 **Metro** | *Agenda*

Meeting: Metro Council
Date: Thursday, October 8, 2015
Time: 2 p.m.
Place: Metro Regional Center, Council Chamber

CALL TO ORDER AND ROLL CALL

1. CITIZEN COMMUNICATION

2. CONSIDERATION OF COUNCIL MEETING MINUTES FOR OCTOBER 1, 2015

3. ORDINANCES (SECOND READ)

3.1 **Ordinance No. 15-1365**, For the Purpose of Annexing to the Metro District Boundary Approximately 91.67 Acres Located Adjacent to SW Roy Rogers Road and SW Scholls Ferry Road in the River Terrace Area of Tigard

Tim O'Brien, Metro

3.2 **Ordinance No. 15-1357**, For the Purpose of Completing Housekeeping Amendments to the Urban Growth Functional Plan in Order to Address Code Section Inconsistencies and Update Notification Requirements

Tim O'Brien, Metro

4. PUBLIC HEARING (3:00 PM TIME CERTAIN)

4.1 Urban Reserves Designations in Clackamas County Areas 4A, 4B, 4C, and 4D

John Williams, Metro
Roger Alfred, Metro

5. CHIEF OPERATING OFFICER COMMUNICATION

6. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for October 8, 2015 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.</p>	<p>Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 Call or visit web site for program times.</p>
<p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 Call or visit web site for program times.</p>	<p>Washington County and West Linn Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.</p>
<p>Oregon City and Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>	

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times. Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities.

Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 and related statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit www.oregonmetro.gov/civilrights or call 503-797-1536. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1890 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at www.trimet.org.

Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong www.oregonmetro.gov/civilrights. Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1890 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт www.oregonmetro.gov/civilrights або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1890 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

Metro 的不歧视公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 www.oregonmetro.gov/civilrights。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1890（工作日上午8點至下午5點），以便我們滿足您的要求。

Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo www.oregonmetro.gov/civilrights. Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullamada dadweyne, wac 503-797-1890 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmo shaqa ka hor kullanka si loo tixgaliyo codsashadaada.

Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 www.oregonmetro.gov/civilrights. 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1890를 호출합니다.

Metroの差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、www.oregonmetro.gov/civilrights。までお電話ください公開会議で言語通訳を必要とされる方は、Metroがご要望に対応できるよう、公開会議の5営業日前までに503-797-1890（平日午前8時～午後5時）までお電話ください。

សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានក្បួនលក្ខណ៍រើសអើងសម្រាប់សេវាកម្មរបស់យើង www.oregonmetro.gov/civilrights។
បើលោកអ្នកត្រូវការការបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1890 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإبداء شكوى ضد التمييز، يرجى زيارة الموقع الإلكتروني www.oregonmetro.gov/civilrights. إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1890 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang www.oregonmetro.gov/civilrights. Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1890 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan. Notificación de no discriminación de Metro.

Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a www.oregonmetro.gov/civilrights. Si necesita asistencia con el idioma, llame al 503-797-1890 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте www.oregonmetro.gov/civilrights. Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1890 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

Avizul Metro privind nediscriminarea

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați www.oregonmetro.gov/civilrights. Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1890 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib www.oregonmetro.gov/civilrights. Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1890 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lw m ua ntej ntawm lub rooj sib tham.

Agenda Item No. 2.0

Consideration of Council Meeting Minutes for October 1, 2015

Consent Agenda

Metro Council Meeting
Thursday, October 8, 2015
Metro Regional Center, Council Chamber

Agenda Item No. 3.1

Ordinance No. 15-1365, For the Purpose of Annexing to the Metro District Boundary Approximately 91.67 Acres Located Adjacent to SW Roy Rogers Road and SW Scholls Ferry Road in the River Terrace Area of Tigard

Ordinances (Second Read)

Metro Council Meeting
Thursday, October 8, 2015
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) Ordinance No. 15-1365
METRO BOUNDARY APPROXIMATELY)
91.67 ACRES LOCATED ADJACENT TO SW) Introduced by Chief Operating Officer
ROY ROGERS ROAD AND SW SCHOLLS) Martha Bennett in concurrence with
FERRY ROAD IN THE RIVER TERRACE) Council President Tom Hughes
AREA OF TIGARD)

WHEREAS, West Hills Development has submitted a complete application for annexation of 91.67 acres (“the territory”) located adjacent to SW Roy Rogers Road and SW Scholls Ferry Road in the River Terrace area to the Metro District; and

WHEREAS, the Metro Council added the River Terrace area to the UGB, including the territory, by Ordinance No. 02-969B on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on October 1, 2015; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated September 4, 2015, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this _____ day of October, 2015.

Tom Hughes, Council President

Attest:

Approved as to form:

Alexandra Eldridge, Recording Secretary

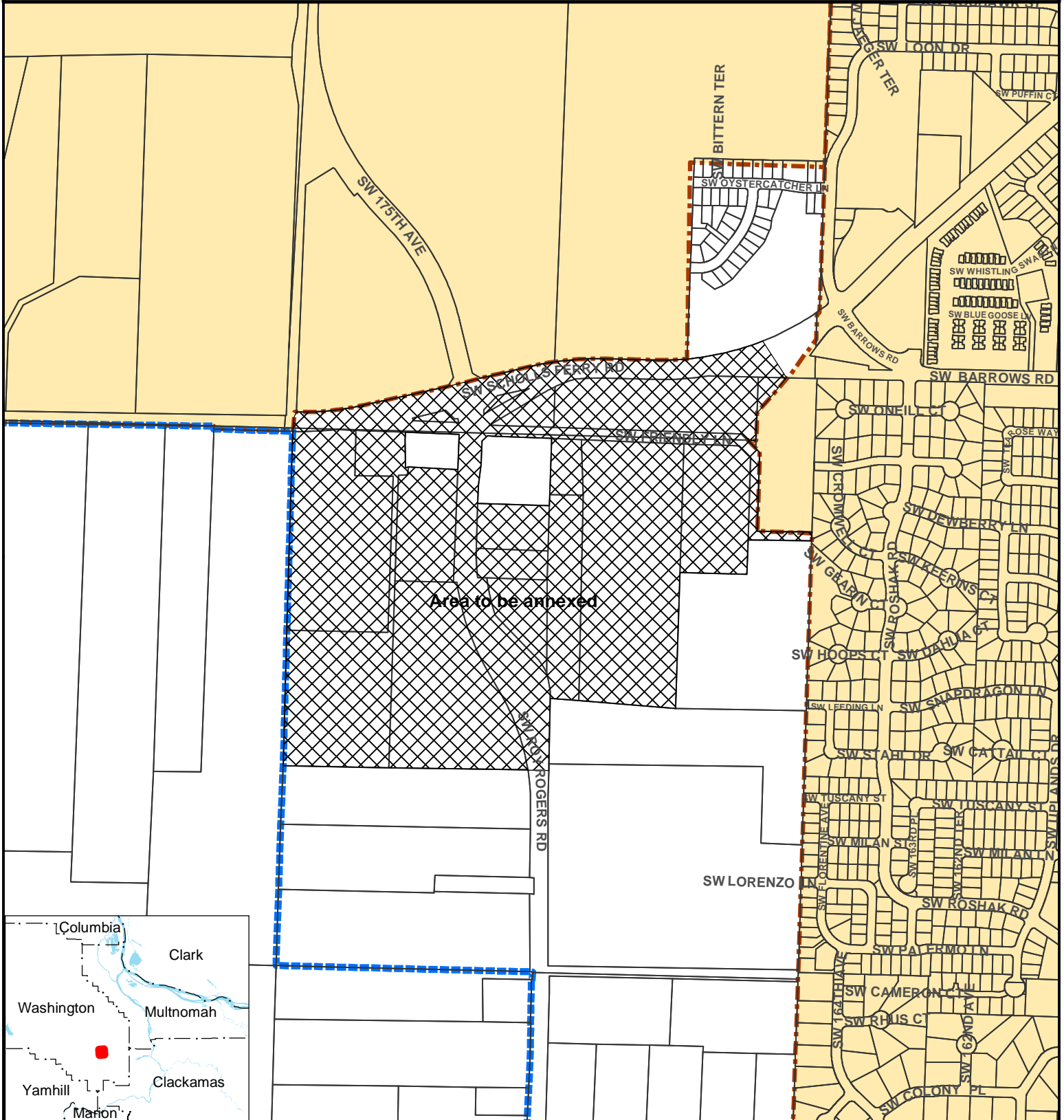
Alison R. Kean, Metro Attorney

Proposal No. AN-0515





2S1W06

Annexation to the Metro District Boundary

Washington County



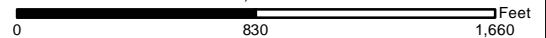
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Area to be annexed
-  Taxlots
-  Urban growth boundary
-  Metro District Boundary

Proposal No. AN-0515 Metro District Boundary



1:8,000



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

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 15-1365, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 91.67 ACRES LOCATED ADJACENT TO SW ROY ROGERS ROAD AND SW SCHOLLS FERRY ROAD IN THE RIVER TERRACE AREA OF TIGARD

Date: September 4, 2015

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0515, Annexation to Metro District Boundary

PETITIONER: West Hills Development
735 SW 158th Avenue
Beaverton, OR 97006

PROPOSAL: The petitioner requests annexation of 12 parcels to the Metro District boundary. The applicant is currently in the process of annexing the subject property to the Clean Water Services service district.

LOCATION: The parcels are located east and west of SW Roy Rogers Road and south of SW Scholls Ferry Road in the River Terrace area of Tigard and total 91.76 acres in size. A map of the area can be seen in Attachment 1.

ZONING: The property is zoned for residential use (R-4.5, R-7, R-12 and R-25) by Tigard.

The land was added to the UGB in 2002 and is part of the River Terrace Community Plan that was adopted by Tigard. The land must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject parcel was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-969B.

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 02-969B include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. Title 11 requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County applied the Future Development 20 (FD-20) zone to the expansion area. The subject property was annexed to Tigard in August 2011 and January 2013 and the River Terrace Community Plan was adopted in 2014. The applicant is currently moving forward with annexation to Clean Water Services. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The property proposed for annexation is part of Tigard's River Terrace Community Plan Area, adopted by the City of Tigard in 2014. The proposed annexation is consistent with the community plan and is required by Tigard as part of a land use application. The inclusion of the property within the Metro District is consistent with applicable cooperative urban service agreements.

ANALYSIS/INFORMATION

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

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 91.67 acres to the Metro District. The land is currently within the UGB in the City of Tigard. Approval of this request will allow for the urbanization of the parcels to occur consistent with the River Terrace Community Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

RECOMMENDED ACTION

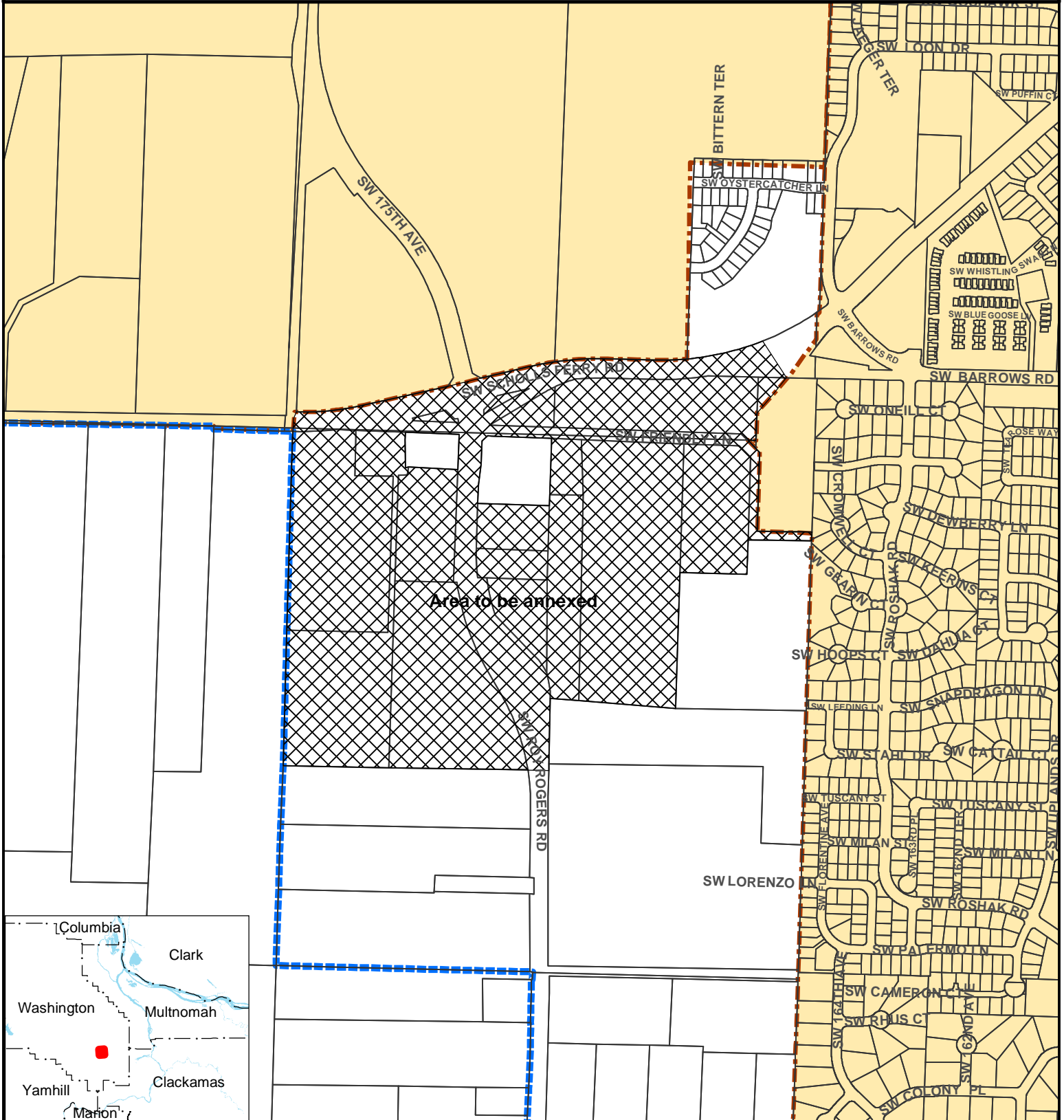
Staff recommends adoption of Ordinance No. 15-1365.

Proposal No. AN-0515





2S1W06

Annexation to the Metro District Boundary

Washington County



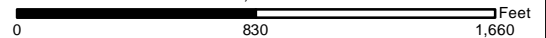
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Area to be annexed
-  Taxlots
-  Urban growth boundary
-  Metro District Boundary

Proposal No. AN-0515 Metro District Boundary



1:8,000



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

Agenda Item No. 3.2

**Ordinance No. 15-1357, For the Purpose of Completing
Housekeeping Amendments to the Urban Growth Functional
Plan in Order to Address Code Section Inconsistencies and
Update Notification Requirements**

Ordinances (Second Read)

Metro Council Meeting
Thursday, October 8, 2015
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING)	ORDINANCE NO. 15-1357
HOUSEKEEPING AMENDMENTS TO)	
THE URBAN GROWTH MANAGEMENT)	Introduced by Martha J. Bennett, Chief
FUNCTIONAL PLAN)	Operating Officer, with the concurrence of
)	Tom Hughes, Council President

WHEREAS, the Urban Growth Management Functional Plan (UGMFP) was adopted by the Metro Council in 1996 and codified as Metro Code Chapter 3.07 in 1997; and

WHEREAS, the UGMFP provides local jurisdictions with tools and guidance for implementing regional policies and achieving the goals set out in the region’s 2040 Growth Concept; and

WHEREAS, due to amendments over time, the UGMFP contains references to other provisions of Metro Code, Oregon statutes and administrative rules that are no longer correct, as described in the staff report dated September 1, 2015; and

WHEREAS, the UGMFP includes other minor inaccuracies that the Metro Council desires to correct, as described in the staff report dated September 1, 2015; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Chapter 3.07 of the Metro Code is hereby amended as shown on Exhibit A, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this _____ day of October 2015.

Tom Hughes, Council President

Attest:

Approved as to Form:

Alexandra Eldridge, Recording Secretary

Alison R. Kean, Metro Attorney

EXHIBIT A

standards are included in most titles. If local jurisdictions demonstrate to Metro that they meet the performance standard, they have met that requirement of the title. Standard methods of compliance are also included in the plan to establish one very specific way that jurisdictions may meet a title requirement, but these standard methods are not the only way a city or county may show compliance. In addition, certain mandatory requirements that apply to all cities and counties are established by this functional plan.

(Ordinance 97-715B, Sec. 1.)

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

Title 1: Housing Capacity

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120.

(Ordinance 97-715B, Sec. 1. Ordinance 02-969B, Sec. 1. Ordinance 10-1244B, Sec. 2.)

3.07.120 Housing Capacity

- (a) A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection (d) or (e). A city or county may reduce its minimum zoned capacity in other locations under subsections (c), (d) or (e).
- (b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010-~~(hh)~~ (gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.
- (c) A city or county may reduce its minimum zoned capacity by one of the following actions if it increases minimum

EXHIBIT A

Model Ordinance or code language that substantially complies with the performance standards in Section 3.07.340 and the intent of this title, and adopt either the Metro Water Quality and Flood Management Area Map or a map which substantially complies with the Metro map. Cities and counties may choose one of the following options for applying this section:

- (A) Adopt code language implementing this title which prevails over the map and uses the map as reference; or
- (B) Adopt a city or county field verified map of Water Quality and Flood Management Areas based on the Metro Water Quality and Flood Management map, ~~updated according to Section 3.07.370,~~ implementing this title which prevails over adopted code language.

Field verification is a process of identifying or delineating Protected Water Features, Water Quality Resource Areas and Flood Management Areas shown on the Metro Water Quality and Flood Management Areas map. This process includes examination of information such as site visit reports, wetlands inventory maps, aerial photographs, and public input and review. The field verification process shall result in a locally adopted Water Quality and Flood Management Areas map which:

- (i) Applies the Title 10 definitions of Protected Water Feature, Water Quality Resource Areas and Flood Management Areas to all those protected areas on the Metro Water Quality and Flood Management Areas map to show the specific boundaries of those protected areas on the locally adopted Water Quality and Flood Management Areas map; and
- (ii) Is subject to amendment by applying adopted code language to add Protected Water Features, Water Quality Resource Areas and Flood Management Areas and to correct errors in the local Water Quality and Flood Management Areas map ~~as required by Section 3.07.370 and~~ consistent with Section 3.07.330(d).

EXHIBIT A

Table 3.07-3 - Protected Water Features

(Section 3.07.340(b)(2)(A))

Protected Water Feature Type (see definitions)	Slope Adjacent to Protected Water Feature	Starting Point for Measurements from Water Feature	Width of Vegetated Corridor
Primary Protected Water Features ¹	< 25%	<ul style="list-style-type: none"> • Edge of bankfull flow or 2-year storm level; • Delineated edge of Title 3 wetland 	50 feet
Primary Protected Water Features ¹	≥ 25% for 150 feet or more ⁵	<ul style="list-style-type: none"> • Edge of bankfull flow or 2-year storm level; • Delineated edge of Title 3 wetland 	200 feet
Primary Protected Water Features ¹	≥ 25% for less than 150 feet ⁵	<ul style="list-style-type: none"> • Edge of bankfull flow or 2-year storm level; • Delineated edge of Title 3 wetland 	Distance from starting point of measurement to top of ravine (break in ≥25% slope) ³ , plus 50 feet. ⁴
Secondary Protected Water Features ²	< 25%	<ul style="list-style-type: none"> • Edge of bankfull flow or 2-year storm level; • Delineated edge of Title 3 wetland 	15 feet
Secondary Protected Water Features ²	≥ 25% ⁵	<ul style="list-style-type: none"> • Edge of bankfull flow or 2-year storm level; • Delineated edge of Title 3 wetland 	50 feet

¹ Primary Protected Water Features include: all rivers, perennial streams, and streams draining greater than 100 acres, Title 3 wetlands, natural lakes and springs.

² Secondary Protected Water Features include intermittent streams draining 50-100 acres.

³ Where the Protected Water Feature is confined by a ravine or gully, the top of ravine is the break in the ≥ 25% slope (see slope measurement in

EXHIBIT A

3.07.640 Activity Levels for Centers, Corridors, Station Communities and Main Streets

- (a) A Centers, Corridors, Station Communities and Main Streets need a critical number of residents and workers to be vibrant and successful. The following average number of residents and workers per acre is recommended for each:
- (1) Central City - 250 persons
 - (2) Regional Centers - 60 persons
 - (3) Station Communities - 45 persons
 - (4) Corridors - 45 persons
 - (5) Town Centers - 40 persons
 - (6) Main Streets - 39 persons
- (b) Centers, Corridors, Station Communities and Main Streets need a mix of uses to be vibrant and walkable. The following mix of uses is recommended for each:
- (1) ~~The land uses listed in~~ amenities identified in the most current version of the State of the Centers: Investing in Our Communities, January, 2009, such as grocery stores and restaurants;
 - (2) Institutional uses, including schools, colleges, universities, hospitals, medical offices and facilities;
 - (3) Civic uses, including government offices open to and serving the general public, libraries, city halls and public spaces.
- (c) Centers, Corridors, Station Communities and Main Streets need a mix of housings types to be vibrant and successful. The following mix of housing types is recommended for each:
- (1) The types of housing listed in the "needed housing" statute, ORS 197.303(1);
 - (2) The types of housing identified in the city's or county's housing need analysis done pursuant to ORS 197.296 or statewide planning Goal 10 (Housing); and
 - (3) Accessory dwellings pursuant to section 3.07.120 of this chapter.

(Ordinance 97-715B, Sec. 1. Ordinance 98-721A, Sec. 1. Ordinance 02-969B, Sec. 7. Ordinance 10-1244B, Sec. 5.)

EXHIBIT A

3.07.730 Requirements for Comprehensive Plan and Implementing Ordinance Changes

Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

- (a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.
- (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.

(Ordinance 97-715B, Sec. 1. Ordinance 00-882, Sec. 2. Ordinance 03-1005A, Sec. 1. Ordinance 06-1129B, Sec. 2.)

3.07.740 Inventory and Progress Reports on Housing Supply

- (a) Local governments shall assist Metro in the preparation of a biennial affordable housing inventory by fulfilling the reporting requirements in ~~subsection 3.07.120D of Title 1 (Requirements for Housing and Employment Accommodation) and~~ subsection (b) of this section.
- (b) Local governments shall report their progress on increasing the supply of affordable housing to Metro on a form provided by Metro, to be included as part of the biennial housing inventory described in subsection (a). Local governments shall submit their first progress reports on July 31, 2007, and by April 15 every two years following that date. ~~Local governments may report their progress as part of the capacity reports required by subsection 3.07.120(d) of Title 1 (Requirements for Housing and Employment Accommodation).~~ Progress reports shall include, at least, the following information:
 - (1) The number and types of units of affordable housing preserved and income groups served during the reporting period, as defined in Metro's form;
 - (2) The number and types of units of affordable housing built and income groups served during the reporting period;

EXHIBIT A

- (f) An amendment to a city or county comprehensive plan or land use regulation shall be deemed to comply with the functional plan as provided in subsection (e) only if the city or county provided notice to the COO as required by subsection (a) of section 3.07.820.

(Ordinance 97-715B, Sec. 1. Ordinance 98-730C, Sec. 4. Ordinance 00-839, Sec. 1. Ordinance 00-882C, Sec. 2. Ordinance 01-925E, Sec. 1. Ordinance 02-972A, Sec. 1. Ordinance 05-1077C, Sec. 6. Ordinance 10-1244B, Sec. 7.)

3.07.820 Review by the Chief Operating Officer

- (a) A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to the COO at least ~~45~~35 days prior to the first evidentiary hearing on the amendment. The COO may request, and if so the city or county shall submit, an analysis of compliance of the amendment with the functional plan. If the COO submits comments on the proposed amendment to the city or county, the comment shall include analysis and conclusions on compliance and a recommendation with specific revisions to the proposed amendment, if any, that would bring it into compliance with the functional plan. The COO shall send a copy of comment to those persons who have requested a copy.
- (b) If the COO concludes that the proposed amendment does not comply with the functional plan, the COO shall advise the city or county that it may:
- (1) Revise the proposed amendment as recommended in the COO's analysis;
 - (2) Seek an extension of time, pursuant to section 3.07.830, to bring the proposed amendment into compliance with the functional plan; or
 - (3) Seek an exception pursuant to section 3.07.840.

(Ordinance 97-715B, Sec. 1. Ordinance 98-730C, Secs. 5, 6, 7. Ordinance 98-727C, Sec. 1. Ordinance 00-839, Sec. 1. Ordinance 00-882C, Sec. 2. Ordinance 01-925E, Sec. 1. Ordinance 02-972A, Sec. 1. Ordinance 10-1244B, Sec. 7.)

3.07.830 Extension of Compliance Deadline

- (a) A city or county may seek an extension of time for compliance with a functional plan requirement. The city or county shall file an application for an extension on a form provided by the COO. Upon receipt of an

EXHIBIT A

3.07.830 or 3.07.840, respectively, the Council may adopt an order that:

- (1) Directs changes in the city or county ordinances necessary to remedy the pattern or practice; or
 - (2) Includes a remedy authorized in ORS 268.390(7).
- (e) The Council shall issue its order not later than 30 days following the hearing and send copies to the city or county, MPAC and any person who requests a copy.

(Ordinance 97-715B, Sec. 1. Ordinance 01-925E, Sec. 1. Ordinance 02-972A, Sec. 1. Ordinance 10-1244B, Sec. 7.)

3.07.860 Citizen Involvement in Compliance Review

- (a) Any person may contact Metro staff or the COO or appear before the Metro Council to raise issues regarding local functional plan compliance, to request Metro participation in the local process, or to request the COO to appeal a local enactment for which notice is required pursuant to subsection (a) of section 3.07.820. Such contact may be oral or in writing and may be made at any time.
- (b) In addition to considering requests as described in (a) above, the Council shall at every regularly scheduled meeting provide an opportunity for people to address the Council on any matter related to this functional plan. The COO shall maintain a list of persons who request notice in writing of COO reviews, reports and orders and proposed actions under this chapter and shall send requested documents as provided in this chapter.
- (c) Cities, counties and the Council shall comply with their own adopted and acknowledged Citizen Involvement Requirements (Citizen Involvement) in all decisions, determinations and actions taken to implement and comply with this functional plan. The COO shall publish a citizen involvement fact sheet, after consultation with the Metro ~~Committee for Citizen Involvement~~ Public Engagement Review Committee (PERC), that describes opportunities for citizen involvement in Metro's growth management procedures as well as the implementation and enforcement of this functional plan.

(Ordinance 97-715B, Sec. 1. Ordinance 01-925E, Sec. 1. Ordinance 02-972A, Sec. 1. Ordinance 10-1244B, Sec. 7.)

EXHIBIT A

3.07.870 Compliance Report

- (a) The COO shall submit a report to the Metro Council by March 1 of each calendar year on the status of compliance by cities and counties with the requirements of the Urban Growth Management Functional Plan. The COO shall send a copy of the report to MPAC, JPACT, ~~MCCI~~PERC and each city and county within Metro.
- (b) A city, county or person who disagrees with a determination in the compliance report may seek review of the determination by the Council by written request to the COO. The Council shall notify the requestor, all cities and counties, MPAC, JPACT, ~~MCCI~~PERC, the Department of Land Conservation and Development and any person who requests notification of the review. The notification shall state that the Council does not have jurisdiction to:
- (1) Determine whether previous amendments of comprehensive plans or land use regulations made by a city or county comply with functional plan requirements if those amendments already comply pursuant to subsections (e) and (f) of section 3.07.810; or
 - (2) Reconsider a determination in a prior order issued under this section that a city or county complies with a requirement of the functional plan.
- (c) Following its review at a public hearing, the Council shall adopt an order that determines whether the city or county complies with the functional plan requirement raised in the request. The order shall be based upon the COO's report and testimony received at the public hearing. The COO shall send a copy of the order to cities and counties and any person who testifies, orally or in writing, at the public hearing.
- (d) A city or county or a person who participated, orally or in writing, at the public hearing, may seek review of the Council's order as a land use decision described in ORS 197.015(10)(a)(A).

(Ordinance 01-925E, Sec. 2. Ordinance 02-972A, Sec. 1. Ordinance 10-1244B, Sec. 7.)

Title 9: Performance Measures

Title 9 is repealed.

(Ordinance 10-1244B, Sec. 8.)

EXHIBIT A

comprehensive plan or land use regulations, but in no event shall the local program effective date be later than two years after Title 13 is acknowledged by LCDC. For territory brought within the Metro UGB after December 28, 2005, the local program effective date shall be the effective date of the ordinance adopted by the Metro Council to bring such territory within the Metro UGB.

- (cc) "Metro" means the regional government of the metropolitan area, the elected Metro Council as the policy setting body of the government.
- (dd) "Metro boundary" means the jurisdictional boundary of Metro, the elected regional government of the metropolitan area.
- ~~(ee)~~ ~~"MCCI" means the Metro Committee for Citizen Involvement.~~
- ~~(ff)~~ (ee) "MPAC" means the Metropolitan Advisory Committee established pursuant to Metro Charter, Chapter V, Section 27.
- ~~(gg)~~ (ff) "Mitigation" means the reduction of adverse effects of a proposed project by considering, in the following order: (1) avoiding the impact altogether by not taking a certain action or parts of an action; (2) minimizing impacts by limiting the degree or magnitude of the action and its implementation; (3) rectifying the impact by repairing, rehabilitating or restoring the affected environment; (4) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action by monitoring and taking appropriate measures; and (5) compensating for the impact by replacing or providing comparable substitute water quality resource areas or habitat conservation areas.
- ~~(hh)~~ (gg) "Mixed use" means comprehensive plan or implementing regulations that permit a mixture of commercial and residential development.
- ~~(ii)~~ (hh) "Mixed-use development" includes areas of a mix of at least two of the following land uses and includes multiple tenants or ownerships: residential, retail and office. This definition excludes large, single-use land uses such as colleges, hospitals, and business campuses. Minor incidental land uses that are accessory to the primary land use should not result in a development being designated as "mixed-use development." The size

EXHIBIT A

sufficient to support and under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Wetlands are those areas identified and delineated by a qualified wetland specialist as set forth in the 1987 Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coast Region (Version 2.0), (May 2010).

~~(ttt)~~ (sss) "Zoned capacity" means the highest number of dwelling units or jobs that are allowed to be contained in an area by zoning and other city or county jurisdiction regulations.

(Ordinance 97-715B, Sec. 1. Ordinance 98-721A, Sec. 1. Ordinance 98-730C, Sec. 10. Ordinance 00-839, Sec. 1. Ordinance 00-869A, Sec. 2; Ordinance 02-972A, Sec. 1; Ordinance 05-1077C, Sec. 6; Ordinance 10-1244B, Sec. 9.)

TITLE 11: PLANNING FOR NEW URBAN AREAS

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

(Ordinance 99-818A, Sec. 3. Ordinance 02-969B, Sec. 11. Ordinance 10-1238A, Sec. 5. Ordinance 11-1252A, Sec. 1.)

EXHIBIT A

- (5) Show water quality resource areas, flood management areas and habitat conservation areas that will be subject to performance standards under Titles 3 and 13 of this chapter;
- (6) Be coordinated with the comprehensive plans and land use regulations that apply to nearby lands already within the UGB;
- (7) Include an agreement between or among the county and the city or cities and service districts that preliminarily identifies which city, cities or districts will likely be the providers of urban services, as defined at ORS 195.065(4), when the area is urbanized;
- (8) Include an agreement between or among the county and the city or cities that preliminarily identifies the local government responsible for comprehensive planning of the area, and the city or cities that will have authority to annex the area, or portions of it, following addition to the UGB;
- (9) Provide that an area added to the UGB must be annexed to a city prior to, or simultaneously with, application of city land use regulations to the area intended to comply with subsection (c) of section 3.07.1120; and
- (10) Be coordinated with schools districts, including coordination of demographic assumptions.

B. (d) Concept plans shall guide, but not bind:

- (1) The designation of 2040 Growth Concept design types by the Metro Council;
- (2) Conditions in the Metro ordinance that adds the area to the UGB; or
- (3) Amendments to city or county comprehensive plans or land use regulations following addition of the area to the UGB.

C. (e) If the local governments responsible for completion of a concept plan under this section are unable to reach agreement on a concept plan by the date set under subsection (a), then the Metro Council may nonetheless add the area to the UGB if necessary to fulfill its responsibility under ORS 197.299 to ensure the UGB has sufficient capacity to accommodate forecasted growth.

EXHIBIT A

- coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;
- (6) Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.
 - (7) A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;
 - (8) Provision for the financing of local and state public facilities and services; and
 - (9) A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.
- (d) The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using the a method consistent with a Goal 14 analysis ~~in section 3.07.120,~~ within 30 days after adoption of new land use regulations for the area.

(Ordinance 98-772B, Sec. 2. Ordinance 99-818A, Sec. 3. Ordinance 01-929A, Sec. 8. Ordinance 02-964, Sec. 5. Ordinance 05-1077C, Sec. 6. Ordinance 05-1089A, Sec. 2. Ordinance 07-1137A, Sec. 3. Ordinance 10-1238A, Sec. 5. Ordinance 11-1252A, Sec. 1.)

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- (a) A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;

EXHIBIT A

- (b) A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- (c) A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in section 3.07.1010 of this chapter, or for a new public school;
- (d) In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:
 - (1) A commercial use that is not accessory to industrial uses in the area; and
 - (2) A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

(Ordinance 98-772B, Sec. 2. Ordinance 99-818A, Sec. 3. Ordinance 10-1238A, Sec. 5. Ordinance 11-1252A, Sec. 1.)

~~3.07.1140 Applicability~~

~~Section 3.07.1110 becomes applicable on December 31, 2011.~~

~~(Ordinance 772B, Sec. 2. Amended by Ordinance 99-818A, Sec. 3; Ordinance 10-1238A, Sec. 5; Ordinance 11-1252A, Sec. 1.)~~

Title 12: Protection of Residential Neighborhoods

3.07.1210 Purpose and Intent

Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region's residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services.

(Ordinance 02-969B, Sec. 3.)

3.07.1220 Residential Density

Metro shall not require any city or county to authorize an increase in the residential density of a single-family

EXHIBIT A

neighborhood in an area mapped solely as an ~~Inner or Outer~~ Neighborhood pursuant to ~~Metro Code Section 3.07.130~~ prior to ~~May 22, 2002~~.

(Ordinance 02-969B, Sec. 3.)

3.07.1230 Access to Commercial Services

- (a) In order to reduce air pollution and traffic congestion, and to make commercial retail services more accessible to residents of ~~Inner and Outer~~ Neighborhoods, a city or county may designate in its comprehensive plan and land use regulations one or more Neighborhood Centers within or in close proximity to Inner and Outer Neighborhoods to serve as a convenient location of commercial services.
- (b) To ensure that commercial development serves the needs of the residents of ~~Inner and Outer~~ Neighborhoods but does not generate excessive traffic, noise or air pollution, a city or county that designates a Neighborhood Center shall adopt limitations on the scale of commercial services in Neighborhood Centers. In a Neighborhood Center, a city or county shall not approve:
 - (1) A commercial retail use with more than 20,000 square feet of gross leasable area in a single building; or
 - (2) Office commercial uses with more than 10,000 square feet of gross leasable area in a single building or on a single lot or parcel.

(Ordinance 02-969B, Sec. 3.)

3.07.1240 Access to Parks and Schools

- (a) Each city and county shall, within two years following adoption by the Metro Council of a process and criteria for such standards, establish a level of service standard for parks and greenspaces that calls for a park facility within a specified distance of all residences.
- (b) To make parks and greenspaces more accessible to residents of ~~Inner and Outer~~ Neighborhoods and all residents of the region, each city and county shall provide for access to parks and greenspaces by walking, biking and transit, where transit is available or planned.

EXHIBIT A

dispute resolution process, consistent with state law.

- (h) Reducing Regional Density and Capacity Requirements to Allow Habitat Protection.
- (1) Notwithstanding the provisions of Metro Code Section 3.07.12040(A)(2), cities and counties may approve a subdivision or development application that will result in a density below the minimum density for the zoning district if:
 - (A) The property lot or parcel was within the Metro UGB on January 1, 2002;
 - (B) An area of the property lot or parcel to be developed has been identified as regionally significant fish and wildlife habitat on the Metro Inventory Map or as a significant resource on a local Goal 5 riparian, wetlands, or wildlife resource inventory map that had been acknowledged by the LCDC prior to December 28, 2005; and
 - (C) Such a decision will directly result in the protection of the remaining undeveloped regionally significant fish and wildlife habitat or significant resource located on the property lot or parcel, such as via a public dedication or a restrictive covenant.
 - (2) The amount of reduction in the minimum density requirement that may be approved under this subsection (h) of this section shall be calculated by subtracting the number of square feet of regionally significant fish and wildlife habitat or significant resource that is permanently protected under subsection (h)(1)(C) of this section from the total number of square feet that the city or county otherwise would use to calculate the minimum density requirement for the property.
 - (3) If a city or county approves a subdivision or development application that will result in a density below the minimum density for the zoning district pursuant to subsection (h)(1) of this section, then such city or county shall:
 - (A) Be permitted an offset against the capacity specified for that city or county in Table 3.07-1 of the Metro Code. The amount of such offset shall be calculated by subtracting the

EXHIBIT A

(i.e., producing, distributing, selling or servicing goods);

- 3) Draws service recipients (e.g., students, patients) from all reaches of the region and beyond;
 - 4) Relies on capital infrastructure that is so large or specialized as to render its relocation infeasible; and
 - 5) Has a long-term campus master plan that has been approved by the city or county in which it is located.
- (5) Cross-Referencing Habitat Class With Urban Development Value. City and county verification of the locations of High, Moderate, and Low Habitat Conservation Areas shall be consistent with Tables 3.07-13a and 3.07-13b.

(Ordinance 05-1077C, Section 5.)

3.07.1350 Claims Pursuant to ORS ~~197.352~~195.305-(Ballot Measure-~~3749~~)

- (a) The purpose of this section is to provide for Metro to accept potential liability for claims filed against cities and counties pursuant to ORS ~~197.352~~195.305 (Ballot Measure-~~3749~~) as a result of the cities' and counties' good faith implementation of Metro Code Sections 3.07.1310 through 3.07.1370. As a corollary of accepting financial and administrative responsibility for these claims, Metro seeks the authority and cooperation of cities and counties in the evaluation and settlement of claims.
- (b) Provided that cities and counties meet the requirements set out below, Metro shall indemnify a city or county for any claim made against a city or county based on its implementation of the requirements of Metro Code Sections 3.07.1310 through 3.07.1370. In order to receive the benefits of this provision, a city or county must:
 - (1) Upon receipt of a written demand for compensation pursuant to ORS ~~197.352~~195.305, from an owner of private real property located within its jurisdiction alleging that a comprehensive plan amendment or land use regulation adopted or relied upon to comply with the requirements of this title

EXHIBIT A

reduces the fair market value of the property, a city or county shall forward a copy of the demand to Metro no later than seven (7) days following receipt of the demand;

- (2) Reasonably cooperate with Metro throughout Metro's consideration and disposition of the claim, including promptly providing Metro with any information related to the property in question, to an assessment of its fair market value, or to the city's or county's adoption of the comprehensive plan amendment or land use regulation that is the basis of the demand made pursuant to ORS ~~197.352~~195.305; and
- (3) Substantially concur with Metro's recommendation regarding disposition of the claim, which disposition may include, but not be limited to, a cash payment or other compensation, a decision to modify, remove, or not apply the regulation, dismissal of the claim, and the imposition of appropriate conditions. Metro shall forward to the city or county Metro's recommended disposition of the claim within 120 days of Metro's receipt of notice of the claim from the city or county; provided, however, that if Metro does not provide such recommendation within the 120 day deadline then the city or county may dispose of the claim as it determines appropriate and Metro will neither indemnify the city or county for the claim nor use the city's or county's decision on the claim as a basis for finding that the city or county is not in compliance with this title. A city or county may also satisfy this requirement by entering into an intergovernmental agreement with Metro in order to grant Metro sufficient authority to implement, on the city or county's behalf, Metro's recommendation regarding the disposition of the claim.

(Ordinance 05-1077C, Section 5.)

3.07.1360 Program Objectives, Monitoring and Reporting

This section describes the program performance objectives, the roles and responsibilities of Metro, cities, counties, and special districts in regional data coordination and inventory maintenance, monitoring and reporting, and program evaluation.

EXHIBIT A

TITLE 14: URBAN GROWTH BOUNDARY

3.07.1405 Purpose

The Regional Framework Plan (RFP) calls for a clear transition from rural to urban development, an adequate supply of urban land to accommodate long-term population and employment, and a compact urban form. Title 14 prescribes criteria and procedures for amendments to the urban growth boundary (UGB) to achieve these objectives.

(Ordinance 10-1244B, Sec. 12.)

3.07.1410 Urban Growth Boundary

- (a) The UGB for the metropolitan area is incorporated into this title and is depicted on the Urban Growth Boundary and Urban and Rural Reserves Map. Cities and counties within the Metro boundary shall depict the portion of the UGB, if any, that lies within their boundaries on their comprehensive plan maps. Within 21 days after acknowledgment of an amendment to the UGB under this title, the COO shall submit the amended UGB to the city and county in which the amended UGB lies. The city and county shall amend their comprehensive plan maps to depict the amended UGB within one year following receipt of the amendment from the COO.
- (b) Urban and Rural Reserves are depicted on the Urban Growth Boundary and Urban and Rural Reserves Map. Amendments to the UGB made pursuant to this title shall be based upon this map.

(Ordinance 10-1244B, Sec. 12. Ordinance 11-1264B, Sec. 3.)

Title 14 Urban Growth Boundary Map as of October 29, 2014

(Ordinance 14-1336.)

3.07.1420 Legislative Amendment to UGB - Procedures

- (a) Legislative amendments follow periodic analysis of the capacity of the UGB and the need to amend it to accommodate long-range growth in population and employment. The Metro Council shall initiate a legislative amendment to the UGB when required by state law and may initiate a legislative amendment when it determines there is a need to add land to the UGB.

EXHIBIT A

must demonstrate compliance with this purpose and these limitations.

- (b) The applicant shall demonstrate that the proposed amendment to the UGB will provide for an orderly and efficient transition from rural to urban land use and complies with the criteria and factors in subsections (b)B, (c)C, D(d), E(e), and F(f) and ~~G~~ of section 3.07.1425. The applicant shall also demonstrate that:
- (1) The proposed uses of the subject land would be compatible, or through measures can be made compatible, with uses of adjacent land;
 - (2) If the amendment would add land for public school facilities, the coordination required by subsection (c)(5) of section 3.07.1120 of this chapter has been completed; and
 - (3) If the amendment would add land for industrial use pursuant to section 3.07.1435, a large site or sites cannot reasonably be created by land assembly or reclamation of a brownfield site.
- (c) If the application was filed under section 3.07.1435, the applicant shall demonstrate that the amendment is consistent with any concept plan for the area developed pursuant to section 3.07.1110 of this chapter.
- (d) To facilitate implementation of the Metropolitan Greenspaces Master Plan of 1992, the Council may add land to the UGB in a trade that removes a nearly equal amount of land from the UGB. If the Council designates the land to be added for housing, it shall designate an appropriate average density per net developable acre.

(Ordinance 10-1244B, Sec. 12.)

3.07.1445 Minor Adjustments - Procedures

- (a) Minor adjustments make small changes to the UGB so that land within the UGB functions more efficiently and effectively. A city, a county, a special district, Metro or a property owner may initiate a minor adjustment to the UGB by filing an application on a form provided by Metro. The application shall include a list of the names and addresses of owners of property within 100 feet of the land involved in the application. The application shall also include the positions on the application of appropriate local governments and special

EXHIBIT A

cumulatively, are consistent with and help achieve the 2040 Growth Concept.

(Ordinance 10-1244B, Sec. 12.)

3.07.1455 Conditions of Approval

- (a) Land added to the UGB pursuant to sections 3.07.1420, 3.07.1430 and 3.07.1435 shall be subject to the requirements of sections 3.07.1120 and 3.07.1130 of this chapter.
- (b) If the Council amends the UGB pursuant to sections 3.07.1420, 3.07.1430 or 3.07.1435, it shall:
 - (1) In consultation with affected local governments, designate the city or county responsible for adoption of amendments to comprehensive plans and land use regulations to allow urbanization of each area added to the UGB, pursuant to Title 11 of this chapter. If local governments have an agreement in a concept plan developed pursuant to Title 11 that establishes responsibility for adoption of amendments to comprehensive plans and land use regulations for the area, the Council shall assign responsibility according to the agreement.
 - (2) Establish the 2040 Growth Concept design type designations applicable to the land added to the UGB, including the specific land need, if any, that is the basis for the amendment. If the design type designation authorizes housing, the Council shall designate an appropriate average density per net developable acre consistent with the need for which the UGB is expanded.
 - (3) Establish the boundaries of the area that shall be included in the planning required by Title 11. A planning area boundary may include territory designated urban reserve, outside the UGB.
 - (4) Establish the time period for city or county compliance with the requirements of Title 11, which shall be two (2) years following the effective date of the ordinance adding the area to the UGB unless otherwise specified.
- (c) If the Council amends the UGB pursuant to any of the sections ~~3.07.1420, 3.07.1430 or 3.07.1435~~ of this title, it may establish other conditions it deems necessary to ensure the addition of land complies with

EXHIBIT A

the Regional Framework Plan. If a city or county fails to satisfy a condition, the Council may enforce the condition after following the notice and hearing process set forth in section 3.07.850 of this chapter.

(Ordinance 10-1244B, Sec. 12.)

3.07.1460 Fees

- (a) Each application submitted by a property owner or group of property owners pursuant to this title shall be accompanied by a filing fee in an amount to be established by the Council. Such fee shall not exceed Metro's actual cost to process an application. The fee may include administrative costs, the cost of a hearings officer and of public notice.
- (b) The fee for costs shall be charged from the time an application is filed through mailing of the notice of adoption or denial to the Department of Land Conservation and Development and other interested persons.
- (c) Before a hearing is scheduled, an applicant shall submit a fee deposit. In the case of an application for a minor adjustment pursuant to section 3.07.1445, the applicant shall submit the fee deposit with the application.
- (d) The unexpended portion of an applicant's deposit, if any, shall be returned to the applicant at the time of final disposition of the application. If hearings costs exceed the amount of the deposit, the applicant shall pay to Metro an amount equal to the costs in excess of the deposit prior to final action by the Council.
- (e) The Council may, by resolution, reduce, refund or waive the fee, or portion thereof, if it finds that the fee would create an undue hardship for the applicant.

(Ordinance 10-1244B, Sec. 12.)

3.07.1465 Notice Requirements

- (a) For a proposed legislative amendment under section 3.07.1420, the COO shall provide notice of the public hearing in the following manner:
 - (1) In writing to the Department of Land Conservation and Development and local governments of the Metro region at least ~~45~~³⁵ days before the first public hearing on the proposal; and

EXHIBIT A

- (2) To the general public at least 4535 days before the first public hearing by an advertisement no smaller than 1/8-page in a newspaper of general circulation in the Metro area and by posting notice on the Metro website.
- (b) For a proposed major amendment under sections 3.07.1430 or 3.07.1435, the COO shall provide notice of the hearing in the following manner:
- (1) In writing at least 4535 days before the first public hearing on the proposal to:
 - (A) The applicant;
 - (B) The director of the Department of Land Conservation and Development;
 - (C) The owners of property that is being considered for addition to the UGB; and
 - (D) The owners of property within 250 feet of property that is being considered for addition to the UGB, or within 500 feet of the property if it is designated for agriculture or forestry pursuant to a statewide planning goal;
 - (2) In writing at least 30 days before the first public hearing on the proposal to:
 - (A) The local governments of the Metro area;
 - (B) A neighborhood association, community planning organization, or other organization for citizen involvement whose geographic area of interest includes or is adjacent to the subject property and which is officially recognized as entitled to participate in land use decisions by the cities and counties whose jurisdictional boundaries include or are adjacent to the site, and to any other person who requests notice of amendments to the UGB; and
 - (3) To the general public by posting notice on the Metro website at least 30 days before the first public hearing on the proposal.
- (c) The notice required by subsections (a) and (b) of this section shall include:
- (1) A map showing the location of the area subject to the proposed amendment;

EXHIBIT A

- (2) The time, date and place of the hearing;
 - (3) A description of the property reasonably calculated to give notice as to its actual location, with street address or other easily understood geographical reference if available;
 - (4) A statement that interested persons may testify and submit written comments at the hearing;
 - (5) The name of the Metro staff to contact and telephone number for more information;
 - (6) A statement that a copy of the written report and recommendation of the COO on the proposed amendment will be available at reasonable cost 20 days prior to the hearing; and
 - (7) A general explanation of the criteria for the amendment, the requirements for submission of testimony and the procedure for conduct of hearings;
 - (8) For proposed major amendments only:
 - (A) An explanation of the proposed boundary change;
 - (B) A list of the applicable criteria for the proposal; and
 - (C) A statement that failure to raise an issue at the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes an appeal based on the issue.
 - (9) For the owners of property described in subsection (b) (1) (C) of this section, the information required by ORS 268.393(3).
- (d) For a proposed minor adjustment under section 3.07.1445, the COO shall provide notice in the following manner:
- (1) In writing to the director of the Department of Land Conservation and Development at least 4535 days before the issuance of an order on the proposal;
 - (2) In writing at least 20 days before the issuance of an order on the proposal to:
 - (A) The applicant and the owners of property subject to the proposed adjustment;

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 15-1357, FOR THE PURPOSE OF ADOPTING HOUSEKEEPING AMENDMENTS TO THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Date: September 1, 2015

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

The Urban Growth Management Functional Plan (Functional Plan) was adopted by the Metro Council in 1996 and amended and codified as Metro Code Chapter 3.07 in 1997. The Functional Plan provides tools and guidance for local jurisdictions to implement regional policies and achieve the goals set out in the region's 2040 Growth Concept. The original Functional Plan contained ten titles, three of which have been repealed, Title 2 Regional Parking Policy, Title 5 neighbor Cities and Rural Reserves and Title 9 Performance Measures. Four titles have been added to the Functional Plan since 1999 including Title 11 Planning for New Urban Areas, Title 12 Protection of Residential Neighborhoods, Title 13 Nature in Neighborhoods and Title 14 Urban Growth Boundary. Over time the titles have been amended by adding or removing sections as well as referencing code sections from other titles. Unfortunately, some cross references were not updated as needed when the amendments occurred.

Title 8 Compliance Procedures establishes a process for ensuring city or county compliance with requirements of the Functional Plan. A city or county proposing an amendment to a comprehensive plan or land use regulation is required to submit the proposed amendment to Metro 45 days prior to the first evidentiary hearing on the amendment. The 45 day notice requirement was adopted to be consistent with the Department of Land Conservation and Development's (DLCDC) 45 day notice requirement, providing one notification date for local jurisdictions to meet. DLCDC changed their 45 day notice requirement to 35 days effective January 1, 2012; however the Functional Plan still requires 45 days, resulting in two notification dates for local jurisdictions.

PROPOSAL

Adopt housekeeping amendments to address code section inconsistencies and update the notification requirements as summarized below. Text to be deleted is ~~struckthrough~~ and text to be added is underlined. Proposed amendments are provided in code section form in Exhibit A to the ordinance.

The outline format of the Metro Code is inconsistent. Chapter 3.07 is amended to reflect the following outline format (a)(1)(A)(i)1 rather than the current format of A.1.a.i. to align this chapter with the other chapters of the Metro Code. This outline format is reflected in the specific Title amendments below.

Title 1 Housing Capacity

- Amend Code Section 3.07.120(b) by replacing (~~hh~~) with (gg) to reflect re-lettering of Title 10 Definitions due to the deletion of a definition as noted below in Title 10 Definitions.

Title 3 Water Quality and Flood Management

- Amend the footnote of Table 3.07-3 to add rivers to the definition of primary protected water feature to match the definition of primary protected water feature contained in Title 10 Definitions.

- Amend Metro Code Sections 3.07.330(a)(1)(B) and 3.07.330(a)(1)(B)(ii) by deleting ~~updated according to Section 3.07.370, and as required by Section 3.07.370 and~~ respectively as Section 3.07.370 was repealed in 2005 with the adoption of Title 13.

Title 6 Centers, Corridors, Station Communities and Main Streets

- Amend Code Section 3.07.640(b)(1) by replacing ~~land uses listed in~~ with amenities identified in the most current version of the as amenities not land uses are listed in the State of the Centers Report. Also delete ~~January, 2009~~ as we expect the report will be updated to a web based platform by the end of 2015, which will allow for updates to occur more regularly in the future.

Title 7 Housing Choice

- Amend Code Section 3.07.740(a) by deleting ~~subsection 3.07.120D of Title 1 (Requirements for Housing and Employment Accommodation) and~~ and Code Section 3.07.740(b) by deleting ~~Local governments may report their progress as part of the capacity reports required by subsection 3.07.120D of Title 1 (Requirements for Housing and Employment Accommodation)~~ as there is no reporting requirement in Code Section 3.07.120(d).

Title 8 Compliance Procedures

- Amend Code Section 3.07.820(a) by replacing ~~45~~ with 35 to be consistent with DLCD requirements.
- Amend Code Section 3.07.860(c) by replacing ~~Committee for Citizen Involvement~~ with Public Engagement Review Committee (PERC) to reflect new name of Metro's citizen advisory committee.
- Amend Code Section 3.07.870(a) by adding al at the end of Function to accurately reference the Functional Plan.
- Amend Code Section 3.07.870(a) and (b) by replacing ~~MCCI~~ with PERC.

Title 10 Definitions

- Delete ~~"MCCI" means the Metro Committee for Citizen Involvement~~ definition and adjust lettering in Title 10.
- Amend Code Section 3.07.1010 (sss) "Wetlands" by adding and the Regional Supplemental to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coast Range (Version 2.0), (May 2010) to the end of the definition as the regional supplemental provides specific regional information that would take precedence if a difference occurred with the delineation manual.

Title 11 Planning for New Urban Areas

- Amend Code Section 3.07.1110 by replacing the second reference to ~~B. & C.~~ with (d) & (e) to provide consistent lettering of code section.
- Amend Code Section 3.07.1120(d) by replacing ~~the~~ with a and ~~in section 3.07.120~~ with consistent with a Goal 14 analysis as there is no residential capacity methodology in 3.07.120.
- Delete Code Section 3.07.1140 Applicability in its entirety as that section was included in Title 11 only to clarify that the 2011 UGB amendments adopted by the Metro Council did not need to address Metro Code Section 3.07.1110 Planning for Areas Designated Urban Reserve.

Title 12 Protection of Residential Neighborhoods

- Amend Code Section 3.07.1220 by deleting ~~an Inner or Outer and pursuant to Metro Code Section 3.07.130 prior to May 22, 2002~~ to reflect previous removal of Inner and Outer from the 2040 Growth Concept Map.
- Amend Code Sections 3.07.1230(a) & (b) and 3.07.1240(b) by deleting ~~Inner and Outer~~.

