

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING
INTERGOVERNMENTAL AGREEMENTS
BETWEEN METRO AND CLACKAMAS,
MULTNOMAH AND WASHINGTON
COUNTIES TO DESIGNATE URBAN
RESERVES AND RURAL RESERVES IN THE
COUNTIES AND AUTHORIZING THE
COUNCIL PRESIDENT TO SIGN THE
AGREEMENTS

) RESOLUTION NO. 10-4126

) Introduced by Councilor Kathryn Harrington,
Councilor Carl Hosticka and Councilor David
Bragdon

WHEREAS, the Metro Council and the Boards of Commissioners of Clackamas, Multnomah and Washington Counties have declared their mutual interest in long-term planning for three-county area for which they share land use planning authority in order to achieve livable communities, viable and vital agricultural and forest industries and protected natural landscape features that define the region; and

WHEREAS, the Metro Council intends these agreements and the designation of Urban and Rural reserves will, together with other actions by the Council, help achieve the following Outcomes for the region adopted by the Council upon recommendation by the Metropolitan Policy Advisory Committee (MPAC):

- Vibrant Communities
- Economic Prosperity
- Safe and Reliable Transportation
- Leadership on Climate Change
- Clean Air and Water
- Equity

and

WHEREAS, the 2007 Oregon Legislature enacted Senate Bill 1011, codified at ORS 195.137 to 195.145 (“the statute”), at the request of the four governments and many other local governments and organizations in the region and state agencies, to establish a new method to accomplish the goals of the four governments through long-term planning; and

WHEREAS, the statute authorizes Metro to designate Urban Reserves and Clackamas, Multnomah and Washington Counties to designate Rural Reserves to accomplish the purposes of the statute, which are consistent with the goals of the four governments; and

WHEREAS, the Land Conservation and Development Commission (“LCDC”) adopted rules to implement the statute on January 25, 2008, as directed by the statute; and

WHEREAS, the statute and rules require the four governments to work together in their joint effort to designate reserves and to enter into formal agreements between Metro and each county to designate reserves in a coordinated and concurrent process prior to adoption of ordinances adopting reserves; and

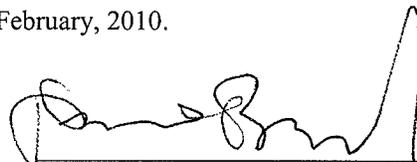
WHEREAS, Metro and the counties sought and received comments on the preliminary analyses of suitability of land for designation of land for Urban Reserves and Rural Reserves from the Reserves Steering Committee, MPAC, Clackamas County's Policy Advisory Committee, reserves partner governments Multnomah County and Washington County, other local governments in the region, state agencies and public, private and non-profit organizations and citizens at numerous open houses and public hearings; and

WHEREAS, the proposed IGAs have the support of the four governments; now, therefore,

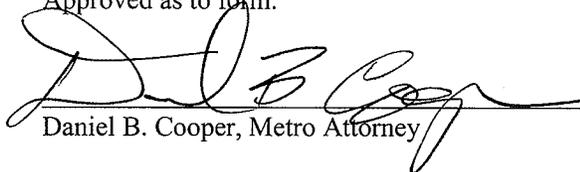
BE IT RESOLVED that the Metro Council

1. Approves the proposed Intergovernmental Agreements between Metro and Clackamas County, attached to this resolution as Exhibit A; between Metro and Multnomah County, attached to this resolution as Exhibit B; and between Metro and Washington County, attached to this resolution as Exhibit C as final proposals for designation of Urban and Rural Reserves to be adopted by the four governments, and authorizes the Council President to sign the agreements on behalf of Metro.
2. Directs the Chief Operating Officer to prepare an ordinance that would designate Urban Reserves and adopt implementing policies, consistent with the IGAs, and set the ordinance for public hearing prior to June 8, 2010.
3. Recognizes that adoption of this resolution is not a land use decision. It is a preliminary decision that will lead to adoption of an ordinance that designates urban reserves and adopts implementing policies and land use regulations. The Council will submit the ordinance as a final land use decision to the Land Conservation and Development Commission pursuant to ORS 197.626.

ADOPTED by the Metro Council this 25th day of February, 2010.


David Bragdon, Council President

Approved as to form:


Daniel B. Cooper, Metro Attorney



**Intergovernmental Agreement
Between Metro and Clackamas County
To
Adopt Urban and Rural Reserves**

This Agreement is entered into by and between Metro and Clackamas County pursuant to ORS 195.141 and 190.003 to 190.110 for the purpose of agreeing on the elements of an ordinance to be adopted by Metro designating Urban Reserves and of an ordinance to be adopted by Clackamas County designating Rural Reserves, all in Clackamas County.

PREFACE

This agreement will lead to the designation of Urban Reserves and Rural Reserves. Designation of the Urban and Rural Reserves by this agreement will help accomplish the purpose of the 2007 Oregon Legislature in enacting Senate Bill 1011, now codified in ORS 195.137 to 195.145 (“the statute”):

Facilitate long-term planning for urbanization in the region that best achieves

- Livable communities;
- Viability and vitality of the agricultural and forest industries; and
- Protection of the important natural landscape features that define the region.

RECITALS

WHEREAS, Metro and Multnomah, Washington and Clackamas Counties (“the four governments”) have declared their mutual interest in long-term planning for the three-county area in which they exercise land use planning authority to achieve the purpose set forth in the statute; and

WHEREAS, the Oregon Legislature enacted the statute in 2007, at the request of the four governments and many other local governments and organizations in the region and state agencies, to establish a new method to accomplish the goals of the four governments through long-term planning; and

WHEREAS, the statute authorizes the four local governments to designate Urban Reserves and Rural Reserves to accomplish the purposes of the statute, which are consistent with the goals of the four governments; and

WHEREAS, the Land Conservation and Development Commission (“LCDC”) adopted rules to implement the statute on January 25, 2008, as directed by the statute; and

WHEREAS, the statute and rules require Metro and Clackamas County to designate reserves and to enter into formal agreements among them to designate reserves in a coordinated and concurrent process prior to adoption of ordinances adopting reserves; and

WHEREAS, the statute and the rules set forth certain factors to be considered in the designation of reserves, and elements to be included in ordinances adopting reserves; and

WHEREAS, the parties have followed the procedures and considered the factors set forth in the statute and the rule; and

WHEREAS, the parties have completed an extensive and coordinated public involvement effort; and

WHEREAS, the parties have coordinated their efforts with cities, special districts, school districts and state agencies in the identification of appropriate Urban and Rural Reserves;

NOW, THEREFORE, Metro and Clackamas County agree as follows:

AGREEMENT

- A. **Metro agrees** to consider the following policies and Urban Reserve designations at a public hearing and to incorporate them in the Regional Framework Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:
1. A policy that designates as Urban Reserves those areas shown as proposed Urban Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.
 2. A policy that determines that the Urban Reserves designated by the Regional Framework Plan pursuant to this agreement are intended to provide capacity for population and employment between 2010 and 2060, a total of 50 years from the date of adoption of the ordinance designating the reserves.
 3. A policy that gives highest priority to Urban Reserves for future addition to the urban growth boundary (UGB).
 4. A map depicting the Urban Reserves adopted by Metro and the Rural Reserves adopted by Clackamas County following this agreement.
 5. A policy that Metro will not add Rural Reserves designated by ordinance following this agreement to the regional UGB for 50 years.
 6. A policy that Metro will not designate Rural Reserves as Urban Reserves for 50 years.
 7. A policy that Metro will require a “concept plan”, the required elements of which will be specified in the Urban Growth Management Functional Plan in consultation with the county, for an area of Urban Reserves under consideration for addition to the UGB to be completed prior to the addition. Concept plans shall include elements on finance, provision of infrastructure, natural resource protection, governance, the planning principles set forth in Exhibit B and other subjects critical to the creation of great

communities. Concept plans will provide that areas added to the UGB will be governed and planned by cities prior to urbanization.

