

CITY OF CORNELIUS

June 2, 2011

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

RE: Objection to Adoption of Metro Urban Reserve Areas

Dear Mr. French:

Please accept this Objection from the City of Cornelius to the Metro Urban Reserve Areas as amended and adopted by Metro and Washington County this April, 2011. Your Department will find evidence of our City's standing as an Objector on this matter, the details of our Objections, and an excellent remedy to address our Objection.

We have attached related documents to the Objection narrative to be considered part of the total Objection. They include the Community – Farmland Compromise Map which is the specific change we recommend to resolve our Objection, a letter of testimony to the Washington County Board of Commissioners from Sheila Griffie, our Planning Commission Chair, the summary argument for Urban Reserves North of Council Creek, and representative letters of testimony. All these documents are in the public record for the amended decisions before LCDC.

We are copying Metro and Washington, Clackamas and Multnomah Counties as instructed. City of Cornelius representatives look forward to DLCD's consideration and our hearing before the Land Conservation and Development Commission.

Thank you for your public service.

Richard Meyer
Development & Operations Director

Copy: Laura Dawson Bodner, Metro
Aisha Willits, Washington County
Mike McCallister, Clackamas County
Chuck Beasley, Multnomah County
Dave Waffle, Cornelius City Manager
Sheila Griffie, Cornelius Planning Commission Chair

CITY OF CORNELIUS OBJECTIONS
to the
ADOPTION OF METRO URBAN RESERVE and WASHINGTON COUNTY RURAL RESERVE AREAS
June 2, 2011

- 1. Show that you participated in the process leading to one of the decisions by speaking or submitting written testimony 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 or sending written comment to one of the four governments.**

The City of Cornelius participated in virtually every public workshop, open house and hearing held by Washington County and Metro in the 2 year process of proposing regional urban and rural reserves. Cornelius submitted testimony to Washington County and subsequently in concert with other cities and Washington County in their approval and recommendation to the region. Our written testimony became part of the extensive record of findings presented in summary form as part of the Metro Staff Report and recommendation to LCDC for approval of Urban Reserves north of Council Creek in Cornelius. Our written testimony was part of the LCDC record at the October 29, 2010 public hearing on the regionally approved Urban/Rural Reserves. LCDC acknowledged Cornelius as an "affected party" at the hearing. (We had not objected because our City agreed with the reserves recommended by Washington County, Metro and DLCD staff.)

LCDC replaced the judgment of Metro and Washington County with their own judgment against DLCD staff recommendations and orally remanded the Washington County portion of the Metro Urban/Rural Reserves back to Washington County and Metro to omit urban reserve land north of Cornelius. No facts, findings or conclusions based on the approval factors were stated or written to support the remand. No formal order was written by the State to which the City could respond. Our City communicated with DLCD staff numerous times requesting a final order, asking for instructions for reconsideration or challenge, and offering ideas for reconsideration and compromise.

Without a formal LCDC order or even written minutes of LCDC's decision, Washington County Commissioners and Metro Councilors none-the-less interpreted LCDC's verbal decision as an order and moved to approve an adjustment to the Reserves Map accordingly by designating the Urban Reserves north of Council Creek and Cornelius as Rural and changing the designation of land north of Highway 26 to Urban Reserves (WC Ordinance No. 740 and Metro/Washington County IGA)

The City of Cornelius testified against this Urban/Rural Reserves adjustment by Washington County and Metro in public workshops and the following public hearings that led to approval of the new Reserves recommendation to LCDC this summer:

<i>March 2, 2011</i>	<i>Washington County Planning Commission Public Hearing</i>
<i>March 15, 2011</i>	<i>Joint Metro and Washington County – Approve new IGA</i>
<i>April 6, 2011</i>	<i>Washington County Board of Commissioners – Adopt IGA</i>
<i>April 19, 2011</i>	<i>Washington County Board of Commissioners – Ord. No. 740</i>
<i>April 21, 2011</i>	<i>Metro Public Hearing – Adopt IGA</i>
<i>April 26, 2011</i>	<i>Washington County Commission Hearing & Adoption of 740</i>

The City of Cornelius is THE community/party most directly affected by the amended Urban/Rural Reserves recommendation before LCDC this August, 2011. The land omitted from Urban Reserves north of Cornelius is the only land suitable for projected industrial growth. Cornelius has been singled out among all the cities in the region to do without Urban Reserves requested for industrial growth. This amendment takes away our State designated "Severely Distressed City's" ability to grow into a balanced and healthy community. Much of this land is zoned and acknowledged as Exception Land by the County and State. Many public entities and private property owners have invested in future smart urbanization of this area. The change from future urban to No future urban for this area is dramatic and objectionable.

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.**

Objections to LCDC Remand

OAR 660-027-0080 (2) After designation of urban and rural reserves, Metro and applicable counties shall jointly and concurrently submit their adopted or amended plans, policies and land use regulations implementing the designations to the Commission for review and action in the manner provided for periodic review under ORS 197.628 to 197.650.

In October 2010 LCDC reviewed Metro and the Counties adopted Urban/Rural Reserves Plan at a public hearing held by the Commission. DLCD staff had recommended approval of the Reserves Plan in their staff report. Metro, the Counties and DLCD staff summarized the findings of fact. Those parties objecting to the approved Reserves Plan made their arguments. DLCD's attorney gave directions for the Commission deliberation and decision, which included instruction not to substitute Commission judgment about what was a reasonable plan for the region's judgment. See OAR 660-027-0080(4).

None-the-less, after hearing privileged arguments (not consistent with the public record of facts) during Commission deliberation, LCDC replaced the judgment of Metro and Washington County with their own judgment and orally remanded the Washington County portion of the Metro Urban/Rural Reserves back to Washington County and Metro to omit urban reserve land north of Cornelius. No facts, findings or conclusions based on the approval factors were stated or written to support the remand. Only the following statements during deliberation were given verbally as reasons for the split vote to omit land north of Cornelius from Urban Reserves (except that the Commission Chair switched his vote to avoid a tie vote):

Erroneous Statements during Deliberation:

1. *Land north of Cornelius (Council Creek) is the "best of the best" farmland – a "national treasure"*
2. *Land north of Cornelius "contains too much floodplain"*
3. *The Urban Reserve designation north of Cornelius "is an unreasonable protrusion into foundation farmland".*
4. *"Council Creek was the best buffer between urban and rural" land uses.*

There was no opportunity to show the Commission that these statements were clearly inconsistent with the public record of facts. They had been misinformed during their deliberation. There was no opportunity for the City or County to intervene. The Commission voted to remand the Urban/Rural

Reserves Plan. That decision was not based on substantial evidence in the record. OAR 660-027-0080(4)(a).

Then, No formal order was written by the State to which the City could respond. Our City communicated with DLCD staff numerous times requesting a final order, asking for instructions for reconsideration or challenge, and offering ideas for reconsideration and compromise. None was provided.

a) This decision was not a Periodic Review Work Task action by the Director of LCDC to remand. The Director had recommended approval of the Reserves Decision by Metro and the counties. It was the Commission that voted to selectively remand the Plan. It appears that may be an error, because Periodic Review procedures found in ORS 197.628 to 197.650, which are the statutes that LCDC must follow in review of Urban/Rural Reserves, do not appear to give the Commission the authority to remand a work task:

ORS 197.633(4) (b), The director may approve or remand a work task or refer the work task to the commission for a decision. A decision by the director to approve or remand a work task may be appealed to the commission.

It appears that the Commission may adopt or authorize a local government to modify an approved work task [ORS 197.644(1) & (2)].

b) In either case, the Commission's decision must be based upon facts in the public record. It was not. Eye witnesses to the deliberation and vote confirm that the essential reasons for the oral remand were the oral reasons given by a representative of 1000 Friends of Oregon and State Department of Agriculture and two of the Commissioners during deliberation; that was the four statements listed above which are inconsistent with the public record of facts. Facts in the public record showed:

Facts in the Public Record at the time of Deliberation

- 1. Land north of Cornelius (Council Creek) is Second Tier land for agriculture uses, significantly less in value than other Urban Reserve land in the region.*
- 2. The Urban Reserve land north of Cornelius contains less than 5% floodplain*
- 3. This Urban Reserve designation north of Cornelius is bounded by urban development and Dairy Creek floodplain on three sides.*
- 4. The City and over \$10m. in urban investment and zoning extend north of Council Creek; Dairy Creek is 5-10 X wider and provides a better long term buffer.*

But to show the contradiction with the record of facts, the City of Cornelius needed an opportunity to respond. Without a chance during the Commission deliberations to raise a hand and point to a map and the public record, or a written order that included the reasons upon which the decision was based, Cornelius has not had its legal opportunity to do so.

See Objection f) below that is common to the LCDC 2010 Reserves decision and the 2011 amended Reserves decisions by Metro and Washington County.

c) Based upon the misinformation during deliberation that was not consistent with the public record of facts and not challengeable within the process, LCDC decided, inappropriately, to substitute its own judgment for that of Metro and Washington County with regard to Urban Reserves north of Cornelius. The Commission's own attorney had instructed them not to do so, but rather determine whether the Region's decision could be seen as reasonable. The Commission was only authorized to review the submittal for compliance with the applicable statewide planning goals, compliance with applicable administrative rules, and consideration of the factors for designating urban and rural reserves. OAR 660-0027-0080(4). LCDC's oral remand was thus unfair, inappropriate, and beyond the scope of its authority.

d) A final order is required for such an LCDC decision. None was issued.

ORS 197.633(3) (a) Commission action pursuant to subsection (1) or (2) of this section is a final order subject to judicial review in the manner provided in ORS 197.650

ORS 197.650 Appeal to the Court of Appeals; standing; petition content and service

LCDC's options for decisions at the conclusion of the public hearing in October 2010, under the Periodic Review rules, were to adopt the Urban/Rural Reserves Plan or deny the Plan, or to direct the local government to modify the plan. LCDC issued an oral remand and it was never put into a written final order. Nor were written minutes of the hearings ever made available to the City or general public. This violates ORS 197.633(3) (a), ORS 197.644(1) & (2) and ORS 197.650. It violates the basic right in Oregon of an affected party (City of Cornelius) to question, respond to, or challenge a land use decision.

Despite the lack of written legal grounding, LCDC's verbal decision was viewed as gospel, as one County Commissioner said it. Metro Councilors and Washington County Commissioners, who had strongly supported Urban Reserves north of Cornelius, dove dutifully into map changes that put Urban Reserves elsewhere instead (including land that is clearly better farmland than north of Cornelius). They did this in order to save the Urban/Rural Reserves Plan as a whole. No one raised the "No Final Order" problem but Cornelius, and it had too little clout to matter.

This poor public process, which rewarded informal back-room compromise and favored big powerful interests, put Cornelius in an unfair situation where instead of challenging a misinformed verbal LCDC decision with Metro and Washington County at its side, the City now has to challenge a new decision based upon that unchallengeable "oral remand" against Washington County, Metro and LCDC, all three public agencies with immense legal and political resources.

Objections to Washington County Ordinance No. 740 and to Metro's Amended Urban/Rural Reserves Map (response to LCDC Oral Remand)

Violation of Goal 1 and Goal 2

Goal 1, Citizen Participation requires local governments to provide the opportunity for citizens to be involved in the planning process and to encourage public participation in planning.

Goal 2, Land Use Planning requires land use decisions to be made in compliance with statewide goals, comprehensive plans and to be based on factual information.

e) The Urban/Rural Reserves process has not been in compliance with Goal 1 and 2 because it has not provided the public access to factual information used by LCDC, Metro and the County at the times when public hearings were conducted and land use decisions made on Reserves.

LCDC has never issued a final order, nor provided written minutes of their October 2010 public hearing and their verbal remand. Yet LCDC's verbal decision was treated as an order by both the Washington County Board of Commissioners and the Metro Council. The City of Cornelius repeatedly asked for access to written description of reasons for LCDC's October decision.

f) The process of amending the Urban/Rural Reserves Map for Washington County has not been in compliance with Goal 1 and 2 because it has been closed to public participation in the negotiations and decision making that led to the amended Reserves Map. The response by both bodies to LCDC's partial remand was to negotiate an amended Reserves map mostly out of the view of the public, and hold public hearings only to technically meet State requirements for public notice and participation. The Chairman of the Washington County Board of Commissioners stated at the County's April 26th final meeting on the new Reserves Map that, "This decision was made long before these public hearings." (Recorded).

Washington County responded to the October 2010 oral remand by LCDC by preparing Ordinance No. 740 with changes to the Urban/Rural Reserves in the County and noticed it for public hearings before its Planning Commission and County Commissioners, as required by their Comprehensive Plan Amendment ordinance. But there was no public participation in planning for this amendment prior to the Planning Commission hearing. The Planning Commission public hearing was conducted based on a County staff report which did not provide any factual information that addressed the Urban/Rural Reserve factors (OAR 660-027-0040 through 0060).

The County Planning Commission relied instead on public testimony to provide documentation of facts, findings and conclusions to address the Urban/Rural Reserve factors. As a result of this brief example of planning with open public participation and reference to findings of fact the Washington County Planning Commission then approved a recommendation to amend Ord. No. 740, that reflected the Community-Farmland Compromise that included Urban Reserves north of Cornelius.

However, Metro and the County then held a combined public hearing on March 15, 2011 to adopt a new IGA based on WC Ord. No. 740 as proposed by Staff rather than the WC Planning Commission recommendation. At this point, there was no Staff Report presented by Washington County or Metro staff that presented the facts, findings or conclusions to support the new IGA with Ord. No. 740. Therefore, neither Washington County nor Metro gave the public the opportunity to object to any factual information, because none was provided by Metro or the County to support the new IGA.

Washington County Board of Commissioners held a public hearing on April 19, 2011 for adoption of Ord. No. 740, but again no written staff report was provided that addressed the Urban/Rural Reserve factors. The Commissioners voted to move Ord. No. 740 to a second reading on April 26, 2011. The Commissioners stated verbally and on the record that there was 'no traction for any kind of amendment such as the Community - Farmland Compromise based on the LCDC oral remand'. The problem with this conclusion by the Commissioners is that there has never been a written order on the LCDC oral remand and there are (were) no written minutes on the LCDC hearings that resulted in the oral remand. So, again the opportunity to object to any factual information was never provided. The implication of a majority of individual commissioner statements in favor of Urban Reserves north of Cornelius, but no

"traction" for compromise, was that even the most constructive public testimony was useless. Clearly there was no opportunity to participate in this planning process.

