

## Council meeting agenda

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**Thursday, September 15, 2022**

**10:30 AM**

**<https://zoom.us/j/615079992> (Webinar ID:  
615079992) or 929-205-6099 (toll free)**

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Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public. This work session will be held electronically.

You can join the meeting on your computer or other device by using this link:  
<https://zoom.us/j/615079992> (Webinar ID: 615079992) or 929-205-6099 (toll free)

If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

- 1. Call to Order and Roll Call**
- 2. Public Communication**

Public comment may be submitted in writing and will also be heard by electronic communication (videoconference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by 4pm the day before the meeting will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-797-1916 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Those requesting to comment during the meeting can do so by using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Individuals will have three minutes to testify unless otherwise stated at the meeting.

- 3. Councilor Bob Stacey Remembrance**
- 4. Ordinances (Second Reading & Vote)**

- 4.1 Ordinance No. 22-1483, For the Purpose of Amending Metro Code Section 2.01.055 to Clarify Attendance and Participation of Council Members by Electronic Means

[ORD 22-1483](#)

Presenter(s): Carrie MacLaren (she/her), Metro

Attachments: [Ordinance No. 22-1483](#)

[Exhibit A](#)

[Staff Report](#)

[Attachment 1](#)

**5. Other Business**

- 5.1 UGB Exchange process check in and proposed exchange considerations

[22-5763](#)

Presenter(s): Andy Shaw (he/him), Metro

Tim O'Brien (he/him), Metro

Ted Reid (he/him), Metro

Attachments: [Staff Report](#)

[Attachment 1](#)

**6. Chief Operating Officer Communication**

**7. Councilor Communication**

**8. Adjourn**

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### សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការការពារសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការបណ្តឹងរើសអើងសូមចូលទៅទំព័រ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យកេសាម្នាក់មកជួយលោកអ្នក ។

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Agenda Item No. 3.1

**Ordinance No. 22-1483, For the Purpose of Amending Metro Code  
Section 2.01.055 to Clarify Attendance and Participation of  
Council Members by Electronic Means**  
*Ordinances (Second Reading and Vote)*

Metro Council Meeting  
Thursday, September 15th, 2022

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO )      ORDINANCE NO. 22-1483  
CODE SECTION 2.01.055 TO CLARIFY )  
ATTENDANCE AND PARTICIPATION OF )      Introduced by Council President Lynn  
COUNCIL MEMBERS BY ELECTRONIC )      Peterson  
MEANS )

WHEREAS, on March 8, 2020, Governor Kate Brown issued Executive Order No. 20-03, Declaration of Emergency due to the Coronavirus (COVID-19) outbreak in Oregon; and

WHEREAS, on March 12, 2020, Metro Council adopted Ordinance No. 20-1443, amending Metro Code 2.01.055 (Participation of Council Members by Electronic means) to enable the Metro Council to conduct regular and special meetings with all councilors participating electronically in certain emergency situations declared by the Metro Council President, without being required to submit a written report and seek approval of the Metro Council President for each instance; and

WHEREAS, HB 2560 (2021), amending ORS 192.670 to require governing bodies to provide an opportunity, to the extent reasonably possible, for members of the public to access and attend public meetings by telephone, video, or other electronic or virtual means, including providing oral and written testimony, was enacted into law and became effective January 1, 2022; and

WHEREAS, during the COVID-19 pandemic, under Metro Code and state law, the Metro Council has been convening Council meetings electronically where all members of the Council are attending remotely by video and teleconference; and

WHEREAS, Metro has provided opportunities for the public to listen to an audio broadcast of Council meetings, as well as to watch Council meetings by videoconference and to provide oral and written testimony; and

WHEREAS, members of the Metro Council have appreciated the improved flexibility and equity of public participation while convening electronically, and desire to amend the Metro Code to continue to provide an option to members of Council to attend and participate in Council meetings by electronic means; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Amendment. Metro Code 2.01.055 (Participation of Council Members by Electronic Means) is hereby amended as provided in Exhibit A attached hereto; and
2. This Ordinance being necessary for the health, safety, and welfare of the Metro area, and to ensure effective and ethical governance by avoiding any disruption in the efficiency of Council proceedings and ability to convene Council meetings while maintaining flexibility to address community health and safety during the continued COVID-19 pandemic, an emergency is declared to exist, and this Ordinance shall take effect immediately, pursuant to Metro Charter Section 38(1).

ADOPTED by the Metro Council this 15th day of September 2022.

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Christine Lewis, Deputy Council President

Attest:

Approved as to Form:

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Connor Ayers, Recording Secretary

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Carrie MacLaren, Metro Attorney

**2.01.055 Participation of Council Members by Electronic Means**

- (a) For any regular meeting or special meeting of the council, council members may attend and participate in the meeting by telephone or other electronic device.
- (b) The councilor who wishes to participate by electronic means must notify the Council President and Chief Operating Officer in writing before the commencement of the meeting or as soon as reasonably practicable. The Chief Operating Officer will make reasonable efforts to notify all council members when some or all of the members are expected to attend by electronic means.
- (c) Any emergency meeting may be conducted by electronic means consistent with the Oregon Public Meetings Law.
- (d) Except for an executive session, the council will make available at least one place where, or at least one electronic means by which, the public entitled to attend the meeting can listen to the communication at the time it occurs. The place provided may be at a place where no council members are physically present. [Ord. 94-559A, Sec. 1; Ord. 02-958A, Sec. 1; Ord. 11-1251; Ord. 20-1443]

IN CONSIDERATION OF ORDINANCE NO. 22-1483, FOR THE PURPOSE OF  
AMENDING METRO CODE SECTION 2.01.055 TO CLARIFY ATTENDANCE AND  
PARTICIPATION OF COUNCIL MEMBERS BY ELECTRONIC MEANS

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Date: August 23, 2022

Department: Council Office

Meeting Date: September 8, 2022

Prepared by: Kristin Dennis

Presenter(s): Kristin Dennis

[Kristin.dennis@oregonmetro.gov](mailto:Kristin.dennis@oregonmetro.gov)

503-797-1829

Length: 30 mins

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### **ISSUE STATEMENT**

During the COVID-19 pandemic, under Metro Code and state law, the Metro Council has been convening council meetings electronically where all members of the council, public, and staff are attending remotely by video and teleconference. Metro Council is prepared to continue to conduct Metro Council meetings in a hybrid mode, where members of the public, as well as staff, have the option to attend the meetings in-person or via electronic means.

