

BEFORE THE CHIEF OPERATING OFFICER

RELATING TO THE APPLICATION FOR A )  
MINOR ADJUSTMENT TO THE URBAN )  
GROWTH BOUNDARY AT 18011, 17942 AND ) Order No. 06-200  
17660 STAFFORD ROAD IN THE CITY OF )  
LAKE OSWEGO AND UNINCORPORATED )  
CLACKAMAS COUNTY )

WHEREAS, the property owners at 18011, 17942, and 17660 Stafford Road in the city of Lake Oswego have applied for a minor adjustment to the Urban Growth Boundary under Metro Code Section 3.01.033; and

WHEREAS, the Chief Operating Officer determined that the application was complete and sent notification of the application to the persons entitled to notice under the code; and

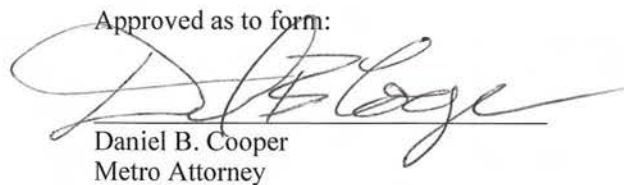
WHEREAS, the Chief Operating Officer evaluated the application for compliance with the criteria in Metro Code Section 3.01.035 and determined that it complied with the criteria; now, therefore,

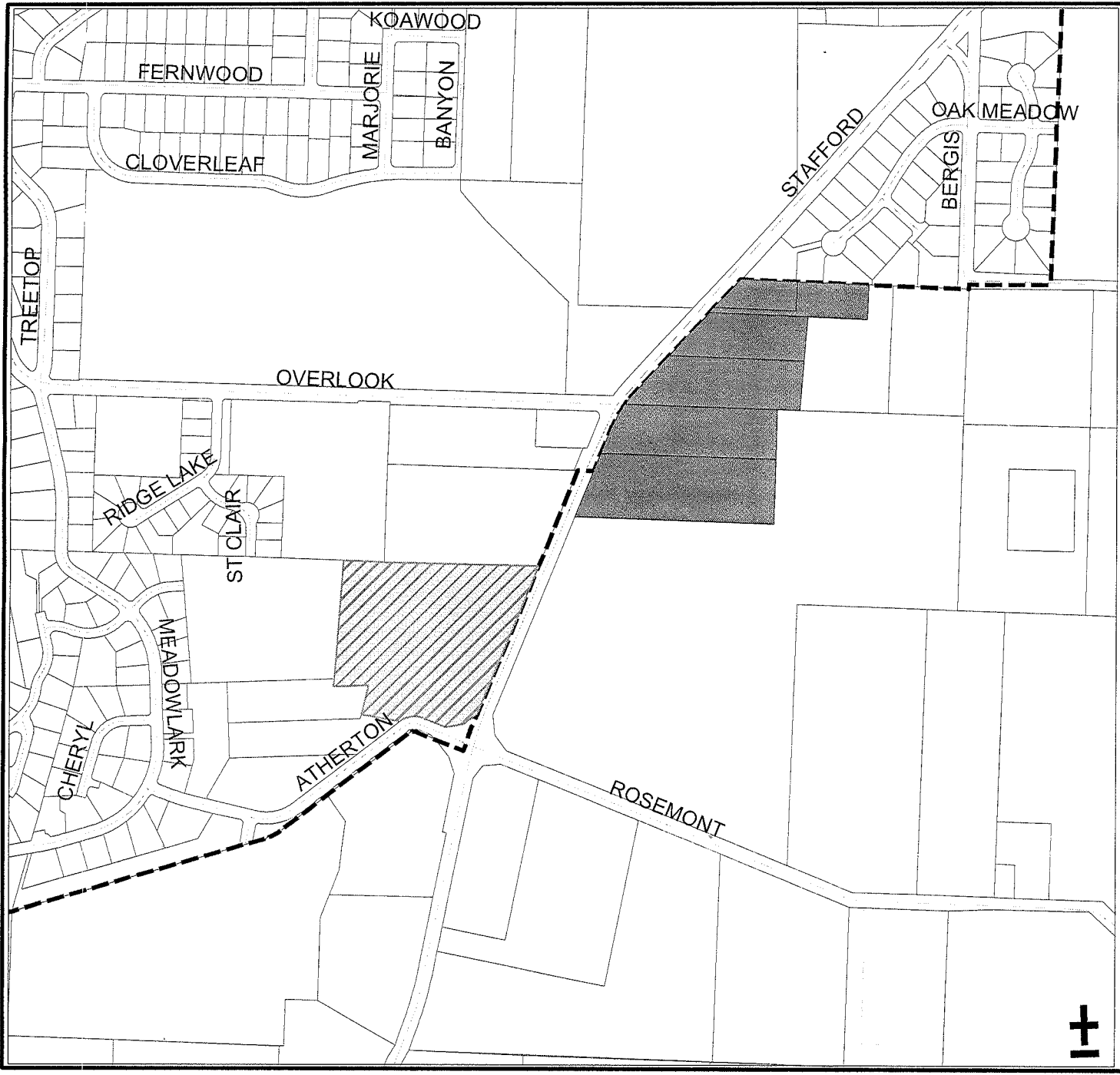
IT IS ORDERED THAT:

