

Part I
Reasons for Designating Areas in Multnomah County as
Urban Reserves or Rural Reserves

I. Introduction

Reserves designations proposed for Multnomah County were developed through analysis of the urban and rural reserves factors by the County's Citizen Advisory Committee (CAC), consideration of the analysis in briefings and hearings before the Multnomah County Planning Commission and Board of County Commissioners, discussion in regional forums including the Reserves Steering Committee, Core 4, and public and government input derived through the county Public Involvement Plan for Urban and Rural Reserves and the regional Coordinated Public Involvement Plan. MC Rec. 3865-3869.

The Multnomah County Board appointed a CAC to consider technical analysis of the statutory and administrative rule factors, to make recommendations to County decision makers, and to involve Multnomah County citizens and stakeholders in development of the proposed County reserves plan. The make-up of the 15 member committee was structured to include a balance of citizens with both rural and urban values. The rural members were nominated by County recognized neighborhood organizations from the four affected rural plan areas to the extent possible. The CAC developed a suitability assessment and reserves recommendations in sixteen meetings between May, 2008, and August, 2009.

The approach to developing the proposed reserves plan began with analysis of the study area by the CAC. The county study area was divided into areas corresponding to the four affected county Rural Area Plans, and further segmented using the Oregon Department of Agriculture (ODA) mapping and CAC discussion for a total of nine county subareas. MC Rec. 638-644 . The phases of the CAC work included 1) setting the study area boundary; 2) identification of candidate urban and rural reserve areas; and 3) suitability recommendations based on how the subareas met the urban factors in OAR 660-027-0050 and the rural factors in -0060. The results of the suitability assessment are included in the report provided to the Planning Commission and Board of County Commissioners in August and September of 2009. MC Rec. 2932-3031.

The Multnomah County Planning Commission considered the CAC results and public testimony in a public hearing in August, 2009, and the Board of County Commissioners conducted a public hearing to forward recommendations to Core 4 for regional consideration in September, 2009. Additional Board hearings, public outreach, and regional discussion resulted in the Intergovernmental Agreement (IGA) between Multnomah County and Metro approved February 25, 2010. The IGA is a preliminary reserves decision that is the prerequisite to this proposed plan amendment as provided in the administrative rule. MC Rec. 9658-9663.

II. CAC Analysis, Candidate Areas and Suitability Rankings

The initial phase of analysis by the CAC considered the location of the regional study area boundary in Multnomah County. This, together with an overview of the various studies and the

factors was the content of CAC meetings 1 through 3. MC Rec. 4525-4530. The first major phase of the analysis, identifying Candidate areas for urban and rural reserve focused on the first rural factor, the potential for urbanization to narrow the amount of land for further study as rural reserve. This occurred in CAC meetings 3 through 9, and resulted in agreement that all of the study area in Multnomah County should continue to be studied for rural reserve. Data sources studied included the Oregon Departments of Agriculture and Forestry (ODA) and (ODF) studies, Landscape Features study, aerial photos, existing land use, and information from committee members, and the public. MC Rec. 4530-4542.

The urban candidate areas assessment focused on urban factors (OAR 660-027-0050(1) and (3)) to consider the relative efficiency of providing key urban services. This work relied on the technical memos and maps provided by the regional water, sewer, and transportation work groups comprised of technical staff from each of the participating jurisdictions. This information resulted in rankings on the efficiency of providing services to the study area. The CAC also considered information related to urban suitability including the Great Communities study, a report on industrial lands constraints, infrastructure rating criteria, and physical constraint (floodplain, slope, and distance from UGB) maps in their analysis. In addition, input from Multnomah County “edge” cities and other local governments, and testimony by property owners informed the assessment and recommendations. Rankings were low, medium, or high for suitability based on efficiency. Throughout this process effort was made to provide both urban and rural information at meetings to help balance the work. MC Rec. 4525-4542.

The suitability recommendations phase studied information relevant to ranking each of the urban and rural factors for all study areas of the county and took place in CAC meetings 10 through 16. MC Rec. 4543-4556. The approach entailed application of all of the urban and rural factors and suitability rankings of high, medium, or low for their suitability as urban or rural reserve based on those factors. Technical information included data from the prior phases and hazard and buildable lands maps, Metro 2040 design type maps, extent of the use of exception lands for farming, zoning and partitioning. During this period, the CAC continued to receive information from citizen participants at meetings, from local governments, and from CAC members. MC Rec. 890, 1055, 1159a, 1375, 1581, 1668, 1728. The group was further informed of information present in the Reserves Steering Committee forum, and of regional public outreach results. MC Rec. 4543-4546; 4551-4552. The product of the CAC suitability assessment is a report dated August 26, 2009, that contains rankings and rationale for urban and rural reserve for each area. MC Rec. 2932-3031.

III. Urban Reserves in Multnomah County

Urban Reserve 1C: East of Gresham

General Description:

This 855-acre area lies east of and adjacent to the Springwater employment area that was added to the UGB in 2002 as a Regionally Significant Industrial Area (RSIA). MC Rec. 2983; 2985; 3226-3227. It is bounded by Lusted Rd on the north, SE 302nd Ave. and Bluff Rd. on the east, and properties on the north side of Johnson Creek along the south edge. The entire area is identified as Foundation Agricultural Land.

However, the urban reserve area contains three public schools within the Gresham Barlow School District that were built prior to adoption of the statewide planning goals. It also includes the unincorporated rural community of Orient. The area is the most suitable area proximate to Troutdale and Gresham to accommodate additional growth of the Springwater employment area and is the only area adjacent to the UGB on the northeast side of the region with characteristics that make it attractive for industrial use.

How Urban Reserve IC Fares Under the Factors:

The urban factors suitability analysis produced by the CAC and staff ranked this area as medium on most factors. The analysis notes that there are few topographic constraints for urban uses, including employment, that the existing rural road grid integrates with Gresham, and that it is near employment land within Springwater that has planned access to US Highway 26. Concern about minimizing adverse effects to farming was noted, although this factor was ranked medium also.

The rural reserve suitability assessment generally considers the larger Foundation Agricultural Land area between Gresham/Troutdale and the Sandy River Canyon as a whole. The analysis notes the existence of scattered groups of small parcels zoned as exception land in the southwest part of the area, including the Orient rural community. The lack of effective topographic buffering along the Gresham UGB, and the groups of small parcels in the rural community contributed to a “medium” ranking on the land use pattern/buffering factor (2)(d)(B). The CAC found the area as highly suitable for rural reserve, and indicated that the north half of the area was most suitable for urban reserve if needed.

Why This Area was Designated Urban Reserve:

This area was ranked as the most suitable for urbanization in Multnomah County in the suitability assessment. Gresham indicated its ability and desire to provide services to this area primarily for employment. The area is also suitable for continued agricultural use. However, as noted above, the presence of the Orient community, areas of small parcels, and lack of topography that buffers the area from adjacent urban development make this the most appropriate area for urbanization.

Additional support for urban/industrial designation in this general area was received from several sources including Metro in the Chief Operating Officer’s report, the State of Oregon agency letter, and Port of Portland. MC Rec. 4662-4663; 4275; 2819-2820. Concern for protection of Johnson Creek was expressed by environmental stakeholders, and is addressed by holding the southern urban reserve edge to the north of the creek. MC Rec. 752. The position of the area on the east edge of the region adds balance to the regional distribution of urban reserve, and employment land in particular. All of the rural land in this area is Foundation Agricultural Land, however, the proposed urban reserve is the best choice to address employment land needs in this part of the region.

IV Rural Reserve in Multnomah County

Area 1B West of Sandy River (Clackanomah in Multnomah County)

General Description:

This map area includes the northeast portion of the regional study area. MC Rec. 216. Subareas studied by the CAC in the suitability assessment include Government, McGuire and Lemon Islands (Area 1), East of Sandy River (Area 2), Sandy River Canyon (Area 3), and West of Sandy River (Area 4). MC Rec. 2961-2986. The Troutdale/Gresham UGB forms the west edge, the Columbia River Gorge National Scenic Area is the north boundary, and the Study Area edge and county line are the east and south boundaries. With the exception of the Government Islands group, all of this area is either Foundation or Important Agricultural Land. In addition, all except the southeast quadrant is within 3 miles of the UGB. MC Rec. 4407.

How Rural Reserve 1B Fares Under the Factors:

The Foundation and Important Agricultural Land areas between the Gresham/Troutdale UGB and the east edge of the Sandy River canyon qualify as rural reserve because they are within 3 miles of the UGB. The Sandy River Canyon is a high value landscape feature and is made up of either Foundation or Important Agricultural Land. The canyon and associated uplands are not suitable for urbanization due to steep slopes associated with the river and its tributaries. The canyon forms a landscape-scale edge between urban areas on the west and rural lands to the east and ranked high in the suitability analysis on additional key rural factors of: sense of place, wildlife habitat, and access to recreation. The Government Islands area is not classified as either Foundation, Important, or Conflicted Agricultural Land, but is classified as “mixed forest” in the Oregon Department of Forestry study. The area ranked low under the farm/forest factors, and high on the landscape features factors related to natural hazards, important habitat, and sense of place.