However, except in an emergency situation declared by the Metro Council President, Metro Code Section 2.01.055 limits councilor ability to attend council meetings by electronic means. Specifically, Metro Code Section 2.01.055 only allows electronic participation by councilors in extraordinary circumstances approved by the Metro Council President, and further requires at least four councilors be physically present for a quorum to exist. Members of the Metro Council have appreciated the improved flexibility, accessibility for public participation, and decreased commuting across the region to support our congestion reduction and climate change goals, while convening electronically, and desire to amend the Metro Code to continue to provide an option to members of council to attend and participate in council meetings by electronic means.

### **ACTION REQUESTED**

Approval of Ordinance No. 22-1483. This ordinance permits electronic participation by council members, providing increased flexibility. Councilors will be required to provide notification to the Council President and Chief Operating Officer (COO) that they intend to participate in a meeting electronically. The COO, or designee, is charged with notifying other councilors.



## **IDENTIFIED POLICY OUTCOMES**

This action will allow Metro Council to continue to meet and conduct regular business by electronic means, providing increased flexibility.

## **POLICY QUESTION(S)**

This action seeks to allow council members to continue to attend and participate in council meetings, even after the Metro Regional Center reopens and Metro Council terminates its declaration of an emergency. It ensures continuity of government by allowing Metro Council to more nimbly respond to other circumstances, such as where in person attendance is impracticable or dangerous due to an emergency situation that threatens the health, safety, and welfare of the Metro Area.

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Option 1: Leave Metro Code as is. Except in the case of emergency circumstances declared by the Metro Council President, councilors who wished to participate electronically would be required to state the reasons why they could not be physically present, why extraordinary circumstances require their presence, and receive approval from the Metro Council President. Four council members would also have to be physically present to meet quorum requirements. If more than three councilors would like to participate electronically, the meeting would be canceled due to lack of quorum.

Option 2: Recommended course of action. Adopt this ordinance. It allows council to meet quorum electronically, providing additional flexibility for councilors to participate in council meetings electronically where in person attendance is impracticable or dangerous due to an emergency situation that threatens the health, safety and welfare of the Metro Area.

## **RECOMMENDATION**

Metro Council should adopt Ordinance No. 22-1483.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

### **• Known Opposition/Support/Community Feedback**

None.

### **• Anticipated Effects**

Ordinance No. 22-1483 would amend Metro Code Section 2.01.055 to allow electronic participation by council members as a regular matter, without extraordinary circumstances or emergency conditions. All Public Meetings Law will still apply.

- **Financial Implications**

None.

## **BACKGROUND**

Ordinance No. 94-559A, adopted by the Metro Council on September 8, 1994, authorized Metro Council members to attend council meetings electronically if they could not be physically present, extraordinary circumstances required their presence, the Metro Council President approved the participation, and at least four council members were physically present at the meeting.

After Governor Kate Brown issued Executive Order No. 20-03, Declaration of Emergency due to the Coronavirus (COVID-19) outbreak in Oregon, Metro Council adopted Ordinance No. 20-1443, amending Metro Code Section 2.01.055 (Participation of Council Members by Electronic means). As amended, Metro Code Section 2.01.055 enables the Metro Council to conduct regular and special meetings with all councilors participating electronically in certain emergency situations declared by the Metro Council President, without being required to submit a written report and seek approval of the Metro Council President for each instance. On March 23, 2020, Governor Kate Brown issued Executive Order 20-23 ordering the public to stay at home to stay healthy, and ordering certain businesses to close unless otherwise permitted to operate as provided by the Governor's Executive Order.

On April 15, 2020, Governor Kate Brown issued Executive Order 20-16, authorizing public meetings to be conducted by telephone, video, or other electronic and virtual means, and establishing requirements for the public to be able to listen or virtually attend the meetings at the time it occurs and providing opportunities for the submission of testimony by phone, video, or other electronic or virtual means, as well as written testimony. The 2020 Legislature also enacted House Bill 4212 (2020), authorizing public meetings to be exclusively conducted by electronic or virtual means and establishing requirements for public attendance, submission of testimony, and making recordings available, among other matters. Those provisions were effective as of June 30, 2020, and automatically repealed 30 days' after the expiration of the Governor's COVID-19 declaration of emergency.

On April 2, 2020, the Chief Operating Officer declared an emergency in the Metro region as a result of the COVID-19 pandemic, which was ratified by Metro Council in Resolution No. 20-5096 on April 23, 2020. Although the Governor terminated the COVID-19 Declaration of Emergency by Executive Order 22-03 in April 2022, the COVID-19 pandemic still continues to present a public health challenge, and the Metro Regional Center has not yet been fully reopened to the public.

During the COVID-19 pandemic, under Metro Code and state law, the Metro Council has been convening council meetings electronically where all members of the council are attending remotely by video and teleconference, as are members of the public and staff. Members of the Metro Council have appreciated the improved accessibility and equity of

public participation while convening electronically, and desire to amend the Metro Code to continue to provide an option to members of council to attend and participate in council meetings by electronic means. In addition, ORS 192.670 was amended by the 2021 Oregon Legislature to require governing bodies to provide an opportunity, to the extent reasonably possible, for members of the public to access and attend public meetings by telephone, video, or other electronic or virtual means, including providing oral and written testimony. Consequently, Metro is making efforts to conduct and support “hybrid” meetings where the public has the option to attend in-person, or electronically. Electronic participation by council members is consistent with this structure. Similar changes to enable electronic participation by elected members have been made by other local governments, including the City of Portland.

## **ATTACHMENTS**

Attachment 1 is a redline version of Metro Code Section 2.01.055, showing the proposed amendment. Note that in addition to the substantive changes discussed above, the section has been reformatted for readability.

