

Testimony Before Metro Council January 20th (Sherwood)
Subject: Reserves: Area 9 B (Multnomah County) Inclusion in Urban Reserve

Metro Council Members,

My name is Robert H Burnham. I reside at 14384 Holly Springs Rd, Lake Oswego, 97035. My family has owned 115 acres since 1956 which are located in the area your staff has coined as the "L" within UR-1. It has been mapped as Area 9 B [attached] east of Bethany. We, along with our immediate neighbors, are founding members of the East Bethany Owners Collaborative. As you have heard from our organization's members at other open houses and prior testimony, we represent over 400 acres of land located north and south of NW Springville Road.

By now, many, if not all of you are probably familiar with this area and its' relationship with Bethany and the soon-to-be developed North Bethany. Our "East Bethany" properties are carbon copies of the lands located west of the seemingly magic political Washington County boundary. Our properties have been designated by Oregon's Department of Agriculture & acknowledged by the Oregon's local Farm Bureau members as an area of "conflicted lands". This land is not highly productive foundation land and is now isolated more than ever from Washington counties' former farming presence. My consulting business partner [Oregon's former Director of Agriculture] also strongly shares that conclusion. In Multnomah counties' recent planning hearings, the *Multnomah County Advisory Committee* concluded that our area's attributes are "suitable for urban reserve"

... And Why you ask ? ...

- Everything in the Area 9B community is associated with Washington County ... work, shopping, transportation, future planned schools including PCC's Rock Creek campus are within walking distance.
- Urban infrastructure would all be provided by Washington County entities to include sewer, transportation corridors, surface water management, water, fire, parks, ETC.
- East Bethany lands are a geopolitical anomaly whose elements fit the planning and development model for Bethany's with the one exception ... our land borders are not within Washington County.
- With the prospect of immediate infrastructure of a middle school and dense development literally on our common western property boundaries, traditional farm animals and the tools needed to sustain them become a looming liability for ourselves and future neighbors.

Having volunteered in the planning phase of CRAIG in the late-70s under SB 100 's call to action for a "planned future" ... I appreciate the role and the responsibility that you and your staff have accepted. Your charge is to insure the livability and economic stability that our region's old timers [Tom McCall's & contemporaries] entrusted to us. You, our Metro Councilors, are now making those strategic decisions that will affect our children and grandchildren and all of their neighbors for the foreseeable future. Your current mandate does not afford you the luxury of going back in five years to adjust these UGB boundary maps accordingly without urban reserves, as the landscape and population of this region will grow well beyond our current vision. Over the next forty to fifty year horizon, good planning and not bad political decisions need to be acknowledged and implemented. I ask that Area 9 B be part of that well thought out planning.

Thank you

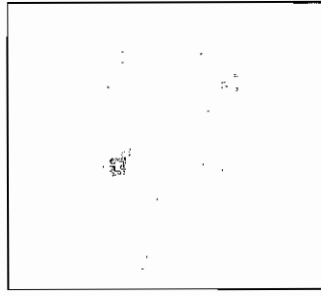
Area 9B

Urban Growth Boundary
core4_011110

TYPE

- Rural
- Urban
- Urban_Diss

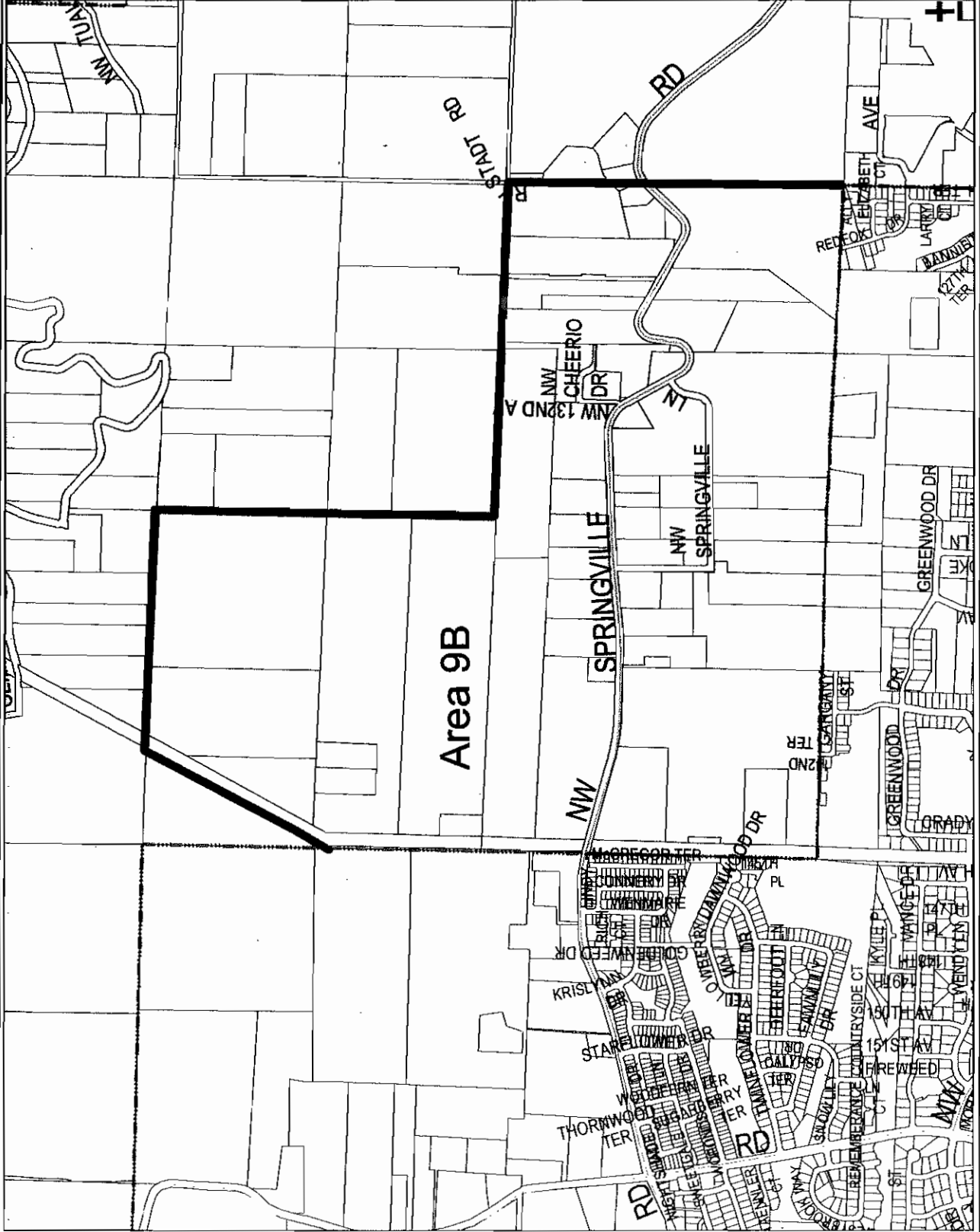
The information on this map was prepared by a qualified professional surveyor or engineer. It is intended for use as a reference only and should not be used for any other purpose without the express written consent of the Metro Data Resource Center. The information on this map is not to be construed as a warranty of any kind, express or implied, and the Metro Data Resource Center shall not be liable for any damages, including consequential damages, arising from the use of this information. The information on this map is not to be used for any other purpose without the express written consent of the Metro Data Resource Center.



Location Map



METRO DATA RESOURCE CENTER
800 NORTH EAST 37th ANCHORAGE, ALASKA 99503
TEL (907) 726-1724 FAX (907) 726-1006
arc@metro-data.org www.metro-data.org





METRO

Date 01/20/10

No. 4641

Comment Form

(Please print)

Name (required)

Gregory Manning

Affiliation (if any)

NATOP

Address (required)

7238 SW CAPITOL HIGHWAY

E-mail (optional)

PORTLAND, OR

gregmanning@yahoo.com

Include my e-mail in your notification list.

Comment topic(s) Reserves

Comment (use back or attach additional sheets if necessary)

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

NAIOP

COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION

OREGON CHAPTER

January 20, 2010

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

Re: Testimony for January 20, 2010, hearing on Urban/Rural Reserves

Dear Council President Bragdon and Metro Councilors:

My name is Greg Manning. I am the President of the Oregon Chapter of NAIOP, a commercial real estate association. I was also privileged to serve on the regional Reserves Steering Committee and helped organize the supporting business coalition, which has now expanded into the Coalition for a Prosperous Region.

Unfortunately, prosperity today means being employed. When the steering committee was launched in early 2008, we had no clear picture of the economic stress that lay ahead. I was laid off, like tens of thousands locally. At the same time, the economic crisis, with its disproportionate damage to jobs in our region, put a focus on the need for policy to energize employment recovery and growth.

I'm proud that I was asked to participate in the reserves process because the original legislation, which NAIOP supported, promised a balanced system for charting growth and providing room for our major employment clusters to thrive. A half-century perspective was to be adopted, and land best-suited for growth of population and jobs was to be carefully identified through factors like efficient use of infrastructure and support of a healthy economy. **This was no short term "fix," but an effort to provide employment and growth capacity for our region to compete in the 21st century.**

When the Counties' planning departments proposed 47,000 acres of Urban Reserves this fall, reflecting aspirations, growth expectations, and topography, we were in general agreement. But in the interim, the reserves process has become

Officers

President, Greg Manning
Banner Bank

Pres.-Elect, Mike Wells
OresaPartners

Treasurer, Dietra Stivahtis
Fidelity National Title

Secretary, Dave Kotansky
Felton Properties

Past-Pres., Steve Roselli
HARSOH Investment Properties

Board of Directors

J. Benjamin Chessar
Pacific Realty Associates LP

Mark Clemons
Group Mackenzie

Matt Cole
Shorenstein Realty Services, LP

Linda Craig

Joe Curran
Capmark Affordable Equity

Jim Dulcich
Schwabe Williamson & Wyatt

Monte Haynes
GVA Kidder Mathews

Dana Krawczuk
Bali Janik LLP

Scott MacLean
Norris Deags & Simpson

Kirk Olsen
DP Partners

Brian Owendoff
Opus Northwest

Frank Pierson
Howard S. Wright Constructors

Jeff Reeves
Group Mackenzie

Craig Lewis
Melvin Mark Development Co.

Alex Vutic
ProLogis

Ann Young
US Bank

Executive Director

Kelly Ross

one of politics. Current discussions suggest a regional urban supply of 15,000 to 25,000 acres, far less than was proposed in just one county. **Future growth may be relegated to fragmented pieces, some in marginally developable areas, while maps are dominated by nearly a quarter million acres of rural reserves in which growth can't occur for at least forty years under any circumstances.** What message does this send to our employers, especially campus employers who envision hiring thousands in the decades ahead?

As a member of NAIOP, a supporter of the reserves effort, and a concerned father thankful with a new job, I ask you to step back from politics to assess the economic consequences of your decision. I encourage you to:

- **Provide enough land to support growth of our region's current and potential new employers,** particularly large lots in Washington County for industry uses.
- **Ensure that areas served by major infrastructure are identified for potential growth,** such as sites along both sides of the Sunset Highway and I-5 South.
- **Ensure a credible supply of Urban Reserves for the 40-50 year planning timeline.** Our Coalition's mapping recommends 40,000 acres of Urban Reserves. If the land isn't needed, future generations won't bring it into the UGB.
- **If you propose fewer Urban Reserves than the Counties had recommended, ensure that the difference is made up with well-located, undesignated land for future adjustments.** This may be the only way to offset the economic risk of a small set of urban reserves set in an expansive ring of rural reserves.

Thank you for your consideration. I appreciate the long hours that you have invested in this process and I wish you a successful resolution in 2010.

Greg Manning





METRO

Date 01/20/10

No. 76

Comment Form

(Please print)

Name (required)

Greg Mecklen

Affiliation (if any)

WC Farm Bureau

Address (required)

12995 NW BISHOP Rd / Hillsboro, OR 97124

E-mail (optional)

apacas@teleport.com

Include my e-mail in your notification list.