Metro conducted a final public hearing on the new IGA on April 21, 2011, prior to Washington County formally adopting Ord. No. 740 (scheduled for April 26, 2011). Metro did provide a Staff Report that included facts, findings and conclusions that addressed the Urban/Rural Reserve Factors. The Metro report also included a draft WC Ord. No. 740 staff report (available only at the hearing) with facts, findings and conclusions that addressed the Urban/Rural Reserve Factors. The Metro Staff Report still supports the land north of Cornelius and Council Creek to be designated Urban Reserves. The County Staff Report recommends this same area to be rural and undesignated, but does not make any findings and conclusions to address why the area does not meet the Urban Reserve Factors and should be changed for what Metro's Staff Report supports.

g) Another basic Goal 1 violation concerned fair and ethical public hearing process at all of the Metro and Washington County public hearings. None of the governing bodies ever provided public hearing instructions or procedures prior to a hearing being conducted. So, the general public was never instructed on which factors or criteria that were to be addressed. The County notices never identified the approval criteria or Code sections required to be addressed for approval of Ord. No 740.

Also the Metro Board, Washington County Commissioners and Planning Commission never began any of the public hearings by asking the ethical questions to the hearing body concerning:

- 1. Personal Bias*
- 2. Conflict of Interest*
- 3. Ex-Parte contact*

There were obvious potential conflicts and bias among the governing bodies due to professional business operations, family and political interests and relationships.

Objection common to the LCDC October 2010 Oral Decision, Washington County April 2011 Comprehensive Plan Amendment (Ordinance No. 740,) and Metro April 2011 Amended Urban/Rural Reserves Map

The public record of facts that address the factors required by State statute for designation of Urban and Rural Reserves do not support these amended Reserve Area designations. The objective of OAR Chapter 660, Division 27, Urban and Rural Reserves in the Portland Metro Area, is to achieve "a balance in the designation of urban and rural reserves that, in its entirety, best achieves livable communities, the viability and vitality of the agricultural and forest industries and protection of the important natural landscape features that define the region for its residents." OAR 660-027-0005(2). The public record of the two-year Urban/Rural Reserves planning process and the same approved record of findings available to LCDC for its October 2010 decision includes the following statements of fact that address the factors described in this OAR Chapter on Urban and Rural Reserves:

III. Urban Reserve 7I

As initially recommended by Washington County, the North Cornelius pre-qualified concept plan area contained 2639 gross acres and 1319 net developable acres (Wash Co Rec. at 2388 and 2400). In contrast, the urban reserve adopted for north Cornelius in Areas 7I contains 623 gross and 453 net developable acres (Table 1; see also WashCo Rec. at 2388 and 2400). This reduction has significantly reduced targeted general employment and residential uses in north Cornelius (Table 1). Even with this reduction, as demonstrated below, these areas will provide opportunities for industrial uses as well as housing and other uses that contribute to livable communities. The area south of Dairy Creek (currently Area 7I) was envisioned primarily for employment purposes in Cornelius' Pre-Qualified Concept Plan (Wash Co Rec. at 2400). Expected uses within Area 7I are consistent with those depicted in the PQCP (compare Attached Map with Wash Co Rec. at 2400).

Table 1: Comparison of Capacity of Pre-Qualified Concept Plan (PQCP) Targets to Areas 7I

2040 Design type	Gross Acres		School/Park Acres		Net Developable Acres		Target Dwelling Units/Net Acre		Target Dwelling Unit Capacity		Target Jobs Capacity	
	PQCP	7I	PQCP	7I	PQCP	7I	PQCP	7I	PQCP	7I	PQCP	7I
Outer Neighborhood	882.5	353	264		441	76.5	10	10	4,410	765	-	
Industrial	1756.5	470	219	50	879	376	20	20			17,580	7520
Total	2639	623	483	50	1319	452.5	-	-	4,410	765	17,580	7520

URBAN RESERVE FACTORS

(1) Can be developed at urban densities in a way that makes efficient use of existing and future public and private infrastructure investments

Cornelius' Pre-Qualifying Concept Plan (PQCP) for Area 7I describes the city's infrastructure service availability (WashCo Rec. at 2389).

Major infrastructure systems are in place ready to be extended for development into this area. The water, sewer and transportation systems in and around Cornelius have regional growth capacity. Clean Water Services sanitary and storm sewer lines are located to serve north of Cornelius to Dairy Creek. (Wash Co. Rec. at 2389)

Cornelius' utility master plans and rates studies ensure development pays for extensions and maintenance of all new utilities and street improvements. (Wash Co. Rec. at 2389)

Two new bridges across Council Creek include urban amenities. Over \$21 million in recent public infrastructure investment by Cornelius, Washington county, State of Oregon and U.S. government provide extra capacity for urban expansion to north of Cornelius. (Wash Co. Rec. at 2389)

Infrastructure is planned to support growth of Cornelius, including streets & pathways, schools & institutional uses and a generous 10% for parks. The city does not allow development in the floodplain. (Wash Co. Rec. at 2389)

Area 7I was mapped by Washington County showing urban suitability for water, sewer and transportation (Wash Co Rec. at 3004-3010). Area 7I also is mapped by NAIP as constrained land for urban development and employment, based upon factors including flat land, water availability, parcelization and proximity to workers and existing industry (Wash Co Rec at 3002)

(2) Includes sufficient development capacity to support a healthy economy;

Land within 7I north of the current UGB/City limits along the improved Cornelius-Schefflin Road is suitable for employment uses because of the good connection with the rest of the urban region for industrial development. A sustainable, healthy Cornelius center is important to County, Regional and State economic health. (Wash Co Rec. at 2389.) A recent study by Johnson Reid indicated that, over the next 20 years, West Washington County will need approximately 1200 acres for large lot industrial use (e.g., 50 acres or more) (Metro Rec. at 1641; WashCo Rec. at 3208-3216). This is consistent with Metro's forecast need for 3,000 acres of industrial land region-wide over 50 years. The need for large lot industrial uses is further supported by inquiries fielded by the city's Economic Development Department between 2007 and 2009, which includes inquiries for 11 sites of 50 acres or more (Metro Rec. at 1860). The Johnson-Reid Economic Opportunity Analysis conducted for Cornelius projects demand for over 782 acres for industrial development within the next 50 years. (Wash Co. Rec. at 2450)

Metro's MPAC Employment Subcommittee recently acknowledged that "attracting and retaining traded-sector industrial companies is critical to the region's economic prosperity" (Metro Rec. at 172-178). Likewise, in their comments into the record, the State agencies emphasized "the need for an adequate supply of employment lands in the Metro urban growth boundary" noting that the region "often 'seeds' traded-sector technologies and businesses that disperse throughout the state" (WashCo Rec. at 1988-1989).

The PQCP illustrates the potential for industrial development within Area 7I. As noted above, the uses proposed for Area 7I under the PQCP have not changed. The Economic Productivity of Employment Land, Economic Mapping Pilot Project, prepared by the Oregon Business Development Department (June 2009; WashCo Rec. at 3429-3450), demonstrates the contribution of industrial uses to the economy. Economic benefits of industrial lands, such as those currently located in the area studied, include:

- Double the County average of market value/acre for industrial lands;
- Annual payroll yield of \$616,150 per net usable acre;
- Annual Property Tax Revenue of an average \$6,220/acre tax assessment land value as a result of State Measure 47/50 valuation constraints.
- Creation of high wage jobs in the existing industry clusters (pre State Employment data, the 2008, the average payroll per employee working in the three industry clusters was \$77,275.00) and each direct job in this traded sector generated 2.0-2.5 indirect jobs in the Regional/Statewide Economies (WashCo Rec. at 3126 & 3429-3450).

A comparatively large number of large, flat, seismically stable parcels of land are characteristics that the NAIOP study of urban (particularly industrial) suitability noted in the area north of Cornelius - 7I. (Wash Co Rec. at 3002-3004). Area 7I is also suitable for urban development, particularly industrial development because of its proximity to and connections to the high tech and solar clusters of industry in western Washington County (Wash Co Rec. 2411-13; 2452). Urban development is also suited in Area 7I in order for Cornelius to meet all the factors of Metro's Great Communities; for example the area is within walking distance from the center of town and transit (Wash Co Rec. 2395-2399).

(3) Can be efficiently and cost-effectively served with public school and other urban-level public facilities and services by appropriate and financially capable service providers;

Cornelius schools and utilities, including Clean Water Services, Joint Water commission, local fire districts and school districts are informed and already invested in greater capacity and planning for future development. For example, the Hillsboro School district owns a 40 acre school site southeast of the UGB and plans to build the first high school in Cornelius in 4-5 years. Also the CWS has existing and planned capacity for development of land north to Dairy Creek with its facility along Council Creek. (Wash Co. Rec. at 2389-2390)

Cornelius has an existing array of funding mechanisms, including systems development charges, construction excise taxes, and up-to-date utility rates to assure the financial capability of these urban service providers to extend and operate services to recommended areas. Expansion of urban services and infrastructure to new development will make existing facilities services more efficient and affordable with more people served by each facility. (Wash Co. Rec. at 2390)

Most importantly, new development within an expanded UGB is planned by Cornelius for a greater mix of housing options and more jobs (primarily industrial) to balance and stimulate a community whose housing stock is limited (95% low/moderate income appropriate), has 4,000 too few local family wage jobs (causing substantial long commutes that are expensive to families and environment), and is in need of more property taxes to provide basic city services (Cornelius now has half the city employees per capita as most cities in the region). (Wash Co. Rec. at 2390)

(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;

Existing streets in Cornelius are being improved for multi-modal transportation with federal, state and county grants along with private development charges. Planned pedestrian/bike trail system for recreation and local commuting will replace many of the congested commutes in the region. A key light rail extension from Hillsboro to Forest Grove is on the regional table. (Wash Co. Rec. at 2390)

The City of Cornelius Transportation System Plan (TSP) identifies the need to plan and develop complementary infrastructure for pedestrians, bicycles, vehicles and transit to provide a diverse range of choices for transportation. The city has adopted Code language and design standards that require connectivity, accessibility and enhance transit service in order to implement this direction from the TSP. All City streets are required to be constructed with ADA compliant sidewalks. All City collector and arterial streets are required to have bike lanes. The City Development code also provides incentives for developers to provide pedestrian connections from commercial structures to public transit stops. (Wash Co. Rec. at 2390) Cornelius' TSP also provides guidance for connection and development to the regional trails and greenways (Council Creek, Tualatin River and Dairy Creek) that abut or are adjacent to the City. (Wash Co. Rec. at 2390.)

(5) Can be designed to preserve and enhance natural ecological systems;

Cornelius has inventoried and determined the significant natural resources within the current City boundary. The City has also adopted protection measures for the inventoried significant natural resources within its boundary that are identified in the Cornelius Natural Resource Protection Plan. The development of our Natural Resource Protection Plan has also resulted in a new zoning overlay district, Natural Resource Overlay Zone that protects the current inventoried significant natural resources in the City. New lands brought into the City are inventoried, assessed and protection measures are established and implemented consistent with these Code provisions. The Natural Resource Protection Plan is a policy program that protects, conserves and helps restore the significant natural resources that are in and abut the City. The implementation of this plan works hand in hand with the Tualatin Basin coordinating Committee and with Metro's Title 13. (Wash Co. Rec. at 2390-2391.)

Cornelius has adopted Clean Water Services Design and Construction standards that require the treatment of surface water from development for water quality and quantity, and that also address Title 3, Metro Functional Plan. The city completed its periodic Review Work Program in 2005. Work Program Task #3 Environmental Policies required the City of address Title 3, Metro Functional Plan. Compliance with Task #3 was approved by the State. (Wash Co. Rec. at 2391)

Cornelius has a Floodplain District Overlay zone that protects and regulated proposed development in the floodplain. The City Coordinates with Clean Water Services, Division of State Lands and US Army Corps of Engineers to restrict the uses and regulate development in the floodplain. (Wash Co. Rec. at 2391)

Cornelius has shown commitment to preservation and enhancement of ecological systems in its plans, advocacy and use parks, green space and trails, acquisition and improvement of natural areas, and in many organized park and open space planting and educational events. (Wash Co. Rec. at 2391)

All these policies, plans, zones, regulations, standards and commitments are applied to additions to the UGB and city limits by city code and now tradition. (Wash Co. Rec. at 2391)

(6) Includes sufficient land suitable for a range of housing types;

Cornelius housing is predominately low value and would be affordable if the considerable cost of transportation from having to commute to jobs out of town was not included. With more jobs available from both infill and UGB expansion, approximately 95 percent of housing stock in the city is low-moderate income appropriate. However affordable housing alone is problematic for a community. A community limited to 'started homes' limits property tax revenue available for decent city services and housing options for a healthy diversity of people. (Wash Co. Rec. at 2391)

Because of this, it is a City goal to develop medium and even upper income level housing to provide a full range of housing options, integrate different people into local culture, and attracts healthy economic and community development. Recent housing development (2002-2007) is better quality and higher in value than the bulk of City housing, and constructs green along an outstanding stream corridor. But there is no more room currently within the UGB for any housing except some infill when higher densities become marketable. Land is necessary to provide for a full healthy range of housing options and income levels. At least 200 acres of land expansion of the UGB is needed immediately to produce an adequate mix and balance of housing options over the next ten years (at an average of 10 units/acre). Over the next 50 years, there will be the opportunity to develop a healthier diverse mix of single-family and multi-family residences (based on 10 units/net acres) located near and connected by protected stream corridors. (Wash Co. Rec. at 2391-2392.)

A comparatively large number of large, flat, seismically stable parcels of land are characteristics that the both the Washington County mapping of Urban Suitability and the NAIOP study of urban suitability noted in the area north of Cornelius – 7I. (Wash Co Rec. 3006-3009; 3002-3004). Such land characteristics present a relatively lost cost environment for development of diverse and affordable housing. The availability of urban infrastructure referenced under Factor 1 makes housing development easier than in areas with poor infrastructure. Housing development is suitable in Area 7I both because of and to better leverage Cornelius meeting all the factors of Metro's Great Communities; for example housing in this area is would be within walking distance from the center of town, transit and local jobs if this area (Wash Co Rec. 2395-2399).

