Exhibit List for ZDO 265

Last updated: April 12, 2017 (11:50AM)

Exhibit No.	Date Received	Document Date	Who Submitted	Brief Summary of Comments
1	02/10/2017	02/10/2017	Jenny Weller, email	Expresses concerns about high growth in Stafford Hamlet area
2	02/23/2017	02/23/2017	Mike Stewart, email	Expresses concern that animosity at 3/23/17 Stafford Forum led to an environment that not everyone was comfortable to speak up
3	02/27/2017	02/27/2017	Lauren Hughes, email	Expresses concern that the county and Metro are moving forward without listening to cities and Hamlet
4	02/27/2017	02/27/2017	CJ Kroll, email	Opposes Urban Reserve designation of Stafford Hamlet
5	02/27/2017	02/27/2017	Kirk Morganson, email	Supports "Stafford Compromise"
6	02/28/2017	02/28/2017	Kelly Bartholomew, email	Expresses concern about the community ramifications of urbanizing the Stafford area, including traffic, crime, air quality and water
7	03/01/2017	03/01/2017	Walt Gamble, email	Encourages Commissioner to consider the Stafford Hamlet's plan
8	03/01/2017	03/01/2017	Carol Reinmiller	Wants the Stafford Hamlet to remain as it is now
9	03/02/2017	03/02/2017	Patrick Thurston, email	Expresses concern about increased traffic and the cots of utility infrastructure
10	02/23/2017	02/23/2017	Judy Large, Kirk Morganson, Megan Burt, comment forms provided at 2/23/17 Stafford Forum	Three comment forms received after 2/23/17 meeting, generally supporting the Stafford Hamlet plan
11	03/03/2017	02/25/2017	Stacey Krish, email	Opposes urban development in Stafford, support rural reserve in Stafford
12	03/03/2017	03/01/2017	Rich Cook, letter via email	Expresses concern about process and communication between county and Stafford community, relating to the Hamlets plan and the forthcoming IGA with the county and Metro
13	03/06/2017	03/06/2017	Paul Starr, letter	Opposes development in the Stafford Hamlet
14	03/06/2017	03/06/2017	Eileen Starr, letter	Expresses concern with current levels of traffic. Supports Stafford Compromise
15	03/13/2017	03/12/2017	Herb Koss, letter via email	Letter discussing elements of Stafford Land Owners Association (SLOA) plan for Stafford area. Supports legislative resolution for area
16	03/20/2017	03/20/2017	Jan Castle, letter via email	McVey-South Shore Neighborhood Association in Lake Oswego is concerned about traffic impacts of development. Requests the IGA be signed by the cities (5-party IGA)
17	03/14/2017	03/14/2017	Kelly Bartholomew, email	Elaborates on concerns about urban reserve designation of Stafford, including whether traffic issues are resolved, quality of life, air quality, water and additional court proceedings

Exhibit List for ZDO 265

Last updated: April 12, 2017 (11:50AM)

Exhibit No.	Date Received	Document Date	Who Submitted	Brief Summary of Comments
18	03/21/2017	03/21/2017	Michael Salch, document vial email	Presentation that discusses traffic concerns, cut-through traffic in the Stafford area. Recommends the county contract a traffic study for Stafford and neighboring areas
19	04/03/2017	03/23/2017	Mike Stewart, email	Supports urban reserves. Includes map of "willing" property owners in the Stafford area.
TESTIMONY RECEIVED AFTER BCC PACKET SUBMITTED AND POSTED (4/3/2017)				
20	04/10/2017	04/07/2017	Darren Sheets, email	Wants community to remain rural - be designated rural reserve; cites traffic concerns
21	04/10/2017	04/02/2017	Ann Culter, letter via email	Opposes Urban Reserve designation of Stafford Hamlet area; notes numbers of residents voting for undesignated and Stafford Hamlet plan
22	04/10/2017	04/09/2017	Liz Rogers, email	Supports urban reserve for Stafford Hamlet area
23	04/10/2017	04/09/2017	Kathy Hanavan, email	Opposed to Stafford Hamlet area being in the urban growth boundary; cites traffic concerns. Not opposed to development in Borland area
24	04/10/2017	04/10/2017	Jay Minor, email with attachments	Request to enter the *Stafford Hamlet Values and Vision Statement* (2009); *Stafford Hamlet Community Vision Plan* (2015); and the 2010 Reserves IGA between the County and Metro into the record
25	04/11/2017	04/10/2017	Steve & Monica Cox, email	Opposed to adding a large number of new residents to Stafford area
26	04/11/2017	04/11/2017	Kelly O'Neill Jr, Planning & Building Director, City of Sandy, email with attachments	City requests the record include the 1998 and 2011 IGAs between the city and county, relating to the desire of the city to maintain a rural buffer from the Portland metro area
27	04/11/2017	04/11/2017	Don & Elaine Young, email	Supports Stafford Hamlet Plan; opposes decisions so far by BCC and Metro
28	04/12/2017	04/11/2017	Lauren Hughes, email	Opposed to Metro and County moving forward with urbanization of Stafford area; cites natural area and traffic concerns
29	04/12/2017	04/11/2017	Bonnie Combs, email	Opposed to urbanizing Stafford; cites agricultural identity and traffic concerns
30	04/12/2017	04/11/2017	Thane Eddington, email	Supports Stafford Compromise and working together with County, Metro, cities and citizens in area
31	04/12/2017	04/11/2017	Steven DeLugach, email	Opposed to including Stafford in urban reserve; cites concerns for wildlife and quality of life
32	04/12/2017	04/11/2017	Heather Burden, email	Supports Stafford Compromise; cites infrastructure, wildlife, and quality of life concerns
33	04/12/2017	04/11/2017	Mike Stewart, email	Support urban reserve designation for Stafford area; feels it will help economic future of county
34	04/12/2017	04/11/2017	Mark Stevens, letter via email	Supports urban reserve designation; feels measured growth in Stafford area is practical and timely
35	04/12/2017	04/11/2017	Richard Bohrer, email	Opposed to urbanization in Stafford; cites concerns about traffic and natural area impacts
36	04/12/2017	04/12/2017	Herb Koss, emails	Supports Stafford area urban reserve the plan developed by the Stafford Landowners Association (SLOA); thinks finance and infrastructure issues can be resolved

Exhibit List for ZDO 265

Last updated: April 12, 2017 (11:50AM)

Exhibit No.	Date Received	Document Date	Who Submitted	Brief Summary of Comments
37	04/12/2017	04/12/2017	Alexandra Wenig, email	Opposed to urbanizing Stafford; cites density, school capacity and traffic concerns
38	04/12/2017	04/12/2017	Carol Yamada, letter via email	Opposed to urban reserve in Stafford area; states concerns about certain information provided by the SLOA, including the map of " the willing"
39				
40				
41				
42				
43				
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45				

20

Fritzie, Martha

From: Darren Sheets <dfsheets@gmail.com>
Sent: Friday, April 07, 2017 12:00 PM
To: Fritzie, Martha
Subject: The community wants rural reserve

To the Clackamas County Board of Commissioners,

It is very clear to me that **"THE COUNTY IS NOT LISTENING "**to their employers (the citizens)!!!

With over 80% of this **"COMMUNITY WANTS RURAL RESERVE"** but you have opted to choose quite the opposite of our requests, Urban Development.

I moved here to this community because it is rural and purchased my home knowing that the open land will not be developed more than 5 acre lots for a single dwelling home.

Whatever happened to "**Democracy**"?

It seems to me a deal has already been made

"**Behind Closed Doors with Developers**", in my opinion.

Please **"Don't Destroy "**our beautiful community! We want a livable community.

"**Traffic is already bad" as** a cyclist the roads are already getting over crowed and safety is an issue.

Urban development will bring **"GRIDLOCK"** to our community.

If the commissioners want this kind of community they all should please move away to Los Angeles where they can get a taste of development.

Darren Sheets

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ZDO-265:
Reserves Remand
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Ann Culter
144 S.W. Tualatin Loop
West Linn, OR 97068

April 2, 2017

RE: Clackamas County Hearing on Stafford Hamlet Urban Reserves
ZDO-265

Dear Chair Bernard and Members of the Clackamas County Council:

What neither Metro nor Clackamas County wants to recognize is that we, as residents north of the Tualatin River, do not want to be designated as urban reserves. **An urban designation does not allow us to plan our area in a thoughtful manner**, and that includes going to the legislature and asking that the Exclusive Farm Use (EFU) land be broken up from 80-acre minimums to five or 10-acre parcels.

The facts are these:

- In 2006, the Stafford Hamlet was formed with 92% voter approval of 374 voters, using a double-majority system of landowners under five acres and landowners with five acres or more.
- In 2009, the Values & Vision statement had an 87% voter approval, 226 votes, with a double majority vote.
- In 2014, the recommendation to the County for an undesignated North had an 86% double-majority win with a 369 voter approval.
- In 2015, the Community Vision Plan had an 86% double-majority win with 247 voters.
- The three cities of Lake Oswego, West Linn, and Tualatin are not in favor of an urban- reserves Stafford Hamlet, let alone a Stafford Hamlet in the Urban Growth Boundary. Their residents of over 90,000, whose taxes, traffic and life style would be greatly affected by a Stafford Hamlet in the UGB should count

more than the 20 or so land speculators of the Stafford Land-owners Association.

Growth in the surrounding cities has outpaced transportation's ability to accommodate traffic on Lake Oswego's State Street (Hwy 43) and McVey, nor are West Linn's Blankenship and Tenth Street able to handle the 50,000 people and 200,000 car trips a day that a Metro density would slam into our area. This is far from a livable community that Metro likes to talk about.

At present, the Stafford Hamlet has creeks, a river, and an abundance of nature, which we don't wish to have destroyed. The Stafford Hamlet acts as a buffer, allowing the surrounding cities to retain their unique identities. We wish to preserve, not destroy, our own identity of natural landscapes, forests, growing agriculture (this land will grow a lot of crops), equestrian and festival-event businesses, and our soon-to-be rolled- out Hazelia Agri-Cultural Heritage Trail.

Oregon law stipulates that Metro and Clackamas County must hold hearings to satisfy Goal 1, resident participation. What I find troubling is that Metro and Clackamas County hold these hearings simply as a formality and disregard residents' requests. I fully expect that the County will continue on this path, trying to force urban reserves on the Stafford area that doesn't want it. Hopefully, the cities will hold the line and challenge any attempt at an urban designation.

Sincerely,

Ann Culter
Stafford Hamlet Resident

22

Fritzie, Martha

From: Liz Rogers <rogersgood@aol.com>
Sent: Sunday, April 09, 2017 10:46 AM
To: Fritzie, Martha
Subject: Stafford Hamlet

Follow Up Flag: Follow up
Flag Status: Flagged

I am a home owner in the Stafford Hamlet. We have lived in the Stafford area for almost 30 years. I support Metro and Clackamas County's position of including the Hamlet in the Urban Reserve.

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.
Spam
Not spam
Forget previous vote

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Reserves Remand
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23

Fritzie, Martha

From: Kathryn Hanavan <kathy.hanavan@icloud.com>
Sent: Sunday, April 09, 2017 1:41 PM
To: Fritzie, Martha
Subject: Opposition to incorporating Stafford Hamlet

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

I am writing to register my opposition to including the Stafford Hamlet into the Urban Growth Boundary. None of the surrounding cities wants this, nor do they have the resources to provide the new infrastructure that would be needed. Nor do they have the resources to deal with traffic congestion which is already awful on many of the roads and I 205. The increase in traffic and congestion would be horrific and completely change the character of the area. Projections show that Portland, Gresham, Hillsboro, beaverton and Wilsonville are willing to absorb most of the increases in population for the next 20 years or so.

I am not opposed to developing the Borland area as has been suggested.

Thank you.

Kathy Hanavan

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.
Spam
Not spam
Forget previous vote

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ZDO-265:
Reserves Remand
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24

Fritzie, Martha

From:	Jay Minor <jayminor2@gmail.com>
Sent:	Monday, April 10, 2017 2:40 PM
To:	Bernard, Jim; Fischer, Sonya; Humberston, Kenneth; Schrader, Martha; Savas, Paul
Cc:	Krupp, Don; Fritzie, Martha; Rogalin, Ellen
Subject:	Urban Reserve Hearing, ZDO265, Submission for Public Record
Attachments:	SH Community Vision Plan 2015 .pdf; ATT00001.htm; SH IGA ClackamasMetro Reserves 2010 .pdf; ATT00002.htm; SH V&V Statement .pdf; ATT00003.htm
Follow Up Flag:	Follow up
Flag Status:	Flagged

Dear Commissioners,

We are in receipt of the "electronic packet" containing the staff report and public comments received as of April 3rd regarding the above referenced hearing scheduled for April 12th. Since there are no exhibits referencing the Stafford Hamlets ten years of work that was previously submitted to the BCC, we request that the *Value and Vision Statement* of 2009 and the *Community Vision Plan* of 2015 be submitted and added to the public record. As you recall, these two documents were passed by an over 86% double majority. In addition, we request that the 2010 IGA that was executed by both Metro and the County, and remains part of the Urban Reserve Agreement, be made part of the public record. I will be referencing these three documents in my testimony on the twelfth.

I am attaching the three documents in order for your staff to add them to the electronic "packet" and make sufficient hard copies available for handouts at the public meeting.

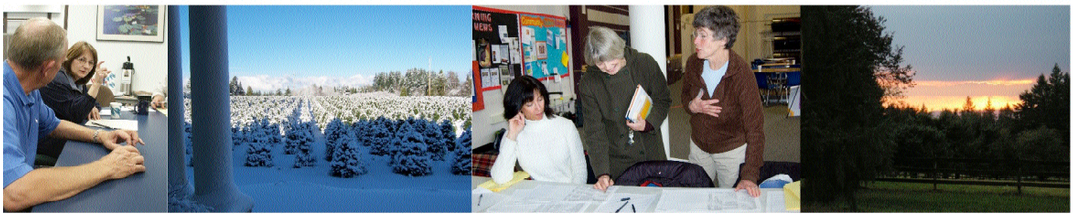
Thank you for your consideration.

Jay Minor
Stafford Hamlet
Board Chair

Spam
Not spam
Forget previous vote

STAFFORD HAMLET

VALUES & Vision



WELCOME TO THE STAFFORD HAMLET
ESTABLISHED 2006
Working Together To Create Our Future

The Stafford Hamlet was born out of the idea that change is inevitable, including changing the way we develop.

We have seen the defining character of many Oregon communities be destroyed because they were unable to make their voices heard. So in 2006 we came together—as landowners and neighbors, as developers, conservationists, and people in the middle—to create a model of limited self-governance recognized by Clackamas County as The Stafford Hamlet.

The Hamlet community solidly supports preserving the Stafford Character, which includes open space, pastoral views, native trees and wildlife, and the Tualatin River and its tributaries. The community feels that growth and development, should it occur in Stafford, must be done thoughtfully, and in a fair and balanced manner that builds a strong, complete community and respects the rights of property owners. This statement expresses the essence of our desire to provide long-term stewardship of the Stafford Hamlet.

Our purpose is not to formulate a plan for development, nor to refuse one. Our purpose is simple but challenging: to unite in crafting meaningful recommendations for change that serve both individual interests and the common good in a manner that is just, fair, and reasonable for all.

Out of a mutual respect for a wide spectrum of opinions, and a firm commitment to finding common goals and interests, the Stafford Hamlet has crafted this Values and Vision Statement to serve as our road map to the future.

Vision

Infrastructure Needs

Existing infrastructure, including transportation, water, sewer facilities, parks, and schools, is not adequate to accommodate a significant increase in density anywhere in the Hamlet. There are concerns that the Hamlet's groundwater may be limited, so provision of new sources of drinking water may become a priority for further development here. Provision of adequate facilities must be addressed before significant development occurs.

Clustering to Preserve Open Space

Clustering, which concentrates development so that open land is preserved without sacrificing economic viability, is a desirable style of development for some parts of the Hamlet. Clustering appears to have the potential to preserve the Stafford Character while still allowing some development.

Areas of Limited or No Development

There are significant areas of the Hamlet that will not be developed or will have very limited development. These include: riparian zones, flood plains, wildlife habitat, steep slopes, and slide areas. These areas are shown on county and regional maps (see the attached map), and development options are determined by state, county, and regional statutes and policy. This is also consistent with the Hamlet's Values Statement.

Borland Development

The Borland area—south of the Tualatin River and north of I-205, not including the Halcyon neighborhood—is the most reasonable to develop for the purposes of residential densities and employment opportunities. Great care must be taken to protect the Tualatin River and to maintain the Stafford Character.

EFU Lands and Large Parcels

Exclusive Farm Use (EFU) land and other large parcels, currently limited to one house per 80 acres, should be permitted to divide into smaller parcels for the purposes of both development and preservation. We are committed to developing these lands in a thoughtful manner that allows economic viability while preserving their value as a resource for agriculture, wildlife habitat, and open space.

Previously Developed Neighborhoods

Already developed residential neighborhoods—Halcyon, Mossy Brae, Shadowwood, Tualatin Loop/Johnson Road south of I-205, and Ashdown Woods—should not be redeveloped to greater density. Existing lot sizes have already been established, are well accepted, and provide value to the community with their individuality and character.

Values

We value the qualities–the "Stafford Character"– that make our community a desirable place to live.

The Stafford Hamlet is quiet and peaceful, and residents have a sense of privacy. The Hamlet offers open space, pastoral views, and freedom from city lights. Native trees and wildlife enhance the experience of living here. The Tualatin river and tributaries such as Wilson Creek are an essential part of the community's character. Accessible natural areas keep people connected with the natural world. Our air is clean and our groundwater is of good quality, although limited. Old barns and farms are still visible and keep people in touch with Stafford's history. Most neighborhoods contain a variety of residential styles and lifestyles, and sometimes include agriculture and livestock. Some parts of Stafford have quality agricultural soils. Residents feel secure and safe here.

We value balance and fairness in our community.

The needs and desires of individuals, the Stafford community, and the surrounding region are sometimes in conflict. Similarly, economic, social, and environmental goals can be at odds. Our community decisions will strive for a balance between these competing interests, and we will work for common purposes. Competing interests can give rise to synergy and lead to creative solutions. New infrastructure and services should be efficient, cost-effective, and installed with minimal disruption; the cost of new services and infrastructure should be apportioned fairly, and development should pay for itself. Different parts of Stafford are suited to different uses; these potential different uses afford us the opportunity to create a Complete Community where people can live, work, and play.

We value the Tualatin River and its tributaries and wetlands.

The Tualatin River is a peaceful and scenic stream with some public access. It is a natural corridor for wildlife. Riparian areas and tributaries are essential to river health and wildlife. The river needs to be protected from pollution and excess stormwater runoff. Existing flood plains and natural wetlands function as pollution filters and should not be disturbed.

We value thoughtful change.

We must be good stewards of the Stafford Character, not just for ourselves but for future generations. When change is planned and predictable it maintains a strong, stable community. Changes shall comply with state laws and seek to achieve state land-use goals, while maintaining the best of the Stafford Character. Planning should incorporate the best ideas from similar communities, both national and local, where appropriate. Building practices should reflect good stewardship.

We value a strong community.

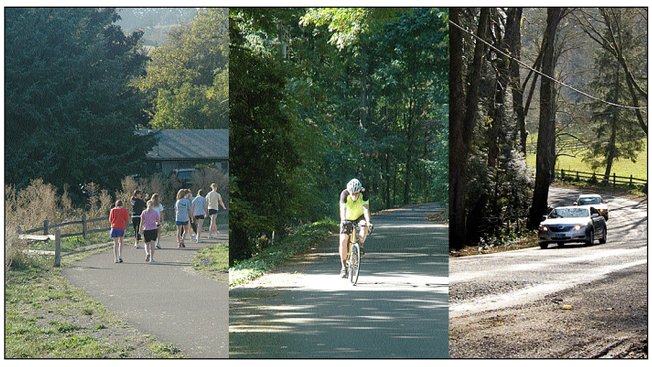
A strong community is fostered by interaction around a set of common goals and values. We have chosen to be guided by transparent, consensus-based decision-making in order to best reflect community priorities. Every citizen's voice is worth hearing. There is strength in unity and in maintaining the integrity of our community; fragmentation and divisiveness weaken our voice in regional decisions. Physical realities such as parks and public places provide gathering places, which help build a healthy, vibrant, and connected community. Quality education for young people is essential to the future of the community. We do not exist in isolation, and need to work with surrounding cities and jurisdictions.