8. A policy that Metro will review the designations of urban and rural reserves, in coordination with Clackamas, Multnomah and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

B. Clackamas County agrees to consider the following policies and Rural Reserve designations at a public hearing and to incorporate them in its Comprehensive Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:

1. A policy that designates as Rural Reserves the areas shown as proposed Rural Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.
2. A map depicting the Rural Reserves designated by the Comprehensive Plan and the Urban Reserves adopted by Metro following this agreement.
3. A policy that Clackamas County will not include Rural Reserves designated pursuant to this agreement in the UGB of any city in the county for 50 years from the date of adoption of the ordinance designating the reserves.
4. A policy that the county will not re-designate Rural Reserves as Urban Reserves for a city in the county for 50 years from the date of adoption of the ordinance designating the reserves.
5. A policy that commits the county, together with an appropriate city or cities, to participation in development of a concept plan for an area of Urban Reserves under consideration for addition to the UGB.
6. A policy that the county will review the designations of Urban and Rural Reserves, in coordination with Metro and Multnomah and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

C. Clackamas County and Metro agree to follow this process for adoption of the ordinances that will carry out this agreement:

1. Each government will hold at least one public hearing on its draft ordinance prior to its adoption.
2. Metro and the county will hold their final hearings and adopt their ordinances no later than June 8, 2010.

3. If testimony at a hearing persuades Metro or the county that it should revise its ordinance in a way that would make it inconsistent with this agreement, then it shall continue the hearing and propose an amendment to the agreement to the other party and to Multnomah and Washington Counties.
 4. If Clackamas County or Metro proposes an amendment to the agreement, the party proposing the agreement will convene the four governments to consider the amendment. Any objections or concerns raised by a government that is not party to this IGA shall be considered carefully and the four governments shall take reasonable, good faith steps to reach consensus on the amendment. After this consultation, Clackamas County and Metro may agree to an amendment.
 5. Metro and Clackamas County will adopt a common set of findings, conclusions and reasons that explain their designations of Urban Reserves and Rural Reserves as part of their ordinances adopting the reserves. Metro and the county will incorporate maps into their respective plans that show both the Urban and Rural Reserves in Exhibit A to this agreement, with the county showing only the reserves in the county.
 6. Metro and Clackamas County will establish, in coordination with Multnomah and Washington Counties, a process for making minor revisions to boundaries between Urban Reserves and undesignated land that can be made at the time of concept planning, and a process for making minor additions to Rural Reserves, with notice to, but without convoking all four reserves partners.
 7. Within 45 days after adoption of the last ordinance adopting reserves of the four governments, Clackamas County and Metro will submit their ordinances and supporting documents to LCDC in the manner of periodic review.
- D. **Clackamas County and Metro further agree** to work with the city of Sandy to revise their three-party Intergovernmental Agreement on Green Corridors and Rural Reserve and Population Coordination, dated December 3, 1997, to ensure protection of visual resources along U.S. Highway 26 between the Metro urban growth boundary and the Sandy urban growth boundary.

E. This agreement terminates on December 31, 2060.

CLACKAMAS COUNTY

METRO

Lynn Peterson
Chair, Clackamas County
Board of Commissioners

David Bragdon,
Metro Council President

Dated:

Dated:

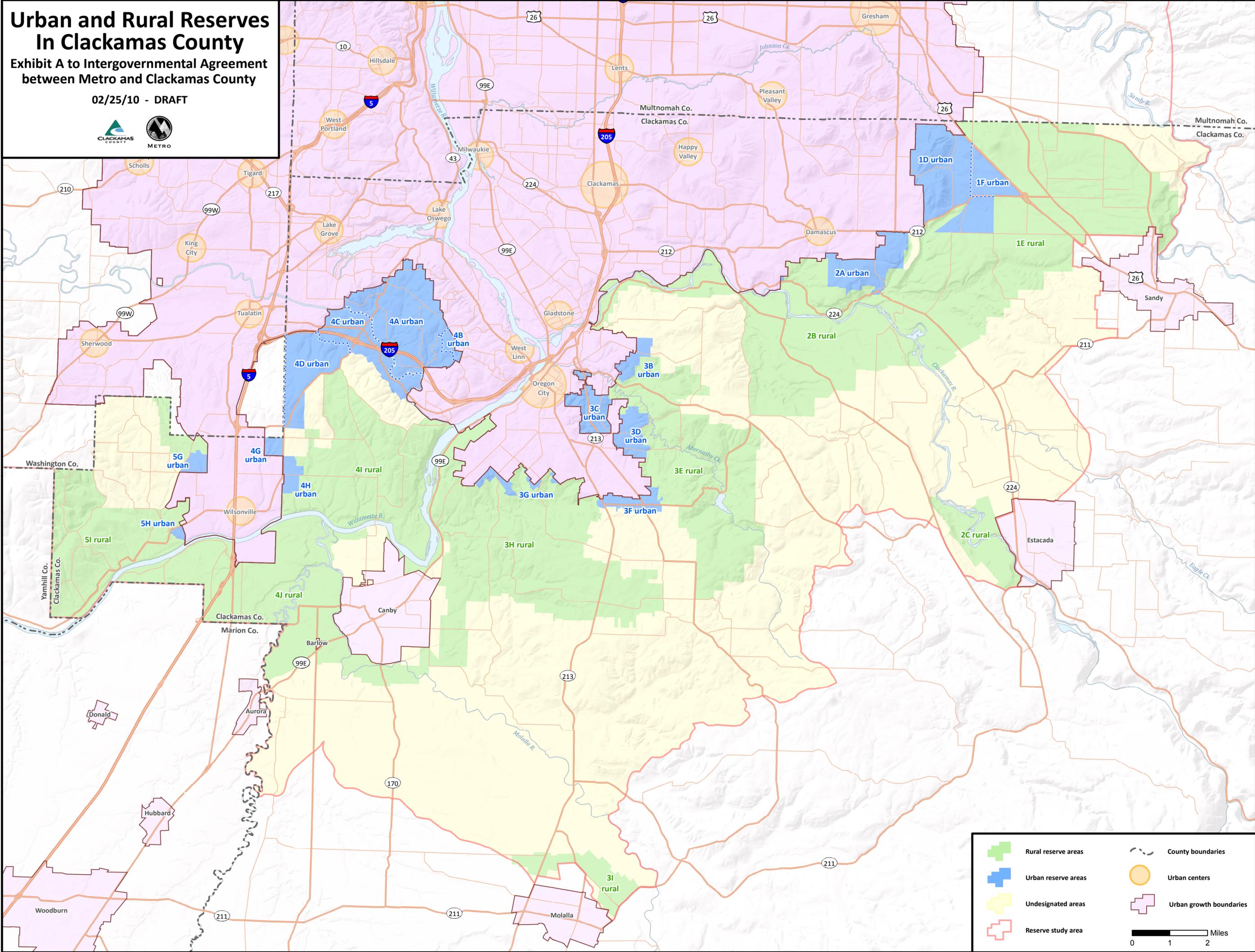
Approved as to form:

Approved as to form:

Urban and Rural Reserves In Clackamas County

Exhibit A to Intergovernmental Agreement
between Metro and Clackamas County

02/25/10 - DRAFT



	Rural reserve areas		County boundaries
	Urban reserve areas		Urban centers
	Undesignated areas		Urban growth boundaries
	Reserve study area		Miles

