
From: Mike Dahlstrom
Sent: Wednesday, February 23, 2011 12:04 PM
To: Dennis Mulvihill; Angie Aguilar; 'Ken Ray'; Philip Bransford; Marian Larkin
Cc: Linda Schroeder; Gretchen Olson; Andrew Singelakis; Brent Curtis; Aisha Willits
Subject: FW: Are we really planning this alone from 10 - 1 p.m.?

Is this 10 a.m. - 1 p.m. accurate?


Also, Ken, how will joint info be shared? Will Metro staff send scheduled packets, deliver all at once (and if so, on what date?) and how would Metro staff like to receive public comment coming to the county?

The Board's books are delivered one week prior to hearings - providing time for review (and request of staff support if necessary). Input coming after that is typically compiled, posted online, and if there is a large volume, summarized. Is this the intent? If so, who at Metro is managing the effort?

We look forward to continuing to coordinate these efforts with Metro.

Regards,
Mike

*Mike Dahlstrom, Program Educator
Washington County - DLUT, Planning Division #350-14
155 North First Avenue, Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*

 Save paper, toner, and energy. Avoid printing emails whenever possible!

From: Marian Larkin
Sent: Wednesday, February 23, 2011 11:54 AM
To: Mike Dahlstrom
Cc: Linda Schroeder
Subject: RE: Are we really planning this alone from 10 - 1 p.m.?

<http://calendar.oregonmetro.gov/events/index.php?com=detail&eID=4092>

My point is to shore up the time so we don't have folks coming in at 12:45 on this item and the Board are done, gone and off to lunch. I'm going to update our news item as well so it has what's next on our side. Let us know how the joint sharing of info coming into both organizations for the "Meeting File" will be handled also.

Thanks.

From: Mike Dahlstrom
Sent: Wednesday, February 23, 2011 11:51 AM
To: Marian Larkin

Cc: Linda Schroeder

Subject: RE: Are we really planning this alone from 10 - 1 p.m.?

Hi,

I was not aware of the 1 p.m. time. Where did that information come from? I don't have any reference to that in the Metro documents.

Thanks,

M

*Mike Dahlstrom, Program Educator
Washington County - DLUT, Planning Division #350-14
155 North First Avenue, Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*



Save paper, toner, and energy. Avoid printing emails whenever possible!

From: Marian Larkin

Sent: Wednesday, February 23, 2011 11:47 AM

To: Mike Dahlstrom

Cc: Linda Schroeder

Subject: Are we really planning this alone from 10 - 1 p.m.?

Urban and rural reserves public hearing

The Metro Council and the Washington County Board of Commissioners will hold a joint public hearing to consider a revised urban and rural reserves proposal for Washington County. The public is welcome and encouraged to attend and offer comment on the proposal. *Washington County Public Services Building Auditorium, 155 N. First Avenue, Hillsboro*

[Learn more about urban and rural reserves](#)

[Learn more about Washington County urban and rural reserves](#)

Tuesday, Mar 15

10:00 am - 1:00 pm

From: Ken Ray [mailto:Ken.Ray@oregonmetro.gov]
Sent: Wednesday, February 23, 2011 2:50 PM
To: Mike Dahlstrom; Dennis Mulvihill; Angie Aguilar; Philip Bransford; Marian Larkin
Cc: Linda Schroeder; Gretchen Olson; Andrew Singelakis; Brent Curtis; Aisha Willits; Patty Unfred
Subject: RE: Are we really planning this alone from 10 - 1 p.m.?

I'm fine with a shorter time for the public hearing if you have one to suggest. I needed to provide an end time for the purposes of our online calendar tool, and I know my councilors have a work session back at Metro at 2 p.m. I chose to err on the side of longer rather than shorter. Please feel free to send me a different suggestion for an end time of the March 15 reserves hearing that is probable or realistic.

With regard to sharing joint information, I'm particularly focused on public comment. (I assume information such as analysis of land use factors and other information pertinent to specific reserve areas are already being shared among project staff at the two jurisdictions.) With regard to public comment, it is our intent to compile a list of the comments we've received via reserves@oregonmetro.gov (and any comments sent directly to Metro Councilors that are entered into the reserves record) by 5 p.m. on March 11 into a memo from either me or Patty Unfred to the Metro Council and Board of County Commissioners in advance of the March 15 hearing. (It will likely be transmitted via e-mail late in the day on March 14.) This memo would basically include a listing of all comments Metro receives. With so quick a turnaround, it does not leave much time for significant analysis or summary of public comment. Patty Unfred and I are managing the public comment process at Metro's end.

It is our recommendation that the county produce its own public comment report, based on comments it receives directly, rather than try to combine your comments and ours into one joint report. Our Councilors would love to see the comments the county receives, so we ask that you transmit your report to us via e-mail by end of day March 14, or sooner, so the Metro Council can review it in advance of the March 15 hearing.

I hope that answers most of your questions. If you have further questions or need other information, please let me know. Thanks.

Ken Ray
Metro
503-797-1508
ken.ray@oregonmetro.gov

From: Mike Dahlstrom
Sent: Wednesday, February 23, 2011 12:04 PM
To: Dennis Mulvihill; Angie Aguilar; Ken Ray; Philip Bransford; Marian Larkin
Cc: Linda Schroeder; Gretchen Olson; Andrew Singelakis; Brent Curtis; Aisha Willits
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[Learn more about urban and rural reserves](#)

[Learn more about Washington County urban and rural reserves](#)

Tuesday, Mar 15

10:00 am - 1:00 pm

From: Mike Dahlstrom

Sent: Wednesday, February 23, 2011 11:44 AM

To: Philip Bransford; 'Ken Ray'; Brent Curtis; Andrew Singelakis; 'John Williams'; Dennis Mulvihill

Subject: Updated IGA proposal and Joint BCC-Metro Council Hearing

The information provided regarding the updated proposed IGA and addendum documents and the joint hearing is posted to the Washington County reserves website.

www.co.washington.or.us/reserves.

M

Mike Dahlstrom, Program Educator

Washington County - DLUT, Planning Division #350-14

155 North First Avenue, Hillsboro, OR 97124-3072

503-846-8101

mike_dahlstrom@co.washington.or.us



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-----Original Message-----

From: Ken Ray [mailto:Ken.Ray@oregonmetro.gov]
Sent: Tuesday, February 22, 2011 5:10 PM
To: Dennis Mulvihill
Cc: Philip Bransford; Mike Dahlstrom; Jim Middaugh
Subject: Talking points on Metro/Washington County reserves proposal

Thanks Dennis. Attached is the version I am sending to the Metro Council today. Please feel free to share this with your commissioners, and please let me know if they have any questions or concerns about this. Thanks.

-----Original Message-----

From: Dennis Mulvihill
Sent: Tuesday, February 22, 2011 4:46 PM
To: Ken Ray
Subject: Re: For review: talking points on updated reserves proposal

It's ok for now. We will likely need additional versions.

DGM

On Feb 22, 2011, at 3:38 PM, "Ken Ray" <Ken.Ray@oregonmetro.gov> wrote:

> Dennis --

>

> I left you a message on your cell phone about some talking points we've developed here at Metro that hopefully Metro Councilors and the County Commissioners can use in discussing the revised reserves proposal.

>

> Before I circulate this to my elected officials, and ask you to do the same to yours, I wanted to send you a draft to review quickly and provide comment on. Included in the talking points is a short FAQ section in which I tried to address likely questions about features on the map, notably the areas north of Cornelius and Forest Grove.

>

> Please review this document at your earliest opportunity and send me any concerns and suggested changes you may have. I am aiming to get this in the hands of Councilors before 5:00 p.m. Feel free to call if you have any questions.

>

> Thanks.

>

>

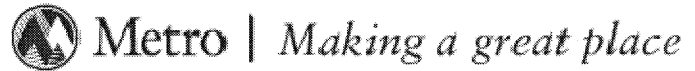
> Ken Ray

> Metro

> 503-797-1508

> ken.ray@oregonmetro.gov

From: Metro Council President Tom Hughes
[mailto: MetroCouncil=oregonmetro.gov@mcsv72.net] **On Behalf Of** Metro Council President Tom Hughes
Sent: Tuesday, February 22, 2011 3:24 PM
To: Philip Bransford
Subject: An important message from Tom Hughes and Andy Duyck



Feb. 22, 2011

On behalf of the staff and elected officials of Washington County and Metro we are pleased to report there is a new urban and rural reserves proposal that responds to the direction provided by the Land Conservation and Development Commission in October.

As you may know, the Commission voted unanimously last fall to approve urban and rural reserve designations in Clackamas and Multnomah counties, and most of the urban reserve designations in Washington County.

Two urban reserve areas were sent back to Metro and Washington County by the Commission. One was just north of Cornelius and the other was just north of Forest Grove. The Commission provided oral direction to Washington County and Metro to remove the urban reserve designation near Cornelius, and to strengthen the findings of the area near Forest Grove.

Our entire region benefits when elected and community leaders reach for and support compromise even when their strongest supporters urge a different path. When we put the region's needs ahead of any individual interest, we build on Oregon's great legacy of land use innovation and leadership created by our parents and grandparents.

To this end we are proposing targeted changes to address the Commission's direction. Our first commitment is always to the people of our region and their desire to provide long-term protection for valuable farm and forestlands, while also providing land for good jobs and homes now and in the future. Equally important, we believe this proposal thoroughly addresses all of the concerns raised by the Commission while providing certainty to farmers, businesses and working families.

If approved the proposal will result in 50 years of protection for 266,992 acres of valuable farmland, forest land and natural areas for current and future generations. The proposal also provides 28,548 acres of developable land across the region to ensure we can provide good jobs and homes for everyone now and in the future, in a way that makes the most of our

existing cities and neighborhoods.

This proposal is the result of unprecedented partnerships and participation from local governments, advocacy organizations and thousands of citizens. It's a one-of-a-kind, collaborative roadmap for the effective utilization of land that no other region in the United States has achieved. But let's be clear: our work will not be done until the public has a chance to thoroughly review and comment on this important decision.

So take a look at the proposal, map and other information on [Metro's web site](#). The Metro Council and Washington County Board of Commissioners will hold a joint hearing in Hillsboro on Tuesday, March 15, to consider your comments on this proposal and to vote on a revised reserves agreement.

If a final agreement is approved by both bodies on March 15, each would proceed to formal adoption of ordinances, findings of fact, and maps in April. At each step Metro and Washington County will provide opportunities for public testimony.

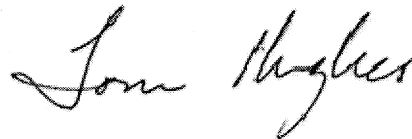
Finally, Clackamas County and Multnomah County will also need to take formal action on the overall findings for the reserves program because of the revisions required by LCDC. After formal adoption, the revised urban and rural reserves will be presented to LCDC for review.

We are proud of our work and look forward to hearing from you soon.

Sincerely,



Andy Duyck
Chair,
Washington County Board of Commissioners



Tom Hughes
Metro Council President

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Metro
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700
503-797-1804 TDD
503-797-1797 fax

From: Ken Ray [mailto:Ken.Ray@oregonmetro.gov]
Sent: Tuesday, February 22, 2011 3:17 PM
To: Dennis Mulvihill; Mike Dahlstrom; Philip Bransford
Subject: FW: An important message from Tom Hughes and Andy Duyck

Here is the "test" message I received (which looks fine to me, and I told our web folks to get this out). This should be hitting e-mail inboxes anytime now.

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Sent: Tuesday, February 22, 2011 3:04 PM
To: Ken Ray
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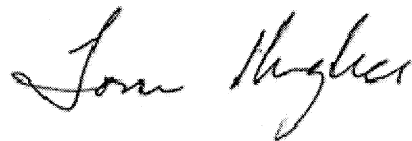
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We are proud of our work and look forward to hearing from you soon.

Sincerely,



Andy Duyck
Chair,
Washington County Board of Commissioners



Tom Hughes
Metro Council President

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links at the end of this message:

Metro

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Portland, OR 97232-2736

503-797-1700

503-797-1804 TDD

503-797-1797 fax

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From: Ken Ray [mailto:Ken.Ray@oregonmetro.gov]
Sent: Tuesday, February 22, 2011 3:15 PM
To: Mike Dahlstrom; Philip Bransford; Dennis Mulvihill
Subject: RE: Final version of Duyck/Hughes statement on reserves proposal

It should be out any second now.

From: Mike Dahlstrom
Sent: Tuesday, February 22, 2011 3:13 PM
To: Ken Ray; Philip Bransford; Dennis Mulvihill
Subject: RE: Final version of Duyck/Hughes statement on reserves proposal

Ken, thanks for the inclusion. When do you plan on the email blast?

M

From: Ken Ray
Sent: Tuesday, February 22, 2011 2:12 PM
To: Philip Bransford; Dennis Mulvihill
Cc: Mike Dahlstrom
Subject: RE: Final version of Duyck/Hughes statement on reserves proposal

If you are not already on the list, I'll be sure to forward the letter to you. (Our e-mail list is in MailChimp and the web guru who handles our broadcast e-mail messages is getting the message formatted and ready to send now. I don't have direct access to the list.) Thanks for all your help.

From: Philip Bransford
Sent: Tuesday, February 22, 2011 2:07 PM
To: Ken Ray; Dennis Mulvihill
Cc: Mike Dahlstrom
Subject: RE: Final version of Duyck/Hughes statement on reserves proposal

Thanks, Ken. If you have not already, would you please put Mike and me on your email list when you send the final letter?

I'll work on getting the letter on the County's website.

Thanks.

--P

From: Ken Ray
Sent: Tuesday, February 22, 2011 1:57 PM
To: Philip Bransford; Dennis Mulvihill
Subject: RE: Final version of Duyck/Hughes statement on reserves proposal

That should work. If it doesn't, I'll let you know. Thanks Philip.

From: Philip Bransford
Sent: Tuesday, February 22, 2011 1:55 PM
To: Ken Ray; Dennis Mulvihill
Subject: RE: Final version of Duyck/Hughes statement on reserves proposal

Will this do?

--P

From: Ken Ray
Sent: Tuesday, February 22, 2011 1:43 PM
To: Dennis Mulvihill
Cc: Jim Middaugh; Mike Dahlstrom; Philip Bransford
Subject: RE: Final version of Duyck/Hughes statement on reserves proposal

We'll be sending the message out in an HTML-formatted e-mail message to our list – no attachments.

Philip – we would like to include a Washington County logo along with a Metro logo to go out in the header of the e-mail message body. Could I please receive a color Washington County logo suitable for distribution in an HTML-formatted e-mail message? Thanks.

From: Dennis Mulvihill
Sent: Tuesday, February 22, 2011 1:39 PM
To: Ken Ray
Cc: Jim Middaugh; Mike Dahlstrom; Philip Bransford
Subject: Re: Final version of Duyck/Hughes statement on reserves proposal

It should be in PDF ?

DGM

On Feb 22, 2011, at 1:36 PM, "Ken Ray" <Ken.Ray@oregonmetro.gov> wrote:

Thank you for sending the chairman's signature and comments. Attached is the final version of the letter in Word document format.

Our reserves e-mail list is fairly comprehensive and reaches about 2000 addresses throughout the region. The county is more than welcome to distribute the letter through its own lists, but Metro's distribution should cover most of those who have been following the reserves effort over the past three or four years.

Also, Metro's web site has been updated with the new reserves maps and proposed intergovernmental agreement. That information can be found [here](#).

Please let me know if you have any further questions or concerns. Thanks.

Ken Ray
Metro
503-797-1508
ken.ray@oregonmetro.gov

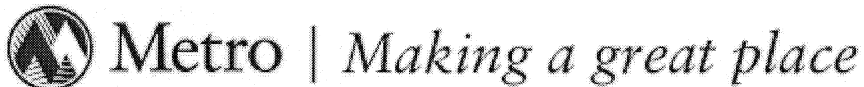
From: Dennis Mulvihill
Sent: Tuesday, February 22, 2011 1:28 PM
To: Ken Ray; Jim Middaugh; Mike Dahlstrom; Philip Bransford
Subject: Fwd: Andy signature

Chairman really likes the letter. Please delete signature once used. CC me when letter is sent. Does Washington County need to send letter to it's own list?

DGM

<Joint Duyck-Hughes reserves announcement - 2-22-11.doc>

From: trans-961825-616209-Philip_Bransford=co.washington.or.us@mail2.mcsignup.com
[mailto:trans-961825-616209-Philip_Bransford=co.washington.or.us@mail2.mcsignup.com] **On**
Behalf Of Metro
Sent: Thursday, January 20, 2011 12:28 PM
To: Philip Bransford
Subject: Subscription confirmed to Metro newsletter(s)



Your subscription to the Metro newsletters listed below has been confirmed.

Save this e-mail because the following link is the primary way for you to change your subscriptions or update your e-mail address:

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For your records, here is a copy of the information you submitted to us...

E-mail Address: Philip_Bransford@co.washington.or.us

Prefix:

First Name: Philip

Last Name: Bransford

Suffix:

Organization:

Digest frequency: Daily

Metro newsletters and digests: Council District 4 news, Grant opportunities, Reserves interested parties

If at any time you wish to stop receiving our emails, you can [unsubscribe here](#).

You may also contact us at:

feedback@oregonmetro.gov

From: Mike Dahlstrom
Sent: Wednesday, December 08, 2010 7:38 AM
To: 'Nick Christensen'
Cc: Philip Bransford
Subject: RE: Reserves

Good morning Nick.
Sorry for the delay in getting back to you.

The original proposal began with discussions from Chair Brian and Chair-Elect Duyck. The other three commissioners were then given information to review late last week. The worksession yesterday was the first opportunity for Commissioners to discuss this publicly.

Regards,
Mike

*Mike Dahlstrom
Program Educator
Washington County - DLUT
Planning Division #350-14
155 North First Avenue
Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*

From: Nick Christensen [<mailto:Nick.Christensen@oregonmetro.gov>]
Sent: Tuesday, December 07, 2010 3:37 PM
To: Mike Dahlstrom
Subject: Reserves

Mike –

There was some question at the council today as to whether the Duyck/Brian memo reflected a proposal from Washington County or just the opinion of two commissioners. Are you able to clarify?

Thanks,

Nick Christensen
News Reporter
Metro
nick.christensen@oregonmetro.gov
503-813-7583 (desk)
503-952-6757 (cell)

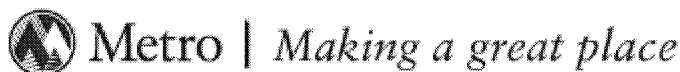
<http://oregonmetro.gov/news>

Angie Aguilar

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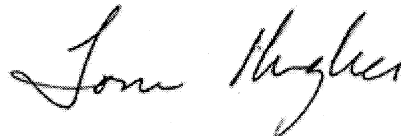
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Chair,
Washington County Board of Commissioners



Tom Hughes
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Stephen Shane

From: Aisha Willits
Sent: Wednesday, January 19, 2011 2:17 PM
To: Stephen Shane
Subject: FW: WA County U/R Reserves
Attachments: WashCo_Ord740_DLCD_Form1.pdf; Supplemental_Reserves_Documents_121410.pdf

FYI

From: Aisha Willits
Sent: Wednesday, January 19, 2011 2:06 PM
To: 'anne.debbaut@state.or.us'
Cc: Brent Curtis
Subject: Re: WA County U/R Reserves

Hello Anne -

We filed a new land use ordinance for Reserves on January 11th. The ordinance and map exhibits are available [here](#). We'll continue to post staff reports and other materials to that page, so I'd encourage you to bookmark the link if you'd like to stay up to date on our process. I've also attached the notice we provided to DLCD on January 12th.

The ordinance is scheduled for a public hearing before the Planning Commission on March 2nd, and before the Board of County Commissioners on March 15th. The ordinance was based on map changes approved by the Board through the adoption of a Supplemental Intergovernmental Agreement in December 2010. I've also attached that IGA and associated documents for your information.

Please let me know if you have any questions.

Aisha

AISHA WILLITS - SENIOR PLANNER
Long Range Planning Division
Washington County | 155 N. First Avenue | Hillsboro OR 97124
ph 503.846.3961 | fx 503.846.4412 | aisha_willits@co.washington.or.us



Save paper, toner, and energy. Avoid printing emails whenever possible!

From: Brent Curtis
Sent: Wednesday, January 19, 2011 1:02 PM
To: Aisha Willits
Subject: FW: WA County U/R Reserves

Please forward Anne the R&O and associated info regarding schedule including the DLCD notice. Thanks
Brent

From: Debbaut, Anne [mailto:anne.debbaut@state.or.us]
Sent: Wednesday, January 19, 2011 12:18 PM
To: Brent Curtis
Subject: WA County U/R Reserves

Hi Brent,

It's been a while since I've seen you and wanted to check in on the status of the County's U/R reserves process and the projected timeline for resubmitting to Metro and DLCD/LCDC?
Anything I can do?

Thanks,
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD/

Angie Aguilar

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Thursday, January 13, 2011 9:56 AM
To: Aisha Willits
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

Aisha,

Thanks for sending 740. This looks good to me. One question about county ordinances: do your ordinances expressly adopt findings and conclusions? Metro ordinances do that. I don't see a provision in 740 that adopts findings, but every government does it differently.

Hope the two governments can agree on a map!