Comment topic(s) Reserves

Comment (use back or attach additional sheets if necessary)

Urban density + gross domestic productivity

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

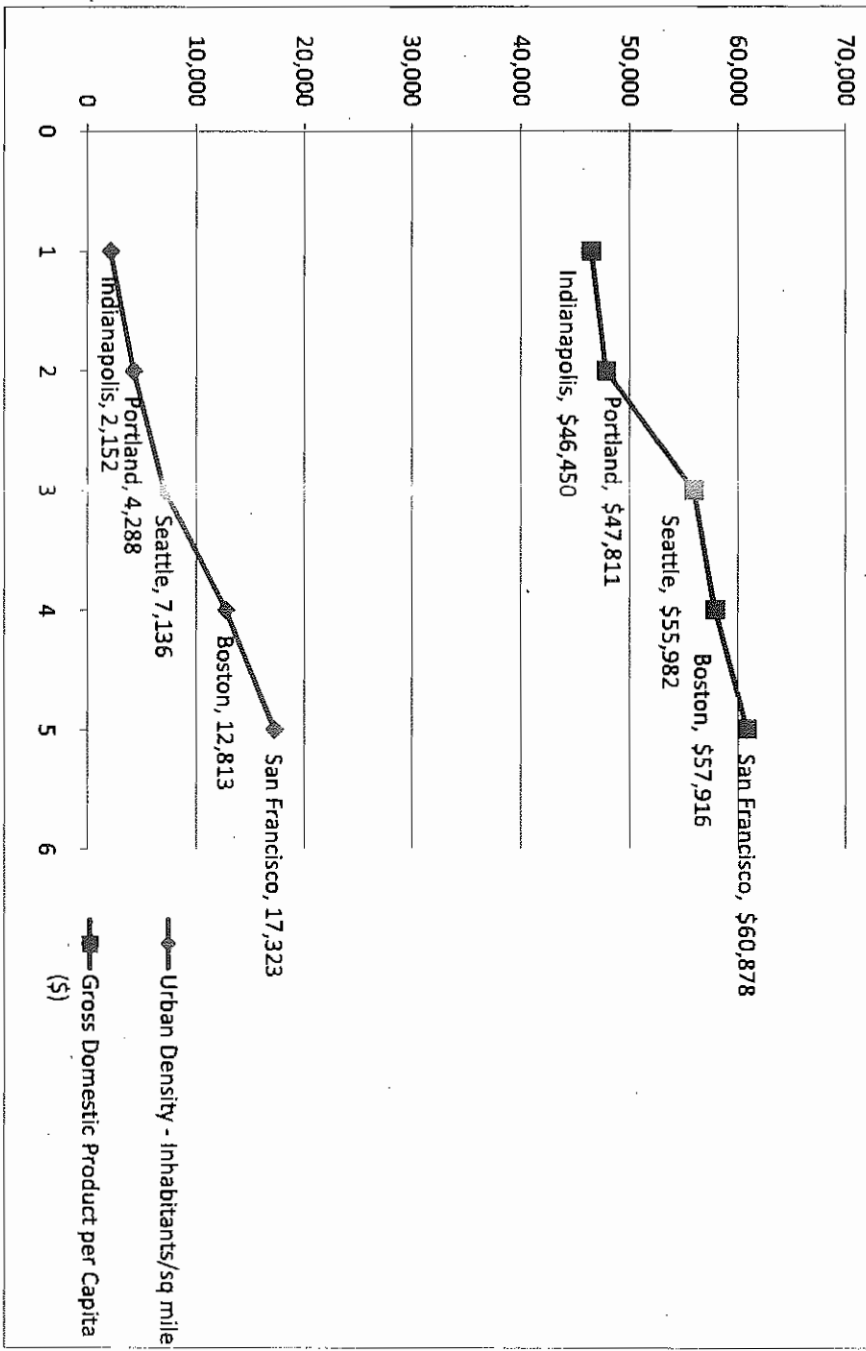
Date: January 20, 2010

To: Metro Council

From: Greg Mecklem, Washington County Farm Bureau

I recently noticed an unfavorable comparison regarding the Gross Domestic Productivity per capita of the Portland area relative to some other US cities. I found it interesting to compare this GDP per capita to the urban density of these same cities—as the urban density of these cities increased, so did the per capita GDP. Perhaps this productivity is related to improved infrastructure, including high capacity public transportation, less time in automobiles, greater availability of social amenities attracting young upwardly mobile college educated professionals. Whatever the reasons, it appears that one solution to protecting our farm and natural resource lands is to increase density in the cities' urban core. Just maybe we can have it both ways—intact agriculture and food security, protected greenspaces and natural resource lands to enhance our lifestyle, prevent sprawl and help blunt climate change and enhance our economic performance at the same time!

Productivity vs. Urban Density



| City | Urban Density - Inhabitants/ sq mile | Gross Domestic Product per Capita (\$) |
|---------------|--------------------------------------|--|
| Indianapolis | 2,152 | \$ 46,450 |
| Portland | 4,288 | \$ 47,811 |
| Seattle | 7,136 | \$ 55,982 |
| Boston | 12,813 | \$ 57,916 |
| San Francisco | 17,323 | \$ 60,878 |



METRO

Date 01/20/10

No. 78

Comment Form

(Please print)

Name (required)

JIM IRVINE

Affiliation (if any)

Address (required)

340 SE HAWTHORNE BLVD

E-mail (optional)

jim@conifergroup.com

Include my e-mail in your notification list.

Comment topic(s)

Reserves

Comment (use back or attach additional sheets if necessary)

DID NOT
TESTIFY

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

Testimony before the Metro Council on Area 9

Good Evening, I am Jim Irvine, the CEO of the Conifer Group 65 year old local Home-building Development Company. Our firm has developed and built a full range of housing from the most affordable for those with most severe housing needs to housing for the more affluent. Each project has always been approached with innovation, collaboration and sustainability - before sustainability was even a term of art. We were founding members of the US Green Building Council and have staff currently serving on a panel attempting to reduce the carbon footprint in the build environment using new engineering technology.

I'm here today in a different role, albeit just as innovative, collaborative and sustainable. I'm asking you to support an Urban Designation with conditions for what is known as 9b or the L and the adjacent lands east and west to the City of Portland and to Cornelius Pass Road. It is a unique opportunity to demonstrate our community's ability to accommodate both population growth and protect natural landscapes. Its location has, and what many perceive as, a confluence of too many governments and thereby this opportunity has been overlooked.

Seizing the opportunity and applying An Urban designation will provide:

- Habitat protection equal to that afforded to the Balch Creek Canyon (urban designation) where native cut-throat trout have been restored.
- The chance to purchase almost 1000 acres of the Tualatin range for parks that will ensure more effective buffer between residential lands and wildlife migration paths.
- A western portal to Forest Park that can serve as the foundation for a truly regional park with additional trails that all connect to the existing regional trail system.
- A unique opportunity to use a private funding mechanism in partnership with Metro's Natural Areas Program to design a community that leverages residential infrastructure while investing in effective wildlife protection.
- A concept plan for Multnomah & Washington County funded by METRO construction excise tax that could impose development restrictions, habitat protection and SDC's to pay for park land acquisition.
- The urbanizable space within the "L" is approximately a 7 minute walk to an existing town center -- a core value for sustainable design. Such an Urban Designation would also assure the most efficient use of existing infrastructure and complements the public investments being made in North Bethany.
- Even though all of this space is located in Multnomah County, the space is serviceable particularly by the special districts and agencies of Washington County. This is not without precedent. There are many examples in the region, where the land is located inside one city or county and through intergovernmental agreement served by another city or county. Washington County has stated they would be willing to serve specifically AREA 9b. The City of Beaverton has also expressed interest. (See Attachment)
- All of the land is identified as "Conflict Land" and using it assures the opportunity to minimize the use of "Foundation Farm Land" and helps remove the potential risk of litigation of the reserves decision.
- Albeit argued by many that that such designation will lead to degradation of the landscape, wildlife and water quality - I ask you, when has private land management ever been superior to the protections offered by the public - that is the entire notion of our National, State, and Local Park system and its protocols.

Today's opportunity was best expressed by Metro's CEO, Michel Jordan in his recommendations for Making the Greatest Place:

“The West Multnomah County Area represents an opportunity for the region to consider how to deal with “problematic landscapes” mixed topography, relatively low value agricultural land and interspersed habitat of high value...The opportunity is to provide for other housing choices and to get private investment to help fund public acquisition of natural resources.”

Michel Jordan carefully crafted language to explicitly challenge us all to think more creatively about this area.

Both my academic and professional experience have taught me that in planning there are two things that people find most troubling and truly turns them out in droves – sprawl unless it’s their sprawl, and density only if its applied in someone else’s neighborhood.

This opportunity creates a collaborative approach that could to bring people together and truly create a better and more distinctive place.

With respect to these lands there are in place with in this region governmentally adopted models, intergovernmental agreements, and protocols that can be synthesized to allow all of the values and all of the concerns articulated throughout these hearings to become a reality. Neither an undesignated nor rural application allows this to happen. The only way to give that opportunity a chance is to designate the land in AREA 9b as Urban and lands to its east as Urban with a Title 11 modification. Applying such a designation gives the best chance of enhancing an existing Town Center by capturing the easily adjacent serviceable land and then conditioning the balance of the land east to Skyline Blvd to assure the greatest opportunity for the an appropriate mix of development and ecospace preservation. . If the conditions can be achieved then everyone wins - if it can’t it simply remains in the status that it is today -- whatever you choose to call it.

A resolution with those conditions is easy to draft. Give yourselves and this community a chance to show we can get out of the proverbial box - set aside our own icons and make a truly better place for all.

Irrespective of my request above to designate all of the land in Area 9 as Urban, I strongly recommend that you at least designate AREA 9b as Urban because of:

- Washington County’s willingness to serve,
- The opportunity to leverage the public investment proposed to serve North Bethany
- The proximity to the Bethany Town Center and PCC Rock Creek, and the opportunity to create a more “complete community by its inclusion”
- Its being identified as “Conflict Land” by the state and designating it as Urban assures the minimal use of Foundation Farm land and helps remove the potential risk of litigation of the reserves decision.

Thank you

3140 SE Hawthorne Blvd.

503 481 4925

jim@conifergroup.com

Please find attached:

1. A one page document that outlines all the objectives that could be achieved using such a model.
2. A set of Questions and answers addressing the best designation of either Urban or Rural.
3. Letter from the City of Beaverton
4. A map conceptualizing some possibilities.

A Partial Analysis of the Lands West of Forest Park

STATISTICS (APPROXIMATE)

| | |
|---|-------------------------|
| • Total acreage of West Forest Park concept planning area – | 1,634 acres |
| • Area 93 acreage within West Forest Park concept planning area – | 158 acres |
| • Title 11 qualifying development acreage “Flatlands” – | 486 acres |
| • Today’s estimated park SDC fees generated by West Forest Park – | \$43,000,000.00 |
| • Title 11 exception acreage “Natural Areas” – | <u>990 acres</u> |
| ➤ Natural Area public domain acreage – | 800 acres |
| ➤ Protected development rights within Natural Area – | 190 acres |

OBJECTIVES (NATURAL AREAS)

- Garner a significant addition to the public domain; West Forest Park could protect up to 990 acres as public open space through an urban concept planning process.
- Enhance and protect critical riparian areas and upland habitat.
- Provide a safe environment for deer, elk and other animals.
- Create passive recreation and nature education opportunities.
- Eliminate clear cutting, which is allowed under existing limited rural tree protection.
- Cluster housing in Title 11 exception areas to protect property rights while adding large preservation tracts to the public domain.
- Apply urban design standards (such as tree preservation / lighting regulations) aimed towards maximizing natural aesthetics and protection of Natural Area views for Greater Bethany and beyond.

OBJECTIVES (FLATLANDS)

- Add significant urban development capacity.
- Efficiently utilize readily available infrastructure, limiting the need for public investment.
- Expand on local trail system portals in order to enhance west side access points to Forest Park.*
- Focus on the provision of pedestrian and bicycle connectivity to existing centers.*
- Expand existing/planned transportation facilities and focus on enhanced north/south connectivity through the logical extension of Saltzman Road.
- Increase the population pool and tax base for Portland Public Schools.
- Place urban development on land identified by Oregon Dept. of Agriculture as conflicted for farming.