## 2.01.055 Participation of Council Members by Electronic Means

- (a) For any regular meeting or special meeting of the council, council members may attend and participate in the meeting by ~~the use of a voice or data communication device that allows communication with all other meeting participants provided the following conditions are fulfilled:~~ telephone or other electronic device.
- (b) ~~(1)~~ The councilor who wishes to participate by electronic means must ~~file a written request with~~ notify the Council President ~~stating the reasons why the councilor cannot be physically present at the meeting, and why extraordinary circumstances exist that require that the councilor should participate by electronic means.~~
- ~~(2)~~ — The Council President files with the and Chief Operating Officer ~~a written report explaining the circumstances and containing the Council President's determination that the physical absence of the councilor is both unavoidable and excusable and that the physically absent councilor should participate in writing before the commencement of~~ the meeting.
- ~~(3)~~ — A majority of the council must be physically present at any special or regular meeting ~~for a quorum to exist, or as soon as reasonably practicable. The Chief Operating Officer will make reasonable efforts to notify all council members when some or all of the members are expected to attend by electronic means.~~
- (c) ~~(b)~~ Any emergency meeting may be conducted by electronic means consistent with the Oregon Public Meetings Law.
- ~~(c)~~ — Participation at any council meeting by electronic means shall not constitute attendance at a meeting of the council for the purpose of Section 22(1)(e) of the Metro Charter, unless an emergency exists pursuant to subsection (d).
- (d) Upon declaration by the Metro Council President, the requirements of subsection (a)(3) need not be satisfied for any meeting conducted electronically due to an emergency situation, such as a threat to Except for an executive session, the health, safety council will make available at least one place where, or welfare of the Metro Area, provided that the meeting otherwise fulfills the requirements of Public Meetings Law at least one electronic means by which, the public entitled to attend the meeting can listen to the communication at the time it occurs. The place provided may be at a place where no council members are physically present. [Ord. 94-559A, Sec. 1; Ord. 02-958A, Sec. 1; Ord. 11-1251; Ord. 20-1443]

Agenda Item No. 4.1

**UGB Exchange Process Check in and Proposed  
Exchange Considerations**

*Other Business*

Metro Council Meeting  
Thursday, September 15, 2022

## CITY OF TIGARD UGB EXCHANGE: UPDATE

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Date: 8/31/22  
Departments: Planning, Development and  
Research  
Meeting Date: 9/15/22

Prepared by: Ted Reid, Principal Regional  
Planner [ted.reid@oregonmetro.gov](mailto:ted.reid@oregonmetro.gov)  
Presenter(s): Andy Shaw, Malu Wilkinson,  
Ted Reid, Tim O'Brien  
Length: 30 minutes

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### **ISSUE STATEMENT**

The City of Tigard submitted a proposal for a residential urban growth boundary (UGB) proposal under Metro's mid-cycle UGB amendment process. As required, Metro's Chief Operating Officer (COO) has issued a recommendation to the Metro Council. In summary, the COO's recommendation is to add the River Terrace 2.0 area to the UGB in a UGB exchange process instead of as a mid-cycle UGB amendment. Council has directed staff to provide it with options for completing the UGB exchange.

### **ACTION REQUESTED**

Review preliminary UGB exchange options and provide staff with direction on additional considerations to help narrow possible exchange areas.

### **IDENTIFIED POLICY OUTCOMES**

The intended outcome of the UGB exchange process is that Metro fulfills its regional urban growth management responsibilities with a continued focus on efficient land use and readiness for urbanization.

### **POLICY QUESTION(S)**

- What information will the Council need to make a decision on a UGB exchange?
- Does Council have additional direction on what considerations could be applied to narrow down the set of UGB exchange options?

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

The Council may provide staff with additional direction on information it would like in order to make a UGB exchange decision, including the type of advice that would be helpful from MTAC and MPAC.

The Council may provide staff with additional direction on considerations that could be used to narrow down possible UGB exchange options.

The Council may provide staff with initial direction on conditions of approval that it wishes to consider for the addition of River Terrace 2.0 to the UGB. Those conditions could, for instance, specify planning requirements for Tigard to implement.

## **STAFF RECOMMENDATIONS**

Please refer to the attached memo describing staff's preliminary assessment of possible UGB exchange candidates. This preliminary assessment is a work in progress and is not intended to imply any decisions.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

### Background on Tigard expansion proposal

The City of Tigard is a consistent and dependable regional partner in its forward-looking approach to housing planning. Tigard has been at the vanguard of allowing middle housing that serves residents and the region so well. Now, Tigard has proposed a well-planned UGB expansion that includes middle housing under our new mid-cycle UGB amendment process. For the reasons described below, the Metro COO recommends that the Council approve this expansion, but through a UGB exchange instead of the mid-cycle process.

### Overview of the UGB exchange process

The UGB exchange process is different than a mid-cycle UGB expansion as it would entail adding the River Terrace 2.0 area to the UGB and removing a comparable amount of land elsewhere in the region. This approach is consistent with Metro's focus on city readiness in its growth management decisions. It recognizes that Tigard is ready for growth while some other areas that were added to the UGB in the past have not resulted in housing and may not for decades to come. Ultimately, adding land to the UGB can only help us address our housing shortage if it develops in a thoughtful, predictable way. Tigard has demonstrated that it is ready to develop River Terrace with a mix of middle housing types that makes efficient use of land.

This UGB exchange approach also holds us to the core principle of only adding to the overall size of the UGB when there is a regional need for additional 20-year land supply. This highlights an important distinction that guides our work: the difference between a present day housing shortage and long-term land shortages. State law requires us to focus on the latter when considering whether to add more land to the UGB. Given the trends of the last few years – most notably a slowing population growth rate and additional allowances for middle housing in existing neighborhoods – it is difficult to conclude that more land is needed now. What we need is to make more land inside the existing UGB ready for housing.

The exchange process is allowed under state laws, but Metro has never used this process. The UGB exchange process has been used in a few other jurisdictions around the state, most recently by the City of Sutherlin, OR in 2018.

At its June 14, 2022 work session, the Council discussed a proposed process for assessing possible exchange candidates. Following that work session, staff proceeded with assessing possible exchange candidates and engaging local jurisdictions and service districts to understand the status of identified lands. The attached memo describes the methods used and current status of staff's understanding of various exchange options. Please note that the options outlined in the memo are a work in progress and subject to change.

Next steps

At the work session, staff will review a proposed timeline for this process and will seek Council's direction on those steps.

**BACKGROUND**

This is the third opportunity that the Council has had to discuss the UGB exchange. At an April 28, 2022 work session, COO Madrigal presented her recommendation. At that work session, Council directed staff to return with a proposed approach to identifying UGB exchange candidates. Staff presented that proposed approach at a June 14, 2022 work session.

**ATTACHMENTS**

Memo to Council on proposed approach to identifying UGB exchange candidates.

