

August 9, 2017

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AUG 14 2017

LAND CONSERVATION
AND DEVELOPMENT

Department of Land Conservation and Development

635 Capitol St. NE Suite 150

Salem, OR 97301

Re: Objections to Metro Ordinance No.17-1405 Dealing with the Reserves in Multnomah and Clackamas Counties.

Participation in the Process:

My name is Thomas J. VanderZanden living at 15903 NW Logie Trail, Hillsboro, OR 97124. I have participated in the Reserves process since its inception going back to 2007. Prior to adoption of the Reserves in 2011 I testified before the Multnomah County Advisory Committee, their Planning Commission, and County Commission. Additionally, I have testified before Metro during the original hearing process. More recently I testified and narrated a drone video of East Bethany (Area 9B) before the Metro Council on June 15, 2017.

Background and Perspective:

I have benefited greatly from having been a resident of Oregon since birth in that it has provided me with the novel opportunity to be fully engaged in Oregon's unique land use system. My years in Oregon have afforded me the benefit of being part owner and President of Walter J. VanderZanden Farms Inc., the experience of being Director of Transportation and Development of Clackamas County, and the opportunity to experience our land use experiment from the private sector. In summary of my following remarks I wish to now emphasize that the Metro Decision regarding Area 9B (East Bethany) in Multnomah County, and Multnomah County's decision prescient to Metro's decision, is entirely flawed as per the intentions and requirements of SB 1011. Following I will attempt to briefly describe these governments' complete deviation from this Region's nascent attempt to fairly and accurately define the Metro Region's long-term...50 years...urban land needs. In short, Multnomah County simply made a "politically" driven decision and Metro simply failed to challenge Multnomah County's decision and "balance" the process as required and insure that SB 1011 was applied consistently across all three Counties.

SB 1011 Urbanization Factors:

The eight Factors included in SB 1011 offered to guide appropriate consideration of suitable Urban Reserve land designation were largely disregarded in both the Multnomah County and Metro decision. Of the roughly 2000 acres in Area 9B approximately 500 of these acres are distinctly different than the

remainder. These 500 acres, roughly defined as the “L” in the Multnomah County Staff Report, are entirely suitable for Urban Reserve designation. These 500 acres are easy to serve with a full range of urban services and they are adjacent to urban land in Washington County. The contrast between Washington County and Multnomah County along this political line is stark...on the Washington county side is complete urbanization ...the land in Washington County is near identical in nature to the land in Multnomah County. The only distinction between the two is the political boundary and not the geographical features. Roads, sewer, water and trail systems are “stubbed” out in Washington County to serve the area in Multnomah County. Again...I feel compelled to stress that the natural landscape and historic land uses on the Washington County side of this political boundary are replicated on the Multnomah County side of this political boundary. There is nothing in SB 1011 that gives deference to drawing the 50 year boundary in accord with “political” lines. Any honest on the ground view of these 500 acres makes it entirely apparent that they should not and cannot be treated as the remainder of Area 9B!

To add emphasis these 500 acres are within walking distance to Portland Community College at Rock Creek (26,000 students), the Bethany Village Town Center, Tri-Met bus service, regional and local trail systems, and Beaverton Schools. One Beaverton elementary school site is immediately adjacent to the subject 500 acres. Also, of critical importance, is the fact that Tualatin Valley Water District already has two large storage tanks present in the SW corner of the subject property and owns another 9 acres on the east edge of the property so as to serve the 500 acres.

Landscape Features:

It is certainly true that much of Area 9B can reasonably be designated “Rural Reserve” using the “landscape feature” factors contained in SB 1011. Much of Area 9B is dominated by steep slope and riparian areas. Of greatest import is that it is unfair and illogical to use this portion of SB 1011 to justify the Rural Reserve designation factors on all of Area 9B. The distinction between the two very different landscapes present in Area 9B was made clear early in the Reserves process by the Multnomah County staff when their report specifically identified the “L” as distinctly different from the remainder of Area 9B.

Agriculture...adding to the two distinctly different land types in Area 9B is the current agricultural zoning applied to most of the 500 acres. Furthermore, in an effort to give priority to “conflicted” agricultural lands as Urban Reserve candidates over “foundation” farmland the in Reserves process, the ODA ranked the entire Region accordingly. The agricultural land in Area 9B was ranked as “conflicted” ...the most suitable for Urban Reserve designation. This “conflicted” area was rare in that it represented the extremely small inventory of “conflicted” land adjacent to the current UGB in all of the Metro region.

Willingness to Serve:

During the entire Reserves process considerable deference was given to the City of Portland and their willingness (more accurately unwillingness) to serve this candidate area since it is in Multnomah County and Portland is the nearest city. In fact the initial review of sewer service by the City concluded that it would have to pump the sewerage over Skyline Blvd. through Forest Park to Linton (It is worth note that

the "politics" during this very timeframe... Sam Adams, Mayor of Portland, was taking the public position that the 50 year UR boundary ought to be the same as the 20 year UGB present in 2010...thus it comes as little surprise the City staff devolved a sewer service scenario that would not work). All of this misleading and misdirecting of the urban services analysis was happening with the full knowledge that Washington County currently provides sewer (and storm water treatment) to significant areas in western Multnomah County and the City of Portland via intergovernmental agreement. Neither Washington County nor its Special Service Districts were involved in the service provision research conducted by Metro and some of its participating jurisdictions. The biased and unscientific nature of the issue of urban services did not get attention until the very end of the original process when letters of willingness to serve this area of Multnomah County were provide by Washington County and the Tualatin Valley Water District. To suggest that the lack of "governance" and or the "willingness to serve" should play any part in the decision to designate this entire area as Rural Reserve is without any merit.

Summary and Recommendation:

LCDC/DLCD is bestowed the awesome responsibility to review and determine whether other governments are playing by the rules and planning appropriately for the citizens of the State of Oregon. I implore you to fully examine the record and deliberations associated with Area 9B. It is my unequivocal assertion that you will find "politics" rather the "good planning" embedded in the decision to exclude these 500 acres from Urban Reserve designation.

I have a drone video (to be sent separately upon request) that I am willing to provide depicting the 500 acres in question as similar to North Bethany in Washington County and distinctly different from the "landscape" restricted area further to the east. I welcome the opportunity to display and narrate this video before the DLCD staff and the LCDC. I truly believe that full consideration of the facts and the drone video will lead to a recommendation of Urban Reserve for this piece of the Metropolitan UR boundary.

Sincerely,

Thomas J. VanderZanden

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Department of Land Conservation & Development

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c/o objections to Metro Ordinance

No. 17-1405

57301-256425