Dick

From: Aisha Willits [mailto:Aisha_Willits@co.washington.or.us]
Sent: Wednesday, January 12, 2011 5:05 PM
To: Richard Benner
Subject: Link to Ordinance No. 740 - Washington County Reserves

Hello Dick -

Brent asked that I send you a preview of our Reserves ordinance (New & improved - with an oral remand response!) before it's posted to the county's website in the next few days. We'd hoped to provide it to you before filing, but ran up against a tight timeline. However, we've built time into the schedule for engrossment in the event that changes need to be made, so if you have any concerns about the exhibits or cover ordinance language, please let me know and we'll make sure to address them. A hard copy of the ordinance was mailed to Council President Hughes earlier today.

Here's the link to the filed ordinance:

FTP://tbg5.co.washington.or.us/share/LUT/WashCo_Ord740_small.pdf

Please let me know if you have any questions.

Aisha

AISHA WILLITS - SENIOR PLANNER
Long Range Planning Division
Washington County | 155 N. First Avenue | Hillsboro OR 97124
ph 503.846.3961 | fx 503.846.4412 | aisha_willits@co.washington.or.us

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Angie Aguilar

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Thursday, January 13, 2011 11:03 AM
To: Aisha Willits
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

Chuck Beasley of MultCo told me last night at MPAC that he was working on citations for the draft I sent out. Nothing from ClackCo yet. From experience, I know I will have to rattle chains to get this done.

From: Aisha Willits [mailto:Aisha_Willits@co.washington.or.us]
Sent: Thursday, January 13, 2011 11:00 AM
To: Richard Benner
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

No, we adopt findings separately by resolution and order. The R&O is scheduled the same date as the final hearing on the ordinance, so we typically have the findings ready one week prior to the hearing and send them out in the agenda packets. And of course, I'd imagine we'd provide you with draft version(s) in advance of that date to clear up any issues before taking the findings to the Board.

I've got a copy of the redlined findings you prepared recently, and we'll start work on our own edits soon. Have you gotten feedback from the other counties about your changes? I've scanned them, but haven't been able to delve into the changes just yet. Since we'll want to make sure that all parties agree on the Metro findings, I'm sure we'd better get any comments to you soonish. Do you have a sense for when Mult or Clack will take these revised findings back to their boards?

aw

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Thursday, January 13, 2011 9:56 AM
To: Aisha Willits
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

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Thanks for sending 740. This looks good to me. One question about county ordinances: do your ordinances expressly adopt findings and conclusions? Metro ordinances do that. I don't see a provision in 740 that adopts findings, but every government does it differently.

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 Dick

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To: Richard Benner
Subject: Link to Ordinance No. 740 - Washington County Reserves

Hello Dick -

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Please let me know if you have any questions.

Aisha

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ph 503.846.3961 | fx 503.846.4412 | aisha_willits@co.washington.or.us



Save paper, toner, and energy. Avoid printing emails whenever possible!

Dan Olsen

From: Dan Olsen
Sent: Tuesday, November 23, 2010 8:44 AM
To: 'Whitman, Richard'
Subject: RE: Reserves Order

Sounds fair. Thanks.

From: Whitman, Richard [mailto:richard.whitman@state.or.us]
Sent: Monday, November 22, 2010 3:25 PM
To: Dan Olsen; Richard Whitman
Subject: RE: Reserves Order

The order is not close (yet). We haven't decided whether to circulate a draft yet, but I think that is likely. We would circulate to all (46+) parties if we do so.

Richard Whitman | Director
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Office: (503) 373-0050 ext. 280 | Cell: (503) 881-7093 | Fax: (503) 378-5518
richard.whitman@state.or.us | www.oregon.gov/LCD

From: Dan Olsen [mailto:Dan_Olsen@co.washington.or.us]
Sent: Monday, November 22, 2010 9:25 AM
To: Richard Whitman
Subject: Reserves Order

Among the many rumors floating around AOC was that you have the order almost ready. I have no idea if that is true, but am wondering whether Dick and I will get a chance to review and comment before you final? I'd very much like to do so if possible. Thanks.

Dan Olsen

From: Dan Olsen
Sent: Monday, November 01, 2010 9:15 AM
To: 'Richard Benner'
Cc: Chris Gilmore
Subject: RE: WashCo Charter

No. We can do the prep work, but cannot do anything formal on the ordinance until March 1. Then it will take probably 4-6 weeks minimum for the ordinance process and 30 days for it to go into effect.

I am getting similar questions that I hope Chris can get started on this week. At this point, I am indicating that nothing changes until the written order is issued in 4-6 weeks.

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Monday, November 01, 2010 9:13 AM
To: Dan Olsen; Chris Gilmore
Subject: WashCo Charter

Dan and Chris,

I expect to be called upon today to explain the implications of the Commission's oral decision Friday. Am I right that the county cannot amend your comprehensive plan (map of reserves, e.g.) until March? Does it make a difference that this comes before you on remand as part of periodic review (allowing you to act quickly)?

Dick

Dan Olsen

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Monday, December 06, 2010 3:06 PM
To: Dan Olsen
Cc: Dan Cooper
Subject: RE: IGA

OK

From: Dan Olsen [mailto:Dan_Olsen@co.washington.or.us]
Sent: Monday, December 06, 2010 3:03 PM
To: Richard Benner
Subject: RE: IGA

I think that makes sense.

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Monday, December 06, 2010 2:53 PM
To: Dan Olsen
Cc: Dan Cooper
Subject: IGA

2/6/10

Dan,

A conversation with Dan Cooper and a little more contemplation leads me to suggest a revision to this section:

D. Metro and Washington County acknowledge that the LCDC remand order has not been issued. Further, Washington County reserves the right to appeal all or any part of the LCDC remand order. Other parties to the LCDC reserves decision may appeal. Accordingly, Metro or Washington County shall be entitled to initiate good faith negotiations with the other party hereto regarding any amendments to, or termination of, this Agreement as may be prudent in light of the LCDC remand order or any appeal. After 30 days, either Metro or Washington County may provide 10 days written notice of termination of this Agreement and the Reserves IGA to the other.

How's this (*italics*):

D. Metro and Washington County acknowledge that the LCDC remand order has not been issued. Further, Washington County reserves the right to appeal all or any part of the LCDC remand order. Other parties to the LCDC reserves decision may appeal. Accordingly, *up to the date of adoption of the ordinances described in sections D and E of this agreement*, Metro or Washington County shall be entitled to initiate good faith negotiations with the other party hereto regarding any amendments to, or termination of, this Agreement as may be prudent in light of the LCDC remand order or any appeal. After 30 days, either Metro or Washington County may provide 10 days written notice of termination of this Agreement and the Reserves IGA to the other.

This resolves any misunderstanding over the effect of adoption of ordinances on the effectiveness of the IGA.

Dick

Dan Olsen

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Thursday, February 17, 2011 3:05 PM
To: Dan Olsen
Subject: RE: Reserves letter

Good

From: Dan Olsen [mailto:Dan_Olsen@co.washington.or.us]
Sent: Thursday, February 17, 2011 2:58 PM
To: Richard Benner
Subject: Reserves letter

Got your voice mail. I agree completely and had asked Dennis Mulvihill this a.m. to follow up with Metro staff on that sentence. Thanks.

3/22/2011

Dan Olsen

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Monday, October 25, 2010 8:28 AM
To: John Williams; BEASLEY Charles; dan chandler (dchandler@co.clackamas.or.us); Brent Curtis; Chris Gilmore; jed r. tomkins (jed.tomkins@co.multnomah.or.us)
Cc: Tim O'Brien
Subject: What We Need to Do

I've prepared my assessment of what we need. I am reluctant to start the work, however, until I get confirmation from Shipsey/Whitman that we're on the right track. I sent Steve an email this morning; I hope to speak with him early. Then I'll send my assessment, modified if necessary, to all of us so we can get on it.

From: Andy Duyck
Sent: Thursday, January 06, 2011 2:31 PM
To: Suzannah Hamlin
Cc: Angie Aguilar
Subject: Re: Meeting with President Hughes

Hello Suzannah
I'd be happy to meet with Tom. I'll have Angie coordinate my schedule with you.

Andy D

On Jan 6, 2011, at 2:13 PM, "Suzannah Hamlin" <Suzannah.Hamlin@oregonmetro.gov> wrote:

Hello Andy,

I am President Hughes's policy coordinator and I'm writing to you about scheduling a meeting with him sometime soon. What is your availability like? Thanks,

Suzannah Hamlin

Policy Coordinator to the Council President

Metro

600 NE Grand Avenue

Portland, OR 97232-2736

503-797- 1560

www.oregonmetro.gov

Angie Aguilar

From: Alexandra Roberts-Bullock [Alexandra.Roberts-Bullock@oregonmetro.gov]
Sent: Monday, February 07, 2011 10:43 AM
To: Dennis Mulvihill; Roy Rogers; Andrew Singelakis; Andy Duyck; Brent Curtis
Cc: Angie Aguilar; Juli Mills
Subject: Availability Inquiry: Metro/Washington Co. Reserves Meeting

Good Morning! It looks as though Feb. 14th, 2:30 p.m. to 4:00 p.m. will not work for the Reserves meeting, so you may remove any holds on your calendars for this date/time. The next date that may be available for most would be **Thursday, February 17th, 3:30 p.m. to 5:00 p.m.**

If this date/time will work for you, please let me know. Once I hear from everyone, I will send out a confirmation with room details.

Thanks so much!
~ Alex

Alexandra Roberts
Director's Assistant
Planning and Development

Metro
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1839
www.oregonmetro.gov

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Angie Aguilar

From: Alexandra Roberts-Bullock [Alexandra.Roberts-Bullock@oregonmetro.gov]
Sent: Tuesday, February 08, 2011 9:15 AM
To: Robin McArthur; John Williams; Carl Hosticka; Kathryn Harrington; Tom Hughes; Andy Shaw; Roy Rogers; Dennis Mulvihill; Andy Duyck; Andrew Singelakis; Brent Curtis; Richard Benner
Cc: Ina Zucker; Nikolai Ursin; Suzannah Hamlin; Juli Mills; Angie Aguilar
Subject: Meeting Confirmation: 2/17/11 Reserves Meeting

MEETING CONFIRMATION

Meeting: Metro/Washington County Reserves Meeting
Date: Thursday, February 17th, 2011
Time: 3:30 p.m. to 5:00 p.m.
Location: Metro Regional Center, Room 301 (Council Department)

Please feel free to contact me with any questions/concerns.

Thank you!
~ Alex

Alexandra Roberts
Director's Assistant
Planning and Development

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600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1839
www.oregonmetro.gov

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Angie Aguilar

From: Andy Duyck
Sent: Wednesday, February 16, 2011 2:53 PM
To: Dennis Mulvihill
Cc: Andy Duyck; Dan Olsen; Brent Curtis
Subject: Re: Reserves Agreement Draft

Well, you might want to have my name spelled correctly at the end, but otherwise this is a great piece of work and sets the tone I was hoping for!

Andy D

On Feb 16, 2011, at 2:00 PM, "Dennis Mulvihill" <dgmulvihill@gmail.com> wrote:

> Jim Middaugh drafted this. I think it works as is. Comments? I need to get back to Jim asap with any corrections etc..
> DGM
>
> <DRAFT reserves announcement.doc>

Dear,

On behalf of the staff and elected officials of Washington County and Metro we are pleased to report there is a new urban and rural reserves proposal that responds to the direction provided by the Land Conservation and Development Commission in October.

As you may know, the Commission voted unanimously last Fall to approve urban and rural reserve designations in Clackamas and Multnomah counties, and most of the urban reserve designations in Washington County.

Two urban reserve areas were sent back to Metro and Washington County by the Commission. One was just north of Cornelius and the other was just north of Forest Grove. The Commission directed Washington County and Metro to remove the urban reserve designation near Cornelius and to reevaluate the one near Forest Grove.

Washington County and Metro have been working hard to address the Commission's direction by making targeted changes to the reserves agreements. Throughout our work, our commitment always was to the people of our region and their desire to provide long-term protection for valuable farm and forest lands while also providing land for good jobs and homes now and in the future.

Our entire region benefits when elected and community leaders reach for and support compromise even when their strongest supporters urge a different path. When we put the region's needs ahead of any individual interest, we build on Oregon's great legacy of land use innovation and leadership created by our parents and grandparents.

Equally important, we believe this proposal thoroughly addresses all of the concerns raised by the Commission while providing certainty to farmers, small businesses and working families.

If approved the proposal will result in 50 years of protection for xxx,xxx acres of valuable farmland, forest land and natural areas for current and future generations. The proposal also will provide xx,xxx acres across the region to ensure we can provide good jobs and homes for everyone now and in the future in a way the makes the most of our existing cities and neighborhoods.

This proposal is the result of unprecedented partnerships and participation from local governments, advocacy organizations and thousands of citizens. It's a one-of-a-kind, collaborative roadmap that no other region in the United States has achieved. But let's be clear; our work will not be done until the public has a chance to thoroughly review and comment on this important decision.

So take a look at the proposed agreement, map and other information at www.oregonmetro.gov/reserves. The Metro Council and Washington County Board of Commissioners will hold a joint hearing in Hillsboro on March 15, 2011 to consider your comments on this proposal and to vote on a revised reserves agreement.

If a final agreement is approved by both bodies on March 15, each would proceed to formal adoption of ordinances, findings of fact, and maps in April. At each step Metro and Washington County will provide opportunities for public testimony.

Finally, Clackamas County and Multnomah County will also need to take formal action on the revisions. After formal adoption, the revised urban and rural reserves will be presented to LCDC for review.

We are proud of our work and look forward to hearing from you soon.

Sincerely,

Andy Duyck
Chair
Washington County

Tom Hughes
President
Metro

Angie Aguilar

From: Steve Kelley
Sent: Tuesday, December 21, 2010 5:23 PM
To: 'Richard Benner'
Subject: Reserves Remand Timetable
Attachments: Remand_Timetable.xls

Dick:

As discussed, here's a DRAFT schedule of activities that attempts to get us to LCDC in June (assuming we submit to DLCD between March 29, and April 12 and they can prepare and deliver the Directors Report to LCDC by May 26).

I have included a variety of options in case the process leads to engrossment of our Ordinance.

This table is our best guess at the earliest possible dates for each respective activity (with a little extra time allotted for submittal to DLCD).

Note that we may have another major item for our Board hearing on March 15th and they may not want to tackle both items at the same hearing.

As you will see in the "Alternate Date's" column of the draft schedule, our latest date for Ordinance completion would be April 26th - leading to Submittal to DLCD by early May and on to LCDC in October.

Steve

*Steven D. Kelley, Senior Planner
Washington County - Dept. of Land Use and Transportation
155 N. First Ave. - Suite 350-14
Hillsboro, OR. 97124
Phone: (503) 846-3593
E-Mail: steve_kelley@co.washington.or.us*

WASHINGTON COUNTY / METRO RESERVES REMAND SCHEDULE

Draft

ACTION	DATE(s)	ALTERNATE DATE(s)
Washington County Ordinance Filing	January 11	
First Hearing - Planning Commission	March 2	
First BCC Hearing / Staff Recommendation for Adoption	March 15	Adoption or order Engrossment & Special Hearing March 29th or 1st Engross. Hrg. April 19
2nd BCC Hearing (optional)	March 22 - <i>Andy D. out of town?</i>	?? Option to order Engrossment
3rd BCC Hearing (optional) / Adoption	March 29 ? - 5th Tues.	Special Meeting (night) if necessary ?
Final BCC Hearing (optional) / Adoption	March 17, 24, 31	April 5, 19, 26
Metro Adoption	March 25, April 1, April 8	April 7, 21, 28
Joint Findings (7days ?)	March 29, April 5, April 12	April 14, 28, May 5
DLCD Notice of Adoption & Submittal	April 19, April 26, May 3	April 18, May 2, May 9
Objections to local decision (21 days from notice postmark / mailing)	May 26 (<i>allows 43 to 57 days for Report prep.</i>)	May 9, 23, 30
DLCD Director's / Staff Report mailed (120 days from receipt of submittal / <u>issued 21 days prior to LCDC hearing</u>)	120 days = July 27 = October 5-7 hearing	July 14; September 14 August 16, August 30, Sept. 6
Exceptions to Staff Recommendation / Directors Report: (10 days from date of mailing)	June 5	July 24; Sept. 24
DLCD Staff Response to Exceptions ??		[Not required prior to hearing]
LCDC HEARINGS:	June 16-17 / August 4-5 **	October 5-7 / December 7-9 **

** As currently posted on DLCD Web page - no meetings scheduled for July or September

Angie Aguilar

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Wednesday, December 22, 2010 2:37 PM
To: Steve Kelley
Subject: FW: Reserves Remand Timetable

FYI. Sorry I dropped the "e" in Kelley!

From: Donnelly, Jennifer [mailto:jennifer.donnelly@state.or.us]
Sent: Wednesday, December 22, 2010 2:11 PM
To: 'anne.debbaut@state.or.us'; 'jennifer.donnelly@state.or.us'; Richard Benner
Cc: 'richard.whitman@state.or.us'; Dan Cooper; John Williams; Robin McArthur
Subject: Re: Reserves Remand Timetable

Sure. We will get back to you next week.

Cheers,
Jennifer

From: Richard Benner <Richard.Benner@oregonmetro.gov>
To: Donnelly, Jennifer <jennifer.donnelly@state.or.us>; anne debbaut (anne.debbaut@state.or.us) <anne.debbaut@state.or.us>
Cc: richard.whitman@state.or.us <richard.whitman@state.or.us>; Robin McArthur <Robin.McArthur@oregonmetro.gov>; John Williams <John.Williams@oregonmetro.gov>; Dan Cooper <Dan.Cooper@oregonmetro.gov>
Sent: Wed Dec 22 13:44:02 2010
Subject: FW: Reserves Remand Timetable

12/22/10

Jennifer and Anne,

Steve Kelly lined out the dates for the major events in the process to gain final approval of the reserves. Steve offers the quickest schedule, but also several others that would take more time. Would you give us your reaction to these options? They all assume, of course, that Metro and Washington County reach an agreement early in 2011.

Dick

From: Steve Kelley [mailto:Steve_Kelley@co.washington.or.us]
Sent: Tuesday, December 21, 2010 5:23 PM
To: Richard Benner
Subject: Reserves Remand Timetable

Dick:

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3/25/2011

allotted for submittal to DLCD).

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Steve

*Steven D. Kelley, Senior Planner
Washington County - Dept. of Land Use and Transportation
155 N. First Ave. - Suite 350-14
Hillsboro, OR. 97124
Phone: (503) 846-3593
E-Mail: steve_kelley@co.washington.or.us*

Angie Aguilar

From: Debbaut, Anne [anne.debbaut@state.or.us]
Sent: Friday, October 29, 2010 10:36 AM
To: Steve Kelley
Subject: LCDC Meeting Materials (no maps)
Attachments: MURR Memo to LCDC Exhibit B - Excerpts of Objections re Areas 7I 7B and 8A.pdf; MURR Memo to LCDC for Final Deliberations 10-28-10.pdf; MURR Memo to LCDC - Exhibit C - Record References and Excerpts from Metro and the Counties re 7B 7I and 8A.pdf; MURR Memo to LCDC Exhibit D - Transcription_LCDCJanuary2008_2_2010-10-271.pdf

Hi Steve,

Here are the three things I mentioned plus a fourth item which are excerpts from ODA's objections that I forgot to mention and is also included in the package for LCDC.

Regards,
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD/

Objections Addressing Areas 7I (Cornelius North); and 8A (North Hillsboro)

1. ODA Objections

ODA Objection 3: Designation of agricultural land north of Council Creek (Urban Reserve Area 7I) as an Urban Reserve is inconsistent with the Reserves Statute and Rules.

This area is perhaps the textbook example of land that qualifies for protection as a rural reserve. It is Foundation Agricultural Land and meets all of the factors in law that are required to be considered for the designation of rural reserves including valuable, prime farmland soils, availability of water and agricultural infrastructure and perhaps just as important as these physical capability factors, the area is part of a much larger block of agricultural land that maintains the integrity needed to sustain agricultural operations with minimal conflict from urbanization and nonfarm land uses. It is also under constant threat to be urbanized as evidenced by its long history of advocacy for inclusion within the Cornelius Urban Growth Boundary, including the designation as an urban reserve by Metro. This is supported by testimony from area farmers, Washington County Farm Bureau, agribusinesses, and the recommendations from the Metro COO and the state agencies.

The integrity of this area is at risk by the proposed urbanization of the subject area. Council Creek currently provides an excellent and definable edge and buffer between urban lands and the block of agricultural land located to the north. The protrusion of urban land into this area as proposed creates an additional two urban edges for agricultural operations to deal with. These edges provide no real buffer to adjacent agricultural lands. Nothing but a conclusory statement that development in this area could be designed to avoid or minimize adverse impacts to surrounding farms is provided to address impacts to area agricultural operations and OAR 660-027-0050(8) (See discussion above).

Additionally, such an urban protrusion out and into agricultural lands has long-term implications on surrounding agricultural lands. The extension of urban services such as roads, sewer and water lines north into this area can do nothing but put pressure to ultimately urbanize and infill the notches of rural land remaining to the west and east. And any such extensions of roads to the northern edge of this area could promote further extension north to U.S. Highway 26 with implications to the larger agricultural area.