0 1 2

Exhibit B to Agreement between Metro and Clackamas County

PRINCIPLES FOR CONCEPT PLANNING OF URBAN RESERVES

1. Concept planning for specific, enumerated Urban Reserves on the Urban and Rural Reserves map may occur separately and at different times.
2. A concept plan for any Urban Reserve area must be approved by the county, the city or cities who will govern the area and Metro, with ample opportunities for public involvement, including recognized citizen involvement entities, such as community planning organizations, hamlets and neighborhood associations. Concept plans will recognize community-based planning efforts such as the Stafford Hamlet Values & Vision Statement.
3. The following cities shall be invited to participate in concept planning of the following Urban Reserves:
 - Areas 1D and 1F (Clackanomah) – Damascus, Gresham and Sandy
 - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
 - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
 - Area 4C (North Borland Road) - Tualatin, Lake Oswego and West Linn
4. Concept plans shall provide that any area added to the UGB shall be governed by one or more of the following cities, or a new city, with preferences to the following:
 - Areas 1D and 1F (Clackanomah) – Damascus and Gresham
 - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
 - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
 - Area 4C (North Borland Road) - Tualatin, Lake Oswego and West Linn
5. Concept planning for Urban Reserve areas that are suitable for industrial and other employment uses – such as portions of Clackanomah and the Borland Road area - will recognize the need to provide jobs in this part of the region and will recognize that portions of the areas are intended principally to meet employment needs.
6. Concept planning for Urban Reserve areas that are suitable for a mix of urban uses – such as the Borland Road area – will recognize the opportunity to provide employment and mixed-use centers with housing at higher densities and employment at higher floor-to-area ratios, and will include designs for a walkable, transit-supportive development pattern.
7. Concept planning shall recognize environmental and topographic constraints and habitat areas, such as the buttes in the Clackanomah area, Newell Creek Canyon in Urban Reserve Area 3C and the riparian areas along creeks in the North Stafford Area. These areas include important natural features and sensitive areas that are not appropriate for urban development. Concept planning will reduce housing and employment capacity expectations accordingly.

8. Concept planning for the portion of the Clackanomah area along Highway 26 will recognize the need to provide and protect a view corridor considering, among other things, landscaping, signage and building orientation. Metro and Clackamas County also recognize the need to work with the City of Sandy to revise the existing intergovernmental agreement among the parties.

**Intergovernmental Agreement
Between Metro and Multnomah County
To
Adopt Urban and Rural Reserves**

This Agreement is entered into by and between Metro and Multnomah County pursuant to ORS 195.141 and 190.003 to 190.110 for the purpose of agreeing on the elements of an ordinance to be adopted by Metro designating Urban Reserves and of an ordinance to be adopted by Multnomah County designating Rural Reserves, all in Multnomah County.

PREFACE

This agreement will lead to the designation of Urban Reserves and Rural Reserves. Designation of the Urban and Rural Reserves by this agreement will help accomplish the purpose of the 2007 Oregon Legislature in enacting Senate Bill 1011, now codified in ORS 195.137 to 195.145 (“the statute”):

Facilitate long-term planning for urbanization in the region that best achieves

- Livable communities;
- Viability and vitality of the agricultural and forest industries; and
- Protection of the important natural landscape features that define the region.

RECITALS

WHEREAS, Metro and Multnomah, Washington and Clackamas Counties (“the four governments”) have declared their mutual interest in long-term planning for the three-county area in which they exercise land use planning authority to achieve the purpose set forth in the statute; and

WHEREAS, the Oregon Legislature enacted the statute in 2007, at the request of the four governments and many other local governments and organizations in the region and state agencies, to establish a new method to accomplish the goals of the four governments through long-term planning; and

WHEREAS, the statute authorizes the four local governments to designate Urban Reserves and Rural Reserves to accomplish the purposes of the statute, which are consistent with the goals of the four governments; and

WHEREAS, the Land Conservation and Development Commission (“LCDC”) adopted rules to implement the statute on January 25, 2008, as directed by the statute; and

WHEREAS, the statute and rules require the four governments to work together in their joint effort to designate reserves and to enter into formal agreements among them to designate reserves in a coordinated and concurrent process prior to adoption of ordinances adopting reserves; and

WHEREAS, the statute and the rules set forth certain factors to be considered in the designation of reserves, and elements to be included in ordinances adopting reserves; and

WHEREAS, the four governments have followed the procedures and considered the factors set forth in the statute and the rule; and

WHEREAS, the four governments have completed an extensive and coordinated public involvement effort; and

WHEREAS, the four governments have coordinated their efforts with cities, special districts, school districts and state agencies in the identification of appropriate Urban and Rural Reserves;

NOW, THEREFORE, Metro and Multnomah County agree as follows:

AGREEMENT

- A. **Metro agrees** to consider the following policies and Urban Reserve designations at a public hearing and to incorporate them in the Regional Framework Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:
1. A policy that designates as Urban Reserves those areas shown as proposed Urban Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.
 2. A policy that determines that the Urban Reserves designated by the Regional Framework Plan pursuant to this agreement are intended to provide capacity for population and employment between 2010 and 2060, a total of 50 years from the date of adoption of the ordinance designating the reserves.
 3. A policy that gives highest priority to Urban Reserves for future addition to the urban growth boundary (UGB).
 4. A map depicting the Urban Reserves adopted by Metro and the Rural Reserves adopted by Multnomah County following this agreement.
 5. A policy that Metro will not add Rural Reserves designated by ordinance following this agreement to the regional UGB for 50 years.
 6. A policy that Metro will not designate Rural Reserves as Urban Reserves for 50 years.

7. A policy that Metro will require a “concept plan”, the required elements of which will be specified in the Urban Growth Management Functional Plan in consultation with the county, for an area of Urban Reserves under consideration for addition to the UGB to be completed prior to the addition. Concept plans shall include elements on finance, provision of infrastructure, natural resource protection, governance, the planning principles set forth in Exhibit B and other subjects critical to the creation of great communities. Concept plans will provide that areas added to the UGB will be governed and planned by cities prior to urbanization.
 8. A policy that Metro will review the designations of Urban and Rural Reserves, in coordination with Clackamas, Multnomah and Washington Counties, 20 years after the adoption of reserves by the local governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.
- B. Multnomah County agrees** to consider the following policies and Rural Reserve designations at a public hearing and to incorporate them in its Comprehensive Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:
1. A policy that designates as Rural Reserves the areas shown as proposed Rural Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.
 2. A map depicting the Rural Reserves designated by the Comprehensive Plan and the Urban Reserves adopted by Metro following this agreement.
 3. A policy that Multnomah County will not include Rural Reserves designated pursuant to this agreement in the UGB of any city in the county for 50 years from the date of adoption of the ordinance designating the reserves.
 4. A policy that Multnomah County will not re-designate Rural Reserves as Urban Reserves in the county for 50 years from the date of adoption of the ordinance designating the reserves.
 5. A policy that commits Multnomah County, together with an appropriate city, to participation in development of a concept plan for an area of Urban Reserves under consideration for addition to the UGB.
 6. A policy that the county will review the designations of Urban and Rural Reserves, in coordination with Metro and Clackamas and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

- C. **Multnomah County and Metro agree** to follow this process for adoption of the ordinances that will carry out this agreement:
1. Each government will hold at least one public hearing on its draft ordinance prior to its adoption.
 2. Metro and the county will hold their final hearings and adopt their ordinances no later than June 8, 2010.
 3. If testimony at a hearing persuades Metro or Multnomah County that it should revise its ordinance in a way that would make it inconsistent with this agreement, then it shall continue the hearing and propose an amendment to the agreement to the other party and to Clackamas and Washington Counties.
 4. If Multnomah County or Metro proposes an amendment to the agreement, the party proposing the agreement will convene the four governments to consider the amendment. Any objections or concerns raised by a government that is not party to this IGA shall be considered carefully and the four governments shall take reasonable, good faith steps to reach consensus on the amendment. After this consultation, Multnomah County and Metro may agree to an amendment.
 5. Metro and Multnomah County will adopt a common set of findings, conclusions and reasons that explain their designations of Urban Reserves and Rural Reserves as part of their ordinances adopting the reserves. Metro and the county will incorporate maps into their respective plans that show both the Urban and Rural Reserves in Exhibit A to this agreement, with the county showing only the reserves in the county.
 6. Metro and Multnomah County will establish, in coordination with Clackamas and Washington Counties, a process for making minor revisions to boundaries between Urban Reserves and undesignated land that can be made at the time of concept planning, and a process for making minor additions to Rural Reserves, with notice to, but without convoking all four reserves partners.
 7. Within 45 days after adoption of the last ordinance adopting reserves of the four governments, Multnomah County and Metro will submit their ordinances and supporting documents to LCDC in the manner of periodic review.

