

HAND DELIVERED

VIA HAND DELIVERY

DEPT OF

OCT 08 2010

LAND CONSERVATION  
AND DEVELOPMENT

4:45 L Smith

October 8, 2010

Land Conservation and Development Commission  
635 Capitol Street, NE, Suite 150  
Salem, Oregon 97301

Re: Exception to Recommendation to Exclude Area 9B, Multnomah County from Urban Reserves

I object to the LCDC staff recommendation to designate Area 9B Multnomah County as rural reserve, which would preclude any reevaluation of this area for the next fifty years. This area meets the criteria for urban reserves, and the only fair option is to designate it as urban reserve in order to preserve any value to the land that my father and I worked so hard to obtain and maintain over the last fifty years, and to provide the most flexibility for the other residents and property owners in the surrounding areas.

I, John Burnham, my wife Janet Burnham, my brother Robert Burnham, his wife Vicky Burnham, and our brother Loren Burnham own 115 acres of land at 14419 NW Springville Road, Portland, Oregon.<sup>1</sup> It is contiguous with the Washington County line and  $\frac{3}{4}$  of a mile from the city limits of Portland. My parents and I purchased the land in stages in 1956, 1959, and 1964. We bought the land for hobby activities involving beef cattle and related farming activities and as a savings plan for our family's future. My whole family lived at the property until my father passed away, and my mother and brother moved into a care facility; my wife and I still live at the property. We always believed that the land would increase in value and that my children and I would be able to use the property as equity or liquidate it if necessary or desirable as the area developed.

We raised beef cattle on the land from 1956 to 2008. Although the business netted a small profit in 20% of the years we pursued it, clearly we could not support our families; my father and I always had other jobs, which provided our primary support. We pursued the cattle farming because we loved it. We sold what was left of our herd of about thirty-four head (except three we couldn't catch) in 2008, because my father had passed away some years back; I was getting older and could not do as much of the manual labor myself; the business was becoming more expensive, in part due to increased insurance

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<sup>1</sup> Although we looked at a lot of properties in Washington County, we bought this particular land specifically because it is located in Multnomah County, since my father worked for the County in the Assessor's Office for thirty years, and the County required its employees to live within its borders. Little did we know how great an effect this decision would have on our entire plan!

costs due to the encroaching housing development<sup>2</sup>; and we could no longer afford to pursue this hobby. We still have four head of cattle and a few horses, and I harvested six hundred bales of hay for them this year, but we do not pursue any business opportunities in this regard.

It is our understanding that the County has not contested our showing, on so many levels, the unsuitability of Area 9B for agriculture, forestry or other commercial purposes; instead, we understand, the Department's recent report claims that the area is eligible for rural reserve designation under the factors for significant landscape features. As a long-time resident of the area, I cannot even imagine to what landscape features the Department might be referring. Neither our, nor any of our neighbors' properties contain any interesting, much less unique landscape. (Attached are seven photographs that I took on October 7, 2010 of our property and in which the neighboring properties are visible. My handwritten notes describing the views depicted accompany each photograph.) My parents and I each have a small house. The remainder of the property is mostly rough pasture, grass, brambles, weeds, twenty-foot high blackberry thickets, and other scrub. Only twelve to sixteen acres is tillable land. A small water source traverses our property, but it is only about three feet across, and virtually dries up in the summer. Most of the trees are over-ripened alders, and many of those have died. Possibly the significant natural feature referred to is the fire hazard created in the summer.

The only reason this property is being designated as rural reserve is that it sits in Multnomah County rather than Washington County. This does not serve the community, the property owners, or ultimately, the government entities that will be forced to deal with abandoned wildlands in fifty years. This is not what the coordinated land use planning directives intend.

Designating Area 9B as urban reserve will not doom the property to immediate development. We have no plans to develop the property, and it would not be allowed under the urban reserve designation anyway. My family has lived on the property for over fifty years, and we are dedicated to preserving it.

It is heart-breaking for me to sit and watch Multnomah County, Metro, and LCDC destroy the legacy that my father and I attempted to create for our family, and do it in such a way that works to the detriment of the surrounding communities. Mandating that this Area 9B remain an unused brush land for the next fifty years deprives not only my children and me from any benefit of the property, but at least my grandchildren as well. I

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<sup>2</sup> Over the years, we have narrowly escaped some tragedies: for example, on one occasion, I was charged by a five-hundred pound bull (which is small in the cattle business), flipped in the air, and I broke my back. This accident was typical of the cattle business, and would be even more tragic if it involved children from the housing development across the street or the planned middle school, also literally across the street. Liability insurers simply do not want to accept this type of risk for less than an astronomical cost.

feel that I will be burdening my children with this property and the attendant maintenance, tax, and other costs, rather than leaving them something that they can use to help build their own and my grandchildren's lives.

Please reconsider this decision and do the right thing by the property owners, and the growing community: remand the matter for designation of Area 9B as urban reserve.

Thank you for your consideration.

Sincerely,

  
John Burnham



Looking Northwest from Burnham yard  
toward Cornelius Pass in Distance,  
Bonnevilles Transmission Line + Poles in Pic  
Washington County line is West edge of  
dewey barely visible going from left  
to right just Near side of Fir tree grove  
~~that~~ in left side of Pic,  
Everything in that area is in North  
Bathang, in Washington County +  
within Urban Growth Boundary  
~~the~~ Middle School approx where  
Fir Grove is.

Pic 10-7-10 by John Burnham  
of Burnham Properties



Pic taken from mid point in Burdick  
pasture looking about due North.  
Beyond ~~you~~ fence line is Parlow  
pasture and Barn

Pic Taken  
10-7-10

by John Burdick of Burdick Property



Burnham Pasture from mid-line looking  
North. Beyond Barnyard for Fence Line  
is part low Pasture of Barn. Note weeds  
& Blackberries beginning to choke Pasture.  
Ash Tree on right is beginning to ~~die~~ die  
of OLD age.

Pic taken 10-7-12 by John ~~Johnson~~ Johnson of  
Burnham Property



From Burham Barnyard looking  
South east across Pasture to Bob  
Zahler Not used pasture land  
Also brush line in Burman pasture

fsc

Taken 10-7-10 at Burman Place by  
John Burman



Pic Taken By John Burnham Oct 7, 2010  
Looking SE from Burnham Back Yard  
Access pasture to Bob Zahler land  
beginning @ Timberline,  
Zahler land overgrown with  
Black henoc and Bramble not  
pastured in 20-30 years



pic from Burnham yard looking South  
west toward Beshong Village. House in  
center is Neighbor's on 1 1/2 Acres. Burnham  
machine Shed in left. Burnham has field  
to right of electric fence. Trees + Holly  
Bushes to right are in Washington  
County - Mark Ellenbrooks Nursery.  
Washington County line edge of driveway  
Bonnevile North-South Power line  
on Burnham side of driveway

Pics taken 10-7-10 by John  
Burnham of Burnham Property



Facing due South from Burnham  
Barnyard across Burnham pasture  
to Bob Zehler's pasture land not  
used in many years. Zehler  
pasture land is 30± acres.

10-7-10  
Pic Taken 10-7-10  
by John Burnham of Burnham  
+ Zehler Land