The Metro UGB is hereby amended to include land at 17942 and 17660 Stafford Road in Clackamas County and to remove land at 18011 Stafford Road in the City of Lake Oswego in a trade, as shown on Exhibit A, attached and incorporated into this Order. This trade complies with Metro Code 3.01.035, criteria for minor adjustment of the UGB, for the reasons set forth in Exhibit B, the Staff Report dated April 26, 2006, attached and incorporated into this Order.

Dated this 18<sup>th</sup> day of May, 2006.

  
Michael J. Jordan  
Chief Operating Officer

Approved as to form:  
  
Daniel B. Cooper  
Metro Attorney



**R L I S**  
REGIONAL LAND INFORMATION SYSTEM

## EXHIBIT A UGB Minor Adjustment Order 06-200

City of Lake Oswego  
JNS Joint Living Trust

Land to be removed from UGB

Land to be added to UGB

Urban Growth Boundary

Taxlots

The information on this map was derived from the City of Lake Oswego's GIS database. The City of Lake Oswego is not responsible for errors or omissions in this information. The user assumes all liability for any use of this information. The user assumes all liability for any use of this information. The user assumes all liability for any use of this information.

1 inch equals 0.11 miles

Location Map

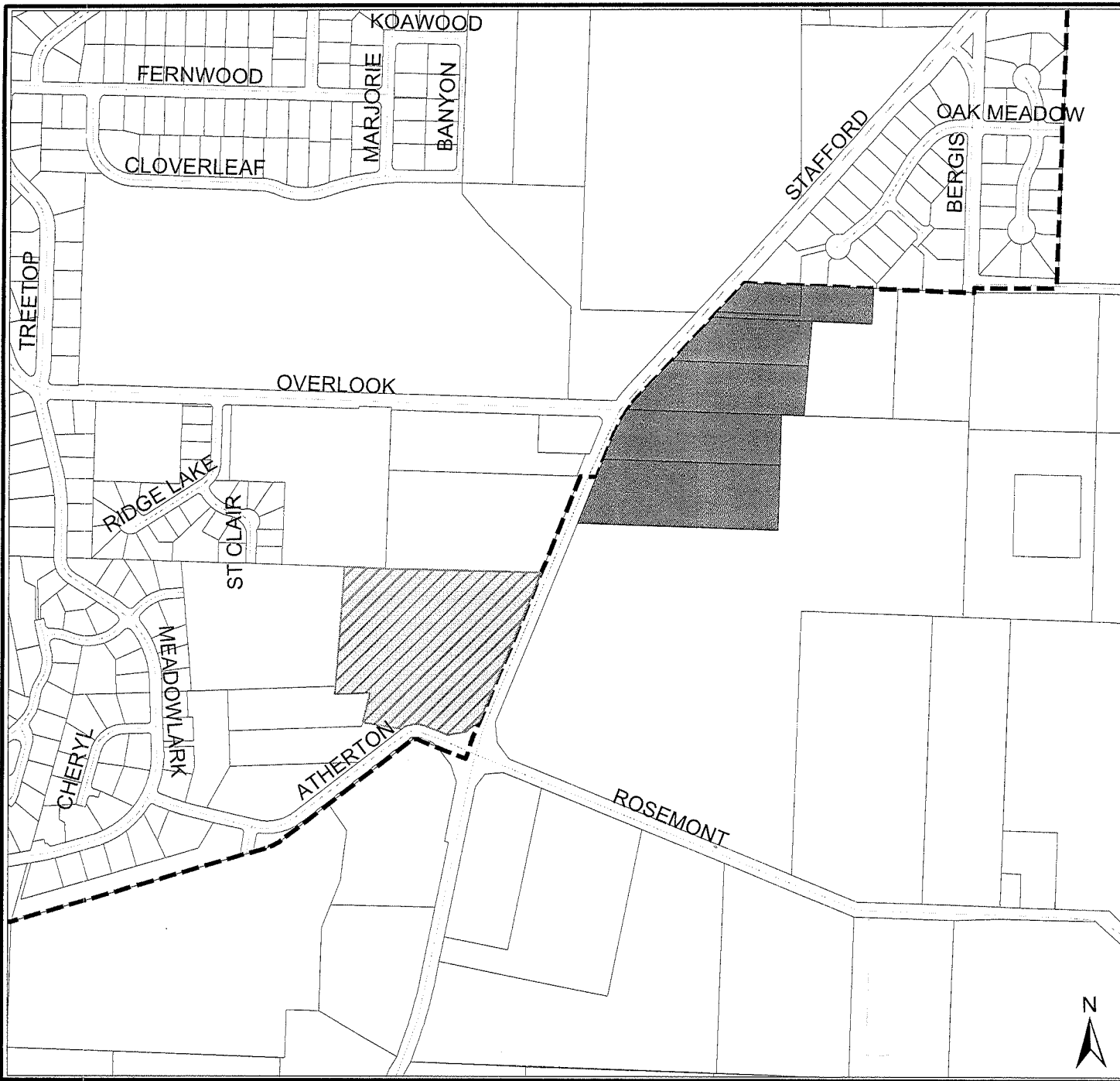
METRO DATA RESOURCE CENTER  
600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232-2756  
TEL (503) 787-1742 | FAX (503) 787-1900  
drc@metro.oregon.gov | www.metro.oregon.gov

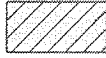



# EXHIBIT A

## UGB Minor Adjustment

### Order 06-200

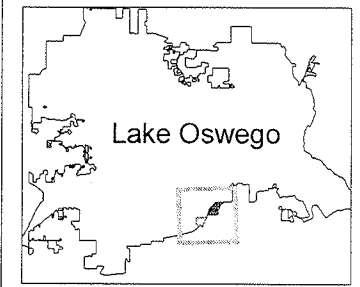
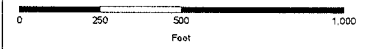