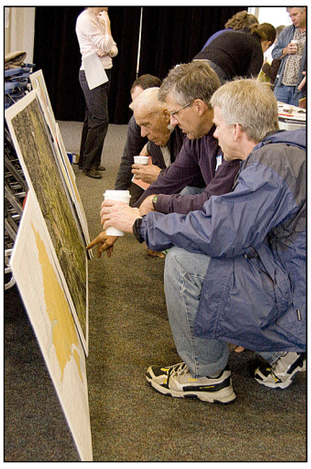
We value the legal rights of property owners.

Property owners have legal rights for development or preservation, as well as other rights of usage. Fair compensation is due when private land is used for the public's good.

We value our connections to each other and to surrounding communities and resources.

Stafford's proximity and access to urban services and resources should not be diminished through congestion or poor traffic planning. Accessibility and mobility within the Hamlet should be optimized, safe, and multi-modal (auto, public, bike, pedestrian).





This Values and Vision Statement declares the core community values of the Stafford Hamlet, as well as general principles for future development, if necessary.

The Values and Vision Statement was developed through a consensus process that included 20 neighborhood meetings, several Town Halls, and surveys of the community. This process took place over two years and involved hundreds of community members.

In March, 2009, this Values and Vision Statement was approved by 87% of the 225 community members who voted on it.

Working Together To Create Our Future

CLACKAMAS COUNTY

www.staffordhamlet.org
PO Box 4561, Tualatin, OR 97062

We value the qualities—the "Stafford Character"—that make our community a valuable place to live.
These are:

Balance and fairness in our community.

The Tualatin River and its tributaries and wetlands.

Thoughtful change.

A strong community.

The legal rights of property owners.

Our connections to each other and to surrounding communities and resources.

Oregon is insanely green. It is the thin light left over from Eden.

William Stafford

WELCOME
to the
Stafford Hamlet

Established 2006

The Stafford Hamlet
19995 Stafford Rd #7
West Linn, OR 97068

info@staffordhamlet.com

Thank you to the scores of volunteers that have contributed ideas, funds, and hours of their weekends on this project.

THE STAFFORD HAMLET

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Reserves Remand
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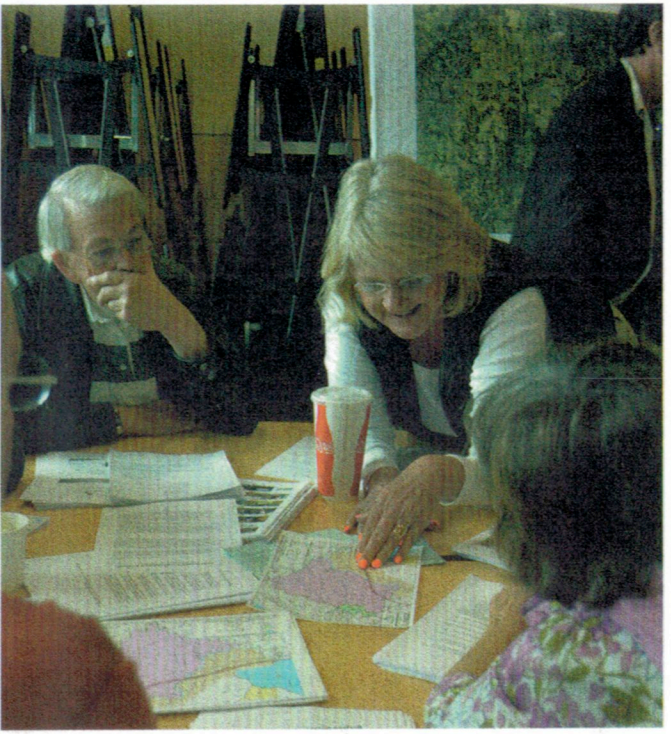
Community Vision Plan

2015



How we wrote the plan

The Stafford Hamlet ("Hamlet") advisory group was created in 2006. It is part of Clackamas County's Hamlets and Villages program that allows residents of unincorporated areas to have a voice in their own destiny. It was born out of the idea that although change is inevitable, future generations will only enjoy our same quality of life if thoughtful, well-conceived change is implemented by current Hamlet residents.

The Hamlet consists of 3,930 acres, comprised of 2,760 acres of RRFF-5 (Rural Residential/Farm Forest) land and 1,170 acres of EFU (Exclusive Farm Use) land. This total includes 1,336 acres of riparian lands (waterways and wetlands) protected by State statutes, public and private open spaces, rights of way and land too steeply sloped to economically accommodate development and its necessary infrastructure.

Our 2009 "Vision and Values" statement, created after two years of public input and approved by a large majority of those who voted, details the "Stafford Character"—the special culture and nature of the area that the Hamlet community supports preserving as we consider any development in the Hamlet.

That character includes:

- Preservation of open spaces, pastoral views, native and heritage trees, and wildlife.
- Safe-guarding clean air and groundwater.
- Visual connection with historical buildings, agriculture and livestock.
- A safe, secure, serene environment.
- Protecting the quality of the Tualatin River and its tributaries.
- Having any future development being done thoughtfully, fairly, and in a balanced manner that helps build a strong community.

Hamlet bylaws require the creation of a Community Vision Plan (CVP) that details our vision for the future of the Hamlet. In the fall of 2014, as we were in the final stages of preparing this plan, Clackamas County asked for specifics about our vision for our area. To that end, we held an advisory vote for Hamlet residents to clarify their vision for the future of our community.

After community consensus that considered all potential scenarios, the following two alternatives were presented to the voters as those that best fit the Visions and Values:

Keep the Urban Reserve designation for the entire Hamlet; or designate only the Borland area (south of the Tualatid River) as Urban Reserve, with the area north of the river plus the Halcyon neighborhood as "undesignated" or non-urban.

A large majority of those who voted preferred the second option. (See chart, flip side) Combined with our desire to preserve the Stafford Character in ways consistent with our values, this vote is a cornerstone for the vision plan we present here. This approach to the future of the Hamlet mirrored that of the Clackamas County Urban Reserve /Rural Reserve Policy Advisory Committee. In 2009, after a two-year process of evaluating land against strict criteria for Metro's Urban Reserve creation, that committee recommended that the Stafford Hamlet be undesignated, except for the compromise stipulation that Borland be placed in urban reserves.

Understanding that our community impacts those around us, as theirs impacts us, we propose this as a regional solution that benefits Hamlet residents and the future generations who will live here, as well as residents of the surrounding cities, by providing a pastoral buffer zone their residents can (and do) enjoy but still allows them to keep their own individual character and identity.

The Stafford Hamlet plan is THE SOLUTION because:

1. Classifying the Borland Neighborhood "urban reserve" gives Clackamas County the shovel-ready employment land we need and focuses density near I-205. New development pays for new infrastructure.

2. Classifying North Stafford "undesignated" preserves the green buffer between the cities growing around us.

3. The option to upzone EFU land in North Stafford gives flexibility to large property owners while maintaining the Stafford Character. Minimal new infrastructure is required.

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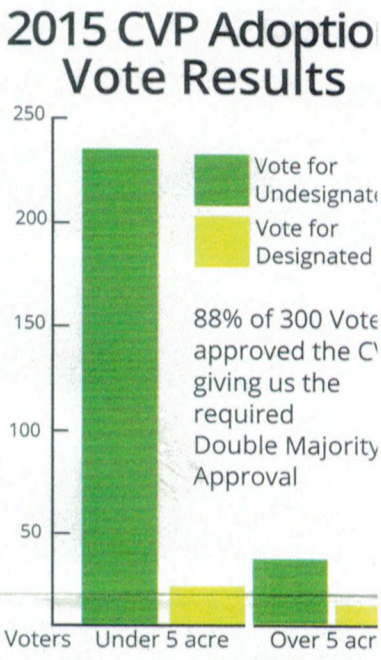
The Community Vision Plan *embraces Stafford Hamlet's uniqueness in a way that allows for some development/employment lands where most viable while also protecting as much of our open spaces as possible, in accordance with residents' wishes. This is accomplished by considering the Hamlet as two distinct districts instead of one: 1) Borland, and 2) the area north of the Tualatin River (plus the Halcyon neighborhood).*

This compromise solution to differing opinions on the future of the Hamlet is meant to be implemented as a whole rather than by considering the Borland area and the area north of the river/Halcyon neighborhood as separate, unrelated entities.



SOLUTION
BORLAND *Hamlet Lands North of I-205 and South of the River*

The Borland area south of the Tualatin River (excluding the Halcyon neighborhood) has a gross total of 520 acres, with a net developable area of 240 acres. As was cited in our Vision and Values statement, it is the most appropriate area of the Hamlet for denser development because of its flat terrain and proximity to I-205.

Development Considerations

Eventual development of the Borland area will require provision of public services, such as sewer, water and roads. These services will be provided by 1) a willing city, which would annex the area and make it subject to that city's Comprehensive Plan, or 2) a recognized governance entity.

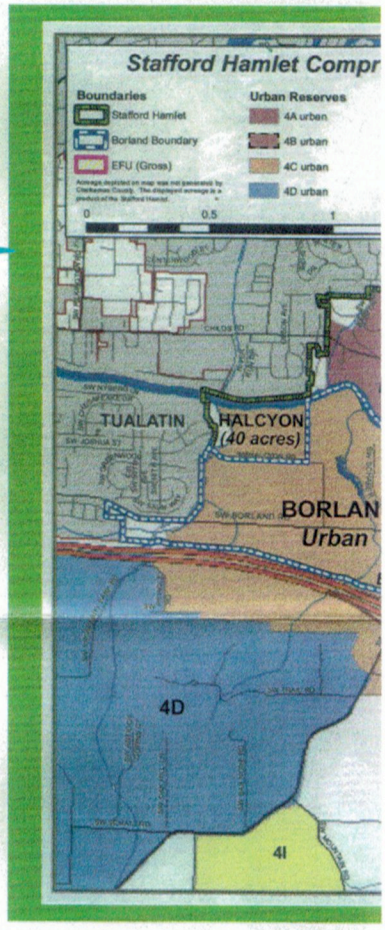
We envision the Borland employment area as a Kruse-Way-type commercial development of class "A" office buildings that also includes restaurants and other retail business to support the people working there. This may include areas such as corporate campuses, medical facilities, and research and development. Development is expected to respect our neighbors, lower heights near schools, the Halcyon neighborhood, and the Tualatin River.

Developers should pay the costs of infrastructure and development. Such costs should not be the responsibility of residents of other areas of the Hamlet.

A traffic study and transportation plan will be needed to determine the transportation structure to accommodate planned development and to mitigate the impact development would have on the surrounding cities, the Stafford Hamlet and the region.

We expect any development to be a model of "green" urbanism, with consideration and enhancement of the natural features that make Borland special, including creek-side trails and Tualatin River wildlife.

Development must be done with careful consideration so as not to negatively impact Halcyon and adjacent neighborhoods.



Hamlet Acres, by type *

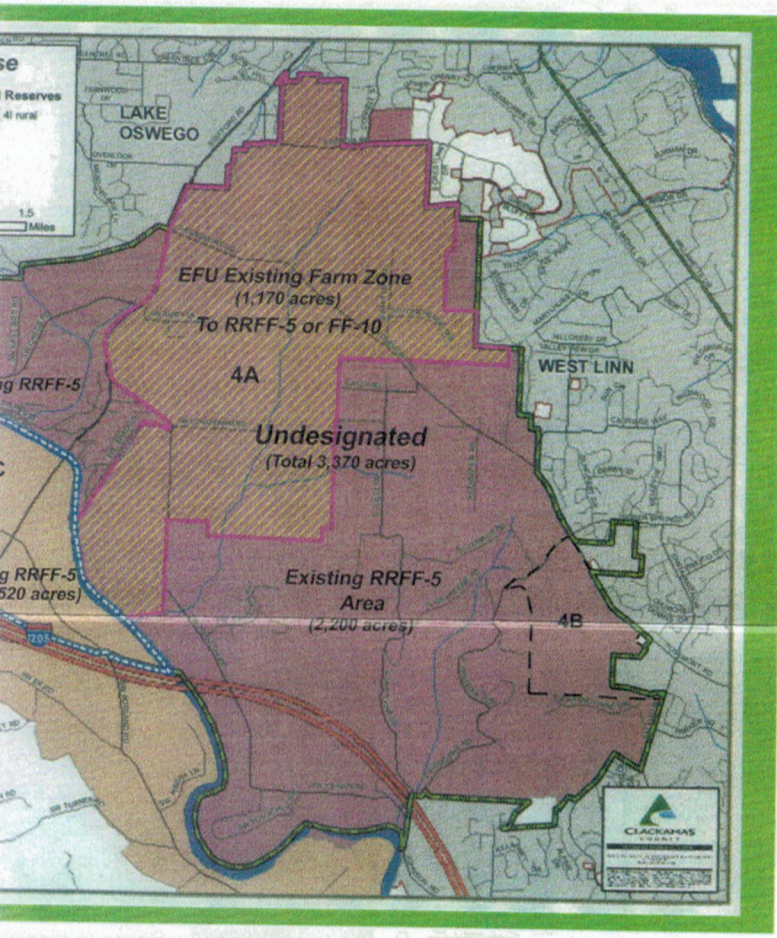
Borland Road Area	520	North of Tualatin River	3,370
- Church, School, Riparian /Flood, Right of Way	280	RRFF5	2,200
Net Urban Available	240	EFU	1,170
		-Riparian, Public and Private Open Spaces	385
		Net EFU	785

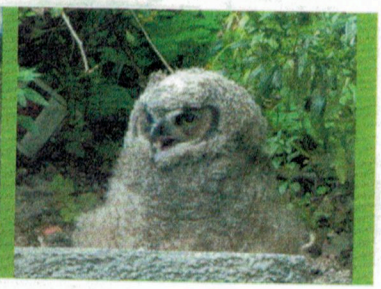
*EFU - Exclusive Farm Use
RRFF5 - Rural Residential Farm Forest 5 Acres

SOLUTION
THE NORTH *Hamlet Lands North of the River and Halcyon Neighborhood*

This area consists of 3,370 acres gross, made up of 2,200 acres of RRFF-5 (Rural Residential/Farm Forest) land and 1,170 gross acres of EFU (Exclusive Farm Use) land. The EFU total includes 385 acres that are riparian, public and private open spaces and rights of way.

This area is notable for its habitats for many native and sensitive plants and wildlife, which is enhanced by its connected open spaces, trails, and running waters, for its productive soils, and for its many heritage trees, all of which contribute to the health and enjoyment of the greater community.





Potential Development

Outside of the zoning allowances of RRFF-5 and FF-10, we do not support any employment land north of the river. We support up-zoning of Exclusive Farm Use (EFU) land, which currently allows only one home per 80 acres, as follows:

Up-zoning in EFU land to allow: 1) RRFF-5 (5-acre) zoning, which would result in a potential maximum of 116 new homes, or 2) FF-10 (10-acre) zoning, which would result in a potential maximum of 43 new homes. Existing land outside the EFU would continue to be zoned RRFF-5.

We anticipate that, to the extent possible, any new housing would be clustered to maximize open space.

Any new development would, of course, comply with existing state laws regarding aquifer protection and septic percolation.

With this potential maximum number of new homes, no new infrastructure (sewer, water, roads, schools, public buildings and services) will be required, so no additional costs to residents will be incurred. New construction fees for private builders will be lower because the area is unincorporated.

Preservation

As part of our commitment to preserving the Stafford Character, we also support exploring and promoting:

Open space and park acquisition, including working with willing landowners to purchase land and securing easements for permanent open spaces, buffer areas, and historic sites. Buyers could also be Metro, neighboring cities, land trusts, or other mechanisms.

Open-space-friendly eco-businesses, such as farms, tree farms, ranches, vineyards, orchards and equine centers that would enhance the area.

A close working relationship with Metro and other entities to increase connectivity within the Hamlet and between the Hamlet and the three surrounding cities through pedestrian pathways, trails, bike paths and equestrian trails.

Intergovernmental Agreement
Between Metro and Clackamas County
To
Adopt Urban and Rural Reserves

This Agreement is entered into by and between Metro and Clackamas County pursuant to ORS 195.141 and 190.003 to 190.110 for the purpose of agreeing on the elements of an ordinance to be adopted by Metro designating Urban Reserves and of an ordinance to be adopted by Clackamas County designating Rural Reserves, all in Clackamas County.

PREFACE

This agreement will lead to the designation of Urban Reserves and Rural Reserves. Designation of the Urban and Rural Reserves by this agreement will help accomplish the purpose of the 2007 Oregon Legislature in enacting Senate Bill 1011, now codified in ORS 195.137 to 195.145 ("the statute"):

Facilitate long-term planning for urbanization in the region that best achieves

- Livable communities;
- Viability and vitality of the agricultural and forest industries; and
- Protection of the important natural landscape features that define the region.

RECITALS

WHEREAS, Metro and Multnomah, Washington and Clackamas Counties ("the four governments") have declared their mutual interest in long-term planning for the three-county area in which they exercise land use planning authority to achieve the purpose set forth in the statute; and

WHEREAS, the Oregon Legislature enacted the statute in 2007, at the request of the four governments and many other local governments and organizations in the region and state agencies, to establish a new method to accomplish the goals of the four governments through long-term planning; and

WHEREAS, the statute authorizes the four local governments to designate Urban Reserves and Rural Reserves to accomplish the purposes of the statute, which are consistent with the goals of the four governments; and

WHEREAS, the Land Conservation and Development Commission ("LCDC") adopted rules to implement the statute on January 25, 2008, as directed by the statute; and

WHEREAS, the statute and rules require Metro and Clackamas County ("the parties") to designate reserves and to enter into a formal agreement between them to designate reserves in a coordinated and concurrent process prior to adoption of ordinances adopting reserves; and

WHEREAS, the statute and the rules set forth certain factors to be considered in the designation of reserves, and elements to be included in ordinances adopting reserves; and

WHEREAS, the parties have followed the procedures and considered the factors set forth in the statute and the rule; and

WHEREAS, the parties have completed an extensive and coordinated public involvement effort; and

WHEREAS, the parties have coordinated their efforts with cities, special districts, school districts and state agencies in the identification of appropriate Urban and Rural Reserves;

NOW, THEREFORE, Metro and Clackamas County agree as follows:

AGREEMENT

A. **Metro agrees** to consider the following policies and Urban Reserve designations at a public hearing and to incorporate them in the Regional Framework Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:

1. A policy that designates as Urban Reserves those areas shown as proposed Urban Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.

2. A policy that determines that the Urban Reserves designated by the Regional Framework Plan pursuant to this agreement are intended to provide capacity for population and employment between 2010 and 2060, a total of 50 years from the date of adoption of the ordinance designating the reserves.

3. A policy that gives highest priority to Urban Reserves for future addition to the urban growth boundary (UGB).

4. A map depicting the Urban Reserves adopted by Metro and the Rural Reserves adopted by Clackamas County following this agreement.

5. A policy that Metro will not add Rural Reserves designated by ordinance following this agreement to the regional UGB for 50 years.

6. A policy that Metro will not designate Rural Reserves as Urban Reserves for 50 years.

7. A policy that Metro will require a "concept plan", the required elements of which will be specified in the Urban Growth Management Functional Plan in consultation with the county, for an area of Urban Reserves under consideration for addition to the UGB to be completed prior to the addition. Concept plans shall include elements on finance, provision of infrastructure, natural resource protection, governance, the planning principles set forth in Exhibit B and other subjects critical to the creation of great

communities. Concept plans will provide that areas added to the UGB will be governed and planned by cities prior to urbanization.

8. A policy that Metro will review the designations of urban and rural reserves, in coordination with Clackamas, Multnomah and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

B. **Clackamas County agrees** to consider the following policies and Rural Reserve designations at a public hearing and to incorporate them in its Comprehensive Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:

1. A policy that designates as Rural Reserves the areas shown as proposed Rural Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.

2. A map depicting the Rural Reserves designated by the Comprehensive Plan and the Urban Reserves adopted by Metro following this agreement.

3. A policy that Clackamas County will not include Rural Reserves designated pursuant to this agreement in the UGB of any city in the county for 50 years from the date of adoption of the ordinance designating the reserves.