URBANIZATION POLICIES AND TOOLS FOR PUBLIC DOMAIN ACQUISITIONS

- Added riparian setbacks ensured through concept planning and entitlement processes.
- No development on slopes greater than 25%.
- Upland habitat protections via clustering and open space acquisitions/dedications.
- Title 11 exception areas subject to density and design modifications.
- Cluster development will result in large residual areas dedicated to the public.
- Acquisitions largely driven by West Forest Park SDC fees (for parks) in excess of \$43,000,000.00, additional resources include Metro open space bond funds, tax credits for easements/dedications, and CWS stream cooling resources.

*Applicable to Natural Areas and Flatlands

Is the West Forest Park area suitable for designation as an “urban reserve” or a “rural reserve”?

The criteria for inclusion in the “urban reserve” include the following questions:

Can it be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments?

- 1 The land in the West Forest Park area is comprised of two types of land: about 500 acres of relatively flat land and 1000 acres of steeper forested slopes.
- 2 The flat lands can easily meet Title 11 density standards.
- 3 Enough sewer, water, power and transportation infrastructure is available “across the street” for more than 5,000 housing units.
- 4 Commercial needs can be met by the new Bethany town center.
- 5 Educational needs can be met by facilities located in Washington County.
- 6 Transportation needs can be met by new roads connecting to US 26, the transportation expansion with the development of North Bethany, and should not affect traffic flows cross or straddling the West Hills.

Does it include sufficient development capacity to support a healthy economy?

- 1 The addition of 5000 homes in the immediate vicinity of North Bethany should enhance the viability of this new town center.
- 2 The increased commuter needs should help to make the public transit investment for this area more affordable.
- 3 The additional students that would be attracted to the Rock Creek Campus of the Portland Community College will help to improve the financial viability of that educational facility.
- 4 Additional housing in the immediate vicinity of major employment centers such as Intel, Nike, and other technology -based firms in Washington County will help to attract and retain businesses in the area.

Can it be efficiently and cost-effectively served with public schools and other urban level public facilities and services by appropriate and financially capable service providers?

- 1 This area is currently served by Portland Public Schools. This district of the PPS has been losing students for many years. The addition of new

students would help to stabilize the student populations.

- 2 Alternatively, these students could attend new schools that are built and planned in the immediate vicinity. The Beaverton School district has recently purchased more school sites in North Bethany, immediately across the county line from this area.
- 3 This area drains to the Tualatin River. It is likely that surface water and sewer infrastructure would be provided by Clean Water Services. Tualatin Valley Water District has a storage tank located in the Forest park area and is in the process of purchasing a new water storage site.

Can it be designed to be walkable and served with well connected systems of streets, bikeways, recreation trails and public transit by appropriate service providers?

- 1 The West Forest Park area sits athwart two major power line corridors that have been developed by Washington County into major regional trail systems. These converse through this area and connect directly into Forest park.
- 2 This area would be ideal for establishing a western portal to Forest park that would include feeder routes emanating from south of US 26.
- 3 This area's trails would provide a strategic linkage to connect the Forest park system of trails with regional trails connecting with Pumpkin Ridge, Dairy Creek and the Banks to Vernonia linear trail in the west.
- 4 It would serve as the only viable southern transit corridor for the planned Forest Park to Coast range trail.
- 5 Planned hiking and biking trails crisscrossing the hills immediately above the developed lands would provide this area with a unique and valuable natural resource to increase the livability in the area.
- 6 Purchases of existing lands with trails, an/or easement for public access would increase the miles of available trails and decrease the intensity of usage benefiting both hikers, bikers and the wildlife.

Can it be designed to preserve and enhance natural ecological systems?

- 1 Extending Forest Park down the western slope of the Tualatin Range would provide an environment where housing can be interwoven into the natural landscape features to provide effective habitat and recreational opportunities.
- 2 Using easements, park designation, wildlife protections, density reductions (by Title 11 modulation), riparian protections and sensitive urban design these important uplands could be protected in perpetuity.
- 3 Unlike rural reserves, urban reserves would allow greater protection against damaging natural resource exploitation including clear cutting

and intensive agricultural development on sensitive slopes. Rural reserves with their timber deferment requirements mandate resource harvesting at the expense of habitat values, recreational values, and water quality issues.

- 4 Active management of these lands would protect against vandalism, littering, illegal dumping and potential fire damage from unauthorized access to unattended access points. This currently afflicts the area.
- 5 Active management of these hills would prevent streambed and soil erosion resulting from unauthorized vehicular traffic. Significant erosion currently occurs from such unauthorized access.
- 6 Active park management can design walking and biking paths that allow for sufficient separation to encourage wildlife movement in and out of Forest park, thereby enhancing a regionally important natural ecosystem.
- 7 Active management of the area will help to preserve the water quality of the tributaries flowing out of these hills.
- 8 Park designation and urban protections will eliminate clear cutting of trees that affect the scenic values, the habitat protections, the recreational value and the temperature of natural streams - an increasingly critical ecological requirement for healthy water management.
- 9 Park designation (unlike rural reserves) will directly protect wildlife and eliminate the annual harvesting of deer, elk and bear in these critical habitats.

Does it include sufficient land suitable for a range of needed housing types?

- 1 The developable area in the West Forest Park area contains about 500 acres of land suitable for housing at Title 11 densities.
- 2 Density restrictions may be suitable for some portions of this land, especially in the immediate vicinity of sensitive ecological features such as wildlife corridors, streams and steep slopes. These areas would be suitable for lower density development thus begetting a variety of housing types.
- 3 Transferable development rights and requirements to cluster housing in the select ridge top sites suitable for development would produce further estate type lots - if county and citizen involvement do not mandate the outright purchase of as much hill top land as possible.

Can it be developed in a way that preserves important natural landscape features?

- 1 This West Forest Park area offers an almost unique opportunity to design

a community that lives up to its sylvan heritage.

- 2 Using the full panoply of land-use tools from density restrictions, easements, set-backs, and an interspersing of public and private lands, this area is ideal as an area that could be developed to provide quality housing, in an amply served community and yet remain integrally connected with the natural environment that surrounds it.

Can it 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?

- 1 The West Forest Park area is surrounded by urban and park uses. Placing the community into the urban reserves context would shield it from the natural resource exploitation bias of the rurally designated lands.
- 2 By placing these lands under the urban designation it will take pressure off other nearby farm and forestry operations.
- 3 Much of this land south of Cornelius pass Road has already been designated as "conflicted" with respect to its longer term potential as viable farmland by the Oregon department of Agriculture.



CITY of BEAVERTON

4755 S.W. Gelffish Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2122 V/TDD

September 4, 2009

Charles Beasley
Multnomah County
1600 SE 190th Avenue
Portland OR 97233

RE: East Bethany Area

Dear Mr. Beasley:

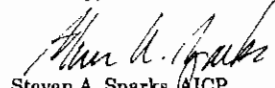
During the course of the Urban and Rural Reserves review with the Multnomah County Reserves Citizens Advisory Committee, the area east of Washington County's North Bethany area was identified by local land owners and their representatives as a potential urban reserve. For the purposes of this letter, the area is referred to as East Bethany. The area has been graphically identified by maps submitted to the record by Tom Vanderzanden and/or Matt Wellner. Representatives of some land owners approached the City of Beaverton to inquire to the City's willingness to provide governance and urban services to the East Bethany area. The purpose of this letter is to inform Multnomah County that the City of Beaverton is willing to provide governance and urban services to the subject area.

The position of the Beaverton City Council is that the East Bethany area should be studied for suitability as an urban reserve. The primary reason for this recommendation is the fact that the lands in the area are not classified as "foundation" agricultural land but rather "important" or "conflicted" agricultural lands. If Multnomah County were to decide to recommend the East Bethany area as an urban reserve, the Beaverton City Council is willing to provide governance and urban services to the East Bethany area. The City would provide these services only when the City of Beaverton corporate limits are contiguous to the East Bethany area. Given the current distance of the City of Beaverton city limits from the subject area, it may be some time before the City would be in a position to provide that service. However, if a new city were established contiguous to the East Bethany area or if the City of Portland were able to demonstrate the ability to provide service to the East

Bethany area, the City of Beaverton would not object to those cities providing governance and urban services to the East Bethany area.

If you have any questions about this letter or the City's position on Urban or Rural Reserves, please feel free to contact me at 503-526-2429.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steven A. Sparks".

Steven A. Sparks, AICP
Interim Community Development Director



METRO

Date 01/20/10

No. 68

DID NOT TESTIFY

Comment Form

(Please print)

Name (required) Jeff Roberts

Affiliation (if any) _____

Address (required) 21705 SW WHEAT PL. SHERWOOD, OR

E-mail (optional) _____

Include my e-mail in your notification list.

Comment topic(s) Reserves

Comment (use back or attach additional sheets if necessary)

- EXPAND URBAN RESERVES TO WHAT CITIES REQUESTED.
- CHOICES FOR HOME & LOT SIZE & CHOICES FOR WORK.
- USE BOND FEES TO BUY LAND IN USABLE ADJACENT UGB.
- ACREAGES TO BUFFER FARM.
- SUPPORT I-5-99W CORRIDOR - SHOULD INCLUDE LAND IN URBAN RESERVES & ~~BOTH~~ BOTH SIDES OF CORRIDOR IN UR FOR DEVELOPMENT - ECONOMY.
- NOT DISCOURAGE ECONOMY BY RESTRICTING CHOICE, EMP. LAND, BEST & MOST PRODUCTIVE USES.
- CHOICES FOR LIVING & WORKING !!! ECONOMY THAT INVITES EMPLOYERS RATHER THAN DISCOURAGE SO THEY LEAVE (PORTLAND).
- EDUCATE PEOPLE ON WHAT AREA WILL LOOK LIKE IN 40-50 YRS IF BUILT OUT SO CAN TRULY SEE FUTURE.
- EDUCATE PEOPLE TO SUPPORT DEV. & USE OF LAND W/IN UGB. PRO GROWTH.

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

Dear Metro Council Members,

Thank you for your time and effort on this process. The outreach and openness to the public is much appreciated.

I am one of the numerous suburbanites living in the Bethany area of CPO7 working in the Silicon Forest. I have also been very aware of this process on Urban-Rural Reserves through open houses, hearings, committee sessions, and CP07 involvement.

Through all of this, I have come to 2 conclusions:

- 1) **Designate it all:** Leaving any area along the UGB as undesignated dilutes the efforts done by so many over the past year+ involved in this process.
 - a. It delays the decision needed today to a future period, when all of this will have to be repeated
 - b. It hinders farmers from being able to do long-term investments in their business
 - c. It will bring on lawsuits by the minority of land owners that are speculating urban \$ for existing farmlands, etc. that currently sit just outside UGB
- 2) **Rural for Area 9:** The Multnomah County area adjacent to Washington County and currently outside of UGB should be designated as Rural Reserve (Area 9)
 - a. Once you designate it urban, you can't go back.
 - b. The infrastructure cost to develop should be a major factor and concern.
 - c. There is no high capacity corridor planned for this area.
 - d. There is no existing city to extend to the new urban areas in Area 9.
 - e. There is beauty in healthy farms, wildlife, streams, and undeveloped hillsides so close to downtown Portland. Keep the Metro area as THE place to live.

Lastly, on a personal note, I have become very impressed by the farming community. The vast majority of them are fighting for rural reserve designation, even though urban reserve designation could lead to more money.

In summary, I support 2 main areas and kindly ask for you to consider in your decision:

1. Leave no area along the current UGB as undesignated.
2. I endorse Metro COO and Multnomah County Reserves CAC recommendations along with the recently proposed reserve areas by Agriculture and Natural Resources Coalition

Kevin O'Donnell
5981 NW 142nd Terrace
Portland, OR 97229
kevinopublic@gmail.com



METRO

Date 01/20/10

No. 66

Comment Form

(Please print)

Name (required)

Denny Doyle

Affiliation (if any)

City of Beaverton

Address (required)

8355 SW Sexton Mt Ct Beaverton OR 97008

E-mail (optional)

d.doyle@ci.beaverton.or.us

Include my e-mail in your notification list.

Comment topic(s) Reserves

Comment (use back or attach additional sheets if necessary)

urban reserves for the city of Beaverton

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

Reserves Testimony of City of Beaverton Mayor Denny Doyle

January 20, 2010

Thank you for the opportunity to speak with you today. This issue is of critical importance to the region as we have all heard from testimony today.

I would like to share with you Beaverton's view point on the Reserves process and specifically the reserves indentified on the Metro map under review today.

