



## **RESERVES CORE 4**

Summary Notes

November 9, 2009

Multnomah County Building

9:00 a.m. –noon

### **MEETING SUMMARY**

Attendees: Tom Brian (Washington County), Jeff Cogen (Multnomah County), Kathryn Harrington (Metro), Charlotte Lehan (Clackamas County), plus Core 4 staff, Chuck Beasley (Multnomah County), Brent Curtis (Clackamas County), Robin McArthur (Metro), Doug McClain (Clackamas County), Marcia Sinclair (Metro), Ray Valone (Metro), John Williams (Metro). Public attendees: Ed Bartholemy, Dick Benner, Wink Brooks, Carol Chesarek, Nick Christensen, Tom Coffee, Danielle Cowan, Julia Hajduk, Jon Holan, John Messner, Richard Meyer, John O'Neil, Bob Peterkort, Linda Peters, Doug Rux, Karen Schilling, Michael Sykes, Pete Truax, Matt Wellner, Aaron Wilson. Facilitation team: Deb Nudelman and Melissa Egan (Kearns & West).

### **Agenda Review**

Deb Nudelman called the meeting to order at 9:00 am. Everyone in the room introduced themselves. Deb reviewed the agenda, noting that the two primary topics will be to consider a timeline proposal drafted by Kathryn Harrington and continued discussion of urban and rural reserves designations.

### **Approval of Minutes**

The October 22, 2009 and October 26, 2009 Core 4 meeting summaries will be addressed at the next Core 4 meeting on November 13, 2009.

### **Core 4 Updates**

Deb asked the Core 4 if they had any updates to share. Kathryn Harrington went over her Core 4 memo, "Objectives for Upcoming Core 4 Meetings." Metro's goal is to adopt IGAs by the end of February. Metro Council will be accepting the UGR by the end of 2009. If reserves are not in place by early 2010, they will have to revert to the "old way" of considering changes to the urban growth boundary – using the soils hierarchy. Kathryn discussed the proposed timeline and related activities that will need to be accomplished along the way. She mentioned the idea of joint public hearings, in addition to the regular public involvement open houses. Jeff Cogen asked for clarification on her suggested timeline, wondering if she meant that the Core 4 would reach full agreement by Friday, November 13. Kathryn responded that no, there is still quite a bit up for discussion, but that ideally the Core 4 would make significant progress toward an agreement.

Doug noted that the PMT has begun circulating a draft IGA for review and comment. He requested input on what the full package ought to contain. Dick Benner said they are in the process of looking at the Intergovernmental Agreement format and content. He suggested that including the rationale for decisions would be a good idea and noted that the rules require one set of findings. Deb said it would be useful to have a list of the required and optional IGA components by Friday's meeting. [Action Item]

Jeff said that the Multnomah County Board of Commissioners will be meeting on December 10 to decide upon urban and rural reserves recommendations. He does not believe he will need Core 4 members to join him for that meeting, but for discussions involving IGAs, he foresees wanting Core 4 support. Charlotte Lehan asked a question of clarification regarding Kathryn's earlier statement that if IGAs are not in place by the end of February, we would have to revert to the "old way." She wondered if Kathryn was implying that we would have to simply abandon the work done over the last two years in the Reserves process. Kathryn said that they have a firm deadline, so essentially yes. Doug went over the Phase 5 activities, noting that something such as the 45-day notice required by LCDC could impact this timeline. Kathryn said the PMT should gather all that information so it can be included in Core 4 discussions about timelines. [Action Item]

Jeff updated the Core 4 on UR-A. Multnomah County talked with the City of Portland, and the city has no interest in providing services to that area. He suggested the area be removed from the urban list and be considered for either rural or undesignated. [Action Item]

### Regional Urban and Rural Reserves

Kathryn distributed a memo that she wrote for the Metro Council, "Status of Metro Council discussions – urban and rural reserves." She wrote it to encapsulate and clarify the Council's interests. Concerning rural reserves, the Council supports the 3-mile line construct. After some discussion, the Core 4 decided they would like to see a map illustrating a 3-mile line beyond the UGB on Friday. [Action Item] Charlotte added that Clackamas did a roughly 3-mile line; some places it is slightly more than three miles because it made sense to not leave small slivers of land. Kathryn asked Dick if there is some flexibility in the 3-mile line construct. Dick responded that the rule mentions three miles in reference to foundation and important farmland. If the Core 4 decides to designate a rural reserve, then there need be no further explanation. Doug said they only did it for the purpose of fine-tuning. They started with three miles and then adjusted it where it made sense.

