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**LAND CONSERVATION
AND DEVELOPMENT**

July 14, 2010

BY HAND

Urban and Rural Reserves Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301

HAND DELIVERED

Subject: Objections to Adoption of Urban and Rural Reserves by Metro and Clackamas, Multnomah, and Washington Counties

Dear Urban and Rural Reserves Specialist:

We represent the Cities of Tualatin and West Linn (the "Cities"). Please accept this letter as the Cities' objections filed pursuant to OAR 660-025-0140 to the designation of Urban and Rural Reserves by Metro and Clackamas, Multnomah, and Washington Counties ("Reserves Decision"). Metro and the Counties mailed the Notice of Adoption of the Reserves Decision on June 23, 2010.

STANDING

The Cities participated extensively orally and in writing during the Metro and Clackamas County proceedings leading to the adoption of the Reserves Decision. See, e.g., Exhibits B, C, and D.¹ The Cities therefore have standing to submit objections pursuant to OAR 660-025-0140(2).

INTRODUCTION

The Cities primarily object to the designation of Urban Reserves 4A, 4B, and 4C (Stafford, Rosemont, and Borland) (the "Stafford Basin") and Area 4D ("Norwood") (collectively, the "Stafford Area").² The decision to designate these areas

¹ The exhibits to the Cities Objections are attached under separate cover.

² The Norwood Area is actually part of the Stafford Basin, but is located south of I-205. The Cities describe it separately because the Findings consider it separately from the rest of the Stafford Basin, in conjunction with three urban reserve areas adjacent to Wilsonville.



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as urban reserves does not comply with the applicable criteria under the Goals and Rules and is not supported by an adequate factual base as required by Statewide Land Use Planning Goal (“Goal”) 2 and OAR 660-027-0080(4)(a).

LEGAL FRAMEWORK

ORS 195.141 and 195.145(1)(b) and (4) were enacted by the 2007 Legislature to provide an optional alternative process to Metro and Metro counties for the designation of urban and rural reserves. The Land Conservation and Development Commission (“LCDC”) adopted OAR 660 Division 27 (“Metro Urban Reserve Rule”) to implement the new statutory alternative. Other cities and counties may only designate urban reserves pursuant to ORS 195.145(1)(a) and OAR 660 Division 21.

OAR 660-027-0050 requires Metro to base its decision on compliance with eight criteria (Factors 1 to 8). In addition, OAR 660-027-0080(4) requires compliance with the Goals and “other applicable administrative rules.”

Pursuant to Goal 2 and OAR 660-027-0080(4)(a), LCDC must determine whether Metro’s and the Counties’ factual Findings are supported by an “adequate factual base.”³ This requirement applies to legislative decisions, such as the urban reserves designation at issue here, and has been interpreted to impose a “supported by substantial evidence” requirement similar to that of ORS 197.835(9)(a)(C). 1000 Friends of Oregon v. City of North Plains, 27 Or LUBA 372, 377, aff’d 130 Or App 406 (1994). In determining whether a local factual decision is supported by substantial evidence, LCDC must determine whether a reasonable person could have reached the same conclusion based on all of the evidence in the record. Younger v. City of Portland, 305 Or 346, 353-57, 752 P2d 262 (1988).

THE DECISION AND FINDINGS

The Stafford Basin and Norwood areas at issue are located entirely in Clackamas County. Metro’s and Clackamas County’s Findings with regard to compliance with the Goals and with regard to designation of the Stafford Basin and Norwood as urban reserves are identical. Compare Clackamas County Ordinance No. ZDO-223, Exhibit B, pp. 1 to 3 (goal compliance), pp. 14 to 17 (designation of

³ Goal 2 states, in pertinent part:

“To establish a land use planning process and policy framework as a basis for all decision[s] and actions related to use of land and to assure an adequate factual base for such decisions and actions.” (Emphasis added.)



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Stafford Basin as Rural Reserve), and pp. 18 to 21 (designation of Wilsonville Urban Reserve, including Norwood) with Metro Ordinance 10-1238A, Exhibit E, pp. 19 to 23 (designation of Stafford Basin as Rural Reserve), pp. 23 to 26, (designation of Wilsonville Urban Reserve including Norwood), and pp. 31 to 33 (compliance with Goals, Clackamas County) (the “Findings”). The Cities’ objections with regard to the Findings therefore apply to both Metro’s and Clackamas County’s decisions unless expressly indicated to the contrary.

THE CITIES’ OBJECTIONS

1. Metro has no authority to designate urban reserves pursuant to OAR 660 Division 27. Its attempt to do so creates an inconsistent and uncoordinated set of planning documents in violation of Goal 2. LCDC should dismiss or remand the Reserve Decision.

As noted above, ORS 195.145(1)(b) and OAR 660 Division 27 establish an optional alternative process for designation of urban reserves for metropolitan service districts and counties within such districts. See OAR 660-027-0020(1). Nothing in either the statute or the rule requires a metropolitan service district to designate urban reserves under either process. The statute and the rule therefore do not preempt any local choice to select one process over the other.

The problem with Metro’s decision to elect the alternative Division 27 process is that Metro Code Chapter 3.01, and specifically Sections 3.01.010(h) and 3.01.012, requires Metro and cities and counties within Metro’s jurisdiction to designate urban reserves pursuant to OAR Chapter 660, Division 21. (Copy of Metro Code attached as Exhibit A and incorporated by reference.) Metro has not amended its Code to permit it to elect the alternative process under OAR 660 Division 27. Metro therefore has no jurisdiction under its own Code to adopt urban reserves pursuant to Division 27, and the Counties are similarly prohibited from doing so. See Metro Code Section 3.01.012. The Reserves Decision is void. LCDC therefore has no jurisdiction to review the Reserves Decision. It should be dismissed.

In the event that Metro attempts to argue that its adoption of Ordinance 101238A should be considered a de-facto amendment to Chapter 3.01, we note that while the Ordinance amended several other sections of the Metro Code, it did not amend Chapter 3.10, nor do the Findings explain how the Reserves Decision is consistent with Chapter 3.10. The Reserves Decision therefore violates Goal 2, because Metro’s adopted planning documents “must be the basis for all decisions and actions relating to the use of land.” *D.S. Parklane v. Metro*, 165 Or App 1, 21-23, 994 P2d 1205 (2000) (“Parklane”). To any degree that LCDC determines that it has jurisdiction to



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review the Reserves Decision, it should be remanded to Metro and the Counties to comply with Goal 2.

2. The Reserves Decision designating the Stafford Area as urban reserves does not demonstrate compliance with Factors 1 and 3, Goal 2 or Goal 12, or the Goal 12 Transportation Planning Rule (“TPR”) with regard to transportation. LCDC should remand the decision.

When designating lands as urban reserves, OAR 660-027-0050 requires Metro to base its decision on whether such land “can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments” (Factor 1), and “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” (Factor 3.)

On April 21, 2010, West Linn Planning Consultant Tom Coffee submitted an analysis of these factors as applied to the Stafford Area to the Clackamas County Board of Commissioners. (Testimony attached as Exhibit B and incorporated by reference.) Mr. Coffee’s analysis is based on Metro’s Final Draft 2035 Regional Transportation Plan (“RTP”), prepared by Metro pursuant to State Land Use Planning Goal 12 and the TPR. This testimony is also supported by the City of Tualatin’s October 13, 2009, memorandum to the Reserves Steering Committee. (Testimony attached as Exhibit C and incorporated by reference.) (The extensive background analysis by CH2M Hill supporting the conclusions in the October 13 analysis can be found at page 2272 et seq of the full Metro Record.) The Draft RTP was enacted by the Metro Council on June 10, 2010 (Metro ORD-10-11241A). It is now the applicable transportation system plan (“TSP”) for the metropolitan region pursuant to OAR 660, Division 12 (the “Transportation Planning Rule”). Regional transportation decisions must now be made in coordination with that plan. OAR 660-012-0016.

As Mr. Coffee points out, even under the rosier of financial assumptions,⁴ the RTP indicates that almost all of the transportation system that would provide access to the Stafford Area will be functioning at service level F (for “failing”) by 2035.⁵ In other words, Metro’s own analysis conclusively demonstrates that urban development of

⁴ The funding assumptions include \$13.6 billion in likely available funding and \$7 billion to be raised through enactment of/significant increase in state and regional registration fees, the Tri-Met payroll tax, increase in SDC fees, and adoption of a street utility fee by all Metro jurisdictions.

⁵ As Mr. Coffee’s memo notes, the RTP assumes that the Stafford Area will be developed at urban densities.



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the Stafford Area will not be served at all, let alone adequately or efficiently, by existing or projected transportation investments. It also demonstrates that urban development of the Stafford Area cannot be efficiently and cost-effectively served by transportation infrastructure—in fact, it demonstrates that the money won't be there to fix the problems.

The sole transportation Finding relating to the Stafford Basin is as follows:

“4) Transportation Infrastructure will be the most significant challenge. This is the case for most of the region. This Urban Reserve has physical characteristics—steep terrain, the need to provide stream crossings – that will increase the relative cost of transportation. I-205 and I-5 in this area will need substantial improvements with consequent ‘huge’ costs. ClackCo Record 850. As this April 9 letter points out, most of the region’s state and federal facilities have limited additional capacity. The only significant exception is Highway 26, which is the site of the Clackanomah Urban Reserve. The Borland area has been identified as a ‘next phase’ priority for high capacity transit. See, ‘Regional High Capacity Transit System Map.’ The Cost of providing transportation facilities is a problem for most of the region’s potential urban reserves. When evaluated with all of the factors, designation of these three areas as an Urban Reserve is appropriate.”

The sole Finding under these factors relating to Norwood is as follows:

“The steeper terrain and location of the Norwood area⁶ will make development of a network of streets more difficult, and ODOT has identified the I-5 and I-205 network as having little or no additional capacity, with improvement costs rated as ‘huge.’ The decision to include this area as Urban Reserve is based, like the Stafford area, on the need to avoid adding additional Foundation Agricultural Land. There are other areas in the region that would be less expensive to serve with public facilities, especially necessary transportation facilities, but these areas are comprised of Foundation Farm Land.”

These Findings are breathtakingly inadequate. First, they are not responsive to the factors. The Stafford Basin Finding is, in essence, that traffic will be bad all over (except, apparently, on Highway 26) and so the fact that it will be bad in Stafford makes it no worse than anywhere else. The Norwood Finding, in essence, states

⁶ The Finding differentiates the Norwood area from the three other Wilsonville area urban reserves.



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that Norwood cannot be adequately served, but must be included to avoid designating more Foundation Agriculture Land. But this is not what the factors ask: They ask whether urban development can be efficiently and cost-effectively served by current or future transportation systems that the appropriate governmental entity can afford to build. Metro's own RTP indicates that the answer is "no." If transportation service really will be as bad all over as it will be in the Stafford Basin, that does not justify ignoring the factors—it indicates that Metro and the Counties ought not to be designating *any* of those areas as urban reserves until there is sufficient evidence to indicate that the future transportation system will accommodate the development. Similarly, avoidance of Foundation Farm Land does not address whether or not transportation facilities are available in Norwood.⁷

Second, the Findings are completely conclusory. The Stafford Finding concludes that traffic is bad all over, but there is no analysis, explanation, or comparison of the situation in the Stafford Basin as compared with other lands designated or undesignated. The Norwood Finding is similarly unsupported by analysis of other areas. Goal 2, Part I requires such analysis and comparison. Gruber v. Lincoln County, 2 Or LUBA 180 (1981).

Metro concludes that, notwithstanding the bad transportation situation, when the Stafford Basin is evaluated against the other factors, the Urban Reserve designation is appropriate. There is no analysis that supports this conclusion. If the Stafford Basin is in gridlock in 2035, as Metro's own RTP indicates, that would seem to argue against the designation of Stafford under Factor 2 (area has sufficient capacity to support healthy economy), Factor 4 (area can be served by well-connected street and transit systems), and Factor 5 (designation will preserve and enhance natural and ecological systems). It also calls into question the Stafford Area's ability to meet the overriding objective to achieve livable communities as required by OAR 660-027-0005(2) and OAR 660-027-0080. The Findings completely fail to explain or support its conclusions.

Third, the Findings are not supported by substantial evidence in the whole record as required by Goal 2 and the Rule. A decision maker must base its decision on substantial evidence in the *entire* record. When conflicting evidence is submitted into the record, the failure of the decision maker to address that conflicting evidence and explain why it found the evidence relied upon more persuasive is a failure to demonstrate substantial evidence. Gould v. Deschutes County, 59 Or LUBA 435, 457-

⁷ And see the Cities' discussion of the Foundation Farm Land issue in Section 6 below.



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458 (2009). (This would seem particularly important when the “conflicting evidence” is contained within the decision maker’s own TSP.)

In light of Metro’s RTP, a reasonable person could not conclude that the Stafford Basin or Norwood is suitable for urban development under at least Factors 1 and 3. At the very least, LCDC should remand the decision back to Metro and the Counties for further explanation and analysis in light of the RTP.

Because Metro’s RTP conflicts with the RTP, Metro’s decision implicates Goal 12 (Transportation) and the TPR. Pursuant to OAR 660-012-0000(1), Goal 12 is intended to “promote the development of transportation systems adequate to serve statewide, regional and local transportation needs,” provide for “safe and convenient vehicular, transit, pedestrian, and bicycle access and circulation,” “facilitate the same, efficient, and economic flow of freight and other goods and services within the regions,” and “ensure that changes to comprehensive plans are supported by adequate planned transportation facilities.” ORS 660-012-0000 states that, in order to achieve these purposes, coordinated land use, and transportation plans should ensure that the planned transportation system supports a pattern of travel and land use in urban areas that will avoid the air pollution, traffic, and livability problems faced by other large urban areas of the country through measures designed to increase transportation choices and make more efficient use of the existing transportation system.

Metro’s RTP indicates that there is neither the money nor the ability to construct transportation improvements necessary to serve an urbanized Stafford Basin to provide anywhere near an adequate, safe, or convenient transportation system through 2035. The whole purpose of Goal 12 and the TPR is to ensure that transportation and development march hand in hand. Amending the regional planning documents to provide for significant additional urban development in an area served by a transportation system that will not be able to support it violates—or at the very least requires an analysis of—Goal 12 and the TPR. The Findings do not address compliance with Goal 12 or the TPR at all. LCDC should remand the Reserves Decision to require such analysis.

Finally, Metro’s conclusion in its Urban Reserve Decision that the Stafford Basin and the Norwood area can be served by transportation facilities, albeit expensively, is inconsistent with the adopted RTP, which clearly indicates they cannot be so served. Goal 2 requires implementation measures to be consistent and



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coordinated with applicable plans, which would include the RTP.⁸ The Reserve Decision does not comply with Goal 2.

3. The Reserves Decision designating the Stafford Area as urban reserve does not demonstrate compliance with Factors 1 or 3 or Goal 2 or the Rule with regard to efficient and cost-effective provision of other public services.

For more than sixteen years, the cities of Tualatin, West Linn, and Lake Oswego have opposed the urbanization of the Stafford Area on the grounds the cities can not cost effectively provide key public services such as transportation, water, and sewer. See Exhibits B and C, and the attached January 21, 2010, testimony submitted West Linn City Councilor Terri Cummings to the Metro Council attached as Exhibit D and incorporated by reference herein (which also includes testimony from the City of Lake Oswego.) The Cities expressly incorporated the analysis and testimony in Exhibits C and D as part of their objections to the Reserves Decision.

The Cities' testimony in the record is extensive, detailed, and clearly demonstrates that none of the cities can cost-effectively provide services to the Stafford Area.⁹ The Cities have no reason to "lie" about or exaggerate the costs and negative

⁸ Goal 2 states, in pertinent part:

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

* * * *

City, county, state and federal agency and special district plans and actions shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS chapter 268.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs * * *. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

* * * *

"Plans"—as used here encompass all plans which guide land-use decisions, including both comprehensive and single purpose plans of cities, counties, state and federal agencies and special districts." (Emphasis added.)

⁹ For example, Attachment E of the Cummings testimony (Exhibit D) is a copy of Metro's 2002 analysis of the 94 different subareas including Stafford. The table reveals that the area next to West Linn is one of



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impacts on their communities. Indeed, there are literally \$millions of good reasons not to do so. Municipal services are primarily funded by property taxes. Because Measures 5 and 50¹⁰ limit taxes and cap property values on existing development, new development is the primary method available to municipalities to significantly increase ongoing property tax revenues. If the Stafford Area could be cost-effectively served or urbanized without risking significant negative impacts on existing services or the livability of their existing residents, the Cities would be chomping at the bit to urbanize the Stafford Area, as are many other cities in the region with regard to their adjacent territories. Indeed, the City of Tualatin supported the designation of Urban Reserve Areas 4E and 5F.

For these reasons, Metro and Clackamas County should have accorded great weight to the testimony of the Cities; instead, the Stafford Basin Finding with regard to Factor 3 completely ignores the Cities' arguments:

“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. 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 public infrastructure 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 Record 795-796. The July 8, 2009, technical memo prepared by Clackamas County also demonstrates the suitability of this area for various public facilities. ClackCo Record 704. This area can be served by the cities of Tualatin, West Linn and Lake Oswego. These cities have objected to the designation of this area as Urban Reserve, but have not stated that they would not be able to be an urban service provider for some part of the area.”

This Finding is as fatally conclusory and as nonresponsive to Factor 3 as the Finding with regard to transportation. Again, a “services-are-just-as-expensive-everywhere-else” Finding is not responsive to the factor and is not supported by an analysis of other areas. And the last two sentences of the Finding are completely belied by testimony cited to and incorporated by reference in Exhibits B, C, and D.

the six most expensive of all the areas to serve and that all of the subareas in Stafford are rated least suitable for 2040 urbanization.

¹⁰ Article XI, sections 11 and 11b, of the Oregon Constitution.



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The sole non-transportation-related Finding with regard to the Norwood area similarly ignores the City of Tualatin's extensive analysis of the prohibitive costs of service¹¹:

“The Norwood area (Area 4D) is rated as having medium suitability.”

These Findings are not supported by substantial evidence in the record. As noted above, when conflicting evidence is submitted into the record, the failure of the decision maker to address that conflicting evidence and explain why it found the evidence relied upon more persuasive is a failure to demonstrate substantial evidence.¹² Gould v. Deschutes County, 59 Or LUBA 435, 457-458 (2009).

Finally, in light of the unanimous opposition and extensive testimony of the surrounding cities that would be required to provide urban services to the Stafford Basin, a reasonable person would not conclude that public services can be efficiently and cost-effectively provided to the Stafford Area under Factor 3.

For these reasons, the Reserves Decision should be remanded.

4. The Reserves Decision designating the Stafford Area as urban reserve does not demonstrate compliance with Factors 2, 4, and 6 because existing parcelization and natural constraints mean that the Stafford Area has insufficient capacity to support a healthy economy, a compact and well-integrated urban form, or a mix of needed housing types.

OAR 660-027-0050 requires Metro to base its decision on whether a proposed urban reserve area includes sufficient development capacity to support a healthy economy (Factor 2), 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 (Factor 4), and includes sufficient land suitable for a range of needed housing types (Factor 6).

Three maps attached to Councilor Cummings' testimony (Exhibit D) graphically illustrate her testimony about physical constraints and existing development in the Stafford Basin. The map entitled “Natural Features” shows the significant environmental constraints in the Stafford and Rosemont areas. Twenty-nine percent of

¹¹ See the City of Tualatin's October 13, 2009, letter attached as part of Exhibit C.

¹² The Cities note that the documents referenced by the Findings that were submitted at the July 14, 2009, Clackamas County Reserves Policy Advisory Committee (“PAC”) meeting are refuted by the Cities' subsequent much more detailed analyses submitted in the fall 2009 and winter of 2010.



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the territory is within 200 feet of a stream or river, 34 percent of the area is within Metro Upland Wildlife Habitat areas. Forty-two percent of the territory is on slopes from 10-25 percent, and an additional 13 percent is on slopes greater than 25 percent. Exhibit C, page 18, indicates the Borland Road area, although not as steep, is constrained by buffers for the Tualatin River and two streams. This map is supported by the original Metro Urban Reserve Study Map (Metro Record p. 1107), which confirms that approximately 70 percent of the land in the Stafford Area is environmentally constrained for development.

The map entitled "Parcels" shows the significant parcelization of the Stafford Basin. Thirty-three percent consists of parcels of five acres or less and 22 percent consists of parcels from 5 to 10 acres. Only 41 percent of land is in parcels greater than ten acres, and a large number of these larger parcels are in public, private, or quasi-public ownership. The figures on the "Parcels" map don't include Borland Road, but the map shows a similar parcelization pattern for the Borland Road area. Two of the largest parcels are occupied by the Athey Creek Middle School and the Rolling Hills Community Church, two uses that are unlikely to redevelop. Tualatin's analysis in Exhibit C indicates that of the 640 gross developable acres in the Borland Road sub-area, there are only 180 net developable acres. The maps and analysis in the attachments to Tualatin's October 13, 2009, letter show Borland and Norwood are also substantially parcelized and constrained by slopes and environmental features. Metro Record, pp. 2272 et seq.

The Stafford Basin Findings regarding Factors 2, 4, and 6 are just as conclusory and nonresponsive to the actual criteria as the Findings regarding transportation. The only evidence cited support of the Findings for Factor 2 is:

"The Borland Area has been identified as being suitable for a mixed use employment center. ClackCo Record 371. In addition, there are a few larger parcels on Johnson and Stafford roads which may have the potential for mixed use development."

This Finding is nonresponsive to criterion 2, which requires that the land designated as urban reserve include "sufficient development capacity." A few developable parcels does not sufficient development capacity make. The Finding is also conclusory and does not comply with Goal 2 Part I for the same reasons as discussed above for the transportation Findings under Factors 1 and 3.

The Finding with regard to Factor 4 (area will be walkable and can be served by a well-connected system of transportation) suffers from the same defects. The Finding states:



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“The Borland area is suitable for intense mixed-use development. Other areas suitable for development can also be developed as neighborhoods with the above-described infrastructure. There are substantial portions of this Urban Reserve that will have little or no development and consequently will not need the aforementioned facilities.”

This Finding is not only completely conclusory, it contradicts itself: It says that the Stafford Basin is developable with the necessary interconnected facilities, but then concludes that a substantial portion of Stafford is *undevelopable* and therefore won't *need* the facilities. This Finding is not only conclusory and nonresponsive to the criterion, it supports a conclusion that the Stafford Basin is not suitable for designation under the Factor.¹³

The Finding with regard to Factor 6 (sufficient land suitable for a range of needed housing types) completes the trifecta of nonresponsive and conclusory Findings:

“This Urban Reserve in conjunction with the Urban Reserve to the South (Area 4D, Norwood), includes sufficient lands to provide for a variety of housing types. In addition to the developable acres 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.”

