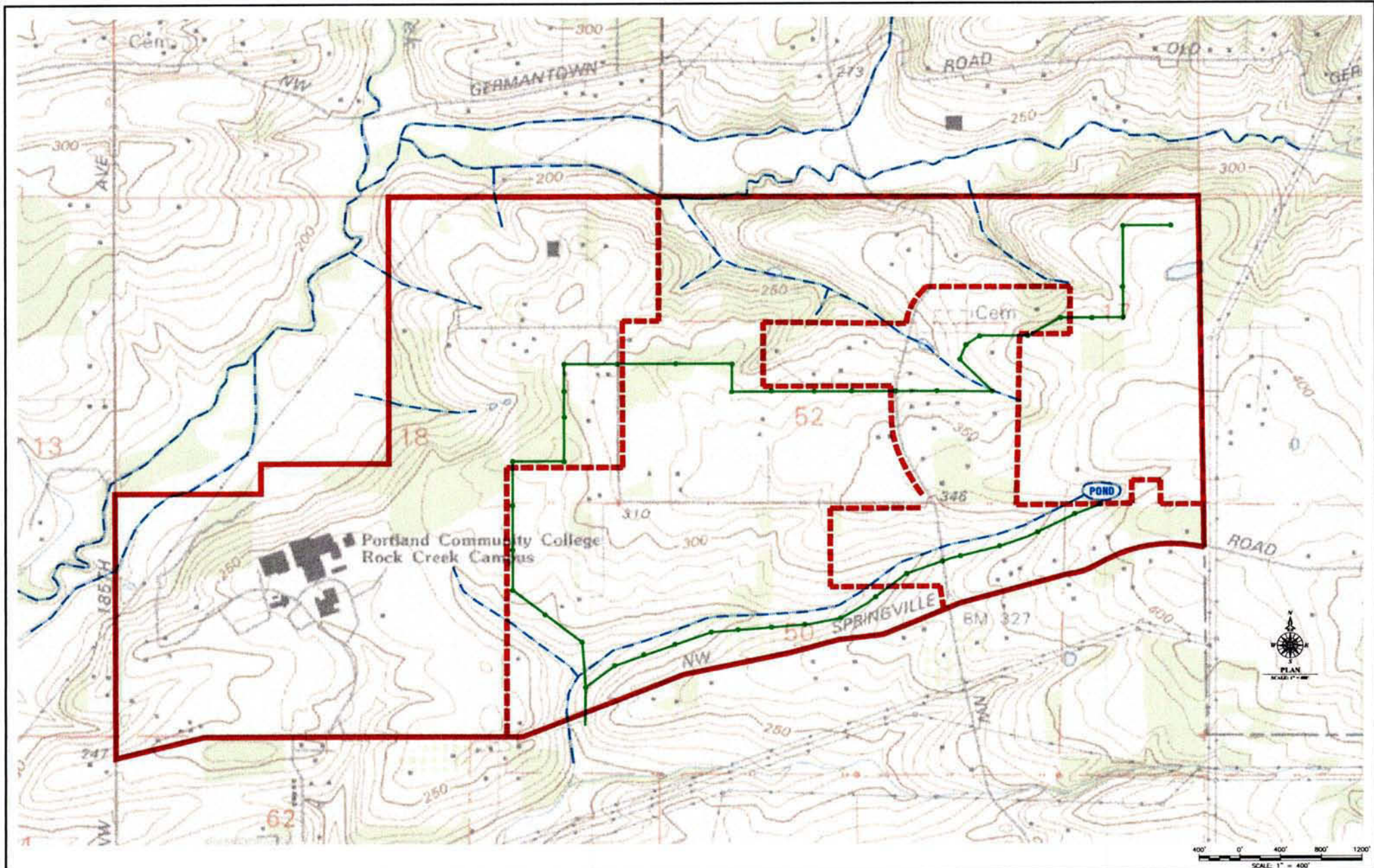
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The Conifer Group  
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 Portland, Oregon 97214

**CONCEPT SANITARY PLAN**  
 AREAS 04, 05, 06 & 07  
 WASHINGTON COUNTY, OREGON

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1





DATE	NO	REVISION	DRAWN: RJS	DESIGNED: BDO	CHECKED: BDO
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 Portland, Oregon 97214

**CONCEPT SANITARY PLAN**  
 AREAS 04, 05, 06 & 07  
 WASHINGTON COUNTY, OREGON

1  
1





534 SW Third Avenue, Suite 300 • Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org

Southern Oregon Office • 33 North Central Avenue, Rm. 429 • Medford, OR 97501 • (541) 245-4535 • fax (541) 776-0443

Willamette Valley Office • 388 State Street, Suite 604 • Salem, OR 97301 • (503) 371-7261 • fax (503) 371-7596

Lane County Office • 120 West Broadway • Eugene, OR 97401 • (541) 431-7059 • fax (541) 431-7078

Central Oregon Office • P.O. Box 8813 • Bend, OR 97708 • (541) 382-7557 • fax (541) 382-7552

December 5, 2002

Metro Council  
600 NE Grand Avenue  
Portland, OR 97232

Re: Proposed Urban Growth Boundary Expansions

Dear Councilors:

1000 Friends of Oregon has participated throughout your process to evaluate the urban growth boundary, and appreciates the long hours and difficult work you and your staff have put into this. While we support parts of the decisions you are poised to make, we have still have serious concerns about some portions.

#### Residential Need/Mixed-Use Centers

The assumptions regarding residential land need and mixed-use centers are unambitious, and in many ways reflect a backsliding from the Regional Framework Plan policies adopted for the 1997-2017 UGB decision. Because we have submitted extensive testimony on most of these points before, we summarize our concerns here.