Title 13 Nature in Neighborhoods

- Amend Code Section 3.07.1330(h)(1) by replacing 3.07.140(A)(2) with 20 as there is no section 3.07.140(A)(2) and 3.07.120 is the entire section addressing reductions to zoned capacity.
- Amend Code Sections 3.07.1350 and 3.07.1350(a) by replacing ~~197.352~~ with 195.305 and ~~37~~ with 49 as the statute was renumbered in 2007.
- Amend Code Sections 3.07.1350(b)(1) and 3.07.1350(b)(2) by replacing ~~197.352~~ with 195.305 as the statute was renumbered in 2007.

Title 14 New Urban Area Planning

- Amend Code Section 3.07.1410(a) by inserting acknowledgement of between *within 21 days after* and *an amendment to the UGB*.
- Amend Code Section 3.07.1440B. by replacing ~~B-C-D-E-F~~ with (b) (c) (d) (e) (f) to reflect new outline format, insert and between (e) (f) and delete ~~and G~~ as there is no section G.
- Amend Code Section 3.07.1455(c) by inserting any of the after pursuant to, deleting ~~3.07.1420, 3.07.1430 or 3.07.1435~~ and inserting of this title after sections to allow the Metro Council to establish conditions on a minor adjustment of the UGB petition that is appealed to the Metro Council for review. Under the minor adjustment procedures the Metro Chief Operating Officer issues an order approving or denying a petition, which can be appealed to the Council for review.
- Amend Code Sections 3.07.1465(a)(1) & (2) and (b)(1) and 3.07.1465(d)(1) by replacing ~~45~~ with 35 to be consistent with DLCDC requirements.

ANALYSIS/INFORMATION

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

Legal Antecedents: Metro Code Chapter 3.07 Urban Growth Management Functional Plan is the primary regional policy tool for achieving the goals set out in the 2040 Concept Plan.

Anticipated Effects: Adoption of Ordinance No. 15-1357 will make housekeeping changes to various titles of the Functional Plan to remove code section inconsistencies and update notification requirements.

Budget Impacts: There is no budget impact.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 15-1357.

Agenda Item No. 4.1

Urban Reserves Designations in Clackamas County Areas 4A,
4B, 4C, and 4D

Public Hearing

Metro Council Meeting
Thursday, October 8, 2015
Metro Regional Center, Council Chamber

STAFF REPORT

IN CONSIDERATION OF THE REMAND BY THE OREGON COURT OF APPEALS AND LCDC REGARDING THE DESIGNATION OF URBAN RESERVES IN CLACKAMAS COUNTY

Date: September 30, 2015

Prepared by: Roger Alfred, Senior Assistant Attorney

PROPOSED ACTION

Hold a public hearing regarding the remand by the Oregon Court of Appeals and the Land Conservation and Development Commission (LCDC) of Clackamas County urban reserve areas 4A, 4B, 4C, and 4D (collectively referred to as “Stafford”). A map of the four reserve areas is attached as Exhibit A to this report.

PROCEDURAL SUMMARY

In 2010, Metro and Clackamas County entered into an intergovernmental agreement (IGA) regarding the designation of specific urban and rural reserve areas in Clackamas County. That IGA designated the Stafford area as urban reserve. Metro and Clackamas County adopted ordinances in 2011 to implement the reserve designations, including joint findings in support of Stafford as an urban reserve area. Metro submitted the final decision and findings to LCDC for review in May of 2011, and LCDC issued an order approving the submittal in August of 2012. On judicial review of the order, the Court of Appeals reversed and remanded to LCDC for reconsideration of the decision to approve the Stafford designation. On March 16, 2015, LCDC issued Remand Order 14-ACK-001867, formally remanding the decision back to Metro and Clackamas County for further proceedings and action consistent with the Court of Appeals opinion.

BACKGROUND

A. Senate Bill 1011 and the Discretionary Urban Reserve “Factors”

In 2007 the Oregon Legislature enacted Senate Bill 1011, authorizing Metro and the three counties to designate urban and rural reserves. Senate Bill 1011 was proposed by agreement among a broad coalition of stakeholders in response to widespread frustration regarding the existing process for Metro-area UGB expansions. In particular, the statutory requirements for UGB decisions often fostered inefficient and inflexible decision-making, because the hierarchy of lands listed in ORS 197.298 requires Metro to first expand the UGB onto the lowest quality agricultural lands regardless of whether those lands could be cost-effectively developed. In other words, ORS 197.298 requires Metro to include land in the UGB not because it would be good for urban use but only because it is bad for farming.

Senate Bill 1011 addressed these problems by allowing Metro and the counties significant discretion to identify urban and rural reserves outside of the existing UGB as the areas where future UGB expansion will or will not occur over the next 50 years. Areas mapped as urban reserves become the first priority for future UGB expansions under ORS 197.298, while rural reserves are farms, forests, and other natural resource areas that obtain long-term protection from development.

The primary goal of Senate Bill 1011 was to provide more flexibility to allow UGB expansions into areas that would be the most appropriate for urbanization. To accomplish that goal, the legislature authorized Metro and the counties to designate urban and rural reserve areas based on discretionary “consideration” of several nonexclusive “factors” designed to help determine whether particular areas are appropriate for development or for long-term protection. The legislature purposely did *not* create a list of mandatory approval criteria requiring findings that each standard must be satisfied. Rather, the reserve statute and rules allow Metro and the counties to consider and weigh each factor in order to reach an overall conclusion regarding whether a reserve designation is appropriate. All factors must be considered, but no single factor is dispositive.

The factors that must be considered regarding the designation of urban reserves are described in the state rule as follows:

“When identifying and selecting lands for designation as urban reserves under this division, Metro shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB:

- (1) Can be developed at urban densities in a way that makes efficient use of existing and future public infrastructure investments;
- (2) Includes sufficient development capacity to support a healthy urban economy;
- (3) Can be served by public schools and other urban-level public facilities and services efficiently and cost-effectively by appropriate and financially capable service providers;
- (4) Can be designed to be walkable and served by a well-connected system of streets by appropriate service providers;
- (5) Can be designed to preserve and enhance natural ecological systems; and
- (6) Includes sufficient land suitable for a range of housing types.”

In its final opinion, the Court of Appeals agreed with Metro and LCDC that these are not independent approval criteria that must all be satisfied to designate an area as urban reserve; rather, the court held that they are factors to be evaluated, weighed and balanced as a whole in reaching a conclusion regarding whether an area could be appropriate for future urbanization in the next 50 years.

B. Designation of Reserve Areas by Metro and the Counties

Senate Bill 1011 became effective in 2007 and LCDC adopted implementing rules in January of 2008. Metro and the three counties immediately began a two-year public process that included an extensive outreach effort bringing together citizens, stakeholders, local governments and agencies throughout the region. That process involved the application of the urban and rural reserve factors to land within approximately five miles of the UGB, and resulted in three IGAs being signed by Metro and each county in 2010 mapping the areas that were determined to be most appropriate as urban and rural reserves under the statutory factors. Clackamas County and Metro agreed that, under the factors, Stafford is an appropriate area for future urbanization.

Metro and the three counties then adopted ordinances including joint findings supporting the designation of a total of 28,256 acres of urban reserves in the entire Metro region. Almost half of that amount, 13,874

acres, is located in Clackamas County, and the Stafford area comprises approximately 6,230 acres, or almost half of the county's total urban reserves. Thus, when reserves were adopted in 2011, the Stafford area provided 22% of the entire 50-year supply of urban reserves for the Metro region. Since the enactment of House Bill 4078, which reduced the amount of urban reserves in Washington County by about 3,100 acres, the 6,230 acres in Stafford now comprises approximately 25% of the total urban reserve area for the entire region.

A copy of the findings adopted by Metro and Clackamas County describing the reasons why Stafford should be designated urban reserve are attached as Exhibit D, and are discussed in more detail below.

C. The Oregon Court of Appeals Decision and HB 4078

LCDC reviewed the reserve designations adopted by Metro and the counties and issued an acknowledgement order approving all reserves in August of 2012. Twenty-two parties filed appeals of LCDC's order with the Oregon Court of Appeals, including the City of West Linn and the City of Tualatin (the "cities"). The cities argued that Stafford should not have been designated as urban reserve because it cannot be efficiently and cost-effectively served by transportation facilities and other public services. In support of that argument the cities pointed to projected future traffic conditions in the Stafford area as estimated by Metro's 2035 Regional Transportation Plan (RTP).

The court issued its opinion in February of 2014, affirming LCDC's decision on the majority of the 26 assignments of error raised by the opponents, and remanding on three issues. Regarding Stafford, the court rejected the cities' argument that the urban reserve factors were mandatory criteria that had to be independently satisfied for each study area. Rather, the court held that the legislature's intent was not to create approval standards, but rather "factors" to be considered, weighed and balanced in reaching a final decision.

However, the court agreed with the cities' argument that Metro and LCDC failed to adequately respond to evidence cited by the cities in the 2035 RTP that traffic in the Stafford area was projected to exceed the capacity of certain roads by 2035. The court found that the cities had presented "weighty countervailing evidence" that transportation facilities in the Stafford area could not support urbanization, and that LCDC and Metro failed to provide any "meaningful explanation" regarding why, in light of the cities' conflicting evidence, the urban reserve designation was still appropriate for Stafford.

In addition to their argument regarding transportation facilities, the cities also argued that they had submitted evidence to Metro and LCDC showing that sewer and water services could not be cost-effectively extended to Stafford, and that Metro and LCDC also failed to adequately respond to that evidence. The Court of Appeals did not directly address this argument, because the court's ruling regarding the transportation issues will require consideration of all the evidentiary support for designating Stafford as urban reserve as part of the remand proceedings, including water and sewer.

Thus, in order to respond to the remand from the Court of Appeals, Metro is required to consider evidence regarding application of the urban reserve factors to Stafford, including the conflicting evidence submitted by the cities and any other relevant new evidence. If the Council concludes that Stafford is appropriate for future urbanization in the next 50 years under the factors, Metro must adopt new findings in support of a decision to maintain the urban reserve designation for Stafford. Those findings must also be adopted by Clackamas County in order to be acknowledged by LCDC.

The court also remanded LCDC's order regarding rural reserve area 9D in Multnomah County. Because that designation involves a rural reserve area, public proceedings regarding that aspect of the remand will

be initiated by Multnomah County. At the conclusion of those proceedings, Metro and Multnomah County must also adopt joint findings in support of a final decision on reserves in that county. Shortly after the Court of Appeals issued its opinion, the Oregon legislature enacted HB 4078, which legislatively adopted revisions to the reserves map and UGB in Washington County. The bill added approximately 1,178 acres of urban reserves to the UGB and converted approximately 2,016 acres of urban reserve areas to rural or undesignated. Therefore, there are now approximately 3,194 fewer acres of urban reserves in the region than there were in 2011 when the reserve decisions were made. This reduction in the total amount of region-wide urban reserves will need to be addressed as part of the findings in support of decisions on remand regarding urban and rural reserves in Clackamas and Multnomah counties.

REASONS FOR STAFFORD URBAN RESERVE DESIGNATION

The designation of Stafford as an urban reserve area was the culmination of a lengthy and collaborative regional process that began as soon as LCDC adopted its reserve rules in January of 2008. Metro and the three counties formed committees, began a public involvement process, and established a Reserves Steering Committee to advise the Core 4 regarding reserves designations. The steering committee included 52 members and alternates representing interests across the region – business, agriculture, conservation groups, cities, service districts, and state agencies. Technical analysis regarding the application of the urban reserve factors to particular study areas was provided by specialized expert groups, including providers of water, sewer, transportation, education, and other urban services.

The four study areas that comprise what is collectively referred to as “Stafford” are shown on the map attached to this staff report as Exhibit A. More specifically, the four areas are known as Stafford (Area 4A), Rosemont (Area 4B), Borland (Area 4C) and Norwood (Area 4D). As shown on the map, Areas 4A, 4B, and 4C together comprise the “triangle” area that is bounded on two sides by the cities of West Linn, Lake Oswego, and Tualatin. Those three study areas consist of approximately 4,700 acres and were considered together as Area U-4 by Clackamas County in their urban reserve analysis. Area 4D contains approximately 1,530 acres and is located to the south and east of the “triangle,” adjacent to the City of Tualatin on the north and the Washington County border on the west. There are three other acknowledged Washington County urban reserve areas (Areas 4E, 4F, and 4G) that are located between Area 4D and the City of Tualatin.

In considering the designation of Stafford as an urban reserve area, it is important to keep in mind the context and purpose of the urban and rural reserves designations. Because urban reserves are intended to provide a land supply over a 50-year time horizon, the designation of urban reserve areas must be based on their physical characteristics, including development capacity and future serviceability, rather than the current desires of nearby jurisdictions or current infrastructure conditions. Although there are some impediments to development in parts of these four study areas due to slopes and natural features – as there are in most areas of our region – much of the land is suitable for urban-level development, and development concept plans have been presented for many parts of the Stafford area.

Physically, the Stafford area is very similar to the cities of West Linn and Lake Oswego, which are successfully developing at urban densities. The Stafford area is immediately adjacent to existing urban development in three cities, facilitating logical extensions of infrastructure. While development levels would not be uniform across all four urban reserve areas, the opportunity exists to create a mix of uses, housing types and densities where the natural features play a role as amenities, while complementing existing development in the adjacent neighborhoods.

It is also important to consider the designation of these areas in light of the overall regional context. The reserve statute and rules require Metro to designate an amount of urban reserves sufficient to provide a

50-year supply of land for urban growth across the entire Metro region. All four Stafford study areas are identified by the Oregon Department of Agriculture as “conflicted” agricultural land that is not suitable to sustain long-term agricultural operations. Designation of the Stafford area as urban reserves avoids designation of other areas containing more important or “foundation” agricultural land. Because the four Stafford reserve areas are identified as conflicted agricultural land, a rural reserve designation is not appropriate.

Finally, any urban reserve area is subject to Metro’s concept planning requirements prior to being included in the UGB under Title 11 of the Urban Growth Management Functional Plan. The agreement between Clackamas County and Metro to designate Stafford as an urban reserve includes specific requirements for the preparation of concept plans for future development of urban reserve areas, including participation by the three cities and citizen involvement entities such as the Stafford Hamlet. These Principles for Concept Planning of Urban Reserves are part of the IGA between the county and Metro, and require that any future concept plans must provide for governance by specific cities. The principles also recognize the need for concept plans to account for the environmental, topographic and habitat areas located within the urban reserve.

RESPONSE TO EVIDENCE SUBMITTED BY THE CITIES

In its review of the Stafford urban reserve designations, the Court of Appeals concluded that Metro and LCDC failed to adequately respond to evidence submitted by the cities regarding future traffic conditions in the Stafford area as projected in Metro’s 2035 RTP. The cities also argued that Metro and LCDC failed to respond to evidence the cities submitted regarding the feasibility of providing water and sewer services to Stafford. Although the court did not rule on the cities’ arguments regarding water and sewer, those issues should also be considered as part of this remand proceeding. Therefore, this section of the staff report provides preliminary responses to the evidence that has been submitted by the cities to date regarding the future provision of (1) transportation facilities, and (2) water and sewer services.

1. Transportation Facilities

During the proceedings in 2011 the cities contended that Stafford should not be designated as an urban reserve because traffic projections in Metro’s 2035 RTP (adopted in 2010) indicate that four principal roads in the Stafford area will be “failing” under Metro’s mobility policies in the RTP. The four facilities at issue are Stafford Road, Borland Road, Highway 43, and portions of Interstate 205. The cities cited the 2035 RTP as evidence that Stafford did not comply with the two urban reserve factors related to the provision of urban services, which require Metro to consider whether an area:

“(1) Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments;

“(3) Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.”

Applying these two urban reserve factors, the cities argued that because the RTP forecasted the roads at issue to be above capacity in 2035, future urban development in Stafford could not be efficiently or cost-effectively served by transportation infrastructure because there is no current funding to fix the problems. Therefore the cities argued: (a) Stafford could not “comply” with the factors, and (b) the Metro and LCDC decisions were not supported by substantial evidence in the record.

The court of appeals rejected the cities' first contention, holding that the urban reserve factors are not approval criteria and therefore "compliance" with each of the factors is not required; rather, Metro's designation must only demonstrate "consideration" of each factor. However, the court went on to agree with the cities that the evidence they cited regarding transportation system forecasts in the 2035 RTP had not been adequately addressed by Metro or LCDC. Therefore, the court concluded that LCDC failed to correctly review Metro's decision for evidentiary support.

a. The 2035 RTP is not relevant evidence regarding the urban reserve factors.

The fundamental problem with the cities' argument is that the 2035 RTP traffic forecasts and related mobility policy maps are not actually relevant to the question posed by the urban reserve factors, which is whether Stafford can be efficiently and cost-effectively served with transportation facilities within a 50-year horizon. The RTP traffic forecasts are constantly evolving projections that provide a snapshot in time of the current estimates of future traffic congestion in the next 25 years. Those estimates are based on funding for system improvement projects that are *currently* listed in the RTP, and are subject to significant change over the next 25 to 50 years. New improvement projects for roads and highways are added to the RTP project list on a regular basis (sometimes even between each four-year RTP update cycle), and funding for those projects is adjusted and prioritized based on need given existing and planned levels of development. When new proposed improvement projects are added to the RTP project list, the effects of those future improvements are then applied to the 25-year traffic congestion forecast for the region as shown on the mobility policy maps in the RTP. When new road improvement projects are added, there is a corresponding decrease in projected congestion for areas that are served by those roads.

The cities argued that the 2035 RTP demonstrates that there is no money to fix the problems associated with traffic forecasts on the roads they identified. But this argument ignores how the planning process actually works for transportation projects, and the fact that new improvement projects are added to the RTP list on a regular basis. It is true that in 2010, when the snapshot was taken in the 2035 RTP of funding for the project lists and corresponding traffic forecasts, there was no identified funding for transportation projects designed to serve an urbanized Stafford. But when an area such as Stafford that is outside of the UGB is identified as a potential location for new urban development, the planning process that is required for urbanization will include identification of new and necessary transportation system improvements to serve future urban development in that area, and those improvements will then be included on the RTP project list. Adding those improvements to the RTP project list will then reduce the amount of congestion forecasted on the RTP mobility policy maps for that area.

Thus, there is a basic "chicken/egg" problem with the cities' reliance on the traffic forecasts in the 2035 RTP as evidence that Stafford cannot be served by roads and highways in the area due to a lack of funding. When the 2035 RTP was adopted in 2010, the Stafford area was simply another rural residential area outside of the UGB, and had not been specifically designated as an area for future urban development. Therefore, the 2035 RTP did not prioritize funding for improvement projects in the Stafford area that would be necessary for new urban development arising out of a UGB expansion. In the absence of an existing plan for urbanization of Stafford in 2010, there is no reason why the region would prioritize funding in the 2035 RTP for improving roads to accommodate new urban development in that area.

In 2010 Metro adopted amendments to Title 11 of the Urban Growth Management Functional Plan specifically designed to ensure that areas proposed for urbanization through a UGB expansion can and will be served with public facilities such as roads. Title 11 now requires that local governments must adopt concept plans for an urban reserve area prior to any such area being added to the UGB by Metro. Concept plans must include detailed descriptions and proposed locations of all public facilities, including transportation facilities, with estimates of cost and proposed methods of financing. Concept plans must be jointly prepared by the county, the city likely to annex the area, and appropriate service districts.

The Title 11 concept planning requirements will apply to Stafford if and when that area is proposed for inclusion in the UGB by a city, and will require detailed planning regarding how transportation services will be provided to the area, including a description of methods for financing those services. That urban planning process will require adding specific transportation improvement projects to the RTP project lists for purposes of ensuring there can be adequate capacity to serve the Stafford area. At that point, once urban development in Stafford takes some planning steps towards potential reality, the region could decide to add and prioritize improvement projects on the RTP project lists that would be necessary to facilitate new urban development in that area. But in 2010, because Stafford was not in the UGB and not even an urban reserve area, there was no reason to include or prioritize projects in the 2035 RTP to facilitate its development.

The RTP is a constantly evolving document that merely provides a periodic snapshot forecast of regional traffic congestion based on current funding priorities for improvement projects on the RTP project list. The RTP project list is amended and revised on a regular basis. If Stafford is proposed to be added to the UGB, concept planning under Title 11 must occur and necessary transportation system improvement projects would be added to the RTP project lists at that time. The Metro Council can find that the 2035 RTP does not constitute compelling evidence that the Stafford area cannot be efficiently served by transportation facilities over a 50-year horizon.

b. The cities' arguments are refuted by the 2014 RTP.

The recently adopted 2014 RTP includes updated mobility policy maps that reveal the fallacy of the cities' arguments. The 2014 RTP shows that the 2035 RTP mobility policy maps relied upon by the cities are already outdated and do not constitute substantial evidence to support a conclusion that it is not possible for Stafford to be served by roads on a 50-year planning horizon. On July 17, 2014, the Metro Council adopted amendments to the 2035 RTP via Metro Ordinance No. 14-1340, and also changed the name of the RTP to "2014 RTP."

The mobility policy maps in the 2014 RTP show significant improvement in forecasted traffic congestion on principal roads in the Stafford area for the new RTP planning horizon that ends in 2040, as compared to the mobility policy maps relied upon by the cities from the 2035 RTP. Copies of the three most relevant 2014 maps are attached as Exhibit B (these are close-up versions of the maps focused on the Stafford area and do not show the entire region).

The maps relied upon by the cities from the 2035 RTP are attached as Exhibit C. Sections of roads that are shown in red are locations that in 2010 were projected to exceed acceptable volume-to-capacity ratios in 2035, based on three different funding scenarios for improvements identified on the RTP project lists. The first scenario is the "no build" map (Figure 5.5), attached as Exhibit C-1, which essentially shows the worst case scenario in that it assumes all of the usual projected increases in population, jobs and new housing units for the region, but assumes that *none* of the improvements projects listed in the 2035 RTP will actually be built by 2035. Therefore, this is the map with the most red lines. The second scenario is the "2035 Federal Policies" map (Figure 5.7), attached as Exhibit C-2, which assumes that all improvement projects identified on the RTP "financially constrained" list are built (*i.e.*, projects using funds from existing identifiable revenue sources). This map shows decreases in projected congestion compared to the "no build" map. The third scenario is the "2035 Investment Strategy" map (Figure 5.9), attached as Exhibit C-3, which assumes availability of additional funding for improvement projects that are listed on the RTP project list and are not "financially constrained" by existing revenue sources, but could be constructed assuming that other potential funding sources become available.

Comparing the 2014 RTP mobility policy maps to the 2035 RTP maps reveals significant improvements in projected traffic congestion levels in the Stafford area. The 2035 Investment Strategy map shows all of Interstate 205, all of Highway 23, and most of Borland Road and Stafford Road in red, meaning that they are projected to exceed Metro's mobility policy standard of 0.99 v/c in 2035. Exhibit C-3. However, the corresponding 2040 Investment Strategy map from the 2014 RTP shows no portion of Interstate 205 or Borland Road in red, and much smaller portions of Highway 43 and Stafford Road in red. Exhibit B-3. Therefore, to borrow the imprecise language employed by the cities, these facilities are no longer projected to be "failing" as the cities previously claimed. The dramatic change regarding the forecast for Interstate 205 in this area is due in part to new project assumptions for the I-205 and I-5 system that had not been included in the 2035 RTP. One of the specific investment strategies included in the 2014 RTP is to "address congestion bottleneck along I-205." (2014 RTP Appendix 3.1, page 302).

The significant improvements in projected traffic congestion in the Stafford area in just four years between Metro's adoption of the 2035 RTP and the 2014 RTP may be relied upon by the Metro Council as evidence that refutes the cities' arguments and supports a conclusion that Stafford may be efficiently and cost-effectively served by transportation facilities under the relevant urban reserve factors. This evidence provides the "meaningful response" to the evidence cited by the cities from the 2035 RTP that the court of appeals found was lacking. At the same time, this evidence illuminates the fundamental problem with the cities' arguments that were based on the 2035 RTP mobility policy maps. As explained above, the RTP mobility policy maps reflect a constantly changing set of projects and related funding assumptions that do not constitute substantial evidence for purposes of determining whether Stafford may be efficiently and cost effectively served by transportation facilities on a 50-year planning horizon.

2. Water and Sewer Services

At the Court of Appeals, the cities also challenged the evidentiary support for Metro's findings regarding the provision of water and sewer service to Stafford under urban reserve factors 1 and 3. The court did not specifically consider these arguments, but instead remanded the entire Stafford reserve designation for further evidentiary review based on its ruling regarding transportation issues.

The evidentiary record supporting Metro's consideration of each urban reserve factor is extensive. Regarding provision of water and sewer to Stafford under urban reserve factors 1 and 3, Metro adopted detailed findings citing specific evidence supporting an urban reserve designation under the factors. Exhibit D. Those findings note that technical assessments provided to the Core 4 Reserves Steering Committee by working groups consisting of experts and actual service providers rated the Stafford area as being "highly suitable" for both water and sewer service.

A summary of the analysis regarding water service suitability is attached as Exhibit E, which is a memorandum from the Core 4 Technical Team to the Core 4 Reserves Steering Committee dated February 9, 2009. The water service analysis was coordinated by the Regional Water Providers Consortium, and involved review of specific reserve study areas by a large group of water service providers, who applied specific criteria to each area including: (a) proximity to a current service provider; (b) topography; (c) use of existing resources; and (d) source of water. Each area was analyzed by the group of experts, ranked as high, medium, or low suitability for providing water services, and mapped. The results of the group's analysis were presented at a meeting of the technical committee of the Regional Water Providers Consortium and the proposed map was provided to all members of the committee for review and comment. As shown on the map attached to the Core 4 memo, the Stafford area was ranked as being "highly suitable" for water service.

A summary of the analysis regarding sewer service suitability is attached as Exhibit F, which is also a memorandum from the Core 4 Technical Team dated February 9, 2009. The sewer service analysis was

the result of work done by a “sanitary sewers expert group” of engineers and key staff from potentially impacted service providers, who applied their professional expertise and knowledge of nearby areas and facilities. The expert group applied a set of criteria to each reserve study area, including (a) topography; (b) proximity to a current waste water treatment plant; (c) existing capacity of that plant; and (d) the ability to expand the treatment plant. Each area was analyzed by the group of experts, ranked as high, medium, or low suitability for providing sewer services, and mapped. The results of the group’s analysis were digitized and sent to all participating service providers for comment. As shown on the map attached to the Core 4 memo, the Stafford area was ranked by the expert group as being “highly suitable” for sewer service.

Further analysis regarding water and sewer services in urban reserve areas was undertaken by Clackamas County and provided in a technical memorandum dated July 8, 2009, attached as Exhibit G. That memorandum provides a detailed analysis of each reserve study area under the urban reserve factors and makes recommendations for each study area. Regarding Stafford, the county analysis recommends designating Stafford as urban reserve, based in part on the fact that it ranks “high” for both water and sewer serviceability. As concluded by the county, the area can be relatively easily served because of proximity to existing conveyance systems and pump stations.

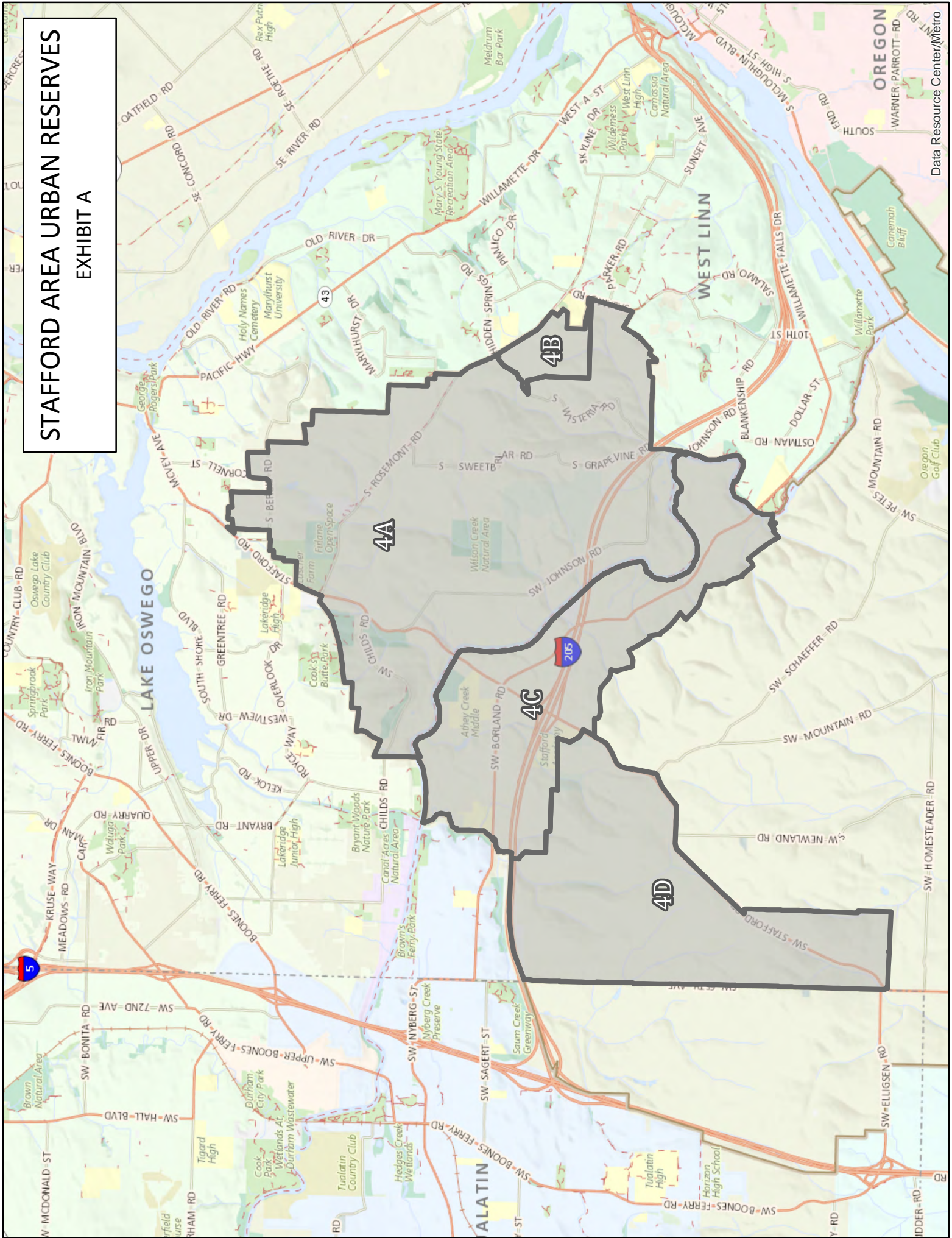
The City of Tualatin submitted evidence challenging the Clackamas County analysis regarding water and sewer based on a report prepared by engineering firm CH2M Hill, which was forwarded to the Core 4 Reserves Steering Committee on October 13, 2009. A copy of the city’s letter is attached as Exhibit H. In that letter, the city expresses disagreement with many of the county’s conclusions regarding the suitability rankings, and provided its own cost estimates regarding future provision of water and sewer services.

Metro staff has reviewed the analysis in the City of Tualatin’s letter and the CH2M Hill materials and prepared a responsive memorandum dated September 17, 2015, which is attached as Exhibit I. As described in that memo, the fundamental flaw in the city’s argument is that the city’s analysis and cost estimates do not consider the same geographic area that was studied by Clackamas County and Metro, and therefore the comparisons provided by the city are not accurate. The map attached to Exhibit I illustrates the significant differences between the two study areas. The county’s analysis was for its urban reserve study area U-4, which consisted primarily of the area that became areas 4A and 4B – land between the existing UGB and Interstate 205 – plus the portion of area 4C located north of I-205. However, the city’s analysis considers only the area proximate to the City of Tualatin, bounded by the Tualatin River to the north and Stafford Road to the east, thereby excluding all of areas 4A and 4B, which comprised the vast majority of the land analyzed by the county in its analysis. The flaws resulting from this approach regarding application of the urban reserve factors are described in the staff memorandum attached as Exhibit I.

CONCLUSION

Staff’s analysis of the existing evidence in the record continues to support the decision by Metro and Clackamas County to designate the Stafford area as urban reserve under the applicable factors. The Metro Council will take additional evidence and testimony at the public hearing on October 8, 2015; at the close of the hearing the Council should continue the hearing to November 19, 2015 in order to allow sufficient time to accept and consider additional evidence submitted by interested parties and staff. If the Council is inclined to support the existing urban reserve designation for Stafford, the Council may direct staff to prepare proposed findings of fact and conclusions of law in support of that designation.

STAFFORD AREA URBAN RESERVES EXHIBIT A



2014 REGIONAL TRANSPORTATION PLAN UPDATE



Mobility Policy 2040 No-Build - 4-6pm



Does not meet policy

Urban growth boundary

County boundary

2040 Centers and Station Areas

9/18/2014

0 Miles 0.4

2014 REGIONAL TRANSPORTATION PLAN UPDATE



Mobility Policy 2040 Federal Priorities - 4-6pm



9/18/2014

Does not meet policy

Urban growth boundary

County boundary

2040 Centers and Station Areas

0 Miles 0.4

2014 REGIONAL TRANSPORTATION PLAN UPDATE



Mobility Policy 2040 Investment Strategy - 4-6pm



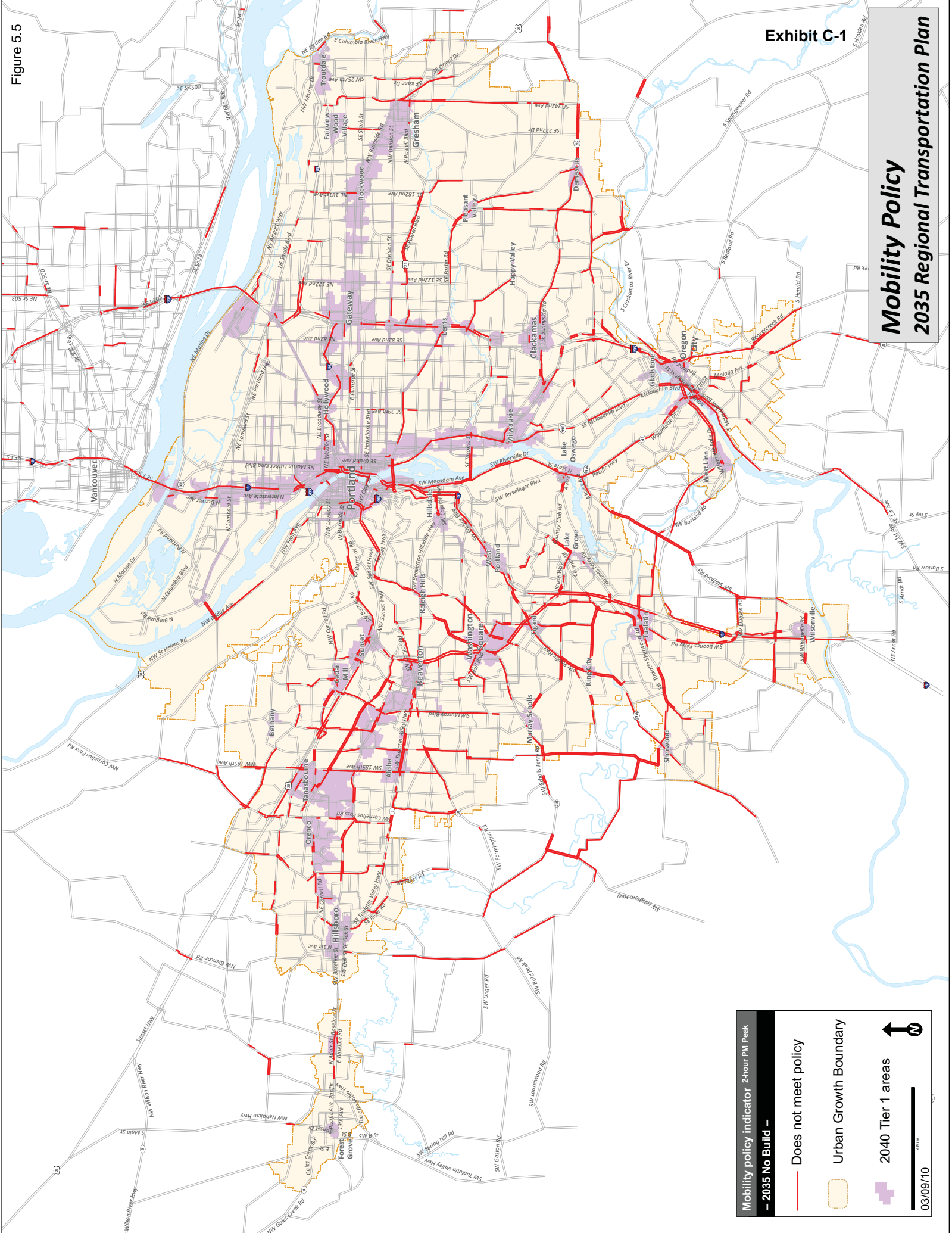
- Does not meet policy
- 2040 Centers and Station Areas
- Urban growth boundary
- County boundary

9/18/2014

0 Miles 0.4

Figure 5.5

Mobility Policy 2035 Regional Transportation Plan



Mobility policy indicator - 2-hour PM Peak
 -- 2035 No Build --

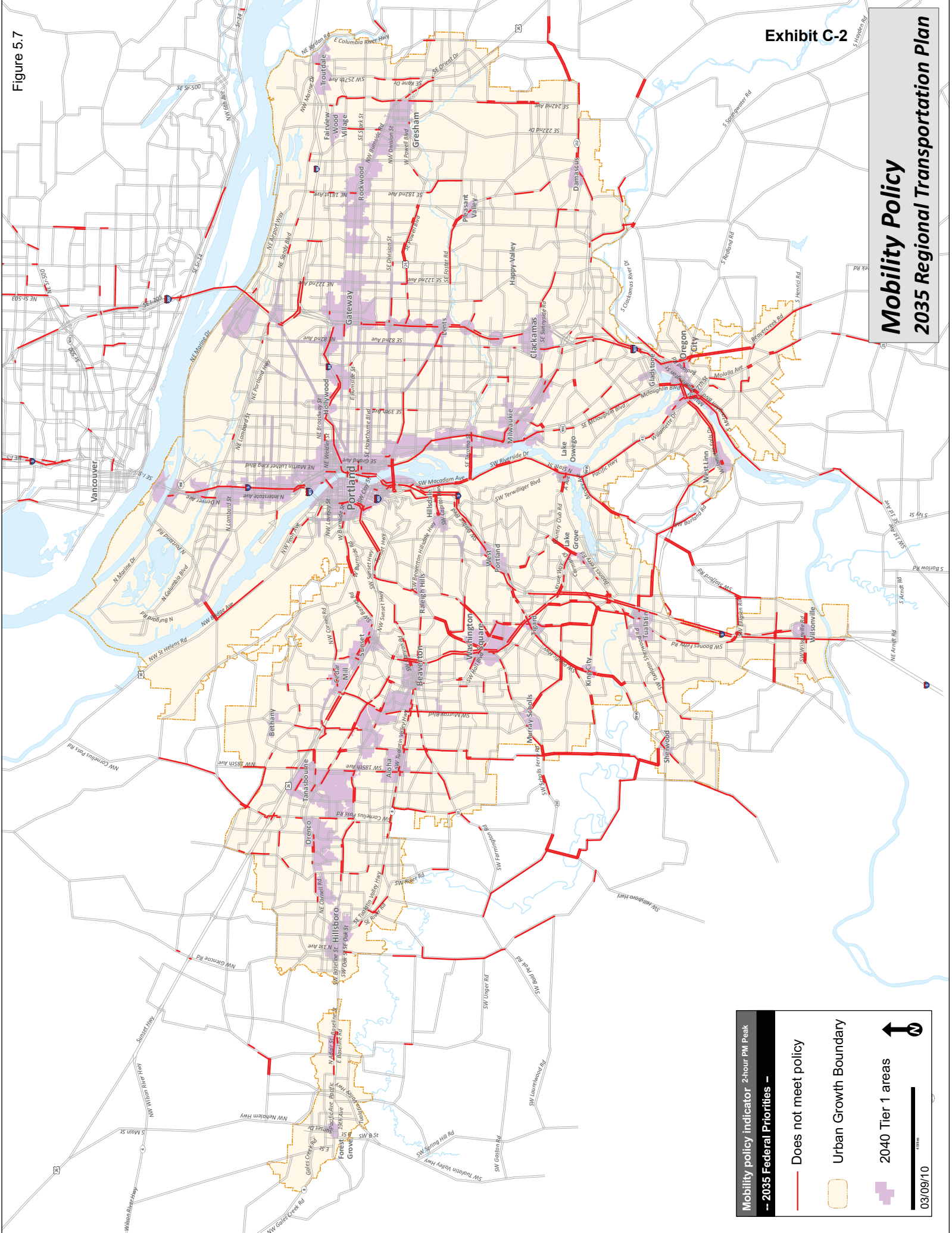
- Does not meet policy
- Urban Growth Boundary
- 2040 Tier 1 areas

03/09/10



Figure 5.7

Mobility Policy 2035 Regional Transportation Plan



Mobility policy indicator - 2-hour PM Peak
 -- 2035 Federal Priorities --

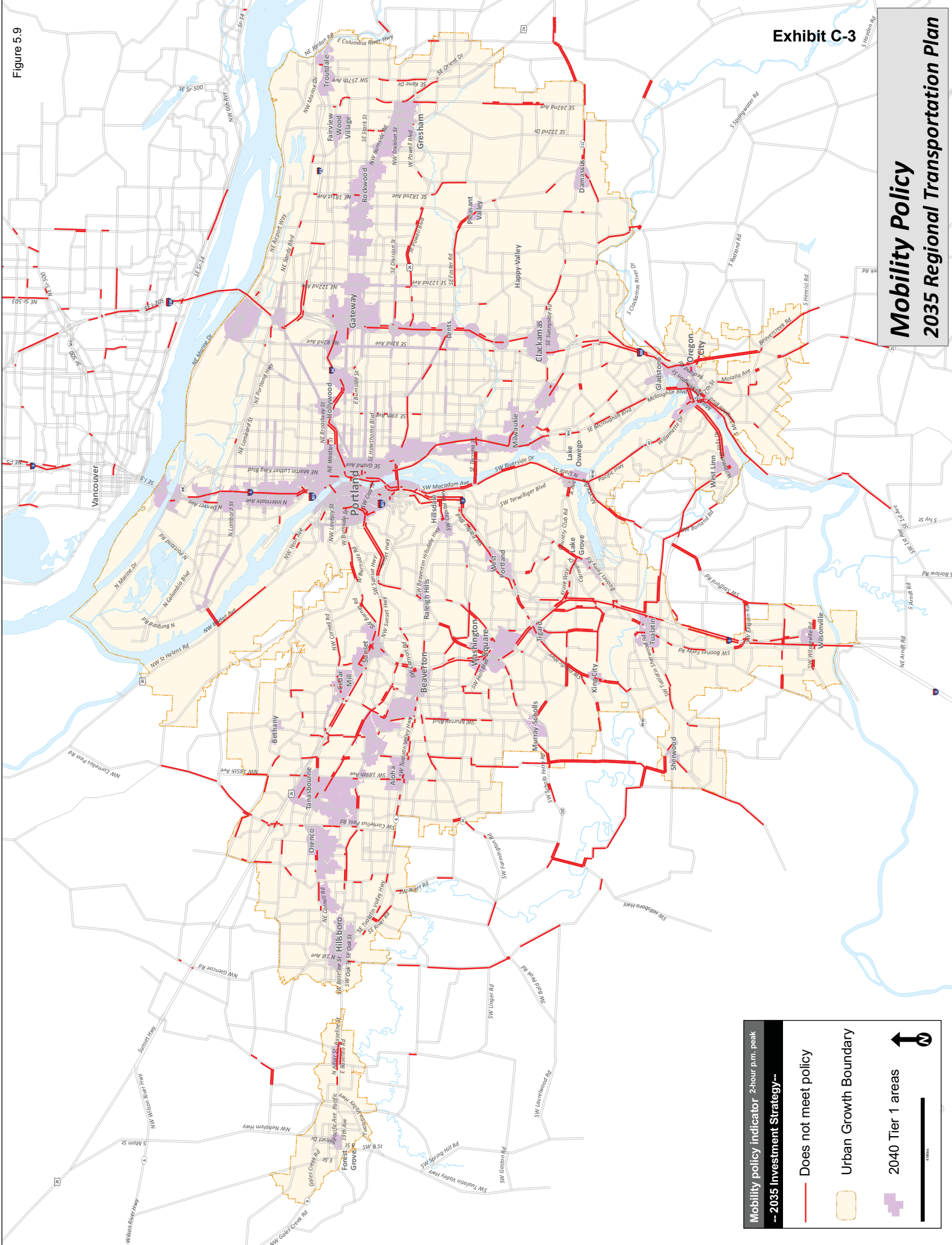
- Does not meet policy
- Urban Growth Boundary
- 2040 Tier 1 areas

03/09/10



Figure 5.9

Mobility Policy 2035 Regional Transportation Plan



Mobility policy indicator - 2-hour p.m. peak
 -- 2035 Investment Strategy --

- Does not meet policy
- Urban Growth Boundary
- 2040 Tier 1 areas

N

1000 FT

the vicinity generally form boundaries for the Urban Reserves. Concept planning can assure that development within the Urban Growth Boundary protects these features.

Urban Reserves 4A, 4B and 4C: Stafford, Rosemont and Borland

General Description: These three areas comprise approximately 4,700 acres. Area 4A (Stafford) is located north of the Tualatin River, south of Lake Oswego, and west of West Linn. Area 4B (Rosemont) is a 162 acre area located adjacent to West Linn's recently urbanized Tanner Basin neighborhood. Area 4C (Borland) is located south of the Tualatin River, on both sides of I-205. Area 4C is adjacent to the cities of Tualatin and Lake Oswego on the west and West Linn on the east. As a whole, this area is bounded by existing cities and urban development on three sides. The southern boundary generally is framed by the steeper terrain of Pete's Mountain. East of Stafford Road, the adjacent area is not designated as either an Urban or Rural Reserve. West of Stafford Road, the adjacent area is designated as an Urban Reserve (Area 4D, Norwood).

Much of this area is developed with rural residences on large parcels. The Borland area also includes several churches and schools. The terrain of this area is varied. Most of area 4B is gently rolling, while the rest of the area east of Wilson Creek has steeper terrain. The area south of Lake Oswego, along Stafford Rd and Johnson Rd., generally has more moderate slopes. The Borland area, south of the Tualatin River, also is characterized by moderate slopes.

Wilson Creek and the Tualatin River are important natural landscape features located in this area. These two features and their associated riparian areas and floodplains are included in Metro's February 2007 "Natural Landscape Features Inventory".

This entire area is identified as Conflicted Agricultural Land, even though approximately 1100 acres near Rosemont Road are zoned Exclusive Farm Use. Commercial agricultural activity in this area is limited and mixed; wineries, hay production, horse raising and boarding, and nurseries are among the farm uses found in the Stafford, Rosemont and Borland areas. The Oregon Department of Forestry Development Zone Map does not identify any Mixed Forest/Agriculture or Wildland Forest located with this Urban Reserve.

Conclusions and Analysis: After weighing the factors, we find that the designation of these three areas as an Urban Reserve is consistent with OAR 660-027-0050. The specific factors for designation stated in OAR 660-027-0050 are addressed in following parts of this analysis.

No area in Clackamas County engendered as much public comment and diversity of opinion as this Urban Reserve. The Stafford and Rosemont areas were of particular concern to property owners, neighborhood groups, cities and the Stafford Hamlet citizens group. Interested parties provided arguments for designation of some or all of the area north of the Tualatin River as either an Urban or Rural Reserve, or requested that this area remain undesignated. The cities of West Linn, Tualatin and Lake Oswego consistently expressed opposition to designation of any of this area as an Urban Reserve. This Urban Reserve does have several limitations on development, including areas with steep slopes and floodplains.

After weighing the factors, designation as an Urban Reserve is the most appropriate decision. In evaluating this area, it is important to keep in mind the context and purpose of the urban and

rural reserves designations. Because urban reserves are intended to provide a land supply over a 50-year time horizon, it is important to evaluate areas based on their physical characteristics rather than the current desires of various jurisdictions. It is also important to evaluate areas in light of the overall regional context. Designation of this 4,700 acre area as an Urban Reserve avoids designation of other areas containing Foundation or Important Agricultural Land. It would be difficult to justify urban reserve designations on additional Foundation Agricultural Land in the region, if this area, which is comprised entirely of Conflicted Agricultural Land, were not designated as an Urban Reserve (see OAR 660-027-0040(11)).

In fact, the three counties have applied the rural reserve factors and designated significant portions of the three-county area as rural reserve. Those areas do not provide viable alternatives to Stafford.

While acknowledging that there are impediments to development in this area, much of the area also is suitable for urban-level development. There have been development concepts presented for various parts of this area. ClackCo Rec. 3312. An early study of this area assessed its potential for development of a “great community” and specifically pointed to the Borland area as an area suitable for a major center. ClackCo Rec. 371. Buildable land maps for this area provided by Metro also demonstrate the suitability for urban development of parts of this Urban Reserve See, “Metro Urban Study Area Analysis, Map C”. The County was provided with proposed development plans for portions of the Stafford area. For example, most of the property owners in the Borland have committed their property to development as a “town center community.” ClackCoRec. 3357-3361. Another property owner completed an “Urban Feasibility Study” showing the urban development potential of his 55-acre property. ClackCo Rec. 3123-3148. Those plans provide examples of the ability to create urban-level development in the Stafford areas.

An important component of the decision to designate this area as an Urban Reserve are the “Principles for Concept Planning of Urban Reserves”, which are part of the Intergovernmental Agreement between Clackamas County and Metro that has been executed in satisfaction of OAR 660-027-0020 and 0030. Among other things, these “Principles” require participation of the three cities and citizen involvement entities—such as the Stafford Hamlet—in development of concept plans for this Urban Reserve. The Principles also require the concept plans to provide for governance of any area added to the Urban Growth Boundary to be provided by a city. The Principles recognize the need for concept plans to account for the environmental, topographic and habitat areas located within this Urban Reserve.

Designation of this area as a Rural Reserve has been advocated by interested parties, including the City of West Linn. Application of the factors for designation (OAR 660-027-0060) leads to a conclusion that this area should not be designated as a Rural Reserve. The entire area is comprised of Conflicted Agricultural Land, and is not suitable to sustain long-term agricultural and forestry operations, given land use patterns, the lack of agricultural infrastructure and the adjacent land use pattern. OAR 660-027-0060(b)-(d).

There are important natural landscape features in this area (Tualatin River and Wilson Creek). Protection of these areas is a significant issue, but can be accomplished by application of regulatory programs of the cities that will govern when areas are added to the Urban Growth Boundary, as contemplated by OAR 660-027-0050(7). The Principles specifically require

recognition of the development limitations imposed by these natural features, in the required development of concept plans.

Designation of the Stafford, Rosemont and Borland areas as an Urban Reserve is based upon application of the factors stated in OAR 660-027-0050.

- 1) This Urban Reserve can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments in conjunction with land inside the urban growth boundary. Physically, this area is similar to the cities of West Linn and Lake Oswego, which are developing at urban densities. The area abuts existing urban development on much of the perimeter, facilitating logical extensions of that development. We recognize that the development potential of portions of this Urban Reserve is constrained by steep slopes and by the Tualatin River and Wilson Creek riparian areas. However, there are sufficient developable areas to create an urban community. The Borland Area has been identified as a suitable site for more intense urban development, including a town center. The Rosemont Area complements existing development in the Tanner Basin neighborhood in the City of West Linn. The Stafford Area has sufficient capacity to develop housing and other uses supportive of the more intense development in the Borland Area. As previously noted, potential development concepts have been submitted demonstrating the potential to develop this area at urban densities sufficient to make efficient use of infrastructure investments.
- 2) This 4700-acre Urban Reserve contains sufficient development capacity to support a healthy economy. The Borland Area has been identified as being suitable for a mixed-use, employment center. ClackCo Rec. 371. There are a number of larger parcels in the area which may have potential for mixed use development. While densities would not be uniform across the landscape of this 4700 acre area, together, Stafford and Borland provide the opportunity to create a mix of uses, housing types and densities where the natural features play a role as amenities.

Testimony submitted by the cities of Tualatin and West Linn (“Cities”) asserts that the level of parcelization, combined with existing natural features, means that the area lacks the capacity to support a healthy economy, a compact and well-integrated urban form or a mix of needed housing types.

However, much of the area consists of large parcels. For example, the *West Linn Candidate Rural Reserve Map* shows that, of a 2980-acre “focus area,” 1870 acres are in parcels larger than five acres, and 1210 acres in parcels larger than 10 acres. The map is indexed at Metro Rec. 2284 and was submitted by the Cities of Tualatin and West Linn with their objections. With the potential for centers, neighborhoods and clusters of higher densities, for example in the Borland area, we find the area does have sufficient land and sufficient numbers of larger parcels to provide a variety of housing types and a healthy economy.

Cities also argue that the amount of natural features render the area insufficient to provide for a variety of housing types. Cities contend that the amount of steep slopes and stream

buffers renders much of the area unbuildable. We find that cities overstate the amount of constrained land in the area, and the effect those constraints have on housing capacity. For example, cities' analysis applies a uniform 200-foot buffer to all streams. Actual buffers vary by stream type. See Metro Code § 3.07.360. Similarly, cities assert that the slopes in the area mean that the area lacks capacity. Slopes are not *per se* unbuildable, as demonstrated by the existing development in West Linn, Lake Oswego, Portland's West Hills and other similar areas. Moreover, only 13% of the "focus area" consists of slopes of over 25%, and these often overlap with stream corridors. *Stafford Area Natural Features Map*, indexed at Metro Record 2284, and submitted by the Cities of Tualatin and West Linn with their objection.

- 3) This Urban Reserve can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers over a 50-year horizon. As with all of the region's urban reserves, additional infrastructure will need to be developed in order to provide for urbanization. It is clear that development of new public infrastructure to accommodate 50 years of growth will not be "cheap" anywhere. Relative to other areas under consideration for designation, however, this Urban Reserve area is suitable. Technical assessments rated this area as highly suitable for sewer and water. ClackCo Rec. 795-796; Metro Rec. 1163, 1168-1180. The July 8, 2009, technical memo prepared by Clackamas County also demonstrates the suitability of this area for various public facilities. ClackCo Rec. 704. This area can be served by the cities of Tualatin, West Linn and Lake Oswego. These cities have objected to designation of this area as an Urban Reserve, but have not stated that they object because they would not be able to be an urban service provider for some part of the area.

The cities of Tualatin and West Linn argue that the area should not be designated as an Urban Reserve, citing the cost of providing transportation infrastructure. It is true that transportation infrastructure will be the most significant challenge. This is the case for most of the region. ODOT noted that most area state highway transportation corridors have either low or medium potential to accommodate growth. (*Clackamas County Record* 800 – 801). An April 6, 2009 letter from six state agencies to the Metro Reserves Steering Committee notes that most transportation corridors have severe transportation issues. ClackCo Rec. 843. Moreover, we make this decision after consideration of regional consideration of relative transportation costs. See, *Regional Infrastructure Analysis 2008, Metro Record, starting on page 440; Memo and Maps regarding Preliminary Analysis of Providing Urban Level Transportation Service within Reserves Study Area, Metro Rec., starting on page 1181; ODOT Urban Reserve Study Area Analysis, Metro Rec., page 1262.*

This Urban Reserve has physical characteristics—steep terrain, the need to provide stream crossings—that will increase the relative cost of transportation infrastructure. I-205 and I-5 in this area will need substantial improvements with consequent "huge" costs. ClackCo Rec. 850. However, considering those costs, and in light of reserves designations elsewhere in the region, urban reserves designation of Stafford is still

appropriate. Most other comparable areas are either urban or rural reserves, and don't provide viable alternatives to Stafford.