City of Lake Oswego  
JNS Joint Living Trust



-  Land to be removed from UGB
-  Land to be added to UGB
-  Urban Growth Boundary
-  Taxlots

The position of the Urban Growth Boundary is based on the best available information and is not intended to be a guarantee of accuracy. The position of the Urban Growth Boundary is subject to change without notice. The position of the Urban Growth Boundary is subject to change without notice. The position of the Urban Growth Boundary is subject to change without notice.

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TEL: (503) 797-1742 | FAX: (503) 797-1909  
metro@metro.or.gov | www.metroregion.org

## STAFF REPORT

IN SUPPORT OF ORDER NO. 06-200, RELATING TO THE APPLICATION FOR A MINOR ADJUSTMENT TO THE URBAN GROWTH BOUNDARY AT 18011, 17942, AND 17660 STAFFORD ROAD IN THE CITY OF LAKE OSWEGO AND UNINCORPORATED CLACKAMAS COUNTY.

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Date: April 26, 2006

Prepared by: Miranda Bateschell  
Assistant Regional Planner

### BACKGROUND

CASE: UGB Minor Adjustment 06-01

PETITIONER: City of Lake Oswego  
380 A Avenue  
Lake Oswego, OR 97034

PROPOSAL: The petitioner requests a Minor Adjustment to the Urban Growth Boundary to allow a trade of two city-owned sites abutting Stafford Road. Petitioner requests to remove a 9.72-acre tax lot inside the boundary and to add four tax lots, totaling 12.09 acres that are outside of the boundary. In addition, two tax lots totaling 1.81 acres are included in the addition to avoid creating a notch in the UGB. The owner of these two parcels, JNS Living Trust, supports the proposed UGB trade.