4. A policy that the county will not re-designate Rural Reserves as Urban Reserves for a city in the county for 50 years from the date of adoption of the ordinance designating the reserves.

5. A policy that commits the county, together with an appropriate city or cities, to participation in development of a concept plan for an area of Urban Reserves under consideration for addition to the UGB.

6. A policy that the county will review the designations of Urban and Rural Reserves, in coordination with Metro and Multnomah and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

C. **Clackamas County and Metro agree** to follow this process for adoption of the ordinances that will carry out this agreement:

1. Each government will hold at least one public hearing on its draft ordinance prior to its adoption.

2. Metro and the county will hold their final hearings and adopt their ordinances no later than June 8, 2010.

3. If testimony at a hearing persuades Metro or the county that it should revise its ordinance in a way that would make it inconsistent with this agreement, then it shall continue the hearing and propose an amendment to the agreement to the other party and to Multnomah and Washington Counties.

4. If Clackamas County or Metro proposes an amendment to the agreement, the party proposing the agreement will convene the four governments to consider the amendment. Any objections or concerns raised by a government that is not party to this IGA shall be considered carefully and the four governments shall take reasonable, good faith steps to reach consensus on the amendment. After this consultation, Clackamas County and Metro may agree to an amendment.

5. Metro and Clackamas County will adopt a common set of findings, conclusions and reasons that explain their designations of Urban Reserves and Rural Reserves as part of their ordinances adopting the reserves. Metro and the county will incorporate maps into their respective plans that show both the Urban and Rural Reserves in Exhibit A to this agreement, with the county showing only the reserves in the county.

6. Metro and Clackamas County will establish, in coordination with Multnomah and Washington Counties, a process for making minor revisions to boundaries between Urban Reserves and undesignated land that can be made at the time of concept planning, and a process for making minor additions to Rural Reserves, with notice to, but without convoking all four reserves partners.

7. Within 45 days after adoption of the last ordinance adopting reserves of the four governments, Clackamas County and Metro will submit their ordinances and supporting documents to LCDC in the manner of periodic review.

D. **Clackamas County and Metro further agree** to work with the city of Sandy to revise their three-party Intergovernmental Agreement on Green Corridors and Rural Reserve and Population Coordination, dated December 3, 1997, to ensure protection of visual resources along U.S. Highway 26 between the Metro urban growth boundary and the Sandy urban growth boundary.

E. This agreement terminates on December 31, 2060.

CLACKAMAS COUNTY

Lynn Peterson
Chair, Clackamas County
Board of Commissioners

Dated: 2-25-10 III.2.

Approved as to form:

Dan Chandler, County Counsel

METRO

David Bragdon,
Metro Council President

Dated: 3 March 2010

Approved as to form:

Одобренный Approved Совет метро Metro Council METRO COUNCIL

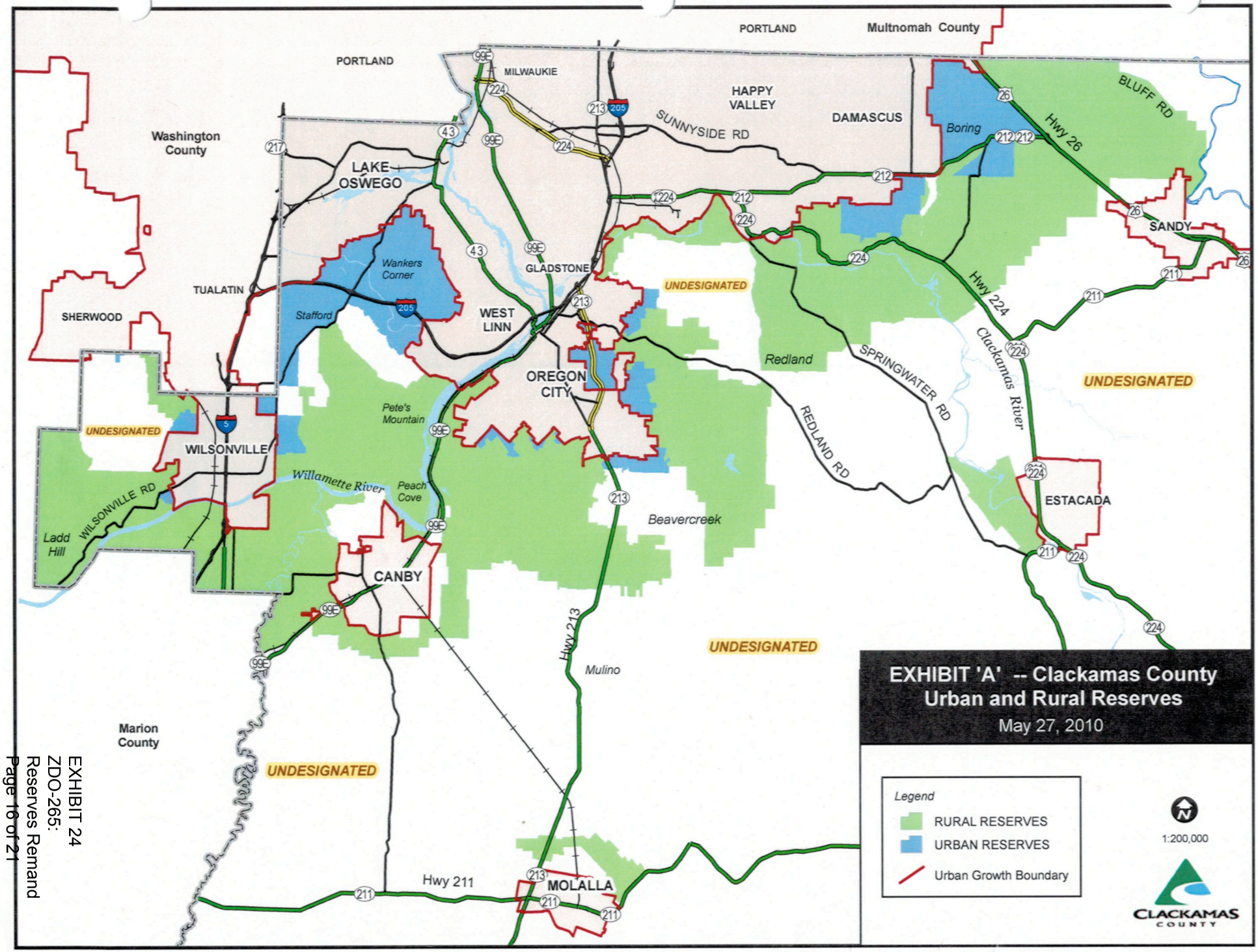


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EXHIBIT B

PRINCIPLES FOR CONCEPT PLANNING OF URBAN RESERVES

1. Except for Areas 4A, 4C, and 4D concept planning for specific, enumerated Urban Reserves on the Urban and Rural Reserves map may occur separately and at different times. Concept planning for Areas 4A, 4C, and 4D must be coordinated so that Area 4C (Borland Road) is planned and developed as the town center serving the vast majority of Area 4A (North Stafford) and Area 4D (South Stafford).

2. A concept plan for any Urban Reserve area must be approved by the county, the city or cities who will govern the area and Metro, with ample opportunities for public involvement, including recognized citizen involvement entities, such as community planning organizations, hamlets and neighborhood associations. Concept plans will recognize community-based planning efforts such as the Stafford Hamlet Values & Vision Statement.

3. The following cities shall be invited to participate in concept planning of the following Urban Reserves:

   - Areas 1D and 1F (Clackanomah) – Damascus, Gresham and Sandy
   - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
   - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
   - Area 4C (Borland Road) - Tualatin, Lake Oswego and West Linn
   - Area 4D (South Stafford) - Tualatin, Lake Oswego, West Linn, and Wilsonville

4. Concept plans shall provide that any area added to the UGB shall be governed by one or more of the following cities, or a new city, with preferences to the following:

   - Areas 1D and 1F (Clackanomah) – Damascus and Gresham
   - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
   - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
   - Area 4C (Borland Road) - Tualatin, Lake Oswego and West Linn
   - Area 4D (South Stafford) - Tualatin, Lake Oswego, West Linn, and Wilsonville

5. Concept planning for Urban Reserve areas that are suitable for industrial and other employment uses – such as portions of Clackanomah and the Borland Road area - will recognize the need to provide jobs in this part of the region, and that the areas were brought into the Urban Reserves principally meet those needs.

6. Concept planning for Urban Reserve areas that are suitable for a mix of urban uses – such as the Borland Road area – will ensure the areas are developed with the opportunity to provide employment and mixed- use centers with housing at higher densities and intense employment at higher floor-to-area ratios, and will include designs for a walkable, transit-supportive development pattern.

7. Concept planning shall recognize environmental and topographic constraints and habitat areas, such as the buttes in the Clackanomah area, Newell Creek Canyon in Urban Reserve Area 3C and the riparian areas along creeks in the North Stafford Area, recognizing that these areas include important natural features, and sensitive areas that may not be appropriate for urban development. Concept planning will reduce housing and employment capacity expectations accordingly

8. Concept planning for the portion of the Clackanomah area along Highway 26 will recognize the need to provide and protect a view corridor considering, among other things, landscaping, signage and building orientation. Metro and Clackamas County also recognize the need to work with the City of Sandy to revise the existing intergovernmental agreement among the parties.

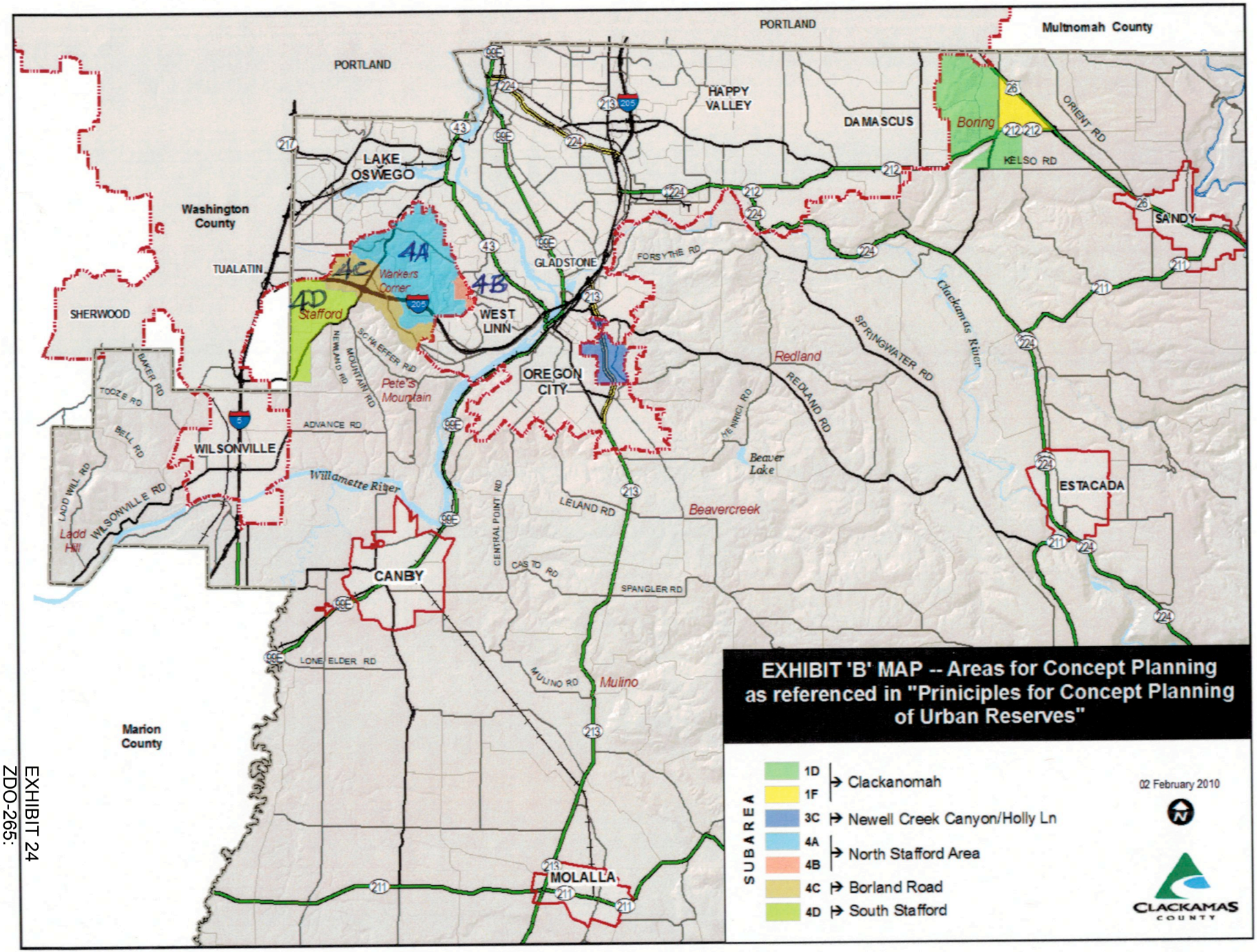

EXHIBIT 24
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Reserves Remand
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BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving an Intergovernmental Agreement to Consider Designating Urban and Rural Reserves in the Clackamas County Comprehensive Plan

Resolution No. 2010-17
Page 1 of 2

This matter having come before the Clackamas County Board at its regularly scheduled Business Meeting on February 25, 2010, and

It appearing to the Board that pursuant to ORS 195.141 and 190.003 to 190.110, Metro and Clackamas County are authorized to enter into an Intergovernmental Agreement (IGA) to identify urban and rural reserves and to establish a coordinated process designating reserves in the Metro regional framework plan and Clackamas County Comprehensive Plan; and

It appearing to the Board that Clackamas County implemented a coordinated public involvement plan consistent with state law to develop and analyze reserve study areas including public open houses, citizen organization meetings, coordinating committee meetings and other stakeholder meetings; and

It appearing to the Board that the Clackamas County Reserves Policy Advisory Committee was convened and made recommendations to the Board for designation of urban and rural reserves in Clackamas County; and

It appearing that the Clackamas County Planning Commission held a public hearing on August 10, 2009 to receive public testimony regarding the designation of Urban and Rural reserves in Clackamas County \and forwarded a recommendation to the Board; and

It appearing that the Clackamas County Board of County Commissioners conducted a public hearing on September 8, 2009 to consider further public input on the urban and rural reserves map; and

It appearing that pursuant to OAR 660-027-0030(3) an intergovernmental agreement ("Reserves IGA") is a preliminary, non-appealable decision that is required prior to designating urban and rural reserves in the Clackamas County Comprehensive Plan; and

It appearing to the Board that, while there are minor disagreements with our partner governments on specific land designations in other counties, the overall land need, and overall reserves designations strike the correct balance under state law; and

It appearing that Exhibit B to the Reserves IGA addresses important planning principles to be applied to specific Urban Reserve areas when they are planned for inclusion in the Urban Growth Boundary; and

It appearing that the Reserves IGA attached hereto includes all of the necessary elements required by state law;

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving an Intergovernmental Agreement to Consider Designating Urban and Rural Reserves in the Clackamas County Comprehensive Plan

Resolution No. 2010-17
Page 2 of 2

NOW, THEREFORE, BE IT RESOLVED that:

1. The Reserves IGA is approved, and the Chair is authorized to sign and forward the Reserves IGA to Metro.

2. Clackamas County is committed to working as an equal partner with Metro, Multnomah County and Washington County to maintain and enhance the livability and prosperity of the region through the implementation of the Reserves IGA.

ADOPTED this 25th day of February, 2010.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

25

Fritzie, Martha

From: greathealthplans@aol.com
Sent: Monday, April 10, 2017 2:25 PM
To: Fritzie, Martha
Subject: Stafford Hamlet

From Steve and Monica Cox - 1099 S. Station Lane - West Linn, OR 97068

We strongly object to the notion of allowing 50,000.00 more residents in this area. We have lived on Rosemont for 20 Years +.

It used to be a quiet area but now Rosemont is virtually like a freeway during morning and evening commutes. We can barley turn into or turn out of driveway with out being hit by oncoming traffic. When the Street of Dreams was complete they threw a party that was so loud it rang throughout the area with little or no concern of the residents of this area. There is no denying that those homes do not even belong in this area so why would want that same type of development repeated over and over in this rural area!

Your planning and judgment seem to be off the mark for what is proposed and we strongly object!!!

Steve & Monica Cox
503-636-0371

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.
Spam
Not spam
Forget previous vote

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Reserves Remand
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26

Fritzie, Martha

From: Kelly O'Neill Jr. <koneill@ci.sandy.or.us>
Sent: Tuesday, April 11, 2017 10:13 AM
To: Fritzie, Martha
Cc: Chief Yamashita; Bill King; David Doughman
Subject: Sandy, OR comments on Urban & Rural Reserves Remand
Attachments: Letter from Sandy, OR regarding Urban and Rural Reserves Remand.pdf; 1998, 2011, and 2013 Green Corridor Agreements Sandy, OR.pdf

Hey Martha,

I have attached our comments regarding the urban and rural reserves remand and the supporting IGA's from 1998 and 2011. Please forward a copy of our letter and attachment to the Board of Commissioners for their consideration at their public hearing tomorrow.

We appreciate this opportunity to comment and look forward to many years of collaboration. I have CC'd our Mayor, City Manager, and the City Attorney. Please respond to this email acknowledging receipt of the information. We will also forward a hard copy of the documents to the Red Soils Campus.

Talk soon. -Kelly

--
Kelly O'Neill Jr.
Planning & Building Director
City of Sandy
39250 Pioneer Blvd
Sandy, OR 97055
(503) 489-2163
koneill@ci.sandy.or.us

Spam
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CITY OF
SANDY
39250 PIONEER BOULEVARD • SANDY, OR 97055
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PHONE (503) 668-5533
FAX (503) 668-8714

Gateway to Mt. Hood

April 11, 2017

EMAILED to Clackamas County Senior Planner Martha Fritzie (mfritzie@clackamas.us)

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

Re: Intergovernmental Agreements with City of Sandy Regarding Reserves and U.S. Highway 26

Dear Chair Bernard and Commissioners:

We appreciate the opportunity to provide testimony at your April 12, 2017 hearing on the urban and rural reserves remand. We ask that you place this letter into the record of the hearing.

In 1998, the City of Sandy, Clackamas County, Metro and ODOT entered into an intergovernmental agreement ("IGA") establishing a "green corridor" along a portion of U.S. Highway 26 between Sandy and the Metro UGB (the "1998 IGA"). This agreement implemented relevant portions of Metro's functional plan, the county's comprehensive plan and the city's desire to protect and preserve a rural boundary between Sandy's urban reserves and the Metro UGB.[1]

In 2011, during the Metro regional urban and rural reserves process, Metro, Sandy and Clackamas County entered into another IGA to address separation between the Metro UGB and Sandy's urban reserves (the "2011 IGA"). An IGA between the county and Metro governing the establishment of Clackamas County's urban and rural reserves requires the 2011 IGA. According to the 2011 IGA, it is effective once Metro's urban reserves in Clackamas County are acknowledged and (as applicable) a court has issued its approval of the reserves.

[1] The county sought to terminate this agreement in 2013. The Oregon Land Use Board of Appeals ("LUBA") ruled later that year that the county's attempt to terminate 1998 IGA was a "land use decision" subject to LUBA's jurisdiction and that the county needed to analyze relevant portions of its comprehensive plan before it could seek termination. That appeal remains pending at LUBA.

Because the Oregon Court of Appeals remanded the designation of urban reserves in Clackamas County, the 2011 IGA is not yet effective. However, the 1998 IGA remains effective because of the pending LUBA appeal.

In light of the history between the parties with respect to the 1998 IGA, the 2011 IGA and the city's desire to maintain a rural buffer along U.S. Highway 26 and between the Metro UGB and Sandy's urban reserves, the city respectfully offers this reminder to the county of the existence of these two agreements. We hope that there will be no further urban-level encroachments into the area between the Metro UGB and Sandy's urban reserves. See the attached documents as referenced in this letter.

Thank you for the opportunity to comment. We look forward to working with Clackamas County on issues regarding development and preservation in the years to come.