The remedy is to remand this portion of the decision with direction to designate this area as rural reserve.

ODA Objection 4: Designation of agricultural land north of Waibel Creek and Meek Road (Urban Reserve Area 8A) as an Urban Reserve is inconsistent with the Reserves Statute and Rules.

The area discussion within this objection is a subarea of Urban Reserve Area 8A. It can be best described as the northern portion of the subject urban reserve bounded on the north by U.S. Highway 26, the south by Meek Road and Waibel Creek and the west by McKay Creek.

This area qualifies for designation as a rural reserve. It is Foundation Agricultural Land and meets every single factor for designation as a rural reserve. Soils in this area are some of the best in the region. Irrigation is provided by groundwater sources. Excellent edges are provided by Waibel Creek and Meek Road. Adjacent nonfarm and urban land uses are low-density residential and large lot industrial which tend to be more compatible with common agricultural practices. It is also under serious threat of urbanization as indicated by the designation of the area by Metro as an urban reserve and the history and progression of urban growth and of urban growth boundary expansions to the south and east and to the north of U.S. Highway 26.

Expansion into this area has serious implications, especially when combined with "undesigned" lands located along U.S. Highway 26, to promote the ultimate conversion of all lands located south of Highway 26 and east of McKay Creek. Combined with the "undesigned lands located south of North Plains, urbanization of the subject lands would put pressure on and could lead to the ultimate conversion of all lands located south of Highway 26 and east of Glencoe Road. The urbanization of the Jackson Road interchange could also put pressure to urbanize lands located north of Highway 26.

As previously discussed, and consistent with the lack of evidence in the designation of Urban Reserve Area 71, nothing but a conclusionary statement that development in this area could be designed to avoid or minimize adverse impacts to surrounding farms is provided to address impacts to area agricultural operations and OAR 660-027-0050(8).

The remedy is to remand this portion of the decision with direction to designate the described area as rural reserve.

2. Washington County Farm Bureau/1000 Friends/Dave Vanasche Objections

Washington County Farm Bureau/1000 Friends/Vanasche Objection 5: Designation of the farm land north of Council Creek, generally north of the cities of Cornelius and Forest Grove, as urban reserves violates the reserves statute and rule (urban reserve area 71 and a portion of 7B).

The Metro decision designates as urban reserves at least 624 acres in Cornelius North (71), located north of Council Creek. (It may be more than this because this acreage may not account for the floodplains and wetlands in the area.) Some portion of Forest Grove North (7B) is also located north of Council Creek. This objection is to all lands in both urban reserve areas that are north of Council Creek. The following reasons for this objection are in addition to those contained in Objection 4.

The area qualifies as a rural reserve. It is Foundation agricultural land and meets all rural reserve factors: It is "highly" subject to urbanization during the time period, is capable of and does sustain long-term agricultural operations, is primarily Class I, II, and III soils, is an intact large block of farm land, and the farm use and ownership patterns demonstrate long-term stability. Most, if not all, the land is in the Tualatin Valley Irrigation District. As a potential candidate for rural reserves, Washington County ranked it as Tier 1 - the most qualifying, based on all the rural reserve factors.

Written and oral testimony from the Washington County Farm Bureau and from individual farmers, some of whom farm north of Council Creek, attested to the fact that this area is the heart of the Tualatin Valley agricultural industry and contains some of the most productive blocks of farmland in the state. Agriculture-related businesses in Washington County testified that this area is critical to the economic health of the supporting agriculture infrastructure and industry.

The area designated as urban reserves has significant and irreplaceable agricultural infrastructure in it, which the decision does not address although it is required to do so. These include, among others: Tualatin Valley Irrigation District infrastructure; VanDyke Seed, a seedcleaning plant; Jacobsmuhlen's Meats, a meat processor; Spiesschaert Enterprises; and Duyck Produce. Nor does it address the nearby agricultural infrastructure - inside the urban areas of Cornelius, Forest Grove, Hillsboro, North Plains, and Banks - and the impact of designating this land as urban reserves.

The area north of Council Creek also qualifies as rural reserves because it is a mapped significant natural landscape feature under the rural reserves statute and rule.³⁹ Council Creek and its floodplain form a natural boundary separating urban and rural uses, and qualify as an important natural landscape feature. Crossing Council Creek would be a significant intrusion into the heart of Tualatin Valley agricultural land and industry, without any other logical, natural boundary evident. Because the area qualifies under *both* the agricultural land and natural resource categories as a rural reserve, the burden of proof to designate it as urban is even higher, and has not been met. OAR 660-027-0060(1).

Furthermore, expansion across Council Creek is contrary to the urban reserve factors, and is contrary to the stated local aspirations of Forest Grove and Cornelius, as reflected in their local plans and on-the-ground circumstances. Both want significant transit improvement, including eventually light rail. Urban reserves north of Council Creek would not facilitate compact, mixed-use development in the current town centers of either city, and would be contrary to creating a community that is well-served by transit. The land proposed is not proximate to the high capacity transit line that Cornelius envisions for its community or to the rest of the city; rather, the urban reserves land to which we object is across a wide creek and floodplain, far from the proposed transit line. Urbanizing this area would reinforce auto-oriented development patterns and would be contrary to the state and region's climate change goals.

The Metro Chief Operating Officer relied on this in finding that the area north of Cornelius does not qualify as an urban reserve:

"Large scale urbanization in the area to the north may detract from implementing the 2040 Plan by placing thousands of households and jobs farther away from centers and transit corridors, thus increasing Vehicle Miles Traveled (VMT) and making it more difficult to support the recently adopted High Capacity Transit (HCT) corridor from Hillsboro to Forest Grove."

Urbanizing the area north of Council Creek would also be expensive. "To improve such [transportation] access would require considerable regional resources."

The Metro decision is suppose to be based on regional need, not local wishes. Yet the decision relies, in part, on Cornelius' apparent pledge to serve the area and provide governance. Reliance on a local need or desire is not a legal criterion for an urban reserve designation. The law provides for such consideration when evaluating UGB expansions, not urban reserves.

Moreover, if the individual characteristics of Cornelius are taken into account, the justification to add this land as an urban reserves diminishes even more. Cornelius has, and has had for some time, hundreds of acres of vacant and underutilized land. Metro's analysis shows that Cornelius currently has 125-150 acres of vacant, buildable land inside its portion of the region's urban growth boundary over 10% of the current area of Cornelius. This includes over 50 acres of land that Metro added to Cornelius only a few years ago for industrial use. That land is still being farmed. It is not clear whether the city has even annexed it yet. Another 20+ acres of land, which has full urban services and is in an industrial park, has had a "For Sale" sign up for years. The aerial map of the Cornelius and Forest Grove area, submitted in the record, illustrates the large amount of vacant land within the current boundaries of both cities, much of which is being farmed still. Reliance on the alleged needs or desires of one city is not legal, and does not support this decision in any event.

The State Agency letter also recommends against including the land north of Council Creek in the urban reserves, concluding it does not qualify under the law.

"The state agencies generally concur with the COO recommendations for this area Rural reserves for areas here that are a significant distance from the existing UGB don't appear to meet the factors in the rule for designation of rural reserves ... and generally there is too much land designated as rural reserves in this area."

The Metro Chief Operating Officer concluded:

"The area includes some of the best agricultural land in the state. To the north of Cornelius and Forest Grove, there is a well-established agricultural community that is part of the Tualatin Valley Irrigation District, representing a significant investment in agricultural infrastructure and a key component for providing agricultural product flexibility."

The Metro decision findings are conclusory, in most cases simply restating the law or relying on Washington County's analysis, which is flawed as described in Objection 4.

In addition, it appears that neither Metro nor Washington County addressed at least two factors in designating this area for urban reserves: OAR 660-027-0050(7) - can be developed in a way that preserves important natural landscape features, and (8) - can

be designed to avoid or minimize adverse effects on farm and forest practices, and adverse effects on important natural landscape features, on nearby land including land designated as rural reserves. Nor did they address at least one rural reserve factor - OAR 660-027-0060(d)(B) - the existence of buffers between agricultural or forest operations and non-farm or non-forest uses.

These three factors are intertwined, and unaddressed. Council Creek currently provides a significant natural buffer between urban and rural uses, the importance of which was testified to repeatedly by farmer experts and residents of the area. Council Creek is mapped as an important natural landscape feature that limits urban development and defines the natural boundaries of urbanization. OAR 660-027-0005(2). Yet this decision leaps right over Council Creek, creating an urban/rural boundary that is basically an invisible line in a field. It eliminates the natural buffer and creates an immediate interface of conflict. The decision does not address the impact urban reserve designation will have on the adjacent farm land or on the wetlands and floodplains of Council Creek that would be in urban reserves. Finally, despite much testimony on the subject and legal requirements to do so, the decision does not address the impact this intrusion into the heart of the Tualatin Valley agricultural community will have on the future of regional and statewide agriculture.

Not urbanizing the land north of Council Creek would still leave Cornelius with approximately 350 urban reserve acres on the south side of Council Creek and to the east and south of the city (7C Cornelius East and 7D Cornelius South), more land than the city is likely to use in a 50- year period based on the city's past land absorption rates. It will also leave Forest Grove with most of the land in the Forest Grove North urban reserve area, plus all of 7E Forest Grove South.

Remedy: Remand the Washington County portion of the decision with direction to remove the urban reserve designation north of Council creek in 7I and 7B, and to designate the lands as rural reserves. Designation of the lands north of Council Creek as urban reserves does not meet the legal test of balance, locally or regionally; nor does it meet the criteria for urban reserves. These lands do meet the criteria for rural reserves.

Washington County Farm Bureau/1000 Friends/Vanasche Objection 6: Designation of the Hillsboro North area (SA, Evergreen) as an urban reserve violates the reserve statute and rule.

Proposed urban reserve area 8A Hillsboro North contains 2265 acres and extends north of Hillsboro to Highway 26 and as far west as McKay Creek, thereby crossing Jackson School Road and bringing urbanization all the way to and beyond the Jackson School Road interchange. It encompasses Waibel Creek, which runs north-south. The following reasons for this objection are in addition to those contained in Objection 4.

Area 8A is entirely Foundation agricultural land and meets every rural reserve factor. It is highly subject to urbanization during the time period, is capable of and does sustain long-term agricultural operations, is primarily Class I, II, and III soils, is an intact

large block of farm land. As one farmer testified, the land here is even better than that on Sauvie Island. The area is entirely irrigated by a groundwater system. Sewell Road and the exception area are an excellent manmade buffer and edge that can protect the area from conflicting uses, and the farm use and ownership patterns demonstrate long-term stability.

In addition, the proposed area's proximity to Jackson School Road will be a magnet for future urbanization in this western direction, adversely impacting the farm lands around this area with conflicting uses, speculative land purchases, urban traffic, and more. The current and future transportation system in this area is auto-dependent, which will exacerbate the region's greenhouse gas emissions, and our ability to reduce them, which is already in doubt.

The extension of this area across Jackson School Road and to the interchange at Highway 26 eliminates several natural and manmade buffers that could have been relied upon to reduce the conflict between urban and rural uses: Waibel Creek, Jackson School Road, Sewel Road, and an existing exception area. Instead, the proposed urban reserve has no natural or manmade buffer to protect rural from urban uses.

As described in Objection 5, the decision does not address OAR 660-027-0050(7), (8) or OAR 660-027-0060(d)(B). There is no evidence in the record that these factors can be addressed. Nor is there evidence in the record that any interchange management plan for the area as it impacts Highway 26 would be effective, or that any interchange management plan has ever been effective, in reducing impacts on interchanges, highways, and on surrounding farm lands.

Remedy: Remand the Washington County portion of the decision with direction to remove the urban reserve designation from 8A Hillsboro North, and to designate the lands as rural reserves.

Washington County Farm Bureau/1000 Friends/Vanasche Exception to DLCD Report: Areas 71 and 7B: North of Council Creek

Council Creek runs in an east-west direction, to the north of the cities of Cornelius and Forest Grove. It forms a natural boundary between the urban and urbanizable land in those two cities and the heart of the Tualatin Valley agricultural industry to the north. It is also a natural boundary – the Creek and floodplain are hundreds of yards wide in some places, forming a natural and permanent buffer between the conflicting uses of urban and rural.

The land in the proposed urban reserve consists of about 825 acres of Class I, II, and III High Value farm land north of Council Creek. (About 625 acres north of Cornelius and 200 acres north of Forest Grove.) It has been designated as Foundation farm land by the Oregon Department of Agriculture and is within 3 miles of the UGR The Washington County Farm Bureau, 1000 Friends, and Dave Vansache, a Century farmer in this area, all objected to designating the area north of Council Creek as urban

reserves. It is very important to note that we have *not* objected to designating the 300+ acres east and south of Cornelius, and over 250 acres adjacent to Forest Grove, as urban reserves and that are also in this decision. Most of these alternative areas are also Foundation farm land. In fact, it was the Washington County Farm Bureau that first suggested all these other areas around Cornelius as urban reserves - because they make more sense, from both an urban and rural reserves perspective. They are, variously, south of Council Creek, or bounded by the Tualatin River, or are along the Tualatin Valley Highway - a Highway that connects Cornelius/Forest Grove with Hillsboro and would be the proposed HCT corridor for increased bus service. Council Creek and the Tualatin River provide a natural landscape feature buffer between urban and rural uses. These areas make sense, and provide Cornelius and Forest Grove extensive lands for possible future urbanization, including industrial use of any lot size.

This agency, and eight other state agencies, as well as Metro's Chief Operating officer, all strongly agreed with the Washington County Farm Bureau position, and recommended rural reserves for this area.

The Department acknowledges that the justification for this area as an urban reserve is weak (the Department report describes the findings as "general" and states that at least one factor is "not directly addressed." Report pp. 86-88).

It is hard to imagine a more appropriate area in the entire region for rural reserve designation, and one that has such widespread support. Yet the Department recommends approving an urban reserve designation for these two areas. What is truly hard to imagine is what set of facts might compel the Department to recommend something *different* than what Washington County and Metro recommended for urban reserves in the county.

The proposed 71 and 7B urban reserves, and the Department's response to our objections, continue to demonstrate a violation of the law in the following ways:

- Areas 71 and 7B do not meet the urban reserve criteria.
- Areas 71 and 7B meet the rural reserve criteria on *both* agricultural and natural resource grounds, and therefore should be designated rural reserves.
- Foundation farm lands require a higher level of justification for being designated as urban reserves and the Department has not demonstrated that the Metro decision meets that. Those within 3 miles of the UGB require an even higher level, as they automatically qualify as rural reserves.

Areas 71 and 7B Do Not Meet the Urban Reserve Criteria

The Department's report acknowledges that Washington County and Metro have addressed the urban reserve factors (OAR 660-027-0050) in only a "general fashion," and that the Commission could determine that the record does not support designation of these areas as urban reserves. (Report p. 86) The substantial evidence, and in some cases, the only evidence, in the record shows that areas 71 and 7B fail to meet the urban reserve factors in at least the following ways

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

The Department relies upon the "findings" in the Cornelius and Forest Grove pre-qualifying concept plans (PQCPs) and on Metro's consolidated findings to show this criterion is met. These findings are both conclusory and do not meet the requirements of the factor.

For example, in addressing this factor, the Cornelius PQCP states:

"The City has comprehensively planned its public and private infrastructure in coordination with surrounding jurisdictions and partners and consistent with state and regional 2040 Plan goals and requirements. The major infrastructure systems are either in place ready for or can be extended for development. The water, sewer and transportation systems that bisect and are adjacent to Cornelius have regional growth capacity. Clean Water Services sanitary and storm sewer lines are sized to serve north to Dairy Creek and the partially urbanized area south and east of Cornelius, and are capable of extending between Hillsboro and Cornelius north of Dairy Creek. The City has required developers to stub for extension urban sized utilities for future expansion at the City boundary."

This is a conclusory statement that can be made about any area inside the Metro UGB. It simply re-states existing state law and Planning Goal 11, which requires all cities to provide urban scale infrastructure within their city limits, and to plan for its extension to urbanizable lands within its UGB. Cornelius has urbanizable land between its city limits and its portion of the UGB that it has not annexed (including land brought into the UGB for "industrial" purposes over 4 years ago), as well as vacant and undeveloped lands throughout its city limits (according to Metro, over 10% of the land within the Cornelius city limits is currently vacant; even more land is underdeveloped). The above conclusory statement is what one would expect to find in the Cornelius public facilities plan, without reserves being part of the discussion.

Furthermore, it does not explain how, given the large amount of vacant, underdeveloped, and un-annexed land within the Cornelius portion of the UGB, adding over 1000 acres of urban reserves (including proposed urban reserves south and east of the city) to a city of only 1170 acres now, will ensure an urban level of development that makes efficient use of the existing facilities. The existing facilities are under-utilized by the lands within the existing city - those areas must densify to meet Metro's Region 2040 Growth Concept, Regional Transportation Plan, and High Capacity Transit plan for a mixed-use, higher density Cornelius Town Center that can support high capacity transit; adding additional land makes that *less likely* to happen, not more.

The PQCP goes on to state that the proposed urban reserves will develop at a density of 10 units per acre. That does not meet Metro's definition of and requirement for

urban densities of 15 units/acre in the urban reserves, and thus reliance on the Cornelius PQCP is flawed.

Cornelius and Forest Grove are designated Town Centers in Metro's Region 2040 Plan. Metro's Region 2040 Plan, High Capacity Transit (HCT) plan, and the Regional Transportation Plan (RTP) all contemplate mixed-use, higher density development and high capacity transit along a corridor running from Hillsboro to Cornelius and Forest Grove. To achieve those laudable goals requires investment inside the existing UGB on lands along those corridors - the Tualatin Valley Highway and the proposed light rail corridor - which are largely vacant and underdeveloped now. This was pointed out by both the 9-State Agency letter, including this agency, and the Metro Chief Operating Officer's (COO) Report:

"Large scale urbanization in the area to the north may detract from implementing the 2040 Plan by placing thousands of households and jobs farther away from centers and transit corridors, thus increasing Vehicle Miles Traveled (VMT) and making it more difficult to support the recently adopted High Capacity Transit (HCT) corridor from Hillsboro to Forest Grove.,,"

Metro also found that urbanizing the area north of Council Creek would be expensive. "To improve such [transportation] access would require considerable regional resources" There is no evidence showing that urban reserves for areas 71 and 7B north of Council Creek meet urban reserve factor 1; substantial evidence shows these areas do not meet the urban reserves criteria.

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

The Department, Metro, and Washington County simply re-state the factor in finding it has been met. This is not substantial evidence. Furthermore, there is no underlying evidence actually addressing economic capacity. Raw land is not development capacity. The Cornelius portion of the current UGB is not dense enough in employees or housing to support increased bus service or a HCT line of any type, the current land supply has substantial vacant and underdeveloped lands, including parcels over 60 acres, with services, and in industrial parks. Cornelius has not yet annexed 60+ acres of land added to its UGB over 4 years ago for industrial development, in part because there is no demand for it. Adding raw land without, among other things, the residential or employment demand for it, does not support a healthy economy.

Factor 3: "Can be efficiently and cost-effectively served with public schools and other urban-level public facilities and services by appropriate and financially capable service providers."

Factor 4: "Can be designed to be walkable and served with a well-connected system of streets, bikeways, recreation trails and public transit by appropriate service providers."

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

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

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

These factors are addressed by similarly conclusory statements in the Department's Report, Metro findings, and the PQCP in that they largely re-state the factor itself and claim it is or will be met. In particular, there is no evidence that the public transit hoped for by Cornelius and Forest Grove and envisioned in the RTP and HCT plan will be realized by almost doubling the size of the city in areas far away from those transit corridors, particularly when those corridors today are low density and contain substantial vacant and undeveloped lands. A conclusory statement that it will be met does not meet the legal factor.

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

The Department's Report acknowledges this factor was not addressed by Metro in its decision. (Report p. 86)

Finally, the Department, Metro, and the County ignore that a "Purpose and Objective" of the reserves rules is that "important natural landscape features" are to be used to "limit urbanization" and "define natural boundaries of urbanization." OAR 660-027-0005(2) and ORS 195.137(1). The reserves rule and statute do not allow an evaluation of urban reserves without including their relationship to the surrounding farm and forest lands and natural resources, including how those natural features can - and must - be used as the boundary for urbanization by being designated as a *rural* reserve. A promised buffer on the urban side of an urban reserve does not meet the law.

Here, Council Creek provides that natural boundary between urban and rural uses. It is a generally wide floodplain, wetland, and stream. There is no boundary - natural or even manmade - that separates rural and urban lands in the proposed urban reserves north of Council Creek. There is no factual dispute as to this. Therefore, Council Creek and the area north of it in Areas 7I and 7B do not qualify as an urban reserve and should be a rural reserve.

Areas 7I and 7B meet the Rural Reserve Criteria on both Agricultural and Natural Resource Grounds

As discussed in our Objections, but not addressed in the Department's report, areas 7I and 7B qualify for rural reserve designation under both set of criteria - the criteria for "long-term protection for the agricultural industry" (OAR 660-027-0060(2)) and "to protect important natural landscape features" (OAR 660-027-0060(3)). As a factual matter, this is not in dispute. In addition, these two areas are also Foundation

agricultural lands within 3 miles of the UGB, for which there is a higher bar for justifying designation as urban reserves.