LOCATION: The site proposed for removal from the UGB is located at 18011 Stafford Road in the City of Lake Oswego. The city-owned site and the site owned by JNS Living Trust proposed for addition to the UGB are at 17942 Stafford Road and 17660 Stafford Road respectively, adjacent to the Lake Oswego city limits. A map of the site is attached to the Order as Exhibit A.

ZONING: The property at 18011 Stafford Road is zoned Single Family Residential with a minimum lot size of 1 acre (R-15). The remaining tax lots are all zoned Rural Residential Farm/Forest (RRFF-5) by Clackamas County.

### Applicable Review Criteria

The criteria for a Minor Adjustment to the Urban Growth Boundary (UGB) are contained in Metro Code Section 3.01.035.

#### *3.01.035 Criteria for Minor Adjustments*

*Petitions to add land to the UGB may be approved under the following conditions:*

- (a) The purpose of this section is to provide a mechanism to make small changes to the UGB in order to make it function more efficiently and effectively. It is not the purpose of this section to add land to the UGB to satisfy a need for housing or employment. This section establishes criteria that embody state law and Regional Framework Plan policies applicable to boundary adjustments.*

- (b) Metro may adjust the UGB under this section only for the following reasons: (1) to site roads and lines for public facilities and services; (2) to trade land outside the UGB for land inside the UGB; or (3) to make the UGB coterminous with nearby property lines or natural or built features.*

This application will result in a small change to the UGB, with a net addition of about 4 acres. The minor adjustment is not adding land to satisfy a need for housing or employment. Rather, the City is initiating the UGB trade to include a site that is more suitable and appropriate for development of up to two artificial turf fields and support infrastructure when compared with the alternative of developing the fields on the city-owned parcel west of Stafford Road currently within the UGB. This application is submitted to trade a city-owned parcel (9.72 acres) that is inside and at the edge of the UGB for city-owned land (12.09 acres) located adjacent to, but outside the UGB. The trade will facilitate development of up to two artificial turf athletic fields consistent with the 2002 Lake Oswego bond measure on a site that is larger, closer to sewer facilities, and with better opportunities for safe and signalized transportation access relative to the site west of Stafford Road.

For this application to make the UGB trade, Metro Code Section 3.01.035(c) applies.

- (c) To make a minor adjustment to site a public facility line or road, or to facilitate a trade, Metro shall find that:*

- (1) The adjustment will result in the addition to the UGB of no more than two net acres for a public facility line or road and no more than 20 net acres in a trade;*

Petitioner:

The application proposes to remove a 9.72-acre site from the UGB and add a total of 13.9 acres, resulting in an addition to the UGB of 4.18 acres, which is well below the threshold of 20 net acres. Additionally, the definition of "net acre" in section 3.01.010(j) excludes all publicly owned land designated for park and open space uses. The city-owned parcels the applicant proposes to add to the UGB (12.09 acres) are designated for Park uses on the 2040 Growth Concept Map and the City will apply a Parks/Open Space designation upon annexation. Using this definition, the trade will result in the addition of only 1.81 acres (the incidental parcels owned by JNS Trust) that are not designated for park and open space uses.

Staff Response:

Based on the petitioner's submittal, staff agrees the adjustment will result in the addition of less than 20 net acres to the Urban Growth Boundary. Staff concludes this criterion has been met.

- (2) Adjustment of the UGB will make the provision of public facilities and services more efficient or less costly;*

Petitioner:

The two trade sites have frontage on the same street and are located in close proximity, and therefore, there is not a substantial difference in providing public facilities and services to either site. However, there are two key differences that will make the site east of Stafford Road more efficient and less costly to serve than the site west of Stafford that is currently within the UGB.

First, the site east of Stafford Road can develop with a gravity sewer connection to either the existing manhole near the entrance to the golf course or by a southerly extension of sewer line(s) serving the residential subdivisions to the north. Conversely, the site west of Stafford Road is at a lower elevation and only a portion can be served via gravity from existing sewer lines and would require a pump station. The

City of Lake Oswego prefers a gravity system relative to a pump station because of greater reliability and lower energy and maintenance costs.

