



**Clackamas County Responses to Questions from Stafford Hamlet  
Stafford Hamlet Community Meeting  
March 13, 2017, 7-8 p.m., Stafford Elementary School**

<b>QUESTION from STAFFORD HAMLET</b>	<b>RESPONSE from COUNTY</b>
<p>1. In 2009 the PAC, Planning Commission, and the BCC all agreed that the area of Stafford North of the Tualatin River did not meet the statutory requirements for an Urban Reserve. What has changed? Why did the BCC reverse themselves?</p>	<p><i>There was no agreement that the Stafford area north of the Tualatin River “did not meet the statutory requirements.” The statute requires that the urban reserve factors (Attachment A) must be weighed and balanced in the regional context. After that was done, and taking into consideration the mixed feedback from the PAC and Planning Commission, the county recommended that the entire area be designated as urban reserve.</i></p> <p><i>We can’t comment on the motives of a BCC that was in office seven years ago. The rationale for the final decision is described in detail in the Original Findings document, available at <a href="http://www.clackamas.us/planning/documents/20110421overall.pdf">http://www.clackamas.us/planning/documents/20110421overall.pdf</a>.</i></p>
<p>2. Why weren’t the three cities, Tualatin, West Linn and Lake Oswego including the Hamlet consulted prior to the BCC initiating action to bring the Stafford area back into the Urban Reserves?</p>	<p><i>The Stafford area has been designated as urban reserves since 2010, when the state approved the decision made by Metro and the three counties; it is not being brought back into urban reserve. The remand does not change that status; it just asks for additional information about transportation infrastructure that would be available to support urban development of the area.</i></p> <p><i>All three cities, the Hamlet and the general public are encouraged to provide testimony and information. That is how we initiated the discussion to respond to the remand.</i></p>

QUESTION from STAFFORD HAMLET	RESPONSE from COUNTY
<p>3. The Stafford Hamlet Bylaws require a Community Vision Plan (CVP) be adopted. Over the years, the Hamlet were pushed by the BCC and staff to complete the CVP. After eight years of work our CVP (Stafford Compromise) was passed by an 86% majority. In simple terms our CVP proposed to have 3,300 acres north of the river undesignated (1,200 EFU converted to 5/10 acres density) and Borland Rd. area, 4C, as Urban Reserve. In the summer of 2016 we presented out CVP in a BCC policy session. To date, we have had no formal reply from the BCC regarding the plan or what land use issues may be at stake to implement the CVP, nor did we receive any contact from the County Staff Planners. Why?</p>	<p><i>The BCC reviewed the Stafford Compromise in 2016, and also reviewed another plan for the area proposed by the Stafford Landowners Association. However, since this area will never be urbanized by the county, it is not even appropriate for the county to approve or not approve land use proposals for the area.</i></p> <p><i>Before any urbanization takes place, a willing city will need to be involved and a concept plan will have to be developed – lead by the city – with community involvement. Either of the two plans presented to the BCC, or a combination or something different – could emerge from that concept planning process. Responding to the remand related to Stafford urban reserves does not impact that.</i></p> <p><i>The vision portion of the Stafford Compromise that identifies values important to the community will be considered in the development of the MOU with Metro and in any eventual concept plans for the area.</i></p>
<p>4. Why does a Commissioner continue to present false information about our CVP plan regarding limited well water in our area and the future availability of millions of gallons of water from Lake Oswego to serve future urban growth in Stafford?</p>	<p><i>We don't know what is being specifically referred to here, but the northern portion of the Stafford triangle is not in a limited groundwater area and water service would be provided by one of the three adjacent cities, not all from just Lake Oswego.</i></p>
<p>5. The remand only covers areas 4A, 4B, 4C, and 4D in Clackamas County. Why does the City of Wilsonville claim that the Frog Pond Area, 4H cannot be brought into the urban growth boundary until the remand is settled?</p>	<p><i>All the county's reserves were adopted together. Until all Clackamas County's reserves issues are settled and approved by Metro and the County, none of the reserves are "acknowledged" and therefore cannot actually be implemented, e.g., we do not have the option to begin taking actions related to the reserves status.</i></p>
<p>6. What does "open the map" refer to?</p>	<p><i>"Open the map" refers to the idea of changing the boundaries of urban and rural reserves that was approved in 2010 and accepted by the state in 2011.</i></p>