Few areas under consideration or in dispute meet all these factors - every factor of rural reserve designation as agriculture, every factor for rural reserve designation as an important natural landscape feature, and Foundation farm land. The Commission's discretion is not so boundless as to override the triple bottom line for why, legally, areas 71 and 7B should be rural reserves.

Foundation Farm Lands Require a Higher Level of Justification for Being Designated as Urban Reserves, and the Department has not Demonstrated that the Metro Decision Meets that.

The Department acknowledges that LCDC's rule requires that if Foundation farm lands, as identified by the Oregon Department of Agriculture, are proposed as urban reserves rather than rural reserves, then a higher standard applies to justify that urban designation for the particular area of land. OAR 660-027-0040(11). The Department concludes that Metro's decision meets this standard. This is legally and factually incorrect, for the following reasons:

- The Department acknowledges that Metro's findings are only "general" and that they are not "specific to each of the areas." This does not meet the higher standard criteria of law. (Report p. 87, 88)

The Department seems to endorse the following rationale for accepting mere "general" findings for the Foundation farm land areas north of Council Creek: that since most of the farm land in Washington County near the existing UGB is Foundation farm land, a whole lot of it is going to be designated as urban reserves, so how can this higher standard be met on any particular parcel? (Report p. 87, Department text and quote of consolidated findings; p. 88) The fact that much of the land around the UGB in Washington County was Foundation farm land was known when the reserves statute was passed by the Legislature and when the Commission adopted its reserve rule. It has been mapped for some years now. Knowing that, this higher level of justification was clearly required by this Commission. And it has not been met concerning areas 71 and 7B. If it cannot be met, one remedy is that Metro and the Commission can adopt urban reserves for a shorter time period than the full 30 years beyond the 20-year UGB.

- The Department endorses the following Metro mischaracterization of the reserve rule's and statute's purpose, and the Department apparently applies it to 71 and 7B: the urban reserve recommendation in Washington County balances "the *need* for future urban lands and the *values* placed on 'Foundation' agricultural lands and lands that contain valuable natural landscape features." (Report pp. 87-88; Metro Rec. p. 62, emphasis added) This is a condescending and inaccurate description of both the factual situation and the law. The reserves rule and statute, and the Department of Agriculture's "Identification and Assessment of the Long-Term

Commercial Viability of Metro region Agricultural Lands" Report demonstrates that "Foundation Agricultural Land is the most important land for the viability and vitality of the agricultural *industry*." (OAR 660-027-0040(11), emphasis added).

As testified to throughout the decision process below by a wide variety of famers, the Washington County Farm Bureau, and the Oregon Department of Agriculture, and the agriculture-related industries in the region, that land is the base for one of the county's and state's top industries. Washington County has consistently been in the top 5 of Oregon's counties in agricultural production. As Oregon's #2 industry, agriculture is a significant industrial engine grossing over \$5 billion in 2008. Add in the goods and services farmers purchase from other businesses to grow food and fiber, and the value-added products that are produced, and agriculture is a \$10 billion industry, accounting for over 10% of the state's economy. Food processing, in which Multnomah County leads, was the *only manufacturing sector* in Oregon to show positive employment gain in 2008; that processing depends on Washington County farms. And much of that value and product is exported, bringing new dollars into the state, and into Washington County's economy. Agricultural products are #1 in bulk and #2 in value of the shipments out of the Port of Portland. Oregon agriculture has been increasing in value almost every year for over a decade, a claim that no other industry can make, and Washington County's agricultural cluster has been growing for over 150 years.

Agricultural lands may well be a "value," but they are also an industry and a "need." And unlike traditional "urban" industries, the land on which they rely is not interchangeable, moveable, or convertible into a higher density building. The premise on which the Foundation lands in 71 and 7B were evaluated by DLCD is incorrect; the higher standard to designate them as urban reserves has not been shown.

While acknowledging the general nature of the Metro and County findings for designating this and other areas of Foundation farm land as urban reserves, the Department endorses Washington County's apparent re-write off of the Department of Agriculture's foundation farm land standards. Rather than focus on the urban reasons for why areas 71 and 7B should be in an urban reserves despite being Foundation farm land, the County has conducted its own analysis - using different standards than the Department of Agriculture - to apparently conclude that the area is not really Foundation farm land. (Report, p. 88) There is no legal basis for this.

The DLCD Report recognizes that the rural reserve factors are based on the Department of Agriculture's report. The Reserves statute gives deference to the Department of Agriculture in developing the criteria for rural reserves. ORS 195.143. Those rural reserve factors evaluate characteristics such as soil types, whether water is needed and present, adjacent land use patterns, parcelization,

threat of urbanization, capacity for long term, agricultural operations, whether the land is on a large block of farm land, etc ... The reserves rule states that to override the Foundation farm land designation requires reference to the urban and rural reserve factors. (OAR 660-027-0040(11)) It does not allow Metro or the Washington County to re-write those rural reserve factors, and yet that is what Washington County has done and Metro and DLCD have endorsed. (DLCD Report, p. 88) The County relied on different definitions of soil capacity, parcelization, and role of water. It also used what appear to be different factors, including among others "high dwelling density," land values, and presence of homes. (DLCD Report, p. 88; various references to the Washington County record) There is no provision for so doing in the Reserves rule.

There is no other area of Foundation farm land about which the agricultural community including farmers, the Farm Bureau, the Community Supported Agriculture Coalition, small farmers, organic farmers, farm equipment dealers, farm product processors, and more - in Washington County and regionally have been stronger on for a longer period of time: urbanization must not go north of Council Creek; doing so will gut the heart of the Tualatin Valley agricultural lands and significantly contribute to the demise of the agricultural industry in the entire northern Willamette Valley. Truly, if this land does not qualify as Foundation farm land that should not be in an urban reserve, then no land qualifies.

1 *Note: Transcript has not been edited*

2 2:01:28

3 **John VanLandingham** – Issue is best and balance. Dick Benner just said to us before
4 our break that the workgroup is fine with it that's the best they can do. So, what do we
5 think. Marilyn do you want to say something.

6 **Marilyn Worrrix** – spent a great deal of time on this. Without including best, even
7 though there was an attempt to keep the process fluid um some people felt there just
8 simply was not enough direction and there wasn't a measurement of any kind. While
9 recognizing that best may be difficult to evaluate um by putting it in the objective it was
10 intended to serve as a guidepost. You're headed toward the best overall balance of these
11 various issues. The um we we were taught about best originally um in ah 0040(10) or
12 (11). But we um we related it back to the objective and decided to include the word best
13 early on as a sort of beacon this is where we are going. But it needs to be um the overall
14 context is important because the overall objective was to create a process that was
15 consensus building and a product that was a balance of protecting farm, forest and natural
16 landscapes at the same time creating livable communities. And while this balancing did
17 require some clear guidelines the path had to be well marked. The workgroup purposely
18 avoided making this process too detailed. We wanted to acknowledge that foundation ag
19 land is the most important for long term viability. And we wanted to say that if Metro
20 designates land as urban reserves for example they have to explain in findings and
21 statements of reasons why they chose it. It was anticipated that that process would end up
22 in a series of packages of alternatives but by the time it got to the final decision making
23 stage and at that point Metro would have to explain very clearly why they chose one
24 package or another or possibly combinations between them. And that analysis would look
25 at various packages or combinations um taken as a whole and would take you back to the
26 objective and say how does this whole package achieve the best overall balance that we
27 highlighted in the objective. I think it's important to recognize that the workgroup never
28 saw that best requirement as being something that would require a detailed parcel to
29 parcel type analysis. And there was real worry that it would even be construed that way
30 because that was the opposite of the kind of fluid creative process we were hoping to be
31 able to create. And that instead of being a process that would require exactitude found in
32 like a parcel to parcel comparison that this best concept is supposed to focus on the
33 collective overall regional ah process. It would be looking for the best fundamental
34 balance between the competing areas. Um it would not require a ranking um best, second
35 best, third best ah it's much more general than that. So we felt it was important to have
36 that in there um it was a strong concern from the agricultural community in particular that
37 there needed to be something that highlighted the importance of foundation land and gave
38 them that little extra bit of scrutiny in the best solution was best was seen to be the best
39 solution for them. So we're comfortable with it. We know that it's loose um but this
40 process was never designed to be did you touch all the basis, did you double check all
41 your maps, did you calculate the right area on this particular parcel. Ah everybody been
42 there, that's not where we wanted to go. We wanted to say how about good rational
43 thinking supported by strong findings that make a reasonable balance between the needs
44 to protect ag, forest and the natural landscapes and the need to create livable
45 communities. So we sort of did it purposely and while we are really open to any
46 comments we worked a long time on this one and I was extremely pleased that not only

1 did the workgroup feel comfortable with the language but I really think the workgroup
2 saw the language in the same context that I've just outlined and I would invite anybody
3 from the table, because they all listened to this, if they heard anything different now
4 would be the time to say it but that's my background.
5 **John VanLandingham** – anybody disagree with her description.
6 **Unknown** – here here
7 **John VanLandingham** – ok thank you. Comments from commissioners.
8 **Margaret Kirkpatrick** – Well ah I really let me start out by saying I don't really think we
9 should mess with this um I think it's such a the fact that there is consensus and I think,
10 unless there is further discussion that evidences me otherwise that this is something we
11 should stick with. That I would love to have because it is yesterday so unusual to have a
12 word like best kinda out there I would love to hear Steve or Richard or any of the other
13 very talented lawyers here just explain I mean it looks to like as I read 0040(10) when it
14 talks about the single joint finding and statement of reasons that you're going to be
15 discussing each of the factors in then that there is going to be a discussion about how in
16 the aggregate these meet the best objective best unquote objective in 0005(2). So
17 assuming that people will be coming and arguing to the commission that what Metro and
18 the counties have done is not the best balance how do we what is our role in in that
19 review process and how do we approach it. So that's really my question and if I can get
20 to the point where I feel like I understand that then I'm good.
21 **Steve Shipsey** – Metro and the counties who are making the joint submittal to the
22 commission will include that submittal under 0080(4) findings of fact and conclusions
23 regarding how that's best. So what we will be reviewing will be whether or not there
24 determination of this overall package of the balance is the best. Whether it's an adequate
25 factual basis for that, whether it's touched on the goals and considered all the goals
26 whether it has complied with the rules both procedurally and the substantive requirements
27 but it will be a review of a presentation of what has been deemed locally the best. And
28 you won't be I don't think you will be required by objectors to do a new analysis of
29 whether or not this is the best. You'll be reviewing the analysis of whether it's the best to
30 see if that analysis is supported and presented in a way that has a substantial evidence
31 basis and the conclusions of law are consistent with the law that needed to be applied.
32 **Margaret** – So this really is a substantial evidence review that we'll be doing and if there
33 is substantial evidence (inaudible). We are good we are not second guessing we're not
34 getting into the details of any of this.
35 **John VanLandingham** – Steve you are shaking your head yes.
36 **Steve Shipsey** – yes
37 **John VanLandingham** – You don't foresee as Mark Greenfield worried that we're
38 going to find ourselves picking this parcel over here and saying no it's not the best
39 without that parcel we want to add that parcel.
40 **Steve Shipsey** – I think we will receive objections of that nature and the question will be
41 whether those objections are if we need to sustain those objections where we conclude
42 that Metro and the counties in the submittal showed that what they actually did met the
43 best standard. Could something else also have met the best standard.
44 **John VanLandingham** – Richard.
45 **Richard Whitman** – So the only think I would add to what Steve said and it's really in
46 response to the comments from Mark Greenfield yesterday is um as a policy practical

1 matter for the department I don't think that we view this objective as creating an
2 optimization standard that there's only one best outcome. It um because best is used in
3 the context of a balance between designation of urban and rural reserves number 1 and
4 number 2 is as commissioner Worrix said it's a balance that in its entirety looking at the
5 region as a whole number 2 best achieves three different things livable communities,
6 viability and vitality of agricultural and forest industries and protection of important
7 natural landscape features. Those three things are in some tension obviously and so the
8 balancing in between those is going to require a fair amount of judgments. So in addition
9 to the evidentiary issue I think there is because of the context that best is used in here
10 there is substantial discretion initially for Metro and counties to make their decisions and
11 then in terms of the commission's review for the commission's review of that.

12 **Female voice** – So would we also be looking at abuse of discretion potentially.

13 **Richard Whitman** – Well I don't think legally that's a standard for review um I think
14 the standard is what's articulated here and alls I am saying is I think the words that are
15 articulated here um it probably lead you to something like that ah in terms of how the
16 commission would review this um so while say abuse of discretion I think functionally if
17 there's a range of outcomes that are plausible for the commission in its review role um in
18 effect that may be the review standard.

19 **John VanLandingham** – Do you want to say anything about abuse of discretion. Not
20 everybody is a lawyer.

21 **Female voice** – I'll let a real lawyer talk about it. (inaudible) not want anymore
22 (inaudible)

23 **Richard Whitman** – Well I that's a legal standard that should be used in situations that
24 you have a law that creates a range of possible outcomes and the question is whether the
25 decision that was made that you're reviewing is outside that range and so I think that fits
26 with what I just articulated which is that I think this objective creates a range of possible
27 outcomes that Metro and the counties can come to. Ah and um for the commission and its
28 review role I think as long as it's within that range you would ah need to uphold the
29 decision.

30 **John VanLandingham** – Any other thoughts from commissioners. Marilyn you want to
31 add anything to the discussion.

32 **Marilyn Worrix** – Well on that I've everybody recognizes it's a challenging word from
33 a review perspective but I'm sure the commissioners share the thought that I have
34 prefaced some of my previous votes on other issues by saying well it isn't a best solution
35 but its legally correct and I'm ready to try best.

36 **Male voice** – It seems counterintuitive but I'm going to go with the attorneys.

37 **John VanLandingham** – So panel any thoughts. Anybody worried about Mark
38 Greenfield's argument. Ok I didn't see anybody that wants to (inaudible). Ok next issue.

39 **Female voice** – Can I just say one more thing.

40 **John VanLandingham** – Yes

41 **Female voice** – Um is there a way to make sure that the legislative history of this
42 rulemaking includes the discussion there's some guidance for future commissions.

43 **John VanLandingham** – Um well I think that <interrupted>

44 **Margaret Kirkpatrick** – Actually see but maybe I didn't.

45 **John VanLandingham** - Bob is there some in the report isn't there.

46 **Bob Rindy** – There's a legislative history of the statute.

- 1 **Margaret Kirkpatrick** – That’s different.
2 **Bob Rindy** – That um these minutes will be in the history and we have the staff report ah
3 the comments that were made now you could specify that your minutes go into more
4 detail than might typically occur to record those.
5 **John VanLandingham** – That would be good. So let’s make sure especially make sure
6 that Marilyn’s comments are included and I see that at the bottom of page nine of the
7 staff report there’s some of that also saying that the first, second, third best in its entire.
8 Dick
9 **Dick Benner** – Dick Benner for Metro on the legislative history question speaking for
10 myself and we’ll see if everybody agrees but I think we do. When we heard Richard,
11 commissioner Worrix and Steve talk about this I thought to myself yes this is the way we
12 understand this test. And I would suggest that if the commission feels that the way they
13 described it is the way you would like it to be understood that you say so um don’t
14 necessarily have to have a vote but then I think its more clearly legislative history.
15 **Margaret Kirkpatrick** – Yeah if there would be some way actually to almost transcribe
16 the statements of commissioner Worrix, Steve, Richard maybe what Dick just said and
17 have us kinda validate that’s our understanding then that would provide the kind of
18 guidance to future commissions that I’m thinking of.
19 **Male voice** – (inaudible)
20 **Margaret Kirkpatrick** – I think we just did it.
21 **John VanLandingham** – Yeah I mean does anybody disagree with that. So that’s our
22 understanding we adopt that. So I’m saying that all seven six commissioners agree with
23 that as our interpretation. Ok. Next issue.
24 2:17:32
25 ##end##

Brent Curtis

From: Tom Brian [REDACTED]
Sent: Tuesday, November 02, 2010 7:52 AM
To: 'Dennis Mulvihill'; 'Andy Duyck'
Cc: Brent Curtis; Andrew Singelakis; Dan Olsen; Robert Davis; Dennis Mulvihill; Rob Massar
Subject: RE: Urban and Rural Reserves

All

Interesting if LCDC can not adopt an order implementing their decision of last Friday...I thought it would be their order that would require us to review our plan and without the order, there would not be that directive? Of course, we would be smart to recognize it is pending and start our review.

Frankly, and I have not talked to staff or Andy, but I think there are a LOT of options to consider, and we should be very little comment to ANYONE until we have a chance to discuss some of them, even preliminarily. I have been contacted by KH and CH who are anxious to start talking. I think there is some thought out there regarding the election tomorrow night and an inkling that Metro and others would much more like to work with the current, "known" BCC: if a certain two are elected, there could be a roll back of virtually everything north, and Cooper Mtn. and parts around Sherwood...then, there would have to be a "rebalance" regionally for employment and residential land and a huge nightmare. If another two are elected, there is the thought that the BCC could decide not to participate further (you will recall in the final month or two of negotiations, we said "this is it, if we do not get this, then we will not support participating.")..so folks can easily worry that would be the case of the more conservative two win.

At the same time, they really do not know what mood Andy and I are in, and how willing we are to work the map some more. I told KH and CH that Andy and I had not talked, that I would absolutely want him at the table because of his past participation and future role as Chair. I also said I saw a lot of options but I would not comment on them until Andy and I and staff had at least a preliminary meeting.

I think I could come to the Thursday meeting, not sure about lunch after, etc., but I would try the meeting and see. I think it would be worth having for the prelim.
 tb

From: Dennis Mulvihill [mailto:dgmulvihill@gmail.com]
Sent: Monday, November 01, 2010 11:20 AM
To: Tom Brian; Andy Duyck
Cc: Brent Curtis; Andrew Singelakis; Dan Olsen; Bob Davis; Dennis G Mulvihill; Rob Massar
Subject: Urban and Rural Reserves

It is my understanding that Metro's legal counsel is advising that LCDC may be prevented from adopting an order until Metro/Region resubmits changes to what was proposed in Washington County, and LCDC approves a new and complete Reserves list after local and LCDC hearings. Is there legal room for advancing an argument to work simultaneously on changes to Reserves and expanding the UGB for areas not in question? This approach could solidify quickly. Is this Thursday's Policy Meeting timely enough to talk through the options? I have not engaged with anyone at Metro.
 DGM

Brent Curtis

From: Andy Duyck [REDACTED]
Sent: Monday, November 01, 2010 10:28 AM
To: Tom Brian; 'Dennis Mulvihill'
Cc: Brent Curtis; Andrew Singelakis; Dan Olsen; Robert Davis; Dennis Mulvihill; Rob Massar
Subject: RE: Urban and Rural Reserves

Tom,

There probably isn't much that I can say until we talk. I intend to be at the public services building this afternoon to discuss this with Staff. I will give you a heads up that my inclination is not to roll over on this one. We developed the reserves in good faith. I would expect LCDC to respect that. Is there anything we can do to accommodate your health situation?

Andy

From: Tom Brian [REDACTED]
Sent: Tuesday, November 02, 2010 7:52 AM
To: 'Dennis Mulvihill'; Andy Duyck
Cc: 'Brent Curtis'; 'Andrew Singelakis'; 'Dan Olsen'; 'Bob Davis'; 'Dennis G Mulvihill'; 'Rob Massar'
Subject: RE: Urban and Rural Reserves

All

Interesting if LCDC can not adopt an order implementing their decision of last Friday...I thought it would be their order that would require us to review our plan and without the order, there would not be that directive? Of course, we would be smart to recognize it is pending and start our review.

Frankly, and I have not talked to staff or Andy, but I think there are a LOT of options to consider, and we should be very little comment to ANYONE until we have a chance to discuss some of them, even preliminarily. I have been contacted by KH and CH who are anxious to start talking. I think there is some thought out there regarding the election tomorrow night and an inkling that Metro and others would much more like to work with the current, "known" BCC: if a certain two are elected, there could be a roll back of virtually everything north, and Cooper Mtn. and parts around Sherwood...then, there would have to be a "rebalance" regionally for employment and residential land and a huge nightmare. If another two are elected, there is the thought that the BCC could decide not to participate further (you will recall in the final month or two of negotiations, we said "this is it, if we do not get this, then we will not support participating.")..so folks can easily worry that would be the case of the more conservative two win.

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I think I could come to the Thursday meeting, not sure about lunch after, etc., but I would try the meeting and see. I think it would be worth having for the prelim.

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DGM

Brent Curtis

From: Andrew Singelakis
Sent: Friday, November 12, 2010 1:02 PM
To: Brent Curtis
Subject: FW: URRs...
Importance: High

Brent,

I'd like to sit down with you and go over this to determine what other options we might have.

Thanks,
Andrew

From: Tom Brian [REDACTED]
Sent: Wednesday, November 10, 2010 1:32 PM
To: Brent Curtis
Cc: Andrew Singelakis; Dennis Mulvihill; Andy Duyck
Subject: URRs...
Importance: High

Brent:

I am not sure of your vacation schedule, but I want to get these requests for information to you ASAP. Andy and I have a meeting with Kathryn and Carl early on Monday, 11/22 and would like this information if at all possible.