There are many topics to discuss about the reserves process and map. You have already heard a great deal from interested parties and other jurisdictions, and I will try not to be redundant.

Today, I have two maps to share with you and three main points to state.

1. The Metro map under consideration represents a significant reduction in Beaverton's aspirations for growth in the next 50 years.

Washington County and the cities spent considerable time conducting a rigorous analysis of anticipated need for future economic and residential growth, identifying long term suitable agricultural lands, and conceptual planning of future land uses for identified urban reserve areas. Those findings informed Beaverton's aspirations request for 3,900 acres between both north and south areas (net acreage).

The map proposed by METRO provides Beaverton with an Urban Reserve area of approximately 1,900 acres. Of that total, approximately 700 acres is developable. When land necessary for roads and infrastructure is subtracted, the METRO map proposal provides Beaverton with less than 500 acres to accommodate 40-50 years of growth. During that same period, the PSU Population Center shows the city gaining 700 persons per year or 35,000 in the next 50 years. Assuming that we emphasize greater density in the Central District of the City sufficient to accommodate one-half of future population growth, the METRO map will not accommodate the more than 1500 dwelling units that we anticipate is needed for in the very small allocation of urban reserve land.

(IN CASE QUESTIONED - The net acreage excludes constrained land and the park properties and park anticipated acquisitions for an extension of the Metro/THPRD Cooper Mountain Regional Park.)

Supplemental Urban/Rural Reserves Testimony - City of Beaverton

January 20, 2010

- The areas illustrated on the draft December 12, 2009, Metro Reserves map represent a significant change from those reserve areas identified by the Washington County jurisdictions and agreed to in their local aspirations.
- Beaverton's stated urban reserve aspirations have been greatly reduced in both the north (urban area 8c) and south (urban area 6b).
- Within the Metro proposed Urban Reserve area 6b of 1767 acres (668 acres of buildable land). This excludes constrained land and the park properties and park anticipated acquisitions for an extension of the Metro/THPRD Cooper Mountain Regional Park.
- Within the north area (8c) only 57 (35%) acres are buildable (with 7 acres owned by PCC) from the gross acreage of 163.
- The City's stated minimum desired urban reserve area is the most appropriate and equitable for the City, Washington County and the region based on the intent of SB1011 and the Reserve Factors:

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.)

- The city currently has the ability or can reasonably accommodate future urban service demands for the City identified urban reserve areas.
- The Metro Boundary follows roads which is an avoidable mistake.
- Using parcel boundaries can provide a coherent limit to the urban reserves.
- This will enable jurisdictions to have clear control of road rights of way when annexed.

Urban Reserve Factor 4 (Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments.)

- The urban reserve land identified by the City is heavily parcelized and already occupied by dwellings and structures. There is limited farming in the area proposed by City staff. The City's existing infrastructure is stubbed to the area and can be reasonably extended.

Urban Reserve Factor 5 (Can be designed to preserve and enhance natural ecological systems.)

- A significant portion of area 6b and 8a are wetlands proposed to be protected.
- In fact, in area 6b a significant portion of the area is the Cooper Mountain Nature Park or target acquisition area.
- Through our proposal to re-align both Clark Hill and Tile Flat roads, impacted wetlands can be re-natured or restored.

Urban Reserve Factor 6 (Includes sufficient land for a range of housing types.)

- To remain competitive in the region, Beaverton needs to grow, not only up in its regional center, but out to urban reserve areas in the next forty years to maintain a balance of development types and urban densities and to form a complete community.
- Combining the north and south area, the city can expect to accommodate approximately 5,800 dwelling units and 560 jobs.
- A more significant concern for this entire region is the elimination of any flexibility by designating over 200,000 acres as rural reserves and making that land locked up for at least forty years.

Testimony of Don Mazziotti, Community Development Director,
City of Beaverton, Oregon
January 20, 2010

Thank you for the opportunity to speak with you today concerning the impending decision concerning the Urban/Rural Reserves project. I know this has been and is a challenging and difficult task for all parties to the discussion, particularly the METRO Councilors and, of course, the counties and cities in the region.

I want to make just a few points concerning the City of Beaverton's position with respect to the current or proposed METRO map designations.

The City, as an active participant in the Core 4 process, has spent a great deal of time addressing the central mandate and purpose of the SB1011 legislation: a balance between rural, urban, and natural resource values. We have sought in our analysis to assure protection of agricultural and forest lands while accommodating population and employment growth.

We believe the revised Core 4 map, which is a further compromise from the original Core 4 proposal, represents the appropriate balance of values; furthermore, we believe that the integrity of the process requires us to follow the Core 4 map because we know the technical work was very good, extensive, and represents a consensus of the elected officials who represent the population of Washington County.

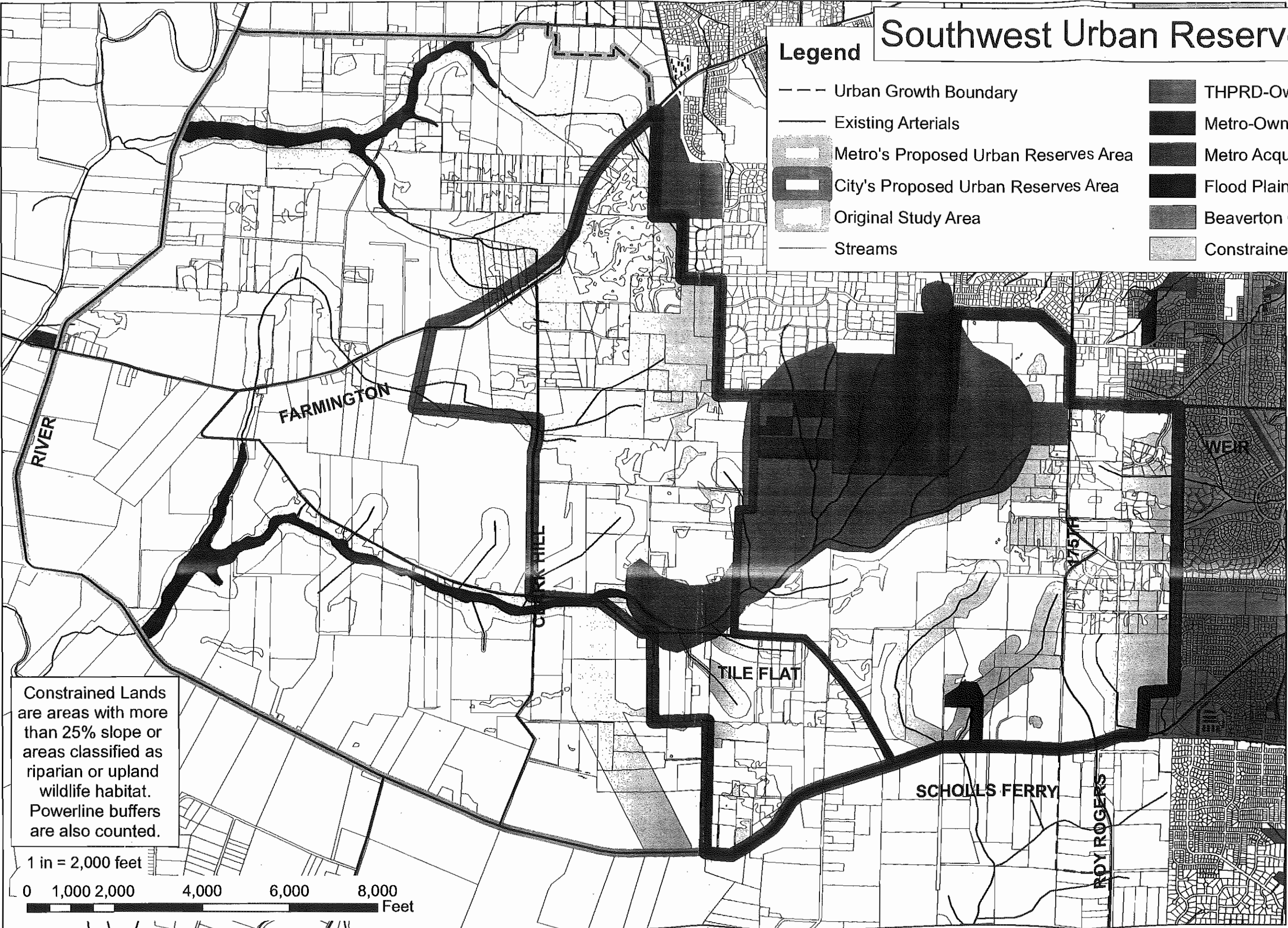
For Beaverton, the matter of the availability of urban reserve land is particularly acute because our community continues to grow at the rate of nearly 700 people per year or 35,000 (excluding what may be gained by voluntary annexation) during the next 40-50 years.

It is our intention to develop a new comprehensive plan, which provides for substantially greater density and many more housing units in the Regional Center, to support investments which Tri-Met, METRO, Washington County, and Beaverton have made and are making to cause the 2040 plan to be realized.

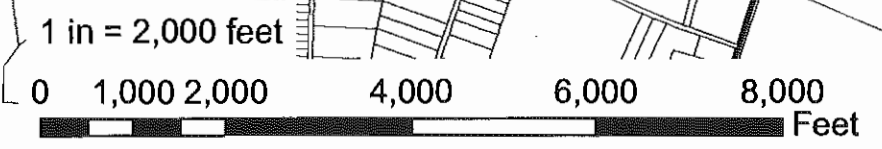
Southwest Urban Reserve Area

Legend

- Urban Growth Boundary
- Existing Arterials
- ▨ Metro's Proposed Urban Reserves Area
- ▩ City's Proposed Urban Reserves Area
- Original Study Area
- Streams
- THPRD-Owned Land
- Metro-Owned Land
- Metro Acquisition Target
- Flood Plain
- Beaverton City Limits
- ▨ Constrained Lands



Constrained Lands are areas with more than 25% slope or areas classified as riparian or upland wildlife habitat. Powerline buffers are also counted.



Revision Date:
January 6, 2010

DRAFT



METRO

Date 1/20/10

No. 4540

Comment Form

(Please print)

Name (required) Mayor Jerry Willey

Affiliation (if any) City of Hillsboro

Address (required) _____

E-mail (optional) _____

Include my e-mail in your notification list.

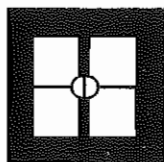
Comment topic(s) Reserves

Comment (use back or attach additional sheets if necessary)

See attached

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

CITY OF HILLSBORO



January 17, 2010

Hon. David Bragdon, President,
& Metro Council

Metro
600 NE Grand Avenue
Portland, OR 97232

Re: **Regional Urban & Rural Reserves (Jan. 20) Public Hearing.**

President Bragdon & Metro Councilors:

Thank you for receiving and considering these written remarks re: the proposed Urban and Rural Reserves set forth within a Core 4 (Hosticka/Bragdon) Regional Reserves Map along with my oral testimony at your January 20, 2010 public hearing at the City of Sherwood. I appreciate the opportunity to address you for the Reserves Record on these matters.

Judging by recent news (Oregonian, Portland Tribune, Hillsboro Argus, and others) op-ed pieces, prevailing public sentiment seem to prefer the Core 4 Reserves Map (over other concurrent proposed Reserves Maps also vying for public acceptance). The Tribune (1/14/10) piece advises that making the best Reserves Maps choice “**requires common sense, balance, compromise** and a willingness to invest in an outcome that broadly benefits a variety of needs and **all** the region’s communities”. It calls the Core 4 Map: “not perfect” but a “darn good compromise” because it would accommodate future regional growth w/in only a 9% increase in the size of our UGB while “better protecting specific land for the future of farms, forests and the environment” within almost 230,000 acres of Rural Reserves.

It chides critics of the Core 4 Map for ignoring: 1) the (regional) impact of enormous population growth; 2) existing, flourishing solar technology and high-technology sectors that are willing to continue to invest in the Region; and, 3) that small and mid-size communities have aspirations worth investing in that don’t require commuting to downtown Portland. It notes that, without reasonable compromise, “. . . the region’s growth will be less strategic and far more likely to have a negative impact on the overall presence and vitality of urban area agriculture and natural environments”.