There is no analysis or evidence cited to support this Finding at all. How does the addition of the Stafford Basin “augment the potential for housing” in West Linn, Tualatin, and Lake Oswego (other than adding more developable land). This Finding is not responsive to the Factor and is not sufficiently justified to comply with Goal 2, Part I. How does the addition of Norwood improve the Stafford Basin's ability to provide a mix of housing types? The Findings with regard to Norwood indicate that it is subject to the same difficult environmental constraints as the Stafford Basin:

“The larger Norwood area, which has rolling terrain, and a mixture of small residential parcels and farms, will be more difficult to urbanize. The area is adjacent to Urban reserves on the west, north, and south. The Borland Road Area, adjacent to the north is expected to develop as a center, with potential for employment and mixed-use development. The Norwood area can be urbanized to provide residential and other uses

¹³ The Cities' Attachment 1 to Councilor Cummings testimony (Exhibit D) contains Clackamas County staff findings that the Stafford Area cannot be connected or made walkable. Metro Record p. 2384, Document 1.



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supportive of development in the Borland and I-5 East Washington County Urban Reserve Areas.”

“The Norwood Area will be somewhat more difficult to develop, but the terrain and parcelization are not so limiting that the desired urban form could not be achieved. Like Stafford, this part of the Wilsonville Urban Reserve will be more difficult to develop with the desired urban, but is being added to avoid adding additional foundation farm land.”

Given the natural resource and physical constraints as well as the parcelization in the Stafford Area, developments costs are going to be very high on a per unit basis. Therefore housing will not be provided in the price ranges for “needed housing.” The Findings state: “physically, this area [the Stafford Basin] is similar to the Cities of West Linn and Lake Oswego, which are developing at urban densities.” If you review the two attached maps, however, and examine the territory adjacent to the Stafford and Rosemont areas on similarly constrained lands, the areas within the cities are predominately zoned for low-density R-10 and R-15 residential development.¹⁴ The existing development on similar land in Lake Oswego and West Linn thus supports the Cities’ argument that the Stafford Area will not have sufficient development capacity to support a healthy economy, cannot be designed to be served by a well-connected and pedestrian-friendly transportation and transit system, and does not include sufficient land suitable for a mix of needed housing types.

Factors 2 and 6 both require determinations that an urban reserve area “include” “sufficient development capacity to support a healthy economy” and “sufficient land suitable for a range of housing types.” In order to properly consider these factors, the text would appear to require a threshold determination of what types of land and how much is needed to achieve these purposes. There is nothing in the Reserve Decision or in the larger record that indicates Metro or Clackamas County conducted such a threshold analysis. The Reserves Decision should be remanded to properly address these factors.

Finally, none of these Findings are supported by substantial evidence in the whole record as required by Goal 2 and the Rule. First, the Findings fail to address the substantial conflicting evidence submitted by the Cities and explain why the jurisdictions found other evidence in the record more convincing.¹⁵ In addition, in light

¹⁴ The zoning designations are shown on the Parcel Map.

¹⁵ For example, the Findings rely on a document at ClackCo Record 371 for the conclusion that the Borland area can be developed for a mixed-use employment center. This document is a PowerPoint presentation on the Great Communities concept made by Arnold Cogan at the January 27, 2009, PAC



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of the demonstration of parcelization and environmental constraints and Tualatin's testimony that there are only 180 net developable acres in the Borland area, a reasonable person could not conclude based on the evidence in the record that the Stafford Area is suitable for urban development under Factors 2, 4, or 6.

LCDC should remand the decision back to Metro and the Counties for further explanation and analysis.

5. The Reserves Decision designating the Stafford Area as urban reserve does not demonstrate compliance with Factors 5, 7, and 8, because protecting the existing environmental features means constraining development in the Stafford Area to the degree that it cannot meet the identified land needs for urbanization.

OAR 660-027-0050 requires Metro to base its decision on whether a proposed urban reserve area can be designed to preserve and enhance natural and ecological systems (Factor 5), can be developed in such a way that preserves important landscape features (Factor 7), and can be designed to avoid or minimize adverse impacts on farm and forest practices and important natural landscape features.

As noted above, the evidence in the record indicates that as much as 70 percent of the Stafford Area is constrained by topographical (steep slopes) and environmental features (rivers, streams, and wildlife habitat). If all of this area is protected, it will necessarily preclude efficient urbanization of the Stafford Area. If, however, the Stafford Area is developed at stated density and intensity, then many of these features will be impaired or negatively impacted.

The Finding of compliance with Factors 5 and 7 recognizes this dichotomy but fails to address it:

“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

meeting. It talks about the design features common to livable communities and how they can be in-filled into existing development, but it doesn't specifically address the Borland area at all. This is in contrast to the City of Tualatin's subsequent and much more detailed October 13 analysis of the actual developability of the Borland area, demonstrating that there are only 180 net developable acres in Borland. See Exhibit C. A reasonable person would not conclude that a generalized PowerPoint presentation would be more convincing than a location specified by the potential service provider.



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rules to protect upland habitat, floodplains, steep slopes and riparian areas.”

The Findings are in fatal conflict. On the one hand, in the Findings regarding Factors 1, 2, 3, 4, and 6, Metro and Clackamas County conclude that the evidence indicates that the Stafford Area can accommodate urban densities, “intense” mixed-use development, and a variety of needed housing types in a dense, walkable, transit-friendly, and interconnected design. On the other hand, in the Findings with regard to Factors 4, 5, and 7, Metro and the Counties acknowledge that a substantial portion of Stafford will be undevelopable and incapable of supporting such uses as a result of the environmental constraints. The Findings completely fail to reconcile this facial conflict. Metro and Clackamas County can’t have their cake and eat it too on this issue, at least not without some additional analysis and explanation of how efficient urbanization can be achieved in the Stafford Area given that much of it will be off limits to development.

The Findings are also not supported by substantial evidence in the record. Metro does not explain why it concludes that the Stafford Area is reasonably developable and can still preserve and protect important natural features given the contrary evidence submitted by the Cities. Indeed, given the maps and testimony by the Cities, a reasonable person could not conclude that the significant environmental features of the Stafford Basin can be preserved while at the same time allowing for intense development at urban densities.

Metro and Clackamas County’s Findings do not demonstrate compliance with, or adequate consideration of, the Urban Reserve factors. LCDC should remand the decision.

6. The Reserves Decision designating the Stafford Area as urban reserve does not demonstrate that the Factors as a whole support designation of the Stafford Area as an Urban Reserve. LCDC should remand the decision to Metro and Clackamas County to remove the designation.

As noted above, the Findings acknowledge the high cost and environmental difficulties with regard to urbanization of the Stafford Area under individual factors, but conclude that that the Factors “as a whole” or “on balance” support inclusion of the Stafford Area. The Cities don’t disagree that an area that is less desirable for urbanization under one or two factors could, in consideration of other factors, be appropriately designated as urban reserves; this is also how the locational factors under Goal 14 are analyzed. The fatal flaw with the conclusions in the Findings is that they are never justified by an analysis of “other factors” that are relied on for this



Urban and Rural Reserves Specialist

July 14, 2010

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conclusion, or analyze the relative suitability of the Stafford Area as compared with other areas considered for urban reserves. As a result, the Findings fail to demonstrate a legal or factual basis for this conclusion as required by Goal 2 and the Rule.

In contrast, the evidence and testimony submitted by the Cities indicates that the Stafford Area:

- Will not and cannot be efficiently or cost-effectively served by transportation infrastructure.
- Cannot be efficiently or economically provided with other significant urban services, including sewer and water.
- Is so constrained by environmental and geographical features and existing parcelization that much of the Stafford Area will be undevelopable and the remainder will be too constrained to provide the kind of high density development and needed housing envisioned by the factors and necessary to meet the planning needs over the next 30 to 50 years.

The Stafford Area is unsuitable for urbanization under virtually *all* of the factors.

The only analysis in the Findings regarding the relative suitability of the Stafford Area in comparison to other areas under consideration for inclusion is the following statement:

“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 designation of Foundation Farm Land in the region, if this area, which is comprised entirely of Conflicted Agricultural Land, were not designated as Urban Reserve (See OAR 660-027-0040).”

As quoted above, the Findings similarly state that the Norwood area must be included to avoid adding more Foundation Farm Land.



Urban and Rural Reserves Specialist

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There are three problems with these conclusions. At the threshold, there is no support in the Findings for the conclusion that not designating the Stafford Basin or Norwood necessarily requires designation of more Foundation Farm Land.¹⁶

Second, these conclusion do not address the other half of the equation: Large portions of the Stafford Basin and Norwood are zoned for agricultural use and are home to many small-scale farming activities, such as vineyards, nurseries, and horse operations. There is no analysis of the Stafford Basin or Norwood vis-à-vis other areas that contain no agricultural uses.

Third, and most significantly, the Rule is not solely about preservation of Foundation Farm Land. Preservation of farm land is certainly a very important factor, but that factor is expressly balanced against the other factors designed to ensure efficient and cost-effective urbanization. The similar Goal 14 locational factors are designed in the same way. This scheme recognizes that failure to urbanize efficiently ultimately means consumption of an even greater amount of farm land than would have otherwise been the case. It also means failure to accomplish other important planning needs, such as provision of sufficient economic lands, needed housing, and efficient and cost-effective urban services.

The effect of an urban reserve designation is to make the designated area first priority for inclusion into the urban growth boundary as the need arises. See ORS 197.298(1). Such inclusion is not automatic, however: inclusion of the property in the urban growth boundary must be justified by demonstrating compliance with the Goal 14 factors. LCDC and the courts have concluded that if higher-priority lands, such urban reserve land, cannot reasonably accommodate the indentified land need under the Goal 14 factors, lower-priority lands, such as agricultural lands, can be included over the higher-priority land. See City of West Linn v. LCDC, 201 Or App 419, 119 P3d 285 (2005); Hildenbrand v. City of Adair Village, 217 Or App 623, 177 P3d 40 (2008). Because this is the test that the urban reserve areas will ultimately face at the time of urbanization, the Metro Urban Reserve Rule Factors should be construed the same way. If the Stafford Area cannot be reasonably urbanized under the factors, as the Cities have

¹⁶ For example, Metro and Clackamas County could have selected the shorter 40-year planning horizon allowable under the Rule and reduced the target land need to the lower end of the urban reserve range (15,000 to 29,000), thereby excluding the Stafford Area and perhaps some of the Foundation Farm Land that the Reserves Decision currently designates as urban reserves. This is not only a feasible alternative, it was recommend by DLCDC Director Richard Whitman. Metro Record, PDF file #3, pp. 1373-1374.



Urban and Rural Reserves Specialist

July 14, 2010

Page 18

demonstrated, this is sufficient justification for Metro and Clackamas County to look elsewhere, even at Foundation Farm Land.¹⁷

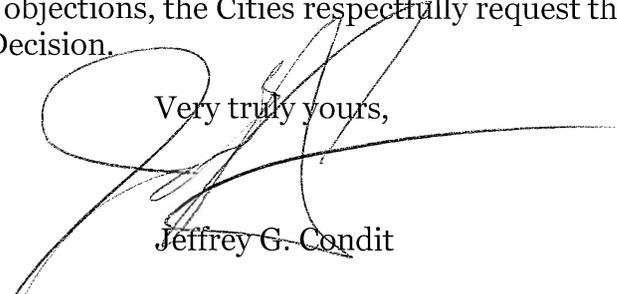
Designation of territory that cannot be effectively or efficiently urbanized—such as the Stafford Area—doesn't accomplish any good planning purpose. It doesn't protect farmland, it won't meet housing and employment needs, and it will engender a long and expensive planning process that will ultimately be fruitless. It is better to face that reality now so that planning and infrastructure efforts and dollars can be focused on areas where they will be effective.

The Findings, individually or on balance, fail to demonstrate that the Stafford Area is appropriately designated as an urban reserve under the factors. LCDC should remand the Reserve Decision.

CONCLUSION

Based on the above objections, the Cities respectfully request that LCDC reverse or remand the Reserves Decision.

Very truly yours,



Jeffrey G. Condit

cc: Sherilyn Lombos, City of Tualatin
Chris Jordan, City of West Linn
Laura Dawson Bodner, Metro
Maggie Dickerson, Clackamas County
Chuck Beasley, Multnomah County
Steve Kelly, Washington County

¹⁷ We reiterate, however, that Metro and Clackamas County have not even remotely demonstrated that designating more Foundation Farm Land is the only alternative to the designation of the Stafford Area.

Cities of Tualatin and West Linn

Exhibits to July 14, 2010, Objections

TITLE III

PLANNING

CHAPTERS	TITLE
3.01	Urban Growth Boundary and Urban Reserve Procedures*
3.02	Waste Water Management Plan**
3.03	Housing Goals and Objectives (repealed Ord. 02-972A §1)
3.04	Regional Stormwater Management Plan (repealed Ord. 02-972A §1)
3.05	Phosphorous Ban (expired 12/31/94)
3.06	Planning Procedure for Designating Functional Planning Areas and Activities
3.07	Urban Growth Management Functional Plan
3.08	Affordable Housing Technical Advisory Committee (repealed Ord. 00-860A §2)
3.09	Local Government Boundary Changes

* Formerly "Urban Growth Boundary Amendment Procedures"; renamed by Ordinance No. 96-655E, Sec. 1.

** Chapter 3.02 was originally adopted by the Columbia Region Association of Governments (CRAG) prior to the 1979 merger of CRAG and the Metropolitan Service District. All rules adopted by CRAG continue in effect until superseded or repealed by Metro pursuant to 1977 Or. Laws, ch. 665, sec. 25. References in the CRAG rule to "CRAG" and the CRAG "Board" have been changed to "Metro" and the Metro "Council."

CHAPTER 3.01

URBAN GROWTH BOUNDARY AND URBAN RESERVE PROCEDURES

SECTIONS	TITLE
3.01.005	Purpose
3.01.010	Definitions
3.01.012	Urban Reserve Areas
3.01.015	Legislative Amendments - Procedures
3.01.020	Legislative Amendments - Criteria
3.01.025	Major Amendments - Procedures
3.01.030	Major Amendments - Criteria
3.01.033	Minor Adjustments - Procedures
3.01.035	Minor Adjustments - Criteria
3.01.040	Conditions of Approval
3.01.045	Fees
3.01.050	Notice Requirements
3.01.055	Regular Review of Chapter
3.01.060	Severability

3.01.005 Purpose

This chapter prescribes criteria and procedures to be used by Metro in establishing urban reserves and making amendments to the Metro Urban Growth Boundary (UGB). The chapter prescribes three processes for amendment of the UGB:

(a) Legislative amendments following periodic analysis of the capacity of the UGB and the need to amend it to accommodate long-range growth in population and employment;

(b) Major amendments to address short-term needs that were not anticipated at the time of legislative amendments; and

(c) Minor adjustments to make small changes to make the UGB function more efficiently and effectively.

(Ordinance No. 92-450A, Sec. 1. Amended by Ordinance No. 96-655E, Sec. 1; Ordinance No. 02-972A, Sec. 1; Ordinance No. 05-1089A, Sec. 1)

3.01.010 Definitions

(a) "Council" has the same meaning as in Chapter 1.01 of the Metro Code.

(b) "Compatible," as used in this chapter, is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. Any such interference or adverse impacts must be balanced with the other criteria and considerations cited.

(c) "Goals" means the statewide planning goals adopted by the Oregon Land Conservation and Development Commission at OAR 660-015-0000.

(d) "Legislative amendment" means an amendment to the UGB initiated by Metro, which is not directed at a particular site-specific situation or relatively small number of properties.

(e) "Property owner" means a person who owns the primary legal or equitable interest in the property.

(f) "Public facilities and services" means sewers, water service, stormwater services and transportation.

(g) "UGB" means the Urban Growth Boundary for Metro.

(h) "Urban reserve" means an area designated as an urban reserve pursuant to Section 3.01.012 of this Code and applicable statutes and administrative rules.

(Ordinance No. 92-450A, Sec. 1. Amended by Ordinance No. 96-655E, Sec. 1; Ordinance No. 97-711, Sec. 2; Ordinance No. 99-818A, Sec. 1; Ordinance No. 00-871A, Sec. 3; Ordinance No. 01-929A, Sec. 7; Ordinance No. 02-972A, Sec. 1; Ordinance No. 05-1089A, Sec. 1.)

3.01.012 Urban Reserve Areas

(a) Purpose. This section establishes the process and criteria for designation of urban reserve areas pursuant to ORS 195.145 and Oregon Administrative Rules Chapter 660, Division 021.

(b) Designation of Urban Reserve Areas.

- (1) The Council shall designate the amount of urban reserves estimated to accommodate the forecast need for a period from 10 to 30 years beyond the planning period for the most recent amendment of the UGB pursuant to ORS 197.299.

- (2) The Council shall estimate the capacity of urban reserve areas consistent with the estimate of the capacity of land within the UGB.
- (3) The Council may allocate urban reserve areas to different planning periods in order to phase addition of the areas to the UGB.
- (4) The Council shall establish a 2040 Growth Concept design type applicable to each urban reserve area designated.

(c) Plans For Urban Reserve Areas. Cities and counties may plan for urban reserve areas, consistent with the Regional Framework Plan and OAR 660-021-0040, prior to the inclusion of the areas within the UGB.

(Ordinance No. 96-655E, Sec. 1. Amended by Ordinance No. 98-772B, Sec. 1; Ordinance No. 99-818A, Sec. 1; Ordinance No. 05-1089A, Sec. 1.)

3.01.015 Legislative Amendment - Procedures

(a) The 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.

(b) Except as otherwise provided in this chapter, the Council shall make a legislative amendment to the UGB by ordinance in the manner prescribed for ordinances in Chapter VII of the Metro Charter. For each legislative amendment, the Council shall establish a schedule of public hearings that allows for consideration of the proposed amendment by MPAC and other advisory committees and the general public.

(c) Notice to the public of a proposed legislative amendment of the UGB shall be provided as prescribed in Section 3.01.050 of this chapter.

(d) Prior to the final hearing on a proposed legislative amendment of the UGB in excess of 100 acres, the Chief Operating Officer shall prepare a report on the effect of the proposed amendment on existing residential neighborhoods. The Chief Operating Office shall provide copies of the report to all households located within one mile of the proposed amendment

West Linn Testimony Concerning the Traffic Impacts of Designating the North Stafford Area Urban Reserve as Proposed in Comprehensive Plan Amendment ZDO-233

TO: Clackamas County Board of Commissioners

FROM: Tom Coffee, Consultant for West Linn

DATE: April 21, 2010

SUBJECT: Traffic Impacts of Designating the North Stafford Area Urban Reserve

INTRODUCTION

Previous testimony presented by the City of West Linn has demonstrated that the North Stafford Area does not meet the factors for designation as an urban reserve. Information published in the Final Draft 2035 Regional Transportation Plan further demonstrates that, even based on conservative estimates of housing units in the Stafford area, the impacts on the roadway system will be significant and the area cannot meet Factors 1 and 3 for designation as an urban reserve.

THE FINAL DRAFT 2035 REGIONAL TRANSPORTATION PLAN

The final draft of the Plan was published in March 2010. It contains an analysis of the effects of assumed growth in the region on the region's roadways through 2035. The growth that is assumed in the RTP is not based on the future urban reserves that Metro and the Counties have recently identified because they have not been finally approved. The growth is based on assumptions and calculations embedded in MetroScope, Metro's model for forecasting where and when growth is likely to occur based on existing legislation and policies.

For purposes of modeling future growth, MetroScope assumes that there will be between 6,600 and 11,200 dwelling units in the Stafford area (Page A7-32 of APPENDIX 7 of the Draft 2009-2030 Urban Growth report). An average of these numbers would be 8,900. Since the RTP is for 2035, an additional 5 years, an assumption of 10,000 units in Stafford is reasonable, considering the fact that there could theoretically be much higher densities if the area is urbanized.

Based on the density assumptions of MetroScope, the RTP assigns future traffic loads to the region's roadway system. The results are mapped and presented in the Plan as Mobility Policy Indicators for different times of the day with three different levels of

funding for improvements to address the increased traffic. The maps displaying the results for the 2 hour PM Peak are Figures 5.3, 5.5, 5.7 and 5.9 in the Plan and are attached. The maps indicate congested traffic areas that do not meet the Plans mobility policies. That is they do not meet traffic service levels commonly referred to as levels A,B,C,D,E and F where A is free flowing traffic and F is gridlock. The red lines on the maps are service level F.

THE TRAFFIC IMPACTS OF URBANIZING STAFFORD

The first Map (Figure 5.3) shows the “2005 Base Year” conditions with sections of Highway 43, I-205, Stafford Road and Borland Road experiencing service level F at PM Peak without urbanization of Stafford.

The second Map (Figure 5.5) shows “2035 No Build” conditions with the Metroscope projected urbanization in the Stafford area and no improvements to the transportation system. All of Highway 43 from downtown Portland to Oregon City, I-205 from Oregon City to Stafford, almost all of Borland Road, almost all of Stafford Road, and sections of McVey and A Avenue in Lake Oswego degrade to service level F at PM Peak.

The third Map (Figure 5.7) shows the “2035 Federal Policies” conditions. This Map assumes that the \$13,600,000,000 to be derived in the next 25 years from all available sources have been spent on transportation improvements. Even with this expenditure, the only improvement in the level F conditions at PM Peak noted above is on the section of Stafford Road from the I-205 interchange to just north of the Tualatin River Bridge. Congestion on the west and east ends of Borland and on McVey get worse.

The fourth Map (Figure 5.9) shows the “2035 RTP Investment Pool” conditions. This map assumes an additional \$7,000,000,000 has been raised by accomplishing the following. 1.) A 1% annual increase in state registration fees through 2035; 2.) The initiation of a 1% regional registration fee with 1% annual increases through 2035; 3.) A 2% increase in the Tri-Met payroll tax; 4.) An increase in SDC fees by all jurisdictions to the regional average; and 5.) The adoption by all jurisdictions of a street utility fee for street operations, maintenance and preservation.

Even with the addition of these new funds, the total investment of \$20.6 billion dollars in the transportation system would not eliminate any of the service level F condition from the road sections noted above in the Stafford area and adjoining communities.