D. This agreement terminates on December 31, 2060.

MULTNOMAH COUNTY

METRO

Ted Wheeler
Chair, Multnomah County
Board of Commissioners

David Bragdon,
Metro Council President

Dated:

Dated:

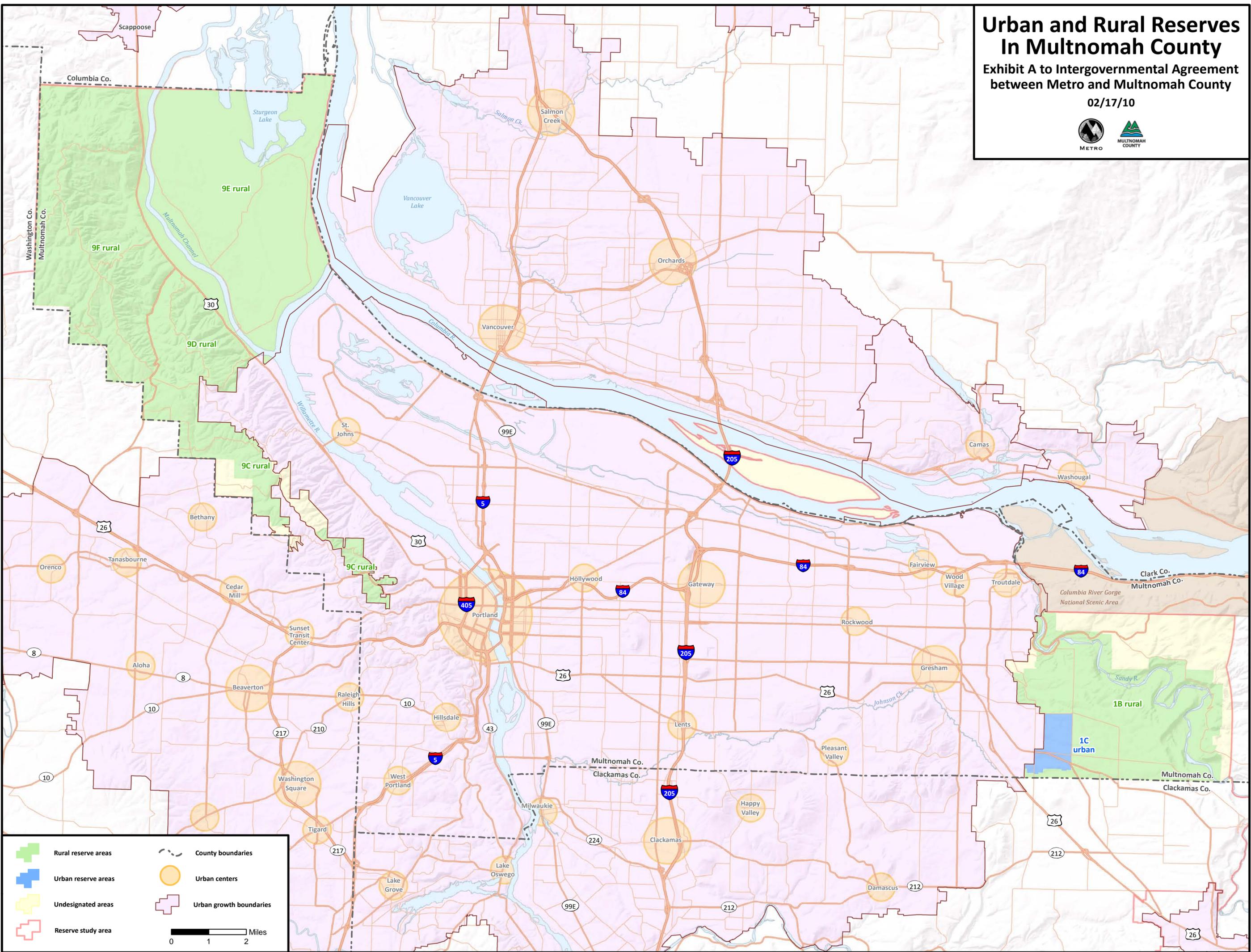
Approved as to form:

Approved as to form:

Urban and Rural Reserves In Multnomah County

Exhibit A to Intergovernmental Agreement
between Metro and Multnomah County

02/17/10



	Rural reserve areas		County boundaries
	Urban reserve areas		Urban centers
	Undesignated areas		Urban growth boundaries
	Reserve study area	Miles 0 1 2	

Exhibit B to Agreement between Metro and Multnomah County

PRINCIPLES FOR CONCEPT PLANNING OF URBAN RESERVES

1. Concept planning for specific, enumerated Urban Reserves on the Urban and Rural Reserves map may occur separately and at different times.
2. A concept plan for any Urban Reserve area must be approved by the county, the city or cities who will govern the area and Metro.
3. The City of Gresham shall be invited to participate in concept planning of Urban Reserves in the area south of Lusted Road and west of SE 302nd, identified as Area 1C (Clackanomah) on the regional reserve map.
4. Concept plans shall provide that any area added to the UGB shall be governed by an existing city, or by a new city.
5. Concept planning for Urban Reserve areas that are suitable for industrial and other employment uses – such as portions of Clackanomah - will recognize the opportunity to provide jobs in this part of the region.
6. Concept planning for Urban Reserve areas that are suitable for a mix of urban uses – such as Area 1C – will recognize the opportunity to provide employment and mixed- use centers with housing at higher densities and employment at higher floor-to-area ratios, and will include designs for a walkable, transit-supportive development pattern.
7. Concept planning shall recognize environmental and topographic constraints and habitat areas and will reduce housing and employment capacity expectations accordingly.

**Intergovernmental Agreement
Between Metro and Washington County
To
Adopt Urban and Rural Reserves**

This Agreement is entered into by and between Metro and Washington County pursuant to ORS 195.141 and 190.003 to 190.110 for the purpose of agreeing on the elements of an ordinance to be adopted by Metro designating Urban Reserves and of an ordinance to be adopted by Washington County designating Rural Reserves, all in Washington County.