Why This Area was Designated Rural Reserve:

Rural reserve is proposed from the eastside of the UGB eastward to the eastern edge of the Sandy River Canyon except for the urban reserve area 1C (see Section III above). The east rural reserve edge corresponds approximately to the county Wild and Scenic River overlay zone, and maintains continuity of the canyon feature by continuing the reserve designation further than 3 miles from the UGB to the county line. An area adjacent to the city of Troutdale in the northwest corner of the area is proposed to remain undesignated in order to provide potential expansion for future land needs identified by the city. The Government Islands group remains rural land since it already has long term protection from urbanization in the form of a long-term lease between the Port of Portland and Oregon Parks and Recreation, and the Jewell Lake mitigation site. MC Rec. 2961-2965; 2973-2985.

Areas 9A through 9F West Multnomah County

This map area includes the north portion of the regional study area. Subareas studied by the CAC in the suitability assessment include NW Hills North (Area 5), West Hills South (Area 6), Powerline/Germantown Road-South (Area 7), Sauvie Island (Area 8), and Multnomah Channel (Area 9). MC Rec. 2986-3027.

Area 9A – 9C Powerlines/Germantown Road-SouthGeneral Description:

This area lies south of Germantown Road and the power line corridor where it rises from the toe of the west slope of the Tualatin Mountains up to the ridge at Skyline Blvd. MC Rec. 3004-3015. The north edge of the area is the start of the Conflicted Agricultural Land section that extends south along the Multnomah/Washington county line to the area around Thompson Road and the Forest Heights subdivision in the city of Portland. The area is adjacent to unincorporated urban land in Washington County on the west, and abuts the City of Portland on the east. Most of the area is mapped as Important Landscape Features that begin adjacent to Forest Park and continue west down the slope to the County line. MC Rec. 1767. The area is a mix of headwaters streams, upland forest and open field wildlife habitat.

How Rural Reserve 9A - 9C Fares Under the Factors:

The CAC ranked the area “medium-high suitability” for rural reserve after considering important landscape features mapping, Metro’s designation as a target area for public acquisition through the parks and greenspaces bond program, the extensive County Goal 5 protected areas, Metro Title 13 habitat areas, proximity to Forest Park, and local observations of wildlife use of the area. MC Rec. 369-391; 357; 392; 392a. The CAC further ranked factors for sense of place, ability to buffer urban/rural interface, and access to recreation as high. While there was conflicting evidence regarding capability of the area for long-term forestry and agriculture, the CAC ranked the area as medium under this factor. MC Rec. 3004-3014. The county agrees that the west edge of area 9B defines a boundary between urbanizing Washington County and the landscape features to the east in Multnomah County. Elements that contribute to this edge or buffer include the power line right-of-way, Multnomah County wildlife habitat protection, planned Metro West Side Trail and Bond Measure Acquisition Areas, and the urban-rural policy choices represented by the county line. MC Rec. 751; 1125; 3901-3907.

The CAC ranked the area “low suitability” for urban reserve generally, with the exception of areas 9A and 9B. Areas 9A and 9B resulted in a split of the CAC between “low” and “medium” rankings. Most of the area 9A – 9C contains topography that limits efficient provision of urban services, and, should urban development occur, would result in unacceptable impacts to important landscape features. Limiting topographic features include slopes that range from 10% in the majority of area 9B to above 25% in portions of 9C, and stream corridors and ravines interspersed throughout the area. MC Rec. 652. Due to these features, the area was ranked low for an RTP level transportation “grid” system, for a walkable, transit oriented community, and for employment land. The CAC also recognized that should urban development occur, it would be difficult to avoid impacts to area streams and the visual quality of this part of Landscape Feature #22 Rock Creek Headwaters.

Why This Area was Designated Rural Reserve:

Among the urban factors in the Reserves rules are efficient use of infrastructure and efficient and cost-effective provision of services. These are also among the most important factors in the Great Communities study. *Great Communities Final Report*, MC Rec. 123 -124. Multnomah County does not provide urban services and has not since adoption of Resolution A in 1983. MC Rec. 853-856. The County no longer has urban plan or zone designations; it contracts with the cities in the county for these services. This means urban services to Areas 9A - 9C would have

to come from a city in a position to plan and serve new urban communities. As was the case when Metro considered addition of lands in Multnomah County on the west slope of Tualatin to the UGB in 2002, there is not a city in a position to provide urban services to Areas 9A to C. Beaverton is over two miles to the south. Metro assigned urban planning to Beaverton when Metro added the North Bethany area to the UGB in 2002. Given the obstacles to annexation of the unincorporated territory over that two miles, Washington County took on responsibility for the planning instead of Beaverton. Unlike Multnomah County, Washington County continues to provide planning services and maintains urban plan and zoning designations for unincorporated urban areas.

The only other city that could provide services is Portland. Portland has said, however, it will not provide services to the area for the same reasons it would not provide services to nearby "Area 94" when it was considered for UGB expansion in 2002. (Metro added Area 94 to the UGB. The Oregon Court of Appeals remanded to LCDC and Metro because Metro had failed to explain why it included Area 94 despite its findings that the area was relatively unsuitable for urbanization. Metro subsequently removed the area from the UGB.) Portland points to the long-standing, unresolved issues of urban governance and urban planning services, noting the difficulties encountered in nearby Area 93. The City emphasizes lack of urban transportation services and the high cost of improvements to rural facilities and later maintenance of the facilities. The City further points to capital and maintenance cost for rural roads in Multnomah County that would have to carry trips coming from development on both sides of the county line and potential impacts to Forest Park. MC Rec. 3201-3204; 3897-3907; and 3895.

For these reasons, areas 9A – 9C rate poorly against the urban reserve factors.

The proposed rural reserve designation for all of area 9A – 9C recognizes and preserves the landscape features values that are of great value to the county. MC Rec. Oversized Exhibit . The small scale agriculture and woodlots should be able to continue and provide local amenities for the area. Rural reserve for this area is supported not only by the weight of responses from the public, but by the Planning Commission and the regional deliberative body MPAC as well. MC Rec. 4002-4005; 1917 a-j; Oversized Exhibit .

9D and 9F – West Hills North and South, Multnomah Channel

General Description:

This area extends from the Powerlines/Germantown Rd. area northward to the county line, with Sauvie Island and the west county line as the east/west boundaries. All of the area is proposed as rural reserve. Agricultural designations are Important Agricultural Land in 9D, and Foundation Agricultural Land in area 9F. All of area 9D is within three miles of the UGB, and the three mile line from Scappoose extends south to approximately Rocky Point Road in area 9F.

How Rural Reserve 9D and 9F Fare Under the Factors:

All of the Multnomah Channel area is an important landscape feature, and the interior area from approximately Rocky Point Rd. south to Skyline Blvd. is a large contiguous block on the landscape features map. MC Rec. 1767. This interior area is steeply sloped and heavily forested, and is known for high value wildlife habitat and as a wildlife corridor between the coast range

and Forest Park. It is also recognized as having high scenic value as viewed from both east Portland and Sauvie Island, and from the US Highway 26 corridor on the west. Landscape features mapping south of Skyline includes both Rock Creek and Abbey Creek headwaters areas that abut the city of Portland on the east and follow the county line on the west.

The potential for urbanization north of the Cornelius Pass Rd. and Skyline intersection in area 9D, and all of 9F, was ranked by the CAC as low. Limitations to development in the Tualatin Mountains include steep slope hazards, difficulty to provide urban transportation systems, and other key services of sewer and water. Areas along Multnomah Channel were generally ranked low due to physical constraints including the low lying land that is unprotected from flooding. Additional limitations are due to the narrow configuration of the land between US Highway 30 and the river coupled with extensive public ownership, and low efficiency for providing key urban services. MC Rec. 3022-3027. Subsequent information suggested some potential for urban development given the close proximity of US Highway 30 to the area.

Why This Area was Designated Rural Reserve:

This area is proposed for rural reserve even though urbanization potential is low. Of greater importance is the high sense of place value of the area. The significant public response in favor of rural reserve affirms the CAC rankings on this factor. In addition, the high value wildlife habitat connections to Forest Park and along Multnomah Channel, the position of this part of the Tualatin Mountains as forming edges to the urban areas of both Scappoose and the Portland Metro region, further support the rural reserve designation.

9E - Sauvie Island

General Description:

Sauvie Island is a large, low lying agricultural area at the confluence of the Willamette and Columbia Rivers. The interior of the island is protected by a perimeter dike that also serves as access to the extensive agricultural and recreational areas on the island. It is located adjacent to the City of Portland with access via Highway 30 along a narrow strip of land defined by the toe of the Tualatin Mountains and Multnomah Channel. This area was assessed as Area 8 by the County CAC. MC Rec. 3016-3020. The island is entirely Foundation Agricultural Land, and is mapped as an important landscape feature. Large areas at the north and south extents of the island are within 3 miles of the Scappoose and Portland UGBs.

How Rural Reserve 9E Fares Under the Factors:

The island ranked high on the majority of the agricultural factors, indicating suitability for long-term agriculture. It ranked high on landscape features factors for sense of place, important wildlife habitat, and access to recreation. The low lying land presents difficulties for efficient urbanization including the need for improved infrastructure to protect it from flooding, and additional costly river crossings that would be needed for urban development. The CAC ranked the island low on all urban factors indicating low suitability for urbanization.