QUESTION from STAFFORD HAMLET	RESPONSE from COUNTY
<p>7. What is the Metro “transportation FIX” and Ordinance 16-1368 contain? Has the BCC been briefed on the findings contained in the ordinance? Have any Commissioners read the Ordinance?</p>	<p><i>The remand did not require that Metro and the County “fix” any transportation issues. The Court found that Metro and the County did not sufficiently respond to certain evidence in the record suggesting that transportation infrastructure could not be efficiently and effectively provided in the Stafford area. Metro and the County will jointly adopt findings that responds to this evidence directly and demonstrates that the urban reserve factors at issue (Attachment A) were appropriately considered.</i></p>
<p>8. Why is the Stafford area, that is strongly opposed as urban by the surrounding cities, being considered when other areas want to be in urban reserves?</p>	<p><i>We are unaware of any city in Clackamas County that would like to have additional urban reserves beyond those designated in 2010.</i></p>
<p>9. If urban reserves are first to be brought into the urban growth boundary, why does the statement issued by Hughes and Bernard say, “urban development in urban reserve areas may not occur for decades, <b>IF EVER</b>”? (emphasis added by questioner) Are we just falsely filling statute requirements for acreage numbers with no intention of ever allowing development?</p>	<p><i>It is more accurate to say that urban reserves will be the only land brought into the UGB for what is now considered to be 46 years.</i></p> <p><i>All the steps that have to take place before a current urban reserve can actually be developed as an urban area require years of community involvement, planning and public hearings. Those areas where cities are interested in planning and accommodating growth will develop first. Given that, it is fair to assume that much of the Stafford area is not likely to be urbanized until near the end of the 46-year planning period, if ever, but some areas, like Borland may come in and develop sooner.</i></p>
<p>10. What is the relationship between Stafford urban reserves and the Maletis Brothers (Langdon Farms) pursuit to bring into the UR the area south of the Willamette River? Why can’t this area be used for urban reserves?</p>	<p><i>Unlike Stafford, Langdon farms is high-value, foundation farmland. The decision was made seven years ago to designate the area south of the Willamette River as rural reserve.</i></p>
<p>11. What is the relationship between the BCC and the Clackamas County Business Alliance? Does a Commissioner serve on the Board?</p>	<p><i>Yes, a Commissioner serves on the Board of CCBA.</i></p>

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**RESPONSE from COUNTY**

12. The Stafford area north of the Tualatin River has been referred to a transportation cul-de-sac. All roads leading in/out to the east, west, and north, terminate in residential areas in the surrounding cities (Stafford Rd becomes McVey and South Shore that are residential collectors) with no current or future arterials that can be economically and practically constructed. The only real transportation arterial is I-205 south of the Tualatin River. Is that the objective of Metro? To have a community that is dependent on a freeway? Why do the planners and the “supplemental findings” in Ordinance 16-1368 not address the lack of arterials? One only needs to look at the map and how the cities grew to the edges without planning for growth outside their boundaries in Stafford.

*Currently this area has a rural transportation system to serve the rural development, so there has been no need to plan or develop urban arterials. Concept planning -- which, as mentioned above in the answer to question #3 can only happen with a willing city – would be the first step in identifying where different types of development and appropriate supporting infrastructure would be located.*

*The supplemental findings only address the specific issues identified by the Court of Appeals. Details about the transportation analyses that were done to address urban reserve factors can be found in the original findings (<http://www.clackamas.us/planning/documents/20110421overall.pdf>) and the extensive record for this decision.*

13. The Hamlet has been criticized for placing on its website a future population of 50,000 in Stafford if the area is urbanized. How is this wrong? We used the same numbers as the Metro Staff Report authored by Ted Reid, Principal Regional Planner, dated February 22, 2017, number of units per acre (ten in a range of 10-15) and population per unit (2.5, current at 2.61), coupled with the developers report that was submitted to the BCC in August 2016, showing a net urbanized acreage of 2,000. (10X2.5X2,000= 50,000 ) The 2,000 acres is down from 3,000 acres that was submitted in January 2010 by Cogan Owens Cogan Planners. Plus, the areas submitted by the developers do not include area 4D which would add additional population.

*This is the second or third calculation we have seen for how the 50,000 number came about, which illustrates the fact that we simply do not yet know how many people could and would move to this area. It is also highly unlikely that this area would see anything close to full build-out (whatever that number is) in any of our lifetimes.*

*In addition:*

- 1. The state has a requirement for 8 units per acre for the cities of Tualatin and West Linn.*
- 2. Metro has not set required housing density.*
- 3. The net buildable acreage of the Stafford area has not been calculated.*
- 4. Even if the net buildable acreage of the area was 2,000 acres, some of that acreage would be developed with infrastructure and some would be developed with employment uses, so we have no way of knowing how many net buildable residential acres there would be until and unless the area goes through the concept planning process.*