Cities argue that the 2035 Regional Transportation Plan ("RTP") indicates that much of the transportation infrastructure in the area will be at Level of Service "F" by 2035, and that therefore the Stafford area cannot be served at all. The RTP is a prediction of and plan to address traffic flows for a 25-year period. Conversely, the Reserves Designations are intended to address a 50-year time frame, rather than a 25-year time frame. Metro Rec. 1918. The record reflects that the transportation system will necessarily change in 25 years. In that vein, the "Regional High Capacity Transit System" map identifies a new light rail line in the vicinity of I-205 as a "next phase" regional priority. See ClackCo Rec. 734; 822-833.

Similarly, Metro's panel of sewer experts rated the entire Stafford area as having a "high" suitability for sewer service. See, e.g., Metro Rec. 1174. We find this analysis more probative for comparisons across areas than the analysis submitted by cities. Moreover, since the analysis of urban reserves addresses a 50-year time frame, we do not find that the current desire of neighboring cities to serve the area influences the question whether the area "can be served."

- 4) This Urban Reserve can be planned to be walkable, and served with a well-connected system of streets, bikeways, recreation trails and public transit, *particularly in conjunction with adjacent areas inside the urban growth boundary* as contemplated by the administrative rule. The Borland Area is suitable for intense, mixed-use development. Other areas suitable for development also can be developed as neighborhoods with the above-described infrastructure. The neighborhoods themselves can be walkable, connected to each other, and just as important, connected to existing development in the adjacent cities. Stafford abuts existing urban level development on three sides, much of it subdivisions. See *West Linn Candidate Rural Reserve Map*, indexed at Metro Record 2284, and submitted by the city with its objection. There are few areas in the region which have the potential to create the same level and type of connections to existing development. There is adequate land to create street, bicycle and pedestrian connections within and across the area with appropriate concept planning. In making this finding, we are aware of the natural features found within the area. However, those features do not create impassable barriers to connectivity.
- 5) This Urban Reserve can be planned to preserve and enhance natural ecological systems and preserve important natural landscape features. The significance of the Tualatin River and Wilson Creek systems has been recognized. The Principles specifically identify the need to plan for these features, and recognize that housing and employment capacity expectations will need to be reduced to protect important natural features. Urbanization will occur in a city, which is obligated by state and regional rules to protect upland habitat, floodplains, steep slopes and riparian areas, as contemplated by OAR 660-027-0050(7). However, we find that, even with those protections, there is sufficient development capacity in this 4700-acre area to warrant inclusion in the urban reserve.

- 6) This Urban Reserve in conjunction with the Urban Reserve to the south (Area 4D, Norwood), includes sufficient land to provide for a variety of housing types. In addition to the developable areas within the Stafford, Rosemont and Borland areas, this Urban Reserve is situated adjacent to three cities, and will augment the potential for housing in these existing cities.
- 7) This Urban Reserve can be developed in a way that avoids or minimizes adverse effects on farm and forest practices and adverse effects on important natural landscape features, on nearby land. Viewed in the regional context, this factor militates strongly in favor of the inclusion of Stafford as an Urban Reserve. This Urban Reserve is situated adjacent to three cities, and along I-205. It is identified as Conflicted Agricultural Land, and is adjacent on the south to another Urban Reserve and an undesignated area that is comprised of Conflicted Agricultural Land. The Stafford area is separated from areas of foundation and important farmland by significant distances, a freeway and other natural and man-made barriers. The eventual urbanization of Stafford will avoid the urbanization of much higher-value farmland elsewhere. Adverse impacts on the important natural landscape features within Stafford may be avoided or minimized through the application of the provisions of Metro Titles 3 and 13.

This separation from significant agricultural or forest areas minimizes any potential effect on farm or forest practices. The Urban Reserve also is separated from other important natural landscape features identified on Metro's February 2007 "Natural Landscape Features Inventory". The ability to plan for protection of the Tualatin River and Wilson Creek has been discussed.

Urban Reserves 5G, 5H, 4H and 4D: Grahams Ferry, SW Wilsonville, Advance and Norwood

General Description: This Urban Reserve is comprised of three smaller areas adjacent to the City of Wilsonville (Grahams Ferry, SW Wilsonville and Advance), and a larger area located along SW Stafford Rd., north of Wilsonville and southeast of Tualatin (Norwood Area). The Norwood area is adjacent to an Urban Reserve in Washington County (I-5 East Washington County, Areas 4E, 4F and 4G). Area 5G is approximately 120 acres, relatively flat, adjacent to services in Wilsonville, and defined by the Tonquin Geologic Feature, which forms a natural boundary for this area. It is identified as Conflicted Agricultural Land.

Area 5H is a small (63 acre) site that is adjacent to services provided by the City of Wilsonville. Corral Creek and its associated riparian area provide a natural boundary for this area. It is identified as Important Farmland. Area 4H comprises approximately 450 acres, and is located adjacent to the City of Wilsonville. This part of the Urban Reserve has moderate terrain, and a mix of larger parcels and rural residences. This area is identified as Important Agricultural Land.

Area 4D comprises approximately 2,600 acres, and is adjacent to a slightly smaller Urban Reserve in Washington County. This area is parcelized, generally developed with a mix of single family homes and smaller farms, and has moderately rolling terrain. All of this area is identified as Conflicted Agricultural Land.



Date: February 9, 2009
To: Core 4, Reserves Steering Committee
From: Core 4 Technical Team
Re: Preliminary Analysis of Providing Urban Level Water Service Within Reserves Study Area

Background & Overall Analysis Approach

The purpose of the Urban and Rural Reserves project is, in part, to designate appropriate land for each reserve type by addressing the factors listed in Oregon Administrative Rule 660 Section 27. The set of urban reserve factors that must be considered range in scale from assessing whether land can be served with public facilities and services in an efficient and cost-effective manner to determining whether areas can be designed to be walkable with a well-connected transportation system. For this reason, the Core 4 Technical Team (Tech Team), made up of staff from the three counties and Metro, chose to conduct a suitability of land analysis using a phased approach.

This memo describes the first step in this phased approach for urban level water service. It consists of an initial screening of the entire approximately 400,000-acre study area to address the following two urban reserve factors in the state rule:

UR-1: Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.

UR-3: Can be efficiently and cost-effectively served with public schools and other urban level public facilities and services by appropriate and financially capable service providers.

The state rule defines 'public facilities and services' as sanitary sewer, water, transportation, storm water management facilities and public parks. Due to the sheer size of the study area, the Tech Team looked at it through a broad landscape-scale lens to assess suitability of the land for meeting these two reserve factors. This approach led to the Tech Team limiting this first screen analysis to sanitary sewer, water and transportation.

The particular methodology and results for the water element is discussed below. The result of this assessment is expressed graphically on a map that will be combined with a similar map from the sewer element, to create a composite map for these two similar services. This composite map will then be compared with two transportation maps, to form a preliminary assessment that begins to answer the two reserve factors above. The next phase of this process is described under Next Steps below.

Water Element Strategy & Methodology

While most of the major water providers only service areas inside the urban growth boundary, there are a number of providers that do service rural areas, such as Clackamas River Water and the Boring Water District. The infrastructure in these rural areas is sized to service a rural population and would need to be upgraded in the future if urbanization was to occur. Otherwise, most service providers have not planned for service to the rural areas beyond what is in current master plans or future vision documents. There are major water facilities located within rural areas, such as transmission lines, treatment plants and reservoirs.

The Regional Water Providers Consortium serves as a collaborative and coordinating organization to improve the planning and management of municipal water supplies in the Portland metropolitan region. Utilizing the Consortium's members, small groups of water providers were convened on a geographic basis to complete an initial assessment for providing water to the study area. Prior to the meeting, proposed criteria for evaluating the study area and a study area map were provided to each participant. The proposed criteria included:

- Proximity to a current service provider;
- Institutional capabilities;
- Topography;
- Efficient use of existing resources;
- Source of supply;
- Timing; and
- Water/wastewater interface.

During these initial discussions it became apparent that the key set of criteria for this first landscape scale analysis is proximity to a current service provider, topography, use of existing resources, and source. The other criteria will be included in the next level of analysis.

At the small group meetings, additional maps were provided that displayed the following GIS information: slopes greater than 25%, shaded relief, major rivers and streams, wetlands, floodplains, public lands and major arterials. During the discussions staff took notes and made comments on the maps. In evaluating the study area, it was assumed that water services would be provided from a service provider in the Metro region and not from a water provider in a neighboring city such as Sandy, Estacada or Molalla.

The following service providers participated: City of Gresham, Sunrise Water Authority, City of Lake Oswego, Oak Lodge Water District, South Fork Water Board, City of Hillsboro, Tualatin Valley Water District, Clackamas River Water, City of Portland, City of Wilsonville and City of Forest Grove. Follow-up meetings were scheduled with some of the service providers.

Staff presented preliminary mapped results to the Water Providers Consortium Technical Committee (CTC) in January 2009. Technical committee members present at the meeting included most of the districts/jurisdictions that participated in the initial meetings, as well as representatives from the City of Beaverton, City of Tualatin, and the City of Tigard. After the meeting the draft map was sent to all CTC members for review and comment. In addition, staff has since met with engineering staff from the City of Sherwood and the City of Oregon City.

Water Element Results

This exercise, while based on service provider expertise and knowledge of the local landscape, does not assign a particular unit cost to serving any of the areas. Cost estimates to serve an area can only be assessed after assumptions are made regarding the number of dwelling units and employment acres to be served, which in turn dictate facilities such as the number of reservoirs or pump stations.

Some general issues of providing water services surfaced during the discussions.

1. Water is heavy; therefore it is expensive to distribute water over any distance.
2. Topography has a profound effect on the cost of distribution.
3. Crossing natural resource areas add additional cost to the distribution network.
4. System Development Charges (SDCs) are the typical way to fund expansion, therefore expected density also influences cost.
5. Operational cost for future services is minor compared to the cost of expanding the water system
6. Currently water supply is not an issue for most major water providers as they have existing capacity for a number of years (2020-2050), depending on the individual provider. In addition, planned expansions such as the Tualatin Supply Project (Scoggins Dam Raise), the City of Portland's statutory rights to increase surface water source in Bull Run, and the City of Wilsonville's extensive capacity at its treatment plant offer additional supply for the future.
7. Water coordination is still a challenge, the Regional Water Providers Consortium is addressing this matter.

The attached map indicates a number of sub-areas that were identified with a suitability rating of high, medium or low suitability for providing water services. The ratings on the map are defined below:

High Suitability – generally these areas will only require typical extensions of service – general distribution lines, reservoirs, no major facilities needed.

Medium Suitability – these areas require more than one substantial investment in facilities or other defining issues– examples include new/additional treatment capacity, additional reservoirs or significant upgrading of existing lines, water/waste water management issues.

Low Suitability – these areas require significant infrastructure improvements, usually associated with distance and topographic issues. The areas have a number of issues related to location of supply, reservoirs, pump stations, or great distances for distribution.

In many instances, the boundaries of the sub-areas are defined by features of the landscape, including extensive floodplains, edges of steep sloped areas or major water features, as these features tend to add cost to providing services. Existing water service boundaries as well as distance from existing service areas also influenced the sub-area boundaries. As noted above, water is expensive to move over long distances, thus it is not surprising that areas farther away from existing services or supplies were determined to be less suitable to serve. (The question of whether new sources could be developed for these areas was not discussed as there are too many variables involved, especially at this scale.) Areas of significant topographic constraints, such as the Chehalem and Tualatin Mountains were also determined to be less suitable, due to distance as well as the extra cost of pumping. The location of existing infrastructure also influenced the rating. For instance the Joint Water Committee's transmission lines or the Bull Run transmission line influenced the suitability of nearby areas. The Three Basin Rule in the Clackamas River sub-basin, which limits new or increased waste discharges to the river, also impacts water service in this sub-basin as it relates to the possible future need for a water re-use program.

This is an initial evaluation of a very large area of land, as additional analysis work is completed, smaller areas within the larger sub-areas, particularly those sub-areas closer to the existing service boundaries may be identified that have a different rating than the overall sub-area.

Next Steps

The water services map is one element to be used in creating a composite map, which will be the foundation of the first screen analysis. Information derived from this composite map should provide a basis for eliminating some of the study area from further consideration as urban reserves. The next screen analysis will involve more detailed analyses of the remaining potential urban reserve areas. These areas will be referred to as priority candidate urban reserve areas.

For reference, the additional urban reserve factors outlined in the Administrative Rule that will be applied to the candidate urban reserve areas, in addition to refining factors 1 and 3 are:

UR-2: Includes sufficient development capacity to support a healthy economy;

UR-4: Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

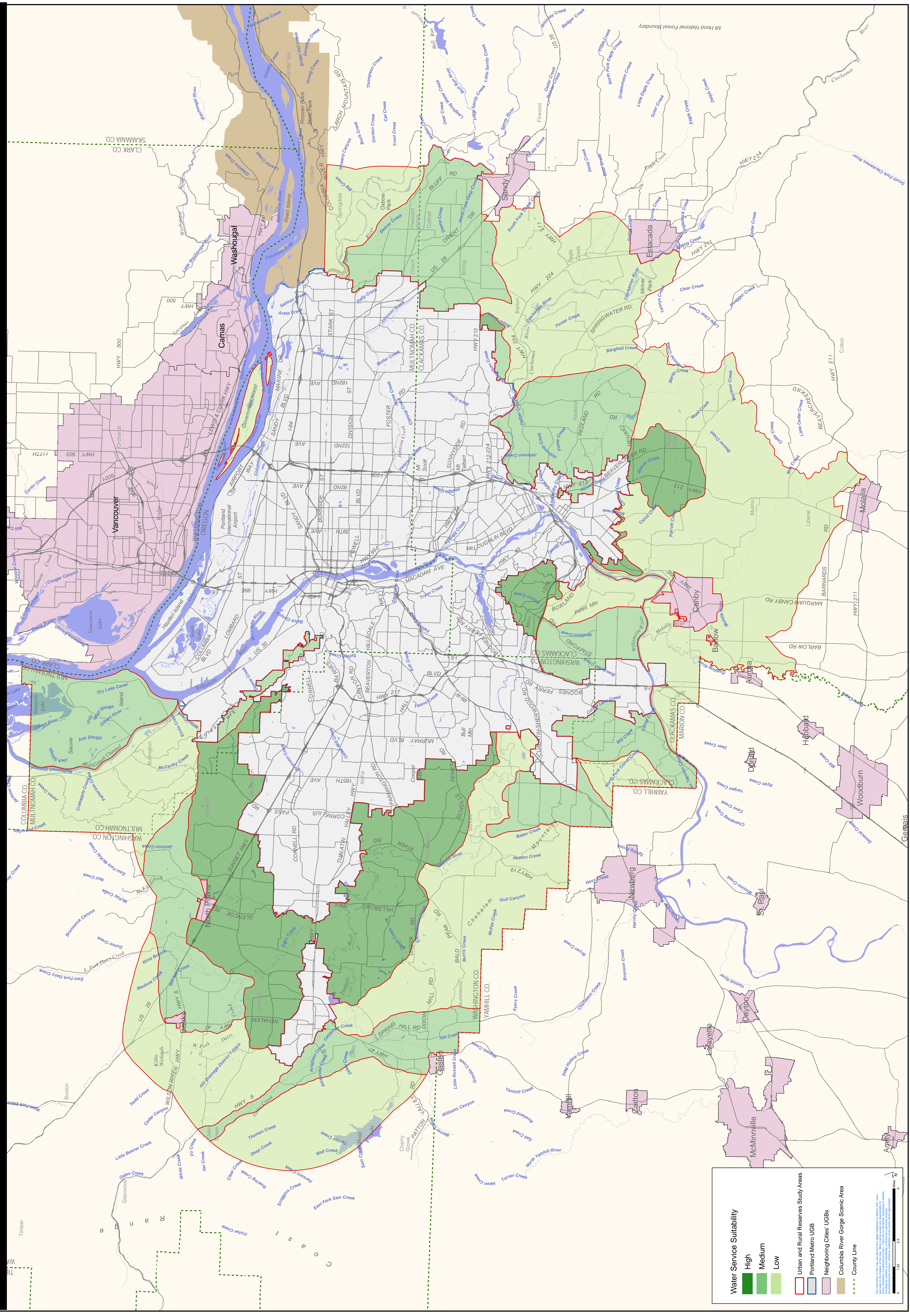
UR-5: Can be designed to preserve and enhance natural ecological systems;

UR-6: Includes sufficient land suitable for a range of needed housing types;

UR-7: Can be developed in a way that preserves important natural landscape features included in urban reserves; and

UR-8: Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

Urban and Rural Reserve Study Areas Preliminary Water Service Suitability



Water Service Suitability

- High
- Medium
- Low

Urban and Rural Reserves Study Areas

- Portland Metro UGB
- Neighboring Cities' UGBs
- Columbia River Gorge Scenic Area
- County Line

Scale: 0 to 5 Miles

North Arrow



Date: February 09, 2009
To: Core 4, Reserves Steering Committee, County Coordination Committees
From: Core 4 Technical Team
Re: Preliminary Analysis of Providing Urban Level Sanitary Sewer Service
 Within Reserves Study Area

Background & Overall Analysis Approach

The purpose of the Urban and Rural Reserves project is, in part, to designate appropriate land for each reserve type by addressing the factors listed in Oregon Administrative Rule 660 Section 27. The urban reserve factors that must be considered range in scale from assessing whether land can be served with public facilities and services in an efficient and cost-effective manner to determining whether areas can be designed to be walkable with a well-connected transportation system. For this reason, the Core 4 Technical Team (Tech Team), made up of staff from the three counties and Metro, chose to conduct a suitability of land analysis using a phased approach.

This memo describes the first step in this phased approach. It consists of an initial screening of the entire approximately 400,000-acre study area to address the following two urban reserve factors in the state rule:

- UR-1: *Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.*
- UR-3: *Can be efficiently and cost-effectively served with public schools and other urban level public facilities and services by appropriate and financially capable service providers.*

The state rule defines 'public facilities and services' as sanitary sewer, water, transportation, storm water management facilities and public parks. Due to the sheer size of the study area, the Tech Team looked at it through a broad landscape-scale lens to assess suitability of the land for meeting these two reserve factors. This approach led to the Tech Team limiting this first screen analysis to sewer, water and transportation. Service providers of storm water management, public schools and public parks confirmed this screening decision.

The particular methodology and results for the sanitary sewer element is discussed below. The result of this element is expressed graphically on the attached map showing areas that are rated , 'high', 'medium' or 'low' for serviceability. This map, combined with those from the water and transportation elements, will be used to create a composite map that will begin to address the two reserve factors above.

Sanitary Sewer Element Strategy & Methodology

Under Oregon law, sanitary sewer service is generally not allowed to be provided outside an Urban Growth Boundary (UGB). Because of this the Reserves study area currently has no sewer service¹. Also, because providing sewer capacity is very expensive and because there has been no way for local service providers to predict which areas will be brought into the UGB in the future, there is very little capacity currently available in existing treatment and conveyance facilities beyond that needed to serve the existing UGB. Likewise, very little planning work has been undertaken to understand how sewer services could be provided to areas outside the existing UGB. An “expert group” of engineers and key staff from the potentially impacted service providers worked together to develop an assessment of serviceability of the study area, based on their professional expertise and knowledge of nearby areas and facilities.

The sanitary sewers expert group² was convened in November 2008 to complete an initial assessment for the potential to provide sanitary sewer service to the study area, should it become urbanized. Prior to the meeting, each participant was provided with a study area map, divided into subareas delineated by watersheds, as well as proposed criteria for evaluating the study area. The purpose of the meeting was to answer the following questions for the entire Reserves Study Area:

How efficiently can the area use infrastructure *if the area is urbanized*

- Does it exist or can it be efficiently provided in the future?
- How efficiently and cost-effectively can an area be served?

Who would provide facilities and services? Are they “appropriate and financially capable” providers?

- What are the characteristics of an “appropriate and financially capable service provider?”
- Who is the logical service provider?
- Which of these categories do the listed service providers fall into?

During the meeting, it became apparent that the key set of criteria for this first landscape scale analysis includes topography, proximity to a current waste water treatment plant, existing capacity of that treatment plant, and the ability of the treatment plant to expand.

The sewers expert group worked on base maps that showed watersheds, topography, major rivers and streams, wetlands, floodplains, and major streets. During the discussion, staff and participants marked-up and made comments on the maps. They were also provided a ratings sheet, which was filled out for each sub-area. These ratings are reflected in Table A-1 in the Appendix to this memo. Serviceability rating factors included:

- Existing service availability
- Local system improvements that would be needed
- Area-wide improvements that would be needed (i.e. new major trunk lines or full system expansion)
- Service extension requirements
- Treatment capacity at likely facility
- Discharge issues

As part of the expert group review, information was provided about current treatment and transmission facilities. Current status of existing waste water treatment plants (WWTPs) in the Portland metropolitan area is briefly described in Table 1, below. This information is important to the serviceability ratings of

1 Except for the Boring rural center; this has a small plant intended to resolve a health hazard that is not adequate to serve additional development.

2 The Sanitary Sewers Expert Group included: Ted Kyle from Clackamas County Water Environment Services (WES); Carrie Pak and Nora Curtis from Washington County Clear Water Services (CWS); Jim Montgomery from the City of Gresham, Mike Stone from the City of Wilsonville, Lana Danaher from the Portland Bureau of Environmental Services (BES), Stephan Lashbrook from the City of Lake Oswego. These represented the likely existing service providers for the study area. These experts were also able to speak for the neighboring cities that provide their own sewer services, such as Canby.

the study area because, as noted, simply the fact that there is a plant located near an area being studied does not necessarily mean that it could serve new areas. Many existing plants will be at or near capacity in the foreseeable future.

Table 1. Existing Waste Water Treatment Plants

Plant/Provider	Current Status/ Capacity	Expansion Possibility/Comments
Durham/Clean Water Services (CWS)	Currently have a master-plan to serve surrounding areas that completely utilizes the capacity of the plant site.	Limited site size. If additional geographic areas are added to the service area beyond what is included in the master plan – will need to add to the site, which would be very difficult (there may not be enough room), or accommodate the new geography with another plant.
Hillsboro/CWS	Winter discharge only. Little to no additional capacity	No room to expand.
Forest Grove/CWS	Winter discharge only.	Summer discharge may be possible Has room to expand.
Rock Creek/CWS	Little to no additional capacity	Has room to expand.
Lake Oswego/BES	Little to no additional capacity	Area of service is essentially fully developed – no way to get additional flow to site because of topography.
Columbia Blvd/BES	Little to no additional capacity	Has potential to expand
Wilsonville/City	Currently has 4 M gal/day capacity and plans to expand to 7 M gal/day. This larger facility will max out the current site and the current trunk lines with the expected growth of the city by 2020.	No room to expand beyond 7M gal/day on-site
Gresham/City	Currently has a 20 M gal/day capacity plant and is using 12 M gal/day.	Has room to expand. They have limited conveyance; however, the incremental cost for Gresham to serve areas is less than incremental cost for Troutdale.
Tri City/WES	Currently expanding to 8M gal/day – larger facility will accommodate 5-8 years of expected growth (plus excess from Kellogg)	Has land and approved land use decision to further expand up to a 40 M gal/day facility
Oak Lodge/WES	Plant technologically obsolete	Area of service is essentially fully developed
Kellogg/WES	Currently over-capacity	Will be off-loading some excess to expanded Tri City plant
Boring/WES	Serves 100 hook-ups, no additional capacity	Very small, expensive-to-operate facility built to resolve a health hazard. If area is urbanized, this facility probably will be replaced.
Canby/City		Has a permitted outfall on the Willamette River.
Troutdale/City	3 M gal/day facility built in 2001- has not yet reached capacity	Has land to expand
Sandy, Estacada, Molalla	Limited capacity	Limited because winter discharge only (into streams); need to have enough farmland for summertime discharge onto agricultural land

The efficiency ratings were sketched on the maps by the expert group, then digitized in GIS. This digital map was sent to all the participating service providers for comment. This map shows the sewer serviceability of the study area considering availability of all treatment plants in the area, including the neighboring cities. To see *Map A-1 -- Sewer Serviceability for the Reserves Study Area including areas that might be served by neighboring cities*, please go to the Appendix of this report. Table A-1 summarizes the rationale for the categories shown on the map.

When technical staff for the Reserves project reviewed the map produced by the expert group, they determined that information about the ease of servicing areas that would be logically served by neighboring cities does not provide useful information about the best possible locations for future expansion of the Portland Metro UGB, and also requested that the four categories of information created by the expert group be rolled-up to three categories to be more compatible with the water and transportation maps. Therefore, staff produced Map 1 as shown in this memo, which focuses on serviceability for Portland Metro service providers.

Sanitary Sewer Element Results

The assessment of suitability for sewer services is not based on engineering or cost estimates, which cannot be produced without more information about employment, dwelling units, location of future facilities, and future regulations. General (not site-specific) issues that pertain to sanitary sewer service include the following.

1. Conveyance costs are generally the same on the east and west sides; however, on the west side (Tualatin basin) treatment requirements are more stringent (and therefore more expensive) than on the east side. The longer-term trend may be for higher level of treatment for all plants.
2. DEQ has stringent requirements for new outfalls into the Clackamas River basin, as specified in the Three Basin Rule for the Santiam, Clackamas and Mackenzie basins. Because of this, sanitary sewage generated in the Clackamas River basin has to be piped to the Willamette.
3. There are many existing state and federal environmental regulations as well as regulations under consideration that constrain how and where sanitary sewer treatment can be provided, including issues about nutrient discharge, fish standards, total load allocations and water temperature standards.
4. There are many unknowns to the future of sanitary sewer provision in this area. These include possible future changes in regulations the service providers must meet, and in the technology the providers have available to use.
5. There are potential relationships between sanitary sewage provision and designated rural reserves:
 - In the long run there may be an opportunity to link rural reserves with reclaimed sewage treatment water – we wouldn't necessarily need new outfalls if water could be discharged onto agricultural land, particularly nurseries. However, what would be done with the water in the winter? This works now (part of the year) for the neighboring cities with relatively small discharges.
 - CWS is using swales and floodplains in the rural area as part of its temperature management plan – would an Urban Reserve have an effect on this? Could they keep reserves/buffers around affected streams in Washington County with the designation of new urban reserves?
6. The expert group agreed that from their perspective all the likely service providers for the study area were “appropriate and financially capable.”

The attached map (*Map 1 -- Sewer serviceability for potential Portland Metro UGB urban reserve sewer providers*) indicates areas that were identified as high, medium or low suitability for providing sanitary sewer services. For the most part, the boundaries of the sub-areas are defined by drainage basins. The analysis was an initial evaluation of a very large area of land, so there may be small areas for which a more detailed review would show a different rating than for the overall sub-area.

The map shows four categories of information:

High suitability for sewer service – generally these areas are the easiest and least costly to serve. This includes those few areas where there is capacity in a nearby treatment plant or conveyance facility, or those areas where capacity could be relatively easily provided. It also includes areas that require substantial improvements, but relatively easy ones for which there is land available or no major issues identified. These also include areas for which topography enables primarily gravity flow to an existing plant. For the most part, these areas will primarily require investment in facilities located inside the area to be developed, but be able to hook up to existing facilities inside the current UGB.

Medium suitability for sewer service – generally those areas would require new facilities located both inside and outside the area to be served. For example, treatment facilities would be needed that aren't planned or sited; existing conveyance facilities located between the area and the plant may be too small and need to be re-built. These areas may also have more topography, longer distances to potential outfalls, more pump stations, or other issues that make them less suitable, but no major issues that were identified by the expert group.

Low suitability for sewer service – generally these were areas for which difficult concerns were identified. They would require relatively larger investments both inside the area to be served and to treatment and conveyance facilities outside the area. Connections to these areas are sometimes difficult. For these areas it would be more difficult to figure out how to provide services and more costly to provide services. Low suitability areas included areas with steep topography, areas separated from transmission facilities by natural features, areas that were located long distances from potential outfalls or areas that were in drainage basins not served by a permitted outfall.

Areas logically served by neighboring cities – these are areas for which the logical service provider is the city of Sandy, Estacada, Molalla, or Canby. The neighboring cities in Washington County (Gaston, Banks, and North Plains) are served by Clean Water Services, which is a Portland Metro area service provider.

Next Steps

The sanitary sewer service analysis map is one element to be used in creating a composite map, which will be the foundation of the first screen analysis. Information derived from this composite map should provide a basis for eliminating some of the study area from further consideration as urban reserves. The next screen analysis will involve more detailed analyses of the remaining potential urban reserve areas. These areas will be referred to as priority candidate urban reserve areas.

For reference, the additional urban reserve factors outlined in the Administrative Rule that will be applied to the candidate urban reserve areas, in addition to refining factors 1 and 3 are:

UR-2: Includes sufficient development capacity to support a healthy economy;

UR-4: Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

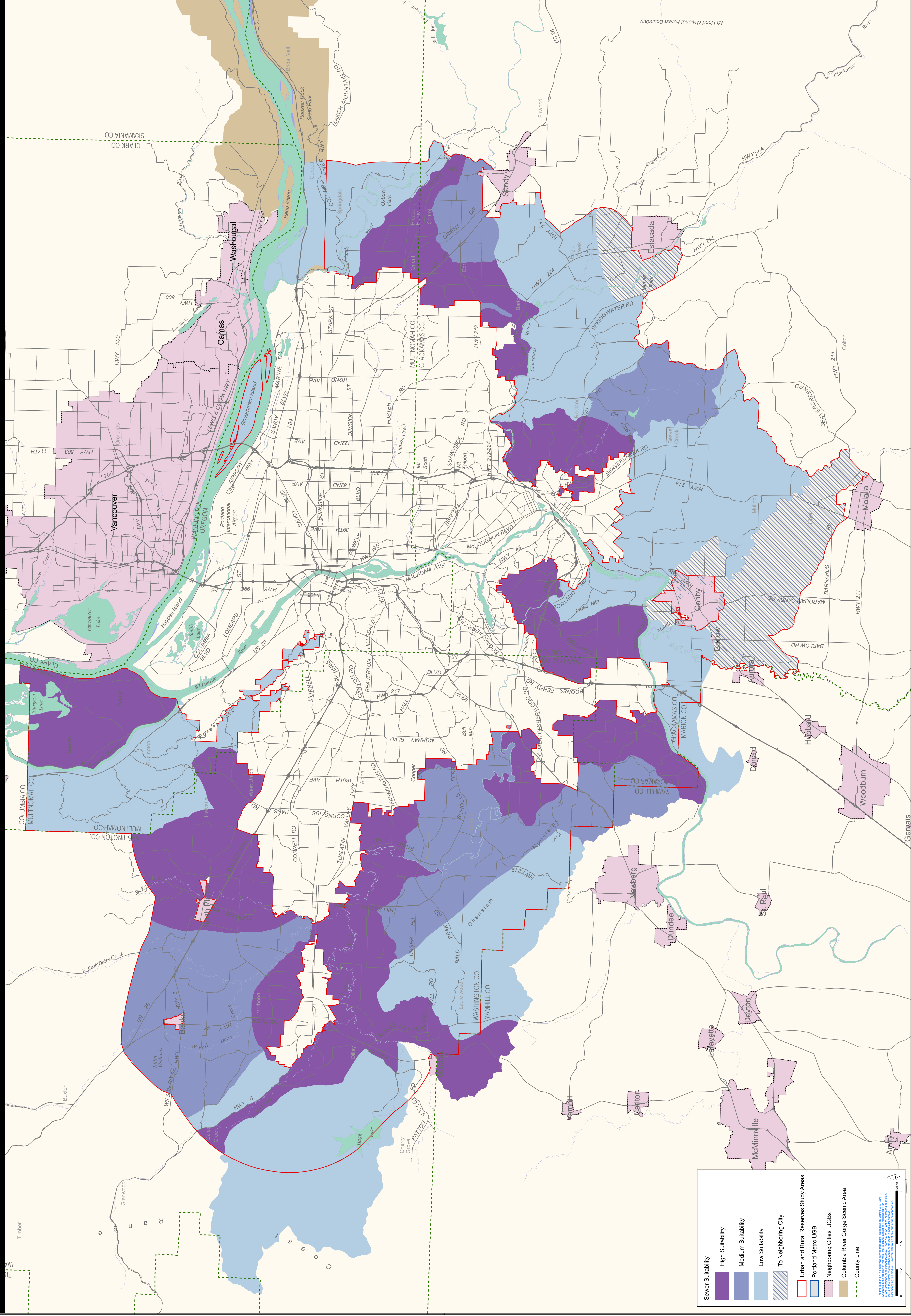
UR-5: Can be designed to preserve and enhance natural ecological systems;

UR-6: Includes sufficient land suitable for a range of needed housing types;

UR-7: Can be developed in a way that preserves important natural landscape features included in urban reserves; and

UR-8: Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

Urban and Rural Reserve Study Areas Preliminary Sewer Service Suitability



APPENDIX 1

Map A-1 Sewer serviceability for the Reserves Study Area, including areas that might be served by neighboring cities, is the map produced by the sewers expert group. It is included in this appendix along with Table A-1, which explains the rationale behind each designation. Map 1, the map included in the main body of the memo, is derived directly from map A-1 as follows:

- Areas characterized in Map A-1 as “Efficient” and “Moderately Efficient” were rolled into one category, the “High suitability” category.
- Areas characterized in Map A-1 as “Moderately Difficult” were shown on Map 1 as “Medium suitability”
- Areas characterized in Map A-1 as “Difficult” were shown on Map 1 as “Low suitability”
- When Table 1 shows the most likely service provider to be the WWTP of one of the neighboring cities that is not a part of the Portland Metro UGB, these areas were shown on Map 1 as “neighboring city” regardless of the Map A-1 sewer efficiency rating.

The expert group rated drainage basins for the relative efficiency and cost of providing sanitary sewer services. Four categories were mapped and illustrated in Map A-1:

Efficient. These areas are the easiest and least costly to serve. They would require relatively simple extensions of the existing system within the area to be urbanized, and could connect directly to existing facilities in the existing urban area. These areas are the few areas for which the treatment and conveyance systems inside the current UGB appear to have capacity to serve areas outside the current UGB.

Moderately efficient. These are areas that will require substantial improvements, but relatively easy ones. Within the area, facilities would be relatively easy to provide. Out of area improvements would be required, but, again, they would be relatively easy. An example would be an area that would require a treatment plant expansion, but where there is sufficient land available to expand the plant.

Moderately difficult. These areas would require substantial improvements inside the area itself, and also substantial improvements outside the area. These are areas where providing sewer services would require construction of treatment facilities that are not currently sited, expensive expansions of existing trunk lines, or that have moderately difficult topography or natural features impacting services.

Difficult to serve. These are areas for which difficult concerns have been identified. Substantial and difficult –to-provide improvements would be needed both inside and outside the areas. For example, these are areas with steep slope, difficult river crossings, long conveyances, or gravity flow to areas that can’t be served by an existing permitted outfall.

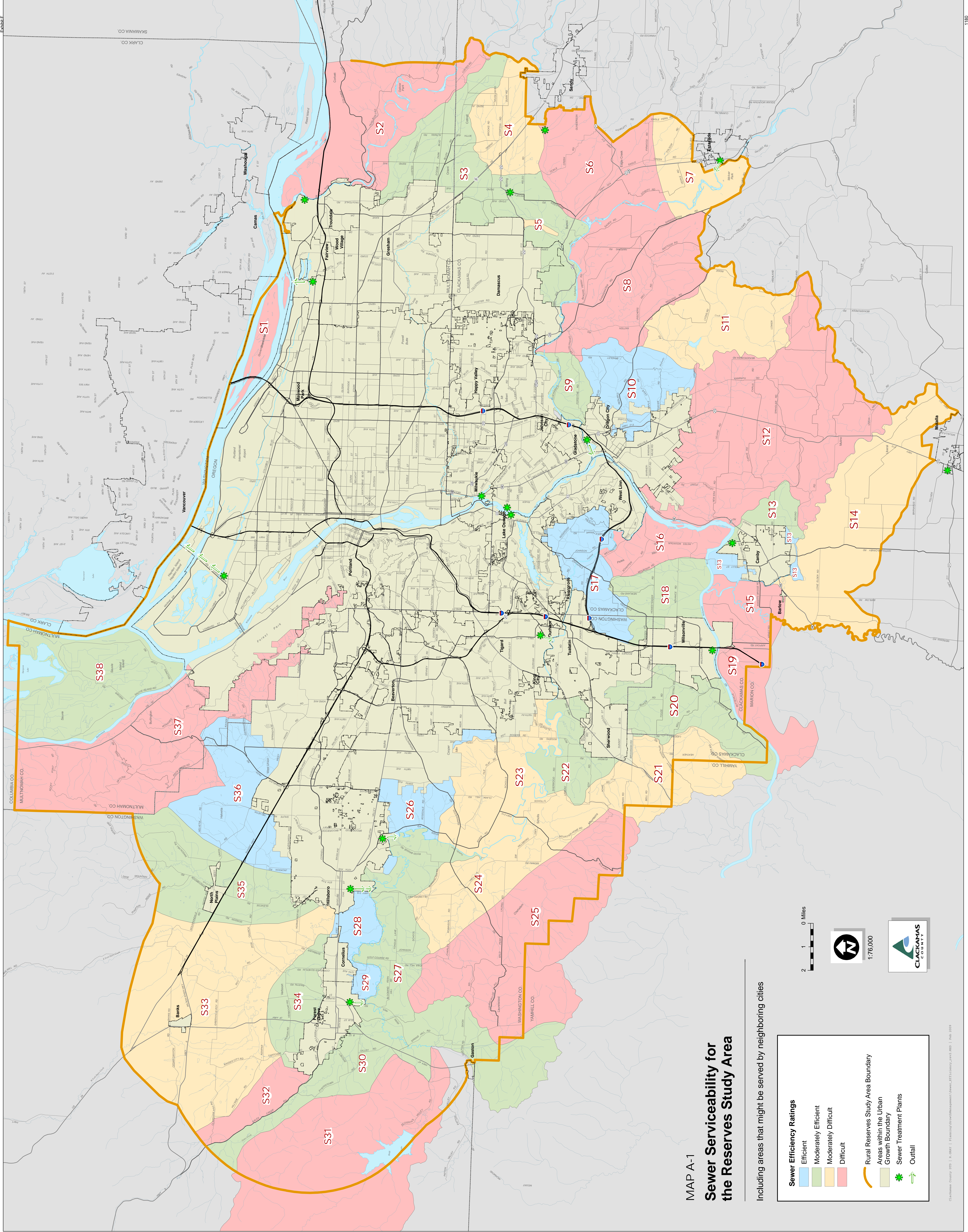
Table A-1 below shows specific information for areas shown in Map A-1, including a brief description of the rationale behind the expert group’s designation. Areas are numbered S-1, S-2, etc, as shown on the map; these areas correspond very roughly to drainage basins.

Sub-Area	Suitability	Comments	Potential Waste Water Treatment Provider (WWTP)
S1	Difficult	Require new trunk lines and river crossing, maybe tunnel; most land is floodplain	Gresham
S2	Difficult	Major pipelines and system expansion needed; Sandy River area very difficult because of topography and river	Troutdale or Gresham
S3	Moderately efficient	N of Hwy 26 - Major pipelines and system expansion needed; capacity available at existing plant(s)	Troutdale or Gresham
S4	Moderately difficult	SW of Hwy 26 - Major pipelines and system expansion needed; could go west to Tri City plant. Timing matters – could size Damascus conveyance to include this area.	Tri City
S5	Moderately difficult	Require new plant or long conveyance to Willamette River	Tri City or pump to Gresham
S6	Difficult	Plateau between two creeks, steep topography on both sides	Tri City
S7	Moderately difficult possibly served by neighboring city	No nearby facility; difficult topography; pump to Willamette River	Tri City
S8	Difficult	Possibly pipe to Estacada WWTP	Estacada
S9	Moderately efficient	No nearby facility; would require long conveyance, possibly to Tri City	Tri City
S10	Efficient	Require new conveyance to planned new major line just north (inside existing UGB) or new trunk directly to Tri City WWTP; both require Clackamas River crossing; expansion of plant possible	Tri City
S11	Moderately difficult	Require new conveyance to Tri City WWTP; may have capacity at plant – transmission line exists/has capacity	Tri City
		Require longer conveyance to Tri-Cities WWTP; would require expansion of capacity at plant	Tri City

Sub-Area	Suitability	Comments	Potential Waste Water Treatment Provider (WWTP)
S12	Difficult/ possibly served by neighboring city	Major system expansion needed; require new or expanded plant in Oregon City or Canby; steep topography that slopes away from existing sewers in Oregon City	Tri City or possibly Canby
S13	Efficient/Moderately efficient / possibly served by neighboring city	Require relative short new conveyance to Canby WWTP; limited existing capacity at plant	Canby
S14	Moderately difficult/possibly served by neighboring city	No close discharge; flat area – difficulty to serve with gravity system; potential for part of area to be served by Molalla	Canby/ Molalla
S15	Difficult	Floods	Canby
S16	Difficult/ portion possibly served by neighboring city	Difficult topography; would require a new regional pump station upstream of Willamette Falls that would have to pump across Tualatin or Willamette River	Tri City and/or Canby
S17	Efficient	W Stafford basin - relatively easy to serve NE Stafford basin - gravity flow to an existing pump station, then pump to Tri City WWTP	Durham Tri City
S18	Moderately efficient	New trunk line to serve small portion of Boeckman Creek Basin in already in plan; additional trunk line is needed	Wilsonville
S19	Difficult	Require new pump station; trunk line and plant expansion; difficulty crossing river (current crossing maxed out with Charbonneau)	Wilsonville
S20	Moderately efficient	Mostly gravity flow to pump station	Wilsonville
S21	Moderately difficult	Steep topography; relatively small net developable area	Durham
S22	Moderately efficient	Large wetland areas near Tualatin River; potential for development area maybe south of Sherwood Rd; upgrade of Onion Flat PS currently planned to be completed within five years; may need to be upgraded to accommodate additional flows	Durham

Sub-Area	Suitability	Comments	Potential Waste Water Treatment Provider
S23	Moderately difficult	Potential of two or more new PS; wetland areas near Tualatin River	Rock Creek
S24	Moderately difficult	Potential of four or more PS; wetland areas near Tualatin River	Rock Creek
S25	Difficult	Steep terrain w/ deep ravines; questionable development potentials	Rock Creek
S26	Efficient	Contiguous to existing UGB; new PS and FM needed near Rosedale Rd and River Rd	Rock Creek
S27	Moderately efficient	New PS and FM needed near Meyer's Pond	Rock Creek
S28	Efficient	Contiguous to existing UGB; relatively small developable land	Forest Grove – winter Rock Creek - summer
S29	Efficient	Contiguous to existing UGB; relatively small developable land	Forest Grove – winter Rock Creek - summer
S30	Moderately efficient	PS and FM upgrade needed; wetlands and floodplain near Tualatin River but should not significantly impact sanitary; net developable land may be limited due to natural resources	Forest Grove – winter Rock Creek - summer
S31	Difficult	Steep terrain; Hagg Lake located here; very little net developable area	N/A
S32	Difficult	Steep terrain; very little net developable land due to terrain	Hillsboro – winter Rock Creek - summer
S33	Moderately difficult	Vast areas of wetlands; Dairy Creek has high value natural resources; some potential for developable land but will require careful planning to avoid natural resources	Hillsboro – winter Rock Creek - summer
S34	Moderately efficient	Contiguous to existing UGB	Hillsboro – winter Rock Creek - summer
S35	Moderately efficient	New PS needed near of Hwy 26 and McKay Creek; relatively large areas of wetland and floodplain near McKay Creek north of Hwy 26	Hillsboro – winter Rock Creek - summer
S36	Efficient	No real issues identified; will require upsizing of existing trunk line or adding new trunk lines	Rock Creek

Sub-Area	Suitability	Comments	Potential Waste Water Treatment Provider
S37	Difficult	Very difficult topography, many areas would require conveyance through Forest Park	Columbia Blvd
S38	Moderately efficient	Relatively short conveyance, mostly through urban land; would require river crossing. There is potential to expand plant.	Columbia Blvd



MAP A-1
**Sewer Serviceability for
 the Reserves Study Area**

Including areas that might be served by neighboring cities

Sewer Efficiency Ratings	
■	Efficient
■	Moderately Efficient
■	Moderately Difficult
■	Difficult
	Rural Reserves Study Area Boundary
	Areas within the Urban Growth Boundary
★	Sewer Treatment Plants
→	Outfall

2 1 0 Miles

1:76,000

EXECUTIVE SUMMARY

CLACKAMAS COUNTY Candidate Urban Reserve Areas: DRAFT Staff Review of Factors, Issues, Suggestions & Options

July 8, 2009

The Reserves project applies a new process for identifying urban reserves in the Portland Metro area as provided by the Oregon legislature in 2007 (SB 1011). Oregon Administrative Rule (OAR) 660-027-0060 sets out factors for designation of urban reserves for the purpose of designating areas outside the current Portland Metro UGB that are suitable for accommodating population and job growth for the next 40 to 50 years (a summary of urban reserve factors is attached). The law also enables, for the first time, the creation of rural reserves to help shape the region and protect agriculture, forestry and natural features from future urban growth boundary (UGB) expansions.

This *Executive Summary* provides an overview of the results of a staff review of urban reserves candidate areas selected by the Clackamas County Policy Advisory Committee (PAC). Staff have prepared a technical memo with the details of the review to be used by the PAC in its discussions and recommendations regarding urban reserves. The technical memo includes an area-by-area discussion addressing each of the urban reserve factors for Areas U-1 through U-11 as shown on Map 1. This *Executive Summary* includes a table with the staff's suggested designations, rationale and other options for urban reserve designation for each area.

Staff suggestions are based on a technical analysis of the state's factors for urban reserves. The analysis in the technical memo, which underlies the suggestions and options shown here, relies on a number of studies and work done by technical experts, including:

- Reviews of sewer, water, storm drainage, schools, parks and transportation suitability by technical experts from local service providers
- Metro's Mobility Corridor Atlas
- The Oregon Department of Transportation's (ODOT's) summary review of state highways and their relationship to suitability
- Metro's Regional Transportation Plan (RTP)
- Natural Landscape Features Inventory created at Metro in 2007 and updated in 2008
- The Oregon Department of Agriculture study, *Identification and Assessment of the Long-Term Commercial Viability of Metro Region Agricultural Lands, January 2007*
- The Oregon Department of Forestry *Forestland Development Zone Map*
- Mapping of existing data layers by Clackamas County and Metro GIS staff, including a preliminary buildable land analysis by Metro staff

Prepared by: **Clackamas County Department of Transportation and Development**
Maggie Dickerson, Principal Planner; Martha Nix, Planner II
Ellen Rogalin, Community Relations Specialist; Randall Gray, Programmer/Analyst

OVERVIEW OF URBAN RESERVE STAFF SUGGESTIONS, RATIONALE AND OPTIONS

Area	UR Designation?	Rationale	Options
U-1: West of Wilsonville / South of Sherwood	Yes	<ul style="list-style-type: none"> • Rates "medium" on most factors • Northern part includes Wilsonville and Sherwood areas of interest 	<ol style="list-style-type: none"> 1. Designate only the northern part of the area as an urban reserve. 2. Do not designate any of the area as urban reserve.
U-2: French Prairie	No	<ul style="list-style-type: none"> • Rates low to medium on major infrastructure cost assessments: sewer (low), water (low), transportation (medium) • Classified as Foundation agriculture land and surrounded by Foundation land with no natural buffers 	<ol style="list-style-type: none"> 1. Designate as urban reserve.
U-3: East of Wilsonville	Yes	<ul style="list-style-type: none"> • Rates "medium" or "high" for most factors • Includes potential employment land at Stafford interchange • Includes land for a range of housing • Transportation concerns are significant, but freeway problems need to be addressed anyway to meet needs of current urban areas • Includes areas identified by Wilsonville and Tualatin as areas of interest 	<ol style="list-style-type: none"> 1. Designate only Wilsonville's and Tualatin's areas of interest as urban reserve. 2. Do not designate any of the area as urban reserve.
U-4: Stafford	Yes	<ul style="list-style-type: none"> • Rates high or medium on major infrastructure cost assessments: sewer (high), water (high,) transportation (medium) • Natural ecological systems and features can be protected inside an urban area by acquisition and/or development restrictions • Contains lands suitable for employment 	<ol style="list-style-type: none"> 1. Designate distinct portions as urban reserve, e.g., Borland Road area, and areas in the north and east adjacent to Lake Oswego and West Linn.

Area	UR Designation?	Rationale	Options
<p>U-5: Pete’s Mountain/ Peach Cove</p>	<p>Yes, for northern part of area with excellent access to I-205.</p> <p>No, for remainder.</p>	<ul style="list-style-type: none"> • Could become part of employment cluster/mixed use that spans I-205. • Transportation easier to serve • Natural systems and features can be protected by development restrictions and acquisitions • Has most potential to develop into walkable, well-connected neighborhoods in conjunction with Borland Rd area of Stafford. • Remaining areas not productive for urban uses • Remaining areas much more difficult to serve • Sewer service in southern part would most likely be provided by non-Metro provider, and so not as suitable for Portland urban reserve 	<p>1. Do not designate any of the area as urban reserve.</p>
<p>U-6: Southeast of Oregon City</p>	<p>Yes</p>	<ul style="list-style-type: none"> • Rates moderately well on major infrastructure cost assessments: sewer (high), water (medium), transportation (medium/low) • Natural extension of Oregon City, and city has indicated it would have ability to serve it • Natural areas/creek systems could be protected inside urban area with development regulations and/or acquisition 	<p>1. Designate close-in, flatter areas, including around Holly Lane, as urban reserve.</p> <p>2. Do not designate area as urban reserve.</p>
<p>U-7: South of Oregon City</p>	<p>Yes, for “bench” areas</p> <p>No, for remainder.</p>	<ul style="list-style-type: none"> • Rating on major infrastructure cost assessments: sewer (high), water (high), transportation (medium) • Natural extension of Oregon City; steep topography to south could be natural edge to urban area and buffer to farming farther south • Have most potential to develop into walkable, well-connected neighborhoods in conjunction with development inside the UGB. 	<p>1. Designate entire area as urban reserve.</p>

Area	UR Designation?	Rationale	Options
U-8: Greater Beaver Creek	Yes	<ul style="list-style-type: none"> • Compared to other areas around Oregon City, this area: <ul style="list-style-type: none"> ○ Is easiest to serve. ○ could be developed with the least impact to inventoried important natural features. ○ Is easiest to develop into walkable, well-connected neighborhoods in conjunction with development inside the UGB. • Appears suitable for: <ul style="list-style-type: none"> ○ employment land with flatter, larger parcels with access to state highway, community college and Mulino Airport ○ a range of housing types 	<ol style="list-style-type: none"> 1. Designate only close-in areas as urban reserves. 2. Do not designate any of the area as urban reserve.
U-9: Northeast of Oregon City	<p>Yes, for flatter, more northern areas</p> <p>No, for remainder</p>	<ul style="list-style-type: none"> • Rate high or medium on major infrastructure cost assessments: sewer (high), water (medium), transportation (medium) • These are areas with most potential to be developed into walkable, well-connected neighborhoods in conjunction with existing development inside the UGB. 	<ol style="list-style-type: none"> 1. Designate only close-in areas as urban reserve. 2. Designate entire area as urban reserve.
U-10: South of Damascus	Yes	<ul style="list-style-type: none"> • Much of area is moderately serviceable • Portions of area are very suitable for employment, range of housing types, walkability and accessibility to transit • Natural areas/creek systems could be protected inside urban area with development regulations 	<ol style="list-style-type: none"> 1. Designate the area an urban reserve, <i>excluding</i> Noyer Creek and the peninsula between Noyer and Deep creeks

Area	UR Designation?	Rationale	Options
U-11: Clackanomah	Yes	<ul style="list-style-type: none"> • Relatively easy to serve • Larger areas of unconstrained land could <ul style="list-style-type: none"> ○ provide a range of housing types ○ become part of an east Portland region employment cluster with access to state highways and eventually freeway system. • Natural ecological systems and features can be protected by development restrictions and acquisition • Potential to be developed into walkable, well-connected neighborhoods 	<ol style="list-style-type: none"> 1. Designate entire area as an urban reserve, <i>excluding</i> the North Fork of Deep Creek area and East Buttes.

Factors for Designation of Lands as Urban Reserves*

Considerations for land proposed for designation as urban reserve, alone or in conjunction with land inside the UGB:

- (1) **Infrastructure:** Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments;
- (2) **Development:** Includes sufficient development capacity to support a healthy economy;
- (3) **Public facilities:** Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers;
- (4) **Transportation:** Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;
- (5) **Natural systems:** Can be designed to preserve and enhance natural ecological systems;
- (6) **Range of housing:** Includes sufficient land suitable for a range of needed housing types;
- (7) **Natural landscape:** Can be developed in a way that preserves important natural landscape features included in urban reserves; and
- (8) **Adverse effects:** Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

***SOURCE:**

OAR 660, Division 27, Urban and Rural Reserves in the Portland Metropolitan Area
Adopted by LCDC January 24, 2008; Effective February 8, 2008

Area U-1: West of Wilsonville/South of Sherwood

Description: The West of Wilsonville/South of Sherwood discussion area is located west of the city of Wilsonville, south of the city of Sherwood, north of the Willamette River and east of Ladd Hill Road (Parrett Mountain). It is characterized by moderate to steeply sloping terrain bisected by many steep creek canyons originating from springs and other surface water.

Urban Reserve Suggestions, Options and Rationale

Suggestion: Designate this area as an urban reserve.

Rationale:

- Rates "medium" on most factors
- Northern part of the area includes areas of interest for Wilsonville and Sherwood

Option 1: Designate only the northern part of the area as an urban reserve. Rationale:

- Easiest to serve
- Identified by the cities of Wilsonville and Sherwood as areas of interest
- Rates "medium" on most factors

Option 2: Do not designate any of the area as urban reserve. Rationale:

- Limits sanitary sewer demand on Wilsonville
- Does not add to traffic problems on I-5

Analysis of the Factors

Following are the factors from the state rule (ORS 660 Division 27) and an analysis of how the individual discussion areas rate according to those factors. Ratings are generally "low", "medium" and "high". The suggestions and options above are based on this analysis. Language from the rule is shown in italics. Factors 1 and 3 are addressed jointly.

Factors for Designation of Lands as Urban Reserves: When identifying and selecting lands for designation as urban reserves, (Metro) shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB, meets the following factors:

Factor 1: Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.

Factor 3: Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.