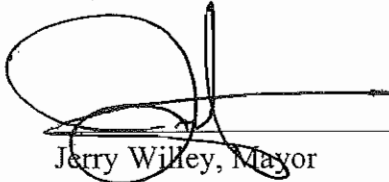
The Oregonian (Parker, 1/15) writes about the Metro Council considering a “view from the unemployment line” in its imminent Reserves decision-making. He writes about public testimony asking whether Metro will match its effectiveness in preserving open spaces with comparable attention to building a solid regional economy during that decision-making. He writes that, for the thousands of local unemployed residents the Reserves decision-making “all comes down to something pretty simple: Having a job that pays the bills”. His piece concludes with a stark message to Metro from one unemployed resident: “So, here we sit without jobs, without a tax base, and in my opinion, without a future”.

I’ve expressed these very important messages about the Reserves formally and informally to you and many others during recent County and Regional Reserves advisory committee meetings and MPAC meetings: Quality of life in the Region begins with having a good job. We need to give our agriculture industry long-term “certainty” in its vital land production base. Urban and Rural Reserves need to be responsive to community aspirations and the long-term diversification and business growth and competitiveness of our economy, especially our leading traded sector industries. Clearly, our residents and businesses are painfully aware of them. I truly hope you are, too, and you will please take them to heart as you make your Reserves decisions.

Thank you for considering these remarks

Respectfully submitted:

CITY OF HILLSBORO:

A handwritten signature in black ink, appearing to read "Jerry Willey". The signature is written over a horizontal line. The ink is dark and the strokes are fluid, with a large loop at the beginning and a long horizontal stroke extending to the right.

Enclosures: (Op-ed pieces)



OregonLive.com

Everything Oregon

The view of Metro Council from unemployment line

By Andy Parker, The Oregonian

January 15, 2010, 5:02AM

Three days after giddy Metro Councilors announced their purchase of 1,143 acres of moss-choked forests along the cloud-draped Chehalem Ridge west of the city, they were yanked back to earth during an opinion-choked public hearing east of town.

Monday evening, their critics quickly filled chairs and lined the walls of a stale little meeting room in Gresham, most of them waiting to offer an opinion on Metro's 50-year plan for growth that calls for setting aside 230,000 acres in rural reserves and 31,564 acres in urban reserves.

The councilors nodded and asked some questions. But they'd heard it all before, and will hear it many more times in the weeks to come:

The business community is lobbying hard for more industrial lands, saying the limited urban reserves will choke off new business by limiting where new companies can build.

The farming and conservation community argues the large number of "undesigned" acres leave farmers without the assurance they'll need in the decades to come to invest and expand.

But no one put more of a point on the stakes of how we plan to grow than Frank Mesmer, who has been unemployed for over a year.

From his yellow farmhouse just south of U.S. 26 on sweeping plains first settled in 1840, Mesmer can't quite see Chehalem Ridge rising to the southwest beyond Forest Grove.

He doesn't question Metro's solid legacy in land preservation. But the unemployed 46-year-old computer technician wonders if Metro understands how to build a regional economy anywhere near as well as it understands preserving open spaces.

He isn't the only one wondering.

Jonathan Schlueter, executive director of the Westside Economic Alliance -- which supports more industrial land in Washington County -- insisted Metro's current proposal is dangerously inflexible.

"You either get it right, or the area pays a serious price," said Schlueter. Without more options for potential employers looking for land, "we don't even get in the discussion."

And without more potential for stable job growth, said Schlueter, all the talk about creating a more livable community "rings hollow."

Travis Stovall, the executive director of the East Metro Economic Alliance, said Metro Councilors should not be surprised that despite ongoing vacancies on industrial properties east of the city, his group fully supports more industrial land in Washington County.

Stovall said it was "naive" to believe that limiting industrial land expansion on the westside would lead to faster development of vacant properties on the eastside.

"If we don't have land where they want to develop, they'll go someplace else."

A broad-based coalition of farmers and conservation groups made an equally passionate argument for greater efforts to protect farmers.

Laura Masterson, a member of the coalition, said the "core four" group made up of representatives from the three counties and Metro needs to draw cleaner lines between urban and rural areas instead of leaving large areas as

Portland Tribune

EDITORIAL

Outcomes, not acres, key to urban growth boundary plan

*Our Opinion**The Portland Tribune, Jan 14, 2010*

During the next few months, essential choices will be made about the region's future for the next 40 to 50 years. We hope elected leaders from Metro, Multnomah, Washington and Clackamas counties will soon conclude more than two years' worth of work by agreeing on how much land outside the region's urban growth boundary will be protected for farm, forest and natural spaces and how much land will be designated for housing, employment and other development.

The best choices require common sense, balance, compromise and a willingness to invest in an outcome that broadly benefits a variety of needs and all the region's communities.

This is no easy task. In the next 20 years, it is expected that the seven-county metropolitan region will grow by about 1 million people, add 600,000 jobs and add as many as 250,000 new dwellings.

But these are only numbers. Here's what is really at stake:

- Preserving essential natural habitats
- Protecting agriculture and nearby forests surrounding urban areas
- Enabling the region's two dozen or so cities to maintain their unique qualities of life, diverse housing choices and achieve their community aspirations
- Providing land for jobs and a vitally successful, diverse and sustainable regional economy
- Affordably and effectively investing in these outcomes with public and private investment

A series of regional hearings and public forums this month will look at the question of how the area should grow.

We think a recent proposal by Metro President David Bragdon and Metro Councilor Carl Hosticka offers the best road map. Their idea calls for designating as much as 31,564 acres that are outside the region's urban growth boundary as urban reserves for the next 40 to 50 years. It also calls for protecting almost 230,000 acres outside the boundary as exclusive rural reserves.

The Bragdon-Hosticka plan is not perfect, but it is a darn good compromise. It accommodates a 66 percent to 88 percent growth in population and jobs with only a 9 percent expansion of the urban growth boundary. It also does so by better protecting specific land for the future of farms, forests and the environment.

Unfortunately, that is not enough for some. A coalition of agriculture, land-use and natural resource groups said Monday that the urban reserves designation should be cut in half, to a total of 15,000 acres. That same day, Portland Mayor Sam Adams agreed with the idea, saying that more centralized development will be required in the future due to environmental reasons, as well as the cost of required infrastructure.

Unfortunately, critics of the Bragdon-Hosticka plan ignore several things, such as the impact of enormous population growth. They ignore the existing solar technology and high-technology sectors that are flourishing and willing to continue to invest in Washington County. And they ignore that small and mid-size communities have aspirations worth investing in, including diverse housing choices and nearby employment centers that don't require commuting to downtown Portland.

Mostly, critics unwisely ignore that without reasonable compromise in the next few weeks, Metro and county leaders will not reach agreement on the protection of urban and rural lands. As a result, the region's growth will be less strategic and far more likely to have a negative impact on the overall presence and vitality of urban area



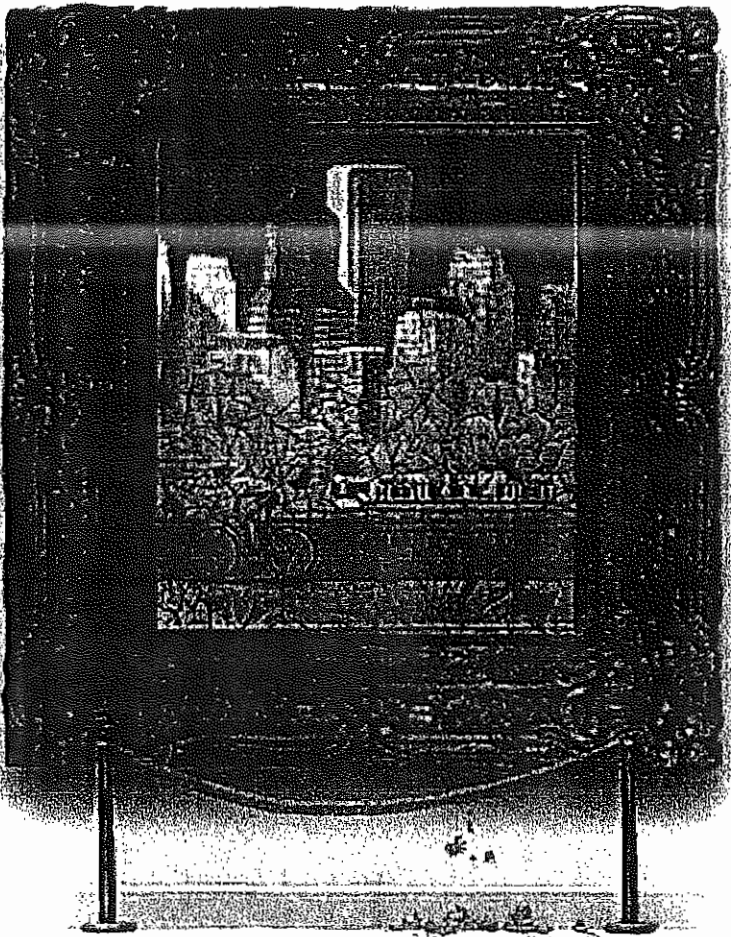
Oregon Live.com

Everything Oregon

Picture-perfect Portland?

By Guest Columnist

January 17, 2010, 6:35AM



[View full size](#)

The Oregonian/Steve Cowden

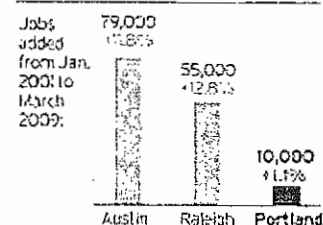
By AARON M. RENN

Portland is one of the most-praised cities in contemporary America. But is the hype real? To some extent, it actually understates the case.

Portland didn't invent bicycles, density or light rail -- but it understood the future implications of them for America's smaller cities first, and put that knowledge to use before anyone else. The longest journey begins with a step, but you have to take it. Nobody else did. In an era where most American cities went one direction, Portland went another, either capturing or even creating the zeitgeist of a new age.

Part of the challenge is effectively deploying its talent. Portland's unemployment rate exceeds the national average. The problem of underemployment among the many high-talent people who moved to Portland for its amenities also has been extensively written about. This is notable given that Portland's population growth rate, while healthy, is half that of talent hubs such as Austin, Texas, and Raleigh, N.C. But those cities added many more jobs than Portland. From the first quarter of 2001 to the first quarter of 2009, Austin created 79,000 jobs (11.8 percent growth) and Raleigh 55,000 (12.8 percent), while Portland created just 10,000 (1.1 percent).

Anemic job growth



Source: U.S. Bureau of Labor Statistics, Quarterly Census of Employment and Wages
STEVIE COOPER, THE OREGONIAN

[View full size](#)

Lack of dynamic conflict

Portland's performance isn't bad, but given all of its advantages and low degree of difficulty, it should be a lot better.

Why is this? Perhaps Portland is actually a bit too livable. As urban scholar Joel Kotkin put it, "Portland is to today's generation what San Francisco was to mine: a hip, not too expensive place for young slackers to go."

Ranking of the top 100

| City | Population | Unemployment Rate | Population Growth Rate |
|-------------------|------------|-------------------|------------------------|
| 1. New York City | 18,800,000 | 4.1% | 0.1% |
| 2. Los Angeles | 10,000,000 | 4.5% | 0.2% |
| 3. Chicago | 9,400,000 | 4.6% | 0.1% |
| 4. Houston | 6,100,000 | 5.1% | 0.3% |
| 5. Phoenix | 4,500,000 | 5.2% | 0.4% |
| 6. San Antonio | 2,000,000 | 5.3% | 0.5% |
| 7. San Diego | 3,400,000 | 5.4% | 0.2% |
| 8. Dallas | 2,800,000 | 5.5% | 0.3% |
| 9. San Jose | 1,000,000 | 5.6% | 0.1% |
| 10. San Francisco | 800,000 | 5.7% | 0.1% |

[View full size](#)

People move to New York City to test their mettle in America's ultimate arena. They move to Silicon Valley to strike it rich in high tech. But they move to Portland for values and lifestyle; for personal more than professional reasons; to consume as much as to produce. People move to Portland to move to Portland.

Portland may also lack the diversity needed to be a truly dynamic city. It is one of America's least racially diverse cities and lacks a single non-white city or county elected official. Portland may also have excessive civic consensus. People I interviewed who left Portland were uniform in their praise. They also noted with approval the lack of negativity about the city in contrast with other places they had lived, and the high degree of shared values among its residents.