(7) Can be developed in a way that preserves important natural landscape features included in urban reserves

The natural landscape around the City of Cornelius is heavily influenced by the floodplains of the Tualatin River Basin, with its tributaries of Council Creek and Dairy Creek. The City of Cornelius has a floodplain district overlay zone designed to protect the public health, welfare and safety that helps preserve the wide buffer of the Dairy Creek floodplain, which ranges from .25 to .65 miles in width. (Wash Co Record at 3028). City has adopted specific protection measures for significant natural resources identified in the Natural Resource Protection Plan. When properties annex into the City our preservation measures for inventory, assessment and protection are implemented. (WashCo Record at 2392.)

Cornelius' Natural Resource Protection Plan has resulted in a new zoning overlay district, Natural Resource Overlay Zone that protects the current inventoried significant natural resources in the City. New lands brought into the City are inventoried, assessed and protection measures are established and implemented consistent with these strong Code provisions. The Natural Resource Protection Plan is a policy program that protects, conserves and helps restore the significant natural resources that are in and about the City. This helps preserve important natural landscape features in the Urban Reserve. (WashCo Record at 2391)

Cornelius believes that natural features and areas are much better protected inside the UGB than outside the UGB where there are more conflicts without protection and fewer resources with which to restore and conserve the land. The City also believes that managed public access, like trails, to natural resources encourages outdoor education and public buy-in to conservation ethics. (WashCo Record at 2392)

(8) Can be designed to avoid or minimize adverse effects on farm and forest practices and on important natural landscape features on nearby resource land, including land designated as rural reserves

Dairy Creek floodplain provides a quarter to half a mile wide buffer along the east and north of Area 7-I North of Cornelius and farmland in Rural Reserves. (Wash Co Record 2391-2392) The Dairy Creek floodplain divides Tier 2 and 1 rural lands as ranked by Washington County (Wash Co. Record 2024-2025). Council Creek is already breached by urban development. (Wash Co Record at 3004). Cornelius-Schefflin Road is the approved western boundary of 7-1 industrial land and can become an adequate buffer with the application of Cornelius City development requirements. (WashCo Record at 2392-2393)

The City Development Code currently has language that provides the City with tools to design/implement buffers and setbacks for abutting conflicting uses. The existing City Code provides for the separation of uses with greater buffer/setback protection between uses with different intensity (i.e. residential and industrial). The City currently has industrial and residential zoned/developed property that abuts rural land with existing agricultural practices. The City and its neighboring farmers currently work and live in harmony without negative impacts. (WashCo Record at 2392)

Cornelius currently has tools in its Code that require development proposals to assure compatibility and reduce impacts on use of neighboring properties (rural and urban). The Code also applies buffers, setbacks, access, traffic generation, landscaping, fencing and lighting of a site through implementation of the City design review process. These development code processes and provisions provide tools to help prevent and mitigate any conflicts with neighboring farm and forest practices. (WashCo Record at 2392)

The City Transportation System Plan (TSP) provides guidance through Chapter 8 - Motor Vehicle Plan specifically goals and strategies that effectively provide a supportive transportation network for safe public roads and streets. Street networks are coordinated with Washington County, Metro and Oregon Department of Transportation so as to have minimum impact and reduce congestion on out-of-town routes. (WashCo Record at 2392)

Cornelius has approved Master Plans for all of its utilities (water, sanitary sewer & storm water). The construction and extension of utilities in the City have been developed and sized for its current and future use. The urban utilities are provided through a network of subsurface contained transmission lines. Therefore, City water use does not affect the abutting rural water table used for farm and forest operations. Sanitary sewer and storm water is treated in urban facilities and does not adversely affect farm and forest practices or natural features. Clean Water Services sanitary and storm water lines are located in Council Creek to serve north to Dairy Creek. (WashCo Record at 2392)

Construction of a whole complete community reduces the impacts of traffic and recreation to and through farm and forest lands outside the City. (WashCo Record at 2393.) The City currently provides protection buffers and setbacks from stream corridors with the implementation of its Natural Resource Protection Plan and the Natural Resource Overlay Zone. These buffers help protect streams for water quality/quantity function and downstream use by farm and forest owners. (WashCo Record at 2393)

In Cornelius' Urban Reserve Concept planning, the City located future residential neighborhoods where broad streams and floodplains separate and offer a natural buffer between housing and rural land uses. Cornelius has located future industrial (employment) parks next to rural uses, because industrial uses are generally the most compatible urban use with rural land uses. The City has buffer requirements in its Development Code to insure industrial use compatibility with surrounding uses. (WashCo Record at 2393 and 2400)

Of the approximately 620 acres in Area 7-I, over 200 acres are designated Exception Lands by Washington County and the State of Oregon. Therefore 33% of Area 7-I has already been designated for more urban uses than rural uses. (Washington County Zoning Map). (Wash Co Record at 3021-22)

These findings were accepted and approved in July 2010 by both Washington County and Metro as part of their approval of Urban and Rural Reserves, including the Urban Reserve north of Cornelius. These same unaltered facts sustain a decision to include Urban Reserve designation north of Cornelius. No new confirmed facts have been presented to amend that Urban Reserve designation.

3. Recommend a specific change that would resolve your objection.

The Community -- Farmland Compromise that Cornelius presented and the Washington County Planning Commission recommended on March 2, 2011 Please see the accompanying Community – Farmland Compromise Map and Sheila Griffie's (Cornelius Planning Commission Chair) April 19, 2011 letter to the Washington County Board of Commissions describing this compromise.

The objective of OAR Chapter 660, Division 27, Urban and Rural Reserves in the Portland Metro Area, is to achieve "a balance in the designation of urban and rural reserves that, in its entirety, best achieves livable communities, the viability and vitality of the agricultural and forest industries and protection of the important natural landscape features that define the region for its residents." OAR 660-027-0005(2). Beyond all of the procedural errors outlined above that have occurred in this process, the decision by LCDC last year, and Metro's and the counties' implementation of that decision since, simply do not satisfy that objective.

LCDC relied on a misunderstanding of the factual record in determining that the area north of Cornelius is valuable farm land, when in fact it is not. The land in question is needed by Cornelius as urban reserve in order to "achieve a livable community." As explained in testimony by Cornelius staff and a current planning commissioner, this crucial error in facts has led to an erroneous balancing of the designation of urban reserves. LCDC gave inappropriate weight to the land in question as crucial farmland, where in fact that land is NOT prime farm land, is already partially urbanized, significant public investment in urban expansion in that area had already been made, and the land is needed for employment land by the City of Cornelius.

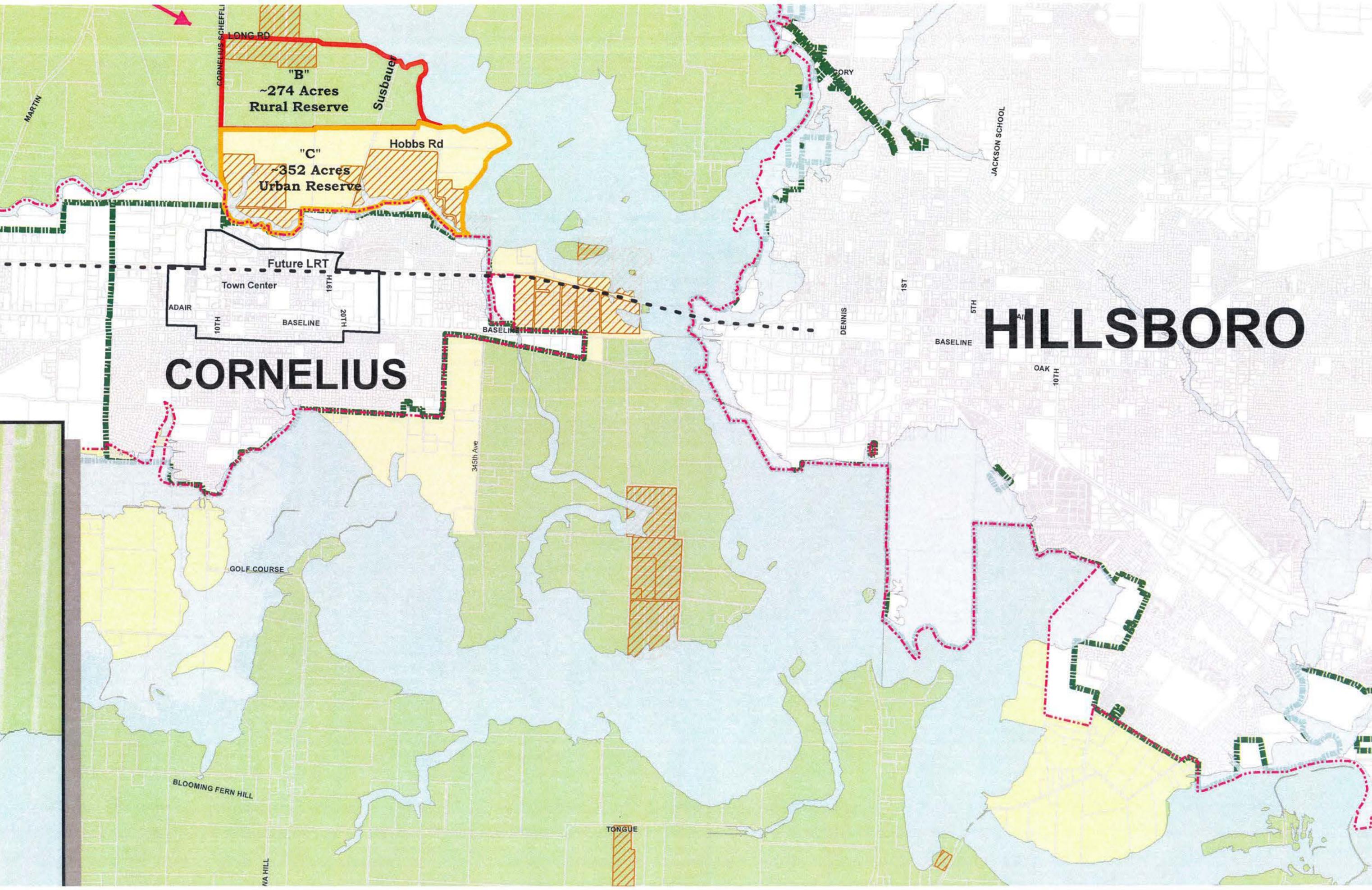
CORNELIUS

HILLSBORO

"B"
~274 Acres
Rural Reserve

"C"
~352 Acres
Urban Reserve

Future LRT
Town Center
10TH 19TH 20TH
ADAIR BASELINE



April 19, 2011

Washington County Board of Commissioners
155 N First Ave., Suite 350
Hillsboro, Oregon 97124

RE: Urban Reserve for Jobs in Cornelius – A Simple Amendment to Ordinance 740

Chair Duyck and Washington County Commissioners:

I am Sheila Griffie, Chair of the Cornelius Planning Commission. Thank you for hearing our heart-felt request for room to grow future jobs. As this proposal stands, we are the only city in Washington County and Metro region that is being denied any Urban Reserve land suitable for future industry. The amendment to Ordinance 740 we present today is simple. (See Map)

Our request is simple: Move the 352 acres of Urban Reserve that is not wanted north of Sunset Highway in Helvetia to north of Cornelius where it is wanted and needed to build a complete and sustainable community. This move will satisfy Helvetia's wishes and, at the same time, meet Cornelius' needs. Both Metro and LCDC will be happy for a compromise that results in a finished product.

The barrier to this Community – Farmland Compromise is the worry that LCDC will not like any Urban Reserve north of Cornelius. We think this worry overblown. At their October 2010 meeting, LCDC voiced concerns about urban reserves north of Cornelius, . . . concerns for which they never formulated a set of findings for a legal decision. . . they only voiced a verbal remand based on their concerns; there are not even any Meeting Minutes of their discussion. (Because LCDC never wrote a final order, Cornelius did not have a chance to question or address their concerns.) None-the-less, Cornelius responds to the concerns voiced by LCDC's with this Community-Farmland Compromise.

In October, one LCDC Commissioner said that Area 7-I was a protrusion into prime farmland. Please note that this area has been significantly reduced and flattened to even out the northern border of Cornelius in our compromise.

They said this area was the "best of the best" farmland in the state – a "national treasure". This is simply not true. We summarized the facts about farmland suitability in the long public record, showing that the land north of Cornelius is documented as Class II & III soils and Tier II land in Washington County's study. Much better Class I soils and Tier I land are designated Urban Reserves elsewhere in the region, including north of Hillsboro, Forest Grove and outside of Sherwood.

The Commissioner said this land contained too much floodplain. So we show a flood plain map of this area bordered by the southern edge of the Dairy Creek floodplain and containing little floodplain. They had no simple floodplain map in front of them.

They repeated local advocate opinion that the Council Creek tributary is the best boundary and buffer between farmland and Cornelius. We present this map that LCDC didn't see (though it was in the record) showing that:

- ✓ Cornelius already extends north of Council Creek,
- ✓ \$20 million in public investments in urban development north of Council Creek,
- ✓ Most of this land is zoned Exception Land because its partially urbanized already,
- ✓ It's just a six-block distance from Cornelius' Town Center and future LRT station,
- ✓ And the broad floodplain natural boundary of Dairy Creek.

As misinformed as LCDC's concerns were, none-the-less, we drastically reduced 624 acres to this 360 acres of Urban Reserves – to respect their concerns and as a good faith compromise to reach agreement – a finished product. We believe that Metro and LCDC will support this reasoning and the facts in the public record and that both bodies will approve this Compromise if you send it to them.

You know our case. Each of you has voiced support for some Urban Reserve north of Cornelius. Please stand up and do what is right and good for us all. Remove the Urban Reserve designation from Area D on your map and move it back north of Cornelius. You will remember this decision. Make it a good memory.

Thank you for your public service.