How does it meet the factor?	Discussion/Rationale
<p><u>Sanitary Sewer:</u> High (part) Medium (part)</p>	<p>The sewer service suitability map shows approximately two-thirds of this area as “medium” suitability and one-third (the northern portion above Tooze Rd -- the break point is the ridgeline) as “high”.</p> <p><u>Existing and future investments:</u> Like all areas outside UGBs (except those with health hazards), this area has NO existing or planned sewer services. Wilsonville has sewer services in its master plan for the Coffee Creek area that was brought into the UGB in 2002. The area the city indicates as “high” suitability could be served by connections to master-planned trunk lines.</p> <p>Wilsonville’s sewer plant site limits any potential urban reserve area to be served by Wilsonville (Areas U-1, U-2 and U-3). The current master plans (to serve areas inside the current UGB) are expected to use most of the plant site’s expansion capacity. Although the plant could accommodate some future UGB expansion, it could not accommodate all three urban reserve candidate areas that would need to be served by Wilsonville.</p> <p><u>Efficiently and cost-effectively served:</u> The area to the north could be served more cost-effectively than the area to the south, due to planned facilities. The area to the south also has more topography and streams. Both areas are mostly gravity flow to a pump station.</p> <p><u>Appropriate, financially capable service providers:</u> Sewer services would be provided by Wilsonville and Clean Water Services (CWS) for the City of Sherwood.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of existing sewer service network(s) that serves areas inside the current UGB.</p>
<p><u>Water:</u> Medium</p>	<p>This area is rated “medium” for water serviceability.</p> <p><u>Existing and future investments:</u> There are water providers in most rural areas; however, the infrastructure is sized to serve a rural population and would need to be upgraded if urbanization occurred. Wilsonville recently invested in a water treatment facility with expansion capacity to serve areas outside the UGB. Sherwood is served by the Tualatin Valley Water District, which recently expanded its supply.</p> <p><u>Efficiently and cost-effectively served:</u> The water services expert group identified this as an area that would require a moderate level of investment in major facilities to serve at urban densities.</p> <p><u>Appropriate, financially capable service providers:</u> Most likely provided by the cities of Wilsonville and Sherwood.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Continuation of an existing water service network(s) that serves areas inside the current UGB.</p>
<p><u>Transportation:</u> Medium</p>	<p>This area would be moderately suitable for a transportation system capable of accommodating urban levels of development.</p> <ul style="list-style-type: none"> • The <i>Preliminary Added Lane Cost</i> map rates this area “medium,” i.e., the cost PER

	<p>LANE to build any additional lanes is moderate compared to other areas.</p> <ul style="list-style-type: none"> • The <i>Preliminary System Lane Cost</i> map rates this area as “medium,” i.e., the total cost of building ALL lanes needed is moderate compared to other areas. • The <i>Mobility Corridor Atlas Index</i> map shows a major mobility corridor along I-5, very close to this area. This corridor includes the recently completed commuter rail (WES) connecting Wilsonville to Beaverton. The area also relates closely to the mobility corridor between Tigard and Sherwood. • The <i>ODOT Urban Reserve Study Area Analysis</i> table describes I-5 as “very low” in potential to accommodate additional traffic. “...severe capacity problems on I-5 within and south of existing UGB and at Wilsonville Interchanges. Widening of I-5 including Boones Bridge will be very expensive.” It lists the relative cost to improve as “huge.” <p><u>Existing and future investments:</u> Current plans do not provide for urban levels of transportation service in rural areas. The Regional Transportation Plan (RTP) includes widening I-5 to three lanes both ways to meet transportation needs of the existing urban area. A connection to 99W will be needed to serve this area. This area is well-positioned to take advantage of the WES commuter rail service.</p> <p><u>Efficiently and cost-effectively served:</u> Topography makes the area somewhat less cost-effective to serve than other areas. The cost to make needed improvements to I-5 also moderates suitability.</p> <p><u>Appropriate, financially capable service providers:</u> Transportation is provided by federal, state, regional, county and city governments. Transit would be provided by TriMet or the city of Wilsonville (SMART). All these agencies struggle to finance facilities and services.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> All transportation services would be provided in conjunction with lands inside the current UGB. The major transportation concerns (improvements to I-5) are inside the UGB.</p>
<p><u>Parks:</u> Medium</p>	<p>Like most rural areas, this area does not have a park system that would support urban levels of development.</p> <p><u>Existing and future investments:</u> The area includes one large natural area, Graham Oaks, purchased by Metro Greenspaces.</p> <p><u>Efficiently and cost-effectively served:</u> An urban parks system would be built concurrent with development. Topography might moderate suitability for active parks.</p> <p><u>Appropriate, financially capable service providers:</u> Parks are typically provided by a city or special district – in this case, they would likely be provided by Wilsonville or Sherwood.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Additional parks or recreational facilities available in existing cities may meet some of the need of the newer areas. This area is close to the National Wildlife Refuge near Sherwood and portions of the Tonquin Geologic Area acquired by Metro.</p>

<p><u>Storm Water:</u> Medium</p>	<p>Storm drainage/treatment for new areas is typically provided on-site or for small sub-basins. Other than topography, which makes detention and treatment more difficult, it is hard to identify features that make one area more suitable for this service than another.</p> <p><u>Existing and future investments:</u> Storm water services are typically provided as development occurs.</p> <p><u>Efficiently and cost-effectively served:</u> Steeper topography in some of the area moderates suitability.</p> <p><u>Appropriate, financially capable service providers:</u> Typically storm water services would be provided by the sanitary sewer provider or city, i.e., Wilsonville or CWS.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<p><u>Public schools:</u> High</p>	<p><u>Existing and future investments:</u> Public schools are typically provided concurrent with development. Both West Linn/Wilsonville and Sherwood districts have facilities sized to serve current planned development, but not development in possible future urban reserve areas.</p> <p><u>Efficiently and cost-effectively served:</u> No characteristics make it easier or harder to provide school services.</p> <p><u>Appropriate, financially capable service providers:</u> West Linn/Wilsonville and Sherwood school districts.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> All school services would be provided in conjunction with school services inside the current UGB. New schools would be built to serve the new areas, but may share high schools or other facilities with the broader community.</p>
<p><u>Other public or private infrastructure:</u></p>	<p>Privately supplied infrastructure (electricity, natural gas, communications) can be provided to all candidate urban reserve areas. Other services (governance, police, fire, libraries, etc.) could be provided by Wilsonville, Sherwood, or service districts.</p>

Factor 2: Includes sufficient development capacity to support a healthy economy;

<p>How does it meet the factor?</p>	<p>Discussion/Rationale</p>
<p><u>Buildable Land¹:</u> 4,820 acres</p>	<p>This area provides a large amount of buildable land compared to other discussion areas, with roughly 4,800 acres for potential development.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This discussion area would most likely be developed as an extension of Wilsonville and Sherwood. Connections to existing neighborhoods and employment in the city would be relatively easy.</p>
<p><u>Employment Land:</u> Medium</p>	<p>There is some flatter land in the northern part of this area, close to employment land in Wilsonville, Sherwood and Tualatin, and close but not adjacent to I-5. However, it appears to be constrained by wetlands.</p>

	<p><u>Alone or in conjunction with land inside the UGB:</u> This area could be a continuation of an existing employment cluster, achieving economies of scale and other benefits from proximity. On the other hand, it is in an area with a large amount of employment land, and city of Wilsonville goals would be better met by adding housing land rather than employment land.</p>
--	--

Factor 4: *Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;*

How does it meet the factor?	Discussion/Rationale
<p><u>Can be designed to be...</u></p>	
<p><u>...Walkable:</u> High/Medium</p>	<p>Areas that can be designed to be walkable are generally areas that can be designed in well-connected clusters with housing within ¼ to ½ mile of schools, parks, retail and other services, and close to employment. Flatter areas in the northern part of this area would be suitable for walkable neighborhoods. The steeper topography of the southern part moderates the ability to make connections and plan for densities needed for typical walkable communities.</p> <p><u>Appropriate, cost effective service providers:</u> Not applicable.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Some destinations would be located inside the current UGB (i.e., schools, parks, civic facilities).</p>
<p><u>...Served by a well-connected system of streets and bikeways:</u> Medium</p>	<p>The <i>Connectivity Suitability Ratings</i> map rates this area "medium," i.e., the ability to build street connections that meet regional standards is moderate compared to other areas. These arterial and connector streets would include bikeways.</p> <p><u>Appropriate, cost effective service providers:</u> Streets and roads are provided by the state, county and cities.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Streets and roads would need to connect as seamlessly as possible with existing urban areas. This would be possible with Wilsonville and Sherwood.</p>
<p><u>...Served by a well-connected system of recreation trails:</u> High</p>	<p>The <i>Regional Trails</i> map shows direct connections through the area, and there is a trail very nearby on the west side of Wilsonville. Wilsonville or Sherwood could chose to also provide a local trail network.</p> <p><u>Appropriate, cost effective service providers:</u> The cities or Metro would be logical service providers for trails.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The regional trail shown on the map as going through Wilsonville would serve this area.</p>

<p><u>...Served by a well-connected system of public transit:</u> High</p>	<p>The <i>Regional High Capacity Transit System</i> map identifies corridor #34 as a near- term regional priority. This is on the west side of Wilsonville, very close to this discussion area. Local bus service could also be provided. Part of corridor #34 --the commuter rail connecting Wilsonville to Beaverton (WES) -- has recently been constructed.</p> <p><u>Appropriate, cost effective service providers:</u> Either TriMet, which serves a portion of the this discussion area, or the city of Wilsonville transit (SMART) that serves properties inside the city limits, could serve urban development.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> High capacity transit corridors connect to key destinations inside the UGB.</p>
---	---

Factor 5: Can be designed to preserve and enhance natural ecological systems;

How does it meet the factor?	Discussion/Rationale
<p>Medium</p>	<p>The <i>Floodplain and Mapped Important Natural Feature Areas</i> map shows three larger creek systems that could be protected through development regulations.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Factor 6: Includes sufficient land suitable for a range of needed housing types;

How does it meet the factor?	Discussion/Rationale
<p>High Acres of buildable land: 4,820</p>	<p>Overall, there is enough suitable land to accommodate a variety of housing, in strategic locations, with relatively good access to I-205 and I-5.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area could complement the range of housing types available in other locations inside the current UGB.</p>

Factor 7: Can be developed in a way that preserves important natural landscape features included in urban reserves, and;

How does it meet the factor?	Discussion/Rationale
<p>Medium</p>	<p>This area includes a portion of #12, the Tonquin Geologic Area, a unique feature created by ancient floods. Protection could be achieved by purchase and preservation by a city, county, Metro or private organization.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Part of the Tonquin Geologic Area is already in the UGB.</p>

Factor 8: *Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.*

How does it meet the factor?	Discussion/Rationale
Can be designed to avoid or minimize adverse affects on...	
<p><u>...Farm and forest practices:</u> Medium</p>	<p>Could be designed as an urban area to minimize adverse effects on farm practices in surrounding areas. Because it is bounded on three sides by urban areas or the Willamette River, the only area of concern would be Parrett Mountain, where there are limited agricultural uses. However, there are considerable forest uses on Parrett Mountain, including wildland forest, and no natural barriers or buffers between these uses and the discussion area.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<p><u>...Important natural landscape features:</u> High</p>	<p>Parrett Mountain is an inventoried natural feature (#15) described as important as "the prominent topographic feature separating Wilsonville from Newberg." This would not be impacted by the design of an adjacent urban area.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Other Considerations from the Administrative Rule

- Foundation agriculture land: No

Issues, Concerns, Opportunities

- Wilsonville has identified an area of interest in the northern part of the discussion area.
- Wilsonville has identified the southern part of the discussion area as an area it would prefer not to serve. This area is delineated on the sub-area map as #7.
- Sherwood has identified an area of interest in the northern part of the discussion area.

Area U-2: French Prairie

Description: Located just south of the City of Wilsonville, this area encompasses a small portion of the agriculture region known as the French Prairie. Area U-2 is delineated to the west and northwest by the edge of the Willamette River floodplain, to the northeast by Wilsonville (Charbonneau), to the east by the Pudding River floodplain and to the south and southwest by the county line. The area contains relatively flat topography and is bisected by Interstate 5.

Urban Reserve Suggestions, Options and Rationale

Suggestion: Do not designate this discussion area as urban reserve.

Rationale:

- This area rates low to medium on the three major infrastructure cost assessments: sewer (low), water (low), and transportation (medium). These ratings are largely because of the need to cross the Willamette River, the fact that the Boones Ferry Bridge cannot accommodate much more traffic without widening and the existing sewer lines on the bridge are at capacity.
- This area is classified as Foundation agriculture land and is surrounded by Foundation agriculture land with no natural buffers.

Option 1: Designate this area as urban reserve. Rationale:

- This area rates medium to high on all factors except sewer, water and transportation.
- This area contains some of the few flat, large parcels in the discussion areas that are easily accessible to freeways and appear to be suitable for industrial development.

Analysis of the Factors

Following are the factors from the state rule (ORS 660 Division 27) and an analysis of how the individual discussion areas rate according to those factors. Ratings are generally “low”, “medium” and “high”. The suggestions and options above are based on this analysis. Language from the rule is shown in italics. Factors 1 and 3 are addressed jointly.

Factors for Designation of Lands as Urban Reserves: *When identifying and selecting lands for designation as urban reserves, (Metro) shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB, meets the following factors:*

Factor 1: *Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.*

Factor 3: *Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.*

How does it meet the factor?	Discussion/Rationale
<p><u>Sanitary Sewer:</u> Low</p>	<p>Although there is limited sanitary sewer service to the Charbonneau neighborhood, development of this area would require major expansion of sanitary sewer service; a new pump station(s), trunk line and expansion of the Wilsonville wastewater treatment plant. A major new conveyance facility would not be allowed to use the I-5 (Boones) bridge, so a new river crossing would be needed.</p> <p><u>Existing and future investments:</u> While sewer service exists south of the Willamette River, it is adequate to serve only Charbonneau and the rest stop on I-5. There is no opportunity to expand this conveyance system or the existing river crossing.</p> <p><u>Efficiently and cost-effectively served:</u> Not likely to be cost effective due to need to cross river.</p> <p><u>Appropriate, financially capable service providers:</u> Wilsonville is the likely service provider.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing sewer service network(s) that serves areas inside the current UGB.</p>
<p><u>Water:</u> Low</p>	<p>Water services could be provided by Wilsonville. Providing services to this area would require substantial investment in additional treatment capacity, reservoirs or upgrading lines, including a new river crossing.</p> <p><u>Existing and future investments:</u> There are water providers in most rural areas; however, the infrastructure is sized to serve a rural population and would need to be upgraded if urbanization occurred. Wilsonville recently invested in a new water treatment plant, which has some additional capacity and ability to expand.</p> <p><u>Efficiently and cost-effectively served:</u> Not likely to be cost-effective because of need to cross Willamette River.</p> <p><u>Appropriate, financially capable service providers:</u> Wilsonville is the likely service provider.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing water service network(s) that serves areas inside the current UGB.</p>
<p><u>Transportation:</u> Medium</p>	<p>This area would be moderately suitable for providing a transportation system capable of accommodating urban levels of development.</p> <ul style="list-style-type: none"> • The <i>Preliminary Added Lane Cost</i> map rates this area as “high”, i.e., the cost PER LANE to build any additional lanes needed is high compared to other areas, primarily due to flat topography. • The <i>Preliminary System Lane Cost</i> map rates this area as “medium”, i.e., the total cost of building ALL lanes needed is low compared to other areas, because there are few existing roads in the area and building a grid system to support urban development would require a sizeable number of new roads.

	<ul style="list-style-type: none"> • The <i>Mobility Corridor Atlas Index</i> map shows a major mobility corridor (#3) along I-5, between Wilsonville and Tualatin. This corridor includes the recently-completed commuter rail (WES) connecting Wilsonville to Beaverton, which could be accessed fairly easily from this area via I-5. • The <i>ODOT Urban Reserve Study Area Analysis</i> table describes I-5 as “very low” in potential to accommodate additional traffic. “...severe capacity problems on I-5 within and south of existing UGB and at Wilsonville Interchanges. Widening of I-5 including Boones Bridge will be very expensive”. It lists the relative cost to improve as “huge.” <p><u>Existing and future investments:</u> Current plans do not provide for urban levels of transportation service in rural areas. The Regional Transportation Plan (RTP) includes widening I-5 to three lanes in each direction; this is needed to meet the transportation needs of the existing urban area. The new commuter light rail line (WES) recently completed from Beaverton to Wilsonville is located on the west side of Wilsonville with its terminus across the river to the north of this discussion area.</p> <p><u>Efficiently and cost-effectively served:</u> Adding a grid system to the area would be moderately expensive (ranked medium and high for cost suitability).</p> <p><u>Appropriate, financially capable service providers:</u> Transportation is provided by federal, state, regional, county and city governments. Transit service would most likely be provided by TriMet or the city of Wilsonville (SMART).</p> <p><u>Alone or in conjunction with land inside the UGB:</u> All transportation services would be provided in conjunction with lands inside the current UGB. In this case, the major transportation concerns (improvements to I-5) are located inside the UGB.</p>
<p><u>Parks:</u> Medium</p>	<p>A number of parks or recreation sites exist in or near this area including golf courses, marina, large city park, large natural area and several smaller public parks and/or open spaces.</p> <p><u>Existing and future investments:</u> There are a number of parks or recreation sites in this area. In addition, an urban parks system would be build concurrent with development.</p> <p><u>Efficiently and cost-effectively served:</u> An urban parks system would be build concurrent with development. There is nothing apparent that would limit this area’s suitability for active parks.</p> <p><u>Appropriate, financially capable service providers:</u> Parks are typically provided by a city (Wilsonville) or special parks district.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Additional parks available in existing cities may meet some of the need of the newer areas.</p>
<p><u>Storm Water:</u> High</p>	<p>Storm drainage/treatment for new areas is typically provided on-site or for small sub-basins. Other than topography, which makes this a bit more difficult, it is hard to identify features that make one area more suitable for this service than another.</p>

	<p><u>Existing and future investments:</u> Not applicable.</p> <p><u>Efficiently and cost-effectively served:</u> The relatively flat topography of this area should make storm water treatment efficient.</p> <p><u>Appropriate, financially capable service providers:</u> Typically, storm water services would be provided by the sanitary sewer provider or a city, i.e., CWS or Wilsonville.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<p><u>Public schools:</u> Medium</p>	<p>Area is in Canby school district and separated from Canby by the large floodplain of the Pudding River. There are limited roads across that area.</p> <p><u>Existing and future investments:</u> This area is large enough that it would probably require new schools if urbanized. Typically, public schools are provided concurrent with development. The Canby school district indicated there is some potential to accommodate additional students now, but it would be insufficient to serve a large new urban area.</p> <p><u>Efficiently and cost-effectively served:</u> To some extent, major natural barriers, such as steep slopes or large natural areas, obstruct "efficiency" from a busing standpoint, but mostly from a school siting standpoint. If students were to be bused to Canby across the Pudding River floodplain, it could be considered less efficient because there are few existing roads, thus adding time and expense to get children to school.</p> <p><u>Appropriate, financially capable service providers:</u> Canby is the service provider.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> N/A</p>
<p><u>Other public or private infrastructure:</u></p>	<p>Area is located close to and has easy access to the Aurora Airport, which is an important locational factor to some businesses.</p> <p>Privately supplied infrastructure (electricity, natural gas, communications) can be provided to all candidate urban reserve areas. Other services (governance, police, fire, libraries etc) would be provided by the city of Wilsonville or service districts</p>

Factor 2: Includes sufficient development capacity to support a healthy economy;

How does it meet the factor?	Discussion/Rationale
<p><u>Buildable Land:</u> ≈1,140 acres</p>	<p>This area is relatively small, and provides only about 1,100 acres of buildable land for development purposes.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would most likely become part of the adjacent City of Wilsonville if urbanized. It is separated from the City of Canby by the Pudding River and large floodplain, and from the majority of Wilsonville by the Willamette River. The cities of Aurora and Woodburn are south of the study area in Marion County. There has been no analysis of development of this area in conjunction with either of these cities.</p>

<p><u>Employment Land:</u> High</p>	<p>Contains large, flat parcels, with excellent access to I-5 and the Aurora Airport. Area is also in close proximity to existing employment land along the I-5 corridor and in Wilsonville. This area has been identified by business interests as appropriate for a large employment cluster.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would become a continuation of the large employment cluster located along the I-5 corridor in the Portland Metro area.</p>
--	--

Factor 4: *Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;*

<p>How does it meet the factor?</p>	<p>Discussion/Rationale</p>
<p><u>Can be designed to be...</u></p>	
<p><u>...Walkable:</u> Medium</p>	<p>Areas that can be designed to be walkable are generally areas that can be designed in well-connected clusters where housing is within ¼ to ½ mile of schools, parks, retail and other services, and close to employment. Much of the area is flat and could be served with a well-connected system of streets and walkways. However, the area is bisected by I-5, which would limit east/west connections.</p> <p><u>Appropriate, cost-effective service providers:</u> Not applicable.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Some destinations would be located inside the current UGB (e.g., schools, parks, civic facilities).</p>
<p><u>...Served by a well connected system of streets & bikeways:</u> Medium</p>	<p>The <i>Connectivity Suitability Ratings</i> map rates this area “medium” because much of it is flat. However, it is bisected by I-5, which would limit east/west connections.</p> <p><u>Appropriate, cost effective service providers:</u> Streets and roads are provided by the state, county and cities.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Streets and roads would need to connect as seamlessly as possible with existing urban areas. This would be possible with Wilsonville.</p>
<p><u>...Served by a well connected system of recreation trails:</u> High</p>	<p>The <i>Regional Trails</i> map shows no direct connections for this area, but trails could be developed, particularly to take advantage of the proximity to the river.</p> <p><u>Appropriate, cost effective service providers:</u> Logical service providers for trails would be cities or Metro.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Trails could be developed to connect to destinations in the existing urban area.</p>

<p><u>...Served by a well connected system of public transit:</u> Medium</p>	<p>The <i>Regional High Capacity Transit System</i> map identifies corridor #34 (Beaverton to Wilsonville) as a near-term regional priority. The recently-completed commuter light rail line (WES), which connects these areas, is on the west side of Wilsonville with its terminus across the river to the north of this area.</p> <p>The same map also identifies a potential corridor extension, from Wilsonville to Salem, which would run through this discussion area.</p> <p>The existing bridge crossing from this area to the rest of Wilsonville could be an impediment to efficient local transit service and access to WES.</p> <p><u>Appropriate, cost effective service providers:</u> Currently the area is not served with public transit. Wilsonville provides transit (SMART) to properties in its city limits and would be the likely provider for this area if it were to urbanize. The City of Canby's Canby Area Transit (CAT) is nearby and has one route through this area.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> High capacity transit corridors and other transit systems connect to key destinations inside the UGB.</p>
---	--

Factor 5: Can be designed to preserve and enhance natural ecological systems;

How does it meet the factor?	Discussion/Rationale
<p>High</p>	<p>There are few creek systems and enough buildable land to allow preservation of each. Since this is historically an agricultural area, there may be opportunities to enhance streams by restoring riparian vegetation.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Factor 6: Includes sufficient land suitable for a range of needed housing types;

How does it meet the factor?	Discussion/Rationale
<p>High</p> <p>Acres of buildable land: ≈1,140</p>	<p>Area U-2 appears to contain enough suitable land to accommodate a variety of housing, as well as a town center or other center, with good access to I-5. There is some concern about the ability to provide transit from the northern parts of the city because of the bridge crossing and traffic congestion, which could limit the area's viability for high density or affordable housing. Possibly transit service to this area could be provided by CAT; this would not require a Willamette River crossing.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area could also complement the range of housing types available in other locations inside the current UGB.</p>

Factor 7: Can be developed in a way that preserves important natural landscape features included in urban reserves, and;

How does it meet the factor?	Discussion/Rationale
High	<p>There are no natural landscape features; the area has been delineated to exclude the important natural features adjacent to it – the Pudding and Willamette river floodplains.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Factor 8: Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

How does it meet the factor?	Discussion/Rationale
<u>Can be designed to avoid or minimize adverse effects on...</u>	
<u>...Farm and forest practices:</u> Low	<p>Surrounded by Foundation agriculture land with no natural buffers to the south. The Pudding River with its large floodplain forms a natural barrier to the east. Urban development would also create traffic impact on local roads also used for agriculture. Citizen comments indicate this is already a concern.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<u>...Important natural landscape features:</u> Medium	<p>Adjacent to two important natural landscape features – the floodplains of the Pudding River to the east and the Willamette River to the north. Impacts to these areas could be minimized by treating storm drainage on-site as development occurs.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Other Considerations from the Administrative Rule

Foundation agriculture land: Yes

Issues, Concerns, Opportunities

- Wilsonville City Council and many residents opposed to bringing any more property south of the river into the city.
- The regional business coalition has identified this area as an important, potential, valuable employment site

Area U-3: East of Wilsonville

Description: This discussion area is located south of I-205, north of the Willamette River east of the city of Wilsonville/nearby UGB areas and the county line, and west of Mountain Road. The topography is flat to gently rolling in the south and steeper to the north. There are several creek systems, some draining north to the Tualatin River and some draining south directly to the Willamette River.

Urban Reserve Suggestions, Options and Rationale

Suggestion: Designate the entire area as an urban reserve.

Rationale:

- Rates “medium” or “high” for most of the factors
- Includes potential employment land at the Stafford interchange
- Includes land for a range of housing
- Transportation concerns are significant, but the freeway problems need to be addressed anyway to meet the needs of the current urban areas
- Includes areas identified by cities of Wilsonville and Tualatin as areas of interest

Option 1: Designate only Wilsonville’s and Tualatin’s areas of interest as urban reserve.

Rationale:

- Rates “medium” or “high” for most of the factors
- Possible employment area is in Tualatin’s area of interest
- Limits burden on the transportation system; may include area where it is easier to provide connectivity.

Option 2: Do not designate any of the area as urban reserve. Rationale:

- Limits sanitary sewer demand on Wilsonville
- Does not add to traffic problems on I-205 or I-5

Analysis of the Factors

Following are the factors from the state rule (ORS 660 Division 27) and an analysis of how the individual discussion areas rate according to those factors. Ratings are generally “low”, “medium” and “high”. The suggestions and options above are based on this analysis. Language from the rule is shown in italics. Factors 1 and 3 are addressed jointly.

Factors for Designation of Lands as Urban Reserves: When identifying and selecting lands for designation as urban reserves, (Metro) shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB, meets the following factors:

Factor 1: Can be developed at urban densities in a way that makes *efficient use of existing and future public and private infrastructure investments.*

Factor 3: Can be *efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.*

How does it meet the factor?	Discussion/Rationale
<p><u>Sanitary Sewer:</u> Medium/High</p>	<p>The sewer service suitability map shows about half of this area as “medium” suitability (the southeastern part) and about half as “high.”</p> <p><u>Existing and future investments:</u> Like all areas outside UGBs (except those with health hazards), this area has NO existing or planned sewer services. However, Wilsonville has master-planned sewer services for the area brought into the UGB in 2002. The small area shown as “high” suitability, which is adjacent to the city, could be served by connections to master-planned trunk lines.</p> <p>Wilsonville’s sewer plant site provides limitations for any potential urban reserve area to be served by Wilsonville (Areas U-1, U-2 and a small part of U-3). The current master plans (to serve areas inside the current UGB) are expected to utilize most of the plant site’s expansion capacity. Although the site could accommodate some UGB expansion, it could not accommodate all three of the urban reserve candidate areas that would need to be served by Wilsonville.</p> <p>Other parts of the area could be served by other sewer service providers – CWS or the Tri-City plant. The CSW Durham plant has a similar issue – limited site size, no easy place to expand, existing site mostly used up by master plans for planned urban areas.</p> <p><u>Efficiently and cost-effectively served:</u> The area to the north could be cost-effectively served at either the CWS Durham plant or the Tri-City plant in Oregon City. The southeastern area would be moderately efficient to serve with an additional trunk line to connect to a trunk line to the Boeckman Creek basin already in the plan.</p> <p><u>Appropriate, financially capable service providers:</u> Sewer treatment services could be provided by the city of Wilsonville, Clean Water Services (CWS), which currently serves the urbanized Tualatin River basin including the city of Tualatin, or the Tri-City plant, which serves West Linn. Conveyance facilities would most likely be provided by a city.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing sewer service network(s) that serves areas inside the current UGB.</p>
<p><u>Water:</u> Medium</p>	<p>Water services are rated as “medium”.</p> <p><u>Existing and future investments:</u> There are water providers in most rural areas; however, the infrastructure is sized to serve a rural population and would need to be upgraded if urbanization occurred. Complete urban water conveyance systems would need to be developed. Wilsonville recently invested in a water treatment</p>

	<p>facility with the capacity to expand to serve areas outside the UGB. The Tualatin Valley Water District has a planned expansion project – the Tualatin Supply Project/Scoggins Dam Raise - that will enable it to serve more customers soon.</p> <p><u>Efficiently and cost-effectively served:</u> It would require a moderate level of investment in major facilities to serve this area at urban densities with water.</p> <p><u>Appropriate, financially capable service providers:</u> Water services would most likely be provided by the cities that govern the area, which are likely to include Wilsonville and Tualatin (which is supplied by Tualatin Valley Water District).</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing water service network(s) that serves areas inside the current UGB.</p>
<p><u>Transportation:</u> Medium</p>	<p>This area would be somewhat suitable for a transportation system capable of accommodating urban levels of development.</p> <ul style="list-style-type: none"> • The <i>Preliminary Added Lane Cost</i> map rates this area as “lower” suitability, i.e., the cost PER LANE to build additional lanes needed is more expensive compared to other areas. • The <i>Preliminary System Lane Cost</i> map rates this area as “higher” suitability, i.e., the total cost of building ALL lanes needed is less expensive compared to other areas. • The <i>Mobility Corridor Atlas Index</i> map shows major mobility corridors along I-5 and I-205, both very close to this discussion area. The mobility corridor along I-5 between Wilsonville and Tualatin (#3) includes the recently-completed commuter rail connecting Wilsonville to Beaverton (WES). • The <i>ODOT Urban Reserve Study are Analysis</i> table describes I-5 as “very low” in potential to accommodate additional traffic. “...severe capacity problems on I-5 within and south of existing UGB and at Wilsonville Interchanges. Widening of I-5 including Boones Bridge will be very expensive.” It lists the relative cost to improve as “huge.” Similarly, the table rates I-205 as “very low” suitability. “Even without additional growth, need to widen I-205 to at least 6 lanes, widen the Abernethy Bridge, add a truck climbing lane and improve several interchanges”. Relative cost to improve is rated as “huge.” <p><u>Existing and future investments:</u> Current plans do not provide for urban levels of transportation service in rural areas. The RTP includes widening both I-5 and I-205 to three lanes each way as projects that must be completed to meet the transportation needs of the existing urban area. County transportation planning staff has also indicated that the two Wilsonville interchanges require major improvements.</p> <p>Portions of this discussion area could have relatively easy access to the commuter light rail line (WES) that was recently completed west of I-5.</p> <p><u>Efficiently and cost-effectively served:</u> Topography in the northern part of this area makes it somewhat less cost-effective to serve than other areas. The cost to make needed improvements to I-5 and I-205 also moderates suitability.</p>

	<p><u>Appropriate, financially capable service providers:</u> Transportation is provided by federal, state, regional, county and city governments. Transit would be provided by TriMet or the city of Wilsonville (SMART).</p> <p><u>Alone or in conjunction with land inside the UGB:</u> All transportation services would be provided in conjunction with lands inside the current UGB. In this case, major transportation concerns (improvements to I-5 and I-205) are inside the current UGB.</p>
<p><u>Parks:</u> Medium</p>	<p>This area, like most rural areas, does not include a park system that would support urban levels of development. However, there are several recreation facilities clustered near the Willamette River.</p> <p><u>Existing and future investments:</u> A golf course and several facilities on the river.</p> <p><u>Efficiently and cost-effectively served:</u> An urban parks system could be built concurrent with development. Topography in the north part of this area might moderate suitability for active parks.</p> <p><u>Appropriate, financially capable service providers:</u> Parks are typically provided by a city or special district – in this case, likely Wilsonville or Tualatin.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Additional parks in existing cities may meet some of the need of the newer areas.</p>
<p><u>Storm Water:</u> Medium</p>	<p>Storm drainage/treatment for new areas is typically provided on-site or for small sub-basins. Other than steep topography, which makes detention and treatment more difficult, it is hard to identify features that make one area more suitable for this service than another.</p> <p><u>Existing and future investments:</u> Storm water services are typically provided as development occurs.</p> <p><u>Efficiently and cost-effectively served:</u> Steeper topography in some of the area moderates suitability for storm water services.</p> <p><u>Appropriate, financially capable service providers:</u> Typically storm water services would be provided by the sanitary sewer provider or a city, i.e., Wilsonville, CWS or Tualatin.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<p><u>Public schools:</u> High</p>	<p><u>Existing and future investments:</u> Public schools are typically provided concurrent with development. The West Linn/Wilsonville district has facilities sized to serve current planned development.</p> <p><u>Efficiently and cost-effectively served:</u> No characteristics of this area make it easier or harder to provide school services.</p> <p><u>Appropriate, financially capable service providers:</u> West Linn/Wilsonville district.</p>

	<p><u>Alone or in conjunction with land inside the UGB:</u> All school services would be provided in conjunction with school services inside the current UGB. New schools would be built to serve the new areas, but residents of a new area may share high schools or other facilities with the broader community.</p>
<p><u>Other public or private infrastructure:</u></p>	<p>Privately supplied infrastructure (electricity, natural gas, communications) can be provided to all candidate urban reserve areas. Other services (governance, police, fire, libraries etc) could be provided by Wilsonville, Tualatin or service districts.</p> <p>This area includes the Canby Ferry (end of Mountain Road). This unique facility serves both a regular transportation function and a recreation/tourism function.</p>

Factor 2: Includes sufficient development capacity to support a healthy economy;

How does it meet the factor?	Discussion/Rationale
<p><u>Buildable Land:</u> ≈5,220 acres</p>	<p>This area is relatively large, and provides more than 5,000 acres of buildable land for potential development.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would most likely be split between the adjacent cities of Wilsonville and Tualatin if urbanized.</p>
<p><u>Employment Land:</u> High</p>	<p>There is a limited amount of flatter land in the northern part of this area, adjacent to the I-205/Stafford interchange. In combination with similar lands north of the freeway, this could become an employment cluster. Many features make this attractive as a potential employment area -- excellent transportation access (I-205), proximity to a large employment cluster in the I-5 corridor, close to executive housing (a locational factor for office uses).</p> <p>Only the interchange area is suitable for employment land.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area could support existing employment uses in the I-5 corridor, achieving economies of scale and other benefits from proximity.</p>

Factor 4: Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

How does it meet the factor?	Discussion/Rationale
<p><u>Can be designed to be...</u></p>	
<p><u>...Walkable:</u> Medium</p>	<p>Areas that can be designed to be walkable are generally areas that can be designed in well-connected clusters where housing is within ¼ to ½ mile of schools, parks, retail and other services, and close to employment. The steeper topography and frequent stream crossings of much of this area moderates the ability to make the connections and plan for the densities needed for typical walkable communities. The flatter areas in the southern part would be more suitable for walkable neighborhoods.</p>

	<p><u>Appropriate, cost effective service providers:</u> Not applicable.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Some destinations would be inside the current UGB (example, schools, parks, civic facilities).</p>
<p><u>...Served by a well connected system of streets & bikeways:</u> Low</p>	<p>The <i>Connectivity Suitability Ratings</i> map rates this area "lower," i.e., ability to build street connections meeting regional standards is limited compared to other areas.</p> <p><u>Appropriate, cost effective service providers:</u> Streets and roads are provided by the state, county and cities.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Streets and roads would need to connect as seamlessly as possible with existing urban areas. This would be possible with Wilsonville and Tualatin.</p>
<p><u>...Served by a well connected system of recreation trails:</u> High</p>	<p>The <i>Regional Trails</i> map shows direct connections on roughly Mountain Road, along the eastern edge of the area. A city could also chose to provide a local trail network.</p> <p><u>Appropriate, cost effective service providers:</u> Logical service providers for trails would be cities or Metro.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The regional trail shown on the trails map passes through and connects to destinations in the existing urban area.</p>
<p><u>...Served by a well connected system of public transit:</u> High</p>	<p>The <i>Regional High Capacity Transit System</i> map identifies corridor #34 along I-5 as a near-term regional priority and #28 on I-205 as a "nest phase" regional priority. Both corridors include an extension of light rail service.</p> <p>Local bus service could also be provided to this area.</p> <p><u>Appropriate, cost effective service providers:</u> TriMet or SMART (Wilsonville's transit) would serve urban development in this discussion area.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> High capacity transit corridors connect to key destinations inside the UGB.</p>

Factor 5: Can be designed to preserve and enhance natural ecological systems;

How does it meet the factor?	Discussion/Rationale
Medium	<p>The <i>Floodplain and Mapped Important Natural Feature Areas</i> map shows this area has three larger creek systems that could be protected through development regulations.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Factor 6: Includes sufficient land suitable for a range of needed housing types;

How does it meet the factor?	Discussion/Rationale
<p>High</p> <p><i>Acres of buildable land: ≈5,220</i></p>	<p>Overall there is enough suitable land to accommodate a variety of housing, in strategic locations, with relatively good access to I-205 and I-5.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area could also complement the range of housing types available in other locations inside the current UGB.</p>

Factor 7: Can be developed in a way that preserves important natural landscape features included in urban reserves, and;

How does it meet the factor?	Discussion/Rationale
<p>High</p>	<p>This area does not include any inventoried natural features, although it does include the Willamette River on its southern edge. Protection of riparian features typically can be achieved by regulation, as well as purchase and preservation by a city, county, Metro or private organization. The creek on the west slope of Pete’s Mountain has a large area shown as a natural feature in the 2008 inventory; it would be difficult to preserve such a large area with only regulations.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Factor 8: Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

How does it meet the factor?	Discussion/Rationale
<p><u>Can be designed to avoid or minimize adverse effects on...</u></p>	
<p><u>...Farm and forest practices:</u></p> <p>High</p>	<p>This area could be designed as an urban area to minimize adverse effects on farm practices in surrounding areas. Because the area is bounded on three sides by urban areas, the Willamette River and I-205, the only area of concern would be Pete’s Mountain, where there are limited agricultural uses, and Peach Cove, which is an Important agriculture area. Pete’s Mountain also includes forest uses, primarily mixed forest/agriculture adjacent to this discussion area. There are no natural barriers or buffers between these uses and the West of Wilsonville area.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

<p><u>...Important natural landscape features:</u> Medium</p>	<p>Large parts of Peach Cove are shown on the 2008 inventory as important natural features, and these areas are not buffered from this discussion area. The creek system on the west side of Pete's Mountain also lies within both the East of Wilsonville and the Pete's Mountain/Peach Cove discussion area (area U-5)</p> <p>Alone or in conjunction with land inside the UGB: Not applicable.</p>
--	---

Other Considerations from the Administrative Rule

- Foundation agricultural land: No

Issues, Concerns, Opportunities

- Wilsonville has identified an area of interest in a small part of southwestern part of the area
- Wilsonville has identified the northern part of the area as an area they would prefer not to serve. This is delineated on the sub-area map as #7.
- Tualatin has expressed an interest in the area south of I-205 and north of Frobase Road.
- Developers and the Oregon Department of Community and Economic Development have indicated support for this as an urban reserve candidate area, due to its suitability for employment and other development

Area U-4: Stafford

Description: Stafford Area U-4 is bounded on the south by I-205, on the northeast by the cities of West Linn and Lake Oswego, and on the northwest by Lake Oswego, Rivergrove and Tualatin. Lands are moderate to steeply sloped, bisected by numerous creek canyons. The Tualatin River runs through the southeastern one-third of the area from west to east.

Urban Reserve Suggestions, Options and Rationale

Suggestion: Designate this area as urban reserve.

Rationale:

- Rates high or medium on the three major infrastructure cost assessments: sewer (high), water (high) and transportation (medium)
- Natural ecological systems and features can be protected inside an urban area by acquisition and/or development restrictions
- Contains lands suitable for employment

Option 1: Designate distinct portions of this area as urban reserve, e.g., the Borland Road area, and areas in the north and east adjacent to the cities of Lake Oswego and West Linn.

Rationale:

- Rates high or medium on the three major infrastructure cost assessments: sewer (high), water (high) and transportation (medium)
 - These are the areas with the most potential to be developed into walkable, well-connected neighborhoods in conjunction with existing development inside the UGB. Other areas contain a much more limited amount of un-constrained buildable land.
 - Contains lands suitable for employment
-

Analysis of the Factors

Following are the factors from the state rule (ORS 660 Division 27) and an analysis of how the individual discussion areas rate according to those factors. Ratings are generally "low", "medium" and "high". The suggestions and options above are based on this analysis. Language from the rule is shown in italics. Factors 1 and 3 are addressed jointly.

Factors for Designation of Lands as Urban Reserves: *When identifying and selecting lands for designation as urban reserves, (Metro) shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB, meets the following factors:*

Factor 1: *Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.*

Factor 3: *Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.*

How does it meet the factor?	Discussion/Rationale
<p><u>Sanitary Sewer:</u> High</p>	<p>The sewer serviceability map shows this area as “high” suitability. The natural slope of the area would allow gravity flow to existing conveyance systems and/or pump stations within the UGB. Although conveyance systems would likely need upgrades, that is relatively inexpensive compared to serving other areas outside the UGB.</p> <p><u>Existing and future investments:</u> Like all areas outside a UGB (except those with health hazards), this area has NO existing or planned sewer services. However, a review by sanitary sewer providers indicates that the northeast portion of the area could gravity flow to an existing pump station, then be pumped to the Tri-City waste water treatment plant (WWTP), which has additional site capacity and room to expand. The western portion would flow by gravity to the Durham WWTP in Washington County. A very small portion in the north end of this area would flow to the Lake Oswego/Portland plant.</p> <p><u>Efficiently and cost-effectively served:</u> Although conveyance systems would likely need upgrades, that is relatively inexpensive compared to serving other areas outside the UGB. Much of this area would drain to an existing pump station inside the UGB.</p> <p><u>Appropriate, financially capable service providers:</u> The city of Lake Oswego, Clean Water Services (CWS) in Washington County and Water Environment Services (WES) in Clackamas County would be logical service providers for various portions of this area. Conveyance would be provided by cities. Given the different directions of slope (drainage), it is unlikely that a single sewer treatment provider would take on the entire area.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing sewer service network(s) that serves areas inside the current UGB.</p>
<p><u>Water:</u> High</p>	<p>Water services could be provided by Tualatin Valley Water District and/or the cities of Lake Oswego and West Linn. Providing water services to Stafford would be relatively easy because of proximity to existing conveyance systems, which may need upgrades, but no investment in major facilities would be required.</p> <p><u>Existing and future investments:</u> The Tualatin Valley Water District has a planned expansion project – the Tualatin Supply Project/Scoggins Dam Raise - which will enable it to serve more customers in the near future.</p> <p><u>Efficiently and cost-effectively served:</u> No investment in major facilities would be required to serve this area with water if it were developed at urban densities. Conveyance systems would need to be upgraded.</p> <p><u>Appropriate, financially capable service providers:</u> Water services could be provided by the cities of Lake Oswego, Tualatin and/or West Linn, depending on the location within the area.</p>

	<p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing water service network(s) that serves areas inside the current UGB.</p>
<p><u>Transportation:</u> Medium/Low</p>	<p>Stafford would be marginally suitable for providing a transportation system capable of accommodating urban levels of development.</p> <ul style="list-style-type: none"> • The <i>Preliminary Added Lane Cost</i> map rates this area as “low”, i.e., the cost PER LANE to build any additional lanes is high compared to other areas, primarily due to the topography and the potential need to span the Tualatin River. • The <i>Preliminary System Lane Cost</i> map rates this area as “high”, i.e., the total cost of building ALL lanes needed is low compared to other areas. However, this is due primarily because the topography in most of the area prevents a grid¹ from being developed and therefore fewer roads can be built. • The <i>Mobility Corridor Atlas Index</i> map shows a major mobility corridor along I-205, between Oregon City and Tualatin, the southern border of this area. • The <i>ODOT Urban Reserve Study Area Analysis</i> table describes I-205 as “very low” in potential to accommodate additional traffic. “...even without growth, need to widen I-205 to at least 6 lanes, widen the Abernethy Bridge...and improve several interchanges...very expensive.” It lists the relative cost to improve as “huge.” <p><u>Existing and future investments:</u> Current plans do not provide for urban levels of transportation service in rural areas. Improvements would need to be made to local roads and to I-205, which ODOT has identified as “very expensive.”</p> <p>The <i>Regional High Capacity Transit System</i> map identifies corridor #28 (Clackamas Town Center to Washington Square via I-205/I-217) as a “next phase” regional priority. High Capacity Transit (HCT) would include a new light rail line in the vicinity of I-205, which would improve regional access for the area.</p> <p><u>Efficiently and cost-effectively served:</u> The topography of much of the area makes it somewhat less cost-effective to serve than other areas. The cost to make needed improvements to I-205 also moderates suitability.</p> <p><u>Appropriate, financially capable service providers:</u> Transportation is provided by federal, state, regional, county and city governments. TriMet is the logical (and current) transit service provider.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Transportation services would be provided in conjunction with lands inside and outside the current UGB. In this case, major transportation concerns (improvements to I-205) are outside the current UGB.</p>
<p><u>Parks:</u> Medium</p>	<p>Like most rural areas, this area does not include a park system that would support urban levels of development. It does, however, contain parts of several Lake Oswego parks/open space tracts that extend into the urban area.</p> <p><u>Existing and future investments:</u> The area includes part of the large Lusher Farms park in Lake Oswego and several open space tracts, generally associated with rural subdivisions. An urban parks system would be built concurrent with development.</p>

¹The ideal grid would be arterial streets one mile apart, collector streets ½ mile apart and local streets in between.

	<p><u>Efficiently and cost-effectively served:</u> An urban parks system would be built concurrent with development. Topography might moderate suitability for active parks.</p> <p><u>Appropriate, financially capable service providers:</u> Parks are typically provided by a city or special district – in this case, they would be provided by Tualatin, Lake Oswego or West Linn.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Additional parks available in existing cities may meet some of the need of the newer areas.</p>
<p><u>Storm Water:</u> Medium</p>	<p>Storm drainage/treatment is typically provided on-site as development occurs or in small sub-basins. Other than topography, which makes this a bit more difficult, it is hard to identify features that make one area more suitable for this service than another.</p> <p><u>Existing and future investments:</u> Not applicable.</p> <p><u>Efficiently and cost-effectively served:</u> Steeper topography in some of the area moderates suitability for storm water services. Flatter areas in the southwestern portion would be most suitable for storm water services.</p> <p><u>Appropriate, financially capable service providers:</u> Typically storm water services would be provided by the sanitary sewer provider or a city – in this case, Lake Oswego, West Linn, CWS or WES.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<p><u>Public schools:</u> High</p>	<p>Most of this area is in the West Linn/Wilsonville school district, with a small portion in the northwest corner in the Lake Oswego district. There are several schools in this area.</p> <p><u>Existing and future investments:</u> Public schools are typically provided concurrent with development. The West Linn/Wilsonville district is expanding existing facilities to accommodate expected growth in newly developed areas in the UGB.</p> <p><u>Efficiently and cost-effectively served:</u> No characteristics make this area easier or harder to provide school services.</p> <p><u>Appropriate, financially capable service providers:</u> West Linn/Wilsonville and Lake Oswego school districts.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Depending on the size of the population in the new urbanizing area, school services could be provided alone or in conjunction with school services inside the current UGB.</p>
<p><u>Other public or private infrastructure:</u></p>	<p>Privately supplied infrastructure (electricity, natural gas, communications) can be provided to all candidate urban reserve areas. Other services (governance, police, fire, libraries etc) would be provided by the cities of Lake Oswego, West Linn or Tualatin, or by service districts.</p>

Factor 2: Includes sufficient development capacity to support a healthy economy;

How does it meet the factor?	Discussion/Rationale
<p><u>Buildable Land:</u> ≈1,430 acres</p>	<p>This area is relatively small, providing almost 1,500 acres of buildable land for potential development.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Would probably be developed as a continuation of surrounding cities (Tualatin, West Linn, Lake Oswego).</p>
<p><u>Employment Land:</u> Medium</p>	<p>The western portion, south of the Tualatin River, has been identified as suitable employment land, including a possible connected transportation system and excellent access to I-205. In combination with similar lands south of the freeway, this could become an employment cluster. Attractive features include excellent access to I-205, close to a large employment cluster on the I-5 corridor, close to executive housing (a locational factor for office uses). The northern and eastern portions have little suitable land for employment as they are largely constrained by slopes and natural features.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would likely need to create its own small employment cluster, supported with surrounding homes inside and outside the UGB.</p>

Factor 4: Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

How does it meet the factor?	Discussion/Rationale
<p><u>Can be designed to be...</u></p>	
<p><u>...Walkable:</u> Medium</p>	<p>Areas that can be designed to be walkable are generally areas that can be designed in well-connected clusters where housing is within ¼ to ½ mile of schools, parks, retail and other services, and close to employment. The somewhat flatter areas in the western part, and the northern and eastern parts along the existing UGB, would be most suitable for walkable neighborhoods. Steeper topography and creek systems in the rest of the area moderate the ability to make connections and plan for densities needed for typical walkable communities.</p> <p><u>Appropriate, cost effective service providers:</u> Not applicable.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Some destinations would be inside the current UGB (e.g., schools, parks, civic facilities).</p>
<p><u>...Served by a well connected system of streets & bikeways:</u></p>	<p>The <i>Connectivity Suitability Ratings</i> map rates this area "low," i.e., the ability to build street connections meeting regional standards is low compared to other areas. This rating is due, in large part, to the area's topography and need for stream crossings. There are, however, several smaller areas within the area, as noted above, that could possibly provide a well-connected system.</p>

<p>Low</p>	<p><u>Appropriate, cost effective service providers:</u> Streets and roads are provided by the state, county and cities.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Streets and roads would need to connect as seamlessly as possible with existing urban areas. This would be possible with Lake Oswego, West Linn and Tualatin.</p>
<p><u>...Served by a well connected system of recreation trails:</u> High</p>	<p>The <i>Regional Trails</i> map shows two direct connections through the area:</p> <ul style="list-style-type: none"> ▪ #23, Lower Tualatin River Greenway Trail, which would run along the Tualatin River from the Willamette to the Tualatin River Natural Wildlife Refuge in Washington County ▪ #22, River to River Trail, which would connect the Willamette River to Lake Oswego to the Tualatin River in the area, via Wilson Creek and/or Pecan Creek <p>In addition, any city serving this area could chose to provide a local trail network.</p> <p><u>Appropriate, cost effective service providers:</u> Logical service providers for trails would be the cities or Metro.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The regional trails shown on the trails map would serve the newly urbanized area and provide connections to destinations in the existing urban areas.</p>
<p><u>...Served by a well connected system of public transit:</u> Medium</p>	<p>The <i>Regional High Capacity Transit System</i> map identifies corridor #28 along the southern border of this area (I-205). It is considered a “next phase” regional priority. The HCT would include a new light rail line in the vicinity of I-205, running from Clackamas Town Center to Washington Square.</p> <p>To some extent, the difficulty in providing a well-connected system of streets in parts of this area will also make it more difficult to provide local transit services.</p> <p><u>Appropriate, cost effective service providers:</u> TriMet provides public transit.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> High capacity transit corridors connect to key destinations inside the UGB.</p>

Factor 5: Can be designed to preserve and enhance natural ecological systems;

<p>How does it meet the factor?</p>	<p>Discussion/Rationale</p>
<p>Medium</p>	<p>The western portion contains adequate buildable land to allow relatively easy preservation/enhancement of the Tualatin River. The northern and eastern portions contain an extensive stream system and a more limited amount of buildable land, making it more difficult to preserve the ecological systems in these areas.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Factor 6: Includes sufficient land suitable for a range of needed housing types;

How does it meet the factor?	Discussion/Rationale:
<p>Medium</p>	<p>There is enough suitable land in various pockets in the area to accommodate a variety of housing, most with relatively good access to I-205 and I-5.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area could also complement the range of housing types available in other locations inside the current UGB.</p>

Factor 7: Can be developed in a way that preserves important natural landscape features included in urban reserves, and;

How does it meet the factor?	Discussion/Rationale
<p>Medium</p>	<p>This area contains portions of two mapped important natural features.</p> <ul style="list-style-type: none"> ▪ Tualatin River, running west to east through the southwestern corner; and ▪ Wilson Creek, running north to south through the middle. <p>Protection of these areas could be achieved by purchase and preservation by a city, county, Metro or private organization. However, as noted above, it would be relatively easy to preserve/enhance the Tualatin River in conjunction with urban development, but more difficult to protect the stream systems around Wilson Creek because of the limited amount of unconstrained buildable land.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The Tualatin River runs through land both inside and outside the UGB.</p>

Factor 8: Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

How does it meet the factor?	Discussion/Rationale
<p><u>Can be designed to avoid or minimize adverse effects on...</u></p>	
<p><u>Farm and forest practices:</u> High</p>	<p>This can easily be designed as an urban area to minimize adverse effects on farm practices in surrounding areas because there are not many existing practices in surrounding area, which are mostly urban. This area and areas south of I-205 are Conflicted agriculture land and not designated on the Oregon Department of Forestry (ODF) forestland map.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

<p><u>...Important natural landscape features:</u> High</p>	<p>The <i>Floodplain and Mapped Important Natural Feature Areas</i> map shows no important natural features in or around this area other than the two discussed (above). <u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
--	--

Other Considerations from the Administrative Rule

- Foundation agriculture land: No

Issues, Concerns, Opportunities

- A large number of comments have been received from citizens and cities in or near this area:
 - West Linn is opposed to urbanizing the area
 - Lake Oswego is opposed to urbanizing the area, but also requests that if it is going to be urbanized, urbanization wait until the HCT corridor is in place.
 - Tualatin is interested in urbanizing the southwestern portion of the area.
 - Various property owners have requested both urban and rural reserves (as well as undesignated)
 - The Stafford Hamlet supports a development pattern with urban development in the Borland Road area and low density rural residential development elsewhere.
 - Employment groups have identified the Borland Road area (Stafford interchange) as suitable for employment uses.
- The Oregon Department of Fish and Wildlife (ODFW) is opposed to urbanization of the Borland Road area.

Area U-5: Pete's Mountain/Peach Cove

Description: The Pete's Mountain/Peach Cove area is bounded on the north by I-205, the Tualatin River and West Linn, on the east and south by the Willamette River, and on the west by Mountain and Stafford roads. The area has some gently rolling lands to the north along Borland Road and to the south in the Peach Cove area. Much of the area is quite steep.

Urban Reserve Suggestions, Options and Rationale

Suggestion: Designate the northern part of this area that has excellent access to I-205 as urban reserve.

Rationale:

- Could become a part of an employment cluster/mixed use center that spans I-205.
- This small area would be easier to serve with transportation.
- Natural ecological systems and features can be protected by development restrictions and acquisition.
- Has the most potential to be developed into walkable, well-connected neighborhoods in conjunction with the Borland Road area of Stafford.
- The remaining areas of Pete's Mountain/Peach Cove are not productive for urban uses (range of housing types, employment, connected neighborhoods).
- The remaining areas of Pete's Mountain/Peach Cove are much more difficult to serve.
- Sewer service in the southern part of the area would most likely be provided by a non-Metro service provider, and so isn't as suitable for a Portland Metro urban reserve.

Option 1: Do not designate any of the area as urban reserve. Rationale:

- Steep slopes and isolation caused by being surrounded on three sides by rivers make it difficult to serve.
- The area has limited potential to be developed into walkable, well-connected neighborhoods with a range of housing types and close to employment areas.

Analysis of the Factors

Following are the factors from the state rule (ORS 660 Division 27) and an analysis of how the individual discussion areas rate according to those factors. Ratings are generally "low", "medium" and "high". The suggestions and options above are based on this analysis. Language from the rule is shown in italics. Factors 1 and 3 are addressed jointly.