URBAN RESERVE FACTORS

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

The Final Draft RTP analysis and projection of traffic service levels resulting from development in the Stafford area demonstrates that the area **cannot be developed** at urban densities to make efficient use of **existing roadway infrastructure investments** because such development would result in their operating at service level F. Similarly, even with an investment of \$13.6 billion in reasonably expected funding and another \$7.0

billion in hypothetical funding **there is no future public investment** that will improve traffic service levels above F.

Factor 3 requires that the area *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 Final Draft RTP analysis and projection of traffic service levels resulting from development in the Stafford area demonstrates that the area **cannot be efficiently and cost-effectively served with street facilities because there are no financially capable service providers** that can afford to provide the needed facilities.

CONCLUSION

The traffic impact on mobility in the Stafford area, as modeled by the Final Draft of the 2035 Regional Transportation Plan, clearly demonstrates that the Stafford area does not meet Factors 1 and 3 for designation as an urban reserve and the area should be left undesignated.

Figure 5.3

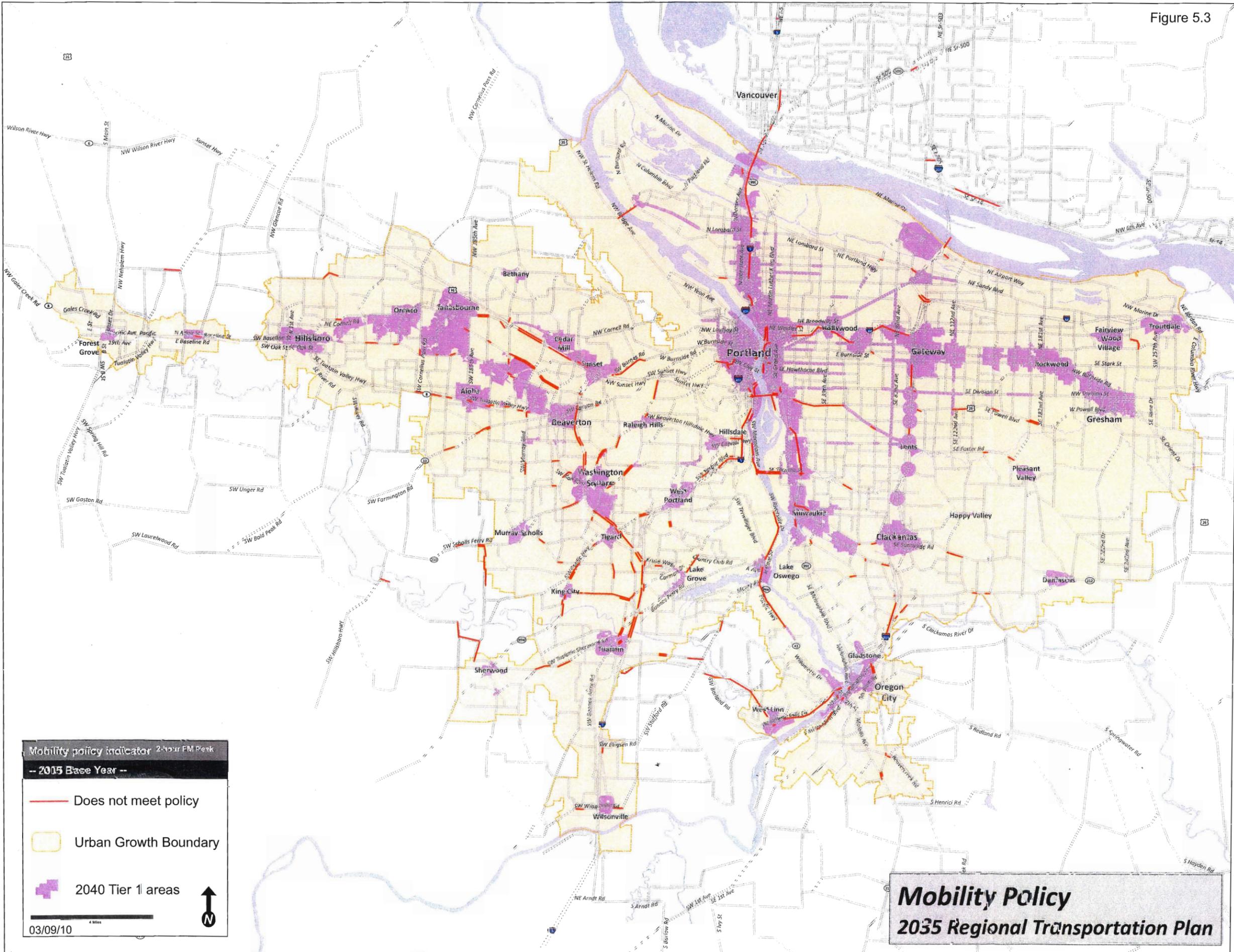
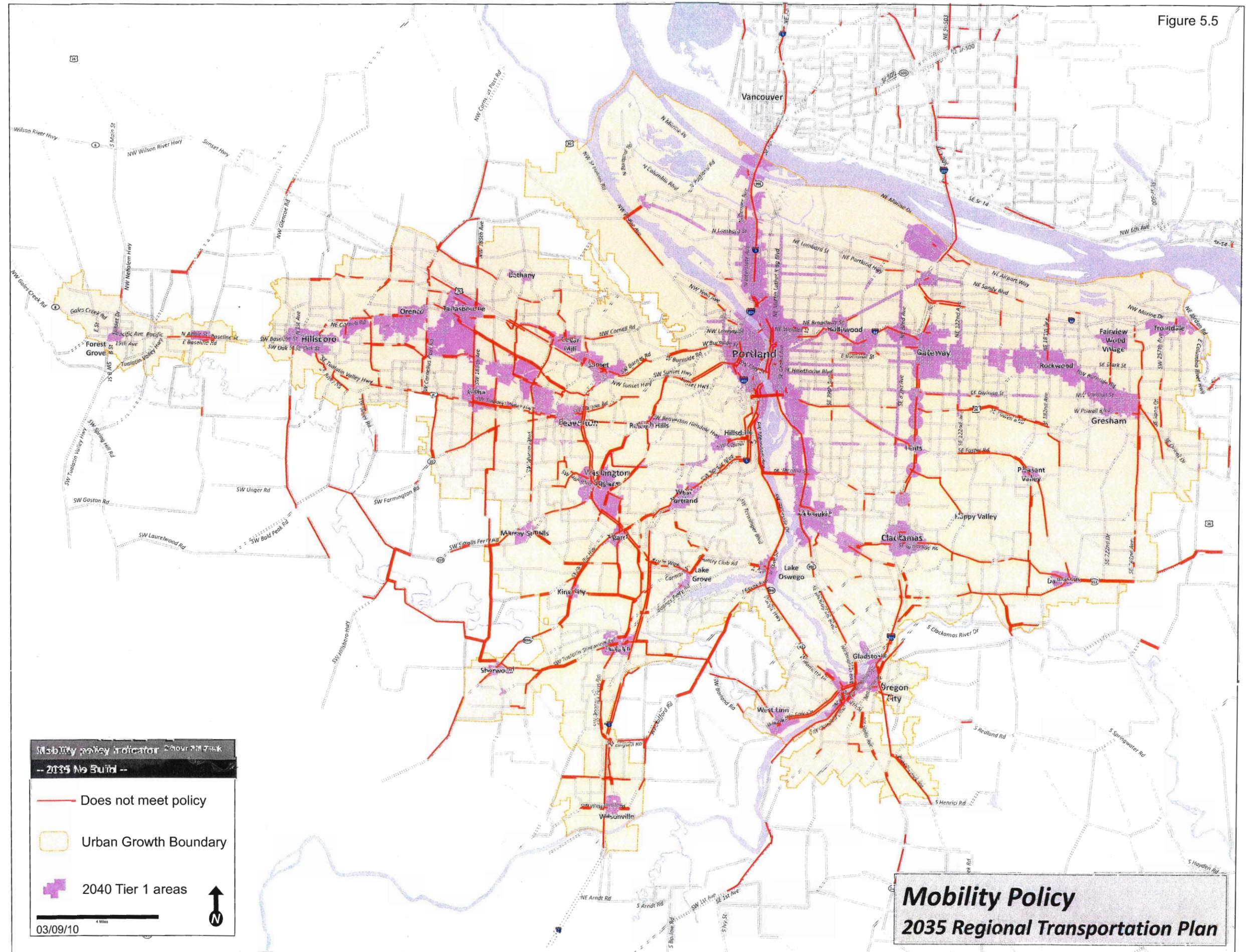


Figure 5.5



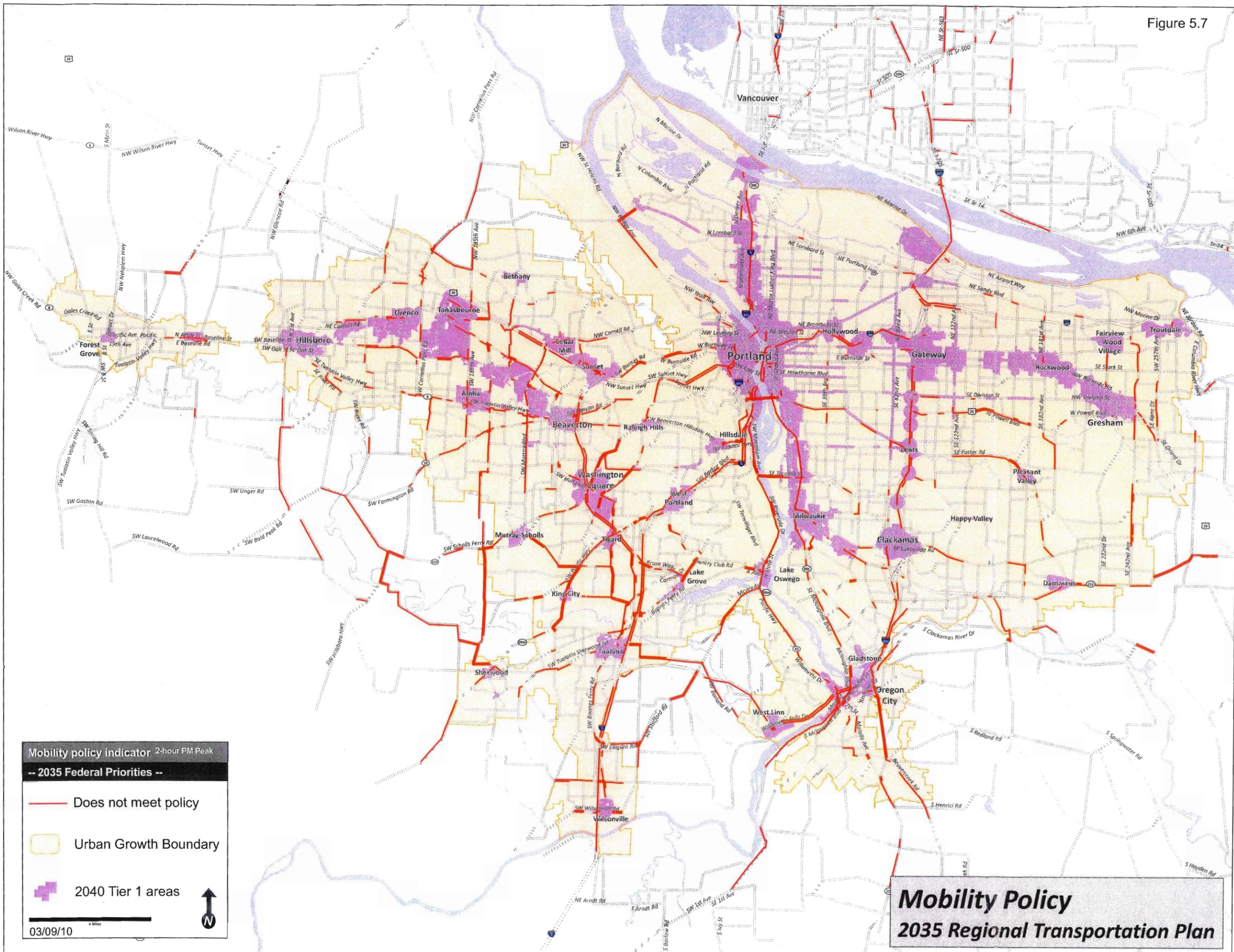
Mobility Policy Indicator 2035 PM Peak
-- 2035 No Build --

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

03/09/10

Mobility Policy
2035 Regional Transportation Plan

Figure 5.7



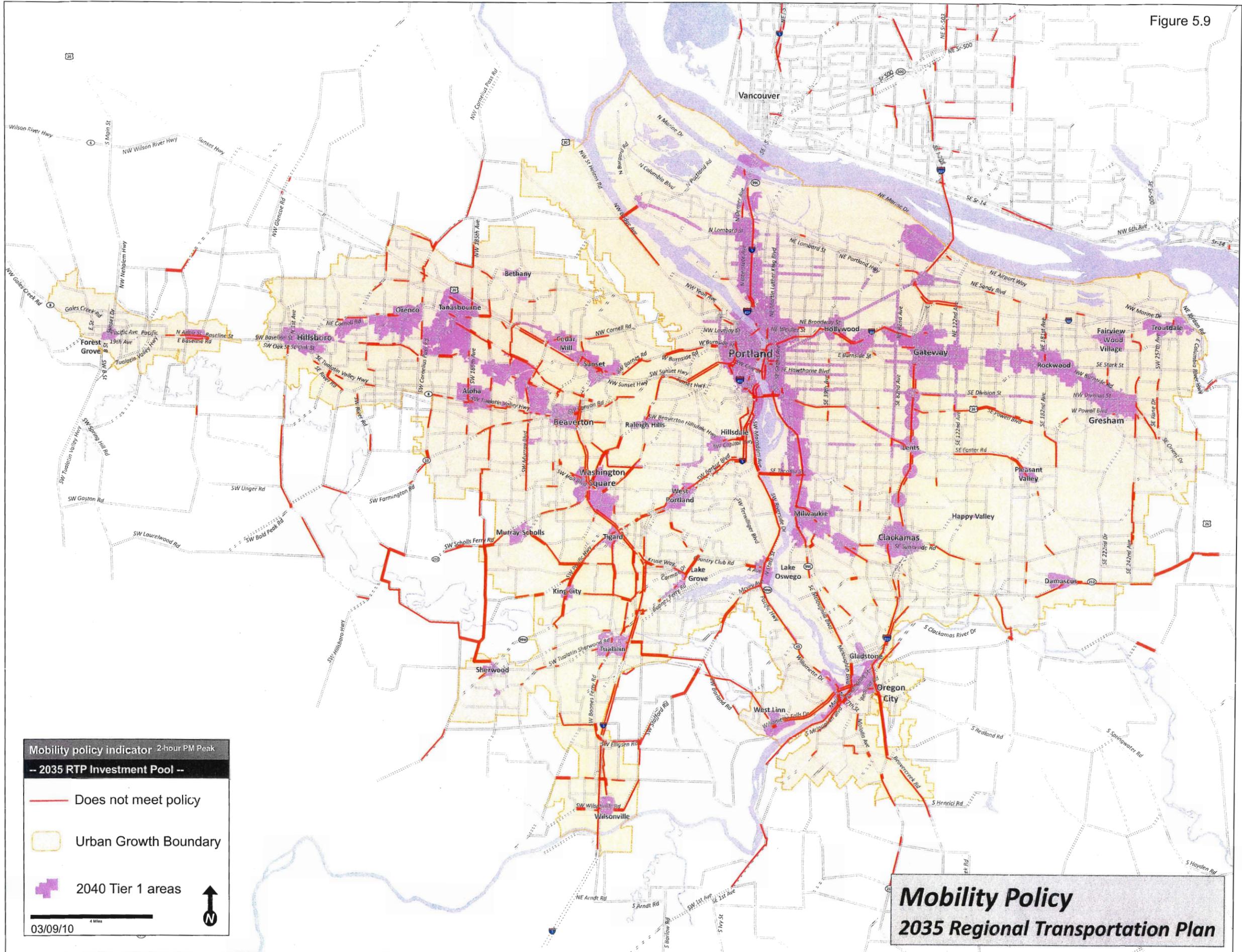
Mobility policy indicator 2-hour PM Peak
-- 2035 Federal Priorities --

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

03/09/10

Mobility Policy 2035 Regional Transportation Plan

Figure 5.9





City of Tualatin

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EXHIBIT C

RECEIVED

JUL 12 2010

MILLER NASH LLP

July 7, 2010

Jeffrey Condit
Miller Nash LLP
3400 U.S. Bancorp Tower
111 SW Fifth Avenue
Portland, OR 97204

RE: TESTIMONY SUBMITTED TO METRO AND CLACKAMAS COUNTY ON
URBAN/RURAL RESERVES

Dear Jeff:

Please find attached correspondence the City of Tualatin submitted into the records at Metro and Clackamas County regarding the reserves program for your review. Brenda Braden requested that we forward this information to you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Douglas R. Rux'.

Douglas R. Rux, AICP
Community Development Director

dr

Enclosures: [11]

cc: Brenda Braden
Aquilla Hurd-Ravich



City of Tualatin

www.ci.tualatin.or.us

May 20, 2010

Mr. David Bragdon, Council President
Metro
600 NE Grand Avenue
Portland, OR 97232

RE: CITY OF TUALATIN TESTIMONY ON ORD NO. 10-1238

Dear President Bragdon:

The City of Tualatin has been actively engaged in the urban and rural reserves discussion with Metro, Clackamas County and Washington County for designation of urban and rural reserves along our community's borders. We have shared our local aspirations with all three of these agencies. The City, through this process, has supported a portion of Area 5F (Attachment A). This area, totaling 118 acres, will assist in facilitating the construction of SW 124th Avenue between SW Tualatin-Sherwood Road and SW Tonquin Road. SW 124th Avenue has been discussed extensively to address traffic congestion in the Tualatin area for many years. With the Metro decision to bring in lands in 2002 and 2004 into the Urban Growth Boundary (UGB) for Regionally Significant Industrial Area (RSIA) land and industrial land in this general area, the addition of the 118-acre urban reserve area will help facilitate a transportation system to serve not only Tualatin but the City of Sherwood. As envisioned, the concept is for the road to take a straight alignment between the two existing roadways (SW Tualatin-Sherwood Road and SW Tonquin Road) rather than a circuitous route around the Knife River facility. Additionally, the area would further our long term economic position to provide industrial employment land either as general industrial or as large lot industrial. The City is willing to provide governance for this area.

The City also has supported the inclusion of Area 4E of approximately 840 acres (Attachment B) as an urban reserve for the long-term future of Tualatin consistent with our local aspirations. This area is envisioned to be predominately residential but would not be needed until the horizon years of 2030 – 2050.

President David Bragdon
May 20, 2010
Page 2 of 2

The City has repeatedly provided comments, feedback and testimony throughout the duration of the reserves process opposing the designation of urban reserves in the Clackamas County portion of the Stafford Basin. The County and Metro eventually entered into an Intergovernmental Agreement identifying a significant amount of urban reserve land within the basin known as 4A, 4B, 4C and 4D over the objections of the City. The City of Tualatin continues to object to the designation of these areas as urban reserve based on our analysis that the areas do not meet the factors for urban reserve designation. The City of Tualatin requests that all correspondence and communications between the City and Metro related to the urban reserves designation process up through the end of February 2010, which Metro has in its files on the urban/rural reserve process, be entered into the record for the public hearing for ORD NO. 10-1238.

The City of Tualatin requests that the Metro Council not adopt ORD NO. 10-1238 with it's supporting Attachment A unless Areas 4A, 4B, 4C and 4D are identified as undesignated.

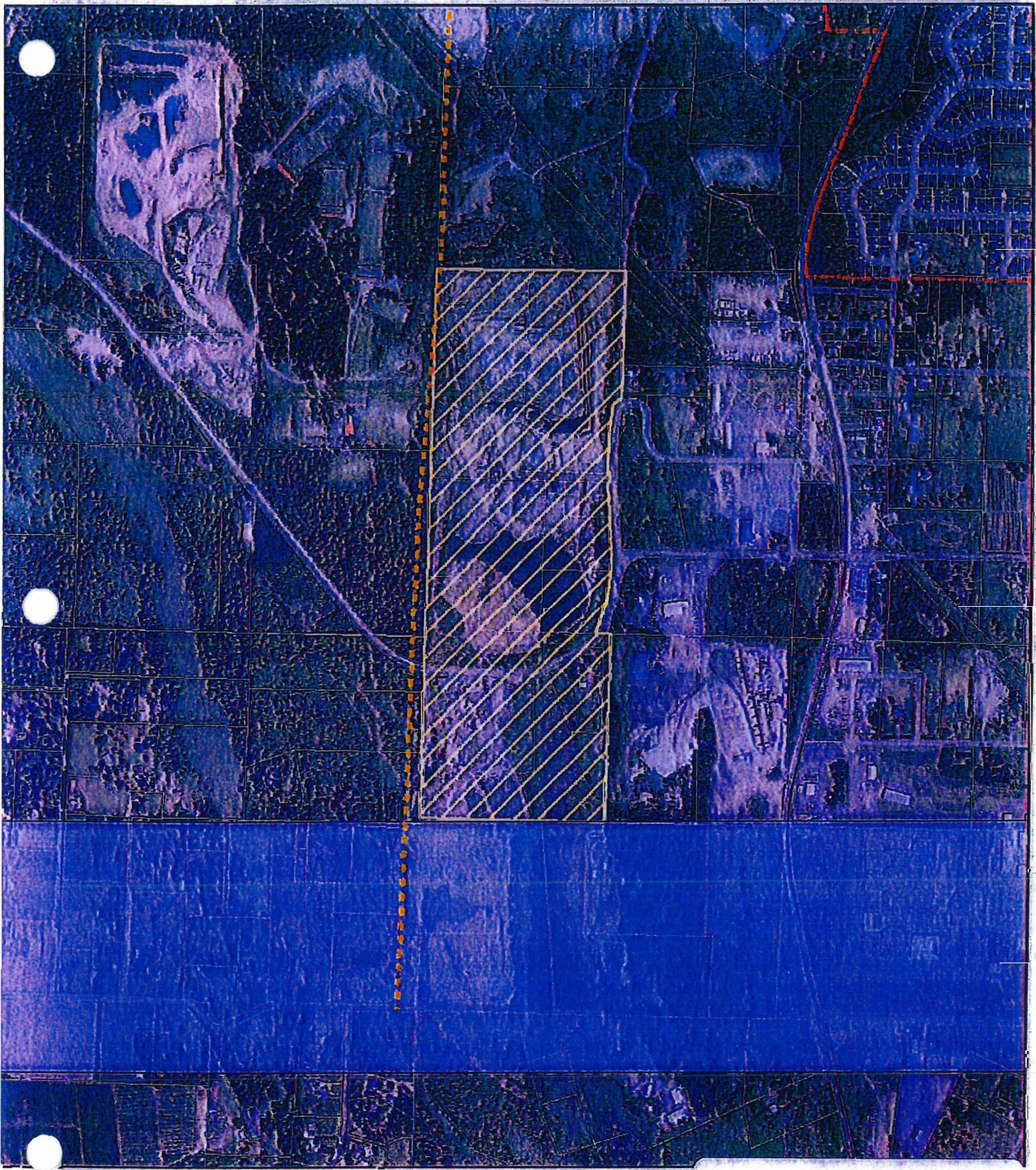
Sincerely,



Douglas R. Rux, AICP
Community Development Director

Enclosures: [2]

cc: Tualatin City Council



Knife River Area

 124th Ave Future Extension

RF 1:11,000

Attachment A

 I-5 to 99W Connector Option

 City Boundary



Not Developable Vacant Sphere
 Tualatin Planning
 Area Boundary
 Washington County
 METRO/JGB
 Washington County
 Shoreline Basin

Parcels
 Tualatin City Boundary

Scale: 1:15,000
 North Arrow
 N
 E
 S
 W

This map is a derivative of digital data from various sources. While every effort has been made to ensure the accuracy of the data, the City and County are not responsible for any errors or omissions. This map is provided for informational purposes only. It is not intended to be used for legal or financial purposes. For more information, please contact the City of Tualatin Planning Department.