Sheila E. Griffie, Chair
Cornelius Planning Commission

RE: Urban Reserve for Jobs in Cornelius – A Simple Amendment to Ordinance 740

Chair Duyck and Washington County Commissioners:

I am Sheila Griffie, Chair of the Cornelius Planning Commission. Thank you for hearing our heart-felt request for room to grow future jobs. As this proposal stands, we are the only city in Washington County and Metro region that is being denied any Urban Reserve land suitable for future industry. The amendment to Ordinance 740 we present today is simple. (See Map)

Our request is simple: Move the 352 acres of Urban Reserve that is not wanted north of Sunset Highway in Helvetia to north of Cornelius where it is wanted and needed to build a complete and sustainable community. This move will satisfy Helvetia's wishes and, at the same time, meet Cornelius' needs. Both Metro and LCDC will be happy for a compromise that results in a finished product.

The barrier to this Community – Farmland Compromise is the worry that LCDC will not like any Urban Reserve north of Cornelius. We think this worry overblown. At their October 2010 meeting, LCDC voiced concerns about urban reserves north of Cornelius, . . . concerns for which they never formulated a set of findings for a legal decision. . . they only voiced a verbal remand based on their concerns; there are not even any Meeting Minutes of their discussion. (Because LCDC never wrote a final order, Cornelius did not have a chance to question or address their concerns.) None-the-less, Cornelius responds to the concerns voiced by LCDC's with this Community-Farmland Compromise.

In October, one LCDC Commissioner said that Area 7-I was a protrusion into prime farmland. Please note that this area has been significantly reduced and flattened to even out the northern border of Cornelius in our compromise.

They said this area was the "best of the best" farmland in the state – a "national treasure". This is simply not true. We summarized the facts about farmland suitability in the long public record, showing that the land north of Cornelius is documented as Class II & III soils and Tier II land in Washington County's study. Much better Class I soils and Tier I land are designated Urban Reserves elsewhere in the region, including north of Hillsboro, Forest Grove and outside of Sherwood.

The Commissioner said this land contained too much floodplain. So we show a flood plain map of this area bordered by the southern edge of the Dairy Creek floodplain and containing little floodplain. They had no simple floodplain map in front of them.

They repeated local advocate opinion that the Council Creek tributary is the best boundary and buffer between farmland and Cornelius. We present this map that LCDC didn't see (though it was in the record) showing that:

- ✓ Cornelius already extends north of Council Creek,
- ✓ \$20 million in public investments in urban development north of Council Creek,
- ✓ Most of this land is zoned Exception Land because its partially urbanized already,
- ✓ It's just a six-block distance from Cornelius' Town Center and future LRT station,
- ✓ And the broad floodplain natural boundary of Dairy Creek.

As misinformed as LCDC's concerns were, none-the-less, we drastically reduced 624 acres to this 360 acres of Urban Reserves –

to respect their concerns and as a good faith compromise to reach agreement – a finished product. We believe that Metro and LCDC will support this reasoning and the facts in the public record and that both bodies will approve this Compromise if you send it to them.

You know our case. Each of you has voiced support for some Urban Reserve north of Cornelius. Please stand up and do what is right and good for us all. Remove the Urban Reserve designation from Area D on your map and move it back north of Cornelius. You will remember this decision. Make it a good memory.

Thank you for your public service.

North of Council Creek – Reasons for Urban Reserve & UGB Expansion

1. **Cornelius Already Is North of Council Creek**
 - a. Four lots within the City limits already extend north of C Crk.
 - b. City water service extends 1,000 ft to 12 houses north of C Crk.
 - c. Police, Fire and Library services are provided by the City area already
2. **Public Investment in Urban Expansion North of Council Creek = over \$20 million**
 - a. Two new bridges with urban sidewalks & utility connections over Council Creek
 - b. Arterial freight standard reconstruct of 10th Ave to Corn.Schef. Roundabout
3. **Private Disinvestment in Agriculture is Significant**
 - a. Over 300 Acres Are Already Partially Urbanized (Designated Exception Lands)
 - b. One meat packing & retail business, located north of Creek, wants to expand.
 - c. Another 12-acre industrial park is promised by owners north of C Crk
 - d. Majority of owners of 10 acres or more report they can't profit from farming
4. **Public Decisions Already Made to Urbanize North of Council Creek:**
 - a. 1982 Urban Reserves mapped to Dairy Creek north of Cornelius
 - b. 1980's City Limits extends 4 tax lots north of C Crk
 - c. 1990's Over 300 Acres of Exception Lands designated north of C Crk
 - d. 2004 Metro UGB decision to add 200 acres north of C Crk
(Rescinded after 14 months on appeal by 1000 Friends)
 - e. 2007 Metro Hearings Officer recommends expansion of UGB north of C Crk.
(Metro Council denies expansion on procedural grounds)
 - f. 2010 County/Metro approval of Urban Reserve designation for 624 acres
(State LCDC remands decision based on 1,000 Friends objection)
5. **Urban Services Are Immediately Available**
 - a. Reconstructed urban standard bridges and arterials to Sunset Hwy
 - b. Clean Water Services sewer line along C Crk and sized for easy extension north
 - c. Cornelius City water service already north of C Crk and sized for extension north
 - d. Utility Master Plans & SDCs are up-to-date and capable of funding extensions
6. **City Demonstrated Need for Employment Land**
 - a. See City's Plans and Econ. Op. Analysis to be complete, livable, green and sustainable
 - b. City needs a housing / jobs balance for opportunities to walk & bike to work, and reduce traffic congestion & pollution from unnecessary commuting, like other cities
 - c. Over 100 acres north of Council Creek fall within ½ mile of town center & future LRT, while this State named "Severely Distressed City" lacks room for half the jobs it needs
 - d. Industry north would expand an existing industrial area and related infrastructure
 - e. Efficient use of the Council Creek Trail as a home to work and recreation connector
7. **Industrial Expansion must be Located North of Cornelius for Efficient Access** to Sub-regional Industry Clusters, Regional Services, and Larger Markets via the Sunset Hwy.
8. **Land Here is Not the Best Agriculture Land** See Zoning Map and Wash. Co. Analysis, which shows this land as Tier 2 in comparison to Tier 1 land north of Dairy Creek & other cities
9. **Dairy Creek Flood Plain is Better Buffer** (5-10 times wider than its tributary, Council Crk)
10. **Super Majority Support of Large** (over 10 ac.) **Lot Land Owners** (19 owners)

Thank you. My name is Jose Orozco. I live at 44 S 18th Court, Cornelius, Oregon and also volunteer as a Cornelius Planning Commissioner.

My testimony today supplements the letter that you have from Cornelius Planning Commission Chair, Sheila Griffie, who was not able to be with us today.

Out of 26 jurisdictions in the Portland region, Cornelius was the only one denied land for job development for the next 50 years. Why?

How is Cornelius different from all the other cities in the region?

Is the land north of Cornelius better for farming than land north of Hillsboro, Forest Grove, or other Washington County cities? The record, including Washington County's own analysis of farm land, says **No**.

Has Cornelius been irresponsible in planning itself as a green, sustainable, center-oriented community? **No. We live at a higher density than the City of Portland!** We are up-to-date in state and regional required land use planning tasks. And we meet all regional goals of the 2040 Plan.

Are urban services and infrastructure insufficient for job development north of Cornelius? The record shows that the county, state, and city have already invested more than **\$20 million** across and north of Council Creek. Cornelius water, police, fire, library, and planning services are already provided north of this tributary of Dairy Creek. Are the two new bridges built by the county, state, and city to be a **connection of home and work** as we planned? Or will the new **sidewalks** on them lead to nowhere?

Or is the only difference between Cornelius and the other Washington County cities our socio-economic make-up? Because we are **comparatively low-to-moderate income**? Because the **majority of our residents are Hispanic**? Or is it because we are **small or lacking in enough clout** that special interest groups use our geography to make a point? (We all support farmland and smart growth.)

What are the reasons for the change of mind on Cornelius' future?

What new facts have been discovered?

Why is land approved for future jobs by the County last year disapproved for jobs this year?

The same factors for urban and rural suitability apply in this Comprehensive Plan amendment as for the Comprehensive Plan amendment adopted last year.

As Planning Commissioners, you *should be* asking these kinds of questions.

Please approve an amendment to Ordinance 740 that's before you -- to replace *at least* 350 acres north of Cornelius for future jobs. That would be economic and social justice in Washington County, which is very much needed and supported by the record.

Thank you,

Jose Orozco, Cornelius Planning Commissioner

44 S. 18th Court
Cornelius, OR 97113

Washington County Planning Commission

Testimony on Ordinance 740, Comprehensive Plan Amendment, that promises to lock away for 60 years the only suitable land for industrial development available to the City of Cornelius.

March 2, 2011, Hillsboro, OR

Mr. Chair and Planning Commissioners:

I am Amy-Scheckla-Cox. I live at 1536 S. Ivy in Cornelius, Oregon.
I am an Architect and serve as Vice Chair of the Cornelius Planning Commission.

You have an opportunity to make a crooked way strait. Planning Commissions are supposed to see that planning is rational, local, citizen-based, fair, offers due process and balances land use conflict for the benefit of all affected.

The proposal before you does none of that.

The Ordinance before you is a last minute political product, not the product of an open weighing of publicly proven and debated facts.

This Comprehensive Plan Amendment would take away land planned, zoned and prepared with taxpayer dollars for future industrial development north of Cornelius, which needs this modest space to build a sustainable community and where most property owners want it. The ordinance relocates these acres for industrial growth to an area north of Hillsboro, which already has thousands of future industrial acreage, which is zoned for farmland and where most property owners do not want it.

This land just north of Cornelius has been planned for future urbanization for thirty years. It has been approved for urban expansion and then taken away five times now.

1st The land between Cornelius and Dairy Creek was approved and mapped by Washington County as Urban Reserve in 1983. A map of this County Urban Reserve is in the record.

2nd During the 1990's, approximately 200 acres of this land was zoned by the County and acknowledged by the State as Exception Land to recognize the sub-urban development north of Cornelius. Cornelius has annexed property and provided water and other urban services north of Council Creek for over twenty years.

3rd In 2004, Metro approved and mapped 200 acres of land north of Council Creek as Urban Growth Boundary expansion, with Washington County support and unanimous support of MPAC. Eighteen months later our Community was shocked to see that UGB taken away at the last minute of a Farm Bureau appeal.

[I was on the City Council at the time and this is how that went:
We assisted with Metro staff findings and supported its Chief Operating Officer's recommendation, attended MTAC and MPAC meetings and public hearings, helped staff a western regional Open House on Metro's UGB recommendations (at which no opposition to Cornelius' UGB expansion was voiced and not one Metro Councilor attended, I might add), and we heard nothing about a possible reduction of our relatively small expansion.

Yet, just a week before the final ordinance was to be voted on, Metro changed its mind on Cornelius' expansion after the public hearing was closed on a verbal amendment to cut Cornelius expansion back to Council Creek. This was contrary to President Bragdon's stated policy that only amendments to their UGB recommendation that were circulated in writing before the meeting would be considered. Just one week later, Metro voted on the full package without this Cornelius' expansion, without listening or even asking one question of any of the 12 community leaders and area farmers we had hustled to get to the final meeting.]

4th In 2007, Cornelius was given permission by Metro to apply for an amendment to the regional urban growth boundary mid-cycle. Again, when the facts were on the table and examined openly and fairly, Metro's Hearings Officer approved a UGB expansion north of Cornelius. But when the Hearings Officer recommended approval to the Metro Council, the Council voted to deny the expansion after last minute testimony by the Farm Bureau, because they didn't want to encourage cities to apply for UGB changes mid-cycle after all.

Last summer, for the 5th time, at the end of two years of regional and local analysis, facts on the table and compromise, Washington County and Metro approved an Urban Reserve Designation for land north of Cornelius (approximately 624 acres) the only land suitable for future industrial growth.

But in October, after last minute privileged testimony from the Farm Bureau, an uninformed LCDC decided to selectively remand the regional reserves agreement to omit the land north of Cornelius. Why? On what grounds? Our community does not know and cannot object or appeal, because no written order has been written.

Here we are four months later – no written order with findings. You have a County Comprehensive Plan Amendment before you that rips the heart out of Cornelius' future – takes from our "boot-strap" community the only land suitable for future industrial development – without even a chance to face the new facts and findings upon which this major change for us is based.

Please be your best as an Oregon Planning Commission. Reject this Ordinance or amend it to include at least 350 acres nearest our northern city limits, within just 6 blocks of our Town Center and future LRT, and the only land suitable for industrial development as Urban Reserve – Again.

Cornelius needs the jobs. We can't wait 50 years. It is the right thing to do.
Thank you.



Washington County Planning Commission

Testimony on Ordinance 740, Comprehensive Plan Amendment
As it Affects the Community of Cornelius
March 2, 2011, Hillsboro, OR

Mr. Chair and Planning Commissioners:

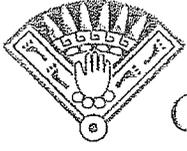
I am Jose Rivera, Executive Director of Centro Cultural. Centro Cultural is a non-profit organization whose mission is to promote education and economic development, increase cultural consciousness, respond to community needs and celebrate understanding among the diverse groups of our community, for 40 years we have served the Hispanic community in all of Washington County and are based in Cornelius.

The community of Cornelius has over a hundred twenty-year history in the Tualatin Valley. It has always had a symbiotic relationship with agriculture. It served as a base for farm to market distribution. Cornelius was a convenient urban center for the banks, implement stores, food markets and recreation needed to sustain farms, forestry and later the nursery businesses in western Washington County. It has offered housing, schools and services to farm workers as well as urban residents who wanted country living. There has been little conflict between urban Cornelius and rural life.

Because commercial agriculture so depends upon immigrant and temporary migrant labor, Cornelius' people have always been a more diverse lot than in other cities in the Portland region. As agriculture grew more productive, towns that served the industry grew too. Cornelius is now a satellite urban center within the larger Portland region that serves many industries natural to metropolitan communities. It has a 56 percent minority population and a natural need to grow along with the industries around it. But it is stuck in 30-year-old boundaries.

Agriculture and cities, Hispanic and Anglo people, can and do grow sustainably together.

The City of Cornelius is built out to its boundaries at contemporary and sustainable urban densities. In cooperation the County, Metro and property owners, the community has made the case for a reasonable amount of land for designation as Urban Reserve, specifically for future job growth. If the region does not allow some elbow room for this community, a great many people who live in Cornelius will have to continue expensive commuting long distances to jobs elsewhere. Without space for job growth, a great many people who we serve at Centro Cultural will be unemployed during the seasons they are not working in agriculture.