Kathryn mentioned that Metro received information from the Washington County Farm Bureau, a map with numbered areas. Brent has not seen it yet, nor have any of the counties. It is very large and the numbers are hand written, Metro will have to work to reproduce it legibly and will then distribute it. [Action Item]

Looking at Kathryn's memo, Tom Brian expressed surprise that it indicates strong support for UR-S and UR-Y. Kathryn said the memo is meant to communicate the collected views and sentiments of the Council. It is merely a tool to summarize discussion thus far. Deb wondered how the Core 4 could know how solid is "strong support." Kathryn said this may feel directive, but it is only meant to be a tool to help move discussion along. Tom asked if something is not on the "strong support" list, is it no longer up for discussion? Jeff said he also wants to confirm that he understands that strong support indicates that a majority of the Council supports it, except for UR-G and UR-4. Kathryn responded yes, and added that she was trying to frame up the region as a whole.

Charlotte observed that Kathryn's memo indicates strong support for 15,661 acres of additional urban reserves. She wondered if that is in the range of what we need, or do we need to add or subtract acres. She feels this is important information to know how aggressively the Core 4 needs to work on the discussion areas. Kathryn responded that she took a regional scale approach; the Council likes the 40-year planning window along with a 20-year check-in, and then general parameters on range. Tom noted the memo does not address undesignated areas. Kathryn said the COO said to consider using undesignated as a buffer, but the Council does not find that to be workable; they prefer the 40-year planning window along with a 20-year check-in. Chuck Beasley asked if there is no undesignated land up against the UGB, what purpose would the 20-year check in serve? Jeff said this is a great question that the Core 4 needs to consider.

After the break, Charlotte updated the Core 4 on the area east of UR-R. They are considering leaving it undesignated, but are not sure yet. Charlotte said that UR-R is a City of Tualatin request, but that it is so big relative to the size of Tualatin, as well as being conflicted farmland, it causes Clackamas County some concern. It is hilly terrain, thus she does not see it being significant employment land. If they go through residential land faster than anticipated, the area east of UR-R would be there for future consideration. Kathryn wants to be sure this information gets to Council. Tom wondered if the Core 4 will be creating a report. Deb said yes, in the sense that it will include the map with their unanimous recommendations for urban and rural reserves, along with the rationale and any other relevant documentation. Charlotte said that in addition, if we are shy on acres, UR-R is an area to think about. Otherwise, in her view it is a logical place to leave undesignated and be reviewed at the 20-year check-in. This is in line with the LCDC goal of using exception lands first and protecting farms and forests. Kathryn said the same applies to UR-12. Charlotte agreed and added that down the line, once the connectivity issue is solved, it is a prime place to look for additional land.

Regarding UR-Y and UR-S, Charlotte wondered what the on-going issues are. Tom responded that one issue is that adding 1,700 difficult to develop acres to Damascus causes the county concern. Also, for UR-S, the issue is similar to the undesignated land east of UR-R. Tualatin does not want to develop it. He wonders about the implications of development by I-205 at the interchanges. In 1972, when I-205 was built, they decided they did not want that. Kathryn said the Council wants further discussion. Doug clarified that at the Metro Council work session, the questions focused on UR-10 and UR-11 being included to augment UR-S. Charlotte said that they have met with all three cities, and each city expressed some interest in UR-S. Regarding I-205, she thinks it should be maintained as a scenic highway as intended and that development is appropriate only for the Borland interchange. Doug noted that UR-S rates very high on the factors. Charlotte said that it is connected to West Linn because of sewers. West Linn had a split council on this issue, but may have interest in the future. More likely it will be Lake Oswego or Tualatin. They are trying to leave options open for the 20-year check-in to see what could develop among the three cities. Kathryn said this is a good example of how the Reserves process is supposed to work.