Second, access to the site west of Stafford Road would be taken off of Atherton Drive, a local residential street, which could interfere with traffic flow on the traffic roundabout at Stafford and Rosemont/Atherton Drive. In contrast, an upgrade of the traffic signal at the existing arterial/collector intersection at Stafford and Overlook Drive would provide access to the site east of Stafford. The upgraded traffic signal would also provide the opportunity for safer and more efficient vehicle access to the artificial turf fields and a safer crossing point for high school students and residents of neighborhoods to the west of Stafford.

**Staff Response:**

Staff agrees with the reasons set forth by the petitioner that approval of the petition would make the provision of public facilities and services more efficient or less costly. The City of Lake Oswego is the future provider of urban services for this property and supplied the following comments.

City of Lake Oswego

The Lake Oswego Engineering Department supports the inclusion of the site east of Stafford road into the UGB stating that water and sewer systems abut the territory and are properly sized to provide service. The Engineering Department also noted the signal at the Stafford and Overlook Intersection has been designed in anticipation of this site's inclusion in the UGB. Lake Oswego Parks and Recreation Department supports the proposal concluding the trade would increase efficiency because of the existing sewer on Stafford road, the traffic light adjacent to the site, the location closer to existing urban development, and the lack of other suitable sites for the development of athletic fields within the City's current Urban Services Boundary. The City of Lake Oswego Fire and Rescue Department supports the proposal, but also noted new hydrants will likely need to be provided if any construction is proposed. The Lake Oswego Police Department is neutral on the proposal, but also remarked a need for adequate parking for this site since there is no street parking available in this area. The City of Lake Oswego Building Department supports the proposal.

Clackamas County

Clackamas County is neutral on this proposed UGB expansion. The County stated that the proposal appears not to have an impact on efficiency, but without a review of a traffic impact study, the effects on Stafford Road could not be accurately assessed.

Other

The West Linn Wilsonville School District and the Tualatin Valley Fire and Rescue are neutral and Tri-Met supports the proposal. These service providers noted the added site could be served in an orderly and economic fashion.

Based on the petitioner's submittal, including responses from the applicable service providers, staff concludes this criterion has been met.

*(3) Urbanization of the land added by the adjustment would have no more adverse environmental, energy, economic or social consequences than urbanization of land within the existing UGB;*

**Petitioner:**

Development of the park site east of Stafford Road would have no more adverse environmental, energy, economic or social consequences than development of the city-owned parcel within the existing UGB. A

little less than 2 acres of the 9.72 acre parcel within the existing UGB is constrained by natural resource overlays (stream corridor, wetland and tree grove). While there is also a wetland on the site east of Stafford Road, the larger city-owned site (12.09 acres) provides better opportunities to avoid and work around resource areas.

As noted earlier, urbanization of the site east of Stafford Road would have less adverse energy consequences since the improvements could be served via gravity sewer rather than requiring a new or relocated pump station.

Economic consequences associated with the proposed trade are also favorable. Lake Oswego voters approved a bond measure in 2002 that authorized development of two artificial turf fields on city or school owned property. The smaller parcel within the UGB does not have sufficient area to accommodate development of two artificial turf fields and the required number of parking spaces.

Additionally, removing the site west of Stafford Road from the UGB would have positive social consequences, because a more open and natural character could be maintained at the southern gateway into Lake Oswego, with the active park fields concentrated further north near the more active Stafford/Overlook intersection. The Lake Oswego Parks and Recreation Department will also work closely with affected neighbors and park users on long-term development plans for both sites, consistent with the overall vision established in the Luscher Farm master plan.

Staff response:

Staff agrees with the reasons set forth by the petitioner that approval of the petition would have no more adverse environmental, social, energy or economic consequences than urbanization of land within the existing Urban Growth Boundary. Staff concludes this criterion has been met.

*(4) Urbanization of the land added by the adjustment would have no more adverse effect upon agriculture or forestry than urbanization of land within the existing UGB;*

Petitioner:

While the land to be added to the UGB abuts Exclusive Farm Use zoning to the east and south, all of the abutting EFU parcels are also owned by the City of Lake Oswego and included in the overall Luscher Farm master plan. The master plan includes design and program principles to separate and buffer active park uses from agricultural parcels located further to the east of the city-owned properties.