Sincerely,

Kelly O'Neill Jr.
Planning and Building Director

Cc: file
Bill King, Mayor
City Council
Kim Yamashita, Interim City Manager
David Doughman, City Attorney

BEH ATTORNEYS AT LAW | Beery Elsner & Hammond LLP

February 6, 2013

HAND DELIVERED

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

Re: 1998 and 2011 Green Corridor Agreements with City of Sandy and Metro

Dear Commissioners:

This office serves as city attorney for the City of Sandy. I write with respect to the hearing the commissioners will hold on February 7 regarding the above intergovernmental agreements ("IGAs"). Please place this letter and its attachments into the record of this proceeding. Please place Mayor Bill King's letter regarding these agreements into the record as well.

We understand the board is considering withdrawing from either or both the 1998 IGA and the 2011 IGA. I have attached copies of those agreements to this letter.

For all of the reasons stated in Mayor King's letter, it would be regrettable for the county to withdraw from the IGAs. Given the political history behind these agreements, and the city's various compromises that resulted in the 2011 IGA, it should come as no surprise that the city will view a withdrawal as a significant breach of trust.

From a legal point of view, the board's contemplated action raises a number of issues.

Hearing Procedure

The county should clarify whether it believes board action following the hearing will result in a land use decision under state law. This is particularly important if the board decides to withdraw from one or both IGAs. In addition, and independent of whether the board's action falls within the land use realm, the county should clarify whether it considers the hearing to be quasi-judicial in nature.

Regardless, the city requests the county continue this hearing to a date certain. Whether the hearing will result in a land use decision and whether it is quasi-judicial or legislative in nature

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1750 SW Harbor Way Suite 380
Portland OR 97201-5106
www.gov-law.com

significantly affects the rights and obligations of parties to the hearing. As a matter of simple fairness, the city believes the board should afford the city, the county and Metro additional time to discuss the implications of a withdrawal.

1998 IGA

When they signed the 2011 IGA, the parties anticipated that it would supplant the 1998 IGA. However, as discussed below and as Dan Chandler notes in his materials to the board, the 2011 IGA is not yet effective. Any party may withdraw from the 1998 IGA with 60 days written notice to the other parties. I presume that if the board does vote to withdraw from the 1998 IGA a written notice of withdrawal will follow. It does not appear that withdrawing from the 1998 IGA has any legal effect on the validity of the 2011 IGA.

The board's motivation to withdraw presumably rests on the development restrictions contained in the agreement. However, existing Metro policies and an existing agreement between the county and Metro (both of which will continue to bind the county in the absence of the 1998 IGA) as well as existing county policies will require development restrictions similar to those contained in the 1998 IGA.

2011 IGA

The 2011 IGA is "effective upon acknowledgment of the designation by Metro of urban reserves in Clackamas County pursuant to ORS 195.145(1)(b) and a final decision on any appeal of the acknowledgment."

The final reserves decision is currently on appeal to the Oregon Court of Appeals. The court's decision may (and likely will) be appealed by at least one party to the Oregon Supreme Court. In other words, it may be months before it is clear that the 2011 IGA is actually effective. Therefore, it is wholly unclear why the board feels it is necessary to begin the withdrawal process at this time. We urge the board to wait for the appeals process to conclude before taking action on the 2011 IGA.

Regardless, the county contractually committed itself to having an agreement with Metro and the city to ensure a green corridor remains along Highway 26. Please find attached a 2010 IGA between the county and Metro that serves as the foundation to and authorization for the 2011 urban and rural reserves. Section D of that agreement explicitly commits the county and Metro to "revise [the] three-party Intergovernmental Agreement on Green Corridors and Rural Reserves dated December 3, 1997, to ensure protection of visual resources along U.S. Highway 26 between the Metro urban growth boundary and the Sandy urban growth boundary."

Therefore, the county has an obligation to enter into an agreement that ensures a green corridor persists. The obligation persists until 2060 according to the agreement's plain terms. The obligation remains regardless of what action the board takes regarding the 1998 or 2011 IGAs. I have spoken with Metro's legal counsel regarding this issue and he believes the parties would have to broker a new agreement if the county terminates the existing ones and the reserves decision is upheld.

Conclusion

We strongly urge the board to consider the ramifications of withdrawing from either IGA, especially at this time. If the courts ultimately uphold the 2011 reserves decision, the county has committed to protecting the visual resources along Highway 26 for the next 50 years, whether through the 2011 IGA or a successor agreement. In light of the history informing these agreements and the issues they address, the board can rest assured that Sandy will take all necessary steps to ensure such an agreement is in place.

Sincerely,

David F. Doughman

DFD/
Enclosures
cc: Sandy City Council
Scott Lazenby
Roger Alfred (via email)

98-219

INTERGOVERNMENTAL AGREEMENT ON GREEN CORRIDOR AND RURAL RESERVE AND POPULATION COORDINATION AMONG CITY OF SANDY, CLACKAMAS COUNTY, METRO AND THE OREGON DEPARTMENT OF TRANSPORTATION

This Agreement is entered into by and between the City of Sandy ("City"), Clackamas County ("County"), Metro ("Metro") and the Oregon Department of Transportation ("ODOT") pursuant to ORS 190.003 to 190.110, which allows units of government to enter into agreements for the performance of any or all functions and activities which such units have authority to perform.

RECITALS

WHEREAS, The Portland metropolitan region and neighboring cities outside Metro's jurisdictional boundaries are expected to experience substantial population and employment growth by the year 2040; and

WHEREAS, Anticipated urban growth and development in the Metro area will affect neighboring cities outside Metro's jurisdictional boundaries, and anticipated urban growth and development in the neighboring cities will affect jurisdictions within Metro's boundaries; and

WHEREAS, The City wishes to maintain its distinct identity, and the City and Metro area interested in maintaining separation of the City from the metropolitan area; and

WHEREAS, To achieve this separation, the City, the County and Metro are interested in creating permanent reserves of rural land between the City and the metropolitan area and taking coordinated action to reduce urban development pressures upon such rural reserve areas; and

WHEREAS, The City, the County, Metro and ODOT have a common interest in planning connecting highways between the City and the Metro area as "Green Corridor" high performance, multi-modal transportation facilities, where access is tightly controlled and development pressures are minimized; and

WHEREAS, The City, the County, Metro and ODOT further intend such Green Corridors to reinforce the separate and distinct identities of the City and the Metro area, support a multi-modal transportation system and intra-urban connectivity, and encourage economic development within the City; and

WHEREAS, The City, the County, Metro and ODOT are interested in preserving and protecting the rural and natural resource character of rural reserve areas along the Green Corridor that separate the City from the

metropolitan area, and are further interested in protecting farm and forest activities in those areas from development pressures and incompatible uses; and

WHEREAS, Statewide Planning Goal 2, Land Use Planning, requires that local government comprehensive plans and implementing measures be coordinated with the plans of affected governmental units and that local government, state and federal agency and special district plans and actions relating to land use be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268; and

WHEREAS, OAR 660, Division 12 requires ODOT, Metro, and the City and County to prepare and adopt, respectively and in coordination with each other, state, regional and local transportation system plans establishing a coordinated network of transportation facilities to serve state, regional and local transportation needs; and

WHEREAS, ORS 195.036 requires the coordination of population forecasts; the City with the County and Metro with the County;

NOW, THEREFORE, the City, the County, Metro and ODOT agree as follows:

AGREEMENT

I. Purpose

The parties agree that they are mutually interested in and will work together to:

A. Preserve the distinct and unique identities of the City and the metropolitan area by maintaining a separation of the City from the metropolitan area.

B. Plan and manage connecting highways between the City and the Metro area as Green Corridor high performance, multi-modal transportation facilities.

C. Recognize that each Green Corridor is critical to inter-urban connectivity and to support and encourage economic development and a jobs-to-housing balance within the City.

D. Preserve and protect the rural and natural resource character and values of Rural Reserve areas along the Green Corridor that separate the City from the metropolitan area.

E. Control access to the Green Corridor to maintain the function, capacity and level of service of the facilities, enhance safety and minimize development pressures on Rural Reserve areas.

F. Establish a plan to protect the unique visual character of each Green Corridor.

G. Designate areas of rural land to separate and buffer Metro's Urban Growth Boundary and Urban Reserve areas from the City's Urban Growth Boundary and Urban Reserve areas.

H. Act together to reduce development pressures upon Rural Reserve areas and thereby enhance certainty and viability of resource uses in the Rural Reserves.

II. Definitions

A. "Green Corridor" means the high performance, multi-modal transportation facilities connecting the City to the metropolitan area along Hwy. 26, and the surrounding identified rural lands within which the rural and natural resource character will be preserved and protected to maintain separation between the City and the metropolitan area and preserve the unique identities of the City and the metropolitan area.

B. "Rural Reserve" areas are those areas identified by the parties pursuant to the terms of this agreement to provide a permanent separation and buffer between Metro's Urban Growth Boundary and Urban Reserve areas and the City's Urban Growth Boundary and Urban Reserve areas and thereby maintain the distinct identity and character of the City and the metropolitan area.

III. Establishment and Amendment of Green Corridor Boundaries

A. Establishment of Green Corridor boundaries.

1. Until permanent Green Corridor boundaries are established as provided for in this Agreement, interim Green Corridor boundaries shall be established which extend out a distance of 200 feet from both edges of the right of way of the transportation corridor as shown on map Attachment "A" to this Agreement.

2. Permanent Green Corridor boundaries shall be established by the County in cooperation with the City, ODOT and Metro. The establishment of Green Corridor boundaries and the land use and transportation strategies applied within Green Corridors shall take into consideration:

a. The unique visual and functional characteristics of the corridor.

b. The views from the transportation corridor as seen at normal highway speeds and the width of the area alongside the transportation corridor that affect the function of that corridor.

B. Amendment of Green Corridor Boundaries.

1. Green Corridor boundaries may be amended by the County in cooperation with the City, ODOT and Metro.

2. When amending Green Corridor boundaries, the County shall work in cooperation with the City, ODOT and Metro and consider:

a. The views from the transportation corridor as seen at normal highway speeds;

b. The width of the area alongside the transportation corridor that affects the function of that corridor;

IV. Comprehensive Planning Along Green Corridors

A. County comprehensive plan designations and zoning shall apply to all lands designated as Green Corridors. The development of a Comprehensive Plan and Comprehensive Plan amendments for lands within Green Corridor boundaries shall provide for notice and opportunity for comment with the City, Metro and ODOT.

B. ODOT shall prepare, adopt and amend a state transportation system plan addressing transportation facilities serving state transportation needs within Green Corridor boundaries. The County shall be responsible for the preparation, adoption and amendment of the local and regional transportation system plans for facilities of regional and local significance within Green Corridor boundaries. Preparation, adoption and amendment of the state, regional and local transportation system plans shall provide for coordination with and participation by the City, Metro, and Oregon Department of Transportation and other entities providing transportation facilities or services within Green Corridor boundaries.

V. Land Use and Development within Green Corridor Boundaries

A. The County shall retain current zoning including resource lands within Green Corridor boundaries and agree not to expand rural commercial or rural industrial zones, unless approved by the City.

B. The parties shall work cooperatively to determine whether specific uses which would otherwise be permitted within existing exception areas under

County zoning (e.g. new schools, churches) should be prohibited or restricted within the Green Corridor areas to implement the purposes of this agreement. Within 5 years, provided funding is available, the County shall amend its Comprehensive Plan and implementing Ordinance to comply with this agreement.

VI. Screening, Buffering and Signage

A. Within 5 years, provided funding is available, the County shall amend its Comprehensive Plan and implementing Ordinance to consider application of existing County Plan and Ordinance provisions relating to Scenic Highways to the Green Corridor.

B. For existing non-rural development within adjacent or deemed by the cooperating parties to be a visible intrusion into the Green Corridor; ODOT in cooperation with the County, City and Metro shall develop a program of visual screening. Such a program shall contain a landscaping/screening plan for the Green Corridor, which will include identification and prioritization of areas to be screened, and cooperative implementation and maintenance measures.

C. ODOT shall develop a coordinated program for sign consolidation within the Green Corridor boundaries in cooperation with the County, City and Metro.

VII. Access Management and Roadway Improvements

A. In coordination with the other parties, ODOT will review the access management designation within Green Corridor boundaries and develop a cooperative Access Management Plan that promotes high performance, multi-modal transportation facilities connecting the City to the metropolitan area while limiting development pressures on rural and natural resource lands within the Green Corridor. The Access Management Plan shall include techniques to consolidate and limit accesses to and from the Green Corridor to cooperatively purchase access rights, and/or allow no new accesses to the Green Corridor highway except where no reasonable alternative exists.

B. Improvements to the Green Corridors shall be conducted for the purposes of improving multi-modal, traffic safety, the movement of freight, and aesthetics, and shall not be intended solely to improve access to single-occupancy vehicles.

C. Shared access shall be required to the extent reasonably practicable.

VIII. Establishment and Amendment of Rural Reserve Boundaries

A. Establishment of Rural Reserve boundaries.

1. The Rural Reserve boundaries shall be as shown on map Attachment "A" to this Agreement.

B. Amendment of Rural Reserve Boundaries.

1. Rural Reserve boundaries may be amended by mutual agreement of the parties. The party proposing an amendment to a Rural Reserve boundary shall be the lead coordinating agency and shall be principally responsible for demonstrating how the proposed amendment is consistent with the purposes of this Agreement.

2. No amendment shall be effective until adopted by the governing body of the City, the County, ODOT and Metro.

IX. Comprehensive Planning and Zoning within Rural Reserve Boundaries

A. County comprehensive plan designations and zoning shall apply to all lands within Rural Reserve areas. The development of comprehensive plan policies and zoning for lands within Rural Reserve areas shall provide for notice and opportunity for comment with the City, ODOT and Metro.

B. Metro's Urban Growth Management Functional Plan regarding rural reserves and green corridors shall be used as guidelines in developing a plan for these rural lands and maintain the rural character of the landscape and our agricultural economy.

C. The County shall not upzone existing exception areas or nonresource lands to allow a density of development that is greater than what is permitted by existing zoning as of the effective date of this agreement, unless the City agrees to such a change.

X. Development with Rural Reserve Areas

A. The parties shall work cooperatively to determine whether specific uses which would otherwise be permitted within existing exception areas under County zoning (e.g. new schools, churches) should be prohibited or restricted within Rural Reserve areas to implement the purposes of this agreement.

XI. Population Coordination

A. As the County and City are required by ORS 195.036 to coordinate their population forecasts, and the County and Metro, within its district, are

required to coordinate their population forecasts, this agreement is intended to provide for overall coordination of these forecasts.

B. Whenever the County, City or Metro prepare a draft population forecast, they shall provide copies of the forecast to the other parties. After review by all parties, including the City, County and Metro, if agreement by all three parties is reached, a letter from each party from the Mayor, Chair of the County Commission and Metro Executive to all other parties stating agreement with the forecast shall be sent. Land use planning and other work of the parties based on the population forecasts may then commence. In the event that agreement cannot be reached, the parties agree to bring the matter before a neutral fourth party for mediation.

XII. Notice and Coordination Responsibilities

A. The County shall provide the City, Metro and ODOT with notice and an opportunity to comment at least 30 days prior to the first scheduled public hearing on plan amendments or zone changes within the Green Corridor.

B. The County shall provide the City, Metro and ODOT with notice and an opportunity to comment at least 15 days prior to administrative action on any development applications (including, but not limited to, conditional use permits and design review) within the Green Corridor.

C. ODOT shall provide notice to and opportunity for comment to the City, the County and Metro on access management plans and improvements affecting state highways within the Green Corridor.

D. The County shall provide the city, ODOT and Metro with notice and an opportunity to comment at least 30 days prior to the first scheduled public hearing on any comprehensive plan or land use regulation amendment proposal within a Rural Reserve area.

E. The City shall provide the County, ODOT and Metro with notice and an opportunity to comment at least 30 days prior to the first scheduled public hearing on any comprehensive plan or land use regulation amendment proposal within a Rural Reserve area.

F. Metro shall provide notice to and provide opportunity for comment to the City, ODOT and the County at least 30 days prior to the first scheduled public hearing on any proposed urban growth boundary, urban reserve boundary or functional plan amendment within a Rural Reserve area.

G. In order to fulfill the cooperative planning provisions of this agreement the City, County, Metro and ODOT shall provide each other with needed data, maps, and other information in hard copy or digital form in a timely manner without charge.

XIII. Amendments to this Agreement

This Agreement may be amended in writing by the concurrence of all parties. The terms of this agreement may be reviewed at the time that the parties adopt modifications to related agreements.

XIV. Termination

This agreement shall continue indefinitely. It may be terminated by any of the parties within 60 days written notice to the other parties.

XV. Severability

If any section, clause or phrase of this agreement is invalidated by any court of competent jurisdiction, any and all remaining parts of the agreement shall be severed from the invalid parts and shall remain in full force and effect.

CITY OF SANDY

Linda K Malone
Mayor, City of Sandy

ATTEST:

By: Scott Lazenby
City Recorder

METRO

Mayor Burk
Metro Executive

ATTEST:

By: [illegible]
City Recorder

OREGON DEPARTMENT OF TRANSPORTATION

Director

ATTEST:

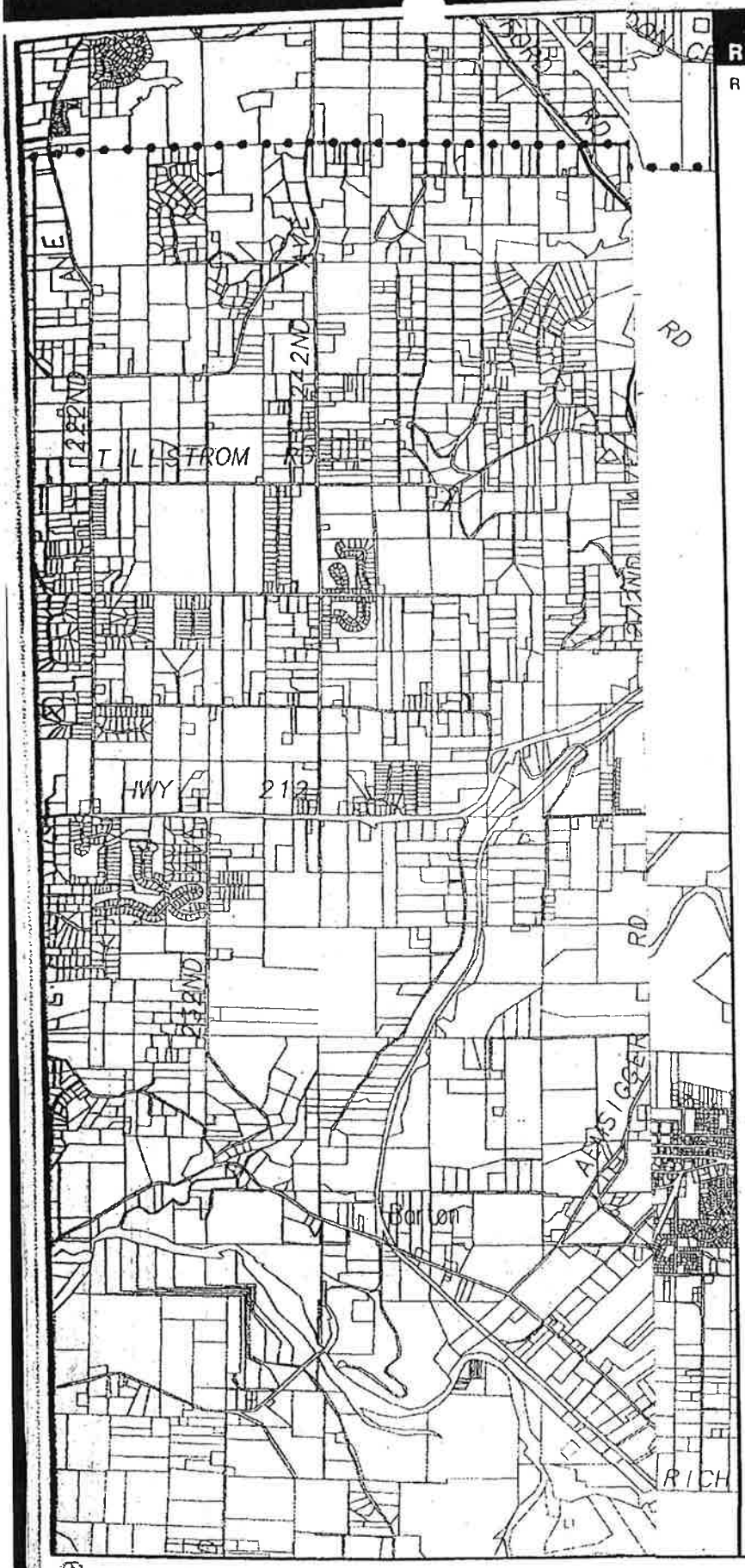
By: _____
Recording Secretary

CLACKAMAS COUNTY

Bill Lennon
Chairperson, Clackamas County
Board of Commissioners

ATTEST:

By: Millicent Marcum
Recording Secretary



R L I S

REGIONAL LAND INFORMATION SYSTEM

IGA Agreement Area

(Metro, ODOT, Sandy, Clackamas County)

Clackamas/Multnomah County Boundary

Sandy IGA Area

Tax Lots

Scale: 1" = 3638'

0 2000 4000 6000

METRO

600 NE Grand Ave, Portland, OR 97232-2736
Voice 503 797-1742 FAX 503 797-1909
Email drc@metrodst.or.us

Please recycle with colored office grade paper

/jobs/payne/iga/sandyiga.aml, plot date: Wed Jul 21 1999

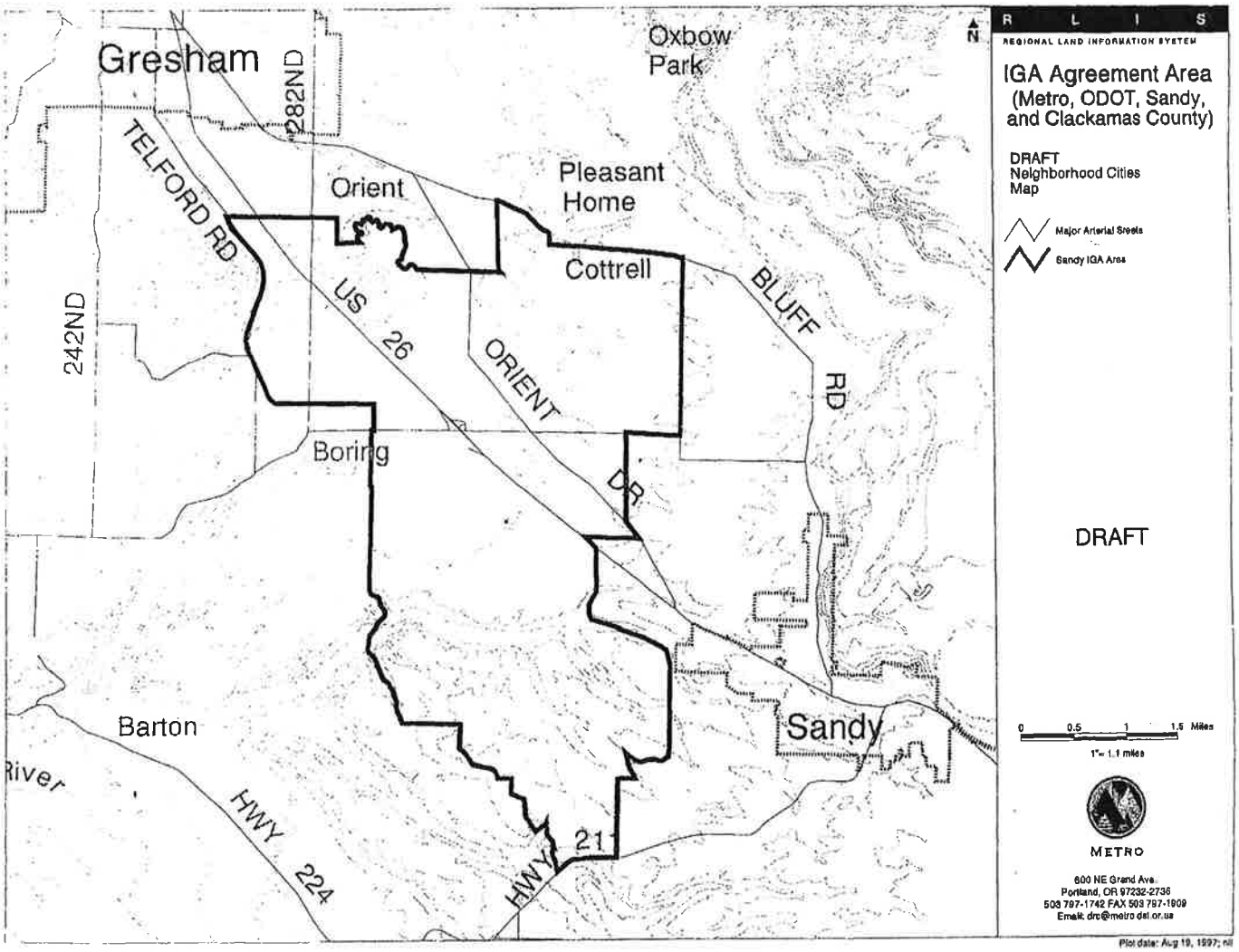


EXHIBIT 26
ZDO-265:
Reserves Remand
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INTERGOVERNMENTAL AGREEMENT ON
HIGHWAY 26 CORRIDOR
AMONG CITY OF SANDY, CLACKAMAS COUNTY,
METRO

This Agreement is entered into by and between the City of Sandy ("City"), Clackamas County ("County")and Metro ("Metro") (collectively, the "Parties") pursuant to ORS 190.003 to 190.110, which allows units of government to enter into agreements for the performance of any or all functions and activities which such units have authority to perform.

RECITALS

WHEREAS, The Portland metropolitan region and neighboring cities outside Metro's jurisdictional boundaries are expected to experience substantial population and employment growth by the year 2060; and

WHEREAS, Anticipated urban growth and development in the Metro area will affect neighboring cities outside Metro's jurisdictional boundaries, and anticipated urban growth and development in the neighboring cities will affect jurisdictions within Metro's boundaries; and

WHEREAS, The City wishes to maintain its own identity, separate and distinct from the metropolitan area; and

WHEREAS, Metro and the County share the City's desire to maintain a separation between the City and the metropolitan area; and

WHEREAS, Highway 26 eastbound between the cities of Gresham and Sandy is the gateway to the Mount Hood recreational area, a nationally-recognized scenic and recreational resource; and

WHEREAS, pursuant to Senate Bill 1011 (2007) County and Metro have adopted both Urban and Rural Reserves in and around the Highway 26 Corridor between Gresham and Sandy; and

WHEREAS, the County, City and Metro previously entered into an Intergovernmental Agreement (the Green Corridor/Rural Reserve Agreement) for the purpose of preserving the rural character of the area between the Metro UGB and the Sandy Urban Reserve; and

WHEREAS, The City, the County and Metro are interested in preserving and protecting the visual character of the Highway 26 Corridor as it passes through the area subject to this Agreement; and

NOW, THEREFORE, the City, the County and Metro agree as follows:

AGREEMENT

I. Purpose

The Parties agree that they are mutually interested in and will work together to:

A. Preserve the distinct and unique identities of the City and the metropolitan area by maintaining a separation between the City and the metropolitan area.

B. Preserve and protect the rural and natural resource character and values of Rural Reserve areas along the corridor that separate the City from the metropolitan area.

C. Establish a plan to protect the unique visual character of the Highway 26 Corridor.

II. Definitions

A. "Highway 26 Corridor" means the area along State Highway 26 between the cities of Gresham and Sandy.

B. "Clackanomah Urban Reserve" means Urban Reserve Areas 1D and 1F as designated in Metro's Regional Framework Plan, and shown on Exhibit A hereto.

III. Pre-Development Buffering

The Parties:

A. Intend that urban development along the Highway 26 Corridor shall be screened from the Highway in a fashion that reasonably retains the rural visual character of the corridor. The parties agree that a 50-foot wide buffer containing a thick screen of evergreen trees will achieve this goal.

The County and the City:

B. Will work together in good faith to establish buffers in advance of urban development, either within the existing highway right of way or through the acquisition of appropriate easements on private land adjacent to the highway.

C. If one or more owners of real property within the Highway 26 Corridor grants an appropriate easement(s), will establish a vegetated buffer within the easement(s) consistent with the terms of this Agreement.

D. Where an affected property owner is willing to grant an easement(s), will seek funding to establish evergreen plantings within the buffer. Funds provided by any of the Parties for the buffer may be reimbursed through fees paid by future development in the urban reserve area.

E. If an affected property owner does not grant an appropriate easement to establish the buffer, will discuss alternative methods and or incentives to obtain the necessary easements.

IV. Concept Planning for Clackanomah Urban Reserves.

A. The Parties recognize that the addition of any portion of the Clackanomah Urban Reserve into the Urban Growth Boundary will be preceded by and conditioned upon development of a concept plan by the appropriate local governments pursuant to Title 11 of the Metro's Urban Growth Management Functional Plan. The Parties further recognize that the concept planning process is a collaborative process between the jurisdiction that will ultimately provide services to the Clackanomah Urban Reserve and other affected jurisdictions, including the Parties. Metro's regulations do not prescribe a precise outcome to the concept planning process.

B. Prior to approving an amendment to the UGB to add any portion of the Clackanomah Urban Reserve, Metro shall determine that the appropriate city or the County has complied with the provisions of Title 11 for any portion of the Clackanomah Urban Reserve. The Parties will strive to ensure that the concept plan calls for the following in land use regulations adopted following addition to the UGB:

a. Prior to approval of any commercial, industrial or urban-level residential development in the concept plan area, parcels located within the Clackanomah Urban Reserve and abutting Highway 26 shall provide a vegetated buffer screen along the entire highway frontage, to a depth of 50 feet where such a buffer can be imposed as a condition of development. Within the buffer area existing trees shall be preserved to the greatest extent possible. New evergreen trees at least eight feet in height at planting and capable of growing to at least 30 feet in height shall be planted at a density that will create a visual screen within five years. This provision shall not apply to the development of roads, utilities, or other public facilities;

b. Appropriate limitations on signs oriented to Highway 26 except where required for reasons of public safety;

c. Achievement of the principles relating to the Clackanomah Urban Reserves set forth in Exhibit B of the Intergovernmental Agreement between Metro and Clackamas County to Adopt Urban and Rural Reserves, attached to this Agreement; and

d. Orientation of commercial retail development toward the interior of the Clackanomah Urban Reserves and away from the Highway 26 Corridor.

As used above, "strive to ensure" means the Parties will individually and collectively use their best efforts.

C. Metro will require that provisions in the concept plan that implement paragraphs IV.B.a through d of this Agreement be adopted into the comprehensive plan and land use regulations of the County or the city responsible for urban planning in the portion, or both.

V. Notice and Coordination Responsibilities

A. The County shall provide the City and Metro with notice and an opportunity to comment at least 30 days prior to the first scheduled public hearing on plan amendments or zone changes within the Clackanomah Urban Reserve.

B. The County shall provide the City, Metro and ODOT with notice and an opportunity to comment at least 15 days prior to administrative action on any development applications (including, but not limited to, conditional use permits and design review) within the Clackanomah Urban Reserve.

C. The County shall provide the City and Metro with notice and an opportunity to comment on any proposed concept plan for any portion of the Clackanomah Urban Reserve.

D. In order to fulfill the cooperative planning provisions of this agreement the City, County and Metro shall provide each other with needed data, maps, and other information in hard copy or digital form in a timely manner without charge.

VI. Amendments to this Agreement

This Agreement may be amended in writing by the concurrence of all three Parties. The terms of this agreement may be reviewed at the time that the Parties adopt modifications to related agreements.

VII. Effectiveness and Termination

A. This agreement will be effective upon acknowledgement of the designation by Metro of urban reserves in Clackamas County pursuant to ORS 195.145(1)(b) and a final decision on any appeal of the acknowledgement. This agreement shall continue until terminated by any of the Parties, following a written explanation for the proposed termination and consultation with the other Parties, by written notice from the Party. The agreement shall terminate 60 days following receipt of the notice by the other Parties.

VIII. Severability

If any section, clause or phrase of this agreement is invalidated by any court of competent jurisdiction, any and all remaining parts of the agreement shall be severed from the invalid parts and shall remain in full force and effect.

CITY OF SANDY Mayor, City of Sandy ATTEST: By: _____ City Recorder **METRO** _____ Metro Council President 12/13/11 ATTEST: By: _____ METRO ATTORNEY	**CLACKAMAS COUNTY** Approved this 20th day of **October, 2011**. _____ Chair, Board of Commissioners ATTEST: By: _____ Recording Secretary D.I.

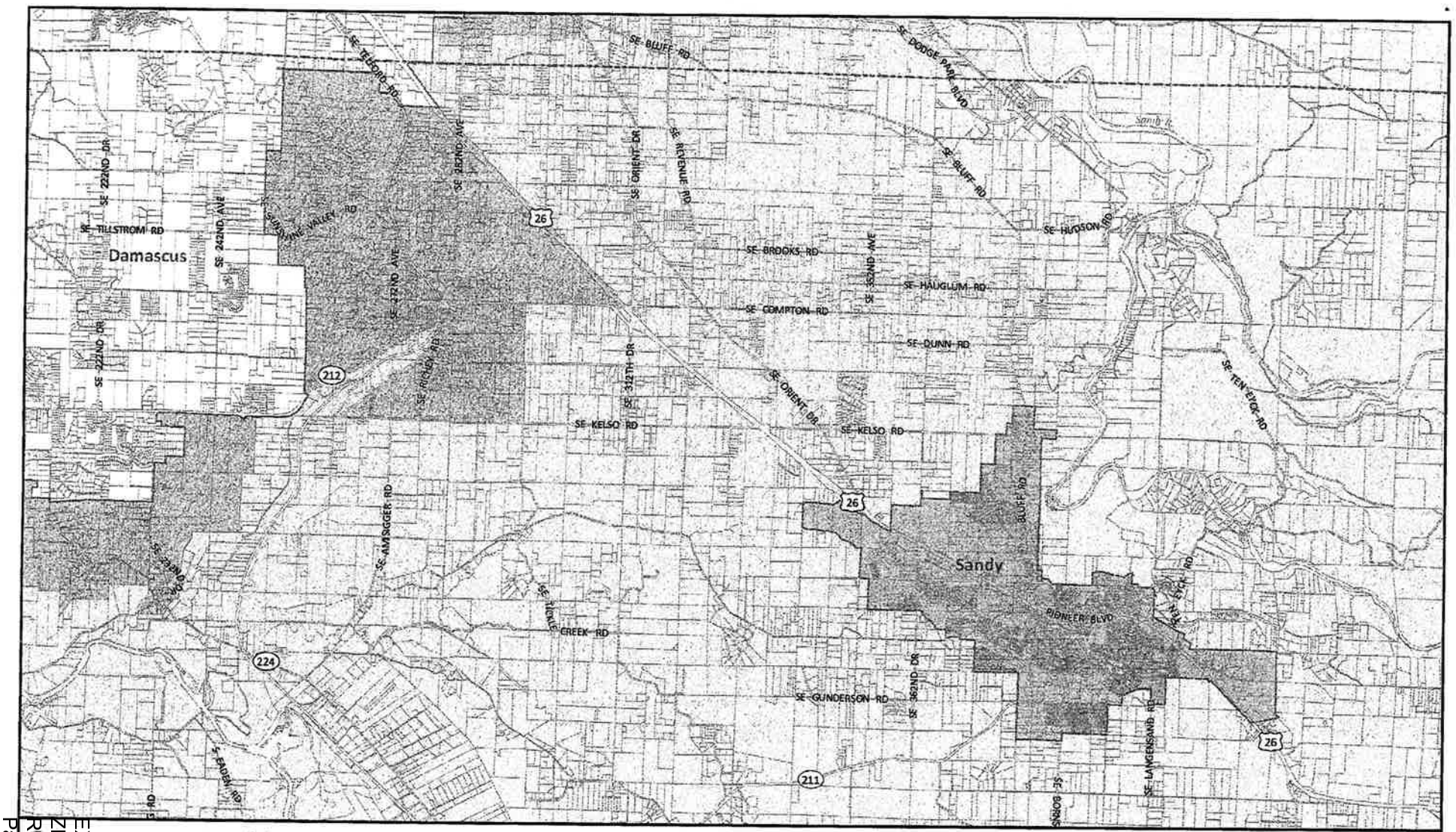

EXHIBIT A

Exhibit 26
ZDO-255
Reserves Remand
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EXHIBIT B
PRINCIPLES FOR CONCEPT PLANNING OF URBAN RESERVES

1. Except for Areas 4A, 4C, and 4D concept planning for specific, enumerated Urban Reserves on the Urban and Rural Reserves map may occur separately and at different times. Concept planning for Areas 4A, 4C, and 4D must be coordinated so that Area 4C (Borland Road) is planned and developed as the town center serving the vast majority of Area 4A (North Stafford) and Area 4D (South Stafford).

2. A concept plan for any Urban Reserve area must be approved by the county, the city or cities who will govern the area and Metro, with ample opportunities for public involvement, including recognized citizen involvement entities, such as community planning organizations, hamlets and neighborhood associations. Concept plans will recognize community-based planning efforts such as the Stafford Hamlet Values & Vision Statement.

3. The following cities shall be invited to participate in concept planning of the following Urban Reserves:

   - Areas 1D and 1F (Clackanomah) – Damascus, Gresham and Sandy
   - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
   - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
   - Area 4C (Borland Road) - Tualatin, Lake Oswego and West Linn
   - Area 4D (South Stafford) - Tualatin, Lake Oswego, West Linn, and Wilsonville

4. Concept plans shall provide that any area added to the UGB shall be governed by one or more of the following cities, or a new city, with preferences to the following:

   - Areas 1D and 1F (Clackanomah) – Damascus and Gresham
   - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
   - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
   - Area 4C (Borland Road) - Tualatin, Lake Oswego and West Linn
   - Area 4D (South Stafford) - Tualatin, Lake Oswego, West Linn, and Wilsonville

5. Concept planning for Urban Reserve areas that are suitable for industrial and other employment uses – such as portions of Clackanomah and the Borland Road area - will recognize the need to provide jobs in this part of the region, and that the areas were brought into the Urban Reserves principally meet those needs.

6. Concept planning for Urban Reserve areas that are suitable for a mix of urban uses – such as the Borland Road area – will ensure the areas are developed with the opportunity to provide employment and mixed- use centers with housing at higher densities and intense employment at higher floor-to-area ratios, and will include designs for a walkable, transit-supportive development pattern.

7. Concept planning shall recognize environmental and topographic constraints and habitat areas, such as the buttes in the Clackanomah area, Newell Creek Canyon in Urban Reserve Area 3C and the riparian areas along creeks in the North Stafford Area, recognizing that these areas include important natural features, and sensitive areas that may not be appropriate for urban development. Concept planning will reduce housing and employment capacity expectations accordingly

8. Concept planning for the portion of the Clackanomah area along Highway 26 will recognize the need to provide and protect a view corridor considering, among other things, landscaping, signage and building orientation. Metro and Clackamas County also recognize the need to work with the City of Sandy to revise the existing intergovernmental agreement among the parties.

Intergovernmental Agreement
Between Metro and Clackamas County
To
Adopt Urban and Rural Reserves

This Agreement is entered into by and between Metro and Clackamas County pursuant to ORS 195.141 and 190.003 to 190.110 for the purpose of agreeing on the elements of an ordinance to be adopted by Metro designating Urban Reserves and of an ordinance to be adopted by Clackamas County designating Rural Reserves, all in Clackamas County.

PREFACE

This agreement will lead to the designation of Urban Reserves and Rural Reserves. Designation of the Urban and Rural Reserves by this agreement will help accomplish the purpose of the 2007 Oregon Legislature in enacting Senate Bill 1011, now codified in ORS 195.137 to 195.145 ("the statute"):

Facilitate long-term planning for urbanization in the region that best achieves

- Livable communities;
- Viability and vitality of the agricultural and forest industries; and
- Protection of the important natural landscape features that define the region.