- 1) With regard to 7B (508 acres, Forest Grove), the LCDC discussion clearly expressed an interest that we consider NOT going north of the "Council Creek" extension, or whatever the main creek is that runs diagonally through 7 B. Whatever we wish to retain north of this feature will have to meet a "high standard" or "high bar" as their members said.
 - Request #1: how many acres are north of the natural feature they are concerned about?...If we were to "give up" UR land in 7 B, Andy and I would most certainly want to add it to the 624 acres of UR lost north of Cornelius.
- 2) As to area 7i (624 acres, Cornelius), one of the options is to have the entire lost UR acreage become "undesigned." Other options include subareas of that acreage. Earlier this year, we discussed a few options in the 7i area where the UR could have stopped as we moved north.
 - Request # 2: please inform us of one or two options short of the whole 7i, that could be made "undesigned" and how many acres are involved in these subareas?
- 3) So, whether it is the 624 acres from 7i, or additional acres coming out of a northerly portion of 7 B (FG) ...Andy and I feel strongly that the lost URs should be replaced acre for acre somewhere in Washington County.
- 4) In reviewing possible areas to which to add URs, we concluded the most logical and possibly defensible would be the "rectangular" area north of Hwy 26, south of West Union and between Jackson School Road on the West and XXXX on the east. Currently, there is a 150 acre area designated UR, then as we move to the west it is undesigned, then as it approaches Jackson School Rd., it becomes Rural. Our thought is the possibility of adding URs around the 150 acre of current URs, then move westerly until all

624 acres (plus any from the FG piece) are added back. Where the new westerly line of UR is as a result of this re-designation, any lost undesignated would be claimed out of the RRs adjacent (and to the west towards North Plains). We should be able to retain the buffer between North Plains and the City of Hillsboro as was negotiated last year.

- Request #3: please create maps that depict the addition of URs as I have described, and the related changes to undesignated and RRs, all within the rectangle I mentioned. I would like these maps in two scales; one close up enough to see any natural features in the rectangular and the acres in each portion, and secondly, a map of the same scale that shows all of Washington County (URRs In Washington County: Exhibit A to the IGA dated 2/18/20...pink, blue, green) This would show our proposed response on a familiar map and scale.

SPECIAL NOTES:
another approach

A) We are open to any additional thoughts and suggestions you have regarding this or

B) We are attempting to keep these ideas CONFIDENTIAL and do not want to give potential opponents any more lead time than legally provided. So, I am concerned about WHO makes these revised, draft maps. Usually we have had John Williams at Metro do these maps, haven't we? You should do whatever you have to do, but please keep these discussions and options as confidential as possible for the time being.

Finally, Andy and I will be at the AOC conference and will have time for informal discussion about this, and available by email and phone.

Thanks,
Tom

Brent Curtis

From: Tom Brian [REDACTED]
Sent: Sunday, November 14, 2010 9:20 AM
To: Brent Curtis
Subject: RE: URRs...

Thanks, Brent. Hope you had a good vacation!

If possible, Andy and I would like to review and discuss this material in Eugene. It would really be helpful for he and I and you particularly to go over some options. Friday morning, Andy and I are meeting with Tom Hughes in Eugene to give him a preview of our position on URR adjustments, then we have the meeting Monday morning with Carl and Kathryn...and Tom will be joining us then, too.

Seems there is strong interest in moving to an IGA before the end of the year. If we can, that is fine...but I want to make sure we have three solid votes on the current AND future Boards.

Thanks again.
Tom

From: Brent Curtis [mailto:Brent_Curtis@co.washington.or.us]
Sent: Friday, November 12, 2010 8:47 PM
To: Tom Brian
Cc: Andrew Singelakis; Dennis Mulvihill; Andy Duyck
Subject: RE: URRs...

Tom - Sorry for the delay in response. I have not had email service from approximately Tuesday. Apparently the county's email system had some type of major problem. I returned from Arizona Wednesday evening. Due to the holiday Thursday, I wasn't able to get my email service back up to speed until late this afternoon. I understand the information you want me to prepare and the confidential nature of the request. I will get started on the request and associated analysis first thing Monday. We should be able to prepare the work and review it with both you and Andy before your meeting on 11/22. Brent

From: Tom Brian [REDACTED]
Sent: Wed 11/10/2010 1:31 PM
To: Brent Curtis
Cc: Andrew Singelakis; Dennis Mulvihill; Andy Duyck
Subject: URRs...

Brent:

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Thanks,
Tom

Brent Curtis

From: Andy Duyck
Sent: Monday, November 15, 2010 10:50 AM
To: Brent Curtis
Cc: Tom Brian; Andrew Singelakis; Dennis Mulvihill; Andy Duyck
Subject: Re: URRs...

I can sympathize Brent. I just got my email back up

Andy D

On Nov 12, 2010, at 8:47 PM, "Brent Curtis" <Brent_Curtis@co.washington.or.us> wrote:

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Thanks,

Tom

Brent Curtis

From: Patrick Ribellia [patrickr@ci.hillsboro.or.us]
Sent: Wednesday, November 17, 2010 1:37 PM
To: Brent Curtis
Subject: FW: Cornelius Response to LCDC Decision
Attachments: CorneliusMemoLCDC.pdf

FYI as you prepare for the 2:30PM meeting. Thanks, Pat. R.

From: Kathryn Harrington [mailto:Kathryn.Harrington@oregonmetro.gov]
Sent: Wednesday, November 17, 2010 1:34 PM
To: Patrick Ribellia
Subject: FW: Cornelius Response to LCDC Decision

See attached.

Kathryn

Kathryn Harrington
Metro Councilor, District 4
503-797-1553
Kathryn.Harrington@oregonmetro.gov

www.oregonmetro.gov
Metro | People places. Open spaces.

From: Nikolai Ursin
Sent: Wednesday, November 17, 2010 12:09 PM
To: Robin McArthur; John Williams; Richard Benner; All Council-COO
Subject: Cornelius Response to LCDC Decision

All,

Attached is a memo received this morning from Cornelius concerning LCDC's decision on the reserves process.

Nikolai Ursin
Council Policy Coordinator
Metro
503-797-1939

www.oregonmetro.gov
Metro | People places. Open spaces.

Brent Curtis

From: Debbaut, Anne [anne.debbaut@state.or.us]
Sent: Wednesday, January 19, 2011 2:13 PM
To: Aisha Willits; anne.debbaut@state.or.us
Cc: Brent Curtis
Subject: RE: WA County U/R Reserves

Thanks Aisha and Brent.
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD/

From: Aisha Willits [mailto:Aisha_Willits@co.washington.or.us]
Sent: Wednesday, January 19, 2011 2:06 PM
To: anne.debbaut@state.or.us
Cc: Brent Curtis
Subject: Re: WA County U/R Reserves

Hello Anne -

We filed a new land use ordinance for Reserves on January 11th. The ordinance and map exhibits are available [here](#). We'll continue to post staff reports and other materials to that page, so I'd encourage you to bookmark the link if you'd like to stay up to date on our process. I've also attached the notice we provided to DLCD on January 12th.

The ordinance is scheduled for a public hearing before the Planning Commission on March 2nd, and before the Board of County Commissioners on March 15th. The ordinance was based on map changes approved by the Board through the adoption of a Supplemental Intergovernmental Agreement in December 2010. I've also attached that IGA and associated documents for your information.

Please let me know if you have any questions.

Aisha

AISHA WILLITS - SENIOR PLANNER
Long Range Planning Division
Washington County | 155 N. First Avenue | Hillsboro OR 97124
ph 503.846.3961 | fx 503.846.4412 | aisha_willits@co.washington.or.us

 Save paper, toner, and energy. Avoid printing emails whenever possible!

3/25/2011

From: Brent Curtis
Sent: Wednesday, January 19, 2011 1:02 PM
To: Aisha Willits
Subject: FW: WA County U/R Reserves

Please forward Anne the R&O and associated info regarding schedule including the DLCD notice. Thanks
Brent

From: Debbaut, Anne [mailto:anne.debbaut@state.or.us]
Sent: Wednesday, January 19, 2011 12:18 PM
To: Brent Curtis
Subject: WA County U/R Reserves

Hi Brent,

It's been a while since I've seen you and wanted to check in on the status of the County's U/R reserves process and the projected timeline for resubmitting to Metro and DLCD/LCDC?
Anything I can do?

Thanks,
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD/

Brent Curtis

From: Linda Schroeder
Sent: Friday, January 21, 2011 11:08 AM
To: Brent Curtis; Andrew Singelakis; Herbert Hirst; Liles Garcia; Marc San Soucie; Mary Manseau; Matthew Larrabee; Rick Lesniak; Scott M. Rickard; Veta holscher
Cc: Stephen Shane; Gretchen Olson; Connie McCracken
Subject: County Land Use Ordinance No. 740

Good morning Commissioners,

Long Range Planning Division staff recently filed Land Use Ordinance 740, which proposes to amend the Rural and Urban Reserves map in Policy 29 of the county's Rural/Natural Resource Plan in response to the Land Conservation and Development Commission's oral remand of the county's original Reserves Ordinance 733, adopted in October 2010. I've provided the following link to Ordinance 740 that you'll be considering at your March 2, 2011 meeting.

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2011-land-use-ordinances.cfm>

In your March 2 meeting packet, which will be mailed on February 23, you'll receive the ordinance, staff report, and any public comments regarding the ordinance that are received prior to the packet mailing date.

If you have specific questions regarding this ordinance, feel free to contact Stephen Shane, Associate Planner, at (503) 846-3717 or stephen_shane@co.washington.or.us

Sincerely,

Linda Schroeder, Assistant Planner

Washington County
Dept. of Land Use & Transportation
Long Range Planning Division
(503) 846-3962

 Save paper, toner, and energy. Avoid printing emails whenever possible!

Brent Curtis

From: Alexandra Roberts-Bullock [Alexandra.Roberts-Bullock@oregonmetro.gov]

Sent: Friday, February 04, 2011 1:18 PM

To: Brent Curtis

Subject: Metro/Washington Co. Reserves Meeting

Hi Brent,

Robin has requested that I coordinate a 2nd Reserves meeting for Metro & Washington County with the same attendees as last Monday (Metro: Robin, John Williams, Dick Benner, Kathryn Harrington, Carl Hosticka, Tom Hughes, Andy Shaw; Washington Co.: you, Andy Duyck, Roy Rogers, Dennis Mulvihill, Andrew Singelakis and other staff).

Currently, it looks as though Monday, Feb. 14th from 2:30pm – 4:00pm at Metro, work for the majority of the group. Could you please let me know if this works for you as well? If not, I'll begin looking into alternate dates & times.

Thanks so much!
~ Alex

Alexandra Roberts
Director's Assistant
Planning and Development

Metro
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1839
www.oregonmetro.gov

Metro | Making a great place

Brent Curtis

From: Alexandra Roberts-Bullock [Alexandra.Roberts-Bullock@oregonmetro.gov]
Sent: Monday, February 07, 2011 10:43 AM
To: Dennis Mulvihill; Roy Rogers; Andrew Singelakis; Andy Duyck; Brent Curtis
Cc: Angie Aguilar; Juli Mills
Subject: Availability Inquiry: Metro/Washington Co. Reserves Meeting

Good Morning! It looks as though Feb. 14th, 2:30 p.m. to 4:00 p.m. will not work for the Reserves meeting, so you may remove any holds on your calendars for this date/time. The next date that may be available for most would be **Thursday, February 17th, 3:30 p.m. to 5:00 p.m.**

If this date/time will work for you, please let me know. Once I hear from everyone, I will send out a confirmation with room details.

Thanks so much!
~ Alex

Alexandra Roberts
Director's Assistant
Planning and Development

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600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1839
www.oregonmetro.gov

Metro | Making a great place

Brent Curtis

From: Angie Aguilar
Sent: Monday, February 07, 2011 10:46 AM
To: 'Alexandra Roberts-Bullock'; Dennis Mulvihill; Roy Rogers; Andrew Singelakis; Andy Duyck; Brent Curtis
Cc: Juli Mills
Subject: RE: Availability Inquiry: Metro/Washington Co. Reserves Meeting

Dennis and Andy are available.

From: Alexandra Roberts-Bullock [mailto:Alexandra.Roberts-Bullock@oregonmetro.gov]
Sent: Monday, February 07, 2011 10:43 AM
To: Dennis Mulvihill; Roy Rogers; Andrew Singelakis; Andy Duyck; Brent Curtis
Cc: Angie Aguilar; Juli Mills
Subject: Availability Inquiry: Metro/Washington Co. Reserves Meeting

Good Morning! It looks as though Feb. 14th, 2:30 p.m. to 4:00 p.m. will not work for the Reserves meeting, so you may remove any holds on your calendars for this date/time. The next date that may be available for most would be **Thursday, February 17th, 3:30 p.m. to 5:00 p.m.**

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~ Alex

Alexandra Roberts
Director's Assistant
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503-797-1839
www.oregonmetro.gov

Metro | Making a great place

Brent Curtis

From: Alexandra Roberts-Bullock [Alexandra.Roberts-Bullock@oregonmetro.gov]
Sent: Tuesday, February 08, 2011 9:15 AM
To: Robin McArthur; John Williams; Carl Hosticka; Kathryn Harrington; Tom Hughes; Andy Shaw; Roy Rogers; Dennis Mulvihill; Andy Duyck; Andrew Singelakis; Brent Curtis; Richard Benner
Cc: Ina Zucker; Nikolai Ursin; Suzannah Hamlin; Juli Mills; Angie Aguilar
Subject: Meeting Confirmation: 2/17/11 Reserves Meeting

MEETING CONFIRMATION

Meeting: Metro/Washington County Reserves Meeting
Date: Thursday, February 17th, 2011
Time: 3:30 p.m. to 5:00 p.m.
Location: Metro Regional Center, Room 301 (Council Department)

Please feel free to contact me with any questions/concerns.

Thank you!
~ Alex

Alexandra Roberts
Director's Assistant
Planning and Development

Metro
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1839
www.oregonmetro.gov

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Brent Curtis

From: John Williams [John.Williams@oregonmetro.gov]
Sent: Tuesday, February 08, 2011 4:04 PM
To: Brent Curtis
Cc: Tim O'Brien
Subject: FW: rosedale
Attachments: Rosedale 1.pdf

Brent – I think the Rosedale area may have some traction as undesignated. Tim and I were looking at the boundaries and wondering if you had a reason for drawing it like you did – guessing it was just illustrative. If so and if it moves forward, we'd suggest looking at the exact boundaries. I don't know if electeds would support an area as large as the attached, but it has some advantages as Tim describes below.

Let's see what happens with the discussions this week, but let me know if you're game.

John

From: Tim O'Brien
Sent: Monday, February 07, 2011 5:31 PM
To: John Williams
Subject: rosedale

John

A few points:

Larger area – approx. 387 acres

Uses stream corridors as an edge/buffer to the rural reserves on west and south sides.

Does not split parcels

Land owners who own multiple adjacent parcels are either all in rural or undesignated

Provides connection to the undesignated land on south side of Farmington

Does not split the rural residential neighborhood

Provides for larger blocks of land

Tim

Tim O'Brien, AICP
Principal Regional Planner
Metro Planning & Development
600 NE Grand Avenue
Portland, OR 97232
503-797-1840

Brent Curtis

From: Brian Hanes
Sent: Tuesday, February 08, 2011 4:42 PM
To: Brent Curtis
Subject: Re: rosedale

Okay

- Brian Hanes

On Feb 8, 2011, at 4:28 PM, "Brent Curtis" <Brent_Curtis@co.washington.or.us> wrote:

> Lets discuss on Wed am. Brent

>

>

>

> From: John Williams [mailto:John.Williams@oregonmetro.gov]

> Sent: Tuesday, February 08, 2011 4:04 PM

> To: Brent Curtis

> Cc: Tim O'Brien

> Subject: FW: rosedale

>

>

>

> Brent - I think the Rosedale area may have some traction as undesignated. Tim and I were looking at the boundaries and wondering if you had a reason for drawing it like you did - guessing it was just illustrative. If so and if it moves forward, we'd suggest looking at the exact boundaries. I don't know if electeds would support an area as large as the attached, but it has some advantages as Tim describes below.

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>

> Land owners who own multiple adjacent parcels are either all in rural or undesignated

>

> Provides connection to the undesignated land on south side of Farmington

Brent Curtis

From: John Williams [John.Williams@oregonmetro.gov]
Sent: Wednesday, February 09, 2011 2:04 PM
To: Brent Curtis
Subject: RE: Rosedale Road

OK, we'll check with our elected folks as well. It seems the conversation is again about numbers so there may be objections to increasing the size. I'll let you know what I hear.

J

From: Brent Curtis [mailto:Brent_Curtis@co.washington.or.us]
Sent: Wednesday, February 09, 2011 1:44 PM
To: John Williams
Subject: FW: Rosedale Road

John - Brian's memo explains our initial thinking. We were most concerned about the Corn. Pass extension to Farmington/Clarkhill Road intersection. We understand Tim's reasoning and we don't have any problem with it. We're interested in arriving at an agreed to solution, so if this is it, I'm fine with it. Of course I would need to review with Andy Duyck and other BCC members. I don't anticipate a problem with them. Brent

From: Brian Hanes
Sent: Wednesday, February 09, 2011 10:59 AM
To: Brent Curtis
Subject: Rosedale Road

Brent –

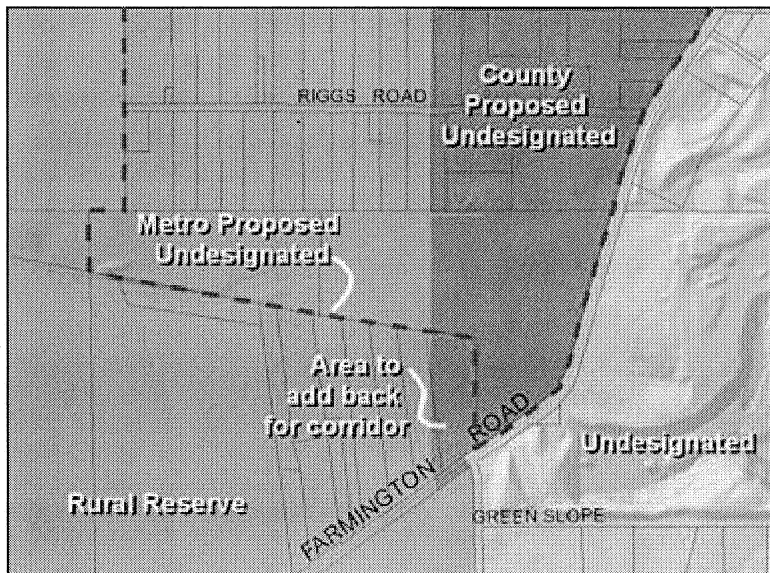
The reasoning behind the proposed boundary for the undesignated area near Rosedale Road was to provide a corridor wide enough to locate a connection between the planned Cornelius Pass Road extension in South Hillsboro and Farmington Road and then fill in the area between the corridor and the existing UGB. Some of the reasons for connecting Cornelius Pass Road and Farmington Road are:

- Without such an extension there may be significant impacts to Rosedale Road and 209th Avenue. The extension would improve bike connectivity to the regional and county system and greatly improve livability along a parallel arterial, 209th Avenue.
- It is important to leave the exception process as an option to help the development of the South Hillsboro Community, and as a potential tool for helping address future congestion in the Metro region.
- Washington County has struggled with north-south connectivity and transportation capacity. Highway 217, Murray Road and 185th Avenue are all currently at capacity. The extension of Cornelius Pass Road would help with north-south circulation in the county.

We knowingly split parcels in drawing the boundary, it is common to have split-zoned parcels in the rural area and there are parcels split by the UGB. Staff did not believe the splitting of parcels between undesignated and rural reserve to be a problem. We also viewed a road as a great boundary between

designations.

Staff is not opposed to Metro's broader undesignated area in this location; however we would strongly recommend adding back the portion of the Cornelius Pass corridor that their boundary cut out near Farmington Road (see the image below).



Brian Hanes

GIS Analyst

Long Range Planning Division
Washington County Dept. of Land Use & Transportation
155 N. First Avenue, Suite 350 MS 14
Hillsboro, OR 97124
(503) 846-3960

Brent Curtis

From: Kelly Ross [kelly@westernadvocates.com]
Sent: Monday, February 14, 2011 8:42 AM
To: Brent Curtis
Cc: dgmulvihill@gmail.com
Subject: Mtng. w/Councilor Collette

Brent, I have a 10:00 meeting with Carlotta Collette this morning to talk about several issues. . . anything new on the reserves discussion that I should talk to her about?

Kelly Ross

Western Advocates, Inc.
12725 SW 66th Ave., Suite 107
Portland, OR 97223
(503) 924-1181
(503) 380-1316 Cell
(503) 597-3668 FAX

Brent Curtis

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Monday, December 06, 2010 1:56 PM
To: John Williams; Mike Dahlstrom
Cc: Brent Curtis
Subject: RE: Courtesy Memo to Reserves Interested Parties

Good point, John! We've been warned by the department NOT to say these areas are for any particular use or classes of use.

