

JUL 13 2010

Written Objection Regarding East Bethany Area of Multnomah County (the area in question is often referred to as the "L")

I have participated extensively in the Reserves process. I have submitted numerous articles of written information and I have testified on many occasions at Washington County, Multnomah County, and at Metro. I have also worked with staff and elected representatives, of each of these jurisdictions. I have also communicated with the staff, and on occasion the elected officials, of the Cities of Portland, Beaverton, Hillsboro, and Forest Grove.

I am now motivated to write because the Multnomah County, and subsequently the Metro, decision to designate the East Bethany area as "rural" represents a egregious mistake in the application of factors embodied in Senate Bill 1011. The remedy to the mistake is to designate the area depicted on the attached map as "urban". For the most part the region's approach to implementing SB 1011 has been a novel well executed undertaking. Unfortunately, the political atmosphere that played out in some areas, particularly East Bethany, resulted in a flawed approach needing remedy at the State level...I will explain as briefly as makes good sense.

### Overall Perspective

I am a life long resident of Oregon, an OSU graduate, President of Walter J. VanderZanden Farms Inc. (500 acres in central Washington County, retired Director of the Department of Transportation and Development of Clackamas County, and a partner in Ir-Van Group LLC (land use consulting firm). I have two brothers fully employed in agriculture operating large farms in both Washington and Multnomah Counties. I have a balanced perspective emanating from my history of involvement in agriculture, government, and professional planning. I also represent six property owners called The East Bethany Owners Collaborative (400 acres). Virtually all of these owners reside in East Bethany and are in mutual pursuit of achieving an "urban" designation.

### The Decision

Undertaking this 50 year view of the region represents a truly novel attempt to provide certainty to one of Oregon's unique landscapes. In achieving an overall success considerable authority was devolved to local cities and counties with Metro playing a considerably reduced roll compared to the traditional UGB process. Each county developed its own unique

methodology with varying views on the need for more urban land. Each county also presented different views on the need to add or not add additional protections imbedded in designating "rural" properties. Some cities were very aggressive in seeking more land for "urban" uses and some cities argued there should be no more land in the 50 year "urban" reserve than now exists in the standing UGB line.

Multnomah County is operationally markedly different from both Washington and Clackamas Counties. Both of these counties have significant presence in both urban and rural planning and both effectively manage large urban unincorporated areas...Multnomah County has no urban areas under its control and has no ongoing urban planning responsibilities. Multnomah County, though it was a divided decision, designated no land on its Western edge as "urban" though the area known as East Bethany (sometimes referred to as the "L") was rated as suitable for "urban" by its own advisory committee. The only "urban" designation recommended by the County was on the eastern edge of Gresham which in turn was sought by the City of Gresham. Multnomah County designated all of East Bethany as "rural" despite David Bragdon's admonition that their decision needed to adhere to the rule of SB 1011. Perhaps most telling in response to Mr. Bragdon was a statement by Deborah Kafoury (Multnomah County Commissioner) stating that the many emails she had received on this area ought to count for something. The stark contrast of the Multnomah County decision to designate nothing on its western edge and the designation of over 7000 acres of "urban" by adjacent Washington County serves as a clear example of the difference in approach needing review by LCDC.

Another disparity in the process was the role played by cities. Where cities were aggressive, like Cornelius, considerable acreage was designated "urban". Where there was no city advocating for additions, nor a county advocating, very little "urban" reserves were designated. In the case of East Bethany, Multnomah County loathed any "urban" reserves, Washington County took the position that it would not advocate in areas outside their own jurisdiction, and though East Bethany was of interest to Beaverton, it was not immediately adjacent to Beaverton.

Metro, facing the difficulty of holding the novel effort together, divided in favor of not threatening the Multnomah County decision on East Bethany. The thinking may have been that having devolved considerable authority to local governments it was easier to rectify the mistake later...at LCDC...than

run the risk of having the entire effort fail. For certain, good planning principles were sacrificed for the necessity of getting to a decision that kept four governments together. Metro was relegated to the role of a political moderator from its more traditional role of a champion of good planning.

### The Neighborhoods

The record will demonstrate the considerable degree that the Forest Park Neighborhood Association weighted in on the decision process. I applaud their collective tenacity and level of participation in the process. I also strongly argue that they were motivated by protecting their lifestyle and not by proper application of SB 1011. This group is predominately reflective of people living on "exception" land in western Multnomah County and engaged in the process to protect rural properties rather than realistically plan for future urban communities needed to accommodate the projected one million additional residents. The FFPNA, the Save Helvetia group, and the Washington County Farm Bureau (along with environmental groups) unified in an effort to greatly reduce the overall "urban" land designation to a fraction of the recommended 28,000 acres. Additionally, their proposal provided very little "urban" reserves on the Westside of the region where a majority of the jobs will be located. The result of these efforts was a decision in Multnomah County based more on the political popularity than on application of SB 1011 principles.