City of Tualatin

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April 21, 2010

Lynn Peterson, Chair
Clackamas County Board of Commissioners
2051 Kaen Road
Oregon City, OR 97045

RE: CITY OF TUALATIN TESTIMONY ON ZDO-223

Dear Chair Peterson:

The City of Tualatin has been actively engaged in the Clackamas County process for designation of urban and rural reserves. The City has repeatedly provided comments, feedback and testimony throughout the duration of the process opposing the designation of urban reserves in the Clackamas County portion of the Stafford Basin. The County and Metro eventually entered into an Intergovernmental Agreement identifying a significant amount of urban reserve land within the basin known as 4A, 4B, 4C and 4D over the objections of the City. The City of Tualatin continues to object to the designation of these areas as urban reserve based on our analysis that the areas do not meet the factors for urban reserve designation. The City of Tualatin requests that all correspondence and communications between the City and County related to the urban reserves designation process up through the end of February 2010, which the County has in its files on the urban/rural reserve process, be entered into the record for the public hearing for ZDO-223.

The City of Tualatin requests that the Board of Commissioners deny ZDO-223.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas R. Rux".

Douglas R. Rux, AICP
Community Development Director

cc: Tualatin City Council



City of Tualatin

www.ci.tualatin.or.us

January 20, 2010

RE: CITY OF TUALATIN COMMENTS AT THE URBAN AND RURAL RESERVES
METRO COUNCIL HEARING IN SHERWOOD

To Metro Councilors:

The Tualatin City Council's top priority is to preserve quality of life in Tualatin by maintaining the character of existing residential neighborhoods and continuing that character in new neighborhoods as the City grows. This priority guided our Local Aspirations and emerged from Tualatin's *Community Vision and Strategic Action Plan: Tualatin Tomorrow*. These comments are based on this top priority.

Oppose urban reserve designation of land east of 65th: The City of Tualatin does not support urban reserve designations of areas 4A, 4C, or 4D effectively the Stafford Basin. Our analysis of this area led to our conclusion that providing infrastructure in 4C and 4D would be cost prohibitive, and urbanization in these areas could impact the quality of life for Tualatin citizens. The interchange of I-205 and Stafford and possible high capacity transit could promote high density development that is not consistent with our existing neighborhoods. We submitted our staff's review of Clackamas County's analysis of 4C that found this area does not meet the factors for urban reserves to the Core 4 on October 13, 2009.

Oppose urban reserve designation in Stafford Basin: On November 23, 2009 the City Council adopted a resolution supporting a joint position statement with the City of West Linn opposing urbanization in 4C. Each city has separately expressed our unwillingness and lack of ability to provide services to an urbanized Stafford area. We submitted a copy of this joint position statement to Metro Councilors on December 1, 2009. Additionally, the City of Lake Oswego expressed this position in a letter submitted to the Core 4 on December 1, 2009.

Support land east of I-5 and west of 65th as an urban reserve: The City does support the urban reserve designation of 4E. Based on our analysis of infrastructure costs, providing services to this area would not be cost prohibitive and growth in this area could be managed to be compatible with our existing neighborhoods. We expressed our support for this area in our response to the "Making the Greatest Place" recommendations submitted on October 14, 2009 to Metro.

Support land south of Sherwood and Tualatin in Clackamas County as an urban reserve: Finally, we support 5E as an urban reserve as it relates to the I-5 to 99W Connector project. This area will be a critical transportation connection to industrial areas in Tualatin and Sherwood. We also support 5F as an urban reserve except for land south of the Tualatin Valley Fire and Rescue training facility. This position was submitted to the Reserves Steering Committee and Core 4 on September 17, 2009.

When did soils (or Foundation agricultural land) become the only factor in SB 1011? The reserves process is intended to give the region the opportunity to decide where to invest future resources for urban development while simultaneously protecting important agricultural land and natural features. Future urban lands are equally important to ensuring our communities remain healthy, vibrant places to live work and play as preserving important agricultural land for the state's economy. If the reserves process reverts back to focusing on soils (foundation and important farm lands), then the region will face questions from the past about where not to develop rather than where to plan for future urban development to make great communities. Lands suitable for urban development and those that should remain agricultural should be equally weighed in the in this process. One should not be elevated at the expense of the other.

Over the last year and half the region has engaged in a tremendous level of work to analyze land in the five mile study area. Cities and counties have produced technical analysis weighing the state's factors for urban and rural reserves. Citizens and interest groups have engaged in the process through advisory committees and public input to help inform the Counties' recommendations to the Core 4. This work should not be lost or ignored as the process nears its conclusion. Please consider the original intent of SB1011 when making your decision about urban lands.



City of Tualatin

www.ci.tualatin.or.us

December 1, 2009

Metro
Metro Policy Advisory Committee
Attention: Kelsey Newell
600 NE Grand Avenue
Portland, OR 97232

RE: JOINT POSITION STATEMENT BY THE CITIES OF TUALATIN AND WEST LINN
REGARDING THE FUTURE URBANIZATION OF THE STAFFORD AREA NORTH
OF I-205 AND THE NORTHERN PORTION OF PETE'S MOUNTAIN ALONG THE
TUALATIN RIVER

Dear MPAC Members:

Please find enclosed a signed copy of a joint position statement by the Cities of Tualatin and West Linn. This matter was first discussed by the City of West Linn on October 20, 2009 and later adopted by the Cities of Tualatin and West Linn on November 23, 2009 through separate resolutions.

The impetus behind formulating a unified position statement is the Urban and Rural Reserve discussions that have been occurring around the region. The two cities have each separately expressed our unwillingness and lack of ability to provide services to an urbanized Stafford area. Yet, despite our communications with Clackamas County and Metro, a portion of Stafford has been recommended by the Clackamas County Board of Commissioners and Metro's Chief Operating Officer for an urban reserve.

The enclosed position statement represents our unified opposition of urbanization in this area.

Sincerely,

A handwritten signature in black ink, appearing to read 'Doug Rux'.

Doug Rux
Community Development Director

Enclosure



City of Tualatin

www.ci.tualatin.or.us

December 1, 2009

Metro Council
600 NE Grand Avenue
Portland, OR 97232

RE: JOINT POSITION STATEMENT BY THE CITIES OF TUALATIN AND WEST LINN
REGARDING THE FUTURE URBANIZATION OF THE STAFFORD AREA NORTH
OF I-205 AND THE NORTHERN PORTION OF PETE'S MOUNTAIN ALONG THE
TUALATIN RIVER

Dear Metro Councilors:

Please find enclosed a signed copy of a joint position statement by the Cities of Tualatin and West Linn. This matter was first discussed by the City of West Linn on October 20, 2009 and later adopted by the Cities of Tualatin and West Linn on November 23, 2009 through separate resolutions.

The impetus behind formulating a unified position statement is the Urban and Rural Reserve discussions that have been occurring around the region. The two cities have each separately expressed our unwillingness and lack of ability to provide services to an urbanized Stafford area. Yet, despite our communications with Clackamas County and Metro, a portion of Stafford has been recommended by the Clackamas County Board of Commissioners and Metro's Chief Operating Officer for an urban reserve.

The enclosed position statement represents our unified opposition of urbanization in this area.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Rux".

Doug Rux
Community Development Director

Enclosure



City of Tualatin

www.ci.tualatin.or.us

December 1, 2009

Clackamas County
Board of County Commissioners
2051 Kaen Road
Oregon City, OR 97045

RE: JOINT POSITION STATEMENT BY THE CITIES OF TUALATIN AND WEST LINN
REGARDING THE FUTURE URBANIZATION OF THE STAFFORD AREA NORTH
OF I-205 AND THE NORTHERN PORTION OF PETE'S MOUNTAIN ALONG THE
TUALATIN RIVER

Dear Board of County Commissioners:

Please find enclosed a signed copy of a joint position statement by the Cities of Tualatin and West Linn. This matter was first discussed by the City of West Linn on October 20, 2009 and later adopted by the Cities of Tualatin and West Linn on November 23, 2009 through separate resolutions.

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Community Development Director

Enclosure



City of Tualatin

www.ci.tualatin.or.us

December 1, 2009

Metro
Core 4
Attention: Laura Dawson-Bodner
600 NE Grand Avenue
Portland, OR 97232

RE: JOINT POSITION STATEMENT BY THE CITIES OF TUALATIN AND WEST LINN
REGARDING THE FUTURE URBANIZATION OF THE STAFFORD AREA NORTH
OF I-205 AND THE NORTHERN PORTION OF PETE'S MOUNTAIN ALONG THE
TUALATIN RIVER

Dear Members of the Core 4:

Please find enclosed a signed copy of a joint position statement by the Cities of Tualatin and West Linn. This matter was first discussed by the City of West Linn on October 20, 2009 and later adopted by the Cities of Tualatin and West Linn on November 23, 2009 through separate resolutions.

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Doug Rux
Community Development Director

Enclosure



Tualatin, Oregon

18880 SW Martinazzi Ave
Tualatin, OR 97062



CITY OF

West Linn

Exhibit A

Joint Position Statement by the Cities of Tualatin and West Linn Regarding the Future Urbanization of the Stafford Area North of I-205 and the Northern Portion of Pete's Mountain Along the Tualatin River

The Cities of Tualatin and West Linn, by separate resolutions of their Councils, dated November 23, 2009, and Nov. 23, 2009 respectively, hereby declare united opposition to the urbanization of the Stafford area and the designation of this area as an urban reserve by Metro.

Each city has communicated to Metro an unwillingness to serve the Stafford area with municipal services. Also, each city has communicated a general unwillingness to subject the Stafford area to the negative impacts of urbanization. Despite these communications, the Stafford area has been recommended by the Metro Chief Operating Officer for urbanization, and the Stafford area continues to be an area that the Metro Council wishes to "discuss further."

Our cities do not wish to discuss the prospect of urbanizing the Stafford area any further. The shared opposition to urbanizing the Stafford area is longstanding. Over time, the reasons for opposing urbanization have become even more relevant and more consistent with the current and long term interests of the cities and residents.

Evaluation of the Stafford area for urbanization in 1993 led the cities to conclude that the area was not suitable for urbanization. Recently, detailed analysis completed in 2009 by the City of Tualatin for the Borland Road area of Stafford showed that urbanization of the Stafford area would not be cost effective and would be of such great financial magnitude that no local government would or should be expected to attempt given the development costs the public would have to subsidize.

Since 1993, the acquisition of land by public agencies and some development has resulted in even less capacity for urban development in the Stafford area over which to spread the increasing costs of

infrastructure, while the availability of public financing has decreased. There is little reason to believe these circumstances would be reversed in the future.

Our cities oppose urbanization because it would not be cost effective, and because it would have significant negative impacts on existing neighborhoods. Those impacts would include increased traffic on major streets and cut-through traffic on local streets; reduced air, water and land resource quality; and diversion of public funds from needed improvements to existing utility and street systems.

Our cities also oppose urbanization because of how the Stafford area has and continues to evolve into a semi-rural area with a pastoral setting that is enjoyed by its residents for the lifestyle it affords them and by its neighbors for the relief it provides from the adjacent urban areas. The uses and related activities in the Stafford Area such as plant nurseries, landscaping materials, vineyards and small scale agriculture are supportive of the adjacent urban areas. Their location in the Stafford area means that they will not compete with more valuable farmland in other parts of the region.”

The Stafford area’s extensive drainage system; steep slopes; significant natural landscape features; limited transportation access; and parcelization make it unsuitable for urbanization and highly suitable for a buffer area between cities. There are few such areas remaining in the Portland Metropolitan Region. Rather than criticize our cities for wanting to preserve it for its unique qualities, Metro should be supportive of our efforts to protect what is also a significant regional resource.

Finally, the Stafford Area does not meet the factors for designation as urban reserve. This is evidenced by the detailed analysis of the factors prepared by the City of Tualatin for the Borland Area of Stafford that was presented to the Reserves Steering Committee and the CORE 4 on October 13, 2009. This analysis reiterates what has been known about the entire Stafford area since the Alternatives Analysis was completed by Metro in 2002 and prior to that in the late 1990’s when Metro conducted its Urban Reserve Study Areas Analysis.”

Our cities have all stated in our previously submitted aspirations to Metro that an urbanized Stafford is not part of our city’s futures. Our cities are more focused on making our communities more complete and compact; on redeveloping their centers and corridors; on correcting deficiencies in existing transportation and utility systems and in maximizing the return on our investment in these systems; on ensuring that our communities are more sustainable and energy efficient; and on improving the quality of life for our residents. None of these goals would be served by expansion of our cities into the Stafford area.

We are confident that this unified position statement is consistent with our cities' positions on Stafford over the past 16 years. We are also confident that this unified position statement is consistent with the wishes of our citizens today and that it will remain so into the future.



Lou Ogden, Mayor

City of Tualatin

Date: 11-23-09



Patti Galle, Mayor

City of West Linn

Date: 11/23/09



City of Tualatin

www.ci.tualatin.or.us

November 3, 2009

Commissioner Bob Austin
Commissioner Jim Bernard
Clackamas County Board of Commissioners
2051 Kaen Road
Oregon City, OR 97045

RE: STAFFORD AREA MEETING ON OCTOBER 1, 2009

Dear Commissioners Austin and Bernard:

On October 1, 2009 you facilitated a meeting with the cities of Lake Oswego, Tualatin and West Linn, Stafford Hamlet and other interested parties to discuss reserve designations in the Stafford Area. At that meeting the three cities verbally addressed our opposition to urbanization in the Stafford Area, specifically in the area of Borland Road and the northern Pete's Mountain area. This meeting gave all parties involved the opportunity to discuss the cities' opposition previously submitted in writing and the County's reasons for designating this specific area an urban reserve. Based on these discussions, we understood that the reserves recommendations made by the Board of County Commissioners were preliminary and that the recommendations would be revisited. What is the status of that review and what results were found?

We look forward to your response and to continuing to work with you in this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Lou Ogden".

Lou Ogden
Mayor

c: Mayor Jack D. Hoffman, Lake Oswego
Mayor Patti Galle, West Linn
Councilor Teri Cummings, West Linn



City of Tualatin

www.ci.tualatin.or.us

October 14, 2009

Mr. Michael Jordan
Chief Operating Officer
600 NE Grand Avenue
Portland, OR 97232

RE: "MAKING THE GREATEST PLACE" RECOMMENDATIONS

Dear Mr. Jordan and interested parties:

On Wednesday, September 30, 2009, Tualatin's City Council met in a work session to discuss your recommendations for "Making the Greatest Place". We appreciate the opportunity to review and comment on the reports released on September 15, 2009. We provided our comments below categorized by sections of the report. We are also aware that there will be other opportunities to comment through MPAC, JPACT and the Metro Council as further review occurs on your recommendations.

The *Strategies for a sustainable and prosperous region* included the quote below that exemplifies the spirit of Local Aspirations and the exercise the region went through last winter. That is the opportunity for local jurisdictions to provide choices to current and future residents by creating great communities in the region. Our Council believes that the Local Aspirations we and other cities worked to develop should guide the region's decision making in terms of growth and investments.

"Some people want to live in the suburbs and feel strongly that their quality of life, their American dream, is a house and a yard and a fence. Others want to live in a vital city where they're a regular at the coffee shop down the street. It's not that one is better than the other, but it is a fact that within this region, you can choose either, and that's what we're trying to achieve- not that everyone chooses the same, but that people can find what they want."

-Ethan Seltzer, Director, Toulon School of Urban Studies and Planning, Portland State University (Metro, *Overview September 15, 2009 COO Report- Strategies for a sustainable and prosperous region*. p11, September 15, 2009)

Performance Measures

While we acknowledge the need to track the region's progress toward achieving the six desired outcomes, we are concerned with the process used for establishing that

tracking mechanism. The Performance Measures report does not contain enough information about how the performance targets will be developed. There should be more opportunities to participate in the development besides MPAC and JPACT. Additionally, the report does not clearly articulate the consequences of these measures on local jurisdictions. For example there is no discussion of what type of data collection and reporting could be required. Finally, Metro should provide some clarification of the policies and processes that could be required to achieve the indicator targets. Our concern is that without involvement from local jurisdictions in establishing the targets, policies and processes we will not be able to ensure these targets align with our Local Aspirations.

Urban Growth Report

The residential section of the UGR uses a 33% refill rate for expected capacity and 7% refill rate for potential capacity. The expected housing capacity refill rate is higher than the average from 1997 to 2006 of 15.6% to 34.2% and may not be a reasonable expectation. The additional 7% assumed for potential growth relies on policy changes and investments. These investments are presumably those identified in the *Investing in Great Places matrix, September 15, 2009* but neither of these reports identifies the source of potential funding for investments. It is unreasonable to identify a potential capacity refill rate that relies on an unknown source of funding. Finally, where is refill at a 40% rate expected to occur? Where is the analysis and mapping showing where the refill will occur? This information is critical in determining capacity and the implications on the urban and rural reserve process and how it fits into Tualatin's Local Aspirations.

Protecting existing single-family neighborhoods is mentioned as an investment priority in the *Strategies for a sustainable and prosperous region* and in the UGR. These reports indicate this can be accomplished by focusing growth in cities and town centers and main streets within the current urban growth boundary and encouraging growth in centers and corridors to minimize impacts on existing neighborhoods. Tualatin's Local Aspirations are similarly focused in that we intend to protect the character of our existing single family neighborhoods and commercial and industrial areas while focusing redevelopment and any requisite policy changes and investments within our Town Center. Consequently, any refill rate higher than a historic average should only apply to centers and corridors.

In the employment section and the technical appendices there were several mentions of multi-story facilities for employment uses. We object to the assumption that industrial uses such as manufacturing, warehouse and distribution, and tech flex will locate in multi-story buildings as part of a future trend.

Regional Transportation Plan

We appreciate your efforts to update the RTP and other regional plans. Balancing the needs to move people and freight, protect neighborhood livability, protect the environment, and support the growth in the region's economy is a very complex and difficult task.

In reviewing the RTP it feels like we are not reviewing a plan but looking at a series of good ideas and some vague actions that may implement them. For example:

- Without modeling results it is not known if the projects in the draft RTP will achieve the goals of the plan.
- Without new performance standards how do we know how close we are coming to meeting them.
- The schedule does not appear to allow any time for iterations or discussion about the performance of the plan and projects versus the impacts on neighborhood, versus the cost to implement, versus the impacts on the economy versus changing the goals of the plan.
- It seems like there should be time built in to allow for this analysis to occur and if needed change the goals, measures, and projects to better achieve what we are trying to do.

Moving ahead to stay on schedule does not seem to be as important as taking the time to complete this project in a manner that will allow us all to work toward its implementation and making this region a Great Place.

As you know Tualatin is very concerned about the implementations of the recommendations from the I-5 to 99W Corridor study. We were very disappointed in the final efforts of the project. To have listened to and agreed with the concerns and issues raised by Wilsonville and Clackamas County over the final recommendations on the project, and all the participants AGREED with their issues and recommendations, and then to have them vote against their own recommendations was disheartening. That said we are very appreciative of the effort of Andy Cotugno to put together a plan to implement the recommendations of the I-5 to 99W Corridor Study. Mr. Cotugno's plan addresses Tualatin's concerns and we feel provides a logical well thought out series of events to address the transportation issues between I-5 and 99W in our area.

The I-5 to 99W Policy Steering Committee recommendations are included in the RTP appendix and shown in the work plan as something that needs to be resolved in the next few months. Our main concern has been and continues to be traffic in the Tualatin Town Center. We expect to deal with the traffic generated in Tualatin. Our concern is the thru traffic. To address this we are asking for your help and commitment on three key projects and concepts.

1. Widening Tualatin Sherwood Road. Project 10568:

Widening Tualatin Sherwood Road between Hwy 99W and Teton needs to be postponed until after 124th is connected between Tualatin Sherwood Road and Tonquin Road. We feel 124th will provide an outlet for the industrial traffic to access I-5 at Stafford Road in an all industrial route and not through the Tualatin Town Center. Widening without 124th will only bring more traffic to the Tualatin Town Center.

2. Extending Tualatin Road through the Community Park, across the Tualatin River and on to the Bridgeport Village Area. Project 10731:

We agree some improvement here is necessary to provide alternate routes to having all the east west traffic passing through the Tualatin Town Center. Widening Tualatin Road and the extension to the Bridgeport Village area to 4-5 lanes instead of the 2-3 lanes currently planned, and connecting to 99W on the west end in Sherwood is not in keeping with the scale of our vision. The proposal to evaluate and correctly scale these improvements that Andy had proposed addresses our concerns.

The appendix and project 10731 do not appear to be consistent. We urge you to resolve this inconsistency in favor of the language proposed by Andy Cotugno this summer.

3. Extending 124th from Tualatin Sherwood Road south to Tonquin and on to I-5 at exit 286. Project 10736.

This is a high priority for Tualatin and Wilsonville. This extension will provide access to an approximate 1,000 acres of industrial land. Tualatin is finishing the planning for the portion of the area north of Tonquin Road. The area between Tualatin and Wilsonville still needs some planning work. We are working with Wilsonville to accomplish this.