From: John Williams
Sent: Monday, December 06, 2010 1:52 PM
To: Richard Benner; Mike Dahlstrom
Cc: Brent Curtis
Subject: RE: Courtesy Memo to Reserves Interested Parties

Thanks Mike – as we just discussed on the phone, I will talk to some folks here to make sure we are good on Councilors knowing about this before your press release hits the street. And, to check on the phrase “consensus recommendations” in favor perhaps of another term. I'll be in touch this afternoon.

I'd suggest instead of “intended for employment” in paragraph 3 we might say “suitable for employment” – we've been pretty careful to represent things that way.

John

From: Richard Benner
Sent: Monday, December 06, 2010 1:23 PM
To: Mike Dahlstrom; John Williams
Cc: Brent Curtis
Subject: RE: Courtesy Memo to Reserves Interested Parties

Mike,
Thanks for the chance to review. To be more accurate, I would substitute “Regional Framework Plan” for “Urban Growth Functional Management Plan” in the one place you mention it.
Dick

From: Mike Dahlstrom [mailto:Mike_Dahlstrom@co.washington.or.us]
Sent: Monday, December 06, 2010 1:17 PM
To: John Williams; Richard Benner
Cc: Brent Curtis
Subject: Courtesy Memo to Reserves Interested Parties

Good afternoon.

Attached is a courtesy memo to be sent tomorrow morning to reserves interested parties. The memo refers to upcoming County Board of Commissioners consideration next tuesday regarding adjustments to reserves.

3/25/2011

Please review the sixth paragraph to ensure that the message is appropriate and valid.

Thanks,
M

Mike Dahlstrom
Program Educator
Washington County - DLUT
Planning Division #350-14
155 North First Avenue
Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us

Brent Curtis

From: Mike Dahlstrom
Sent: Monday, December 06, 2010 1:17 PM
To: 'John Williams'; 'Richard Benner'
Cc: Brent Curtis
Subject: Courtesy Memo to Reserves Interested Parties
Attachments: DRAFT Courtesy Memo to Reserves Interested Parties 120710.doc

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*Mike Dahlstrom
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mike_dahlstrom@co.washington.or.us*

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Program Educator
Washington County - DLUT
Planning Division #350-14
155 North First Avenue
Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us

Brent Curtis

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Monday, February 14, 2011 1:53 PM
To: Brent Curtis; John Williams; Robin McArthur
Subject: RE: PossibleOrdinanceTimelines.doc
Attachments: Reserves Remand IGA.docx

Brent,

I send Richard W an email Friday with the general outlines of the schedule you, Robin, John and I discussed that afternoon. As I mentioned, Richard had told us we should expect to be on LCDC's August agenda if we submit our new reserves to the department by the end of April. He responded tersely to my email, with no further elaboration about the agency's review schedule.

I intend to send RW another email late Thursday or Friday, telling him what happened at the two governments meeting at 3:30 (assuming something of note happens). Then I'll press him about schedule.

Here is a slightly revised version of the draft IGA Dan Olsen and I had been developing before the county board adopted its IGA. I sent this version to Dan several days ago. Let me know what you would like to add on the schedule.

Dick

From: Brent Curtis [mailto:Brent_Curtis@co.washington.or.us]
Sent: Monday, February 14, 2011 1:43 PM
To: John Williams; Richard Benner; Robin McArthur
Subject: FW: PossibleOrdinanceTimelines.doc

Ordinance 740 is the ordinance which will conform our plan to the IGA. Option B is the current preferred. I assume we will together amend Washco existing IGA to explicitly include a schedule. Based on past practice we should list a date for completion of the joint record and transmittal to DLCD.

I am sure the BCC will ask me questions tomorrow re schedule, a joint meeting on 3/15 and whether Richard Whitman has committed to a June or August, 2011 LCDC meeting. To the extent you know any more about these issues today, please give me a quick update. Thanks

Brent Curtis

From: John Williams [John.Williams@oregonmetro.gov]
Sent: Monday, February 14, 2011 3:32 PM
To: Richard Benner; Brent Curtis; Robin McArthur
Subject: RE: PossibleOrdinanceTimelines.doc

Brent –

We were able to reserve March 15 from 10 to 2 on the Councilors' schedules for the joint meeting, but have not briefed them on the plan or gotten their OK. I will adapt your timeline to add in our process and we'll have that discussion here. I'll keep you posted.

Also, we're asking them about the Rosedale geography.

John

From: Richard Benner
Sent: Monday, February 14, 2011 1:53 PM
To: Brent Curtis; John Williams; Robin McArthur
Subject: RE: PossibleOrdinanceTimelines.doc

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3/25/2011

Brent Curtis

From: Mike Dahlstrom
Sent: Monday, December 06, 2010 4:48 PM
To: Philip Bransford; 'dgmulvihill@gmail.com'; Brent Curtis; Andrew Singelakis; Rob Massar
Subject: RE: Press release

Attachments: DRAFT Courtesy Memo to Reserves Interested Parties 120710.doc



DRAFT Courtesy
Memo to Reserve...

Dennis.

Attached is a courtesy memo drafted for interested parties distribution. It was sent to John Williams and Dick Benner for their input as well.

John called and noted concern about the "consensus recommendation" language and said he would suggest more suitable language.

No formal press release is anticipated at this time. With a distribution list of over 400 participants including 50+ organizations, I'm comfortable that we will get inquiries. All the more important to have appropriately descriptive text ready.

M

Mike Dahlstrom
Program Educator
Washington County - DLUT
Planning Division #350-14
155 North First Avenue
Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us

-----Original Message-----

From: Philip Bransford
Sent: Monday, December 06, 2010 4:20 PM
To: 'dgmulvihill@gmail.com'; Brent Curtis; Andrew Singelakis; Rob Massar
Cc: Mike Dahlstrom
Subject: Re: Press release

No media release has been sent. A courtesy notice to citizens and organizations involved throughout the process has been drafted by LUT, but Mike is waiting for feedback from Metro, Tom and Andy. The goal would be to send the approved notice tomorrow.

----- Original Message -----

From: Dennis Mulvihill <dgmulvihill@gmail.com>
To: Brent Curtis; Andrew Singelakis; Philip Bransford; Rob Massar
Sent: Mon Dec 06 15:08:56 2010
Subject: Press release

Has any press release been issued regarding the BCC's latest urban and rural reserves map? If yes please send me copy for chairman Brian and commissioner Duyck.

DGM

Brent Curtis

From: Dan Olsen
Sent: Friday, February 18, 2011 10:31 AM
To: Brent Curtis
Subject: FW: Reserves IGA
Attachments: Reserves Remand IGA.docx

See item 3 below. I think he is referring to OAR 660-027-0040 (4) and (5). Any concerns?

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Thursday, February 17, 2011 11:21 AM
To: Dan Olsen
Subject: RE: Reserves IGA

Oops. Here's my most recent draft

From: Dan Olsen [mailto:Dan_Olsen@co.washington.or.us]
Sent: Wednesday, February 16, 2011 5:27 PM
To: Richard Benner
Subject: RE: Reserves IGA

I did not get the attachment. Sorry it is taking so long to get back to you.

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Tuesday, February 08, 2011 3:41 PM
To: Dan Olsen
Subject: Reserves IGA

2/8/11

Dan,

My crystal ball tells me our two governments will not reach agreement until after you IGA expires (next meeting not til 2/17). It also tells me that we will need new drafts available shortly after that meeting for adoption by the two governments. Following that instinct, I have re-visited my draft from many weeks ago. I've made some adjustments (attached; highlighted in yellow). Let's see if we can get close to identical.

Here are some explanations for the revisions:

1. Page 2, section D: I added the clause "or proposed for designation on Exhibit 'A' to clarify that the IGA is intended to affect the new URs that will be on the map.
2. Page 2, section F: this is the clause you left out of your version.
3. Page 2, G: I eliminated Rural Reserve because the law does not allow changes to RR boundaries.

Brent Curtis

From: Mike Dahlstrom
Sent: Friday, February 18, 2011 1:11 PM
To: Steve Kelley; Stephen Shane; Brent Curtis
Subject: Metro Article on Reserves

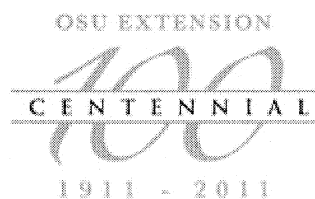
FYI

*Mike Dahlstrom, Program Educator
Washington County - DLUT, Planning Division #350-14
155 North First Avenue, Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*

 Save paper, toner, and energy. Avoid printing emails whenever possible!

From: Barnett, Margot [<mailto:Margot.Barnett@oregonstate.edu>]
Sent: Friday, February 18, 2011 1:03 PM
To: Mike Dahlstrom
Subject: link

Washington County, Metro leaders close to deal on reserves



Margot Barnett, Citizen Involvement Faculty

Oregon State University Extension Service
Washington County
18640 NW Walker Rd., Suite1400
Beaverton OR, 97006
Tel.: 503.821.1114, Fax: 503.690.3142
Margot.Barnett@oregonstate.edu
<http://extension.oregonstate.edu/washington>

Brent Curtis

From: Mike Dahlstrom
Sent: Tuesday, December 07, 2010 11:06 AM
To: 'John Williams'
Cc: Brent Curtis; Philip Bransford; Andrew Singelakis
Subject: Revised Courtesy Memo
Attachments: WashingtonCountyURRsINFORMATIONmemo.doc

John

Attached is a revised memo I believe addresses concerns about the level of Metro's involvement. As time is of the essence, could you review and let me know if you have additional concerns. This needs to go out today - specifically to clarify information that is already becoming public from other sources.

Thanks,
M

*Mike Dahlstrom
Program Educator
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155 North First Avenue
Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*

Brent Curtis

From: John Williams [John.Williams@oregonmetro.gov]
Sent: Tuesday, December 07, 2010 11:29 AM
To: Mike Dahlstrom
Cc: Brent Curtis; Philip Bransford; Andrew Singelakis
Subject: RE: Revised Courtesy Memo

Thanks Mike – this looks good to me. I see you’ve also added language about how your proposal is grounded in all the work done in recent years, which is a good addition. I’m sure it won’t help with the folks concerned about lack of public process, but it’s a reminder to them anyway.

JRW

From: Mike Dahlstrom [mailto:Mike_Dahlstrom@co.washington.or.us]
Sent: Tuesday, December 07, 2010 11:06 AM
To: John Williams
Cc: Brent Curtis; Philip Bransford; Andrew Singelakis
Subject: Revised Courtesy Memo

John

Attached is a revised memo I believe addresses concerns about the level of Metro's involvement. As time is of the essence, could you review and let me know if you have additional concerns. This needs to go out today - specifically to clarify information that is already becoming public from other sources.

Thanks,
M

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503-846-8101
mike_dahlstrom@co.washington.or.us

Brent Curtis

From: John Williams [John.Williams@oregonmetro.gov]

Sent: Tuesday, February 22, 2011 9:02 AM

To: Brent Curtis

Subject: Cornelius question

Brent – our PI folks are doing talking points for Council and your Board on the reserves proposal. Can you send a short bullet or two ASAP addressing why some land N. of Cornelius stays undesignated rather than going rural?

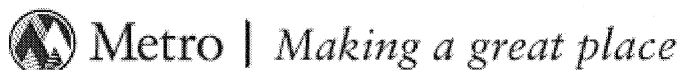
Thanks,

John

Sent from my iPhone

Brent Curtis

From: Metro Council President Tom Hughes [MetroCouncil=oregonmetro.gov@mcsv114.net] on behalf of Metro Council President Tom Hughes [MetroCouncil@oregonmetro.gov]
Sent: Tuesday, February 22, 2011 3:24 PM
To: Brent Curtis
Subject: An important message from Tom Hughes and Andy Duyck



Feb. 22, 2011

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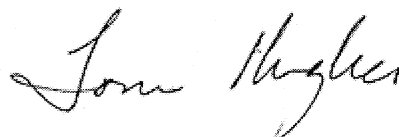
Finally, Clackamas County and Multnomah County will also need to take formal action on the overall findings for the reserves program because of the revisions required by LCDC. After formal adoption, the revised urban and rural reserves will be presented to LCDC for review.

We are proud of our work and look forward to hearing from you soon.

Sincerely,



Andy Duyck
Chair,
Washington County Board of Commissioners



Tom Hughes
Metro Council President

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Brent Curtis

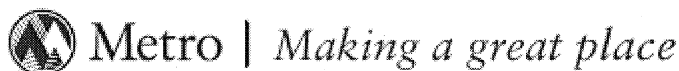
From: Mike Dahlstrom
Sent: Tuesday, February 22, 2011 3:55 PM
To: Brent Curtis; Andrew Singelakis; Steve Kelley; Stephen Shane; Aisha Willits; Brian Hanes; Linda Schroeder
Subject: FW: An important message from Tom Hughes and Andy Duyck

FYI

*Mike Dahlstrom, Program Educator
Washington County - DLUT, Planning Division #350-14
155 North First Avenue, Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*

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Sent: Tuesday, February 22, 2011 3:24 PM
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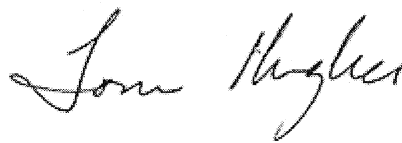
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Tom Hughes
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Brent Curtis

From: Aisha Willits
Sent: Tuesday, February 22, 2011 4:55 PM
To: Andrew Singelakis
Cc: Brent Curtis
Subject: FW: An important message from Tom Hughes and Andy Duyck

Andrew -

Tonight's Board meeting includes an agenda item that shuffles the March night hearing from 3/22 to 3/29. This move was initially discussed as a way to hold the first engrossment hearing on Ordinance No. 740, which would allow us to hold the second and final engrossment hearing on April 5th.

Subsequent to that decision, it was discussed that the Board wanted to use the 3/29 hearing date not for a first engrossment hearing, but for a second evening hearing on the ordinance.

I wonder if you've heard - in light of the announcement from President Hughes and Chair Duyck (included below) - whether there is still interest in having a second evening hearing on 3/29 on the original ordinance. I ask because if the Council and Board were to adopt a revised Reserves IGA and map on 3/15, they could potentially order engrossment of Ordinance No. 740 during that same meeting. If the Board took that action, then the 3/29 evening hearing could be the first of two required hearings on the engrossed ordinance (with the second and final hearing on April 5th). ***I've provided a description of the two possible tracks below, and wonder if you know which schedule the Board prefers.***

Is this still the plan favored by the Board and CAO? (3/29 date contingent on consent agenda item to be approved tonight)

3/15 - Joint Washington County Board/Metro Council hearing on revised Reserves Supplemental IGA
First Board hearing on Ordinance No. 740

3/29 - Second Board hearing on Ordinance No. 740 (evening meeting); likely engrossment order from Board

4/19 - First hearing on A-Engrossed Ordinance No. 740 (day meeting)

4/26 - Second and final hearing on A-Engrossed Ordinance No. 740 (evening meeting)

Thanks in advance,
Aisha

AISHA WILLITS - SENIOR PLANNER

Long Range Planning Division

Washington County | 155 N. First Avenue | Hillsboro OR 97124

ph 503.846.3961 | fx 503.846.4412 | aisha_willits@co.washington.or.us

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3/25/2011

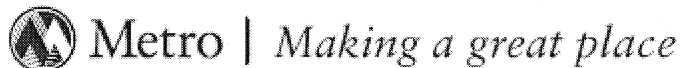
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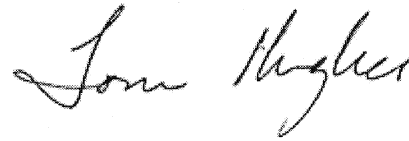
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Sincerely,



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Chair,
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Metro Council President

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Brent Curtis

From: Angie Aguilar
Sent: Wednesday, December 08, 2010 2:26 PM
To: Tom Brian; Dennis Mulvihill; Andy Duyck
Cc: Mike Dahlstrom; Rob Massar; Robert Davis; Brent Curtis; Andrew Singelakis
Subject: RE: Mtg request from Metro -this Friday 12/10

I'm on it. I'll let you know once I've confirmed.
Thanks.

From: Tom Brian [mailto:tom.brian@metro.wa.gov]
Sent: Wednesday, December 08, 2010 2:23 PM
To: Angie Aguilar; Dennis Mulvihill; Andy Duyck
Cc: Mike Dahlstrom; Rob Massar; Robert Davis; Brent Curtis
Subject: RE: Mtg request from Metro -this Friday 12/10

Angie:

I have spoken with Andy and Carlotta. Please confirm our availability for 12:00p.m. noon on Friday. This would be lunch...let's try Stanford's/Kruse Way (off I-5)? An alternate to that would be the Oswego Grill, also on Kruse Way just off I-5.

Attending: Brian/Duyck/Collette/Hosticka/Harrington...

Thank you.
Tom

From: Angie Aguilar [mailto:Angie_Aguilar@co.washington.or.us]
Sent: Wednesday, December 08, 2010 12:12 PM
To: Dennis Mulvihill; Tom Brian; Andy Duyck
Cc: Mike Dahlstrom; Rob Massar; Robert Davis
Subject: Mtg request from Metro -this Friday 12/10

Ina Zucker called this morning on behalf of Council President Carlota Collette asking for a meeting with Andy and Tom this Friday with the three Metro Councilors regarding the Urban-Rural Reserves. She said Carlota spoke with Tom earlier this week.

Is this possible? If so she mentioned times that work for them are 12-1:30 or 4:30 for 1 hour. Meeting place suggestion - some place on Kruse Way

Ina's contact info:
503 797-1543
ina.zucker.oregonmetro.gov

Brent Curtis

From: Angie Aguilar
Sent: Wednesday, December 08, 2010 4:21 PM
To: Andy Duyck; Tom Brian
Cc: Dennis Mulvihill; Rob Massar; Andrew Singelakis; Brent Curtis; Mike Dahlstrom
Subject: FW: Mtg w/ Tom and Andy Re: Rural- Reserves this Friday

The meeting is confirmed for Friday 12/10 at noon at Stanford's. I've put it on your calendar.

From: Ina Zucker [mailto:Ina.Zucker@oregonmetro.gov]
Sent: Wednesday, December 08, 2010 2:57 PM
To: Angie Aguilar
Subject: RE: Mtg w/ Tom and Andy Re: Rural- Reserves this Friday

Hi Angie—

Yes, noon at Friday at Stanford's will work for our councilors. Thanks for your help with this.

--Ina

Ina Zucker, Council Policy Coordinator
Metro Council
Metro
600 NE Grand Ave.
Portland, OR 97232
503/797-1543
ina.zucker@oregonmetro.gov

www.oregonmetro.gov

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From: Angie Aguilar [mailto:Angie_Aguilar@co.washington.or.us]
Sent: Wednesday, December 08, 2010 2:39 PM
To: Ina Zucker
Subject: Mtg w/ Tom and Andy Re: Rural- Reserves this Friday

Hi Ina,

I just left you a voicemail. Andy and Tom are available to meet at noon this Friday for a lunch meeting. They would like to meet at Stanford's/Kruse Way (off I-5). Does that work?

Angie Aguilar
Executive Assistant
Washington County
Administrative Office &
Board of Commissioners
503.846.8302

Brent Curtis

From: Mike Dahlstrom
Sent: Wednesday, February 23, 2011 11:44 AM
To: Philip Bransford; 'Ken Ray'; Brent Curtis; Andrew Singelakis; 'John Williams'; Dennis Mulvihill
Subject: Updated IGA proposal and Joint BCC-Metro Council Hearing

The information provided regarding the updated proposed IGA and addendum documents and the joint hearing is posted to the Washington County reserves website.
www.co.washington.or.us/reserves.

M

*Mike Dahlstrom, Program Educator
Washington County - DLUT, Planning Division #350-14
155 North First Avenue, Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*

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Brent Curtis

From: Mike Dahlstrom
Sent: Friday, December 10, 2010 1:51 PM
To: 'John Williams'
Cc: Brent Curtis
Subject: Public Involvement Opportunities for Reserves Land Use Ordinances
Attachments: DRAFT 2011 Public Involvement Plan.doc

John.

Attached is a draft public involvement activities overview for the reserves land use ordinances anticipating an IGA adoption between the County and Metro.


There are several formal notice/hearing procedures already in place between the County, Metro, DLCD and LCDC. However it is the County's intent to build upon those opportunities in a manner parallel to CIAC approved reserves public involvement efforts.

Please review and let me know if you have any concerns or perhaps have some additional thoughts to build on it. If at all possible, if I could have your comments back by Monday noon, I would greatly appreciate it.

If we need to discuss this further, please call.

Regards,
M

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mike_dahlstrom@co.washington.or.us*

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Brent Curtis

From: John Williams [John.Williams@oregonmetro.gov]
Sent: Friday, December 10, 2010 3:43 PM
To: Mike Dahlstrom
Cc: Brent Curtis
Subject: RE: Public Involvement Opportunities for Reserves Land Use Ordinances

Thanks Mike, I'll take a look. We've been thinking about the same thing here so a good opportunity to coordinate.