Thus, according to the master plan, a significant portion of the site shall be used for passive recreation and as a buffer and transition zone between differing uses. These areas shall provide an open space backdrop for historic and recreation uses. The active recreation portion of the site shall provide for facilities, open play areas, and supporting facilities.

In summary, urbanization of the city-owned 12.09 acres added to the UGB as part of the trade would have no more adverse effect upon agriculture or forestry than urbanization of the 9.72 acres west of Stafford Road. While much of the Luscher Farm area is currently zoned for Exclusive Farm Use, the master plan envisioned development of active recreational facilities close to Stafford Road and Overlook Drive, and the substantial public land ownership and master plan objectives emphasize protection of the historic farm character and compatibility and extensive buffers to agricultural lands further to the east.

Staff response:

Staff agrees with the reason set forth by the petitioner that approval of the petition would have no greater adverse effect on agriculture or forestry than urbanization of land within the existing UGB. Staff concludes this criterion has been met.

*(5) The adjustment will help achieve the 2040 Growth Concept;*

Petitioner:

The 2040 Growth Concept designates the city-owned parcel west of Stafford Road as "Open Space" and designates the city-owned property east of Stafford Road (Luscher Farm) as "Parks." The UGB trade will help achieve the 2040 designations and will also help to implement Luscher Farm master plan objectives for this south entrance to the city. By removing the 9.72 acre parcel west of Stafford Road from the UGB and adding the lands east of Stafford near Overlook Drive, a more pastoral character will be maintained at this southerly gateway to Lake Oswego. More active recreational uses, including up to two artificial turf fields, parking lot and related facilities, will be concentrated further north near the activity of the high school, municipal golf course, and established neighborhoods.

Staff response:

Staff agrees with the petitioner that the adjustment would not conflict with the 2040 Growth Concept. Staff concludes this criterion has been met.

*(6) The adjustment will not result in an island of urban land outside the UGB or an island of rural land inside the UGB; and*

Petitioner:

The UGB trade will not result in an island of urban land outside the UGB. The two parcels east of Stafford Road and north of the city-owned parcels are included as an "incidental" addition to avoid creating a notch in the UGB and to connect with the existing UGB on two sides (north and west).

The full width of Stafford Road is currently included within the UGB along the majority of the frontage of the site to be added, and the City would support including the Stafford Road right-of-way along the remaining frontage of the site east of Stafford Road.

For some unknown reason, the UGB crosses over to the west side of Stafford Road along the frontage of the city-owned parcel that is proposed to be removed as part of this trade application. Therefore, removing the 9.72 acre parcel from the UGB will not result in an island of rural land inside the UGB.

Staff response:

Staff agrees with the petitioner that this adjustment will not result in an island of urban land outside the UGB or an island of rural land inside. Staff concludes this criterion has been met.

*(7) If the adjustment is to facilitate a trade, the adjustment would not add land to the UGB that is currently designated for agriculture or forestry pursuant to a statewide planning goal.*

The Petitioner:

The UGB trade does not add land to the UGB that is currently designated for agriculture or forestry. The 13.9-acre site proposed for addition to the UGB is "exception" land that is currently designated for Rural Residential use and zoned RRFF-5 by Clackamas County.

Staff response:

Staff agrees with the petitioner that this adjustment would not add land to the UGB that is currently designated for agriculture or forestry. Staff concludes this criterion has been met.



## **ANALYSIS/INFORMATION**

**Known Opposition:** There is no known opposition to this application.

**Legal Antecedents:** Metro Code 3.01.035(c) allows, through an administrative process, adjustments to the UGB to facilitate a trade resulting in an addition of less than 20 net acres.

**Anticipated Effects:** This Order will allow a trade of two city-owned sites adding 4.18 net acres to the UGB that will be added to the Lake Oswego Urban Services Boundary and annexed into the City of Lake Oswego, with voter approval, resulting in 12.09 acres of open space and active recreational facilities.

**Budget Impacts:** As the applicant was required to file an application fee to cover all costs of processing this minor adjustment, there is no budget impact.

## **RECOMMENDED ACTION**

Staff recommends that the Chief Operating Officer approve Case 06-200 for a Minor Adjustment to the Urban Growth Boundary.