Why This Area was Designated Rural Reserve:

The island is a key landscape feature in the region, ranking high for sense of place, wildlife habitat, and recreation access. The island defines the northern extent of the Portland-Metropolitan region at a broad landscape scale. These characteristics justify a rural reserve

designation of the entire Multnomah County portion of the island even though potential for urbanization is low.

V. Statewide Planning Goals Compliance

MCC Chapter 11.05.180 Standards for Plan and Revisions requires legislative plan amendments comply with the applicable Statewide Planning goals pursuant to ORS 197.175(2)(a). These findings show that the reserves plan amendments are consistent with the goals, and they therefore comply with them.

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The process of studying, identifying, and designating reserves began in January of 2008, with formation of the regional Reserves Steering Committee, adoption of a Coordinated Public Involvement Plan to coordinate the work flow, and formation of county committees to assess reserve areas and engage the public. MC Rec. 4557-4562.

Multnomah County incorporated the Coordinated Public Involvement Plan into the plan followed for the county process, and this plan was reviewed by the Multnomah County Office of Citizen Involvement Board. MC Rec. 172-177. In addition to providing opportunity for public involvement listed below, the county plan incorporated a number of tools including internet pages with current and prior meeting agendas and content, web surveys, mailed notices to property owners, email meeting notifications, news releases and meeting and hearing notices, neighborhood association meetings, and an internet comment link.

Key phases of the project in Multnomah County included:

- The Multnomah County Reserves Citizen Advisory Committee (CAC) developed their suitability assessments and recommendations in 16 public meetings between May 2008 and July 30, 2009. MC Rec. 4525-4542. The Planning Commission conducted a hearing on Aug 10, 2009 to consider the CAC suitability recommendations and recommendations for reserve designations in the county. MC Rec. 1820-1919. Consensus of the Planning Commission endorsed the CAC recommendations.
- The Board adopted Resolution No. 09-112 at their September 10, 2009 public hearing, forwarding to Core 4 and the Reserves Steering Committee, urban and rural reserves suitability recommendations developed by the Multnomah County (CAC). MC Rec. 2689-2690. The Board focused on suitability of areas for reserves rather than on designations of urban and rural reserves pending information about how much growth can occur within the existing UGB and how much new land will be sufficient to accommodate long term growth needs.
- The Board adopted Resolution No. 09-153 at their December 10, 2009 public hearing, forwarding to Core 4, recommendations for urban or rural reserve for use in the regional

public outreach events in January 2010. MC Rec. 2894-3031. These recommendations were developed considering public testimony and information from the Regional Steering Committee stakeholder comment, discussion with Multnomah County cities, and information and perspectives shared in Core 4 meetings. MC Rec. 3032-3249; 2894-2898; 3934-3954.

- The Board approved the IGA with Metro at a public hearing on February 25, 2010. MC Rec. 3865-3874. Additional public and agency input was considered in deliberations including results of the January public outreach, results of deliberations by the regional Metropolitan Planning Advisory Committee, and interested cities.

Public outreach included three region wide open house events and on-line surveys. The first was conducted in July of 2008 to gather input on the Reserves Study Area Map. MC Rec. 213-215. The second occurred in April of 2009, for public input on Urban and Rural Reserve Candidate Areas - lands that will continue to be studied for urban and rural reserves. MC Rec. 903-908. The third regional outreach effort to gather input on the regional reserves map prior to refinement of the final map for Intergovernmental Agreements occurred in January of 2010. MC Rec. 3956-4009.

The Multnomah County Board of Commissioners heard briefings on the reserves project on 2/14/08, 4/16/09, and 8/20/09, and conducted public hearings indicated above. The Planning Commission conducted a public hearing on 8/10/09 and received regular briefings during the reserves project. MC Rec. 1918-1919.

Public testimony has been an important element in the process and has been submitted to Multnomah County in addition to public hearings in several ways including open house events that took place in July of 2008, April of 2009, and January of 2010, and in testimony provided at CAC meetings. MC Rec. 161; 205; 238; 267; 338; 403; 464; 599; 715; 890; 1055; 1159a; 1375; 1581; 1668; 1728.

GOAL 2: LAND USE PLANNING

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

The County's Plan policies and map amendments put in place the framework needed to carry out the objectives of the reserves plan by identifying areas where rural resources will be protected from urbanization. The County rural plan has been coordinated with Metro's urban plan to identify where urbanization should occur during the 50 year plan. The County's policies and map ensure that rural reserve areas will remain rural and not be included within urban areas. The amendments further contain policies and strategies to support the on-gong planning processes to facilitate availability of urban reserve areas for urban use as appropriate.

Coordination with Multnomah County Cities

Understanding the land needs and service potential of cities is of critical importance because the County would look to a city to provide urban governance and services should areas designated urban reserve come into the UGB in the future. Input from cities with an interest in reserves

within Multnomah County during CAC development of the suitability assessments and these reserve designations is briefly summarized below.

- Beaverton – The City has indicated that it may be able to provide urban governance for areas on the west edge of the county, however whether that city would eventually provide these services is uncertain, and timing for resolution of all outstanding issues that would set the stage for extending Beaverton governance to this area is likely many years away.
- Gresham – The City indicated in their 2/25/09 letter that areas east of the city should continue to be studied for urban reserve, recognizing that the recommendation is made without a complete picture of urban land needs. MC Rec. 528-529. There should be some rural reserve east of the city, the region should minimize UGB expansions, and the City wants to focus on areas within the current UGB. The City provided a follow up letter dated 10/21/09 requesting urban reserve between SE 302nd and the Gresham UGB. MC Rec. 3226-3227. That area is shown as urban reserve on the proposed reserves plan map.
- Portland – City coordination efforts have occurred regarding potential reserve designations, particularly along the west edge of Multnomah County. Focus has been on the efficiency of providing urban services, and how governance services could be provided by the City. The City has indicated that the county line is an appropriate urban/rural edge, has identified service difficulties, the importance of landscape features in the area, and stated their interest in focusing limited resources on existing centers, and corridors and employment areas rather than along the west edge of the County. Therefore Portland recommended rural reserve for this area.
- Troutdale – Troutdale requested approximately 775 acres of land for expansion, including the area north of Division and east out to 302nd Ave., indicating a need for housing land and ability to provide services to the area. MC Rec. 2082-2086. The proposed plan map leaves an approximately 187 acre area adjacent to the city without reserves designation. Proposed Policy 5 provides for a review of the reserves plan that can consider this and other areas in the region 20 years after the plan is adopted.

Additional agency coordination efforts related to Multnomah County reserves that occurred in addition to the regional process included Port of Portland, City of Scappoose, Sauvie Island Drainage District, and East and West Multnomah Soil and Water Conservation Districts. MC Rec.524-525; 1132-1133; 667-668; 342-343.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

Agricultural lands in the county are protected for farm use by existing zoning and plan policies, and these are unchanged by the proposed amendments. The proposed policies and map add a new element, rural reserve, that ensures protection from urbanization of farmland important to the long-term viability of agriculture in the County. This protection is consistent with the goal of maintaining agricultural lands for farm use.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Forest lands in the county are protected for forest use by existing zoning and plan policies that are unchanged by the proposed amendments. The proposed policies and map add long-term protection from urbanization of Goal 4 resources consistent with this goal by designating these areas as rural reserve.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

The Goal 5 resources in the county are protected by existing zoning and plan policies that are unchanged by the proposed amendments. The reserves factors require consideration of the importance of resources of the type that are protected by Goal 5 plans though the Landscape Features factors. The factors also require consideration of how these resource areas could be protected when included within urban reserve and subsequently urbanized. Goal 5 protection will apply to land included within the UGB in the future. The reserves suitability assessment considered natural and scenic resources as it was developed, and existing county protections are maintained consistent with Goal 5. MC Rec. 860a-f.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

The proposed plan policies and map have no bearing on existing waste management plans and are therefore consistent with this goal.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

To protect people and property from natural hazards.