Factors for Designation of Lands as Urban Reserves: *When identifying and selecting lands for designation as urban reserves, (Metro) shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB, meets the following factors:*

Factor 1: Can be developed at urban densities in a way that makes *efficient use of existing and future public and private infrastructure investments.*

Factor 3: Can be *efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.*

How does it meet the factor?	Discussion/Rationale
<p><u>Sanitary Sewer:</u> Low</p>	<p>The sewer serviceability map shows a small area in the northwest corner of the area as "high suitability," with the majority shown as "low" suitability. The southern portion actually gravity-flows towards Canby.¹ The northern portion could gravity flow to the Tri-City treatment facility; the problem is the steepness of the slope, which makes it more difficult and costly to provide conveyance.</p> <p><u>Existing and future investments:</u> Like all areas outside a UGB (except those with health hazards), this area has NO existing or planned sewer services. A review by sanitary sewer providers indicates this area has difficult topography to serve, and would require a new regional pump station upstream of Willamette Falls to pump across the Tualatin or Willamette River. Tri-City has a plant site large enough for future expansion to serve this area. The southern part of the area would be likely served by Canby, which would require a major river crossing.</p> <p><u>Efficiently and cost-effectively served:</u> Difficult conveyance due to steep slopes and expensive river crossings make this area less cost-effective to serve than other areas.</p> <p><u>Appropriate, financially capable service providers:</u> Water Environment Services (WES) in Clackamas County would be the logical treatment provider for the northern part of this area; the city of West Linn would be the logical provider of sewage conveyance. For the southern area, Canby is the logical provider.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing sewer service network(s) that serves areas inside the current UGB.</p>
<p><u>Water:</u> Low</p>	<p>Water services would most likely be provided by West Linn. Although there is a small water district on Pete's Mountain, it could not serve urban levels of development without substantial improvements and probably an alternative water source.</p> <p><u>Existing and future investments:</u> Substantial investments in facilities would be needed to serve this area.</p> <p><u>Efficiently and cost-effectively served:</u> The area would require provision of urban-level water services.</p> <p><u>Appropriate, financially capable service providers:</u> Water services would most likely be provided by West Linn.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing water service network(s) that serves areas inside the current UGB.</p>

¹ This urban reserve analysis is for the Portland Metro UGB. Since Canby sets its own UGB, staff recommend that areas flowing to Canby not be considered for urban reserves under this project.

<p><u>Transportation:</u></p> <p>Low suitability for building an effective road system</p> <p>High suitability for mobility/ accessibility</p>	<p>This area would be relatively unsuitable for providing a transportation system capable of accommodating urban levels of development.</p> <ul style="list-style-type: none"> • The <i>Preliminary Added Lane Cost</i> map rates this area “low”, i.e., the cost PER LANE to build additional lanes is high compared to other areas, primarily due to topography and the two rivers. • The <i>Preliminary System Lane Cost</i> map rates this area “high”, i.e., the total cost of building ALL lanes needed is low compared to other areas. However, this is primarily because the topography in most of the area prevents a grid² from being developed and therefore there are simply FEWER roads that can be built. • The <i>Mobility Corridor Atlas Index</i> map shows a major mobility corridor along I-205, between Oregon City and Tualatin. This is adjacent and accessible to the area. • The <i>ODOT Urban Reserve Study Area Analysis</i> table describes I-205 as “very low” in potential to accommodate additional traffic. “...even without growth, need to widen I-205 to at least 6 lanes, widen the Abernethy Bridge...and improve several interchanges...very expensive.” The relative cost to improve is “huge.” <p><u>Existing and future investments:</u> Current plans do not provide for urban levels of transportation service in rural areas. Improvements would need to be made to local roads and to I-205, which ODOT has identified as “very expensive.”</p> <p>The <i>Regional High Capacity Transit System</i> map identifies corridor #28 (Clackamas Town Center to Washington Square via I-205/I-217) as a “next phase” regional priority. High Capacity Transit (HCT) would include a new light rail line in the vicinity of I-205, which would improve regional access for this area.</p> <p><u>Efficiently and cost-effectively served:</u> The topography of the area makes it less cost-effective to serve than other areas. The cost to make needed improvements to I-205 limits suitability.</p> <p><u>Appropriate, financially capable service providers:</u> Transportation is provided by federal, state, regional, county and city governments. TriMet is the logical (and current) transit service provider.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Transportation services would be provided in conjunction with lands both inside and outside the current UGB.</p>
<p><u>Parks:</u></p> <p>High</p>	<p>This area, like most rural areas, does not include a park system that would support urban levels of development. It does, however, contain several Metro open spaces acquisitions, including the last remaining peat bog in the state in Peach Cove, as well as a highly-rated golf course. The Canby Ferry is on the southern edge of the area. The area is apparently a favored area for recreational bike riding.</p> <p><u>Existing and future investments:</u> An urban parks system would be built concurrent with development.</p> <p><u>Efficiently and cost-effectively served:</u> An urban parks system would be built concurrent with development. Topography might moderate suitability for active parks.</p>

²The ideal grid would be arterial streets one mile apart, collector streets ½ mile apart and local streets in between.

	<p><u>Appropriate, financially capable service providers:</u> Parks are typically provided by a city or special district – in this case, they would probably be provided by West Linn.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Additional parks available in existing cities may meet some of the need of the newer areas.</p>
<p><u>Storm Water:</u> Low</p>	<p>Storm drainage/treatment is typically provided on-site as development occurs or in small sub-basins. Other than topography, which makes this a bit more difficult, it is hard to identify features that make one area more suitable for this service than another.</p> <p><u>Existing and future investments:</u> Not applicable.</p> <p><u>Efficiently and cost-effectively served:</u> Steeper topography moderates suitability for storm water services. Flatter areas in the southern portion would be most suitable for storm water services.</p> <p><u>Appropriate, financially capable service providers:</u> Typically storm water services would be provided by the sanitary sewer provider or a city – in this case West Linn and WES.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<p><u>Public schools:</u> High</p>	<p>In the West Linn/Wilsonville school district. There are no schools in the area.</p> <p><u>Existing and future investments:</u> Public schools are typically provided concurrent with development. The West Linn/Wilsonville district is expanding facilities to accommodate expected growth in newly developed areas in the UGB. If this area became urban, the district would plan for facilities to be developed concurrent with development.</p> <p><u>Efficiently and cost-effectively served:</u> Although the physical characteristics of an area don't make much difference in the ability to provide school facilities or services, topography on Pete's Mountain would make it marginally difficult to provide school busing, and would also make it more difficult to locate appropriate school sites.</p> <p><u>Appropriate, financially capable service providers:</u> West Linn/Wilsonville district.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Depending on the size of the population in the new urbanizing area, school services could be provided alone or in conjunction with school services inside the UGB.</p>
<p><u>Other public or private infrastructure:</u></p>	<p>Privately supplied infrastructure (electricity, natural gas, communications) can be provided to all candidate urban reserve areas. Other services (governance, police, fire, libraries etc) would most likely be provided by West Linn or service districts. The Canby Ferry at the foot of Mountain Road is one of the few surviving ferries crossing the Willamette River.</p>

Factor 2: Includes sufficient development capacity to support a healthy economy;

How does it meet the factor?	Discussion/Rationale
<p><u>Buildable Land</u>³</p> <p>≈2,350 acres</p>	<p>This area is moderate in size compared to other discussion areas, relatively small, providing almost 2,400 acres of buildable land for potential development.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would most likely be developed as an extension of West Linn or Tualatin, or even an eastern extension of Wilsonville or northern extension of Canby. Connectivity to these cities is poor due to natural barriers, although they are relatively near.</p>
<p><u>Employment Land:</u></p> <p>Medium</p>	<p>A small part in the north, the areas close to the I-205 interchange, could be considered suitable employment land. In conjunction with the Borland Road area north of I-205, this could become an employment cluster. Attractive features include excellent access to I-205, close to a large employment cluster on the I-5 corridor, plans for high capacity transit on I-205, and close to executive housing (a locational factor for office uses). Unattractive features for employment include the difficulty in providing a connected transportation system from the potential employment cluster to surrounding land uses, and the cost and difficulty of improving I-205.</p> <p>The majority of the area is too steep or isolated to be considered suitable for most employment uses.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would likely need to create its own small employment cluster, supported with surrounding homes inside and outside the UGB. It could support the existing employment uses in the I-5 corridor, achieving economies of scale and other benefits from proximity.</p>

Factor 4: Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

How does it meet the factor?	Discussion/Rationale
<p><u>Can be designed to be...</u></p>	
<p><u>...Walkable:</u></p> <p>Low</p>	<p>Areas that can be designed to be walkable are generally areas that can be designed in well-connected clusters where housing is within ¼ to ½ mile of schools, parks, retail and other services, and close to employment. The flatter areas in the northern and southern parts would be most suitable for walkable neighborhoods, however, these areas are somewhat isolated by barriers such as I-205 and the two rivers. Steeper topography and creek systems in the rest of the area limit the ability to make connections and plan for densities needed for typical walkable communities.</p>

³ The buildable lands numbers are based on a simplified analysis of buildable land for each area. What can actually be built on when development occurs will be determined by development standards of the time. For example, some of the land shown as constrained in this analysis could actually be built upon under current codes, i.e., upland habitat or slopes greater than 25%.

	<p><u>Appropriate, cost effective service providers:</u> Not applicable.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Some destinations would be inside the current UGB (e.g., schools, parks, civic facilities).</p>
<p><u>...Served by a well connected system of streets & bikeways:</u> Low</p>	<p>The <i>Connectivity Suitability Ratings</i> map rates this area "low," i.e., the ability to build street connections meeting regional standards is low compared to other areas. This rating is due, in large part, to the area's topography and need for stream crossings. The Willamette and Tualatin rivers will always be a barrier to connectivity, and the area is surrounded on three sides by these rivers.</p> <p><u>Appropriate, cost effective service providers:</u> Streets and roads are provided by the state, county and cities.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> It would be desirable for streets and roads to connect as seamlessly as possible with existing urban areas. This would be difficult due to the barriers of the rivers.</p>
<p><u>...Served by a well connected system of recreation trails:</u> High</p>	<p>The <i>Regional Trails</i> map shows three direct connections though the area:</p> <ul style="list-style-type: none"> ▪ #24, Stafford Trail, will cut through the Stafford Basin from the Tualatin River (near Stafford Road) south to the Willamette River, along roughly Mountain Road. ▪ #25, Willamette Narrows Greenway Trail, which runs along the west side of the Willamette River from the mouth of the Tualatin to land purchased by Metro near the Canby Ferry. ▪ #23, Lower Tualatin River Greenway Trail, which would run along the Tualatin River from the Willamette to the Tualatin River Natural Wildlife Refuge in Washington County. <p>In addition, the city serving this area could chose to provide a local trail network.</p> <p><u>Appropriate, cost effective service providers:</u> Logical service providers for trails would be a city or Metro.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The regional trails shown on the trails map would serve the newly urbanized area and provide connections to destinations in the existing urban areas.</p>
<p><u>...Served by a well connected system of public transit:</u> Medium</p>	<p>The <i>Regional High Capacity Transit System</i> map identifies corridor #28 along the northern border of this discussion area (I-205). It is considered a "next phase" regional priority. The HCT would include a new light rail line in the vicinity of I-205, running from Clackamas Town Center to Washington Square, which would improve transit access to this area.</p> <p>The difficulty in providing a well-connected system of streets in parts of this area will also make it more difficult to provide local transit services in those parts.</p> <p><u>Appropriate, cost effective service providers:</u> TriMet currently serves the area</p> <p><u>Alone or in conjunction with land inside the UGB:</u> High capacity transit corridors connect to key destinations inside the UGB.</p>

Factor 5: Can be designed to preserve and enhance natural ecological systems;

How does it meet the factor?	Discussion/Rationale
<p>Low/Medium</p>	<p>This area has a number of streams that could normally be preserved and enhanced with typical development regulations. However, the steep topography of much of the area combines with the stream systems to create a limited amount of buildable land. This may make it more difficult to design the area at urban densities and also preserve and enhance natural ecological systems.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Factor 6: Includes sufficient land suitable for a range of needed housing types;

How does it meet the factor?	Discussion/Rationale
<p>Medium</p> <p>Acres of buildable land: ≈2,350</p>	<p>Although the area has potential for high capacity transit service on I-205 and good access to I-205 and I-5, steep topography, poor street connectivity and large amounts of constrained land limit this area's ability to accommodate higher density housing types, except possibly in a center at the I-205 interchange. Lower density housing types, including executive housing, are more likely.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area could complement the range of housing types available in other locations inside the current UGB.</p>

Factor 7: Can be developed in a way that preserves important natural landscape features included in urban reserves, and;

How does it meet the factor?	Discussion/Rationale
<p>High</p>	<p>This area includes #11, the Willamette Narrows, which as delineated includes parts of Peach Cove. There have been a number of Metro Greenspaces purchases in the area, including the peat bog in Peach Cove that is unique in the Willamette Valley. This area appears to be on the way to protection of inventoried natural features through purchase and preservation by a city, county, Metro or private organization.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The Willamette Narrows impacts land both inside and outside the current UGB.</p>

Factor 8: Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.

How does it meet the factor?	Reason for rating
<u>Can be designed to avoid or minimize adverse effects on...</u>	
<u>...Farm and forest practices:</u> High	<p>This area could be designed as an urban area to minimize adverse effects on farm practices in surrounding areas, because there are not many connecting points. The eastern edge (Pete’s Mountain/Stafford roads) is adjacent to the East of Wilsonville area, which is a combination of Important and Conflicted lands. Pete’s Mountain itself serves as somewhat of a barrier to this area. There are no forestry lands.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<u>...Important natural landscape features:</u> Medium	<p>The <i>Floodplain and Mapped Important Natural Feature Areas</i> map shows a shared stream system between areas U-5 and U-3, so development in one area would affect the other. Also, the Willamette Narrows includes both sides of the Willamette River; development on the west side of the river would impact the natural features on the east side, at least visually.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>

Other Considerations from the Administrative Rule

- Foundation agriculture land: No

Issues, concerns, opportunities

- A large number of comments have been received from citizens in this area. For the most part, citizens do not want to become urban reserve. They cite steep slopes, expensive to serve, habitat, recreation uses, equestrian uses and wineries as reasons to remain rural.
- A development concept (called “Newland”) for a portion of the area has been submitted. The property owner has requested that a large part of the area be considered for urban reserve.
- There are conflicting opinions and information about the ability of the Pete’s Mountain Water Company to serve the area. Staff has reflected the opinions of the water services experts group in this analysis; however, the development concept and the water company owners themselves contend that the district could provide water services for urban development.
- The Oregon Department of Fish and Wildlife (ODFW) is opposed to urbanization of the northern part of the discussion area.

Area U-6: East of Oregon City

Description: Area U-6 is bounded on the west and south by the UGB, on the north by Redland Road and on the east by the base of a small range of hills at roughly South Anderson Road. It is nearly bisected by a peninsula of land inside the UGB that juts up from its southern edge. In general, Area U-6 is characterized by moderate to steeply sloping terrain with several steep creek canyons, including Newell Creek Canyon in the west.

Urban Reserve Suggestions, Options and Rationale

Suggestion: Designate entire area as urban reserve.

Rationale:

- Rates moderately well on the three major infrastructure cost assessments: sewer (high), water (medium) and transportation (medium/low).
- Is a natural extension of Oregon City, and the city has indicated it would have the ability to serve it.
- Natural areas/creek systems could be protected inside the urban area with development regulations and/or acquisition.

Option 1: Designate the close-in, flatter areas, including around Holly Lane, as urban reserve. Rationale:

- This is the area Oregon City has indicated it could easily serve.
- This area will contain most of the buildable land in the area.

Option 2: Do not designate area as urban reserve. Rationale:

- Contains a limited amount of "buildable" land – approximately 600 acres.
- Contains two of the mapped important natural landscape features.

Analysis of the Factors

Following are the factors from the state rule (ORS 660 Division 27) and an analysis of how the individual discussion areas rate according to those factors. Ratings are generally "low", "medium" and "high". The suggestions and options above are based on this analysis. Language from the rule is shown in italics. Factors 1 and 3 are addressed jointly.

Factors for Designation of Lands as Urban Reserves: *When identifying and selecting lands for designation as urban reserves, (Metro) shall base its decision on consideration of whether land proposed for designation as urban reserves, alone or in conjunction with land inside the UGB, meets the following factors:*

Factor 1: *Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.*

Factor 3: *Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.*

How does it meet the factor?	Discussion/Rationale
<p><u>Sanitary Sewer:</u> High</p>	<p>The sewer serviceability map shows this area rated "high" for sewer suitability. Proximity to existing service inside the UGB and the potential for expansion of the Tri-City WWTP, indicate relatively easy serviceability. The one exception could be the steeper areas, in which conveyance systems would be difficult and more expensive.</p> <p><u>Existing and future investments:</u> Like all areas outside a UGB (except those with health hazards), this area has NO existing or planned sewer services. However, a review by sanitary sewer providers indicates this area could be served relatively easily with an extension of existing service and possibly a new pump station. The Tri City WWTP has site capacity to expand if needed.</p> <p><u>Efficiently and cost-effectively served:</u> Conveyance systems may need to be upgraded and a new pump station built, but this is relatively inexpensive compared to serving other areas outside the UGB. Again, the one exception could be the steeper areas, in which conveyance systems would be difficult and more expensive. The Tri City WWTP has site capacity to expand if needed.</p> <p><u>Appropriate, financially capable service providers:</u> Water Environment Services (WES) in Clackamas County would be the likely service provider for this area. Conveyance would likely be provided by Oregon City.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing sewer service network(s) that serves areas inside the current UGB.</p>
<p><u>Water:</u> Medium</p>	<p>Water service to this area could be provided relatively easily because there are existing water providers with sufficient supply; although it would likely require the expansion of a reservoir.</p> <p><u>Existing and future investments:</u> The area is served by two independent service providers, South Fork Water Board and Clackamas River Water. Both have made major investments in treatment and distribution facilities.</p> <p><u>Efficiently and cost-effectively served:</u> Conveyance systems would likely need to be upgraded, but no investment in major facilities would be required to serve this area if it were developed at urban densities.</p> <p><u>Appropriate, financially capable service providers:</u> Water services could be provided by Oregon City/South Fork Water Board or CWS.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> The area would be a continuation of an existing water service network(s) that serves areas inside the current UGB.</p>

<p><u>Transportation:</u> Low/Medium</p>	<p>This area would be moderately suitable for providing a transportation system capable of accommodating urban levels of development.</p> <ul style="list-style-type: none"> • The <i>Preliminary Added Lane Cost</i> map rates this area "low", i.e., the cost PER LANE to build additional lanes is high compared to other areas, primarily due to its topography and stream corridors. • The <i>Preliminary System Lane Cost</i> map rates this area "high", i.e., the total cost of building ALL lanes needed is low compared to other areas. This rating is due to the fact that few urban level roads can be built in this area because of the topography and streams. • This area is not included on the <i>Mobility Corridor Atlas Index</i> map. There is a weak connection from this area to the mobility corridors that include Oregon City; the only direct connection is Redland Road, a winding rural arterial. • The <i>ODOT Urban Reserve Study Area Analysis</i> table does not address any roads in this area. <p><u>Existing and future investments:</u> Current plans do not provide for urban levels of transportation service in rural areas. Improvements would need to be made to a number of local roads to improve connections between this area and the existing urban area. ODOT and Oregon City have plans and funding to improve the I-205/Highway 213 interchange, which would benefit this area.</p> <p>The <i>Regional High Capacity Transit System</i> map does not identify any HCT corridors in or near this area. The closest HCT corridor is #28 (Clackamas Town Center to Washington Square via I-205/I-217), which would go through or near downtown Oregon City.</p> <p><u>Efficiently and cost-effectively served:</u> The topography of much of this area makes it less cost-effective to serve than other areas. This area also would require some investment in roads to connect it to areas inside the UGB, which could be relatively expensive, although not as expensive as improving one of the region's freeways.</p> <p><u>Appropriate, financially capable service providers:</u> Transportation is provided by federal, state, regional, county and city governments. TriMet is the likely (and current) transit service provider.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Transportation services would be provided in conjunction with lands both inside and outside the current UGB.</p>
<p><u>Parks:</u> Medium</p>	<p>This area, like most rural areas, does not include an active park system that would support urban levels of development. This area does contain a relatively large Metro open space acquisition in Newell Creek Canyon and is located close to several planned or existing parks in Oregon City.</p> <p><u>Existing and future investments:</u> An urban parks system could be build concurrent with development. Existing parks in Oregon City may be sufficient to meet some of the need of the newer areas.</p>

	<p><u>Efficiently and cost-effectively served:</u> An urban parks system could be built concurrent with development. Steeper topography and already designated open space in the Newell Creek Canyon area would preclude suitability for active parks.</p> <p><u>Appropriate, financially capable service providers:</u> Parks are typically provided by a city or special district – in this case, they would be provided by Oregon City.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Existing and planned parks in Oregon City may be sufficient to meet the need of the newer areas.</p>
<p><u>Storm Water:</u> Medium</p>	<p>Storm drainage/treatment is typically provided on-site as development occurs or in small sub-basins. Other than topography, which makes this a bit more difficult, it is hard to identify features that make one area more suitable for service than another.</p> <p><u>Existing and future investments:</u> Not applicable.</p> <p><u>Efficiently and cost-effectively served:</u> The flatter parts of the area would be suitable for storm water services. Steeper topography around Newell and Abernethy streams would moderate the suitability of those areas for storm water services.</p> <p><u>Appropriate, financially capable service providers:</u> Typically storm water services would be provided by the sanitary sewer provider or a city – in this case Oregon City or WES.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Not applicable.</p>
<p><u>Public schools:</u> High</p>	<p>This area is currently in the Oregon City school district.</p> <p><u>Existing and future investments:</u> Public schools are typically provided concurrent with development.</p> <p><u>Efficiently and cost-effectively served:</u> The only characteristic of this area that could make parts of it harder to provide school services to would be steep areas where it is difficult to build roads.</p> <p><u>Appropriate, financially capable service providers:</u> Oregon City school district.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Depending on the size of the population in the new urbanizing area, school services could be provided alone or in conjunction with school services inside the current UGB.</p>
<p><u>Other public or private infrastructure:</u></p>	<p>Privately supplied infrastructure (electricity, natural gas, communications) can be provided to all candidate urban reserve areas. Other services (governance, police, fire, libraries etc) would be provided by either Oregon City or by service districts.</p>

Factor 2: Includes sufficient development capacity to support a healthy economy;

How does it meet the factor?	Discussion/Rationale
<p><u>Buildable Land</u>¹: ≈600 acres</p>	<p>This area is relatively small compared to other discussion areas, providing only 599 acres of buildable land for potential development.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would most likely be developed as an extension of Oregon City. Connections to existing neighborhoods and employment in Oregon City would be relatively easy to accomplish.</p>
<p><u>Employment Land:</u> Low</p>	<p>Characterized by the steep Newell Creek Canyon/Highway 213 corridor and the narrow Holly Lane corridor, there is very little flat developable land suitable for employment uses. The area is also very constrained for establishing a transportation system to support employment.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> This area would likely be an extension of residential neighborhoods in Oregon City with possibly a limited amount of neighborhood commercial.</p>

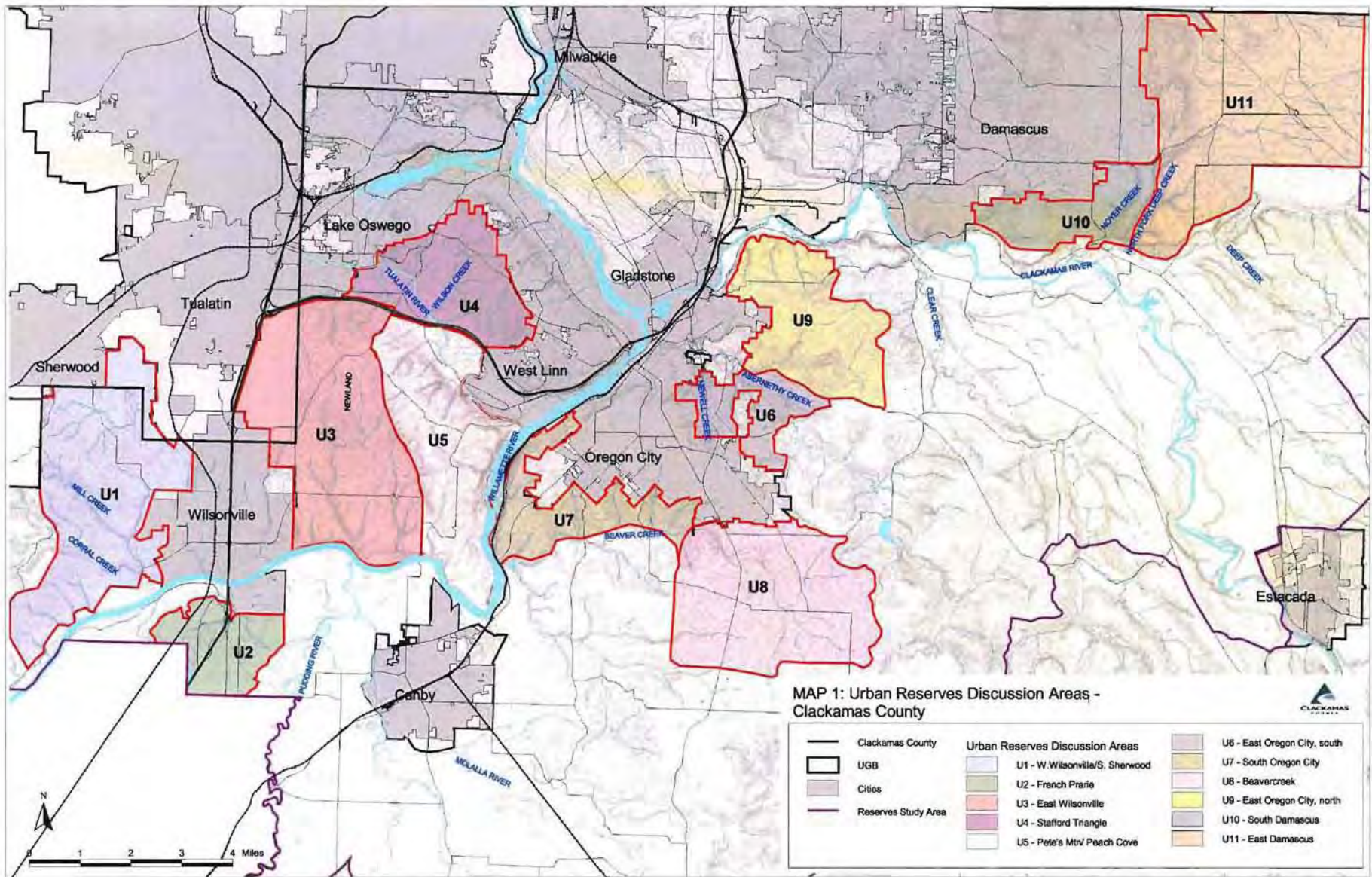
Factor 4: Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers;

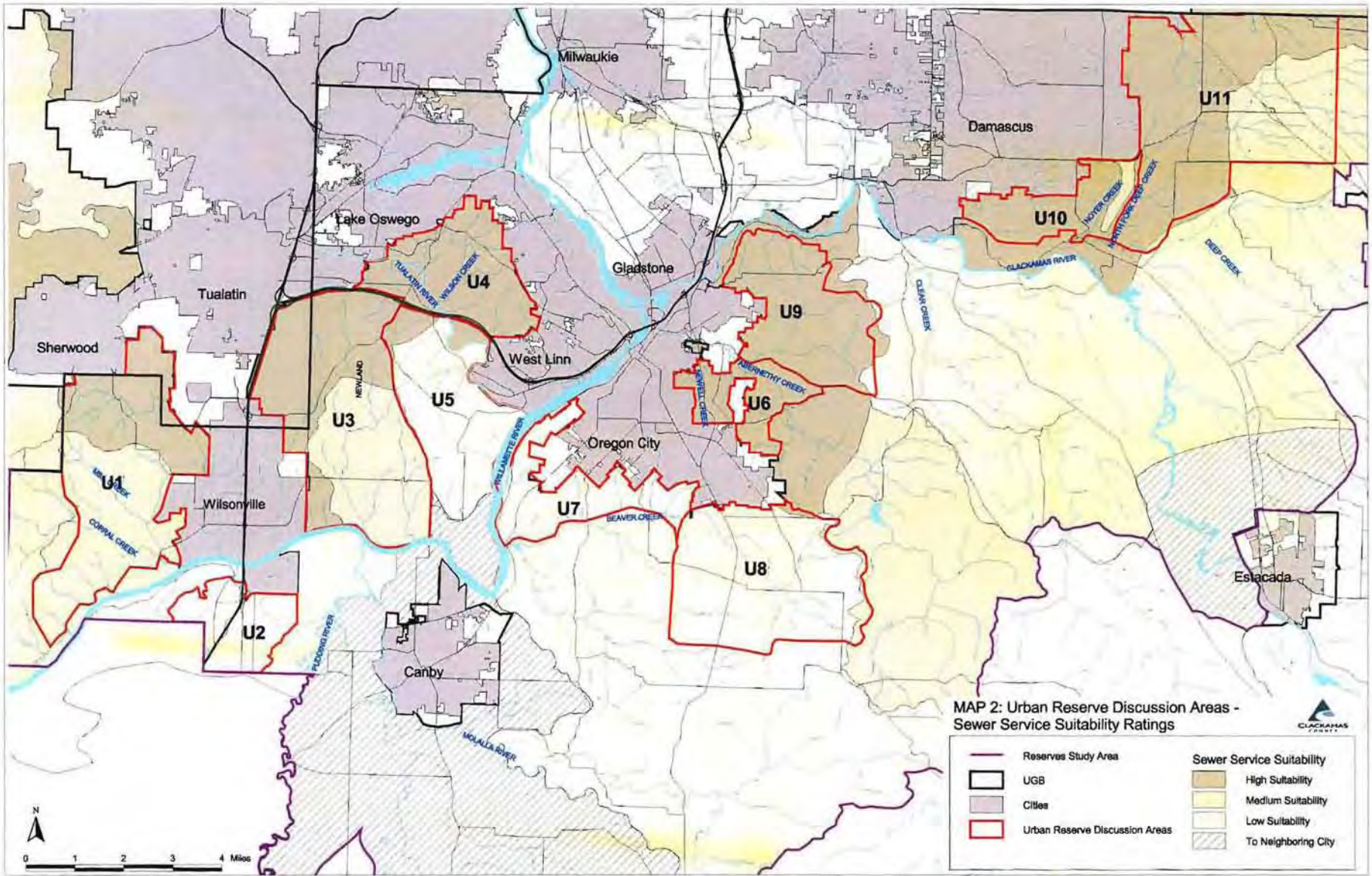
How does it meet the factor?	Discussion/Rationale
<p><u>Can be designed to be...</u></p>	
<p><u>...Walkable:</u> Medium/Low</p>	<p>Areas that can be designed to be walkable are generally areas that can be designed in well-connected clusters where housing is within ¼ to ½ mile of schools, parks, retail and other services, and close to employment. This area would have limited ability to be developed in walkable patterns because of steep canyons associated with streams.</p> <p><u>Appropriate, cost effective service providers:</u> Not applicable.</p> <p><u>Alone or in conjunction with land inside the UGB:</u> Some destinations would be located inside the current UGB (e.g., schools, parks, civic facilities).</p>
<p><u>...Served by a well connected system of streets & bikeways:</u> Medium/Low</p>	<p>The <i>Connectivity Suitability Ratings</i> map rates this area “low,” i.e., the ability to build street connections meeting regional standards is low compared to other areas. This rating is due, in large part, to topography. Again, the small, flatter areas could be designed to be walkable and well-connected to existing roads within the UGB.</p> <p><u>Appropriate, cost-effective service providers:</u> Streets and roads are provided by the state, county and cities.</p>

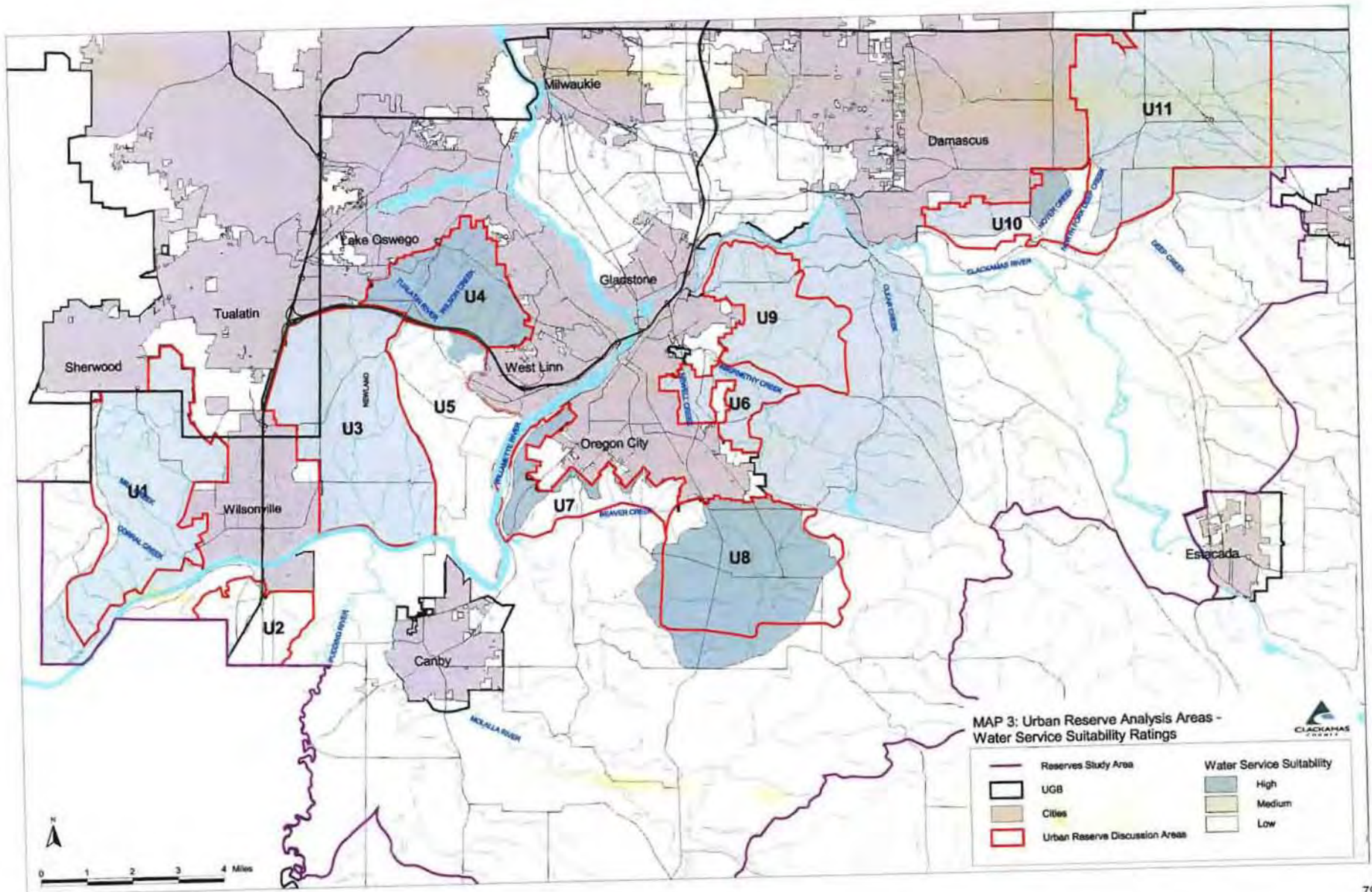
¹ The buildable lands numbers are based on a simplified analysis of buildable land for each area. What can actually be built on when development occurs will be determined by development standards of the time. For example, some of the land shown as constrained in this analysis could actually be built upon under current codes, i.e. upland habitat or slopes greater than 25%.

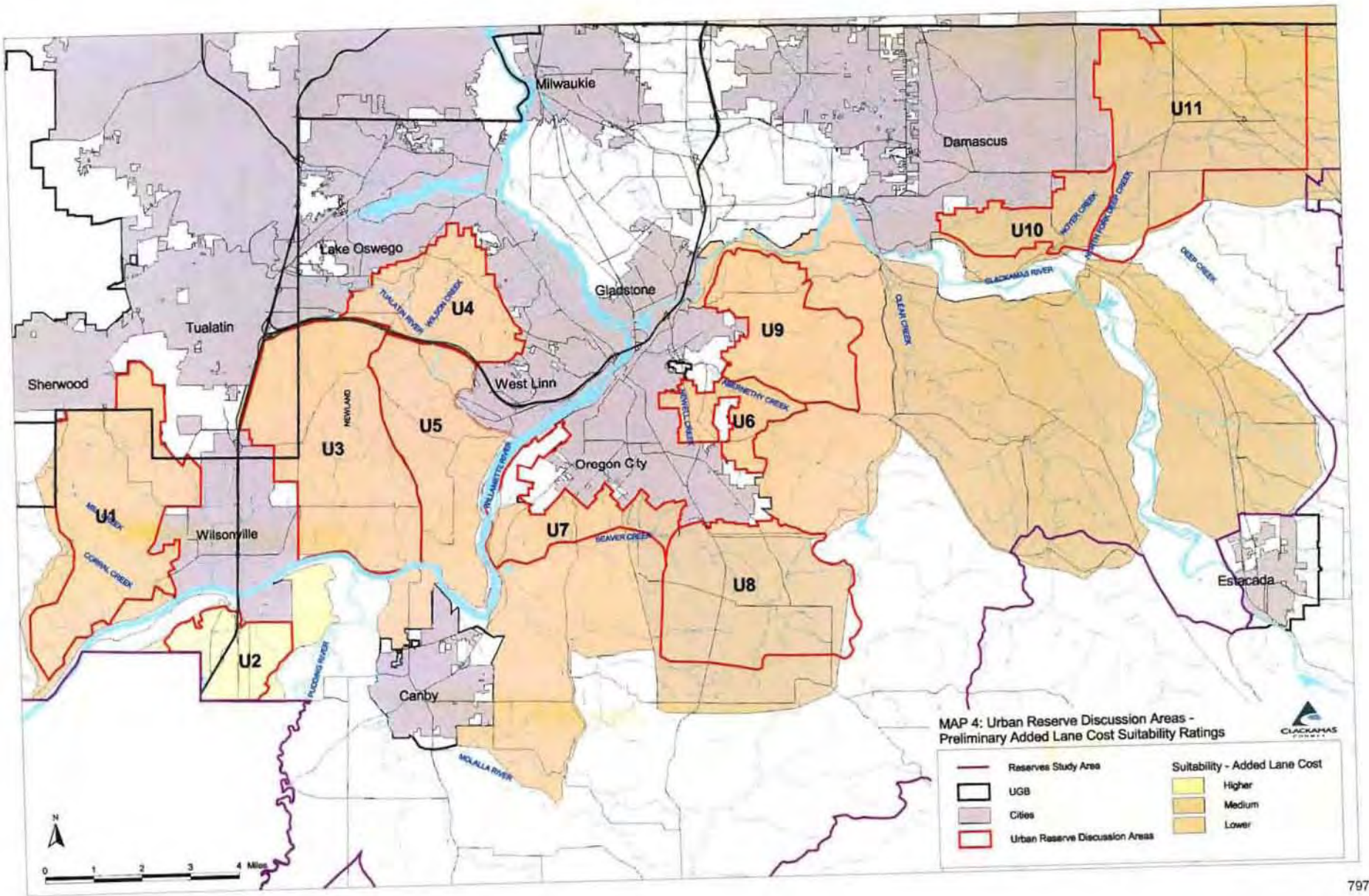
APPENDIX: REFERENCE MAPS AND DOCUMENTS

1. Urban Reserves Discussion Areas – Clackamas County Map
- 1A. Individual Discussion Area Maps (8.5"x11")
2. Sewer Serviceability Ratings Map
3. Water Serviceability Ratings Map
4. Preliminary Added Lane Cost Suitability Ratings Map
5. Preliminary System Lane Cost Suitability Ratings Map
6. Mobility Corridor Atlas Index Map
7. ODOT Highway Analysis Table Map
8. Parks, Recreation Areas, Other Public Lands Map
9. Metro Area School Districts with Reserves Study Area Map
10. Draft Urban Study Area Analysis – "Buildable" Lands Map
11. Major Employment Lands and Regional & Town Centers Map
12. Preliminary Connectivity Suitability Ratings Map
13. Regional Trails Map
- 13A. Regional Trails & Greenways Report
14. Adopted Corridors for Evaluation (High Capacity Transit) Map
- 14A. High Capacity Transit System Plan Proposed Tiered Ranking and Draft System Expansion Policy, Memo
15. Transit Service Providers Map
16. Floodplain and Mapped Important Natural Feature Areas Map
- 16A. Summary of the Natural Landscape Features Inventory (2007), Map and Description
17. Agriculture Land Inventory and Analysis Map
18. ODF Forestland Development Zones
19. Letter to Metro Reserves Steering Committee from Various State Agencies

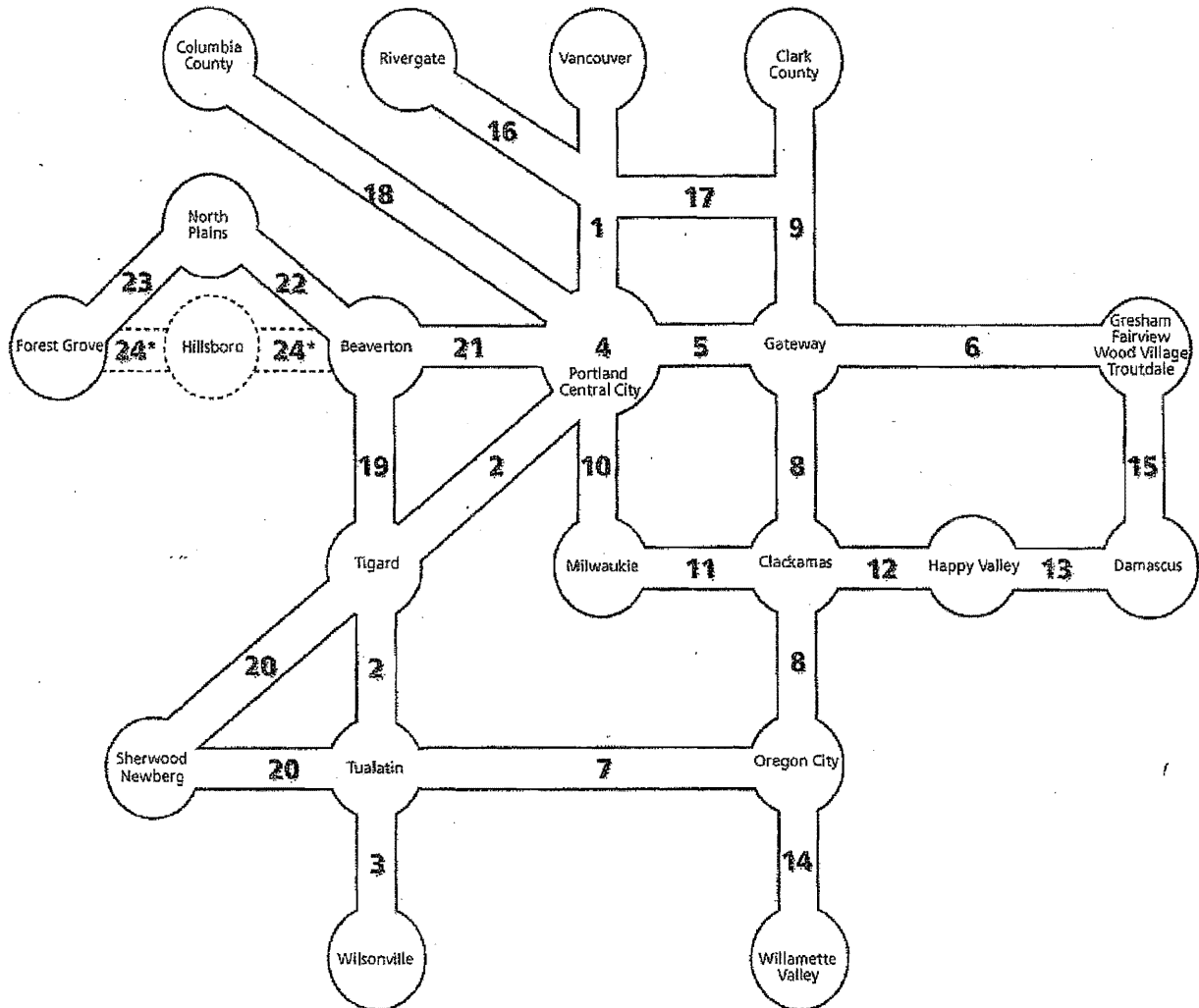








Corridor atlas index map

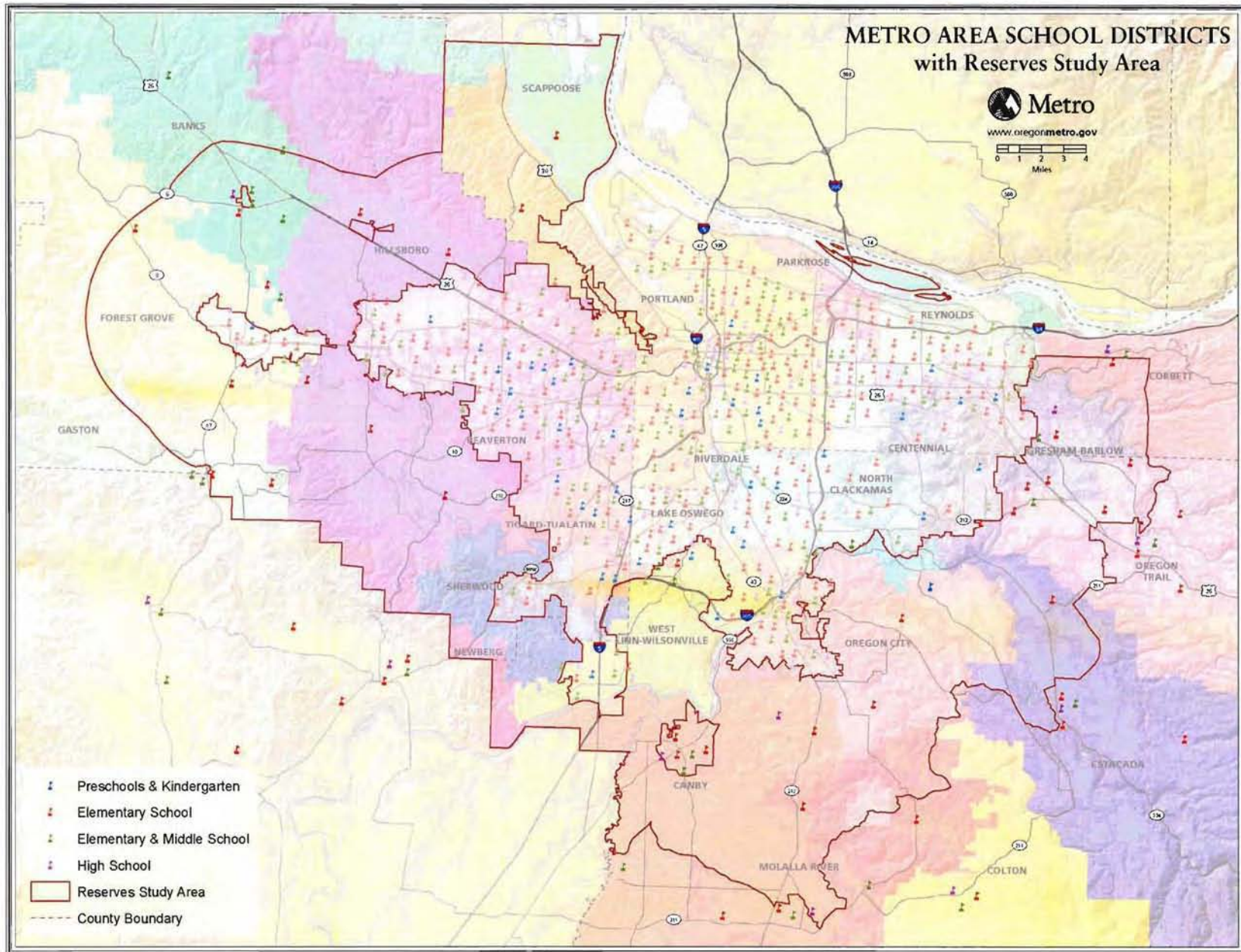


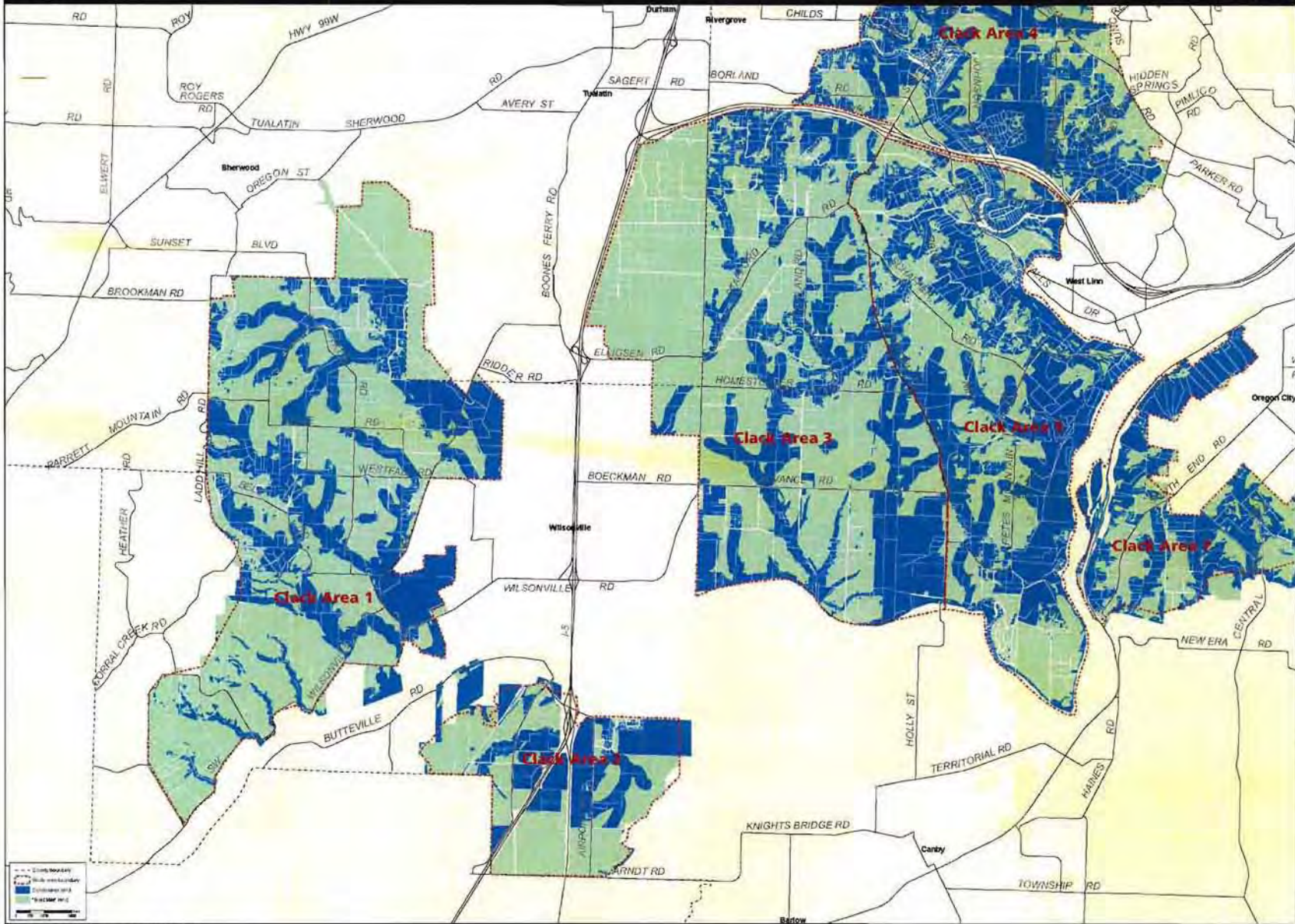
* Corridor 24 - Beaverton to Forest Grove is under development