JRW

From: Mike Dahlstrom [mailto:Mike_Dahlstrom@co.washington.or.us]
Sent: Friday, December 10, 2010 1:51 PM
To: John Williams
Cc: Brent Curtis
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Brent Curtis

From: Tom Brian [REDACTED]
Sent: Sunday, December 12, 2010 12:01 PM
To: Roy Rogers; Dick Schouten; [REDACTED]
Cc: Dan Olsen; Brent Curtis; Mike Dahlstrom; dgmulvihill@gmail.com
Subject: DRAFT # 2...REVISED URBAN AND RURAL RESERVES MAPS AND ACREAGE CALCULATIONS
Attachments: Dec11_Dsize.pdf; Dec11_IGAmapping.pdf; Dec11_SRmap.pdf; Dec11_Acres.pdf

Colleagues:

Andy and I have continued to meet and talk with others during the week. Clearly there were plenty of misunderstandings and erroneous communications zipping around but we have made progress on increasing understanding of our intent and proposals. Most importantly, Andy and I have discussed with others the principles upon which the maps were constructed, and heard more about the concerns others had regarding our proposal. With these discussions and good faith efforts, we believe the attached maps bring us closer together and increase the possibilities that a positive result can still occur. We accept the fact that "positive result" is in the eye of the beholder.

Attached are maps that illustrate revisions occurring as a result of meetings with Metro Councilors and others. Metro Councilors have NOT promised or committed to support these maps, but we believe we are within reach of obtaining necessary support on the Metro Council. We also believe the proposals reflected in these maps fully comply with the direction given by LCDC in their approved motions and discussion.

To summarize the effect of the maps:

- Area A: Forest Grove...Changes Urban Reserves to Undesignated east and north of Council Creek (reduction of UR by 28 gross acres/16 buildable). This is the same as last week's map.
- Area B: Cornelius...Changes Urban Reserves to Rural Reserves north of Council Creek and west of Sussbauer Road (reduction of UR by 430 gross acres/324 buildable). This is the same as last week's map.
- Area C: Cornelius...Changes Urban Reserves to Undesignated north of Council Creek and east of Sussbauer Road (reduction of UR by 194 gross acres/146 buildable). This is the same as last week's map. B & C total 624 gross acres/470 buildable).
- Area D: North of Hwy 26...Changes Undesignated to Urban Reserves west of 8 B (addition of 585 gross acres/392 buildable). This is the same as last week's map and is the entire replacement for reduced UR in Cornelius and FG (652gross/408 buildable).
- Area E: North of Hwy 26...eliminates 40 acres of UR proposed in last week's map; creates area of 290 acres of undesignated rather than 592 acres as proposed in last week's map.
- Area F: North of Hwy 26...remains Rural Reserve rather than change to Undesignated as proposed in last week's map.
- Area G: North of Rock Creek (between Cornelius Pass Road and 185th)...832 acres remains Rural Reserve rather than change to Undesignated as proposed in last week's map.
- Areas H and I: transportation corridor between South Hillsboro and Farmington Road, and along 99W by Sherwood; both remain Rural Reserves rather than change to Undesignated as proposed in last week's map (76 gross acres combined).

By the numbers, compared to the Regionally approved map sent to LCDC...

- Urban Reserves reductions: 652 gross acres (624 acres at Cornelius, Areas B & C and 28 acres at FG, Area A)...replaced by 585 gross acres (north of Hwy 26, Area D); net reduction of 67 acres Urban Reserves.
- Undesignated reductions (utilized for replacement): 585 gross acres (Area D)...ADDED: 28 acres (FG Area A), 194 acres (Cornelius Area C) and 290 acres North of Hwy 26 (Area E); net reduction of 73 acres of Undesignated.
- Rural Reserves additions: 430 acres gained (Cornelius Area B) and 290 acres reduced (to undesignated, north of Hwy 26, Area E); net addition of 140 acres Rural Reserves

This map reflects net reductions of Urban Reserves, net reductions of Undesignated and net additions of Rural Reserves. Furthermore, Andy and I believe, based upon testimony as well as research, the land recommended for replacement land is 1) less productive farmland than north of Cornelius and 2) more productive employment land with transportation access and other infrastructure adjacent.

Please let us know your comments ASAP. We would like to get the revised maps to the Metro Council and the public as soon as possible (no later than Monday morning).

Thank you,
Tom and Andy)

Brent Curtis

From: John Williams [John.Williams@oregonmetro.gov]
Sent: Monday, December 13, 2010 8:27 AM
To: Mike Dahlstrom
Cc: Brent Curtis; Ken Ray
Subject: RE: Public Involvement Opportunities for Reserves Land Use Ordinances

Mike, I forwarded this to Ken Ray for his thoughts; he may get back some additional comments to you. I like the idea of having a coordinated statement on public engagement for this amendment.

But, before getting started, my understanding from the meeting of elected officials on Friday is that the Metro Council may not be taking up the IGA this month (this isn't for sure, folks are still talking and will let staff know a final word). So, I want to make sure anything you do release reflects that timeline, or allows for it.

I'll keep in touch on this. Thanks,
John

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John/Ken

Thanks for the feedback. This info is drafted for the big WHAT IF and WHEN statements that of course we'll know more about in the next four days. But, if asked, there is a draft form and intent to reach out and provide a public process for next steps.

Ken, if you can get back to me sometime today, that I may share this draft with the Commissioners, if asked.

Regards,
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From: Mike Dahlstrom [mailto:Mike_Dahlstrom@co.washington.or.us]
Sent: Friday, December 10, 2010 1:51 PM

To: John Williams
Cc: Brent Curtis
Subject: Public Involvement Opportunities for Reserves Land Use Ordinances

John.

Attached is a draft public involvement activities overview for the reserves land use ordinances anticipating an IGA adoption between the County and Metro. There are several formal notice/hearing procedures already in place between the County, Metro, DLCD and LCDC. However it is the County's intent to build upon those opportunities in a manner parallel to CIAC approved reserves public involvement efforts.

Please review and let me know if you have any concerns or perhaps have some additional thoughts to build on it. If at all possible, if I could have your comments back by Monday noon, I would greatly appreciate it.

If we need to discuss this further, please call.

Regards,
M

*Mike Dahlstrom, Program Educator
Washington County - DLUT, Planning Division #350-14
155 North First Avenue, Hillsboro, OR 97124-3072
503-846-8101
mike_dahlstrom@co.washington.or.us*



Save paper, toner, and energy. Avoid printing emails whenever possible!

Brent Curtis

From: Linda Schroeder
Sent: Wednesday, December 15, 2010 11:42 AM
To: 'anne.debbaut@state.or.us'
Cc: Brent Curtis
Subject: FW: Commission Meeting - Urban/Rural Reserves
Attachments: Initial_Reserves_Documents_121410.pdf; Supplemental_Reserves_Documents_121410.pdf

Anne,

Attached are the December 14th Reserves documents for you.

Linda Schroeder, Assistant Planner
Washington County
Dept. of Land Use & Transportation
Long Range Planning Division
(503) 846-3962

From: Brent Curtis
Sent: Tuesday, December 14, 2010 3:21 PM
To: Linda Schroeder
Subject: FW: Commission Meeting - Urban/Rural Reserves

Linda - Will you please send Anne the initial and supplemental agenda sheet, staff report, R & O and IGA.
Thanks Brent

From: Debbaut, Anne [mailto:anne.debbaut@state.or.us]
Sent: Tuesday, December 14, 2010 2:43 PM
To: Brent Curtis
Subject: Commission Meeting - Urban/Rural Reserves

Brent,

If you have a chance, I would appreciate knowing what is being presented to your commission re: Urban/Rural reserves this evening.

Thanks,
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD/

Brent Curtis

From: Debbaut, Anne [anne.debbaut@state.or.us]
Sent: Wednesday, December 15, 2010 11:48 AM
To: anne.debbaut@state.or.us; Linda Schroeder
Cc: Brent Curtis
Subject: RE: Commission Meeting - Urban/Rural Reserves

Thank you Linda.
Anne

Anne Debbaut | Metro Regional Representative
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-1533 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD

From: Linda Schroeder [Linda_Schroeder@co.washington.or.us]
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To: anne.debbaut@state.or.us
Cc: Brent Curtis
Subject: FW: Commission Meeting - Urban/Rural Reserves

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3/25/2011

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anne.debbaut@state.or.us | www.oregon.gov/LCD/

Brent Curtis

From: Debbaut, Anne [anne.debbaut@state.or.us]
Sent: Wednesday, December 15, 2010 12:07 PM
To: Brent Curtis
Subject: RE: Commission Meeting - Urban/Rural Reserves

Brent,

Thank you for the documents - so was the resolution adopted? Any changes?

Thanks,
Anne

Anne Debbaut | Metro Regional Representative
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-1533 | Cell: (503) 804-0902 | Fax: (971) 673-0911
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3/25/2011

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anne.debbaut@state.or.us | www.oregon.gov/LCD/

Brent Curtis

From: Debbaut, Anne [anne.debbaut@state.or.us]
Sent: Wednesday, December 15, 2010 12:49 PM
To: Brent Curtis
Subject: Re: Commission Meeting - Urban/Rural Reserves

Thanks!
Anne

From: Brent Curtis <Brent_Curtis@co.washington.or.us>
To: Debbaut, Anne <anne.debbaut@state.or.us>
Sent: Wed Dec 15 12:21:10 2010
Subject: RE: Commission Meeting - Urban/Rural Reserves

Anne - The R & O dated 12/14 was adopted 4-1 last night. No changes. Brent

From: Debbaut, Anne [mailto:anne.debbaut@state.or.us]
Sent: Wednesday, December 15, 2010 12:07 PM
To: Brent Curtis
Subject: RE: Commission Meeting - Urban/Rural Reserves

Brent,

Thank you for the documents - so was the resolution adopted? Any changes?

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Oregon Department of Land Conservation and Development
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anne.debbaut@state.or.us | www.oregon.gov/LCD/

Brent Curtis

From: Richard Benner [Richard.Benner@oregonmetro.gov]

Sent: Tuesday, December 28, 2010 10:45 AM

To: Brent Curtis

Subject: Reserves - New Findings

Brent,

Things are delightfully slow with the Council on recess. I'm taking advantage by working on the findings. Can you lead me to figures on loss of farmland in Washington County between 1960 and 2010? I'm getting similar info (I hope) for the other two counties. I want to be able to compare, in the findings, the loss over that 50-year period (or some comparable period) with the number of acres of zoned farmland that might be lost by 2060 if URs are fully urbanized.

Hope you had a chance to relax.

Dick

Brent Curtis

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Tuesday, December 28, 2010 2:47 PM
To: Brent Curtis
Subject: RE: Reserves - New Findings

No hurry. I found some stuff from a 2003 paper by Stanley Miles of OSU. It'll do if we don't find better.

Sorry to intrude.

From: Brent Curtis [mailto:Brent_Curtis@co.washington.or.us]
Sent: Tuesday, December 28, 2010 2:20 PM
To: Richard Benner
Subject: RE: Reserves - New Findings

Dick - I'm in Central Oregon for the week. I can't think of where to direct you. I will ask several of my guys and see if they can come up with something. Most everyone is taking the week. It may (probably) will be next week. We'll give it a try though. Brent

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Tue 12/28/2010 10:45 AM
To: Brent Curtis
Subject: Reserves - New Findings

Brent,

Things are delightfully slow with the Council on recess. I'm taking advantage by working on the findings. Can you lead me to figures on loss of farmland in Washington County between 1960 and 2010? I'm getting similar info (I hope) for the other two counties. I want to be able to compare, in the findings, the loss over that 50-year period (or some comparable period) with the number of acres of zoned farmland that might be lost by 2060 if URs are fully urbanized.

Hope you had a chance to relax.

Dick

Brent Curtis

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Monday, January 03, 2011 3:28 PM
To: Brent Curtis
Subject: FW: Reserves Record
Attachments: 1140_001.pdf

Brent,
Did you see this letter when it came to your Board? Does it seem accurate?

From: Laura Dawson-Bodner
Sent: Monday, January 03, 2011 3:21 PM
To: Richard Benner
Subject: RE: Reserves Record

Save yourself a few steps. Here it is.

From: Richard Benner
Sent: Monday, January 03, 2011 3:19 PM
To: Laura Dawson-Bodner
Subject: RE: Reserves Record

I'll come get it to make a copy.

From: Laura Dawson-Bodner
Sent: Monday, January 03, 2011 3:18 PM
To: Richard Benner
Subject: RE: Reserves Record

Yes, I remember it and found it.

From: Richard Benner
Sent: Monday, January 03, 2011 3:11 PM
To: Laura Dawson-Bodner
Subject: Reserves Record

1/3/11

Laura,

There is a letter in the full record about loss of farmland in Washington County. If you can retrieve it, I would make it part of the submittal record if the Council and the county agree on new urban reserves in the county for re-submittal to LCDC. The letter is from Bill Hubbell, General Manager of Wilco Winfield, LLC, to the Washington County Board dated August 1, 2009. Let me know if you can find it.

Dick

Brent Curtis

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Wednesday, January 05, 2011 10:01 AM
To: Brent Curtis; BEASLEY Charles; dan chandler (dchandler@co.clackamas.or.us)
Cc: Tim O'Brien; John Williams; Dan Cooper
Subject: Draft Remand Findings
Attachments: Reserves new findings.doc

1/4/11

Brent, Chuck and Dan:

Here is a draft of revisions to the "overall" findings (pp. 1-16) in redline so you can see what's new.

You will recall that the principal *legal* basis for LCDC's remand of several urban reserves in Washington County was that the findings did not adequately respond to the requirement in 0040(11) of the rules. First, the findings did not expressly explain why we designated Foundation Ag Land as urban reserve with reference to the *rural* factors in the rules. Second, there was concern that the explanation with reference to the urban factors was not sufficiently clear and precise.

With these weaknesses in mind, I added paragraphs that explain why we designated Foundation Agricultural Land as urban reserve in relation to the rural factors. I also beefed up the discussion of urban factors (more precision; more references to facts in the record).

As I started this, I thought Multnomah and Clackamas counties – where Metro also designated Foundation Land as urban reserve – would have to strengthen their findings. However, having completed this draft, I now think we can cover the weaknesses in the overall findings. Let me know if you agree with this assessment.

Some of the redlining is simply moving old text to new places. The acreage numbers sprinkled throughout the overall findings will need adjustments to reflect a yet-to-be-reached agreement between Metro and Washington County. Significantly, the new numbers will almost certainly *not* require a change in the current 50-year reserves period.

I intend to add materials to the record in the process leading to adoption by the Council of an ordinance revising the map of reserves in Washington County. You can see what I would add by finding my citations to "Metro Supp. Rec. ___."

NOTE: I will need some help with citations to your records for the findings on pp. 7 and 8 (suitabilities).

NOTE: Metro and Washington County have tentatively scheduled meetings to adopt ordinances to re-designate reserves in the county in the second half of March. Multnomah and Clackamas counties will, at least, have to re-adopt the overall findings (as with the first designations, no county has to adopt another county's findings) as revised. In order to submit the remand package to LCDC as quickly as possible (to have a chance to gain full approval LCDC's June 16-17 or August 4-5 meeting), Dan and Chuck should try to get adoption of revised overall findings on the counties' schedules for the end of March.

Last point: Chuck and Dan, I do not know what Richard Whitman has decided about entry of a remand order (I hear only rumors). He told me weeks ago that he was mulling the question and would not issue an order without checking with us. (I've urged him NOT to enter an order but, rather, to cut down on litigation, wait til

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we re-submit and enter a final order after approval.) If the department decides not to issue a remand order, that means your two counties have an opportunity to "fix" anything that you think makes the designations vulnerable to the inevitable appeals of the LCDC approval order to the Court of Appeals.

Dick

Brent Curtis

From: Alexandra Roberts-Bullock [Alexandra.Roberts-Bullock@oregonmetro.gov]
Sent: Wednesday, January 12, 2011 10:39 AM
To: Robin McArthur; Tom Hughes; Kathryn Harrington; Carl Hosticka; Andy Duyck; Roy Rogers; Dennis Mulvihill
Cc: Andrew Singelakis; Brent Curtis; Nikolai Ursin; Suzannah Hamlin; Ina Zucker; Angie Aguilar
Subject: Meeting Confirmation: Urban & Rural Reserves 1/31/11

MEETING CONFIRMATION

Meeting: **Urban & Rural Reserves**
Date: **Monday, January 31st, 2011**
Time: **2:30pm – 4:00pm**
Location: **Metro Regional Center, Room 301 (in Council Office)**

An agenda will be sent out prior to the meeting. Please feel free to contact me with any questions.

Thank you!
~ Alex

Alexandra Roberts
Director's Assistant
Planning and Development

Metro
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1839
www.oregonmetro.gov

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Brent Curtis

From: Richard Benner [Richard.Benner@oregonmetro.gov]
Sent: Friday, October 29, 2010 9:35 AM
To: Howard, Lisa
Subject: RE: MURR Memo and Exhibits for LCDC Deliberations

Thank you, Lisa

From: Howard, Lisa [mailto:lisa.howard@state.or.us]
Sent: Friday, October 29, 2010 9:34 AM
To: Richard Benner
Subject: RE: MURR Memo and Exhibits for LCDC Deliberations

Dick,

I think this is what you're looking for.

Lisa

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Friday, October 29, 2010 9:17 AM
To: Howard, Lisa
Subject: RE: MURR Memo and Exhibits for LCDC Deliberations

Lisa,

I see from Richard's email to the Commission that the department sent a portion of a transcript of the Commission's meeting(s) on the proposed rules. Is it possible for you to send a copy of the transcribed material?

Dick

From: Howard, Lisa [mailto:lisa.howard@state.or.us]
Sent: Friday, October 29, 2010 8:32 AM
To: 'jjohnson@oda.state.or.us'; '1kevinodonnell@gmail.com'; 'alpacas@teleport.com'; 'amabisca@helvetia.us'; 'ann.culter@comcast.net'; 'awbiscuit@helvetia.us'; 'bcc@co.clackamas.or.us'; 'Brent_Curtis@co.washington.or.us'; 'brian@tualatinriverkeepers.org'; 'burger_dr@msn.com'; 'cao@co.washington.or.us'; Carlotta Collette; 'charles.beasley@co.multnomah.or.us'; 'cherryamabisca@gmail.com'; 'chesarek4nature@earthlink.net'; 'chris_gilmore@co.washington.or.us'; 'crichter@gsblaw.com'; 'dan@reevekearns.com'; 'dave@oia.org'; 'dchandler@co.clackamas.or.us'; 'don@bowermandavid.com'; 'egraserlindsey@gmail.com'; 'foster@europa.com'; 'gprice@yahoo.com'; 'gregory.malinowski57@gmail.com'; 'jeff.cogen@co.multnomah.or.us'; 'jeff.condit@millernash.com'; 'jill@clfutur.org'; 'jim@conifergroup.com'; 'jkovash@westlinnoregon.gov'; 'jlabbe@urbanfauna.org'; John Williams; 'jplatt@helvetiawinery.com'; Kathryn Harrington; 'lashbrook@ci.wilsonville.or.us'; Laura Dawson-Bodner; 'lindabpeters@gmail.com'; 'lou.ogden@juno.com'; 'maggied@co.clackamas.or.us'; 'mkm@friends.org'; 'mrobinson@perkinscoie.com'; 'mwagner@molalla.net'; Richard Benner; 'ron@clfutur.org'; 'sa@bhlaw.com'; 'samadams@portlandoregon.gov'; 'sandra.n.duffy@co.multnomah.or.us'; 'spfeiffer@perkinscoie.com'; 'Steve_Kelley@co.washington.or.us'; 'thomas@hbclawyers.com'; 'tvz@conifergroup.com'; 'wk@wkellington.com'
Subject: MURR Memo and Exhibits for LCDC Deliberations

Greetings,

Below is material regarding tomorrow's Land Conservation and Development Commission meeting. I apologize if

3/25/2011

you've already received this, or if you did not receive it yesterday. When I sent the original email yesterday, I did not use the updated e-mail list.

Sincerely,

Lisa Howard | Assistant to the Director
Director's Office
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Office: (503) 373-0050 ext. 271 | Cell: (503) 383-8911 | Fax: (503) 378-5518
lisa.howard@state.or.us | www.oregon.gov/LCD

From: Whitman, Richard
Sent: Thursday, October 28, 2010 2:23 PM
To: 'johnvl@lclac.org'; 'Marilyn Worrix'; 'Pellett, Christine'; 'Bart Eberwein'; 'Macpherson, Gregory'; 'Hanley Jenkins'
Cc: Howard, Lisa; Rindy, Bob; SHIPSEY Steve
Subject: MURR Memo and Exhibits for LCDC Deliberations

Commissioners: I am attaching a memo (summarizing the issues and our advice) and several exhibits intended to assist you in your deliberations tomorrow. Please note that the materials in Exhibit C, from Metro and the counties, are a compilation of the materials in the record regarding the three areas that we asked them to prepare for you. The maps in Exhibit A are new (and the files may take a few moments to open), and show each of the three areas in terms of current zoning, roads and parcels. Also, the transcript of the commission hearing (portion) where the rules were adopted (in January 2008), should help you understand what your intent is with regard to the "best achieves" objective and the provisions regarding Foundation Agricultural Land.

See you tomorrow.

Richard

Brent Curtis

From: Dan Olsen
Sent: Wednesday, January 12, 2011 5:19 PM
To: Brent Curtis
Subject: FW: Reserves

FYI. Did not see you cc'd on this.