We look forward to participating in the discussions about the performance standards of the transportation system and how all components of the "Making the Greatest Place" work together and address all of the goals of the plans. We request you delay the final decisions so we can all be sure we are making the best choices, not just the choices that meet the schedule.

Aspirations and Investments

The *Investing in Great Places matrix* identified five common themes that emerged from Local Aspirations. Based on the matrix and the narrative it is clear that financial investments will be required to implement any policy changes that accomplish Local Aspirations. Tualatin's concern is where those sources of funding are going to come from. The report identifies developing an investment strategy as the next step in taking Local Aspirations to a strategy. While elements of such a strategy were identified targeted sources of possible funding were not identified.

We intend to submit information about the 99W Corridor in Tualatin. That corridor has been identified for future consideration of High Capacity Transit, and we will identify additional investments that could support or be supported by HCT in the 99W Corridor.

Urban and Rural Reserves

Specifically, we are concerned with the recommendation for the Stafford Triangle portion of the Stafford Basin. We do not agree with the recommendation to expand urban reserves beyond Clackamas County's recommendation. Further, we submitted correspondence to Clackamas County and to the Regional Steering Committee and the Core 4 stating our recommendation that this area be designated a rural reserve with the exception of the 840 acres located in Washington County within the Stafford Basin. This area is bound by I-5 on the west, I-205 on the north, 65th Avenue on the east and

Frobase Road on the south. To summarize our concerns previously stated providing urban level services to this area would be cost prohibitive to the City of Tualatin, there are questions of governance that need to be resolved, and urban level development could impact the quality of life in our existing neighborhoods. The City Council's top priority is to maintain quality of life in Tualatin by maintaining the character of existing residential neighborhoods and continuing that character in new neighborhoods as the City grows. This priority guided our Local Aspirations and emerged from Tualatin's *Community Vision and Strategic Action Plan: Tualatin Tomorrow*. Designating urban reserves identified by Clackamas County and expanding the area according to Metro's recommendation would not adhere to our Local Aspirations or our community's desire to preserve our quality of life.

The cities of Lake Oswego and West Linn have also stated their opposition to the Stafford Basin as an urban reserve in their Local Aspirations.

Additionally, in the technical appendix to this report an assumed density of 15 dwelling units per acre was used to calculate the residential acreage range for urban reserves. Our concern with this assumed density is that we are not clear as to where this density applies. Is it only assumed for urban reserve land or has this density been applied to other land in calculating capacities? Through our Local Aspirations we have stated our intention to continue the existing residential neighborhood character in any new areas. An assumed density of 15 dwelling units per acre does not conform to our aspirations.

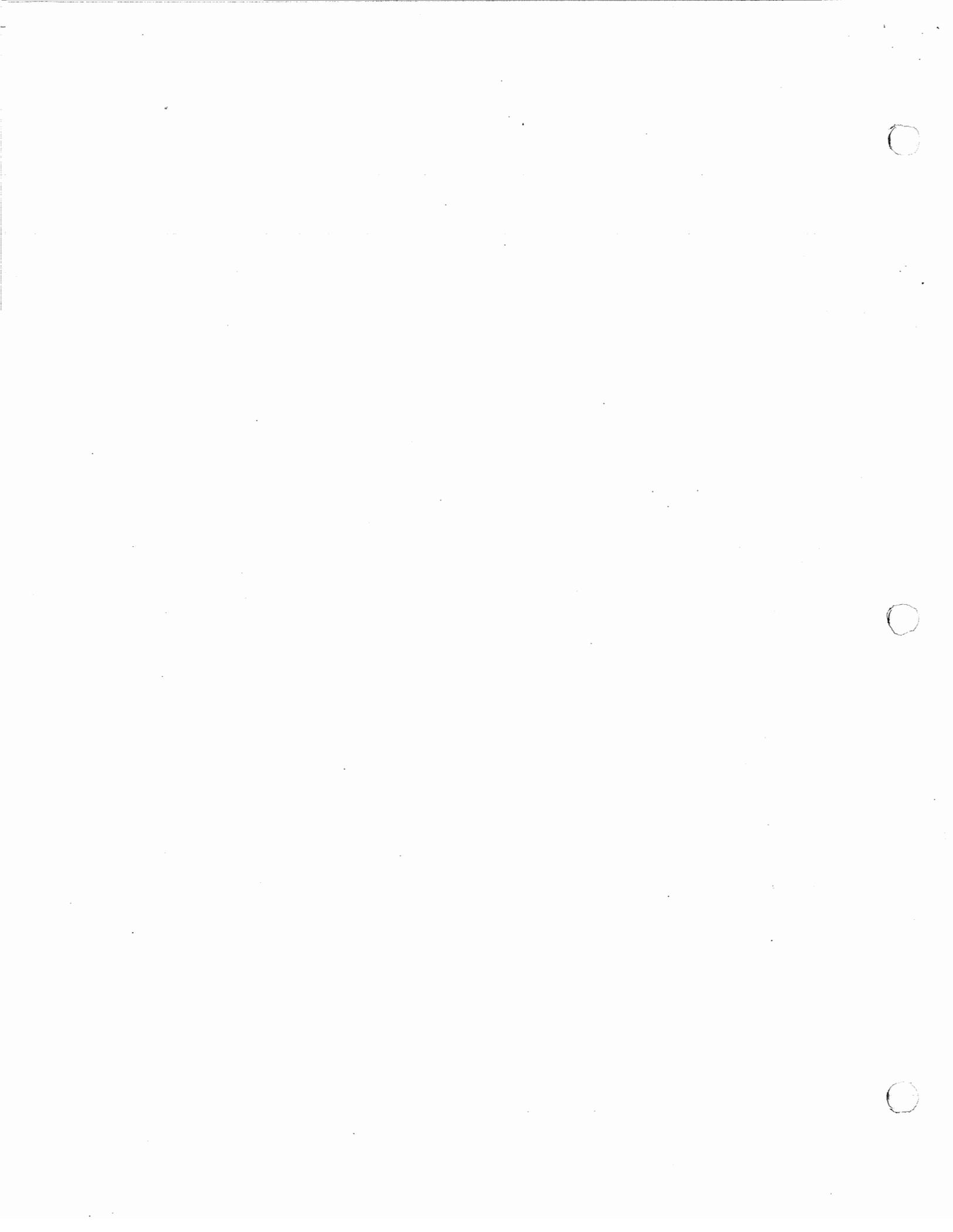
Regarding your recommendation for Urban Reserve land in the South Sherwood/ West Wilsonville area, we agree with your recommendations. Your assessment of land between the cities of Tualatin and Sherwood is correct in that urban reserve land will provide the opportunity to extend 124th Avenue to a future east west arterial road and make use of future public and private infrastructure investments. We also agree with the analysis that if the area is deemed suitable for urban reserves then all of the land should be designated urban without creating an island of rural reserve land. We continue to object to Clackamas County's recommendation for a small portion of this area to be a designated a rural reserve. Additionally, we support the City of Sherwood's aspirations for urban reserves in this area to support their long term jobs and housing needs.

Again, thank you for the opportunity to comment on these recommendations.

Sincerely,



Lou Ogden
Mayor





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.

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 Assessment ¹	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 Assessment ¹	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 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.
<p>Efficiently and cost-effectively served: Flatter areas in the southwestern portion (Borland) would be most suitable for storm water services.</p>	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.
<p>Existing and future investments: Public schools are typically provided concurrent with development.</p>	Agree	Tualatin's analysis indicates there could be a need for additional school capacity if this area develops.
<p>Appropriate financially capable service providers: West Linn Wilsonville School District</p>	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>		
<i>Medium:</i> 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>		
<i>High:</i> 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><i>Factor 1: 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><i>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.</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 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 Assessment⁴	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 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 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.
<i>Factor 2: Includes sufficient development capacity to support a healthy economy</i>		
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 Assessment⁴	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: <i>High</i> In the northern portion of Pete's Mountain the Regional trail map shows one trail that would run along the Tualatin River.</p>	<p>Agree</p>	<p>There is one regional trail that may serve this area if it is located on the south side of the river.</p>
<p><i>Factor 5: Can be designed to preserve and enhance natural ecological system.</i></p>		
<p><i>Low/ Medium:</i> This area has a number of streams that could normally be preserved and enhanced.</p>	<p>Agree</p>	<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><i>Factor 6: Includes sufficient land suitable for a range of needed housing types.</i></p>		
<p><i>Medium:</i> 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>	<p>Agree</p>	<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.



City of Tualatin

www.ci.tualatin.or.us

September 17, 2009

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

RE: Clackamas County Board of Commissioners Reserves Recommendations

Dear Reserves Steering Committee and Core Four members:

On September 10, 2009 the Clackamas County Board of Commissioners made their recommendations for urban and rural reserves in Clackamas County. The City of Tualatin has concerns about the consequences of several of those designations.

One area of continued interest and concern is in the Stafford Basin. On August 10, 2009 we submitted a letter to the Clackamas County Board of Commissioners recommending that land in our Area of Interest in Clackamas County be designated a rural reserve. This recommendation came after careful analysis of the factors in OAR 660-027-0050. Our analysis led to a conclusion that providing infrastructure to the entire area would be cost prohibitive. Additionally, urban level development in these areas could impact quality of life for Tualatin citizens in a way that does not make urbanization compatible with existing urban development. Finally there was a question of jurisdiction and which entity would govern these areas if they are urbanized. However, we also indicated that if the Board of Commissioners should designate this area as an urban reserve or leave it as undesignated then Tualatin expects to either take jurisdictional control or review any urbanization plans for suitability and compatibility with our city. Our original letter and map from August 10th are attached for your reference.

The Board of Commissioners recommended that a portion of land in the Stafford Basin commonly referred to as the "Borland Area" receive an urban reserve designation. This area is generally bounded by the Tualatin River on the north and east, I-205 on the south and the City of Tualatin on the west. The Board of Commissioners also recommended that land south of that area remain undesignated. This area is generally bounded by I-205 on the north, Stafford Road on the east, 65th Avenue or the county line separating Washington County and Clackamas County on the west and approximately Frobase road on the south. On September 7th the Washington County Reserves Coordinating Committee recommended that Tualatin's Area of Interest in the Stafford Basin in Washington County receive an urban reserve designation. Their recommendation aligns with Tualatin's aspirations and recommendation to Washington County.

This letter serves to indicate our intention to participate in questions of jurisdiction and urbanization of land previously identified in our Area of Interest and recommended for an urban designation or undesignated by the Clackamas County Board of Commissioners. In response to Metro's request, Tualatin developed Local Aspirations that identify how we want to grow and what our community will look like in 20 and 50 years. The Council's top priority is to maintain quality of life in Tualatin by maintaining the character of existing residential neighborhoods and continuing that character in new neighborhoods as the City grows. Our Local Aspirations reflect *Tualatin Tomorrow's Community Vision and Strategic Action Plan*. This document has a vision called *How We Grow: Growth, Housing and Town Center*. These documents are the result of years of work by volunteers from our community, city staff and the City Council. The community's overriding sentiment that emerged from this work is that Tualatin's growth needs to be managed and we need to continue to focus on the livability of our community. It is this perspective coupled with urban reserves analysis that led to our recommendation for land in the Stafford Basin to be designated as a rural reserve. The Clackamas County recommendations do not align with our Local Aspirations, our Vision and Strategic Plan or the recommendation we gave to Clackamas County.

If this area is brought in as an Urban Reserve, our Council believes there could be insurmountable pressure to bring this area into the Urban Growth Boundary. The intersection of Stafford and Borland Roads could be a site targeted for intense urban development. Given the proximity to Tualatin (one mile) our City could be forced to urbanize this area in a way that does not conform to our Local Aspirations or Tualatin Tomorrow. We believe development that is out of character with our existing neighborhoods could degrade the quality of life in Tualatin by further impacting congested roadways and draining City resources to pay for infrastructure.

The second area we are concerned with is the Tonquin Geologic Area in Clackamas County that was recommended by the Clackamas County Board for a rural reserve designation. Land adjacent to the Tonquin Geologic Area was brought in to the Urban Growth Boundary during 2002 and 2004 and identified for industrial uses. In fact certain pieces of land were identified by Metro as Regionally Significant Industrial Areas (RSIA). These areas were designated such because they have access to the regional

transportation system for movement and storage of freight and goods. Tualatin is in the process of concept planning an area that is a RSIA and part of the success of this area relies on building future transportation connections to the regional system which may be hindered by a rural reserve designation.

Creating jobs through industrial land designations is vital to our regional economy. The region has worked for years developing infrastructure and transportation plans to serve the industrial land in this area. A rural reserve designation in the Tonquin Geologic Area could impede the realization of these plans. The regional transportation draft plan includes language for a process to come to an agreement about appropriate transportation improvements. Please do not limit these options with a rural reserve designation.

I appreciate your consideration of our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lou Ogden', with a large, stylized flourish at the end.

Lou Ogden
Mayor

Attachments: Letter and map to Clackamas County August 10, 2009



City of Tualatin

www.ci.tualatin.or.us

August 10, 2009

Clackamas County Board of Commissioners
2051 Kaen Road
Oregon City, OR 97045

RE: Urban and Rural Reserves

Dear Board of Commissioners:

After careful analysis and review of factors for designation of lands as urban reserves (OAR 660-027-0050), the City of Tualatin has decided the portion of our Area of Interest in Clackamas County is not well suited for an urban reserve designation. In February of 2009, Tualatin's City Council had the first of three discussions regarding Local Aspirations and Urban Reserves. These discussions began in response to Metro's request to cities in the Urban Growth Boundary (UGB) to provide growth aspirations for the next 20 and 50 years.

To facilitate the Council's discussion staff prepared an analysis of residential and employment growth capacity within the City. Additional lands outside the City in the UGB were also analyzed including an industrial area on the City's southwest border called the Southwest Tualatin Concept Plan and a potential residential area south of the City and north of Wilsonville called South Tualatin. Concurrently with Metro's request, Clackamas County and Washington County requested cities to identify their "Areas of Interest" for study as urban reserves. Consequently, the Council began discussing two Areas of Interest as they related to the City's Local Aspirations. Area of Interest 1, Stafford Basin, about 2,900 gross acres is located east of the City bounded by the Tualatin River on the north, Stafford Road on the east, Frobase Road on the South and Tualatin's boundary on the west. This area encompasses both Washington and Clackamas County. Area of Interest 2, Knife River, about 117 gross acres is located south of the Southwest Concept Plan and east of South Tualatin entirely in Washington County.

The result of the Local Aspirations discussion was that Area of Interest 1, Stafford Basin, might be a place for Tualatin's future growth to occur without increasing densities inside existing City boundaries. In the Stafford Basin, the City aspired to protect open space, protect groves of trees, and provide parkland and school sites to benefit the residents in the area and surrounding communities. The Stafford Basin was envisioned to have 10,000 residents and about 4,000 jobs in the next 50 years. Area of Interest 2, Knife River, was envisioned to provide a transportation connection between a future 124th Avenue and an east west arterial. Additionally, it was envisioned to provide industrial employment opportunities.

On Monday July 27th, 2009 the Council met in work session to discuss a recommendation of urban or rural reserves, undesignated or a combination of those for the two areas of interest. Staff provided an analysis of the urban reserve factors as identified by the state's administrative rule of both areas of interest. As part of staff's presentation, a review was included of the rural reserve analysis currently under way by both Washington and Clackamas County. A brief description of the Clackamas County Business Alliance's proposal for the area in the Stafford Hamlet was included and a review of the Stafford Hamlet's Vision and Values Statement. To analyze urban factors staff reviewed a number of studies the region has produced since the inception of urban rural reserves.

- Core 4 Technical Team, *Preliminary Analysis of Providing Urban Level Sanitary Sewer Service, Water, and Transportation Service Within Reserves Study Area* February 2009
- Metro, *Public Infrastructure Costs Case Studies* Draft June 2009
- Oregon Department of Agriculture, *Identification and Assessment of the Long-Term Commercial Viability of Metro Region Agricultural Lands* January 2007
- Oregon Department of Fish and Wildlife, *Prioritization of Metro Natural Landscape Features* Draft July 2009
- Oregon Department of Transportation, *Urban Reserve Study Area Analysis* Spring 2009

In addition to these sources, Tualatin staff was in contact with school district representatives from West Linn-Wilsonville, Sherwood School District, and Tigard-Tualatin School District to assess the need and cost for new schools to accommodate new population. Tualatin Planning Division worked with Tualatin's Community Services Department staff to determine the need and cost of parks for the Stafford Basin. Finally, Tualatin Planning Division contracted with CH2M Hill for preliminary planning level capital costs to provide sanitary sewer, water and transportation services in the Stafford Basin.

Based on this analysis, the City Council decided that the Washington County portion of the Stafford Basin better meets the factors for urban reserves than the Clackamas County portion. Further, the City Council is recommending that the Clackamas County portion be designated a rural reserve. However, if this area is designated an urban reserve or left undesignated Tualatin seeks the ability to either take jurisdictional control or to review any such urbanization plans for suitability and compatibility with our City in terms of impacts, buffers, and adequate infrastructure, especially transportation. We also would look to coordinate with the surrounding cities, Lake Oswego and West Linn, and Clackamas County if any portion of the Stafford Basin in Clackamas County is designated rural reserve or undesignated.

If you have questions about the analysis please contact, Aquilla Hurd-Ravich, Senior Planner at 503-691-3028.

Sincerely,

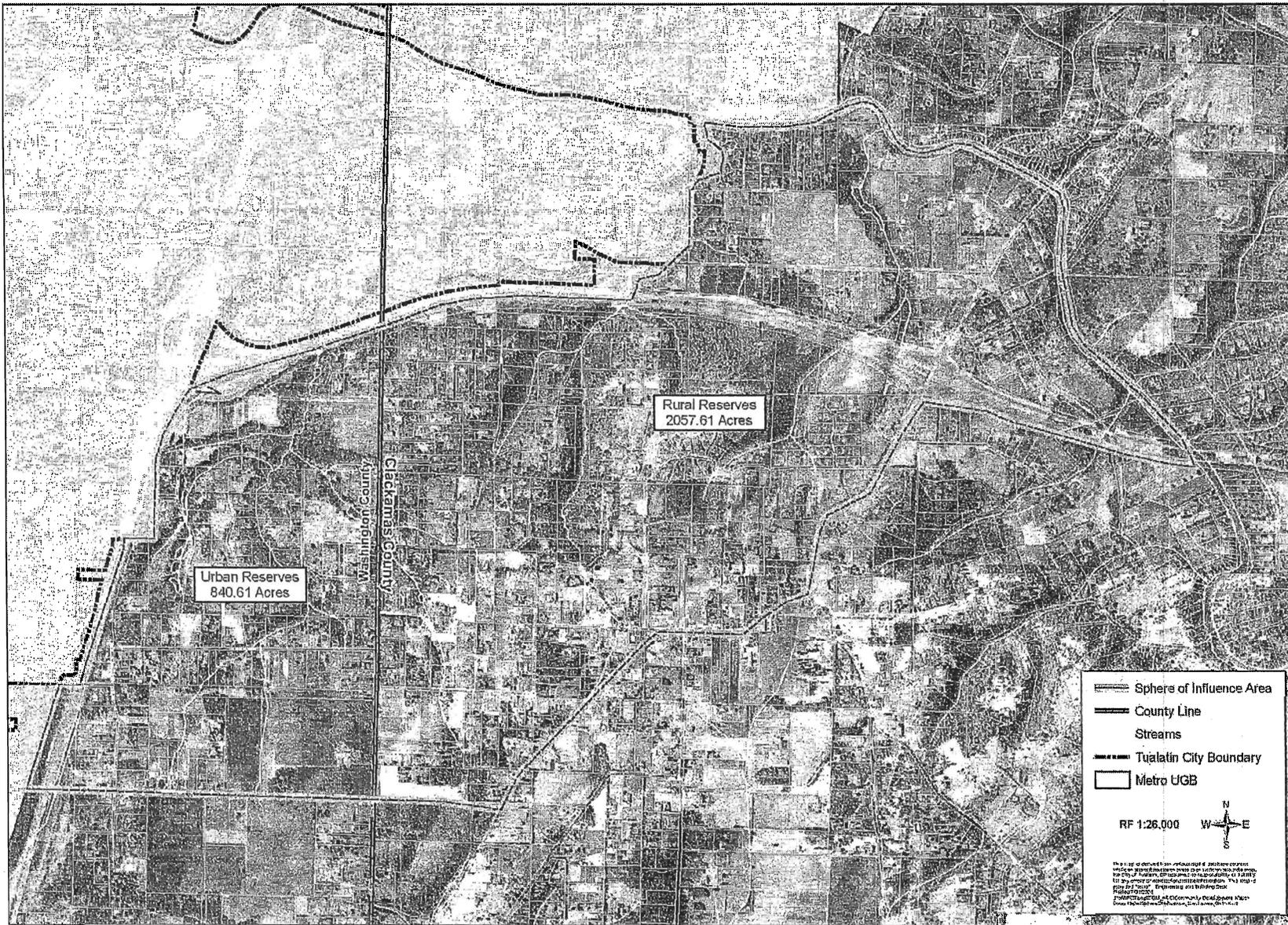
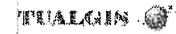


Lou Ogden
Mayor

Attachment: Map of Stafford Basin as identified by City of Tualatin

Urban Rural Reserves Sphere of Influence

Aerial Photo: June 2008



West Linn Testimony - In opposition to the designation of the Stafford area as an urban reserve.

Submitted on behalf of the West Linn Mayor and City Council by West Linn City Councilor Teri Cummings to Metro Council on January 21, 2010.

The City of West Linn, along with its neighboring cities of Lake Oswego and Tualatin, has consistently maintained that the Stafford area north of I-205 is not suitable for urbanization. On November 23, 2009, the Councils of West Linn and Tualatin each unanimously adopted resolutions that endorsed a Joint Position Statement opposing urbanization of the Stafford area (Attachment A). On December 1, 2009, the Mayor of Lake Oswego sent a letter (Attachment B) to Metro joining with the Cities of West Linn and Tualatin in opposition to the urbanization of the Stafford area. This position has been the position of the three Cities since 1993 and has been sustained by the courts on previous occasions when Metro has attempted to expand the urban growth boundary to include portions of the Stafford Area.