PREFACE

This agreement will lead to the designation of Urban Reserves and Rural Reserves. Designation of the Urban and Rural Reserves by this agreement will help accomplish the purpose of the 2007 Oregon Legislature in enacting Senate Bill 1011, now codified in ORS 195.137 to 195.145 (“the statute”):

Facilitate long-term planning for urbanization in the region that best achieves

- Livable communities;
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RECITALS

WHEREAS, Metro and Multnomah, Washington and Clackamas Counties (“the four governments”) have declared their mutual interest in long-term planning for the three-county area in which they exercise land use planning authority to achieve the purpose set forth in the statute; and

WHEREAS, the Oregon Legislature enacted the statute in 2007, at the request of the four governments and many other local governments and organizations in the region and state agencies, to establish a new method to accomplish the goals of the four governments through long-term planning; and

WHEREAS, the statute authorizes the four local governments to designate Urban Reserves and Rural Reserves to accomplish the purposes of the statute, which are consistent with the goals of the four governments; and

WHEREAS, the Land Conservation and Development Commission (“LCDC”) adopted rules to implement the statute on January 25, 2008, as directed by the statute; and

WHEREAS, the statute and rules require the four governments to work together in their joint effort to designate reserves and to enter into formal agreements among them to designate reserves in a coordinated and concurrent process prior to adoption of ordinances adopting reserves; and

WHEREAS, the statute and the rules set forth certain factors to be considered in the designation of reserves, and elements to be included in ordinances adopting reserves; and

WHEREAS, the four governments have followed the procedures and considered the factors set forth in the statute and the rule; and

WHEREAS, the four governments have completed an extensive and coordinated public involvement effort; and

WHEREAS, the four governments have coordinated their efforts with cities, special districts, school districts and state agencies in the identification of appropriate Urban and Rural Reserves;

NOW, THEREFORE, Metro and Washington County agree as follows:

AGREEMENT

- A. **Metro agrees** to consider the following policies and Urban Reserve designations at a public hearing and to incorporate them in the Regional Framework Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:
1. A policy that designates as Urban Reserves those areas shown as proposed Urban Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.
 2. A policy that determines that the Urban Reserves designated by the Regional Framework Plan pursuant to this agreement are intended to provide capacity for population and employment between 2010 and 2060, a total of 50 years from the date of adoption of the ordinance designating the reserves.
 3. A policy that gives highest priority to Urban Reserves for future addition to the urban growth boundary (UGB).
 4. A map depicting the Urban Reserves adopted by Metro and the Rural Reserves adopted by Washington County following this agreement.
 5. A policy that Metro will not add Rural Reserves designated by ordinance following this agreement to the regional UGB for 50 years.
 6. A policy that Metro will not designate "Rural Reserves" as Urban Reserves for 50 years.

7. A policy that Metro will require a “concept plan”, the required elements of which will be specified in the Urban Growth Management Functional Plan in consultation with the county, for an area of Urban Reserves under consideration for addition to the UGB to be completed prior to the addition. Concept plans shall include elements on finance, provision of infrastructure, natural resource protection, governance, the planning principles set forth in Exhibit B and other subjects critical to the creation of great communities. Concept plans will provide that areas added to the UGB will be governed and planned by cities prior to urbanization.
 8. A policy that Metro will review the designations of Urban and Rural Reserves, in coordination with Clackamas, Multnomah and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.
- B. Washington County agrees** to consider the following policies and Rural Reserve designations at a public hearing and to incorporate them in its Comprehensive Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:
1. A policy that designates as Rural Reserves the areas shown as proposed Rural Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.
 2. A map depicting the Rural Reserves designated by the Comprehensive Plan and the Urban Reserves adopted by Metro following this agreement.
 3. A policy that Washington County will not include Rural Reserves designated pursuant to this agreement in the UGB of any city in the county for 50 years from the date of adoption of the ordinance designating the reserves.
 4. A policy that the county will not re-designate Rural Reserves as Urban Reserves for a city in the county for 50 years from the date of adoption of the ordinance designating the reserves.
 5. A policy that commits the county, together with an appropriate city or cities, to participation in development of a concept plan for an area of Urban Reserves under consideration for addition to the UGB.
 6. A policy that the county will review the designations of Urban and Rural Reserves, in coordination with Metro and Clackamas and Multnomah Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

- C. **Washington County and Metro agree** to follow this process for adoption of the ordinances that will carry out this agreement:
1. Each government will hold at least one public hearing on its draft ordinance prior to its adoption.
 2. Metro and the county will hold their final hearings and adopt their ordinances no later than June 8, 2010.
 3. If testimony at a hearing persuades Metro or the county that it should revise its ordinance in a way that would make it inconsistent with this agreement, then it shall continue the hearing and propose an amendment to the agreement to the other party and to Clackamas and Multnomah Counties.
 4. If Washington County or Metro proposes an amendment to the agreement, the party proposing the agreement will convene the four governments to consider the amendment. Any objections or concerns raised by a government that is not party to this IGA shall be considered carefully and the four governments shall take reasonable, good faith steps to reach consensus on the amendment. After this consultation, Washington County and Metro may agree to an amendment.
 5. Metro and Washington County will adopt a common set of findings, conclusions and reasons that explain their designations of Urban Reserves and Rural Reserves as part of their ordinances adopting the reserves. Metro and the county will incorporate maps into their respective plans that show both the Urban and Rural Reserves in Exhibit A to this agreement, with the county showing only the reserves in the county.
 6. Metro and Washington County will establish, in coordination with Clackamas and Multnomah Counties, a process for making minor revisions to boundaries between Urban Reserves and undesignated land that can be made at the time of concept planning, and a process for making minor additions to Rural Reserves, with notice to, but without convoking all four reserves partners.
 7. Within 45 days after adoption of the last ordinance adopting reserves of the four governments, Washington County and Metro will submit their ordinances and supporting documents to LCDC in the manner of periodic review.

D. This agreement terminates on December 31, 2060.

WASHINGTON COUNTY

METRO

Tom Brian
Chair, Washington County
Board of Commissioners

David Bragdon,
Metro Council President

Dated:

Dated:

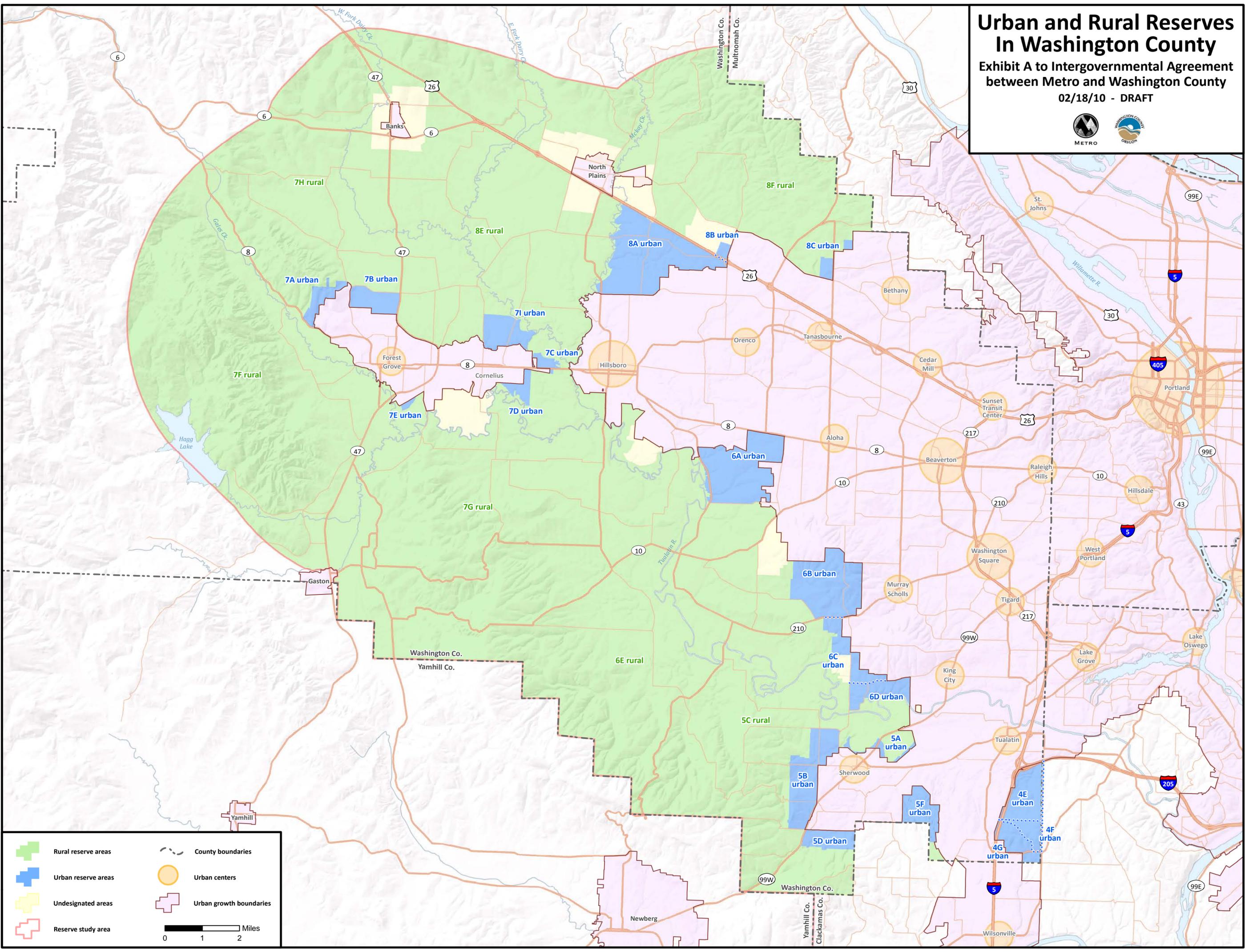
Approved as to form:

Approved as to form:

Urban and Rural Reserves In Washington County

Exhibit A to Intergovernmental Agreement
between Metro and Washington County

02/18/10 - DRAFT



	Rural reserve areas		County boundaries
	Urban reserve areas		Urban centers
	Undesignated areas		Urban growth boundaries
	Reserve study area		

Exhibit A to Agreement between Metro and Washington County

PRINCIPLES FOR CONCEPT PLANNING OF URBAN RESERVES

1. Urban Reserve Area 6B is approximately 1,776 acres, of which approximately 892 acres are buildable and approximately 839 acres are constrained lands. Existing roads account for an additional 45 acres of non-buildable land. Constrained lands consist of Metro's and Washington County's Goal 5 inventories, slopes over 25%, floodplains, parks, and a city-owned parcel (approximately 10 acres) adjacent to SW Kemmer Road that contains a water tank. In order to account for the above constraints, concept planning should be undertaken as a whole in order to offer appropriate protection and enhancement to the public lands and natural features that are located throughout the area. Residential density targets will be an important consideration in future planning for the area and may need to be adjusted in order to protect and enhance the integrity of existing Title 13 and Goal 5 lands.
2. Undesignated lands surrounding the City of Banks and the City of North Plains provide the opportunity in the future for Washington County and each respective city to undertake Urban Reserve planning under OAR 660-021. It is the County's expectation that such planning will result in application of Urban Reserve and Rural Reserve designations in appropriate locations and quantities.



February 17, 2010

The Honorable David Bragdon
Metro
600 NE Grand Ave.
Portland, OR 97232

The Honorable Ted Wheeler
Multnomah County
501 SE Hawthorne, #600
Portland, OR 97232

The Honorable Lynn Peterson
Clackamas County
2051 Kaen Rd.
City of Oregon City, OR 97045

The Honorable Tom Brian
Washington County
155 N. 1st Ave., Ste. 300-22, MS 16
Hillsboro, OR 97124-3001

RE: MPAC recommendation to the Metro Council on Urban and Rural Reserves

Dear Council President Bragdon and County Commission Chairs Peterson, Wheeler and Brian:

On February 10 the Metro Policy Advisory Committee (MPAC) reviewed the urban and rural reserves recommendation concluded by the Core 4 on February 8. Attached is MPAC's recommendation to the Metro Council which is consistent with the deliberation of the committee on January 27 and February 1. Presented below is a summary comparison of the Core 4 and MPAC recommendations that differ. MPAC approved this recommendation at their February 10 meeting with a 15-2-0 vote.

Place	Core 4	MPAC
Areas in which the Core 4 and MPAC recommendation are different:		
• Area 1A, east of Troutdale	Undesignated	Urban reserve
• Area 4A, Stafford area north of I-205	Urban reserve	Undesignated
• Area around 8B, between of US 26 and West Union Rd.	Undesignated	Rural reserve
• Portion of Area 4D, east of Stafford Rd. south of I-205	Urban reserve	Undesignated
Areas still under negotiation between Metro and each County:		
• Area 5E, South of Sherwood, east and west of SW Baker Rd. and north of SW Morgan in Clackamas County	Undetermined	Urban reserve
• Area 5J, West of Sherwood, east of Elwert Rd. and south of Edy Rd. in Washington County	Undetermined	Rural reserve
• Area 5K, South of Sherwood, south of Brookman Rd. in Washington County	Undetermined	Rural reserve
• Area 7I, North of Cornelius, west of Dairy Creek floodplain and east of Cornelius Schefflin Rd. in Washington County	Undetermined	307 acres urban reserve 1102 acres rural reserve

<ul style="list-style-type: none"> Area 9A, Bonny Slope area along NW Laidlaw Rd., adjacent to the City of Portland in Multnomah County 	Undetermined	Rural reserve
<ul style="list-style-type: none"> Area 9B, East of North Bethany Community Plan area along NW Springville Rd. in Multnomah County 	Undetermined	Rural reserve
Core 4 actions that addressed MPAC's recommendations through an alternate approach:		
<ul style="list-style-type: none"> Part of Area 1D, Buttes between Boring and Damascus 	Urban reserve with environmental protection provision	Rural reserve
<ul style="list-style-type: none"> Natural Resource portion of Area 6B, Cooper Mtn. 	Urban reserve with environmental protection provision	Rural reserve

MPAC strongly urges you consider their recommendation on the above listed areas as you continue discussions and prior to making your final decision.

MPAC Comments on the Draft Intergovernmental Agreements

MPAC supported, in principle, the intergovernmental agreements with the following recommendations for further refinement:

- The agreements should require (not merely suggest) that concept planning include certain elements.
- The protection of natural resources should be strengthened by reducing assumptions about urban density in areas with significant natural features.
- The agreements should assure that existing cities are included and can participate in urban reserves concept planning.
- The agreements should address urban form, density and transportation circulation.
- Priority should be given to large lot employment land in particular urban reserves.
- The principles for concept planning should be consistent across all three IGAs.

We hope that you will seriously consider our recommendations as you move forward in finalizing the map and intergovernmental agreements. Please let me know if you have any questions.

Sincerely,



Mayor Shane Bemis
MPAC Chair

Enclosure

CC: Metro Council
Clackamas County Commission
Multnomah County Commission
Washington County Commission
MPAC

 Metro | *Memo*

Date: February 2, 2010
To: Metro Council
From: John Williams, Metro Land Use Planning Manager
Re: MPAC recommendations on urban and rural reserve areas

MPAC met on January 27 and February 2 to form recommendations to the Council on urban and rural reserves. This memo contains a summary of those recommendations. MPAC's recommendations are divided into the following three categories :

- A. Core 4 urban reserve areas that MPAC agreed needed no specific discussion (19 areas);
- B. Core 4 urban reserve and option areas on which MPAC made a specific recommendation (22 areas); and
- C. Core 4 urban reserve and option areas on which MPAC provided a general recommendation for further discussion by the Council and Core 4 (2 areas).