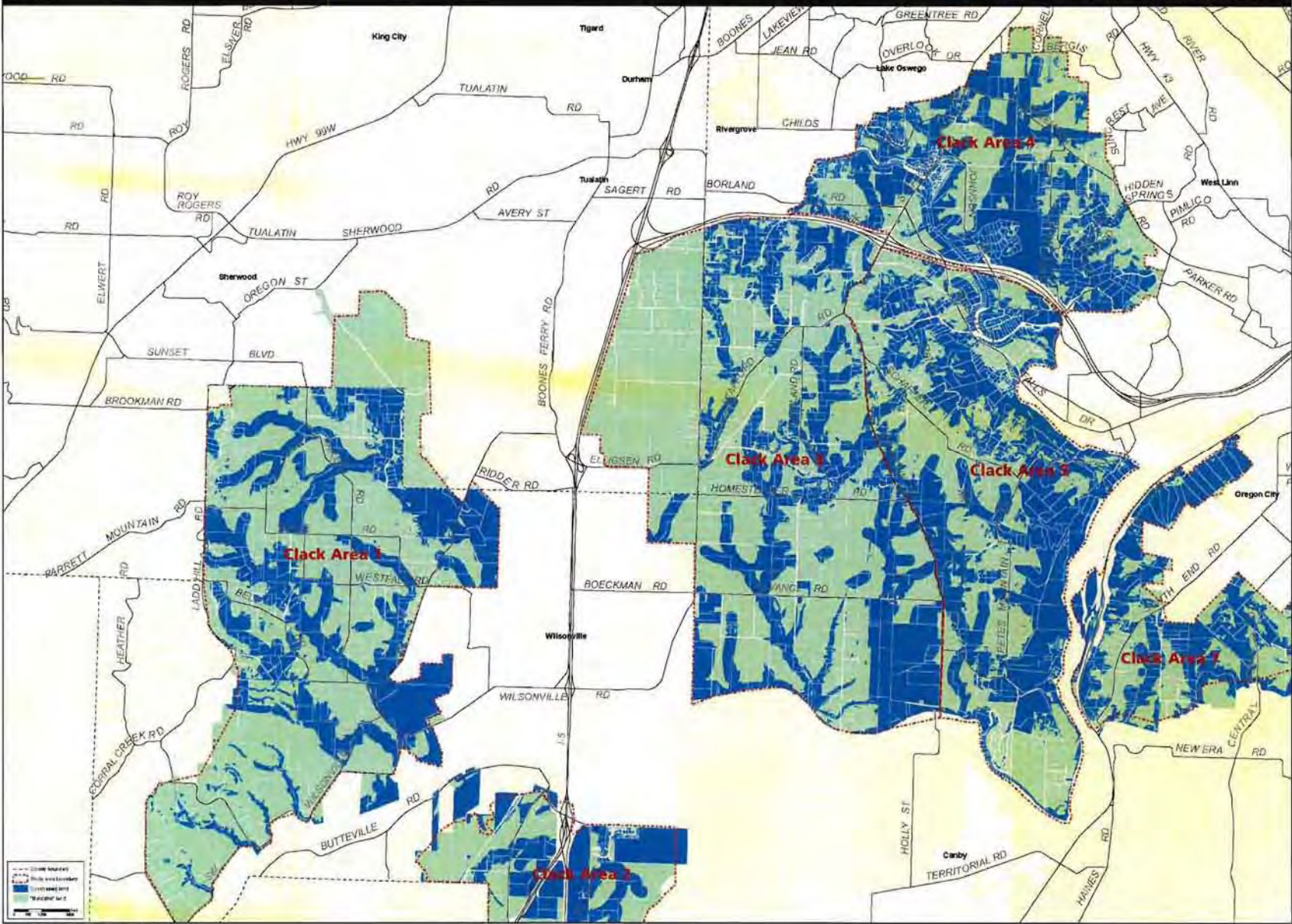
6

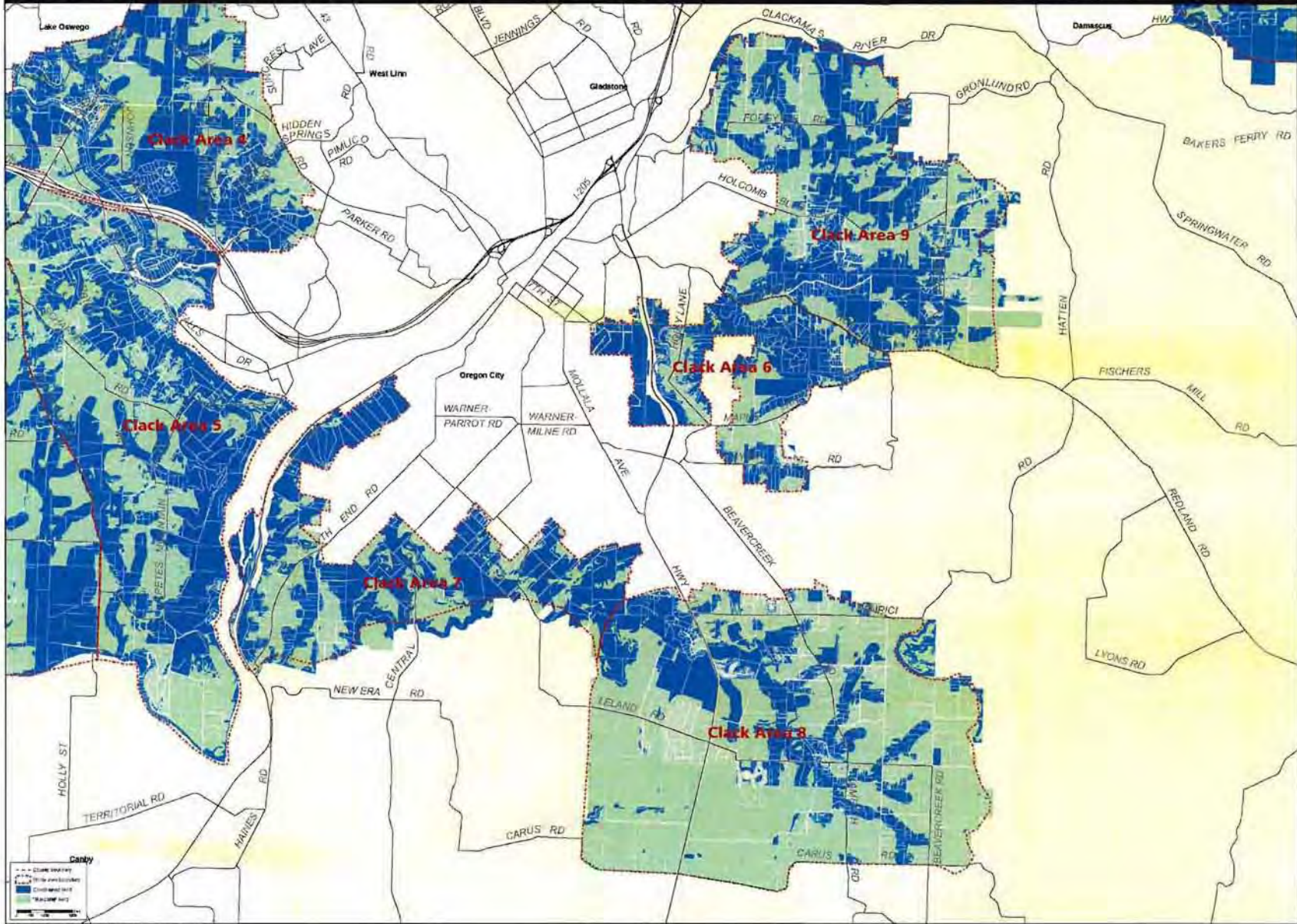
ODOT Urban Reserve Study Area Analysis						
No.	Highway Name, Route #	Highway #	Section	UR Study Area: Yes or No? Small, Medium, Large UR Area?	Potential to accommodate additional traffic Low, Medium or High Suitability	Relative Cost to Improve Low, Medium, High, Huge Cost
1	Lower Columbia River Hwy, US 30	2W, 92	within + northwest of UGB to Columbia County Line	Not adjacent, but Sauvie Island is, and would impact US 30	Medium - 2035 Financially Constrained RTP identified capacity problems at Cornelius Pass Road and St Johns Bridge intersections. Physical constraints to building local network.	Low
		47	I-405 to the Zoo	inside UGB	Low - US 26 tunnel presents constraint to additional traffic; topography offers limited options to improve; would have to build additional tunnel to separate US 26 WB to SB, WB to NB, and WB to downtown and corresponding EB movements.	Huge
2	Sunset Highway, US 26	47	Murray - 185th	inside UGB	Medium due to "185th - Cornell Rd." STIP project to add 3rd lane in each direction. Murray Blvd, Cornell Rd/Bethany Blvd, and 185th interchanges will have to be rebuilt; physical constraints limit potential capacity of interchanges. Cost estimate does not include rebuilding local overpasses.	Medium
		47	> 185th - Cornelius Pass Road	inside UGB	Medium - May require widening highway to six lanes and improving Cornelius Pass Rd Interchange.	High
		47	Cornelius Pass Rd to Shute Road / Helvetia Road Interchange	Yes, and on edge of current UGB	Medium - Need to add a WB to SB loop exit-ramp at Shute Rd IC to meet current needs; improved IC may be maxed out with existing growth, i.e. no excess capacity for additional growth.	Medium
		47	at Glencoe Road Interchange	Yes, Large	Low - Need a new 5 or 6-lane Glencoe overpass structure and interchange improvements even without additional growth. Shute Rd, Jackson School Rd and Glencoe Rd interchanges would have to be upgraded.	High
		47	west of Glencoe Road Interchange	Yes, up to easternmost intersection with OR 47; Large	Medium - consider impacts on weekend recreational and coastal traffic; not just pm peak.	Low
3	Nehalem Highway, OR 47	102	from Sunset Highway to NCL of Forest Grove	Yes; Large	High Nehalem Hwy/Wilson River Rd = Or 47/OR 6 interchange would have to be upgraded, and OR 47 brought up to urban arterial standards.	Medium
4	Tualatin Valley Highway, OR8	29	from SW 209th to SW 229th, south of Hillsboro	Yes; Large area but small section of Hwy	Low 2005 and 2035 FC RTP shows existing and future capacity deficiencies, but TV Hwy is already at 5 lanes and access management is difficult to implement. Need adequate storage distance at railroad crossings; there are constraints to widening or adding railroad crossings may need to depress RR to grade-separate.	Low
		29	from WCL of Hillsboro to WCL of Cornelius	Yes; Medium, but small section of Hwy	Medium . Constrained by railroad tracks on south side, and difficult to widen or add railroad crossings; see previous section.	Low
	Tualatin Valley Highway, OR47	29	south of Pacific Avenue to Yamhill County Line	Yes, Small	Medium - Existing capacity problem at the Pacific/Guinco intersection; access management has been difficult to implement.	Low
5	Hillsboro-Silverton Highway, OR219	140	SCL of Hillsboro to Yamhill County Line	Yes; Large	Medium - Several safety projects on this highway to realign curves to improve roadway geometry, widen shoulders, and add left turn channelization have been constructed in recent years. A few more safety projects of a similar type are needed. 2035 FC RTP shows capacity deficiencies even without Urban Reserves.	Medium
6	Farmington Rd, OR 10	142	from SW 170th to SW 196th/Marlin Dr	Yes; Large area but small section of Hwy	Medium . Existing capacity problems with 3 lane section; planned for 5 lane section but no funding has been identified.	Low
7	Pacific Highway West, OR 99W	1W, 91	from SCL of Sherwood to Yamhill County Line	Yes, Small	Low - FC 2035 RTP identified capacity problems. Improvements identified in I-5/99W study and Newberg - Dundee project, if constructed, will affect performance. Tualatin-Sherwood Rd, Edy Rd and Sunset Blvd intersections need to be improved to address existing capacity constraints.	Low

ODOT Urban Reserve Study Area Analysis						
No.	Highway Name, Route #	Highway #	Section	UR Study Area: Yes or No? Small, Medium, Large UR Area?	Potential to accommodate additional traffic Low, Medium or High Suitability	Relative Cost to Improve Low, Medium, High, Huge Cost
8	Pacific Hwy, I-5	1	inside UGB and from Wilsonville SCL to Marion County line	No	Very Low - FC 2035 RTP identified severe capacity problems on I-5 within and south of existing UGB and at Wilsonville Interchanges. Congestion is especially high in the segment between I-217 and I-205. Widening of I-5 including Boones Bridge will be very expensive.	Huge
9	Pacific Hwy East, OR 99E	1E, 81	from Canemah to Canby	Yes, Small	Medium - Clackamas County Rural TSP identified geometric deficiencies. Presence of railroad and bluffs constrain ability to make improvements. Oregon City tunnel presents a pinchpoint. Capacity constraints in Canby due to railroad and existing development patterns.	Low
10	Cascade Hwy South, OR 213	160	within UGB and from SCL of Oregon City to Molalla	Yes, Medium	Low - Rural Clackamas County TSP (2000) and Or 213 Corridor South Study identified a need for a 5-lane section. 2035 FC RTP shows severe congestion even after improvements. A number of safety projects to add left turn channelization and widen shoulders have been constructed in recent years, and a few more similar safety projects are being developed. Growth in this area would require construction of interchanges due to expressway designation; these are expensive to build.	High
11	East Portland Freeway, I-205	64	from I-5 to Or 212/224, within and outside UGB	Yes, E and NE of Wilsonville: Large. Stafford: Medium. East of Oregon City: Medium	Very Low - even without additional growth, need to widen I-205 to at least 6 lanes, widen the Abernethy Bridge, add truck climbing lane, and improve several interchanges including @ Or 213; very expensive	Huge
12	Clackamas-Boring Hwy, OR 212	175	from ECL of Damascus to US 26	Yes; Medium	Low - 2035 FC RTP, Damascus-Boring Concept Plan, and Clackamas County Rural TSP identified capacity deficiencies, to be resolved through development of Damascus local transportation system and access management.	High
13	Clackamas Highway, OR 224	171	from Clackamas River to Estacada	Yes, Medium	Medium - 2035 FC RTP and Rural Clackamas County TSP (2000) identified some capacity as well as safety and geometric deficiencies ("Carver Curves"), with constraints to addressing these deficiencies.	Medium
14	Mt. Hood Highway, US 26	26	from Multnomah County Line to Sandy	Yes, Large (in Multnomah County, plus some in Clackamas)	Medium - Urban growth in this area may require widening of US 26 to 6 lanes with construction of interchanges at 2-mile spacing to implement expressway designation, as well as correction of safety problem at Kelso Rd; in addition, there will be increased need for the I-84 to US 26 Connector.	Medium
						Cost Assumptions
						< \$ 100 M = Low
						\$ 100M - \$ 250 M = Medium
						\$ 250 M - \$ 500 M = High
						> \$ 500 M = Huge



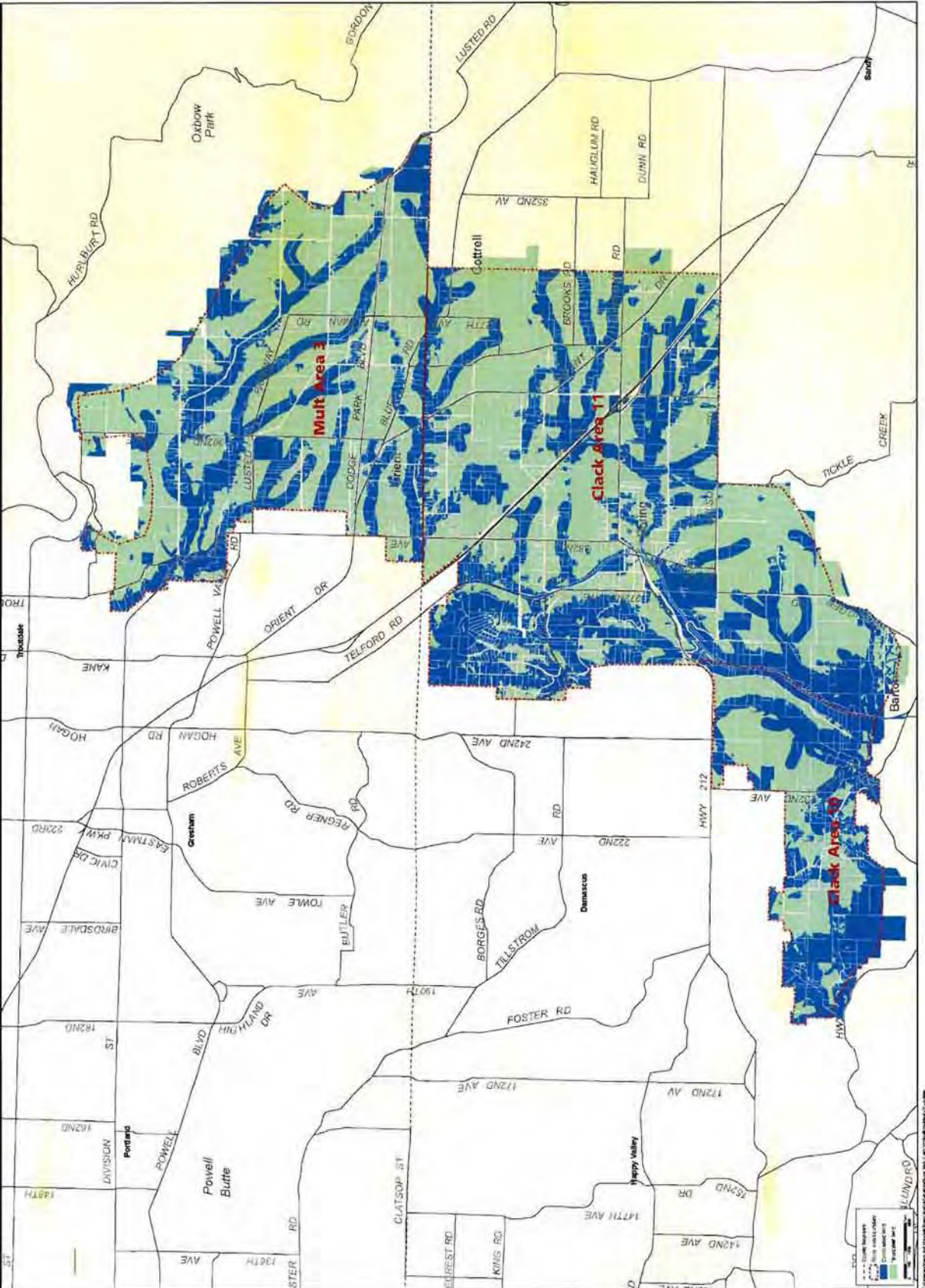


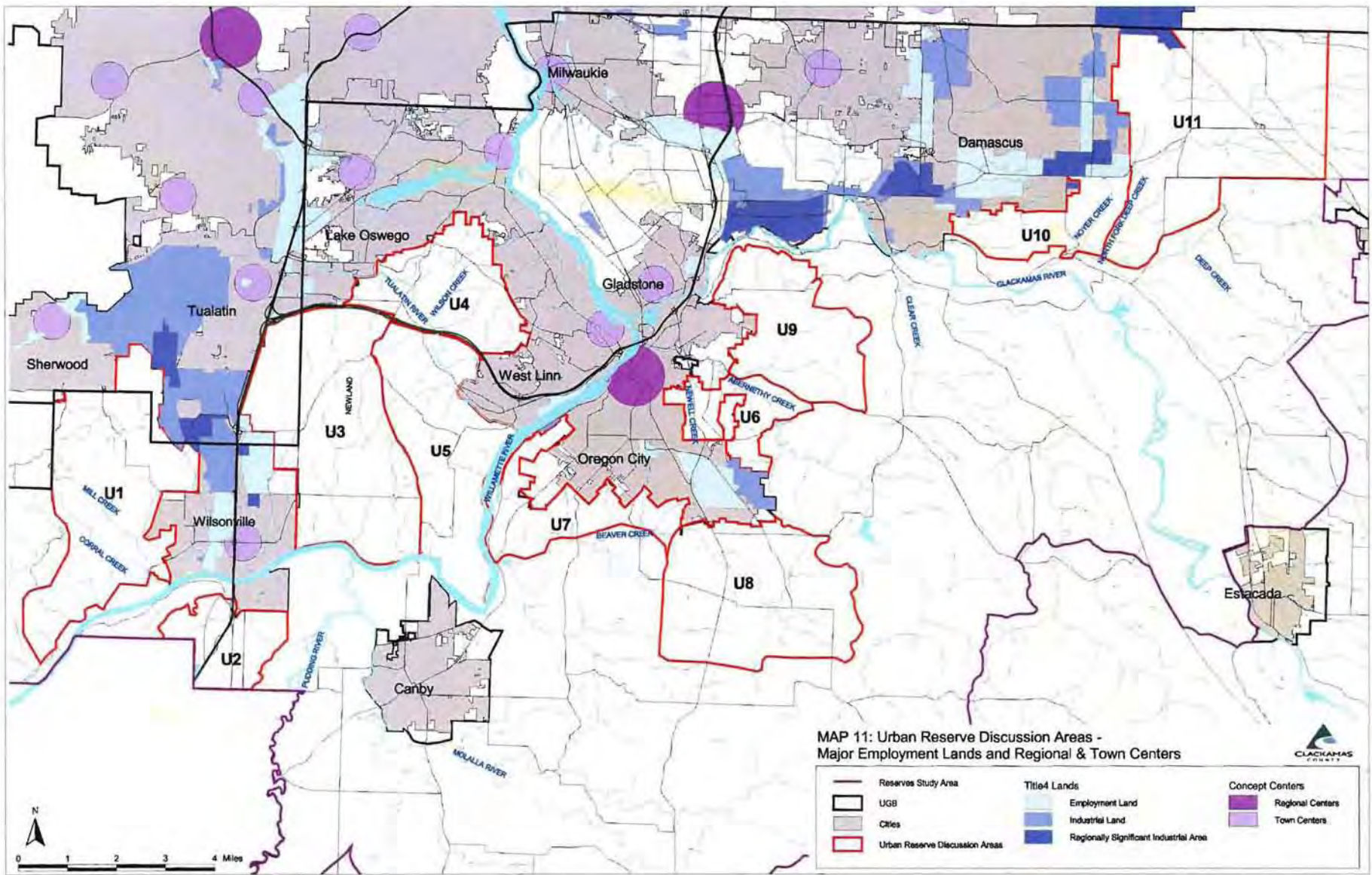


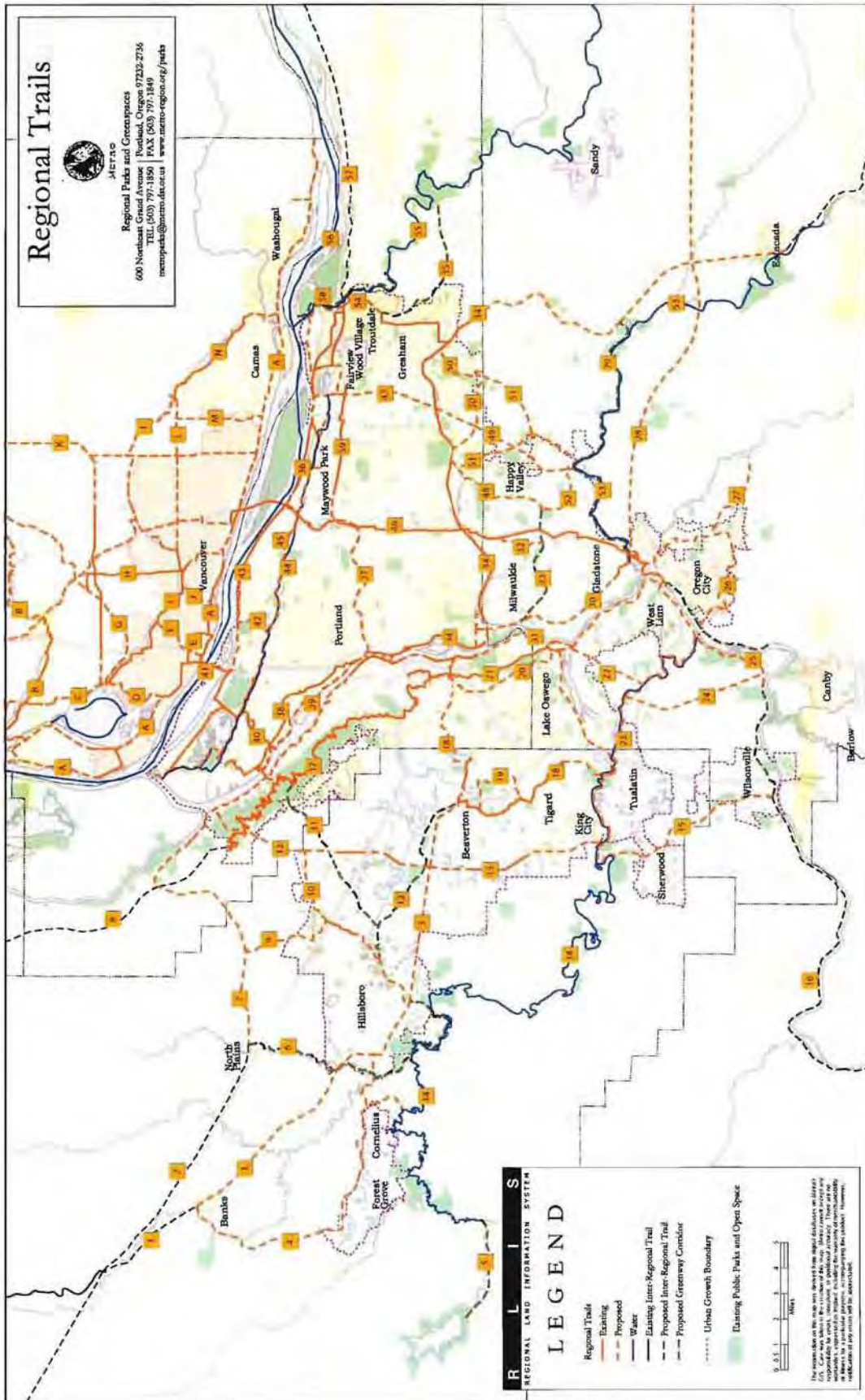


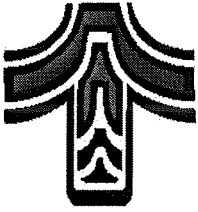
Urban and Rural Reserves

Urban Study Area Analysis - Map A









City of Tualatin

www.ci.tualatin.or.us

October 13, 2009

Reserves Steering Committee
Core Four
Metro
600 NE Grand Avenue
Portland, OR 97232

RE: CLACKAMAS COUNTY RESERVES RECOMMENDATIONS

Dear Reserves Steering Committee and Core Four Members:

Tualatin staff has reviewed the Clackamas County staff analysis of the Stafford Area-Borland Area and Pete's Mountain-northern portion (the specific areas recommended for urban reserves are smaller portions of each of these areas). The attached matrices are comprised of a comparison of Clackamas County's analysis and Tualatin's analysis; it is based on the work Clackamas County staff presented to their Policy Advisory Committee (PAC) on July 14, 2009. Based on our staff's analysis we found these two areas do not meet the factors for urban reserves.

Summary of Findings Stafford Basin-Borland Area:

- The cost of sewer, water, and transportation infrastructure are not efficient based on concept level planning estimates.
- The cost of parks and storm water was not assessed by Clackamas County and would not be cost efficient based our cost estimates.
- There will be additional costs for police, fire and library services.
- An employment cluster in the Borland Area does not fit with Tualatin's Local Aspirations.
- Designing the area to be walkable may not be physically feasible according to Core 4 Technical Analysis of Connectivity Suitability.
- A variety of needed housing types will not be compatible with an employment cluster.
- Tualatin does not have plans to purchase land along the Tualatin River and therefore cannot guarantee protection of the mapped important natural feature at least in the manner envisioned by Clackamas County.
- The cities of West Linn and Lake Oswego are also opposed to urbanization in this area according to their Local Aspirations. Additionally, the Oregon Department of Fish and Wildlife is opposed to urbanization in the Borland Area.

Clackamas County Reserves Recommendations
October 12, 2009
Page 2 of 18

Summary of Findings Pete's Mountain-northern portion:

- Clackamas County did not provide a cost assessment of sewer and water infrastructure services in the northern portion of Pete's Mountain. Based on Tualatin's analysis of land adjacent to the area provision of services does not appear to be cost efficient.
- Based on our analysis of the Stafford Basin provision of parks and storm water services are not cost efficient.
- The City of West Linn was continually cited as a potential service provider for infrastructure and other services, but West Linn has not expressed in their Local Aspirations or public communications to the County a willingness to provide services in this area.
- Oregon Department of Transportation has identified the costs of improving I-205 to accommodate more traffic as "huge" meaning over \$500 million.
- This area was identified to support an employment cluster in the Borland Area of Stafford Basin however; an employment cluster does not fit with Tualatin's Local Aspirations.
- The Tualatin River is an inventoried natural landscape feature. It makes up the northern boundary of the northern portion of Pete's Mountain and because of the small amount of land identified for urban reserves it could be difficult to develop urban level densities while protecting this natural landscape feature.
- Development may impact forest practices as Oregon Department of Forestry has identified a small section of mixed forest agriculture in the recommended reserve area.
- Clackamas County's analysis of Pete's Mountain indicates the area does not meet the urban reserve factors. Generally, with a few exceptions, the County did not provide a separate analysis of the northern portion. The findings for the majority of Pete's Mountain should also apply to the northern portion recommended for urban reserves.

In conclusion, the Stafford Basin-Borland Area and Pete's Mountain-northern portion do not meet the factors for urban reserves and neither area should be designated urban reserve land.

Thank you for the opportunity to comment.

Sincerely,



Lou Ogden
Mayor

**Urban Reserves Analysis Matrix
 Stafford Area- Borland Area**

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment¹	Tualatin Analysis
<p>Factor 1: Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments. Factor 3: Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.</p>		
<p>Sanitary Sewer: High Sewer serviceability map shows this area as "high" suitability</p>	<p>Agree</p>	<p>Core 4 Technical Analysis released in February 2009 indicates this area is high suitability for service</p>
<p>Existing and future investments: The western portion would flow by gravity to the Durham WWTP in Washington County</p>	<p>Disagree</p>	<p>Sanitary sewer would need a lift station and pressurized line extending westward to reach a gravity line in downtown Tualatin. The Durham WWTP would need upsizing to accommodate new capacity, lift station, and thousands of feet of pressurized line.</p>
<p>Efficiently and cost-effectively served: Much of this area would drain to an existing pump station inside the UGB</p>	<p>Disagree, Cost Assessment</p>	<p>A new pump station is required to serve this area. Our analysis of a larger area, 2,900 acres as opposed to the 640 acres recommended for an urban reserve, show a total cost of \$148,000,000².</p>
<p>Appropriate, financially, capable service providers: Clean Water Services in Washington County would be a logical service provider for the Borland Area.</p>	<p>Agree</p>	<p>Clean Water Services (CWS) is the service provider in Tualatin including the portion in Clackamas County. CWS would need to expand their service district boundary. A new service agreement would be required to serve the Borland Area.</p>

¹ **Agree:** Tualatin agrees with Clackamas County's Analysis; **Disagree:** Tualatin does not agree with either the results or conclusion of the analysis; **Cost Assessment:** Tualatin assessed the costs when Clackamas County did not.

² The complete analysis is included as Attachment A.

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment¹	Tualatin Analysis
<p>Water: High Providing water services to Stafford would be relatively easy because of proximity to existing conveyance systems.</p>	<p>Agree</p>	<p>Core 4 Technical Analysis indicates this area is highly suited for water service.</p>
<p>Existing and future investments: Tualatin Valley Water District has a planned expansion project enabling them to serve more customers.</p>	<p>Disagree</p>	<p>The City of Tualatin would most likely be the service provider. Future investments could include transmission system, storage, purchase of water source and distribution system. Our charter limits the use of Willamette River water.</p>
<p>Efficiently and cost-effectively served: No investment in major facilities would be required to serve this area</p>	<p>Disagree, Cost Assessment</p>	<p>Our analysis indicated a cost of \$61,000,000 for a larger area than the Stafford Borland Area. This cost includes transmission system, storage and source water.</p>
<p>Appropriate, financially capable service providers: Water services could be provided by the City of Tualatin</p>	<p>Agree</p>	<p>Tualatin would be the most likely service provider for the Borland Area.</p>
<p>Transportation: Medium/Low Stafford would be marginally suitable for providing a transportation system capable of urban level development</p>	<p>Disagree</p>	<p>Core 4 Technical Analysis shows high suitability for system lane cost, but low suitability for added lane cost and connectivity cost.</p>
<p>Existing and Future Investments: Improvements would need to be made to local roads and to I-205.</p>	<p>Agree</p>	<p>Tualatin's analysis identified four arterials and collectors to improve or build in the Borland Area to serve urban levels of development.</p>

Clackamas County Reserves Recommendations
 October 12, 2009
 Page 5 of 18

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment¹	Tualatin Analysis
Efficiently and cost-effectively served: The topography of the area makes it somewhat less cost-effective to serve.	Agree, Cost Assessment	Tualatin's analysis for the entire 2,900 acres estimates the cost at \$163,000,000. Additionally, ODOT estimates improvements to I-205 could cost over \$500 million.
Appropriate, financially capable service providers: Transportation is provided by federal, state, regional, county and city governments.	Disagree	Neither Clackamas County nor Tualatin has identified a source of funding to improve the transportation system.
Parks: Medium Like most rural areas, this area does not include a park system that would support urban levels of development.	Agree	Metro currently owns green space along the Tualatin River and there is an elementary and middle school with fields located in the Borland Area.
Existing and Future Investments: An urban parks system would be built concurrent with development	Disagree	Tualatin's Local Aspirations included parks and open space in any new area brought into the City. Funding sources would need to be secured. Unknown park development would be concurrent or after the fact.
Efficiently and cost-effectively served: An urban parks system would be built concurrent with development.	Cost Assessment	Tualatin analyzed the cost of parks and community services in the larger 2,900 acre area and concluded costs could range between \$75 and \$100 million. ³
Appropriate, financially, capable service providers: Parks are typically provided by a City or special district.	Agree	Tualatin would be the most likely service provider for parks in the Borland Area.

³ Park estimates are based on 20, 5 acre parks at \$1 million per acre for design and construction.

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment¹	Tualatin Analysis
<p>Storm Water: <i>Medium</i> Storm drainage/treatment is typically provided on-site as development occurs or in small sub basins.</p>	Disagree	Storm water management was included as part of Tualatin's transportation cost estimates. Regional extended dry ponds were assumed to provide water quality treatment.
Efficiently and cost-effectively served: Flatter areas in the southwestern portion (Borland) would be most suitable for storm water services.	Disagree, Cost Assessment	Our analysis estimated right-of-way costs for water quality facilities at \$3.1 million in the 2,900 acre area. This does not include cost for private water quality facilities in private development.
<p>Public Schools: <i>High</i> Most of the area is in the West Linn Wilsonville School District and there are several schools in this area.</p>	Agree	The Borland Area is entirely in the West Linn Wilsonville School District and there is currently a middle school and elementary school there.
Existing and future investments: Public schools are typically provided concurrent with development.	Agree	Tualatin's analysis indicates there could be a need for additional school capacity if this area develops.
Appropriate financially capable service providers: West Linn Wilsonville School District	Disagree	The school district should be consulted to determine what new capacity they are physically and financially capable of providing.
<p>Other public or private infrastructure: Other services (governance, police, fire, libraries etc) would be provided by the City of Tualatin.</p>	Cost Assessment	There are costs associated with providing new police officers and equipment. A new fire station could cost around \$3.6 million, including land and construction costs, in 2009 dollars. Additionally costs are associated with expanded library services.

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ¹	Tualatin Analysis
Factor 2: <i>Includes sufficient development capacity to support a healthy economy</i>		
Buildable Land: The area [Stafford Triangle] is relatively small, providing almost 1,500 acres of buildable land.	Disagree	Based on Clackamas County's September 10 recommendations there are 640 gross acres for development in the Borland Area. Tualatin's analysis indicates there are 180 net developable acres.
Employment Land: The [Borland Area] has been identified as suitable employment land, including a possible connected transportation system and excellent access to I-205. In combination with lands south of the freeway, this could become an employment cluster.	Disagree	In accordance with Tualatin's Local Aspirations this area would not be suitable for employment only. The land would need to support residential development in a manner that continues the character of our existing neighborhoods. In our analysis we estimated 49 acres of residential and 131 acres of employment with some office, commercial, R&D/ High tech.
Factor 4: <i>Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers.</i>		
Walkable: Medium The somewhat flatter areas in the western part... would be suitable for walkable neighborhoods.	Disagree	Streams in this area could make connectivity for walkability difficult. Core 4 Technical Analysis ranked this area as low suitability for connectivity. This means serving this area with a well connected transportation system will be difficult. Facilitating access to various land uses via multi-modes of transportation including walking will also be difficult.

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ¹	Tualatin Analysis
<p>Served by a well connected system of streets & bikeways: The <i>Connectivity Suitability Ratings</i> map rates this “low” i.e. the ability to build street connections meeting regional standards is low compared to other areas.</p>	<p>Agree</p>	<p>The <i>Connectivity Suitability Ratings</i> maps are part of the Core 4 technical analysis sited above.</p>
<p>Factor 5: <i>Can be designed to preserve and enhance natural ecological system.</i></p>		
<p>Medium: The western portion contains adequate buildable land to allow relatively easy preservation/enhancement of the Tualatin River.</p>	<p>Agree</p>	<p>The Tualatin River makes the northern border of the Borland Area. If this area is part of the Clean Water Services service district a 125 foot buffer would be required and there are flood plain restrictions. Additionally, there are two streams in the area that will be required to have at least 50 foot buffers.</p>
<p>Factor 6: <i>Includes sufficient land suitable for a range of needed housing types.</i></p>		
<p>Medium: There is enough land in various pockets in the area to accommodate a variety of housing, most with relatively good access to I-205 and I-5.</p>	<p>Disagree</p>	<p>Clackamas County identified this portion of the Stafford Triangle/Hamlet as suitable employment land that could possibly become an employment cluster. Given the small amount of land, 640 gross acres according to Clackamas County, providing a range of needed housing types and commercial services to serve the neighborhoods an employment cluster would not be compatible with residential development.</p>

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ¹	Tualatin Analysis
<i>Factor 7: Can be developed in a way that preserves important natural landscape features included in urban reserves.</i>		
Medium: Protection of the [Tualatin River a mapped important natural feature] could be achieved by purchase and preservation by a city, county, Metro or private organization.	Disagree	The County's analysis noted that protection could be provided by purchase by city, county, Metro or private organization. Tualatin does not have plans to purchase additional lands along the Tualatin River.
<i>Factor 8: Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.</i>		
High: This can easily be designed as an urban area to minimize adverse effects on farm practices in surrounding areas because there are not many existing practices.	Agree	The Borland Area and surrounding lands are designated by ODA as conflicted lands. Likewise there are no lands designated on the ODF forestland map.
Other issues, concerns, opportunities: West Linn is opposed to urbanization. Lake Oswego is opposed to urbanization. ODFW is opposed to urbanization in the Borland Area	Agree	Based on Tualatin's analysis of the area and the factors the Borland Area does not meet urban reserve factors.

**Urban Reserves Analysis Matrix
 Pete's Mountain-northern portion**

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ⁴	Tualatin Analysis
<p>Factor 1: <i>Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.</i></p> <p>Factor 3: <i>Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers.</i></p>		
<p>Sanitary Sewer: Low The sewer serviceability map shows a small area in the northwest corner of the area as "high suitability", with the majority shown as "low" suitability</p>	<p>Agree, Cost Assessment</p>	<p>According to the Core 4 Technical Analysis, of the area being recommended for urban reserves in Pete's Mountain, most is considered low suitability for sewer services and about one quarter is considered highly suitable. The cost assessment we estimated for 2,900 acres in the Stafford Area was \$148 million. Pete's Mountain area of 470 acres could add costs to the Stafford estimate proportionally or there could be unforeseen costs such as needing to upgrade the Tri-City treatment facility.</p>
<p>Existing and future investments: A new regional pump station would be required upstream of Willamette Falls to pump across the Tualatin or Willamette River</p>	<p>Agree</p>	<p>Clackamas County did not provide a cost assessment of a sanitary sewer system river crossing</p>

⁴ **Agree:** Tualatin agrees with Clackamas County's Analysis; **Disagree:** Tualatin does not agree with either the results or conclusion of the analysis; **Cost Assessment:** Tualatin assessed the costs when Clackamas County did not.

Clackamas County Reserves Recommendations
 October 12, 2009
 Page 11 of 18

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment⁴	Tualatin Analysis
Efficiently and cost-effectively served: Difficult conveyance due to steep slopes and expensive river crossings make this area less cost-effective to service than other areas.	Agree	This analysis should also apply to the northern portion recommended for urban reserves. There is no analysis indicating it is more cost-efficient to serve the northern area.
Appropriate, financially capable service providers: The city of West Linn would be the logical provider of sewage conveyance [in the northern area].	Disagree	West Linn has not indicated in their Local Aspirations or public communications to Clackamas County a willingness to serve this area.
Water: Low Water services would most likely be provided by West Linn.	Disagree	West Linn has not indicated in their Local Aspirations or public communications to Clackamas County a willingness to serve this area.
Although there is a small water district on Pete's Mountain, it could not serve urban levels of development without substantial improvements and probably an alternative water source.	Agree	Core 4 Technical analysis found this area to be low suitability for water service. Substantial investments in improvements and source water would be required to provide urban level services.
Existing and future investments: substantial investments in facilities would be needed to serve this area.	Agree	Future investments could include transmission system, storage, purchase of water source and distribution system.

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ⁴	Tualatin Analysis
<p>Efficiently and cost-effectively served: The area would require provision of urban-level water services.</p>	<p>Agree, Cost Assessment</p>	<p>Our analysis indicated a cost of \$61 million for 2,900 acres in the Stafford Basin. This cost includes transmission system, storage and source water. Pete's Mountain area of 470 acres could add costs to the Stafford estimate proportionally or there could be unforeseen costs such as the need for additional source water.</p>
<p>Appropriate, financially capable service providers: Water services would most likely be provided by West Linn.</p>	<p>Disagree</p>	<p>West Linn has not indicated in their Local Aspirations or public communications to Clackamas County a willingness to serve this area.</p>
<p>Transportation: Low Suitability for building an effective road system; High suitability for mobility/ accessibility This area would be relatively unsuitable for providing a transportation system capable of accommodating urban levels of development.</p>	<p>Agree</p>	<p>Core 4 Technical analysis ranks this area as highly suitable for system lane cost most likely because topography prevents a gridded system from being added. The area ranks low in suitability for added lane cost and low in suitability for connectivity most likely due to topography. Additionally, these rankings apply to the northern portion recommended for urban reserves.</p>

Clackamas County Reserves Recommendations
 October 12, 2009
 Page 13 of 18

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment⁴	Tualatin Analysis
Existing and future investments: Improvements would need to be made to local roads and to I-205.	Agree, Cost Assessment from ODOT	ODOT identified I-205 as needing improvements that could cost over \$500 million dollars. ODOT's analysis stated that even without growth there is a need to widen I-205 to six lanes, widen the Abernathy Bridge... and improve several interchanges.
Efficiently and cost-effectively served: Topography makes it less cost effective to service than other areas. The cost to make needed improvements to I-205 limits suitability.	Agree	Clackamas County's analysis did not differentiate between the southern and northern portion of the area.
Parks: High This area has protected open space and recreational opportunities, but it does not include a park system that could support urban development.	Agree	The portion of land being considered for urban reserves is 470 gross acres according to Clackamas County. The limited amount of land may make it difficult to provide an urban level park system.
Existing and future investments; Efficiently and cost-effectively served: an urban park system would be built concurrent with development.	Agree, Cost Assessment	Tualatin analyzed the cost of parks and community services in the adjacent 2,900 acre area and concluded costs could range between \$75 and \$100 million.
Appropriate, financially capable service providers: Parks are typically provided by a city or special district- in this case West Linn is the most likely service provider.	Disagree	West Linn has not indicated in their Local Aspirations or public communications to Clackamas County a willingness to serve this area. Clackamas analysis did not identify a potential special district.

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ⁴	Tualatin Analysis
<p>Storm Water: Low Storm drainage is typically provided on-site as development occurs or in small sub-basins.</p>	<p>Disagree</p>	<p>Storm water management was included as part of Tualatin's transportation cost estimates in the assessment of Stafford Basin. Regional extended dry ponds were assumed to provide water quality treatment. The northern portion of Pete's Mountain was not analyzed separately by Clackamas County.</p>
<p>Efficiently and cost-effectively served: Steeper topography moderates suitability for storm water services.</p>	<p>Agree, Cost Assessment</p>	<p>Our analysis estimated right-of-way costs for water quality facilities at \$3.1 million in the Stafford Basin. The northern portion of Pete's Mountain was not analyzed separately by Clackamas County.</p>
<p>Appropriate, financially capable service providers: Typically storm water services would be provided by the sanitary sewer provider or a city- West Linn or WES.</p>	<p>Disagree</p>	<p>West Linn has not indicated in their Local Aspirations or public communications to Clackamas County a willingness to serve this area.</p>
<p>Public Schools: High This area is in the West Linn Wilsonville School District.</p>	<p>Agree</p>	<p>Currently there is an elementary and middle school nearby at Stafford and Borland roads.</p>
<p>Existing and future investments: Public schools are typically provided concurrent with development.</p>	<p>Agree</p>	<p>If this recommended area were added to the UGB, then capacity for schools would increase. However, due to the limited amount of land being recommended there will most likely not be room to build additional schools.</p>

Clackamas County Reserves Recommendations
 October 12, 2009
 Page 15 of 18

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment⁴	Tualatin Analysis
Efficiently and cost-effectively served: Although the physical characteristics of an area don't make much difference in the ability to provide school facilities or services, topography on Pete's Mountain would make it marginally difficult to provide school busing, and would also make it more difficult to locate appropriate school sites.	Agree	This analysis should also apply to the northern portion recommended for urban reserves.
Appropriate, financially, capable service providers: West Linn Wilsonville School District	Agree	The school district should be consulted to determine what new capacity they are physically and financially capable of providing.
Other public or private infrastructure: Other services (governance, police, fire, libraries etc) would be provided by the City of West Linn or special service districts.	Disagree	West Linn has not indicated in their Local Aspirations or public communications to Clackamas County a willingness to serve this area. Based on their opposition to urbanization in Stafford Hamlet it is likely they are also opposed to urbanization in this area.
Factor 2: Includes sufficient development capacity to support a healthy economy		
Buildable Land: 2,350 acres	Disagree	Based on Clackamas County's September 10 th , 2009 recommendations there are 470 gross acres for development.

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ⁴	Tualatin Analysis
<p>Employment Land: Medium The small part in the north, close to the I-205 interchange, could be considered suitable employment land. In conjunction with the Borland Road Area north of I-205, this could become an employment cluster.</p>	<p>Disagree</p>	<p>Clackamas County describes this land as supporting an employment cluster in the Stafford Borland Area. However an employment cluster does not support Tualatin's Local Aspirations. Therefore this piece of land could be an isolated piece of employment land. Clackamas County also identifies the difficulty in providing a connected transportation system from a potential employment cluster to surrounding land uses.</p>
<p>Factor 4: <i>Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers.</i></p>		
<p>Walkable: Low The flatter areas in the northern and southern parts would be most suitable for walkable neighborhoods, however, these areas are somewhat isolated by barriers such as I-205 and the two river.</p>	<p>Agree</p>	<p>Although the identified area is flatter than other parts of Pete's Mountain it is isolated by I-205, the steep slope on Pete's Mountain and the Tualatin River.</p>
<p>Served by a well connected system of streets and bikeways: Low The <i>Connectivity Suitability</i> map rates this area "low" in that the ability to build street connections meeting regional standards is low compared to other areas.</p>	<p>Agree</p>	<p>The Core 4 Technical Analysis rates this area as low for connectivity. Low suitability for connectivity means that serving this area with a well connected transportation network will be difficult and it would be difficult to facilitate access to various land uses via multi-modes of transportation including walking.</p>

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ⁴	Tualatin Analysis
<p>Served by a well connected system of recreation trails: High In the northern portion of Pete's Mountain the Regional trail map shows one trail that would run along the Tualatin River.</p>	Agree	There is one regional trail that may serve this area if it is located on the south side of the river.
<p>Factor 5: <i>Can be designed to preserve and enhance natural ecological system.</i></p>		
<p>Low/ Medium: This area has a number of streams that could normally be preserved and enhanced.</p>	Agree	<p>The Tualatin River is the northern boundary of this area and there is an additional stream that flows through the area. Clackamas County analysis found that the limited amount of buildable land could make preserving natural ecological systems difficult and developing the area at urban densities.</p>
<p>Factor 6: <i>Includes sufficient land suitable for a range of needed housing types.</i></p>		
<p>Medium: Although the potential for high capacity transit, good access to I-205 and I-5, steep topography, poor street connectivity and large amounts of constrained land limit this area's ability to accommodate higher density housing.</p>	Agree	<p>Clackamas County identified the northern portion of Pete's Mountain as suitable employment land that could possibly become an employment cluster. Given the small amount of land, 470 gross acres according to Clackamas County, providing a range of needed housing types and commercial services to serve the neighborhoods an employment cluster would not be compatible with residential development.</p>

Clackamas County Analysis	Agree/ Disagree/ Cost Assessment ⁴	Tualatin Analysis
Factor 7: <i>Can be developed in a way that preserves important natural landscape features included in urban reserves.</i>		
High	Disagree	Clackamas County did not analyze the northern portion in for this factor. The Tualatin River is an inventoried natural feature. The analysis for Factor 5 should apply equally to Factor 7 in this area designated for urban reserves.
Factor 8: <i>Can be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.</i>		
Farm and Forest practices: High There are not many connecting points to farm practices, Pete's Mountain serves as barrier to farm practices in the East Wilsonville area, and there are no forestry lands.	Disagree	While ODA has identified the area as conflicted with some important land to the south, ODF identified a small area of mixed forest agriculture that could be in the northern portion of Pete's Mountain.
Other issues, concerns, opportunities: ODFW is opposed to urbanization in the northern part of Pete's Mountain.	Agree	Based on Tualatin's analysis, Clackamas County did not analyze the northern portion separately and the findings for the majority of Pete's Mountain should apply to the northern portion as well.

600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700
503-797-1804 TDD
503-797-1797 fax

www.oregonmetro.gov



Date: Thursday, September 17, 2015

To: Roger Alfred, Senior Assistant Attorney

From: Tim O'Brien, Principal Regional Planner

Cc: John Williams, Deputy Director, Planning & Development

Re: **Comments on Tualatin's Memorandum to Reserves Steering Committee**

The Supplemental Brief for the City of Tualatin and the City of West Linn, dated September 25, 2014, references a CH2M Hill analysis the City of Tualatin commissioned to develop cost estimates for providing urban services as evidence regarding the provision of urban services to the Stafford Basin. This analysis was submitted to the Reserves Steering Committee on October 13, 2009 through a letter from the City of Tualatin, along with a point by point response to certain urban reserve factors as they were applied to urban reserve study area U4 by Clackamas County. Below are a couple of general issues with the City of Tualatin's analysis and specific issues related to the city's assessment of the county's analysis.

General Issue Regarding Study Areas

The two areas being compared by the City of Tualatin are not the same (see attached map). Clackamas County's analysis is for urban reserve study area U4 that includes the land north of Interstate 205, bounded by the existing urban growth boundary and totals approximately 3,400 acres. The area analyzed by the City of Tualatin and CH2M Hill is defined by the Tualatin River in the north, Stafford Road on the east, Interstate 205 on the west and SW Frobase Road on the south and totals approximately 2,900 acres. This area includes approximately 850 acres in Washington County that ultimately was designated and acknowledged as urban reserve 4E. Only the land between Interstate 205 and the Tualatin River that includes the Borland Road area is included in both analyses and totals approximately 700 acres. That area is shown in the combined red and blue overlay on the attached map.

As you would expect, the Clackamas County analysis assumed that one or more of the three adjacent cities and/or service districts would provide urban services to area U4. The city's analysis assumes that the City of Tualatin would be the only urban service provider for the area they analyzed, and therefore is not a relevant comparison for determining efficiency of service even for the Borland Road area. Also, the cost estimates provided in the City of Tualatin analysis assume that the entire area they examined, which stretches from the Tualatin River in the north to just north of Wilsonville, will be added to the UGB at the same time, which would not necessarily be the case. Timing, sequencing, new technology and partnerships also impact the cost of providing infrastructure.

Issues Specific to the Urban Reserve Factors as Outlined in the City of Tualatin's letter

Factor 1: Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments & Factor 3: Can be efficiently and cost-effectively served with public school and other urban level public facilities and services by appropriate and financially capable service providers.

Sanitary Sewer (Tualatin Letter page 3 of 18): The different analysis areas contain very different topography which greatly impacts the ability to provide sanitary sewer in an efficient and cost effective manner. The Clackamas County analysis notes that the northeastern portion of area U4 could gravity flow to an existing pump station and then be pumped to the Tri-City wastewater treatment plant (WWTP) which has additional site capacity and room to expand. The western portion would flow by gravity to the Durham WWTP in Washington County and a small portion in the north would flow to the Lake Oswego/Portland plant. The City of Tualatin analysis selectively includes only the statement regarding the Durham WWTP. In addition, Tualatin includes the need for a new pump station for a significant portion of land that is not within area U4, but is south of I-205 along SW Stafford Road. Furthermore, the CH2M Hill study includes the cost for rebuilding a pump station to serve an area (sub-basin A) that is largely in Washington County. These infrastructure improvements were included in the City's overall cost estimate for providing sanitary sewer services even though they are not needed to provide sanitary sewer service to urban reserve study area U4 that was analyzed by the county.

Water (Page 4 of 18): The geographies and topography of the different analysis areas greatly impact the ability to provide water in an efficient and cost effective manner. The Clackamas County analysis notes that water could be provided by the three adjacent cities through existing conveyance systems with no new investments in major facilities required. However, the City of Tualatin analysis assumes the city will be the only provider of water and that the Portland Water Bureau's Powell Butte Reservoir will continue to provide water and no other source was considered. The city notes that its charter limits the use of Willamette River water. The city analysis includes three new reservoirs located outside of urban reserve analysis area U4 with one being located two miles south of Interstate 205. These structures, conveyance systems and source water needs were included in the overall cost for providing water services in the city's letter even though they are not needed to provide water services to urban reserve study area U4 that was analyzed by the county.

Transportation (Page 5 of 18): Comparing the different analysis areas for providing transportation services is not appropriate as new or upgraded lane miles will be completely different based on the different geography, topography, lot pattern and existing roadways and connections to the adjacent urban areas. CH2M Hill's cost estimating report includes 24 roadway improvements; all but three of them are outside of the common area (Borland Road) of the two analyses. According to the report these three roadway improvement estimates total \$4,870,000 not the \$163,000,000 noted in Tualatin's letter to the Reserves Steering Committee. In addition, 10 of the 24 roadway improvements are located in urban reserve 4E in Washington County.

Tualatin also indicates there aren't appropriate, financially capable service providers because neither Clackamas County nor Tualatin has identified a source of funding to improve the transportation system, which is consistent with the Oregon statewide planning program as the land is outside the UGB. Once land is designated as an urban reserve then the county and the three adjacent cities can initiate planning a future urban transportation system and identify potential funding sources as required in the Metro code for planning new urban areas.

Parks (Page 5 of 18): Comparing the different analysis areas for providing park services is not relevant and does not reflect the existing Lake Oswego parks within urban reserve analysis area U4 that were included in the county analysis. Tualatin disagrees with the county's assessment that parks could be efficiently and cost-effectively served as the parks system would be built concurrent with development, which is consistent with the way most new urban parks are built utilizing system development charges. Tualatin does include a parks estimate of \$75-100 million based on twenty 5-acre parks at \$1 million per acre for design and construction for a completely different geography that does not reflect the landscape within the county urban reserve analysis area U4 or the existing Lake Oswego parks along Stafford and Rosemont Roads that were included in the county's assessment.

Storm Water (Page 6 of 18): Tualatin's analysis included storm water management as part of its transportation cost estimates, assuming that extended dry ponds within street right-of-way would provide water quality treatment. The CH2M Hill report notes that low impact development practices will be implemented as part of infrastructure development; however those types of facilities were not included in the cost estimate. Assuming all water quality facilities will be included in street right-of-way is not consistent with how development occurs. In addition, as noted above in the transportation section the vast majority of the street improvements identified in the CH2M Hill report were outside of urban reserve study area U4, with many of the improvements actually in Washington County, resulting in very inaccurate cost estimations for storm water services.

Schools (Page 6 of 18): Tualatin disagreed that West Linn-Wilsonville School District is an appropriate financially capable service provider as they should be consulted regarding what new capacity they are physically and financially capable of providing. The West Linn-Wilsonville School District is the school provider for all of the land within the Tualatin analysis area that is within Clackamas County except for 11 parcels that total 24 acres. Two of the 11 parcels are owned by the Oregon Department of Transportation located along I-205 and total ten acres. The superintendent of the West Linn-Wilsonville School District was a member of Clackamas County's Reserve Technical Advisory Committee.

Factor 2: Includes sufficient development capacity to support a healthy economy.

Buildable Land (Page 7 of 18): Tualatin disagreed with the county's determination that urban reserve analysis area U4 contained almost 1,500 acres of buildable land. This is based on their evaluation of the Borland Road area only, which is the common land area between the two analyses and they do not address the remainder of area U4. Again, this comparison of two different study areas is not valid.

Employment Land (Page 7 of 18): This factor is not an either or determination, it is intended to determine if the area could support some employment uses to support a healthy economy. The Clackamas County analysis noted that the western portion of U4 that is south of the Tualatin River is suitable for employment land, whereas the remainder of U4 is not suitable for employment land due to slopes and natural features. The City of Tualatin disagreed noting that the area would not be suitable for employment only and the land would need to support residential development. They go on to say that their analysis estimated 49 acres of residential and 131 acres of employment with some office, commercial, R & D/high tech, which confirms that the area could support some employment use that would contribute to a healthy economy and contradicts the city's statement of disagreement.

Factor 4: Can be designed to be walkable and served with a well-connected system of streets, bikeway, recreation trails and public transit by appropriate service providers.