### East Bethany Area

East Bethany is an area of about 500 acres, in Multnomah County, immediately adjacent to developed urban areas, and to the area planned for development (North Bethany 2002 UGB addition) located in Washington County. This area meets all of the "urban" designation factors without equivocation. The attached maps depict its close proximity to dense urbanization, to the North Bethany Town Center, to the Rock Creek Portland Community College Campus, and to the planned North Bethany community. Accurate information regarding the ease of providing urban services was not included in the information presented to the Multnomah County Advisory Committee. This area would logically be served by various Washington County service providers...Clean Water Services (CWS), Tualatin Valley Park and Recreation District (TVPRD), Tualatin Valley Water District (TVWD), and the Tualatin Valley Fire District (TVFD). Unfortunately, the staff only solicited service provision information from the City of Portland. The City is not adjacent to East Bethany and service provision by the City would be problematic. The City has jurisdiction over areas on the west

slopes of the Tualatin Hills west of Skyline Blvd. further to the south with sewer and surface water services being provided under intergovernmental agreement by CWS. This reality could have served as a model for East Bethany but this existing agreement was not exposed during the Multnomah County process.

Similarly, the Advisory Committee was not provided with the adopted North Bethany Concept Plan by the staff. This Plan was adopted by Washington County in October 2009. This Plan provides a complete design for a full range of urban services immediately west of East Bethany. The omission of this Plan from any of the staff information to the Advisory Committee represents a gross error and reduced the Advisory Committee's capacity to adequately measure the ease of providing urban services. It also negated an opportunity to consider the opportunity to create a "great community" centered on the Bethany Town Center. The critical information regarding Washington County's willingness to provide urban services to East Bethany was not added to the record until February 17, 2010.

Perhaps of greatest import regarding all of this is the extent to which an area perfectly suited for urbanization was considered difficult to serve, though capable of being served, due to inadequate and irrelevant information. The City of Portland said it was hard to serve by their sewer and water bureaus, Multnomah County failed to ask Washington County and Washington County service districts, and no one offered existing intergovernmental agreement information on similar properties immediately south of East Bethany.

### Good Planning

As a result of widely variant local government approaches, "good planning" often was not considered. Metro's non engagement until the final chapter lead to few good planning considerations for East Bethany. The realities of service provision, proximity to the Bethany Town Center and PCC Rock Creek, adjacency to dense urban communities and to newly planned North Bethany were only brought into the debate from persons outside the mainline process; and, were largely discounted by Multnomah County and its advisory process. Perhaps the most egregious flaw is the lack of recognition that all of East Bethany was designated by the Oregon Department of Agriculture as "conflicted". The saving of good farmland in Washington County as a likely trade off for including East Bethany was virtually ignored.

Further, considerable attention was given to preserving the steep hillsides of Tualatin Hills and the bordering Forest Park. Inclusion of East Bethany as "urban" would establish an "unbuildable" natural boundary on the east edge that would provide long term protection to the sensitive hillsides. Current CWS rules do not allow building on 25% or greater slopes. The east edge of an "urban" designation would be defined by the 25% or greater slopes. Inclusion of East Bethany as "urban" would complete a "natural" border to urbanization on the entire north and east edge of the region's urban boundary (see attached maps). Recognition of this "natural" border would provide the best long term protection of these sensitive areas. Staying with the jurisdictional line of Multnomah County as a 50 year planning boundary would provide weak protection and violates the principles of SB 1011.

