



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Metro Council President Tom Hughes

May 31, 2017

Rep. Brian Clem, Chair
House Committee on Agriculture and Natural Resources
Oregon State Capitol
Salem, OR 97301

Re: Opposition to Senate Bill 418, -A7 amendment

Dear Rep. Clem and members of the Committee:

Earlier this session, you took action on House Bill 2095, which authorizes modest changes to the process of managing the Portland region's urban growth boundary. This bill was the product of a year-long process that brought together local governments, state agencies, development interests, and land use advocates behind a well-considered consensus proposal.

In contrast, yesterday you heard testimony on the -A7 amendment to Senate Bill 418. This hastily drafted and ill-considered amendment was vetted by none of the affected parties before it was introduced and is entirely unnecessary for the purpose its proponents describe. Yet it could have far-reaching unintended consequences that would seriously disrupt the urban growth management process in our region, including possibly requiring the unnecessary addition of thousands of acres to the region's urban growth boundary.

This amendment, which is unrelated to the underlying bill, was presented in yesterday's hearing by one of its proponents as a relatively limited proposal that would apply to about 3,000 acres of land in the eastern part of the Damascus area that is unlikely to develop in the immediate future. As Andy Shaw testified on behalf of Metro, the amendment is unnecessary even with respect to that land and constitutes a pointless intrusion into the region's growth management process, which already discounts or zeroes out the development capacity of land that is unlikely to develop within 20 years.

However, since the hearing, we have learned that the amendment could actually apply not just to a limited area that is unlikely to develop soon, but to more than 14,000 acres of land added to the UGB in 2002 that is scattered around the Portland metropolitan region – including almost the entire Damascus area, not just its eastern edge. It could prohibit Metro from considering the development capacity of all of that land in a future growth management decision, even land that is almost certain to develop during the 20-year planning period.

Moreover, the language of the amendment is so unclear and poorly drafted that it could apply to virtually any unincorporated area within the urban growth boundary with vacant land or redevelopment potential. A quick analysis suggests that this could require us to remove as many as 65,000 dwelling units of known capacity in past expansion areas and in areas of Washington County like Aloha and Bethany from consideration in our buildable land inventory.

Since yesterday's hearing, we have identified the following areas from our 2002 UGB expansion alone that appear to fall under the description on page 2 of the amendment, and that we would

therefore be prohibited from considering when conducting our buildable land inventory:

The former city of Damascus – approximately 11,500 acres*
Springwater/Gresham – 1,152 acres
Park Place/Oregon City – 124 acres
Beavercreek Road/Oregon City – 217 acres
South End Road/Oregon City – 191 acres
Coffee Creek/Wilsonville – 217 acres
SW Tualatin/Tualatin – 313 acres
North Cooper Mt./Washington County – 507 acres
Brookman Road/Sherwood – 181 acres
TOTAL – approximately 14,400 acres

*The total area of Damascus added to the boundary in 2002 is 12,379 acres. Since Damascus disincorporated, Happy Valley has annexed approximately 850 acres. Acreage numbers for other areas also reflect net after annexations.

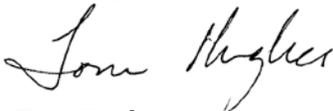
As noted above, much of this land is almost certain to develop in the next 20 years. The City of Happy Valley is requesting grant funds from Metro in the current 2040 Planning & Development Grant cycle to develop a land use and transportation plan for approximately 2,700 acres of land from the former city of Damascus. Portions of this land have already annexed to the city, but most of it remains unincorporated. In the future, Happy Valley intends to develop a land use and transportation plan for an additional 4,000 acres of former Damascus land. Yet none of this approximately 6,000 acres of unincorporated land could be considered as part of the region's 20-year land supply under this amendment.

This nonsensical outcome, which could force dramatic and entirely unnecessary expansions of Metro's urban growth boundary, is based on a fundamental logical error. Our responsibility under Oregon's land use planning program is to look forward and ensure, to the best of our ability, that the UGB has a 20-year supply of land for all urban uses. During a 20-year period, things change – growth rates, market demand, development patterns, and even the land use laws that govern UGB decisions. That's why state law requires us to revisit our analysis of buildable land every six years.

This amendment, however, looks backward. In seeking to enforce a 15-year-old analysis made under fundamentally different land use rules, which has been superseded by several subsequent buildable land inventories, it would force us to ignore the capacity of thousands of acres of land that are clearly available for development. Put another way, because its proponents believe our analysis was wrong in the past, they would GUARANTEE that our analysis would be wrong in the future.

In summary, this poorly thought-through amendment is far from the innocuous proposal presented to your committee by its proponent. It constitutes a fundamental rewriting of the UGB process in the Portland region, would cost the region tens or hundreds of thousands of dollars to implement, and could result in dramatic and entirely unnecessary expansions of the region's urban growth boundary. I urge you in the strongest terms to reject it.

Sincerely,



Tom Hughes
Metro Council President