[For work session:]

- Is legislation required for Council action?  Yes  No
- If yes, is draft legislation attached?  Yes  No
- What other materials are you presenting today? PowerPoint



# Memo

Date: September 1, 2022  
To: Metro Council President Peterson and Metro Councilors  
From: Ted Reid and Tim O'Brien, Principal Regional Planners  
Subject: River Terrace 2.0 UGB exchange: preliminary UGB exchange options

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## **Introduction**

The City of Tigard has proposed a well-planned UGB expansion under Metro's new mid-cycle UGB amendment process. City of Tigard staff has briefed MTAC on the River Terrace 2.0 concept plan on two occasions, in January and May of 2022.

The Metro Chief Operating Officer has recommended that the Council approve this expansion, but through a UGB exchange instead of the mid-cycle process. At an April 28 work session, the Metro Council directed staff to proceed with the work necessary to allow the Council to consider a UGB exchange this fall.

The UGB exchange process, while already enabled under state law, has not been used in the Metro region. It would entail adding the River Terrace 2.0 area to the UGB and removing a comparable amount of buildable land elsewhere in the region. This approach is consistent with Metro's focus on city readiness in its growth management decisions. It recognizes that Tigard is ready for growth while some other areas that were added to the UGB in the past have not resulted in housing and may not for decades to come. Ultimately, adding land to the UGB can only help us address our housing shortage if it develops in a thoughtful, predictable way. Tigard has demonstrated that it is ready to develop River Terrace with a mix of middle housing types that makes efficient use of land.

Metro staff reviewed its proposed approach to identifying possible exchange candidates with MTAC on May 18, 2022 and then at a Metro Council work session on June 14, 2022 and MPAC on June 22, 2022. Staff provided an update to MTAC on August 17, 2022 and MPAC on August 24, 2022. This memo is intended as a status update and solicitation for additional feedback on possible UGB exchange areas.

## **Background on UGB Exchange Process**

The UGB exchange process is codified in Oregon Administrative Rule Chapter 660, Division 24. Specifically OAR 660-024-0070 provides the requirements for exchanging land inside the UGB for land outside the UGB. A local government may remove land from a UGB provided it determines:

- a) The removal of land would not violate applicable statewide planning goals and rules;
- b) The UGB would provide roughly the same supply of buildable land after the exchange;
- c) Existing public facilities agreements do not provide for urban services in the area to be removed from the UGB, unless the public facilities provider agrees to removal and concurrent modification of the agreement;
- d) Removal of the land does not preclude the efficient provision of urban services to any other buildable land that remains inside the UGB; and
- e) The land removed from the UGB is planned and zoned for rural use consistent with all applicable laws.

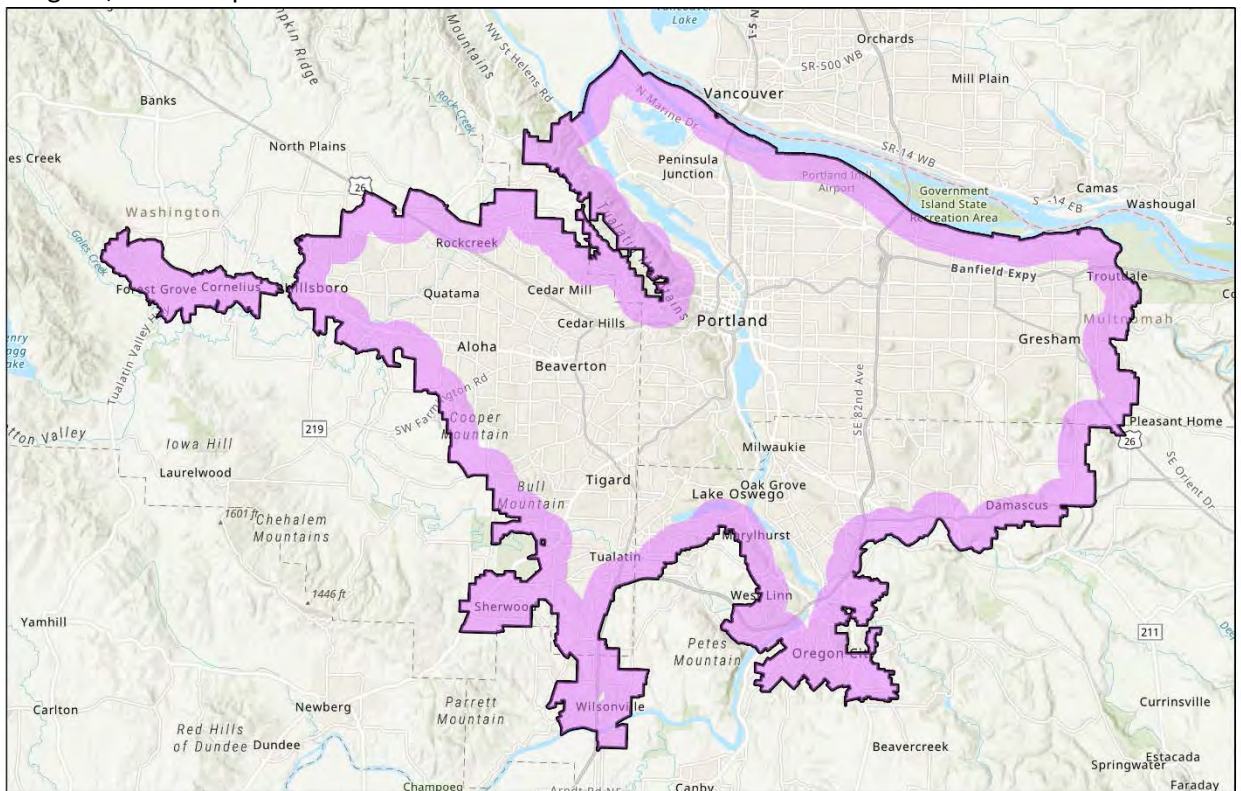
The rule does not provide any additional factors to consider when removing land from the UGB. As previously discussed with MTAC, MPAC and the Metro Council, Metro staff is following two-step process for determining areas to consider for the UGB exchange. The first step is GIS analysis to identify preliminary exchange candidates and the second step is consultation with local jurisdictions, service districts, and other stakeholders about the planning and development status of exchange candidates to focus on those areas that have not demonstrated a path towards readiness. This memo describes the methodology used for the GIS analysis and preliminary assessments made as a result of that analysis and consultations with local jurisdictions and service districts.