Ironically, the current expressed interest in designating the Stafford area as an urban reserve by Metro staff and Council is based on new legislation and administrative rules that have been promulgated which rely on so-called "urban suitability factors." These factors, when reviewed and analyzed by the Clackamas County Policy Advisory Committee over a two year period, led the Committee to conclude that the area in Stafford north of the Tualatin River did not meet the factors for urban reserve and that the area should be undesignated. The Clackamas County Board of Commissioners accepted the recommendation of CCPAC and as recent as December 7, 2009, in a letter to the Metro Council (Attachment C), reaffirmed and articulated their reasons for not designating the North Stafford area as an urban reserve.

The City of Tualatin has previously submitted a detailed analysis of the urban suitability factors for the Borland Road area of Stafford between the Tualatin River and I-205, dated October 13, 2009 (Attachment D). That analysis supports Tualatin's position that the Borland Road area is not suitable for urbanization.

The remainder of this testimony will demonstrate that the Stafford area north of the Tualatin River is not suitable for urbanization because it does not meet the suitability factors for designating the area urban reserve.

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

Other than basic County road improvements, there are no existing public or private water, sewer, storm water or transportation infrastructure investments in the North Stafford area nor are there any planned by the three adjoining Cities or the County.

The Area cannot be developed at urban densities due to existing very low density parcelization, 472 acres in small lot subdivisions, over 375 acres of dedicated public and private open space, and steep terrain and extensive stream corridors throughout the Area. The land available for urban densities is not sufficient to allow for the efficient use of any future public or private infrastructure investments even if there were parties willing to make such investments.

One way of determining whether a potential urban reserve area will make "efficient use of existing and future public and private infrastructure investments" and whether the service will be "cost-effective" is to compare the costs of serving an area with other potential urban reserve areas. The current analysis of the potential urban reserve areas was done in a cursory manner based on generalized assumptions about the relative difficulty of providing urban levels of public facilities. Ratings were given in general terms as having high, medium or low suitability.

A more detailed analysis was conducted by Metro in 2002 in its Alternatives Analysis of 94 different subareas. Those areas are essentially the same areas that are currently being considered for urban reserves. The Alternatives Analysis (Attachment E) indicated that the Stafford area adjacent to West Linn (Area 37) was one of the 6 most difficult and expensive areas to serve. The passage of 8 years since 2002 has not changed the factors contributing to the costs of serving Stafford other than to have increased them through inflation. All of the subareas in Stafford were rated "Least" in their overall suitability with 2040.

In 2006, Cogan, Owens, Cogan and a team of consultants completed a study of the potential urban reserves areas to evaluate them for their likelihood of satisfying the characteristics and attributes of Great Communities (Attachment F). Their evaluation of the Stafford Area rated it low for its ability to achieve the density levels and connectivity of a Great Community. They recommended as a strategy for overcoming its limitations that areas beyond the river not be built on.

A majority of the Metro Council in a letter to Clackamas County Commissioners dated December 16, 2010 (Attachment G) expressed concern over "misconceptions about the Council's intent with respect to the future of Stafford." The letter goes on "to dispel the notion that designation of the area as an urban reserve means that the entire landscape would have to be developed at a density of 15 units/acre or that concept planning would have to address the entire at once." Lower densities in the Stafford area, whether the result of physical and natural resource constraints or legislative intent, mean that the area could not be developed at urban densities and certainly not in a way that makes efficient use of existing or future infrastructure.

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

As discussed under Factor 1, the North Stafford area does not contain sufficient suitable land to achieve cost effective, desired urban residential densities and is similarly not suited for the development of employment lands. There is simply not sufficient buildable land available to create a livable, walkable community with sufficient density to support associated commercial and employment opportunities.

The adjoining cities of West Linn and Lake Oswego have previously stated that their long term aspirations are to focus within their existing urban service areas in order to increase the economic viability of their existing commercial areas and to maximize the return on their existing infrastructure. Expansion into urban reserves in the Stafford area would be detrimental to these aspirations and the financial health of these local governments and their economies. The area does not include sufficient capacity to support a healthy economy.

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.

Most of the North Stafford area is in the West Linn/Wilsonville School District. The School District's website, on its Capital Bond Information page, states that District enrollment currently exceeds facility capacity. Expansion of the UGB into the proposed North Stafford urban reserve area would result in an increased enrollment of 4,165 students (Attachment H) in the District. These estimates, provided by the School District, are based on an assumed density of 10 units per acre. This estimated increase in students would be the equivalent of 4 primary schools, 1 secondary school and 60% of a high school.

The District's Capital Improvement Plan includes \$185,800,000 for 2 new elementary schools and a variety of other facility improvements to meet the current demand for services. In November 2008 voters approved the sale of bonds for \$98,000,000 to begin construction on these needed improvements including the 2 elementary schools at a cost of \$57,000,000.

Neither the Long Range Plan nor the Capital Improvement Plan includes provisions for funding the additional facilities that would be required to serve an urbanized North Stafford area. In the absence of identified funding or a full cost recovery SDC for schools, it cannot be known at this time whether the appropriate school district will be "financially capable" of providing the schools that will be needed to serve this proposed urban reserve area. All three adjoining cities have stated that they have neither the capacity nor the desire to provide the other urban-level public facilities

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.

The varied and disjointed terrain and existing parcelization of the North Stafford area presents significant barriers to the design and more critically, to the actual construction and provision of alternatives to the automobile. First, it has been demonstrated above that there will not be urban residential densities capable of supporting the investment required for such pedestrian and bicycle facilities or public transit.

“Walkable” is defined in the applicable Administrative Rule as “describes a community in which land uses are mixed, built compactly and designed to provide residents, employees and others safe and convenient pedestrian access to schools, offices, businesses, parks and recreation facilities, libraries and other places that provide goods and services used on a regular basis.” The location and physical characteristics of the North Stafford area combined with the limited number of residential units that can be built make the creation of such a walkable community an impossibility.

Similarly, the creation of a well connected system of streets would be more expensive in the North Stafford area than in other more suitable areas and street construction would have adverse impacts on existing neighborhoods and the natural landscape. The CORE 4 Technical Team in a memorandum to the CORE 4 and the Reserves Steering Committee, dated February 11, 2009, concerning transportation provided an analysis of the feasibility and costs of creating a system of streets in the North Stafford area. Their findings were summarized by Clackamas County staff in their review of the suitability of urban reserve study areas.

The summary (Attachment I), ranked the Stafford area as having medium/low suitability for urban reserves for the following reasons. 1.) Added lane costs would be high due to the topography and potential need to span the Tualatin River. 2.) Preliminary system lane costs are low because the topography in most areas prevents a grid system from being developed and therefore there are simply fewer roads that can be built. (Underline added for emphasis). The North Stafford area cannot be designed to be walkable and served with a well-connected transportation system.

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

The North Stafford area contains an extensive stream system and a limited amount of buildable land that will make it difficult to preserve the ecological systems in the area. If designated as an urban reserve and brought into the urban growth boundary, it is reasonable to assume that ecological systems will be threatened by the intense pressure to recover the high per unit costs of infrastructure through maximum densities. The ecological systems that exist today will be diminished if not destroyed. The area cannot be urbanized and designed to preserve and enhance natural ecological systems.

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

Four of the previous 5 factors begin with the adverb "can" which either means the physical or mental ability to accomplish something or is used to indicate the possibility or probability of accomplishing something. Since an urban reserve area can not possess the mental or physical ability to accomplish anything the second meaning applies in this context.

This factor states clearly that an area has or "includes" sufficient land suitable for a range of needed housing types not that it has the possibility or probability to have sufficient land. Given the fact that public facilities and services will be extremely expensive to serve the area and the land speculators will have driven up the cost of land in the North Stafford area, the resulting housing costs will be high. The area does not include sufficient land suitable for a range of needed housing types if it is designated urban reserve.

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

The North Stafford area's rolling hills, tree groves and forested areas, wildlife habitat, interconnected streams and watershed, and steep slopes have been minimally impacted by very low density rural development. This area remains essentially intact as a semi-rural landscape feature that provides a buffer between the three adjoining cities and a haven for wildlife and small scale agricultural activities. The North Stafford area provides an urban edge and a sense of place for its residents and the neighboring communities.

These characteristics indicate that the North Stafford area should be more appropriately designated as a rural reserve, not as an urban reserve. Designation as an urban reserve and future inclusion in the urban growth boundary would allow development at densities that would eliminate the features of the North Stafford area that make it an important natural landscape feature. The area cannot be developed in a way that preserves important natural landscape features.

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.

The potential impacts on farm and forest practices and land designated as rural reserves do not apply in this case. The adverse effects on important natural landscape features are discussed under Factor 7 above.

It should be noted however, despite the identification of the North Stafford area as conflicted agricultural land, there are a number of agricultural activities that exist in the area with the potential for many more that would likely develop if property owners knew that the area was not a candidate for inclusion into the urban growth boundary. There are community gardens at Luscher Farm, a significant winery, a plant nursery, orchards, fields of corn, hay, and blueberries, and small vegetable gardens as well as equestrian facilities. The entire area has the potential for development of agri-tourism, bed and breakfast establishments, additional wineries and stables. Designation of the area as an urban reserve would have adverse effects on the existing agricultural activities and preclude their expansion.



Tualatin, Oregon
18880 SW Martinazzi Ave
Tualatin, OR 97062



CITY OF
West Linn

Exhibit A

Joint Position Statement by the Cities of Tualatin and West Linn Regarding the Future Urbanization of the Stafford Area North of I-205 and the Northern Portion of Pete's Mountain Along the Tualatin River

The Cities of Tualatin and West Linn, by separate resolutions of their Councils, dated November 23, 2009, and Nov. 23, 2009 respectively, hereby declare united opposition to the urbanization of the Stafford area and the designation of this area as an urban reserve by Metro.

Each city has communicated to Metro an unwillingness to serve the Stafford area with municipal services. Also, each city has communicated a general unwillingness to subject the Stafford area to the negative impacts of urbanization. Despite these communications, the Stafford area has been recommended by the Metro Chief Operating Officer for urbanization, and the Stafford area continues to be an area that the Metro Council wishes to "discuss further."

Our cities do not wish to discuss the prospect of urbanizing the Stafford area any further. The shared opposition to urbanizing the Stafford area is longstanding. Over time, the reasons for opposing urbanization have become even more relevant and more consistent with the current and long term interests of the cities and residents.

Evaluation of the Stafford area for urbanization in 1993 led the cities to conclude that the area was not suitable for urbanization. Recently, detailed analysis completed in 2009 by the City of Tualatin for the Borland Road area of Stafford showed that urbanization of the Stafford area would not be cost effective and would be of such great financial magnitude that no local government would or should be expected to attempt given the development costs the public would have to subsidize.

Since 1993, the acquisition of land by public agencies and some development has resulted in even less capacity for urban development in the Stafford area over which to spread the increasing costs of

infrastructure, while the availability of public financing has decreased. There is little reason to believe these circumstances would be reversed in the future.

Our cities oppose urbanization because it would not be cost effective, and because it would have significant negative impacts on existing neighborhoods. Those impacts would include increased traffic on major streets and cut-through traffic on local streets; reduced air, water and land resource quality; and diversion of public funds from needed improvements to existing utility and street systems.

Our cities also oppose urbanization because of how the Stafford area has and continues to evolve into a semi-rural area with a pastoral setting that is enjoyed by its residents for the lifestyle it affords them and by its neighbors for the relief it provides from the adjacent urban areas. The uses and related activities in the Stafford Area such as plant nurseries, landscaping materials, vineyards and small scale agriculture are supportive of the adjacent urban areas. Their location in the Stafford area means that they will not compete with more valuable farmland in other parts of the region.”

The Stafford area’s extensive drainage system; steep slopes; significant natural landscape features; limited transportation access; and parcelization make it unsuitable for urbanization and highly suitable for a buffer area between cities. There are few such areas remaining in the Portland Metropolitan Region. Rather than criticize our cities for wanting to preserve it for its unique qualities, Metro should be supportive of our efforts to protect what is also a significant regional resource.

Finally, the Stafford Area does not meet the factors for designation as urban reserve. This is evidenced by the detailed analysis of the factors prepared by the City of Tualatin for the Borland Area of Stafford that was presented to the Reserves Steering Committee and the CORE 4 on October 13, 2009. This analysis reiterates what has been known about the entire Stafford area since the Alternatives Analysis was completed by Metro in 2002 and prior to that in the late 1990’s when Metro conducted its Urban Reserve Study Areas Analysis.”

Our cities have all stated in our previously submitted aspirations to Metro that an urbanized Stafford is not part of our city’s futures. Our cities are more focused on making our communities more complete and compact; on redeveloping their centers and corridors; on correcting deficiencies in existing transportation and utility systems and in maximizing the return on our investment in these systems; on ensuring that our communities are more sustainable and energy efficient; and on improving the quality of life for our residents. None of these goals would be served by expansion of our cities into the Stafford area.

We are confident that this unified position statement is consistent with our cities' positions on Stafford over the past 16 years. We are also confident that this unified position statement is consistent with the wishes of our citizens today and that it will remain so into the future.



Lou Ogden, Mayor
City of Tualatin

Date: 11-23-09



Patti Galle, Mayor
City of West Linn

Date: 11/23/09



December 1, 2009

CITY OF
LAKE OSWEGO

380 A Avenue
P.O. Box 369
Lake Oswego
Oregon 97034

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Fax 503-697-6394

mayer@ci.lakeoswego.or.us

Urban and Rural Reserves Core Four
Metro Regional Center
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Councilor Harrington and Commissioners Brian, Cogen, and Lehan:

Subject: Urban Reserves – Stafford Area

JACK OHEMAN
MAYOR

The City of Lake Oswego City Council is joining with the cities of Tualatin and West Linn to voice its opposition to the urbanization of the Stafford area and the designation of this area as an urban reserve by Metro.

ROGER HENNING
COUNCILOR

Each city has communicated to Metro an unwillingness to serve the Stafford area with municipal services. Also, each city has communicated its concern about the suitability of the area for urbanization. Despite these communications, the Stafford area continues to be an area that is being considered for urban reserve designation.

KRISTIN JOHNSON
COUNCILOR

The shared opposition to urbanizing the Stafford area is longstanding. Evaluation of the Stafford area for urbanization in 1993 led the cities to conclude that the area was not suitable for urbanization.

DIANNA JORDAN
COUNCILOR

SALLY MONCRIFF
COUNCILOR

Over time, the reasons for opposing urbanization have become even more relevant and more consistent with the current and long term interests of the cities and residents.

MARY OLSON
COUNCILOR

Since 1993, the acquisition of land by public agencies and some development has resulted in even less capacity for urban development in the Stafford area over which to spread the increasing costs of infrastructure, while the availability of public financing has decreased. There is little reason to believe these circumstances would be reversed in the future.

BILL TIERNY
COUNCILOR

Lake Oswego opposes urbanization because it would not be cost effective, and because it would have significant negative impacts on existing neighborhoods. Those impacts would include increased traffic on major streets and cut-through traffic on local streets; reduced air, water and land resource quality; and diversion of public funds from needed improvements to existing utility and street systems.



America

Change

Lake Oswego also opposes urbanization because the Stafford area provides a pastoral setting that offers nearby agricultural use consistent with our goals for a more

B

Urban and Rural Reserves Core Four
December 1, 2009
Page 2

sustainable community. The uses and related activities in the Stafford Area such as community supported agriculture (CSA) operations, plant nurseries, landscaping materials, vineyards and other small scale agriculture are supportive of the adjacent urban areas. Their location in the Stafford area means that they will not compete with more valuable farmland in other parts of the region.

The Stafford area's extensive system of streams; steep slopes; significant natural landscape features; limited transportation access; and parcelization make it unsuitable for urbanization and highly suitable for a buffer area between cities. There are few such areas remaining in the Portland Metropolitan Region. For these reasons and those stated in letters from Tualatin and West Linn, the Stafford Area does not meet the factors for designation as urban reserve.

In May of 2009, the City of Lake Oswego submitted its statement of community aspirations to Metro. Our aspirations focus on redeveloping our centers and corridors; on correcting deficiencies in existing transportation and utility systems and in maximizing the return on our investment in these systems; on ensuring that our community is more sustainable and energy efficient; and on improving the quality of life for our residents. None of these goals would be served by expansion of Lake Oswego into the Stafford area. This position is consistent with the longstanding views our residents.

Thank you for your consideration of our position.

Sincerely,



Jack D. Hoffman
Mayor of the City of Lake Oswego

cc: Lake Oswego City Council



Lynn Peterson
Chair

Commissioners
Bob Austin
Jim Bernard
Charlotte Lehan
Ann Lininger

BOARD OF COUNTY COMMISSIONERS

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

December 7, 2009

David Bragdon, Metro Council President
Metro Councilors
600 NE Grand Ave.
Portland, Oregon 97232-2736

Re: Stafford Area Designation

Dear David and Councilors;

We would like to explain Clackamas County's position regarding the potential designation of rural or urban reserves in the Stafford area. We also would like to request a meeting with you to discuss the Borland and north Stafford areas. The Board of County Commissioners (BCC) has carefully considered voluminous technical assessments and listened to arguments from citizens, affected cities and other interest groups regarding Stafford's future. It comes as no surprise that these many voices express differing viewpoints. We believe the Board of County Commissioners' recommendations for the Stafford area are consistent with the legal standards for designation of urban and rural reserves, and chart the appropriate future for this area.

On November 24th the BCC discussed the urban/rural reserves project, including the most recent recommendations of the Core 4. The BCC reaffirmed their position on Stafford area. We recommend the Borland area (area south of the Tualatin River, along Borland Rd., identified as area UR-S¹), be designated as an urban reserve. We also recommend an urban reserve designation be applied to the area immediately west of West Linn (identified as area UR-11A).

For the north Stafford area, (UR-10 - which is most of the area north of the Tualatin River), we recommend the area remain without a reserve designation. It may be appropriate to consider designating the Wilson Creek drainage as a rural reserve, although most of the area already is in public ownership or protected by conservation regulations.

Our recommendations are based on application of the factors for designation stated in Oregon Administrative Rules Chapter 660, Division 27. Among other things, we considered recommendations from our staff, the County Policy Advisory Committee, and the County Planning Commission, who similarly based their recommendations on application of the factors. A relatively detailed explanation of the basis for our recommendation is included in our September 10, 2009 submittal to the Regional Reserves Steering Committee.

Clackamas County recognizes that the Borland area is important because it provides one of the few opportunities for future employment land in Clackamas County. This area should be considered separately from the north Stafford area. Attaching the two areas together will likely slow down the ability for potential employment land in Borland to develop for the next decade or two. It is critical that the Borland area be considered separate from the north Stafford area.

¹ The area references are from the 11/20 "Core 4 Proposed Areas of Preliminary Agreement and Areas for Further Discussion" map.

C

Apparently, most of the concern expressed by Metro relates to whether the north Stafford area should be designated as an urban reserve. The Chief Operating Officer recommends considering a larger area of urban reserves, although the report does not specifically identify the area north of the Tualatin, instead mentioning the area south and southwest of I-205 (see pages 8 and 9 of Appendix 3E-A of the COO's Recommendation). Our review of the factors leads us to conclude that the area north of the Tualatin River is not suitable for urbanization. The terrain, parcelization and presence of several stream corridors, including the Wilson Creek drainage, make it very difficult to achieve the densities necessary to support walkable, transit-friendly development. It is also instructive to note that the Great Communities report, which initially informed development of the reserves rules, came to this same conclusion regarding the Stafford area (see "Great Communities Final Report", December, 2006). Finally, it should be noted that the current proposal from Core 4 identifies approximately 23,030 acres of urban reserves in the Proposed Areas of Preliminary Agreement, well within the acreage recommended by the COO.

Another question that has been asked regarding the north Stafford area is: If not urban, how will the area meet the Stafford Hamlet vision? We have begun to think about this question. It is important to remember that development in this area would continue to be regulated by State law and the County's existing Comprehensive Plan and Zoning and Development Ordinance. Most of the area is zoned RRFF-5, a zone that allows a density of one unit per five acres. There are approximately 1100 acres zoned EFU, with a minimum lot size of 80 acres. There have been preliminary discussions about modifications to the zoning in the EFU area. Any change in the EFU zoning would be very unlikely to provide a density greater than that provided in the RRFF-5 zone (see Oregon Administrative Rules Chapter 660, Division 4).

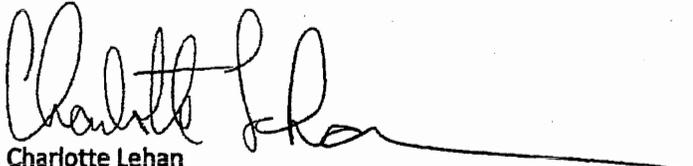
We also have begun to investigate the possibility of increasing the opportunity for agri-tourism in this area. Expanding the possibility for events, bed and breakfast establishments, wineries, stables and associated activities may be an appropriate consideration for an area like Stafford, which is proximate to the urban area, but is identified as "Conflicted Agricultural Land" by the ODA Report. Application of an urban or rural reserve would preclude consideration of this future, because of the consequent limitation on changes in zoning that would increase density or allow new uses.

We hope this clarifies the Board of County Commissioners' views. It has always been difficult to achieve a shared vision for this area. We look forward to working with you to develop a plan for the region's future that includes Borland and the north Stafford area.

Please call Emily Klepper at (503) 742-5933 to set up a time for the Board of County Commissioners to meet with you and the Metro Council to discuss our approach. Thank you for your consideration.

Sincerely,


Lynn Peterson
Chair


Charlotte Lehan
Commissioner and Core 4 Representative

CL/DMc/kjb



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.