A. Core 4 urban reserve areas that MPAC agreed needed no specific discussion		
Area ID	Location	Approx. Acreage
2A	Damascus, south & southeast of City to bluff and Noyer Creek area	1,576
3B	Oregon City, east of City centered on S Holcomb Blvd.	384
3C	Oregon City, Newell Canyon area	696
3D	Oregon City, east of City centered on S Maple Lane Rd	486
3F	South of Oregon City Centered on S Henrici Rd.	362
3G	Oregon City, three 'bench' areas south of City	220
5B*	West of Sherwood, south of SW Lebeau/SW Scholls-Sherwood Road and north of SW Chapman Rd	1,280*
5D*	South of Sherwood, south of SW Brookman Rd.	439*
5F	Between Sherwood and Tualatin in the vicinity of SW Tonquin Road	568
5G	West Wilsonville, north of SW Tooze Rd & east of SW Graham's Ferry Rd.	120
5H	SW Wilsonville, south of Wilsonville Rd, west of Willamette Way	63
6A	S of Hillsboro, west of SW 209 th Ave & north of Rosedale Rd.	2,000
6C	West of West Bull Mt. & north of SW Beef Bend Rd.	559
6D	S of Beef Bend, east of Roy Rogers Rd and north of Tualatin River	519
7A	Northwest Forest Grove, north and south of David Hill Rd	333
7B	North of Forest Grove, between NW Thatcher Rd & Hwy 47, south of NW Purdin Rd.	489
7D	S of Cornelius, west of SW 345 th Ave to Tualatin River	205
7E	S of Forest Grove, south of Elm Street	37
8C	Bethany, two areas, one west of NW 185 th and second area north of PCC Rock Creek	173
Total approximate acreage (all urban reserve)		10,509

*On Feb. 2, Chair Brian and Mayor Mays indicated these areas might be reduced in size by removing areas containing natural landscape features; MPAC supported this direction.

B. MPAC recommendations on Core 4 urban reserve areas and option areas			
Area ID	Location	Approx. Acreage	MPAC Recommendation
1A	Troutdale, SE of City, bounded by UGB on west and SE Stark and SE 282 nd Drive on east	186	Recommend urban reserve
1C	East of Gresham, south of Lusted Rd, west of 302 nd and north of Johnson Creek floodplain	855	Recommend urban reserve
1D	Boring/Damascus area, south and west of Hwy 26 (including rural buffer). Includes community of Boring north of SE Kelso Rd	2,691	Recommend east buttes for rural reserve (1,465 acres), remainder for urban reserve (1,226 acres)
1F	North of Hwy 212, east of SE 282 nd and south of Hwy 26	479	Recommend urban reserve
3A	North of Oregon City centered on S Forsythe Rd.	1,255	Recommend undesignated
4A	Stafford, north of Tualatin River between West Linn and Lake Oswego	3,170	Recommend undesignated
4B	Stafford/West Linn, small area adjacent to SW Rosemont & SW Solano Rd	162	Recommend urban reserve
4C	Stafford, linear strip centered on SW Borland Rd	1,362	Recommend urban reserve
4D	Stafford Road south of I-205, west of SW Newland Rd and generally east of the Clackamas/Washington County line	2,262	Recommend west of Stafford Road for urban reserve (1,350 acres), remainder as undesignated (912 acres)
4E	Norwood Rd area, north of SW Frobase Rd, east of I-5, & west of SW 65 th Ave	845	Recommend urban reserve
4F	South of SW Frobase Rd and west of SW 65 th Ave	273	Recommend urban reserve
4G	Northeast Wilsonville, north and south of SW Elligsen Rd	585	Recommend urban reserve
4H	East Wilsonville, area bisected by SW Advance Rd.	346	Recommend urban reserve
5A	North of Sherwood, small area between the UGB and Tualatin River floodplain	123	Recommend urban reserve
5E	South of Sherwood, east and west of SW Baker Rd and north of SW Morgan Rd	515	Recommend urban reserve (exact boundaries to be discussed further by Core 4)

7C	N of Cornelius, north of TV Hwy, west of Dairy Creek & east of NW Cornelius-Schefflin Rd	1,409	Recommend urban reserve south of Council Creek (307 acres) and undesignated in remainder (1,102 acres)
8A	N of Hillsboro, east of McKay Creek, south of Hwy 26 to city boundary	2,670	Recommend urban reserve
8B	North of Hwy 26, Northwest quadrant area of Hwy 26/Helvetia Rd Interchange	91	Recommend urban reserve bounded tightly by rural (+586 acres rural)
9A	Bonny Slope area along NW Laidlaw Rd, adjacent to the City of Portland	145	Recommend rural reserve
9B	East of North Bethany Community Plan area along NW Springville Rd	464	Recommend rural reserve
9C	South of BPA power line, west and north of the City of Portland, east of Multnomah/Washington County line	2,005	Recommend rural reserve
9F	West of Hwy 30, east of Multnomah/Washington Co. line, north of Rock Creek Rd	12,368	Recommend rural reserve
Total approximate acreage – <u>urban</u>		11,375	
Total approximate acreage – <u>rural</u>		17,033	
Total approximate acreage – <u>undesignated</u>		6,439	

C. Core 4 urban reserve and option areas on which MPAC provided a general recommendation for further discussion by the Council and Core 4			
Area ID	Location	Approx. Acreage	MPAC recommendation
6B	Cooper Mtn., north of SW Scholls Ferry & east of SW Grabhorn Road	1,776	Recommend increasing rural reserve while retaining at least 500 buildable acres within urban reserve – boundaries TBD by Core 4
8D	South of Hwy 26, east of NW Gordon Rd, centered on NW Beach Rd	642	Included in broader recommendation that the Core 4 work to reduce the size of undesignated areas around Banks, North Plains and Canby

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 10-4126, FOR THE PURPOSE OF APPROVING INTERGOVERNMENTAL AGREEMENTS BETWEEN METRO AND CLACKAMAS, MULTNOMAH AND WASHINGTON COUNTIES TO DESIGNATE URBAN RESERVES AND RURAL RESERVES IN THE COUNTIES AND AUTHORIZING THE COUNCIL PRESIDENT TO SIGN THE AGREEMENTS

Date: February 18, 2010

Prepared by: John Williams, x1635

BACKGROUND

The urban and rural reserve proposals contained in these three intergovernmental agreements (IGAs) have their roots in the last round of urban growth boundary (UGB) decisions seven years ago. Dissatisfaction with that process led to agreement among a broad range of stakeholders to find a better way of planning for the future of the region. The stakeholder coalition succeeded in passing Senate Bill 1011 in the 2007 legislature, authorizing the region to designate urban and rural reserves through an entirely new process.

The legislation allows Metro to designate urban reserves on lands currently outside the urban growth boundary that are suitable for accommodating urban development over the next 40 to 50 years. Rural reserves may be designated by each county on lands outside the current urban growth boundary that are high value working farms and forests or have important natural features like rivers, wetlands, buttes and floodplains. The rural reserves will be protected from urbanization for the next 40 to 50 years. The legislation created new sets of factors to be considered in the course of reserves designations, which significantly expand policy considerations beyond the standard discussion of soil types.

The reserves designations will not change current zoning or restrict landowners' currently allowed use of their lands. They will provide greater clarity regarding the long-term expected use of the land and allow both public and private landowners to make long-term investments with greater assurance. Metro will still consider the residential and employment needs of its citizens every five years and make sure there is a 20-year supply of buildable land, but in the future, the focus of that consideration will be lands designated as urban reserves.

Following the passage of SB 1011 and administrative rulemaking by LCDC, Metro and the counties began work on the reserves process in January 2008. The work was led by the "Core 4" – Metro Councilor Kathryn Harrington, Clackamas County commissioner Charlotte Lehan (who replaced commissioner Martha Schrader in January 2009), Multnomah County commissioner Jeff Cogen and Washington County Chair Tom Brian, serving as liaisons to their respective governing bodies. The Core 4 met monthly for over two years, concluding their work in February 2010. In addition, the Core 4 chaired a regional Reserves Steering Committee consisting of officials from local cities and state agencies, representatives of various business sectors including agriculture, as well as environmental conservation and social and economic equity organizations. The Reserves Steering Committee met monthly between January 2008 and

October 2009. Each county commission created an advisory committee as well; these generally met monthly for the same time period.