CENTRO CULTURAL of Washington County



1174 / 1110 N. Adair / PO Box 708 • Cornelius, OR 97113 • Phone (503) 359-0446 • Fax (503) 357-0183

Selecting Cornelius out of all communities for omission of Urban Reserve land for future job growth is a serious mistake. The community that is being punished by tighter boundaries is one that has the least land to grow – needs it the most – and happens to be the only majority Hispanic community in the region. Starving the sustainable development of a minority, low-income, economically distressed community is a recipe for disaster.

The region says it wants to be a diverse sustainable place to live and work. The Cornelius community has shown a way to build that livable place and add to the regions diversity. We are not asking others to do it for us. But we need some space!

Reject this Ordinance, which takes away our future, or amend it to include at least 350 acres just north of our Town Center as Urban Reserve for jobs. Failure to do so will put a stake in the heart of this community.

Thank you,

Jose E. Rivera
Executive Director
Centro Cultural

centroinfo@centrocultural.org • www.centrocultural.org

Flor y Canto • *Vida y Cultura*

Washington County Planning Commission

Testimony on Ordinance 740, Comprehensive Plan
Amendment

As it Affects the Community of Cornelius
March 2, 2011, Hillsboro, OR

Mr. Chair and Planning Commissioners:

I am Dan Sheldon, Owner and CEO of Sheldon Manufacturing, located at 300 N 26th Avenue in Cornelius. Our business is manufacturing laboratory equipment. We produce products that are distributed all over the world.

We have heard some people say that the City of Hillsboro is the only or best place for high-technology industries to develop in Washington County. Enough people I guess to propose taking away land approved last year for Urban Reserves north of Cornelius and relocating it on farmland north of Sunset Highway. This is supposed to be the easiest response to the State's nervousness about using farmland to grow industry.

Please know that Sheldon Manufacturing is a successful high technology industry that has flourished in Cornelius for 32 years. It is a clean and green industry. I have been known to ride my bicycle 16 miles to work. We want our employees to have the opportunity to walk and bike to work too.

When we were thinking of a major expansion of our facilities several years ago, we were thwarted by the fact that the very limited suitable land in Cornelius for our development was not for sale at a reasonable price. In 2007, we joined our Chamber of Commerce speaking in favor of an addition to the Urban Growth Boundary north of Cornelius for industrial development, which approved and then disapproved later.

We would prefer to stay in this community because our trained work force is here. But we will be unable to do so if there isn't a bigger place to move to. Our hope is that space will be available when we need it. Sheldon has made two significant changes so far this year.

First we hired an international sales rep away from our largest competitor with the intention of doubling our international sales next year.

Second we purchased the assets of another company in San Antonio, Texas and will be moving those operations to Cornelius in the near future.

The City of Cornelius has been built out to its boundaries now for several years. In cooperation the County, Metro and property owners, our community has made the case for a reasonable amount of land for future urban development several times, specifically for industrial development. I do not know why, it seems to be at the last minute,

government changes its mind about this area. Washington County should not change its mind and its comprehensive plan again and take away this new life blood it approved last year.

If the region does not allow some elbow room for this community, industrial development – which means jobs – will stall in Cornelius. It really is there now. If Washington County and the region want to attract more companies like Sheldon Manufacturing to locate and expand for jobs and economic growth, there needs to be choices like small city locations, not just along Sunset Highway.

Please put some land back on the Urban Reserves map north of Cornelius, like the 350 acres shown on the City's drastically down sized request map in front of you.

Thank you.

Sheldon Manufacturing
300 N. 26th Ave
Cornelius, OR 97113

Testimony to Washington County Planning Commission
Ordinance 740, Comprehensive Plan Amendment
Regarding Omission of Urban Reserve North of Cornelius
March 2, 2011, Hillsboro, OR

Chairman and Planning Commissioners:

I am Tim Duyck. I live at 1240 N Cornelius Scheffler Rd, Cornelius, Oregon.
For decades, our family has owned property within the Exception area just north of
Cornelius that is being proposed today for a Rural Reserve designation. I understand that
this County land use designation means that I cannot annex into the City of Cornelius and
develop anytime in the next 50 years.

That is very different from County plans for this land over the past 30 years. In the early
1980's land up to Dairy Creek was designated by the County as Urban Reserves. Since
sometime in the 1990's our land has been zoned by the County and acknowledged by the
State as Exception Land (partially urbanized). Since 2004, our property has been
approved and then at the last minute disapproved, because of back-room dealing, three in
times – in 2004, in 2007 and now again in 2011. Under each and every public
examination of the facts of Cornelius need and the suitability of this land for industrial
development, our land has designated for future urban development.

My dad, Walt, and I wanted to develop our property into an industrial park with our
neighbor Dave Armstrong. The action under your consideration takes away our plans for
private development, makes silly the millions of dollars spent on bridge, sidewalk and
other urban services and infrastructure north of Cornelius, and denies the community of
Cornelius the right to grow to a sustainable balance. A decision to uphold this
Comprehensive Plan Amendment will reduce the value of our property significantly.

The several Farm Bureau members who have opposed all attempts to urbanize the north
edge of Cornelius do not speak for a lot of farmers and nurseryman in the area. Everyone
knows this, but their personal interests are not widely know enough to stop last minute
scuttling of good planning in this area.

Please keep an Urban Reserve designation north of Cornelius, at least the 350 acres the
City is asking for now, which includes the Exception Areas and our property.

Thank you.

Washington County Planning Commission

Wednesday, March 2, 2011

Re: Cornelius Urban Reserves North of Cornelius

Planning commission Members and chair,

My name is David Armstrong.

I live at 1560 NW Cornelius Schefflin Rd., Cornelius, OR.

My 8 acres on two lots are in the area North of Cornelius being considered

I am here to support an Urban Reserve designation for the land North of Cornelius.

Did you ever have a situation where all the information available suggested a clear cut decision or direction of movement.....and yet the parties took another direction not supported by the information available? One of those times when your jaw drops from disbelief! From such a situation you wonder what was going on under the surface.....not visible.....to cause such action.

The Cornelius Northern Urban Reserves is such a situation.

We have a city Cornelius that has:

- The lowest income of any city in Metro

- The fewest jobs per capita of any city in Metro

- The longest commute to jobs of any city of Metro

- The highest level of Poverty of any city in Metro

- The highest percentage of minorities of any city in Metro

- The greatest need for local jobs and shopping of any city in Metro (low income benefits from close jobs)

The land being considered as Urban Reserves is:

- Exception Land.....the land that is supposed to be considered for development

- Not the best farm land (it is Tier 2 land)

- Actual owners (super majority) of land want the designation of Urban Reserves

- Ready for development by past infrastructure development:

 - 2 new bridges, a Sewer Trunk Line, Water / Gas at edge

 - Improved / widened roads to \Hwy 26

- Broken up into small parcels.....profitable farming difficult to impossible

Note: I believe the Helvetia land fails 4 of the 5 above

Back to the Jaw dropping when you see the direction the parties are going. I submit to you that all the factual data supports an Urban Reserve designation for some land north of Cornelius.

Sowhat is the information that is not visible.....that causes this "direction of the parties" to deviate from the obvious solution? What is it?

Why would another county (Clackamas) resist any land for jobs for Corneliusin Western Washington County? Why would the leadership of Washington County.....who supposedly have a charter to strive towards making ALL cities within their Jurisdiction livable and sustainable cities.....take such an action to strip one of its cities of Job Growth potential for 50 years? Why would Metro approve the same? None of this seems to line up with the information available.....or common sense.

It is jaw dropping.

So it begs the questionwhat is it that leads to this decision? Is it back room politics? Is it one man on a crusade to stop any development on the road he lives on? Is it because someone knows

someone else on the Farm Bureau board who knew someone at LCDC? And a difficult question.....is it that there is truly prejudice towards a highly minority community? What is it?

Is there a well understood reason to exclude Cornelius from job growth opportunities for 50 years that all of you know from other discussions that have been discussed such that Cornelius does not hear the discussions? My Jaw drops every time I review the information available and consider the decisions being made.

The various leadership groups governing Cornelius from above.....have decided that Cornelius should not have any land for jobs growth in the next 50 years. No jobs growth for 50 years. None. Jaw drops again!

What will be the future of this decision? As a business owner.....what would you think about a community that had decided (or had it decided for them) that it would not grow for 50 years that it would gradually reduce services to its citizens until it eventually was absorbed by neighboring communities.

Instantly businesses that might have located in Cornelius.....will say to themselves we cannot go to Cornelius.....the prospects of a growing / thriving community just are not there. I suspect that even existing businesses will eventually say that to themselves and look for locations elsewhere.

Cornelius leaders have reported to Washington County and Metro that the city....without jobs land..... will gradually slide into inability to function. Services will gradually be reduced. Libraries. Fire protection. Police protection. City streets will inevitably begin to deteriorate. At some point Hillsboro or Washington County will have to pick up responsibility for the various city functions and infrastructure. Cornelius will blend into one city or the other and cease to exist. While that is going on, Cornelius citizens will be 2nd class citizens.

Here is the bottom line.

This decision will cause one city (out of dozens of cities) to not be able to provide its citizens with the same level of benefits as are provided to the citizens of every other Metro city. Less of everything. You can make the list. I submit to you that the slide has started as the Fire Chief retired Cornelius made at least a short term agreement with Forest Grove to have their Fire Chief serve Cornelius.

So....I believe..... this decision becomes a civil rights issue.....because government clearly makes a decision to single out ONLY one city under its jurisdiction to withhold the normal growth potential that leads to a livable healthy community . They decide that the Cornelius citizens will for 50 years have to drive farther for jobs than other citizens. That they will end up having to go to another city for library services. You can make a list of all the city government provided services that will be diminished.....as a direct result of this decision.

Again.....this is not conjecture. The City leadership has already testified that this will happen.

If you read Cornelius appeal to this commission.....they raise the justice issue. (Civil Rights Justice)

In the civil rights sense.....I believe that not providing any jobs land for Cornelius would be an UNJUST decision. It would in effectively withhold from Cornelius Citizens what you give to ALL other citizens of ALL other cities.

So....I sincerely ask you to be the leadership group who calls this decision into question.....and as a planning commission.....say to the county leadership.....to Metro leadership.....this decision to EXCLUDE Cornelius from Jobs growth for 50 years is not appropriate.....does not represent justice for the citizens of Cornelius.

Cornelius has provided a "desperate" compromise proposal of 350 acres. Note the word "desperate". Their word. The lack of justice leads to desperation! I would encourage you to support Cornelius' desperate compromise proposal.....and bring this process back to a common sense Just conclusion.

Thanks for listening,

Respectfully submitted,

David Armstrong 503-349-4219

December 14, 2009

COPY

Washington County Board of Commissioners
Attn: Andy Dwyck - Commissioner - District 4

My wife and I have owned property north of Cornelius for over 44 years. It has been farmed, but also divided into three buildable parcels since 1969.

We would like the property to become a part of the Urban Reserve as it has the potential to be used to increase the industrial base for the City of Cornelius.

This property could develop into three building sites with present zoning, but it would seem more practical to use it as industrial rather than building houses which would later have to be replaced.

Thank you for your consideration

John Wrautschid

John Wrautschid

508 N.E. Birchwood Terrace

Hillsboro, Oregon 97124

Testimony supporting Urban Reserve Designation
North of Cornelius.

August 18, 2009

Washington County and Metro Regional Reserves Committees
c/o Washington County Long Range Planning
155 N First Ave., Suite 350 MS 14
Hillsboro, Oregon 97124

Testimony: Farmer Support of Urban Reserve Designation

Dear Committee:

Our extended family has been farming in Washington County for generations. We have also been active in urban communities in other vocations, as most farm families. We know the value of healthy balanced communities as well as healthy profitable agricultural business. We think that both are important and that they can exist together.

We own a number of large parcels within the area recommended as an Urban Reserve for the next fifty years on the County map. This includes acreage north of Council, Dairy and McKay Creeks. We understand that an Urban Reserve designation does not mean we have to develop urban uses at any particular time. We also understand that if our land is designated Rural Reserves that we will not be allowed to develop a non-rural use anytime in the next 50 years.

We intend to continue farming much of our land for 25 years. But beyond that, our children and future property owners may want to be part of a growing urban community. Both farming and healthy communities are important. So we support the Urban Reserve designation recommended for our land north of the Cornelius.

in the near future. We are Letha & Harry Jacobsmuhlen. We have lived and have operated a meat cutting and packaging plant at 1395 NW Susbauer Road, Cornelius 97113, for several decades. We have supported this land being included in the Urban Growth Boundary, since 1978 when it was designated as Exception Lands by Washington County.

We own over 30 acres of land that is partially urbanized with our meat packing business, but the majority of our property is zoned AF-20. The urbanized part is in Cornelius's UGB amendment area. We have farmed the vacant part of our land with field crops like, hay and have never been able to even cover our property taxes with our farm profits.

We urge Metro to approve this expansion. Our family would like to expand this industrial business before we are dead and gone. We can provide more jobs only if you approve this expansion soon. Cornelius needs the jobs now too. We support the City's application for this Urban Growth Boundary Amendment.

Thank you.

Letha & Harry Jacobsmuhlen
1395 NW Susbauer Road, Cornelius, OR 97113

farming. That will continue, but we would like to have the option to have it in the Urban Reserve at the time in the distant future when our children deal with the land.

Living in Sherwood, we have seen a community that is only a bedroom of Portland, Tigard, and other large cities with industries. Sherwood worries about the size, color, and placement of signs rather than attracting industries or small business. I think Cornelius is thinking ahead of a place to build industries and a place for their people to work in the future. We have a large flat parcel that would qualify for that purpose.

Having been raised on that farm I know how hard it can be to make a living. I worked in the fields from age 10-21. At 21 I graduated from college and had an easier life, where weather and market swings did not affect my income. At present the farm income pays the taxes, but does not begin to make a living to support our mother in a retirement home. In fact it barely pays for 1/3 of her care. The farmer has already told us not to count on any money next year. The swing in revenue makes it hard to make a budget. My mother is the owner of the land. We are the caretakers of her estate. We recently had the farm buildings removed and have turned the farmyards into fields. Burning the house and barns built in part in 1900 was very hard, but the farm did not provide money to repair and restore the time-ravished buildings. Leaving the empty buildings attracted drug dealers and shady characters. It also was an unkempt eyesore. Again the farm provides limited income. We would need to get larger with more farmland to make more money for total family support from the farm. Our father rented and farmed far more land. That is not in our plans to be farmers. We have other professions, as do our children.