- Elimination of future housing and employment targets for each jurisdiction, and for mixed-use centers.
- Acceptance of lower housing and employment targets for some jurisdictions than what was previously required by Title 1.
- Use of a refill rate that requires no effort by Metro or cities to achieve. You are proposing a residential refill rate of 29%. According to your own background studies, that is within the range that is observed to be occurring today. You can achieve that without taking any additional steps. If you are serious about focusing on refill in mixed-use areas, you should adopt a rate of over 30%, and require that the planning for the mixed-use areas be completed by no later than 2004, which is the date you have set for completing the planning for UGB expansion areas.



- Inflating the residential land need through a 4% vacancy rate. This is double-counting when there is a 20-year land supply that is refilled every 5 years.
- Use of a residential underbuild that is overstated.

### Industrial Land Needs

The assumptions regarding industrial land needs require greater scrutiny, which will occur in Task 3. But we believe even this decision is based on some faulty assumptions, including:

- Overstatement of the lack of large parcels. The Executive Officer's Urban Growth Report for Employment Land Need is based on *tax lots*, not *parcel sizes*. Tax lots are created for various taxing purposes, and many parcels in the same ownership may consist of more than one tax lot. The conclusion that there are no tax lots over 100 acres, and two over 50 acres, is not surprising, and it is also a skewed and inaccurate picture of what actually exists.

We paid the Metro Data Resources Center to provide a map showing the inventory of buildable industrial lands in contiguous parcels. It shows that there are 10 parcels of over 100 acres, and 26 parcels between 50-100 acres. Some are in different ownerships and some may not be on the market today, but they are part of the industrial land inventory. Many could be made available through public and private intervention that has successfully worked in the past, such as through aggregation of parcels, condemnation, provision of services, etc... Hillsboro's assembly of the Ronler Acres site for Intel is a good example of this.

- Acknowledgement that the projection for parcel size needs is based entirely on the past patterns of firm sizes and lot sizes.<sup>1</sup> This is both unrealistic and potentially dangerous, in that we are not planning for what future industrial users might actually need, and we are perpetuating a sprawling development pattern of large parking lots and single-story buildings.
- Lack of examining alternatives to the sprawling development patterns of the past. For example, there is currently an office vacancy rate in the Sunset Corridor of over 40%. The *Oregonian* reported that of those vacancies, "Most of the tenants along that highway are involved in technology development, ranging from software design to manufacturing."<sup>2</sup> These are industrial jobs, yet

<sup>1</sup> 2002-2022 Urban Growth Report: An Employment Land Need Analysis, p. 25.

<sup>2</sup> *Oregonian*, July 21, 2002, Business Section, pp. D 1, 4.



we are not looking at the now-vacant offices as part of the land supply for future industrial jobs.

- Myth about the "lost employer." We met several times with Applied Materials when they were looking for a site in the region. They explained to us that they were looking for 3 sites in North America – 1 in the East, 1 in the West, and that they already owned their third site in Austin. Worldwide semiconductor sales started falling in late 1999, and Intel, the major customer of Applied Materials, was certainly experiencing that fall in sales, and has been laying off workers. Applied Materials has not built the facility they were considering building here anywhere in Western North America. Moreover, one site they were interested in buying here – the closed Komatsu site – is, as I understand it, now on the market at the price Applied Materials was interested in. However, until the semiconductor market improves, I do not believe we will see Applied Materials or any similar business building any plants.
- Alleged uniqueness of Shute Road site. As demonstrated by the map we have introduced, there are large lot parcels of over 50 acres and 100 acres immediately to the south and east of Shute Road, inside the UGB. At least some portions of these are on the market today, based on driving through the area. And, they would have current access to the specialized dual-feed power and nitrogen gas, or could be readily served with it.

Moreover, your conditions on the Shute Road site are not sufficient to qualify it as a specific type of identified land need. In particular, in condition no. 9, you state that the uses for the site shall be limited to those requiring "specialized, dual-feed electric power *or* nitrogen gas." Yet, the submissions from Hillsboro claim that this site is unique, and necessary for certain high tech users, because it has access to *both* dual-feed electric power and nitrogen gas. As we understand it, dual-feed electric power alone is not unique to that site in the region; it is the nitrogen gas that makes it unique. To qualify for a specific type of identified land need, the condition should reflect this.

### Bethany Area

We believe your tentative decision on the Bethany area does not comply with state law and Metro policies. Not all of the farm land is needed to provide services to the exception areas, and you have not chosen exception areas in Washington County and in other parts of the region that could meet the need, including Area 65 and the Boring area.



The Bethany proposal also does not meet your criteria of supporting mixed-use centers. Contrary to the recent letter from Beaverton, we did review their compliance report. Not only did Beaverton fail to meet its housing and employment targets by a significant amount, it also failed to achieve the 80% minimum density requirement for residential development for the reporting period, in contrast to most other jurisdictions. Beaverton also acknowledges that its charter currently prohibits urban renewal districts, which is probably the most important tool for creating and growing mixed-use centers.

That this area is not ripe for expansion now is demonstrated by Beaverton's request for additional time to plan the area, and to do so in parts. The region planned for an area twice as large as Bethany in half the time – the Pleasant Valley area. This area has not had the public discussion that occurred in Damascus and Springwater prior to expansion, and which it deserves. It is being driven by developer and landowner interest, which are reflected in the competing proposals for the area, the lack of readiness of Beaverton to do the planning for it, and the conflicting information about how best to serve the area.

Thank you for consideration of our comments. Please notify us of your decision.

Sincerely,



Mary Kyle McCurdy  
Staff Attorney