Existing zoning contains safeguards intended to protect rural development from identified hazards. The factors required consideration of areas of potential hazard including flood, landslide, and fire in forming reserves designations. MC Rec. 3007. Consideration of hazard areas in the reserves plan and continuation of existing protections is consistent with this goal.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The factors that applied to consideration of rural reserve to protect landscape features from urbanization include access to recreation areas including trails and parks. MC Rec. 3008-3009. Urban factors consider how parks can be provided in urban reserve areas. Existing plan and

zoning provisions for parks are unchanged by the proposed reserves plan. The proposed reserves designations are consistent with Goal 8.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The proposed urban reserve east of Gresham includes land that has potential to support additional economic development. MC Rec. 2983. This puts in place the potential for greater diversity of economic development in this area while minimizing loss of economically important farm land consistent with this goal.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

The proposed reserves plan increases potential for additional housing opportunity by designating additional land as urban reserve consistent with this goal. MC Rec. 2982-2985.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The reserves factors analysis used in consideration of urban reserve included assessment of how efficiently the key public facilities could be provided to potential reserve areas. MC Rec. 2982-2985. Further, the 50 year urban reserve plan allows service planning to occur over a longer time frame. These elements support timely orderly and efficient provision of services consistent with this goal.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

The proposed reserves plan policies and map do not cause any change to the County rural transportation system. Transportation planning to support urban uses within the proposed urban reserve east of Gresham will occur at the concept planning stage prior to including areas within the UGB. The relative efficiency of providing adequate transportation services in potential reserve areas was considered in the factors analysis. The proposed plan policies and map are consistent with Goal 12.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

The evaluation of the suitability of land for urban reserve took into account the potential for efficient transportation and other infrastructure, and sites that can support walkable, well-connected communities. These are energy conserving approaches to urban development, and the

proposed urban reserve ranks moderately well on these factors and is consistent with this goal. MC Rec. 2982-2985.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The reserves plan and policies implement an approach to the transition from rural to urban land that increases understanding of the future location of new urban areas and the time to plan for the transition. Urban reserves are expected to thereby improve this process consistent with this goal.

GOAL 15: WILLAMETTE RIVER GREENWAY

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Land planned under this goal in Multnomah County is located along Multnomah Channel and is zoned with the county Willamette River Greenway overlay zone. The reserves plan does not change that zoning. The proposed rural reserve along the channel protects the Greenway from urban development during the 50 year plan period, and this protection is consistent with the goal.

The findings in Part II below describe the process by which the Reserves partners, Multnomah, Clackamas, and Washington Counties, and Metro, designated urban and rural reserves. The findings, together with the findings in Part I, demonstrate compliance with the provisions for completing Intergovernmental Agreements between Multnomah County and Metro in OAR 660-027-0030. These findings are adopted by Multnomah County to fulfill the requirement for submittal of joint findings to LCDC in OAR 660-027-0080(4).”

Part II

Exhibit B to Ordinance No. 11-1255

REASONS FOR DESIGNATION OF URBAN AND RURAL RESERVES

I. BACKGROUND

The 2007 Oregon Legislature authorized Metro and Clackamas, Multnomah and Washington Counties (“partner governments”) to designate urban reserves and rural reserves following the process set forth in ORS 195.137 – 195.145 (Senate Bill 1011) and implementing rules adopted by the Land Conservation and Development Commission (LCDC) (OAR 660 Division 27). The Legislature enacted the new authority in response to a call by local governments in the region to improve the methods available to them for managing growth. After the experience of adding over 20,000 acres to the regional urban growth boundary (UGB) following the soil-capability-based priority of lands in ORS 197.298, cities and the partner governments wanted to place more emphasis on the suitability of lands for sustainable urban development, longer-term security for agriculture and forestry outside the UGB, and respect for the natural landscape features that define the region.

The new statute and rules make agreements among the partner governments a prerequisite for designation of urban and rural reserves. The remarkable cooperation among the local governments of the region that led to passage of Senate Bill 1011 and adoption of LCDC rules continued through the process of designation of urban reserves by Metro and rural reserves by Clackamas, Multnomah and Washington Counties. The partners’ four ordinances are based upon the separate, formal intergovernmental agreements between Metro and each county that are part of our record, developed simultaneously following long study of potential reserves and thorough involvement by the public.

The four governments submitted their ordinances with designated reserves to LCDC in periodic review on June 23, 2010. On October 29, 2010, the Commission gave its oral approval to the reserves designated in Clackamas and Multnomah Counties and to the rural reserves and most of the urban reserves in Washington County. The Commission, however, rejected the designation of Urban Reserve 7I, north of Cornelius, and directed reconsideration of Urban Reserve 7B, north of Forest Grove. The Commission authorized Metro and Washington County to consider designating as urban reserve, or leaving undesignated, land the County had previously designated rural reserve or left undesignated. In order to provide flexibility, the Commission also returned the rural reserves in Washington County for further consideration.

Washington County and Metro responded to LCDC’s oral decision by revising the intergovernmental agreement between them and adopting ordinances amending their respective comprehensive plan and regional framework plan maps (Washington County Ordinance No. 740; Metro Ordinance No. 11-1255). The ordinances made the following changes:

- The designation of Area 7I as urban reserve (623 acres) was removed
- 263 acres of Area 7I were designated rural reserves

- 360 acres of Area 7I were left undesignated
- The urban reserve designation of the 28-acre portion of Area 7B that lies east and north of Council Creek was removed; the portion was left undesignated
- 352 acres of undesignated land north of Highway 26, south of West Union Road, east of Groveland Road and west of Helvetia Road were designated urban reserve
- The rural reserve designation of 383 acres of Rural Reserve 6E south of Rosedale Road, west of 209th Avenue and north of Farmington Road was removed; the portion was left undesignated.

Metro Supp Rec. __ (SR 2).

These revisions reduced the acres of urban reserves in Washington County by 299 acres, reduced the acres of rural reserves by 120 acres and increased the acres adjacent to the UGB left undesignated by 391 acres, all compared with the reserves submitted to LCDC in June, 2010. Overall, there are 13,525 acres of urban reserves and 151,209 acres of rural reserves in Washington County, in part reflecting refinements of boundaries as they relate to street rights-of-way, floodplains and improved tax lot alignments. Metro Supp Rec. __ (SR 3).

II. OVERALL CONCLUSIONS

With adoption of Metro Ordinance No. 11-1255, Metro has designated 28,256 gross acres as urban reserves, including urban reserves in each county. Metro Supp Rec. __ (SR 3). These lands are now first priority for addition to the region's UGB when the region needs housing or employment capacity. As indicated in new policy in Metro's Regional Framework Plan in Exhibit A to Ordinance No. 10-1238A, the urban reserves are intended to accommodate population and employment growth for 50 years, to year 2060.

Clackamas County Ordinance No. ZDO-233 designates 68,713 acres as rural reserves in Clackamas County. Multnomah County Ordinance No. 2010-1161 designates 46,706 acres as rural reserves in Multnomah County. Washington County Ordinance No. 740, which revised the county's designation of rural reserves following LCDC's remand of urban and rural reserves in the county, designates 151,209 acres of rural reserves. Metro Supp Rec. __ (SR 2). As indicated in new policies in the Regional Framework Plan and the counties' Comprehensive Plans, these rural reserves – 266,628 acres in total - are now protected from urbanization for 50 years. Metro Supp. Rec. __ (SR 2). The governments of the region have struggled with the urban-farm/forest interface, always searching for a "hard edge" to give farmers and foresters some certainty to encourage investment in their businesses. No road, stream or floodplain under the old way of expanding the UGB offers the long-term certainty of the edge of a rural reserve with at least a 50-year lifespan. This certainty is among the reasons the four governments chose the longer, 50-year, reserves period.

The region's governments have also debated how best to protect important natural landscape features at the edges of the urban area. The partners' agreements and these ordinances now identify the features that will define the extent of outward urban expansion.

The region's urban and rural reserves are fully integrated into Metro's Regional Framework Plan and the Comprehensive Plans of Clackamas, Multnomah and Washington counties. Metro's plan includes a map that shows urban and rural reserves in all three counties. Each of the county plans includes a map that shows urban and rural reserves in the county. The reserves shown on each county map are identical to the reserves shown in that county on the Metro map. Each of the four plans contains new policies that ensure accomplishment of the goals for the reserves set by the four local governments and by state law. These new policies are consistent with, and carry out, the intergovernmental agreements between Metro and the three counties signed in February, 2010, and the supplemental agreement between Metro and Washington County signed on March 15, 2011. Metro Supp. Rec.____.

Together, these reserves signal the region's long-term limits of urbanization, its commitment to stewardship of farmland and forests, and its respect for the natural landscape features that give the people of the region their sense of place. Urban reserves, if and when added to the UGB, will take some land from the farm and forest land base. But the partners understood from the beginning that some of the very same characteristics that make an area suitable for agriculture also make it suitable for industrial uses and compact, mixed-use, pedestrian and transit-supportive urban development. The most difficult decisions made by the four governments involved Foundation Agricultural Land¹ near the existing UGB and the circumstances in which this land should be designated as urban reserve to accommodate growth in a compact form and provide opportunities for industrial development, difficult or impossible on steep slopes. Metro designated 15 areas composed predominantly of Foundation Land as urban reserve, totaling 11,551 acres.²

Some important numbers help explain why the partners came to agree that the adopted system, in its entirety, best achieves this balance. Of the total 28,256 acres designated urban reserves, approximately 13,624 acres are Foundation (11,551 acres) or Important (2,073 acres) Agricultural Land. This represents only four percent of the Foundation and Important Agricultural Land studied for possible urban or rural reserve designation. If all of this land is added to the UGB over the next 50 years, the region will have lost four percent of the farmland base in the three-county area. Metro Supp.Rec.__(SR 3; Att. 3).

There is a second vantage point from which to assess the significance for agriculture of the designation of urban reserves in the three-county region: the percentage of land zoned for

¹ Those lands mapped as Foundation Agricultural Land in the January, 2007, Oregon Department of Agriculture report to Metro entitled "Identification and Assessment of the Long-Term Commercial Viability of Metro Region Agricultural Lands.