In summary, please consider putting this parcel of land in the Urban Reserve for future use making it available for industrial, commercial or residential uses. We plan to farm the land until the time it is needed for future development.

Sincerely,

Ed and Phyllis Kohlmeyer

20277 SW Roy Rogers Road

Sherwood, Oregon 97140

Cary Kohlmeyer

Kent Kohlmeyer

August 15, 2009
1304 Sitka Ct. SW
Albany, OR 97321.

Dave Waffle, City Planner
City of Cornelius
1355 N. Barlow St.
Cornelius, OR 97113

SUBJECT: METRO BOARDS LAND USE PLANS FOR WASHINGTON COUNTY

This letter concerns the Van De Moortele farm north of Cornelius on NW Susbauer Rd. It covers 97 acres on the west side of Susbauer. Part of the farm is Dairy Creek wetlands north of Long Road bordering Dairy Creek. It has been in the Van De Moortele family for almost 100 years. It does not have irrigation rights. Currently it is being used primarily for grass seed production but has been used in the past for hays, grains, and livestock. The taxes on the property last year were \$1567.00.

It was brought to my attention that the Metro Council is in the process of making a decision concerning the zoning of this farm either to be placed in an agricultural reserve or urban reserve for a 50 year period. I wanted to give you my opinion. The Washington County Farm Bureau is affirming that ALL the farmers in the area wish their properties in the 50 year agricultural reserve. This is not true about the Van De Moortele farm, which I would prefer to have placed in the urban reserve. This allows the family to have the option of being sold at a profit or continue on as a farm. It also gives the City of Cornelius the option of increasing land available to its community for homes, industry, or business.

The zoning future of the area appears to be moving towards preserving farmlands, restoring wetlands, and having green spaces available for the public to enjoy. This has definite benefits for a community. A Tier II Objective of the Metro Council concerning Dairy Creek is to protect riparian and wetland areas, restoration and reclamation of upland habitats as well as improving water quality. If these changes include the Van De Moortele Farm it reduces the size of the farm considerably. I consider this not to be a benefit for the farm as a family business or to my 93 year old mother who is relying on income from the farm for her expenses.

On a personal note, the land under consideration for wetlands provided for me as a child a wonderful place to spend hours and hours playing. My brother and I caught pollywogs, played in the Dairy Creek, picked wild flowers, played with our dog, and played with our friends there. It was a place I wish every child and their imagination could have.

Thank you for your consideration of my opinion.

Respectfully,

Ruth Anne Van De Moortele Dean

Ruth Anne Van De Moortele Dean

RECEIVED

AUG 18 2009

City of Cornelius
City Managers Office

Hillsboro School District

OFFICE OF THE SUPERINTENDENT



3883 NE 49TH PLACE, #122
HILLSBORO, OR 97124-6606
TEL: 503-844-1500
FAX: 503-844-1781
WEB: hsd.k12.or.us

August 31, 2010

Metro Council
600 N.E. Grand Avenue
Portland, Oregon 97232

RE: City of Cornelius Urban Growth Boundary Expansion
Hillsboro School District Letter of Support

The Hillsboro School District supports of the City of Cornelius' recommendation for immediate expansion of the Urban Growth Boundary. The district is invested in building greater capacity for the existing student population, and in planning for future development in the Cornelius area.

Cornelius' plans to build a more robust community with urban amenities, including accessible parks, trails, schools, and jobs, are important and helpful to the school district's goals for providing a first-rate education to residents of Washington County. We agree with the City's vision of an affordable, walkable, sustainable community that is interdependent with both urban and rural neighboring communities. Cornelius's request for UGB expansion this year promises a balance of much needed housing and employment opportunities.

The Hillsboro School District currently owns 40 contiguous acres outside the UGB just east of the Cornelius city limits and south of Tualatin Valley Highway. This property was purchased as a high school site to be developed sometime within the next three to six years. With the addition of a new high school to serve our students on the Cornelius property, the district can more effectively serve the larger Cornelius community and reduce the carbon footprint that is currently generated by transporting Cornelius students to distant district high schools.

There is currently no appropriate site available within the existing UGB for this needed facility. The high school site is located on flat land with no environmental constraints, making development and extension of infrastructure efficient and cost effective. The district plans to develop this property in partnership with the City of Cornelius.

Respectfully,

Gustavo Balderas, Assistant Superintendent
Hillsboro School District

C: Washington County Board of Commissioners
City of Cornelius City Council

French, Larry

From: Meyer, Richard [rmeyer@ci.cornelius.or.us]
Sent: Thursday, June 02, 2011 4:28 PM
To: larry.french@state.or.us
Cc: Anne C. Davies; Reynolds, Dick; Waffle, Dave; Sheila Griffie
Subject: City of Cornelius Objection to Adoption of Amended Metro Urban Reserve Areas
Attachments: Cornelius Reserves Objection to DLCD.pdf; Community - Farmland Compromise Map 4-13 352 acre trade.pdf; Wash Co Testimony 4-19-11_SEG.doc; North of Council Creek Argument.doc; Cornelius Urban Reserve Testimony 2010.pdf; Farmer & School District Urban Reserves Testimony 2009.pdf

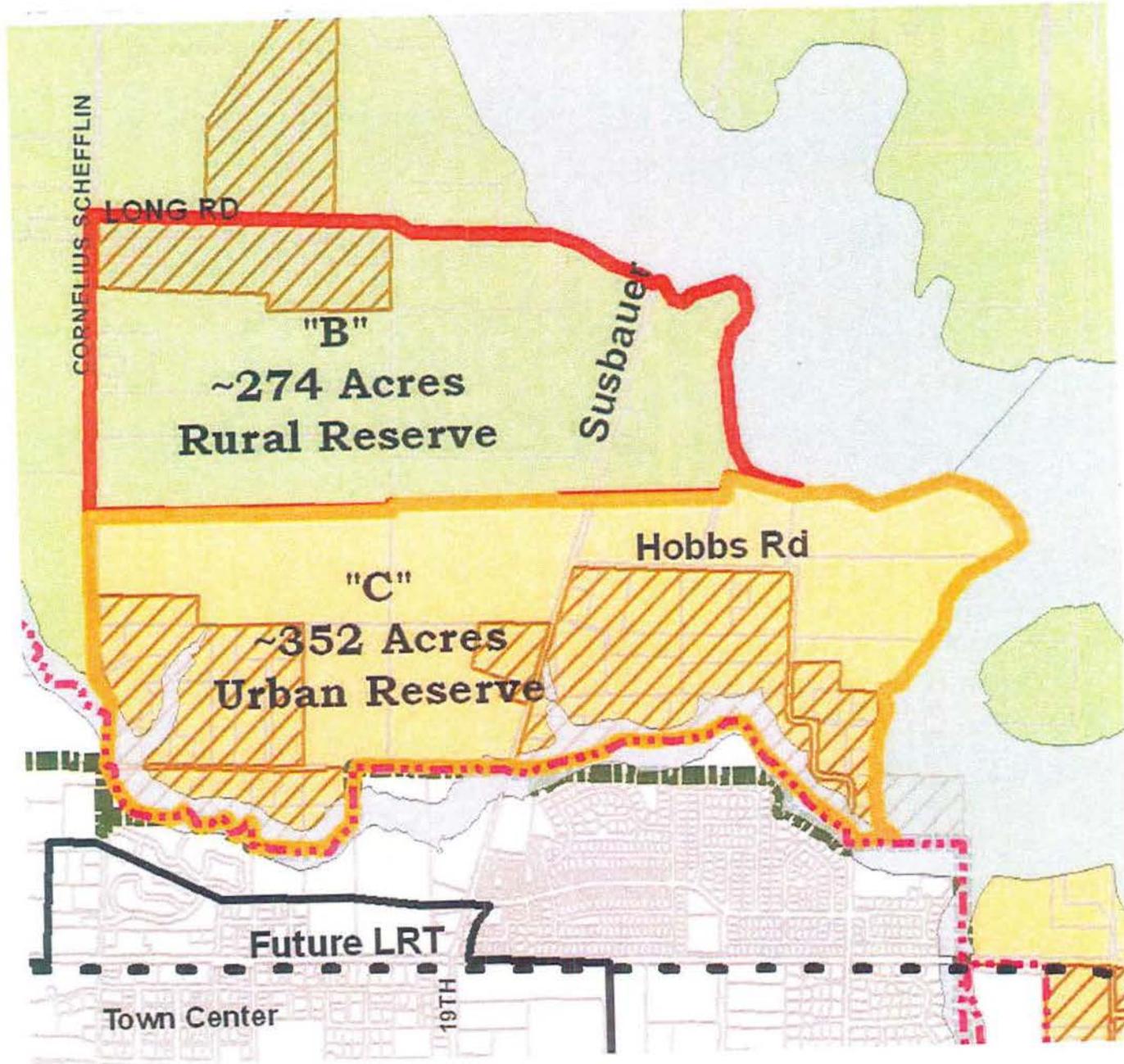
Mr. French:

Please accept this Objection to the Metro Urban Reserve Areas as amended and adopted by Metro and Washington County this April, 2011. The City of Cornelius looks forward to consideration by DLCD and a hearing before the Land Conservation and Development Commission this August.

Thank you for your public service.

Richard Meyer
For the City of Cornelius

Cornelius Detail - Pt of Community - Farmland Compromise





WASHINGTON COUNTY OREGON

January 25, 2008

Richard Meyer
Development & Operations Director
City of Cornelius
1355 N Barlow
Cornelius, Oregon 97113

RE: VALUE OF PUBLIC INVESTMENT IN TRANSPORTATION SYSTEM IMPROVEMENTS

* This letter is in response to your recent questions about the value of public investment in transportation system improvements at, and north of, Council Creek adjacent to the City of Cornelius. There are several major investments by the partnership of the State of Oregon, Washington County (County), and the City of Cornelius (City), along Cornelius-Schefflin Road / N 10th Avenue and Susbauer Road / N 19th Avenue. These public investments are designed and constructed to meet current transportation standards and future anticipated demands based upon the current urban growth boundary. Since the County can not accurately anticipate future expansion of the urban growth boundary, traffic analysis does not attempt to take into consideration "probable" or "potential" areas eligible for consideration for inclusion in the urban growth boundary. However, as a transportation system provider, properties proposed for a major amendment to the regional urban growth boundary that are contiguous to an incorporated city, and have improved access to major state highways and county arterials, is clearly desirable.

The Susbauer / 19th Avenue bridge over Council Creek, located about 80 percent within the City limits and 20 percent within current unincorporated County has just been reconstructed with Oregon Transportation Improvement Act (OTIA) funding with County and City effort. It was built to City standards, including sidewalks, right-of-way, access control, and storm drainage. The total cost was \$2.6 million.

The Cornelius-Schefflin / 10th Avenue bridge over Council Creek, located approximately 90 percent within current unincorporated County and 10 percent within the City limits has been designed to urban standards also, and is scheduled to be constructed this summer and fall, with OTIA and County funds and City resources. The estimated cost of this bridge reconstruction alone is \$ 6.4 million. The bridge was designed with City required sidewalks, right-of-way, and utility access in anticipation of expansion of the City urban growth boundary and City jurisdiction to include the partially urbanized land north of Council Creek.

Reconstruction of the Cornelius-Schefflin bridge requires building a new access to a nine-house subdivision along Spiesschaert Road to replace the substandard Spiesschaert bridge that currently abuts the old Cornelius-Schefflin bridge. OTIA funding to replace the Spiesschaert bridge is \$1.9 million. There is only one safe route for a new access road to the Spiesschaert Road subdivision. This route requires acquisition of right-of-way from four property owners. The two largest

landholders of these four have committed to donate the necessary right-of-way if they can develop their land as industrial property with urban services. The cost of condemnation and acquisition of this land, if not donated, is estimated at from \$400,000 to \$650,000. Moreover, because this access road was designed during the time when Metro had approved the area for urban growth expansion, this Spiesschaert Road connection was designed at urban industrial collector standards, as the City requested. If right-of-way needs to be purchased, the standards to which the road is constructed will be reduced.

Finally, improvements to the multi-purpose arterial Cornelius-Schefflin Road / 10th Avenue, from the new Dairy Creek traffic circle down across the new Council Creek bridge to the Holladay industrial collector street, are budgeted at \$15.7 million. These improvements are designed to provide improved access for urban commuting, freight traffic and farm equipment along an important west county arterial. Urban standard sidewalks, lighting and right-of-way is being constructed north from inside the current City boundary to the new industrial collector that provides access to future industrial uses and Spiesschaert Road.

~~X~~ Altogether, public transportation facility investments in this immediate area add up to approximately \$20.2 million, which should serve the County and City existing, and future, transportation needs very well. These improvements provide a safer and more efficient movement of commuters and freight traffic, while also providing accommodation for agricultural equipment and recreational bicyclists.

All transportation system improvement projects constructed by the County, in vicinity of the City, are designed to accommodate the County's and City's future growth based upon current Urban Growth Boundaries. While not considered in project traffic analysis, the City's proposed major amendment to the regional urban growth boundary can be accommodated with the current transportation system improvements invested and would be beneficial in the completion of pending improvements. I hope this letter answers your questions. Please keep us informed about the progress of your application.


Dan Brown, PE
Capital Projects Manager
Washington County Oregon

c: Kathy Lehtola
Brent Curtis

PRESIDENT
ED TROMPKE
JORDAN SCHRADER, PC

VICE PRESIDENT
MATT FELTON
FELTON PROPERTIES, INC.

