

INTERGOVERNMENTAL AGREEMENT STAFFORD URBAN RESERVE AREAS

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is made this ____ day of April 2017, by Clackamas County ("County"), Metro, the City of Lake Oswego, the City of Tualatin, and the City of West Linn (the "Cities") (together the "Parties"). This is an addendum to the Intergovernmental Agreement between Metro and Clackamas County To Adopt Urban and Rural Reserves entered into pursuant to ORS 195.141 and ORS 190.010 to 190.110 and dated March 3, 2010 ("Reserves IGA").

RECITALS

1. The Metro Council and the Clackamas County Commission are working together to finalize the designation of urban and rural reserves by adopting findings in support of the decisions made by the Metro, Clackamas County, Multnomah County, and Washington County in 2010;
2. Under state law, Metro and the three counties in the region are tasked with identifying those areas adjacent to the existing urban growth boundary (UGB) that are best suited for providing land to accommodate urban growth in the region over the next 40 to 50 years;
3. The Cities have long opposed the designation of Metro study areas 4A, 4B and 4C ("Stafford") as urban reserve because of concerns with regard to efficient use of existing and currently planned future public infrastructure investments and whether urban level public services can be efficiently and cost-effectively provide by appropriate and financially capable service providers;
4. The Parties recognize that resolving the dispute over the designation of Stafford will enable the parties to focus collaboratively on planning for and providing such urban services and prioritizing the needed regional improvements to the transportation system, such the widening of I-205 from Oregon City to Stafford Road;
5. The Parties enter into this IGA in order to ensure an orderly process for the urbanization of Stafford where the Cities will have control over the planning, process and timing for the urbanization of Stafford, that the Parties will coordinate with one another, and that Stafford will not be urbanized before appropriate urban services will be available; and
6. The Parties also desire to recognize that the Stafford Hamlet and surrounding area is a unique enclave in Clackamas County that has a long standing agricultural heritage, significant environmental assets, and valued open space that should be preserved through the concept planning process;

NOW, THEREFORE, it is mutually agreed that the Parties voluntarily enter into this Intergovernmental Agreement addressing issues and concerns raised by the Cities regarding the designation of Stafford as an urban reserve. Specifically, the Parties agree as follows:

1. **City Governance.** The Parties agree that upon expansion of the urban growth boundary and annexation, land within Stafford will be governed by a city. The

governing city will have the authority to decide what land uses should be planned for, and when and how municipal services will be provided. Notwithstanding anything to the contrary in the Reserves IGA, Exhibit B, Section 4, Metro and the County will oppose any future effort to incorporate a new city or create service districts to provide water or sanitary sewer services in Stafford outside of a city.

2. **Completion of a City Concept Plan.** Prior to adding any part of Stafford to the UGB, a city must have developed a concept plan for the area identifying which city will be responsible for annexing and providing services to the area, and describing how the area will be planned and developed after inclusion in the UGB.
 - a. The Cities will coordinate concept planning with one another and with the County to determine which City is the appropriate urban services provider for each part of Stafford. The parties agree that there should be a basic level of coordinated planning for the Stafford Basin to address transportation, density and infrastructure issues at a "framework" level, to help ensure that future, more detailed sub-area "concept plans" can be coordinated. The parties agree to participate in good faith in future framework planning efforts for the Stafford Basin, in coordination with other public, private and community stakeholders
 - b. Concept plans will plan for:
 - i. The appropriate distribution of various land uses;
 - ii. The protection of desired community character in the Stafford Hamlet area, other Stafford communities, and adjacent neighborhoods currently within the Cities;
 - iii. Transportation improvements;
 - iii. Preservation of open space and park acquisition;
 - iv. Clustering of housing/density transfers to protect natural resources and community character; and
 - v. Protections of environmentally sensitive areas, such as riparian areas, habitat corridors, steep slopes, wetlands, and the Tualatin River and its tributaries.
 - c. Each governing city will be responsible for determining the pace and timing of future development within an area to be incorporated into the UGB. The form and character of development will be determined through the concept planning process under Title 11 and Section 2 of this Agreement, and will be consistent with community values and environmental requirements.
 - d. The County shall not amend the Comprehensive Plan or Zoning and Development Ordinance or the Comprehensive Plan Map or zoning designations:
 - i. To allow within Urban Reserve areas, new uses that were not allowed on the date the Urban Reserve areas were designated, except those

9. **Severability.** If any covenant or provision of this Agreement is adjudged void, such adjudication will not affect the validity, obligation, or performance of any other covenant or provision which in itself is valid if such remainder would then continue to conform with the terms and requirements of applicable law and the intent of this Agreement.

IN WITNESS WHEREOF, each party has caused this Intergovernmental Agreement to be executed by its duly authorized representative on the date first mentioned above.

Metro Council

Dated: April __, 2017

Clackamas County

Dated: April __, 2017

City of Lake Oswego

Dated: April __, 2017

City of Tualatin

Dated: April __, 2017

City of West Linn

Dated: April __, 2017