But civic dynamism fundamentally derives from conflict and dissatisfaction. London architect Sam Jacob once said, "Cities are not about the perfect vision; they are not about a singular idea. They are about a collision of all kinds of incompatible demands." Portland perhaps has too few conflicts of vision, with too few incompatible demands.

Why change?

For the future then, where does Portland want to go? Continue to innovate and remain the driver of what it means to be a successful small city in America? Maintain and enjoy the sustainable, high quality of life the region has built (for those fortunate enough to find a job there, at least)? Seek to become a center of greater commercial ambition?

To create a truly dynamic city and realize its potential as one of America's top small city talent hubs, Portland needs to embrace a more aggressive mind-set toward job creation and look to attract a more diverse resident base.

One might ask: Because Portlanders are happy with their city, why change? There are values in life beyond commercial ones and the pursuit of growth. True, but that's a choice with consequences. As the people who've had to leave Portland because they couldn't find real employment there can attest, in order to take advantage of its justly famous high quality, sustainable lifestyle, you first need a job. It's not livable if you can't live there.

Aaron M. Renn is an independent strategy consultant and writer on urban affairs based in the Midwest. His writings appear online at urbanophile.com and elsewhere. Contact him at arenn@urbanophile.com.



METRO

Comment Form

Date 01/20/10

No. 54

(Please print)

Name (required) Michelle Hascall

Affiliation (if any) SAREhelvetia.org

Address (required) 10219 NW Helvetia Rd

E-mail (optional) abgarden@MSN.COM

Include my e-mail in your notification list.

Comment topic(s) Reserves

Comment (use back or attach additional sheets if necessary)

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

Hello, My name is Michelle Hascall

I am a local grower. My farming is focused on producing food and plants in a sustainable manner. I sell fresh harvested food and plants to retail markets, restaurants, and mostly direct to my community neighbors.

I am a resident of Washington County, and have lived in Helvetia, north of Hillsboro, for 32 years. I am an Oregonian, born in Portland. However, during my childhood I grew up in Southern California, ~~in~~ Orange County, ~~during~~ the 1960's.

This month I visited Orange County and south to San Diego, Nice place to visit, but I wouldn't want to live there. Too many people and too much urban sprawl.

So, what are we Oregonians trying to create now and for our future? I vote for a sustainable future built on locally produced essentials such as organically grown food. We should all cherish our incredibly rich soil and know that without it, we must rely on importing more and more of our food.

It doesn't make sense to disregard our farmland in favor of urban sprawl. I support the ability of the metro area's land to feed its population, providing the healthiest and freshest food available, with the least carbon footprint.

Michelle Hascall
Testimony

Pg 2.

So, let's contemplate the importance of a 'sustainable' future, and not squander the most important asset Western Oregon has; our favorable climate combined with some of the richest soil in the world.

People and land and quality of life are important to Oregonians. We would rather have clean air and water, fresh healthy food, and rural landscapes withing reach of urban areas, rather than more industrial zones and housing developments sprawling onto prime farmland and wildlife corridors

Respectfully,

Michelle Hascall



METRO

Date 01/20/10

No. 3250

Comment Form

(Please print)

Name (required)

NORM ROSE

Affiliation (if any)

OAK HILLS HOME OWNERS ASSN

Address (required)

3075 NW 144TH AVE BEAVERTON OR 97006

E-mail (optional)

NORMAN.ROSE@VERIZON.NET

Include my e-mail in your notification list.

Comment topic(s)

Reserves

Comment (use back or attach additional sheets if necessary)

Series of horizontal lines for writing the comment.

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.



Date: January 18, 2010

To: Metro Regional Government / Metro Council,
County Commissioners of Washington County, Clackamas County, and Multnomah County

From: Oak Hills Homeowners Association Board of Directors
Representing all resident of the Oak Hills community

RE: Public Comment period for upcoming changes to the Urban and Rural Reserves.

Statement of Support of Designating Area 9 as Rural Reserves

Oak Hills is a planned community in Washington County, north of Beaverton, consisting of 650 homes. In 1964, our neighborhood was viewed as "out in the county" by those making the drive from Portland to our brand new development. Oak Hills is north to Highway 26, and south of Claremont and the Bethany area. West Union Road is to the north of our community and NW 143 and NW Bethany are our boundaries to the east and west. Oak Hills is a unique community, with a tradition of strong neighborhood identity. Our Homeowners Association maintains 25 acres of park land and community owned facilities.

We have watched and participated as the area surrounding our neighborhood had been developed. We participated in the planning and development of the largest development in the area, the Bethany Town Center, to the north of us. We have seen traffic and congestion snarl our local streets. Local roads have been unable to handle the growth for many years. We know that is only going to get worse.

We also know and agree that Multnomah County has no plans to add additional roads through Forest Park, leading to Portland. The majority of the traffic created will impact the rural Washington County roads. There is no alternative to the additional negative impact this will have.

We also see the destruction of some of the neighboring natural resources as development converts the existing farmland to residential homes. We have seen an increase of predatory animals being forced into our neighborhood due to destruction of habitat. We are concerned that natural migration areas will be destroyed if the current areas marked for inclusion and annexation are in fact added as Urban Reserves or added to the Urban Growth Boundary.

We plead with you that the line be drawn on the current proposals and limit the projected growth in Area 9. We support the proposal that all of Area 9 be designated as Rural Reserve. Please help protect the communities surrounding Cedar Mills, Oak Hills and Bethany.

Sincerely,

Linda Kitchen, President, 2009- 2010
Oak Hills Homeowners Association



METRO

Date 01/20/10

No. 70

Comment Form

(Please print)

Name (required) Paul Whitney

Affiliation (if any) Tualatin River keepers

Address (required) 12035 SW Bull Mt Rd

E-mail (optional) purpja@verizon.net

Include my e-mail in your notification list.

Comment topic(s) Reserves

Comment (use back or attach additional sheets if necessary)

See attached

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

Paul Whitney Ph.D.
12035 S.W. Bull Mtn. Rd.
Urban Reserves testimony
January 21, 2010

I am Paul Whitney, an ecologist with over 30 years of consulting experience in Oregon. Consulting clients include the largest developers in Oregon as well as local, state and federal environmental agencies. I have also been a board member for the Tualatin Riverkeepers for 9 years and continue to provide technical support to the Riverkeepers. This experience with developers, environmental agencies and environmental groups leads me to believe that developers and environmental agencies have similar interests in the process of defining urban reserves. Both developers and environmental agencies would benefit from a selection of urban reserves with the least environmental resources. If environmental issues are not adequately addressed in the urban reserve selection process, developers could end up with a set of urban reserves that have the highest environmental resources. This would translate into the potential for high costs and delays to address the Clean Water Act, the Endangered Species Act, and the Bald and Golden Eagle Protection Act. A much better result for both developers and environmental agencies would be a set of urban reserves with the least environmental resources and the most land suitable for cost-effective development.

The current language in the urban reserve selection process is not adequate to identify a set of urban reserves with the lowest value environmental resources. A statement that Title 13 regulations will adequately protect environmental resources at some point in the future is not adequate to assure that high value environmental resources will be avoided or minimized in the urban reserve selection process. For example:

1. Title 13 does not currently protect upland wildlife habitat resources identified in territory that may be added to the Metro urban growth boundary after December 28, 2005. Such protection will require a future comprehensive plan amendment process to comply with provisions in the Regional Goal 5 process (Title 13. 3.07.1310 B. 5. f) or an alternative process yet to be defined.
2. Title 13 does not protect steelhead (a threatened species) critical habitat as delineated by the 4d rule – essentially all current and historic river channels within the 100-year floodplain.
3. Title 13 does not protect bald eagle nesting and foraging areas as required by the Bald and Golden Eagle Protection Act.
4. Title 13 does not protect the Tualatin National Wildlife Refuge.
5. Title 13 does not protect all steep slopes that would be costly to develop and potentially a source of mass wasting and poor water quality.

Metro environmental baseline data and computer tools are more than adequate to help select a set of urban reserves with the least amount of environmental resources. In an effort to illustrate a possible process for protecting high-value environmental resources,

the Riverkeepers obtained the following electronic maps from the Metro geographic information system library:

1. 100-year Floodplain
2. Metro NIN surveyed lands
3. National Wildlife Refuge Boundary
4. Greater than 25% steep slopes
5. December 18, 2009 proposed Urban Reserves

A map of each high value resource was overlaid (electronically) on 10 of the larger proposed urban reserves in the Tualatin Basin. Computer GIS software was used to determine the area of overlap for each of these high-value resources within each of the 10 selected proposed urban reserves. The results of this exercise are summarized in the attached spreadsheet. The far right-hand column of the spreadsheet is a summary of all the acres of high-value environmental resources for each of the proposed urban reserves. Proposed Urban Reserve ___ (North of Cornelius) has the most acres (1130) of the 4 high value resources and Proposed Urban Reserve ___ (West of Tigard) has the least acres (301) of high value resources. Such an analysis indicates that Proposed Urban Reserves ___ (West of Sherwood), and ___ (South of Tualatin) would have the least acreage (360 and 443 acres respectively) impact on the 4 high value environmental resources selected for this analysis.

The advantages of such a process for both developers and the environmental are many and include:

1. Protecting environmental resources is addressed in a clear and up front process.
2. Maximizing the area of land that is developable (i.e., least environmental hassle).
3. Maximizing the protection of high value resources.
4. Takes a landscape or watershed approach rather than a focus on special interest areas.

I encourage the CORE 4 (the Riverkeepers concur) to ask Metro GIS specialists to either continue with the above analysis for the urban reserves selection process or to develop a similar methodology that explicitly and clearly outlines how high-value environmental resources will be protected before the urban reserves are selected.

| | URBAN RESERVES STUDY AREA | ACREAGE OF ENTIRE STUDY AREA | FLOODPLAIN | ACQUISITION BOUNDARY 2004 |
|----|------------------------------|------------------------------------|---------------|------------------------------|
| 1 | S of North Plains | 2650.92 | 145.84 | 0.00 |
| 2 | S of Hillsboro | 1999.69 | 91.82 | 0.00 |
| 3 | S of Lake Oswego | 1296.52 | 48.61 | 0.00 |
| 4 | N of Cornelius | 1293.41 | 461.28 | 0.00 |
| 5 | SW of Beaverton E | 1051.31 | 0.00 | 0.00 |
| 6 | W of Sherwood | 921.46 | 17.07 | 0.00 |
| 7 | S of Tualatin | 844.67 | 0.00 | 0.00 |
| 8 | SW of Beaverton W | 724.92 | 0.00 | 0.00 |
| 9 | E of Sherwood | 567.54 | 56.30 | 138.14 |
| 10 | W of Tigard | 533.44 | 4.18 | 3.46 |
| | Total of Study Areas | 11883.89 | 825.10 | 141.60 |

| | NIN INVENTORY REGION | SLOPE 25% | TOTAL ACREAGE (E through H) |
|--|-------------------------|---------------|-----------------------------------|
| | 445.51 | 9.31 | 600.66 |
| | 618.08 | 17.02 | 726.92 |
| | 585.13 | 101.97 | 735.71 |
| | 617.16 | 51.80 | 1130.24 |
| | 684.45 | 59.80 | 744.25 |
| | 279.15 | 63.42 | 359.64 |
| | 393.44 | 50.19 | 443.63 |
| | 623.29 | 34.18 | 657.47 |
| | 405.16 | 134.78 | 734.38 |
| | 260.69 | 32.81 | 301.14 |
| | 4912.06 | 555.28 | 6434.04 TOTALS |



Date 1/20/10
No. 4338

Comment Form

(Please print)

Name (required)

Sandra Barker

Affiliation (if any)

Barker property located west multnomah

Address (required)

13493 NW Countryview way

E-mail (optional)

Include my e-mail in your notification list.