SECRETARY
JACK ORCHARD
BALL JANIK, LLP

TREASURER
STEVE CLARK
COMMUNITY NEWSPAPERS

MEMBER AT LARGE
DICK LOFFELMACHER
PACTRUST

PAST PRESIDENT
RON JOHNSON
PORTLAND GENERAL ELECTRIC

DIRECTORS
FRANK ANGELO
ANGELO PLANNING GROUP
JONAE ARMSTRONG
WASHINGTON SQUARE MALL
STEVE BARRAGAR
HARSH INVESTMENT PROPERTIES
DAVID BENNETT
LANDYE BENNETT BLUMSTEIN, LLP
LOIS DIMARS
PETERKORT TOWNE SQUARE

NORM EDER
CONKLING FISKUM & McCORMICK

JIM EDWARDS
BIRCHER DEVELOPMENT, LLC

MARK FISHER
STANCORP MORTGAGE INVESTORS, LLC

RICH FOLEY
UNIFQUA BANK

KIMBERLY FULLER
EQUITY OFFICE

TIM PARKER
THE MELVIN MARK COMPANIES

JIM PEISCHKE
NIKE, INC.

BRIAN RICE
KEY BANK

MIKE SCHMID
Kpff CONSULTING ENGINEERS

DAVE UNDERHILLER
PROVIDENCE HEALTH SYSTEM

JONATHAN WILLIAMS
INTEL OREGON

RANDY YOUNG
NORRIS BEGGS & SIMPSON

TOM BRIAN
WASHINGTON COUNTY

CRAIG DIRSEN
CITY OF TIGARD

ROB DRAKE
CITY OF BEAVERTON

TOM HUGHES
CITY OF HILLSBORO

LOU OGDEN
CITY OF TUALATIN

JONATHAN SCHLUETER
WESTSIDE ECONOMIC ALLIANCE

SUSTAINING MEMBERS
EQUITY OFFICE
FELTON PROPERTIES, INC.
HARSH INVESTMENT PROPERTIES
INTEL OREGON
KAISER PERMANENTE
KG INVESTMENTS
MATRIX DEVELOPMENT
MELVIN MARK COMPANIES
NIKE, INC.
PACTRUST

PORTLAND GENERAL ELECTRIC
PROVIDENCE HEALTH SYSTEM
PS BUSINESS PARKS
QIVEST COMMUNICATIONS
STANDARD INSURANCE COMPANY
TEKTRONIX, INC.
VERIZON NORTHWEST
WASHINGTON SQUARE MALL



October 19, 2007

Mr. David Bragdon
President,
Metro Council
600 N.E. Grand Avenue
Portland, Oregon 97232

President Bragdon and Councilors,

Re: Support For Major Amendment To Expand UGB In Cornelius

Westside Economic Alliance is pleased to support the proposed major amendment to the urban growth boundary to add much-needed industrial land north of Cornelius, and better serve the growing demand for local employment in that community. *

Enclosed, for your reference and consideration, is a summary of current economic and demographic trends in Washington County. According to WorkSource Oregon, the number of jobs in Washington County (10,800) matched the estimated population growth (10,800) bringing both figures to record highs in 2006, while pushing unemployment levels to the lowest in the state.

Ironically, these numbers are also nearly identical to the current population of Cornelius, but the city has largely missed out on much of the recent surge in local employment. Indeed, residents of Cornelius hold the unwelcome distinction of commuting further for employment opportunities than 25 other communities within our tri-county region. This additional travel imposes financial hardships, consumes valuable time, jeopardizes personal safety, and harms the environment.

In sharp contrast to the aggregated data about Washington County, it should be noted that Cornelius has the highest poverty rate; lowest taxable property per capita; highest proportion of minority population, and is the only city in the metropolitan area identified as a "Distressed City" by Oregon's Economic & Community Development Department. The 2007 "Regional Equity Atlas" recently published by the Coalition For a Livable Future---with support from Metro---also ranks Cornelius lowest in total "regional equity" scores.

10220 S.W. Nimbus Avenue, Suite K-12 ■ Portland, Oregon 97223

Phone: 503.963.3101 ■ Fax: 503.624.0041 ■ E-mail: wea@westside-alliance.org ■ URL: www.westside-alliance.org

Metro President David Bragdon
October 19, 2007
Page Two

During your recent work session (October 16) the Metro Council discussed the growing need for developable industrial land in contiguous parcels offering 20-50 acres; 50-100 acres; and 100 acres plus. While we are not aware of any 100-acre tracts of industrial land currently available within the UGB of the Portland metropolitan region, and only three Westside sites offering 50 acres or more, a major amendment to the UGB could provide several of these coveted tracts for near-term development and employment opportunities.

Perhaps even more important, the proposal to add industrial land in their community enjoys popular support from local residents, civic leaders, and elected officials who understand the growing need for local employment and growth opportunities. The addition of industrial land will enable existing local employers to expand, the local economy to diversify by attracting new companies, and will provide a much-needed tax base to this community.

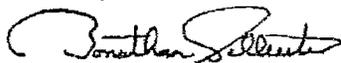
You will recall that in 2004, the Metro Council approved a 261-acre expansion to the UGB north of Cornelius, but later rescinded 195 acres from that proposal when a remand decision from Oregon's Land Conservation and Development Commission called for additional information to support the expansion. That decision left the Portland metropolitan region 90 acres short of the projected needs for developable industrial land in the 2002-2022 planning period, but was later determined to be within "substantial compliance" of the region's projected needs by LCDC.

The city's proposal to add 161 acres to the Urban Growth Boundary would remedy the 90-acre shortfall for industrial land Metro identified in 2005. The proposed expansion would occupy "exception" land, but would yield approximately 110 acres of net buildable area for industrial development. The immediate addition of industrial land and expanding local job opportunities is entirely consistent with the City's long-term goals and ambitions to provide its residents with smart growth, a sense of place and community livability, and economic sustainability. The proposed expansion is also consistent with ORS 197.298, State Goals 2 and 14, and Metro's own regional urban growth planning goals.

For each of these reasons, we encourage the Metro Council to support the proposed major amendment to allow additional industrial land to be designated within the UGB along the northern perimeters of Cornelius. This proposal is reasonable, consistent with earlier recommendations, and supportive of the long-term goals for our fast-growing region.

Westside Economic Alliance is pleased to support the proposed amendment, and recommends its immediate adoption.

Sincerely,



Jonathan Schlueter
Executive Director

Enclosure: "Washington County---By The Numbers"

Metro Council
600 NE Grand Avenue
Portland, Oregon 97232

Testimony: Cornelius UGB Expansion - Support
Metro Public Hearing, November 17, 2005

Chairman Bragdon, Councilor McLain and Metro Council:

I am 83 years old and my health is not such that I can be at your public hearing this Thursday, so I am sending this letter with other neighbors who are going. I follow the news, don't mind a good fight, and have been involved in land use decision-making since the 1970s. I was supportive in the mid-70s when our regional urban growth boundary was first discussed and later set. I led the cleanup of Council Creek in those days. I want to weigh in on your mistaken amendment to renege on your decision last year to expand the urban growth boundary north of Council Creek.

My family were farmers in the Tualatin Valley for several generations. I own the two largest parcels of land in the adopted Cornelius expansion area, one east of Susbauer Road and the other just west of Jacobs-Mullen's place. I have barely earned enough on this land in the past many years to pay my taxes. I have thought about giving it away at times. I am surrounded by small lots that are partially urbanized. The man who says this land is important to protect farming doesn't know what he is talking about. I believe in farmland protection and reasonable growth opportunities for Cornelius both.

The idea that Council Creek makes the best boundary is ridiculous. I was in the discussions of where the growth boundary should be placed twenty-five years ago. Dairy Creek and Long Road was mentioned more than any other boundary. We agreed that Council Creek would make an OK boundary for ten to twenty years. How can you think that Council Creek would make a good long-term growth boundary when the land north of there has been developed for years already?

My understanding is that you already made your decision – a good one – last year, after a thorough and fair decision process. Changing your decision now is not right, or fair, or supportable.

I will be watching. And thank you for your public work.

Sincerely,

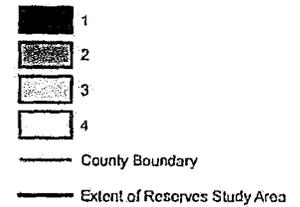
Marjorie Lafollett Smith
1580 NW Susbauer Rd. Cornelius

Washington County

Farm Analysis

Tiers

DRAFT



Disclaimer:

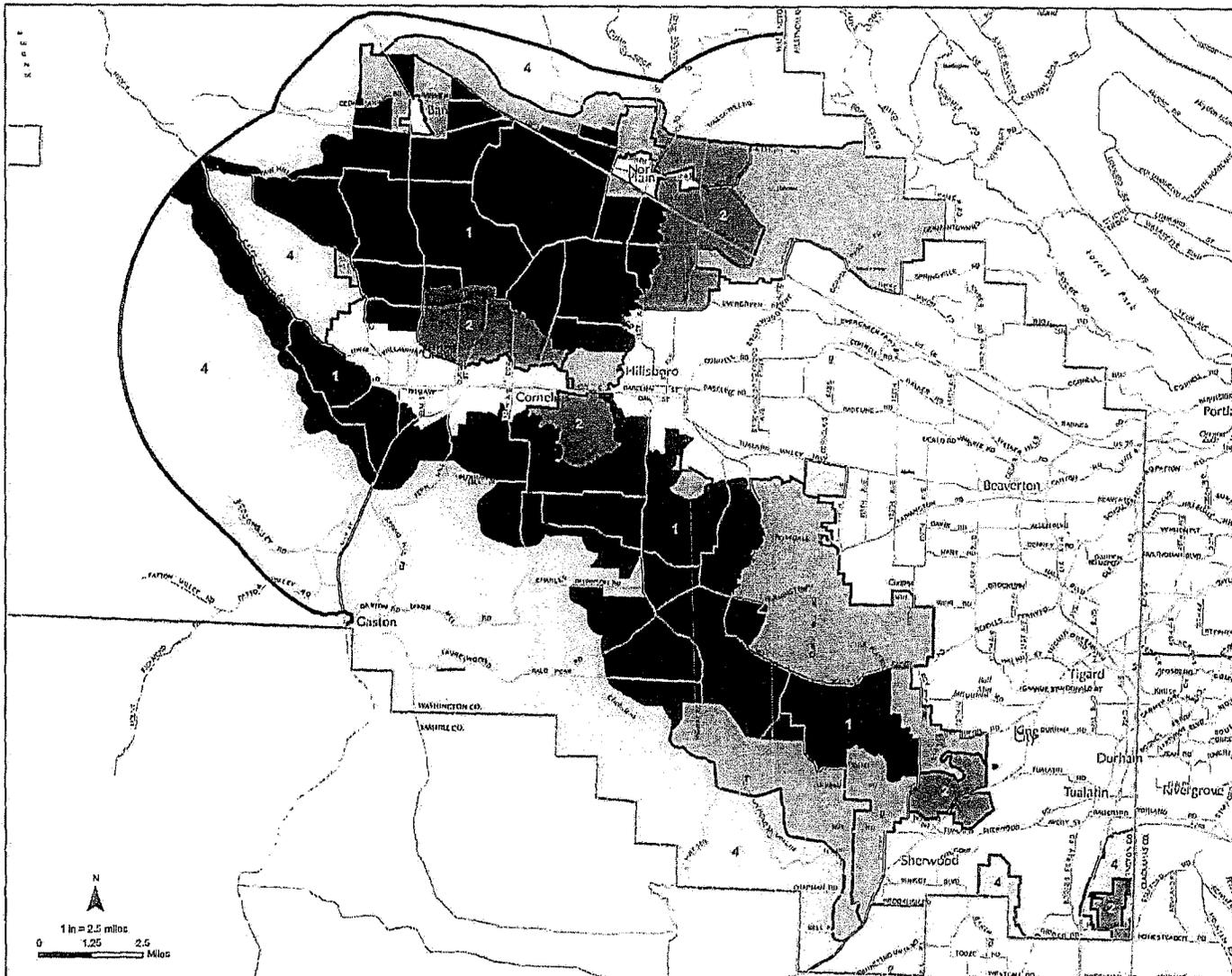
The information on this map was derived from digital databases on Washington County's Geographic Information System (GIS). Care was taken in the creation of this map, however, Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. Therefore there are no warranties which accompany this product. Notification of any errors will be appreciated.



Washington County Long Range Planning Division
155 North First Avenue, Suite 350 MS 14
Hillsboro, OR 97124
ph (503) 846-3519
fax (503) 846-4412
tulplan@co.washington.or.us

Map 28

August 3, 2009



Protecting Washington County's Remaining Class 1 Soils



Greg Mecklem
12995 NW Bishop Rd.
Hillsboro, OR 97124
March 15, 2011

Not all soils are created equal

- NRCS* has developed soil capability classes
- Indicate productivity of soil
- Highest Class I soils remain productive irrespective of whether irrigation is used
- Important to protect these soils in an era of water shortages
- Soil preservation / local food production is important
 - Food security
 - Advent of peak oil

*Natural Resource Conservation Service, an agency of USDA

Soil capability classes

Legend

Nonirrigated Capability Class

-  Capability Class - I
-  Capability Class - II
-  Capability Class - III
-  Capability Class - IV
-  Capability Class - V
-  Capability Class - VI
-  Capability Class - VII
-  Capability Class - VIII
-  Not rated or not available