**GIS analysis approach:**

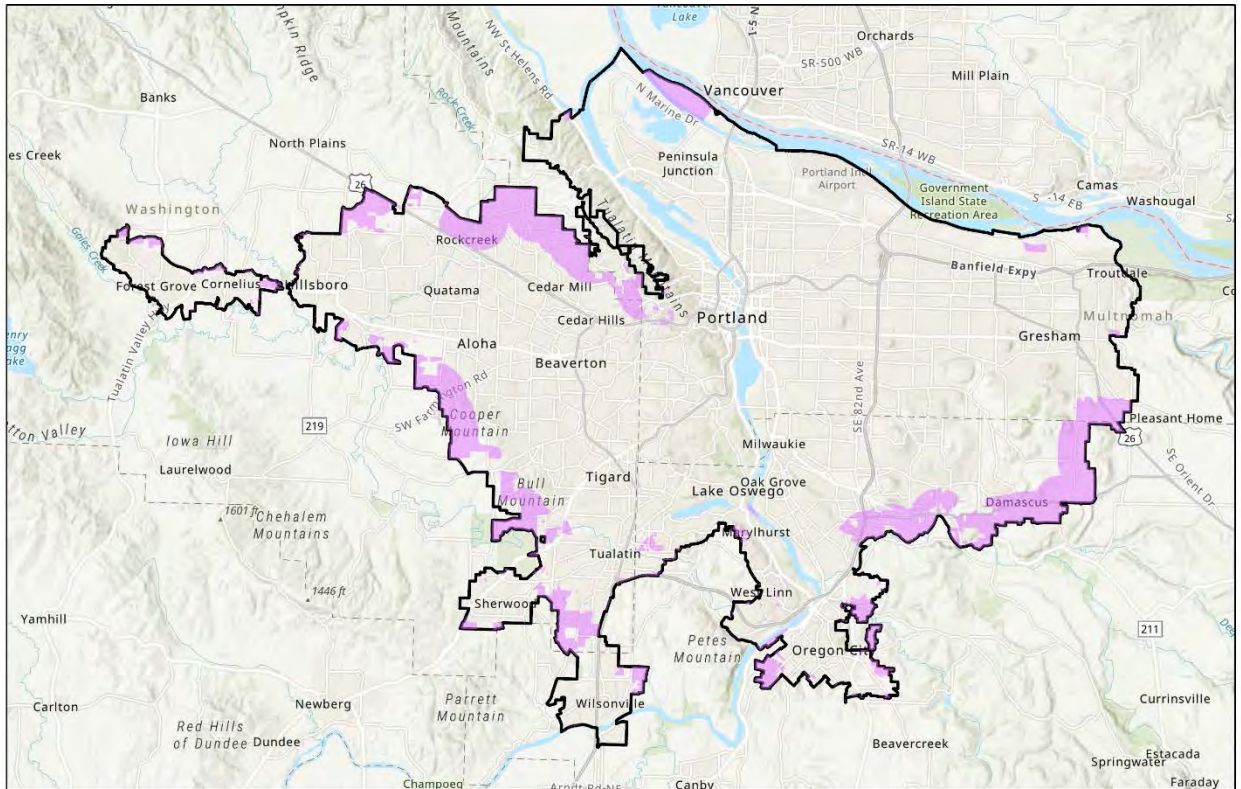
1. Land must be inside and adjacent to the existing UGB. No islands within the UGB should be created.
2. Acreage can be from a single contiguous area or multiple contiguous areas can be removed to total of approximately 350 buildable acres, however, these should be fairly large (100 acres or more).
3. Acreage should be from unincorporated areas of the UGB, not land currently in an existing city limits.