² 1C (East of Gresham, portion); 1F (Boring); 5A (Sherwood North); 5B (Sherwood West); 6A (Hillsboro South, portion); 6B (Cooper Mt. Southwest); 6C (Roy Rogers West); 6D (Beef Bend South); 7B (Forest Grove North); 7C (Cornelius East); 7D (Cornelius South); 7E (Forest Grove South); 8A (Hillsboro North); 8B (Shute Road Interchange and new Area D); 8C (Bethany West)

exclusive farm use in the three counties that is designated urban reserve. Land zoned EFU³ has emerged over 35 years of statewide planning as the principal land base for agriculture in the counties, and is protected for that purpose by county zoning. The inventory of Foundation and Important Agricultural Lands includes land that is “exception land”, no longer protected for agriculture for farming. Of the 28,256 acres designated urban reserves, some 13,746 acres are zoned EFU. Even including the 3,532 acres of these EFU lands that are classified by ODA as “conflicted”, these 13,746 acres represent slightly more than five percent of all land zoned EFU (266,372 acres) in the three counties. If the “conflicted” acres are removed from consideration, the percentage drops to less than four percent. Metro Supp.Rec.__(SR 3; Att 3).

A third vantage point adds perspective. During an approximately 30-year period leading to establishment of the statewide planning program and continuing through the acknowledgement and early implementation of county comprehensive plans, the three counties lost more than 150,000 acres of farmland. Metro Supp. Rec. _(SR 3; Att 3). By contrast, if all the zoned farmland that is designated urban reserve is ultimately urbanized, the regional will have lost only 13,746 acres over 50 years.

If the region’s effort to contain urban development within the existing UGB and these urban reserves for the next 50 years is successful, the UGB will have accommodated an estimated 74 percent increase in population on an 11-percent increase in the area within the UGB. No other region in the nation can demonstrate this growth management success. Most of the borders of urban reserves are defined by a 50-year “hard edge” of 266,628 acres designated rural reserves, nearly all of which lies within five miles of the existing UGB. Of these rural reserves, approximately 248,796 acres are Foundation or Important Agricultural Land. Metro Supp. Rec.__(SR 3; Att 3). .

Why did the region designate *any* Foundation Agricultural Land as urban reserve? The explanation lies in the geography and topography of the region, the growing cost of urban services and the declining sources of revenues to pay for them, and the fundamental relationships among geography and topography and the cost of services. The region aspires to build “great communities.” Great communities are those that offer residents a range of housing types and transportation modes from which to choose. Experience shows that compact, mixed-use communities with fully integrated street, pedestrian, bicycle and transit systems offer the best range of housing and transportation choices. *State of the Centers: Investing in Our Communities*, January, 2009. Metro Rec.181-288. The urban reserves factors in the reserves rules derive from work done by the region to identify the characteristics of great communities. Urban reserve factors (1), (3), (4),and (6)⁴ especially aim at lands that can be developed in a

³ Includes all farm zones acknowledged to comply with statewide planning Goal 3, including Washington County’s AF-20 zone.

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

compact, mixed-use, walkable and transit-supportive pattern, supported by efficient and cost-effective services. Cost of services studies tell us that the best landscape, both natural and political, for compact, mixed-use communities is relatively flat, undeveloped land. *Core 4 Technical Team Preliminary Analysis Reports for Water, Sewer and Transportation*, Metro Rec. 1163-1187; *Regional Infrastructure Analysis*, Metro Rec. 440-481.

The region also aspires to provide family-wage jobs to its residents. Urban reserve factor (2) directs attention to capacity for a healthy economy.⁵ Certain industries the region wants to attract prefer large parcels of flat land. Staff Report, June 9, 2010, Metro Rec. 172-178. Water, sewer and transportation costs rise as slope increases. *Core 4 Technical Team Preliminary Analysis Reports for Water, Sewer and Transportation*, Metro Rec. 1163-1187; *Regional Infrastructure Analysis*, Metro Rec. 440-481. Converting existing low-density rural residential development into compact, mixed-use communities through infill and re-development is not only very expensive, it is politically difficult. Metro Rec. 289-300.

Mapping of slopes, parcel sizes, and Foundation Agricultural Land revealed that most flat land in large parcels without a rural settlement pattern at the perimeter of the UGB lies in Washington County, immediately adjacent to Hillsboro, Cornelius, Forest Grove, Beaverton, and Sherwood. These same lands provide the most readily available supply of large lots for industrial development. *Business Coalition Constrained Land for Development and Employment Map*, Metro Rec. 301; 1105-1110. Almost all of it is Foundation Agricultural Land. Metro Supp. Rec. (SR 3). Had the region been looking only for the best land to build great communities, nearly all the urban reserves would have been around these cities. It is no coincidence that these cities told the reserves partners that they want significant urban reserves available to them, while most other cities told the partners they want little or no urban reserves. *Washington County Cities' Pre-Qualified Concept Plans*, WashCo Rec. 3036-3578. These facts help explain why there is more Foundation Agricultural Land designated urban reserve in Washington County than in Clackamas or Multnomah counties. Had Metro not designated some Foundation Land as urban reserve in Washington County, it would not have been possible for the region to achieve the "livable communities" purpose of reserves in LCDC rules [OAR 660-027-0005(2)].

Several urban reserves factors focus on the efficient, cost-effective installation, operation and maintenance of public services to urban reserves once they are included within the UGB.⁶ Urban reserve factor (6) calls for land suitable for needed housing types. The partners began the analysis by examining lands within five miles of the UGB. Most of these lands initially studied are beyond the affordable reach of urban services. As noted above, water, sewer and transportation costs rise as slope increases. *Core 4 Technical Team Preliminary Analysis*

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

(6) Includes sufficient land suitable for a range of needed housing types.

⁵ (2) Includes sufficient development capacity to support a healthy economy.

⁶ Urban Reserve factors (1) (efficient use of public infrastructure); (3) (efficient and cost-effective public services);

(4) (walkable, bikable and transit-supportive).

Reports for Water, Sewer and Transportation, Metro Rec. 1163-1187; *Regional Infrastructure Analysis*, Metro Rec. 440-481. Not only does most of the Important Agricultural Land and the Conflicted Agricultural Land within five miles of the UGB exhibit steeper slopes than the Foundation Land close to the UGB; these non-Foundation Lands also exhibit rural residential development patterns on smaller parcels (“exception lands”). Metro Supp. Rec.__(SR 3; Att 5); WashCo Rec. 1891-1894; 2905. With one exception (small portion of Urban Reserve 1F), designated urban reserves lie within two miles of the UGB. Metro Supp. Rec.__(SR, Att 4).

Despite these geopolitical and cost-of-services realities, the reserves partners designated extensive urban reserves that are *not* Foundation Agricultural Lands in order to meet the farm and forest land objectives of reserves, knowing these lands will be more difficult and expensive to urbanize. The following urban reserves are principally Conflicted and Important Agricultural Land:

- Urban Reserve 1D east of Damascus and south of Gresham (2,716 acres), ClackCo Rec. 1723;
- Urban Reserve 2A south of Damascus (1,239 acres), ClackCo Rec. 1722;
- Urban Reserves 3B, C, D, F and G around Oregon City (2,232 acres), ClackCo Rec. 1718-1720;
- Urban reserves 4A, B and C in the Stafford area (4,699 acres), ClackCo Rec. 1716;
- Urban reserves 4D, E, F, G and H southeast of Tualatin and east of Wilsonville (3,589 acres), ClackCo Rec.__;
- Urban Reserve 5F between Tualatin and Sherwood (572 acres); WashCo Rec. 3517; 2998;
- Urban Reserve 5G west of Wilsonville (203 acres) ClackCo Rec. 711-712; and
- Urban Reserve 5D south of Sherwood (447 acres), WashCo Rec. 3481; 2998.

These non-Foundation Lands designated urban reserve, which total approximately 15,700 acres, (55 percent of all lands designated urban reserve), are the most serviceable among the non-Foundation Lands within the initial study area. Metro Supp Rec. __(SR, Att 3); WashCo Re. 3006-3010; 3015.

Many areas of Important and Conflicted Agricultural Lands were not designated urban reserve in part because the presence of steep slopes, bluffs, floodplains, streams and habitat, limiting their suitability or appropriateness for urbanization:

- Rural Reserve 1B (West of Sandy River): the Sandy River Canyon and the county’s scenic river overlay zone. MultCo Rec. 2961-2965; 2973-2985;
- Rural Reserve 2B (East Clackamas County): steep bluffs above the Clackamas River. ClackCo Rec. 560-563; 568-571;
- Rural Reserve 3E (East of Oregon City): steep slopes along Abernethy, Clear and Newell Creeks. ClackCo Rec. 748-755;
- Rural Reserve 3H (South of Oregon City): steep slopes drop to Beaver and Parrot Creeks. ClackCo. Rec. 557; 1718;
- Rural Reserve 4I (Pete’s Mtn.): steep slopes. ClackCo Rec. 741-743;
- Rural Reserve 5C (East Chehalem Mtns): steep slopes and floodplain of Tualatin River; WashCo Rec. 2998-3027;

- Rural Reserve 5I (Ladd Hill): steep slopes and creek traverses. ClackCo. Rec. 592-595;
- Rural Reserve 6E (Central Chehalem Mtns.): steep slopes and floodplain of Tualatin River. WashCo Rec. 2998-3027;
- Rural Reserve 7G (West Chehalem Mtns.): steep slopes and floodplain of Tualatin River. WashCo Rec. 2997; 3006-3010; 3027;
- Rural Reserve 7H (West Fork of Dairy Creek); steep slopes on David Hill. WashCo. Rec. 3013; 3029; 3107;
- Rural Reserves 9A-9C (Powerlines/Germantown Road-South): steep slopes, many stream headwaters and courses. MultCo. Rec. 11; 329-330; 3004-3015;
- Rural Reserve 9D (West Hills South): steep slopes, many stream headwaters and courses. MultCo Rec. 2993-3033.