Walkable (Page 7 of 18): The county's analysis noted that the somewhat flatter areas in the western part and the northern and eastern parts of U4 along the existing UGB would be most suitable for

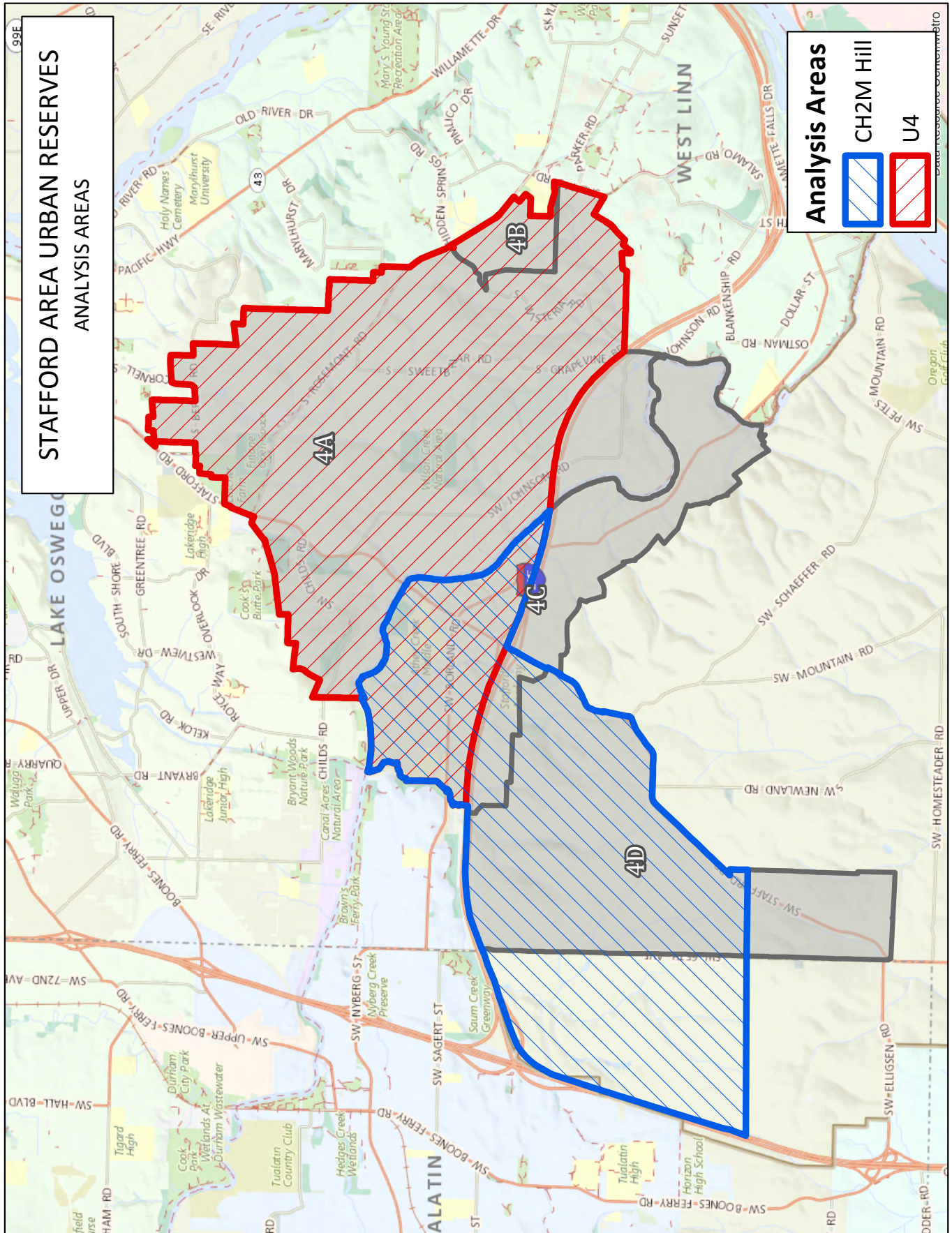
walkable neighborhoods. Tualatin disagreed; including only a snippet of the county's assessment (the somewhat flatter areas in the western part....would be suitable for walkable neighborhoods) in their letter, noting that streams in this area could make connectivity for walkability difficult. However the Tualatin letter does not differentiate which streams or areas they are describing. Tualatin goes on to say that the Core 4 Technical Analysis ranked this area (U4) as low suitability for connectivity. The Core 4 Technical analysis for transportation did identify this area with low connectivity suitability, however this analysis was focused on Factors 1 & 3 related to the efficiency of providing of urban services and not Factor 4 that is more directed towards design of a community rather than the overall efficiency of providing a transportation system.

Factor 6: Includes sufficient land suitable for a range of needed housing types.

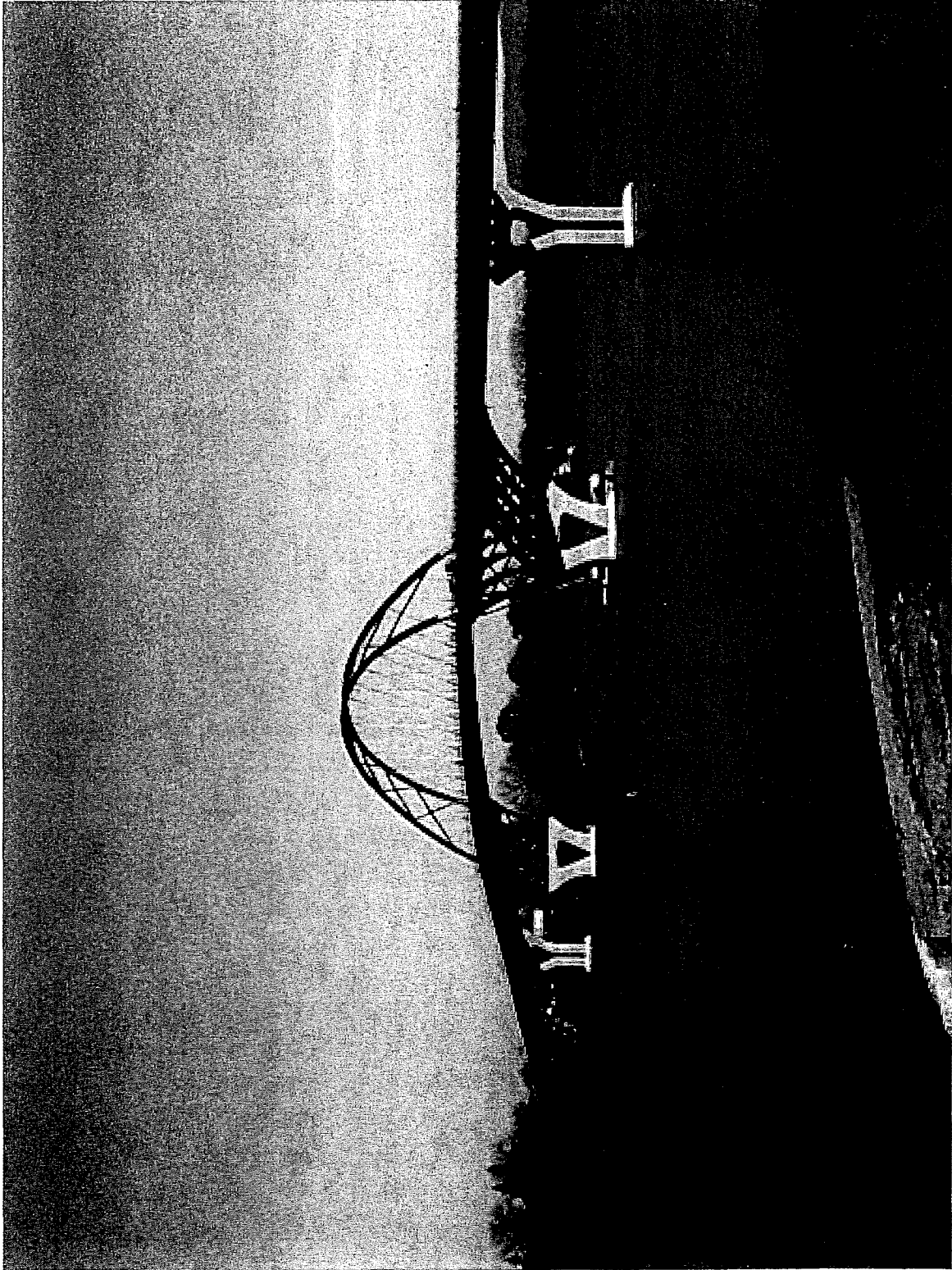
Page 8 of 18: This factor, similar to Factor 2, is not an either or determination, it is intended to determine if the area contained suitable land for a range of housing types. Factors 2 and 6 are not mutually exclusive of each other and it was expected that some urban reserve areas would meet both factors. Clackamas County's analysis of U4 noted that there is enough land in various pockets in the area to accommodate a variety of housing, most with relatively good access to I-205 and I-5. Tualatin disagreed, focusing only on the Borland Road portion of U4, noting that the county identified that particular area as potential for employment use and therefore it would not be able to accommodate residential development, thereby disregarding the fact that housing could also be built there and that the remainder of U4 is suitable for residential purposes. In addition, this statement contradicts the city's statement in Factor 2 that their analysis estimated 49 acres of residential and 131 acres of employment with some office, commercial, R & D/high tech.

Factor 7: Can be developed in a way that preserves important natural landscape features included in urban reserves.

Page 9 of 18: Clackamas County's analysis noted that portions of two mapped important natural features are located within U4, the Tualatin River and Wilson Creek, and protection of these areas could be achieved by purchase and preservation by a city, county, Metro or private organization. The City of Tualatin disagreed based on the fact they do not have plans to purchase additional lands along the Tualatin River, disregarding the possibility of another government entity or private organization having the means and willingness to purchase land in the future. It should be noted that significant land along two streams in Stafford, including a portion of Wilson Creek, is currently protected through private ownership.



Materials following this page were distributed at the meeting.



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF PROCLAIMING) RESOLUTION NO. 15-4663
OCTOBER 12, 2015 AS INDIGENOUS) Introduced by Council President Tom Hughes
PEOPLES' DAY IN THE METRO REGION)

WHEREAS, Metro is committed to Diversity, Equity and Inclusion to address systemic inequities that impact our communities by providing support and tools to Metro staff, Metro Council and community partners to create an equitable region for all; and

WHEREAS, Metro recognizes that American Indians and Alaska Natives have lived on these lands we all cherish since time immemorial; and

WHEREAS, it is important for us to never forget American history through the perspective of Native people in our Country because it reminds us of forced migration, broken treaties and other injustices that should never be repeated. This history is a lesson to all of us of the perseverance and resilience of Native people in the face of these injustices and the continued integrity and vitality of their cultures and their governments. As we work together to forge a brighter future, we cannot shy away from the difficult aspects of our past; and

WHEREAS, we recognize that Oregon's Tribal people were impacted by the Western Oregon Indian Termination Act that was passed by the U.S. Congress in 1954. As a result of this Act many Tribal governments were abolished and their members were relocated to urban areas, making Portland the 9th largest urban Indian population in the United States, with over 40,000 tribal people representing 380 tribes; and

WHEREAS, Native people have contributed to the unique culture of the Metro region and this country, with a special emphasis on traditional ecological knowledge and core values that go beyond materialism. Today, Native Americans are leaders in every aspect of our society -- from the classroom, to the boardroom, to the battlefield; and

WHEREAS, recognizing Indigenous Peoples' Day shall be an opportunity to celebrate the thriving traditions and deeply rooted values of the Indigenous People who reside in the Metro region, and of course, their ancestors before them; now therefore:

BE IT RESOLVED that the Metro Council proclaims October 12, 2015 as Indigenous Peoples' Day in the Metro region to honor and celebrate the many contributions made by the Indigenous Peoples throughout our vibrant community. We encourage other businesses, organizations, public institutions and community members to recognize Indigenous Peoples' Day and take time to learn and teach others about the history and cultural significance of the American Indian and Alaska Native community.

ADOPTED by the Metro Council this 8th day of October 2015.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney



**The
Portland Youth &
Elders Council**

NAYA Family Center
5135 NE Columbia Blvd.
Portland, OR 97218
(503) 288-8177 x 284
donitasf@nayapdx.org
www.nayapdx.org

September 29, 2015

Metro Council
600 NE Grand Boulevard
Portland, OR 97232

Dear Metro Council members,

I am writing to you on behalf of the Portland Youth and Elders Council (PYEC) and the Native American Advisory Council (NACAC) to the City of Portland Parks and Recreation. This communication is in regards to a community initiative that emerged earlier this year to request our local and regional governments to recognize Indigenous Peoples day over the more commonly acknowledged federal holiday known as “Columbus Day”.

PYEC and NACAC exist to facilitate a community driven participatory process in identifying community priorities and ideals that drive community goals aimed at highlighting cultural identity and acknowledgment of Native American history in our public spaces. Native American history is American history and should be highlighted in a very intentional way to acknowledge the daily contributions of our Indigenous leaders and ancestors – everything that we do as a nation is on ceded land from Native tribes.

Members of the local Native American community feel that learning about the history of Columbus and transforming this day into a celebration of indigenous people and a celebration of social justice allows us to make a connection between a painful history of oppression, forced assimilation and the ongoing marginalization, discrimination and poverty that indigenous communities face to this day. This is about taking a stand against racism and discrimination, Christopher Columbus played such a pivotal role in the worst genocide humankind has ever known – more Native American lives were lost post contact than were lost in the Jewish Holocaust.

State and local governments from Minnesota to Hawaii have enacted their own holidays to serve as an alternative to Columbus Day. Here are a few:

- Berkeley was the first city to celebrate Indigenous People’s Day, in 1992.
- In Hawaii, the second Monday in October is known as Discoverers Day, in honor of the Polynesians who first inhabited the islands.
- In South Dakota, it’s known as Native Americans’ Day.
- Some state governments, including Oregon’s, haven’t adopted a holiday for Native Americans but have chosen not to recognize Columbus Day as an official holiday.

- Minneapolis was the first major city to make such a declaration this year, with the city council's vote in April.
- Finally, Seattle's city government and school board adopted Indigenous People's Day, in step with the Portland vote.

Multnomah County Board of Commissioners will be reading a proclamation in support of Indigenous People's Day on Thursday, October 8, 2015 at their weekly board meeting. Community members will be gathering there in support of this monumental change in how people view our heritage.

I hope you choose to join our vibrant Indigenous community and no longer acknowledge a time of genocide and glamorized history. Won't you join us in celebrating the important history and culture on which our home was built? By becoming a supporter of this effort, it means you are invested in reclaiming history and elevating awareness around a vast portion of our region's culture that has shaped where we live today.

Thank you,

A handwritten signature in cursive script that reads "Donita S. Fry".

Donita S. Fry
Portland Youth and Elders Council Coordinator
NAYA Family Center
5135 NE Columbia Boulevard
Portland, OR 97218



October 8, 2015

Tim O'Brien, Principal Planner
Metro
600 NE Grand Avenue
Portland, OR 97232

Re: Testimony—City of Lake Oswego
Stafford Area Urban Reserves Remand Hearing
LCDC Remand Order 14-ACK-001867
Metro Ordinance No. 11-1255

Dear Mr. O'Brien:

As stated in the September 24, 2015, joint letter to the Metro Council from the Mayors of Lake Oswego, West Linn and Tualatin, and the Chair of the Clackamas County Board of Commissioners, the City of Lake Oswego urges that the remand hearing on Stafford Area urban reserves be postponed until the cities, the county and Metro have had the previously agreed-upon, facilitated discussion about the future of that area.

If the hearing nevertheless proceeds, Lake Oswego wishes to re-state its opposition to the proposed designation of urban reserves in Stafford. Evidence in the record fails to support a conclusion that the area can be developed at urban densities in a way that makes efficient use of existing and future public infrastructure investments, or that the area can be efficiently and cost-effectively served by urban-level transportation, water and sewer facilities and services.

The City anticipates that it will submit additional, more detailed testimony for Metro's second public hearing on the remand.

Sincerely,

Scott Lazenby
City Manager



BOARD OF COUNTY COMMISSIONERS

PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

October 6, 2015

The Honorable Tom Hughes, President
Members of the Metro Council
700 NE Grand Ave
Portland, Oregon 97209

Re: Metro Urban and Rural Reserve Remand

President Hughes:

We write to inform you of a couple of issues related to the Metro Urban and Rural Reserves Remand, and Clackamas County's response.

As you know, Clackamas County has been engaged in a process to determine whether it has enough employment land to maintain a 20-year supply, and whether we have sufficient reserves to provide our portion of the 50-year Urban Reserve supply. We recognize that jobs in other counties can serve Clackamas County residents. However, we believe our 395,000 residents, the region and the transportation system are better served if we also pay attention to our sub-regional needs.

While it appears the County has options for a 20-year supply, we have concerns about the current configuration of Urban and Rural Reserves, and their impact over the next 50 years. Therefore we have directed our staff to come up with a work plan to re-evaluate three rural reserve areas:

- An area south of Wilsonville, bounded by Arndt Road to the south, Airport Road to the east, Boones Ferry Road to the west and Miley Road to the north.
- An area of approximately 400 acres east of the City of Canby.

Re: Metro Urban and Rural Reserve Remand

Page 2

- An area of undetermined size on Springwater Road southeast of Carver.


We will need to evaluate each area under the reserves factors, but think it is wise to consider whether undesignated status will provide future generations with needed flexibility.

We have also directed staff to review the Boring Urban Reserve in light of recent developments in Damascus. The Boring area also contains foundation farmland, and a significant amount of slope-constrained land not likely to ever support urban development. We want to revisit whether Boring can actually serve to provide a land supply over the reserves planning period. The County does not intend to increase the net amount of urban reserves.

We intend to work diligently on these issues, but until our work is complete, we will not be in a position to approve a new decision on remand. Finally we want to communicate that Clackamas County does not intend to review or co-adopt findings on the Stafford area until the planned facilitated discussion is completed.

We thank you in advance for your consideration.

Sincerely,



John Ludlow, Chair

On behalf of the Clackamas County Board of County Commissioners

October 2, 2015

To Metro Councilor Carlotta Collette,

My name is Jon Iverson and I am the president of Clackamas County Farm Bureau, as well as a farmer in Clackamas County unfortunately I am unable to attend the hearing on October 8th. Clackamas County Farm Bureau would encourage Metro to keep the area south of Charbonneau designated as Rural Reserve. The farm ground in this area is some of the best in the world and the fear is that once development begins again south of the Willamette that the area will drastically change the area making it much harder for the farmers in the area to continue farming.

It seems it has only been a couple of years since we worked on the urban and rural reserve lines. Now it seems the county commissioners would like to totally bypass that process without any regard for the farmers that carefully negotiated that process, and relied on the assurance that their land of neighbors land would not be earmarked for development for at least 50 years.

I also think that by changing designation from rural reserve sets a dangerous precedent of non-farmers buying land in the hopes that they can repeat this process and change their land's designation into something other than agricultural use, driving up even more the cost of agricultural land. As a 28 year old farmer it is already near impossible for me to afford to buy land to farm, this will increase farmland's cost as investors can buy the ground for more money in the hopes of pressuring county commissioners to change their designation instead of the ground being protected in the rural reserve and being subject to the carefully negotiated local process.

I want to thank you for reading my letter I know the task you have at hand is not an easy one but I hope that you understand my points.

Sincerely,

Jon Iverson

Clackamas County Farm Bureau President

Metro Council
600 NE Grand Ave.

Portland, OR 97232

Date: Thursday, October 8, 2015

Time: 2 p.m.

Place: Metro Regional Center, Council Chamber

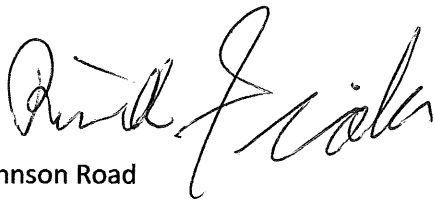
Urban Reserves Designations in Clackamas County Areas 4A,
4B, 4C, and 4D

John Williams, Metro

Roger Alfred, Metro

Metro is proposing to fix a transportation issue that in the Metro 2035 Regional Transportation Plan identified system wide failures of designated roads to handle the traffic requirements in 2035. In that RTP no funds were proposed, funded or earmarked to alleviate the traffic problems of 2035. Then when the Appellate court found in favor of the Cities of West Linn and Tualatin, Metro has now provided and proposed in the 2040 RTP that magically there is no problem since the new plan does not identify traffic issues that would support the Cities arguments. In the 2040 RTP no funding has been asked for, earmarked or acquired to fix any, let alone one of these projected "Not Failing" transportation system. Even a novice citizen like me can see this is a blatant attempt to circumvent what was in the record at the time of the designation in 2010. Also this is a complete travesty how a government entity (Metro) can attempt to change the rules during the process to suit the good of the entity not the good of the whole. Three cities and the Stafford Hamlet have said no to this urban reserve designation, yet Metro is protecting their "territorial jurisdiction" like the child who wants to set all the rules and doesn't care if their friends like it or not. I ask you to forget the smooth lines that metro planners have drawn for the urban reserves and listen to your constituents and allow the Stafford area be changed to undesignated.

Richard Fiala



21229 SW Johnson Road

West Linn Oregon 97068



Oregon
Department
of Agriculture



Oregon Land Conservation
and Development



State of Oregon
Department of
Environmental
Quality

January 22, 2010

Metro Councilor Kathryn Harrington
600 NE Grand Avenue
Portland, OR 97232

Washington County Commission Chair Tom Brian
155 North First Avenue, MS-21
Hillsboro, OR 97124

Clackamas County Commissioner Charlotte Lehan
2051 Kaen Road
Oregon City, OR 97045

Multnomah County Commissioner Jeff Cogen
501 SE Hawthorne Blvd, Suite 600
Portland, OR 97214

Dear Core 4 Members:

On October 14, 2009, the nine Oregon state agencies involved in the urban and rural reserves planning effort as members of the Reserves Steering Committee submitted coordinated state comments to that committee. Today, we are writing to reaffirm our earlier comments, and to go formally on record before the Core 4 as it deliberates to a decision. Each of the undersigned state agencies asks that the attached comments be made a part of the Core 4's record.

**CITY OF WILSONVILLE:
Relevant Excerpts from Joint
State Agencies' 2009 and 2010
Letters of Review of Proposed
Urban and Rural Reserves.**

The state agencies note that the proposed reserves maps that are currently being circulated for public comment differ in some respects from the agencies' collective recommendations. We wish to reaffirm our prior comments, while recognizing that they are general in nature and did not provide specific lines on a map. We also want to emphasize that the Core 4 decisions are not only critical to the region's economic growth, but have a direct impact on the entire economy of this state.

Finally, we wish to note our collective understanding that Metro and the counties intend that contemporaneously with the designation of reserves, Metro will be adopting amendments to its Urban Growth Functional Plan that will provide an important framework for future decisions about the circumstances under which lands within urban reserves will be added to the Metro urban growth boundary. In particular, we understand that the Functional Plan will require concept planning as a precondition to inclusion in the urban growth boundary, and that this planning will inform decision makers (public and private) about the projected costs and means of financing urban development as these lands are added to the region's urban area. We believe that it is extremely important that the Functional Plan amendments be adopted contemporaneously with the reserve designations, and ask that the region continue to coordinate with state agencies (as well as districts) on this important aspect of long-range planning for the region.

Thank you for the opportunity to comment. Please place this letter, as well as the attached letter dated October 14, 2009 into the record for the Core 4 proceedings.

Sincerely,



Richard Whitman, Director
Oregon Department of Land Conservation and Development



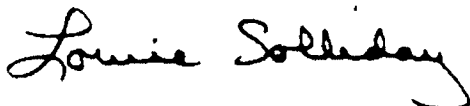
Katy Coba, Director
Oregon Department of Agriculture



Tim McCabe, Director
Oregon Business Development Department



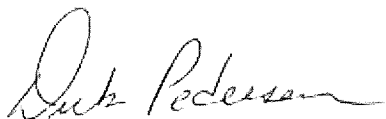
Marvin Brown, Director
Oregon Department of Forestry



Louise Solliday, Director
Oregon Department of State Lands



Matt Garrett, Director
Oregon Department of Transportation



Dick Pedersen, Director
Oregon Department of Environmental Quality



Jeff Boechler
Watershed District Manager
North Willamette Watershed
Oregon Department of Fish and Wildlife



Phil Ward, Director
Oregon Water Resources Department



Oregon
Department
of Agriculture



Oregon Land Conservation
and Development



State of Oregon
Department of
Environmental
Quality

October 14, 2009

Metro Regional Reserves Steering Committee
Core Four
600 NE Grand Avenue
Portland, OR 97232

Re: State Agency Comments on Urban and Rural Reserves

Dear Reserves Steering Committee and Core Four Members:

The Oregon Departments of Agriculture, Forestry, Transportation, Business Development, Fish and Wildlife, Environmental Quality, Water Resources, State Lands, and Land Conservation and Development are pleased to provide the Reserves Steering Committee and the Core Four with our collective comments on the region's tentative proposals for urban and rural reserve designations. The region's ground-breaking effort to envision its long-term future management of urban and rural lands is an exciting experiment that is illustrating new ways to build great communities and lay the foundation for sustainable agriculture, forest management and natural resources protection.

In developing these comments, it is important to note that we are responding to *preliminary* recommendations from each of the three counties and from Metro staff. The counties and Metro have yet to make final decisions concerning either the amount or location of urban or rural reserves. We all appreciate the substantial work that has gone into this important effort, including countless hours of public involvement, and we recognize that the final product will continue to be refined and to evolve over the next few months.

The state agency comments focus on *state-level* interests in how the Portland Metro region will accommodate the projected 1.3 to 2.1 million additional people that will live and work in this area over the next fifty years. Other members of the Steering Committee, appropriately, will focus on regional and local considerations. Metro and the three counties will need to consider all three levels of interests in reaching their final decisions about urban and rural reserves.

Finally, each of the nine state agencies represented in the Reserves Steering Committee has a particular set of responsibilities and duties. These collective comments were not arrived at lightly, and reflect significant discussion and work to resolve competing policy interests and to provide Metro and the counties with clear, consistent recommendations. We have appreciated the opportunity to participate with others from the outset as you work to guide the region's long-term future.

I. General Comments

This section of the agencies' collective comments contains two parts: (A) our suggestions for key additional information or interim decisions that should be developed before final decisions are made; and (B) our high-level, policy-oriented comments that are not related to specific areas or locations.

A. Additional Information

The reserves effort has generated a substantial amount of analysis and information for decision-makers. Nevertheless, the agencies recommend that Metro and the counties develop or clarify the answers to certain key questions before making final decisions regarding urban and rural reserves.

1. Clarify What Period of Time Reserves Are Being Established For

Urban reserves must be designed to provide a supply of land needed for population and employment over a forty to fifty-year period. Rural reserves are protected from urban development for a period equal to the period used for urban reserves. Metro and the counties need to clarify what period they are planning for. There are important policy questions associated with this choice, and the agencies' recommendation on this question is provided below at page 3.

2. Identify the Major Variables that Lead to Differing Estimates of Urban Land Need

Metro and Washington County each have produced different estimates of urban land need over the next fifty years. Although we believe that the Metro COO and

or Station Community designations consider the barrier effect of the freeway itself, and reduce reliance on the freeway and the freeway interchange for internal circulation and short trips. Concept Plan(s) should provide for internal multimodal circulation and connectivity within the concept plan area, within any proposed new mixed use centers, and to the existing Town Centers of Wilsonville, Tualatin, West Linn, and Lake Oswego.

5. East Wilsonville

The state agencies support the recommendations of the Metro COO regarding urban reserves and rural reserves in this area.

6. South and West Wilsonville/South Sherwood

South Wilsonville

ODOT, ODA, DLCD, OWRD, DEQ, ODFW, and DSL support the preliminary recommendation from Clackamas County to designate lands south of the Willamette River (French Prairie) as a rural reserve. The reasons for a rural reserve designation include: threat of urbanization, high suitability for agriculture, very significant transportation limitations (Boone Bridge capacity and no alternate river crossing, poor multimodal connectivity), poor suitability for urbanization (services and distance to existing population), and concerns about encouraging urban development moving south along I-5 into prime agricultural lands.

Oregon Business Development Department supports leaving the portion of the French Prairie area along I-5 and Highway 99 undesignated, to provide more flexibility in the event that additional large employment sites are needed in the region over the long term.

West Wilsonville/South Sherwood (Clackamas County)

The agencies support the COO recommendations for this area (both for urban and rural reserves).

West Wilsonville/South Sherwood (Washington County)

The agencies support the COO recommendations for this area (urban reserves). There are significant transportation issues associated with this area over the long term (Highway 99W and Tualatin-Sherwood Road) that will limit its ability to provide significant employment opportunities until resolved.

7. West Sherwood

Generally, the state agencies do not support including the areas due west of King City suggested as urban reserves in the COO and Washington County recommendations.



Oregon
Department
of Agriculture



Department of Land Conservation and Development

April 6, 2009

Metro Reserves Steering Committee
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Fellow Reserves Steering Committee Members:

On behalf of the Oregon Departments of Agriculture, Forestry, Transportation, Economic and Community Development, Fish and Wildlife, and Land Conservation and Development we are submitting the following preliminary comments on the counties' initial identification of candidate urban and rural reserve areas. As you know, the state agencies have been meeting regularly for the past several months to coordinate our work on this important effort. The other state agencies participating in the Steering Committee may have verbal comments on the candidate areas, and not all agencies have had time to prepare written remarks.

The agencies also have met with each county to review the county's work on candidate areas. We appreciate the time and effort of county staff in working with us to provide information about how preliminary decisions are being made. We look forward to continuing to work with each county, and with Metro staff and the Core 4 as this process progresses.

General Comments

Metro and the counties generally have not excluded lands as candidate urban or rural reserves at this point in the process if there is a significant likelihood that the lands may be suitable for either category. As a result, there do not appear to be any major issues with the preliminary decisions on candidate areas. At the same time, however, the inclusiveness of this first round will put significant time pressure on the reserves process as it moves forward to the next stages.

Metro has just released an executive summary of its fifty-year range forecast for population and employment for the seven-county statistical area. It also has just released its preliminary urban growth report for residential lands, and expects to soon release a preliminary report on employment lands. OAR 660-027-0040 requires Metro to specify the number of years that urban reserves provide a land supply for, based on the land supply necessary for urban population and employment growth in the Metro area. To get to a final decision, therefore, Metro will need to analyze the housing and employment land needs that result from its projections. It also will need to analyze the extent to which these needs will be met within the Metro urban growth boundary by redevelopment and infill (as well as what proportion of growth will occur outside of the Metro area). At this point in time, it is not clear how these decisions will be made in the reserves process (as opposed to the process for the urban growth report). The next round of decisions regarding how much land to designate as urban reserves will need to include this aspect of planning for the region's future.

Transportation

The Oregon Department of Transportation (ODOT) has some suggestions for evaluating the candidate urban reserve areas for compliance with urban reserve factors (3) and (4). ODOT has applied the proposed method to do an initial draft assessment of the capability of state highways to accommodate additional urban growth, and has assessed the relative cost of overcoming existing deficiencies in the state highway system and of bringing rural highways up to urban standards.

Ideally, Metro would do transportation modeling to analyze the performance of existing state highways and county and city transportation facilities, both within the existing UGB and outside the UGB in the urban reserve study areas, assuming urban-level development in the reserve study areas. Metro has indicated they will not be doing any transportation modeling for the reserves exercise. Metro and the reserves transportation working group have already performed an analysis of the feasibility and relative cost of developing a complete urban transportation system in the various candidate urban reserve areas, but this analysis did not consider the capacity of existing rural facilities, nor the impact of additional growth on facilities within the current UGB.

To substitute for transportation modeling, ODOT is proposing a simplified method to first identify which facilities, both outside and inside the current UGB, are already experiencing and/or are forecast to experience capacity, safety, and/or geometric problems without any additional growth. Second, ODOT would identify order of magnitude relative costs and feasibility of overcoming those existing problems. Presumably, if a transportation facility is already forecast to have capacity deficiencies, then plan amendments allowing additional urban growth relying on that facility would not be able to meet the Oregon Highway Plan mobility standards without significant mitigation and thus cost.

The assumption should be that transportation needs will be met in a manner consistent with RTP Policy. That means that deficiencies would not necessarily be met by widening existing state highways, but rather by developing a complete local and regional multi-modal circulation system in accordance with the RTP Regional Streets and Throughways System Concept, Regional Transit System Concept, Regional Freight System Concept, Regional Bicycle and Pedestrian System Concept, and Regional System Design Concept.

Specifically, that means all major arterials (state and local) should be assumed to be four lanes plus turn lanes, and should be upgraded to include regional transit, sidewalks, and bikelanes. The arterial and local street network should meet the RTP connectivity or spacing standards. All freeways should be improved to six lanes. Moreover, any existing expressway designations would be extended into the new urban reserve areas, and all expressways should be improved with grade-separated interchanges.

The table attached as Appendix A shows ODOT's initial assessment. It is organized by highway since there was no way to organize it by urban reserve study area. Cost estimates are based on ODOT engineers' judgment, but could be refined based on the unit cost approach Metro used for the initial transportation suitability analysis.

→ The analysis shows that the highways least suitable to accommodate additional trips and most expensive to improve, are I-205, especially the segment from I-5 to the Sunrise/Or 212/OR 224, and I-5, especially the segment from Or 217 to south of the Willamette River. US 26 West is constrained by severe congestion at the tunnel and the limited opportunities and huge costs to improve that segment, in addition to the costs of likely needed highway widening and reconstruction of a number of interchanges and overpasses. TV highway is already at 5 lanes, access management has proven to be difficult to implement, and opportunities to build a local network to reduce reliance on the highway are limited due to the presence of the railroad in close proximity. OR 213 and OR 212 are both forecast to fail to meet mobility standards even when widened to 5-lanes, and topography and the presence of natural resources limit opportunities to build a complete local transportation network. US 26 West has some potential to accommodate additional growth. However, areas around US 26 were not identified as either Urban or Rural Reserve Study Areas. ODOT recommends that they be included as both Urban and Rural Reserve study areas to allow for further analysis. ←

It is critical that the cost and feasibility of bringing state highways up to urban standards be considered as one factor in the urban reserves suitability analysis. It is well known from the development of the Federal RTP that ODOT does not have sufficient funds to maintain mobility and design standards on state highways within the current UGB. Therefore, once urban reserves are designated, it is critical that as part of concept planning, funding strategies are identified to pay for those needed improvements.

ODOT welcomes an opportunity to work with Metro and with each of the counties to review and refine this assessment, and to identify next steps.

29	from SW 209 th to SW 229 th , south of Hillsboro	Yes; Large area but small section of Hwy	Low 2005 and 2035 FC RTP shows existing and future capacity deficiencies, but TV Hwy is already at 5 lanes and access management is difficult to implement. Need adequate storage distance at railroad crossings; there are constraints to widening or adding railroad crossings; may need to depress RR to grade-separate.	Low
29	from WCL of Hillsboro to WCL of Cornelius	Yes; Medium, but small section of Hwy	Medium . Constrained by railroad tracks on south side, and difficult to widen or add railroad crossings; see previous section.	Low
29	south of Pacific Avenue to Yamhill County Line	Yes, Small	Medium – Existing capacity problem at the Pacific/Quince intersection; access management has been difficult to implement.	Low
140	SCL of Hillsboro to Yamhill County Line	Yes; Large	Medium - Several safety projects on this highway to realign curves to improve roadway geometry, widen shoulders, and add left turn channelization have been constructed in recent years. A few more safety projects of a similar type are needed. 2035 FC RTP shows capacity deficiencies even without Urban Reserves.	Medium
142	from SW 170 th to SW 196 th /Marlin Dr	Yes; Large area but small section of Hwy	Medium . Existing capacity problems with 3 lane section; planned for 5 lane section but no funding has been identified.	Low
1W, 91	from SCL of Sherwood to Yamhill County Line	Yes; Small	Low – FC 2035 RTP identified capacity problems. Improvements identified in I-5/99W study and Newberg – Dundee project, if constructed, will affect performance. Tualatin-Sherwood Rd, Edy Rd and Sunset Blvd intersections need to be improved to address existing capacity constraints.	Low
1	inside UGB and from Wilsonville SCL to Marion County line	No	Very Low - FC 2035 RTP identified severe capacity problems on I-5 within and south of existing UGB and at Wilsonville Interchanges. Congestion is especially high in the segment between I-217 and I-205. Widening of I-5 including Boones Bridge will be very expensive.	Huge "Huge" = over \$500 million; see next page
1E, 81	from Canemah to Canby	Yes, Small	Medium – Clackamas County Rural TSP identified geometric deficiencies. Presence of railroad and bluffs constrain ability to make improvements. Oregon City tunnel presents a pinchpoint. Capacity constraints in Canby due to railroad and existing development patterns.	Low

TESTIMONY OF C>K> PATTERSON at Metro Oct. 8

Chairman Hughes, Members of the commission

I'm Charles Patterson of 32574 SW Riviera Lane,
Wilsonville.

Clearly the current Clackamas County Commission does not like Metro, or the Legislature having a say in our county. They want things their way.

Example of their way?

After telling our homeowners association they had no interest in the designation of Langdon Farm, just weeks later, a quick infusion of \$56,000 in campaign contributions saw spokeswoman Commissioner Tootie Smith at the Legislature asking that Langdon farm be withdrawn from the Rural Reserves.

The county has no financial dog in this fight except that \$56,000.

Development costs would be borne by other jurisdictions, each of which has said "no" in every legal forum available.

The decision should be fact based. Commissioner Smith, in a recorded commission meeting said Aurora Airport gets their water from City of Aurora: it could be expanded not very far up the road" to Langdon Farm.

Tootie is either late with her homework or chose to lie on the record. Aurora Airport gets its water from on site wells. City of Aurora has little excess water supply, or money to expand it.

But Smith is confident Wilsonville would serve Langdon, despite a land use policy prohibiting extension of services outside city limits south of the Willamette, and taxpayers facing costs of renewing our failing sewer and water systems. Tootie also ignores the ODOT ruling prohibiting expansion of water or sewer pipes under Boone Bridge.

Commissioner Smith says "transportation, ...is Langdons biggest selling point..." Yes I-5 is there but there is an additional seven roads that can support that property. I drove it this weekend: Airport Road, Ehlen Road, Arndt Road, Miley Road, Butteville Road, Hwy 551."

Using the Tootie Methodology there is no traffic problem in the entire Southwest Metro region. Provable... on any Sunday morning

But lets stick to the facts.

Again, Tootie failed her homework.

Six years ago, ODOT told the Metro Reserves Steering Committee that the South Metro I-5 corridor and Boone Bridge were at maximum capacity, and the cost to increase capacity was"over \$500 million." Adding I-5 was the "least suitable to accommodate additional trips and most

expensive to improve, especially from 217 to south of the Willamette River...”

Citizens followed the rules in developing Reserves for Clackamas County. Owners of the EFU zoned Langdon Farm, had multiple opportunities to be heard in well-advertised public forums. They pleaded their case, paraded their experts and subsequent Court decisions confirmed the process was fair and legal.

The Reserves process worked in Clackamas County. It should not be reversible at the whim of a new commission. Please, Keep your pledge to leave the Reserves in place for 50 years.

The wisdom of protecting French Prairie agricultural resources, including Langdon Farm has never been more obvious.

Oct. 6, 2015

Tim O'Brien
Principal Regional Planner
Metro
600 NE Grand Avenue
Portland, Oregon 97232

RE: LCDC Remand Order 14-ACK-001867
Metro Ordinance No. 11-1255

Dear President Hughes and Members of the Metro Council:

We find that there is one non-fix and two fixes to the Remand regarding the Stafford Hamlet.

The non-fix occurs if you continue to press for an all-urban outcome for Stafford. "Light" Metro development of 10 units/acre would add 22,000 homes to the area and generate 220,000 car trips/day, half of which would likely spill over into Hwy 43 that can't be widened. A transportation study that does not look at affected roads like McVey, Hwy 43, Stafford, Rosemont, Johnson Road, Woodbine, Wistria, Clematis, and Blankenship is unacceptable.

One fix, however, would be to adopt The Stafford Compromise, approved by 85% of the Stafford residents, which would allow Borland to be in urban reserves for commercial development after having been taken in by a willing city, while giving the remainder of the Hamlet an undesignated status. An undesignated status would not lock us into current zoning, and would allow us (through a statute or legislative act) to upzone the Exclusive Farm Use land (currently at an 80-acre minimum) to either Farm Forest 10 (FF-10) or Rural Residential Farm Forest 5 (RRFF-5). This would add 52 – 116 new homes in the Hamlet, north of the Tualatin River. There would be no need to widen roads, add sewer or water, or add new schools or levy new taxes on residents inside the Hamlet or upon city residents because wells (pending a separate study) and septic systems would suffice for the area. It would give time to solve the transportation issues that could better serve the future needs if and when the "undesignated" area is taken into the UGB. NO city is currently interested in ANY development without a solution to transportation issues.

The second fix would be to simply make all of the Stafford Hamlet undesignated and leave it as a buffer among the cities.

As an aside, we feel that, if you really want input, meetings should be schedule after work hours to give people an opportunity to attend.

Sincerely,

 Ann L. Culter

144 SW Tualatin Loop, West Linn, OR 97068

SIGNATURE

PRINT NAME

ADDRESS

<i>[Signature]</i>	ERIC GRISWOLD	22733 JOHNSON RD
<i>[Signature]</i>	ROBIN BECKER	22730 JOHNSON RD
<i>[Signature]</i>	RACHAEL BECKER	22730 JOHNSON RD.
<i>[Signature]</i>	LARRY REED	335 TUALATIN LOOP
<i>[Signature]</i>	LOIS REED	335 Tualatin Loop
<i>[Signature]</i>	SYLVIA RANDALL	290 Tualatin Loop
<i>[Signature]</i>	STEPHEN NATTAH	295 SW TUALATIN LOOP
<i>[Signature]</i>	Cheryl S. Locklear	296 SW Tualatin Loop
<i>[Signature]</i>	Lilja Jordan	296 SW Tualatin Loop
<i>[Signature]</i>	Margorie Erwin	250 SW Tualatin Loop
<i>[Signature]</i>	JEFF HERBST	250 SW Tualatin Loop
<i>[Signature]</i>	CECILIA BARINSTEIN	363 SW TUALATIN LOOP
<i>[Signature]</i>	JOSH BARINSTEIN	363 SW Tualatin Loop
<i>[Signature]</i>	Tabby Cantine	260 SW Tualatin Loop
<i>[Signature]</i>	Rosalyn Paul	260 SW Tualatin Loop
<i>[Signature]</i>	Travis & Daniels	161 SW Tualatin Loop
<i>[Signature]</i>	Myrna R. Daniels	161 SW Tualatin Loop
<i>[Signature]</i>	BETTY McANINCH	131 SW TUALATIN LOOP
<i>[Signature]</i>	Shawn McAninch	131 SW Tualatin Loop
<i>[Signature]</i>	BAT McANINCH	131 SW TUALATIN LOOP
<i>[Signature]</i>	Phil Lee	22708 Johnson Rd.
<i>[Signature]</i>	Kathi Rees	22708 JOHNSON RD.
<i>[Signature]</i>	Karen Rees	22505 Johnson Rd. W.
<i>[Signature]</i>	DONALD HOWARD	921 ASHDOWN CIR
<i>[Signature]</i>	Patricia Jolley	21475 SW ST JAMES PI. WEST LINN OR
<i>[Signature]</i>	Erica Yraguen	21544 SW St. James Pi. West Linn OR
<i>[Signature]</i>	CORIE YRAGUEN	21537 SW ST JAMES PI. WEST LINN, OR 97068
<i>[Signature]</i>	MARION TOWES	21406 W. Ashdown Pl.
<i>[Signature]</i>	LOIS MILLER	22538 Johnson Rd West Linn OR 97068
<i>[Signature]</i>	SALLY QUINBY	19225 SW St. James Rd. W 97068

97068

The STAFFORD COMPROMISE

The Stafford Hamlet has long been the stage for three competing visions of its future.

- Metro's vision of expanding the UGB and building to their densities
- Clackamas County's vision of creating revenue with new employment lands
- The vision of citizens of the region (including residents of the Hamlet and the surrounding cities) of protected rural and open buffer spaces

It's been this way since before we were formed and is still this way now. The Hamlet's 9-year challenge has been to come up with a compromise plan where our citizens and regional partners all get some of what they want.

Following the Remand, we've changed our perspective and found a direction that embraces our uniqueness in a way that still builds a compromise. Instead of looking at the Hamlet as a whole, we've looked closely at our different terrains and access to infrastructure, while also considering resident's wishes. This change of perspective led to our compromise: viewing the Hamlet as two districts instead of one.

Borland

- designate as Urban Reserve, suitable as an employment area (building next to I-205 greatly lessens traffic impact and infrastructure needs in the rest of the Hamlet)
- develop as a Kruse Way-type of office development with limited retail

Halcyon neighborhood and lands north of the River

- 'Undesignated' status protects and preserves open space and rural character
 - allows for up-zoning of large landowner's EFU lands to RRFF-5 or FF-10
 - gives large landowners relief from 80-acre zoning
 - this scenario projects an additional 200 new houses, which will not require any new infrastructure.

We're a well-organized citizenry working steadfastly to have a say in our own future. 85% of our large and small landowners approved this compromise concept in a 2014 advisory vote.

We believe this Stafford Compromise will work because it lessens the burden of infrastructure and service costs and traffic impact on surrounding cities, increases tax revenues without costs to current residents, and provides for needed employment land. And, important to us, it preserves our unique, livable "Stafford Character" for future generations to enjoy.



President Tom Hughes
Metro Council
600 NE Grand Avenue
Portland, OR

Re: Remand of Stafford-Area Urban Reserves
LCDC Remand Order 14-ACK-001867 Metro Ordinance No. 11-1255

Thank you for this opportunity to testify on the matter of the remand from the Court of Appeals' and the Land Conversation and Development Commission to Metro regarding the designation of the Stafford, Rosemont, Borland, and Norwood areas in Clackamas County as urban reserves under ORS 195.145. We are unable to attend today's hearing; therefore, we are submitting written testimony and plan to appear at your next hearing on this.

While this hearing is focused on the Stafford area, our testimony addresses an issue we expect to arise: whether some or all of the area south of the Willamette River, in Clackamas County, that is currently designated as rural reserves should be changed to either undesignated or urban reserves. For legal, policy, and practical reasons we recommend that the Metro Council not change the rural reserve designation.

As a legal matter, this area qualifies as a rural reserve and does not meet the factors to be either undesignated or an urban reserve. The record of Metro's reserves decision documents extensively why this area qualifies as a rural reserve under ORS 195.137-.145 and OAR chapter 660, division 27, and we will not go into detail on that here. However, a few factual items are pertinent to summarize.

The rural reserve area south of the Willamette River consists of Foundation farm land, as designated by the Department of Agriculture and Metro. Foundation farm land is land that not only has excellent soils, but as a matter of law, it already meets all the requirements for being designated as a rural reserve: the land has already been found to be part of a larger block of farm land that possesses the soil and water characteristics, and is located such that the land is necessary, to maintain the long-term viability of the agricultural industry in the county, region, and state;¹ it also is necessary to support the agriculture industry's infrastructure of related businesses, processors, services, etc....;² and it is threatened by urbanization.³

This area of Clackamas County represents the northern portion of Oregon's fertile French Prairie area, which it shares with Marion County. Marion County is the state's #1 agricultural producing county, and Clackamas is #5. Together, they represent over \$1 billion in direct

¹ ORS 195.139(1)(a); ORS 195.141(3); OAR 227-027-0060(2)

² ORS 195.139(1)(a); ORS 195.141(3); OAR 227-027-0060(2)

³ ORS 195-141(3)(a); OAR 660-027-0060(2)(a)

agricultural sales, almost all in traded sector sales, and several times that amount in related industries.⁴ French Prairie is the heart of that irreplaceable bounty.

The designation of rural reserves is primarily a qualitative determination, not a quantitative one. That is, meeting the requirement of protecting the long-term viability of the agricultural industry is *not a matter of acres*, but of the *quality and location* of that land. And therefore, the balancing between urban and rural reserves required by law cannot be measured in acres of rural versus urban reserves or any other simply numerical comparison, or simply trading out pieces of land currently designated one or the other.

The record includes evidence from state and local agencies demonstrating that, in addition, the area does not meet the legal requirement to be designated as an urban reserve. In evaluating whether an area qualifies as an urban reserve, “Metro shall base its decision on consideration of whether [the] land” satisfies eight factors. The land south of the Willamette River fails this, as found by every elected and appointed body that evaluated it.

In particular, the evidence demonstrates the land cannot “be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments” (OAR 660-027-0050(1), and it cannot “be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers” (OAR 660-027-0050(3). Crossing the River would not only destroy some of the best farm land in the country, it would also negate the River’s use as a natural urbanization barrier, and result in a situation with no natural buffer between farming and urbanization marching south down the valley. This area cannot “be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves.” OAR 660-027-0050(8)

For example, ODOT testified that the South Metro I-5 corridor and Boone Bridge are at maximum traffic-handling capacity, and that the cost to increase capacity would be “over \$500 million.”⁵ Other testimony shows that evaluating all urban services - including wastewater, water, roads, and sewage - the area is a poor candidate for urbanization. That is why, in a detailed joint letter, seven state agencies opposed an urban reserve designation for lands south of the Willamette River.

The cost of providing urban services to this area to benefit a very few speculative property owners is a hidden public subsidy that all residents of the region – and indeed of Oregon – would pay, at the cost of other needed transportation and infrastructure investments that would serve existing communities. A consortium of private industrial land interests, Metro, and the Port of Portland have documented the existing industrial sites inside the current UGB that need discrete investments – for example, in an access road, in lot consolidation, in a clean-up – as a last step to make them “development ready.” An investment in these areas would bring online hundreds, perhaps thousands, of industrial acres that are already inside the UGB. Diverting the region’s

⁴ ODA, Oregon Agriculture: Facts & Figures, July 2014.

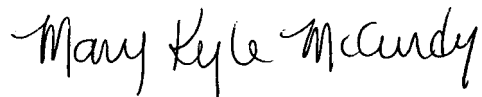
⁵ Joint State Agency Comments on the Metro Urban and Rural Reserves of October 14, 2009. (ODOT, ODA, DLCD, OWRD, DEQ, ODFW, DSL)

very limited attention and financial resources to the area south of the Willamette River is fundamentally unfair to those private industrial land owners inside the UGB.

Every elected and appointed body that has considered this area has concluded it is appropriately designated as a rural reserve, including: the Clackamas County Board of Commissioners, the Clackamas County Reserves Advisory Committee, the Clackamas County Planning Commission, Metro's Core Four (which included a Clackamas County Commissioner), the Metro Council, the Land Conservation and Development Commission, and the Oregon Court of Appeals. It is time for the region to say "enough" to the seemingly endless attempts by a few who simply speculated over a decade ago when they knowingly bought land zoned for exclusive farm use and figured they could somehow urbanize it. The area is properly designated as a rural reserve.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Mary Kyle McCurdy". The signature is written in a cursive, flowing style.

Mary Kyle McCurdy
Policy Director and Staff Attorney



Wendie L. Kellington
P.O. Box 159
Lake Oswego Or
97034

Phone (503) 636-0069
Mobile (503) 804-0535
Facsimile (503) 636-0102
Email: wk@klgpc.com

October 8, 2015

Via Hand Delivery
Members of the Metro Council
Attention: Tom Hughes, President
600 NE Grand Avenue
Portland, OR 97232

RE: LCDC Remand Order 14-ACK-001867 Metro Ordinance No. 11-1255

Dear President Hughes and Members of the Metro Council:

This firm represents Barkers Five LLC and Sandy Baker (Barkers). Please include this letter in the record of the above captioned matter.

Request

When the Metro/Clackamas County process is over, Metro should forward the revised reserves map to LCDC showing the Barkers property as undesignated land.

Specifically, if Multnomah County does not take action on the rural reserves remand before you complete your processes on the Clackamas County urban reserves, then we ask that you submit the revised reserves map to LCDC, showing not only the Clackamas County changes but also showing the Barkers property as UNDESIGNATED land. This is because the legal effect of the court of appeals remand is that the Barker's property is no longer rural reserve, it is undesignated. This follows the well settled rule that a land use decision that has been invalidated, is ineffective. *Turner v. Jackson County*, 62 Or LUBA 199, 210 (2010); *NWDA v. City of Portland*, 58 Or LUBA 533, 541-42 (2009); *Western States v. Multnomah County*, 37 Or LUBA 835, 842-43 (2000). Therefore, the legal status of the Barkers property is that it is undesignated land.

Multnomah County must take some specific action to make the Barkers property urban or rural reserve. It need do nothing to leave the Barkers property undesignated. Multnomah County may reasonably decide to dispense with spending precious public resources on attempting to re-designate the Barkers property some category of reserve.

Leaving land undesignated is the low hanging fruit in the reserves controversies. There are no legal standards to be applied to leave land undesignated. No findings are necessary for land to be left undesignated. No justification whatsoever is required. Leaving the Barkers property undesignated fully resolves the reserves controversy after Metro addresses the Clackamas County urban reserve matters.

Accordingly, Metro should forward the revised reserves map to LCDC showing the Barkers property as undesignated if Multnomah County does nothing more.

Undesignated Makes Sense

Attached is a letter from the City of Beaverton indicating that it would like to have the option of urbanizing the Barkers land over the 50 year rural reserve planning horizon. An undesignated label leaves Beaverton some options over half a century, but also does not mean the Barkers land will urbanize. To do so is a small but meaningful accommodation to Beaverton, a partner in the reserves matter.

Litigation Backdrop

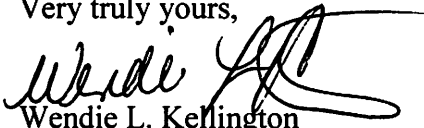
Barkers were successful litigants in the urban and rural reserves case captioned as *Barkers Five, LLC v. LCDC*, 261 Or App 259, 323 P3d 368 (2014) (*Barkers Five*). The court of appeals determined that Multnomah County had erroneously designated the Barkers property in Multnomah County "Area 9D" as rural reserve and that LCDC erred in affirming that designation. On March 16, 2015, LCDC issued a remand order that "remands Rural Reserve Area 9D to Multnomah County and Metro and Urban Reserve Areas 4A, 4B, 4C and 4D to Metro and Clackamas County for further action consistent with the principles expressed in *Barkers Five, LLC v. LCDC*, 261 Or App 259, 323 P3d 368 (2014)."

Accordingly, it is not the case as some have suggested that simply re-designating the Barkers property as rural reserve is pro forma. With all due respect, Barkers do not believe their property can be lawfully designated rural reserve. In fact, it is Barkers' position that Multnomah County would have significant work to do to attempt to demonstrate that the Barkers property is justified as a rural reserve. They do not understand why Multnomah County would want to spend public resources to do that.

Summary

Unless Multnomah County and Metro take some further action, the Barkers property remains undesignated. If Multnomah County takes no action when Metro and Clackamas County is ready to forward the reserves matter back to LCDC, Metro should forward the revised reserves map to LCDC showing the Barkers property as undesignated land.

Thank you for this opportunity to comment.