RECITALS

WHEREAS, Metro and Multnomah, Washington and Clackamas Counties ("the four governments") have declared their mutual interest in long-term planning for the three-county area in which they exercise land use planning authority to achieve the purpose set forth in the statute; and

WHEREAS, the Oregon Legislature enacted the statute in 2007, at the request of the four governments and many other local governments and organizations in the region and state agencies, to establish a new method to accomplish the goals of the four governments through long-term planning; and

WHEREAS, the statute authorizes the four local governments to designate Urban Reserves and Rural Reserves to accomplish the purposes of the statute, which are consistent with the goals of the four governments; and

WHEREAS, the Land Conservation and Development Commission ("LCDC") adopted rules to implement the statute on January 25, 2008, as directed by the statute; and

WHEREAS, the statute and rules require Metro and Clackamas County ("the parties") to designate reserves and to enter into a formal agreement between them to designate reserves in a coordinated and concurrent process prior to adoption of ordinances adopting reserves; and

WHEREAS, the statute and the rules set forth certain factors to be considered in the designation of reserves, and elements to be included in ordinances adopting reserves; and

WHEREAS, the parties have followed the procedures and considered the factors set forth in the statute and the rule; and

WHEREAS, the parties have completed an extensive and coordinated public involvement effort; and

WHEREAS, the parties have coordinated their efforts with cities, special districts, school districts and state agencies in the identification of appropriate Urban and Rural Reserves;

NOW, THEREFORE, Metro and Clackamas County agree as follows:

AGREEMENT

A. **Metro agrees** to consider the following policies and Urban Reserve designations at a public hearing and to incorporate them in the Regional Framework Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:

1. A policy that designates as Urban Reserves those areas shown as proposed Urban Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.

2. A policy that determines that the Urban Reserves designated by the Regional Framework Plan pursuant to this agreement are intended to provide capacity for population and employment between 2010 and 2060, a total of 50 years from the date of adoption of the ordinance designating the reserves.

3. A policy that gives highest priority to Urban Reserves for future addition to the urban growth boundary (UGB).

4. A map depicting the Urban Reserves adopted by Metro and the Rural Reserves adopted by Clackamas County following this agreement.

5. A policy that Metro will not add Rural Reserves designated by ordinance following this agreement to the regional UGB for 50 years.

6. A policy that Metro will not designate Rural Reserves as Urban Reserves for 50 years.

7. A policy that Metro will require a "concept plan", the required elements of which will be specified in the Urban Growth Management Functional Plan in consultation with the county, for an area of Urban Reserves under consideration for addition to the UGB to be completed prior to the addition. Concept plans shall include elements on finance, provision of infrastructure, natural resource protection, governance, the planning principles set forth in Exhibit B and other subjects critical to the creation of great

communities. Concept plans will provide that areas added to the UGB will be governed and planned by cities prior to urbanization.

8. A policy that Metro will review the designations of urban and rural reserves, in coordination with Clackamas, Multnomah and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

B. **Clackamas County agrees** to consider the following policies and Rural Reserve designations at a public hearing and to incorporate them in its Comprehensive Plan, or to incorporate them as revised pursuant to subsections 3 and 4 of section C of this agreement:

1. A policy that designates as Rural Reserves the areas shown as proposed Rural Reserves on Exhibit A, attached to this agreement, or on any amendment to Exhibit A pursuant to section C of this agreement.

2. A map depicting the Rural Reserves designated by the Comprehensive Plan and the Urban Reserves adopted by Metro following this agreement.

3. A policy that Clackamas County will not include Rural Reserves designated pursuant to this agreement in the UGB of any city in the county for 50 years from the date of adoption of the ordinance designating the reserves.

4. A policy that the county will not re-designate Rural Reserves as Urban Reserves for a city in the county for 50 years from the date of adoption of the ordinance designating the reserves.

5. A policy that commits the county, together with an appropriate city or cities, to participation in development of a concept plan for an area of Urban Reserves under consideration for addition to the UGB.

6. A policy that the county will review the designations of Urban and Rural Reserves, in coordination with Metro and Multnomah and Washington Counties, 20 years after the adoption of reserves by the four governments pursuant to this agreement, unless the four governments agree to review the reserves sooner.

C. **Clackamas County and Metro agree** to follow this process for adoption of the ordinances that will carry out this agreement:

1. Each government will hold at least one public hearing on its draft ordinance prior to its adoption.

2. Metro and the county will hold their final hearings and adopt their ordinances no later than June 8, 2010.

3. If testimony at a hearing persuades Metro or the county that it should revise its ordinance in a way that would make it inconsistent with this agreement, then it shall continue the hearing and propose an amendment to the agreement to the other party and to Multnomah and Washington Counties.

4. If Clackamas County or Metro proposes an amendment to the agreement, the party proposing the agreement will convene the four governments to consider the amendment. Any objections or concerns raised by a government that is not party to this IGA shall be considered carefully and the four governments shall take reasonable, good faith steps to reach consensus on the amendment. After this consultation, Clackamas County and Metro may agree to an amendment.

5. Metro and Clackamas County will adopt a common set of findings, conclusions and reasons that explain their designations of Urban Reserves and Rural Reserves as part of their ordinances adopting the reserves. Metro and the county will incorporate maps into their respective plans that show both the Urban and Rural Reserves in Exhibit A to this agreement, with the county showing only the reserves in the county.

6. Metro and Clackamas County will establish, in coordination with Multnomah and Washington Counties, a process for making minor revisions to boundaries between Urban Reserves and undesignated land that can be made at the time of concept planning, and a process for making minor additions to Rural Reserves, with notice to, but without convoking all four reserves partners.

7. Within 45 days after adoption of the last ordinance adopting reserves of the four governments, Clackamas County and Metro will submit their ordinances and supporting documents to LCDC in the manner of periodic review.

D. **Clackamas County and Metro further agree** to work with the city of Sandy to revise their three-party Intergovernmental Agreement on Green Corridors and Rural Reserve and Population Coordination, dated December 3, 1997, to ensure protection of visual resources along U.S. Highway 26 between the Metro urban growth boundary and the Sandy urban growth boundary.

E. This agreement terminates on December 31, 2060.

CLACKAMAS COUNTY

Lynn Peterson
Chair, Clackamas County
Board of Commissioners

Dated: 2-25-10 III.2.

Approved as to form:

Dan Chandler, County Counsel

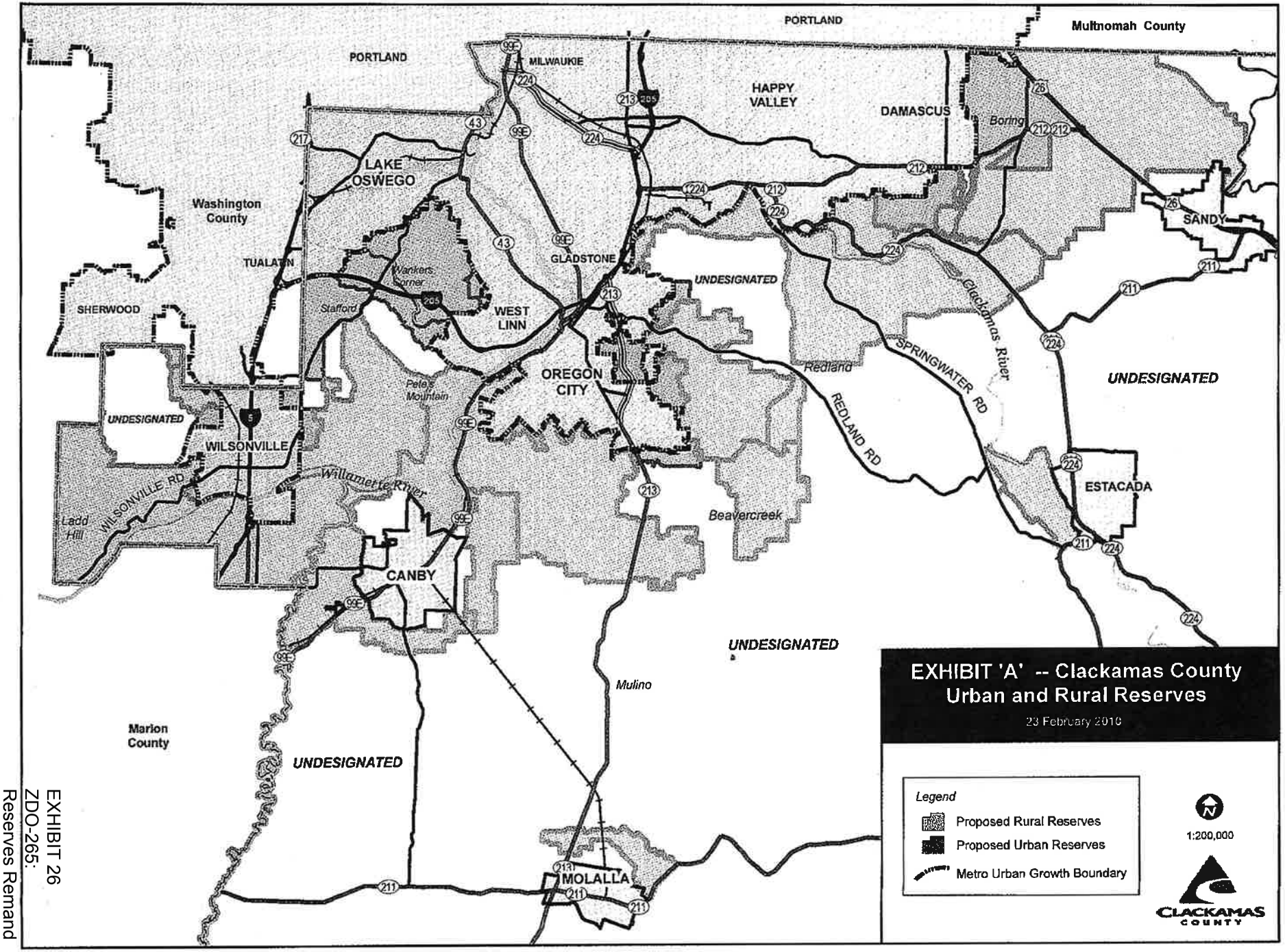
METRO

David Bragdon,
Metro Council President

Dated: 3 March 2010

Approved as to form:

Одобренный Approved Metro Council Совет Метро METRO COUNCIL



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ZDO-265:
Reserves Remand
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EXHIBIT B
PRINCIPLES FOR CONCEPT PLANNING OF URBAN RESERVES

1. Except for Areas 4A, 4C, and 4D concept planning for specific, enumerated Urban Reserves on the Urban and Rural Reserves map may occur separately and at different times. Concept planning for Areas 4A, 4C, and 4D must be coordinated so that Area 4C (Borland Road) is planned and developed as the town center serving the vast majority of Area 4A (North Stafford) and Area 4D (South Stafford).

2. A concept plan for any Urban Reserve area must be approved by the county, the city or cities who will govern the area and Metro, with ample opportunities for public involvement, including recognized citizen involvement entities, such as community planning organizations, hamlets and neighborhood associations. Concept plans will recognize community-based planning efforts such as the Stafford Hamlet Values & Vision Statement.

3. The following cities shall be invited to participate in concept planning of the following Urban Reserves:

   - Areas 1D and 1F (Clackanomah) – Damascus, Gresham and Sandy
   - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
   - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
   - Area 4C (Borland Road) - Tualatin, Lake Oswego and West Linn
   - Area 4D (South Stafford) - Tualatin, Lake Oswego, West Linn, and Wilsonville

4. Concept plans shall provide that any area added to the UGB shall be governed by one or more of the following cities, or a new city, with preferences to the following:

   - Areas 1D and 1F (Clackanomah) – Damascus and Gresham
   - Area 3C (Newell Creek Canyon/Holly Lane) – Oregon City
   - Area 4A and 4B (North Stafford Area) – Tualatin, Lake Oswego and West Linn
   - Area 4C (Borland Road) - Tualatin, Lake Oswego and West Linn
   - Area 4D (South Stafford) - Tualatin, Lake Oswego, West Linn, and Wilsonville

5. Concept planning for Urban Reserve areas that are suitable for industrial and other employment uses – such as portions of Clackanomah and the Borland Road area - will recognize the need to provide jobs in this part of the region, and that the areas were brought into the Urban Reserves principally meet those needs.

6. Concept planning for Urban Reserve areas that are suitable for a mix of urban uses – such as the Borland Road area – will ensure the areas are developed with the opportunity to provide employment and mixed- use centers with housing at higher densities and intense employment at higher floor-to-area ratios, and will include designs for a walkable, transit-supportive development pattern.

7. Concept planning shall recognize environmental and topographic constraints and habitat areas, such as the buttes in the Clackanomah area, Newell Creek Canyon in Urban Reserve Area 3C and the riparian areas along creeks in the North Stafford Area, recognizing that these areas include important natural features, and sensitive areas that may not be appropriate for urban development. Concept planning will reduce housing and employment capacity expectations accordingly

8. Concept planning for the portion of the Clackanomah area along Highway 26 will recognize the need to provide and protect a view corridor considering, among other things, landscaping, signage and building orientation. Metro and Clackamas County also recognize the need to work with the City of Sandy to revise the existing intergovernmental agreement among the parties.

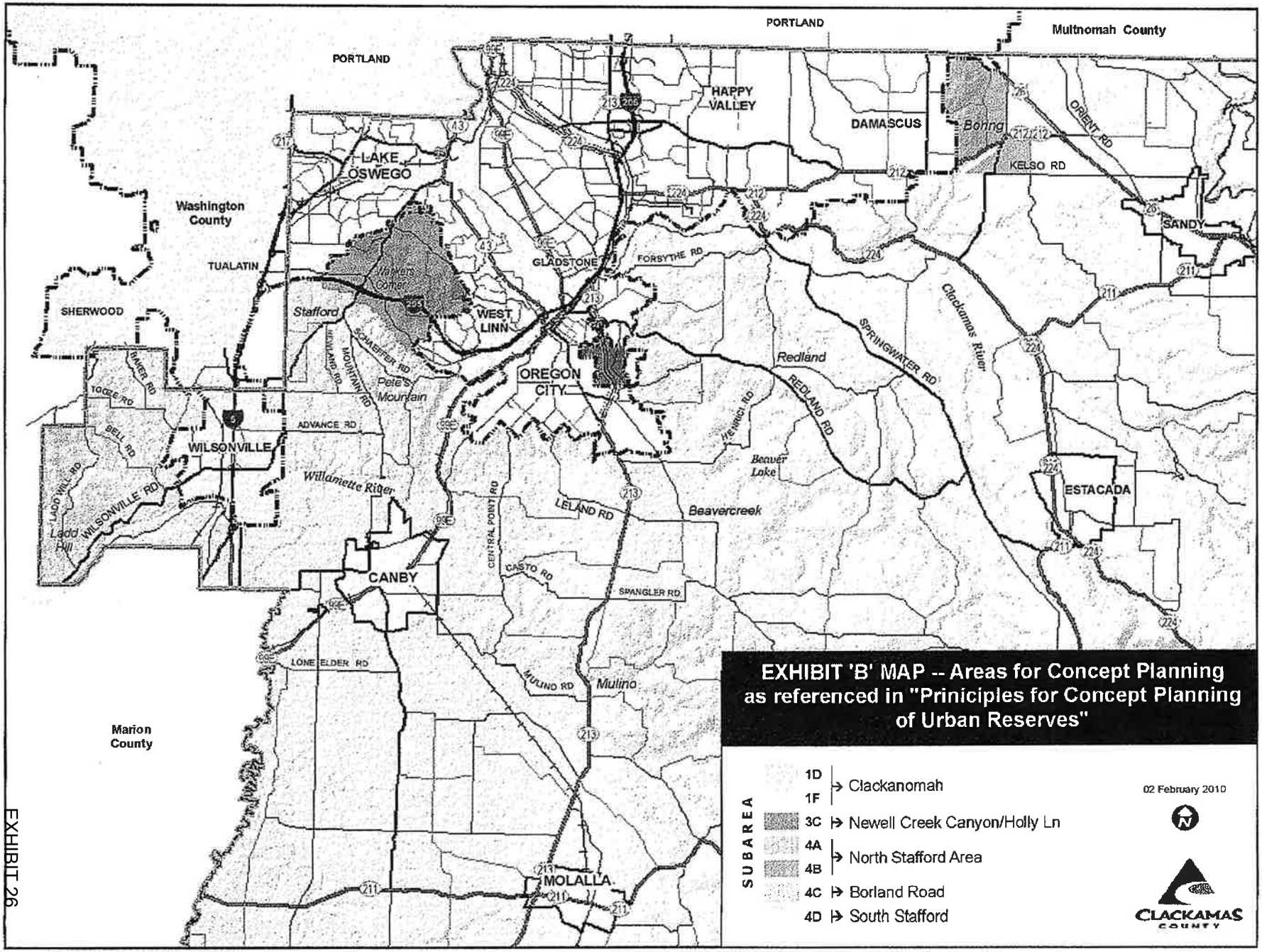


EXHIBIT 26
ZDO-265:
Reserves Remand
Page 33 of 43

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving an Intergovernmental Agreement to Consider Designating Urban and Rural Reserves in the Clackamas County Comprehensive Plan

Resolution No. 2010-17
Page 1 of 2

This matter having come before the Clackamas County Board at its regularly scheduled Business Meeting on February 25, 2010, and

It appearing to the Board that pursuant to ORS 195.141 and 190.003 to 190.110, Metro and Clackamas County are authorized to enter into an Intergovernmental Agreement (IGA) to identify urban and rural reserves and to establish a coordinated process designating reserves in the Metro regional framework plan and Clackamas County Comprehensive Plan; and

It appearing to the Board that Clackamas County implemented a coordinated public involvement plan consistent with state law to develop and analyze reserve study areas including public open houses, citizen organization meetings, coordinating committee meetings and other stakeholder meetings; and

It appearing to the Board that the Clackamas County Reserves Policy Advisory Committee was convened and made recommendations to the Board for designation of urban and rural reserves in Clackamas County; and

It appearing that the Clackamas County Planning Commission held a public hearing on August 10, 2009 to receive public testimony regarding the designation of Urban and Rural reserves in Clackamas County \and forwarded a recommendation to the Board; and

It appearing that the Clackamas County Board of County Commissioners conducted a public hearing on September 8, 2009 to consider further public input on the urban and rural reserves map; and

It appearing that pursuant to OAR 660-027-0030(3) an intergovernmental agreement ("Reserves IGA") is a preliminary, non-appealable decision that is required prior to designating urban and rural reserves in the Clackamas County Comprehensive Plan; and

It appearing to the Board that, while there are minor disagreements with our partner governments on specific land designations in other counties, the overall land need, and overall reserves designations strike the correct balance under state law; and

It appearing that Exhibit B to the Reserves IGA addresses important planning principles to be applied to specific Urban Reserve areas when they are planned for inclusion in the Urban Growth Boundary; and

It appearing that the Reserves IGA attached hereto includes all of the necessary elements required by state law;

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving an Intergovernmental Agreement to Consider Designating Urban and Rural Reserves in the Clackamas County Comprehensive Plan

Resolution No. 2010-17
Page 2 of 2

NOW, THEREFORE, BE IT RESOLVED that:

1. The Reserves IGA is approved, and the Chair is authorized to sign and forward the Reserves IGA to Metro.

2. Clackamas County is committed to working as an equal partner with Metro, Multnomah County and Washington County to maintain and enhance the livability and prosperity of the region through the implementation of the Reserves IGA.

ADOPTED this 25th day of February, 2010.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

EXHIBIT 26
ZDO-265:
Reserves Remand
Page 35 of 43

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

CITY OF SANDY,
Petitioner,

vs.

CLACKAMAS COUNTY,
Respondent.

06/20/13 AM 8:18 LUBA

LUBA No. 2013-012

ORDER

JURISDICTION

Petitioner City of Sandy (the city) appeals a county board of commissioners' decision to terminate an intergovernmental agreement between the county, the city, and other governmental entities. The county moves to dismiss the appeal.

In 1998, the county, the city and Metro signed an Intergovernmental Agreement on Green Corridor and Rural Reserves and Population Coordination (the 1998 Agreement), among the county, the city, Metro, and the Oregon Department of Transportation (ODOT). Although the 1998 Agreement had provisions directed at rural reserves and population coordination, the bulk of the 1998 Agreement concerned a green corridor along Highway 26, and was intended to coordinate planning and to preserve and protect the rural and natural resource character of areas along the corridor. Section III of the 1998 Agreement established temporary corridor boundaries extending 200 feet from both edges of the Highway 26 right-of-way, and contemplated permanent boundaries to be established later, via a coordinated process set out in the Agreement. Most of the subsequent sections required or encouraged future planning efforts by or between the parties, and set out notice and coordination procedures for future planning efforts. However, some sections included mandatory requirements that presumably applied as soon as the agreement became effective. For

example, Section V required the county to retain current zoning within the corridor, and to agree not to expand rural commercial or rural industrial zones unless approved by the city. Section IX provided that the county shall not upzone existing exception areas or non-resources lands to allow density greater than that permitted by zoning existing on the effective date of the agreement, unless the city agrees.