Metro Supp Rec. __ (SR,Att 4).

Urban reserve factors (5), (7) and (8)⁷ seek to direct urban development away from important natural landscape features and other natural resources. Much of the Important and some Conflicted Agricultural Lands are separated from the UGB by, or include, important natural landscape features or rural reserves on Foundation or Important Agricultural Land:

- Rural Reserve 1B (West of Sandy River): the Sandy River Canyon (Wild and Scenic River). MultCo Rec. 2961-2965; 2973-2985;
- Rural Reserve 2B (East Clackamas County): Clackamas River and canyons of Deep, Clear and Newell Creeks. ClackCo. Rec. 1722;
- Rural Reserve 3E (East of Oregon City): Willamette River and canyons of Abernethy, Clear and Newell Creeks. ClackCo Rec. 560-563;
- Rural Reserve 3H (South of Oregon City): Willamette Narrows, Canemah Bluffs and canyons of Beaver and Parrot Creeks. ClackCo. Rec. 553-554;
- Rural Reserve 4I (Pete's Mtn.): Willamette Narrows on eastern edge. ClackCo. Rec. 596;
- Rural Reserve 5C (East Chehalem Mtns): Chehalem Mtns., floodplain of Tualatin River and Tualatin River National Wildlife Refuge. WashCo Rec. 2988-3027; 9677-9679;
- Rural Reserve 5I (Ladd Hill): Parrett Mtn., Willamette River, Tonquin Geological Area. ClackCo. Rec. 592-595;
- Rural Reserve 6E (Central Chehalem Mtns.): Chehalem Mtns., floodplain of Tualatin River. WashCo Rec. 2998-3027;
- Rural Reserve 7G (West Chehalem Mtns.): Chehalem Mtns., floodplain of Tualatin River. WashCo Rec. 3029; 3095; 3103;
- Rural Reserves 9A-9C (Powerlines/Germantown Road-South): steep slopes (Tualatin Mountains), stream headwaters (Abbey Creek and Rock Creek) and courses. MultCo. Rec. 11; 329-330; 3004-3015; 3224-3225; 3250-3253; 9322-9323;
- Rural Reserve 9D (West Hills South): steep slopes, many stream headwaters (Abbey Creek and Rock Creek) and courses. MultCo Rec. 2993-3033.

⁷ (5) Can be designed to preserve and enhance natural ecological systems;

(7) Can be developed in a way that preserves important natural landscape features included in urban reserves;

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

Metro Supp. Rec._(SR 4-5; Att 10).

Third, much of the Important and Conflicted Agricultural Lands rates lower against the urban reserves factors in comparison to areas designated urban reserve, or remain undesignated for possible designation as urban reserve if the region’s population forecast proves too low:⁸

- Clackamas Heights, ClackCo Rec. 1721;
- East Wilsonville, ClackCo Rec. 1715;
- West Wilsonville, ClackCo Rec. 1713;
- Southeast of Oregon City, ClackCo Rec. 1719;
- Southwest of Borland Road, ClackCo Rec. __;
- Between Wilsonville and Sherwood, ClackCo Rec. __;
- Powerline/Germantown Road-South, MultCo Rec. 2909-2910.

Lastly, some of the Important and Conflicted Agricultural Lands lie adjacent to cities in the region that have their own UGBs and want their own opportunities to expand over time:

Estacada
Sandy

The partners also considered the rural reserve factors when considering whether to designate Foundation Agricultural Land as urban reserve. The first set of rural reserve factors focuses on the suitability and capability of land for agriculture and forestry. The factors in this set that address agricultural suitability and capability derive from the January, 2007, Oregon Department of Agriculture report to Metro entitled “Identification and Assessment of the Long-Term Commercial Viability of Metro Region Agricultural Lands.” All of the Foundation Lands designated urban reserve are potentially subject to urbanization [rural factor (2)(a)] due to their proximity to the UGB and suitability for urbanization, as described above. See, e.g., WashCo Rec. 2984-2985; 2971-2972; 3013-3014. All of the Foundation Lands designated urban reserve are also capable of sustaining long-term agricultural or forest operations [factor (2)(b)]. WashCo rec. 2972-2973; 2985; 3015. Similarly, all of the Foundation Lands designated urban reserve have soils and access to water that render them suitable [factor (2)(c)] to sustain agriculture. See, e.g., WashCo Rec. 2972-2975; 2985; 2998; 3016-3018. These lands also lie in large blocks of agricultural land and have parcelization, tenure and ownership patterns and agricultural infrastructure that make them suitable for agriculture. WashCo Rec. 2975; 2985; 3019-3024; 3027. The identification of these lands as Foundation Agricultural Land by the Oregon Department of Agriculture is a reliable general source of information to support these findings. See also WashCo Rec. 2976-2983; 3019-3025.

⁸ “Retaining the existing planning and zoning for rural lands (and not applying a rural or an urban reserves designation) is appropriate for lands that are unlikely to be needed over the next 40 years, or (conversely) that are not subject to a threat of urbanization.” Letter from nine state agencies to the Metro Regional Reserves Steering Committee, October 14, 2009, page 15.

Notwithstanding these traits that make these lands suitable for agriculture and forestry, some of the urban reserves on Foundation Land rate lower on the rural reserve factors than Foundation Land *not* designated urban reserve. WashCo Rec. 2978; 3025. Urban Reserves 6A (portion), 6B, 6C,6D, 5A, 5B and 1F lie within Oregon Water Resources Department-designated Critical or Limited Groundwater Areas and have less ready access to water [factor (2)(c)]. WashCo Rec. 2294-2302; 2340; 2978-2979; 3019-3023; 3025; 3058-3061; 3288; 3489-3490. Metro Supp. Rec. _(SR 3-4; Att7). Urban Reserves 8A, 8B (with new Area D, 6A (portion), 6B, 6D (portion), 5A, 5B, 1C and 1D are not within or served by an irrigation district. Metro Supp. Rec. _(SR 3; Att 6). WashCo Rec. 2340; 3019-3023; 3025 Urban Reserve 6A contains the Reserves Vineyards Golf Course. Metro Supp. Rec. _(SR 3).

The second set of rural reserve factors focuses on natural landscape features. All of the Foundation Lands designated urban reserve are potentially subject to urbanization [factor (3)(a)] due to their proximity to the UGB and their suitability for urbanization, as described above. The identification of these lands as Foundation Agricultural Land by the Oregon Department of Agriculture is a reliable general source of information to support this finding. Because urban reserves are intended for long-term urbanization, the partners were careful to exclude from urban reserves large tracts of land constrained by natural disasters or hazards incompatible with urban development. Metro Rec. 301; 1105-1110; WashCo Rec. 2986. Small portions of these urban reserves are vulnerable to hazards, but city land use regulations will limit urban development on steep slopes, in floodplains and areas of landslides once the lands are added to the UGB. Metro Supp. Rec. _(SR, Att 10); WashCo Rec. 2986.

Little of these Foundation Lands are mapped as significant fish, plant or wildlife habitat [factor (3)(c)], the mapping of which is largely subsumed on the landscape features map. For the same reasons, little of these lands are riparian areas or wetlands. As with all lands, these lands are important for protection of water quality. But the lands are subject to local, regional, state and federal water quality regulations. See, e.g., WashCo Rec.2986-2987.

There are several inventoried natural landscape features [factor (3)(e)] within the Foundation Lands designated urban reserve. Rock Creek flows through a portion of Urban Reserve 8C (Bethany West). The IGA between Washington County and Metro included a provision to limit development on approximately 115 acres of constrained land within the portion of the watershed in 8C, through application of the county's Rural/Natural Resources Plan Policy 29 and Clean Water Services programs developed to comply with Title 13 (Nature in Neighborhoods) of Metro's Urban Growth Management Functional Plan. Metro Rec._(SR, Att 10). Urban Reserve 6B includes portions of the slopes of Cooper Mountain. Metro's Cooper Mountain Nature Park lies within this area and protects much of the mountain's slopes. Metro Supp. Rec. (SR, Att 10). Urban Reserve 6D includes a segment of Tualatin River floodplain. King City will apply its floodplains ordinance to limit development there. WashCo. Rec. 3462-3463; Metro Supp. Rec. (SR, Att 10). There are such inventoried natural landscape features at the edges of Urban Reserves 6A (South Hillsboro, Tualatin River), 6C (Roy Rogers West, Tualatin River), 6D (Beef Bend, Tualatin River), 7C (Cornelius East, Dairy Creek), 7D (Cornelius South, Tualatin River), 7E (Forest Grove South, Tualatin River and Lower Gales Creek) and 8A (Hillsboro North, McKay Creek); Metro Supp. Rec. (SR, Att 10). These features serve as edges to limit the long-term extent of urbanization and reduce conflicts with rural uses [factor (3)(f)] .