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

Table 4-1. 2002 ALTERNATIVES ANALYSIS STUDY AREAS

Areas	Study Area No	Study Area Acres	DU Capacity	Employ Acres (net)	Goal 14 Alternatives Analysis Factors							Goal 14 Alternatives Analysis Suitability	Application of 2040 Fundamentals ^m		Overall Suitability W/ 2040
					Transp Service ^l	Sewer Service	Water Service	Storm Service	ESEE Envio ^{ll}	ESEE Soc/En/Econ	Agricult Conseq.		Meets	Does not meet	
Gresham	1	11	18	0	E	M	D	M	H	L	L	More	--	1, 2, 3, 5, 6, 7, 8	Least
	2	616	1,626	0	E	M	E	E	H	L	H	More	--	1, 2, 3, 5, 6, 7, 8	Least
	3	355	1,550	0	E	M	M	E	L	L	H	Most	--	1, 2, 3, 5, 6, 7, 8	Least
	4	363	1,039	0	E	D	M	E	L	L	L	Most	--	1, 2, 3, 4, 5, 6, 7, 8	Least
	5	1,789	4,898	0	M	D	M	E	H	H	H	Least	--	1, 2, 3, 4, 5, 6, 7, 8	Least
	6	1,506	4,034	90	M	M	E	E	H	M	M	More	--	1, 2, 3, 4, 5, 6, 7, 8	Least
	7	140	95	83	E	M	E	E	L	M	M	Most	--	1, 2, 3, 4, 5, 6, 7, 8	Least
Damascus	8	782	2,343	0	D	D	M	E	L	L	H	Most	--	1, 2, 3, 4, 5, 6, 7, 8	Least
	9	1,963	6,490	0	M	D	E	E	H	H	H	Least	--	1, 2, 3, 4, 5, 6, 7, 8	Least
	10	8,102	10,092	559	D	M	M	E	H	M	M	Least	1, 3, 5, 6, 7, 8	2	More
	11	777	394	394	E	M	M	E	M	M	M	More	1, 3, 5, 6, 7, 8	2	More
	12	2,038	4,743	175	M	M	E	E	H	M	M	More	1, 3, 5, 6, 7, 8	2	More
	13	1,576	3,065	185	D	M	M	E	H	M	M	Least	1, 3, 5, 6, 7, 8	2	More
	14	1,275	2,898	247	D	E	E	E	H	M	L	More	1, 3, 5, 6, 7, 8	2	More
	15	930	2,607	0	D	M	M	M	M	M	L	More	1, 3, 5, 6, 7, 8	2	More
	16	79	118	0	M	E	E	M	L	L	L	Most	1, 2, 3, 5, 6, 7, 8	--	Most
	17	597	432	168	D	E	E	E	M	L	M	More	1, 2, 3, 5, 6, 7, 8	--	More
Oregon City	18	277	0	144	D	E	E	E	L	L	L	Most	1, 2, 3, 5, 7, 8	--	Most
	19	1,042	2,278	54	E	E	E	E	M	L	L	Most	1, 2, 3, 5, 6, 7, 8	--	Most
	20	433	776	0	M	M	M	E	L	L	M	Most	1, 6, 7	2, 3, 5, 8	Least
	21	1,800	4,059	0	M	M	M	E	H	M	L	More	1, 6, 7	2, 3, 5, 8	Least
	22	2,180	5,719	0	D	M	M	E	H	H	L	More	1, 6, 7	2, 3, 5, 8	Least
	23	944	2,751	0	M	M	E	E	H	M	H	More	1, 6, 7	2, 3, 5, 8	Least
	24	985	3,078	17	D	M	M	E	M	M	L	More	1, 5, 6, 7, 8	2, 3	Least
	25	666	1,364	0	D	M	E	M	H	M	L	More	1, 6, 7	2, 3, 5, 8	More
	26	1,885	6,141	116	D	D	E	E	H	H	L	More	1, 5, 6, 7, 8	2, 3	More
	27	2,973	7,385	0	D	D	M	E	H	H	M	Least	1, 6, 7	2, 3, 5, 8	Least
	28	1,532	4,277	51	D	M	M	E	M	M	M	More	1, 5, 6, 7, 8	2, 3	More
	29	1,584	4,351	0	D	D	M	E	M	H	M	Least	1, 6, 7	2, 3, 5, 8	Least
	30	2,306	5,963	0	M	M	E	E	H	H	H	Least	1, 6, 7	2, 3, 5, 8	Least
	31	1,322	5,756	0	D	D	M	E	H	L	H	Least	1, 6, 7	2, 3, 5, 8	Least
	32	696	2,242	35	D	M	E	M	L	L	L	Most	1, 3, 5, 6, 7, 8	2	Least
	33	786	1,558	0	D	D	D	M	H	L	L	Least	1, 6, 7	2, 3, 5, 8	Least

Areas	Study Area No	Study Area Acres	DU Capacity	Employ Acres (net)	Goal 14 Alternatives Analysis Factors							Goal 14 Alternatives Analysis Suitability	Application of 2040		Overall Suitability W/ 2040
					Transp Service	Sewer Service	Water Service	Storm Service	ESEE Enviro	ESEE Soc/En/Econ	Agricult Conseq.		Fundamentals		
													Meets	Does not meet	
Stafford Basin	34	514	452	0	E	D	D	M	M	L	L	More	1, 6, 7	2, 3, 5, 8	Least
	35	965	1,409	0	M	M	M	E	H	M	L	More	1, 6, 7	2, 3, 5, 8	Least
	36	1,187	1,655	0	M	D	D	E	M	M	M	Least	1, 6, 7	2, 3, 5, 8	Least
	37	373	1,166	0	D	D	M	D	L	M	L	Least	1, 6, 7	2, 3, 5, 8	Least
	38	1,500	3,704	0	D	M	E	E	M	M	M	More	1, 6, 7	2, 3, 5, 8	Least
	39	526	1,695	0	M	M	D	E	L	M	M	More	1, 6, 7	2, 3, 5, 8	Least
	40	313	1,329	0	M	M	D	E	L	M	M	More	1, 6, 7	2, 3, 5, 8	Least
	41	558	1,329	0	D	D	E	M	H	M	M	Least	1, 6, 7	2, 3, 5, 8	Least
	42	654	172	166	D	M	M	E	H	M	L	More	1, 6, 7	2, 3, 5, 8	Least
	43	1,807	3,266	0	D	M	E	E	H	M	M	More	1, 6, 7	2, 3, 5, 8	Least
	44	878	2,174	0	M	M	M	E	L	H	H	More	1, 6, 7	2, 3, 5, 8	Least
Wilsonville Tualatin and Sherwood	45	183	660	0	M	M	M	M	L	L	M	More	1, 3, 5, 6, 7, 8	2	More
	46	80	238	0	M	D	D	M	M	L	L	More	--	1, 2, 3, 5, 6, 7, 8	Least
	47	1,014	1,739	224	M	M	E	E	L	M	L	Most	1, 6, 8	2, 3, 4, 5, 7	Least
	48	1,080	0	441	M	M	E	E	H	M	L	More	1, 3, 5, 7	2, 8	Least
	49	1,095	6	373	M	M	E	E	H	M	M	More	1, 8	2, 3, 4, 5, 7	Least
	50	183	822	0	M	M	M	M	L	M	M	More	1, 6, 7	2, 3, 5, 8	Least
	51	1,938	7,545	0	D	M	D	E	H	H	H	Least	1, 3, 6, 8	2, 5, 7	Least
	52	320	1,165	0	M	M	M	M	L	L	H	Least	2, 6, 8	1, 3, 5, 7	Least
	53	1,825	3,850	0	D	D	D	E	H	H	M	More	1, 6, 7	2, 3, 5, 8	Least
	54	199	830	0	M	D	M	D	L	M	M	Least	1, 6, 7	2, 3, 5, 8	Least
	55	964	3,446	0	M	E	E	E	H	M	M	More	1, 6, 7	2, 3, 5, 8	Least
	56	162	358	0	E	M	M	M	L	L	M	Most	1, 6, 7	2, 3, 5, 8	Least
	57	29	118	0	M/M/E	M/M/M	M/D/M	E/M/E	L	L	L	Most	--	1, 2, 3, 5, 6, 7, 8	Least
	58	463	1,815	0	E	M	D	E	L	M	M	More	1, 6, 7	2, 3, 5, 8	Least
	59	1,009	3,916	0	M	E	E	E	M	M	H	More	1, 6, 7	2, 3, 5, 8	Least
	60	244	537	0	M	M	M	M	M	M	M	More	--	1, 2, 3, 5, 6, 7, 8	Least
	61	55	117	5	E	D	M	M	L	L	M	More	1, 2, 3, 6, 8	5, 7	More
King City Tigard Beaverton	62	163	644	0	E	M	M	E	L	L	L	Most	1, 2, 3, 6, 8	5, 7	Most
	63	218	688	0	M	M	M	M	L	L	M	More	1, 2, 3, 6, 8	5, 7	More
	64	262	1,047	0	M	D	M	M	L	L	H	More	1, 2, 3, 6, 8	5, 7	More
	65	439	1,416	0	M	M	M	M	L	L	M	More	1, 2, 3, 6, 8	5, 7	More
	66	114	333	0	M	M	E	E	L	L	L	Most	1, 2, 3, 6, 8	5, 7	Most
	67	507	1,019	0	M	M	E	M	L	L	L	Most	1, 2, 3, 6, 8	5, 7	Most
	68	1,546	5,766	0	M	M	E	E	H	H	H	More	6	1, 2, 3, 5, 7, 8	Least

Areas	Study Area No	Study Area Acres	DU Capacity	Employ Acres (net)	Goal 14 Alternatives Analysis Factors							Goal 14 Alternatives Analysis Suitability	Application of 2040 Fundamentals		Overall Suitability W/2040
					Transp Service	Sewer Service	Water Service	Storm Service	ESEE Envio	ESEE Soc/En/Econ	Agricuit Conseq.		Meets	Does not meet	
South Hillsboro	69	130	1,341	0	E	M	M	M	L	L	H	More	2	1, 3, 5, 6, 7, 8	Least
	70	448	1,962	0	E	M	E	E	M	H	M	More	2	1, 3, 5, 6, 7, 8	Least
	71	88	416	0	E	D	D	D	L	L	L	More	1, 2, 3, 6, 8	5, 7	More
	72	69	302	0	M	E	M	E	L	L	L	Most	2	1, 3, 5, 6, 7, 8	Least
Forest Grove Cornellius	73	4	14	0	E	M	M	E	L	L	L	Most	2	1, 3, 5, 6, 7, 8	Least
	74	501	1,150	0	M	D	D	M	L	L	M	More	2	1, 3, 5, 6, 7, 8	Least
	75	71	0	30	M	E	E	E	M	L	M	Most	1, 2, 3, 5	7, 8	More
	76	122	0	50	E	E	E	E	M	L	M	Most	1, 2, 3, 5	7, 8	More
	77	171	309	0	M	E	E	E	L	L	L	Most	--	1, 2, 3, 4, 5, 6, 7, 8	Least
North Hillsboro	78	123	353	0	E	D	M	M	M	L	H	More	--	1, 2, 3, 5, 6, 7, 8	Least
	79	191	0	188	E	D	M	M	M	L	H	More	--	1, 2, 3, 5, 6, 7, 8	Least
	80	40	0	11	E	D	M	D	L	L	M	More	--	1, 2, 3, 5, 6, 7, 8	Least
	81	244	0	100	M	M	E	E	M	L	M	More	--	1, 2, 3, 5, 6, 7, 8	More
Bethany	82	153	514	0	M	D	M	D	L	L	M	More	1, 2, 3, 6, 8	5, 7	More
	83	1,816	6,510	0	D	D	D	E	H	H	H	Least	--	1, 2, 3, 5, 6, 7, 8	Least
	84	210	1,155	0	M	M	D	M	L	M	M	More	1, 3, 5, 6, 7, 8	2	More
	85	246	1,237	0	M	M	M	E	L	M	L	Most	1, 3, 5, 6, 7, 8	2	More
	86	136	453	0	M	M	E	D	L	M	M	More	1, 3, 5, 6, 7, 8	2	More
	87	425	1,228	0	M	M	M	E	M	M	H	More	3, 5, 6, 8	1, 2, 7	More
	88	1,652	3,532	0	D	M	M	E	H	H	H	Least	--	1, 2, 3, 5, 6, 7, 8	Least
	89	485	904	0	D	M	E	M	L	M	M	More	--	1, 2, 3, 5, 6, 7, 8	Least
	90	1,180	2,579	0	D	D	D	M	M	H	M	Least	--	1, 2, 3, 5, 6, 7, 8	Least
Forest Park	91	133	384	0	M	D	M	D	L	M	H	Least	--	1, 2, 3, 5, 6, 7, 8	Least
	92	40	94	0	E	D	M	D	M	M	M	Least	--	1, 2, 3, 5, 6, 7, 8	Least
	93	383	767	0	E	D	M	D	H	M	L	Least	--	1, 2, 3, 5, 6, 7, 8	Least
	94	355	646	0	D	D	M	M	H	M	L	Least	--	1, 2, 3, 5, 6, 7, 8	Least

¹ Infrastructure serviceability rankings area expressed as: E= easy to serve, M= moderately easy to serve and D= difficult to serve

² ESEE and Agricultural Consequences rankings are expressed as: L= low level of consequences, M= moderate level of consequences and H= high level of consequences

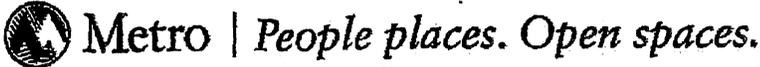
³ 2040 Fundamentals: 1) Encourage efficient use of land, 2) Protect/restore the natural environment, 3) Provide a balanced transportation system, 4) Maintain separation between the Metro Region and neighboring cities, 5) Enable communities within Metro to preserve their physical sense of place, 6) Ensure diverse housing options for all residents, 7) Create a vibrant place to live and work, and 8) Encourage a strong economy. Note: Fundamental #4 does not apply to all study areas and is only noted where applicable. Fundamental #6 does not apply to study areas designated entirely as employment land.

GREAT COMMUNITIES

STAFFORD AREA TEST EVALUATION
NOVEMBER 17, 2006

LIKELIHOOD OF SATISFYING CHARACTERISTICS AND ATTRIBUTES	SCORE*	COMMENTS	LIMITATIONS	STRATEGIES TO OVERCOME LIMITATIONS
1. Community design				
<i>Tier 1</i>				
1.3 Density levels	1. Low	The area defined by the Stafford interchange, the Tualatin River, and the developed edge of the City of Tualatin was deemed suitable for the level of density required of a great community. A new community containing a mixed-use center, an employment area and surrounding residential neighborhoods could be created in this area. Furthermore, the area would support the fine-grained level of connectivity necessary to support this level and type of development.	Density levels rated low not because of the lack of developable land but the lack of regional connectivity needed to support a mixed use center. Adding residential growth without a mixed use center promotes sprawl.	Focus growth near transit nodes. Don't build on areas beyond the river.
<i>Tier 2</i>	1.	1.	1.	1.
1.4 Connectivity	1. Low	<ul style="list-style-type: none"> Although opportunities exist for residential density, connections to these areas are difficult due to riparian corridors, topography and general remoteness from existing and likely future centers. Good connections and integration with greater region for current areas; new areas are more remote. No current framework for mixed use development. Plans would need to focus on connectivity for all modes within the area. Potential for point loaded network to I-205. <p>Existing system has limited walking facilities; however there are no constraints to creating such a network.</p>	<p>Connections to these areas are difficult due to riparian corridors, topography and general remoteness from existing and likely future centers.</p> <p>No current framework for mixed use development. Plans would need to focus on connectivity for all modes within the area.</p>	<p>Focus growth near transit nodes. Avoid point loading -- need additional regional connection - would have to evaluate feasibility of additional connection to I-205 or impacts to and through Lake Oswego.</p> <p>Mixed use, connected, compact development</p>

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December 16, 2009

Chair Lynn Peterson
Members of the Clackamas County Commission
2051 Kaen Road
Oregon City, OR 97045

Dear Chair Peterson and Commissioners:

For nearly two years, the Metro Council and the county commissions of the region have been working with many citizens, organizations, and businesses to identify areas to be designated as urban and rural reserves pursuant to Senate Bill 1011 (2007). Clackamas County has undertaken a commendable effort of engaging its citizens and other stakeholders with respect to the many issues involved in this process and deliberating about the choices we face in a responsible and transparent fashion.

As you are well aware, the ultimate decisions to designate urban and rural reserves must be based on intergovernmental agreements. We are pleased to note that we have general agreement on almost all of the proposed reserves in Clackamas County. However, as of this writing, it appears that a significant difference may remain between the Metro Council and the Clackamas County Commission over the Stafford area. Having received the December 7 letter on this topic from Chair Peterson and Commissioner Lehan, we would like to explain our thinking.

In our view, urban reserve designations may be made with the understanding that different areas will develop in different ways; depending on topography, cost, market factors, and local aspirations. We acknowledge the Stafford Hamlet's Values and Vision Statement and support urban planning that embraces the vision of varying degrees of development across a varied landscape, including clusters of high-quality jobs and housing as well as pockets that retain the "Stafford Character." We commit to working with you to implement this vision.

However, we remain convinced that the only way to support this vision is in the context of designation as urban reserve. In the opinion of our legal counsel (which was shared with you last week), the state of Oregon would be highly unlikely to allow the county to significantly alter the zoning on undesignated farmland outside of urban reserves. If the area's aspirations entail increased levels of development, the notion that undesignated status is the best avenue to achieving those aspirations is simply inaccurate.

As you know, the intergovernmental agreements designating reserves will stipulate that no land will be brought into the urban growth boundary until we have resolved comprehensive financial, land use, natural resource protection and governance issues through concept plans. This approach will ensure that we consider local values and that appropriate phasing of development occurs.

We are concerned that there may be some misconceptions about the Council's intent with respect to the future of Stafford. Specifically, we wish to dispel the notion that designation of the area as urban reserve means that the entire landscape would have to be developed at a density of 15 units/acre or that concept planning would have to address the entire area at once.

We understand and share the Commission's concern about the potential urbanization of foundation farmland. For that reason, we have already worked, and continue to work, to ensure that many thousands of acres of farmland originally proposed by others for designation as urban reserve be designated as rural reserve instead. Much progress has been made in this regard just in the last week. The current reserves proposal protects more than 165,000 acres of foundation farmland from urbanization. Designating the Stafford area as urban reserve can play a part in helping to minimize the amount of foundation farmland that will be considered for urbanization over the next several decades.

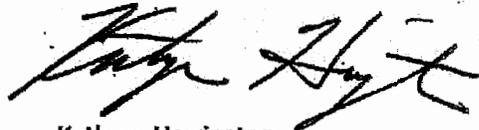
The designation of urban and rural reserves is one of the most significant and promising efforts this region has taken on. We are working hard to bring closure to this process. We pledge to work with you to ensure that the designation of urban reserves in Stafford can serve as a tool to carry out your vision for the area.

We appreciate your careful consideration of these issues and look forward to continued partnership on this topic.

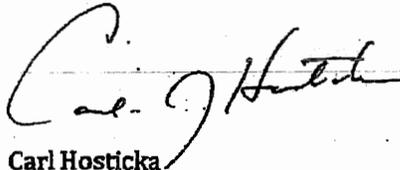
Sincerely,



David Bragdon
Metro Council President



Kathryn Harrington
Metro Councilor, District 4



Carl Hosticka
Metro Council, District 3



Carlotta Collette
Metro Council, District 2

Potential Enrollment Impact of All Metro Study Areas Within the District

Study Area #	Scenario			Dwelling Units		Enrollment Estimates ²			
	1	2	3	New	In Dist.	Primary	Middle	High	Total
45 ¹				771	771	223	92	84	401
34				452	452	132	54	48	235
35				1,409	1,409	410	189	154	753
36				1,855	1,855	482	198	181	861
37 ¹				1,159	1,159	340	139	127	606
38				3,704	3,704	1,078	443	404	1,925
39				1,095	1,187	348	142	130	617
40				1,329	1,329	387	159	145	691
41				1,329	825	182	75	68	325
42				172	172	50	21	18	89
43				3,288	2,124	818	334	232	1,105
44				2,174	2,131	620	255	232	1,108
47				1,738	278	80	33	30	143
53				3,850	164	45	18	17	80
Total				24,713	17,183	4,995	2,051	1,873	8,818
Estimated Enrollment Coefficients²						0.68	0.23	0.21	0.52

¹ Approved by Metro to be brought into the UGB in 2002.

² Estimates based upon the enrollment coefficients for comparable new urban development.

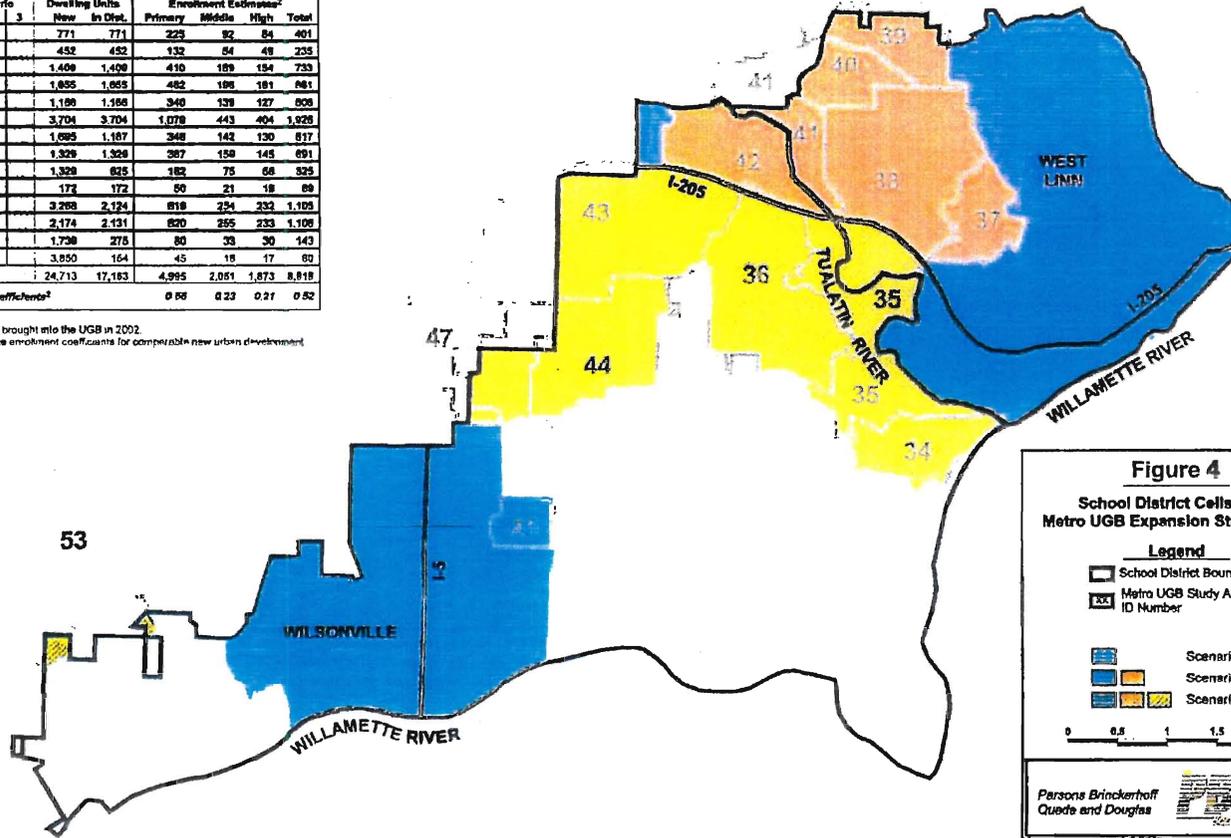


Figure 4
School District Cells and Metro UGB Expansion Study Areas

Legend

- School District Boundary
- Metro UGB Study Area/ ID Number

Scenario 1 (Blue)
Scenario 2 (Orange)
Scenario 3 (Yellow)

0 0.5 1 1.5 2 Miles

Persons Brinkerhoff
Quede and Douglas

Print Date: January 10, 2005

H

<p>Transportation: Med/Low</p>	<p>The Stafford Triangle 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 needed 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 the lanes needed is low compared to other areas. However, this is due primarily to the fact that the topography in most of the area prevents a grid from being developed in this area 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. • 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."
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The ideal grid would be arterial streets one mile apart, collector streets ½ mile apart, and local streets between.