Charlotte explained that the middle third of UR-Y is part of the City of Damascus. The two wings are both conflicted farmland, one of which is parcelized and developed. Doug said there is particular interest in the eastern portion, which is shown as the town center in concept plans. Charlotte noted that in talking with Damascus, they have learned that it would have made more sense to bring these areas into the UGB in the beginning, rather than the area that was brought in. There is a logical boundary based upon topography, not just "creeposis." Clackamas County has a meeting with Damascus on Thursday to discuss undesignated areas.

Tom said that for Washington County, they continue to meet with the cities and are developing new maps for UR-7, UR-6 and UR-5. There are no additional changes to report at this time.

Jeff said that Multnomah County is meeting with Gresham and Troutdale and that there may be new information on UR-14 and UR-15 by Friday.

Deb asked the Core 4 what they would like to discuss next. Kathryn wondered if looking at the currently proposed undesignated areas and giving an indication on them would be a good idea. She asked Dick to what degree does the Core 4 need to explain an undesignated area in the IGAs? Dick said it is a good idea to explain them, for the sake of clarity of intentions. Jeff noted that in terms of the legal requirements, it is not the Core 4's task to look at every acre in the region and categorize it; we do not have to defend decisions we do not make. Dick agreed, and added that there are some instances of undesignated lands that need no explanation, but some do. For example, he thinks the Core 4 would want to give a rationale regarding land right up against the UGB being saved as a hedge against future employment land needs. Jeff offered the scenario of land that meets all the factors for both urban and rural and they decide to do neither. Charlotte thought in some cases that would be ok, but in others, it would not be legally defensible. Dick agreed, noting that each decision depends upon the context and that LCDC will look at the whole package and ask for explanation if there is a contradiction or inconsistency.

The state memo indicates that they favor using undesignated lands for "steering urbanization." Dick thinks that they are less concerned about undesignated lands far away from the UGB, and more concerned about those close in. Kathryn said this is one reason Washington County lands are so challenging, because there is so much foundation farmland right up against the UGB and the outlying cities. Charlotte agreed, saying the intent of the statute is to give real certainty for agriculture. Tom said this brings us back to Chuck's point, if there is no undesignated land adjacent to the UGB, what is the point of the 20-year check-in? Charlotte added that she wants a long-term commitment to preserving agricultural lands. They are fabulous resources and she is concerned they will be eaten up over time. Tom said that gets to the heart of his issue with the 20-year check-in, it undermines certainty.

Kathryn said SB 1011 was about developing a collective understanding about doing things differently. Tom added that for the sake of whoever follows us, we need to be sure that they will have choices in the future. Chuck said that when he envisions the edge with no white space, at the 20-year check-in point, we will assess if we have enough, and then can look at what changes can be made on the inside. Doug said rural reserves could also be expanded into the white space. You cannot expand an urban reserve into a rural reserve, but you can expand a rural reserve into an undesignated area.

#### Wrap-up/Summary

Deb said for Friday's meeting, acknowledging that no agreements have been made and that boundaries are not set, she would like to see a "75 percent yes" map. The group can work on the remaining 25 percent in real time. It was decided to move the next meeting to Metro to have access to maps and GIS information. Metro will provide a variety of maps, including large, hard copies of the region, one displaying the 3-mile ring extending from the UGB, maps of outlying cities. Deb said she takes seriously the caution about there not being much time before the next meeting, plus one day off for a holiday on Wednesday. She encouraged everyone to just do their best.

Next Core 4 meeting: Friday, November 13, from 9:00 a.m. to noon at Metro.  
There was no additional business; Deb adjourned the meeting at 11:50.

Meeting summary prepared by Kearns and West.

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