Urban Reserves 1F, 8A and 8B (new Area D) lessen the separation [factor (3)(g)] between the Metro urban area and the cities of Sandy and North Plains, respectively. But significant separation remains (Sandy: approximately 9,000 feet; North Plains: approximately 2,000 feet). Metro Supp. Rec. (SR, Att 2); WashCo Rec. 2987. Finally, because private farms and woodlots comprise most of these Foundation Lands, they do not provide easy access to recreational opportunities as compared to Important and Conflicted Lands.

As indicated above and in county findings in sections VI through VIII, these 15 urban reserves on Foundation Agricultural Land rate highly for urban reserves and rural reserves. In order to achieve a balance among the objectives of reserves, Metro chose these lands as urban reserves rather than rural reserves. The characteristics described above make them the best lands for industrial use and for compact, mixed-use, pedestrian-friendly and transit-supportive communities. Designation of these areas as urban reserve will have little adverse impact on inventoried natural landscape features. Notwithstanding the loss of these lands over time, urbanization of these lands will leave the agricultural and forest industries vital and viable in the region.

The record of this two and one-half-year effort shows that not every partner agreed with all urban reserves in each county. But each partner agrees that this adopted system of urban and rural reserves, in its entirety, achieves the region's long-range goals and a balance among the objectives of reserves: to accommodate growth in population and employment in sustainable and prosperous communities and neighborhoods, to preserve the vitality of the farms and forests of the region, and to protect defining natural landscape features. The partners are confident that this system of reserves will allow the continuation of vibrant and mutually-reinforcing farm, forest and urban economies for the next 50 years. And the partners agree this system is the best system the region could reach by mutual agreement.

III. OVERALL PROCESS OF ANALYSIS AND PUBLIC INVOLVEMENT

A. Analysis and Decision-Making

The three counties and Metro began reserves work as soon as LCDC adopted the new rules on reserves (OAR Division 27). The four governments formed committees and began public involvement to raise awareness about reserves and help people learn how to engage in the process. Each of the four governments selected one of its elected officials to serve on the "Core 4", established to guide the designation process and formulate recommendations to the county boards and the Metro Council. The four governments also established a "Reserves Steering Committee" (RSC) to advise the Core 4 on reserves designation. The RSC represented interests across the region - from business, agriculture, social conservation advocacy, cities, service districts and state agencies (52 members and alternates).

The four governments established an overall Project Management Team (PMT) composed of planners and other professions from their planning departments. Each county established an advisory committee to provide guidance and advice to its county board, staffed by the county's planning department.

As part of technical analysis, staff gathered providers of water, sewer, transportation, education and other urban services to consider viability of future service provision to lands within the study area. The parks and open space staff at Metro provided guidance on how best to consider natural features using data that had been deeply researched, broadly vetted and tested for social and political acceptance among Willamette Valley stakeholders (Oregon Wildlife Conservation Strategy, Pacific Northwest Research Consortium, Willamette Valley Futures, The Nature Conservancy's Ecoregional Assessment). Business leaders, farm bureaus and other representative groups were consulted on an ongoing basis.

The first major task of the Core 4 was to recommend a reserves study area to the county boards and the Metro Council. With advice from the RSC, the county advisory committees and public comment gathered open houses across the region, the Core 4 recommended for further analysis some 400,000 acres around the existing urban area, extending generally five miles from the UGB. The four governments endorsed the study area in the fall of 2008. Then the task of applying the urban and rural reserve factors to specific areas began in earnest.

The county advisory committees reviewed information presented by the staff and advised the staff and county boards on how each "candidate area" rated under each reserves factor. The county staffs brought this work to the RSC for discussion. After a year's worth of work at regular meetings, the RSC made its recommendations to the Core 4 in October, 2009.

Later in the fall, each elected body held hearings to hear directly from their constituents on proposed urban and rural reserves. Public involvement included six open houses, three Metro Council hearings around the region and a virtual open house on the Metro web site, all providing the same maps, materials and survey questions.

Following this public involvement, the Core 4 submitted its final recommendations to the four governments on February 8, 2010. The recommendation included a map of proposed urban and rural reserves, showing reserves upon which there was full agreement (the large majority of proposed reserves) and reserves upon which disagreements were not resolved. The Core 4 proposed that these differences be settled in bilateral discussions between each county and Metro, the parties to the intergovernmental agreements (IGAs) required by ORS 195.141. Over the next two weeks, the Metro Council reached agreement on reserves with each county. By February 25, 2010, Metro had signed an IGA with Clackamas, Multnomah and Washington counties. Metro Rec.302; 312; 404.

The IGAs required each government to amend its plan to designate urban (Metro) or rural (counties) reserves and protect them for their intended purposes with plan policies. The IGAs also set times for final public hearings on the IGA recommendations and adoption of ordinances with these plan policies in May and June. The four governments understood that the IGAs and map of urban and rural reserves were not final decisions and, therefore, provided for final adjustments to the map to respond to public comment at the hearings. By June 15, 2010, the four governments had adopted their reserves ordinances, including minor revisions to the reserves map.

B. Public Involvement

From its inception, the reserves designation process was designed to provide stakeholders and the public with a variety of ways to help shape the process and the final outcome. Most significantly, the decision process required 22 elected officials representing two levels of government and 400,000 acres of territory to craft maps and agreements that a majority of them could support. These commissioners and councilors represent constituents who hold a broad range of philosophical perspectives and physical ties to the land. Thus, the structure of the reserves decision process provided motivation for officials to seek a final compromise that met a wide array of public interests.

In the last phase of the reserve process – adoption of ordinances that designate urban and rural reserves - each government followed its established procedure for adoption of ordinances: notice to citizens; public hearings before its planning commission (in Metro’s case, recommendations from the Metro Planning Advisory Committee) and public hearings before its governing body. But in the more-than-two years leading to this final phase, there were additional advisory bodies established.

The RSC began its work in early 2008. RSC members were expected to represent social and economic interests to the committee and officials and to serve as conduits of communication back to their respective communities. In addition, RSC meetings were open to the public and provided an additional avenue for citizens to voice their concerns—either by asking that a steering committee member represent their concern to the committee or by making use of the public testimony period at the beginning of each meeting.

Once the three county advisory committees got underway, they, like the RSC, invited citizens were to bring concerns to committee members or make statements at the beginning of each meeting.

Fulfilling the requirements of DLCD’s administrative rules on reserves and the reserves work program, the three counties and Metro developed a Coordinated Public Involvement Plan in early 2008 that provided guidance on the types of public involvement activities, messages and communications methods that would be used for each phase of the reserves program. The plan incorporated the requirements of Oregon law and administrative rules governing citizen involvement and reflects comments and feedback received from the Metro Council, Core 4 members, each jurisdiction’s citizen involvement committee, other county-level advisory committees and the RSC. The Citizen Involvement Advisory Committee of the Oregon Land Conservation and Development Commission (LCDC) reviewed and endorsed the Public Involvement Plan.

The four governments formed a public involvement team, composed of public involvement staff from each county and Metro, to implement the Public Involvement Plan. The team cooperated in all regional efforts: 20 open houses, two “virtual open houses” on the Metro web site, additional online surveys, presentations, printed materials and analysis and summaries of comments. The team members also undertook separate county and Metro-specific public engagement activities and shared methodologies, materials and results.

Elected officials made presentations to community planning organizations, hamlets, villages, city councils, advocacy organizations, civic groups, chambers of commerce, conferences, watershed councils, public affairs forums, art and architecture forums, and many other venues. Staff and elected officials appeared on television, on radio news broadcasts and talk shows, cable video broadcasts and was covered in countless news articles in metro outlets, gaining publicity that encouraged public engagement. Booths at farmers' markets and other public events, counter displays at retail outlets in rural areas, library displays and articles in organization newsletters further publicized the opportunities for comment. Materials were translated into Spanish and distributed throughout all three counties. Advocacy organizations rallied supporters to engage in letter email campaigns and to attend public meetings. Throughout the reserves planning process the web sites of each county and Metro provided information and avenues for feedback. While there have been formal public comment periods at key points in the decision process, the reserves project team invited the public to provide comment freely throughout the process. In all, the four governments made extraordinary efforts to engage citizens of the region in the process of designating urban and rural reserves. The public involvement plan provided the public with more than 180 discrete opportunities to inform decision makers of their views urban and rural reserves. A fuller account of the public involvement process the activities associated with each stage may be found at Staff Report, June 9, 2010, Metro Rec.123-155; Metro Supp. Rec.__ (Ray memo, 3/14).