The Metro Council has been advised by the Metropolitan Policy Advisory Committee (MPAC), which provided a formal recommendation on February 10, 2010 after considering reserves at five meetings in December, January and February. A letter from MPAC chair Shane Bemis summarizing MPAC's recommendations and highlighting differences between those recommendations and the February 8, 2010 Core 4 map is included in this packet.

In addition to all of the committees described above, reserves decision-making was informed by public comment throughout the process, including three significant rounds of outreach. The public involvement process was guided by a coordinated public involvement plan that was reviewed by the state's Citizen Involvement Advisory Committee. Public outreach included open houses, on-line and print materials, public hearings, presentation to stakeholder groups and more. Public response was strong throughout the process. As an example, in the round of outreach conducted in January 2010, over 850 people attended open houses, 237 people signed up to provide oral testimony to the Metro Council, and there were over 11,000 hits on the online open house web pages. Summaries of each round of public comment have been provided to the Council, county commissions, and interested parties and are available on Metro's web site.

The proposed IGAs are thus the result of more than two years of work by hundreds of involved citizens, stakeholders, agency staff and elected officials from around the region.

Over recent months the areas of agreement between the counties and Metro have continually increased, both on the map and in the IGA language. In December 2009 the Core 4 agreed to release draft IGAs including an urban and rural reserves map for public comment. This map illustrated several areas in which one or more options were still being considered. Following the public comment period, the option areas were reduced in number and the IGA language continued to be refined. At the final Core 4 meeting on February 8, 2010 an agreement was reached that designations for the few remaining option areas would be handled bilaterally between Metro and each county. Those discussions have now concluded and the final agreements are contained in the IGAs and maps attached to this resolution.

The IGAs are a required step in the reserves process. They specify the steps that Metro and each county agree to take to implement the agreements that have been reached. The IGAs have a consistent structure: each contains a section specifying actions Metro will take, actions the county will take, and actions the two agencies will undertake together. In addition, each IGA contains a map describing the urban and rural reserves to be adopted in that county.

In Section A of each IGA Metro agrees to consider and incorporate policy language regarding urban reserves into the Regional Framework Plan. Some of this language just restates existing state law and administrative rules. For example, the new policies will ensure that urban reserves will be the highest priority for future UGB decisions and that rural reserves will not be added to urban reserves or to the UGB for the term of the agreement (which is defined as 50 years). Other language will be new: Metro commits to requiring concept plans prior to adding urban reserves to the UGB, and a general description of concept plans is stated (this requirement will be more

fully defined through changes to Title 11 later in 2010). Additionally, clause A8 provides that Metro and the counties will review the reserves designations in 20 years, while noting the jurisdictions can agree to conduct a review sooner.

In Section B of each IGA the counties agree to consider and incorporate policy language regarding rural reserves into their comprehensive plans. Again, some language simply restates existing requirements: the county will not include rural reserves within the urban reserves or UGB of any city for the next 50 years. The counties also agree to participate in concept planning of urban reserves and to participate in the 20-year reserves review.

Section C of each IGA defines the process for adoption of reserves ordinances: each agency will hold at least one hearing, will complete adoption proceedings by June 8, 2010, will adopt a common set of findings, and will submit their ordinances and supporting documents to LCDC within 45 days of adoption in the matter of periodic review. Clauses C3 and C4 in each IGA provide a process for making amendments to the IGAs prior to adoption of ordinances, and clause C6 commits Metro and the counties to defining a minor amendment process for urban reserve/undesignated area boundaries, and a minor addition process for rural reserves.

Each IGA contains individual elements as well. The Clackamas County IGA contains a clause committing Metro and the county to work with Sandy to revise their three-party IGA on green corridors to implement the reserves decision. In addition, the Clackamas County IGA contains an exhibit defining principles for concept planning of urban reserves. The exhibit provides more clarity on roles and responsibilities for concept planning and recognizes unique features of certain areas that will impact the development of concept plans in those areas.

The Multnomah County IGA also contains an exhibit regarding concept planning in the county's only urban reserve (UR 1C, east of Gresham), with similar themes to those noted above for Clackamas County.

The Washington County IGA also contains an exhibit regarding concept planning. It provides general information about development constraints in the Cooper Mountain area (UR 6B) and notes that these constraints will have implications for future concept planning and development in that area. The exhibit also notes that undesignated areas around the neighboring cities of Banks and North Plains may be considered in those cities' future growth planning, to be undertaken together with Washington County.

Finally, each IGA contains a map defining urban reserves and rural reserves within that county. The acreage totals for each county are as follows:

- Clackamas County: 70,649 acres of rural reserve and 13,664 acres of urban reserve
- Multnomah County: 49,201 acres of rural reserve and 855 acres of urban reserve
- Washington County: 151,666 acres of rural reserve and 13,567 acres of urban reserve

The regional totals are 271,517 acres of rural reserve and 28,086 acres of urban reserve. Designations are proposed for approximately 75% of the 405,000 acre study area, with the large majority of undesignated land being more than 3 miles from the current urban growth boundary.

The reserves administrative rules require that the designated urban reserves shall be planned to accommodate estimated urban population and employment growth in the Metro area for at least 20 years, and not more than 30 years, beyond the 20-year period for which Metro has demonstrated a buildable land supply inside the UGB in the most recent urban growth report. Further, the rules require Metro to specify the number of years for which the urban reserves are intended to provide a supply of land. Based on the urban reserve scaling methodology described in the Chief Operating Officer's September 15, 2009 recommendation, 28,086 acres of urban reserves equates to 50 years of residential and employment capacity for the region (when combined with lands already within the urban growth boundary), therefore that is the time specified in these agreements.

ANALYSIS/INFORMATION

1. Known Opposition: The proposed IGAs represent regional agreement unprecedented in scope and timeframe. Almost 300,000 acres are defined as urban or rural reserves within the three counties and these designations are designed to stand for the next half century. As such, it is to be expected that some citizens, stakeholders and elected officials would disagree with elements of the IGAs or reserves map. Concerns that have been expressed range from disagreement about boundaries relative to individual tax lots to global concerns about the size and scale of the proposed reserves. This staff report does not attempt to summarize each of the concerns that have been expressed; the recent public comment report provides an overview, and the full record of comments received is available for review.

The Council has reached agreement with each of the three counties, and each is expected to adopt the proposed IGAs before the Council acts on February 25.

2. Legal Antecedents: Oregon Revised Statute (ORS) 195.137 to 195.145 and 197.651 (from SB 1011) and Oregon Administrative Rule (ORA) 660 Division 27 Urban and Rural Reserves in the Portland Metropolitan Area authorize the designation of urban and rural reserves by Metro and a county through intergovernmental agreements. Metro Council Resolution 08-3909 (adopted February 2008) endorsed the creation of the Reserves Steering Committee and the reserves process schedule including key milestones; Metro Council Resolutions 09-4061 and 09-4092 amended the original timeline. The present resolution is in keeping with the amended timelines.

3. Anticipated Effects: The approval of these IGAs by the Council and each county commission brings Phase 4 of the reserves process to an end and provides final direction for the implementation phase of the program. Following adoption of the IGAs, Metro and each county will begin preparation of ordinances to formally adopt the agreed-upon urban and rural reserves. Metro's ordinance will comprise changes to the functional and framework plan, including revisions to the 2040 Growth Concept Map. The county ordinances will amend their comprehensive plans and zoning ordinances. Following this, Metro and the counties will assemble a joint set of findings and submit the entire package to LCDC for approval in the manner of periodic review. Director Whitman has indicated that this timeline

can lead to acknowledgment of the reserves by October 2010, in time for the Council's scheduled growth management decision in December 2010.

4. **Budget Impacts:** None; the Council has previously approved funding for the reserves project through June 2010.

RECOMMENDED ACTION

Staff recommends adoption of Resolution 10-4126.