From: Dennis Mulvihill [mailto:dgmulvihill@gmail.com]
Sent: Wednesday, January 12, 2011 12:12 PM
To: Robert Davis; Dan Olsen
Subject: Fwd: Reserves

FYI

From: Dennis Mulvihill <dgmulvihill@gmail.com>
Date: January 12, 2011 12:09:52 PM PST
To: Andy Duyck [REDACTED], Roy Roge [REDACTED]
Subject: Fwd: Reserves

We need to meet with them. They are aware of our principles and may be able to offer options that are in keeping with them, in other words, satisfy our interests.

I think it good for all involved to see we are resolute (adhering to our goals and purposes) but not stubborn (determined not to change our attitude or position in spite of good arguments or reasons). Given the ramifications of failure the cities as well as citizens need to see we are doing all we can to find a way to yes.

The legislation providing the authority for the Urban and Rural Reserves process was crafted by many stakeholders, all of whom have a legitimate right to argue for their point of view through to the end. In our favor is that all stakeholders agreed status quo was unacceptable.
DGM

Begin forwarded message:

From: "Dennis Mulvihill" <Dennis_Mulvihill@co.washington.or.us>
Date: January 12, 2011 11:39:30 AM PST
To: "Dennis G. Mulvihill" <dgmulvihill@gmail.com>
Subject: Fwd: Reserves

DGM

Begin forwarded message:

From: "Roy Rogers" [REDACTED]

Date: January 12, 2011 11:30:29 AM PST

To: "Andy Duyck" <Andy_Duyck@co.washington.or.us>, "Dennis Mulvihill" <Dennis_Mulvihill@co.washington.or.us>

Subject: RE: Reserves

It looks like our meeting with them has been moved from the original Tuesday date to a Monday at Metro. I will try and be available. I agree with Andy's comments but would like to hear what they propose. It could be very embarrassing in the future if we do not give them the courtesy of at least hearing their proposal. They could contend that we were unwilling to discuss options (some of which maybe of great benefit to our citizens).

Roy

-----Original Message-----

From: Andy Duyck [mailto:Andy_Duyck@co.washington.or.us]

Sent: Wednesday, January 12, 2011 11:18 AM

To: Roy Rogers; Dennis Mulvihill

Subject: Reserves

Gentlemen,

In my discussions with Tom Hughes this morning, it was clear that Metro is still open to crafting a deal that is different from that which we proposed in the latest IGA revision. This would involve 1000 friends as well as Jim Irvine. I leave it to you to figure out what kind of a deal this is. Tom did not give specifics. I suspect that this is the reason that they want to meet with Roy and I, not, as was said, to choreograph the hearings.

I did my best to reaffirm that this is not an option. I explained that as a matter of protocol, any "deal" should begin with the County. I made all of the usual arguments, but Tom kept telling me to keep an open mind about it.

I left it with this.... The County has taken it in the shorts at every step. We have negotiated in good faith, and been pushed back every time. The only deal that would bring us back to the table is one in which we have something to gain. I told Tom that if Metro would offer us an alternative that they were willing to publicly endorse, which included enough to " make it worth our while" and that we believed was an increase in reserves flexibility, then I would circle back to our Board in order to consider it. Tom knows this is a high bar, but I felt it prudent to let him know that we have no interest in being pushed once again. I would suggest that this be discussed at a policy meeting prior to the 31st. If Roy is available, I'd like to have him in on the discussion.

Andy D

Brent Curtis

From: Brent Curtis
Sent: Friday, January 14, 2011 11:53 AM
To: Brent Curtis
Subject: FW: Link to Ordinance No. 740 - Washington County Reserves

From: Aisha Willits
Sent: Friday, January 14, 2011 10:07 AM
To: Brent Curtis
Subject: FW: Link to Ordinance No. 740 - Washington County Reserves

My apologies for not copying you on the email to Benner. I will be sure to do so going forward.

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Thursday, January 13, 2011 11:10 AM
To: Aisha Willits
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

Thanks

From: Aisha Willits [mailto:Aisha_Willits@co.washington.or.us]
Sent: Thursday, January 13, 2011 11:03 AM
To: Richard Benner
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

Okay then, we'll get started and send our edits shortly...

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Thursday, January 13, 2011 11:03 AM
To: Aisha Willits
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

Chuck Beasley of MultCo told me last night at MPAC that he was working on citations for the draft I sent out. Nothing from ClackCo yet. From experience, I know I will have to rattle chains to get this done.

From: Aisha Willits [mailto:Aisha_Willits@co.washington.or.us]
Sent: Thursday, January 13, 2011 11:00 AM
To: Richard Benner
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

No, we adopt findings separately by resolution and order. The R&O is scheduled the same date as the final hearing on the ordinance, so we typically have the findings ready one week prior to the hearing and send them out in the agenda packets. And of course, I'd imagine

we'd provide you with draft version(s) in advance of that date to clear up any issues before taking the findings to the Board.

I've got a copy of the redlined findings you prepared recently, and we'll start work on our own edits soon. Have you gotten feedback from the other counties about your changes? I've scanned them, but haven't been able to delve into the changes just yet. Since we'll want to make sure that all parties agree on the Metro findings, I'm sure we'd better get any comments to you soonish. Do you have a sense for when Mult or Clack will take these revised findings back to their boards?

aw

From: Richard Benner [mailto:Richard.Benner@oregonmetro.gov]
Sent: Thursday, January 13, 2011 9:56 AM
To: Aisha Willits
Subject: RE: Link to Ordinance No. 740 - Washington County Reserves

Aisha,

Thanks for sending 740. This looks good to me. One question about county ordinances: do your ordinances expressly adopt findings and conclusions? Metro ordinances do that. I don't see a provision in 740 that adopts findings, but every government does it differently.

Hope the two governments can agree on a map!
Dick

From: Aisha Willits [mailto:Aisha_Willits@co.washington.or.us]
Sent: Wednesday, January 12, 2011 5:05 PM
To: Richard Benner
Subject: Link to Ordinance No. 740 - Washington County Reserves

Hello Dick -

Brent asked that I send you a preview of our Reserves ordinance (New & improved - with an oral remand response!) before it's posted to the county's website in the next few days. We'd hoped to provide it to you before filing, but ran up against a tight timeline. However, we've built time into the schedule for engrossment in the event that changes need to be made, so if you have any concerns about the exhibits or cover ordinance language, please let me know and we'll make sure to address them. A hard copy of the ordinance was mailed to Council President Hughes earlier today.

Here's the link to the filed ordinance:

FTP://tbg5.co.washington.or.us/share/LUT/WashCo_Ord740_small.pdf

Please let me know if you have any questions.

Aisha

AISHA WILLITS - SENIOR PLANNER
Long Range Planning Division
Washington County | 155 N. First Avenue | Hillsboro OR 97124

ph 503.846.3961 | fx 503.846.4412 | aisha_willits@co.washington.or.us



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Brent Curtis

From: Debbaut, Anne [anne.debbaut@state.or.us]
Sent: Wednesday, January 19, 2011 12:18 PM
To: Brent Curtis
Subject: WA County U/R Reserves

Hi Brent,

It's been a while since I've seen you and wanted to check in on the status of the County's U/R reserves process and the projected timeline for resubmitting to Metro and DLCD/LCDC?
Anything I can do?

Thanks,
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
800 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD/

Brent Curtis

From: Aisha Willits
Sent: Wednesday, January 19, 2011 2:06 PM
To: 'anne.debbaut@state.or.us'
Cc: Brent Curtis
Subject: Re: WA County U/R Reserves
Attachments: WashCo_Ord740_DLCD_Form1.pdf; Supplemental_Reserves_Documents_121410.pdf

Hello Anne -

We filed a new land use ordinance for Reserves on January 11th. The ordinance and map exhibits are available [here](#). We'll continue to post staff reports and other materials to that page, so I'd encourage you to bookmark the link if you'd like to stay up to date on our process. I've also attached the notice we provided to DLCD on January 12th.

The ordinance is scheduled for a public hearing before the Planning Commission on March 2nd, and before the Board of County Commissioners on March 15th. The ordinance was based on map changes approved by the Board through the adoption of a Supplemental Intergovernmental Agreement in December 2010. I've also attached that IGA and associated documents for your information.

Please let me know if you have any questions.

Aisha

AISHA WILLITS - SENIOR PLANNER

Long Range Planning Division
Washington County | 155 N. First Avenue | Hillsboro OR 97124
ph 503.846.3961 | fx 503.846.4412 | aisha_willits@co.washington.or.us



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From: Brent Curtis
Sent: Wednesday, January 19, 2011 1:02 PM
To: Aisha Willits
Subject: FW: WA County U/R Reserves

Please forward Anne the R&O and associated info regarding schedule including the DLCD notice. Thanks
Brent

From: Debbaut, Anne [<mailto:anne.debbaut@state.or.us>]
Sent: Wednesday, January 19, 2011 12:18 PM
To: Brent Curtis
Subject: WA County U/R Reserves

Hi Brent,

3/25/2011

It's been a while since I've seen you and wanted to check in on the status of the County's U/R reserves process and the projected timeline for resubmitting to Metro and DLCD/LCDC?
Anything I can do?

Thanks,
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
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anne.debbaut@state.or.us | www.oregon.gov/LCD/

Brian Hanes

From: Tim O'Brien [Tim.O'Brien@oregonmetro.gov]
Sent: Friday, January 07, 2011 9:22 AM
To: Brian Hanes
Subject: RE: Washington County Reserves

Thanks Brian, appreciate it.

Tim

From: Brian Hanes [mailto:Brian_Hanes@co.washington.or.us]
Sent: Friday, January 07, 2011 8:24 AM
To: John Williams; Tim O'Brien
Subject: Washington County Reserves

John & Tim,

Brent asked me to send you the GIS data for reserves from the draft IGA map. Please let me know if you need additional information.

Brian Hanes

GIS Analyst

Long Range Planning Division
Washington County Dept. of Land Use & Transportation
155 N. First Avenue, Suite 350 MS 14
Hillsboro, OR 97124
(503) 846-3960

Brian Hanes

From: Tim O'Brien [Tim.O'Brien@oregonmetro.gov]
Sent: Friday, February 18, 2011 4:55 PM
To: Brian Hanes
Subject: acreage on undesignated area

Brian

We recalculated the acreage on the undesignated area south of Rosedale and came up with 383 acres, which included the 5 acre parcel that you wanted on Farmington. This seems to jive with the 387 acre number you came up with on our original proposal plus the 5 acre parcel on Farmington.

I will be out of the office next week, if you have any questions call Joanna in the DRC – 503-797-1587.

Tim

Tim O'Brien, AICP
Principal Regional Planner
Metro Planning & Development
600 NE Grand Avenue
Portland, OR 97232
503-797-1840

Brian Hanes

From: Joanna Mensher [Joanna.Mensher@oregonmetro.gov]
Sent: Wednesday, February 23, 2011 10:27 AM
To: Brian Hanes
Subject: reserves data
Importance: High

Hi Brian,

Thanks for the call back this morning. I think what would be helpful is a shapefile of the new, proposed reserves in Washington County. I'm specifically interested in area 7I, north of Cornelius. My acreage calculations are off by about 3 or 4 acres from what you had reported, and I wanted to see where we differed. Our planning staff want to make sure we have EXACTLY what the county is proposing, down to the acre! I think we might differ on the Susbauer Road right-of-way, which I had completely in undesignated land. Regardless, with a quick look at your data I'm sure I can figure out the difference quickly.

Thanks a bunch for your help Brian,
Joanna

Joanna Mensher
GIS analyst
503-797-1587
joanna.mensher@oregonmetro.gov

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Brian Hanes

From: Joanna Mensher [Joanna.Mensher@oregonmetro.gov]
Sent: Wednesday, February 23, 2011 11:48 AM
To: Brian Hanes
Subject: reserves data
Attachments: wash_proposal_021711.zip

Hi Brian,

Here's what I have for the proposed changes to Washington County (change the .zap to .zip). One file contains all the reserves, the other has only the changes with text descriptions of how they changed in the attribute table

Thanks again for your help with this,

Joanna

Joanna Mensher
GIS analyst
503-797-1587
joanna.mensher@oregonmetro.gov

www.oregonmetro.gov/maps

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Brent Curtis

From: Andy Duyck
Sent: Monday, December 06, 2010 10:03 AM
To: Dick Schouten
Cc: Tom Brian; Andy Duyck; Roy Rogers (E-mail); [REDACTED] Robert Davis; Andrew Singelakis; Brent Curtis; Dan Olsen; Dennis Mulvihill
Subject: Re: Draft Urban and Rural Reserves Map, Responding to LCDC...draft email to our BCC colleagues...

Thanks Dick

The map is getting out there but won't be officially released till later this afternoon or early tomorrow. It is our hope that Brent would complete an official narrative to be released with it. However, because the timeline is short, we can disseminate the information any way that gets it out there.

Andy D

On Dec 6, 2010, at 12:49 PM, "Dick Schouten" <Dick_Schouten@co.washington.or.us> wrote:

> Tom and Andy:

>

> Thanks for the excellent and clear graphics and maps. I can readily see and appreciate that a lot of work and time went into the attacheds. The attacheds and below narrative squares up with Andy's Friday phone briefing. Thanks Andy and Tom and all concerned staff. At this point, now being Monday I am assuming the maps and charts are publishable to the world or have been so published already.

>

> Dick

>

>

>

>

> From: Tom Brian [mailto:tom.brian@frontier.com]

> Sent: Saturday, December 04, 2010 11:23 AM

> To: Roy Rogers; Dick Schouten; [REDACTED]

> Cc: Andy Duyck; Brent Curtis; Dan Olsen; Robert Davis; Andrew Singelakis; Dennis Mulvihill

> Subject: FW: Draft Urban and Rural Reserves Map, Responding to LCDC...draft email to our BCC colleagues...

>

>

>

> To: Roy, Dick and Desari

>

> From: Tom and Andy

>

> Colleagues:

>

> Andy and I have been working with staff, legal counsel, Metro Counselors, and the LCDC director to develop this proposed response to LCDC's decisions (and likely official order). We have reviewed substantial LCDC meeting notes and our staff and counsel have been working with their counterparts at Metro and LCDC to avoid misunderstandings and to hopefully, arrive at a response that is acceptable to our Board, the Metro Council and the LCDC. We apologize in advance for the length of this discussion, but as you know, it is complex and there have been a lot of discussions and meetings in the past month.

>

> There is general agreement and understanding that we are operating under the following principles:

>

> 1) Per the authority included in LCDC's action, it is our goal to replace Urban Reserves by Cornelius (624 acres) and Forest Grove (28 acres) "acre for acre" and near as practicable.

>

> 2) Replacement acreage would be "type for type," in other words, employment land for employment land, residential land for residential land.

> 3) Replacement acreage will be contiguous to current Urban Reserves, and shall not exceed the gross acreage "lost" as a result of the LCDC decision. Significant natural features, roads, or property lines shall be used as boundaries whenever possible.

> 4) Current Rural Reserves and Undesignated acres may be modified in order to comply with LCDC's decision.

> 5) Some members of LCDC expressed concern regarding the small amount of undesignated lands and suggested the County should "look at that" although the addition of undesignated land was not directed. Some also offered that we may have protected too much farm and forest land with Rural Reserves designations that were not necessary.

> 6) There is general agreement that sufficient analysis and public comment is in the record from which the amendment can be fairly considered; neither Metro nor the County feels it is necessary to re-open the analysis process or conduct an extensive outreach and public information effort.

> Metro has asked that an amendment to our current IGA with them be amended before the end of the calendar year if agreement can be reached, for the following reasons:

> a) This action is likely to receive better consideration by the Metro Councilors, our Board members, and staff who have been working on URRs for the past three years (meaning, take advantage of the knowledge, history of the work, negotiating relationships).

> b) It may be some time before LCDC's order is 'actionable' due to possible appeals, and it would be helpful to the region to have an amended agreement to look to while appeals run their course.

> c) Property owners would be benefitted to know the direction the region is headed in its response to the LCDC decision. Several owners have offered to have their property included in the modified Urban Reserves had area once again becoming active for that purpose; it would be constructive to inform them whether or not their properties are to be included.

> d) To achieve an URRs IGA modification as requested, our Board would have to take action on December 14th and Metro Council December 16th. Both agencies are taking steps to preserve that opportunity for their governing bodies.

> e) Due to the short timeframe, Andy and I suggest the attached draft maps (and explanation that will be available Monday, December 6) be immediately distributed (Monday) to the public (including but not limited to the media, the cities, Metro and interested parties such as the Farm Bureau, TRK, 1000 Friends of Oregon, NAIOP, WEA, our notification list, and other parties).

> Other Comments:

> Following our understanding of LCDC's directive, and after discussion with Metro, LCDC and staff, Andy and I set out to determine a draft response to LCDC. LCDC's primary directives were to 1) eliminate all Urban Reserves in area 7 (i), the land north of Council Creek, north of Cornelius, 2) strengthen the findings for area 7 (b), in Forest Grove and north of the Council Creek tributary, or, eliminate some or all of this area if we chose not to strengthen the findings.

> As to Forest Grove, we recommend eliminating all Urban Reserves east or north of Council Creek, and making the area Undesignated. This is marked as "A" on the revised draft maps and involves 28 gross acres and 16 net buildable acres; it is adjacent to State Highway 47 and Purdin Road. The remainder of the Forest Grove 7 B area would be retained as URs residential land and its findings strengthened per LCDC's suggestion.

> As to Cornelius 7 (i), the area North of Council Creek. We recommend eliminating all Urban Reserves in this area in compliance with LCDC's directive. This is a reduction of

624 gross acres of URs and 470 acres of net buildable. The area west of Susbauer Road, marked as "B" on the revised draft maps would be designated Rural Reserves. The area east of Susbauer Road, marked as "C" on the revised draft maps would be identified as "Undesignated."

>
> Combined, these recommendations would result in a reduction of Urban Reserves of 652 gross acres and 486 net buildable. Virtually all of this land is considered 'employment land.'

>
> As to where to locate the replacement acreage, we examined all areas in Washington County that were contiguous to current Urban Reserve designations, and suitable for employment land. Without going into rather exhaustive detail at this time, we eliminated the option of adding the replacement acreage in Sherwood, Tigard, Cooper Mountain, South Hillsboro or South Cornelius. This left the area north of Hwy. 26 and south of West Union Road, and bounded on the west and east by Jackson School Road and Shute Road (now the northerly extension of Brookwood Parkway) respectively. This "rectangle" current includes 88 acres of URs, 585 acres of Undesignated and 632 acres of RRs. Andy and I recommend the following:

>
> 1) Moving from east to west, starting with the UR corner piece of 88 acres, change the 585 acres of undesignated and 40 acres of Rural Reserves to Urban Reserves (total replacement acres: 625 as compared to the reduction of 652). These replacement areas are marked as "E" and "F" on the draft revised maps.

>
> 2) To recoup the reduction of Undesignated land, continue west and change 592 acres from Rural Reserves to Undesignated. This area is marked as "D" on the draft revised maps.

>
> 3) The northwest corner of the "rectangle," adjacent to Jackson School Road and West Union Road, will remain Rural Reserves to serve as a buffer between the communities of North Plains and Hillsboro. This designation was agreed to and considered sufficient by the two cities, Metro and our Board previously.

>
> Finally, there is the matter of whether we should add undesignated lands or reduce Rural Reserves designations as referenced by some of the LCDC members. We are suggesting a conservative approach to this. First, we recommend we leave our Rural Reserves designations intact and as currently depicted, other than as modified by item #2, immediately above. We also recommend that we not pursue extensive new Undesignated areas simply to add a few thousand acres of potentially buildable land. We do, however, recommend three additional Undesignated areas:

>
> a) The area marked "G" on the draft revised map includes 832 gross acres (515 net buildable acres). This designation could be the location of residential development to support the substantial employment land in the longer term future. It would help provide jobs/housing balance and housing in close proximity to the jobs to reduce commuting miles. It is bounded by three major transportation corridors: 185th, West Union Road and Cornelius Pass Road. The Undesignated status would also assist the County in achieving the ability to improve the intersection of Cornelius Pass Rd., Germantown Road and 185th in the future. This recommendation has NOT been vetted to the extent of the Urban and Rural Reserve considerations and will require further discussion.

>
> b) The area marked "H" on the draft revised map includes 67 gross acres (41 net buildable). Undesignated is recommended solely for the purpose of facilitating a future transportation connection from TV Highway (also South Hillsboro/Cornelius Pass Rd.) to Farmington Road. This will enhance connectivity of all modes. This recommendation has NOT been vetted to the extent of the Urban and Rural Reserve considerations and will require further discussion.

>
> c) The area marked "I" on the draft revised map includes 9 gross acres (zero buildable). Undesignated is recommended solely for the purpose of facilitating future transportation improvements along State Highway 99 W. This recommendation has NOT been vetted to the extent of the Urban and Rural Reserve considerations and will require further discussion.

>
> Unfortunately, Andy and I will be in Washington DC from tomorrow morning (12/5) until late Thursday evening (12/9) and thus not available for meetings. However, we will both have access to email for your comments, questions or suggestions and we will do our best

to respond. Brent is, of course, an excellent source of information.

>
> Thank you,
>
> Tom and Andy

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> <AreaE.PDF>
> <DraftIGAmap.pdf>
> <Dec03_mapB.PDF>
> <Dec03_Acres.pdf>