**Method:**

1. Using GIS, select all parcels within 1 mile of the UGB:

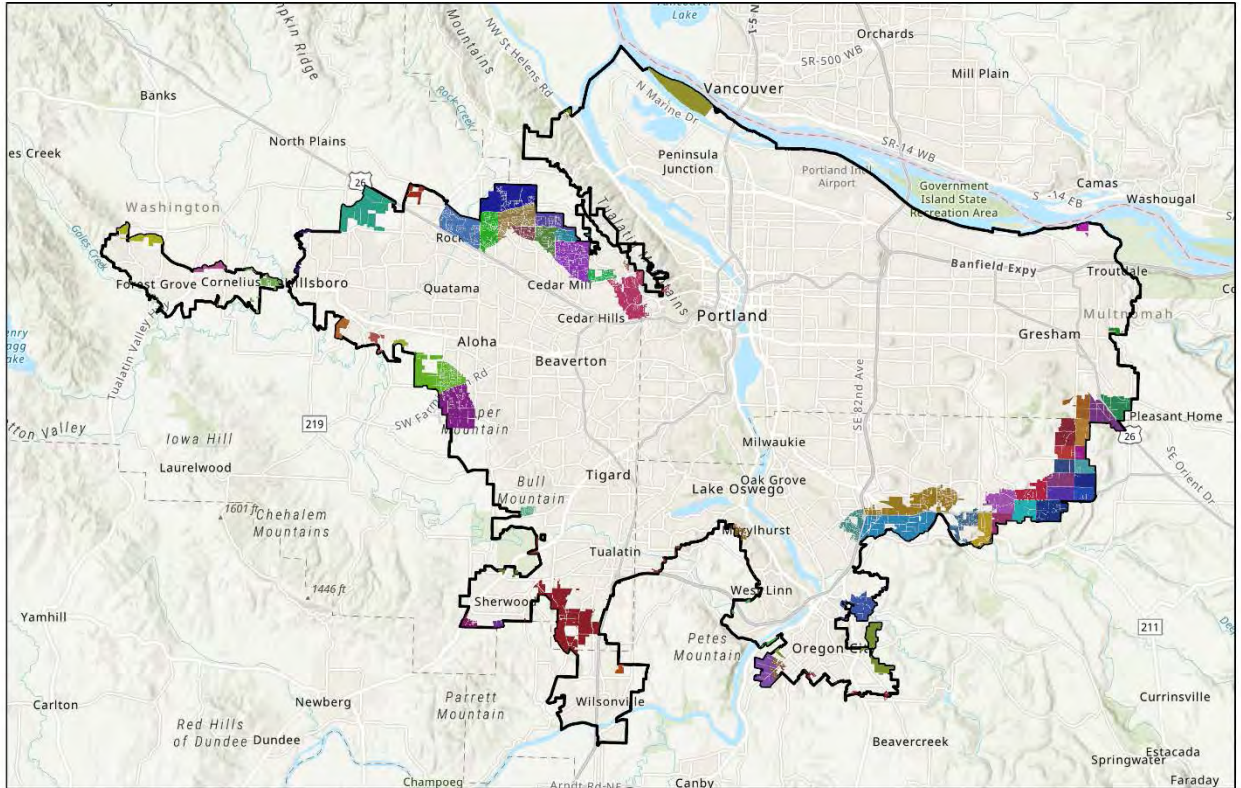


2. Remove taxlots within incorporated city areas (map depicts remaining unincorporated areas):





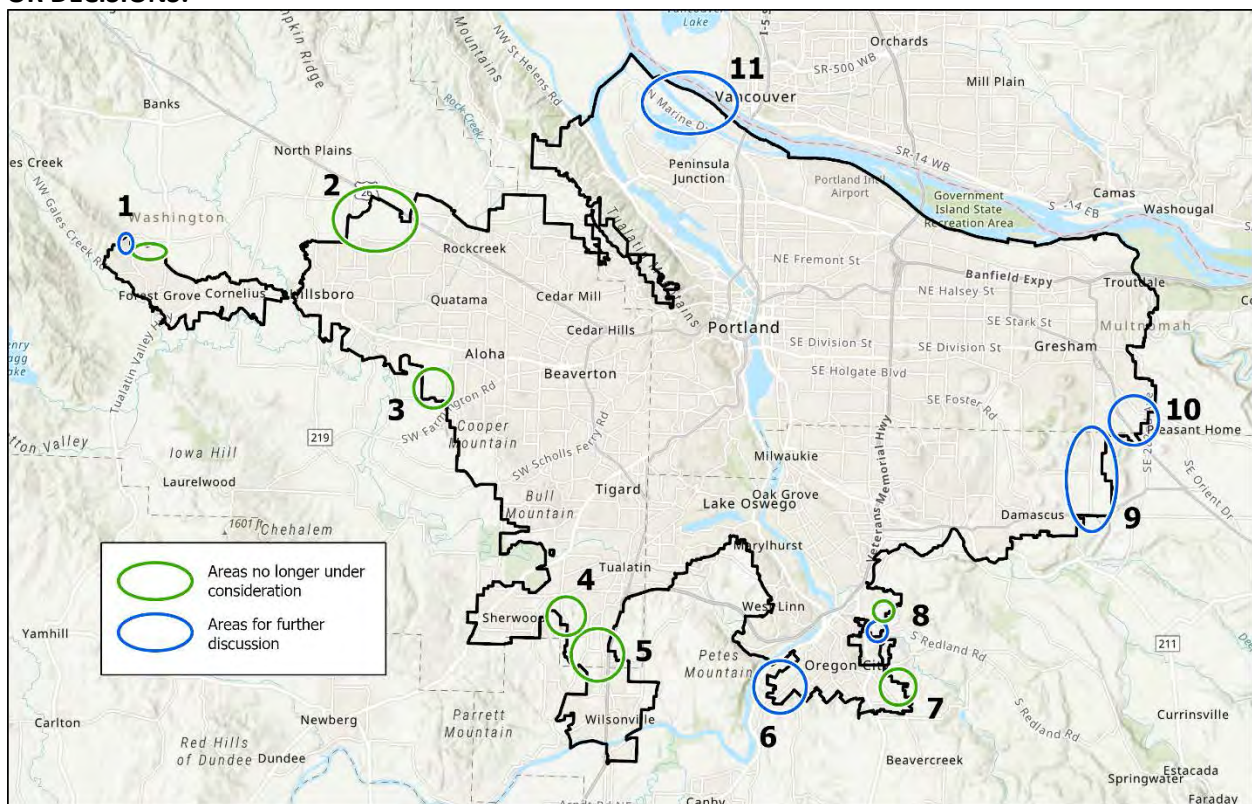
3. Divide remaining areas into subareas and calculate acreage statistics from 2018 Buildable Lands Inventory:



## Consultation process

The preliminary map below shows the areas identified for further consultation and discussion as well as areas identified as no longer under consideration. These determinations reflect Metro staff's current understanding of planning and development status as a result of consultations with local jurisdictions, including Forest Grove, Hillsboro, Sherwood, Tualatin, Wilsonville, Oregon City, and Clackamas and Multnomah counties. Meetings with Gresham and Portland are forthcoming. A summary of staff's reasoning for the status of each area is below.

**NOTE: THIS MAP AND ASSESSMENT ARE WORKS IN PROGRESS AND SUBJECT TO CHANGE THROUGH FURTHER ANALYSIS AND CONSULTATION. THEY DOES NOT REPRESENT ANY FINAL DETERMINATIONS OR DECISIONS.**



### 1 – Forest Grove: David Hill and South of Purdin Road

This area is composed of two subareas. The David Hill subarea was included in the original 1979 UGB and is north of David Hill Road west of Thatcher Road. The South of Purdin Road subarea was included in the UGB in 2014 and is east of Thatcher Road and south of Council Creek. Forest Grove completed the Westside Refinement Plan in 2017 for the two subareas. Currently a 130-unit housing development is under construction in the South of Purdin subarea. A 25-acre parcel recently annexed to the city and two other parcels totaling just over 40 acres are in the process of annexing to the city. In addition, the Forest Grove School District owns approximately 16 acres in this area with plans to build an elementary school in the future. For these reasons, the South of Purdin subarea is no longer under consideration. The cost of providing infrastructure to the David Hill area has hindered development. The city has recently updated its water master plan for the David Hill subarea and is initiating updates to the storm water and sanitary sewer master plans. Staff will continue to discuss the David Hill subarea with city staff, thus it is still under consideration.

## 2 – North Hillsboro

The North Hillsboro Industrial Area is the result of land being added to the UGB in 2002 (Shute Road), 2005 (Evergreen & Helvetia), 2011 (North Hillsboro), & 2014 (Jackson East). The City of Hillsboro completed and adopted the required comprehensive planning for Shute Road in 2003, Evergreen and Helvetia in 2007 and North Hillsboro in 2013. The Hillsboro City Council approved the Comprehensive Plan and Community Development Code Amendments to implement industrial zoning in the Jackson East (western) portion of this area on August 16, 2022.

Since 2013, development in the Shute Road, Evergreen & Helvetia, and North Hillsboro areas has steadily increased. Hillsboro has made significant infrastructure investments over the last decade and the Hillsboro Economic Development Council has acquired numerous parcels of land to help facilitate development of the area. While development of the Jackson East portion may be more challenging due to parcelization and property owner resistance to urbanization, it is expected that the Jackson East area will develop over time and complement this significant industrial employment location. For these reasons this area is no longer under consideration.