Section VII of the 1998 Agreement required ODOT to develop an access management plan to limit access within the corridor. However, ODOT has not signed the 1998 Agreement. One of the disputed issues in this appeal is whether the 1998 Agreement ever became effective, given that ODOT has to date not executed the agreement. Because that issue is unresolved at this point, we assume for purposes of this order only that that the 1998 Agreement is effective.

Section XIV of the 1998 Agreement provides that any party may unilaterally terminate the agreement following 60 days' notice to the other parties. On February 7, 2013, the county commissioners adopted Resolution 2013-02, the decision challenged in this appeal. Resolution 2013-02 recites that ODOT has not signed the 1998 agreement, and that many of the agreement's provisions have been superseded by subsequent actions of the signatories. The resolution concludes that it is in the best interest of the county's citizens to terminate the agreement, and so terminates it, effective 60 days from the date of notice to the parties to the agreement. The city filed a timely appeal of the resolution to LUBA.

The county moves to dismiss this appeal, arguing that the challenged resolution does not qualify as a land use decision as defined at ORS 197.015(10), because a decision to terminate the agreement does not concern the application of any statewide planning goal, comprehensive plan provision or land use regulation.[1]

---

[1] ORS 197.015(10)(a)(A) defines "land use decision" to include a final decision or determination made by a local government or special district that concerns the adoption, amendment or application of the statewide planning goals, a comprehensive plan provision, a land use regulation or a new land use regulation.

In addition, the county argues that the 1998 Agreement never became effective, because its effectiveness and many of its provisions were contingent on ODOT becoming a party to the agreement. Without ODOT as a party to the agreement, the county argues, the agreement was ineffective, and therefore the decision to withdraw from the agreement had no legal effect. The county contends that a decision that has no legal effect cannot constitute a land use decision subject to LUBA's jurisdiction as defined under ORS 197.015(10) or under the significant impacts test set out in *City of Pendleton v. Kerns*, 294 Or 126, 133-34, 653 P2d 992 (1982).

The city responds that the Clackamas County Comprehensive Plan (CCCP) includes goals and policies that the county should have applied in deciding to terminate the 1998 Agreement. *See Jaqua v. City of Springfield*, 46 Or LUBA 566, 574 (2004) (a decision "concerns" the application of a comprehensive plan provision or land use regulation where, among other things, the local government decision maker was required to apply the provision or regulation in making the decision, but did not). The city notes that the Urban Growth Concept element of Clackamas County Comprehensive Plan (CCCP) Chapter IV includes language, goals and policies addressing green corridors and the role they play in maintaining the rural character of lands separating the city from the larger metropolitan area, consistent with the purposes articulated in the 1998 Agreement. The Purpose section of the 1998 Agreement states in relevant part that the parties agree that they will work together to, among other things, "[p]reserve and protect the rural and natural resource character and values of the Rural Reserve areas along the Green Corridor that separate the City from the Metropolitan Area." Record 23.

Turning to the CCCP, the preamble to the CCCP Urban Growth Concept element states, in relevant part:

> "The provisions of the Urban Growth Concept apply in addition to other requirements identified in the Clackamas County Comprehensive Plan. The Urban Growth Concept is designed to provide guidance for Comprehensive

> Plan and Zoning Development Ordinance changes, as well as to identify specific development review requirements. All provisions except Green Corridors apply to lands inside the Portland Metropolitan Urban Growth Boundary. Green Corridors apply to rural, agricultural and forest areas. Future Urban Study Areas are areas in transition. When concept planning is completed for these areas, growth concept design types will be adopted as appropriate." CCCP IV-12.

The element then defines "Green Corridors" as "[a]reas outside the Urban Growth Boundary adjacent to major transportation routes to neighboring cities where the rural character of the landscape and agricultural economy shall be maintained. The intent is to preserve the view sheds and maintain the rural character between urban areas along the major transportation routes." CCCP IV-13. This definition is similar to the definition of "Green Corridor" set out in the 1998 Agreement. Record 24 (defining "Green Corridor" as "the high performance, multi-model transportation facilities connecting the City to the metropolitan area along Hwy 26, and the surrounding identified rural lands within which the rural and natural resource character will be preserved and protected to maintain separation between the City and the metropolitan area and preserve the unique identifies of the City and the metropolitan area").

The CCCP Urban Growth Concept element then sets out, as one of its stated Goals, the requirement that the county "[m]aintain the rural character of the landscape between the Urban Growth Boundary and neighboring cities." CCCP IV-14.

Finally, and most importantly, the CCCP Urban Growth Concept element sets out a policy that is directly concerned with the 1998 Agreement. CCCP Urban Growth Concept Policy 12.0 states that "[t]he goals and policies for Green Corridors shall be defined through a separate study as outlined in the Intergovernmental Agreements on Green Corridor and Rural Reserve and Population Coordination, signed by Clackamas County, City of Sandy, City of Canby, ODOT and Metro." CCCP IV-17.

The city argues that it is not clear whether the study required by Policy 12.0 has ever been conducted, or whether the 1998 Agreement is itself the study. In either case, the city

argues, prior to terminating the 1998 Agreement the county was required to address the language, goals and policies in the CCCP Urban Growth Concept element, including Policy 12.0, and explain why termination is consistent with the Goal and Policy. Because the Goal and Policy should have been applied, the city argues, the decision qualifies as a statutory "land use decision."

The county replies that it was not required to consider the cited CCCP language, goal and policy in adopting the resolution that terminated the 1998 agreement, because they are not applicable approval criteria, and do not provide meaningful guidance to the county in adopting the challenged decision to terminate the 1998 Agreement. Therefore, the county argues, the city has not demonstrated that the decision concerns the application of any comprehensive plan provision, for purposes of ORS 197.015(10)(a)(A).

We disagree with the county that the cited CCCP language, goal and policy are inapplicable to a decision to terminate the 1998 Agreement. Reading the relevant CCCP Urban Growth Concept plan language as a whole, it is reasonably clear that the county is concerned as a matter of policy with maintaining separation between the city and metropolitan area, in part by maintaining the rural character of the green corridors. Policy 12.0 suggests that the county chose to rely upon the 1998 Agreement to develop the specific regulations that implement that policy concern with respect to the Highway 26 green corridor. In addition, as noted above, the 1998 Agreement included several specific restrictions on county zone changes that affect the Highway 26 green corridor. Terminating the 1998 Agreement leaves open the question of how the county intends to address the policy concerns that are set out, and which remain, in the CCCP Urban Growth Concept element.

For that reason, we agree with the city that the challenged decision terminating the 1998 Agreement "concerns" the "application" of comprehensive plan provisions, in the sense that the county was required to consider, and therefore apply, those plan provisions in

deciding whether or not to terminate the 1998 Agreement.[2] Accordingly, the challenged decision is a "land use decision" as defined at ORS 197.015(10)(a)(A), unless some statutory exception applies. No party argues that a statutory exception applies.

As noted, the county also argues that the 1998 Agreement was not effective when the county chose to terminate it, because ODOT had not signed it. Because the agreement was not effective, the county argues, its termination has no legal effect, which means the decision to terminate the agreement does not constitute "land use decision" as defined at ORS 197.015(10)(a)(A). According to the county, ORS 197.015(10)(a)(A) presumes a decision with some legal consequence.

The city argues that the 1998 Agreement was effective, at least between the three signatories. According to the city, nothing in the 1998 Agreement specifies that the agreement becomes effective only when all four parties have signed, and the city argues that the three signatories have acted consistently with the agreement since signing it. The city also argues that, even if the agreement was not effective, its termination has legal consequences on the county's planning obligations.

In the challenged decision, the recitals do not state or conclude that the 1998 Agreement is ineffective. We note that the county chose to terminate the 1998 Agreement according to the terms of Section XIV of the agreement, which does not suggest that the county believed the agreement was ineffective. If the county believed the agreement to be ineffective, it is not obvious why the county felt it necessary to comply with Section XIV. Similarly, if the county believed the 1998 Agreement was ineffective and therefore imposed no potential obligations on the county, it is not clear why the county went to the trouble of terminating it.

---

[2] We do not mean to suggest that termination of the 1998 Agreement is inconsistent with the relevant CCCP Urban Growth Concept element language, goals and policies, only that that language, goals and policies should have been considered when deciding whether or not to terminate the 1998 Agreement.

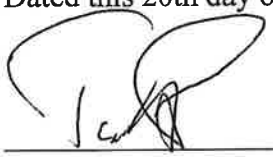
However, based on the pleadings submitted at this point, LUBA is in no position to determine whether or not the 1998 Agreement was effective on the date the county chose to terminate it, or assuming it was ineffective, whether its termination has no legal consequence, as the county argues, and the jurisdictional consequences, if any. The county has leave to refile its motion to dismiss to present a more focused argument. However, at this point we conclude, for the reasons set out above, that the challenged decision concerns the application of a comprehensive plan provision, and is therefore a land use decision as defined at ORS 197.015(10)(a)(A), and subject to our jurisdiction.

The motion to dismiss is denied.

BRIEFING SCHEDULE

Pursuant to the parties' stipulation, the next event in this review proceeding is the filing of the petition for review. Accordingly, the petition for review is due 21 days from the date of this order. The response brief is due 42 days from the date of this order. The Board's final opinion and order is due 77 days from the date of this order.

Dated this 20th day of June, 2013.



Tod A. Bassham
Board Member

Certificate of Mailing

I hereby certify that I served the foregoing Order for LUBA No. 2013-012 on June 20, 2013, by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

David F. Doughman
Beery Elsner & Hammond, LLP
1750 SW Harbor Way Suite 380
Portland, OR 97201-5164

Rhett C. Tatum
Clackamas County
Assistant County Counsel
2051 Kaen Road
Oregon City, OR 97045

Dated this 20th day of June, 2013.

Kelly Burgess
Paralegal

Kristi Seyfried
Executive Support Specialist

27

Fritzie, Martha

From: BCCMail
Sent: Tuesday, April 11, 2017 11:27 AM
To: Krupp, Don; Rogalin, Ellen; Fritzie, Martha; McCallister, Mike; Boderman, Nathan; Bernard, Jim; Fischer, Sonya; Howatt, Drenda; Humberston, Kenneth; Savas, Paul; Schrader, Martha; Cartasegna, Mary Jo; DeSantis, Kimberlee; Klepper, Emily; Moreland, Tracy
Cc: Hill, Caroline
Subject: Don and Elaine Young: Stafford Hamlet

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----
From: Don Young [mailto:dayoung007@comcast.net]
Sent: Tuesday, April 11, 2017 8:55 AM
To: BCCMail <BCCMail@co.clackamas.or.us>
Subject: Stafford Hamlet

I am a 16 year resident in the hamlet. I strongly oppose the decisions so far by Bcc and Metro. Recital # 4 in the last statement by BCC states the livability and uniqueness of the hamlet are worth preserving. This statement nicely sums up the feelings of our residents and presented by the county councils.

Transportation is already a disaster and can't wait until 2035. Adding a lane to 205 enlarges the parking lot but does nothing to solve the problems. My wife and I strongly support the CVP of the hamlet.

Don and Elaine Young
890 Rosemont Road
West Linn

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BEGIN-ANTISPAM-VOTING-LINKS

Teach CanIt if this mail (ID 04T73SRyQ) is spam:
Spam:
https://mhub.clackamas.us/canit/b.php?c=s&i=04T73SRyQ&m=07d29c84b319&rlm=base&t=20170411
Not spam:
https://mhub.clackamas.us/canit/b.php?c=n&i=04T73SRyQ&m=07d29c84b319&rlm=base&t=20170411
Forget vote:
https://mhub.clackamas.us/canit/b.php?c=f&i=04T73SRyQ&m=07d29c84b319&rlm=base&t=20170411

END-ANTISPAM-VOTING-LINKS

EXHIBIT 27
ZDO-265:
Reserves Remand
Page 1 of 1

Fritzie, Martha

From: hugheslo@comcast.net

Sent: Tuesday, April 11, 2017 6:32 PM
To: Fritzie, Martha
Subject: File number ZDO-265

Dear Ms. Fritzie:
Please enter these comments into the record regarding the April 12, 2017 Stafford Hamlet Urbanization hearing, file ZDO-265.

Dear Clackamas County Commissioners:
As a former Lake Oswego city councilor who lived on the south side of Lake Oswego close to the Hamlet for 13 years, and now a resident of West Linn traveling daily through the Hamlet, I strongly oppose Metro and the County moving forward with the urbanization of the area.

The Stafford area is a very special area with many streams, rolling hills, wooded areas and habitat areas that should be left intact as desired by the vast majority of Stafford Hamlet residents. Urbanizing the area would destroy habitat, create increased congestion and bottlenecks on narrow, 2 lane roads, create further traffic issues on I-205 and negatively impact the overall beauty and livability of the area.

I ask that you please listen to The Stafford Hamlet residents and limit the development of this gorgeous area that is treasured by those who live in the area.
Best regards,
Lauren Hughes
2121 Peregrine Ct
West Linn

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.
Spam
Not spam
Forget previous vote

EXHIBIT 28
ZDO-265:
Reserves Remand
Page 1 of 1

29

Fritzie, Martha

From: Bonnie Combs <bcaloha@earthlink.net>
Sent: Tuesday, April 11, 2017 6:45 PM
To: Fritzie, Martha
Subject: No urbanizing please

Dear Ms Fritzie,

I am opposed to urbanizing the Stafford Hamlet. I personally feel that any community needs an area to bring us back to our roots, that is- farmland, both agriculture and semi-wilderness area, including family plots for growth of veggies. Developing Borland is definitely counter productive to keeping the agricultural identity alive. I have no objection to whatever buildings are presently in the area, including churches. It's busy enough traveling on Stafford Rd and the cross streets, without adding more cars and other vehicles from residents and businesses. Please heed the concerns of the residents of the area.

Thank you,
Bonnie Combs

Sent from my iPhone

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BEGIN-ANTISPAM-VOTING-LINKS

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

Teach CanIt if this mail (ID 03T7dIKcW) is spam:
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Not spam:
https://mhub.clackamas.us/canit/b.php?c=n&i=03T7dIKcW&m=1d7c5055ceb1&rlm=base&t=20170411
Forget vote:
https://mhub.clackamas.us/canit/b.php?c=f&i=03T7dIKcW&m=1d7c5055ceb1&rlm=base&t=20170411

END-ANTISPAM-VOTING-LINKS

EXHIBIT 29
ZDO-265:
Reserves Remand

30

Fritzie, Martha

From: Thane Eddington <thanemarnie@gmail.com>
Sent: Tuesday, April 11, 2017 6:54 PM
To: Fritzie, Martha
Cc: Jay Minor
Subject: File# ZDO-265

Ms. Fritzie,

Please include this email as submission for written testimony regarding File# ZDO-265. Thank you.

Clackamas County Commissioners:

Thank you for soliciting written testimony from the citizens of the Stafford Hamlet. As we all know, the Stafford Hamlet has a decades long history of vigorous discussion regarding the future of the lands contained within the borders of the Hamlet. The various viewpoints are based upon both emotional and rational sources. As the 2015 Chair of the Stafford Hamlet, it was my pleasure to learn of both during my tenure. I will forever be grateful to you, the board, for consideration of all of those views.

But of all the viewpoints heretofore expressed, the Stafford Compromise is a document that entails the best of all of those viewpoints. Why? Because it recognizes both the emotional and factual realities surrounding the future development of the Hamlet. It embraces a future that provides employment lands, develops the parts of the Hamlet that are the easiest and least costly to urbanize, and provides what will become a rural oasis within the last remaining un-urbanized piece of land within the I-205 beltway. It is a compromise that is achievable within this decade and palatable to a large portion of the citizenry. It is the ONLY baseline option that encapsulates important portions of all the viewpoints hitherto expressed regarding the Stafford Hamlet. Anything else is too extreme, whether that be no development or complete urbanization.

Please take this into careful consideration in moving forward and adopting IGA with METRO and the neighboring cities. Let us work together on a solution that is true to what can be reasonably achieved.

Truly I am grateful that this board is reaching out to METRO, our neighboring cities, and Clackamas County citizens. Thank you for your efforts to serve us. And thank you for consideration of my short, but hopefully poignant email.

Truly,

Thane M. Eddington

Spam
Not spam
Forget previous vote

EXHIBIT 30
ZDO-265:
Reserves Remand
Page 1 of 1

31

Fritzie, Martha

From: Steven DeLugach <steven.delugach@gmail.com>
Sent: Tuesday, April 11, 2017 9:18 PM
To: Fritzie, Martha
Subject: File Number ZDO-265

April 11, 2017

RE: File# ZDO-265

Dear Ms. Fritzie,

I am opposed to including the Stafford Hamlet in the Urban Reserve for the Portland Metro area. This area has been home to many generations of farm families and several Century Farms. I have been living in the Stafford Hamlet since 1994 in the Shadow Wood Area. Our Hamlet is home to a wide variety of wild life that accesses the Tualatin and Willamette river systems. We have seen Eagle, Osprey, Hawk, Fox, Coyote and even a Cougar in the area. Urbanization will change the housing density and increased traffic flow will be at the cost of the wildlife as well as the quality of human life. We have managed to hold on to the wildlife and quality of our life with the already extensive development that is encroaching on the Hamlet from Lake Oswego, West Linn and Tualatin. I ask that the Stafford Hamlet be excluded from the Urban Reserve to support the hard work and planning of our citizen lead process that received over 75% agreement from Hamlet residents. Similar to Forest Park Northwest of Portland, Stafford Hamlet provides home and safe passage to wildlife that makes the rural and natural character of the Hamlet. Please do not ignore the exhaustive citizen involvement by placing the Stafford Hamlet in the Urban Reserve.

Respectfully,

Steven DeLugach

1756 SW Greenway Circle

West Linn, Oregon 97068

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EXHIBIT 31
ZDO-265:
Reserves Remand
Page 1 of 1

32

Fritzie, Martha

From: Heather Burden <featherflynn@hotmail.com>
Sent: Tuesday, April 11, 2017 8:55 PM
To: Fritzie, Martha
Subject: File number ZDO-265

Clackamas County Board of Commissioners,

I am writing in support of the Stafford Compromise in hopes that Metro will honor the wishes of the surrounding towns as well as the Stafford Hamlet. The Stafford area is not suitable for development and is an important buffer between the communities that provides habitats for a variety of wildlife. The unique character of this rural area is important in providing green space, and a natural setting for many native species from the Oregon tree frog and owls to beavers, deer, herons and bald eagles. Family century farms have been preserved and supply fresh, local and sustainable produce and organic eggs and other farms have sprung up as wineries. The combination of natural resources and the lack of desire by its residents to develop in this area makes it a nature reserve of sorts instead of an urban growth option.

There are other areas that are willing to offer space for growth like neighboring Wilsonville along with Portland, Gresham and Beaverton. The infrastructure in the Stafford area is strained with the current traffic patterns and traffic form an additional 20,000 homes in unimaginable. Our area is a nearby escape from the city life to rural lads and would certainly diminish the quality of life and wellness in our area for the residents of Stafford as well as those from the city that enjoy a nearby getaway.

Respectfully submitted,

Heather Burden

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EXHIBIT 32
ZDO-265:
Reserves Remand
Page 1 of 1

33

Fritzie, Martha

From: Mike Stewart <mikestewart1133@yahoo.com>
Sent: Tuesday, April 11, 2017 9:49 PM
To: Fritzie, Martha
Cc: kstudebaker@ci.oswego.or.us; logden@tualatin.gov; raxelrod@westlinnoregon.gov; Bernard, Jim; Schrader, Martha; Savas, Paul; McCallister, Mike; Fischer, Sonya; BCCMail
Subject: DEFINITELY IN FAVOR OF ALL the Stafford Hamlet being an URBAN RESERVE.

RE: File# ZDO-265

Dear Ms. Fritzie,

I am DEFINITELY IN FAVOR OF ALL the Stafford Hamlet being an URBAN RESERVE.

I personally feel that THIS ACTION WILL HELP BRING CLACKAMAS COUNTY back to ECONOMIC STABILITY, DUE TO THE NEW BUSINESSES THAT WILL LOCATE THERE.