Following remand of Urban Reserves 7B and 7I in Washington County by LCDC on October 29, 2010, Metro and Washington County signed a supplemental IGA to re-designate urban and rural reserves in the county. Metro Supp. Rec. __. Each local government held public hearings prior to adoption of the supplemental IGA and prior to adoption of their respective ordinances amending their maps of urban and rural reserves. Metro Supp. Rec. __.

IV. AMOUNT OF URBAN RESERVES

A. Forecast

Metro developed a 50-year "range" forecast for population and employment that was coordinated with the 20-year forecast done for Metro's UGB capacity analysis, completed in December, 2009. The forecast is based on national economic and demographic information and is adjusted to account for regional growth factors. The partner governments used the upper and lower ends of the 50-year range forecast as one parameter for the amount of land needed to accommodate households and employment. Instead of aiming to accommodate a particular number of households or jobs within that range, the partners selected urban reserves from approximately 400,000 acres studied that best achieve the purposes established by the Land Conservation and Development Commission [set forth in OAR 660-027-0005(2)] and the objectives of the partner governments.

B. Demand and Capacity

Estimating land demand over the next 50 years is difficult as a practical matter and involves much uncertainty. The Land Conservation and Development Commission (LCDC) recognizes the challenge of estimating long-term need even for the 20-year UGB planning period. In the section of OAR Division 24 (Urban Growth Boundaries) on "Land Need", the Commission says:

“The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.”

OAR 660-024-0040(1). The uncertainties loom much larger for a 40 to 50-year estimate. Nonetheless, Metro’s estimate of need for a supply of urban reserves sufficient to accommodate housing and employment to the year 2060 is soundly based in fact, experience and reasonable assumptions about long-range trends.

The urban reserves estimate begins with Metro’s UGB estimate of need for the next 20 years in its *Urban Growth Report 2009-2030*, January, 2010 (adopted December 17, 2009). Metro Rec. 646-648; 715. Metro relied upon the assumptions and trends underlying the 20-year estimate and modified them where appropriate for the longer-term reserves estimate, and reached the determinations described below.

The 50-year forecast makes the same assumption on the number of households and jobs needed to accommodate the population and employment coming to the UGB from the seven-county metropolitan statistical area (MSA) as in the *Urban Growth Report*: approximately 62 percent of the MSA residential growth and 70 percent of the MSA employment growth will come to the metro area UGB. *COO Recommendation, Urban Rural Reserves*, Appendix 3E-C, Metro Rec. 599; Appendix 3E-D, Metro Rec. 606-607.

Metro estimates the demand for new dwelling units within the UGB over the next 50 years to be between 485,000 and 532,000 units. *COO Recommendation, Urban Rural Reserves, Appendix 3E-C*, Metro Rec. 599. Metro estimates between 624,300 and 834,100 jobs will locate within the UGB by 2060. *COO Recommendation, Urban Rural Reserves, Appendix 3E-D, Table D-3*, Metro Rec. 607. Staff Report, June 9, 2010, Metro Rec.121-122.

The region will focus its public investments over the next 50 years in communities inside the existing UGB and, as a result, land within the UGB would develop close to the maximum levels allowed by existing local comprehensive plan and zone designations. This investment strategy is expected to accommodate 70 to 85 percent of growth forecasted over that period. No increase in zoned capacity within the UGB was assumed because, at the time of adoption of reserves ordinances by the four governments, the Metro Council will not have completed its decision-making about actions to increase the capacity of the existing UGB as part of Metro’s 2009 capacity analysis. For those areas added to the UGB between 2002 and 2005 for which comprehensive planning and zoning is not yet complete, Metro assumed the areas would accommodate all the housing and employment anticipated in the ordinances that added the areas to the UGB over the reserves planning period. Fifty years of enhanced and focused investment to accommodate growth will influence the market to use zoned capacity more fully.

Consistent with residential capacity analysis in the *Urban Growth Report*, vacant land in the existing UGB can accommodate 166,600 dwelling units under current zoning over the next 50 years. Infill and re-development over this period, with enhanced levels of investment, will accommodate another 212,600 units. This would leave approximately 152,400 dwelling units to

be accommodated on urban reserves through 2060. *COO Recommendation, Urban Rural Reserves, Appendix 3E-C, pp. 5-6, Metro Rec. 602-603.*

Based upon the employment capacity analysis in the *Urban Growth Report*, the existing UGB has sufficient capacity – on vacant land and through re-development over the 50-year reserves period - for overall employment growth in the reserves period. However, this supply of land does not account for the preference of some industrial employers for larger parcels. To accommodate this preference, the analysis of the supply of larger parcels was extrapolated from the *Urban Growth Report*. This leads to the conclusion that urban reserves should include approximately 3,000 acres of net buildable land that is suitable for larger-parcel industrial users. *COO Recommendation, Urban Rural Reserves, Appendix 3E-D, Metro Rec. 609-610; Staff Report, June 9, 2010, Metro Rec.122.*

Metro assumed residential development in urban reserves, when they are added to the UGB over time, would develop at higher densities than has been the experience in the past, for several reasons. First, the region is committed to ensuring new development at the edges of the region contributes to the emergence of “great communities”, either new communities or as additions to existing communities inside the UGB. Second, because many urban reserves are “greenfields”, they can be developed more efficiently than re-developing areas already inside the UGB. Third, demographic trends, noted in the *Urban Growth Report* that is the starting point for Metro’s 2010 capacity analysis, indicate increasing demand for smaller housing units. This reasoning leads to the assumption that residential development will occur in reserves, when added to the UGB, at 15 units per net buildable acre overall, recognizing that some areas (centers, for example) would settle at densities higher than 15 units/acre and others (with steep slopes, for example) would settle at densities lower than 15 units/acre. *COO Recommendation, Urban Rural Reserves, Appendix 3E-C, pp. 6-7; Staff Report, June 9, 2010, Metro Rec.121-122.*

Metro also assumed greater efficiencies in use of employment lands over the next 50 years. The emerging shift of industrial activity from production to research and development will continue, meaning more industrial jobs will be accommodated in high- floor-to-area-ratio (FAR) offices rather than low-FAR general industrial space. This will reduce the need for general industrial and warehouse building types by 10 percent, and increase the need for office space. Office space, however, will be used more efficiently between 2030 and 2060, reducing that need by five percent. Finally, the analysis assumes a 20-percent increase in FARs for new development in centers and corridors, but no such increase in FARs in industrial areas. *COO Recommendation, Urban Rural Reserves, Appendix 3E-C, Metro Rec. 603-604; Staff Report, June 9, 2010, Metro Rec.121-122.*

These assumptions lead to the conclusion that 28,256 acres of urban reserves are needed to accommodate 371,860 people and employment land targets over the 50-year reserves planning period to 2060. *COO Recommendation, Urban Rural Reserves, Appendix 3E-C, Metro Rec. 601-603; Appendix 3E-D, Metro Rec.607-610; Staff Report, June 9, 2010, Metro Rec.121-122.* The nine state agencies that served on the Reserves Steering Committee said the following about the amount of urban land the region will need over the long-term:

“The state agencies support the amount of urban reserves recommended by the Metro COO. That recommendation is for a range of between 15,000 and 29,000 acres. We believe that Metro and the counties can develop findings that, with this amount of land, the region can accommodate estimated urban population and employment growth for at least 40 years, and that the amount includes sufficient development capacity to support a healthy economy and to provide a range of needed housing types.” *Letter to Metro Regional Steering Committee, October 14, 2009, Metro Rec. 1373.*

Based upon the assumptions described above about efficient use of land, the four governments believe the region can accommodate 50 years’ worth of growth, not just 40 years’ of growth.

V. IMPLEMENTING URBAN RESERVES

To ensure that urban reserves ultimately urbanize in a manner consistent with the Regional Framework Plan, Ordinance No. 10-1238A amended Title 11 (Planning for New Urban Areas) (Exhibit D) of Metro’s Urban Growth Management Functional Plan to require planning of areas of urban reserve prior to inclusion into the UGB. Title 11 now requires a “concept plan” for an urban reserve area prior to UGB expansion. A concept plan must show how development would achieve specified outcomes. The outcomes derive from the urban reserve factors in OAR 660-027-0050, themselves based in part on the characteristics of “great communities” identified by local governments of the region as part of Metro’s “Making the Greatest Place” initiative. Title 11 sets forth the elements of a concept plan, including:

- the general locations of types of uses
- the general locations of the urban services (including transportation systems) needed to support the uses
- estimates of the cost of the services to determine the feasibility of urbanization and to allow comparisons of urban reserves
- the locations of natural resources that will be subject to Title 3 and 13 of the UGMFP
- agreement among local governments and other service providers on provision of services to the area
- agreement among the local governments on annexation of the area to a city or cities and responsibility for planning and zoning.

Title 11 continues to limit development in areas added to the UGB to protect the opportunity for efficient urbanization during the time needed to adopt new local government plan provisions and land use regulations. Title 11, together with the comprehensive plans of the receiving local governments and Metro’s Regional Framework Plan (including the 2035 Regional Transportation Plan), will ensure land use and transportation policies and designations will allow mixed-use and pedestrian, bicycle and transit-supportive development once urban reserve areas are added to the UGB. Staff Report, June 9, 2010, Metro Rec.8-13.