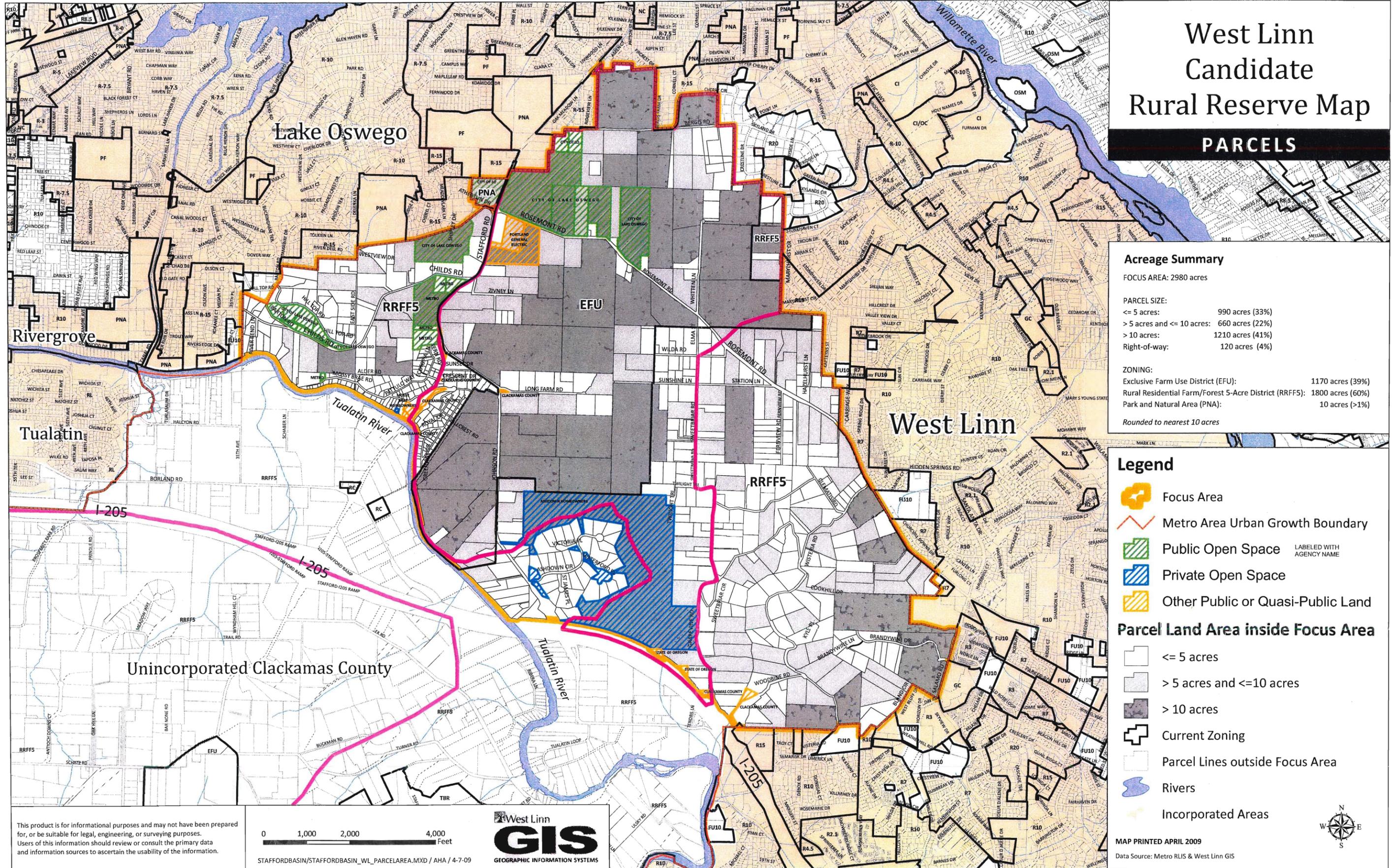
U4-2

	<p>Existing and future investments: 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. The HCT would include a new light rail line in the vicinity of I-205, which would improve regional access for the Stafford Triangle.</p> <p>Efficiently and cost-effectively served: The topography of much of the Stafford Triangle makes it somewhat less cost-effective to serve than other areas. The cost to make needed improvements to I-205 also moderates this area's suitability.</p> <p>Appropriate, financially capable service providers: Transportation is provided by federal, state, regional county and city governments. Tri-Met is the logical (and current) transit service provider in this area.</p> <p>Alone or in conjunction with land inside the UGB: Transportation services would be provided in conjunction with lands both inside and outside the current UGB. In this case, the major transportation concerns (improvements to I-205) are located outside the current UGB.</p>
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West Linn Candidate Rural Reserve Map

PARCELS



Acreage Summary

FOCUS AREA: 2980 acres

PARCEL SIZE:	
<= 5 acres:	990 acres (33%)
> 5 acres and <= 10 acres:	660 acres (22%)
> 10 acres:	1210 acres (41%)
Right-of-way:	120 acres (4%)

ZONING:	
Exclusive Farm Use District (EFU):	1170 acres (39%)
Rural Residential Farm/Forest 5-Acre District (RRFF5):	1800 acres (60%)
Park and Natural Area (PNA):	10 acres (>1%)

Rounded to nearest 10 acres

Legend

- Focus Area
- Metro Area Urban Growth Boundary
- Public Open Space LABELLED WITH AGENCY NAME
- Private Open Space
- Other Public or Quasi-Public Land

Parcel Land Area inside Focus Area

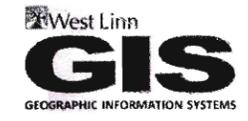
- <= 5 acres
- > 5 acres and <=10 acres
- > 10 acres
- Current Zoning
- Parcel Lines outside Focus Area
- Rivers
- Incorporated Areas

MAP PRINTED APRIL 2009
Data Source: Metro RLIS & West Linn GIS

This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



STAFFORDBASIN/STAFFORDBASIN_WL_PARCELAREA.MXD / AHA / 4-7-09



Stafford Area

METRO'S NATURAL LANDSCAPE

Acreage Summary

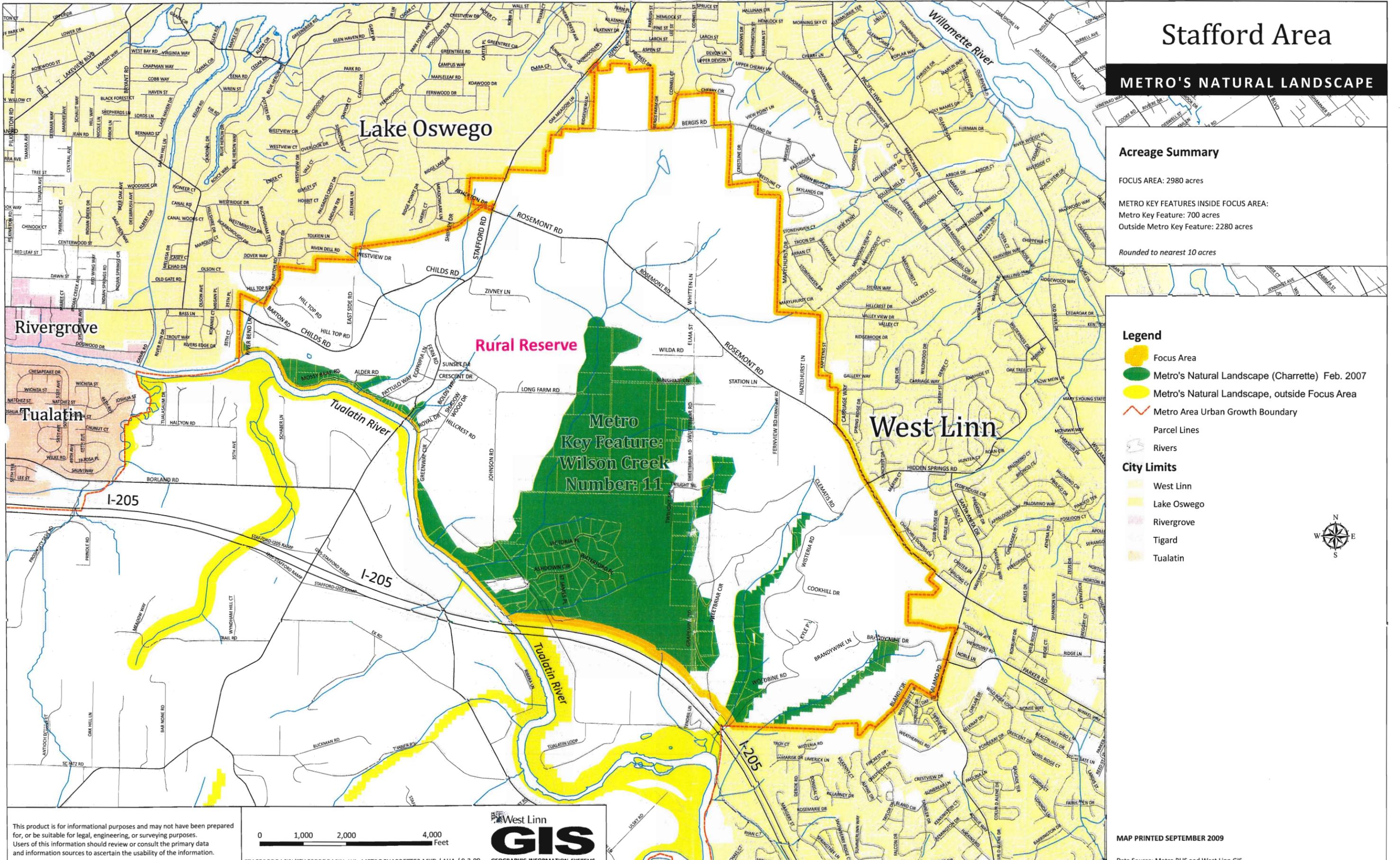
FOCUS AREA: 2980 acres

METRO KEY FEATURES INSIDE FOCUS AREA:
Metro Key Feature: 700 acres
Outside Metro Key Feature: 2280 acres

Rounded to nearest 10 acres

Legend

- Focus Area
- Metro's Natural Landscape (Charrette) Feb. 2007
- Metro's Natural Landscape, outside Focus Area
- Metro Area Urban Growth Boundary
- Parcel Lines
- Rivers
- City Limits**
- West Linn
- Lake Oswego
- Rivergrove
- Tigard
- Tualatin



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West Linn
GIS
GEOGRAPHIC INFORMATION SYSTEMS

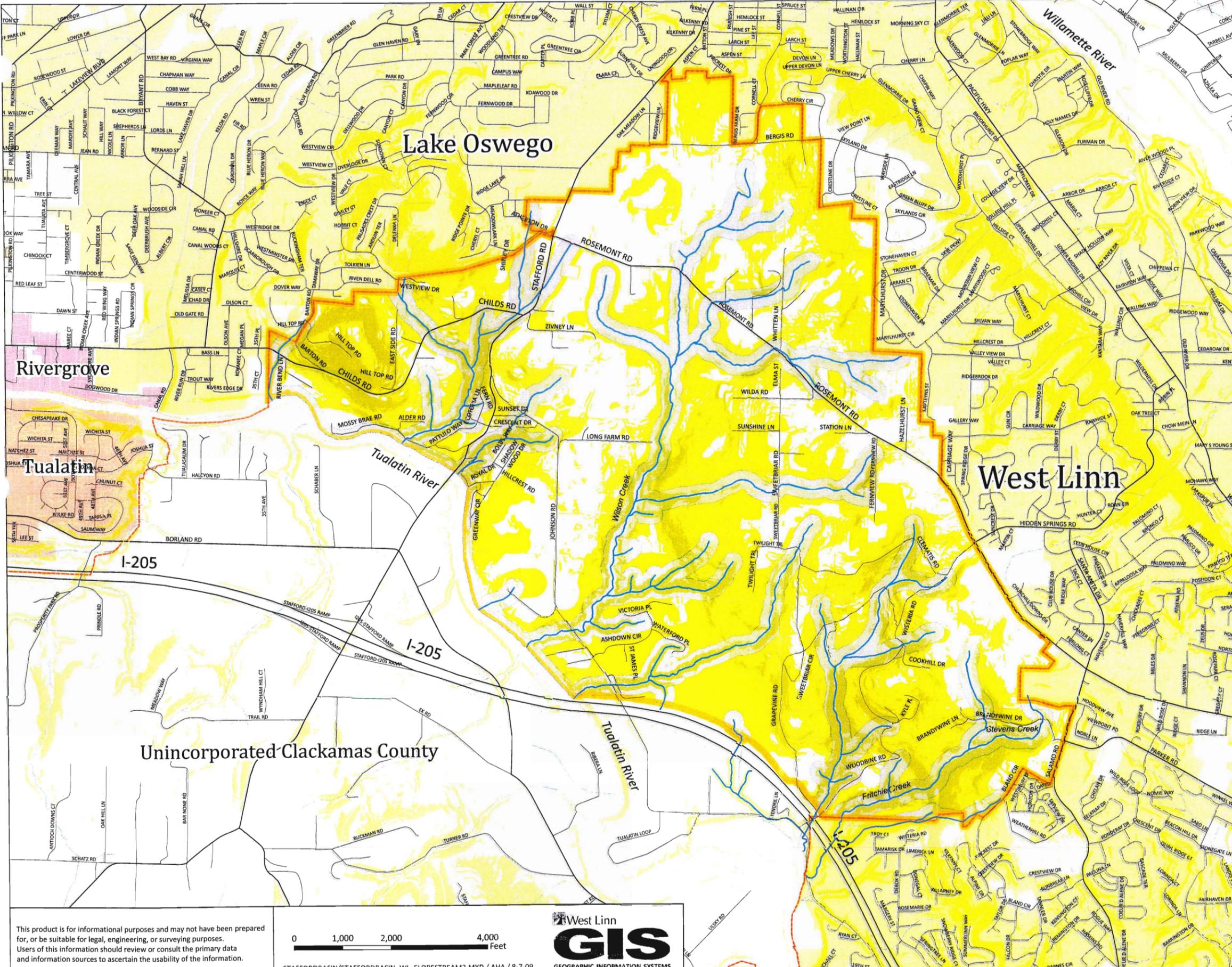
STAFFORDBASIN/STAFFORDBASIN_WL_METROCHARRETTE2.MXD / AHA / 9-3-09

MAP PRINTED SEPTEMBER 2009

Data Source: Metro RLIS and West Linn GIS

Stafford Area

NATURAL FEATURES



Acreeage Summary

FOCUS AREA: 2980 acres

200 FOOT STREAM & RIVER BUFFERS:

Inside buffered areas: 860 acres (29%)

Outside buffered areas: 2120 acres (71%)

SLOPES:

< 10%: 1340 acres (45%)

10-25%: 1260 acres (42%)

> 25%: 380 acres (13%)

METRO UPLAND WILDLIFE HABITAT:

Inside Habitat Areas: 1000 acres (34%)

Outside Habitat Areas: 1980 acres (66%)

Rounded to nearest 10 acres

Legend

- Focus Area
- Streams within Focus Area*
- 200 Foot Buffer along Streams & River in Focus Area
- Metro Upland Wildlife Habitat Areas, Class A & B**
- Steep Slopes: 10-25%***
- Steep Slopes: greater than 25%***
- Metro Area Urban Growth Boundary
- Parcel Lines
- Rivers
- Other Metro Area Streams
- West Linn
- Lake Oswego
- Rivergrove
- Tigard
- Tualatin

MAP PRINTED AUGUST 2009



Data Source: Metro RLIS and West Linn GIS
 * Streams shown on this map have been developed by West Linn GIS using new LiDAR surface models. Additionally, Metro's Data Resource Center and City of Lake Oswego GIS provided reference information to improve the accuracy of the mapping. Please note however that field surveys have not been performed to verify water flow or exact stream locations.
 ** Map shows Habitat areas outside buffers and steep slopes.
 *** Steep Slopes generated by West Linn GIS staff from LiDAR surface model.

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

0 1,000 2,000 4,000 Feet

STAFFORDBASIN/STAFFORDBASIN_WL_SLOPESTREAM2.MXD / AHA / 8-7-09



Stafford Area PARCELS

Acreage Summary

FOCUS AREA: 2980 acres

PARCEL SIZE:
 <= 5 acres: 990 acres (33%)
 > 5 acres and <= 10 acres: 660 acres (22%)
 > 10 acres: 1210 acres (41%)
 Right-of-way: 120 acres (4%)

ZONING:
 Exclusive Farm Use District (EFU): 1170 acres (39%)
 Rural Residential Farm/Forest 5-Acre District (RRFF5): 1800 acres (60%)
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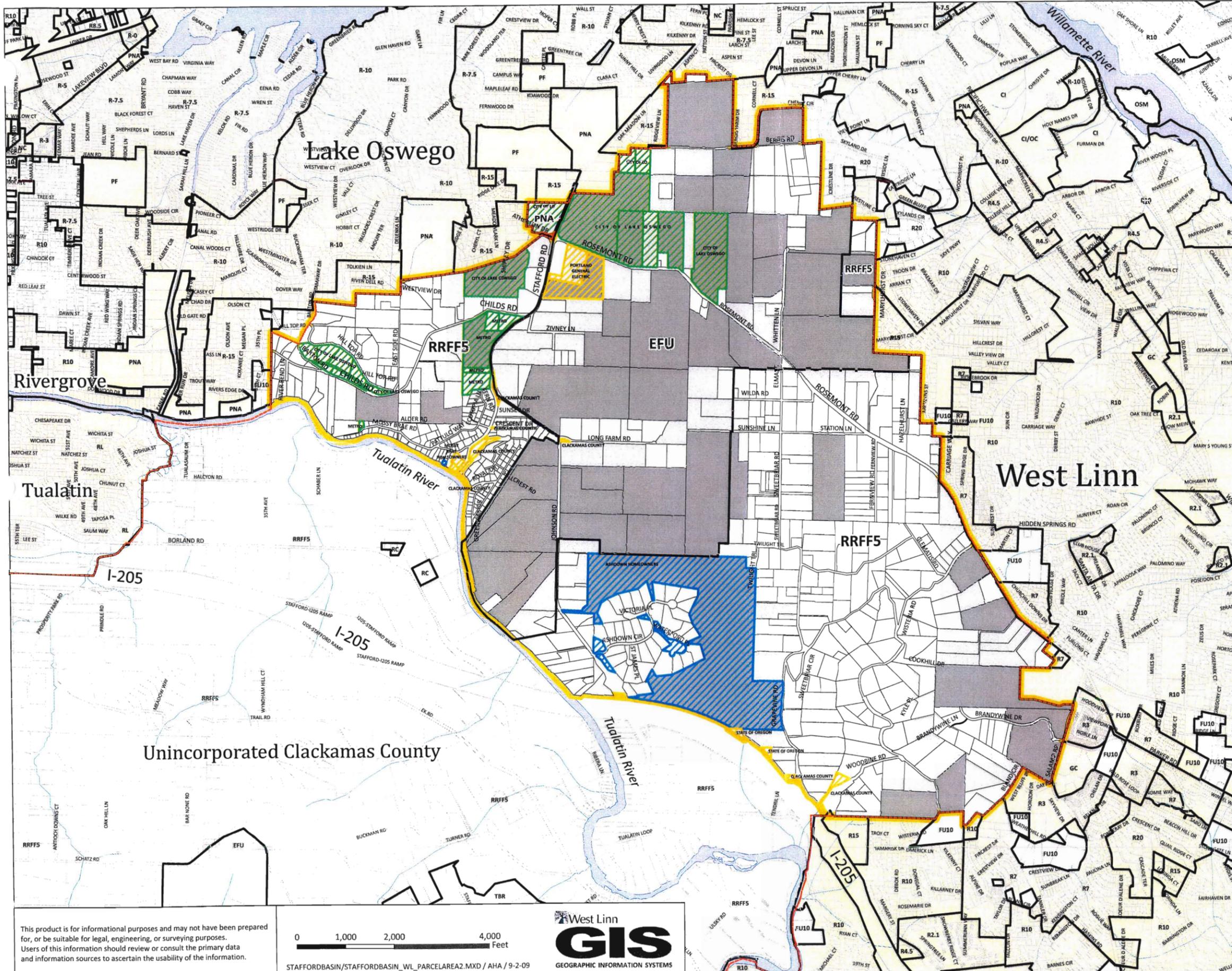
Rounded to nearest 10 acres

Legend

-  Focus Area
-  Metro Area Urban Growth Boundary
-  Public Open Space LABELLED WITH AGENCY NAME
-  Private Open Space
-  Other Public or Quasi-Public Land

Parcel Land Area inside Focus Area

-  <= 5 acres
-  > 5 acres and <=10 acres
-  > 10 acres
-  Current Zoning
-  Parcel Lines outside Focus Area
-  Rivers
-  Incorporated Areas



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

0 1,000 2,000 4,000 Feet

STAFFORDBASIN/STAFFORDBASIN_WL_PARCELAREA2.MXD / AHA / 9-2-09

West Linn
GIS
GEOGRAPHIC INFORMATION SYSTEMS

MAP PRINTED SEPTEMBER 2009
Data Source: Metro RLIS & West Linn GIS



HAND DELIVERED



MILLER NASH ^{LLP}
ATTORNEYS AT LAW

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1115 Washington Avenue
Portland, Oregon 97204-3699

DEPT OF

JUL 14 2010

SHIP TO

LAND CONSERVATION
AND DEVELOPMENT



Urban and Rural Reserves Specialist
Department of Land Conservation and
Development
635 Capitol Street NE, Suite 150
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