Developing the STAFFORD TRIANGLE is definitely A PRODUCTIVE MOVE FOR THE ECONOMIC FUTURE OF CLACKAMAS COUNTY .

I have **no objections to the homes and office buildings that will be built** and no objections to the existing churches.

Regarding Roads, **WE NEED THE DEVELOPMENT FUNDS TO IMPROVE the travel** on Stafford Rd and the cross streets.

Please **APPROVE THE URBAN RESERVE CLASSIFICATION for all of the Stafford Triangle.**

Best Regards,

Mike Stewart
Co-Chief Petitioner of
The Stafford Hamlet
503 880 1133

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Forget previous vote

EXHIBIT 33
ZDO-265:
Reserves Remand
Page 1 of 1

(34)

Fritzie, Martha

From: Mark Stevens <markstevensarchitect@gmail.com>
Sent: Tuesday, April 11, 2017 9:56 PM
To: Fritzie, Martha
Subject: Stafford Urban Reserves #ZDO-265
Attachments: R7SPQ testimony 4.11.17.pdf

Good evening Martha,

Attached please find my family's testimony that we would appreciate being introduced into the Clackamas County Planning Commission proceedings tomorrow evening.

Many thanks in advance!

Mark Stevens, Architect
111 North College Street
Newberg, OR 97132
p) 503.444.0176
e) markstevensarchitect@gmail.com

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11 April 2017

Ms. Martha Fritzie, Senior Planner
Clackamas County Planning Department
2051 Kaen Road, 45h Floor
Oregon City, OR

Re: Stafford Urban Reserves
File number ZDO-265

Dear Martha,

I understand that there will be a County hearing tomorrow about the Stafford area. Since I am unable to attend the hearing to present my testimony on the subject, I thought that I should at least email you my family's position on the subject.

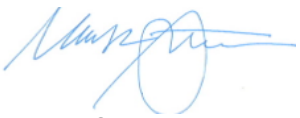
Our family (Rosemont 7 LLC and Sandpiper Quintet LLC) owns approximately 78 acres in the Stafford area, having purchased the property over 50 years ago. Our parcels are primarily within the areas currently being considered Urban Reserve by Metro. We are strong supporters of this recommendation. Here's why:

Our parents invested in our Stafford property long ago, when development was less restricted. Now that they are in their 90s, with a strong financial need to realize SOME return on their investment, they would like the opportunity to do so pragmatically and sensitively. Our family disagrees with the position taken by the Stafford Hamlet Board to have the area established as "Rural" or "Undesignated"- doing so would effectively eliminate our opportunity for any development/return on our parents' investment.. While we do not see our property as ever being developed at the density of 8 units per acre due to topography and other factors, we WOULD hope to have the opportunity to undertake some form of development in the ensuing years. As an architect, I see varied conditions in the area- some condusive for development, others more befitting of retaining rural character. A blanket "Undesignated" designation of the entire area fails to recognize the many unique and varied characters of the Stafford Triangle.

The Stafford Hamlet' extols their "Visions and Values" tenet as the voice of the owners in the area. We take exception to this as we feel that, despite our large land holdings in the area, our voice has not been fairly represented. For instance, the voting protocol for the Stafford Hamlet's "Values and Visions" that seeks "Undesignated" designation for Stafford was patently flawed. Renters of property in the Hamlet and any residents over 18 years old, even living with their parents, were each allowed one vote on the matter, and most voted for no change or development. Because our family holds our large land holdings in LLCs, we were only allowed two votes for our 78 acres- one for Rosemont 7 and one for Sandpiper Quintet. The ability for large landowners such as ourselves to have a properly-weighed voice in the Hamlet position was therefore impossible.

Our family trusts that the Clackamas County Planning Commission will recognize that measured growth in the Stafford area is both practical and timely, especially given its location relative to population and infrastructure. We hope that the Commission will see beyond the divisive position of the Stafford Hamlet and will recognize the impact that the property designation of Stafford will have not only on our family's property values but also on the Portland area long term. We urge you to adopt the Urban Reserve designation that has been recommended for the Stafford area by Metro.

Respectfully submitted,



Mark R. Stevens, Architect-Oregon License # 4814
Rosemont Seven, LLC and Sandpiper Quintet, LLC
PO Box 3130, Newberg, OR 97132
503.444.0176
markstevensarchitect@gmail.com

(35)

Fritzie, Martha

From: dickbohrer@comcast.net
Sent: Tuesday, April 11, 2017 10:13 PM
To: Fritzie, Martha
Cc: dickbohrer@comcast.net
Subject: RE: THE STAFFORD HAMLET DECISION

Dear Ms. Fritzie:

Just as Chicagoans boast about their miles and miles of forest preserve stretching across the city's outer limits, we in the Stafford Hamlet boast and have enjoyed our band of forest preserve and the unspoiled river that runs through it.

To urbanize the Hamlet would sacrifice the quiet privacy and natural beauty of this riverland where counties meet, fishermen troll, kayakers drift and children swim.

Urbanization would double, triple the number of automobiles on our two-lane roads and crowd the traffic on the near-by freeway. New houses and apartments would strip our trees.

We residents of the Stafford Hamlet are deeply concerned about the decision you and the committee are contemplating. Greater Portland needs an area like this, close in and accessible.

Kindly keep this quiet preserve quiet and preserved.

Sincerely,

Richard W. Bohrer
2174 SW Mossy Brae Road
West Linn

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Fritzie, Martha

From: Herb Koss <herb@kossred.com>
Sent: Wednesday, April 12, 2017 8:40 AM
To: Fritzie, Martha; McCallister, Mike
Subject: FW: Letter to the BCC and Metro

Good Morning Martha and Mike

In case the letter below has not been entered into the record we would appreciate your doing so.

The SLOA fully supports the county's and Metro position to resolve the Lawsuit filed by the City of Tualatin and the City of West Linn.

Thank you.

Herb Koss – Chair of the SLOA

On Sunday, March 12, 2017, 8:20 PM, Herb Koss <herb@kossred.com> wrote:

Dear Chair Bernard, President Hughes, Members of the BCC and the Metro Council,

I am the Chair of the Stafford Land Owners Association (SLOA), which was formed to advocate for planning of the Stafford Triangle and Urban Reserves. The proper planning for the urbanization of Stafford over the next fifty years is critically important to our region.

The 1960 census shows that the cities of Lake Oswego, West Linn, and Tualatin, had a combined population of 13,198. The 2010 census showed their combined population as 87,772. The population growth will continue over the next fifty years, and there are only two ways for the three cities to accommodate that growth. Residents in both Lake Oswego and West Linn have very actively resisted increased density in their cities, with days of protests over the redevelopment of the WIzer Block in Lake Oswego. It is not realistic to believe that they will be able to accommodate all of their future growth within their existing Urban Growth Boundaries. The reality is that Stafford will develop.

The SLOA believes that Stafford has the all of the elements to be the Crown Jewel of Clackamas County, if planned thoughtfully. Riparian areas, wildlife corridors, tree canopies, parks and open space, trail systems, can be and should all be important elements of a plan. In an effort to demonstrate what a future might look like, the SLOA decided to retain the professional services of John Fregonese and Associates and Don Hanson a senior Planner with Otak. Their preliminary plan detailed net buildable land, slope analysis, wildlife and riparian corridors were identified.

We hoped that our Plan would bring the Hamlet Board to the table, and lead to a compromise that complied with State Land Use Goals and Laws. Unfortunately, our analysis did the opposite. Dave Adams on behalf of the Hamlet Board is now using lies and fear tactics that grossly exaggerate the level of urbanization. He is raising the specter of crime and gangs. His claims that spike with an urban reserve designation and that people will be forced out of their homes, is provably false. Lies and misinformation will not result in a better plan, just a missed opportunity. I believe that Dave Adams sat in the same room when we negotiated with Metro to get eight units to the acre for the Triangle. It is one of the few times we were in agreement. Given his role in the negotiation, his lies that Metro is mandating 15 units to the acre are inexcusable.

The Hamlet Plan of five acre lots, would require multiple Goal Exceptions, and has no realistic chance of being successful. Adding more septic tanks and wells that further degrade the aquifer, in a near urban location, so that the ultra-rich can have mansions, while receiving the tax benefits of owning a farm, is the exact opposite of what Tom McCall envisioned when he signed Senate Bill 100.

Dave Adams lives in the Triangle and has two dwellings and a business on less than two acres. Hypocrisy has never been an Oregon value.

We have been and are willing to work towards a compromise, but we cannot support any plan that requires a State Land Use Goal Exception. Additionally, there are environmental and public health reasons for why action is needed now, not later. There are urban levels of development along the Tualatin River. All of these homes have septic systems and we are certain that they dump raw sewage into the Tualatin River during heavy rain. I understand that sewer extensions are costly, but any compromise must address that problem.

The SLOA has offered the only legal and feasible plan. We understand there is work left to be done, but we cannot get the grant funds necessary until the Urban Reserve designation is confirmed. Tualatin has legitimate concerns about traffic, which can only be addressed through a traffic study. They have been reluctant to drop their legal challenge until they see a traffic study, but we cannot get funding for a traffic study without the Urban Reserve designation confirmation. We believe, based on the work of John Fregonese and Don Hanson, that a thorough economic analysis of the Triangle will demonstrate that the development can pay for itself, and that the property tax revenue generated will be substantial. The SLOA believes that SDC Revenue bonds can be and should be the main financial vehicle utilized to fund infrastructure. I can personally attest that SDC's were used by the City of West Linn to fund the Tanner Basin – land owners and developers advanced the funds to provide the needed infrastructure. Once a financial vehicle is agreed upon and infrastructure costs are determined there is little question in our mind that the cities will want to annex.

While we understand Metro's reluctance in seeking a legislative blessing of the reserve, we believe that it is the only viable path forward. The SLOA would support and recommends that the County and Metro jointly go to the legislature. Otherwise, it is likely that we are facing three to five years of legal challenges, which will delay that hard work that needs to happen. I have personally been told that West Linn will file another lawsuit in order to slow the process.

The Portland Metro Area, is one of the fastest growing areas in the nation. Stafford is unquestionably Clackamas County's most viable Urban Reserve. In summary the SLOA believes that Legislation is the only viable path forward.

Sincerely

Herb D Koss – Chair of the SLOA

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Fritzie, Martha

From: Herb Koss <herb@kossred.com>
Sent: Wednesday, April 12, 2017 7:54 AM
To: Bernard, Jim; Fritzie, Martha; McCallister, Mike; bernardjim@ymail.com; Fischer, Sonya; Humberston, Kenneth; Schrader, Martha; Savas, Paul
Cc: Carlotta Collette; Lou Ogden; kent studebaker (kestude@comcast.net); raxelrod@westlinnoregon.gov; Bob Stacey; Craig Dirksen; Kathryn.Harrington@oregonmetro.gov; METRO; Sam Chase; Shirley.Craddick@oregonmetro.gov; Tom.Hughes@oregonmetro.gov
Subject: FW: Stafford Hamlet - Testimony Update

Follow Up Flag: Follow up
Flag Status: Flagged

Chair Bernard and Clackamas County Commissioners

Expect a packed meeting again tonight. The Hamlet is at it again! The SLOA fully supports your efforts to resolve the Transportation findings to resolve the Lawsuits filed by West Linn and Tualatin. Compromise is not in the Hamlet's vocabulary. They would rather destroy real farmland in Washington County then to come to a reasonable compromise in Stafford. Herb Koss – Chair of the SLOA

Update regarding testimony & land-use hearing

View this email in your browser

Take 2 Steps to speak up for

We had a lively Hamlet meeting last night! On the topic of testimony and the Urban Reserve designation vote, we discussed a bit of hearing.

Why We Should Testif

- **To show strength in numbers in support of the community's wish**

Once you've submitted testimony, you will have 'standing'. What's that? Per the County website: "*Once you testify at a Lar case; this is called "standing."* Without standing, you cannot submit comment or testimony

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Reserves Remand
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Update regarding testimony & land-use hearing

View this email in your browser

Take 2 Steps to speak up for the Hamlet

We had a lively Hamlet meeting last night! On the topic of testimony and the Urban Reserve designation vote, we discussed a bit of background and updates, and we wanted to pass that info along in advance of tomorrow's hearing.

Why We Should Testify

- **To show strength in numbers in support of the community's wishes for the future of Stafford.**
- **Once you've submitted testimony, you will have 'standing'. What's that? Per the County website: "*Once you testify at a Land Use Hearing, you will be able to testify at future hearings and appeals on the same case; this is called "standing."* Without standing, you cannot submit comment or testimony on any future action related to this land-use decision.**

What's Been Happening

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- The County & Metro have issued a draft IGA (Inter-Governmental Agreement) about the land-use designation decision. (*READ IT HERE - skip to page 112*) Of note is the language in Section 4: "*The Metro Council and the Clackamas County Commission recognize that the Stafford Hamlet and surrounding area is a unique enclave in Clackamas County that has a long standing agricultural heritage, significant environmental assets and valued open space worthy of preservation*;" We are encouraged to see that kind of supportive language in the text.
- The cities of LO, West Linn, and Tualatin are working together to craft their own IGA, representing the desires of the cities, as well as honoring the interests of the Hamlet.
- Metro has concluded their public testimony period.

What Can We Do Today?

We're asking for you to do TWO things: first, submit testimony to the County. Second, send a quick email to the mayors of the three cities to recognize their efforts and their support of the Hamlet's vision. We've included some sample text - please feel free to copy/paste and edit however you see fit.

STEP 1: County Hearing TOMORROW

Clackamas County Board of Commissioners - Information on how to testify: http://www.clackamas.us/bcc/testimony.html

Read the "Packet" - this PDF document includes everything to be considered at the hearing. This packet includes testimony already submitted (starting at page 144) - feel free to read for inspiration.

The Commissioners will be hearing public testimony regarding the plan to approve putting the Stafford Area into the Urban Reserves.

To Testify via Email:

- Send to Martha Fritzie, Senior Planner at mfritzie@clackamas.us
- Subject Line: File number ZDO-265

To Testify in Person: **NOTE: If you testify in person, please bring a printed copy of your testimony to hand in for the record.**

- **WHEN: Wednesday, April 12, 2017, 6:00pm**
- **WHERE: Public Services Building, 2051 Kaen Rd., Oregon City, 4th floor public hearing room**
- **Agenda:** http://www.clackamas.us/bcc/landuse/lu20170412agenda.html

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- **Packet of Documentation:**
  http://www.clackamas.us/planning/documents/meetings/landuse/lu20170412packet.pdf

SAMPLE TEXT (*edited from a neighbor's letter*): *[Topics in your testimony can speak to livability, traffic, or any way that a designation change would affect you.]*

RE: File# ZDO-265

Dear Ms. Fritzie,

I am opposed to urbanizing the Stafford Hamlet. I personally feel that any community needs an area to bring us back to our roots, that is- farmland, both agriculture and semi-wilderness area, including family plots for growth of veggies. Developing Borland is definitely counter productive to keeping the agricultural identity alive. I have no objection to whatever buildings are presently in the area, including churches. It's busy enough traveling on Stafford Rd and the cross streets, without adding more cars and other vehicles from residents and businesses. Please heed the concerns of the residents of the area.

Best Regards,

STEP 2: E-Mail the Cities' Mayors

All you need to do here is click on the email address and it will pre-populate an email to the Mayor. Make any edits you'd like, sign your name, and hit Send.

1. City of Lake Oswego
   - Kurt Studebaker, Mayor. Email: kstudebaker@ci.oswego.or.us
2. City of Tualatin
   - Lou Ogden, Mayor. Email: logden@tualatin.gov
3. City of West Linn
   - Russ Axelrod, Mayor. Email: raxelrod@westlinnoregon.gov

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Fritzie, Martha

From: Alexandra Wenig <apolafsi3@gmail.com>
Sent: Wednesday, April 12, 2017 9:34 AM
To: Fritzie, Martha
Subject: File number ZDO-265

Dear Ms. Fritzie,
I am very opposed to urbanizing the Stafford Hamlet. Stafford is a rare gem for a metropolitan area due to its agricultural, natural, and open space being located within a few miles of a major city. This openness is why my family decided to live here, rather than the more urbanized areas of Portland. Once these open areas and farmlands are paved over, they cannot be reclaimed.

One needs only to look to the poorly managed growth of major cities in places like Houston to see what happens when developers are allowed to fill in every nook and cranny of available space--individual cities (like West Linn, LO, and Tualatin) completely lose their individual identities; and too many years after that, one can drive 60 minutes across a metro area on a 24 lane highway with an unending view of strip malls and shoddily constructed housing instead of nature.

Additionally, it is difficult for me to imagine the area accommodating additional traffic; or our schools accommodating more students, when they are already at capacity. Please heed the concerns and desires of your constituents who already live here.

Regards,
Alexandra Wenig

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Fritzie, Martha

From: Carol Yamada <carolyamada@rocketmail.com>
Sent: Wednesday, April 12, 2017 10:02 AM
To: Fritzie, Martha
Subject: File number ZDO-265
Attachments: carolyamadatestimony.pdf

Dear Ms. Fritzie,

Several pieces of testimony you've collected from members of the SLOA accuse the Stafford Hamlet of wrongdoing in creating their widely supported Community Vision Plan. I submit this attached testimony to go on the record rebutting these accusations. Please include it in the packet.

Thank you, Carol Yamada

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EXHIBIT 38
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Reserves Remand

Urban Reserves Testimony

Stafford Land Owners Association consistently undermines the Stafford Hamlet Process.

The SLOA, a private group of mainly non-resident speculators, has only had one purpose - to influence lawmakers to include their properties into the UGB and thereby gain profitable sale of their land.

To accomplish this goal they've

- been generous campaign donors to nearly all of the County Commissioners and Metro Councilors for the last 20 years in hopes of buying influence.
- commissioned studies and urban designs for the area from OTEK and other planners, all of which focus development on their own properties, which they then shopped around to Metro, the cities, and the county.
- clear-cut the forests on their properties to facilitate quick development and have built projects that show their lack of regard for the Stafford Character. (Street of Dreams)
- hired strings of lobbyists to campaign at local, county and state levels to bring Stafford into the UGB for immediate development.
- undermined the process of the Stafford Hamlet.

It seeks to be seen as a more legitimate voice than the more transparent community-based Stafford Hamlet and to undermine the Hamlet's Community Vision Plan (CVP) because the community has determined that high density development is ill-suited on much of the land they own.

In response to the CVP they've created and given to you their "Map of the Willing". Several years ago the Hamlet tried to get a feel for what residents wanted and did a survey, which ended up being created and collected so haphazardly that the Hamlet was forced to discard it. The SLOA has turned this junk data into their 'Map of the Willing' - which profoundly overstates the level of enthusiasm residents have for developing their properties. People that said they'd like to add a house, barn or shed to their property are now dubbed 'The Willing' - those ready to quickly sell their property for high density development.

Their map goes as far as coloring in all the properties of the people that they claim voted for the CVP. In a county-monitored secret ballot election, how do they know that? And why do they think you care? The Hamlet itself doesn't know who voted in what manner, yet the SLOA submits to you these unfounded facts.

To further delegitimize the CVP they accuse us of fiddling with our bylaws. As the first Hamlet Chair and one of the original organizers I saw how hard we worked to create power sharing. Our unique bylaws give the minority (Over 5 Acre landowners) an equally weighted voice in land use votes. At the end of my term I persuaded the board to let the next chair be an SLOA member, starting a tradition of alternating leadership. The SLOA members were deeply involved in creating the original and unchanged bylaws on Hamlet elections. But when the math showed that even within their own minority they were outnumbered and couldn't stop adoption of the Community Vision Plan, they pulled out of the process and boycotted the election in an effort to undermine the vote.

They now see it as more damaging to accuse of of violating our bylaws than to acknowledge they'd always planned to delegitimize the election through staging a boycott.

The SLOA will do what it takes, as it always has, to get into the UGB and sell their land - not for the highest good as they may say, but for the highest profit.

I urge the Commissioners to recognize the SLOA smear tactic for what it is and to acknowledge the Hamlet's CVP. If you really think that nothing will be done here for years, just keep us out of the Reserves and wait for the cities to be ready to work with the residents on the solutions for the Stafford Hamlet

Respectfully,
Carol Yamada Stafford Hamlet Resident