### Conclusion

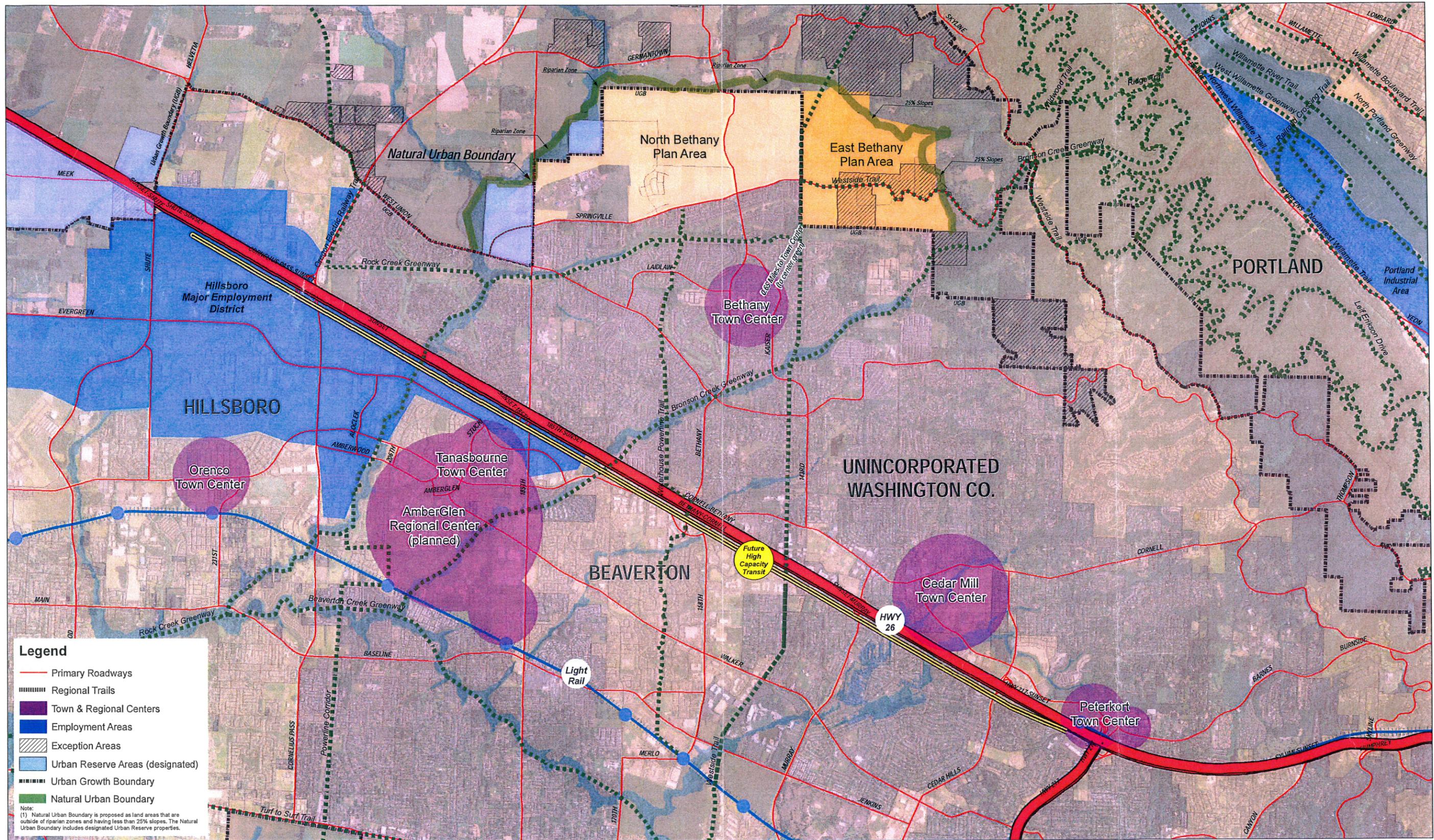
The region and its jurisdictions have endeavored to come to a decision using a novel process with no guidance from anywhere else in America. It is important to understand that the process is still active and the State of Oregon must now look for balance that has not been fully sought. Given the novelty, it is of heightened importance that the State remedies flaws characteristic of such a new endeavor. Perhaps more than in the past UGB experiences the LCDC plays an underlined role in inserting good planning. The omission of East Bethany is strong evidence of ignoring "conflicted" agriculture land that is simultaneously easy to serve, makes for a "great community", and would complete a "natural boundary" in this area of the region for many years to come. Excluding East Bethany while at the same time including "foundation" farmland that otherwise would be excluded makes for poor planning. Jurisdictional boundaries are not a SB 1011 factor. The decision thus far made can only be explained by jurisdictional considerations. For certain the region has a challenge in resolving governance issues in many parts of the region. Large sections of existing urban areas inside the UGB are now being managed by Washington and Clackamas Counties. Looking forward, large portions of the proposed urban reserve are not attached to cities. East Bethany needs to be included as "urban" for the good planning reasons included in SB 1011. East Bethany's governance issues will be resolved in conjunction with other attached urban unincorporated areas.

East Bethany needs to be included in the "urban" reserves of this metropolitan area. I trust that you will review the full record and upon considering this information come to the same conclusion.

Sincerely,  
Thomas J VanderZanden

A handwritten signature in black ink, appearing to read "Thomas J VanderZanden", with a long horizontal flourish extending to the right.

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**Legend**

- Primary Roadways
- Regional Trails
- Town & Regional Centers
- Employment Areas
- Exception Areas
- Urban Reserve Areas (designated)
- Urban Growth Boundary
- Natural Urban Boundary

Note:  
 (1) Natural Urban Boundary is proposed as land areas that are outside of riparian zones and having less than 25% slopes. The Natural Urban Boundary includes designated Urban Reserve properties.

# East Bethany - Metro Context

## Exhibit 1

Metropolitan Land Group  
 Multnomah/Washington Counties, Oregon

0 800 1,600 3,200 Feet

**Cardno WRG**  
 Shaping the Future

Date: 18 May, 2010



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**DEPT OF**

**JUL 13 2010**

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