Comment topic(s)

Reserves

Comment (use back or attach additional sheets if necessary)

Multnomah Co.
we consider area in the southwest corner
of 9D as undesignated - or even
urban reserve -

Barker property:

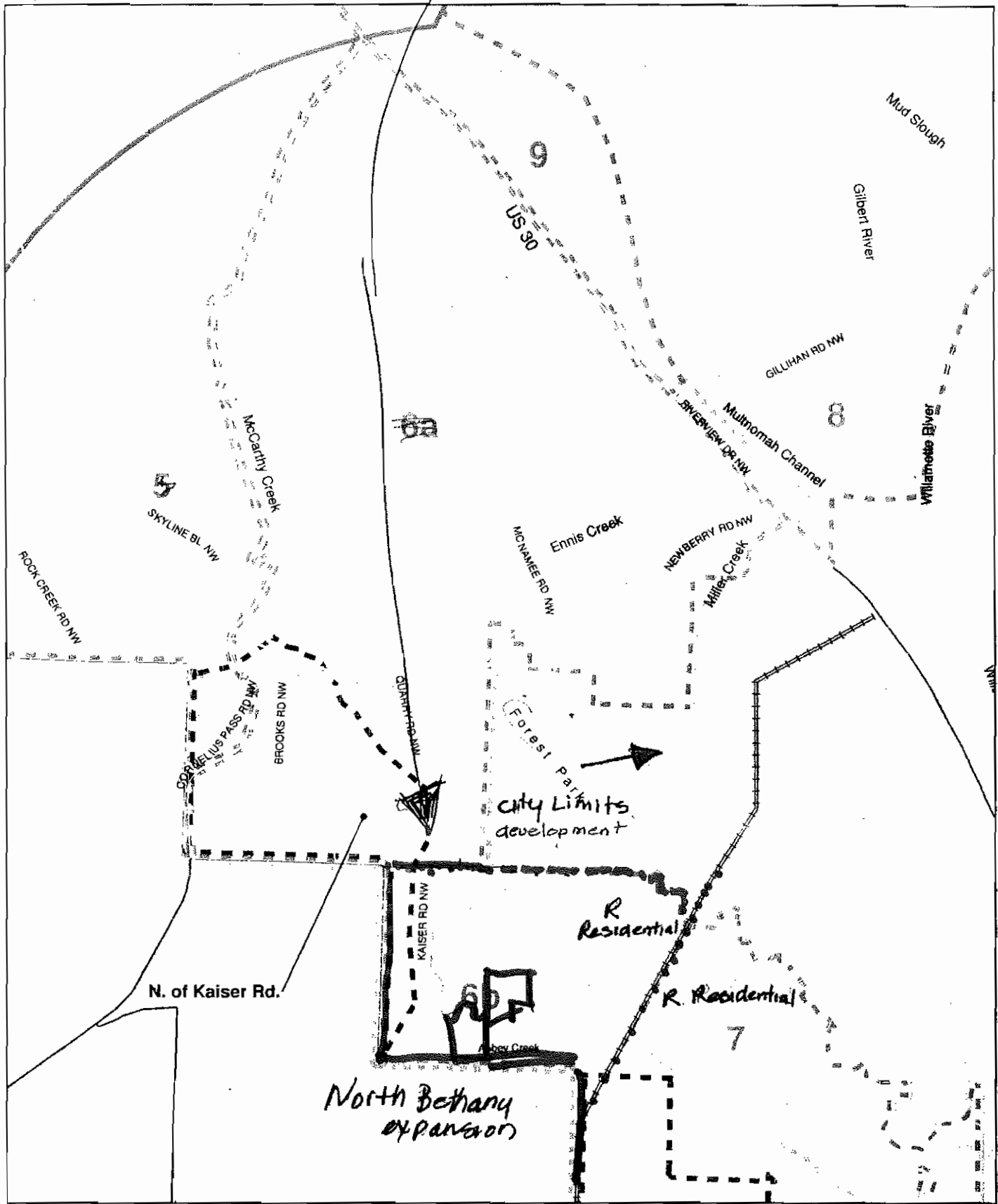
62 acres

- R 237939
- R 323980
- R 237940

Please see attached - and please
submit into public record. Thanks

You have three minutes to testify. Attach supporting material to this form. Make sure your name is on all material. If you choose not to testify, you may comment by leaving this form with staff.

suggested reconsideration



Multnomah County Candidate Area Maps:
 Potential Urban and Rural Reserves Areas
 Area 6 - NW Hills South

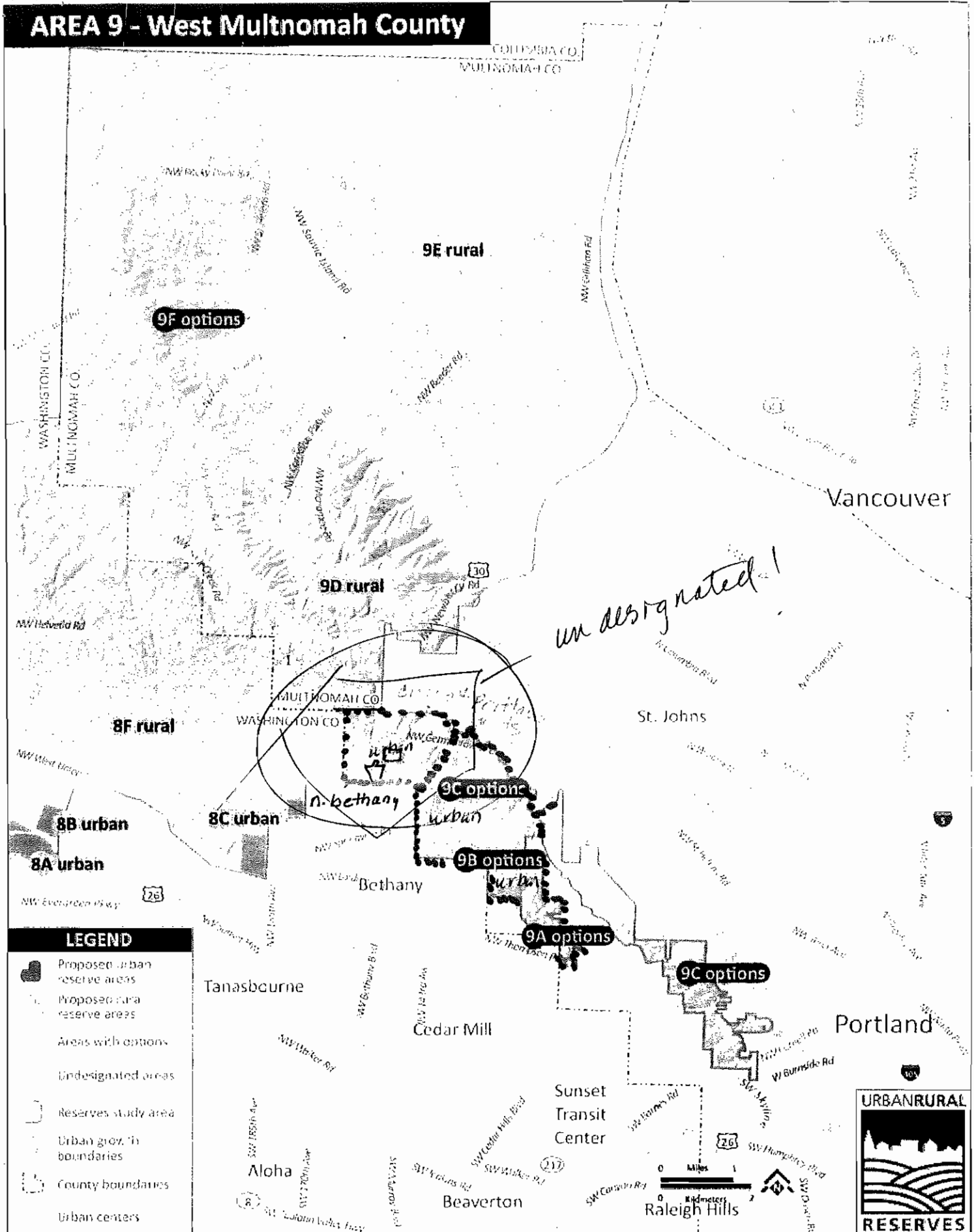
0 0.5 1 Miles

Draft (Rev. 08/03/09)

- Streams/Water Bodies
- UGB 3-mi Buffer
- Urban Candidate Area
- Rural Candidate Area
- Study Area Boundary
- Tax Lots
- 50 ft Contours
- Public Lands



AREA 9 - West Multnomah County



Metro Land Use Meeting

January 20; Wednesday.

Commissioners

Thank you for hearing my testimony.

I am Sandy Baker...maiden name is Barker. Along with my 4 siblings we are 4th generation owners of 62 acres that sits just inside west Multnomah county, abutting Washington County and the current UGB.

The maps I have presented identifies my property and the suggested area.

I am advocating this area, the most southern area in 9D, be reconsidered as Urban Reserve or the very least undesignated.

The reasons are tied to the very FACTORS of SB 1011.

- PROXIMITY... abuts the current UGB. This is not just available land for the future, but a very committed plan designed for up to 15,000 people.
- Obvious Future infrastructure (the north Bethany expansion).
-
- Buildable
- Connectivity
- It's walkable.. with 2 future schools close to us.
- Can be designed to preserve and enhance natural ecological systems:
- Potential park access...we have 2 creeks on the lower parcel which would provide a valuable parkway and wildlife protection in this area, if urban.
- Transportation issues: Traffic on Kaiser and Germantown roads ...are already an issue

- This area is NOT foundation land.
- This area does not have irrigation rights. Which means we cannot sustain fair farming practices as in Washington co abutting us. We cannot participate in the CSA program. There is also the threat of an aquifer problem in this very area. Residents to the east have made this very clear.
- There is a large development above us along Skyline, future North Bethany south and rural residential to the east.
- There is the devaluation of property.

With this foresight of tremendous growth (north Bethany) bordering this area, you can logically plan a head to avoid problems and utilize the potential parkways, protection of streams and wildlife corridors.

Towards the end of the Mult CAC process there was a change in factor interpretations... we were subjected to the safe harbor factor in 0060 (4) which qualifies using the ODA map as rural reserve without justification. This is wrong. And does not need to be used.

This OGA line dividing important and conflicted land is an arbitrary line. How can half of this residential area be considered important and the other conflicted.

For the most part during this process, this finger of land was considered urban reserve.

Finally, I attended the Multnomah Co CAC meetings beginning in Oct 2008. It was my observation that the process was dominated by a particular CAC member with a hidden agenda that appeared to be, NO URBAN RESERVES in this part of Multnomah co (Westside)... this individual lives just east of my property on a small parcel less than 2 and a half acres on Germantown road. And, along with others, has been campaigning for many years in preparation to lock this area out from any urban consideration.

In response to a public record request, we received email communication which indicates a biased agenda that stained the process. The majority of material presented during this process, especially by this individual, dominated, manipulated, and was prejudice. This contradicts the proposed SB 1011.

This binder is the communication supporting my observations. This was a flawed process.

I am not a developer, I do not have a developer. I am a property owner who wants a fair and logical designation.

Thank you.