## 3 – South Hillsboro

A small portion of the South Hillsboro area was added to the UGB in 2002 with the remaining, much larger portion, added in 2011. Hillsboro completed and adopted the required comprehensive planning for the area in 2013. Subsequent planning resulted in the South Hillsboro Community Plan in 2014. Development has occurred in the northern portion of the area but the southern portion remains rural and therefore that portion was identified for consideration in the exchange process.

Hillsboro formed the South Hillsboro (SoHi) Local Improvement District (LID) in 2016 to help key highway intersection infrastructure necessary to allow development in South Hillsboro. All property owners in South Hillsboro were provided the opportunity to join the LID in 2016. The property owners that chose to join the SoHi LID were designated as "Area 1" and became eligible for development through contributions to key infrastructure improvement projects. Property owners that did not join the LID were designated as "Area 2" and were required to wait for the transportation construction projects to be completed. The last of these key transportation construction projects have been made so Area 2 is now able to begin development. Thus, the reason that development has not occurred in the southern portion to date is due to a restriction placed by the city until the necessary transportation improvements were completed. The city has received annexation applications for Area 2 and development will continue south in a logical fashion. In addition, Cornelius Pass Road is currently being extended south to the UGB at SW Rosedale Road and includes a portion of the Willamette Water Supply Program pipeline that will bring water from Wilsonville to Hillsboro. For these reasons this area is no longer under consideration.

## 4 – Sherwood and Tualatin: Tonquin/Southwest Tualatin

The Sherwood/Tualatin Area was added to the UGB in 2002 (Tualatin portion) and 2004 (Sherwood portion). Planning for both portions was completed in 2010. The area is divided between the two cities along SW 124<sup>th</sup> Avenue which Washington County recently constructed. This \$45 million road project extends SW 124<sup>th</sup> Avenue from SW Tualatin-Sherwood Road to SW Grahams Ferry Road to provide access to the this area as well as the Basalt Creek area (see Basalt Creek). Basalt Creek Parkway opened in the fall 2017 and SW 124<sup>th</sup> Ave opened in winter 2018. The project also included improvements to SW Tonquin Road and SW Grahams Ferry Road. Recent development along the SW 124<sup>th</sup> corridor includes a

PGE Integrated Operations Center in Tualatin and an industrial corporate park in Sherwood. In addition, a new water treatment plant for the Willamette Water Supply System is under construction in the Sherwood portion.

Since 2019, 99 acres of land has been annexed to Sherwood and two large manufacturing/warehouse developments have been approved with additional phase two projects expected in the near future. The city is currently designing Ice Age Drive which will provide an east-west collector road connection through the middle of the Tonquin Employment Area. Once this road connection is completed, the city expects the remaining parcels in this area will redevelop.

A significant piece of the Tualatin portion is encompassed by the Tigard Sand and Gravel facility that provides an array of construction materials while also recycling asphalt and concrete. It is expected that Tigard Sand and Gravel will continue to provide product to the construction industry in the region for the foreseeable future but at some point redevelopment of the quarry will occur. Additional uses in the area include construction, landscaping and storage facilities that are expected to redevelop over time given the improved transportation facilities in the area. For these reasons, this area is no longer under consideration.

#### 5 – Tualatin and Wilsonville: Basalt Creek/Coffee Creek

The Basalt Creek area was added to the UGB in 2004. The area is divided between Tualatin and Wilsonville roughly along an east-west line that extends from SW Greenville Lane to SW Basalt Creek Parkway. In addition the West Railroad area, west of the Coffee Creek Correctional Facility, was included in the Wilsonville portion of Basalt Creek. Planning for the area was completed in 2018 with comprehensive plans adopted in 2019.

Washington County completed a \$45 million road project to extend SW 124<sup>th</sup> Avenue from SW Tualatin-Sherwood Road to SW Grahams Ferry Road to provide access to the Basalt Creek area as well as other underdeveloped employment land near SW Tualatin-Sherwood Road (see Tonquin/Southwest Tualatin). Basalt Creek Parkway opened in the fall 2017 and SW 124<sup>th</sup> Ave opened in winter 2018. The project also included improvements to SW Tonquin Road and SW Grahams Ferry Road.

In 2021, the City of Tualatin established an urban renewal area for their portion of Basalt Creek to help encourage development of employment opportunities. This will be accomplished through the design and construction of water, sewer and storm water infrastructure, assistance with the construction and improvement of transportation infrastructure and developer assistance and incentives to facilitate development. The city has been in discussions with some property owners and they are also looking at their code to determine if there is some minor adjustments that can be made to provide more flexibility while continuing to meet their goals for the area. A residential subdivision has been approved in the eastern portion of Basalt Creek. Wilsonville has conducted numerous pre-apps for properties in Basalt Creek and the extension of infrastructure is the biggest challenge. A future project for extending services on Day Road is planned which will help facilitate development in Basalt Creek. For these reasons, the Basalt Creek area is no longer under consideration.

The Coffee Creek area was added to the UGB in 2002. Wilsonville completed planning for the area in 2007, which envisioned the creation of an urban renewal area. In 2011, the city completed a detailed infrastructure analysis to define infrastructure needs and cost estimates. The infrastructure needs and costs were refined by the city in 2015 and the Coffee Creek Urban Renewal Plan was adopted in 2016.



The goals of the plan include creating conditions that are attractive to the growth of existing businesses and attract new businesses through the construction of utility and transportation infrastructure. In 2018, the city adopted the Coffee Creek Industrial Form-based Code and the Coffee Creek Industrial Design Overlay District Pattern Book to simplify and provide more certainty to the approval process for new projects in the area. The city built Garden Acres Road which extended services to the area and four projects are in various stages of development, from entitlement to completion. The city has had discussions with other property owners regarding redevelopment possibilities. For these reasons the Coffee Creek area is no longer under consideration.

#### 6 – Oregon City: South End

The South End area was added to the UGB in 2002. The city completed the planning for the area in 2013 and adopted the necessary comprehensive plan amendments in 2014. The South End plan included a significant amount of land beyond the 2002 expansion area that was already within the UGB, some of which was within the city limits. No property within the 2002 expansion area has annexed to the city and developed to urban standards and only three properties in the pre-2002 UGB area of the South End plan have annexed to the city. All three of the properties had existing homes on them and no additional development has occurred. Infrastructure is a challenge as the land slopes to the south away from existing services. Staff will continue to discuss this area with Oregon City staff, thus the area is still under consideration.