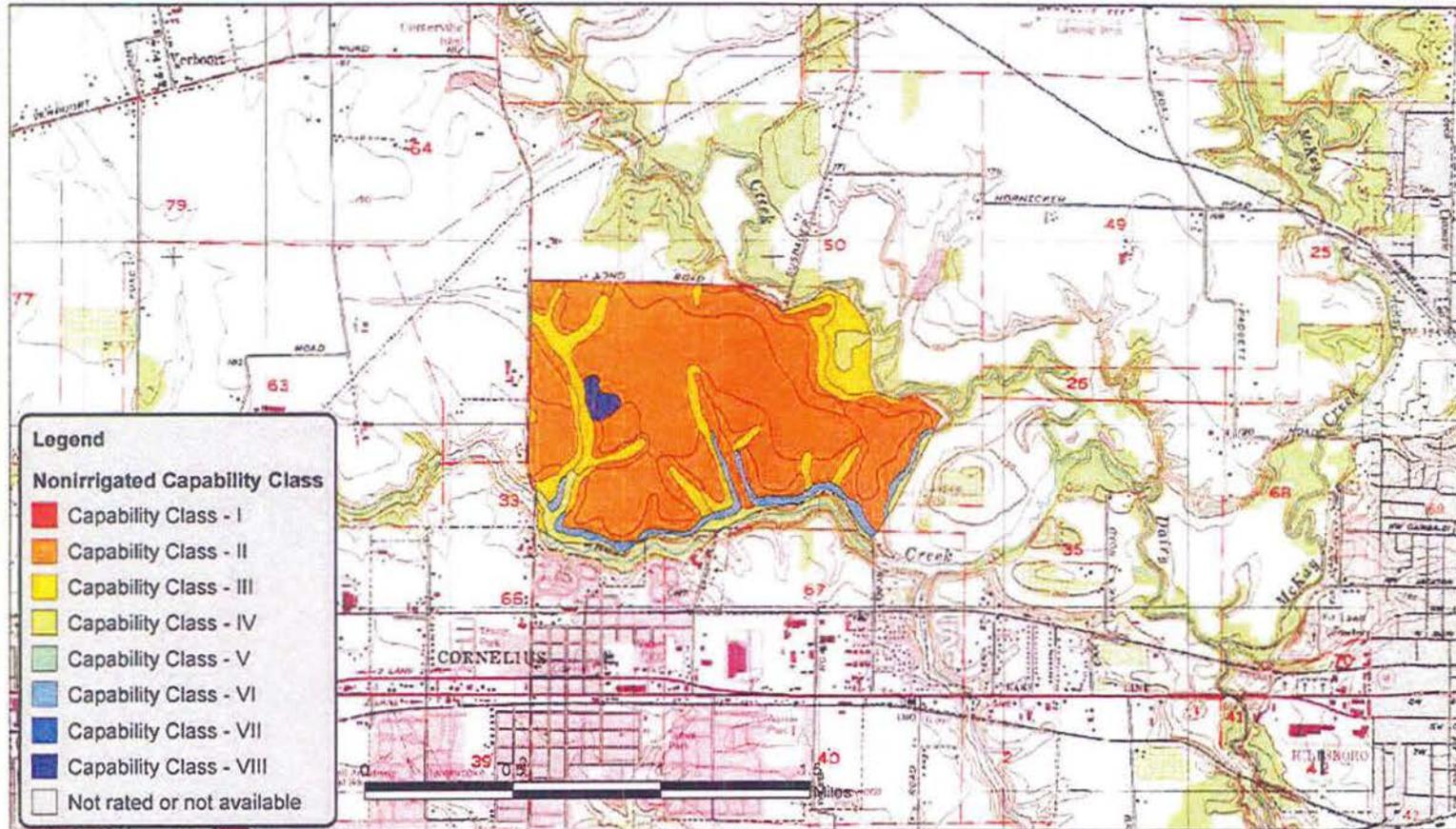
- Class I soils have few limitations that restrict their use.
- Class II soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.
- Class III soils have severe limitations that reduce the choice of plants, or that require special conservation practices, or both.
- Class IV soils have very severe limitations that reduce the choice of plants, or that require very careful management, or both.
- Class V soils are not likely to erode but have other limitations, impractical to remove, that limit their use.
- Class VI soils have severe limitations that make them generally unsuitable for cultivation.
- Class VII soils have very severe limitations that make them unsuitable for cultivation.
- Class VIII soils and landforms have limitations that nearly preclude their use for commercial crop production.

- Essential to protect Class I soils – few limitations on productivity
- Class II-IV have moderate to severe limitations on productivity
- Class V-VIII have serious productivity problems – not useful for ag

Cornelius north of Council Creek

**Cornelius N. of Council Creek
Soils by nonirrigated capability class**

Assisted By: Nathan P. Adelman
USDA-NRCS
08 March 2011

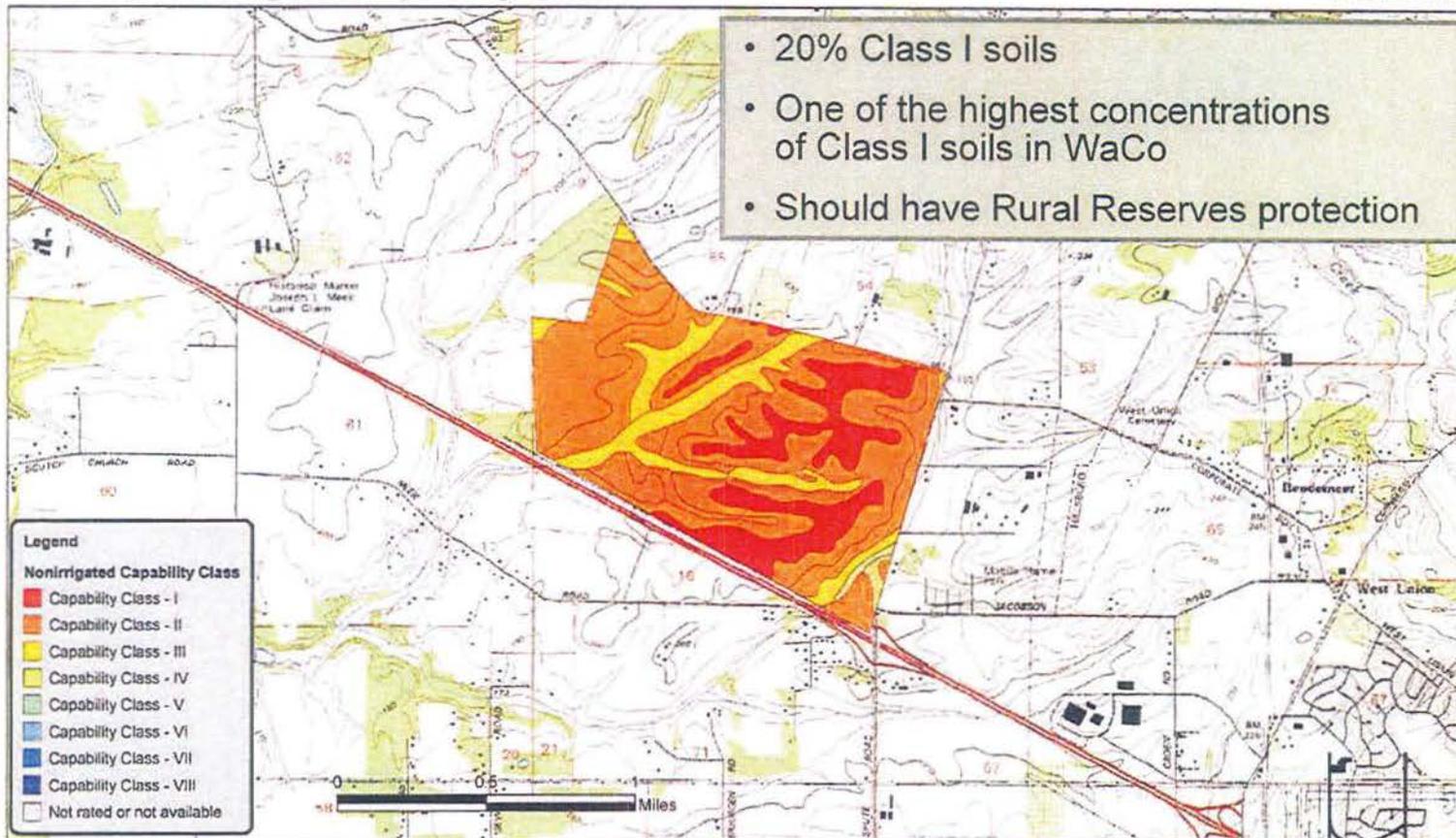


This map is for general planning purposes only.

Proposed Urban Reserves – Area D

Helvetia N of 26 proposed Urban Reserve
Soils by nonirrigated capability class

Assisted By: Nathan P. Adelman
USDA-NRCS
08 March 2011

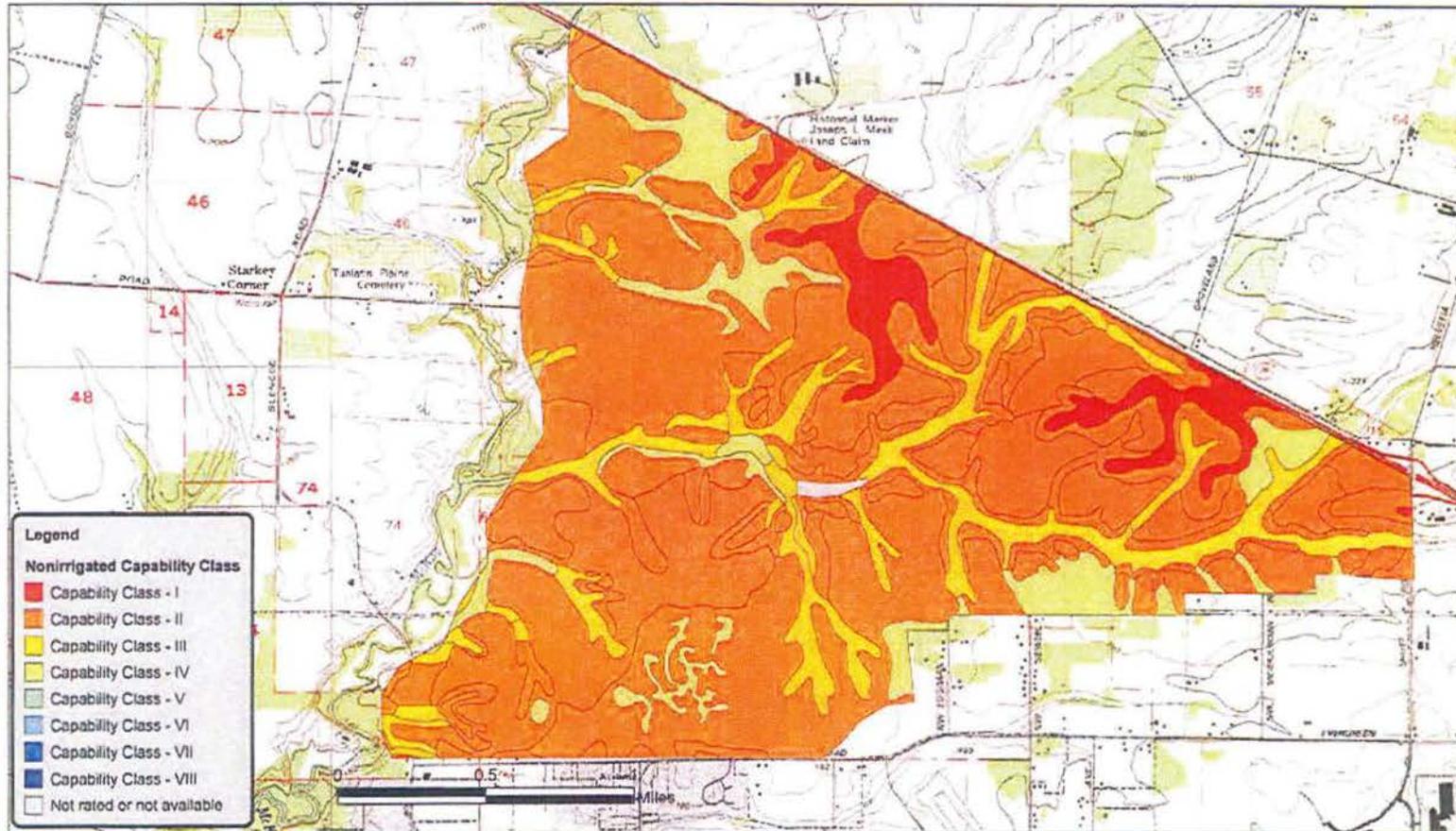


This map is for general planning purposes only.

South of Highway 26

North Hillsboro proposed UR
Soils by nonirrigated capability class

Assisted By: Nathan P. Adelman
USDA-NRCS
08 March 2011



This map is for general planning purposes only.

French, Larry

From: French, Larry
Sent: Monday, June 06, 2011 7:52 AM
To: Meyer, Richard
Cc: French, Larry
Subject: RE: Cornelius Objection Supplement file will not open

Hi Richard,

"Farmland Suitability Maps 2_files (296KB)" will not open with any program we have. Please send as PDF or not

Thanks

Larry French | Community Services Administrative Specialist
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem OR 97301-2540
Phone: 503-373-0050 x283 Email: larry.french@state.or.us

From: Meyer, Richard [mailto:rmeyer@ci.cornelius.or.us]
Sent: Friday, June 03, 2011 2:34 PM
To: larry.french@state.or.us
Cc: Reynolds, Dick
Subject: Cornelius Objection Supplement

Larry,

Here is some additional information to add to Cornelius' Objection to the Metro Area Reserves Adoption that I sent yesterday.

It is all in the long public record on the matter, but important enough to call out in this Objection.

Thank you again.

- Richard



CITY OF CORNELIUS

June 2, 2011

DEPT OF

JUN 06 2011

LAND CONSERVATION
AND DEVELOPMENT

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

RE: Objection to Adoption of Metro Urban Reserve Areas

Dear Mr. French:

Please accept this Objection from the City of Cornelius to the Metro Urban Reserve Areas as amended and adopted by Metro and Washington County this April, 2011. Your Department will find evidence of our City's standing as an Objector on this matter, the details of our Objections, and an excellent remedy to address our Objection.

We have attached related documents to the Objection narrative to be considered part of the total Objection. They include the Community – Farmland Compromise Map which is the specific change we recommend to resolve our Objection, a letter of testimony to the Washington County Board of Commissioners from Sheila Griffie, our Planning Commission Chair, the summary argument for Urban Reserves North of Council Creek, and representative letters of testimony. All these documents are in the public record for the amended decisions before LCDC.

We are copying Metro and Washington, Clackamas and Multnomah Counties as instructed. City of Cornelius representatives look forward to DLCD's consideration and our hearing before the Land Conservation and Development Commission.

Thank you for your public service.

Richard Meyer
Development & Operations Director

Copy: Laura Dawson Bodner, Metro
Aisha Willits, Washington County
Mike McCallister, Clackamas County
Chuck Beasley, Multnomah County
Dave Waffle, Cornelius City Manager
Sheila Griffie, Cornelius Planning Commission Chair

eyer
Cornelius
Barlow St.
s, OR 97113



1000



97301

U.S. POSTAGE
PAID
CORNELIUS, OR
97113
JUN 03, 11
AMOUNT

\$1.68
00029751-02

DEPT OF

JUN 06 2011

LAND CONSERVATION
AND DEVELOPMENT

Larry French
Urban and Rural Reserves Specialist
Department of Land Conservation and Development
635 Capital Street NE, Suite 150
Salem, Oregon 97301