

2910 NW McDaniel Road
Portland, Oregon 97229
June 29th, 2010

DEPT OF

JUL 01 2010

LAND CONSERVATION
AND DEVELOPMENT

Urban and Rural Reserves Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301

To Whom it May Concern,

In response to Metro making its final decision to designate urban reserves in the three-county region on June 3rd, 2010, the following letter outlines my beliefs that these decisions violate state law that applies to urban and rural reserves—my objection of the Department of Land Conservation and Development. Per your instructions of filing a written objection, the following are the three items requested.

Area 1 – Show that you participated in the process leading to one of the decisions by speaking at a public hearing held by one of the four governments or submitting written comment at one of the workshops or open houses held by one of the governments

On Thursday, January 14th, 2010, at the Metro Regional Center open house, I spoke to the Metro board on the area directly east of Bonny Slope West. In bulletin 9 West Multnomah County, the area was judged to be moderately suitable for urbanization. Urban services would be provided by Washington County, not Portland. Also in reference to Area 93, Bonny Slope (West), its location is not adjacent to the City of Portland—it appears its urban services would come from Washington County. Why was area 93 placed in Urban Reserves?

Area 2—Explain your objection to one of the decisions, being as specific as possible, including the statewide planning goal, the LCDC rule or the land use statute that you believe was violated by the decision

My objection is the rural reserve designation given to two properties at 2910 and 2930 NW McDaniel Road. My property at 2910 has 2.94 acres and my neighbor at 2930 has 3.08 acres, both in Multnomah County. The West boundary is the Multnomah / Washington County line, north is McDaniel Road, east is Mill Pond Road, and south is Forest Heights. Natural slope of the land is to the south toward Forest Heights. I submit to you articles 660-027-0050 Factors for Designation of Lands as Urban Reserves and 660-027-0060 Factors for Designation of Lands as Rural Reserves.

I believe that some articles, not all, were violated in Metro's decision.

Area 3—Recommend a specific change that would resolve your objection

The 124 acre area as noted in West Multnomah County bulletin #9 labeled as “9A options”, should be placed in Urban Reserve, because all the surrounding area is residential. The area is not farm or forested lands as required in Rural Reserves. Also, if Metro and Multnomah County wanted to preserve the area, why did they let Forest Heights develop 1,100 acres all around this area?

Oregon’s land use system LCDC forced counties to zone almost 97% of all rural private land (16 million acres) to highly restrictive farm and forest zones, without regard to the productivity of the land. Oregon has gone overboard, adopting regulations that destroy choice, opportunity, creativity, and job creation.

Our land use system favors an industry that does not create these types of jobs. The result is that so much private property in Oregon is used inefficiently and unproductively, if it is used at all. This is not the choice of most of the owners of this property, but is the result of a land use system that was designed for a 1973 economy which has changed dramatically since that time. The land use regulations in the tri-county jurisdiction favor the rich people and rich developers, not the ordinary taxpayers.

In closing, I might want to live here till I die, but should have the option to sell to the highest bidder, not be restricted to 50 years of rural reserves in a residential area. There was also a question that City of Portland and Multnomah County did not want to provide services to this area. I have been here since 1965, before Forest Heights was developed. The roads surrounding the area were not improved by anyone. The roads in and out of Forest Heights were provided by the developer. The sewer and water services come from Washington County, not the City of Portland or Multnomah County.

Thank You for Your Time,

Handwritten signatures of John Cherry and Judy Cherry in cursive script.

John and Judy Cherry
503-292-5228

Cc: Washington County,
Metro Regional Center,
Clackamas County Department of Transportation and Development,
Multnomah County

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