#### 7 – Oregon City: Beaver Creek Road (Thimble Creek)

The majority of the Beaver Creek Road area was added to the UGB in 2002 with a smaller land area added in 2004. Planning for the area was completed in 2008 and a fairly large amount of nearby land already inside the UGB was also included in the plan. In 2020, the plan was re-adopted along with development code amendments and renamed to Thimble Creek. Well over half of the area has been annexed to the city although only a small amount of development has occurred to date. The city has extended water and sanitary sewer lines in Beaver Creek Road and is actively looking for a new water reservoir location to provide redundancy of service for the area. Once the reservoir is in place staff expects development to proceed rapidly. Several hundred apartment units are currently under construction and city staff is evaluating potential new road connections to help facilitate development. For these reasons this area is no longer under consideration.

#### 8 – Oregon City: Park Place

The Park Place area was added to the UGB in 2002. The city completed the planning for Park Place in 2007 and the city adopted the necessary comprehensive plan amendments in 2008. Similar to the South End and Beaver Creek Road plans, the Park Place plan included a significant amount of land beyond the 2002 expansion area that was already within the UGB. In 2019, the city annexed 92 acres of land in the Park Place area north of Redland Road. A 432 unit development is currently at the planning commission. This development will help facilitate a much needed future north south connection between Redland Road and Holcomb Blvd. The area south of Redland Road has numerous development challenges and staff will continue to discuss this southern portion with city staff, thus the area south of Redland Road is still under consideration. The area north of Redland Road is no longer under consideration.

#### 9 – Clackamas County: East of SE 222<sup>nd</sup> Ave

The area generally known as Damascus was added to the UGB in 2002. This very large expansion area included land well beyond the community of Damascus and extended from the then Happy Valley city limits to east of SE 242<sup>nd</sup> Ave and the community of Boring. Only the area east to SE 222<sup>nd</sup> Ave is being



considered for the exchange process and any potential exchange area would be a small portion of the area depicted on the map above. Since 2002 numerous planning efforts have been undertaken for the 2002 expansion area but currently there is not an adopted urban plan for the area. Happy Valley and Clackamas County have an Urban Growth Management Agreement (UGMA East) that outlines planning responsibilities for areas in portions of the former city of Damascus that Happy Valley is interested in potentially annexing and urbanizing in the future. This agreed upon planning area extends to SE 222<sup>nd</sup> Ave on the north side of Highway 212 and to the UGB that is just beyond SE 232<sup>nd</sup> Ave on the south side of Highway 212. Numerous properties in the UGMA East area have already annexed to Happy Valley. Clackamas County recently completed the Damascus Mobility Plan which identifies roadway improvements needed to the County transportation system to enhance safety, equity and mobility in the Damascus area over the next 20 years. The Board of Commissioners will hold a public hearing on the mobility plan on September 28<sup>th</sup>. Staff will continue to discuss this area with county staff, thus it is still under consideration.

#### 10 – Gresham: Springwater

The Springwater area was added to the UGB in 2002. The city completed planning for the area in 2005. Less than 20 percent (246 acres) of the Springwater area has annexed to the city and very little development has occurred. The vast majority of the annexed area is the Persimmon Country Club which predates the 2002 expansion. A meeting with Gresham staff is scheduled for September 7<sup>th</sup> and additional information should be available by the work session date. This area is still under consideration.

#### 11 – Multnomah County: West Hayden Island

West Hayden Island was brought into the UGB in 1983 for the purposes of a marine port. The area is in Multnomah County as the City of Portland has declined to annex the land. Staff has been in communication with the Port of Portland, the owner of the property, and understands they do not support this land being removed from the UGB. Multnomah County staff has not taken a position on West Hayden Island. A meeting with Portland staff is being scheduled. Staff will continue to discuss this area with the appropriate parties, thus this area is still under consideration.

Materials following this page were distributed at the meeting.

Council President and Council Members,

My name is Lily Stone and I am the fourth generation in my family to live on our family's land in the Scholls area. I am concerned about the Mid-Cycle Urban Growth Boundary Proposal from the City of Tigard and I urge you to not approve it.

My concerns are three-fold:

**The Metro population is decreasing** – Even before the current inflation and economic hardships that we are seeing today, we actually had a population drop of .2% in the Portland Metro area between 2020 and 2021. That data comes from the US Census Bureau. We are not just seeing a decline in population growth, we are actually seeing a decline in the population in our area. In order to approve a mid cycle UGB amendment, there needs to be a regional need for more land to accommodate the most recent 20-year population growth forecast (See ORS 3.07.1428(a)). Our forecasts need to be re-examined to account for today's realities. Making major decisions that will set precedent on development in our state for years to come based on information from 2018, which is pre-pandemic and pre-recession, is not acceptable. With the population declines that we are seeing in our area combined with economic uncertainty, it is clear that there does not need to be additional development today.

**This land might not be easier to develop** – While the other land for this land swap has not been expressly identified, one argument that I have heard is that the identified River Terrace 2.0 areas will be easier to develop. However, to my knowledge there has been no engagement with key land owners of those areas. What if they aren't interested in selling? The City of Tigard claims to have conducted significant community engagement, but have they communicated with landowners and the rural community that this development will impact? To my knowledge they have not. Furthermore, the recent development on Scholls Ferry has already been negatively impacting the rural community and those projects are not even completed. We have seen an increase in trash along our roadways, more crime, and alterations to the water table. The water table actually changed so drastically this past year that we had to get our well raised to accommodate it. Areas of the development that were structured to support runoff for the nearby creeks have also been neglected, harming the local ecosystem. During periods of high rain, we see rapid flow into our local creek. Before we used to have a consistently flowing creek.

**The identified areas are close to sensitive ecosystems that feed the Tualatin River**- As stated above, we have already seen negative impacts from the most recent developments on creeks that feed into the Tualatin River. Further development – including roadways that would pave over these creeks- is not the right decision to be stewards of these sensitive ecosystems. Deer, elk and beavers all frequent the creek.

I appreciate you taking the time to review my concerns. Due to the lack of population growth in this area, the uncertainty over whether this area will be easier to develop in, and the negative environmental impacts it will most certainly have on the Tualatin River ecosystem, I urge you to not approve this Mid-Cycle Urban Growth Boundary proposal.

Thank you,  
Lily