Very truly yours,

Wendie L. Kellington

WLK:wlk
Enclosure
CC: Sandy Baker



Denny Doyle, Mayor

March 2, 2015

Ms. Wendie Kellington
PO Box 159
Lake Oswego, OR 97034

RE: Barker Property

Dear Ms. Kellington:

Thank you for bringing to my attention the urban/rural reserve designation status of your client's (Barker) property on Germantown Road in Multnomah County. The purpose of my letter to you is to confirm the City of Beaverton's interest in seeing the Barker property placed in a classification where urbanization could take place in the future if it is appropriately demonstrated to Metro the need to expand the urban growth boundary to provide additional land for urban development.

The City has not conducted nor has received any site analyses to determine the suitability of the Barker property as an urban reserve. However, because the Barker property is adjacent to the existing Urban Growth Boundary line and the infrastructure supporting the urbanization of North Bethany, it would be appropriate to consider the Barker property for urbanization in the future. Without knowing the suitability for urbanization at this time, my staff and I recommend that the Barker property receive an "undesignated" classification from Multnomah County in-lieu of an urban or rural reserve designation.

As you know, the City of Beaverton's jurisdictional limits are approximately three miles south of the Barker property as measured along NW Kaiser Road and NW Bethany Boulevard. The City of Beaverton is in the initial stages of discussing the appropriate location of the City's urban service boundary with Washington County. It is possible that the City's future urban service boundary will include North Bethany.

If the North Bethany area becomes a part of the City of Beaverton, the Barker property will be adjacent to the City. If Barker property were to receive an "undesignated" classification from Multnomah County, the City would be willing to work with Multnomah County and other area special service districts (e.g. Clean Water Services, Tualatin Valley Water District, etc.) on establishing an urban service boundary to support the urbanization and governance of the Barker property.

City of Beaverton • PO Box 4755 • Beaverton, OR 97076 • www.BeavertonOregon.gov
ph: 503.526.2481 • fax: 503.526.2571

The Best of Oregon

Ms. Wendie Kellington
March 2, 2015
Page Two

While the City's ability to provide service and governance to the Barker property is speculative at this time, the need for land to urbanize in the future is not. If the City is in a position in the future to assist the Barker family in developing their property, we will be happy to provide that assistance.

If you have any questions about this letter, please feel free to contact Cheryl Twete, Community Development Director at (503) 526-2422 or by email at Ctwete@BeavertonOregon.Gov.

Sincerely,

A handwritten signature in cursive script that reads "Denny Doyle".

Denny Doyle
Mayor

c: Cheryl Twete
Leonard Bergstein

Wilsonville Mayor Tim Knapp Talking Points
Thur, Oct 8, 3 pm, Stafford Urban Reserve Remand Hearing
Metro Council Chambers

Good day President Hughes and members of the Metro Council:

I am Wilsonville Mayor Tim Knapp. I currently serve as the Clackamas County Cities Rep. to JPACT, and previously as the Rep for the Small Cities of Clackamas County to the Reserves Steering Committee that advised the “Core 4.”

I have been heavily involved in regional land use and transportation issues for a number of years now.

The core principals underlying the Senate bill that created the Reserves process include:

- Providing certainty over a long-term horizon for planning major public and private investments to serve urbanization of the greater Portland Metro region.
- Urbanizing those lands most suitable to serve cost-effectively with public infrastructure, while;
- Protecting high-quality Foundation farmlands that are crucial to maintaining the viability of the regional agricultural and food-processing industries.

The City of Wilsonville encourages both the Metro Council and Board of Commissioners of Clackamas County to timely settle the remand in order to provide the sought-after long-term certainty for both public and private investments for urban development.

The City of Wilsonville is concerned that protracted litigation surrounding the reserves is creating uncertainty for our city in terms of planning for future residential growth in the Advance Road Urban Reserve area.

I am also personally concerned by some of the conversations that are taking place by certain members of the Clackamas County Commission regarding an attempt to tie development south of the river to the remand.

The Reserves process involved thousands of people providing public input and countless hours of work to reach agreements. Any attempt to muddy the water or include issues that are beyond the limited scope of the remand would be a betrayal of that robust, open public process.

The Reserves process found that urbanizing the French Prairie area would be highly expensive for transportation, water and sewer infrastructure and detrimental to the long-term viability of the North Willamette Valley ag industry. Seven separate state agencies agreed.

For example, ODOT found that the transportation costs alone in the French Prairie area would be well in excess of \$500 Million. This scale of funding by federal or state governments is no longer available.

Finally, I note that the Reserves process found that urbanizing Stafford was appropriate due to the conflicted nature of ag land uses and feasibility for infrastructure. The Stafford Reserve constitutes 25 percent of all the Region's Urban Reserves.

Please bring this remand to a timely end, which will allow the various stakeholders to begin planning for the future orderly growth and development of our region.

Thank you.

Wilsonville City Councilor Charlotte Testimony
Thur, Oct 8, 3 pm, Stafford Urban Reserve Remand Hearing
Metro Council Chambers

President Hughes and members of the Metro Council:

My name is Charlotte Lehan and I serve as a City Councilor for the City of Wilsonville. I have also served as the Mayor of Wilsonville, a Clackamas County Commissioner, chair of MPAC, and other roles.

But, most pertinent to today's hearing, I served as the Clackamas County representative to the Reserves "Core 4" decision-making body.

I support Mayor Knapp's testimony.

For many of us who testified at the legislature in favor of SB 1011 back in 2007 our support hinged on the intention of the bill to be guided by "factors" that supported Rural or Urban designations. We were promised that it would not be a case of political horse trading, but rather an open process of careful and broad based analysis by citizens, regional leaders, and a wide variety of stakeholders. SB 1011 and the supporting administrative rules were clear in this intention.

Clackamas County and Metro held to a factor-based process through two years of hearings, meetings, and staff work as the Reserves designations proceeded. In Clackamas County that meant review by the Reserves Advisory Committee, the Planning Commission, C4, and the County Commission, at every level receiving input from CPO's, cities, and citizens.

Also at every level we were advised by our legal and planning staff at Clackamas County that if areas met the factors for Urban and/or Rural Reserve, then it would not be legitimate to duck the issue by defaulting to Undesignated. Why? Because a primary intent of SB1011 was to offer “greater certainty” for the agricultural industry and for “commerce, other industries, and private landowners”. (All language taken directly from the statute.)

This emphasis on following the factors continued at the regional level with painfully detailed study by the 52-member Reserves Steering Committee, by MPAC, by the Core 4, and by the Metro Council, all accompanied by huge amounts of public input. At the state level, these designations were reviewed by DLCD, LCDC, and the Oregon Court of Appeals. This level of participation and the scope of the analysis are unprecedented in Oregon land use.

We are here today to focus on the only portion of Clackamas County that was remanded back from the Court of Appeals and that is Stafford. Stafford has been a controversial land use area for decades and reasonable people disagree on what its future should be. But one thing that every level of review did agree on was that it is not Foundation Farm Land and does not meet the factors for Rural Reserve. The questions of how, when, and how much of Stafford should urbanize and how best to preserve its special features while providing necessary infrastructure are all issues that I am no longer directly involved in.

But I urge the three cities, the hamlet, the county, and Metro to work together to resolve the issues regarding Stafford both to give some level

of certainty to Stafford and so that the rest of the region can finally finalize the years of work that have been invested in this process. I *am* directly involved in getting industrial and residential Urban Reserves ready for development around Wilsonville, and I *am* directly involved in protecting the best of Willamette Valley Foundation Farm Land in French Prairie as Rural Reserve. Both these objectives are held up at the moment.

In the case of French Prairie, every level of review that I mentioned previously – including the Court of Appeals – plus seven different state agencies concluded that French Prairie should be designated Rural Reserve. Application of the factors leaves no alternative.

So I encourage Metro and its partners to complete the Reserves process and provide the certainty that so many of us throughout the region set out to achieve back in 2007.

Thank you.

I would be pleased to answer any questions.

Oct. 6, 2015
Tim O'Brien
Principal Regional Planner
Metro
600 NE Grand Avenue
Portland, Oregon 97232

RE: LCDC Remand Order 14-ACK-001867
Metro Ordinance No. 11-1255

Dear President Hughes and Members of the Metro Council:


The Metro solution to the Stafford portion of the Remand lacks credibility. There is no solution with parts of a 2014 Regional Transportation Plan that's future assumption and parts of Stafford and major arteries including Highway 43 are still shown as traffic failure affecting the surrounding cities.

The lack of reserve clarity is not from the cities use of traffic forecasting, identifying and funding, but from Regional Transportation Planning issues that lack clarity. Even the 2014 RTP or future plans cannot alleviate the Lake Oswego State Street or West Linn Hwy 43 traffic conjection. With limited ability to widen those already conjected arteries that would have to accommodate tens of thousands of additional car trips with Stafford urban densities, and causing non-functionality of those cities, there is no solution.

Only until Metro can come to the table with all the local governments involved; the Cities, County, and Stafford Hamlet, will there be a solution.

This hearing should not be about a remand solution that lacks substance, but about a solution where all parties have participated.

Sincerely,


Larry Read
335 Tualatin Loop
West linn, OR 97068

October 8, 2015

Tom Hughes, President
Metro Council
600 NE Grand Avenue
Portland, OR 97232

RE: Clackamas County Commissioner's vote to withdraw the Langdon Farm
property from Rural Reserve

I am writing as the chair of the Aurora Butteville Barlow Community Planning Organization. Our members own property, live and work in unincorporated Clackamas County south of the Willamette River.

Soils South of the Willamette River

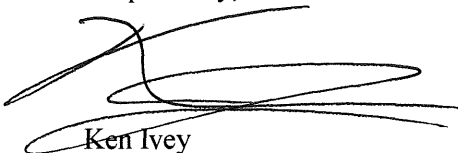
One of the principal criteria for land being designated as a Rural Reserve is its ability to sustain agriculture. The Oregon Department of Agriculture has designated the lands south of the Willamette River, French Prairie and Canby Prairie, as Foundation Farmland. As such, it represents the best soils in Oregon.

Prior to becoming a golf course, Langdon Farm was under cultivation from the 1850s. The land was part of a Donation Land Claim by George L. Curry, one of Oregon's earliest territorial governors. In 1931 James Langdon acquired the parcel called Langdon Farm from his father-in-law Newton Beck. The Langdon's raised wheat, alfalfa, potatoes, sun flowers, beans, hops and fruit trees, as did their neighbors. Later the land was leased to grow Tulips. The farm was irrigated from a well that was only 110 feet deep. I believe that qualifies as Sustainable Farming.

I live in proximity to Langdon Farm, I can tell you that any seed you plant or floats into our property on the wind, will take root and grow. It is also the reason that Oregon State's North Willamette Extension Center is located less than a quarter mile from Langdon Farm.

We ask that you reject the Clackamas Commissioner's attempt to remove any part of French Prairie from a Rural Reserve and maintain the Willamette River as a buffer from the threat of urbanization.

Respectfully,



Ken Ivey
Chair, Aurora Butteville Barlow
Community Planning Organization
24780 NE Prairie View Drive
Aurora, OR 97002

Charbonneau country club

32000 S.W. Charbonneau Drive - Wilsonville, Oregon 97070
Phone 503-694-2300 Fax 503-694-5783
Office@CharbonneauCountryClub.com

October 8, 2015

Chair Hughes & Commissioners,

Re: Remand of Stafford-Area Urban Reserves

My name is Tony Holt, I live in Wilsonville and am the current President of the Charbonneau homeowner association with some 2,500 residents.

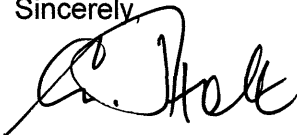
We know this hearing is about the Stafford area. That was the only remand from the Oregon Court of Appeals to Clackamas County. Certainly Stafford residents deserve a thoughtful and thorough re-evaluation of the Reserves designation.

But we know also that the 'elephant in the room' today is the attempt to scuttle the rural and urban reserves process by that same County Commission. They seek to change rural designations approved 7 years ago. Having listened to the tapes of their recent work sessions it seems they plan to ask Metro to let them change some designations from Rural to Undesignated. That all started when they decided, with advice from a study they commissioned, that they needed an additional 1,100 acres of employment lands in the County. For some reason, 2 or 3 members of the Commission are obsessed with changing the designation of properties owned by just one family---the Maletis brothers, south of the Willamette River, on what the Oregon Department of Agriculture classes as the very best soils-- 'Foundation Farmland'. Let's change it from Rural to Undesignated they say because even then, it won't be developed for 20-25 years and we'll all be dead. We say, why change it at all?

The rest of us know that such a change would put a stake through the heart of the Urban & Rural reserves process, a huge but very successful undertaking by Metro and the 3 Counties. I know, because I attended all the meetings of the Clackamas County grass roots Citizen Committee that poured over maps for many months, applied the required factors, and agreed on reserve designations. Those were subsequently approved by the County's Economic Development Committee, the Planning Commission, the County Commission and finally the Core 4--representatives from Metro and the 3 Counties, with mayors and elected officials involved. This two year process must not be thrown to the winds on the whims of one or two Clackamas County Commissioners, whose campaigns have been supported by the Maletis family.

A solution to the Stafford area must not be held hostage to permitting changes to Rural designations in other areas. Once other designations are changed, the whole Urban & Rural Reserves process will fall apart. We look forward to a day when the promise of HB 1011, giving a fifty year predictability for farmers, local governments and citizens, can finally be realized. It is time for the land speculators to stop their self-serving pursuit of developing prime farmland so we can all move on to more productive work.

Sincerely,



A.J.Holt

President

10/8/15

Council President Hughes and Metro Councilors

Thank you for the opportunity to speak today. I am John Kuhl. My family has owned 29 acres in the Stafford area north of Rosemont Road for over 54 years. I also am a member of the Stafford Land Owners Association (SLOA) and am the Treasurer. Herb Koss who is the Chair of the SLOA could not attend today's hearing and asked me if I could testify and submit this testimony on behalf of the SLOA.

I want to thank you for your leadership on this important issue. I wish our County Commission would have worked with you on this remand over the last year, but that didn't happen. During the grand bargain, in February of 2014, a friend of mine saw the conflicting statements from the county, and how the county was being perceived in Salem. He brokered a deal with members of the legislature and others, on his own time, and for no pay. That deal gave Clackamas County the opportunity to come up with the map fixes that they said they needed, over the next year. The ability for the county to do this was read into the record by Senator Chuck Thompsen. We jokingly dubbed it "the petite bargain."

It is unfortunate that the County Board of Commissioners did not work to get all of the parties together in order to come up with those map fixes, or resolve the Remand. But they didn't, and we sit here today, nearly a year and a half later.

The SLOA and its members tried for many years to work with the Hamlet in order to come up with a plan that truly was a compromise. Our efforts were rejected by the Hamlet and compromise is not what the Hamlet board evidently wanted to accomplish. This is evident with an upcoming vote that focuses nine years of the Hamlet's planning efforts to simply ask for a vote for five acre Martini Ranches in approximately 90% of the Stafford Basin. Why waste our time to vote on a plan that would not be recognized or supported by the State, the County or Metro. A plan that violates State Land Use Goals. The Hamlet is well aware that their plan is not consistent with state law and Metro policy, but is just another way to try and delay any decision on Stafford. The Hamlet's plan also ignores the huge tax base that Stafford could produce and the Hamlet plan would allow the newly created Martini Ranches to defer property taxes for many years utilizing farm or forest deferral system.

It was unfortunate that the County Board of Commissioners were not able to resolve the issues between themselves and work more proactively with Metro to address the remand. The CET funds, which would help service providers identify and develop options for resolving traffic issues are being withheld pending the resolution of the Remand. As we understand the CET grant is subject to a resolution of the Remand.

The major reason for the inaction by the commissioners is the desire by some to reopen the Urban and Rural Reserves Process in order to change designations on land in areas other than Stafford. The SLOA agrees that some changes should be made, but not at this time. The Remand needs to be resolved first, and not be used for leverage on other issues. If this situation continues, then the Legislature, which we believe is losing patience with the process, will act again, usurping both the authority of the County and Metro. If the Remand is not resolved years of work for implementing the Urban and Rural Reserves process will be negated.

Stafford is prime for development and if planned properly would be the crown jewel of Clackamas County. There is existing traffic infrastructure, and it is adjacent to both I 5 and I 205. Some opponents of development in Stafford maintain that Stafford is difficult to serve. Facts gathered by Metro show that Stafford is neither difficult nor expensive to serve. In speaking to SLOA members most of the SLOA members support SDC revenue bonds to finance needed infrastructure improvements. This would involve a commitment that any property owner who sells their land for development be required to purchase revenue bonds with 20% of their net proceeds. The property owner would be paid back as SDC's were collected.

When the Tanner Basin in West Linn was developed the only public money that was used was from System Development Fees, but the important point was the majority of money to fund the infrastructure was private money not public money. Developers paid for the infrastructure and in trade for the funding of the infrastructure the developer was given SDC's for their investment. At the time I was the President of Koss Brod Goodrich & Associates. Our company along with other developers funded the needed street improvements, water lines, pump stations etc. System Development Certificates were given in trade for the infrastructure work that had been identified on the West Linn Capital Improvement list. We realize that other financing tools are available, but the system development revenue bonds seem to be an understandable and great way to pay of infrastructure.

In summary the SLOA supports Metro's plan to make the technical fixes necessary to resolve the Remand and when this is completed call for the stakeholders to work together for the proper planning of the Stafford basin. Thank you for your leadership and your time devoted to a resolution.

Thank you for giving John the opportunity to speak today, on my behalf as Chair of the SLOA.

Sincerely

Herb Koss

Chair of the Stafford Land Owners Association

Friends of French Prairie

Friends of French Prairie
from Clackamas and Marion Counties

PO Box 403 | Donald, Oregon 97020 | www.friendsoffrenchprairie.org



October 7, 2015

President Tom Hughes
Metro Councilors
600 NE Grand Avenue
Portland, OR

Re: Remand of Stafford-Area Urban Reserves
LCDC Remand Order 14-ACK-001867 Metro Ordinance No. 11-1255

Thank you for this opportunity to testify on the matter of the remand from the Court of Appeals' and the Land Conversation and Development Commission to Metro regarding the designation of the Stafford, Rosemont, Borland, and Norwood areas in Clackamas County as urban reserves under ORS 195.145.

While this hearing is focused on the Stafford area, we understand that the larger question of changing the designation of rural reserves in the French Prairie part of Clackamas County is likely to become part of the discussion between Metro and Clackamas County, and I will focus my comments there. Specifically I wish to address the misinformation campaign already afoot that seeks to convince people that the Langdon Farms golf course and surrounding ag land is comprised of "low quality soils."

To that end, the packet I brought for each of you begins with three maps prepared by the Department of Agriculture's Land Use and Water Planning office. The first map is for context, and shows the zoning for the entirety of French Prairie. It includes the small portion in the northeast corner within Clackamas County, and the rest in Marion County. Of note, outside of urban UGBs it is all zoned Exclusive Farm Use.

The second and third maps show the soil type distribution in French Prairie based on the USDA Soil Classification system, and you can see that almost all of French Prairie is Class 1 or Class 2 soil types. The difference between the two maps is "irrigated" versus "non-irrigated" and the point is that there is no change in soil classification as a function of irrigation water availability. You will also note that the Clackamas County portion is virtually all Class 2, with very little Class 3. In other words, very high quality soil.

The fourth page is a soil profile illustration from North Willamette Research & Extension Center showing that the soil type is Willamette Silt Loam, and the depth of various layers. The relevance here, in support of other testimony about the value of this farm land and the ag industry it supports, is that the most that can be claimed about the soils at Langdon Farms golf course is that the upper layer of soil were mixed when berms and sand traps were created during golf course construction.

Nothing changed about the soil type or its fertility. It is still among the highest quality soil in the United States. Suffice it to say, this is the underlying factual data that resulted in the original Rural Reserves designation for the Clackamas County portion of French Prairie.

Sincerely

A handwritten signature in blue ink, appearing to read "Benjamin D. Williams". The signature is fluid and cursive, with a prominent initial "B" and a long, sweeping tail.

Benjamin D Williams

President, Friends of French Prairie

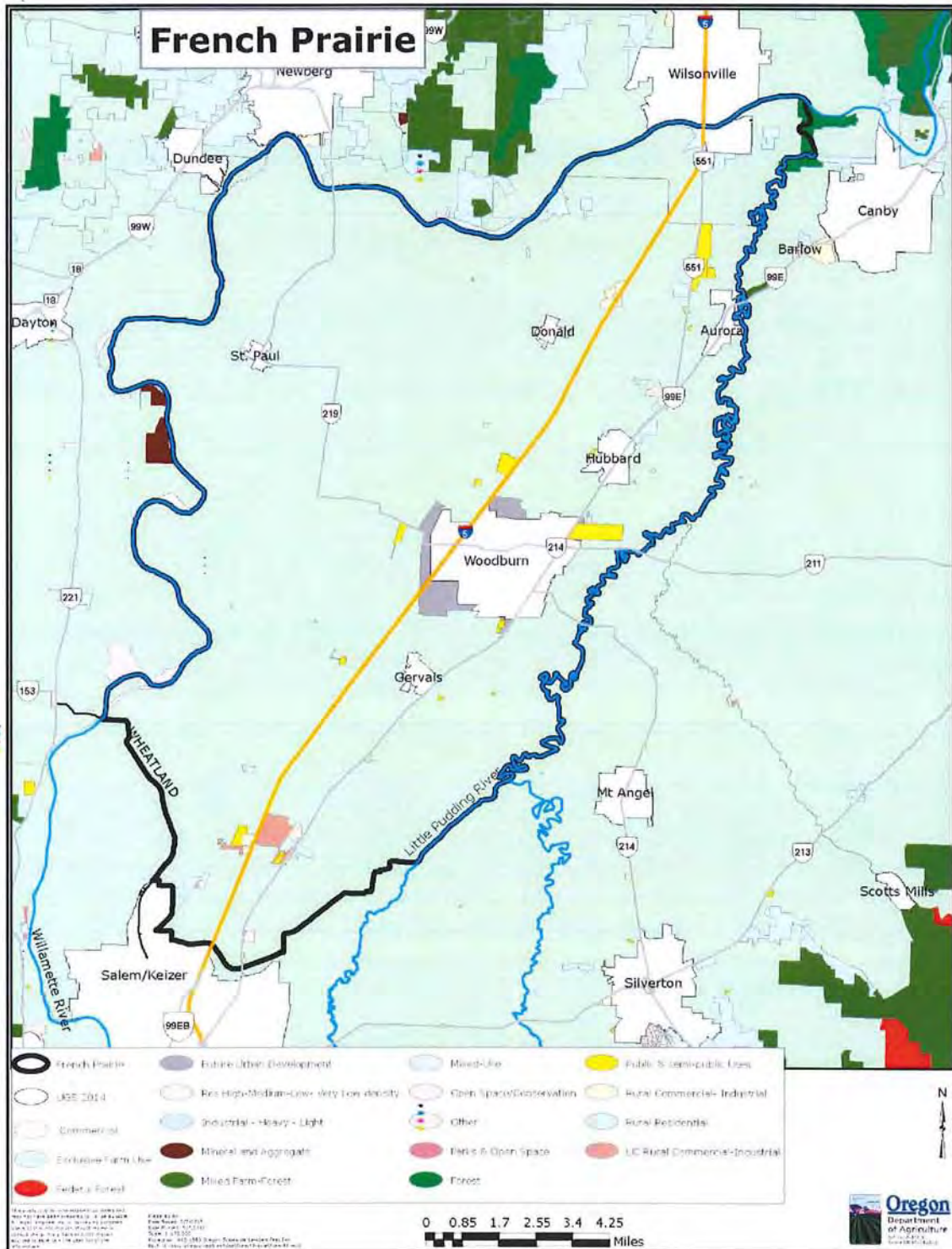


Soil Types in French Prairie

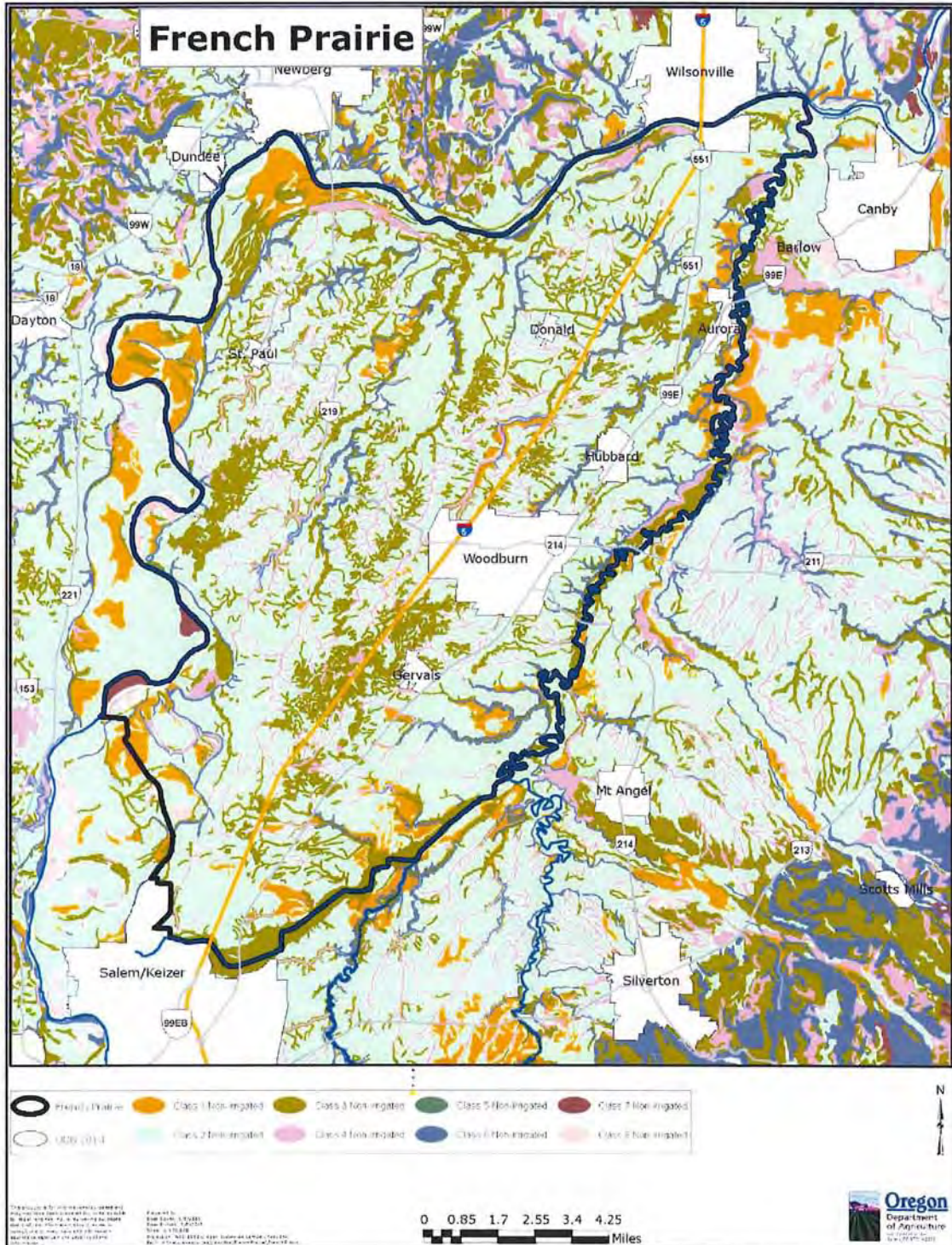
Provided to Metro Council
by
Friends of French Prairie

For complete information visit the "Docs & Regs" page at: www.friendsoffrenchprairie.org

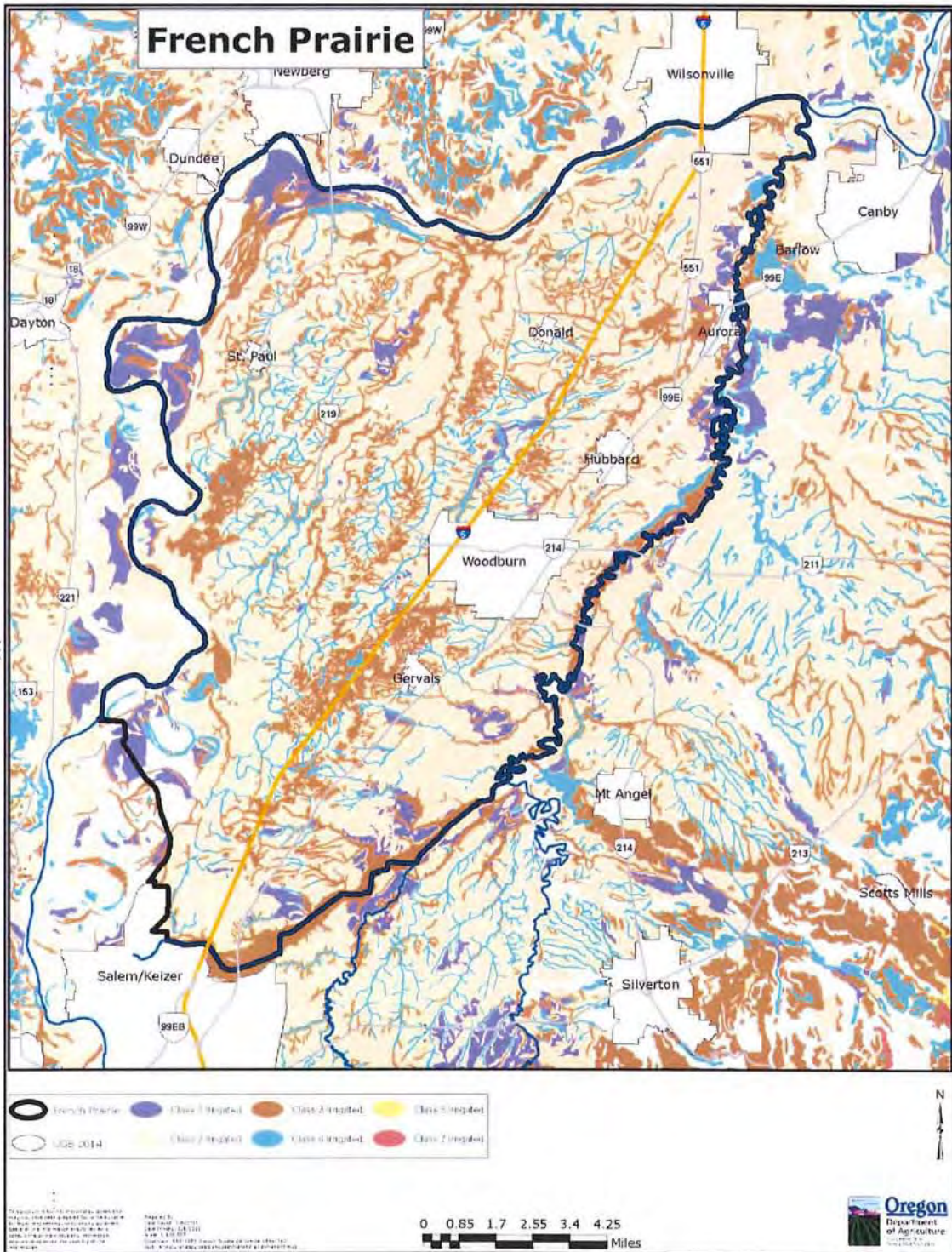
French Prairie Zoning



French Prairie Soil Map (Non-irrigated)

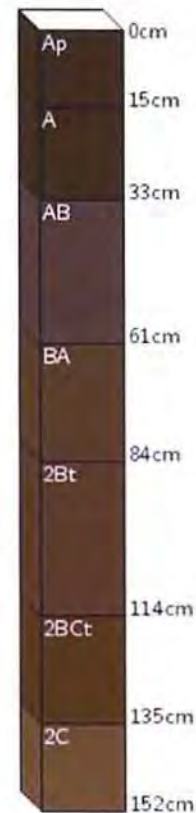


French Prairie Soil Map (Irrigated)



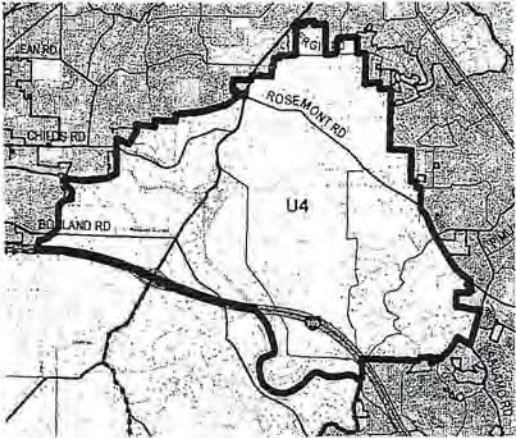
Willamette Valley Soils

- Willamette Silt Loam—
our most common
valley soil
 - About one-half of
the soils in FP are
Willamette silt loams
 - Deep, well-drained,
highly productive,
dark with lots of
organic matter



Clackamas County Urban/Rural Reserves Project
Policy Advisory Committee

PAC Polling on Candidate Urban Reserve Areas, with Input from Staff and Planning Commission
August 24, 2009

URBAN RESERVE DISCUSSION AREA WITH PAC MAJORITY	PAC STRAW POLL AND RATIONALE	STAFF SUGGESTION, OPTIONS AND RATIONALE	PLANNING COMMISSION RECOMMENDATIONS AND RATIONALE
<p>Area U-4: Stafford</p> 	<p>Majority (8): Designate the Borland Area only (north of I-205, east of Tualatin, south of Borland Road) as urban reserve. <i>Rationale: This area is most suitable for employment land. Supports Hamlet vision.</i></p> <p>Minority (6): Designate entire area urban reserve. <i>Rationale: Lots of infrastructure work in Stafford/Borland area. Suitable employment lands that will be needed in 50 years.</i></p> <p>Minority (3): Do not designate any urban reserve. <i>Rationale: Need to protect rural quality of area. Development infrastructure too expensive.</i></p> <p>Minority (1): Designate distinct portions as urban reserve, including Borland area and north and east areas adjacent to Lake Oswego and West Linn. <i>Rationale: Infrastructure work taking place. Most potential for development and lands suitable for employment.</i></p>	<p>Suggestion: Designate all as urban reserve. Rationale:</p> <ul style="list-style-type: none"> • Rates high or medium on the major infrastructure cost assessments • Natural ecological systems and features can be protected by acquisition and/or development restrictions • Contains lands suitable for employment <p>Option 1: Designate distinct portions of area as urban reserve, e.g., Borland Road area, and north and east areas adjacent to Lake Oswego and West Linn. Rationale:</p> <ul style="list-style-type: none"> • Rates high or medium on the major infrastructure cost assessments • These areas have the most potential to be developed into walkable, well-connected neighborhoods in conjunction with existing development inside the UGB. • Contains lands suitable for employment 	<p>Recommendation (8): Designate only the Borland area as urban and leave the rest of the area undesignated.</p> <p>Rationale: The land is conflicted. The Borland area is most suitable for employment land. It supports the Hamlet vision. It is adjacent to are U-3, which the Planning Commission recommends as urban reserve.</p> <p>Minority (1): Designate all of area as urban reserve. <i>Rationale: It doesn't meet rural criteria. It all needs to be designated urban in order for the hamlet to carry out its vision.</i></p>

The Stafford Hamlet was formed in 2006 and operates under the auspices of Clackamas County and the Clackamas County board of Commissioners.

As such we are the official liaison between the CCBC and Hamlet residents, landowners and business owners.

The Stafford Hamlet is an open, democratic and transparent entity. We are the only organization recognized by the county to represent the interests of all Hamlet constituents.

All Hamlet elections are supervised and reviewed by Clackamas County.

All Hamlet meetings comply with Oregon “public meeting laws” and are held in public forums that allow every citizen the opportunity to be involved in discussions and actions that affect the livability of our community.

Board leadership is openly elected in accordance with our by-laws and Clackamas County laws. Our by-laws require a board of director makeup that represents a balance of both large and small landowners.



We value the qualities—the “Stafford Character”—that make our community a valuable place to live.

These are:

Balance and fairness in our community.

The Tualatin River and its tributaries and wetlands.

Thoughtful change.

A strong community.

The legal rights of property owners.

Our connections to each other and to surrounding communities and resources.

*Oregon is insanely green.
It is the thin light
left over from Eden.*

William Stafford



The Stafford Hamlet
19995 Stafford Rd #7
West Linn, OR 97068

info@staffordhamlet.com

THE STAFFORD HAMLET



Community Vision Plan



*Thank you to the scores of volunteers that
have contributed ideas, funds, and hours of
their weekends on this project.*

2015



those who voted, details the “Stafford Character”—the special culture and nature of the area that the Hamlet community supports preserving as we consider any development in the Hamlet.

That character includes:

Preservation of open spaces, pastoral views, native and heritage trees, and wildlife.

Safe-guarding clean air and groundwater.

Visual connection with historical buildings, agriculture and livestock.

A safe, secure, serene environment.

Protecting the quality of the Tualatin River and its tributaries.

Having any future development being done thoughtfully, fairly, and in a balanced manner that helps build a strong community.

present here. This approach to the future of the Hamlet mirrored that of the Clackamas County Urban Reserve /Rural Reserve Policy Advisory Committee. In 2009, after a two-year process of evaluating land against strict criteria for Metro’s Urban Reserve creation, that committee recommended that the Stafford Hamlet be undesignated, except for the compromise stipulation that Borland be placed in urban reserves.

Understanding that our community impacts those around us, as theirs impacts us, we propose this as a regional solution that benefits Hamlet residents and the future generations who will live here, as well as residents of the surrounding cities, by providing a pastoral buffer zone their residents can (and do) enjoy but still allows them to keep their own individual character and identity.

The Stafford Hamlet plan is THE SOLUTION because:

1. Classifying the Borland Neighborhood “urban reserve” gives Clackamas County shovel the ready employment land we need and focuses density near I-205. New development pays for new infrastructure.
2. Classifying North Stafford “undesignated” preserves the green buffer between the cities growing around us.
3. The option to upzone EFU land in North Stafford gives flexibility to large property owners while maintaining the Stafford Character. Minimal new infrastructure is required.

Hamlet bylaws require the creation of a Community Vision Plan (CVP) that details our vision for the future of the Hamlet. In the fall of 2014, as we were in the final stages of preparing this plan, Clackamas County asked for specifics about our vision for our area. To that end, we held an advisory vote for Hamlet residents to clarify their vision for the future of our community.

After community consensus that considered all potential scenarios, the following two alternatives were presented to the voters as those that best fit the Visions and Values:

Keep the Urban Reserve designation for the entire Hamlet; or designate only the Borland area (south of the Tualatin River) as Urban Reserve, with the area north of the river plus the Halcyon neighborhood as “undesignated” or non-urban.

A large majority of those who voted preferred the second option. (See chart, flip side) Combined with our desire to preserve the Stafford Character in ways consistent with our values, this vote is a cornerstone for the vision plan we

How we wrote the plan

The Stafford Hamlet (“Hamlet”) advisory group was created in 2006. It is part of Clackamas County’s Hamlets and Villages program that allows residents of unincorporated areas to have a voice in their own destiny. It was born out of the idea that although change is inevitable, future generations will only enjoy our same quality of life if thoughtful, well-conceived change is implemented by current Hamlet residents.

The Hamlet consists of 3,930 acres, comprised of 2,760 acres of RRRF-5 (Rural Residential/Farm Forest) land and 1,170 acres of EFU (Exclusive Farm Use) land. This total includes 1,336 acres of riparian lands (waterways and wetlands) protected by State statutes, public and private open spaces, rights of way and land too steeply sloped to economically accommodate development and its necessary infrastructure.

Our 2009 “Vision and Values” statement, created after two years of public input and approved by a large majority of

The Community Vision Plan embraces Stafford Hamlet's uniqueness in a way that allows for some development/employment lands where most viable while also protecting as much of our open spaces as possible, in accordance with residents' wishes. This is accomplished by considering the Hamlet as two distinct districts instead of one: 1) Borland, and 2) the area north of the Tualatin River (plus the Halcyon neighborhood).

This compromise solution to differing opinions on the future of the Hamlet is meant to be implemented as a whole rather than by considering the Borland area and the area north of the river/Halcyon neighborhood as separate, unrelated entities.



SOLUTION BORLAND *Hamlet Lands North of I-205 and South of the River*

The Borland area south of the Tualatin River (excluding the Halcyon neighborhood) has a gross total of 520 acres, with a net developable area of 240 acres. As was cited in our Vision and Values statement, it is the most appropriate area of the Hamlet for denser development because of its flat terrain and proximity to I-205.

Development Considerations

Eventual development of the Borland area will require provision of public services, such as sewer, water and roads. These services will be provided by 1) a willing city, which would annex the area and make it subject to that city's Comprehensive Plan, or 2) a recognized governance entity.

We envision the Borland employment area as a Kruse-Way-type commercial development of class "A" office buildings that also includes restaurants and other retail business to support the people working there. This may include areas such as corporate campuses, medical facilities, and research and development. Development is expected to respect our neighbors, lower heights near schools, the Halcyon neighborhood, and the Tualatin River.

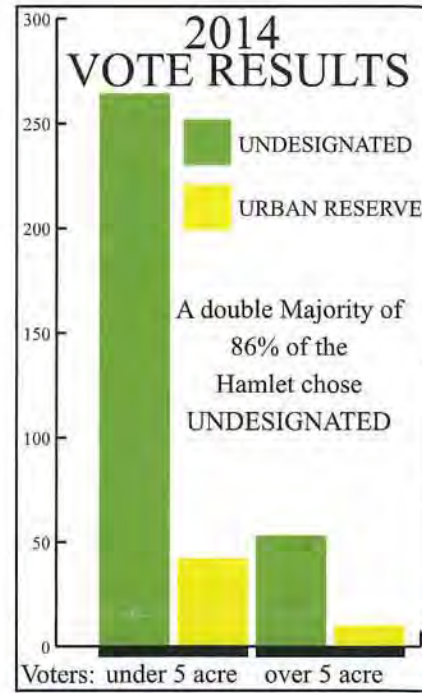
Developers should pay the costs of infrastructure and development. Such costs should not be the responsibility of residents of other areas of the Hamlet.

A traffic study and transportation plan will be needed to deter-

mine the transportation structure to accommodate planned development and to mitigate the impact development would have on the surrounding cities, the Stafford Hamlet and the region.

We expect any development to be a model of "green" urbanism, with consideration and enhancement of the natural features that make Borland special, including creek-side trails and Tualatin River wildlife.

Development must be done with careful consideration so as not to negatively impact Halcyon and adjacent neighborhoods.



SOLUTION THE NORTH *Hamlet Lands North of the River and Halcyon Neighborhood*

This area consists of 3,370 acres gross, made up of 2,200 acres of RRFF-5 (Rural Residential/Farm Forest) land and 1,170 gross acres of EFU (Exclusive Farm Use) land. The EFU total includes 385 acres that are riparian, public and private open spaces and rights of way.

This area is notable for its habitats for many native and sensitive plants and wildlife, which is enhanced by its connected open spaces, trails, and running waters, for its productive soils, and for its many heritage trees, all of which contribute to the health and enjoyment of the greater community.

Potential Development

Outside of the zoning allowances of RRFF-5 and FF-10, we do not support any employment land north of the river. We support up-zoning of Exclusive Farm Use (EFU) land, which currently allows only one home per 80 acres, as follows:

Up-zoning in EFU land to allow: 1) RRFF-5 (5-acre) zoning, which would result in a potential maximum of 116 new homes, or 2) FF-10 (10-acre) zoning, which would result in a potential maximum of 43 new homes. Existing land outside the EFU would continue to be zoned RRFF-5.

We anticipate that, to the extent possible, any new housing would be clustered to maximize open space.

Any new development would, of course, comply with existing state laws regarding aquifer protection and septic percolation.

With this potential maximum number of new homes, no new infrastructure (sewer, water, roads, schools, public buildings and services) will be required, so no additional costs to residents will be incurred. New construction fees for private builders will be lower because the area is unincorporated.

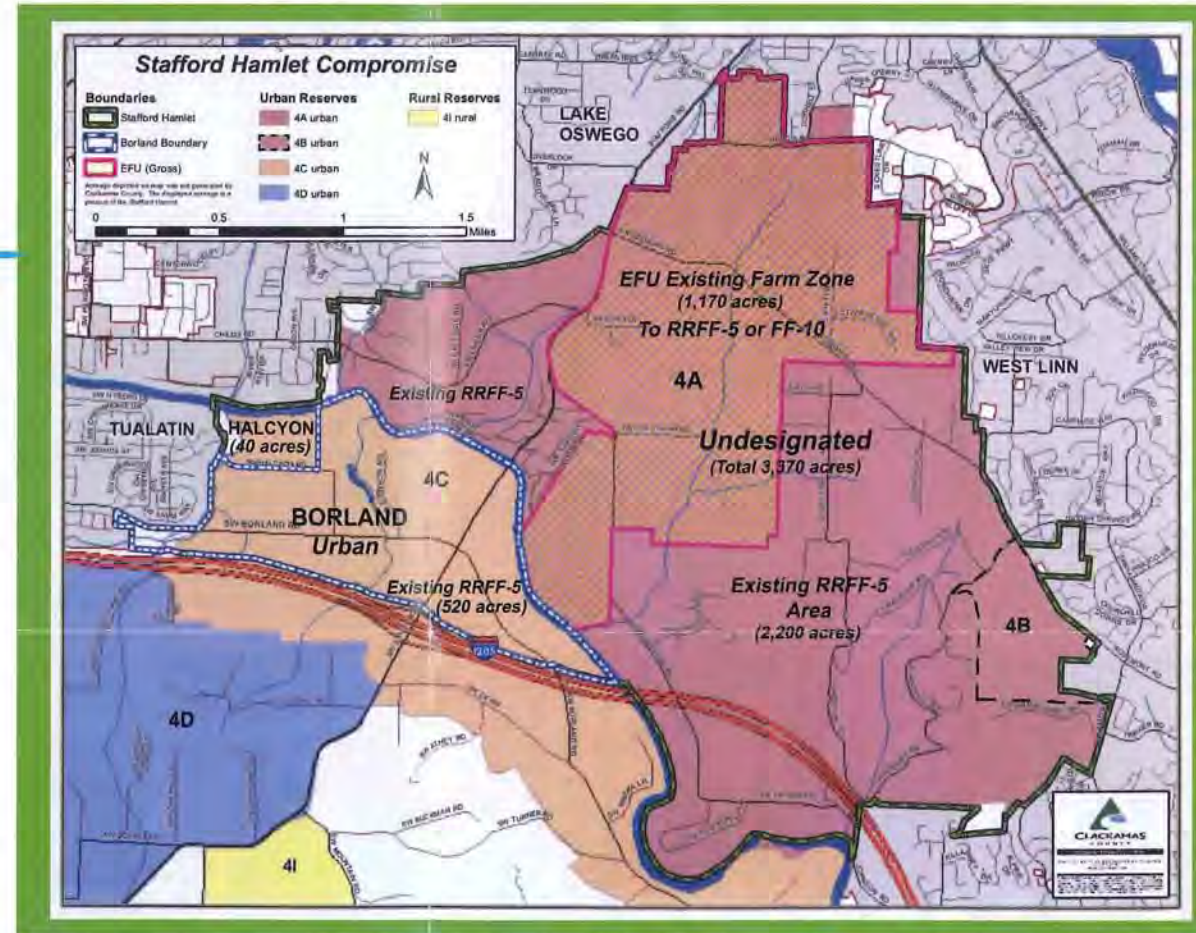
Preservation

As part of our commitment to preserving the Stafford Character, we also support exploring and promoting:

Open space and park acquisition, including working with willing landowners to purchase land and securing easements for permanent open spaces, buffer areas, and historic sites. Buyers could also be Metro, neighboring cities, land trusts, or other mechanisms.

Open-space-friendly eco-businesses, such as farms, tree farms, ranches, vineyards, orchards and equine centers that would enhance the area.

A close working relationship with Metro and other entities to increase connectivity within the Hamlet and between the Hamlet and the three surrounding cities through pedestrian pathways, trails, bike paths and equestrian trails.



Hamlet Acres, by type *

Borland Road Area	520	North of Tualatin River	3,370
- Church, School, Riparian		RRFF5	2,200
/Flood, Right of Way	280	EFU	1,170
Net Urban Available	240	-Riparian, Public and Private	
		Open Spaces	385
		Net EFU	785

*EFU - Exclusive Farm Use

RRFF5 - Rural Residential Farm Forest 5 Acres



For the record, my name is Eric Hoem, and I am a resident of Wilsonville.

Council President and members of the Council, I am here to speak against any changes to the land use designation of Langdon Farms Golf course.

A number of very good reasons for maintaining the Rural Reserve designation for the Langdon Farms Golf Course have been presented today.

And **these reasons connect into a very strong logical chain leading to one conclusion.**

The land in French Prairie is all excellent farm land. The Oregon Department of Agriculture calls French Prairie “foundational farm land” because the high quality of soil, availability of water, and benign terrain—all making it the foundation of a thriving & sustainable farming community that supports a billion dollar agricultural sector in our Willamette valley.

Because it is such high quality farm land, the land use process, including Core 4, which involved hundreds of hours of citizen involvement at many levels, designated this area as Rural Reserve. And this designation has been upheld in numerous challenges.

Altering that designation now would set a very poor precedent in policy making. Instead of having a long window of certainty, which both the agricultural sector and industrial planners need, it would become apparent that the process could be undone at any time with successful lobbying by interested parties. Lack of certainty, then, would seriously restrict planning options for all parties.

Lastly, today’s process comes at the behest of the Oregon Court of Appeals and the LCDC. Their direction is that a decision be made with respect to the Stafford area. Is it wise for this remand hearing to become an excuse for reopening the entire process? Ok, then, let’s talk about all of Clackamas County to reassessment. The Damascus area could just as easily be served with water & sewer and new roads as Langdon farms. Plus, industrial development in Damascus would not overload an already fully utilized, constantly crowded Boone Bridge.

These factors make a strong logical chain that very clearly supports keeping the focus today on the Stafford area and leaving Langdon Farms as is, Rural Reserve, until such time as the relevant legislation and administrative rules allow reconsideration .

The additional testimony I wish to add is that **there is something very stinky—very unseemly—about this issue coming to the fore now.**

As shown by their behavior, the owners of Langdon Farms bought the Golf Course with land speculation in mind. In a further indication, they have purchased additional land around their golf course nearly doubling their holdings. From the very start of their tenure as owners they

have tried numerous ways to get their land redesignated so it can be developed into a commercial industrial area. They have fought hard at the input level of the planning process & lost; they have taken one or more bills to the legislature every session and lost. Earlier this year there were five bills that directly impacted industrial development of their land and they lost. During the proceedings of the Oregon Court of Appeals and in the discussion of the “Grand Bargain” in the Legislature, they made their case and lost again.

This is not just capitalism. This is an example of trying to write the rules for yourself and not abide by the will of the majority. It is fundamentally undemocratic.

The owners of Langdon farms and adjacent properties have spent \$100,000 or more on lawyers and PR surveys. In addition they have given **more than \$60000 in political contributions to four Clackamas Country Commissioners** – sixty thousand dollars.

One adage in politics is “**follow the money**” and if you follow the political donations in this case, you get yourself exactly to what we are discussing in today’s hearing. At the very least, this behind the scenes maneuvering is a form of **political payola**—and it is deeply offensive to anyone who believes in our democratic processes.

I strongly urge the council not to reward this sort of shady, underhanded, self-seeking, and very undemocratic attempt to undermine Oregon’s land use planning process.

Thank you.

RE: Eric E. Hoem

8301 SW Lafayette Way

Wilsonville, OR 97070

Handout for Testimony at Stafford Remand Hearing by Eric Hoem, Metro Council Meeting, October 8, 2015

“Pay to Play” at the Clackamas County Board of Commissioners

The 2015 Legislative session was instructive in a number of ways. It illustrated the political adage: “follow the money.” In this instance the money flow had been from the Maletis brothers to four Clackamas County Commissioners as they pursue attempts to overturn the Rural Reserve designation of their land investments at Langdon Farms Golf Course and adjacent properties.

Campaign contribution background

The Maletis brothers have sought legislative solutions in past sessions, and tried and failed to have the Urban/Rural Reserves process changed through the appeal process. So far they have been unsuccessful in both: they have gotten no legislative traction, and the Court of Appeals denied all their claims to have their property which includes Langdon Farms Gold Course, removed from Metro’s Rural Reserve, so they can pursue commercial industrial development of their properties and gain huge windfall profits from their investment.

In the past three years four seats on the Clackamas County Commission have changed, and significant campaign contributions were made by Chris and Tom Maletis. A quick check of OreStar at the Secretary of State’s web site can confirm the following direct personal donations from Chris or Tom Maletis:

- John Ludlow (between Feb. and Oct. 2012) = \$25,000
- Tootie Smith (between April and Nov. 2012) = \$14,000
- Paul Savas (between Nov.2011 and Nov. 2014) = \$15,000
- Martha Schrader (between Jan 2008 and Oct. 2012) = \$4,500

These are very large sums of money for a county commission race, but it is no surprise given the multi-year effort of the Maletis brothers to overturn the Rural Reserve designation for their 380 acres of farm land in French Prairie and the current receptivity of the Clackamas County Commission to forward the Maletis agenda.

Sources: 1. “Campaign contribution background” at <http://www.friendsoffrenchprairie.org/issues-lfcp.html>

2. [http://www.friendsoffrenchprairie.org/documents/2012-14 Clackamas County Comm Donations Maletis Bros.pdf](http://www.friendsoffrenchprairie.org/documents/2012-14%20Clackamas%20County%20Comm%20Donations%20Maletis%20Bros.pdf) “Search Results for “Maletis” Campaign Finance Contributions to Members of the Clackamas County Board of Commissioners” from <http://sos.oregon.gov/elections/Pages/campaignfinance.aspx>

To Metro Commissioners:

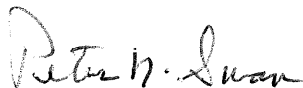
Whatever Clackamas County should or must do with regard the Stafford area, I urge Metro to not allow the Rural Reserves issue to be reopened as to the Maletis Brothers' property south of Wilsonville.

Oregon has been a national leader in land-use planning dating back to the establishment of LCDC. The procedures and entities for formulating and enforcing zoning law have been carefully crafted and have provided stability and certainty for property owners and developers. To end-run these tried-and-true methods through special-interest pressure, camouflaged objectives, and piggy-backing on other needed determinations would be a travesty. The last several years have seen engagement at every level from Metro to city councils to reassess urban growth boundaries and create rural reserves. These careful decisions should not be overturned or disregarded.

Previous efforts to challenge designations and be able to create industrialized enclaves were extensively considered by the Oregon Court of Appeals in *Barkers Five L.L.C. v. LCDC* decided in 2014. In that case, the court rejected the Maletises' contentions that LCDC incorrectly refused to change the Maletis property's designation from "rural reserve" to "urban reserve". The court quoted with approval LCDC's opinion in this matter "... under the substantial evidence standard [the one specified by statute], where the evidence in the record is conflicting, if a reasonable person would reach the decision that the decision maker made in view of *all* the evidence in the record, the choice between the conflicting evidence belongs to the decision maker." 261 Or. App. 259, 354. The court found that LCDC had "determined that substantial evidence existed in the record to support a designation of Area 4J generally – and Maletis's property specifically – as rural reserve." *Id.* The court added, "that, where, as here, evidence in the record will support either an urban or a rural reserve designation, the choice of designation is left to Metro and the counties" *Id.*

The *Barkers Five* opinion indicates that, as to the Maletis property, the Oregon land-use planning process has been assiduously followed and exhausted. It is time to "leave well enough alone."

Respectfully yours,



Peter N. Swan