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14. If the BCC concludes that the Metro findings and their own findings are not sufficient to designate the Stafford area as urban reserves, what are the alternatives to moving forward with an Urban Reserve process?	<i>As mentioned before, the issue of whether the Stafford area is an urban reserve has already been settled and is not on the table. The issue now is merely to respond to an evidentiary challenge and calls for Metro and the County to provide additional explanation about how transportation can be efficiently provided to the area if it should develop as an urban area.</i>
15. In 2014, Washington County passed the “Grand Bargain”, HB 4078 in the State Legislature. Why doesn’t Clackamas County bring all parties together and reach a consensus and present legislation?	<i>The county asked for, and convened, a mediated conversation with the jurisdictions in 2014, and the parties were unable to come to a consensus. The County prefers to resolve this issue locally, not in the courts or the legislature.</i>
16. If an area is in an Urban Reserve can the zoning be changed? Can the zoning be changed <b>before</b> it is brought into the Urban Reserve?	<i>Designation as an urban reserve has no impact on the underlying zoning of the land in the area. Changes to zoning designations to allow new uses or higher densities for property designated as Urban Reserve is generally prohibited. Again, since it already is in an urban reserve, there is no “before” at this time.</i>
17. What date will the BCC vote the issue? How many Commissioners need to pass the measure?	<i>The current schedule has the BCC voting on the reserve findings in late April or early May; as early as April 19 or as late as May 4 or 11. A majority of commissioners – 3 – are needed to pass the measure.</i>
18. According to the statutes, when is the next date that the urban/rural reserves are open for review.	<p><i>Metro estimates that the current amount of urban reserves will provide a 46-year supply of land for growth in the region. Oregon Revised Statute 195.141 and 195.145 generally provide that the urban and rural reserve designations are to remain in place during this period.</i></p> <p><i>Clackamas County Comprehensive Plan Section 4.E.2.1, states: “The County will review the designation of Urban Reserve areas, in coordination with Metro, Multnomah and Washington Counties, within 20 years after the initial designation of these Urban Reserve Areas.”</i></p>
19. When is the next urban growth boundary review? At what intervals?	<i>Metro’s next urban growth management decision is scheduled for 2018. Metro must evaluate its land supply in the UGB at least every six years thereafter.</i>

<b>QUESTION from STAFFORD HAMLET</b>	<b>RESPONSE from COUNTY</b>
20. Assuming Stafford area is designated as an Urban Reserve, how can the designation be changed to undesignated and the urban reserve designation removed?	<i>Stafford is already designated as an urban reserve and identified as such in Metro's Functional Plan and the County's Comprehensive Plan. The designation could only be changed through legislation.</i>
21. What is the difference between and MOU and an IGA? Which has more "legal" strength?	<i>An MOU -- a Memorandum of Understanding -- is typically an agreement between the parties that expresses general terms and obligations, but does not rise to the level of a legally binding contract. An IGA is an Intergovernmental Agreement between two public entities pursuant to ORS Chapter 190. If duly executed, its terms can be binding on the parties to the agreement.</i>
22. We have been told that SB 1011 originally projected a forty year Urban Reserve supply, but that because "too many acres" were designated urban in 2010, the time line was changed to 50 years. Is this true?	<i>No, this is not true. Oregon Revised Statute 195.145(4), related to the designation of Metro area reserves, has always specified 40-50 years.</i>
23. The current projection by Metro staff calculates a 46 year urban reserve supply of land. If the 3,300 acres north of the Tualatin River (4A and 4B) are removed as urban reserve according to the Hamlet CVP, this would amount to a 39.4 (40) year supply. Wouldn't Metro still meet the statutory requirements?	<i>The amount of land designated as urban reserve is just one consideration applicable to the designation of reserves region-wide. For example, local governments would need to ensure that the resulting designations, region-wide, balance urban and rural reserves in a way that best achieves livable communities, viable natural resource industries and protection of natural features. Removing land from the urban reserves inventory at this time would require Metro and the County to reevaluate the overall regional composition of the reserves.</i>

**Note: Questions are non-inclusive. There will be other questions from the Hamlet Board and the public attending.**

## Factors for Designation of Lands as Urban Reserves\*

Considerations for land proposed for designation as urban reserve, alone or in conjunction with land inside the UGB:

- (1) **Infrastructure:** Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments;
- (2) **Development:** Includes sufficient development capacity to support a healthy economy;
- (3) **Public facilities:** 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;
- (4) **Transportation:** 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;
- (5) **Natural systems:** Can be designed to preserve and enhance natural ecological systems;
- (6) **Range of housing:** Includes sufficient land suitable for a range of needed housing types;
- (7) **Natural landscape:** Can be developed in a way that preserves important natural landscape features included in urban reserves; and
- (8) **Adverse effects:** 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.

**\*SOURCE: OAR 660, Division 27, Urban and Rural Reserves in the Portland Metropolitan Area**  
*Adopted by LCDC January 24, 2008; Effective February 8, 2008*