Sandy Baker

Personal note: we were born and raised on this property but were denied the right to build and raise our families due to the continued land use regulations. It has been in the family for 105 and used as pasture land only...our parents owned a bakery to support the family. We were a measure 37 and now a measure 49.

of 9D

395
acres

Property
owned

wanting
urban

one
one owner

1047

1047

total

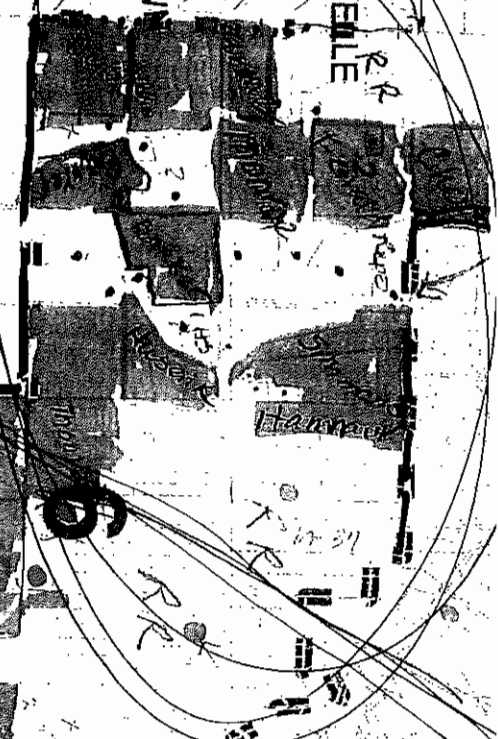
1047

incomplete

summary

Beaumont
Beaumont

ANTON
TOELLE



North
Bethany

Washington Co

128TH

124TH

SPRINGWILL

TUALATIN

SKYLINE

FIRELANE 7

LAIDLAK

MCDANIEL

401ST

SALTZMAN

FIRELA

SKYLINE

wanting
urban reserve

DOTS
E P W P
B...

partial map
area

13
A

Mark P. O'Donnell
Kelly W. G. Clark
Stephen F. Crew
Matthew D. Lowe*
**also licensed to practice in Washington*
Kristian S. Roggendorf
Peter B. Janci
Gilion C. Dumas, of Counsel*
**also licensed to practice in California and Washington*



Fremont Place II, Suite 302
1650 NW Naito Parkway
Portland, OR 97209-2534
Ph: 503.306.0224
Fax: 503.306.0257

www.oandc.com
info@oandc.com

December 16, 2009

Via facsimile, electronic mail and US Mail

Commissioner Tom Brian, Chair
Washington County Board of Commissioners
155 N. First Avenue, Suite 300
Hillsboro, OR 97124-3072

Kathryn Harrington
Metro Councilor
600 NE Grand
Portland, OR 97232-2736

Charlotte Lehan
Clackamas County Board of Commissioners
2051 Kaen Road, 4th Floor
Oregon City, OR 97045

Jeff Cogen
Multnomah County Board of
Commissioners
501 SE Hawthorne Blvd.
Portland, OR 97214

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

We represent the Barker family with regards to their real property located within the southern portion of Map Area 6b of the Multnomah County Candidate Area Maps: Potential Urban and Rural Reserve Areas (the "Property") and which is currently being considered for designation as either "Urban Reserve" or "Rural Reserve." See attached map. This letter sets forth our clients' concerns as to the propriety of the Multnomah County Citizen Advisory Committee's ("MCAC") recommendation that the Property be designated as Rural Reserve and explains why the Property is best suited to be designated as Urban Reserve, or to be left with no designation at all. We urge you to consider the issues raised in this letter prior to making your determination.

1. **The Property clearly meets the applicable factors for designation as Urban Reserve set forth in OAR 660-027-0050**

In recommending that the Property be designated as Rural Reserve, the MCAC engaged in an outcome determinative process with the largely unconcealed goal of designating the Property as Rural Reserve. Contrary to this conclusion, the Property is perfectly suited to be designated as Urban Reserve. This determination is supported not only by the Property's characteristics, but also by a casual review of applicable maps which reveal that the entirety of the Property, except for a small area separating the northern portion of Map Area 6b from the southern portion is surrounded either by the edge of the Urban Growth Boundary (specifically the North Bethany expansion to the south), or areas that are currently developed as rural residential or recommended to be Urban Reserve. Given its location, there is no logical reason why the Property should be designated as Rural Reserve. Moreover, as discussed below, the Property clearly meets the

December 16, 2009

Page 2

applicable factors for designation as Urban Reserve set forth in OAR 660-027-0050 which requires that Metro "shall base its decision" on the designation of applicable property on consideration of these factors.

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

YES - The North Bethany expansion is located immediately to the south of the Property, which expansion will include substantial infrastructure development, new schools, etc. The Property is fully accessible on several sides as it is unencumbered by power lines, existing structures, and roadways. Additionally, the Property has excellent park access at both its upper and lower portions, and its slopes are suitable for development ranging from 3% to 20%, with a mid-range of 10% to 12% slope.

- (2) Does the Property have sufficient development capacity to support a healthy economy?

YES - The answer to (1), above, and several of the answers below support this conclusion. Specifically, the vast majority of the Property has more than sufficient capacity for development and will complement and support the North Bethany expansion.

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

YES - The Property abuts the Urban Growth Boundary, including the North Bethany expansion, which will include urban-level facilities and services, as well as at least two public schools which will be built within walking distance from much of the Property.

- (4) Can the Property be designed to be walkable and served with a well-connected systems of streets, bikeways, recreation trails, and public transit by appropriate services providers?

YES - Again, the property abuts the North Bethany expansion. Also, it is walkable and will be served both internally (upon development) and externally, via the surrounding neighborhoods, with a well-connected systems of streets,

December 16, 2009

Page 3

bikeways, recreation trails and public transit.

- (5) Can the Property be designed to preserve and enhance natural ecological systems?

YES - There are two creeks on the lower portion of the Property owned by our clients which is not only buildable, but would be a tremendous parkway to serve all of the surrounding neighborhoods.

- (6) Does the Property include sufficient land suitable for a range of needed housing types?

YES - As noted above, nearly the entire Property is suitable for development and the Property's characteristics are such that it is perfectly suitable for any needed housing type.

- (7) Can the Property be developed in a way that preserves important natural landscape features included in urban reserves?

YES - The Property can easily be developed in a way to preserve natural landscape features included in Urban Reserve. It should be noted that the Property is actually better suited for development in this manner than the North Bethany expansion given its characteristics.

- (8) Can the Property be designed to avoid or minimize the adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves?

YES - As noted above, the Property is almost entirely surrounded by development and property that will be designated as Urban Reserve. There is no foundation agricultural property abutting, or even nearby, the Property. The Property easily meets this factor.

The answers to each of the questions above, which clearly support an Urban Reserve designation for the Property, have been documented in the public record and presented to the MCAC, which has simply ignored this information. The following section of this letter addresses each of the Rural Reserve factors and shows, equally clearly, that the Property is simply not suited to be designated as Rural Reserve.

December 16, 2009

Page 4

2. **The Property clearly does not meet the applicable factors for designation as Rural Reserve set forth in OAR 660-027-0060**

The factors to be considered for designation of property as Rural Reserve are set forth in OAR 660-027-0060(2) and (3). Inasmuch as the Property plainly is not suitable to "provide long-term protection to the agricultural industry or forest industry" due to its location abutting existing residential development and future large-scale development, the following will address only the factors set forth in OAR 660-027-0060(3)(b) - (h) pertaining to land intended to "protect important natural landscape features."

- (b) Is the Property subject to natural disasters or hazards such as floodplains, steep slopes, and areas subject to landslides?

NO - The Property is not subject to natural disasters or hazards (certainly not more than surrounding areas), has no steep slopes and is not subject to landslides. While there is a small floodplain toward the lower portion of the Property, this area is well-suited to serve as a parkway or other undeveloped recreational area in support of surrounding development, including the North Bethany expansion. Moreover, it should be noted that the steepest slope in the area is actually located inside the North Bethany expansion to the south of the Property.

- (c) Is the Property important fish, plant or wildlife habitat?

NO - While we are hesitant to consider any property as not being important to fish, plant or wildlife habitat, it simply must be noted that this Property is no different in this respect than the surrounding properties that have been allowed to be developed for residential purposes and that will be developed under the North Bethany expansion. To answer this question in the affirmative is not only unfair, but is completely self-serving to those owners of surrounding properties who have been allowed to develop their own property and want to deny the same right to neighboring property owners such as the owners of the Property.

- (d) Is the Property necessary to protect water quality or water quantity, such as streams, wetlands and riparian area?

NO - First, this Property is no different than surrounding properties upon which small creeks flow, including property inside the UGB. Moreover, Sec overlays have been removed from the Property allowing for additional areas to be developed within the Property. In short, the Property is not necessary to protect

December 16, 2009

Page 5

water quality or quantity.

- (e) Does the Property provide a sense of place for the region, such as buttes, bluffs, islands and extensive wetlands?

NO - As noted throughout this letter, the Property is virtually indistinguishable from surrounding property that is within the Urban Growth Boundary, is residentially developed, and that will be designated as Urban Reserve. More specifically, the Property contains no buttes, bluffs, islands or extensive wetlands. In fact, the nearest "butte" is located inside the Urban Growth Boundary in the North Bethany expansion to the south.

- (f) Can the Property serve as a boundary or buffer, such as rivers, cliffs and floodplains, to reduce conflicts between urban uses and rural uses, or conflicts between urban uses and natural resource uses?

NO - As noted above, the nearest butte is located to the south of the Property inside the North Bethany expansion, and nothing located on the Property is suitable to serve as a natural boundary or buffer. In fact, a designation as Rural Reserve will be a completely arbitrary buffer and will in no way serve to reduce conflicts between urban and rural uses given that the Property is almost entirely surrounded by currently developed property, the North Bethany expansion, and property to be designated as Urban Reserve.

- (g) Does the Property provide for separation between cities?

NO.

- (h) Does the Property provide easy access to recreational opportunities in rural areas, such as rural trails and parks.

NO. In fact, the exact opposite is true. The Property provides easy access to recreational opportunities in urban areas, such as Forest Park and the North Bethany expansion. Arguments to the contrary simply ignore the geographic reality of the area.

As is evident from review of these factors, the Property is simply not suitable to be designated as Rural Reserve. Again, each of these answers can be, and was, fully documented and is in the public record having been presented to the MCAC.

December 16, 2009

Page 6

3. **The MCAC recommendation to designate the Property as Rural Reserve serves the personal interests of MCAC members and is not supported by the evidence in the record.**

The MCAC recommendation to designate the Property as Rural Reserve must not be accepted. As noted above, the Property meets each and every factor that must be considered by Metro to designate the Property as Urban Reserve, and does not meet any factor to be considered by Metro to designate the Property as Rural Reserve. A review of the actual recommendation for the Property by the MCAC, quoted below for your ease of reference, supports these conclusions:

West Hills South -- Map Areas 6a and 6b: Designate this area as rural reserve. The area north of Skyline (6a) is important agricultural (forest) land, continues the landscape feature/wildlife corridor from area 5 into Forest Park, and ranks high on the sense of place factor. The area from Skyline Blvd. south to Germantown Rd., is also important agricultural land, and includes landscape features that form urban - rural edges along the south, east, and northwest borders of this area. These are the Abbey Creek drainage, the Powerlines right-of-way, and the Rock Creek drainage. While this area contains approximately 800 acres of land with moderately low suitability for urban use, the area also qualifies for rural reserve designation as important agricultural land within 3 miles of the UGB. The urban deficiencies in this area are important - lack of governance, transportation system costs, etc., indicating that rural reserve is the better designation.

This recommendation is rife with unsupported and subjective conclusory statements. For example, the recommendation states that the Property is of "moderately low suitability for urban use." As noted above this is simply false, particularly in light of the irrefutable fact that the Property is surrounded nearly entirely by developed property, the Urban Growth Boundary, and property that will be designated as Urban Reserve.

Another example is the statement that the "area qualifies for rural reserve designation as important agricultural land..." Again, as the recommendation relates to the Property, this statement is false. The property immediately adjacent to the Property is not agricultural property.¹ Finally, to state that the Property has "urban deficiencies" ignores the location of the Property next to the North Bethany expansion which will bring substantial improvements to the

¹In fact, the property immediately to the west of the Property is recommended to remain un-designated, which recommendation was made by the MCAC and staff in direct opposition to a directive by Nora Curtis, of Washington County Clean Water Services, who indicated that the map upon which the recommendation relied was not to be used for such purposes.

December 16, 2009

Page 7

infrastructure, as well as the residential development to the east of the Property.

While we can only speculate as to the specific reasons why the MCAC ignored the volumes of information presented to them, our review of public records produced by the MCAC reveals an outcome driven process led and manipulated by the Chair of the MCAC who owns property immediately to the east of the Property. Simply stated, designating the Property as Rural Reserve will provide the Chair, and her neighbors, with their own personal buffer between the North Bethany expansion and other property to be designated as Urban Reserve, despite the clear evidence contradicting a Rural Reserve designation. The manipulation of this process directly contradicts the direction to, and agreement by, MCAC members to "participate in a way that reflects a broad and balanced range of community interests rather than individual views."

As you prepare to make your recommendation as to which property to designate as Urban Reserve and Rural Reserve, we respectfully request that you consider the contents of this letter as it relates to designation of the Property, and also consider the devastating impact that a Rural Reserve designation will have on all property owners who own such property. As noted above, even a casual glance at the map shows very clearly that the Property is not in any way suited to be designated as Rural Reserve.

In the event that the Property is ultimately designated as Rural Reserve, and in light of the skewed process undertaken by the MCAC and public records reviewed relating to that process, our clients are prepared to consider all legal options and remedies available to them under state and federal law.

Sincerely,



Matthew D. Lowe

/mdl

Enclosure

cc: Metro Council (*via electronic transmission*)
Clients (*via electronic transmission*)